



STATE OF WISCONSIN Assembly Journal

February 2003 Extraordinary Session

1:30 P.M.

FRIDAY, February 21, 2003

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

Speaker Pro Tempore Freese in the chair.

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

The Assembly stood recessed.

1:31 P.M.

RECESS

3:20 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Representative Bies.

Representative Turner 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, Balow, Berceau, Bies, Black, Boyle, Coggs, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hines, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Miller, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Pope–Roberts, Powers, Rhoades, Richards, Schneider, Schooff, Seratti, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Suder, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, M. Williams, W. Wood, Zepnick, Ziegelbauer and Speaker Gard – 93.

Absent with leave – Representatives Hebl, Sherman, A. Williams, J. Wood and Young – 5.

Vacancies – 18th Assembly District – 1.

LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for today's session for Representative J. Wood. Granted.

Representative Turner asked unanimous consent for a leave of absence for today's session for Representatives Hebl, Sherman, A. Williams and Young. Granted.

Representative Turner asked unanimous consent for a leave of absence for part of today's session for Representative Morris. Granted.

Representative Morris asked unanimous consent that her leave of absence be lifted. Granted.

MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

Senate Bill 41

ACTION ON THE SENATE MESSAGE

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 41** be withdrawn from the Senate message and taken up at this time. Granted.

Senate Bill 41

Relating to: legislative approval of Indian gaming compacts.

By Senators Welch, S. Fitzgerald, Zien, A. Lasee, Lazich, Panzer, Roessler, Kanavas, Brown, Stepp, Ellis, Leibham, Reynolds, Kedzie, Harsdorf, Darling, Cowles and Schultz; cosponsored by Representatives J. Fitzgerald, Gundrum, Suder, Powers, Owens, Petrowski, Hundertmark, Grothman, Vrakas, Freese, Friske, Van Roy, McCormick, Kestell, Krawczyk, Gunderson, Olsen, J. Wood, Nass, Underheim, Towns, Johnsrud, Seratti, Gielow, Ott, F. Lasee, Jensen, Gottlieb, LeMahieu, Lothian, Kerkman, Hines, Jeskewitz,

Ladwig, Montgomery, M. Williams, Nischke, Townsend, Hahn, Vukmir, Bies, Loeffelholz and Pettis.

Assembly substitute amendment 1 to **Senate Bill 41** offered by Representative Miller.

Speaker Gard in the chair.

Representative Miller asked unanimous consent that Assembly substitute amendment 1 to **Senate Bill 41** be withdrawn and returned to the author. Granted.

Speaker Pro Tempore Freese in the chair.

Assembly amendment 1 to **Senate Bill 41** offered by Representative Cullen.

POINT OF ORDER

Representative Jensen rose to the point of order that Assembly amendment 1 to **Senate Bill 41** was not germane under Assembly Rule 54 (3)(f).

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

Representative Cullen 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, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hines, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams and Speaker Gard – 57.

Noes – Representatives Balow, Berceau, Black, Boyle, Cogg, Colon, Cullen, Gronemus, Huber, Hubler, Kreuser, Krug, Krusick, Lassa, J. Lehman, Miller, Morris, Plale, Plouff, Poca, Pope–Roberts, Richards, Schneider, Schooff, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Van Akkeren, Vruwink, Wasserman, W. Wood, Zepnick and Ziegelbauer – 36.

Absent or not voting – Representatives Hebl, Sherman, A. Williams, J. Wood and Young – 5.

Motion carried.

The question was: Shall **Senate Bill 41** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 41** be given a third reading. Granted.

CALL OF THE ASSEMBLY

Representative Schneider requested a call of the Assembly. There were sufficient seconds.

The Sergeant-at-Arms was directed to close the doors and the Chief Clerk to call the roll.

The Chief Clerk called the roll. The Chief Clerk reported the one member was absent without leave, Representative Boyle.

Representative Jensen moved that the call of the Assembly be lifted.

Representative Kreuser asked unanimous consent that the Assembly stand informal. Granted.

The Assembly stood informal.

5:15 P.M.

INFORMAL

5:28 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Gard asked unanimous consent that the call of the Assembly be lifted. Granted.

LEAVES OF ABSENCE

Representative Turner asked unanimous consent for a leave of absence for part of today's session for Representative Boyle. Granted.

Senate Bill 41

Relating to: legislative approval of Indian gaming compacts.

The question was: Shall **Senate Bill 41** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 41** be given a third reading. Granted.

The question was: **Senate Bill 41** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hines, Huebsch, Hundertmark,

Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Weber, Wieckert, M. Williams, Ziegelbauer and Speaker Gard – 58.

Noes – Representatives Balow, Berceau, Black, Coggs, Cullen, Gronemus, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Morris, Plale, Plouff, Poca, Pope–Roberts, Richards, Schneider, Schooff, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Van Akkeren, Wasserman, W. Wood and Zepnick – 31.

Paired for – Representatives Colon, Lassa, M. Lehman and J. Wood – 4.

Paired against – Representatives Boyle, Hebl, Sherman and Young – 4.

Absent or not voting – Representative A. Williams – 1.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 41** be immediately messaged to the Senate. Granted.

ANNOUNCEMENTS

Representative Gielow asked unanimous consent that the Assembly adjourn in honor of his mother, Erma Gielow, who has become suddenly ill with an inoperable malignant brain tumor. Granted.

Representative Gard asked unanimous consent that the Assembly adjourn in honor of Senator Michael Ellis on the occasion of his 62nd birthday. Granted.

Representative Montgomery asked unanimous consent that the Assembly adjourn in honor of the Assembly Chief Clerk, Patrick Fuller, on the occasion of his 49th birthday. Granted.

Representative Lothian asked unanimous consent that the Assembly adjourn in memory of Herbert E. Erikson who

passed away on February 19, a former dedicated public official in Williams Bay and a civics teacher at Badger High School. Granted.

Representative Montgomery asked unanimous consent that the Assembly adjourn in honor of African-American History Month and the late U.S Congresswoman Barbara Jordan. Granted.

Representative Morris asked unanimous consent that the Assembly adjourn in honor of African-American History Month and Rosa Parks. Granted.

Representative Coggs asked unanimous consent that the Assembly adjourn in honor of African-American History Month and former Representative Marcia Coggs who served in the Assembly from 1976-1992 and was known as the “conscience of the Assembly”. Granted.

Representative Richards asked unanimous consent that the Assembly adjourn in memory of his grandmother, Clara Landuyt, who passed away on February 17. Granted.

VISITORS

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

Scott Champion, Ms. Maier and Joel and Claire from Viroqua, guests of Representative Johnsrud.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

5:40 P.M.