

<u>10:33 A.M.</u>

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Representative Wood.

Representative Walker led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present - Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris-Tatum, Murat, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Stone, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen - 98.

Absent with leave - None.

Vacancies - 84th Assembly District - 1.

LEAVES OF ABSENCE

Representative R. Potter asked unanimous consent for a leave of absence for part of today's session for Representative Reynolds. Granted.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 98–007 Relating to the brownfields grant program.

Submitted by Department of Commerce. Report received from Agency, April 23, 1998.

TUESDAY, April 28, 1998

To committee on **Environment**. Referred on April 28, 1998.

Assembly Clearinghouse Rule 98–040

Relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways. Submitted by Department of Transportation. Report received from Agency, April 23, 1998. To committee on **Highways and Transportation**. Referred on April 28, 1998.

EXECUTIVE COMMUNICATIONS

State of Wisconsin Office of the Governor Madison

April 27, 1998

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, have been approved, signed and deposited in the office of the Secretary of State:

Bill Number	Act Number	Date Approved
AB 755	174	April 27, 1998
AB 208	176	April 27, 1998
AB 918	177	April 27, 1998
AB 256	178	April 27, 1998
AB 756	179	April 27, 1998
AB 93	180	April 27, 1998

Respectfully submitted, TOMMY G. THOMPSON Governor

State of Wisconsin Office of the Governor Madison

April 28, 1998

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, have been approved, signed and deposited in the office of the Secretary of State:

Bill Number	Act Number	Date Approved
AB 342	181	April 27, 1998
AB 284	182	April 27, 1998

AB 300	193	April 27, 1998
AB 300		1
AB 919	184	April 27, 1998
AB 254	185	April 27, 1998
AB 57	186	April 27, 1998
AB 671		April 27, 1998
AB 645		April 27, 1998
AB 585		April 27, 1998
AB 447		April 27, 1998
AB 770		April 27, 1998
AB 737		April 27, 1998
AB 487		April 27, 1998
AB 327		April 27, 1998
AB 117		April 27, 1998
AB 940		April 28, 1998

Respectfully submitted, TOMMY G. THOMPSON Governor

COMMUNICATIONS

State of Wisconsin Office of the Secretary of State Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

Bill Number	Act Number	Publication Date
Assembly Bill 397	153	May 5, 1998
Assembly Bill 638	154	May 5, 1998
Assembly Bill 675	155	May 5, 1998
Assembly Bill 595	158	May 5, 1998
Assembly Bill 704	159	May 5, 1998
Assembly Bill 444	166	May 5, 1998

Sincerely, DOUGLAS LA FOLLETTE Secretary of State

COMMUNICATIONS

State of Wisconsin Revisor of Statutes Bureau Madison

DATE: May 1, 1998

TO: Charles Sanders Assembly Chief Clerk

> Donald J. Schneider Senate Chief Clerk

FROM: Gary L. Poulson Deputy Revisor of Statutes

SUBJECT: Rules published in the April 30, 1998, Wisconsin Administrative Register, No. 508.

The following rules have been published:

Clearinghouse Rule 96–106	effective	5-1-98
Clearinghouse Rule 96–107	effective	5-1-98
Clearinghouse Rule 96–108	effective	5-1-98
Clearinghouse Rule 96–109	effective	5-1-98
Clearinghouse Rule 97–93	effective	5-1-98
Clearinghouse Rule 97–106	effective	5-1-98
Clearinghouse Rule 97–107	effective	5-1-98
Clearinghouse Rule 97–113	effective	5-1-98
Clearinghouse Rule 97–116	effective	5-1-98
Clearinghouse Rule 97–144	effective	5-1-98
Clearinghouse Rule 97–147	effective	5-1-98
Clearinghouse Rule 97–148	effective	5-1-98
Clearinghouse Rule 97–156	effective	5-1-98
Clearinghouse Rule 97–169	effective	5-1-98

COMMUNICATIONS

April 20, 1998

Speaker Scott Jensen Room 221 West, State Capitol Madison, WI 53702

Dear Speaker Jensen:

At this time, I find it necessary to resign as Wisconsin State Representative for the 84th Assembly District. It has truly been an honor and privilege to serve the 84th Assembly District as State Representative, and I am appreciative of the experiences and knowledge I have gained while interacting with State Representatives.

It is a bittersweet resignation. In that I will miss the Assembly and the wonderful colleagues of the distinguished body, I look forward to the challenges that await me as Wisconsin State Senator for the 28th Senate District.

I look forward to the future when the paths of Representatives and Senators cross in Madison, in our respective districts, and throughout the great State of Wisconsin, and I will again have the opportunity to interact with Assembly colleagues.

> Sincerely, MARY A. LAZICH State Representative 84th Assembly District

> > April 22, 1998

Representative Scott Jensen Speaker of the Assembly Room 221 West, State Capitol Madison, WI 53702

Dear Speaker Jensen:

Please accept my resignation from the Assembly Committee on Land Use. I would like this to take effect as of today, Wednesday, April 22, 1998. Thank you for your immediate attention to this request. If you have any questions, please feel free to contact me.

Sincerely, CAROL OWENS State Representative 53rd Assembly District

April 22, 1998

Speaker Scott Jensen Room 221 West, State Capitol P.O. Box 8952 Madison, WI 53702

Dear Speaker Jensen:

I hereby resign from my appointment to the Assembly Highways and Transportation Committee.

Although I have thoroughly enjoyed my service as a member of the committee, I feel it is time for me to step down from my position. Therefore, I request that my resignation take effect immediately.

Please feel free to contact me should you have any questions.

Sincerely, *ROBERT K. ZUKOWSKI* State Representative 69th Assembly District

April 27, 1998

Speaker Scott Jensen Room 221 West, State Capitol Madison, WI 53708

Dear Speaker Jensen:

I am writing to inform you of my resignation from the Criminal Justice and Corrections Committee as of today. I will be accepting your appointment as a member of the Joint Committee on Audit.

If you have any questions on this matter, please contact me.

Sincerely, STEPHEN L. NASS State Representative 31st Assembly District

SPEAKER'S APPOINTMENTS

April 22, 1998

Representative Carol Kelso Room 16 West, State Capitol Madison, WI 53708

Dear Carol:

As Assembly Speaker, it is my pleasure to appoint you as Chair of the Assembly Committee on Audit. You will be replacing Rep. Mary Lazich, who has resigned. This appointment is effective immediately.

Thank you for your service.

Sincerely, SCOTT R. JENSEN Assembly Speaker

April 22, 1998

Representative Carol Kelso Room 16 West, State Capitol Madison, WI 53708

Dear Carol:

As Assembly Speaker, it is my pleasure to appoint you as Co-Chair of the Joint Committee on Audit. You will be replacing Rep. Mary Lazich, who has resigned. This appointment is effective immediately.

Thank you for your service.

Sincerely, SCOTT R. JENSEN Assembly Speaker

April 22, 1998

Representative Tim Hoven Room 17 North, State Capitol Madison, WI 53708

Dear Tim:

As Assembly Speaker, it is my pleasure to appoint you to the Committee on Labor and Employment. You will be replacing Rep. Mary Lazich, who has resigned. This appointment is effective immediately.

Thank you for your service.

Sincerely, SCOTT R. JENSEN Assembly Speaker

April 22, 1998

Representative Jeff Stone Room 8 West, State Capitol Madison, WI 53708

Dear Jeff:

As Assembly Speaker, it is my pleasure to appoint you to the Committee on Highways and Transportation. You will be

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replacing Rep. Bob Zukowski, who has resigned. This appointment is effective immediately.

Thank you for your service.

Sincerely, SCOTT R. JENSEN Assembly Speaker

April 22, 1998

Representative Jeff Stone Room 8 West, State Capitol Madison, WI 53708

Dear Jeff:

As Assembly Speaker, it is my pleasure to appoint you to the Committee on Financial Institutions. You will be replacing Rep. Mary Lazich, who has resigned. This appointment is effective immediately.

Thank you for your service.

Sincerely, SCOTT R. JENSEN Assembly Speaker

April 22, 1998

Representative Jeff Stone Room 8 West, State Capitol Madison, WI 53708

Dear Jeff:

As Assembly Speaker, it is my pleasure to appoint you to the Committee on Land Use. You will be replacing Rep. Carol Owens, who has resigned. This appointment is effective immediately.

Thank you for your service.

Sincerely, SCOTT R. JENSEN Assembly Speaker

April 27, 1998

Representative Jeff Stone Room 8 West, State Capitol Madison, WI 53708

Dear Jeff:

As Assembly Speaker, it is my pleasure to appoint you to the Committee on Criminal Justice and Corrections. You will be replacing Rep. Steve Nass, who has resigned. This appointment is effective immediately.

Thank you for your service.

Sincerely, SCOTT R. JENSEN Assembly Speaker

April 27, 1998

Representative Steve Nass Room 12 West, State Capitol Madison, WI 53708

Dear Steve:

As Assembly Speaker, it is my pleasure to appoint you to the Assembly Committee on Audit. You will be replacing Rep. Carol Kelso, who has been named Chair of the committee. This appointment is effective immediately.

Thank you for your service.

Sincerely, SCOTT R. JENSEN Assembly Speaker

April 27, 1998

Representative Steve Nass Room 12 West, State Capitol Madison, WI 53708

Dear Steve:

As Assembly Speaker, it is my pleasure to appoint you to the Joint Committee on Audit. You will be replacing Rep. Carol Kelso, who has been named Co-Chair of the committee. This appointment is effective immediately.

Thank you for your service.

Sincerely, SCOTT R. JENSEN Assembly Speaker

Representative Green asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

10:40 A.M.

RECESS

1:45 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

CALENDAR OF TUESDAY, APRIL 28

Assembly Bill 100

Relating to: state finances and appropriations, constituting the executive budget act of the 1997 legislature, and making appropriations.

Representative Foti asked unanimous consent that the partial vetoes to **Assembly Bill 100** be laid on the table. Granted.

Assembly Bill 119

Relating to: special distinguishing registration plates, payments to authorized special groups, granting rule–making authority and making an appropriation.

Representative Reynolds asked unanimous consent that his leave of absence be lifted. Granted.

The question was: Shall Senate amendment 1 to **Assembly Bill 119** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 119** be immediately messaged to the Senate. Granted.

Assembly Bill 736

Relating to: various changes to hunting and fishing regulations and granting rule-making authority.

Assembly amendment 1 to Senate amendment 1 to **Assembly Bill 736** offered by Representative Schneider.

POINT OF ORDER

Representative Huebsch rose to the point of order that Assembly amendment 1 to Senate amendment 1 to **Assembly Bill 736** was not germane under Assembly Rule 54 (3)(f) and Assembly 54 (5).

Speaker Pro Tempore Freese took the point of order under advisement.

Assembly amendment 2 to Senate amendment 1 to **Assembly Bill 736** offered by Representative Schneider.

POINT OF ORDER

Representative Huebsch rose to the point of order that Assembly amendment 2 to Senate amendment 1 to **Assembly Bill 736** was not germane under Assembly Rule 54 (3)(f) and Assembly 54 (5).

Speaker Pro Tempore Freese took the point of order under advisement.

Assembly Bill 864

Relating to: recodification of fish and game laws.

Assembly amendment 1 to Senate amendment 1 to Assembly Bill 864 offered by Representative Schneider.

POINT OF ORDER

Representative Huebsch rose to the point of order that Assembly amendment 1 to Senate amendment 1 to **Assembly** **Bill 864** was not germane under Assembly Rule 54(3)(f) and Assembly 54(5).

Speaker Pro Tempore Freese took the point of order under advisement.

Assembly amendment 2 to Senate amendment 1 to **Assembly Bill 864** offered by Representative Schneider.

POINT OF ORDER

Representative Huebsch rose to the point of order that Assembly amendment 2 to Senate amendment 1 to **Assembly Bill 864** was not germane under Assembly Rule 54 (3)(f) and Assembly 54 (5).

Speaker Pro Tempore Freese took the point of order under advisement.

The Assembly stood informal.

Representative Foti asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

2:05 P.M.

RECESS

3:09 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

RULING ON THE POINT OF ORDER

Speaker Pro Tempore Freese ruled **well-taken** the point of order raised by Representative Huebsch that Assembly amendment 1 to Senate amendment 1 to **Assembly Bill 736** was not germane.

Representative Schneider appealed the ruling of the Chair.

The question was: Shall the ruling of the Chair stand as the ruling of the Assembly?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schafer, Seratti, Skindrud, Spillner, Stone, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Jensen – 52.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Gronemus, Hanson, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, J. Lehman, Linton, Meyer, Morris–Tatum, Murat, Notestein, Plale, Plouff, R. Potter, Reynolds, Riley, Robson, Ryba, Schneider, Springer, Staskunas, Steinbrink, Travis, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, R. Young and Ziegelbauer – 46.

Absent or not voting – None.

Motion carried.

RULING ON THE POINT OF ORDER

Speaker Pro Tempore Freese ruled **well-taken** the point of order raised by Representative Huebsch that Assembly amendment 2 to Senate amendment 1 to **Assembly Bill 736** was not germane.

Representative Schneider appealed the ruling of the Chair.

The question was: Shall the ruling of the Chair stand as the ruling of the Assembly?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schafer, Seratti, Skindrud, Spillner, Stone, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Jensen – 53.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Hanson, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, J. Lehman, Linton, Meyer, Morris–Tatum, Murat, Notestein, Plale, Plouff, R. Potter, Reynolds, Riley, Robson, Ryba, Schneider, Springer, Staskunas, Steinbrink, Travis, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, R. Young and Ziegelbauer – 45.

Absent or not voting – None.

Motion carried.

Assembly Bill 736

Relating to: various changes to hunting and fishing regulations and granting rule-making authority.

The question was: Shall Senate amendment 1 to **Assembly Bill 736** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 736** be immediately messaged to the Senate. Granted.

RULING ON THE POINT OF ORDER

Speaker Pro Tempore Freese ruled **well-taken** the point of order raised by Representative Huebsch that Assembly amendment 1 to Senate amendment 1 to **Assembly Bill 864** was not germane.

Representative Schneider appealed the ruling of the Chair.

The question was: Shall the ruling of the Chair stand as the ruling of the Assembly?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Krug, Ladwig, F. Lasee, M. Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schafer, Seratti, Skindrud, Spillner, Stone, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Jensen – 53.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Gronemus, Hanson, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krusick, Kunicki, La Fave, J. Lehman, Linton, Meyer, Morris–Tatum, Murat, Notestein, Plale, Plouff, R. Potter, Reynolds, Riley, Robson, Ryba, Schneider, Springer, Staskunas, Steinbrink, Travis, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, R. Young and Ziegelbauer – 45.

Absent or not voting - None.

Motion carried.

RULING ON THE POINT OF ORDER

Speaker Pro Tempore Freese ruled **well-taken** the point of order raised by Representative Huebsch that Assembly amendment 2 to Senate amendment 1 to **Assembly Bill 864** was not germane.

Representative Schneider appealed the ruling of the Chair.

The question was: Shall the ruling of the Chair stand as the ruling of the Assembly?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schafer, Seratti, Skindrud, Spillner, Stone, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Jensen – 52.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Gronemus,

Hanson, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, J. Lehman, Linton, Meyer, Morris–Tatum, Murat, Notestein, Plale, Plouff, R. Potter, Reynolds, Riley, Robson, Ryba, Schneider, Springer, Staskunas, Steinbrink, Travis, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, R. Young and Ziegelbauer – 46.

Absent or not voting – None.

Motion carried.

Assembly Bill 864

Relating to: recodification of fish and game laws.

The question was: Shall Senate amendment 1 to **Assembly Bill 864** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 864** be immediately messaged to the Senate. Granted.

ANNOUNCEMENTS

Representative Baumgart asked unanimous consent that the Assembly adjourn in honor of *Wisconsin Trails Magazine* for their June 1998 article "Nina Leopold Bradley" on pages 20, 21 and 23. Granted.

Representative Dueholm asked unanimous consent that the Assembly adjourn in honor of Deneen and Ken Kickbusch, who are celebrating their 25th Wedding Anniversary today. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of sixth grade students Amanda Kennedy, Theresa Schuller, Kenoshia Brown, Stephanie Shult, Elizabeth Carter and Theresa Buttchen, accompanied by their teacher Mark Mueller, from River Bluff Middle School in Stoughton. They are being recognized nationally for developing numerous public service announcements aimed at reducing teen pregnancy, which will soon be seen on NBC. Granted.

REFERENCE BUREAU CORRECTIONS

Assembly Bill 959

1. Page 43, line 10: delete "election" and substitute "election.".

2. Page 99, line 8: delete "<u>campaign</u>" and substitute "<u>Campaign</u>".

Assembly Bill 963

1. Page 8, line 3: delete "charges" and substitute "charged".

2. Page 8, line 9: delete "of the" and substitute "of the".

VISITORS

During today's session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Terilyn and Carson Scholze from Alma Center, guests of Representative Musser.

Mark Ladd, Racine County Register of Deeds, guest of Representative Stone.

Jack Lindstrom from Diamond Bluff, guest of Representative Harsdorf.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:01 A.M. on Thursday, April 30.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

3:17 P.M.