



STATE OF WISCONSIN

Assembly Journal

One-Hundredth Regular Session

11:14 A.M.

TUESDAY, September 13, 2011

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

Speaker Fitzgerald in the chair.

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

A quorum was present.

The prayer was offered by Reverend Josiah T. Cheapoo Sr. from Monona Oaks Church in Monona.

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

SPECIAL GUEST

Representative A. Ott introduced his niece, Hope Klessig, who sang the National Anthem from the rostrum.

The roll was taken.

The result follows:

Present – Representatives August, Ballweg, Barca, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Brooks, Clark, E. Cogg, Craig, D. Cullen, Danou, Doyle, Endsley, Farrow, Grigsby, Hebl, Hintz, Honadel, Hulsey, Jacque, Jorgensen, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Mason, Meyer, Milroy, Molepske Jr, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Pasch, Petersen, Petrowski, Petryk, Pocan, Pope–Roberts, Pridemore, Radcliffe, Richards, Ringhand, Ripp, Rivard, Roys, Seidel, Severson, Sinicki, Spanbauer, Staskunas, Steinbrink, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, C. Taylor, Thiesfeldt, Tiffany, Toles, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Zamarripa, Zepnick, Ziegelbauer and Speaker Fitzgerald – 97.

Absent with leave – Representative Fields – 1.

Vacancies – 95th Assembly District – 1.

LEAVES OF ABSENCE

Representative Roys asked unanimous consent for a leave of absence for today's session for Representative Fields. Granted.

LEAVES OF ABSENCE

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

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 100** offered by Representatives Kessler and Turner.

Assembly amendment 1 to **Senate Bill 18** offered by committee on **Urban and Local Affairs**.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 11

Relating to: proclaiming October as Italian–American Heritage Month.

By Representatives Barca, Kleefisch and Sinicki.

To committee on **Rules**.

COMMITTEE REPORTS

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

Assembly Bill 56

Relating to: retail theft, proof of ownership for flea market sales, and providing penalties.

Assembly Amendment 1 adoption:

Ayes: 6 – Representatives Bies, Jacque, Kestell, Brooks, Krug and Thiesfeldt.

Noes: 3 – Representatives Kessler, Turner and Hebl.

Passage as amended:

Ayes: 6 – Representatives Bies, Jacque, Kestell, Brooks, Krug and Thiesfeldt.

Noes: 3 – Representatives Kessler, Turner and Hebl.

To committee on **Rules**.

Assembly Bill 100

Relating to: evidentiary recordings of persons under the age of 18 engaging in sexually explicit conduct and certain sex offenses against children and providing penalties.

Passage:

Ayes: 7 – Representatives Bies, Jacque, Kestell, Brooks, Krug, Thiesfeldt and Turner.

Noes: 2 – Representatives Kessler and Hebl.

To committee on **Rules**.

Assembly Bill 102

Relating to: crimes against children committed by certain persons and providing a penalty.

Assembly Amendment 1 adoption:

Ayes: 9 – Representatives Bies, Jacque, Kestell, Brooks, Krug, Thiesfeldt, Kessler, Turner and Hebl.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Bies, Jacque, Kestell, Brooks, Krug, Thiesfeldt, Kessler, Turner and Hebl.

Noes: 0.

To committee on **Rules**.

Assembly Bill 103

Relating to: receiving a stolen firearm and providing a penalty.

Passage:

Ayes: 7 – Representatives Bies, Jacque, Kestell, Brooks, Krug, Thiesfeldt and Turner.

Noes: 2 – Representatives Kessler and Hebl.

To committee on **Rules**.

Assembly Bill 123

Relating to: use of a facsimile firearm and providing a penalty.

Passage:

Ayes: 8 – Representatives Bies, Jacque, Kestell, Brooks, Krug, Thiesfeldt, Turner and Hebl.

Noes: 1 – Representative Kessler.

To committee on **Rules**.

GAREY BIES
Chairperson
Committee on Criminal Justice and
Corrections

The committee on **Homeland Security and State Affairs** reports and recommends:

Assembly Bill 63

Relating to: closing hours for certain alcohol beverage retailers.

Assembly Amendment 1 adoption:

Ayes: 7 – Representatives Van Roy, Kuglitsch, Ballweg, August, Kooyenga, Zamarripa and Bewley.

Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Van Roy, Kuglitsch, Ballweg, August and Kooyenga.

Noes: 2 – Representatives Zamarripa and Bewley.

To committee on **Rules**.

KARL VAN ROY
Chairperson
Committee on Homeland Security and
State Affairs

SPEAKER'S COMMUNICATIONS

September 9, 2011

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53703

Dear Patrick:

Pursuant to Assembly Rule 42 (3)(c), I am withdrawing Assembly Bill 245 from Assembly Committee on Colleges and Universities and re-referring it to the Assembly Committee on Health. I have the consent of Representative Stephen Nass, chair of the Assembly Committee on Colleges and Universities, to take this action.

Sincerely,
JEFF FITZGERALD
Assembly Speaker

DATE: September 13, 2011

TO: Patrick E. Fuller, Assembly Chief Clerk

FROM: Speaker Jeff Fitzgerald

RE: Appointment to Committee on Joint Finance

Assembly Speaker Jeff Fitzgerald, in accordance with Assembly Rule 9 (2)(c) has confirmed Assembly Minority Leader Peter Barca's appointment of Representative Cory Mason to the Committee on Joint Finance. Representative Mason will be replacing former Representative Jennifer Shilling.

COMMUNICATIONS

September 9, 2011

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53703

Dear Chief Clerk Fuller:

Please add my name as a co-sponsor of Assembly Bill 121, relating to expanding the eligibility of an unremarried surviving spouse of a veteran to claim the veterans and surviving spouses property tax credit.

Sincerely,
DAVE HANSEN
State Senator
30th Senate District

September 13, 2011

Speaker Jeff Fitzgerald
State Capitol, Room 211 West
P.O. Box 8952
Madison, WI 53708

Dear Speaker Fitzgerald:

Following former Representative Shilling's election to the State Senate, I write to fill the Assembly vacancy created on the Joint Finance Committee.

This letter is to formally appoint Representative Cory Mason to take Senator Shilling's former position on the committee.

If you have any follow-up questions or if I can be of any additional assistance on this matter, please do not hesitate to contact me.

Sincerely,
PETER W. BARCA
State Representative
64th Assembly District

CALENDAR OF TUESDAY, SEPTEMBER 13

Assembly Joint Resolution 47

Relating to: commemorating the 100th anniversary of the construction of Frank Lloyd Wright's Taliesin.

SPECIAL GUEST

Representative Marklein introduced Carol Johnson, President of Taliesin Preservation, Inc. and Minerva Montooth, a member of Taliesin Preservation, Inc. Ms. Johnson addressed the members from the rostrum.

The question was: Shall **Assembly Joint Resolution 47** be adopted?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 47** be immediately messaged to the Senate. Granted.

Assembly Joint Resolution 54

Relating to: Ford Ironman Wisconsin.

SPECIAL GUEST

Representative Hulsey introduced 5th place Ironman finisher, Thomas Brunold from Fitchburg; Ryan Richards, Race Director for the Ford Ironman Wisconsin; Diane Morgenthaler, Vice President of Marketing and Strategic Planning for Greater Madison Convention and Visitors Bureau; and Judy Frankel, Public Relations and Communications Manager for Greater Madison Convention and Visitors Bureau. Mr. Brunold addressed the members from the rostrum.

The question was: Shall **Assembly Joint Resolution 54** be adopted?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 54** be immediately messaged to the Senate. Granted.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Resolution 11** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Resolution 11

Relating to: proclaiming October as Italian-American Heritage Month.

The question was: Shall **Assembly Resolution 11** be adopted?

Motion carried.

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

The Assembly stood recessed.

11:43 A.M.

RECESS

2:37 P.M.

The Assembly reconvened.

Speaker Pro Tempore Kramer in the chair.

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

A quorum was present.

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

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

Senate Joint Resolution 37
Senate Joint Resolution 39

ACTION ON THE SENATE MESSAGE

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 37** be withdrawn from the Senate message and taken up at this time. Granted.

Senate Joint Resolution 37

Relating to: Clay Matthews AIDS Walk Wisconsin Day.

By Senators Carpenter, Darling, Hansen, Olsen, Taylor, Schultz, Lassa, C. Larson, Vinehout, Risser and S. Coggs; cosponsored by Representatives Kerkman, Pope–Roberts, Hebl, Steineke, Zepnick, Hulsey, Spanbauer, Milroy, Pocan, Ringhand, Pasch, Bewley, Endsley, Roys, Tranel, Jorgensen, Grigsby, Zamarripa, Brooks, Fields, Petryk, Turner and Mason.

The question was: Shall **Senate Joint Resolution 37** be concurred in?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 37** be immediately messaged to the Senate. Granted.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 39** be withdrawn from the Senate message and taken up at this time. Granted.

Senate Joint Resolution 39

Relating to: commending Gateway Technical College on its 100th anniversary.

By Senators Wanggaard, Kedzie, Wirch, Lazich, S. Coggs, Cowles, Taylor, Lassa and Schultz; cosponsored by Representatives Kerkman, Vos, Turner, Barca, Steinbrink, Craig, Pridemore, Spanbauer, Fields, Strachota, E. Coggs, Sinicki, A. Ott, Jorgensen, Endsley and Mason.

The question was: Shall **Senate Joint Resolution 39** be concurred in?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 39** be immediately messaged to the Senate. Granted.

Assembly Bill 31

Relating to: allowing retailers the ability to offer discounts equal to the state and local sales taxes.

Representative Suder asked unanimous consent that **Assembly Bill 31** be laid on the table. Granted.

Assembly Bill 18

Relating to: collection and analysis of motor vehicle traffic stop information and law enforcement training standards.

Representative Suder asked unanimous consent that **Assembly Bill 18** be laid on the table. Granted.

Assembly Bill 86

Relating to: corrections and sentencing.

Representative who asked unanimous consent that **Assembly Bill 86** be laid on the table. Granted.

Assembly Bill 114

Relating to: eligibility of hydroelectric resources under the renewable portfolio standard.

Representative Suder asked unanimous consent that **Assembly Bill 114** be laid on the table. Granted.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 47** be withdrawn from today's calendar and taken up at this time. Granted.

Senate Bill 47

Relating to: changes to the membership of the Small Business Regulatory Review Board, notification to the Small Business Regulatory Review Board of bills with an economic impact on small businesses, the role of the Office of Regulatory Assistance in the Department of Commerce, and requiring the exercise of rule-making authority.

The question was: Shall Assembly amendment 2 to **Senate Bill 47** be adopted?

Motion carried.

Representative Radcliffe asked unanimous consent to suspend Assembly Rule 26 in order to allow the public to use video recording devices in the Assembly Gallery.

Representative Suder objected.

Representative Radcliffe moved to suspend Assembly Rule 26 in order to allow the public to use video recording devices in the Assembly Gallery.

The question was: Shall Assembly Rule 26 be suspended in order to allow the public to use video recording devices in the Assembly Gallery?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby,

Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pohan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Sinicki, Staskunas, Steinbrink, C. Taylor, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 37.

Noes – Representatives August, Ballweg, Bernier, Bies, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenberg, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 60.

Absent or not voting – Representative Fields – 1.

Motion failed.

Senate Bill 47

Relating to: changes to the membership of the Small Business Regulatory Review Board, notification to the Small Business Regulatory Review Board of bills with an economic impact on small businesses, the role of the Office of Regulatory Assistance in the Department of Commerce, and requiring the exercise of rule-making authority.

Assembly amendment 4 to **Senate Bill 47** offered by Representatives Barca, Bernard Schaber, Seidel and Molepske Jr.

Representative Suder moved that Assembly amendment 4 to **Senate Bill 47** be laid on the table.

The question was: Shall Assembly amendment 4 to **Senate Bill 47** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Bernier, Bies, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenberg, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 60.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pohan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Sinicki, Staskunas, Steinbrink, C. Taylor, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 37.

Absent or not voting – Representative Fields – 1.

Motion carried.

Assembly amendment 5 to **Senate Bill 47** offered by Representatives Bernard Schaber, Molepske Jr, Hulsey, Barca and Mason.

Representative Suder moved that Assembly amendment 5 to **Senate Bill 47** be laid on the table.

The question was: Shall Assembly amendment 5 to **Senate Bill 47** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Bernier, Bies, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenberg, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 60.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pohan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Sinicki, Staskunas, Steinbrink, C. Taylor, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 37.

Absent or not voting – Representative Fields – 1.

Motion carried.

Assembly amendment 6 to **Senate Bill 47** offered by Representatives Mason, Bernard Schaber, Barca and Molepske Jr.

Representative Suder moved that Assembly amendment 6 to **Senate Bill 47** be laid on the table.

The question was: Shall Assembly amendment 6 to **Senate Bill 47** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Bernier, Bies, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenberg, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 60.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason,

Milroy, Molepske Jr, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Sinicki, Staskunas, Steinbrink, C. Taylor, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 37.

Absent or not voting – Representative Fields – 1.

Motion carried.

The question was: Shall **Senate Bill 47** be ordered to a third reading?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 47** be given a third reading. Granted.

The question was: **Senate Bill 47** having been read three times, shall the bill be concurred in as amended?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 47** be immediately messaged to the Senate. Granted.

Assembly Bill 70

Relating to: changes to the membership of the Small Business Regulatory Review Board, notification to the Small Business Regulatory Review Board of bills with an economic impact on small businesses, the role of the Office of Regulatory Assistance in the Department of Commerce, and requiring the exercise of rule–making authority.

Representative Suder asked unanimous consent that **Assembly Bill 70** be laid on the table. Granted.

Assembly Bill 159

Relating to: the regulation of indirect sources of air pollution and the suspension of a rule promulgated by the Department of Natural Resources.

Representative Suder asked unanimous consent that **Assembly Bill 159** be referred to the committee on **Natural Resources**. Granted.

Assembly Bill 160

Relating to: ambient air quality standards established by the Department of Natural Resources and the suspension of a rule promulgated by the Department of Natural Resources.

Representative Suder asked unanimous consent that **Assembly Bill 160** be referred to the committee on **Natural Resources**. Granted.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 115** be withdrawn from today’s calendar and taken up at this time. Granted.

Senate Bill 115

Relating to: the date of the presidential preference primary and certain other election occurrences.

The question was: Shall **Senate Bill 115** be ordered to a third reading?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 115** be given a third reading. Granted.

The question was: **Senate Bill 115** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Bernier, Bies, Brooks, Craig, D. Cullen, Endsley, Farrow, Honadel, Jacque, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Richards, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Young, Zamarripa, Ziegelbauer and Speaker Fitzgerald – 65.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pocan, Pope–Roberts, Radcliffe, Ringhand, Roys, Seidel, Sinicki, Staskunas, Steinbrink, C. Taylor, Toles, Turner, Vruwink and Zepnick – 32.

Absent or not voting – Representative Fields – 1.

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 115** be immediately messaged to the Senate. Granted.

Assembly Bill 162

Relating to: the date of the presidential preference primary and certain other election occurrences.

Representative Suder asked unanimous consent that **Assembly Bill 162** be laid on the table. Granted.

Assembly Bill 177

Relating to: procedures for applications and hearings relating to permits and contracts for structures, deposits, and other activities in or near navigable waters.

Representative Roys asked unanimous consent that **Assembly Bill 177** be placed at the foot of today’s calendar. Granted.

Assembly Bill 195

Relating to: the regulation of emissions of hazardous air contaminants associated with agricultural waste and the partial suspension of rules promulgated by the Department of Natural Resources.

Representative Suder asked unanimous consent that **Assembly Bill 195** be referred to the committee on **Natural Resources**. Granted.

Assembly Bill 196

Relating to: prohibiting the promulgation of certain rules concerning campaign financing by the Government Accountability Board.

Representative Suder asked unanimous consent that **Assembly Bill 196** be referred to the committee on **Election and Campaign Reform**.

Representative Bernard Schaber objected.

Representative Suder moved that **Assembly Bill 196** be referred to the committee on **Election and Campaign Reform**.

The question was: Shall **Assembly Bill 196** be referred to the committee on **Election and Campaign Reform**?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Bernier, Bies, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 60.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Poca, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Sinicki, Staskunas, Steinbrink, C. Taylor, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 37.

Absent or not voting – Representative Fields – 1.

Motion carried.

Assembly Bill 211

Relating to: an income and franchise tax credit for investments in a community development financial institution.

Representative Vos asked unanimous consent that **Assembly Bill 211** be referred to the joint committee on **Finance**. Granted.

Representative Vos asked unanimous consent that the rules be suspended and that **Assembly Bill 211** be withdrawn from the joint committee on **Finance** and taken up at this time. Granted.

The question was: Shall Assembly amendment 1 to **Assembly Bill 211** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to **Assembly Bill 211** be adopted?

Motion carried.

The question was: Shall Assembly amendment 3 to **Assembly Bill 211** be adopted?

Motion carried.

Speaker Pro Tempore Kramer asked unanimous consent that the Assembly stand informal. Granted.

The Assembly stood informal.

4:17 P.M.

INFORMAL

4:43 P.M.

The Assembly reconvened.

Speaker Pro Tempore Kramer in the chair.

Assembly amendment 4 to **Assembly Bill 211** offered by Representatives Barca, Roys, Clark, Berceau, Bernard Schaber, Bewley, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Mason, Milroy, Molepske Jr, Pasch, Poca, Pope–Roberts, Radcliffe, Richards, Ringhand, Seidel, Sinicki, Staskunas, Tauchen, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick.

The question was: Shall Assembly amendment 4 to **Assembly Bill 211** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 211** be ordered engrossed and read a third time?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 211** be given a third reading. Granted.

The question was: **Assembly Bill 211** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Barca, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Brooks, Clark, E. Coggs, D. Cullen, Danou, Doyle, Endsley, Farrow, Grigsby, Hebl, Hintz, Honadel, Hulsey, Jacque, Jorgensen, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Mason, Meyer, Milroy, Molepske Jr, Mursau, Murtha, Nerison, Nygren, A. Ott, J. Ott, Pasch, Petersen, Petrowski, Petryk, Poca, Pope–Roberts, Pridemore, Radcliffe, Richards, Ringhand, Ripp, Rivard, Roys, Seidel, Severson, Sinicki, Spanbauer, Staskunas, Steinbrink, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, C. Taylor, Thiesfeldt, Tiffany, Toles, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Young, Zamarripa, Zepnick, Ziegelbauer and Speaker Fitzgerald – 92.

Noes – Representatives August, Craig, Krusick, Nass and Wynn – 5.

Absent or not voting – Representative Fields – 1.

Motion carried.

Representatives Hulsey, Jorgensen, Grigsby, Mason, Zamarripa, Young, E. Coggs, Zepnick, Hebl, Barca, Milroy, Toles, Pasch, C. Taylor, Bies, Clark, Richards, Danou, Vos, Steinbrink, Krug, Kerkman, Pocan, Bernier, Knilans and Petryk asked unanimous consent to be made coauthors of **Assembly Bill 211**. Granted.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 211** be immediately messaged to the Senate. Granted.

Representative Barca introduced a privileged resolution.

INTRODUCTION AND REFERENCE OF PROPOSALS

Assembly Resolution 12

Relating to: establishing special orders of business for Thursday, September 22, 2011.

By Representative Barca.

To committee on **Assembly Organization**.

Assembly Bill 32

Relating to: communications by members of the legislature.

The question was: Shall **Assembly Bill 32** be ordered engrossed and read a third time?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 32** be given a third reading. Granted.

The question was: **Assembly Bill 32** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Barca, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Brooks, Clark, E. Coggs, D. Cullen, Danou, Doyle, Endsley, Farrow, Grigsby, Hebl, Hintz, Honadel, Hulsey, Jacque, Jorgensen, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knilans, Knodl, Kooyenga, Kramer, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudonbeck, Marklein, Mason, Meyer, Milroy, Molepske Jr, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Pasch, Petersen, Petrowski, Petryk, Pocan, Pope–Roberts, Pridemore, Radcliffe, Richards, Ringhand, Ripp, Rivard, Roys, Seidel, Severson, Sinicki, Spanbauer, Staskunas, Steinbrink, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, C. Taylor, Thiesfeldt, Tiffany, Toles, Tranel, Turner, Van Roy, Vruwink, Weininger, Williams, Wynn, Young, Zamarripa, Zepnick and Speaker Fitzgerald – 91.

Noes – Representatives August, Craig, Knudson, Krug, Vos and Ziegelbauer – 6.

Absent or not voting – Representative Fields – 1.

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 32** be immediately messaged to the Senate. Granted.

Assembly Bill 81

Relating to: special identification cards issued by the Department of Transportation providing parking privileges for persons with physical disabilities and providing a penalty.

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 Suder 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?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Barca, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Brooks, Clark, E. Coggs, Craig, D. Cullen, Danou, Doyle, Endsley, Farrow, Grigsby, Hebl, Hintz, Honadel, Hulsey, Jacque, Jorgensen, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudonbeck, Marklein, Mason, Meyer, Milroy, Molepske Jr, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Pasch, Petersen, Petrowski, Petryk, Pocan, Pope–Roberts, Pridemore, Radcliffe, Richards, Ringhand, Ripp, Rivard, Roys, Seidel, Severson, Sinicki, Spanbauer, Staskunas, Steinbrink, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, C. Taylor, Thiesfeldt, Tiffany, Toles, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Zamarripa, Zepnick, Ziegelbauer and Speaker Fitzgerald – 97.

Noes – None.

Absent or not voting – Representative Fields – 1.

Motion carried.

Representatives C. Taylor, Williams and Young asked unanimous consent to be made coauthors of **Assembly Bill 81**. Granted.

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

Assembly Bill 177

Relating to: procedures for applications and hearings relating to permits and contracts for structures, deposits, and other activities in or near navigable waters.

Assembly substitute amendment 1 to **Assembly Bill 177** offered by Representative Steineke.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 177** offered by Representative Hulsey.

Representative Suder moved that Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 177** be laid on the table.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 177** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Bernier, Bies, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenberg, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 61.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Sinicki, Staskunas, Steinbrink, C. Taylor, Toles, Turner, Young, Zamarripa and Zepnick – 36.

Absent or not voting – Representative Fields – 1.

Motion carried.

Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 177** offered by Representatives Steineke and Molepske Jr.

The question was: Shall Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 177** be adopted?

Motion carried.

Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 177** offered by Representatives Bewley, Hebl, Bernard Schaber and Pope–Roberts.

Representative Suder moved that Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 177** be laid on the table.

The question was: Shall Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 177** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Bernier, Bies, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenberg, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 61.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Sinicki, Staskunas, Steinbrink, C. Taylor, Toles, Turner, Young, Zamarripa and Zepnick – 36.

Absent or not voting – Representative Fields – 1.

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 177** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 177** be ordered engrossed and read a third time?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 177** be given a third reading. Granted.

The question was: **Assembly Bill 177** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Bernier, Bies, Brooks, Craig, Endsley, Farrow, Hintz, Honadel, Jacque, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenberg, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Radcliffe, Ripp, Rivard, Severson, Spanbauer, Steinbrink, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Ziegelbauer and Speaker Fitzgerald – 65.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy,

Molepske Jr, Pasch, Pocan, Pope–Roberts, Richards, Ringhand, Roys, Seidel, Sinicki, Staskunas, C. Taylor, Toles, Turner, Zamarripa and Zepnick – 32.

Absent or not voting – Representative Fields – 1.

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 177** be immediately messaged to the Senate. Granted.

Representative Barca asked unanimous consent that the rules be suspended and that **Assembly Resolution 12** be withdrawn from the committee on **Assembly Organization** and taken up at this time.

Representative Suder objected.

Representative Barca moved that the rules be suspended and that **Assembly Resolution 12** be withdrawn from the committee on **Assembly Organization** and taken up at this time.

Assembly Resolution 12

Relating to: establishing special orders of business for Thursday, September 22, 2011.

The question was: Shall the rules be suspended and **Assembly Resolution 12** be withdrawn from the committee on **Assembly Organization** and taken up at this time?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Fields, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, C. Taylor, Toles, Turner, Vruwink, Young and Zamarripa – 38.

Noes – Representatives August, Ballweg, Bernier, Bies, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn and Speaker Fitzgerald – 59.

Absent or not voting – Representative Fields – 1.

Motion failed.

Representative Danou asked unanimous consent to be made a coauthor of **Assembly Bill 63**. Granted.

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Concurred in:

Assembly Joint Resolution 17
Assembly Joint Resolution 47
Assembly Joint Resolution 54

VISITORS

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

Nelson Auner, intern and guest of Representative Seidel.

Luke Nuvermann, intern and guest of Representative Farrow.

Vince Schmuki from Shorewood, guest of Representative Pasch.

Ben Crittenden from Janesville, intern and guest of Representative Clark.

ANNOUNCEMENTS

Representative Roys asked unanimous consent that the Assembly adjourn in memory of her grandmother, Helen Roys, who passed away recently. Granted.

Representative C. Taylor asked unanimous consent that the Assembly adjourn in honor of her son, Benjamin Cole Taylor-Feldman, on the occasion of his first birthday on August 28. Granted.

Representative Marklein asked unanimous consent that the Assembly adjourn in honor of his son, Bill Marklein, on the occasion of his birthday today. Granted.

Representative Krug asked unanimous consent that the Assembly adjourn in honor of his wife, Amanda Krug, on the occasion of her birthday today. Granted.

Representative Mason asked unanimous consent that the Assembly adjourn in honor of his daughter, Amelia Earhart Mason, on the occasion of her first birthday on September 18. Granted.

Representative E. Coggs asked unanimous consent that the Assembly adjourn in honor of her grandson, Solomon Kingston Coggs-Butler, on the occasion of his second birthday on September 17. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Ryan Horrisberger from Oregon, who competed in the 2011 Ironman Wisconsin triathlon. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Ted Chase from Sun Prairie, who received the Silver Pillars of Public Power Award from the Municipal Electric Utilities of Wisconsin for 20 years of service on their governing board. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Donna Davis from Sun Prairie, who has taught ballet, pointe, tap and jazz dance lessons to more than 7,500 students and is retiring after 56 years as a dancing instructor. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Pat Cannon for 22 years of service to the City of Sun Prairie as City Administrator. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Tom and Rita Tubbs, on the occasion of their 55th wedding anniversary. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Paul Evert, City of Sun Prairie

Attorney and Assistant City Administrator for 10 years of service to the City of Sun Prairie. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Marcia Herman, a teacher at Westside Elementary School in Sun Prairie, who was recently named 2011 Elementary Teacher of the Year. Granted.

ADJOURNMENT

Representative Suder moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, September 15.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

5:41 P.M.