



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

10:30 A.M.

WEDNESDAY, February 25, 2004

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

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Representative Gronemus.

Representative Foti 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, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Honadel, 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, 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, Toles, 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.

Absent with leave – Representatives Hines, Krawczyk and A. Williams – 3.

Vacancies – None.

LEAVES OF ABSENCE

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

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 95** offered by Representative Musser.

Assembly substitute amendment 1 to **Assembly Bill 137** offered by committee on **Corrections and the Courts**.

Assembly amendment 1 to **Assembly Bill 254** offered by Representative Wieckert.

Assembly amendment 1 to **Assembly Bill 712** offered by Representative Shilling.

Assembly amendment 1 to **Assembly Bill 731** offered by committee on **Financial Institutions**.

Assembly substitute amendment 1 to **Assembly Bill 792** offered by Representative Montgomery.

Assembly amendment 1 to **Assembly Bill 793** offered by committee on **Financial Institutions**.

Assembly amendment 1 to **Assembly Bill 869** offered by Representatives Turner, Musser and Pettis.

Assembly amendment 1 to **Assembly Bill 878** offered by Representative M. Williams.

Assembly amendment 1 to **Assembly Bill 881** offered by Representative Underheim.

Assembly amendment 1 to **Assembly Bill 890** offered by Representative Montgomery.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 72

Relating to: the life and military service of United States Army Staff Sergeant Warren Scott Hansen.

By Representative Hundertmark; cosponsored by Senator Welch.

To committee on **Rules**.

Assembly Bill 902

Relating to: various modifications to housing loan programs and increasing the bonding authority of the Wisconsin Housing and Economic Development Authority.

By Representatives Wieckert, Morris, Hines, Musser and Ott; cosponsored by Senators Stepp and Moore.
To committee on **Housing**.

Assembly Bill 903

Relating to: minimum wage and overtime pay exemptions for providers of companionship services.

By Representatives Van Roy, Krawczyk, Grothman, Gunderson, Hines, Gronemus, Montgomery, McCormick, Weber, Gielow, Hahn, Wieckert, Vukmir, Seratti, M. Williams, Ladwig, Jeskewitz, Ott, Suder and Nischke; cosponsored by Senators Cowles, Ellis, A. Lasee, Roessler, Darling and Lazich.
To committee on **Labor**.

Assembly Bill 904

Relating to: compensation of fermented malt beverages wholesalers for termination of distribution rights.

By Representatives J. Fitzgerald, Musser, Gronemus, Gunderson, Johnsrud, Kreuser, Montgomery, Nischke, Petrowski, Suder, Towns, Van Roy, Weber, Townsend, J. Lehman, Hebl, Steinbrink, Hines, Schooff, Nass, Stone, Hundertmark, D. Meyer, Friske, Kreibich, Black, Gard and Turner; cosponsored by Senators S. Fitzgerald, Darling, Kanavas, Zien, Brown, Welch, Leibham, Robson, Wirsch and Plale.
To committee on **State Affairs**.

Assembly Bill 905

Relating to: gaming establishments on certain lands taken into trust for the benefit of Indian tribes and creating an advisory siting commission.

By Representatives M. Lehman, Stone, Hahn, Hines, Bies, J. Lehman, J. Wood and Townsend.
To committee on **State Affairs**.

Assembly Bill 906

Relating to: exempting from income taxation the pension benefits of certain national guard technicians and interest and penalty waivers for certain payments made to national guard technicians.

By Representative Sinicki.
To joint survey committee on **Tax Exemptions**.

Assembly Bill 907

Relating to: brownfield revolving loan programs and making appropriations.

By Representatives Johnsrud, Gunderson, Krawczyk and Pettis; cosponsored by Senators Panzer, Roessler and Kedzie.
To committee on **Natural Resources**.

Assembly Bill 908

Relating to: the effective dates for provisions relating to the distribution of payments received by taxation districts for acres designated as closed under the Managed Forest Land Program.

By Representatives Friske and Gard.
To committee on **Rules**.

Assembly Bill 909

Relating to: refunding public debt that is used to finance tax-supported or self-amortizing facilities, transferring moneys from the general fund to the Medical Assistance trust fund, and making appropriations.

By Representatives Gard and Kaufert; cosponsored by Senators Panzer and Darling.
To joint committee on **Finance**.

Assembly Bill 910

Relating to: use of settlement moneys received by the state for environmental violations for youth education programs regarding natural resources and granting rule-making authority.

By Representatives Suder and Kreuser; cosponsored by Senators Stepp, Welch, Erpenbach, Plale, Zien, S. Fitzgerald, Schultz and M. Meyer.
To committee on **Criminal Justice**.

COMMITTEE REPORTS

The committee on **Children and Families** reports and recommends:

Assembly Bill 201

Relating to: kinship care, notice of guardianship proceedings, creating a health services consent form, requesting the Joint Legislative Council to study guardianship and legal custody, granting rule-making authority, and providing penalties.

Assembly Substitute Amendment 1 adoption:

Ayes: 7 – Representatives Kestell, Ladwig, Albers, Vukmir, Sinicki, Miller and Toles.
Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Kestell, Ladwig, Albers, Vukmir and Toles.
Noes: 2 – Representatives Sinicki and Miller.

To committee on **Rules**.

STEVE KESTELL
Chairperson
Committee on Children and Families

The committee on **Energy and Utilities** reports and recommends:

Assembly Bill 843

Relating to: the issuance of debt by natural gas and electric public utilities to finance certain environmental activities.

Assembly Substitute Amendment 1 adoption:

Ayes: 12 – Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Honadel, Ziegelbauer, Steinbrink, Schooff, Zepnick and Travis.
Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke, Honadel, Ziegelbauer, Steinbrink, Schooff and Zepnick.

Noes: 1 – Representative Travis.

To committee on **Rules**.

Senate Bill 272

Relating to: local government telecommunications utilities and public hearings for ordinances and resolutions authorizing local government cable television, telecommunications, and Internet access facilities.

Concurrence:

Ayes: 7 – Representatives Jensen, Montgomery, Friske, J. Fitzgerald, Gottlieb, Nischke and Honadel.

Noes: 5 – Representatives Ziegelbauer, Steinbrink, Schooff, Zepnick and Travis.

To committee on **Rules**.

SCOTT JENSEN
Chairperson
Committee on Energy and Utilities

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

Assembly Bill 909

Relating to: refunding public debt that is used to finance tax-supported or self-amortizing facilities, transferring moneys from the general fund to the Medical Assistance trust fund, and making appropriations.

Passage:

Ayes: 12 – Representatives Kaufert, Huebsch, Ward, Rhoades, D. Meyer, Krug and Schooff; Senators Darling, S. Fitzgerald, Harsdorf, Kanavas and Robson.

Noes: 4 – Representative Stone; Senators Welch, Lazich and Decker.

To **calendar**.

DEAN KAUFERT
Assembly Chairperson
Joint committee on Finance

The committee on **Financial Institutions** reports and recommends:

Assembly Bill 731

Relating to: credits agreements.

Assembly Amendment 1 adoption:

Ayes: 16 – Representatives Montgomery, J. Fitzgerald, Freese, Kreibich, Wieckert, Townsend, Kerkman, Towns, Nischke, Richards, Sherman, A. Williams, Shilling, Zepnick, Taylor and Molepske.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Montgomery, J. Fitzgerald, Freese, Kreibich, Wieckert, Townsend, Kerkman, Towns, Nischke, Shilling and Taylor.

Noes: 5 – Representatives Richards, Sherman, A. Williams, Zepnick and Molepske.

To committee on **Rules**.

Assembly Bill 793

Relating to: the imposition of the estate tax on the transfer of property within this state's jurisdiction.

Assembly Amendment 1 adoption:

Ayes: 16 – Representatives Montgomery, J. Fitzgerald, Freese, Kreibich, Wieckert, Townsend, Kerkman, Towns, Nischke, Richards, Sherman, A. Williams, Shilling, Zepnick, Taylor and Molepske.

Noes: 0.

Passage as amended:

Ayes: 16 – Representatives Montgomery, J. Fitzgerald, Freese, Kreibich, Wieckert, Townsend, Kerkman, Towns, Nischke, Richards, Sherman, A. Williams, Shilling, Zepnick, Taylor and Molepske.

Noes: 0.

To joint committee on **Finance**.

PHIL MONTGOMERY
Chairperson
Committee on Financial Institutions

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

Assembly Bill 290

Relating to: creating an individual income tax subtract modification for amounts spent on medical insurance premiums by certain individuals.

Assembly Substitute Amendment 1 adoption:

Ayes: 14 – Representatives Underheim, Johnsrud, Seratti, Olsen, Wieckert, Hundertmark, Krawczyk, Vukmir, Wasserman, Vruwink, Miller, Colon, Huber and Toles.

Noes: 0.

Passage as amended:

Ayes: 14 – Representatives Underheim, Johnsrud, Seratti, Olsen, Wieckert, Hundertmark, Krawczyk, Vukmir, Wasserman, Vruwink, Miller, Colon, Huber and Toles.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 554

Relating to: declarations to physicians regarding life-sustaining measures and powers of attorney for health care.

Passage:

Ayes: 14 – Representatives Underheim, Johnsrud, Seratti, Olsen, Wieckert, Hundertmark, Krawczyk, Vukmir, Wasserman, Vruwink, Miller, Colon, Huber and Toles.

Noes: 0.

To committee on **Rules**.

Assembly Bill 844

Relating to: waiver of a requirement under hemophilia treatment program to apply for other coverage.

Passage:

Ayes: 14 – Representatives Underheim, Johnsrud, Seratti, Olsen, Wieckert, Hundertmark, Krawczyk, Vukmir, Wasserman, Vruwink, Miller, Colon, Huber and Toles.

Noes: 0.

To joint committee on **Finance**.

GREGG UNDERHEIM
Chairperson
Committee on Health

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

Assembly Bill 621

Relating to: immunity from civil liability for providing safety services related to the inspection and installation of child safety restraint systems in motor vehicles.

Passage:

Ayes: 7 – Representatives Gundrum, McCormick, Albers, Grothman, Kerkman, Staskunas and Hebl.

Noes: 0.

To committee on **Rules**.

Assembly Bill 661

Relating to: allowing a circuit court to reduce the amount of an unpaid forfeiture by time served in jail for failure to pay the forfeiture.

Passage:

Ayes: 7 – Representatives Gundrum, McCormick, Albers, Grothman, Kerkman, Staskunas and Hebl.

Noes: 0.

To committee on **Rules**.

Assembly Bill 834

Relating to: submittal of an annual account by a guardian of the estate of a married ward.

Passage:

Ayes: 7 – Representatives Gundrum, McCormick, Albers, Grothman, Kerkman, Staskunas and Hebl.

Noes: 0.

To committee on **Rules**.

Assembly Bill 850

Relating to: county and municipal ordinances regarding drug paraphernalia.

Assembly Amendment 1 adoption:

Ayes: 7 – Representatives Gundrum, McCormick, Albers, Grothman, Kerkman, Staskunas and Hebl.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Gundrum, McCormick, Albers, Grothman, Kerkman, Staskunas and Hebl.

Noes: 0.

To committee on **Rules**.

Assembly Joint Resolution 66

Relating to: providing that only a marriage between one man and one woman shall be valid or recognized as a marriage in this state (first consideration).

Adoption:

Ayes: 6 – Representatives Gundrum, McCormick, Albers, Grothman, Kerkman and Staskunas.

Noes: 1 – Representative Hebl.

To committee on **Rules**.

MARK GUNDRUM
Chairperson
Committee on Judiciary

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

Assembly Bill 810

Relating to: the content of the program of instruction on snowmobile laws and safety.

Passage:

Ayes: 11 – Representatives Bies, Ladwig, Gunderson, Hines, M. Williams, Van Roy, Ziegelbauer, Van Akkeren, Sinicki, Young and Taylor.

Noes: 1 – Representative Pettis.

To committee on **Rules**.

MARK PETTIS
Chairperson
Committee on Tourism

LEAVES OF ABSENCE

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

**CALENDAR OF WEDNESDAY,
FEBRUARY 25**

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 61** be withdrawn from today's calendar and taken up at this time. Granted.

Assembly Joint Resolution 61

Relating to: commending and congratulating Matt Kenseth, his family, and his crew on winning the NASCAR Winston Cup Championship.

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

Motion carried.

Representative Foti asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 61**. Granted.

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

SPECIAL GUEST

Representative Ward introduced Matt Kenseth's father, Roy, and sister, Kelley, who addressed the members from the rostrum.

Representative Foti asked unanimous consent that **Assembly Joint Resolution 67** be taken from the table. Granted.

Assembly Joint Resolution 67

Relating to: the life and public service of Marcia P. Coggs.

The question was: Shall **Assembly Joint Resolution 67** be adopted?

Motion carried.

Representative Morris asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 67**. Granted.

SPECIAL GUEST

Representative Young and Senator Coggs introduced Marcia Coggs' daughter, Milwaukee County Supervisor Elizabeth Coggs-Jones, who addressed the members from the rostrum.

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

Representative Vrakas asked unanimous consent that the Assembly stand recessed.

Representative Kreuser objected.

Speaker Pro Tempore Freese stated that the Assembly stands informal.

The Assembly stood informal.

10:55 A.M.

INFORMAL

1:46 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

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

The Assembly stood recessed.

1:47 P.M.

RECESS

3:40 P.M.

The Assembly reconvened.

Representative Kaufert in the chair.

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

A quorum was present.

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

SPECIAL ORDER OF BUSINESS AT 10:01 A.M. ON WEDNESDAY, FEBRUARY 25

Assembly Bill 688

Relating to: distributing controlled substances in a place in which a child is present and providing a penalty.

The question was: **Assembly Bill 688** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Bies, Boyle, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Honadel, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Kreibich, Kreuser, Krug, Krusick, 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, Richards, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Suder, Taylor, Towns, Townsend, Turner, Underheim, Van Akkeren, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, M. Williams, W. Wood, Zepnick, Ziegelbauer and Speaker Gard – 84.

Noes – Representatives Berceau, Black, J. Lehman, Miller, Morris, Pocan, Schneider, Toles, Travis, Van Roy, J. Wood and Young – 12.

Absent or not voting – Representatives Hines, Krawczyk and A. Williams – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 688** be immediately messaged to the Senate. Granted.

**SPECIAL ORDER OF BUSINESS AT
10:02 A.M. ON WEDNESDAY,
FEBRUARY 25**

Assembly Bill 830

Relating to: funding for engineering instruction at the University of Wisconsin–Rock County campus and making an appropriation.

The question was: **Assembly Bill 830** 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, Honadel, 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, Owens, Petrowski, Pettis, Powers, Rhoades, Schooff, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood, W. Wood and Speaker Gard – 58.

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

Absent or not voting – Representatives Hines, Krawczyk and A. Williams – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 830** be immediately messaged to the Senate. Granted.

Assembly Bill 600

Relating to: election administration, voter registration and voting requirements and procedures and granting rule–making authority.

Representative Foti asked unanimous consent that **Assembly Bill 600** be laid on the table. Granted.

Assembly Bill 771

Relating to: directing the governor to annually proclaim February as African American History and Cultural Heritage Month.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 771** be withdrawn from the committee on **Government Operations and Spending Limitations** and placed at the foot of today's calendar. Granted.

Representative Foti asked unanimous consent that **Assembly Bill 600** be taken from the table. Granted.

Assembly Bill 600

Relating to: election administration, voter registration and voting requirements and procedures and granting rule–making authority.

Representative Grothman moved nonconcurrency in Senate amendment 1 to **Assembly Bill 600**.

The question was: Shall Senate amendment 1 to **Assembly Bill 600** be nonconcurrent in?

The roll was taken.

The result follows:

Ayes – Representatives Albers, J. Fitzgerald, Friske, Gottlieb, Grothman, Gunderson, Gundrum, Johnsrud, Kerkman, Kreibich, Ladwig, M. Lehman, LeMahieu, Lothian, McCormick, Nass, Owens, Petrowski, Pettis, Suder, Towns, Ward, M. Williams and J. Wood – 24.

Noes – Representatives Ainsworth, Balow, Berceau, Bies, Black, Boyle, Colon, Cullen, Foti, Freese, Gielow, Gronemus, Hahn, Hebl, Honadel, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kestell, Kreuser, Krug, Krusick, F. Lasee, J. Lehman, Loeffelholz, D. Meyer, Miller, Molepske, Montgomery, Morris, Musser, Nischke, Olsen, Ott, Plouff, Pohan, Pope–Roberts, Powers, Rhoades, Richards, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Taylor, Toles, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Wasserman, Weber, Wieckert, W. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 72.

Absent or not voting – Representatives Hines, Krawczyk and A. Williams – 3.

Motion failed.

Representative J. Wood moved that **Assembly Bill 600** be referred to the committee on **Campaigns and Elections**.

The question was: Shall **Assembly Bill 600** be referred to the committee on **Campaigns and Elections**?

The roll was taken.

The result follows:

Ayes – Representatives Grothman, Gunderson, Johnsrud, Kestell, Ladwig, LeMahieu, Nass, Pettis, Suder, Weber, M. Williams and J. Wood – 12.

Noes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Boyle, Colon, Cullen, J. Fitzgerald,

Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Gundrum, Hahn, Hebl, Honadel, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kreibich, Kreuser, Krug, Krusick, F. Lasee, J. Lehman, M. Lehman, Loeffelholz, Lothian, McCormick, D. Meyer, Miller, Molepske, Montgomery, Morris, Musser, Nischke, Olsen, Ott, Owens, Petrowski, Plouff, Pocan, Pope–Roberts, Powers, Rhoades, Richards, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Taylor, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Wieckert, W. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 84.

Absent or not voting – Representatives Hines, Krawczyk and A. Williams – 3.

Motion failed.

The question was: Shall Senate amendment 1 to **Assembly Bill 600** be concurred in?

Motion carried.

The question was: Shall Senate amendment 2 to **Assembly Bill 600** be concurred in?

Motion carried.

Representative Freese asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 600** be immediately messaged to the Senate. Granted.

Assembly Joint Resolution 69

Relating to: proclaiming February 27, 2004, Green Bay Day in Wisconsin.

The question was: Shall **Assembly Joint Resolution 69** be adopted?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 69** be immediately messaged to the Senate. Granted.

Speaker Pro Tempore Freese in the chair.

Assembly Bill 595

Relating to: civil liability exemption for claims resulting from weight gain and obesity.

The question was: **Assembly Bill 595** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Honadel, 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, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Steinbrink, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Wasserman, Weber, Wieckert, M. Williams, J. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 63.

Noes – Representatives Balow, Berceau, Black, Boyle, Colon, Cullen, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Taylor, Toles, Travis, Turner, Van Akkeren, Vruwink and W. Wood – 33.

Absent or not voting – Representatives Hines, Krawczyk and A. Williams – 3.

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 595** be immediately messaged to the Senate.

Representative Schneider objected.

Representative Hundertmark moved that the rules be suspended and that **Assembly Bill 595** be immediately messaged to the Senate.

The question was: Shall the rules be suspended and **Assembly Bill 595** 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, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Honadel, 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, 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, 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, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, W. Wood, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Hines, Krawczyk and A. Williams – 3.

Motion failed.

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

The Assembly stood informal.

4:57 P.M.

INFORMAL

5:03 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 909** be withdrawn from the calendar and taken up at this time. Granted.

Assembly Bill 909

Relating to: refunding public debt that is used to finance tax-supported or self-amortizing facilities, transferring moneys from the general fund to the Medical Assistance trust fund, and making appropriations.

The question was: Shall **Assembly Bill 909** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 909** be given a third reading. Granted.

The question was: **Assembly Bill 909** 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, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gundrum, Hahn, Hebl, Honadel, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kestell, Kreibich, Kreuser, Krug, Krusick, Ladwig, J. Lehman, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Miller, Molepske, Montgomery, Morris, Musser, Nischke, Ott, Petrowski, Pettis, Plouff, Pocan, Pope–Roberts, Powers, Rhoades, Richards, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Suder, Taylor, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, M. Williams, J. Wood, W. Wood, Young, Zepnick and Speaker Gard – 85.

Noes – Representatives Albers, Gunderson, Jensen, Kerkman, F. Lasee, Nass, Olsen, Owens, Schneider, Stone and Ziegelbauer – 11.

Absent or not voting – Representatives Hines, Krawczyk and A. Williams – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 909** be immediately messaged to the Senate. Granted.

Assembly Bill 333

Relating to: use of vehicles and aircraft owned or leased by the state for purposes of political campaigning.

The question was: **Assembly Bill 333** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Boyle, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Honadel, 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, Molepske, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plouff, Pocan, Pope–Roberts, Powers, Rhoades, Richards, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Suder, Taylor, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, M. Williams, J. Wood, W. Wood, Young, Zepnick and Speaker Gard – 94.

Noes – Representatives Schneider and Ziegelbauer – 2.

Absent or not voting – Representatives Hines, Krawczyk and A. Williams – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 333** be immediately messaged to the Senate.

Representative Schneider objected.

Representative Foti moved that the rules be suspended and that **Assembly Bill 333** be immediately messaged to the Senate.

The question was: Shall the rules be suspended and **Assembly Bill 333** 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, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, 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 – 56.

Noes – Representatives Balow, Berceau, Black, Boyle, Colon, Cullen, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Musser, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, W. Wood, Young, Zepnick and Ziegelbauer – 40.

Absent or not voting – Representatives Hines, Krawczyk and A. Williams – 3.

Motion failed.

Assembly Bill 207

Relating to: banning smoking in and around University of Wisconsin System residence halls and dormitories and providing a penalty.

The question was: Shall **Assembly Bill 207** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 207** be given a third reading. Granted.

The question was: **Assembly Bill 207** 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 207** be immediately messaged to the Senate. Granted.

Assembly Bill 411

Relating to: an exemption from requirements for nonmetallic mining reclamation.

The question was: Shall Assembly amendment 1 to **Assembly Bill 411** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 411** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 411** be given a third reading.

Representative Black objected.

Representative Foti moved that the rules be suspended and that **Assembly Bill 411** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 411** be given a third reading?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Honadel, 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, 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, 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, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, W. Wood, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Hines, Krawczyk and A. Williams – 3.

Motion failed.

Assembly Bill 436

Relating to: the sale or donation of state property by the Department of Transportation.

The question was: Shall **Assembly Bill 436** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 436** be given a third reading. Granted.

The question was: **Assembly Bill 436** 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 436** be immediately messaged to the Senate. Granted.

Assembly Bill 496

Relating to: the removal of nonconforming outdoor advertising signs.

The question was: Shall Assembly amendment 1 to **Assembly Bill 496** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 496** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 496** be given a third reading.

Representative Black objected.

Representative Foti moved that the rules be suspended and that **Assembly Bill 496** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 496** be given a third reading?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, Colon, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Honadel, 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, 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, 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, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, W. Wood, Young, Zepnick and Ziegelbauer – 37.

Absent or not voting – Representatives Hines, Krawczyk and A. Williams – 3.

Motion failed.

Assembly Bill 513

Relating to: roadside memorials for traffic accident victims along highways under the jurisdiction of the Department of Transportation.

Assembly amendment 1 to **Assembly Bill 513** offered by Representatives Krug and Bies.

The question was: Shall Assembly amendment 1 to **Assembly Bill 513** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 513** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 513** be given a third reading. Granted.

The question was: **Assembly Bill 513** 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 513** be immediately messaged to the Senate. Granted.

Assembly Bill 526

Relating to: waiver of filing fee if parties stipulate to certain revisions of judgment or order.

The question was: Shall **Assembly Bill 526** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 526** be given a third reading. Granted.

The question was: **Assembly Bill 526** 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 526** be immediately messaged to the Senate. Granted.

Assembly Bill 545

Relating to: falsifying title insurance documents and providing a penalty.

The question was: Shall **Assembly Bill 545** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 545** be given a third reading. Granted.

The question was: **Assembly Bill 545** 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 545** be immediately messaged to the Senate. Granted.

Assembly Bill 563

Relating to: multiple municipal local health departments in Milwaukee County.

Representative Foti asked unanimous consent that **Assembly Bill 563** be laid on the table. Granted.

Assembly Bill 625

Relating to: employment rights of certain employees in the state civil service (suggested as remedial legislation by the Office of Employment Relations).

The question was: Shall **Assembly Bill 625** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 625** be given a third reading. Granted.

The question was: **Assembly Bill 625** 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 625** be immediately messaged to the Senate. Granted.

Assembly Bill 686

Relating to: membership of the State Laboratory of Hygiene Board; nonresident tuition exemption for veterans; and the transfer program at the University of Wisconsin Medical School (suggested as remedial legislation by the Board of Regents of the University of Wisconsin System).

The question was: Shall **Assembly Bill 686** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 686** be given a third reading. Granted.

The question was: **Assembly Bill 686** 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 686** be immediately messaged to the Senate. Granted.

Assembly Bill 697

Relating to: the maximum permissible length of single vehicles operated on a highway without an overlength permit.

The question was: Shall **Assembly Bill 697** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 697** be given a third reading. Granted.

The question was: **Assembly Bill 697** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Bies, Boyle, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Honadel, 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, Molepske, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plouff, Powers, Rhoades, Richards, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Suder, Toles, Towns, Townsend, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, M. Williams, J. Wood, Young, Ziegelbauer and Speaker Gard – 86.

Noes – Representatives Berceau, Black, Hebl, Miller, Pocan, Pope–Roberts, Taylor, Travis, W. Wood and Zepnick – 10.

Absent or not voting – Representatives Hines, Krawczyk and A. Williams – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 697** be immediately messaged to the Senate. Granted.

Assembly Bill 709

Relating to: the confidentiality of pupil records and the exchange of information between a pupil's school, the juvenile justice system, and law enforcement agencies.

The question was: Shall Assembly amendment 1 to **Assembly Bill 709** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 709** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 709** be given a third reading. Granted.

The question was: **Assembly Bill 709** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Boyle, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Honadel, 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, 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, Toles, 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 Hines, Krawczyk and A. Williams – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 709** be immediately messaged to the Senate. Granted.

Assembly Bill 841

Relating to: various changes to the regulation of hearing instrument specialists, speech–language pathologists, and audiologists and granting rule–making authority.

The question was: Shall **Assembly Bill 841** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 841** be given a third reading. Granted.

The question was: **Assembly Bill 841** 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 841** be immediately messaged to the Senate. Granted.

Assembly Bill 845

Relating to: establishing a cancer drug repository program and requiring the exercise of rule-making authority.

Representative Van Roy asked unanimous consent to be made a coauthor of **Assembly Bill 845**. Granted.

Representative Steinbrink asked unanimous consent to be made a coauthor of **Assembly Bill 845**. Granted.

The question was: Shall Assembly amendment 1 to **Assembly Bill 845** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Bill 845** offered by Representative Underheim.

Representative Underheim asked unanimous consent that Assembly amendment 2 to **Assembly Bill 845** be withdrawn and returned to the author. Granted.

Assembly amendment 3 to **Assembly Bill 845** offered by Representative Underheim.

Representative Underheim asked unanimous consent that Assembly amendment 3 to **Assembly Bill 845** be withdrawn and returned to the author. Granted.

LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for part of today's session for Representatives Foti and Rhoades. Granted.

Assembly amendment 4 to **Assembly Bill 845** offered by Representative Colon.

Representative Underheim moved that Assembly amendment 4 to **Assembly Bill 845** be laid on the table.

The question was: Shall Assembly amendment 4 to **Assembly Bill 845** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Honadel, Huber, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, 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, Ziegelbauer and Speaker Gard – 57.

Noes – Representatives Balow, Berceau, Black, Boyle, Colon, Cullen, Hebl, Hubler, Johnsrud, Kreuser, Krug, Krusick, J. Lehman, McCormick, Miller, Molepske, Morris, Plouff, Pohan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, J. Wood, W. Wood, Young and Zepnick – 39.

Absent or not voting – Representatives Hines, Krawczyk and A. Williams – 3.

Motion carried.

Assembly amendment 5 to **Assembly Bill 845** offered by Representative Colon.

Representative Underheim moved that Assembly amendment 5 to **Assembly Bill 845** be laid on the table.

The question was: Shall Assembly amendment 5 to **Assembly Bill 845** be laid on the table?

The roll was taken.

The result follows:

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

Noes – Representatives Balow, Berceau, Black, Boyle, Colon, Cullen, Gronemus, Hebl, Hubler, Johnsrud, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Pohan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Toles, Travis, Turner, Vruwink, Wasserman, W. Wood, Young and Zepnick – 37.

Absent or not voting – Representatives Foti, Hines, Krawczyk, Rhoades and A. Williams – 5.

Motion carried.

Assembly amendment 6 to **Assembly Bill 845** offered by Representative Underheim.

Assembly amendment 1 to Assembly amendment 6 to **Assembly Bill 845** offered by Representative Underheim.

The question was: Shall Assembly amendment 1 to Assembly amendment 6 to **Assembly Bill 845** be adopted?

Motion carried.

The question was: Shall Assembly amendment 6 to **Assembly Bill 845** be adopted?

Motion carried.

Assembly amendment 7 to **Assembly Bill 845** offered by Representative Colon.

Representative Underheim moved that Assembly amendment 7 to **Assembly Bill 845** be laid on the table.

The question was: Shall Assembly amendment 7 to **Assembly Bill 845** be laid on the table?

The roll was taken.

The result follows:

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

Noes – Representatives Balow, Berceau, Black, Boyle, Colon, Cullen, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, M. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, W. Wood, Young, Zepnick and Ziegelbauer – 40.

Absent or not voting – Representatives Foti, Hines, Krawczyk, Rhoades and A. Williams – 5.

Motion carried.

Assembly amendment 8 to **Assembly Bill 845** offered by Representative Underheim.

Representative Underheim asked unanimous consent that Assembly amendment 8 to **Assembly Bill 845** be withdrawn and returned to the author. Granted.

The question was: Shall **Assembly Bill 845** be ordered engrossed and read a third time?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 845** be given a third reading. Granted.

The question was: **Assembly Bill 845** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Boyle, Cullen, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Honadel, 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, Molepske, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plouff, Pocan, Pope–Roberts, Powers, Richards, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Suder, Toles, 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 – 92.

Noes – Representatives Colon and Taylor – 2.

Absent or not voting – Representatives Foti, Hines, Krawczyk, Rhoades and A. Williams – 5.

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 845** be immediately messaged to the Senate. Granted.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Senate Bill 287** be withdrawn from the committee on **Urban and Local Affairs** and taken up at this time. Granted.

Senate Bill 287

Relating to: multiple municipal local health departments in Milwaukee County.

Assembly substitute amendment 1 to **Senate Bill 287** offered by Representative Stone.

The question was: Shall Assembly substitute amendment 1 to **Senate Bill 287** be adopted?

Motion carried.

The question was: Shall **Senate Bill 287** be ordered to a third reading?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Senate Bill 287** be given a third reading. Granted.

The question was: **Senate Bill 287** having been read three times, shall the bill be concurred in as amended?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Boyle, Colon, Cullen, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Honadel, 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, Molepske, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plouff, Pocan, Pope–Roberts, Powers, Richards, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Suder, Taylor, Toles, 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 – 94.

Noes – None.

Absent or not voting – Representatives Foti, Hines, Krawczyk, Rhoades and A. Williams – 5.

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Senate Bill 287** be immediately messaged to the Senate. Granted.

Representative Hundertmark asked unanimous consent that **Assembly Bill 757** be taken from the table. Granted.

Assembly Bill 757

Relating to: increasing bonding authority for the University of Wisconsin Hospitals and Clinics Authority.

Representative Kreuser asked unanimous consent that Assembly amendment 1 to **Assembly Bill 757** be withdrawn and returned to the author. Granted.

The question was: Shall **Assembly Bill 757** be ordered engrossed and read a third time?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 757** be given a third reading. Granted.

The question was: **Assembly Bill 757** 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, Colon, Cullen, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Honadel, 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, Molepske, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plouff, Pocan, Pope–Roberts, Powers, Richards, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Suder, Taylor, Toles, 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 – 93.

Noes – Representative Albers – 1.

Absent or not voting – Representatives Foti, Hines, Krawczyk, Rhoades and A. Williams – 5.

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 757** be immediately messaged to the Senate. Granted.

Senate Bill 66

Relating to: time limits for the prosecution of 2nd–degree intentional homicide and 2nd–degree reckless homicide.

The question was: Shall **Senate Bill 66** be ordered to a third reading?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Senate Bill 66** be given a third reading. Granted.

The question was: **Senate Bill 66** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Cullen, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Honadel, 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, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plouff, Pope–Roberts, Powers, Richards, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Steinbrink, Stone, Suder, Toles, Towns, Townsend, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, M. Williams, J. Wood, Ziegelbauer and Speaker Gard – 82.

Noes – Representatives Boyle, Colon, Huber, Miller, Molepske, Pocan, Staskunas, Taylor, Travis, W. Wood, Young and Zepnick – 12.

Absent or not voting – Representatives Foti, Hines, Krawczyk, Rhoades and A. Williams – 5.

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Senate Bill 66** be immediately messaged to the Senate. Granted.

Assembly Bill 771

Relating to: directing the governor to annually proclaim February as African American History and Cultural Heritage Month.

The question was: Shall **Assembly Bill 771** be ordered engrossed and read a third time?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 771** be given a third reading.

Representative Albers objected.

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

The Assembly stood recessed.

5:45 P.M.

RECESS

6:17 P.M.

The Assembly reconvened.

Speaker Gard in the chair.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 771** be given a third reading. Granted.

Speaker Pro Tempore Freese in the chair.

Representative Young asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Bill 771**. Granted.

The question was: **Assembly Bill 771** having been read three times, shall the bill be passed?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 771** be immediately messaged to the Senate. Granted.

The committee on Rules introduced a privileged resolution.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 34

Relating to: establishing special orders of business for Tuesday, March 2, 2004.

By committee on Rules.

The question was: Shall **Assembly Resolution 34** be adopted?

The roll was taken.

The result follows:

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

Noes – Representatives Balow, Berceau, Black, Boyle, Colon, Cullen, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, J. Lehman, Miller, Molepske, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, Young, Zepnick and Ziegelbauer – 36.

Absent or not voting – Representatives Foti, Hines, Krawczyk, Rhoades and A. Williams – 5.

Motion carried.

The following bills were made a special order of business pursuant to the adoption of **Assembly Resolution 34**.

Assembly Bill 411 at 10:01 A.M. on Tuesday, March 2.

Assembly Bill 496 at 10:02 A.M. on Tuesday, March 2.

ANNOUNCEMENTS

Representative Sherman asked unanimous consent that the Assembly adjourn in honor of his brother, Andrew Sherman, on the occasion of his 51st birthday. Granted.

Representative Sherman asked unanimous consent that the Assembly adjourn in honor of his sister-in-law, Joanne Palmer, on the occasion of her 50th birthday. Granted.

Representative Pope–Roberts asked unanimous consent that the Assembly adjourn in honor of Dale Gene Pope, on the occasion of his 80th birthday on February 22. Granted.

Representative Owens asked unanimous consent that the Assembly adjourn in honor of Representative Hundertmark on the occasion of her birthday today. Granted.

Representative Suder asked unanimous consent that the Assembly adjourn in memory of his grandmother, Helen Lavin, who passed away on February 5. Granted.

Representative M. Williams asked unanimous consent that the Assembly adjourn in memory of Carol Uhri of Medford, who passed away on February 23. Granted.

Representative Hundertmark asked unanimous consent that the Assembly adjourn in honor of her daughter, Kristin Hundertmark, on the occasion of her 21st birthday on February 28. Granted.

Representative Jeskewitz asked unanimous consent that the Assembly adjourn in honor of William Hartmann, who is the basketball coach of the Junior College State Championship Team, Waukesha County Technical College. 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:

Bryan Maloney and Kelley Cremin from Webster and Tessa Chell from Grantsburg, guests of Representative Pettis.

Superior Days Job Shadows Stephanie Aimonee, from Montreal, Asley Colassoco and Lauri Vallego from Hurley, guests of Representative Sherman.

Matt Lien from Hayward, guest and intern of Representative Sherman.

ADJOURNMENT

Representative Hundertmark 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.

6:30 P.M.