



# STATE OF WISCONSIN Assembly Journal

## Ninety-Sixth Regular Session

5:47 P.M.

WEDNESDAY, November 12, 2003

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

Representative Van Roy in the chair.

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

A quorum was present.

Representative Kaufert in the chair.

The prayer was offered by Representative Townsend.

Assembly Chief Clerk Patrick Fuller 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, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, Ladwig, F. Lasee, J. Lehman, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Miller, Molepske, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, 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, M. Williams, J. Wood, W. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 97.

Absent with leave – Representatives Gronemus and A. Williams – 2.

Vacancies – None.

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### LEAVES OF ABSENCE

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

### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 531** offered by joint committee on **Finance**.

Assembly substitute amendment 2 to **Assembly Bill 538** offered by committee on **Economic Development**.

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### MESSAGE FROM THE SENATE

By Donna J. Doyle, Assistant Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

**Senate Bill 300**

Concurred in:

**Assembly Bill 85**

**Assembly Bill 267**

Assembly amendment 70 to **Senate Bill 214**

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### ACTION ON THE SENATE MESSAGE

#### **Senate Bill 300**

Relating to: construction of electric generating facilities and transmission lines, and granting rule-making authority.

By Senators Cowles, Leibham, Stepp, Kanavas, Hansen, Panzer, Erpenbach, Darling and Plale; cosponsored by Representatives Jensen, Steinbrink, J. Fitzgerald, Nischke, Pope–Roberts, Gottlieb, J. Lehman, Nass, Zepnick, Rhoades, Taylor, Weber, Ainsworth, Hundertmark, Hines, Kreibich, McCormick, Musser, Pettis, Stone and Honadel.

To committee on **Rules**.

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### REFERRAL OF VETOES

#### **Assembly Bill 475**

Relating to: marriage between one man and one woman.

To committee on **Judiciary**.

**COMMITTEE REPORTS**

The joint committee on **Finance** reports and recommends:

**Assembly Bill 531**

Relating to: certified capital investment limitations, qualified business requirements, creating a certified capital company income and franchise tax credit for insurers, certified capital company office, qualified distributions of certified capital companies, certified capital company net worth, certified capital company investment reporting requirements, treatment of qualified investments that become nonqualified, permitted nonqualified investments, reviews of certified capital company financial statements, requesting a performance audit, and requiring the exercise of rule-making authority.

Assembly substitute amendment 1 adoption:

Ayes: 16 – Representatives Kaufert, Huebsch, Ward, Stone, Rhoades, D. Meyer, Coggs and Schooff; Senators Darling, Welch, S. Fitzgerald, Lazich, Harsdorf, Kanavas, Decker and Moore.

Noes: 0.

Passage as amended:

Ayes: 16 – Representatives Kaufert, Huebsch, Ward, Stone, Rhoades, D. Meyer, Coggs and Schooff; Senators Darling, Welch, S. Fitzgerald, Lazich, Harsdorf, Kanavas, Decker and Moore.

Noes: 0.

To committee on **Rules**.

*DEAN KAUFERT*  
Assembly Chairperson  
Joint committee on Finance

**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison

November 12, 2003

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
<b>Assembly Bill 19</b> . . . . .	69 . . . . .	November 11, 2003
<b>Assembly Bill 293</b> . . . . .	70 . . . . .	November 11, 2003
<b>Assembly Bill 520</b> . . . . .	72 . . . . .	November 12, 2003
<b>Assembly Bill 494</b> . . . . .	73 . . . . .	November 12, 2003
<b>Assembly Bill 375</b> . . . . .	74 . . . . .	November 12, 2003

Respectfully submitted,  
*JAMES DOYLE*  
Governor

**SPEAKER'S COMMUNICATIONS**

November 12, 2003

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

Dear Patrick:

Pursuant to Assembly Rule 42 (3)(c), I am withdrawing **Assembly Bill 475** from the Assembly Committee on Judiciary and re-referring it to the Assembly Committee on Rules. I have the consent of Representative Gundrum, chair of the Assembly Committee on Judiciary, to take this action.

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

Sincerely,  
*JOHN G. GARD*  
Speaker

**REFERRAL OF AGENCY REPORTS**

State of Wisconsin  
Department of Revenue  
Madison

November 7, 2003

To the Honorable, the Legislature:

A summary report for the Renew Wisconsin Performance Review Councils is enclosed for your review as required under s. 66.0316 (7). The report summarizes the activities reported to the Department of Revenue by the Councils. The report also identifies ways to continue to support these efforts.

Should you have any questions regarding this report, please feel free to contact Mr. James Gultry, Administrator of the Division of State and Local Finance at 266-0939.

Sincerely,  
*MICHAEL L. MORGAN*  
Secretary

Referred to committee on **Urban and Local Affairs**.

**LEAVES OF ABSENCE**

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

Speaker Pro Tempore Freese in the chair.

**Assembly Bill 419**

Relating to: towing and storage charges associated with nonmoving traffic violations.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 419** be withdrawn from the committee on Rules and placed on today's calendar following **Assembly Bill 467**. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Resolution 27** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### **Assembly Resolution 27**

Relating to: the life and public service of John (Jake) Rose.

The question was: Shall **Assembly Resolution 27** be adopted?

Motion carried.

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## **CALENDAR OF WEDNESDAY, NOVEMBER 12**

### **Assembly Joint Resolution 52**

Relating to: calling for concerted action to support, renew, and expand the agricultural economy in Wisconsin.

The question was: Shall **Assembly Joint Resolution 52** be adopted?

Motion carried.

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

### **Assembly Bill 283**

Relating to: an income and franchise tax credit for expenses related to operating a dairy farm.

Representative Molepske asked unanimous consent to be made a coauthor of **Assembly Bill 283**. Granted.

The question was: Shall Assembly amendment 1 to **Assembly Bill 283** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Bill 283** offered by Representatives Ott and Towns.

The question was: Shall Assembly amendment 2 to **Assembly Bill 283** be adopted?

Motion carried.

Assembly amendment 3 to **Assembly Bill 283** offered by Representatives Ott and Towns.

The question was: Shall Assembly amendment 3 to **Assembly Bill 283** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 283** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 283** be given a third reading. Granted.

The question was: **Assembly Bill 283** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Balow, Berceau, Bies, Black, Boyle, Coggs, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, Ladwig, F. Lasee, J. Lehman, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Miller, Molepske, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plouff, Poca, 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, M. Williams, J. Wood, W. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 96.

Noes – None.

Absent or not voting – Representatives Albers, Gronemus and A. Williams – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 283** be immediately messaged to the Senate. Granted.

### **Assembly Bill 323**

Relating to: the Managed Forest Land Program, providing funding for grants for land acquisition for outdoor recreation, requiring the exercise of rule-making authority, and making an appropriation.

Representative Gielow asked unanimous consent to be made a coauthor of **Assembly Bill 323**. Granted.

Assembly amendment 1 to Assembly substitute amendment 2 to **Assembly Bill 323** offered by Representatives Friske and Hubler.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 2 to **Assembly Bill 323** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 2 to **Assembly Bill 323** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 323** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 323** be given a third reading. Granted.

The question was: **Assembly Bill 323** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Balow, Bies, Boyle, Coggs, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Kreuser, Krusick, Ladwig, F. Lasee, J. Lehman, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Miller, Molepske, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plouff, Pope–Roberts, Powers, Rhoades, Richards, Schneider, Schooff, Seratti, Sherman, Sinicki, Staskunas, Steinbrink, Stone, Suder, Taylor, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, M. Williams, J. Wood, W. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 91.

Noes – Representatives Berceau, Black, Krug, Pocan and Shilling – 5.

Absent or not voting – Representatives Albers, Gronemus and A. Williams – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 323** be immediately messaged to the Senate. Granted.

### **Assembly Bill 327**

Relating to: prohibiting certain computer postings that invite harassment or obscene, lewd, or profane communication and providing a penalty.

The question was: Shall Assembly amendment 1 to **Assembly Bill 327** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 327** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 327** be given a third reading. Granted.

The question was: **Assembly Bill 327** 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 327** be immediately messaged to the Senate. Granted.

### **Assembly Bill 395**

Relating to: the number of school days required each school term.

The question was: Shall **Assembly Bill 395** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 395** be given a third reading. Granted.

The question was: **Assembly Bill 395** 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 395** be immediately messaged to the Senate. Granted.

### **Assembly Bill 410**

Relating to: programs to encourage businesses to support and provide discounts to veterans and members of the reserves and national guard.

Representative J. Wood asked unanimous consent to be made a coauthor of **Assembly Bill 410**. Granted.

The question was: Shall **Assembly Bill 410** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 410** be given a third reading. Granted.

The question was: **Assembly Bill 410** 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 410** be immediately messaged to the Senate. Granted.

### **Assembly Bill 427**

Relating to: the display of historical registration plates on special interest vehicles that are 20 or more years old and providing a penalty.

The question was: Shall Assembly amendment 1 to **Assembly Bill 427** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 427** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 427** be given a third reading. Granted.

The question was: **Assembly Bill 427** 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 427** be immediately messaged to the Senate. Granted.

### **Assembly Bill 437**

Relating to: granting towns limited authority to create tax incremental financing districts.

The question was: Shall Assembly amendment 1 to **Assembly Bill 437** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to **Assembly Bill 437** be adopted?

Motion carried.

The question was: Shall Assembly amendment 3 to **Assembly Bill 437** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 437** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 437** be given a third reading. Granted.

The question was: **Assembly Bill 437** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Balow, Bies, Boyle, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Molepske, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plouff, Pope–Roberts, Powers, Rhoades, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Turner, Van Akkeren, Vukmir, Wasserman, Wieckert, Young, Zepnick and Speaker Gard – 69.

Noes – Representatives Berceau, Black, Coggs, Colon, Cullen, Huber, Kaufert, Kreuser, Krug, Krusick, J. Lehman, Miller, Morris, Pocan, Richards, Shilling, Sinicki, Staskunas, Steinbrink, Turner, Van Akkeren, Vukmir, Wasserman, Wieckert, Young, Zepnick and Ziegelbauer – 27.

Absent or not voting – Representatives Albers, Gronemus and A. Williams – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 437** be immediately messaged to the Senate. Granted.

### **Assembly Bill 467**

Relating to: the traffic violation and registration program and making an appropriation.

The question was: Shall **Assembly Bill 467** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 467** be given a third reading. Granted.

The question was: **Assembly Bill 467** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Balow, Berceau, Bies, Black, Boyle, Coggs, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, Ladwig, F. Lasee, J. Lehman, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Miller, Molepske, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, 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, M. Williams, J. Wood, W. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 96.

Noes – None.

Absent or not voting – Representatives Albers, Gronemus and A. Williams – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 467** be immediately messaged to the Senate. Granted.

### **Assembly Bill 419**

Relating to: towing and storage charges associated with nonmoving traffic violations.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 419** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 419** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 419** be given a third reading. Granted.

The question was: **Assembly Bill 419** 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 419** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 243** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### **Senate Bill 243**

Relating to: provision of dental and dental hygiene services to Medical Assistance recipients by a volunteer health care provider.

Representative Kaufert asked unanimous consent that **Senate Bill 243** be referred to the joint committee on **Finance**. Granted.

Representative Kaufert asked unanimous consent that the rules be suspended and that **Senate Bill 243** be withdrawn from the joint committee on **Finance** and taken up at this time. Granted.

The question was: Shall **Senate Bill 243** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 243** be given a third reading. Granted.

The question was: **Senate Bill 243** 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 243** be immediately messaged to the Senate. Granted.

### **Assembly Bill 500**

Relating to: provision of dental and dental hygiene services to Medical Assistance recipients by a volunteer health care provider.

Representative Foti asked unanimous consent that **Assembly Bill 500** be laid on the table. Granted.

### **Assembly Bill 508**

Relating to: the income and franchise tax credit for sales tax and use tax paid on fuel and electricity consumed in manufacturing.

The question was: Shall Assembly amendment 1 to **Assembly Bill 508** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 508** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 508** be given a third reading. Granted.

The question was: **Assembly Bill 508** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Balow, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Molepske, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Schneider, Schooff, Seratti, Shilling, Sinicki, Staskunas, Stone, Suder, Towns, Townsend, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, M. Williams, J. Wood, W. Wood, Ziegelbauer and Speaker Gard – 73.

Noes – Representatives Berceau, Black, Boyle, Coggs, Colon, Cullen, Kreuser, Krug, Krusick, J. Lehman, Miller, Morris, Plouff, Pocan, Pope–Roberts, Richards, Sherman, Steinbrink, Taylor, Travis, Turner, Young and Zepnick – 23.

Absent or not voting – Representatives Albers, Gronemus and A. Williams – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 508** be immediately messaged to the Senate. Granted.

### **Assembly Bill 603**

Relating to: prohibiting employment discrimination because an individual is or applies to be a member of, or performs, has performed, applies to perform, or has an obligation to perform active service in, the national guard, state defense force, or any reserve component of the military forces of the United States or this state.

Representative Foti asked unanimous consent that **Assembly Bill 603** be rereferred to the committee on **Rules**. Granted.

### **Assembly Bill 611**

Relating to: limitations on the amount of revenue obligations and appropriation obligations that may be contracted to pay the state's unfunded prior service liability under the Wisconsin Retirement System and the state's unfunded liability under the unused accumulated sick leave conversion credit and supplemental credit programs and making appropriations.

The question was: Shall Assembly amendment 1 to **Assembly Bill 611** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 611** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 611** be given a third reading. Granted.

The question was: **Assembly Bill 611** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Balow, Berceau, Bies, Black, Boyle, Coggs, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, Ladwig, F. Lasee, J. Lehman, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Miller, Molepske, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, 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, M. Williams, J. Wood, W. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 96.

Noes – None.

Absent or not voting – Representatives Albers, Gronemus and A. Williams – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 611** be immediately messaged to the Senate. Granted.

### **Assembly Bill 626**

Relating to: an income tax and franchise tax credit for training apprentices.

The question was: Shall Assembly amendment 1 to **Assembly Bill 626** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 626** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 626** be given a third reading. Granted.

The question was: **Assembly Bill 626** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson,

Gundrum, Hahn, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 59.

Noes – Representatives Balow, Berceau, Black, Boyle, Coggs, Colon, Cullen, Hebl, Huber, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, W. Wood, Young, Zepnick and Ziegelbauer – 37.

Absent or not voting – Representatives Albers, Gronemus and A. Williams – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 626** be immediately messaged to the Senate.

Representative Schneider objected.

Representative Plouff introduced a privileged resolution.

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## **INTRODUCTION AND REFERENCE OF PROPOSALS**

Read first time and referred:

### **Assembly Resolution 28**

Relating to: taking away Senator Zien's privileges of the assembly floor.

By Representative Plouff.

To committee on **Rules**.

Representative Plouff moved that the rules be suspended and that **Assembly Resolution 28** be withdrawn from the committee on **Rules** and taken up at this time.

The question was: Shall the rules be suspended and **Assembly Resolution 28** be withdrawn from the committee on **Rules** and taken up at this time?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Berceau, Black, Boyle, Coggs, Colon, Cullen, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, W. Wood, Young, Zepnick and Ziegelbauer – 37.

Noes – Representatives Ainsworth, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell,

Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Miller, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 59.

Absent or not voting – Representatives Albers, Gronemus and A. Williams – 3.

Motion failed.

### Assembly Bill 626

Relating to: an income tax and franchise tax credit for training apprentices.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 626** be immediately messaged to the Senate.

Representative Schneider objected.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 300** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### Senate Bill 300

Relating to: construction of electric generating facilities and transmission lines, and granting rule-making authority.

The question was: Shall **Senate Bill 300** be ordered to a third reading?

Motion carried.

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

Representative Boyle objected.

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

The Assembly stood recessed.

7:20 P.M.

### RECESS

8:25 P.M.

The Assembly reconvened.

Representative Jensen in the chair.

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

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

The Assembly stood recessed.

8:26 P.M.

### RECESS

9:23 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

The committee on Rules introduced a privileged resolution.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### Assembly Resolution 29

Relating to: establishing special orders of business for Thursday, November 13, 2003.

By committee on Rules.

The question was: Shall **Assembly Resolution 29** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 58.

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

Absent or not voting – Representatives Gronemus, Johnsrud and A. Williams – 3.

Motion carried.

### LEAVES OF ABSENCE

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



### **Assembly Bill 639**

Relating to: creating a job training grant program, providing an exemption from emergency rule procedures, requiring the exercise of rule-making authority, and making an appropriation.

Representative Morris asked unanimous consent to be made a coauthor of **Assembly Bill 639**. Granted.

Representative Black asked unanimous consent to be made a coauthor of **Assembly Bill 639**. Granted.

Representative Taylor moved that the rules be suspended and that **Assembly Bill 639** be withdrawn from the committee on **Workforce Development** and taken up at this time.

The question was: Shall the rules be suspended and **Assembly Bill 639** be withdrawn from the committee on **Workforce Development** and taken up at this time?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Berceau, Black, Coggs, Colon, Cullen, Hebl, Huber, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, W. Wood, Young, Zepnick and Ziegelbauer – 36.

Noes – Representatives Ainsworth, Albers, Bies, Boyle, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 60.

Absent or not voting – Representatives Gronemus, Johnsrud and A. Williams – 3.

Motion failed.

### **Assembly Bill 620**

Relating to: increasing funding for local youth apprenticeship grants, increasing positions for the Governor's Work-Based Learning Board, and making appropriations.

Representative Morris asked unanimous consent to be made a coauthor of **Assembly Bill 620**. Granted.

Representative Richards moved that the rules be suspended and that **Assembly Bill 620** be withdrawn from the committee on **Workforce Development** and taken up at this time.

The question was: Shall the rules be suspended and **Assembly Bill 620** be withdrawn from the committee on **Workforce Development** and taken up at this time?

The roll was taken.

The result follows:

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

Noes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 58.

Absent or not voting – Representatives Gronemus, Johnsrud and A. Williams – 3.

Motion failed.

### **Assembly Bill 475**

Relating to: marriage between one man and one woman.

The question was: Shall **Assembly Bill 475** pass notwithstanding the objections of the Governor?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Krusick, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Staskunas, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood, W. Wood, Ziegelbauer and Speaker Gard – 63.

Noes – Representatives Balow, Berceau, Black, Boyle, Coggs, Colon, Hebl, Huber, Hubler, Kreuser, Krug, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, Young and Zepnick – 33.

Absent or not voting – Representatives Gronemus, Johnsrud and A. Williams – 3.

Motion failed.

Representative Pope–Roberts asked unanimous consent to be withdrawn as a coauthor of **Assembly Bill 632**. Granted.

Representatives Vukmir and Van Roy asked unanimous consent to be made coauthors of **Assembly Bill 632**. Granted.

Representative J. Wood asked unanimous consent to be added as a cosponsor of **Senate Bill 205**. Granted.

Representative J. Wood asked unanimous consent to be made a coauthor of **Assembly Bill 500**. Granted.

Representative J. Wood asked unanimous consent to be made a coauthor of **Assembly Bill 508**. Granted.

Representative Molepske asked unanimous consent to be added as a cosponsor of **Senate Bill 170**. Granted.

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### ANNOUNCEMENTS

Representative Pettis asked unanimous consent that the Assembly adjourn in honor of the United States Marine Corps on the occasion of its 228th birthday at Tun Tavern in Philadelphia and the 3 million active and retired Marines worldwide who have been exposed in their military training to the historical significance of Tun Tavern. Granted.

Representative Pettis asked unanimous consent that the Assembly adjourn in honor of Gary Fisher who formerly served in the United States Marine Corps. Granted.

Representative Pettis asked unanimous consent that the Assembly adjourn in honor of Robert Mullan who was the

proprietor of the Tun Tavern, and Samuel Nicholas who was the first Commandant of the Continental Marines. Granted.

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### REFERENCE BUREAU CORRECTIONS

Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 632**

1. Page 1, line 6: delete "route" and substitute "route;".

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### 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.

10:42 P.M.