



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

10:14 A.M.

WEDNESDAY, November 9, 2005

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

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Reverend Kristin Frederich of the First Presbyterian Church in Cambria.

Representative Kaufert 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, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Krawczyk, Kreibich, Kreuser, Krusick, Lamb, F. Lasee, 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 Roy, Van Akkeren, Vos, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 97.

Absent with leave – Representatives Jensen – 1.

Vacancies – 33rd Assembly District – 1.

LEAVES OF ABSENCE

Representative Gundrum asked unanimous consent for a leave of absence for today's session for Representative Jensen. Granted.

LEAVES OF ABSENCE

Representative Gundrum asked unanimous consent for a leave of absence for part of today's session for Representative M. Williams. Granted.

Representative Turner asked unanimous consent for a leave of absence for part of today's session for Representatives Sheridan, Steinbrink and Van Akkeran. Granted.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 594** offered by Representative Hundertmark.

Assembly amendment 1 to **Assembly Bill 631** offered by Representative Lehman.

Assembly amendment 2 to **Assembly Bill 631** offered by Representative Lehman.

Assembly amendment 1 to **Assembly Bill 642** offered by Representative Musser.

Assembly amendment 1 to **Assembly Bill 730** offered by Representative Lehman.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 05–053

Relating to an all-terrain vehicle registration exemption. Submitted by Department of Natural Resources. Report received from Agency, November 2, 2005. To committee on **Tourism**. Referred on November 9, 2005.

Assembly Clearinghouse Rule 05–054

Relating to all-terrain vehicle noise testing procedures. Submitted by Department of Natural Resources. Report received from Agency, November 2, 2005. To committee on **Tourism**. Referred on November 9, 2005.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 813

Relating to: the transfer of funds from Medical Assistance to the Long-term Support Community Options Program under certain conditions.

By Representative Black.
To joint committee on **Finance**.

Assembly Bill 814

Relating to: registration and reporting by principals who employ lobbyists to attempt to influence certain actions of state agencies.

By Representative Black.
To committee on **Campaigns and Elections**.

Assembly Bill 815

Relating to: designating a state tartan.

By Representatives Jeskewitz, Schneider, M. Williams, Kerkman, Lothian, Cullen and Fields; cosponsored by Senators Lazich, Darling and Kanavas, by request of St. Andrew's Society of Milwaukee and Bob Seay of Menomonee Falls.

To committee on **State Affairs**.

Assembly Bill 816

Relating to: tax-exempt accounts for health care expenditures for an individual's parents.

By Representatives Townsend, Krawczyk, Vos, Hahn, McCormick, Hundertmark, Gunderson, Van Roy, Petrowski, Ainsworth, Nass and Suder; cosponsored by Senators Roessler and A. Lasee.

To committee on **Insurance**.

Assembly Bill 817

Relating to: limiting the number of pupils who may transfer under the Open Enrollment Program.

By Representatives Davis, Gunderson, Freese, LeMahieu, Lothian, Ainsworth and Lehman.

To committee on **Education Reform**.

Assembly Bill 818

Relating to: public utility aid payments, imposing local general property taxes on production plant general structures and substations, and creating a credit against license fees imposed on light, heat, and power companies and electric cooperatives.

By Representatives Honadel, Hahn, Albers, Gottlieb, Gronemus, Hines, Hundertmark, Jensen, Kerkman, Kreibich, Kreuser, F. Lasee, LeMahieu, McCormick, Montgomery, Nerison, Nischke, Ott, Petrowski, Sheridan, Steinbrink, Towns and Van Roy; cosponsored by Senators Plale, Leibham, Kanavas, Brown, A. Lasee and Wirch.

To committee on **Energy and Utilities**.

Assembly Bill 819

Relating to: directing the University of Wisconsin Law School to require students to complete a clinical practicum.

By Representatives Schneider, Boyle, A. Williams, Kreibich, Gronemus, Hines and Albers.

To committee on **Colleges and Universities**.

Assembly Bill 820

Relating to: feeding of deer in counties where domestic or wild animals have been confirmed to be positive for chronic wasting disease and granting rule-making authority.

By Representatives Van Akkeren, Suder, Staskunas, Hahn, Boyle and Musser.

To committee on **Natural Resources**.

Assembly Bill 821

Relating to: eliminating certain conditions that must be met before a proceeding may be brought against a child under 12 years of age for habitual truancy or against his or her parent or guardian for failure to cause the child to attend school regularly.

By Representatives Krusick, Berceau, Lehman, Seidel, Sheridan, Turner and Zepnick; cosponsored by Senators Olsen, Darling and Carpenter.

To committee on **Education**.

Assembly Bill 822

Relating to: eliminating certain requirements that must be met before a proceeding may be brought against a child under 12 years of age for habitual truancy, if the habitual truancy is the result of the neglect, refusal, or inability of the parent or guardian of the child to cause the child to attend school regularly, and requiring the court assigned to exercise jurisdiction under the Children's Code to order certain dispositions for such a child.

By Representatives Krusick, Berceau, Lehman, Seidel, Sheridan, Turner and Zepnick; cosponsored by Senators Olsen, Darling and Carpenter.

To committee on **Education**.

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Concurred in:

Assembly Joint Resolution 48

Assembly Joint Resolution 62

Assembly Bill 27

Assembly Bill 40

Assembly Bill 56

Assembly Bill 93

Assembly Bill 166

Assembly Bill 167

Assembly Bill 384

Assembly Bill 410

Assembly Bill 425

Assembly Bill 436

Assembly Bill 464

Assembly Bill 512

Assembly Bill 664
Assembly Bill 679
Assembly Bill 764
Assembly Bill 765
Assembly Bill 766
Assembly Bill 783

Passed and asks concurrence in:

Senate Bill 382
Senate Bill 384

ACTION ON THE SENATE MESSAGE

Senate Bill 382

Relating to: transportation of public school pupils who live outside the school district in which they are enrolled.

By Senator Olsen; cosponsored by Representatives Towns, Hines, Krawczyk, Albers and Townsend.

To committee on **Education**.

Senate Bill 384

Relating to: counting pupils who attend the Youth Challenge Academy for school district revenue limit purposes.

By Senators Olsen, Harsdorf and Erpenbach; cosponsored by Representatives Albers, Krawczyk and Hines.

To committee on **Education**.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 65** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

SPECIAL GUEST

Representative Davis introduced the family of former Representative Lyman Anderson, including his daughter, Lynette, who addressed the members from the rostrum.

Assembly Joint Resolution 65

Relating to: the life and public service of Lyman F. Anderson.

The question was: Shall **Assembly Joint Resolution 65** be adopted?

Motion carried.

Representative Huebsch asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 65**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 65** be immediately messaged to the Senate. Granted.

SPECIAL GUEST

Representatives Grigsby and Richards introduced Eva Lam, a senior at Rufus King High School in Milwaukee. Ms. Lam who is the 2005 National Forensic League Champion Representative and the Presiding Officer in the National Student Congress, addressed the members from the rostrum.

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

The Assembly stood recessed.

10:47 A.M.

RECESS

2:16 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative J. Fitzgerald asked unanimous consent for a quorum call. Granted.

A quorum was present.

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

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

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

Senate Bill 41

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 41** be withdrawn from the Senate message and taken up at this time. Granted.

Senate Bill 41

Relating to: the definition of biodiesel fuel and the labeling, advertising, and promoting of biodiesel fuel and biodiesel fuel blends for sale.

Representative Owens asked unanimous consent to be added as a cosponsor of **Senate Bill 41**. Granted.

The question was: Shall **Senate Bill 41** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 41** be given a third reading. Granted.

The question was: **Senate Bill 41** having been read three times, shall the bill be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 41** be immediately messaged to the Senate. Granted.

CALENDAR OF WEDNESDAY, NOVEMBER 9

Assembly Bill 72

Relating to: the definition of biodiesel fuel and the labeling, advertising, and promoting of biodiesel fuel and biodiesel fuel blends for sale.

Representative Huebsch asked unanimous consent that **Assembly Bill 72** be laid on the table. Granted.

Assembly Bill 131

Relating to: trapping licenses and permits issued to certain nonresidents.

The question was: Shall Assembly amendment 1 to **Assembly Bill 131** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 131** be ordered engrossed and read a third time?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 131** be given a third reading. Granted.

The question was: **Assembly Bill 131** having been read three times, shall the bill be passed?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 131** be immediately messaged to the Senate. Granted.

Assembly Bill 146

Relating to: changing the amount at which a public construction contract let by a city, village, town, technical college district board, town sanitary district commission, or federated public library system must be let to the lowest responsible bidder.

The question was: Shall **Assembly Bill 146** be ordered engrossed and read a third time?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 146** be given a third reading. Granted.

The question was: **Assembly Bill 146** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Berceau, Bies, Boyle, Colon, Cullen, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Kreuser, Krusick, Lamb, F. Lasee, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sherman, Shilling, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Ward, Wasserman, Wieckert, Wood, Young, Ziegelbauer and Speaker Gard – 83.

Noes – Representatives Benedict, Black, Fields, Grigsby, Kessler, Parisi, Pocan, Sinicki, Travis, Turner, A. Williams and Zepnick – 12.

Paired for – Representative Jensen – 1.

Paired against – Representative Sheridan – 1.

Absent or not voting – Representative M. Williams – 1.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 146** be immediately messaged to the Senate. Granted.

Assembly Bill 152

Relating to: collection of fines and forfeitures by counties.

The question was: Shall Assembly amendment 2 to **Assembly Bill 152** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 152** be ordered engrossed and read a third time?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 152** be given a third reading. Granted.

The question was: **Assembly Bill 152** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gronemus, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, 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, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vruwink, Vukmir, Ward, Wieckert, Wood and Speaker Gard – 59.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Grigsby, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Poca, Pope–Roberts, Richards, Schneider, Seidel, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 36.

Paired for – Representative Jensen – 1.

Paired against – Representative Sheridan – 1.

Absent or not voting – Representative M. Williams – 1.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 152** be immediately messaged to the Senate. Granted.

Assembly Bill 251

Relating to: registered sex offenders and photographing persons under the age of 17.

The question was: Shall Assembly amendment 1 to **Assembly Bill 251** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 251** be ordered engrossed and read a third time?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 251** be given a third reading. Granted.

The question was: **Assembly Bill 251** having been read three times, shall the bill be passed?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 251** be immediately messaged to the Senate. Granted.

Assembly Bill 254

Relating to: managing state forest lands, harvesting of timber from state forest lands, emergences on state forest lands, actions against forestry operations, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 254** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 254** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 254** be ordered engrossed and read a third time?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 254** be given a third reading. Granted.

The question was: **Assembly Bill 254** having been read three times, shall the bill be passed?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 254** be immediately messaged to the Senate. Granted.

Assembly Bill 298

Relating to: tourism promotion and development under room tax law.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 298** offered by Representative Pettis.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 298** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 298** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 298** be ordered engrossed and read a third time?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 298** be given a third reading. Granted.

The question was: **Assembly Bill 298** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Benedict, Bies, Boyle, Colon, Davis, J. Fitzgerald, Freese, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kessler, Kleefisch, Krawczyk, Kreibich, Kreuser, Lamb, F. Lasee, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Nischke, Ott, Owens, Parisi, Petrowski, Pettis, Poca, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sherman, Shilling, Sinicki, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Ward, Wieckert, Wood and Speaker Gard – 80.

Noes – Representatives Berceau, Black, Cullen, Fields, Friske, Grigsby, Gronemus, Kestell, Krusick, Staskunas, Wasserman, A. Williams, Young and Ziegelbauer – 14.

Paired for – Representative Jensen – 1.

Paired against – Representative Zepnick – 1.

Absent or not voting – Representatives Sheridan and M. Williams – 2.

Motion carried.

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

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

Representative Gronumus asked unanimous consent to be recorded as voting “Yes” on the previous question. Granted.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 298** be immediately messaged to the Senate. Granted.

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 178 (Senate amendment 1 adopted)

Assembly Bill 385 (Senate amendment 1 adopted)

Assembly Bill 787 (Senate amendment 1 adopted)

ACTION ON THE SENATE MESSAGE

Assembly Bill 787

Relating to: the sale and distribution of fermented malt beverages.

The question was: Shall Senate amendment 1 to **Assembly Bill 787** be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Krawczyk, Kreibich, Krusick, Lamb, F. Lasee, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Nischke, Ott, Owens, Parisi, Petrowski, Pettis, Pocan, Pridemore, Rhoades, Richards, Schneider, Seidel, Sherman, Shilling, Sinicki, Staskunas, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Van Akkeren, Van Roy, Vruwink, Vukmir, Ward, Wasserman,

Wieckert, A. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 89.

Noes – Representatives Gottlieb, Kreuser, Steinbrink and Underheim – 4.

Paired for – Representative Jensen – 1.

Paired against – Representative Vos – 1.

Absent or not voting – Representatives Pope–Roberts, Sheridan and M. Williams – 3.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that the Assembly’s action on **Assembly Bill 787** be immediately messaged to the Senate. Granted.

Assembly Bill 385

Relating to: designation of state agency status for certain health care providers who provide services during a state of emergency related to public health or a state of emergency declared by a city, village, or town.

The question was: Shall Senate amendment 1 to **Assembly Bill 385** be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that the Assembly’s action on **Assembly Bill 385** be immediately messaged to the Senate. Granted.

Assembly Bill 178

Relating to: deferral of the use of certain hunting and trapping approvals by certain members of the armed forces.

The question was: Shall Senate amendment 1 to **Assembly Bill 178** be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that the Assembly’s action on **Assembly Bill 178** be immediately messaged to the Senate. Granted.

Assembly Bill 7

Relating to: location of contiguous land for purposes of eligibility under the Managed Forest Land Program.

Representative J. Fitzgerald asked unanimous consent that **Assembly Bill 7** be withdrawn from committee on **Rules** and referred to the joint committee on **Finance**.

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

Assembly Bill 400

Relating to: moving with a child.

The question was: Shall Assembly amendment 1 to **Assembly Bill 400** be adopted?

Motion carried.

The question was: Shall Assembly amendment 3 to **Assembly Bill 400** be adopted?

Motion carried.

The question was: Shall Assembly amendment 4 to **Assembly Bill 400** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 400** be ordered engrossed and read a third time?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 400** be given a third reading. Granted.

The question was: **Assembly Bill 400** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gronemus, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jeskewitz, 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, Schneider, Sheridan, Strachota, Suder, Towns, Townsend, Van Roy, Vos, Vukmir, Wieckert, A. Williams, Wood and Speaker Gard – 57.

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

Paired for – Representative Jensen – 1.

Paired against – Representative Underheim – 1.

Absent or not voting – Representative M. Williams – 1.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 400** be immediately messaged to the Senate. Granted.

Representative Gottlieb in the chair.

Assembly Bill 448

Relating to: allowing school buses to tow trailers.

Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 448** offered by Representative Pettis.

The question was: Shall Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 448** be adopted?

Motion carried.

The question was: Shall Assembly amendment 1 to **Assembly Bill 448** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 448** be ordered engrossed and read a third time?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 448** be given a third reading. Granted.

The question was: **Assembly Bill 448** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Boyle, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gronemus, Gunderson, Gundrum, Hahn, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kleefisch, Krawczyk, Kreibich, Kreuser, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Richards, Schneider, Shilling, Steinbrink, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vruwink, Vukmir, Ward, Wieckert, Wood, Young and Speaker Gard – 66.

Noes – Representatives Benedict, Berceau, Black, Colon, Cullen, Fields, Grigsby, Hebl, Kessler, Kestell, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Seidel, Sherman, Sinicki, Staskunas, Toles, Travis, Turner, Van Akkeren, Wasserman, A. Williams, Zepnick and Ziegelbauer – 29.

Paired for – Representative Jensen – 1.

Paired against – Representative Sheridan – 1.

Absent or not voting – Representative M. Williams – 1.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 448** be immediately messaged to the Senate. Granted.

Assembly Bill 456

Relating to: prepayment penalties on variable rate residential mortgage loans.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 456** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 456** be ordered engrossed and read a third time?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 456** be given a third reading. Granted.

The question was: **Assembly Bill 456** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Krawczyk, Kreibich, Kreuser, Krusick, Lamb, F. Lasee, 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, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 95.

Noes – None.

Absent or not voting – Representatives Cullen, Jensen and M. Williams – 3.

Motion carried.

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

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 456** be immediately messaged to the Senate. Granted.

Assembly Bill 486

Relating to: the management of double-crested cormorants and granting rule-making authority.

The question was: Shall **Assembly Bill 486** be ordered engrossed and read a third time?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 486** be given a third reading. Granted.

The question was: **Assembly Bill 486** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Boyle, Colon, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gronemus, Gunderson, Gundrum, Hahn, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Kreuser, Lamb, F. Lasee, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades,

Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Ward, Wieckert, Wood, Zepnick, Ziegelbauer and Speaker Gard – 77.

Noes – Representatives Benedict, Berceau, Cullen, Fields, Grigsby, Hebl, Kessler, Krusick, Parisi, Pocan, Pope–Roberts, Richards, Sinicki, Travis, Turner, Wasserman, A. Williams and Young – 18.

Paired for – Representative Jensen – 1.

Paired against – Representative Black – 1.

Absent or not voting – Representative M. Williams – 1.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 486** be immediately messaged to the Senate. Granted.

Assembly Bill 591

Relating to: global positioning system tracking for certain sex offenders while on probation, extended supervision, parole, supervised release, or conditional release and providing a penalty.

Representatives Gielow and Petrowski asked unanimous consent to be made coauthors of **Assembly Bill 591**. Granted.

Representatives Hines and Mursau asked unanimous consent to be made coauthors of **Assembly Bill 591**. Granted.

Assembly substitute amendment 2 to **Assembly Bill 591** offered by Representatives Suder and Kleefisch.

The question was: Shall Assembly substitute amendment 2 to **Assembly Bill 591** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 591** be ordered engrossed and read a third time?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 591** be given a third reading. Granted.

The question was: **Assembly Bill 591** having been read three times, shall the bill be passed?

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

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Krawczyk, Kreibich, Kreuser, Krusick, Lamb, F. Lasee, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer,

Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Nischke, Ott, Owens, Parisi, Petrowski, Pettis, 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.

Noes – Representative Pocan – 1.

Absent or not voting – Representative Jensen – 1.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 591** be immediately messaged to the Senate. Granted.

Speaker Pro Tempore Freese in the chair.

Assembly Bill 717

Relating to: felony murder and amending cross–references to felony murder for the purpose of correcting errors and providing a penalty.

The question was: Shall Assembly amendment 1 to **Assembly Bill 717** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 717** be ordered engrossed and read a third time?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 717** be given a third reading. Granted.

The question was: **Assembly Bill 717** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Kreuser, Krusick, Lamb, F. Lasee, 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, Zepnick, Ziegelbauer and Speaker Gard – 95.

Noes – Representative Kessler – 1.

Paired for – Representative Jensen – 1.

Paired against – Representative Young – 1.

Absent or not voting – None.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 717** be immediately messaged to the Senate. Granted.

Senate Bill 167

Relating to: creating an individual income tax checkoff for multiple sclerosis programs.

Representative Lehman asked unanimous consent that Assembly amendment 1 to **Senate Bill 167** be withdrawn and returned to the author. Granted.

The question was: Shall **Senate Bill 167** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 167** be given a third reading. Granted.

The question was: **Senate Bill 167** having been read three times, shall the bill be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 167** be immediately messaged to the Senate. Granted.

Senate Bill 294

Relating to: defining certain uses of gamma–butyrolactone and 1,4–butanediol as controlled substances.

The question was: Shall **Senate Bill 294** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 294** be given a third reading. Granted.

The question was: **Senate Bill 294** having been read three times, shall the bill be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 294** be immediately messaged to the Senate. Granted.

ANNOUNCEMENTS

Representative Nelson asked unanimous consent that the Assembly adjourn in memory of former State Representative William Rogers from Kaukauna, who passed away on November 8. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of his sister, Lynn Koloditch, on the occasion of her 45th birthday on November 26. Granted.

Representative Pridemore asked unanimous consent that the Assembly adjourn in honor of the Hartford Orioles High School Football Team who earned a trip to the WIAA Division I State Playoff Tournament for the first time in school history. Granted.

Representative Pettis asked unanimous consent that the Assembly adjourn in honor of the 230th birthday of the United States Marine Corps on November 10. Granted.

Representative Kreuser asked unanimous consent that the Assembly adjourn in honor of Skip Mielke for shooting a Boone and Crockett Buck with a bow and arrow on November 4. Granted.

Representative Kreuser asked unanimous consent that the Assembly adjourn in honor of his son, Justin Kreuser, for passing his Hunter Safety Course and shooting his first squirrels. Granted.

Representative Kreuser asked unanimous consent that the Assembly adjourn in honor of his son, Jimmy Kreuser, for making the Bullen Middle School Basketball Team. Granted.

Representative Ward asked unanimous consent that the Assembly adjourn in honor of Bob Lang of the Legislative Fiscal Bureau for receiving The Manfred E. Swarsensky Humanitarian Service Award from the Madison Rotary Club. 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:

Scott Mittelstadt from the Village of Jackson, guest of Representative Strachota.

Nick Anderson, guest and intern of Representative Strachota.

Josephine Oudenhoven, Pearl McLester, Charlene Cornelius and Florence Petri, members of the Coalition of Wisconsin Aging Groups, guests of Representative Nelson.

Jackie Rammer, Ryan Propson, Carley Miller and Ryan Ruggles from Kaukauna High school, guests of Representative Nelson.

Barb Olenger from Greenfield, guest of Representative Krusick.

James and Donna LeMahieu, brother and sister-in-law and guests of Representative LeMahieu.

ADJOURNMENT

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

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

3:48 P.M.