



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

11:11 A.M.

TUESDAY, January 31, 2006

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

Representative J. Fitzgerald in the chair.

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

A quorum was present.

The prayer was offered by Representative Hahn.

Representative Gard 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, Jensen, 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, Newcomer, 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, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 98.

Absent with leave – Representative Parisi – 1.

Vacancies – None.

LEAVES OF ABSENCE

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

LEAVES OF ABSENCE

Representative Gundrum asked unanimous consent for a leave of absence for part of today's session for Representatives Ballweg, Hundertmark, Kaufert and Nerison. Granted.

Representative Turner asked unanimous consent for a leave of absence for part of today's session for Representatives Sinicki, Wasserman and Zepnick. Granted.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 687** offered by committee on **State Affairs**.

Assembly substitute amendment 1 to **Assembly Bill 944** offered by Representative Musser.

Assembly amendment 1 to **Assembly Bill 957** offered by Representative Petrowski.

Assembly amendment 2 to **Assembly Bill 957** offered by Representative Petrowski.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 75

Relating to: the life and public service of Thomas J. Parker.

By Representatives Zepnick, Kessler, Boyle, Cullen, Jeskewitz, Krusick, Lehman, Sinicki, Toles, Travis and Turner; cosponsored by Senators Carpenter, Coggs, Erpenbach, Miller and Plale.

To committee on **Rules**.

Assembly Bill 958

Relating to: civil liability exemption for assistance provided as the result of an emergency.

By Representatives Wieckert, Loeffelholz, Nischke, F. Lasee, Krawczyk, Jeskewitz, Wood, Strachota, Gunderson,

Kreibich, Bies, Sheridan, Musser, Petrowski, Ott, Montgomery, Friske, Pettis, Jensen, McCormick and Ballweg; cosponsored by Senators Cowles, Lassa, Leibham, Grothman, Stepp, A. Lasee and Kedzie.

To committee on **Housing**.

Assembly Bill 959

Relating to: health insurance coverage for children, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, requiring the exercise of rule-making authority, and making appropriations.

By Representatives Zepnick, Sinicki, Grigsby, Fields, Vruwink, Seidel, Cullen, Benedict, Turner, Parisi, Poca, Pope-Roberts, Berceau, Boyle, Hebl and Black; cosponsored by Senators Miller, Coggs, Hansen, Erpenbach and Risser.

To committee on **Insurance**.

Assembly Bill 960

Relating to: recovery of noneconomic damages in medical malpractice cases.

By Representatives Owens, Schneider and Ziegelbauer.

To committee on **Insurance**.

Assembly Bill 961

Relating to: the Milwaukee Parental Choice Program; state aid to the Milwaukee Public Schools for Milwaukee Parental Choice Program pupils; the Student Achievement Guarantee in Education Program; and independent charter schools.

By Representatives Sinicki, A. Williams, Fields, Colon, Grigsby, Toles, Young, Turner, Richards, Cullen, Kessler, Zepnick, Lehman, Pope-Roberts, Schneider, Berceau, Sheridan, Travis, Wasserman and Kreuser; cosponsored by Senators Taylor, Coggs, Carpenter, Jauch, Plale, Miller and Erpenbach.

To committee on **Education Reform**.

Assembly Bill 962

Relating to: waiver of certain divestment requirements under Medical Assistance.

By Representatives Strachota, Gielow, Vos, Kaufert, Loeffelholz, Hundertmark, Nischke, F. Lasee, Musser, Jeskewitz, Ainsworth, Ballweg and Towns; cosponsored by Senators Roessler and Olsen.

To committee on **Medicaid Reform**.

Assembly Bill 963

Relating to: instruction permits and probationary licenses issued by the Department of Transportation.

By Representatives Albers, Townsend, Kreibich, Kaufert, Sheridan and Krawczyk; cosponsored by Senator Roessler.

To committee on **Transportation**.

Assembly Bill 964

Relating to: authorization to operate motorcycles, stops required of vehicles at traffic control signals, vehicle failure-to-yield violations, driver education instruction,

highway project planning by the Department of Transportation, and providing a penalty.

By Representatives Pridemore, Honadel, Schneider, Hahn, Krawczyk, McCormick, Turner, Kleefisch, Ott, Bies, Pettis, Hundertmark, Hines, Strachota, Gunderson, Musser, F. Lasee, Kreibich, Albers, Sherman, Wood, Petrowski, Suder, Friske and J. Fitzgerald; cosponsored by Senators Zien, Reynolds, Lazich, Brown, S. Fitzgerald, Schultz and Breske.

To committee on **Transportation**.

Assembly Bill 965

Relating to: decals on special interest vehicles that provide parking privileges for persons with physical disabilities.

By Representatives Rhoades, Albers, Gunderson, Hines, Kestell, Krawczyk, Mursau, Musser, Petrowski, Sheridan, Turner and M. Williams.

To committee on **Transportation**.

Assembly Bill 966

Relating to: vehicle owner liability for violations arising from the failure to stop at the scene of an accident and providing a penalty.

By Representatives Wieckert, Zepnick, Pettis, Ott, Owens, Townsend, Bies, Kreibich and Lothian; cosponsored by Senators Roessler and Grothman.

To committee on **Judiciary**.

Assembly Bill 967

Relating to: maintenance and removal of vegetation obstructing the view of outdoor advertising signs along highways under the jurisdiction of the Department of Transportation and an audit of a program of the Department of Transportation.

By Representatives Honadel, Ainsworth, Albers, Ballweg, Friske, Gielow, Gronemus, Gunderson, Hahn, Krawczyk, Lehman, Moulton, Musser, Nerison, Ott, Petrowski, Richards, Sheridan, Shilling, Staskunas, Stone, Strachota, Towns, Van Roy, Ward, Wood and Zepnick; cosponsored by Senators Kanavas, Erpenbach, Breske, Brown, Hansen, Kapanke, Olsen and Reynolds.

To committee on **Transportation**.

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 60

Concurred in:

Assembly Joint Resolution 74

Assembly Bill 213

Assembly Bill 383

Assembly Bill 444

Assembly Bill 521

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 60

Relating to: recognizing February 2006 as American Heart Month and February 3, 2006, as Wear Red For Women Day.

By Senators Darling, Zien, Schultz, Taylor, Olsen, Miller, Roessler, Robson, Cowles, Wirch, Lassa, Grothman, Plale, Erpenbach, Coggs and Harsdorf; cosponsored by Representatives Strachota, Grigsby, Hahn, Fields, Vruwink, F. Lasee, Loeffelholz, Lehman, Lamb, Nischke, McCormick, Berceau, Jeskewitz, Sheridan, Hebl, Kerkman, Boyle, Petrowski, Ballweg, Bies, Krawczyk, Hundertmark, Wasserman, Hines, Gunderson, Ott, Toles and Van Roy.

To committee on **Rules**.

COMMUNICATIONS

January 30, 2006

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 208
Madison, WI 53708

Dear Mr. Fuller:

Please add Representatives Owens, Krawczyk, Hahn, Petrowski and McCormick as co-sponsors of Assembly Bill 923 relating to ice holes.

Sincerely,
SHERYL ALBERS
State Representative
50th Assembly District

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 59** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Senate Joint Resolution 59

Relating to: recognizing January as Cervical Cancer Awareness Month.

The question was: Shall **Senate Joint Resolution 59** be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 59** be immediately messaged to the Senate. Granted.

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

The Assembly stood recessed.

11:27 A.M.

RECESS

2:00 P.M.

The Assembly reconvened.

Speaker Gard in the chair.

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

A quorum was present.

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

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

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

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

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

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

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

Speaker Pro Tempore Freese in the chair.

CALENDAR OF TUESDAY, JANUARY 31

Senate Bill 403

Relating to: carrying a concealed weapon, possessing or transporting a firearm under certain circumstances, background checks for handgun purchases, photographic identification cards for retired law enforcement officers, requiring the exercise of rule-making authority, providing an exemption from rule-making authority, and providing penalties.

The question was: Shall **Senate Bill 403** pass notwithstanding the objections of the governor?

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, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Newcomer, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Schneider, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vruwink, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 64.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Grigsby, Hebl, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Pocan, Pope–Roberts, Richards, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 34.

Absent or not voting – Representative Parisi – 1.

Motion failed.

Assembly Bill 450

Relating to: absolute sobriety for operators of motor vehicles who have not attained the legal drinking age and providing a penalty.

The question was: Shall Assembly amendment 1 to **Assembly Bill 450** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 450** be ordered engrossed and read a third time?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 450** be given a third reading. Granted.

The question was: **Assembly Bill 450** having been read three times, shall the bill be passed?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 450** be immediately messaged to the Senate. Granted.

Assembly Bill 678

Relating to: annual or consecutive month permits for certain overweight vehicles or vehicle combinations, creating an overweight vehicle surcharge, requiring certain motor carriers to maintain weight records, and providing a penalty.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 678** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 678** be adopted?

Motion carried.

Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 678** offered by Representative Gottlieb.

The question was: Shall Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 678** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 678** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 678** be ordered engrossed and read a third time?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 678** be given a third reading. Granted.

The question was: **Assembly Bill 678** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Ballweg, Berceau, Bies, Boyle, Colon, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gronemus, Gunderson, Gundrum, Hahn, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kestell, Kleefisch, Krawczyk, Lamb, F. Lasee, Lehman, LeMahieu, Loeffelholz, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nelson, Nerison, Newcomer, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Richards, Seidel, Sheridan, Sherman, Sinicki, Steinbrink, Stone, Strachota, Suder, Towns, Townsend, Turner, Underheim, Van Roy, Vruwink, Vukmir, Ward, Wieckert, M. Williams, Wood, Ziegelbauer and Speaker Gard – 71.

Noes – Representatives Albers, Benedict, Black, Cullen, Fields, Grigsby, Hebl, Kerkman, Kreuser, Krusick, Lothian, Nass, Pocan, Pope–Roberts, Schneider, Shilling, Staskunas, Toles, Travis, Van Akkeren, Vos, Wasserman, A. Williams, Young and Zepnick – 25.

Absent or not voting – Representatives Kessler, Kreibich and Parisi – 3.

Motion carried.

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

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

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 678** be immediately messaged to the Senate. Granted.

Assembly Bill 683

Relating to: authorizing medically related actions by advanced practice nurse prescribers and physician assistants.

The question was: Shall Assembly amendment 1 to **Assembly Bill 683** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 683** be ordered engrossed and read a third time?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 683** be given a third reading. Granted.

The question was: **Assembly Bill 683** having been read three times, shall the bill be passed?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 683** be immediately messaged to the Senate. Granted.

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

The Assembly stood recessed.

2:46 P.M.

RECESS

4:31 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

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

A quorum was present.

Assembly Bill 709

Relating to: licensing midwives, granting rule-making authority, and providing a penalty.

Representative Huebsch asked unanimous consent that **Assembly Bill 709** be placed at the foot of the eleventh order of business on today's calendar.

Assembly Bill 722

Relating to: the licensure of pharmacies located outside the state and providing a penalty.

The question was: Shall Assembly amendment 1 to **Assembly Bill 722** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to **Assembly Bill 722** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 722** be ordered engrossed and read a third time?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 722** be given a third reading. Granted.

The question was: **Assembly Bill 722** having been read three times, shall the bill be passed?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 722** be immediately messaged to the Senate. Granted.

Assembly Bill 748

Relating to: discharging a firearm in the direction of an electric transmission facility and providing a penalty.

The question was: Shall Assembly amendment 1 to **Assembly Bill 748** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 748** be ordered engrossed and read a third time?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 748** be given a third reading.

Representative Schneider objected.

LEAVES OF ABSENCE

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

Representative Huebsch asked unanimous consent that **Assembly Bill 734** be taken from the table. Granted.

Assembly Bill 734

Relating to: limiting rules regarding the placement of riprap.

Assembly substitute amendment 2 to **Assembly Bill 734** offered by Representative Albers.

The question was: Shall Assembly substitute amendment 2 to **Assembly Bill 734** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 734** be ordered engrossed and read a third time?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 734** be given a third reading. Granted.

The question was: **Assembly Bill 734** 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, 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,

Newcomer, Nischke, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 60.

Noes – Representatives Benedict, Berceau, Black, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, 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 – 37.

Absent or not voting – Representatives Ott and Parisi – 2.

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 734** be immediately messaged to the Senate. Granted.

Assembly Bill 800

Relating to: exceptions to requirements for issuance of a certificate of accomplishment for successful completion of certain hunter education programs.

The question was: Shall **Assembly Bill 800** 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 800** be given a third reading. Granted.

The question was: **Assembly Bill 800** 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 800** be immediately messaged to the Senate. Granted.

Assembly Bill 871

Relating to: postdated checks and checks given for past consideration.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 871** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 871** 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 871** be given a third reading. Granted.

The question was: **Assembly Bill 871** 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 871** be immediately messaged to the Senate. Granted.

Representative Sherman asked unanimous consent that the rules be suspended and that **Assembly Bill 771** be withdrawn from the joint committee on **Finance** and taken up at this time.

Representative J. Fitzgerald objected.

Representative Sherman moved that the rules be suspended and that **Assembly Bill 771** be withdrawn from the joint committee on **Finance** and taken up at this time.

Assembly Bill 771

Relating to: required general fund statutory balance, required general fund structural balance, increasing nursing home Medical Assistance reimbursement, and making appropriations.

The question was: Shall the rules be suspended and **Assembly Bill 771** be withdrawn from the joint committee on **Finance** and taken up at this time?

The roll was taken.

The result follows:

Ayes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, 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.

Noes – 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, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Newcomer, Nischke, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 59.

Absent or not voting – Representatives Ott and Parisi – 2.

Motion failed.

Assembly Bill 907

Relating to: requiring a contract with a data organization for the collection, analysis, and dissemination of health care claims information; eliminating the Board on Health Care Information, the Interagency Coordinating Council, and the Independent Review Board; and making appropriations.

The question was: Shall Assembly amendment 1 to **Assembly Bill 907** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to **Assembly Bill 907** be adopted?

Motion carried.

The question was: Shall Assembly amendment 3 to **Assembly Bill 907** be adopted?

Motion carried.

Assembly amendment 1 to Assembly amendment 4 to **Assembly Bill 907** offered by Representative Underheim.

The question was: Shall Assembly amendment 1 to Assembly amendment 4 to **Assembly Bill 907** be adopted?

Motion carried.

The question was: Shall Assembly amendment 4 to **Assembly Bill 907** be adopted?

Motion carried.

Assembly amendment 5 to **Assembly Bill 907** offered by Representative Nelson.

POINT OF ORDER

Representative J. Fitzgerald rose to the point of order that Assembly amendment 5 to **Assembly Bill 907** was not germane under Assembly Rule 54.

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

Representative Nelson 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, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, 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, Newcomer, Nischke, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 59.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, 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 Ott and Parisi – 2.

Motion carried.

The question was: Shall **Assembly Bill 907** 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 907** be given a third reading. Granted.

The question was: **Assembly Bill 907** 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 907** be immediately messaged to the Senate. Granted.

Assembly Bill 926

Relating to: group health care plans offered by health benefit purchasing cooperatives.

The question was: Shall **Assembly Bill 926** be ordered engrossed and read a third time?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 926** be given a third reading. Granted.

The question was: **Assembly Bill 926** having been read three times, shall the bill be passed?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 926** be immediately messaged to the Senate. Granted.

Assembly Bill 810

Relating to: Council on Forestry membership.

The question was: Shall **Assembly Bill 810** be ordered engrossed and read a third time?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 810** be given a third reading. Granted.

The question was: **Assembly Bill 810** having been read three times, shall the bill be passed?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 810** be immediately messaged to the Senate. Granted.

Senate Bill 157

Relating to: the full and equal enjoyment of a public place of accommodation or amusement by a person with a disability who is accompanied by a service animal.

The question was: Shall **Senate Bill 157** be ordered to a third reading?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 157** be given a third reading. Granted.

The question was: **Senate Bill 157** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 157** be immediately messaged to the Senate. Granted.

Senate Bill 283

Relating to: limiting the reasons for which a local government may withhold approval of a permit.

The question was: Shall **Senate Bill 283** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 283** be given a third reading. Granted.

The question was: **Senate Bill 283** 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 283** be immediately messaged to the Senate. Granted.

Senate Bill 349

Relating to: sexual contact or sexual intercourse involving a 16- or 17-year-old and a person who works or interacts with him or her through the person's occupation or a volunteer position and providing a penalty.

The question was: Shall **Senate Bill 349** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 349** be given a third reading. Granted.

The question was: **Senate Bill 349** 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 349** be immediately messaged to the Senate. Granted.

Representative Ott 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

Concurred in:

Senate Bill 477

ACTION ON THE SENATE MESSAGE

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 477** be withdrawn and taken up at this time. Granted.

Senate Bill 477

Relating to: licensing midwives, granting rule-making authority, and providing a penalty.

By Senators Grothman, Roessler, Darling, Lassa, Reynolds, Coggs, Erpenbach and Olsen; cosponsored by Representatives Underheim, Lamb, Hahn, Hines, Townsend, Musser, Pope-Roberts, Pettis, Owens, Molepske, Seidel, Montgomery and Young.

The question was: Shall **Senate Bill 477** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 477** be given a third reading. Granted.

Representative Vukmir moved that **Senate Bill 477** be laid on the table.

The question was: Shall **Senate Bill 477** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Fields, Grigsby, Gundrum, Honadel, Jensen, Jeskewitz, Kerkman, Kleefisch, Krawczyk, Krusick, F. Lasee, Lothian, McCormick, Nass, Nerison, Newcomer, Nischke, Staskunas, Suder, Toles, Towns, Van Roy, Vos, Vruwink, Vukmir, M. Williams and Ziegelbauer – 28.

Noes – Representatives Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gronemus, Gunderson, Hahn, Hebl, Hines, Hubler, Huebsch, Hundertmark, Kaufert, Kessler, Kestell, Kreibich, Kreuser, Lamb, Lehman, LeMahieu, Loeffelholz, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nelson, Owens, Petrowski, Pettis, Pohan, Pope-Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Steinbrink, Stone, Strachota, Townsend, Travis, Turner, Underheim, Van Akkeren, Ward, Wasserman, Wieckert, A. Williams, Wood, Young, Zepnick and Speaker Gard – 69.

Absent or not voting – Representatives Ott and Parisi – 2.

Motion failed.

Representative Vukmir moved that **Senate Bill 477** be referred to the committee on **Health**.

The question was: Shall **Senate Bill 477** be referred to the committee on **Health**?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Berceau, Fields, Grigsby, Gundrum, Honadel, Jensen, Jeskewitz, Kerkman, Kleefisch, Krawczyk, Kreuser, F. Lasee, McCormick, Nass, Nerison, Newcomer, Nischke, Richards, Staskunas, Strachota, Suder, Toles, Towns, Turner, Van Roy, Vos, Vukmir, M. Williams and Ziegelbauer – 30.

Noes – Representatives Albers, Ballweg, Benedict, Bies, Black, Boyle, Colon, Cullen, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gronemus, Gunderson, Hahn, Hebl, Hines, Hubler, Huebsch, Hundertmark, Kaufert, Kessler, Kestell, Kreibich, Krusick, Lamb, Lehman, LeMahieu, Loeffelholz, Lothian, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nelson, Owens, Petrowski, Pettis, Pocan, Pope–Roberts, Pridemore, Rhoades, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Steinbrink, Stone, Townsend, Travis, Underheim, Van Akkeren, Vruwink, Ward, Wasserman, Wieckert, A. Williams, Wood, Young, Zepnick and Speaker Gard – 67.

Absent or not voting – Representatives Ott and Parisi – 2.

Motion failed.

The question was: **Senate Bill 477** having been read three times, shall the bill be concurred in?

Motion carried.

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

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

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

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

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

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 477** be immediately messaged to the Senate. Granted.

Representative Gard asked unanimous consent that the rules be suspended and that **Senate Bill 477** be recalled from the Senate in order for the Assembly to take a roll call vote on concurrence of **Senate Bill 477**.

Representative Kreuser objected.

LEAVES OF ABSENCE

Representative Gundrum asked unanimous consent for a leave of absence for part of today’s session for Representative Ward. Granted.

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

The Assembly stood recessed.

6:01 P.M.

RECESS

6:30 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

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

A quorum was present.

LEAVES OF ABSENCE

Representative Turner asked unanimous consent for a leave of absence for part of today’s session for Representatives Steinbrink and Van Akkeren. Granted.

Assembly Bill 709

Relating to: licensing midwives, granting rule-making authority, and providing a penalty.

Representative Huebsch asked unanimous consent that **Assembly Bill 709** be laid on the table. Granted.

Representative Sheridan asked unanimous consent to be made a coauthor of **Assembly Bill 944**. Granted.

Representative Nass asked unanimous consent to be made a coauthor of **Assembly Bill 944**. Granted.

ANNOUNCEMENTS

Representative Stone asked unanimous consent that the Assembly adjourn in memory of Clint Erickson, who died in a car accident on January 28 when the vehicle he was a passenger in was struck by a drunk driver. Granted.

Representative Stone asked unanimous consent that the Assembly adjourn in honor of Sam Seyedin, who remains in a coma after the vehicle he was driving struck by a drunk driver on January 28. Granted.

Representative Stone asked unanimous consent that the Assembly adjourn in honor of Tyler Lubbers, who is recovering from injuries after the vehicle he was a passenger in was struck by a drunk driver on January 28. Granted.

Representative Gard asked unanimous consent that the Assembly adjourn in honor of Justice Samuel Alito, who was sworn in as the nation's 110th Supreme Court Justice on January 31. Granted.

Representative Pocan asked unanimous consent that the Assembly adjourn in honor of Greg Melde on the occasion of his retirement on January 31 from the Legislative Technology Services Bureau after 31 years of service with the Wisconsin State Legislature. Granted.

Representative Toles asked unanimous consent that the Assembly adjourn in honor of Representative Cullen on the occasion of his birthday today. Granted.

Representative Toles asked unanimous consent that the Assembly adjourn in honor of Representative Fields on the occasion of his birthday today. Granted.

Representative Shilling asked unanimous consent that the Assembly adjourn in honor of her staff member, Jason Stephany, who is leaving the Wisconsin State Assembly. Granted.

Representative Huebsch asked unanimous consent that the Assembly adjourn in honor of Joe and Michelle Mettner from Madison, on the occasion of the birth of their daughter, Sara Therese Mettner, on January 25. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of his nephew, Eddie Hebl, for scoring the winning free throw in an Edgewood College Basketball Game against the University of Wisconsin-Stevens Point. 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:

Members of the Amish community in Central Wisconsin, guests of Representative Hines.

Bob, Cheryl and Chris Ponsaby and Mike Habel from Burlington, guests of Representatives Kerkman and Lothian.

Doris Moore, Kent Steffke and Joan Tatarsky from Brookfield and Milwaukee, guests of Representative Vukmir.

Chelsea Klos, pre-medicine student at University of Wisconsin-Madison, guest and intern of Representative Seidel.

ADJOURNMENT

Representative Huebsch moved that the Assembly stand adjourned until 11:00 A.M. on Thursday, February 2.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

6:41 P.M.