



STATE OF WISCONSIN Assembly Journal

Ninety-Eighth Regular Session

11:20 A.M.

TUESDAY, October 23, 2007

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

Speaker Huebsch in the chair.

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

A quorum was present.

Speaker Pro Tempore Gottlieb in the chair.

The prayer was offered by Representative Gronemus.

Representative Molepske 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 Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hilgenberg, Hines, Hintz, Hixson, Honadel, Hraychuck, Hubler, Jeskewitz, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Kramer, Kreuser, Krusick, F. Lasee, LeMahieu, Lothian, Mason, Meyer, Molepske, Montgomery, Moulton, Mursau, Murtha, Musser, Nass, Nelson, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Owens, Parisi, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Roth, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Smith, Soletski, Staskunas, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Travis, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer, Zipperer and Speaker Huebsch – 99.

Absent with leave – None.

Vacancies – None.

LEAVES OF ABSENCE

Representative Honadel asked unanimous consent for a leave of absence for part of today's session for Representatives Tauchen and Wood. Granted.

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

AMENDMENTS OFFERED

Assembly amendment 6 to **Assembly Bill 305** offered by Representatives Kerkman and Sherman.

Assembly amendment 1 to **Assembly Bill 502** offered by committee on **Financial Institutions**.

Assembly amendment 2 to **Assembly Bill 502** offered by committee on **Financial Institutions**.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 72

Relating to: the life and service of Staff Sergeant Robert J. Basham of the Wisconsin Army National Guard, who lost his life during Operation Iraqi Freedom.

By Representative Steinbrink; cosponsored by Senator Wirsch.

To committee on **Rules**.

Assembly Joint Resolution 73

Relating to: the life and service of United States Army Specialist Eric D. Clark, who lost his life during Operation Iraqi Freedom.

By Representative Steinbrink; cosponsored by Senator Wirsch.

To committee on **Rules**.

Assembly Bill 550

Relating to: medical use of marijuana, requiring the exercise of rule-making authority, making an appropriation, and providing a penalty.

By Representatives Boyle, Pocan, Berceau, Black, Grigsby, Gronemus, Parisi, Pope–Roberts, Schneider, Sherman, Travis, Wood and Zepnick.

To committee on **Health and Healthcare Reform**.

COMMITTEE REPORTS

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

Assembly Bill 502

Relating to: furnishing or using certain consumer loan information to make solicitations and providing a penalty.

Assembly Amendment 1 adoption:

Ayes: 10 – Representatives Newcomer, Kaufert, Wieckert, Townsend, Roth, Richards, Zepnick, Smith, Nelson and Hixson.

Noes: 1 – Representative Kramer.

Assembly Amendment 2 adoption:

Ayes: 11 – Representatives Newcomer, Kaufert, Wieckert, Townsend, Kramer, Roth, Richards, Zepnick, Smith, Nelson and Hixson.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Newcomer, Kaufert, Wieckert, Townsend, Kramer, Roth, Richards, Zepnick, Smith, Nelson and Hixson.

Noes: 0.

To committee on **Rules**.

SCOTT NEWCOMER
Chairperson
Committee on Financial Institutions

The committee on **Tourism, Recreation and State Properties** reports and recommends:

Assembly Bill 526

Relating to: a speed limit for the operation of snowmobiles during the hours of darkness.

Passage:

Ayes: 10 – Representatives Kaufert, M. Williams, Bies, Hines, Van Roy, Van Akkeren, Soletski, Hraychuck, Young and Schneider.

Noes: 0.

To committee on **Rules**.

DEAN KAUFERT
Chairperson
Committee on Tourism, Recreation and State Properties

COMMUNICATIONS

October 17, 2007

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53708

Dear Chief Clerk Fuller:

During the Assembly’s roll call on adjournment Monday evening, October 15, my voting buttons were inoperable and I was unable to enter a vote. However, I would like to submit the vote I would have made, against adjournment, for inclusion in the record.

Sincerely,
JOHN STEINBRINK
State Representative
65th Assembly District

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

The Assembly stood recessed.

11:31 A.M.

RECESS

5:15 P.M.

The Assembly reconvened.

Speaker Pro Tempore Gottlieb in the chair.

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

A quorum was present.

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

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

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

**REPORT OF COMMITTEE OF
CONFERENCE ON SENATE BILL 40**

The members of the Committee of Conference on **2007 Senate Bill 40**, relating to: state finances and appropriations, constituting the executive budget act of the 2007 legislature, convened under 2007 Assembly Joint Resolution 59, report and recommend That, by the adoption of this report:

1. Prior senate action. The senate recesses from its position.

2. Prior assembly action. The assembly recesses from its position.

3. Action on conference report. The senate and assembly pass and concur in Senate Bill 40 as affected by Conference Substitute Amendment 1 (LRBs0158/1), which is attached to and made a part of this report.

REP. MICHAEL HUEBSCH SEN. JUDITH ROBSON
REP. JEFF FITZGERALD SEN. RUSSELL DECKER
REP. KITTY RHOADES SEN. ROBERT JAUCH
REP. JAMES E. KREUSER

Senate Bill 40

Relating to: state finances and appropriations, constituting the executive budget act of the 2007 legislature.

Conference substitute amendment 1 to **Senate Bill 40** offered by committee of **Conference on Senate Bill 40**.

The question was: Shall the Committee of Conference report on **Senate Bill 40** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Berceau, Black, Boyle, Colon, Davis, Fields, J. Fitzgerald, Friske, Garthwaite, Grigsby, Gronemus, Hahn, Hebl, Hilgenberg, Hines, Hixson, Hraychuck, Kessler, Kreuser, Mason, Meyer, Molepske, Moulton, Mursau, Murtha, Musser, Nelson, Nerison, A. Ott, Parisi, Petersen, Petrowski, Pocan, Pope–Roberts, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Sinicki, Smith, Soletski, Staskunas, Steinbrink, Suder, Tauchen, Toles, Townsend, Travis, Turner, Van Akkeren, Van Roy, A. Williams, M. Williams, Wood, Young, Zepnick and Speaker Huebsch – 60.

Noes – Representatives Albers, Benedict, Bies, Cullen, Gottlieb, Gunderson, Gundrum, Hintz, Honadel, Hubler, Jeskewitz, Jorgensen, Kaufert, Kerkman, Kestell, Kleefisch, Kramer, Krusick, F. Lasee, LeMahieu, Lothian, Montgomery, Nass, Newcomer, Nygren, J. Ott, Owens, Pridemore, Roth, Shilling, Stone, Strachota, Vos, Vruwink, Vukmir, Wasserman, Wieckert, Ziegelbauer and Zipperer – 39.

Absent or not voting – None.

Motion carried.

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

The Assembly stood recessed.

6:46 P.M.

RECESS

6:49 P.M.

The Assembly reconvened.

Speaker Pro Tempore Gottlieb in the chair.

VISITORS

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

Students from McFarland High School, guests of Representative Parisi.

ANNOUNCEMENTS

Representative Hebl asked unanimous consent that the Assembly adjourn in memory of Tom Jones from Sun Prairie, who passed away on October 17. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in memory of John Bogle from Sun Prairie, who passed away on October 16. Granted.

Representative Stone asked unanimous consent that the Assembly adjourn in memory of William Wilberg from West Bend, who passed away on October 11. Granted.

Representative Parisi asked unanimous consent that the Assembly adjourn in honor of the Dalai Lama, on the occasion of receiving the Congressional Gold Medal of Honor. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in honor of Chief Clerk Patrick Fuller and the United States Marine Corps., on the occasion of the October 23, 1983 bombing of the barracks in Beirut. Granted.

Representative Kerkman asked unanimous consent that the Assembly adjourn in honor of her son, Evan Francis Kerkman, who was born on August 19. Granted.

Representative A. Ott asked unanimous consent that the Assembly adjourn in honor of his daughter, Brittney Erin, on the occasion of her 20th birthday. Granted.

Representative Hixson asked unanimous consent that the Assembly adjourn in honor of Christine Hayes, a teacher at Lincoln Elementary in Whitewater, on the occasion of being named Wisconsin’s Teacher of the Year. Granted.

ADJOURNMENT

Representative J. Fitzgerald moved that the Assembly stand adjourned until 11:00 A.M. on Wednesday, October 24.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

6:54 P.M.