



# STATE OF WISCONSIN Assembly Journal

## Ninety-Ninth Regular Session

11:01 A.M.

TUESDAY, February 24, 2009

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

Speaker Pro Tempore Staskunas in the chair.

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

A quorum was present.

The Color Guard posted the colors.

Summer Gokey, a senior at Lac Courte Oreilles High School, led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The invocation was offered by David Grigno, Director of Historical Preservation for the Menomonie Tribe.

The roll was taken.

The result follows:

Present – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, J. Fitzgerald, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Knodl, Kramer, Krusick, LeMahieu, Lothian, Mason, Meyer, Milroy, Molepske Jr., Montgomery, Mursau, Murtha, Nass, Nelson, Nerison, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Radcliffe, Rhoades, Richards, Ripp, Roth, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Wood, A. Williams, M. Williams, Young, Zepnick, Ziegelbauer, Zigmunt, Zipperer and Speaker Sheridan – 96.

Absent with leave – Representatives Friske, Newcomer, and Stone – 3.

Vacancies – None.

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### LEAVES OF ABSENCE

Representative Suder asked unanimous consent for a leave of absence for today's session for Representatives Friske, Newcomer and Stone. Granted.

The Assembly Sergeant-at-Arms William Nagy announced the arrival of the members of the Wisconsin State Senate.

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### JOINT CONVENTION

The houses went into joint convention.

Senate President Risser presiding.

Senator Risser recognized the presence of Lieutenant Governor Barbara Lawton, State Treasurer Dawn Marie Sass, Attorney General J.B. Van Hollen and Superintendent of Public Instruction Elizabeth Burmaster.

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### STATE OF THE TRIBES ADDRESS

Speaker Pro Tempore Staskunas introduced Sokaogon Chippewa Chairman Arlyn Ackley, who addressed the members from the rostrum.

The Color Guard retired the colors.

Representative Nelson moved that the joint convention arise.

The question was: Shall the joint convention arise?

Motion carried.

11:50 A.M.

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### AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 60** offered by Representative Grigsby.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 20**

Relating to: declaring March 2009 American Red Cross Month.

By Representatives Ballweg, Benedict, Bies, Brooks, Hebl, Hintz, Kerkman, A. Ott, Pasch, Petrowski, Pope–Roberts, Ripp, M. Williams and Zepnick; cosponsored by Senators Risser, Cowles, Lehman, Kedzie, Miller and Olsen.

To committee on **Rules**.

#### **Assembly Joint Resolution 21**

Relating to: celebrating March 1, 2009, as St. David's Day.

By Representative Davis.

To committee on **Rules**.

#### **Assembly Bill 78**

Relating to: judicial discretion in certain John Doe proceedings and the provision of attorney representation of state employees at John Doe proceedings.

By Representatives Hintz, Spanbauer, Townsend, Ballweg, Shilling, Van Roy, Kaufert, Berceau, Ziegelbauer, Garthwaite, Jorgensen, Sinicki, Friske, Bies and Nerison; cosponsored by Senators Kreitlow, Erpenbach, Taylor, Vinehout, Schultz, Hansen, Lehman, Holperin, Kapanke and Hopper.

To committee on **Judiciary and Ethics**.

#### **Assembly Bill 79**

Relating to: release of persons who commit operating–while–intoxicated offenses and providing penalties.

By Representatives Kleefisch, Ziegelbauer, Davis, Kerkman, LeMahieu, Lothian, Montgomery, Mursau, Nass, A. Ott, Spanbauer, Stone, Strachota, Townsend and Zipperer; cosponsored by Senators Carpenter, Darling and Leibham.

To committee on **Public Safety**.

#### **Assembly Bill 80**

Relating to: an education tax credit for businesses.

By Representatives Zipperer, Honadel, Ballweg, Brooks, Davis, Kaufert, Kleefisch, Knodl, Kramer, LeMahieu, Murtha, Nass, Nygren, A. Ott, Petersen, Ripp, Roth, Spanbauer, Strachota, Suder, Townsend and Vos; cosponsored by Senators Darling, Kanavas, Harsdorf, Hopper, Kedzie, Lazich, Leibham and Schultz.

To committee on **Jobs, the Economy and Small Business**.

#### **Assembly Bill 81**

Relating to: changing the procedures for filling vacant civil service positions in the city of Milwaukee.

By Representatives Sinicki, Richards, Toles, Fields, A. Williams, Young, Zepnick and Turner; cosponsored by Senators Taylor and Plale.

To committee on **Labor**.

#### **Assembly Bill 82**

Relating to: registration for vehicles or trailers equipped with mobile emergency communication equipment and making an appropriation.

By Representatives Townsend, Bies, Brooks, Gunderson, Mursau, A. Ott and Spanbauer; cosponsored by Senator Lazich.

To committee on **Transportation**.

#### **Assembly Bill 83**

Relating to: issuing annual fishing licenses to certain resident disabled veterans.

By Representatives Townsend, Berceau, Bernard Schaber, Bies, Brooks, Gunderson, Hraychuck, Hubler, Kaufert, Kestell, Lothian, Meyer, Mursau, Nerison, A. Ott, Petrowski, Pope–Roberts, Roth, Spanbauer, Suder and Vos; cosponsored by Senators Darling, Erpenbach, Hansen, Kedzie, Lazich, Lehman, Olsen, Schultz, Taylor and Vinehout.

To committee on **Veterans and Military Affairs**.

#### **Assembly Bill 84**

Relating to: membership of the Natural Resources Board.

By Representatives LeMahieu, Nerison, Suder, Gunderson, Kestell, J. Ott, Meyer, Petersen, Vos, Van Roy, Davis, Huebsch, A. Ott, Lothian, Strachota, Townsend, Spanbauer, Brooks and Ballweg; cosponsored by Senators Kedzie, Lazich, Kapanke, Grothman, Hopper, Leibham and Schultz.

To committee on **Natural Resources**.

#### **Assembly Bill 85**

Relating to: temporary alcohol beverage retail licenses.

By Representatives Gottlieb, Tauchen, Nygren, Lothian, Newcomer, Mursau, Vos, Townsend, Bies, Murtha, Ballweg, Nerison, Strachota and Spanbauer; cosponsored by Senators Grothman, Taylor and Darling.

To committee on **Urban and Local Affairs**.

#### **Assembly Bill 86**

Relating to: authorizing hunting of certain game with a crossbow by nonresidents who have attained the age of 65 years.

By Representatives Hubler, Ziegelbauer, Berceau, Vruwink, Gunderson, Townsend, Murtha, Molepske Jr., Bies, M. Williams and Ballweg; cosponsored by Senators Holperin, Lehman, Vinehout, Schultz and Lassa.

To committee on **Fish and Wildlife**.

#### **Assembly Bill 87**

Relating to: disposal of ash resulting from the burning of a structure.

By Representatives Suder, Ripp, LeMahieu, Meyer, Kerkman, Brooks, Townsend, Petersen, Spanbauer, Nygren, Vos, Gunderson, Lothian, Kaufert, Kleefisch, Ballweg, Murtha, Kestell, Knodl, Nerison, M. Williams and Sherman; cosponsored by Senators Kreitlow, Schultz, Jauch and Grothman.

To committee on **Natural Resources**.

#### **Assembly Bill 88**

Relating to: allowing electric utilities and retail electric cooperatives to include energy derived from garbage and certain waste in satisfying renewable portfolio standards.

By Representatives Hubler, Soletski, Ziegelbauer, Berceau, Jorgensen, Wood, Montgomery, Petrowski, A. Ott, Gunderson, Townsend, Mursau and Ballweg; cosponsored by Senators Jauch, Plale and Schultz.

To committee on **Energy and Utilities**.

**Assembly Bill 89**

Relating to: prohibiting the Milwaukee Public Schools from imposing residency requirements on teachers.

By Representatives Gunderson, Davis, Bies, Gottlieb, Honadel, Kerkman, Kestell, Knodl, LeMahieu, Lothian, Nass, Pridemore, Rhoades, Spanbauer, Townsend, Vos and Vukmir; cosponsored by Senators Darling, Kanavas, Hopper, Kedzie, Lazich and Schultz.

To committee on **Labor**.

**Assembly Bill 90**

Relating to: the operation of motorboats, other than personal watercraft, at slow–no–wake speed within a given distance of the shoreline of a lake.

By Representatives Sherman, Berceau, Black, Clark, Hilgenberg, Knodl, Milroy, Molepske Jr., Pasch, Richards, Roys and Turner; cosponsored by Senators Jauch, Holperin, Lehman, Miller and Risser.

To committee on **Natural Resources**.

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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 6**  
**Senate Joint Resolution 12**

Passed and asks concurrence in:

**Senate Bill 9**  
**Senate Bill 12**  
**Senate Bill 16**  
**Senate Bill 36**  
**Senate Bill 37**

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**ACTION ON THE SENATE MESSAGE**

**Senate Joint Resolution 6**

Relating to: opposing a federal mandate requiring the suspension or revocation of driver's licenses in all circumstances in which a person has been convicted of a drug or other controlled substances violation and exercising the state's option to opt out of this federal mandate.

By Senators Taylor, Grothman, Lehman, Plale and Erpenbach; cosponsored by Representatives Grigsby, Kessler, Berceau, Colon, Fields, Mason, Roys, Sinicki, Toles, Turner, A. Williams, Young and A. Ott.

To committee on **Judiciary and Ethics**.

**Senate Joint Resolution 12**

Relating to: recognizing and supporting national Minority Cancer Awareness Week.

By Senators Coggs, Risser, Wirch, Erpenbach, Vinehout, Plale, Sullivan, Taylor, Lassa, Cowles and Lehman;

cosponsored by Representatives Young, Grigsby, A. Williams, Turner, Colon, Fields, Cullen, Richards, Townsend, Bernard Schaber, Montgomery, Hintz, Seidel, Bies, Spanbauer, Strachota, Berceau, Hixson, Barca, Pope–Roberts and Toles.

To committee on **Rules**.

**Senate Bill 9**

Relating to: a tort action for intentional misrepresentation in a residential real estate transaction.

By Senators Erpenbach, Hansen, Taylor, Lehman, Lassa, Wirch, Sullivan, Olsen, Schultz and Cowles; cosponsored by Representatives Radcliffe, Hebl, Colon, Soletski, Roys, Richards, Berceau, Shilling, Parisi, Hraychuck, Molepske Jr., A. Ott and Van Roy.

To committee on **Consumer Protection**.

**Senate Bill 12**

Relating to: the operation of motorboats, other than personal watercraft, at slow–no–wake speed within a given distance of the shoreline of a lake.

By Senators Jauch, Holperin, Lehman, Miller and Risser; cosponsored by Representatives Sherman, Berceau, Black, Clark, Hilgenberg, Knodl, Milroy, Molepske Jr., Pasch, Richards, Roys and Turner.

To committee on **Natural Resources**.

**Senate Bill 16**

Relating to: permitting a mother to breast–feed in any public or private location where she is otherwise authorized to be.

By Senators Risser, Erpenbach, Wirch, Darling, Schultz, Cowles, Sullivan and Lehman; cosponsored by Representatives Pasch, Parisi, Sinicki, Benedict, Black, Pope–Roberts, Roys, Pocan, Hilgenberg, Berceau, Mason, Molepske Jr., Vruwink, Cullen, Hintz, Townsend, Toles and Ballweg.

To committee on **Public Health**.

**Senate Bill 36**

Relating to: motor vehicle operating privilege suspensions for controlled substance violations.

By Senators Taylor, Grothman, Lehman, Plale and Erpenbach; cosponsored by Representatives Grigsby, Kessler, Berceau, Colon, Fields, Mason, Roys, Sinicki, Toles, Turner, A. Williams, Young and A. Ott.

To committee on **Judiciary and Ethics**.

**Senate Bill 37**

Relating to: payment of judgments in traffic courts and municipal courts by installments and the suspension of operating privileges.

By Senators Taylor, Lehman and Plale; cosponsored by Representatives Grigsby, Kessler, Berceau, Colon, Fields, Mason, Roys, Sinicki, Toles, Turner, A. Williams, Young and A. Ott.

To committee on **Judiciary and Ethics**.

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Speaker Sheridan asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

11:52 A.M.

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**RECESS**

12:19 P.M.

The Assembly reconvened.

Representative Hixson in the chair.

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

A quorum was present.

Speaker Pro Tempore Staskunas in the chair.

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**CALENDAR OF TUESDAY, FEBRUARY 24**

**Assembly Joint Resolution 7**

Relating to: the life and public service of Judge Ted E. Wedemeyer, Jr.

The question was: Shall **Assembly Joint Resolution 7** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 7**. Granted.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 7** be immediately messaged to the Senate. Granted.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 18** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

**Assembly Joint Resolution 18**

Relating to: the life and public service of Rebecca Young.

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**SPECIAL GUEST**

Representative Berceau introduced the family of Rebecca Young, including her husband Crawford and her daughter Louise. Crawford Young addressed the members from the rostrum.

The question was: Shall **Assembly Joint Resolution 18** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 18**. Granted.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 18** be immediately messaged to the Senate. Granted.

**Assembly Joint Resolution 17**

Relating to: declaring March 10, 2009, Tibet Day.

The question was: Shall **Assembly Joint Resolution 17** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 17** be immediately messaged to the Senate. Granted.

**Assembly Joint Resolution 1**

Relating to: proclaiming Niagara Escarpment year and month.

The question was: Shall **Assembly Joint Resolution 1** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 1** be immediately messaged to the Senate. Granted.

**Senate Joint Resolution 4**

Relating to: recognizing February 2009 as American Heart Month and February 6, 2009, as Wear Red For Women Day.

The question was: Shall **Senate Joint Resolution 4** be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 4** be immediately messaged to the Senate. Granted.

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

The Assembly stood recessed.

1:01 P.M.

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**RECESS**

2:42 P.M.

The Assembly reconvened.

Speaker Pro Tempore Staskunas in the chair.

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

A quorum was present.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 5** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

**Assembly Joint Resolution 5**

Relating to: the life and public service of Jerome J. Kleczka.

The question was: Shall **Assembly Joint Resolution 5** be adopted?

Motion carried.

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

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 21** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

**Assembly Joint Resolution 21**

Relating to: celebrating March 1, 2009, as St. David's Day.

The question was: Shall **Assembly Joint Resolution 21** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 21** be immediately messaged to the Senate. 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 13**
- Senate Joint Resolution 14**
- Senate Joint Resolution 15**

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**ACTION ON THE SENATE MESSAGE**

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 13** be withdrawn from the Senate message and taken up at this time. Granted.

**Senate Joint Resolution 13**

Relating to: the Professional Ambulance Association of Wisconsin.

By Senators Wirch, Hansen, Schultz, Lehman, Cowles, Lazich, Darling, Harsdorf, Olsen, Erpenbach, Leibham, Vinehout, Taylor and Plale; cosponsored by Representatives Hraychuck, Lothian, Ballweg, Pasch, Barca, Shilling, Kerkman, M. Williams, Townsend, Brooks, Berceau, Petersen, Strachota, A. Ott, Bies, A. Williams, Steinbrink, Vos, Pope–Roberts and Molepske Jr..

The question was: Shall **Senate Joint Resolution 13** be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 13** be immediately messaged to the Senate. Granted.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 14** be withdrawn from the Senate message and taken up at this time. Granted.

**Senate Joint Resolution 14**

Relating to: declaring March 2009 American Red Cross Month.

By Senators Risser, Cowles, Kedzie, Lehman, Miller and Olsen; cosponsored by Representatives Ballweg, Benedict, Bies, Brooks, Hebl, Hintz, Kerkman, A. Ott, Pasch, Petrowski, Ripp, M. Williams, Zepnick and Pope–Roberts.

The question was: Shall **Senate Joint Resolution 14** be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 14** be immediately messaged to the Senate. Granted.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 15** be withdrawn from the Senate message and taken up at this time. Granted.

**Senate Joint Resolution 15**

Relating to: commending Archbishop Timothy Michael Dolan on his appointment as archbishop of New York.

By Senators Plale, Sullivan and Vinehout; cosponsored by Representatives Sinicki and Kleefisch.

The question was: Shall **Senate Joint Resolution 15** be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 15** be immediately messaged to the Senate. Granted.

**Assembly Bill 3**

Relating to: restrictions on the use and sale of fertilizer containing phosphorus and other turf fertilizer and providing a penalty.

Assembly amendment 3 to **Assembly Bill 3** offered by Representative Huebsch.

Representative Black asked unanimous consent that Assembly amendment 1 to **Assembly Bill 3** be placed after Assembly amendment 3 to **Assembly Bill 3**. Granted.

Representative Black moved that Assembly amendment 3 to **Assembly Bill 3** be laid on the table.

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

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Dexter, Fields, Garthwaite, Gottlieb, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kaufert, Kessler, Krusick, Mason, Meyer, Milroy, Molepske Jr., Mursau, Nelson, A. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Radcliffe, Richards, Ripp, Roys, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Staskunas, Steinbrink, Toles, Turner, Van Akkeren, Van Roy, A. Williams, Young, Zepnick, Ziegelbauer, Zigmunt and Speaker Sheridan – 62.

Noes – Representatives Davis, J. Fitzgerald, Gunderson, Gundrum, Honadel, Huebsch, Kerkman, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Montgomery, Murtha, Nass, Nerison, Nygren, J. Ott, Pridemore, Rhoades, Roth, Schneider, Spanbauer, Strachota, Suder, Tauchen, Townsend, Vos, Vruwink, Vukmir, M. Williams, Wood and Zipperer – 33.

Absent or not voting – Representatives Friske, Kestell, Newcomer and Stone – 4.

Motion carried.

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

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

Motion carried.

The question was: Shall **Assembly Bill 3** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 3** be given a third reading. Granted.

The question was: **Assembly Bill 3** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, J. Fitzgerald, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Knodl, Kramer, Krusick, LeMahieu, Lothian, Mason, Meyer, Milroy, Molepske Jr., Montgomery, Mursau, Murtha, Nass, Nelson, Nerison, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Radcliffe, Rhoades, Richards, Ripp, Roth, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, A. Williams, M. Williams, Wood,

Young, Zepnick, Ziegelbauer, Zigmunt, Zipperer and Speaker Sheridan – 96.

Noes – None.

Absent or not voting – Representatives Friske, Newcomer and Stone – 3.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 3** be immediately messaged to the Senate. Granted.

#### **Assembly Bill 4**

Relating to: catch and release bass and muskellunge fishing.

The question was: Shall **Assembly Bill 4** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 4** be given a third reading. Granted.

The question was: **Assembly Bill 4** having been read three times, shall the bill be passed?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 4** be immediately messaged to the Senate. 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 6**

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### **ACTION ON THE SENATE MESSAGE**

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 6** be withdrawn from the Senate message and taken up at this time. Granted.

#### **Senate Bill 6**

Relating to: designating a portion of the Brunswiler River as a wild river.

By Senators Jauch, Cowles, Erpenbach, Holperin, Lehman, Risser and Plale; cosponsored by Representatives Sherman, Berceau, Bies, Clark, Hebl, Milroy, Nelson, Pocan, Richards, Turner, Vruwink, Molepske Jr., Barca and Hubler.

The question was: Shall **Senate Bill 6** be ordered to a third reading?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 6** be given a third reading. Granted.

The question was: **Senate Bill 6** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, J. Fitzgerald, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Knodl, Krusick, LeMahieu, Lothian, Mason, Meyer, Milroy, Molepske Jr., Montgomery, Mursau, Murtha, Nass, Nelson, Nerison, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Radcliffe, Rhoades, Richards, Ripp, Roth, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vruwink, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt and Speaker Sheridan – 88.

Noes – Representatives Kleefisch, Kramer, Nygren, Pridemore, Suder, Vos, Vukmir and Zipperer – 8.

Absent or not voting – Representatives Friske, Newcomer and Stone – 3.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 6** be immediately messaged to the Senate. Granted.

### **Assembly Bill 7**

Relating to: designating a portion of the Brunsweler River as a wild river.

Representative Nelson asked unanimous consent that **Assembly Bill 7** be laid on the table. Granted.

### **Senate Bill 7**

Relating to: the filing of certain forms related to tax incremental financing district number ten in the city of Chippewa Falls.

The question was: Shall **Senate Bill 7** be ordered to a third reading?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 7** be given a third reading. Granted.

The question was: **Senate Bill 7** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, Fields, J. Fitzgerald, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Knodl, Kramer, Krusick, LeMahieu, Lothian, Mason, Meyer, Milroy, Molepske Jr., Montgomery, Mursau, Murtha, Nass, Nelson, Nerison, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Radcliffe, Rhoades, Richards, Ripp, Roth, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt, Zipperer and Speaker Sheridan – 96.

Noes – None.

Absent or not voting – Representatives Friske, Newcomer and Stone – 3.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 7** be immediately messaged to the Senate. Granted.

Representative Vukmir introduced a privileged resolution.

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## **INTRODUCTION AND REFERENCE OF PROPOSALS**

Read first time and referred:

### **Assembly Resolution 7**

Relating to: requiring a two-thirds majority vote in the assembly for passage, concurrence, and adoption of proposals that increase the rate of the state sales tax, increase any of the rates of the income tax or franchise tax, or increase a fee.

By Representatives Vukmir, Nygren, Kramer, Pridemore, Mursau, Strachota, Zipperer, J. Ott, LeMahieu and Vos.

To committee on **Assembly Organization**.

Representative Vukmir asked unanimous consent that the rules be suspended and that **Assembly Resolution 7** be withdrawn from the committee on **Assembly Organization** and taken up at this time.

Representative Nelson objected.

Representative Vukmir moved that the rules be suspended and that **Assembly Resolution 7** be withdrawn from the committee on **Assembly Organization** and taken up at this time.

The question was: Shall the rules be suspended and **Assembly Resolution 7** be withdrawn from the committee on **Assembly Organization** and taken up at this time?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Bies, Brooks, Davis, J. Fitzgerald, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kaufert, Kerkman, Kestell, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Meyer, Montgomery, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Ripp, Roth, Spanbauer, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, M. Williams and Zipperer – 43.

Noes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Black, Clark, Colon, Cullen, Danou, Dexter, Fields, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr., Nelson, Parisi, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Staskunas, Steinbrink, Toles, Turner, Van Akkeren, Vruwink, A. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt and Speaker Sheridan – 53.

Absent or not voting – Representatives Friske, Newcomer and Stone – 3.

Motion failed.

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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 17**

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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:

Former State Representative Dick Shoemaker, guest of Representative Schneider.

Claire Rydell, intern and guest of Representative Seidel.

Members of the Rock County Tavern League, guests of Representative Sheridan.

Tina Danforth from the Oneida Nation, guest of Representative Nelson.

Tom Hahn from Watertown, guest of Representative Kleefisch.

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## ANNOUNCEMENTS

Representative M. Williams asked unanimous consent that the Assembly adjourn in memory of Wanda Marie Jones Preisler–Nutting who passed away on February 21. Granted.

Representative Parisi asked unanimous consent that the Assembly adjourn in memory of Francis R. “Jack” Hebl from Sun Prairie, father of Representative Gary Hebl who passed away on January 31 at the age of 92. Granted.

Representative Sheridan asked unanimous consent that the Assembly adjourn in memory of Mark “Hammy” Hamilton from Janesville who passed away. Granted.

Representatives Kessler and Cullen asked unanimous consent that the Assembly adjourn in memory of former State Representative James McCann from Brookfield, who passed away on February 20 at the age of 84. Granted.

Representative Seidel asked unanimous consent that the Assembly adjourn in honor of Assembly Chief Clerk Patrick Fuller on the occasion of his 55th birthday today. Granted.

Representative Toles asked unanimous consent that the Assembly adjourn in honor of President Barak Obama in recognition of Black History Month. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in honor of the United States Marine Corps and Navy Corpsman John Bradley on the occasion of the 64th anniversary of the raising of the American flag on Iwo Jima in 1945. Granted.

Representative Milroy asked unanimous consent that the Assembly adjourn in honor of Superior Days, the first and longest citizen-led, grassroots-based advocacy day at the State Capitol. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of the Sun Prairie High School Co-Ed Cheer Team who took 2nd place at the National High School Cheerleading Championship on February 7th in Orlando, Florida. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of the Sun Prairie High School Dance Team who took 1st place in the Division 1 Funk category at the Wisconsin State Dance Championships on February 21st in LaCrosse. Granted.

Representative Hixson asked unanimous consent that the Assembly adjourn in honor of Connor Mulcahy, a student from Whitewater High School, who received a \$1000.00 grant at the 2008 Intel International Science and Engineering Fair for his research project on the fractal analysis of fetal heart rate tracings. Granted.

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## ADJOURNMENT

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

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

3:48 P.M.