



# STATE OF WISCONSIN

# Assembly Journal

## Ninety-Eighth Regular Session

11:10 A.M.

TUESDAY, January 15, 2008

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.

The prayer was offered by Representative LeMahieu.

Representative Vos 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, Hahn, Hebl, Hilgenberg, Hines, Hintz, Hixson, Honadel, Hraychuck, Hubler, Jeskewitz, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Kramer, 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, Schneider, Seidel, 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 – 95.

Absent with leave – Representatives Gundrum, Kreuser, Roth and Sheridan – 4.

Vacancies – None.

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### LEAVES OF ABSENCE

Representative Honadel asked unanimous consent for a leave of absence for today's session for Representatives Gundrum and Roth. Granted.

Representative Staskunas asked unanimous consent for a leave of absence for today's session for Representatives Kreuser and Sheridan. Granted.

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### LEAVES OF ABSENCE

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

Representative Staskunas asked unanimous consent for a leave of absence for part of today's session for Representatives Fields and Grigsby. Granted.

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### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 164** offered by Representative Friske.

Assembly amendment 1 to **Assembly Bill 598** offered by Representative Strachota.

Assembly substitute amendment 1 to **Senate Bill 176** offered by committee on **Corrections and Courts**.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Bill 698**

Relating to: background checks for personal care workers.

By Representatives Rhoades, Albers, Kerkman, Turner, Nerison, Jeskewitz, Ballweg, A. Ott, Gunderson, Musser, A. Williams, Bies, Cullen, Townsend, Mursau, Sinicki, Murtha, Hraychuck, Petrowski and Kleefisch; cosponsored by Senators Carpenter, Roessler, Schultz, Lassa, Olsen, Lehman, A. Lasee, Plale, Darling and Kreitlow.

To committee on **Aging and Long Term Care**.

#### **Assembly Bill 699**

Relating to: making a false criminal complaint and providing penalties.

By Representatives Hines, Albers, Bies, Gunderson, Hahn, Jeskewitz, Mursau, Musser, A. Ott, Pridemore, Strachota, Townsend and Vos; cosponsored by Senators Lazich, A. Lasee and Roessler.

To committee on **Criminal Justice**.

**Assembly Bill 700**

Relating to: children with severe disabilities or who are involved in multiple systems of care, or both, and their families and making an appropriation.

By Joint Legislative Council.

To committee on **Children and Family Law**.

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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

Concurred in:

Assembly Amendment 1 to **Senate Bill 1**

**Assembly Joint Resolution 61**

**Assembly Bill 32**

**Assembly Bill 75**

**Assembly Bill 80**

**Assembly Bill 82**

**Assembly Bill 152**

**Assembly Bill 181**

**Assembly Bill 184**

**Assembly Bill 228**

**Assembly Bill 239**

**Assembly Bill 296**

**Assembly Bill 305**

**Assembly Bill 351**

**Assembly Bill 359**

**Assembly Bill 370**

**Assembly Bill 413**

**Assembly Bill 454**

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**SPEAKER'S COMMUNICATIONS**

January 15, 2008

Mr. Patrick Fuller  
Chief Clerk, Wisconsin State Assembly  
Room 401, Risser Justice Center  
17 West Main Street  
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Assembly Rule [42 \(3\)\(c\)](#), I am withdrawing **Assembly Bill 175** from the Joint Survey Committee on Retirement Systems and re-referring it to the Assembly Committee on Labor and Industry. I have the consent of Representative Jeskewitz, Assembly co-chair of Joint Survey Committee on Retirement Systems, to take this action.

Please call Jodi Jensen of my office if you have any questions.

Sincerely,  
*MIKE HUEBSCH*  
Assembly Speaker

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**COMMUNICATIONS**

January 15, 2008

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

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 697, relating to virtual charter schools.

Sincerely,  
*BOB ZIEGELBAUER*  
State Representative  
25th Assembly District

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**SPECIAL GUEST**

Representative Hraychuck introduced Hunter Shira from Osceola, the December 2007 Hometown Hero Award recipient, who addressed the members from the rostrum.

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**SPECIAL GUEST**

Representative Honadel introduced his father, Elroy Honadel from the Town of Oak Creek, the January 2008 Hometown Hero Award recipient, who addressed the members from the rostrum.

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**CALENDAR OF TUESDAY, JANUARY 15**

**Assembly Joint Resolution 86**

Relating to: the life and public service of Dale J. Bolle.

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**SPECIAL GUEST**

Representative Ziegelbauer introduced Dale Bolle's wife, Ethelyn Bolle, who addressed the members from the rostrum.

The question was: Shall **Assembly Joint Resolution 86** be adopted?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 86**. Granted.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 86** be immediately messaged to the Senate. Granted.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 75** be withdrawn from the Senate message and taken up at this time. Granted.

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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

Adopted and asks concurrence in:

### **Senate Joint Resolution 75**

#### **Senate Joint Resolution 75**

Relating to: commending the University of Wisconsin-Whitewater football team.

By Senators Robson, Kedzie, S. Fitzgerald, Lazich, Hansen, Taylor, Cowles, Erpenbach, Miller, Lassa, Lehman and Roessler; cosponsored by Representatives Hixson, Jorgensen, Grigsby, Kerkman, Richards, Vos, Hahn, Sheridan, Hebl, A. Ott, Fields, Jeskewitz, Kleefisch, Turner, Nass, Hintz, Ziegelbauer, Bies and Petrowski.

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## SPECIAL GUEST

At the request of Speaker Huebsch and Representative Hixson, Head Coach Lance Liepold, Athletic Director Paul Plinski and the University of Wisconsin-Whitewater football team joined them in the Assembly Chambers.

The question was: Shall **Senate Joint Resolution 75** be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that all members of the Assembly be added as cosponsors of **Senate Joint Resolution 75**. Granted.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 75** be immediately messaged to the Senate. Granted.

#### **Assembly Joint Resolution 84**

Relating to: commending Peter J. Dykman for his many years of service to the Wisconsin legislature and the people of Wisconsin.

The question was: Shall **Assembly Joint Resolution 84** be adopted?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 84**. Granted.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 84** be immediately messaged to the Senate. Granted.

#### **Assembly Joint Resolution 87**

Relating to: the life and public service of Jane R. Henkel.

The question was: Shall **Assembly Joint Resolution 87** be adopted?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 87**. Granted.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 87** be immediately messaged to the Senate. Granted.

#### **Assembly Joint Resolution 88**

Relating to: the life and public service of Richard J. Steffens.

The question was: Shall **Assembly Joint Resolution 88** be adopted?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 88**. Granted.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 88** be immediately messaged to the Senate. Granted.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 78** be withdrawn from the Senate message and taken up at this time. Granted.

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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

Adopted and asks concurrence in:

### **Senate Joint Resolution 78**

#### **Senate Joint Resolution 78**

Relating to: the distinguished career of Bruce Munson in his service to the legislature and the people of Wisconsin.

By Senators Taylor, Miller, Risser, Decker, Schultz, Lazich, Lehman, Hansen, Breske, Erpenbach, Lassa, Wirch, Plale, Roessler and Coggs; cosponsored by Representatives Travis, Gronemus, Jeskewitz, Musser, Boyle, Sherman, Soletski, Albers, Wasserman, Grigsby, A. Ott, Nelson, Cullen, Berceau, Petrowski and Hines.

The question was: Shall **Senate Joint Resolution 78** be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that all members of the Assembly be added as cosponsors of **Senate Joint Resolution 78**. Granted.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 78** be immediately messaged to the Senate. Granted.

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

The Assembly stood recessed.

12:06 P.M.

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## RECESS

4:41 P.M.

The Assembly reconvened.

Speaker Pro Tempore Gottlieb in the chair.

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

A quorum was present.

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

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

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

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

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 5** be withdrawn from today's calendar and taken up at this time. Granted.

### **Senate Joint Resolution 5**

Relating to: prohibiting partial vetoes from creating new sentences (second consideration).

The question was: Shall **Senate Joint Resolution 5** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 5** be given a third reading. Granted.

The question was: **Senate Joint Resolution 5** having been read three times, shall the joint resolution be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Ballweg, Benedict, Berceau, Bies, Black, Colon, Cullen, Davis, Fields, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gronemus, Gunderson, Hahn, Hebl, Hilgenberg, Hines, Hintz, Hixson, Honadel, Hraychuck, Hubler, Jeskewitz, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Kramer, 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, Schneider, Seidel, 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 – 94.

Noes – Representative Boyle – 1.

Absent or not voting – Representatives Gundrum, Kreuser, Roth and Sheridan – 4.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 5** be immediately messaged to the Senate. Granted.

### **Senate Joint Resolution 69**

Relating to: transferring duties of the revisor of statutes to the legislative reference bureau.

The question was: Shall **Senate Joint Resolution 69** be concurred in?

Motion carried.

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

### **Assembly Bill 259**

Relating to: the acquisition by the Department of Transportation of land for mitigation related to highway projects.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 259** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 259** 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 259** be given a third reading. Granted.

The question was: **Assembly Bill 259** 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 259** be immediately messaged to the Senate. Granted.

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## LEAVES OF ABSENCE

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

### **Assembly Bill 309**

Relating to: offering and admitting custody studies in accordance with the rules of evidence.

The question was: Shall Assembly substitute amendment 2 to **Assembly Bill 309** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 309** 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 309** be given a third reading. Granted.

The question was: **Assembly Bill 309** 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 309** be immediately messaged to the Senate. Granted.

### **Assembly Bill 338**

Relating to: aiding or harboring a felon.

The question was: Shall Assembly amendment 1 to **Assembly Bill 338** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Bill 338** offered by Representatives Young and Kessler.

Representative Suder moved that Assembly amendment 2 to **Assembly Bill 338** be laid on the table.

The question was: Shall Assembly amendment 2 to **Assembly Bill 338** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Ballweg, Bies, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Hahn, Hines, Honadel, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Kramer, Krusick, F. Lasee, LeMahieu, Lothian, Meyer, Montgomery, Moulton, Mursau, Murtha, Musser, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Owens, Petersen, Petrowski, Pridemore, Rhoades, Staskunas, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, Wasserman, Wieckert, M. Williams, Wood, Ziegelbauer, Zipperer and Speaker Huebsch – 54.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Garthwaite, Grigsby, Gronemus, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kessler, Mason, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sherman, Shilling, Smith, Soletski, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, A. Williams, Young and Zepnick – 40.

Absent or not voting – Representatives Gundrum, Kreuser, Roth, Sheridan and Sinicki – 5.

Motion carried.

The question was: Shall **Assembly Bill 338** 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 338** be given a third reading. Granted.

The question was: **Assembly Bill 338** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Ballweg, Benedict, Berceau, Bies, Black, Colon, Cullen, Davis, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Gronemus, Gunderson, Hahn, Hebl, Hilgenberg, Hines, Hintz, Hixson, Honadel, Hraychuck, Hubler, Jeskewitz, Jorgensen, Kaufert, Kerkman, Kestell, Kleefisch, Kramer, 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, Schneider, Seidel, Sherman, Shilling, Soletski, Staskunas, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Wasserman, Wieckert, M. Williams, Wood, Zepnick, Ziegelbauer, Zipperer and Speaker Huebsch – 85.

Noes – Representatives Boyle, Fields, Grigsby, Kessler, Richards, Smith, Travis, A. Williams and Young – 9.

Absent or not voting – Representatives Gundrum, Kreuser, Roth, Sheridan and Sinicki – 5.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 338** be immediately messaged to the Senate. Granted.

### **Assembly Bill 363**

Relating to: limiting the scope of direct legislation.

The question was: Shall Assembly amendment 1 to **Assembly Bill 363** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 363** 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 363** be given a third reading. Granted.

The question was: **Assembly Bill 363** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Ballweg, Bies, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Hahn, Hines, Honadel, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Kramer, F. Lasee, LeMahieu, Lothian, Meyer, Montgomery, Moulton, Mursau, Murtha, Musser, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vukmir, Wieckert, M. Williams, Wood, Zipperer and Speaker Huebsch – 48.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Garthwaite, Grigsby, Gronemus, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kessler, Krusick, Mason, Molepske, Nelson, Parisi, Poca, Pope–Roberts, Richards, Schneider, Seidel, Sherman, Shilling, Smith, Soletski, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 44.

Paired for – Representatives Owens and Vos – 2.

Paired against – Representatives Kreuser and Sheridan – 2.

Absent or not voting – Representatives Gundrum, Roth and Sinicki – 3.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 363** be immediately messaged to the Senate.

Representative Schneider objected.

Representative J. Fitzgerald moved that the rules be suspended and that **Assembly Bill 363** be immediately messaged to the Senate.

The question was: Shall the rules be suspended and **Assembly Bill 363** be immediately messaged to the Senate?

Ayes – Representatives Albers, Ballweg, Bies, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Hahn, Hines, Honadel, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Kramer, F. Lasee, LeMahieu, Lothian, Meyer, Montgomery, Moulton, Mursau, Murtha, Musser, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Owens, Petersen, Petrowski, Pridemore, Rhoades, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, Wieckert, M. Williams, Wood, Zipperer and Speaker Huebsch – 50.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Garthwaite, Grigsby, Gronemus, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kessler, Krusick, Mason, Molepske, Nelson, Parisi, Poca, Pope–Roberts, Richards, Schneider,

Seidel, Sherman, Shilling, Smith, Soletski, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick, Ziegelbauer, – 44.

Absent or not voting – Representatives Gundrum, Kreuser, Roth, Sheridan, Sinicki, – 5.

Motion failed.

### **Assembly Bill 410**

Relating to: legislative committee review period of administrative rules and revisor consent regarding technical standards in rules.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 410** offered by Representative LeMahieu.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 410** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 410** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 410** 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 410** be given a third reading. Granted.

The question was: **Assembly Bill 410** 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 410** be immediately messaged to the Senate. Granted.

### **Assembly Bill 446**

Relating to: reimbursement for damages caused by dogs and the use of funds derived from the licensing of dogs.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 446** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 446** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 446** 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 446** be given a third reading. Granted.

The question was: **Assembly Bill 446** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Ballweg, Bies, Davis, J. Fitzgerald, Garthwaite, Gottlieb, Gronemus, Gunderson, Hahn, Hilgenberg, Hines, Hixson, Honadel, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Kramer, F. Lasee, LeMahieu, Lothian, Meyer, Montgomery, Moulton, Mursau, Murtha, Musser, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Owens, Petersen, Petrowski, Pridemore, Rhoades, Steinbrink, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, Wieckert, M. Williams, Wood, Zipperer and Speaker Huebsch – 54.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Grigsby, Hebl, Hintz, Hraychuck, Hubler, Jorgensen, Kessler, Krusick, Mason, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sherman, Shilling, Smith, Soletski, Staskunas, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 39.

Paired for – Representative Friske – 1.

Paired against – Representative Sheridan – 1.

Absent or not voting – Representatives Gundrum, Kreuser, Roth and Sinicki – 4.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 446** be immediately messaged to the Senate. Granted.

Representative Friske in the chair.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 280** be withdrawn from the Senate message and taken up at this time. Granted.

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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

Passed and asks concurrence in:

### **Senate Bill 280**

#### **Senate Bill 280**

Relating to: authorizing an elective member of a political subdivision's governing body to refuse his or her salary.

By Senators Hansen, A. Lasee, Olsen, Risser, Roessler and Sullivan; cosponsored by Representatives Nygren, Smith, Ballweg, Berceau, Boyle, Gunderson, Hahn, Kerkman, Mursau, J. Ott, Petrowski and Turner.

The question was: Shall **Senate Bill 280** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 280** be given a third reading. Granted.

The question was: **Senate Bill 280** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gronemus, Gunderson, Hahn, Hebl, Hilgenberg, Hines, Hintz, Hixson, Honadel, Hraychuck, Hubler, Jeskewitz, Jorgensen, Kaufert, Kerkman, Kestell, Kleefisch, Kramer, 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, Seidel, Sherman, Shilling, Smith, Soletski, Staskunas, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Travis, Turner, Van Roy, Vos, Vruwink, Vukmir, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Ziegelbauer, Zipperer and Speaker Huebsch – 90.

Noes – Representatives Kessler, Schneider, Van Akkeren and Zepnick – 4.

Absent or not voting – Representatives Gundrum, Kreuser, Roth, Sheridan and Sinicki – 5.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 280** be immediately messaged to the Senate. Granted.

#### **Assembly Bill 527**

Relating to: authorizing an elective member of a political subdivision's governing body to refuse his or her salary.

Representative J. Fitzgerald asked unanimous consent that **Assembly Bill 527** be laid on the table. Granted.

#### **Assembly Bill 582**

Relating to: changing the requirements for the publication of certain actions taken by certain local governments.

Assembly amendment 1 to **Assembly Bill 582** offered by Representative Albers.

Representative Gottlieb moved that Assembly amendment 1 to **Assembly Bill 582** be laid on the table.

The question was: Shall Assembly amendment 1 to **Assembly Bill 582** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Friske, Gottlieb, Grigsby, Gunderson, Hahn, Hebl, Hilgenberg, Hines, Hintz, Hixson, Honadel, Jeskewitz, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Kramer, Krusick, F. Lasee, LeMahieu, Lothian, Mason, Meyer, Molepske, Montgomery, Moulton, Mursau, Murtha, Musser, Nass, Nelson, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Parisi, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Seidel, Sherman, Shilling, Staskunas, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Travis, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Wasserman, Wieckert, Wood, Zepnick, Ziegelbauer, Zipperer and Speaker Huebsch – 82.

Noes – Representatives Albers, Garthwaite, Gronemus, Hraychuck, Hubler, Owens, Schneider, Smith, Soletski, A. Williams, M. Williams and Young – 12.

Absent or not voting – Representatives Gundrum, Kreuser, Roth, Sheridan and Sinicki – 5.

Motion carried.

The question was: Shall **Assembly Bill 582** 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 582** be given a third reading. Granted.

The question was: **Assembly Bill 582** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gunderson, Hahn, Hebl, Hilgenberg, Hines, Hintz, Hixson, Honadel, Hraychuck, Hubler, Jeskewitz, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Kramer, 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, Seidel, Sherman, Shilling, 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 – 91.

Noes – Representatives Albers, Gronemus and Schneider – 3.

Absent or not voting – Representatives Gundrum, Kreuser, Roth, Sheridan and Sinicki – 5.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 582** be immediately messaged to the Senate. Granted.

#### **Assembly Bill 625**

Relating to: authorizing a school board to construct or acquire a renewable resource facility.

Representative Smith asked unanimous consent to be made a coauthor of **Assembly Bill 625**. Granted.

The question was: Shall **Assembly Bill 625** 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 625** be given a third reading. Granted.

The question was: **Assembly Bill 625** having been read three times, shall the bill be passed?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 625** be immediately messaged to the Senate. Granted.

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## CALENDAR OF WEDNESDAY, DECEMBER 12

#### **Assembly Bill 69**

Relating to: registration requirements for professional engineers.

The question was: **Assembly Bill 69** 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 69** be immediately messaged to the Senate. Granted.

Speaker Pro Tempore Gottlieb in the chair.

#### **Assembly Bill 51**

Relating to: prohibiting certain computer messages or postings that invite harassment or obscene, lewd, or profane communication and providing a penalty.

Representative J. Fitzgerald asked unanimous consent that **Assembly Bill 51** be taken from the table.

Representative Kessler objected

Representative J. Fitzgerald moved that **Assembly Bill 51** be taken from the table.

The question was: Shall **Assembly Bill 51** be taken from the table?

The roll was taken.

The result follows:



Ayes – Representatives Albers, Ballweg, Bies, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Hahn, Hines, Honadel, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Kramer, F. Lasee, LeMahieu, Lothian, Meyer, Montgomery, Moulton, Mursau, Murtha, Musser, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Owens, Petersen, Petrowski, Pridemore, Rhoades, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, Wieckert, M. Williams, Wood, Zipperer and Speaker Huebsch – 50.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Garthwaite, Grigsby, Gronemus, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kessler, Krusick, Mason, Molepske, Nelson, Parisi, Poca, Pope–Roberts, Richards, Schneider, Seidel, Sherman, Shilling, Smith, Soletski, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 44.

Absent or not voting – Representatives Gundrum, Kreuser, Roth, Sheridan and Sinicki – 5.

Motion carried.

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

The Assembly stood recessed.

5:54 P.M.

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## RECESS

6:15 P.M.

The Assembly reconvened.

Speaker Pro Tempore Gottlieb in the chair.

Representative Kessler asked unanimous consent to lay **Assembly Bill 51** on the table.

Representative Kessler withdrew his objection to taking **Assembly Bill 51** off the table. Granted.

The question was: Shall Assembly amendment 1 to **Assembly Bill 51** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 51** 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 51** be given a third reading. Granted.

The question was: **Assembly Bill 51** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Ballweg, Benedict, Berceau, Bies, Black, Colon, Cullen, Davis, Fields, J.

Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gronemus, Gunderson, Hahn, Hebl, Hilgenberg, Hines, Hintz, Hixson, Honadel, Hraychuck, Hubler, Jeskewitz, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Kramer, 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, Poca, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sherman, Shilling, 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 – 93.

Noes – Representative Boyle – 1.

Absent or not voting – Representatives Gundrum, Kreuser, Roth, Sheridan and Sinicki – 5.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 51** be immediately messaged to the Senate. Granted.

## Assembly Bill 96

Relating to: the possession, release, control, storage, sale, and transportation of fish of an invasive fish species and requiring the exercise of rule-making authority.

The question was: Shall Assembly amendment 1 to **Assembly Bill 96** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to **Assembly Bill 96** be adopted?

Motion carried.

Assembly amendment 3 to **Assembly Bill 96** offered by Representative Schneider.

Representative J. Fitzgerald moved that Assembly amendment 3 to **Assembly Bill 96** be laid on the table.

The question was: Shall Assembly amendment 3 to **Assembly Bill 96** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Ballweg, Bies, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Hahn, Hines, Honadel, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Kramer, F. Lasee, LeMahieu, Lothian, Meyer, Montgomery, Moulton, Mursau, Murtha, Nass, Nerison, Newcomer, Nygren, J. Ott, Owens, Petersen, Petrowski, Pridemore, Rhoades, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, Wieckert, M. Williams, Wood, Zipperer and Speaker Huebsch – 48.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Garthwaite, Grigsby, Gronemus, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kessler, Krusick, Mason, Molepske, Musser, Nelson, A. Ott, Parisi, Poca, Pope–Roberts, Richards, Schneider, Seidel,

Sherman, Shilling, Smith, Soletski, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 46.

Absent or not voting – Representatives Gundrum, Kreuser, Roth, Sheridan and Sinicki – 5.

Motion carried.

The question was: Shall **Assembly Bill 96** 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 96** be given a third reading. Granted.

The question was: **Assembly Bill 96** 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 96** be immediately messaged to the Senate. Granted.

### **Assembly Bill 500**

Relating to: issuance of retail intoxicating liquor licenses.

Representatives Mason and Turner asked unanimous consent to be made a coauthors of **Assembly Bill 500**. Granted.

Assembly amendment 1 to **Assembly Bill 500** offered by Representatives Molepske and Rhoades.

The question was: Shall Assembly amendment 1 to **Assembly Bill 500** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 500** 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 500** be given a third reading. Granted.

The question was: **Assembly Bill 500** 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 500** be immediately messaged to the Senate. Granted.

Representative Toles asked unanimous consent to be withdrawn as a coauthor of **Assembly Bill 178**. Granted.

Representative Davis asked unanimous consent to be made a coauthor of **Assembly Bill 223**. Granted.

Representatives Davis and Nelson asked unanimous consent to be made coauthors of **Assembly Bill 672**. Granted.

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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

Concurred in:

**Assembly Joint Resolution 84**  
**Assembly Joint Resolution 86**  
**Assembly Joint Resolution 87**  
**Assembly Joint Resolution 88**

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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:

The parents of the December 2007 Hometown Hero Award recipient Hunter Shira, Marianne and Scott Shira, and his siblings, Logan and Kenize, guests of Representative Hraychuck.

The grandparents of the December 2007 Hometown Hero Award recipient Hunter Shira, Dick and Myrtle Shira, guests of Representative Hraychuck.

Osceola School District Administrator Roger Kumlien, School Board President Timm Johnson, High School Principal Mike McMartin, Art Teacher Peg Medcraft and Spanish Teacher Beth Izdepski, guests of Representative Hraychuck.

Mark Ryan, a teacher at Barneveld High School, guest of Representative Hilgenberg.

Mark Hatch from the Town of Empire, guest of Representative Owens.

Rosemary Mason, a teacher at Knapp Elementary School in Racine, sister and guest of Representative Mason.

Brad Bliss, Kelly Osinga and Lora Werner, teachers at Knapp Elementary School in Racine, guests of Representative Mason.

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## ANNOUNCEMENTS

Representative Wieckert asked unanimous consent that the Assembly adjourn in memory of his father, Carlton A. (Kelly) Wieckert, who passed away on November 21 at the age of 82. Granted.

Representatives Kreuser and Steinbrink asked unanimous consent that the Assembly adjourn in memory of Army Private Timothy R. Hanson of Kenosha, who died on January 7 while serving in Iraq. Granted.

Representative Hixson asked unanimous consent that the Assembly adjourn in memory of Ken Hendricks, founder,

chairman and chief executive officer of ABC Supply Company in Beloit, who passed away on December 21. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in memory of John Moses, former Secretary of Veterans Affairs, who passed away on December 8. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in memory of Roger Yelk, a former Sun Prairie Town Clerk, who passed away on January 10. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in memory of Lois Benish, who worked as a legal secretary for 25 years for the Hebl, Hebl and Ripp Law Office in Sun Prairie. Lois passed away on December 14. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in memory of Rosemary VanLoenen, who passed away on January 8. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in memory of Joe Tuschen from Sun Prairie, who passed away on January 4. Granted.

Representative Montgomery asked unanimous consent that the Assembly adjourn in honor of Assembly photographer and Assistant Fire Chief for the Town of Blooming Grove, Jay Salvo, for his work as a first responder to the chain reaction crash on Interstate 90 near Madison on January 6. Granted.

Representative Krusick asked unanimous consent that the Assembly adjourn in honor of her father, Ron Krusick, on the occasion of his birthday today. Granted.

Representative Rhoades asked unanimous consent that the Assembly adjourn in honor of Representative Owens, on the occasion of her retirement from the Assembly. Granted.

Representative Nass asked unanimous consent that the Assembly adjourn in honor of Representative Roth and

Representative Gundrum on the occasion of their military deployments to Iraq. Granted.

Representative Kerkman asked unanimous consent that the Assembly adjourn in honor of the people of Kenosha County, Town of Wheatland, Town of Brighton, Town of Somers, and the City of Kenosha, survivors of the January tornadoes. Granted.

Representative Kerkman asked unanimous consent that the Assembly adjourn in honor of the Kenosha Sheriff Department, and all of the EMS and Fire Departments that came to help the residents of Kenosha. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Representative Annette (Polly) Williams on the occasion of her birthday on January 10. Representative Williams is the longest serving woman legislator in either house. She is currently serving her 28th year of service. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Representative Tony Staskunas on the occasion of his birthday on January 3. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Representative Molepske on the occasion of his birthday on January 6. Granted

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## ADJOURNMENT

Representative J. Fitzgerald moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, January 17.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

7:01 P.M.