



STATE OF WISCONSIN

Assembly Journal

April 1998 Extraordinary Session

10:35 A.M.

TUESDAY, May 5, 1998

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 R. Young.

Representative Hutchison 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, Cogs, Cullen, Dobyms, 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, 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 – 97.

Absent with leave – Representative Seratti – 1.

Vacancies – 84th Assembly District – 1.

LEAVES OF ABSENCE

Representative Green asked unanimous consent for a leave of absence for today's session for Representative Seratti. Granted.

AMENDMENTS OFFERED

Assembly substitute amendment 2 to **Assembly Bill 235** offered by Representative Duff.

Assembly amendment 2 to Assembly substitute amendment 3 to **Assembly Bill 308** offered by Representative Huebsch.

Assembly amendment 2 to **Senate Bill 23** offered by Representative Lorge.

Assembly amendment 1 to **Senate Bill 369** offered by committee on **Housing**.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 134

Relating to: the life and public service of Henry Schowalter.

By committee on Rules, by request of Representative Grothman and Senator Panzer.

To committee on **Rules**.

COMMITTEE REPORTS

The committee on **Consumer Affairs** reports and recommends:

Senate Bill 527

Relating to: the manufacture, distribution and sale in this state of any mattress, upholstered spring, comforter, pad, cushion or pillow designed and manufactured for the purpose of sleeping or reclining and providing a penalty.

Concurrence:

Ayes: 6 – Representatives Otte, Ott, M. Lehman, Urban, Hasenohrl and Black.

Noes: 1 – Representative Johnsrud.

To committee on **Rules**.

CLIFFORD OTTE

Chairperson

Committee on Consumer Affairs

The committee on **Housing** reports and recommends:

Senate Bill 369

Relating to: establishing a commercial real estate broker's commission lien.

Assembly amendment 1 adoption:

Ayes: 8 – Representatives Owens, Kedzie, Foti, Vrakas, Wieckert, Morris–Tatum, La Fave and L. Young.

Noes: 0.

Concurrence as amended:

Ayes: 8 – Representatives Owens, Kedzie, Foti, Vrakas, Wieckert, Morris–Tatum, La Fave and L. Young.
Noes: 0.

To committee on **Rules**.

CAROL OWENS
Chairperson
Committee on Housing

COMMUNICATIONS

Southeast Wisconsin Professional
Baseball Park District
Milwaukee

April 17, 1998

To the Honorable, the Assembly:

Enclosed please find your copy of the March 1998 Miller Park Monthly Progress Report. If you have any questions or comments on this month’s report, please feel free to contact me.

Thank you in advance for your consideration and input on the Miller Park project.

Very truly yours,
MICHAEL R. DUCKETT, P.E., R.L.S.
Executive Director, SEWPBPD

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.

Representative Foti asked unanimous consent that the rules be suspended and that the Assembly proceed to the 12th order of business on today’s calendar. Granted.

CALENDAR OF TUESDAY, MAY 5

Senate Bill 88

Relating to: increasing forfeitures for motor vehicle speed restriction violations committed in school zones and providing penalties.

The question was: Shall **Senate Bill 88** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 88** be given a third reading. Granted.

The question was: **Senate Bill 88** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 88** be immediately messaged to the Senate. Granted.

Senate Bill 173

Relating to: termination of parental rights over a child who on 3 or more separate occasions has been placed outside of his or her home by an order of the juvenile court.

Assembly substitute amendment 1 to **Senate Bill 173** offered by Representatives Grothman and Cullen.

The question was: Shall Assembly substitute amendment 1 to **Senate Bill 173** be adopted?

Motion carried.

The question was: Shall **Senate Bill 173** be ordered to a third reading?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Bill 173** be given a third reading. Granted.

The question was: **Senate Bill 173** having been read three times, shall the bill be concurred in as amended?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baumgart, Brandemuehl, Carpenter, Coggs, Cullen, Dobyons, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, Ladwig, F. Lasee, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Plouff, Powers, Reynolds, Robson, Ryba, Schafer, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Stone, Sykora, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, Ziegelbauer, Zukowski and Speaker Jensen – 81.

Noes – Representatives Baldwin, Black, Bock, Boyle, Dueholm, Hanson, La Fave, Murat, Notestein, Plale, Porter, R. Potter, Riley, Schneider, Travis and R. Young – 16.

Absent or not voting – Representative Seratti – 1.

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Bill 173** be immediately messaged to the Senate. Granted.

Senate Joint Resolution 43

Relating to: 4–year terms of office for, appointment of, vacancies in the offices of, and the restriction on holding any other office by, sheriffs (2nd consideration).

The question was: Shall **Senate Joint Resolution 43** be ordered to a third reading?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 43** be given a third reading. Granted.

The question was: **Senate Joint Resolution 43** having been read three times, shall the joint resolution be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Bock, Boyle, Brandemuehl, Coggs, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krusick, Kunicki, Ladwig, F. Lasee, J. Lehman, M. Lehman, Linton, Meyer, Murat, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Ryba, Schafer, Schneider, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Stone, Sykora, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, L. Young, Zukowski and Speaker Jensen – 80.

Noes – Representatives Baumgart, Black, Carpenter, Cullen, Dueholm, Huber, Hubler, Krug, La Fave, Lorge, Morris–Tatum, Robson, Travis, Williams, Wood, R. Young and Ziegelbauer – 17.

Absent or not voting – Representative Seratti – 1.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 43** be immediately messaged to the Senate. Granted.

Assembly Bill 221

Relating to: causing harm or death to an unborn child and providing penalties.

The question was: Shall Senate amendment 1 to **Assembly Bill 221** be concurred in?

Motion carried.

The question was: Shall Senate amendment 2 to **Assembly Bill 221** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 221** be immediately messaged to the Senate. Granted.

Assembly Bill 351

Relating to: sentences for felony offenses, parole, community supervision, granting rule–making authority and providing penalties.

Assembly amendment 1 to Senate substitute amendment 1 to **Assembly Bill 351** offered by Representative Boyle.

Representative Sykora moved that Assembly amendment 1 to Senate substitute amendment 1 to **Assembly Bill 351** be laid on the table.

The question was: Shall Assembly amendment 1 to Senate substitute amendment 1 to **Assembly Bill 351** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bock, Brandemuehl, Cullen, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huber, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Krug, Krusick, Ladwig, F. Lasee, M. Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Plouff, Porter, Powers, Robson, Ryba, Schafer, Skindrud, Spillner, Springer, Staskunas, Stone, Sykora, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Ziegelbauer, Zukowski and Speaker Jensen – 63.

Noes – Representatives Baldwin, Baumgart, Black, Boyle, Carpenter, Coggs, Dueholm, Gronemus, Hanson, Hasenohrl, Hebl, Hubler, Kreuser, Kunicki, La Fave, J. Lehman, Linton, Meyer, Morris–Tatum, Murat, Notestein, Plale, R. Potter, Reynolds, Riley, Schneider, Steinbrink, Travis, Vander Loop, Wasserman, Williams, Wood, L. Young and R. Young – 34.

Absent or not voting – Representative Seratti – 1.

Motion carried.

Assembly amendment 2 to Senate substitute amendment 1 to **Assembly Bill 351** offered by Representative Schneider.

Assembly amendment 3 to Senate substitute amendment 1 to **Assembly Bill 351** offered by Representative Schneider.

Representative Foti asked unanimous consent that Assembly amendments 2 and 3 to Senate substitute amendment 1 to **Assembly Bill 351** be placed after Assembly amendment 5 to Senate substitute amendment 1 to **Assembly Bill 351**. Granted.

Assembly amendment 4 to Senate substitute amendment 1 to **Assembly Bill 351** offered by Representative Grothman.

Representative Sykora moved that Assembly amendment 4 to Senate substitute amendment 1 to **Assembly Bill 351** be laid on the table.

Representative Boyle moved that **Assembly Bill 351** be referred to the joint committee on **Finance**.

The question was: Shall **Assembly Bill 351** be referred to the joint committee on **Finance**?

The roll was taken.

The result follows:

Ayes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Coggs, Dueholm, Gronemus, Hanson, Huber, Hubler, Krug, Kunicki, J. Lehman, Lorge, Morris–Tatum, Murat, Notestein, Plale, Plouff, R. Potter, Ryba, Schneider, Springer, Travis, Turner, Vander Loop, Wasserman, Williams, L. Young, R. Young and Ziegelbauer – 32.

Noes – Representatives Ainsworth, Albers, Brandemuehl, Carpenter, Cullen, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hasenohrl, Hebl, Hoven, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krusick, La Fave, Ladwig, F. Lasee, M. Lehman, Linton, Meyer, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Reynolds, Riley, Robson, Schafer, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Wood, Zukowski and Speaker Jensen – 65.

Absent or not voting – Representative Seratti – 1.

Motion failed.

Representative Riley asked unanimous consent to be recorded as voting “Aye” on the previous question. Granted.

The question was: Shall Assembly amendment 4 to Senate substitute amendment 1 to **Assembly Bill 351** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, 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, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Stone, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 93.

Noes – Representatives Grothman, Kunicki, Schneider and Wood – 4.

Absent or not voting – Representative Seratti – 1.

Motion carried.

Assembly amendment 5 to Senate substitute amendment 1 to **Assembly Bill 351** offered by Representative Grothman.

POINT OF ORDER

Representative R. Young rose to the point of order that Assembly amendment 5 to Senate substitute amendment 1 to **Assembly Bill 351** was not germane under Assembly Rule 54(5).

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

POINT OF ORDER

Representative Walker rose to the point of order that Assembly amendment 2 to Senate substitute amendment 1 to **Assembly Bill 351** was not germane under Assembly Rule 54(3)(f).

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

POINT OF ORDER

Representative Walker rose to the point of order that Assembly amendment 3 to Senate substitute amendment 1 to **Assembly Bill 351** was not germane under Assembly Rule 54(3)(f).

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

Assembly amendment 6 to Senate substitute amendment 1 to **Assembly Bill 351** offered by Representatives Baldwin, Robson, Krug and R. Young.

Representative Duff in the chair.

Speaker Pro Tempore Freese in the chair.

Representative Sykora moved that Assembly amendment 6 to Senate substitute amendment 1 to **Assembly Bill 351** be laid on the table.

The question was: Shall Assembly amendment 6 to Senate substitute amendment 1 to **Assembly Bill 351** be laid on the table?

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, Krusick, Ladwig, F. Lasee, M. Lehman, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schafer, Skindrud, Spillner, Stone, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Ziegelbauer, Zukowski and Speaker Jensen – 53.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Hanson, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Kunicki, La

Fave, J. Lehman, Linton, Lorge, 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 and R. Young – 44.

Absent or not voting – Representative Seratti – 1.

Motion carried.

RULING ON THE POINT OF ORDER

Speaker Pro Tempore Freese ruled **not well taken** the point of order raised by Representative R. Young that Assembly amendment 5 to Senate substitute amendment 1 to **Assembly Bill 351** was not germane.

Representative Walker moved that Assembly amendment 5 to Senate substitute amendment 1 to **Assembly Bill 351** be laid on the table.

The question was: Shall Assembly amendment 5 to Senate substitute amendment 1 to **Assembly Bill 351** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, 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, Ourada, Owens, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Stone, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, L. Young, R. Young, Zukowski and Speaker Jensen – 92.

Noes – Representatives Baumgart, Grothman, Plale, Wood and Ziegelbauer – 5.

Absent or not voting – Representative Seratti – 1.

Motion carried.

RULING ON THE POINT OF ORDER

Speaker Pro Tempore Freese ruled **well taken** the point of order raised by Representative Walker that Assembly amendment 2 to Senate substitute amendment 1 to **Assembly Bill 351** was not germane.

RULING ON THE POINT OF ORDER

Speaker Pro Tempore Freese ruled **well taken** the point of order raised by Representative Walker that Assembly amendment 3 to Senate substitute amendment 1 to **Assembly Bill 351** was not germane.

Representative R. Young asked unanimous consent that the rules be suspended and that Senate substitute amendment 1 to **Assembly Bill 351** be divided as follows:

Part 1 – Page 1, Line 1 thru Page 138, Line 8.

Part 2 – Page 138, Line 9 thru end.

Representative Sykora objected.

Representative R. Young asked unanimous consent that the rules be suspended and that Senate substitute amendment 1 to **Assembly Bill 351** be divided as follows:

Part 1 – Page 1, Line 1 thru Page 138, Line 8.

Part 2 – Page 138, Line 9 thru end.

Granted.

The question was: Shall Part 1 of Senate substitute amendment 1 (Page 1, line 1 thru Page 138, Line 8) to **Assembly Bill 351** be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baumgart, Black, Brandemuehl, Carpenter, Cullen, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krusick, La Fave, Ladwig, F. Lasee, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Musser, Nass, Olsen, Ott, Ourada, Owens, Plale, Plouff, Porter, Powers, Robson, Ryba, Schafer, Schneider, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Stone, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Ziegelbauer, Zukowski and Speaker Jensen – 80.

Noes – Representatives Baldwin, Bock, Boyle, Coggs, Dueholm, Hanson, Hubler, Krug, Kunicki, J. Lehman, Murat, Notestein, R. Potter, Reynolds, Riley, L. Young and R. Young – 17.

Absent or not voting – Representative Seratti – 1.

Motion carried.

The question was: Shall Part 2 of Senate substitute amendment 1 (Page 138, Line 9 thru the end) to **Assembly Bill 351** be concurred in?

The roll was taken.

The result follows:

Ayes – 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, 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 – 97.

Noes – None.

Absent or not voting – Representative Seratti – 1.

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that the Assembly’s action on **Assembly Bill 351** be immediately messaged to the Senate. Granted.

Assembly Bill 463

Relating to: unborn children who are at substantial risk of serious physical injury due to the habitual lack of self–control of their expectant mothers in the use of alcohol beverages, controlled substances or controlled substance analogs, exhibited to a severe degree.

The question was: Shall Senate amendment 2 to **Assembly Bill 463** be concurred in?

The roll was taken.

The result follows:

Ayes – 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, 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 – 97.

Noes – None.

Absent or not voting – Representative Seratti – 1.

Motion carried.

The question was: Shall Senate amendment 3 to **Assembly Bill 463** be concurred in?

The roll was taken.

The result follows:

Ayes – 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, 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 – 97.

Noes – None.

Absent or not voting – Representative Seratti – 1.

Motion carried.

The question was: Shall Senate amendment 5 to **Assembly Bill 463** be concurred in?

The roll was taken.

The result follows:

Ayes – 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, 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 – 97.

Noes – None.

Absent or not voting – Representative Seratti – 1.

Motion carried.

The question was: Shall Senate amendment 8 to **Assembly Bill 463** be concurred in?

The roll was taken.

The result follows:

Ayes – 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, 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 – 97.

Noes – None.

Absent or not voting – Representative Seratti – 1.

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 463** be immediately messaged to the Senate. Granted.

Assembly Bill 621

Relating to: the testimony at trial of child witnesses in certain cases.

The question was: Shall Senate amendment 1 to **Assembly Bill 621** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 621** be immediately messaged to the Senate. Granted.

Assembly Bill 631

Relating to: charter schools.

Assembly amendment 1 to Senate amendment 4 to **Assembly Bill 631** offered by Representative Olsen.

The question was: Shall Assembly amendment 1 to Senate amendment 4 to **Assembly Bill 631** be adopted?

Motion carried.

The question was: Shall Senate amendment 4 to **Assembly Bill 631** be concurred in as amended?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 631** be immediately messaged to the Senate. Granted.

Assembly Bill 668

Relating to: changing rental unit energy efficiency requirements and creating a procedure for issuing citations for failure to comply with existing stipulations relating to rental unit energy efficiency requirements.

The question was: Shall Senate amendment 1 to **Assembly Bill 668** be concurred in?

Motion carried.

The question was: Shall Senate amendment 2 to **Assembly Bill 668** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 668** be immediately messaged to the Senate. Granted.

Assembly Bill 686

Relating to: compulsory school attendance, habitual truancy, the penalties for contributing to truancy, truancy planning committees and school district truancy plans.

Assembly amendment 1 to Senate substitute amendment 1 to **Assembly Bill 686** offered by Representative R. Young.

Representative Olsen moved that Assembly amendment 1 to Senate substitute amendment 1 to **Assembly Bill 686** be laid on the table.

The question was: Shall Assembly amendment 1 to Senate substitute amendment 1 to **Assembly Bill 686** be laid on the table?

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, Kunicki, Ladwig, F. Lasee, M. Lehman, Lorge, Murat, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Ryba, Schafer, Skindrud, Spillner, Staskunas, Stone, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Jensen – 56.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Hanson, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, J. Lehman, Linton, Meyer, Morris-Tatum, Notestein, Plale, Plouff, R. Potter, Reynolds, Riley, Robson, Schneider, Springer, Steinbrink, Travis, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, R. Young and Ziegelbauer – 41.

Absent or not voting – Representative Seratti – 1.

Motion carried.

The question was: Shall Senate substitute amendment 1 to **Assembly Bill 686** be concurred in?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 686** be immediately messaged to the Senate. Granted.

Assembly Bill 701

Relating to: a ban on disposal and incineration of used automotive oil filters.

The question was: Shall Senate amendment 1 to **Assembly Bill 701** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 701** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 369** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Senate Bill 369

Relating to: establishing a commercial real estate broker's commission lien.

The question was: Shall Assembly amendment 1 to **Senate Bill 369** be adopted?

Motion carried.

The question was: Shall **Senate Bill 369** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 369** be given a third reading. Granted.

The question was: **Senate Bill 369** having been read three times, shall the bill be concurred in as amended?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, 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, 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, Skindrud, Spillner, Springer, Staskunas, Steinbrink, Stone, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, Ziegelbauer, Zukowski and Speaker Jensen – 94.

Noes – Representatives Dueholm, Linton and R. Young – 3.

Absent or not voting – Representative Seratti – 1.

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Bill 369** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 134** be withdrawn from today's calendar and taken up at this time. Granted.

Assembly Joint Resolution 134

Relating to: the life and public service of Henry Schowalter.

The question was: Shall **Assembly Joint Resolution 134** be adopted?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 134** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that the Assembly proceed to the 11th order of business on today's calendar. Granted.

Assembly Bill 159

Relating to: commencement of the fall semester at public schools.

Assembly substitute amendment 3 to **Assembly Bill 159** offered by Representative Schneider.

POINT OF ORDER

Representative Handrick rose to the point of order that Assembly substitute amendment 3 to **Assembly Bill 159** was not germane under Assembly Rule 54(3)(f).

Speaker Pro Tempore Freese ruled the point of order **well taken**.

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, Ryba, Schafer, 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, Schneider, Springer, Staskunas, Steinbrink, Travis, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, R. Young and Ziegelbauer – 45.

Absent or not voting – Representative Seratti – 1.

Motion carried.

Assembly amendment 1 to Assembly substitute amendment 2 to **Assembly Bill 159** offered by Representative Lorge.

Assembly amendment 2 to Assembly substitute amendment 2 to **Assembly Bill 159** offered by Representatives Handrick and Hubler.

Representative Musser moved that **Assembly Bill 159** be referred to the committee on **Education**.

Representative Foti asked unanimous consent that **Assembly Bill 159** be placed at the foot of the 11th order of business on today's calendar. Granted.

MOTIONS

Representative Foti moved that **Assembly Bill 441** be withdrawn from the committee on **Judiciary** and referred to the committee on **Rules**.

POINT OF ORDER

Representative Hubler rose to the point of order that the motion to withdraw **Assembly Bill 441** from the committee on **Judiciary** and refer it to the committee on **Rules** required a two-thirds vote under Assembly Rule 15(1). Pursuant to **Senate Joint Resolution 1**, the bill died at the conclusion of the last floorperiod on March 26, 1998. When the bill was revived, pursuant to **Senate Joint Resolution 47**, the 21-day period required by Assembly Rule 15(1) would have to begin again. Therefore, the bill had only been in committee for 14 days.

Speaker Pro Tempore Freese ruled the point of order **not well taken** because the Assembly concurred in **Senate Joint Resolution 47** which states "...the following proposals are revived for further consideration in the April 1998 extraordinary session, which consideration shall begin at the stage that the proposals had reached immediately before adjournment on March 26, 1998". Therefore, he ruled that a two-thirds vote was not needed because the 21-day period required by Assembly Rule 15(1) began on July 1, 1997 when the bill was introduced and referred to the committee on **Judiciary**.

Representative Hubler 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, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schafer, Skindrud, Spillner, Stone, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Jensen – 50.

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, Lorge, 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 – 47.

Absent or not voting – Representative Seratti – 1.

Motion carried.

Representative Hubler asked unanimous consent that the rules be suspended and that **Assembly Bill 441** be withdrawn from the committee on **Judiciary** and referred to the committee on **Elections and Constitutional Law**. Granted.

Representative R. Potter asked unanimous consent that the remarks that will be made by the Dalai Lama on Wednesday, May 13, 1998 to the Legislature be recorded in the Assembly Journal. Granted.

ANNOUNCEMENTS

Representative Kreuser asked unanimous consent that the Assembly adjourn in honor of Valerie Haack, who received her Confirmation on Sunday, May 3. Granted.

Representative Reynolds asked unanimous consent that the Assembly adjourn in honor of Department of Natural Resources Secretary George Meyer and his wife Jane, who are celebrating their 25th Wedding Anniversary today. Granted.

Representative Underheim asked unanimous consent that the Assembly adjourn in honor of his office intern, "Joe the Intern" Moschella, whose last day was today. Granted.

Representative Dueholm asked unanimous consent that the Assembly adjourn in honor of Ken Stigler, of the Assembly Chief Clerk's staff, and his wife Pam, who are celebrating their 25th Wedding Anniversary today. Granted.

Representative Ourada asked unanimous consent that the Assembly adjourn in honor of Tony Studt, of his office staff, and his wife Allison, who were married on Saturday, April 25, 1998. Granted.

Representative Baumgart asked unanimous consent that the Assembly adjourn in honor of Aldo Leopold. Granted.

Representative Ward asked unanimous consent that the Assembly adjourn in honor of his son, Kevin Ward, who won first place in the Science Essay Contest at the Fort Atkinson Science Fair. Granted.

REFERENCE BUREAU CORRECTIONS

Senate Amendment 2 to **Senate Bill 369**

1. Page 3, line 20: delete “of the trust” and substitute “or the trust”.

Senate Amendment 4 to Senate Substitute Amendment 1 to **Assembly Bill 686**

1. Page 3, line 23: delete “to 125” and substitute “to 25.”.

Kaye Gmur, Susan Foster, Boots Freidig, Phyllis Foster, Kellie Engelke, Tara Foster, Sara Sarbacker, from New Glarus, guests of Representative Skindrud.

Students from St. Peters School in Kenosha, guests of Representative Kreuser.

Kenosha County Sheriff Larry Zarletti, guest of Representative Kreuser.

Rene Daniels from Mosinee, guest of Representative Springer.

VISITORS

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

Students from the Baraboo High School Student Council, guests of Representative Spillner.

Rebecca Yohn from Fall River, guest of Representative Hahn.

ADJOURNMENT

Representative Foti moved that the April 1998 Extraordinary Session of the Assembly stand adjourned until 9:30 A.M. tomorrow.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

4:44 P.M.