



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

12:50 P.M.

WEDNESDAY, June 4, 2003

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

Speaker Gard in the chair.

The prayer was offered by Representative J. Lehman.

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

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Boyle, Coggs, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hines, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Kreibich, Kreuser, Krug, Krusick, Ladwig, F. Lasee, J. Lehman, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Miller, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Petrowski, Pettis, Plouff, Pocan, Pope–Roberts, Powers, Rhoades, Richards, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Suder, Taylor, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, A. Williams, M. Williams, J. Wood, W. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 95.

Absent with leave – Representatives Krawczyk and Owens – 2.

Vacancies – 21st and 71st Assembly Districts – 2.

LEAVES OF ABSENCE

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

SPECIAL GUEST

Representatives LeMahieu and Kestell introduced Alice in Dairyland Angela Hemauer from Plymouth, who addressed the members from the rostrum.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 304** offered by Representatives McCormick, Albers, Gielow, Grothman, Gunderson, Hahn, Hines, Jensen, Kestell, Krawczyk, Ladwig, F. Lasee, Lothian, Musser, Pettis, Seratti, Stone, Van Roy, Vrakas, Vukmir, Weber, Wieckert and J. Wood.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 304** offered by Representative Vrakas.

COMMUNICATIONS

June 2, 2003

Patrick Fuller, Assembly Chief Clerk
Room 208, Risser Justice Building
Madison, WI 53702

Dear Mr Chief Clerk:

On Thursday, May 29, 2003, while on a leave of absence for the remainder of the day's session, I would like the record to reflect how I would have voted on the following item had I been present:

Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 67** be laid on the table? "No"

Please feel free to contact me if you have any questions.

Sincerely,
BECKY WEBER
State Representative
5th Assembly District

CALENDAR OF TUESDAY, JUNE 3

Assembly Joint Resolution 34

Relating to: the life of Marine Sergeant Kirk Allen Straseskie.

Representative Foti asked unanimous consent that **Assembly Joint Resolution 34** be laid on the table. Granted.

Assembly Joint Resolution 36

Relating to: the life and military service of Major Mathew E. Schram.

Representative Foti asked unanimous consent that **Assembly Joint Resolution 36** be laid on the table. Granted.

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

The Assembly stood recessed.

1:33 P.M.

RECESS

4:02 P.M.

The Assembly reconvened.

Speaker Gard in the chair.

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

A quorum was present.

LEAVES OF ABSENCE

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

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

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

Speaker Pro Tempore Freese in the chair.

CALENDAR OF MONDAY, JUNE 2

Assembly Bill 67

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

Representative Schneider asked unanimous consent to return to the amendable stage.

Representative Foti objected.

The question was: **Assembly Bill 67** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hines, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kreibich, Krusick, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Petrowski, Pettis, Rhoades, Seratti, Staskunas, Stone, Suder, Towns, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood, W. Wood, Ziegelbauer and Speaker Gard – 56.

Noes – Representatives Balow, Berceau, Black, Boyle, Coggs, Colon, Cullen, Gronemus, Hebl, Huber, Hubler, Krug, J. Lehman, Miller, Morris, Plouff, Pocan, Pope–Roberts, Powers, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young and Zepnick – 35.

Paired for – Representatives Krawczyk, Owens and Townsend – 3.

Paired against – Representatives Ainsworth, Johnsrud and Kreuser – 3.

Absent or not voting – None.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 67** be immediately messaged to the Senate.

Representative Schooff objected.

Representative Foti moved that the rules be suspended and that **Assembly Bill 67** be immediately messaged to the Senate.

The question was: Shall the rules be suspended and **Assembly Bill 67** be immediately messaged to the Senate?

The roll was taken.

The result follows:

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

Noes – Representatives Balow, Berceau, Black, Boyle, Coggs, Colon, Cullen, Gronemus, Hebl, Huber, Hubler, Krug, Krusick, J. Lehman, Miller, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young and Zepnick – 36.

Absent or not voting – Representatives Krawczyk, Kreuser, Owens and Townsend – 4.

Motion failed.

CALENDAR OF TUESDAY, JUNE 3

Assembly Bill 52

Relating to: changing the name of a minor.

The question was: Shall **Assembly Bill 52** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 52** be given a third reading. Granted.

The question was: **Assembly Bill 52** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 52** be immediately messaged to the Senate. Granted.

Assembly Bill 62

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

The question was: Shall **Assembly Bill 62** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 62** be given a third reading. Granted.

The question was: **Assembly Bill 62** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 62** be immediately messaged to the Senate. Granted.

Assembly Bill 85

Relating to: the incorporation of the town of Campbell in LaCrosse County as a village.

The question was: Shall **Assembly Bill 85** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 85** be given a third reading.

Representative Shilling objected.

Assembly Bill 98

Relating to: creating an individual and corporate income tax exemption for interest on bonds or notes issued by the

Wisconsin Housing and Economic Development Authority for purposes related to multifamily and elderly housing projects.

The question was: Shall Assembly amendment 1 to **Assembly Bill 98** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 98** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 98** be given a third reading. Granted.

The question was: **Assembly Bill 98** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 98** be immediately messaged to the Senate. Granted.

Assembly Bill 175

Relating to: mailing, transmittal, and witnessing of absentee ballots.

The question was: Shall Assembly amendment 1 to **Assembly Bill 175** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to **Assembly Bill 175** be adopted?

Motion carried.

The question was: Shall Assembly amendment 3 to **Assembly Bill 175** be adopted?

Motion carried.

Assembly amendment 4 to **Assembly Bill 175** offered by Representative Krug.

Representative Ladwig moved that Assembly amendment 4 to **Assembly Bill 175** be laid on the table.

The question was: Shall Assembly amendment 4 to **Assembly Bill 175** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hines, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 55.

Noes – Representatives Balow, Berceau, Black, Boyle, Cogg, Colon, Cullen, Gronemus, Hebl, Huber, Hubler, Krug, Krusick, J. Lehman, Miller, Morris, Plouff, Poca, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Krawczyk, Kreuser, Owens and Townsend – 4.

Motion carried.

The question was: Shall **Assembly Bill 175** be ordered engrossed and read a third time?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 175** be given a third reading.

Representative Schneider objected.

Representative Hundertmark moved that the rules be suspended and that **Assembly Bill 175** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 175** be given a third reading?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hines, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 55.

Noes – Representatives Balow, Berceau, Black, Boyle, Cogg, Colon, Cullen, Gronemus, Hebl, Huber, Hubler, Krug, Krusick, J. Lehman, Miller, Morris, Plouff, Poca, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Krawczyk, Kreuser, Owens and Townsend – 4.

Motion failed.

LEAVES OF ABSENCE

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

Assembly Bill 235

Relating to: failure to pay owners of raw forest products and providing a penalty.

The question was: Shall **Assembly Bill 235** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 235** be given a third reading. Granted.

The question was: **Assembly Bill 235** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 235** be immediately messaged to the Senate. Granted.

Assembly Bill 257

Relating to: dispensing of returned prescription drugs by state prison pharmacies.

The question was: Shall **Assembly Bill 257** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 257** be given a third reading. Granted.

Representative Foti asked unanimous consent that **Assembly Bill 257** be laid on the table. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 56** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Senate Bill 56

Relating to: dispensing of returned prescription drugs by state prison pharmacies.

Representative Cogg asked unanimous consent to be added as a cosponsor of **Senate Bill 56**. Granted.

The question was: Shall **Senate Bill 56** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 56** be given a third reading. Granted.

The question was: **Senate Bill 56** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 56** be immediately messaged to the Senate. Granted.

Assembly Bill 141

Relating to: the eligibility of employees of cities, villages, towns, and counties to be candidates for elective public office.

The question was: Shall **Assembly Bill 141** be ordered engrossed and read a third time?

Motion carried.

Representative Krug moved that the rules be suspended and that **Assembly Bill 141** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 141** be given a third reading?

The roll was taken.

The result follows:

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

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

Absent or not voting – Representatives Gielow, Krawczyk, Kreuser, Owens and Townsend – 5.

Motion failed.

Assembly Bill 245

Relating to: notaries public who are not attorneys and providing penalties.

The question was: Shall **Assembly Bill 245** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 245** be given a third reading. Granted.

The question was: **Assembly Bill 245** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 245** be immediately messaged to the Senate. Granted.

Assembly Bill 293

Relating to: burial of veterans and certain family members at cemeteries.

The question was: Shall Assembly amendment 1 to **Assembly Bill 293** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 293** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 293** be given a third reading. Granted.

The question was: **Assembly Bill 293** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 293** 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

Concurred in:

Assembly Joint Resolution 28
Assembly Joint Resolution 32
Assembly Bill 41

Amended and concurred in as amended:

Assembly Bill 1 (Senate amendment 1 adopted)

ACTION ON THE SENATE MESSAGE

Assembly Bill 1

Relating to: official action in return for providing or withholding political contributions, services, or other things of value and providing a penalty.

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

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 1** be immediately messaged to the Senate. Granted.

Representative Pope–Roberts asked unanimous consent that her vote on **Assembly Bill 187** on May 29 be recorded as voting "Aye". 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:

Connor Sabatino, guest and intern of Representative Miller.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. tomorrow.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

6:00 P.M.