



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

11:10 A.M.

TUESDAY, April 29, 2003

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

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Pastor Craig Jarvis from Memorial Baptist Church in Verona.

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

SPECIAL GUEST

Representative Gundrum introduced Miss Wisconsin Jayme Dawicki of New Berlin, who addressed the members from the rostrum and sang the “Star Spangled Banner”.

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, Grothman, Gunderson, Gundrum, Hahn, Hebl, 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, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Suder, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, A. Williams, M. Williams, J. Wood, W. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 97.

Absent with leave – Representative Gronemus – 1.

Vacancies – 18th Assembly District – 1.

LEAVES OF ABSENCE

Representative Turner asked unanimous consent for a leave of absence for today’s session for Representative Gronemus. Granted.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 21** offered by committee on **Transportation**.

Assembly amendment 1 to **Assembly Bill 86** offered by Representative Rhoades.

Assembly amendment 3 to **Assembly Bill 89** offered by Representative M. Lehman.

Assembly amendment 1 to **Assembly Bill 90** offered by committee on **Transportation**.

Assembly substitute amendment 1 to **Assembly Bill 180** offered by Representative Musser.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 03–002

Relating to small cities community development block grants for housing

Submitted by Department of Administration.

Report received from Agency, April 21, 2003.

To committee on **Housing**.

Referred on April 29, 2003.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 15

Relating to: gratefully acknowledging the kind gift to the people of the state of Wisconsin, by Mr. and Mrs. Frank Theodore (Terry) Andrae, of their property along the beautiful Lake Michigan shore, which became Terry Andrae State Park.

By Representatives LeMahieu, Van Akkeren and Kestell.

To committee on **Rules**.

Assembly Bill 303

Relating to: requirements, prohibitions, and procedures relating to land acquisition under the Warren Knowles–Gaylord Nelson Stewardship 2000 program; acquisitions of land and interests of land by the Department

of Natural Resources; and aid in lieu of property taxes related to acquired land.

By Representatives Albers, Hundertmark, Hines, LeMahieu, Owens, Townsend and Van Roy.

To committee on **Natural Resources**.

Assembly Bill 304

Relating to: collective bargaining over health care coverage for municipal employees; allowing municipal employers to change health care coverage plan providers; factors considered in rendering a collective bargaining arbitration decision; requiring the Group Insurance Board to prepare a report on offering group health insurance plans at different cost levels to local government employers and employees; requiring the Group Insurance Board to offer for purchase long-term care insurance policies to employees of local governments; convening a task force to conduct a feasibility study on forming a state pool for the bulk purchasing of prescription drugs; disclosure of health insurance claims experience of local governmental units; bids submitted to local governmental units for health insurance; requiring the Commissioner of Insurance to promulgate rules establishing uniform forms for local government health care coverage requests for proposals and health claims experience and summarizing benefits provided under health care benefit plans; and granting rule-making authority.

By Representatives McCormick, Albers, Gielow, Grothman, Gunderson, Hahn, Hines, Jensen, Kestell, Krawczyk, Ladwig, F. Lasee, Lothian, Musser, Pettis, Seratti, Stone, Van Roy, Vrakas, Vukmir, Weber, Wieckert and J. Wood; cosponsored by Senators Darling, Harsdorf, Kanavas, Stepp and Welch.

To committee on **Insurance**.

Assembly Bill 305

Relating to: a grant of temporary assistance for needy families moneys to Big Brothers Big Sisters of Wisconsin, Inc., to provide mentors for children and making an appropriation.

By Representatives Underheim, Lassa, Kreibich, Musser, Black, Berceau, Pocan and Petrowski; cosponsored by Senator Wirch.

To committee on **Health**.

COMMITTEE REPORTS

The committee on **Corrections and the Courts** reports and recommends:

Assembly Bill 62

Relating to: dispositional orders for truancy or habitual truancy and the disclosure of juvenile records by a juvenile court or a municipal court.

Passage:

Ayes: 8 – Representatives Bies, Underheim, Owens, F. Lasee, Suder, Pocan, Staskunas and Wasserman.

Noes: 0.

To committee on **Rules**.

GAREY BIES

Chairperson

Committee on Corrections and the Courts

The committee on **Criminal Justice** reports and recommends:

Assembly Bill 8

Relating to: possession of methamphetamine and providing a penalty.

Passage:

Ayes: 9 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Petrowski, Vukmir and Schneider.

Noes: 3 – Representatives Staskunas, Pocan and Young.

To committee on **Rules**.

Assembly Bill 71

Relating to: threats to release or disseminate harmful chemical, biological, or radioactive substances and providing a penalty.

Passage:

Ayes: 12 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Petrowski, Vukmir, Staskunas, Pocan, Young and Schneider.

Noes: 0.

To committee on **Rules**.

Assembly Bill 157

Relating to: crimes affecting the U.S. flag and providing a penalty.

Passage:

Ayes: 9 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Petrowski, Vukmir and Staskunas.

Noes: 3 – Representatives Pocan, Young and Schneider.

To committee on **Rules**.

Assembly Bill 206

Relating to: pointing a firearm at certain persons and throwing or expelling bodily substances and providing penalties.

Assembly Amendment 1 adoption:

Ayes: 12 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Petrowski, Vukmir, Staskunas, Pocan, Young and Schneider.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 12 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Petrowski, Vukmir, Staskunas, Pocan, Young and Schneider.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Petrowski, Vukmir, Staskunas, Pocan and Young.

Noes: 1 – Representative Schneider.

To committee on **Rules**.

Senate Bill 4

Relating to: possession of methamphetamine and providing a penalty.

Concurrence:

Ayes: 9 – Representatives Suder, Friske, Owens, F. Lasee, Jeskewitz, Gundrum, Petrowski, Vukmir and Schneider.

Noes: 3 – Representatives Staskunas, Pocan and Young.

To committee on **Rules**.

SCOTT SUDER
Chairperson
Committee on Criminal Justice

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

Assembly Bill 67

Relating to: employment discrimination based on creed; exemption from liability and discipline for health care providers and hospital employees who refuse to participate in sterilization, abortion, assisted suicide, and other procedures on moral or religious grounds; and power of attorney for health care instruments and patient declarations regarding the withholding or withdrawal of life-sustaining procedures or feeding tubes.

Assembly Substitute Amendment 1 adoption:

Ayes: 7 – Representatives Nass, Vrakas, Wieckert, Hundertmark, J. Fitzgerald, W. Wood and Van Akkeren.

Noes: 2 – Representatives Grothman and Sinicki.

Passage as amended:

Ayes: 8 – Representatives Nass, Vrakas, Grothman, Wieckert, Hundertmark, J. Fitzgerald, W. Wood and Van Akkeren.

Noes: 1 – Representative Sinicki.

To committee on **Rules**.

STEPHEN NASS
Chairperson
Committee on Labor

SPEAKER'S COMMUNICATIONS

April 29, 2003

Mr. Patrick Fuller
Chief Clerk
Wisconsin State Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Assembly Rule 42 (3)(c), I am withdrawing **Assembly Bill 45** from the Assembly Committee on Ways and Means and re-referring it to the Assembly Committee on

Urban and Local Affairs. I have the consent of Representative Michael Lehman, chairman of the Assembly Committee on Ways and Means, to take this action.

Please call Ellen Nowak of my office if you have any questions.

Sincerely,
JOHN G. GARD
Speaker

COMMUNICATIONS

April 25, 2003

Patrick E. Fuller
Assembly Chief Clerk
17 West Main Street, Room 208
Madison, WI 53708

Dear Chief Clerk Fuller:

It has come to my attention that Rep. Robin Kreibich was accidentally not included as a co-sponsor of a bill I recently introduced, **Assembly Bill 279**. I believe the mistake was made in my office.

Could you please have his name added as a co-sponsor for the record?

Thank you for your attention to this matter.

Sincerely,
TERESE BERCEAU
State Representative
76th Assembly District

April 25, 2003

Patrick Fuller, Assembly Chief Clerk
208 Risser Justice Center
Madison, WI 53708

Dear Chief Clerk Fuller:

I have made the following appointments to committees, commissions, councils and boards:

Council on Alcohol and Other Drug Abuse:
Representative Josh Zepnick

Wisconsin Artistic Endowment Foundation:
Representative Terese Berceau

Child Abuse & Neglect Prevention Board:
Representative Julie Lassa

Joint Review Committee on Criminal Penalties:
Representative Greg Huber

Educational Communications Board: Representative
Marlin Schneider

Environmental Education Board: Representative Mark
Miller

Forward Wisconsin: Representative Jeff Plale

Council on Highway Safety: Representative Gary Sherman

State Historical Society: Representative Greg Huber

Wisconsin Housing and Economic Development Authority: Representative Johnnie Morris

Information Technology Management Board: Representative Marlin Schneider

Legislative State Supported Programs Study & Advisory Committee: Representative Terese Berceau

Council on Migrant Labor: Representative Pedro Colon

Milwaukee Child and Welfare Partnership Council: Representative Johnnie Morris

Mississippi River Parkway Commission: Representative Barbara Gronemus

Retirement Research Committee: Representative Jeff Plale

Rural Economic Development Board: Representative Joe Plouff

Sentencing Commission: Representative Dave Travis

State Capitol & Executive Residence Board: Representative Marlin Schneider

State Fair Park Board: Representative Tony Staskunas

Council on Tourism: Representative John Steinbrink

Transportation Projects Commission: Representative Larry Balow and Representative Amy Sue Vruwink

Commission on Uniform State Laws: Representative David Cullen

World Dairy Center Authority: Representative Amy Sue Vruwink

Please feel free to contact me with any concerns or questions.

Sincerely,
JIM KREUSER
Assembly Democratic Leader

Assembly Speaker John Gard
211 West – State Capitol

Dear Speaker Gard:

Please be advised that Representative Coggs will not be present at the Joint Committee on Finance executive session commencing at 10:00 a.m. on April 30, 2003.

Therefore Representative Pocan will be sitting in his place.

Thank you in advance for your consideration.

Sincerely,
JIM KREUSER
Assembly Democratic Leader

April 29, 2003

Mr. Patrick Fuller
Assembly Chief Clerk
Room 208, Risser Justice Center
Madison, WI

Dear Chief Clerk Fuller:

With the recent misfortune of Representative Sheryl Albers being confined to a wheelchair and full leg cast, for her convenience she will temporarily be changing seats on the Assembly Floor with Representative Dean Kaufert. Please note in the official record that Representative Albers will be sitting in seat 20 and Representative Kaufert will be sitting in seat 18. This move will only be temporary and the legislators will move back to their original seats once Representative Albers is physically able.

If you have any questions, please do not hesitate to contact me or Bonnie in my office at 6-3007.

Sincerely,
DANIEL P. VRAKAS
State Representative
33rd Assembly District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

April 22, 2003

To the Honorable, the Assembly:

Please find enclosed a copy of the State of Wisconsin 2003 Consolidated Annual plan to address housing and community development needs for the state. The plan was developed by the Department of Administration, Division of Housing and Intergovernmental Relations, and the Department of Commerce and is submitted annually to the U.S. Department of Housing and Urban Development (HUD).

Wisconsin State Statute 16.31 (4) requires the Department to submit a copy of the state housing strategy plan to the Governor and the Chief Clerk of each house before October 1 of each year.

If you have any questions regarding the plan, please contact Marty Evanson, Director, Bureau of Housing, at (608) 267-2713.

Sincerely,
PATRICK J. FARLEY
Administrator, Division of Housing and Intergovernmental Relations
Department of Administration

Referred to committee on **Housing**.

DATE: April 22, 2003
TO: Patrick E. Fuller
Assembly Chief Clerk
FROM: Katherine C. Lyall
President
SUBJECT: Report pursuant to § 36.11 (22)(2)(b),
Wisconsin Statutes

At its meeting April 11, 2003, the Board of Regents accepted the attached report for submission to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under § 132.172 (3).

Sections 36.11 (22)(2)(b), Wisconsin Statutes, requires the Board of Regents to annually submit a report to the chief clerk of each house of the legislature on the methods used by each UW System institution to disseminate information to students on sexual assault and sexual harassment.

The law requires UW System institutions to incorporate into their orientation programs for newly entering students oral and written information on sexual assault and sexual harassment, including information on: 1) sexual assault by acquaintances of the victims; 2) the legal definitions and penalties for sexual assault; 3) generally available national, state, and campus statistics on sexual assault; 4) the rights of victims; and 5) protective behaviors including methods of recognizing and avoiding sexual assault and sexual harassment. In addition, each institution must annually supply to all students enrolled in the institution printed material that includes information on all of these topics. This law was enacted in April 1990 and this is the thirteenth report to be compiled for the legislature since its enactment.

If you need additional information regarding this report, please contact Janice Sheppard at jsheppard@uwsa.edu or 608-262-5563.

Referred to committee on **Colleges and Universities**.

State of Wisconsin
Department of Administration
Madison

April 29, 2003

To the Honorable, the Legislature:

This report is transmitted as required by s. 20.002(11)(f), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172(3), Wisconsin Statutes), and confirms that the Department of Administration has found it necessary to exercise the "temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative cash balances during the month of March 2003.

On March 1, 2003, the **Wisconsin Health Education Loan Repayment Fund** cash balance closed at a negative \$3

thousand. This negative balance continued until March 6, 2003, when the fund cash balance closed at a positive \$19 thousand. The negative balance was due to the difference in the timing of revenues and expenditures.

The Wisconsin Health Education Loan Repayment Fund shortfall was not in excess of the statutory interfund borrowing limitation and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund's share. Therefore, the monthly calculation by the State Controller's Office will automatically reflect the use of these temporary reallocations of balance authority, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,
MARC J. MAROTTA
Secretary

Referred to committee on **Ways and Means**.

LEAVES OF ABSENCE

Representative Turner asked unanimous consent for a leave of absence for part of today's session for Representatives Berceau and Lassa. Granted.

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

The Assembly stood recessed.

11:30 A.M.

RECESS

1:12 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Foti asked unanimous consent for a quorum call. Granted.

A quorum was present.

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

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

Representative Pocan submitted a resolution (LRB-2566). He stated that, in his opinion, the resolution was privileged.

Speaker Pro Tempore Freese took under advisement if the resolution was privileged.

LEAVES OF ABSENCE

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

CALENDAR OF TUESDAY, APRIL 29

Assembly Bill 12

Relating to: educational requirements for foresters employed by the Department of Natural Resources and persons authorized to designate trees for cutting in state forests.

The question was: Shall Assembly amendment 1 to **Assembly Bill 12** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 12** be ordered engrossed and read a third time?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 12** be given a third reading. Granted.

The question was: **Assembly Bill 12** having been read three times, shall the bill be passed?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 12** be immediately messaged to the Senate. Granted.

Assembly Bill 27

Relating to: the issuance of wild turkey hunting licenses to qualified resident landowners.

The question was: Shall **Assembly Bill 27** be ordered engrossed and read a third time?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 27** be given a third reading. Granted.

The question was: **Assembly Bill 27** having been read three times, shall the bill be passed?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 27** be immediately messaged to the Senate. Granted.

Assembly Bill 48

Relating to: mailing property tax bills.

The question was: Shall Assembly amendment 1 to **Assembly Bill 48** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 48** be ordered engrossed and read a third time?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 48** be given a third reading. Granted.

The question was: **Assembly Bill 48** having been read three times, shall the bill be passed?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 48** be immediately messaged to the Senate. Granted.

Assembly Bill 51

Relating to: sexual activity involving jail, prison, or community corrections staff or contractors and jail inmates or persons in the custody or under the supervision of the Department of Corrections and providing a penalty.

Representative Hebl asked unanimous consent to be made a coauthor of **Assembly Bill 51**. Granted.

Representative Coggs asked unanimous consent to be made a coauthor of **Assembly Bill 51**. Granted.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 51** offered by Representatives Pocan and Ladwig.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 51** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 51** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 51** be ordered engrossed and read a third time?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 51** be given a third reading. Granted.

The question was: **Assembly Bill 51** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Boyle, Coggs, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hebl, 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, Rhoades, Richards, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Suder, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, A. Williams, M. Williams, J. Wood, W. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 96.

Noes – None.

Absent or not voting – Representatives Gronemus and Powers – 2.

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 51** be immediately messaged to the Senate. Granted.

Assembly Bill 54

Relating to: the sale of tax delinquent real property.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 54** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 54** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 54** be ordered engrossed and read a third time?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 54** be given a third reading. Granted.

The question was: **Assembly Bill 54** having been read three times, shall the bill be passed?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 54** be immediately messaged to the Senate. Granted.

Assembly Bill 74

Relating to: tuition vouchers for students who sound Taps at military honors funerals.

The question was: Shall **Assembly Bill 74** be ordered engrossed and read a third time?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 74** be given a third reading. Granted.

The question was: **Assembly Bill 74** having been read three times, shall the bill be passed?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 74** be immediately messaged to the Senate. Granted.

Assembly Bill 81

Relating to: preparation of economic impact statements for bills and proposed administrative rules that would have a direct economic impact on the private sector.

The question was: Shall Assembly amendment 1 to **Assembly Bill 81** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 81** be ordered engrossed and read a third time?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 81** be given a third reading. Granted.

The question was: **Assembly Bill 81** having been read three times, shall the bill be passed?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 81** be immediately messaged to the Senate. Granted.

Assembly Bill 106

Relating to: bear hunting by certain minors.

The question was: Shall **Assembly Bill 106** be ordered engrossed and read a third time?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 106** be given a third reading. Granted.

The question was: **Assembly Bill 106** having been read three times, shall the bill be passed?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 106** be immediately messaged to the Senate. Granted.

Assembly Bill 24

Relating to: the sale of tangible personal property that is delivered in this state.

The question was: Shall Assembly amendment 1 to **Assembly Bill 24** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 24** be ordered engrossed and read a third time?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 24** be given a third reading. Granted.

The question was: **Assembly Bill 24** having been read three times, shall the bill be passed?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 24** be immediately messaged to the Senate. Granted.

Senate Bill 24

Relating to: providing an exception to the law prohibiting discrimination in public places of accommodation to permit a fitness center whose facilities and services are intended for the exclusive use of persons of the same sex to provide the use of those facilities and services exclusively to persons of that sex.

Representative Gielow asked unanimous consent to be made a co-sponsor of **Senate Bill 24**. Granted.

Assembly amendment 1 to **Senate Bill 24** offered by Representative W. Wood.

Representative Grothman moved that Assembly amendment 1 to **Senate Bill 24** be laid on the table.

The question was: Shall Assembly amendment 1 to **Senate Bill 24** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hines, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 54.

Noes – Representatives Balow, Berceau, Black, Boyle, Coggs, Colon, Cullen, Hahn, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, Lassa, J. Lehman, M. Lehman, Miller, Morris, Nass, Plale, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young, Zepnick and Ziegelbauer – 42.

Absent or not voting – Representatives Gronemus and Powers – 2.

Motion carried.

The question was: Shall **Senate Bill 24** be ordered to a third reading?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Senate Bill 24** be given a third reading. Granted.

The question was: **Senate Bill 24** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Bies, J. Fitzgerald, Foti, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hines, Huber, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Krusick, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Rhoades, Seratti, Shilling, Steinbrink, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, M. Williams, J. Wood, Ziegelbauer and Speaker Gard – 65.

Noes – Representatives Berceau, Black, Boyle, Coggs, Colon, Cullen, Freese, Hebl, Hubler, Johnsrud, Kreuser, Krug, Miller, Morris, Nass, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Sinicki, Staskunas, Travis, Turner, Van Akkeren, A. Williams, W. Wood, Young and Zepnick – 31.

Absent or not voting – Representatives Gronemus and Powers – 2.

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Senate Bill 24** be immediately messaged to the Senate. Granted.

Speaker Pro Tempore Freese ruled that the resolution (LRB–2566) submitted by Representative Pocan was privileged.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 16

Relating to: review before the payment by the assembly of legal fees for representatives to the assembly, assembly employees, and assembly committees.

By Representatives Pocan, Cullen, Black and Travis.
To committee on **Rules**.

Representative Pocan moved that the rules be suspended and that **Assembly Resolution 16** be withdrawn from the committee on **Rules** and taken up at this time.

The question was: Shall the rules be suspended and **Assembly Resolution 16** be withdrawn from the committee on **Rules** and taken up at this time?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Berceau, Black, Boyle, Coggs, Colon, Cullen, Hebl, Huber, Hubler, Kreuser, Krusick, Lassa, J. Lehman, Miller, Morris, Plale, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young, Zepnick and Ziegelbauer – 38.

Noes – 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, Krug, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 58.

Absent or not voting – Representatives Gronemus and Powers – 2.

Motion failed.

Assembly Resolution 10

Relating to: commending the devoted public service that Joy Teschner contributed to this state and her community.

The question was: Shall **Assembly Resolution 10** be adopted?

Motion carried.

Assembly Joint Resolution 18

Relating to: supporting the use of sound, scientific, and sustainable forest management harvest techniques in order to preserve and maximize the use and enjoyment of Wisconsin's forests.

The question was: Shall **Assembly Joint Resolution 18** be adopted?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 18** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Resolution 15** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Resolution 15

Relating to: gratefully acknowledging the kind gift to the people of the state of Wisconsin, by Mr. and Mrs. Frank Theodore (Terry) Andrae, of their property along the beautiful Lake Michigan shore, which became Terry Andrae State Park.

The question was: Shall **Assembly Resolution 15** be adopted?

Motion carried.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 17

Relating to: celebrating the accomplishments and contributions of public charter schools during National Charter Schools Week, April 28 to May 2, 2003.

By Representatives Jensen and Sinicki.

To committee on **Rules**.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Resolution 17** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

The question was: Shall **Assembly Resolution 17** be adopted?

Motion carried.

Assembly Bill 253

Relating to: consideration of population in determining eligibility for recycling efficiency incentive grants.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 253** be withdrawn from the committee on **Natural Resources** and taken up at this time. Granted.

Representative Foti asked unanimous consent that **Assembly Bill 253** be re-referred to the committee on **Natural Resources**. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Resolution 14** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Resolution 14

Relating to: the life and public service of Gregory Blaska.

The question was: Shall **Assembly Resolution 14** be adopted?

Motion carried.

Representative Grothman asked unanimous consent to be made a coauthor of **Assembly Bill 127**. Granted.

ANNOUNCEMENTS

Representative Foti asked unanimous consent that the Assembly adjourn in honor of Representative Julie Lassa and Representative Jeff Plale. Granted.

Representative Montgomery asked unanimous consent that the Assembly adjourn in honor of his wife, Lisa Montgomery, for her great accomplishment at her workouts at the local health club. Granted.

Representative Plale asked unanimous consent that the Assembly adjourn in honor of Representative Larry Balow, on the occasion of his 60th birthday today. Granted.

REFERENCE BUREAU CORRECTIONS

Assembly Joint Resolution 29

1. Page 1, line 9: delete “*That:*” and substitute “*That*”.

VISITORS

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

Michael and Donna Dawicki from New Berlin, guests of Representative Gundrum.

Joan Wywialowski of the Coalition of Wisconsin on Aging from Phillips, guest of Representative M. Williams.

Pastor Dan Leeds, Jeremy Shaeffer, Rory Martin, Paul Braker, Dale and Nancy Vogt and students from the Trinity Baptist Church in Fond du Lac, guests of Representative Townsend.

Dr. Jeffrey Reed, Associate Professor of Business at Marian College; Dr. Vladimir Reshetnikov, Dean of Social Sciences at Irkutsk State University in Irkutsk Siberia, Russia; Phyllis Smith Pemberton, President of Arrow Foundation in Fond du Lac, guests of Representative Townsend.

4th, 5th, 6th and 7th Grade Students from St. Peter and Paul School in Sevastopol, accompanied by their teachers Liz Junion and Carol Schuster and parent chaperones, guests of Representative Bies.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, May 1.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

3:00 P.M.