



# STATE OF WISCONSIN Assembly Journal

## Ninety-Seventh Regular Session

1:03 P.M.

TUESDAY, July 5, 2005

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

Speaker Gard in the chair.

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

A quorum was present.

The prayer was offered by Representative Hahn.

Representative Townsend 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, Ballweg, Benedict, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Krawczyk, Kreibich, Kreuser, Krusick, Lamb, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Nischke, Ott, Owens, Parisi, Petrowski, Pettis, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 96.

Absent with leave – Representatives Berceau, F. Lasee and Vrakas – 3.

Vacancies – None.

### LEAVES OF ABSENCE

Representative Friske asked unanimous consent for a leave of absence for today's session for Representatives F. Lasee and Vrakas. Granted.

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

### AMENDMENTS OFFERED

Assembly amendment 2 to **Assembly Bill 223** offered by Representative Underheim.

### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 04–076**

Relating to financial reporting requirements under the Milwaukee Parental Choice Program and affecting small businesses.

Submitted by Department of Public Instruction.

Report received from Agency, June 30, 2005.

To committee on **Education Reform**.

Referred on July 5, 2005.

#### **Assembly Clearinghouse Rule 05–025**

Relating to boilers and pressure vessels and affecting small businesses.

Submitted by Department of Commerce.

Report received from Agency, June 24, 2005.

To committee on **Small Business**.

Referred on July 5, 2005.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 46**

Relating to: the life and service of Specialist Kyle M. Hemauer of the Virginia Army National Guard, who lost his life during Operation Enduring Freedom.

By Representative Ott; cosponsored by Senator A. Lasee.

To committee on **Rules**.

#### **Assembly Joint Resolution 47**

Relating to: honoring the life and public service of Gaylord Nelson.

By Representatives Pettis and Hubler; cosponsored by Senator Harsdorf.

To committee on **Rules**.

#### **Assembly Bill 533**

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

By Representatives Townsend, Hines, Krawczyk, Kreibich, Musser, Ott, Owens and Pettis; cosponsored by Senators Zien and Breske.

To committee on **Military Affairs**.

**Assembly Bill 534**

Relating to: sale, by the Department of Transportation, of surplus real property.

By Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gard, Gielow, Gottlieb, Gronemus, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Steinbrink, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vrakas, Vukmir, Ward, Wieckert, M. Williams and Wood; cosponsored by Senators Zien, Brown, A. Lasee, Leibham, Olsen and Roessler.

To committee on **Property Rights and Land Management**.

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**COMMITTEE REPORTS**

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

**Assembly Bill 442**

Relating to: the determination of prevailing wage rates and prevailing fringe benefit rates for workers employed on state or local projects of public works and granting rule-making authority.

Without recommendation pursuant to s. 227.19 (6)(b) of the Wisconsin Statutes.

To committee on **Rules**.

*STEPHEN NASS*  
Chairperson  
Committee on Labor

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**CHIEF CLERK REPORTS**

The Chief Clerk records:

**Assembly Bill 197**

Presented to the Governor on Friday, July 1.

*PATRICK E. FULLER*  
Assembly Chief Clerk

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**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison

July 5, 2005

To the Honorable Members of the Assembly:

The following bill, originating in the Assembly, has 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 197</b>	16	July 5, 2005

Respectfully submitted,  
*JIM DOYLE*  
Governor

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**SPEAKER'S COMMUNICATIONS**

July 5, 2005

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 521** from the Assembly Committee on Family Law and re-referring it to the Assembly Committee on Children and Families. I have the consent of Representative Owens, chair of the Assembly Committee on Family Law, to take this action.

Sincerely,  
*JOHN G. GARD*  
Speaker

Representative J. Fitzgerald asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

1:20 P.M.

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**RECESS**

6:05 P.M.

The Assembly reconvened.

Speaker Gard in the chair.

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

A quorum was present.

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**MESSAGE FROM THE SENATE**

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Amended and concurred in as amended:

**Assembly Bill 100** (Senate amendments 19, 29 and 50 adopted)

### Assembly Bill 100

Relating to: state finances and appropriations, constituting the executive budget act of the 2005 legislature.

Representative Freese asked unanimous consent that Senate amendment 19 to **Assembly Bill 100** be placed after Senate amendment 50 to **Assembly Bill 100**. Granted.

Representative Freese asked unanimous consent that Senate amendment 29 to **Assembly Bill 100** be placed after Senate amendment 50 to **Assembly Bill 100**. Granted.

Assembly amendment 1 to Senate amendment 50 to **Assembly Bill 100** offered by Representatives Ziegelbauer, Schneider, Travis and Molepske.

Representative Kessler asked unanimous consent to be excused from voting on Assembly amendment 1 to Senate amendment 50 to **Assembly Bill 100** under Assembly Rule 77. Granted

Speaker Pro Tempore Freese in the chair.

Representative J. Fitzgerald moved that Assembly amendment 1 to Senate amendment 50 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 1 to Senate amendment 50 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kestell, Kleefisch, Krawczyk, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vukmir, Ward, Wieckert, M. Williams and Speaker Gard – 53.

Noes – Representatives Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kerkman, Kreibich, Kreuser, Krusick, Lehman, Molepske, Nass, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vos, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 41.

Absent or not voting – Representatives Berceau, Kessler, F. Lasee, Vrakas and Wood – 5.

Motion carried.

Assembly amendment 2 to Senate amendment 50 to **Assembly Bill 100** offered by Representatives Benedict and Sheridan.

### POINT OF ORDER

Representative Gard rose to the point of order that Assembly amendment 2 to Senate amendment 50 to **Assembly Bill 100** was not germane under Assembly Rule 54 (3)(f) and Assembly Rule 54 (5).

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

Representative Kreuser appealed the ruling of the Chair.

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

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Cullen, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 57.

Noes – Representatives Benedict, Black, Boyle, Colon, Davis, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Towns, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 39.

Absent or not voting – Representatives Berceau, F. Lasee and Vrakas – 3.

Motion carried.

Assembly amendment 3 to Senate amendment 50 to **Assembly Bill 100** offered by Representatives Pocan and Colon.

Representative J. Fitzgerald moved that Assembly amendment 3 to Senate amendment 50 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 3 to Senate amendment 50 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy,

Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 58.

Noes – Representatives Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Berceau, F. Lasee and Vrakas – 3.

Motion carried.

Assembly amendment 4 to Senate amendment 50 to **Assembly Bill 100** offered by Representatives Pocan and Colon.

Representative J. Fitzgerald moved that Assembly amendment 4 to Senate amendment 50 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 4 to Senate amendment 50 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 58.

Noes – Representatives Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Berceau, F. Lasee and Vrakas – 3.

Motion carried.

Assembly amendment 5 to Senate amendment 50 to **Assembly Bill 100** offered by Representatives Pocan and Colon.

Representative J. Fitzgerald moved that Assembly amendment 5 to Senate amendment 50 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 5 to Senate amendment 50 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 58.

Noes – Representatives Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Berceau, F. Lasee and Vrakas – 3.

Motion carried.

Assembly amendment 6 to Senate amendment 50 to **Assembly Bill 100** offered by Representatives Pocan and Colon.

Representative J. Fitzgerald moved that Assembly amendment 6 to Senate amendment 50 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 6 to Senate amendment 50 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 58.

Noes – Representatives Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Berceau, F. Lasee and Vrakas – 3.

Motion carried.

Assembly amendment 7 to Senate amendment 50 to **Assembly Bill 100** offered by Representatives Pocan and Colon.

Representative J. Fitzgerald moved that Assembly amendment 7 to Senate amendment 50 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 7 to Senate amendment 50 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 58.

Noes – Representatives Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Berceau, F. Lasee and Vrakas – 3.

Motion carried.

Assembly amendment 8 to Senate amendment 50 to **Assembly Bill 100** offered by Representatives Pocan and Colon.

Representative J. Fitzgerald moved that Assembly amendment 8 to Senate amendment 50 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 8 to Senate amendment 50 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy,

Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 58.

Noes – Representatives Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Berceau, F. Lasee and Vrakas – 3.

Motion carried.

Assembly amendment 9 to Senate amendment 50 to **Assembly Bill 100** offered by Representatives Pocan and Colon.

Representative J. Fitzgerald moved that Assembly amendment 9 to Senate amendment 50 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 9 to Senate amendment 50 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 58.

Noes – Representatives Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Berceau, F. Lasee and Vrakas – 3.

Motion carried.

Assembly amendment 10 to Senate amendment 50 to **Assembly Bill 100** offered by Representatives Pocan and Colon.

Representative J. Fitzgerald moved that Assembly amendment 10 to Senate amendment 50 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 10 to Senate amendment 50 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 58.

Noes – Representatives Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Berceau, F. Lasee and Vrakas – 3.

Motion carried.

Assembly amendment 11 to Senate amendment 50 to **Assembly Bill 100** offered by Representatives Pocan and Colon.

Representative J. Fitzgerald moved that Assembly amendment 11 to Senate amendment 50 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 11 to Senate amendment 50 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 58.

Noes – Representatives Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Berceau, F. Lasee and Vrakas – 3.

Motion carried.

Assembly amendment 12 to Senate amendment 50 to **Assembly Bill 100** offered by Representatives Pocan and Colon.

Representative J. Fitzgerald moved that Assembly amendment 12 to Senate amendment 50 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 12 to Senate amendment 50 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 58.

Noes – Representatives Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Berceau, F. Lasee and Vrakas – 3.

Motion carried.

Assembly amendment 13 to Senate amendment 50 to **Assembly Bill 100** offered by Representative Wood.

Representative Huebsch moved that Assembly amendment 13 to Senate amendment 50 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 13 to Senate amendment 50 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Colon, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, LeMahieu, Loeffelholz, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Towns, Townsend, Underheim, Van Roy, Vukmir, Ward, Wieckert, M. Williams, Young and Speaker Gard – 55.

Noes – Representatives Benedict, Black, Boyle, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Lothian, Molepske, Nass, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Suder, Toles, Travis, Turner, Van Akkeren, Vos, Vruwink, Wasserman, A. Williams, Wood, Zepnick and Ziegelbauer – 41.

Absent or not voting – Representatives Berceau, F. Lasee and Vrakas – 3.

Motion carried.

Assembly amendment 14 to Senate amendment 50 to **Assembly Bill 100** offered by Representatives Cullen and Wasserman.

Representative J. Fitzgerald moved that Assembly amendment 14 to Senate amendment 50 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 14 to Senate amendment 50 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 58.

Noes – Representatives Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Berceau, F. Lasee and Vrakas – 3.

Motion carried.

Representative Schneider moved nonconcurrency in Senate amendment 50 to **Assembly Bill 100**.

The question was: Shall Senate amendment 50 to **Assembly Bill 100** be nonconcurrent in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kerkman, Kessler, Kreibich, Kreuser, Krusick,

Lehman, Molepske, Nass, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 43.

Noes – Representatives Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kestell, Kleefisch, Krawczyk, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 53.

Absent or not voting – Representatives Berceau, F. Lasee and Vrakas – 3.

Motion failed.

Representative Schneider moved that Senate amendment 50 to **Assembly Bill 100** be laid on the table.

The question was: Shall Senate amendment 50 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kerkman, Kessler, Kreibich, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 41.

Noes – Representatives Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kestell, Kleefisch, Krawczyk, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 55.

Absent or not voting – Representatives Berceau, F. Lasee and Vrakas – 3.

Motion failed.

The question was: Shall Senate amendment 50 to **Assembly Bill 100** be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kestell, Kleefisch, Krawczyk, Lamb, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer,

Moulton, Mursau, Musser, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 52.

Noes – Representatives Ainsworth, Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kerkman, Kessler, Kreibich, Kreuser, Krusick, Lehman, Molepske, Nass, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vos, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 43.

Paired for – Representatives Montgomery and Vrakas – 2.

Paired against – Representatives Berceau and F. Lasee – 2.

Absent or not voting – None.

Motion carried.

The question was: Shall Senate amendment 29 to **Assembly Bill 100** be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gundrum, Hahn, Hebl, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreuser, Lamb, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Parisi, Petrowski, Pettis, Pridemore, Rhoades, Richards, Sherman, Staskunas, Steinbrink, Stone, Strachota, Suder, Towns, Townsend, Turner, Underheim, Van Roy, Vos, Vukmir, Ward, Wasserman, Wieckert, M. Williams, Wood and Speaker Gard – 65.

Noes – Representatives Ainsworth, Benedict, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hubler, Kessler, Krusick, Molepske, Nelson, Pocan, Pope–Roberts, Schneider, Seidel, Sheridan, Shilling, Sinicki, Toles, Travis, Van Akkeren, Vruwink, A. Williams, Young, Zepnick and Ziegelbauer – 29.

Paired for – Representatives Gunderson and Vrakas – 2.

Paired against – Representatives Berceau and Kreibich – 2.

Absent or not voting – Representative F. Lasee – 1.

Motion carried.

Representative Sherman asked unanimous consent to be recorded as voting “No” on the previous question. Granted.

The question was: Shall Senate amendment 19 to **Assembly Bill 100** be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Benedict, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Krawczyk, Kreuser, Krusick, Lamb, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 91.

Noes – Representatives Ainsworth, Albers, Parisi and Travis – 4.

Paired for – Representative Vrakas – 1.

Paired against – Representative Kreibich – 1.

Absent or not voting – Representatives Berceau and F. Lasee – 2.

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that the Assembly’s action on **Assembly Bill 100** be immediately messaged to the Senate. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 47** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Assembly Joint Resolution 47**

Relating to: honoring the life and public service of Gaylord Nelson.

Representative Pettis asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 47**. Granted.

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

Motion carried.

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

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## **ANNOUNCEMENTS**

Representative Rhoades asked unanimous consent that the Assembly adjourn in memory of Bernard Drewiske. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in memory of former United States Senator and Governor Gaylord Nelson who passed away on July 3. Granted.



Representative Kreuser asked unanimous consent that the Assembly adjourn in memory of Irv Larson who recently passed away. Granted.

Representative M. Williams asked unanimous consent that the Assembly adjourn in honor of Kimberly Williams Fechbelm. Granted.

Representative Richards asked unanimous consent that the Assembly adjourn in honor of Representative Benedict on the occasion of his recent marriage to Nancy Mounich Benedict. Granted.

Representative Richards asked unanimous consent that the Assembly adjourn in honor of Eva Lamb who won the National Forensics Championship. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Jennifer E. Hebl on the occasion of her 20th birthday on July 2. Granted.

Representative Jensen asked unanimous consent that the Assembly adjourn in honor of Robert Garvin who will be deploying today for military service in Iraq. Granted.

Representative Albers asked unanimous consent that the Assembly adjourn in honor of her son, Joel on the occasion of his marriage to Jessica Fonst. Granted.

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### VISITORS

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

Nancy Mounich Benedict from Beloit, guest and wife of Representative Benedict.

Dee Benedict, Robert Benedict and Darrel Benedict from Mt. Dora, Florida, guests of Representative Benedict.

Ted and Marjorie Benedict from Mt. Dora, Florida, guests of Representative Benedict.

Ryan Whitehead from Monroe, guest and intern of Representative Davis.

Josh Moench from Janesville Craig High School, guest and intern of Representative Davis.

Julie Isen, University of Wisconsin-Madison student, guest and intern of Representative Grigsby.

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### ADJOURNMENT

Representative Huebsch moved that the Assembly stand adjourned pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

8:55 P.M.