



STATE OF WISCONSIN Assembly Journal

Ninety-Fifth Regular Session

10:07 A.M.

TUESDAY, October 30, 2001

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

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Lieutenant Colonel John Steiner, Chaplain of the 264th Engineer Group of the Army National Guard in Chippewa Falls.

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

SPECIAL GUEST

Representative Underheim introduced the Wyldewood Christian School Young Men's Quartet: Phillip Hammond, Phillip Clayton, Daniel Clayton and Ethan King from Oshkosh, who sang "Stars and Stripes Forever" from the rostrum.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Balow, BercEAU, Bies, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, POCAN, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 97.

Absent with leave – Representative Krawczyk – 1.

Vacancies – 42nd Assembly District – 1.

LEAVES OF ABSENCE

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

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 598** offered by Representative Gunderson.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 44

Relating to: supporting an initiative seeking a just and peaceful resolution of the situation in Cyprus.

By Representatives Vrakas, Jeskewitz, Grothman, Krawczyk, Ryba, Richards, McCormick, Starzyk, Plale, Ladwig, Ott and Hoven, by request of American Hellenic Educational Progressive Association Chapter 369 of Madison and Chapter 40 of Milwaukee.

To committee on **Rules**.

Assembly Bill 606

Relating to: indemnification and hold harmless provisions and additional endorsements in construction contracts.

By Representative Gard.

To committee on **Judiciary**.

Assembly Bill 607

Relating to: open enrollment in public schools and granting rule-making authority.

By Representatives Walker, Ainsworth, Albers, Gunderson, Hahn, Jeskewitz, Krawczyk, Musser, Ott, Staskunas and Stone; cosponsored by Senators Rosenzweig, Roessler, Lazich and Darling.

To committee on **Education Reform**.

Assembly Bill 608

Relating to: providing material support of international terrorism and providing a penalty.

By Representatives Walker, La Fave, Albers, Duff, Gunderson, Hahn, Ladwig, J. Lehman, Loeffelholz,

Meyerhofer, Nass, Ott, Owens, Ryba, Starzyk, Suder, Turner, Vrakas and Freese; cosponsored by Senators Darling, Huelsman, Roessler and Rosenzweig.

To committee on **Criminal Justice**.

Assembly Bill 609

Relating to: the titling of motor vehicles that have been damaged; the sale of a motor vehicle subject to a seizure for a crime related to driving while under the influence of an intoxicant or other drug; displaying the empty weight on the side of certain motor vehicles; vehicle identification numbers for motorcycles; and operating a motor vehicle that is not registered (suggested as remedial legislation by the department of transportation).

By Law Revision Committee.

To committee on **Transportation**.

COMMITTEE REPORTS

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

Assembly Bill 521

Relating to: permitting employers to refuse to employ, or to bar or terminate from employment, individuals who have been convicted of certain serious felonies, as defined in the bill, and who have not been pardoned; and permitting educational agencies to refuse to employ, or to bar or terminate from employment, individuals who have been convicted of those certain serious felonies or of certain other serious violations and who have not been pardoned.

Passage:

Ayes: 10 – Representatives Suder, Gundrum, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas and Wood.

Noes: 4 – Representatives Young, Colon, Sherman and Boyle.

To committee on **Rules**.

Assembly Bill 529

Relating to: retired peace officers carrying a weapon.

Assembly substitute amendment 1 adoption:

Ayes: 12 – Representatives Suder, Gundrum, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Wood, Young, Sherman and Boyle.

Noes: 2 – Representatives Staskunas and Colon.

Passage as amended:

Ayes: 11 – Representatives Suder, Gundrum, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Wood, Young and Sherman.

Noes: 3 – Representatives Staskunas, Colon and Boyle.

To committee on **Rules**.

Assembly Bill 540

Relating to: firearms restrictions record checks.

Passage:

Ayes: 14 – Representatives Suder, Gundrum, Bies, J. Fitzgerald, Jeskewitz, F. Lasee, Loeffelholz, Owens, Staskunas, Wood, Young, Colon, Sherman and Boyle.

Noes: 0.

To committee on **Rules**.

SCOTT SUDER

Chairperson

Committee on Criminal Justice

The committee on **Veterans and Military Affairs** reports and recommends:

Assembly Bill 496

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

Assembly substitute amendment 1 adoption:

Ayes: 9 – Representatives Musser, Hundertmark, Petrowski, Sykora, Townsend, Ryba, Boyle, Hubler and Schneider.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Musser, Hundertmark, Petrowski, Sykora, Townsend, Ryba, Boyle, Hubler and Schneider.

Noes: 0.

To committee on **Rules**.

Assembly Bill 587

Relating to: creating the Wisconsin naval militia and making an appropriation.

Passage:

Ayes: 9 – Representatives Musser, Hundertmark, Petrowski, Sykora, Townsend, Ryba, Boyle, Hubler and Schneider.

Noes: 0.

To committee on **Rules**.

TERRY MUSSER

Chairperson

Committee on Veterans and Military Affairs

LEAVES OF ABSENCE

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

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Resolution 43** be withdrawn from the calendar of Tuesday, October 30 and taken up at this time. Granted.

Assembly Resolution 43

Relating to: honoring the life and achievements of Jesselyn Marie Karbon and the efforts of her mother, Rosemarie Rose.

The question was: Shall **Assembly Resolution 43** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pohan, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 96.

Noes – None.

Absent or not voting – Representatives Krawczyk and Lassa – 2.

Motion carried.

Representative Gronemus asked unanimous consent that **Assembly Joint Resolution 61** be taken from the table. Granted.

Assembly Joint Resolution 61

Relating to: the life and public service of John Quentin Radcliffe.

The question was: Shall **Assembly Joint Resolution 61** be adopted?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 61** be immediately messaged to the Senate. Granted.

MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 48

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 48

Relating to: the life and public service of John Quentin Radcliffe.

By Senator Moen; cosponsored by Representative Gronemus.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 48** be taken up at this time. Granted.

The question was: Shall **Senate Joint Resolution 48** be concurred in?

Motion carried.

Representative Ladwig asked unanimous consent that all members of the Assembly be added as cosponsors of **Senate Joint Resolution 48**. Granted.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 48** be immediately messaged to the Senate. Granted.

Representative Ladwig asked unanimous consent that **Assembly Rule 12** be suspended and that the committee on **Environment** be permitted to complete the public hearing which began at 9:00 A.M. this morning. Granted.

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

The Assembly stood recessed.

10:36 A.M.

RECESS

1:57 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 Lassa asked unanimous consent that her leave of absence be lifted. Granted.

Assembly Bill 294

Relating to: authorizing the department of workforce development to order a person who discriminates in promotion, compensation, or in terms, conditions, or privileges of employment on the basis of sex, race, color, national origin, or ancestry to pay compensatory and punitive damages and an assessment, directing the secretary of workforce development to appoint a committee to study wage disparities between men and women and between minority group members and nonminority group members, and making an appropriation.

Representative Black moved that the rules be suspended and that **Assembly Bill 294** be withdrawn from the committee

on **Labor and Workforce Development** and taken up at this time.

Representative Foti moved that the motion, that the rules be suspended and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** and taken up, be amended to substitute **Assembly Bill 545** be withdrawn from the committee on **Energy and Utilities** and taken up at this time.

POINT OF ORDER

Representative Staskunas rose to the point of order that the motion to amend the motion that the rules be suspended and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** be amended to substitute **Assembly Bill 545** was not in order under Assembly Rule 15.

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

Representative Krug asked unanimous consent that the Assembly return to the previous order of business.

Representative Foti objected.

Representative Staskunas withdrew the point of order that the motion to amend a motion to suspend the rules and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** was not in order.

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

The Assembly stood informal.

2:43 P.M.

INFORMAL

2:55 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

The question was: Shall the motion, that the rules be suspended and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** and taken up, be amended to substitute **Assembly Bill 545** be withdrawn from the committee on **Energy and Utilities** and taken up at this time?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Grothman, Gunderson, Gundrum, Hahn, Hoven, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Lippert,

Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Skindrud, Starzyk, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert and Speaker Jensen – 55.

Noes – Representatives Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hebl, Huber, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Williams, Wood, Young and Ziegelbauer – 42.

Absent or not voting – Representative Krawczyk – 1.

Motion carried.

Representative Jensen asked unanimous consent that the motion to withdraw **Assembly Bill 545** from the committee on **Energy and Utilities** be laid on the table. Granted.

Representative Black moved that the rules be suspended and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** and taken up at this time.

Speaker Pro Tempore Freese ruled the motion dilatory under Assembly Rule 69.

Representative Black moved that the rules be suspended and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** and taken up at this time.

Speaker Pro Tempore Freese ruled the motion dilatory under **Assembly Rule 69**.

Representative Black appealed the ruling of the Chair.

Speaker Pro Tempore Freese ruled that a motion to appeal the ruling of the Chair was not in order because his ruling was not made on a point of order raised under **Assembly Rule 62**.

CALENDAR OF MONDAY, OCTOBER 29

Assembly Bill 576

Relating to: an airline loan guarantee program and making an appropriation.

POINT OF ORDER

Representative Carpenter rose to the point of order that **Assembly Bill 576** was not properly before the Assembly because it was required to be referred to the joint committee on **Finance** under section 13.093, Wisconsin Statutes.

Speaker Pro Tempore Freese ruled the point of order **not well taken**.

Representative Carpenter moved that **Assembly Bill 576** be referred to the joint committee on **Finance**.

Speaker Pro Tempore Freese ruled the motion not in order because the only question in order was reconsideration under **Assembly Rule 73**.

Representative Carpenter rose to the point of order that **Assembly Bill 576** was not properly before the Assembly under Article 8, Section 10 of the Wisconsin Constitution.

Speaker Pro Tempore Freese ruled the point of order **not well taken**.

Representative Carpenter rose to the point of order that **Assembly Bill 576** was not properly before the Assembly because the bill was currently under advisement for a previous point of order.

Speaker Pro Tempore Freese ruled the point of order **not well taken**.

The question was: Shall the vote by which **Assembly Bill 576** was passed be reconsidered?

The roll was taken.

The result follows:

Ayes – Representatives Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hebl, Huber, Hubler, Kreuser, La Fave, Lassa, J. Lehman, Miller, Morris–Tatum, Plouff, Pocan, Reynolds, Richards, Ryba, Schneider, Sherman, Shilling, Sinicki, Travis, Turner, Wasserman, Williams, Wood, Young and Ziegelbauer – 34.

Noes – Representatives Ainsworth, Albers, Balow, Bies, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Grothman, Gunderson, Gundrum, Hahn, Hoven, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Kreibich, Krug, Krusick, Ladwig, F. Lasee, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Powers, Rhoades, Riley, Schooff, Seratti, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert and Speaker Jensen – 63.

Absent or not voting – Representative Krawczyk – 1.

Motion failed.

Representative Sinicki moved that the rules be suspended and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** and taken up at this time.

Speaker Pro Tempore Freese ruled the motion dilatory under **Assembly Rule 69**.

POINT OF ORDER

Representative Black rose to the point of order that the motion to suspend the rules and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** and taken up at this time was not dilatory.

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

LEAVES OF ABSENCE

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

Assembly Bill 380

Relating to: single sales factor apportionment of income for corporate income tax and franchise tax purposes and granting rule-making authority.

The question was: **Assembly Bill 380** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Balow, Bies, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hoven, Huber, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Kreibich, Kreuser, Krusick, La Fave, Ladwig, F. Lasee, Lassa, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Powers, Rhoades, Riley, Schneider, Schooff, Seratti, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert, Ziegelbauer and Speaker Jensen – 70.

Noes – Representatives Albers, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Hubler, Krug, J. Lehman, Miller, Morris–Tatum, Plouff, Pocan, Reynolds, Richards, Ryba, Sherman, Shilling, Sinicki, Turner, Williams, Wood and Young – 26.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 380** be immediately messaged to the Senate.

Representative Black objected.

Representative Ladwig moved that the rules be suspended and that **Assembly Bill 380** be immediately messaged to the Senate.

Representative Black moved that the motion, that the rules be suspended and that **Assembly Bill 380** be immediately messaged to the Senate, be amended to substitute **Assembly Bill 294** be given a second reading.

Representative Ladwig asked unanimous consent to withdraw her motion that the rules be suspended and that **Assembly Bill 380** be immediately messaged to the Senate.

Representative Cullen objected.

POINT OF ORDER

Representative Hubler rose to the point of order that amending a motion to substitute a different proposal is not in

order under **Assembly Rules** or **Mason's Manual**, Chapter 28.

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

CALENDAR OF TUESDAY, OCTOBER 30

Assembly Bill 150

Relating to: proper display of a registration plate and providing a penalty.

Representative Foti asked unanimous consent that **Assembly Bill 150** be laid on the table. Granted.

Representative Duff in the chair.

Assembly Bill 199

Relating to: vehicle owner liability for violations of certain traffic laws relating to railroad crossings and providing penalties.

Assembly amendment 1 to **Assembly Bill 199** offered by Representative Albers.

The question was: Shall Assembly amendment 1 to **Assembly Bill 199** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Foti, Freese, Hoven, Hubler, McCormick, Owens, Pettis, Seratti, Travis and Wood – 11.

Noes – Representatives Ainsworth, Balow, Berceau, Bies, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, J. Fitzgerald, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Huber, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, D. Meyer, Meyerhofer, Miller, Morris–Tatum, Musser, Nass, Olsen, Ott, Petrowski, Plale, Plouff, Poca, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Young, Ziegelbauer and Speaker Jensen – 85.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion failed.

Assembly amendment 2 to **Assembly Bill 199** offered by Representative Black.

POINT OF ORDER

Representative Foti rose to the point of order that Assembly amendment 2 to **Assembly Bill 199** was not germane under Assembly Rule 54.

The Chair (Representative Duff) ruled the point of order **well taken**.

Representative Black appealed the ruling of the Chair.

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

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Grothman, Gunderson, Gundrum, Hahn, Hoven, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Kreibich, Krusick, Ladwig, F. Lasee, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Skindrud, Starzyk, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert and Speaker Jensen – 54.

Noes – Representatives Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, La Fave, Lassa, J. Lehman, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Poca, Reynolds, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Williams, Wood, Young and Ziegelbauer – 42.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion carried.

The question was: Shall **Assembly Bill 199** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 199** be given a third reading.

Representative Black objected.

Assembly Bill 241

Relating to: requiring law enforcement officers to report traffic violations and accidents involving any foreign diplomat to the federal department of state.

Assembly amendment 1 to **Assembly Bill 241** offered by Representative Black.

POINT OF ORDER

Representative Foti rose to the point of order that Assembly amendment 1 to **Assembly Bill 241** was not germane under Assembly Rule 54.

Assembly Bill 199

Relating to: vehicle owner liability for violations of certain traffic laws relating to railroad crossings and providing penalties.

Representative Black moved that the rules be suspended and that **Assembly Bill 199** be given a third reading.

Representative Bock moved that the motion, that the rules be suspended and that **Assembly Bill 199** be given a third reading, be amended to substitute **Assembly Bill 294** be given a second reading.

The question was: Shall the motion, that the rules be suspended and that **Assembly Bill 199** be given a third reading, be amended to substitute **Assembly Bill 294** be given a second reading?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Williams, Wood, Young and Ziegelbauer – 42.

Noes – Representatives Ainsworth, Albers, Bies, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Grothman, Gunderson, Gundrum, Hahn, Hoven, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Skindrud, Starzyk, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert and Speaker Jensen – 53.

Absent or not voting – Representatives Colon, Krawczyk and Montgomery – 3.

Motion failed.

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

Representative Black moved that the rules be suspended and that **Assembly Bill 199** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 199** be given a third reading?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Kreibich, Kreuser, Krug,

Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 95.

Noes – Representative Travis – 1.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion carried.

The question was: **Assembly Bill 199** 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, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Young, Ziegelbauer and Speaker Jensen – 94.

Noes – Representatives Travis and Wood – 2.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 199** be immediately messaged to the Senate. Granted.

Assembly Bill 241

Relating to: requiring law enforcement officers to report traffic violations and accidents involving any foreign diplomat to the federal department of state.

Representative Black asked unanimous consent that Assembly amendment 1 to **Assembly Bill 241** be withdrawn and returned to the author. Granted.

Representative Black moved that the rules be suspended and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** and taken up at this time.

The Chair (Representative Duff) ruled the motion not timely because **Assembly Bill 294** was already under advisement for a previous point of order.

Representative Black appealed the ruling of the Chair.

The Chair (Representative Duff) ruled that a motion to appeal the ruling of the Chair was not in order because his ruling was not made on a point of order raised under **Assembly Rule 62**.

POINT OF ORDER

Representative Black rose to the point of order that the motion to suspend the rules and **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** and taken up at this time was in order.

The Chair (Representative Duff) ruled the motion not timely because **Assembly Bill 294** was already under advisement for a previous point of order.

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

The Assembly stood informal.

5:45 P.M.

INFORMAL

6:00 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

RULING ON THE POINT OF ORDER

Speaker Pro Tempore Freese ruled **well taken** the point of order raised by Representative Hubler that amending a motion to substitute a different proposal is not in order under **Assembly Rules** or **Mason's Manual**, Chapter 28.

Representative Black withdrew his point of order that the motion to suspend the rules and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** and taken up at this time was not dilatory.

Representative Black moved that the rules be suspended and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** and taken up at this time.

Speaker Pro Tempore Freese ruled the motion dilatory under **Assembly Rule 69**.

Assembly Bill 241

Relating to: requiring law enforcement officers to report traffic violations and accidents involving any foreign diplomat to the federal department of state.

The question was: Shall **Assembly Bill 241** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 70** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Senate Bill 70

Relating to: requiring law enforcement officers to report traffic violations and accidents involving any foreign diplomat to the federal department of state.

The question was: Shall **Senate Bill 70** be ordered to a third reading?

Motion carried.

The question was: **Senate Bill 70** having been read three times, shall the bill be concurred in?

Motion carried.

Assembly Bill 244

Relating to: tax warrants and liens on property.

The question was: Shall Assembly amendment 1 to **Assembly Bill 244** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Bill 244** offered by Representative Black.

POINT OF ORDER

Representative Foti rose to the point of order that Assembly amendment 2 to **Assembly Bill 244** was not germane under Assembly Rule 54.

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

The question was: Shall **Assembly Bill 244** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 244** be given a third reading.

Representative Bock objected.

Assembly Bill 269

Relating to: deer hunting back tag number reservation fees.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 269** be adopted?

Motion carried.

Assembly amendment 1 to **Assembly Bill 269** offered by Representative Black.

The question was: Shall **Assembly Bill 269** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 269** be given a third reading.

Representative Bock objected.

Assembly Bill 300

Relating to: the designation and duties of chief warden, deputy chief warden, internal affairs officer, and complaint officer within the department of natural resources.

Assembly amendment 1 to **Assembly Bill 300** offered by Representative Black.

POINT OF ORDER

Representative Foti rose to the point of order that Assembly amendment 1 to **Assembly Bill 300** was not germane under Assembly Rule 54.

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

The question was: Shall **Assembly Bill 300** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 300** be given a third reading.

Representative Bock objected.

Assembly Bill 301

Relating to: authorizing conservation wardens to enforce the trespass law and prohibitions on shooting at caged or staked wild animals and to make arrests under warrants issued for felonies or misdemeanors.

Assembly amendment 1 to **Assembly Bill 301** offered by Representative Black.

POINT OF ORDER

Representative Foti rose to the point of order that Assembly amendment 1 to **Assembly Bill 301** was not germane under Assembly Rule 54.

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

The question was: Shall **Assembly Bill 301** be ordered engrossed and read a third time?

Motion carried.

Assembly Bill 361

Relating to: the requirement that operators of fish farms provide evidence of fish health and granting rule-making authority.

The question was: Shall Assembly amendment 1 to **Assembly Bill 361** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Bill 361** offered by Representative Black.

POINT OF ORDER

Representative Foti rose to the point of order that Assembly amendment 2 to **Assembly Bill 361** was not germane under Assembly Rule 54.

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

The question was: Shall **Assembly Bill 361** be ordered engrossed and read a third time?

Motion carried.

Assembly Bill 365

Relating to: the newspaper recycling fee and the recycled content of newsprint used in newspapers.

Assembly amendment 1 to **Assembly Bill 365** offered by Representative Black.

POINT OF ORDER

Representative Foti rose to the point of order that Assembly amendment 1 to **Assembly Bill 365** was not germane under Assembly Rule 54.

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

The question was: Shall **Assembly Bill 365** be ordered engrossed and read a third time?

Motion carried.

Assembly Bill 415

Relating to: trapping licenses issued to nonresidents.

The question was: Shall Assembly amendment 1 to **Assembly Bill 415** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Bill 415** offered by Representative Black.

POINT OF ORDER

Representative Foti rose to the point of order that Assembly amendment 2 to **Assembly Bill 415** was not

germane under Assembly Rule 54.

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

The question was: Shall **Assembly Bill 415** be ordered engrossed and read a third time?

Motion carried.

Assembly Bill 522

Relating to: failure to pay for gasoline or diesel fuel and suspension of operating privileges after conviction for theft of gasoline or diesel fuel and providing penalties.

Representative Foti asked unanimous consent that **Assembly Bill 522** be placed after **Assembly Bill 579**. Granted.

Assembly Bill 554

Relating to: determining what constitutes the administration of the department of natural resources when managing the state's fish and wildlife resources.

Assembly amendment 1 to **Assembly Bill 554** offered by Representative Black.

POINT OF ORDER

Representative Foti rose to the point of order that Assembly amendment 1 to **Assembly Bill 554** was not germane under Assembly Rule 54.

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

The question was: Shall **Assembly Bill 554** be ordered engrossed and read a third time?

Motion carried.

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 275

ACTION ON THE SENATE MESSAGE

Senate Bill 275

Relating to: proposed actions regarding motor vehicle franchises.

By Senators Breske, Darling, Decker, Schultz, Plache, Welch, Moen, Huelsman, Jauch, S. Fitzgerald, M. Meyer, Rosenzweig, Grobschmidt, Lazich, Erpenbach and Cowles; cosponsored by Representatives Freese, Musser, Krawczyk,

Ryba, Loeffelholz, Gunderson, Lippert, Lassa, Sinicki, Olsen, Kestell, Hundertmark, Ladwig, Skindrud, Vrakas, Gronemus, Sykora, M. Lehman, Coggs, Albers, Meyerhofer, Hahn and Wasserman.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 275** be taken up at this time. Granted.

The question was: Shall **Senate Bill 275** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 275** be given a third reading.

Representative Bock objected.

Assembly Bill 579

Relating to: certified capital investment limitations, qualified business requirements, and reviews of certified capital company financial statements.

Assembly amendment 1 to **Assembly Bill 579** offered by Representatives Grothman and Ziegelbauer.

Representative Ward moved that Assembly amendment 1 to **Assembly Bill 579** be laid on the table.

The question was: Shall Assembly amendment 1 to **Assembly Bill 579** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Coggs, Colon, Duff, Foti, Freese, Gard, Hahn, Huebsch, Jeskewitz, Kedzie, Kestell, Kreibich, Krug, Krusick, La Fave, Ladwig, Lassa, M. Lehman, Lippert, Loeffelholz, D. Meyer, Morris–Tatum, Musser, Ott, Plale, Powers, Rhoades, Richards, Riley, Ryba, Schooff, Staskunas, Stone, Sykora, Townsend, Turner, Urban, Vrakas, Ward, Wasserman, Wieckert, Williams, Young and Speaker Jensen – 45.

Noes – Representatives Ainsworth, Albers, Berceau, Bies, Black, Bock, Boyle, Carpenter, Cullen, J. Fitzgerald, Friske, Gronemus, Grothman, Gunderson, Gundrum, Hebl, Hoven, Huber, Hubler, Hundertmark, Johnsrud, Kaufert, Kreuser, F. Lasee, J. Lehman, Leibham, McCormick, Meyerhofer, Miller, Nass, Olsen, Owens, Petrowski, Pettis, Plouff, Pohan, Reynolds, Schneider, Seratti, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Steinbrink, Suder, Travis, Underheim, Walker, Wood and Ziegelbauer – 51.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion failed.

Representative Krug moved rejection of Assembly amendment 1 to **Assembly Bill 579**.

The question was: Shall Assembly amendment 1 to **Assembly Bill 579** be rejected?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Coggs, Colon, Duff, Foti, Gronemus, Hahn, Hebl, Huebsch, Jeskewitz, Krug, Krusick, La Fave, Ladwig, Lassa, M. Lehman, Lippert, Loeffelholz, Morris–Tatum, Musser, Ott, Plale, Powers, Rhoades, Richards, Riley, Schooff, Shilling, Staskunas, Stone, Sykora, Townsend, Turner, Urban, Vrakas, Ward, Wieckert, Williams, Young and Speaker Jensen – 40.

Noes – Representatives Ainsworth, Albers, Berceau, Bies, Black, Bock, Boyle, Carpenter, Cullen, J. Fitzgerald, Freese, Friske, Gard, Grothman, Gunderson, Gundrum, Hoven, Huber, Hubler, Hundertmark, Johnsrud, Kaufert, Kedzie, Kestell, Kreibich, Kreuser, F. Lasee, J. Lehman, Leibham, McCormick, D. Meyer, Meyerhofer, Miller, Nass, Olsen, Owens, Petrowski, Pettis, Plouff, Pocan, Reynolds, Ryba, Schneider, Seratti, Sherman, Sinicki, Skindrud, Starzyk, Steinbrink, Suder, Travis, Underheim, Walker, Wasserman, Wood and Ziegelbauer – 56.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion failed.

Representative Ward moved that Assembly amendment 1 to **Assembly Bill 579** be laid on the table.

POINT OF ORDER

Representative Hubler rose to the point of order that a second motion to table Assembly amendment 1 to **Assembly Bill 579** was not in order under **Assembly Rule 69**.

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

Assembly amendment 2 to **Assembly Bill 579** offered by Representatives Grothman and Ziegelbauer.

The question was: Shall Assembly amendment 2 to **Assembly Bill 579** be adopted?

Motion carried.

Assembly amendment 3 to **Assembly Bill 579** offered by Representatives Grothman and Ziegelbauer.

Representative Grothman asked unanimous consent that Assembly amendment 3 to **Assembly Bill 579** be withdrawn and returned to the author. Granted.

Assembly amendment 4 to **Assembly Bill 579** offered by Representatives Grothman and Ziegelbauer.

The question was: Shall Assembly amendment 4 to **Assembly Bill 579** be adopted?

Motion carried.

Assembly amendment 5 to **Assembly Bill 579** offered by Representatives Grothman and Ziegelbauer.

The question was: Shall Assembly amendment 5 to **Assembly Bill 579** be adopted?

Motion carried.

Assembly amendment 6 to **Assembly Bill 579** offered by Representatives Grothman and Ziegelbauer.

Representative Krug moved that Assembly amendment 6 to **Assembly Bill 579** be laid on the table.

The question was: Shall Assembly amendment 6 to **Assembly Bill 579** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Bies, Coggs, Colon, Duff, Foti, Freese, Gard, Hahn, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kedzie, Kreibich, Krug, Krusick, La Fave, Ladwig, Lassa, M. Lehman, Lippert, Loeffelholz, D. Meyer, Morris–Tatum, Musser, Nass, Ott, Plale, Pocan, Powers, Rhoades, Richards, Riley, Schooff, Shilling, Starzyk, Staskunas, Steinbrink, Stone, Sykora, Townsend, Turner, Underheim, Urban, Vrakas, Ward, Wieckert, Williams, Young and Speaker Jensen – 51.

Noes – Representatives Ainsworth, Albers, Berceau, Black, Bock, Boyle, Carpenter, Cullen, J. Fitzgerald, Friske, Gronemus, Grothman, Gunderson, Gundrum, Hebl, Hoven, Huber, Hubler, Johnsrud, Kestell, Kreuser, F. Lasee, J. Lehman, Leibham, McCormick, Meyerhofer, Miller, Olsen, Owens, Petrowski, Pettis, Plouff, Reynolds, Ryba, Schneider, Seratti, Sherman, Sinicki, Skindrud, Suder, Travis, Walker, Wasserman, Wood and Ziegelbauer – 45.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion carried.

Assembly amendment 7 to **Assembly Bill 579** offered by Representative Grothman.

Representative Grothman asked unanimous consent that Assembly amendment 7 to **Assembly Bill 579** be withdrawn and returned to the author. Granted.

Assembly amendment 8 to **Assembly Bill 579** offered by Representatives Grothman and Ziegelbauer.

Representative Underheim asked unanimous consent that Assembly amendment 8 to **Assembly Bill 579** be placed after Assembly amendment 1 to **Assembly Bill 579**.

Representative Krug objected.

Representative Underheim asked unanimous consent that Assembly amendment 8 to **Assembly Bill 579** be placed after Assembly amendment 17 to **Assembly Bill 579**.

Representative Krug objected.

Speaker Jensen in the chair.

Representative Gard asked unanimous consent that Assembly amendment 8 to **Assembly Bill 579** be placed after Assembly amendment 12 to **Assembly Bill 579**. Granted.

Assembly amendment 9 to **Assembly Bill 579** offered by Representatives Grothman and Ziegelbauer.

The question was: Shall Assembly amendment 9 to **Assembly Bill 579** be adopted?

Motion carried.

Assembly amendment 10 to **Assembly Bill 579** offered by Representatives Grothman and Ziegelbauer.

The question was: Shall Assembly amendment 10 to **Assembly Bill 579** be adopted?

Motion carried.

Assembly amendment 11 to **Assembly Bill 579** offered by Representatives Grothman and Ziegelbauer.

Representative Ward moved that Assembly amendment 11 to **Assembly Bill 579** be laid on the table.

The question was: Shall Assembly amendment 11 to **Assembly Bill 579** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Duff, Foti, Freese, Hahn, Hoven, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kedzie, Kreibich, La Fave, Ladwig, M. Lehman, Lippert, Loeffelholz, D. Meyer, Miller, Morris–Tatum, Musser, Nass, Ott, Plale, Powers, Rhoades, Richards, Schooff, Shilling, Starzyk, Stone, Sykora, Townsend, Turner, Underheim, Urban, Vrakas, Ward, Wasserman, Wieckert and Speaker Jensen – 41.

Noes – Representatives Ainsworth, Albers, Berceau, Bies, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, J. Fitzgerald, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hebl, Huber, Hubler, Johnsrud, Kestell, Kreuser, Krug, Krusick, F. Lasee, Lassa, J. Lehman, Leibham, McCormick, Meyerhofer, Olsen, Owens, Petrowski, Pettis, Plouff, Pocan, Reynolds, Riley, Ryba, Schneider, Seratti, Sherman, Sinicki, Skindrud, Staskunas, Steinbrink, Suder, Travis, Walker, Williams, Wood, Young and Ziegelbauer – 55.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion failed.

Representative Krug moved rejection of Assembly amendment 11 to **Assembly Bill 579**.

The question was: Shall Assembly amendment 11 to **Assembly Bill 579** be rejected?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Coggs, Duff, Foti, Hoven, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kedzie, Kreibich, Krug, Ladwig, M. Lehman, Lippert, Loeffelholz, D. Meyer, Morris–Tatum, Musser, Nass, Ott, Plale, Powers, Reynolds, Rhoades, Richards, Schooff, Shilling, Sinicki, Stone, Sykora, Townsend, Turner, Underheim, Urban, Vrakas, Ward, Williams, Young and Speaker Jensen – 40.

Noes – Representatives Ainsworth, Albers, Berceau, Bies, Black, Bock, Boyle, Carpenter, Colon, Cullen, J.

Fitzgerald, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Huber, Hubler, Johnsrud, Kestell, Kreuser, Krusick, La Fave, F. Lasee, Lassa, J. Lehman, Leibham, McCormick, Meyerhofer, Miller, Olsen, Owens, Petrowski, Pettis, Plouff, Pocan, Riley, Ryba, Schneider, Seratti, Sherman, Skindrud, Starzyk, Staskunas, Steinbrink, Suder, Travis, Walker, Wasserman, Wieckert, Wood and Ziegelbauer – 56.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion failed.

The question was: Shall Assembly amendment 11 to **Assembly Bill 579** be adopted?

Motion carried.

Assembly amendment 12 to **Assembly Bill 579** offered by Representatives Albers, Seratti and Owens.

Representative Ward moved that Assembly amendment 12 to **Assembly Bill 579** be laid on the table.

The question was: Shall Assembly amendment 12 to **Assembly Bill 579** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, Freese, Friske, Gard, Gronemus, Hahn, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kreuser, Krug, Krusick, La Fave, Ladwig, Lassa, J. Lehman, M. Lehman, Lippert, Loeffelholz, D. Meyer, Meyerhofer, Miller, Morris–Tatum, Musser, Olsen, Ott, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Riley, Schneider, Schooff, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Ward, Wasserman, Williams, Young and Speaker Jensen – 70.

Noes – Representatives Albers, Bies, J. Fitzgerald, Foti, Grothman, Gunderson, Gundrum, Johnsrud, Kedzie, Kestell, Kreibich, F. Lasee, Leibham, McCormick, Nass, Owens, Petrowski, Pettis, Ryba, Seratti, Suder, Sykora, Walker, Wieckert, Wood and Ziegelbauer – 26.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion carried.

Speaker Pro Tempore Freese in the chair.

RULING ON THE POINT OF ORDER

Speaker Pro Tempore Freese ruled **not well taken** the point of order raised by Representative Hubler that a second motion to table Assembly amendment 1 to **Assembly Bill 579** was dilatory under **Assembly Rule 69**, citing a previous ruling from the Assembly Journal on October 31, 1985, pages 544–545.

Representative Black asked unanimous consent that the rules be suspended and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** and taken up at this time.

Representative Jensen objected.

Representative Black moved that the rules be suspended and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** and taken up at this time.

Speaker Pro Tempore Freese ruled the motion dilatory under **Assembly Rule 69**.

Representative Ward moved that Assembly amendment 1 to **Assembly Bill 579** be laid on the table.

The question was: Shall Assembly amendment 1 to **Assembly Bill 579** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Berceau, Coggs, Colon, Duff, Foti, Freese, Hahn, Hoven, Huebsch, Jeskewitz, Kaufert, Kedzie, Krug, Krusick, La Fave, Ladwig, Lassa, M. Lehman, Lippert, Loeffelholz, D. Meyer, Morris–Tatum, Musser, Ott, Plale, Powers, Rhoades, Richards, Riley, Ryba, Schooff, Shilling, Staskunas, Stone, Sykora, Townsend, Turner, Urban, Vrakas, Ward, Wasserman, Wieckert, Williams, Young and Speaker Jensen – 46.

Noes – Representatives Ainsworth, Albers, Bies, Black, Bock, Boyle, Carpenter, Cullen, J. Fitzgerald, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hebl, Huber, Hubler, Hundertmark, Johnsrud, Kestell, Kreibich, Kreuser, F. Lasee, J. Lehman, Leibham, McCormick, Meyerhofer, Miller, Nass, Olsen, Owens, Petrowski, Pettis, Plouff, Pocan, Reynolds, Schneider, Seratti, Sherman, Sinicki, Skindrud, Starzyk, Steinbrink, Suder, Travis, Underheim, Walker, Wood and Ziegelbauer – 50.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion failed.

The question was: Shall Assembly amendment 1 to **Assembly Bill 579** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Berceau, Bies, Black, Bock, Boyle, Carpenter, Cullen, J. Fitzgerald, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Huber, Hubler, Hundertmark, Johnsrud, Kedzie, Kestell, Kreibich, Kreuser, F. Lasee, J. Lehman, Leibham, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Nass, Olsen, Owens, Petrowski, Pettis, Plouff, Pocan, Reynolds, Schneider, Seratti, Sherman, Sinicki, Skindrud, Starzyk, Steinbrink, Suder, Travis, Underheim, Walker, Wasserman, Wieckert, Wood and Ziegelbauer – 58.

Noes – Representatives Balow, Coggs, Colon, Duff, Foti, Hoven, Huebsch, Jeskewitz, Kaufert, Krug, Krusick, La Fave, Ladwig, Lassa, M. Lehman, Lippert, Morris–Tatum, Musser, Ott, Plale, Powers, Rhoades, Richards, Riley, Ryba, Schooff, Shilling, Staskunas, Stone, Sykora, Townsend, Turner, Urban, Vrakas, Ward, Williams, Young and Speaker Jensen – 38.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion carried.

Representative Ward moved that Assembly amendment 8 to **Assembly Bill 579** be laid on the table.

The question was: Shall Assembly amendment 8 to **Assembly Bill 579** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Coggs, Duff, Foti, Freese, Gard, Hoven, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kedzie, Ladwig, M. Lehman, Lippert, Loeffelholz, D. Meyer, Miller, Morris–Tatum, Musser, Ott, Plale, Powers, Rhoades, Richards, Riley, Shilling, Sinicki, Skindrud, Starzyk, Stone, Sykora, Townsend, Turner, Underheim, Urban, Vrakas, Ward, Wasserman, Wieckert, Williams, Young and Speaker Jensen – 43.

Noes – Representatives Ainsworth, Albers, Berceau, Bies, Black, Bock, Boyle, Carpenter, Colon, Cullen, J. Fitzgerald, Friske, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Huber, Hubler, Johnsrud, Kestell, Kreibich, Kreuser, Krug, Krusick, La Fave, F. Lasee, Lassa, J. Lehman, Leibham, McCormick, Meyerhofer, Nass, Olsen, Owens, Petrowski, Pettis, Plouff, Pocan, Reynolds, Ryba, Schneider, Schooff, Seratti, Sherman, Staskunas, Steinbrink, Suder, Travis, Walker, Wood and Ziegelbauer – 53.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion failed.

Representative Ward moved rejection of Assembly amendment 8 to **Assembly Bill 579**.

The question was: Shall Assembly amendment 8 to **Assembly Bill 579** be rejected?

The roll was taken.

The result follows:

Ayes – Representatives Coggs, Duff, Foti, Freese, Gard, Hoven, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kedzie, Ladwig, M. Lehman, Lippert, D. Meyer, Morris–Tatum, Ott, Plale, Powers, Rhoades, Richards, Riley, Ryba, Shilling, Sinicki, Stone, Sykora, Townsend, Turner, Underheim, Urban, Vrakas, Ward, Wieckert, Williams, Young and Speaker Jensen – 37.

Noes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Bock, Boyle, Carpenter, Colon, Cullen, J. Fitzgerald, Friske, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Huber, Hubler, Johnsrud, Kestell,

Kreibich, Kreuser, Krug, Krusick, La Fave, F. Lasee, Lassa, J. Lehman, Leibham, Loeffelholz, McCormick, Meyerhofer, Miller, Musser, Nass, Olsen, Owens, Petrowski, Pettis, Plouff, Pocan, Reynolds, Schneider, Schooff, Seratti, Sherman, Skindrud, Starzyk, Staskunas, Steinbrink, Suder, Travis, Walker, Wasserman, Wood and Ziegelbauer – 59.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion failed.

The question was: Shall Assembly amendment 8 to **Assembly Bill 579** be adopted?

Motion carried.

Assembly amendment 13 to **Assembly Bill 579** offered by Representative Ward.

The question was: Shall Assembly amendment 13 to **Assembly Bill 579** be adopted?

Motion carried.

Assembly amendment 14 to **Assembly Bill 579** offered by Representatives Albers, Seratti and Owens.

Representative Ward moved that Assembly amendment 14 to **Assembly Bill 579** be laid on the table.

The question was: Shall Assembly amendment 14 to **Assembly Bill 579** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Berceau, Bies, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, Gard, Gronemus, Hebl, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kreuser, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Lippert, Loeffelholz, Miller, Musser, Olsen, Ott, Plale, Plouff, Pocan, Powers, Reynolds, Richards, Riley, Schneider, Schooff, Sherman, Shilling, Sinicki, Skindrud, Staskunas, Steinbrink, Stone, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Ward, Wasserman, Williams, Young and Speaker Jensen – 61.

Noes – Representatives Albers, Balow, J. Fitzgerald, Foti, Freese, Friske, Grothman, Gunderson, Gundrum, Hahn, Hoven, Johnsrud, Kedzie, Kestell, Kreibich, Krug, Leibham, McCormick, D. Meyer, Meyerhofer, Morris–Tatum, Nass, Owens, Petrowski, Pettis, Rhoades, Ryba, Seratti, Starzyk, Suder, Sykora, Walker, Wieckert, Wood and Ziegelbauer – 35.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion carried.

Assembly amendment 15 to **Assembly Bill 579** offered by Representatives Seratti and Albers.

Representative Ward moved that Assembly amendment 15 to **Assembly Bill 579** be laid on the table.

The question was: Shall Assembly amendment 15 to **Assembly Bill 579** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Balow, Berceau, Bies, Black, Bock, Boyle, Carpenter, Coggs, Duff, Foti, Friske, Gard, Hahn, Hebl, Hoven, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kedzie, Kestell, Kreibich, Krug, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Lippert, Loeffelholz, D. Meyer, Morris–Tatum, Musser, Nass, Ott, Petrowski, Plale, Pocan, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Sykora, Townsend, Turner, Underheim, Vrakas, Ward, Williams, Young and Speaker Jensen – 62.

Noes – Representatives Albers, Colon, Cullen, J. Fitzgerald, Freese, Gronemus, Grothman, Gunderson, Gundrum, Huber, Hubler, Johnsrud, Kreuser, Krusick, La Fave, Leibham, McCormick, Meyerhofer, Miller, Olsen, Owens, Pettis, Plouff, Powers, Schooff, Seratti, Suder, Travis, Urban, Walker, Wasserman, Wieckert, Wood and Ziegelbauer – 34.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion carried.

Assembly amendment 16 to **Assembly Bill 579** offered by Representative Black.

Representative Black asked unanimous consent that Assembly amendment 16 to **Assembly Bill 579** be withdrawn and returned to the author. Granted.

Assembly amendment 17 to **Assembly Bill 579** offered by Representative Grothman.

Representative Duff in the chair.

Representative Ward moved that Assembly amendment 17 to **Assembly Bill 579** be laid on the table.

The question was: Shall Assembly amendment 17 to **Assembly Bill 579** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Berceau, Black, Bock, Carpenter, Coggs, Cullen, Duff, J. Fitzgerald, Foti, Freese, Gard, Gronemus, Gunderson, Gundrum, Hoven, Hubler, Huebsch, Hundertmark, Kaufert, Kedzie, Kreibich, Kreuser, Krug, La Fave, Ladwig, M. Lehman, Lippert, Loeffelholz, D. Meyer, Morris–Tatum, Musser, Nass, Ott, Petrowski, Plale, Pocan, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schooff, Sherman, Shilling, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Sykora, Townsend, Turner, Urban, Vrakas, Walker, Ward, Wasserman, Williams, Young, Ziegelbauer and Speaker Jensen – 63.

Noes – Representatives Ainsworth, Albers, Bies, Boyle, Colon, Friske, Grothman, Hahn, Hebl, Huber, Jeskewitz, Johnsrud, Kestell, Krusick, F. Lasee, Lassa, J. Lehman, Leibham, McCormick, Meyerhofer, Miller, Olsen, Owens, Pettis, Plouff, Schneider, Seratti, Sinicki, Suder, Travis, Underheim, Wieckert and Wood – 33.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion carried.

Representative Freese moved reconsideration of the vote by which Assembly amendment 1 to **Assembly Bill 579** was adopted. Entered.

Representative Krug moved reconsideration of the vote by which Assembly amendment 8 to **Assembly Bill 579** was adopted. Entered.

Representative Underheim moved that the rules be suspended and that the motion for reconsideration of the vote by which Assembly amendment 1 to **Assembly Bill 579** was adopted be taken up at this time.

Representative Underheim withdrew the motion that the rules be suspended and that reconsideration of the vote by which Assembly amendment 1 to **Assembly Bill 579** was adopted be taken up at this time.

Representative Freese withdrew the motion for reconsideration of the vote by which Assembly amendment 1 to **Assembly Bill 579** was adopted.

Representative Krug withdrew the motion for reconsideration of the vote by which Assembly amendment 8 to **Assembly Bill 579** was adopted.

The question was: Shall **Assembly Bill 579** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Balow, Berceau, Bies, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 95.

Noes – Representative Albers – 1.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion carried.

Representative Ward moved reconsideration of the vote by which **Assembly Bill 579** was ordered to a third reading. Entered.

Speaker Pro Tempore Freese in the chair.

Representative Black moved that the rules be suspended and that **Assembly Bill 579** be given a third reading.

Speaker Pro Tempore Freese ruled the motion not timely.

Assembly Bill 522

Relating to: failure to pay for gasoline or diesel fuel and suspension of operating privileges after conviction for theft of gasoline or diesel fuel and providing penalties.

Assembly amendment 3 to **Assembly Bill 522** offered by Representatives Staskunas and Montgomery.

Assembly amendment 4 to **Assembly Bill 522** offered by Representative Black.

The question was: Shall Assembly amendment 3 to **Assembly Bill 522** be adopted?

Motion carried.

Representative Black asked unanimous consent that Assembly amendment 4 to **Assembly Bill 522** be withdrawn and returned to the author. Granted.

The question was: Shall **Assembly Bill 522** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 522** be given a third reading.

Representative Black objected.

Assembly Bill 249

Relating to: the effect of annexation or detachment of territory on a municipality's quota of "Class B" intoxicating liquor licenses.

Assembly amendment 1 to **Assembly Bill 249** offered by Representative Black.

Representative Black asked unanimous consent that Assembly amendment 1 to **Assembly Bill 249** be withdrawn and returned to the author. Granted.

The question was: Shall **Assembly Bill 249** be ordered engrossed and read a third time?

Motion carried.

Representative Black moved that the rules be suspended and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** and take up at this time.

Representative Duff moved that the motion to suspend the rules and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** and taken up at this time be indefinitely postponed.

The question was: Shall the motion to suspend the rules and that **Assembly Bill 294** be withdrawn from the committee on **Labor and Workforce Development** and taken up at this time be indefinitely postponed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Grothman, Gunderson, Gundrum, Hahn, Hoven, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Skindrud, Starzyk, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert and Speaker Jensen – 53.

Noes – Representatives Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Williams, Wood, Young and Ziegelbauer – 43.

Absent or not voting – Representatives Krawczyk and Montgomery – 2.

Motion carried.

Representative F. Lasee asked unanimous consent to be withdrawn as a coauthor of **Assembly Bill 517**. Granted.

Representative Suder asked unanimous consent to be withdrawn as a coauthor of **Assembly Bill 517**. Granted.

Representative Lassa asked unanimous consent to be made a coauthor of **Assembly Bill 579**. Granted.

MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Concurred in:

Assembly Bill 135
Assembly Bill 238
Assembly Bill 468
Assembly Bill 558
Assembly Bill 560
Assembly Bill 571
Assembly Bill 572

ANNOUNCEMENTS

Representative Colon asked unanimous consent that the Assembly adjourn in honor of his mother-in-law, Jane Ulmev, on the occasion of her birthday. Granted.

Representative Bies asked unanimous consent that the Assembly adjourn in honor of his daughter, Lisa Bies Fernan, on the occasion of her birthday. Granted.

Representative Ott asked unanimous consent that the Assembly adjourn in honor of his first grandchild, Cole Christopher Booth, born to Courtney and Chris Booth on October 27th and weighing in at 8 pounds 3 ounces. Granted.

Representative Ward asked unanimous consent that the Assembly adjourn in honor of Lucas Ott, the son of Representative Al Ott, who set the record for passing yards in a game in the history of St. Norbert's football. Granted.

Representative Ainsworth asked unanimous consent that the Assembly adjourn in honor of Sergeant Brent Voelker who saved the life of Ashlin Ellis by dislodging a piece of candy from her throat. Granted.

Representative Cullen asked unanimous consent that the Assembly adjourn in honor of Kris Barrett, the wife of Congressman Tom Barrett, on the occasion of her 40th birthday. 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:

Johan, Rina and Carien Spies from Cape Town, South Africa, guests of Representative Vrakas.

Rosemarie Rose of Mother's Against Drunk Drivers from Peshtigo, guest of Representative Gard.

Wisconsin National Guard Ministry Teams who support 32 Units and 7,700 soldiers of the Wisconsin National Guard, guests of Representative Gard.

The family of former Representative John Quentin Radcliffe: his wife Ione Radcliffe, son Jack Radcliffe, daughters Karen Rocksvold, Sue Ann Miland, Kathleen Sheldon and Lisa Lorenz and many grandchildren, guests of Representative Gronemus.

ADJOURNMENT

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

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

8:55 P.M.