



STATE OF WISCONSIN Assembly Journal

Ninety-Ninth Regular Session

11:13 A.M.

THURSDAY, April 23, 2009

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

Representative Zepnick in the chair.

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

A quorum was present.

Speaker Sheridan in the chair.

The prayer was offered by Father Lance Schneider of St. Dennis Catholic Church in Madison.

Representative Seidel 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 Ballweg, Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, J. Fitzgerald, Friske, 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, Newcomer, 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, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Roy, Vos, Vruwink, Vukmir, A. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt, Zipperer and Speaker Sheridan – 96.

Absent with leave – Representatives Fields, Van Akkeren and M. Williams – 3.

Vacancies – None.

LEAVES OF ABSENCE

Representative Barca asked unanimous consent for a leave of absence for today's session for Representatives Fields and Van Akkeren. Granted.

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 78** offered by Representative Kessler.

Assembly amendment 2 to **Assembly Bill 102** offered by committee on **Labor**.

Assembly amendment 1 to **Assembly Bill 176** offered by committee on **Children and Families**.

Assembly amendment 2 to **Assembly Bill 176** offered by committee on **Children and Families**.

Assembly amendment 3 to **Assembly Bill 176** offered by committee on **Children and Families**.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 09–012

Relating to a wear and fatigue monitoring system and a device that protects against suspension loss for electric traction elevators that use smaller sized wire ropes.

Submitted by Department of Commerce.

Report received from Agency, April 8, 2009.

To committee on **Consumer Protection**.

Referred on April 22, 2009.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 48

Relating to: Proclaiming May 2, 2009, as Pediatric Stroke Awareness Day.

By Representatives Knodl, Kerkman, Berceau, Pope–Roberts, Townsend and Spanbauer; cosponsored by Senators Darling, Taylor, Miller and Lehman.

To committee on **Rules**.

Assembly Joint Resolution 49

Relating to: the life and military service of United States Army Sergeant Steven J. Christofferson.

By Representative Sinicki; cosponsored by Senator Plale.
To committee on **Rules**.

Assembly Bill 223

Relating to: the right to a trial by jury for a juvenile for whom the petitioner has reserved the right to recommend placement in the Serious Juvenile Offender Program or in a juvenile correctional facility beyond the age of majority.

By Representatives Kessler, Roys, Pasch, Turner and Berceau; cosponsored by Senators Taylor and Lehman.

To committee on **Corrections and the Courts**.

Assembly Bill 224

Relating to: the reimbursement rate for private attorneys appointed by the State Public Defender.

By Representatives Kessler, A. Williams, Colon, Mason, Richards, Sinicki and Hebl.

To committee on **Judiciary and Ethics**.

Assembly Bill 225

Relating to: mandatory minimum sentences for certain child sex offenses.

By Representatives Honadel, Vos, Suder, Brooks, Gunderson, Kerkman, Kleefisch, Knodl, LeMahieu, Lothian, Murtha, Nass, Nygren, Petrowski, Spanbauer, Strachota and Townsend; cosponsored by Senators Plale, Darling, Hopper, Kreitlow, Leibham and Olsen.

To committee on **Corrections and the Courts**.

Assembly Bill 226

Relating to: increases in undergraduate resident tuition and nonallocable segregated fees at the University of Wisconsin System.

By Representatives Nass, Murtha, Kramer, Kerkman, Lothian, LeMahieu, Petrowski, Bies, Vukmir, Roth, Spanbauer, Vos, Knodl, Nerison, Townsend, Suder, Nygren and A. Ott; cosponsored by Senators Grothman, A. Lasee and Olsen.

To committee on **Colleges and Universities**.

Assembly Bill 227

Relating to: directing the Pharmacy Examining Board to create a program to monitor the dispensing of prescription drugs and requiring the exercise of rule-making authority.

By Representatives Sherman, Townsend, Benedict, Berceau and Hebl; cosponsored by Senators Jauch, Risser, Olsen, Darling, Carpenter and Taylor.

To committee on **Public Health**.

Assembly Bill 228

Relating to: awarding state procurements to certified disabled veteran-owned businesses, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority.

By Representatives Sherman, Turner, Hilgenberg, J. Ott, Petrowski, Berceau, Jorgensen, Pope-Roberts, Richards, Shilling and Smith; cosponsored by Senators Kreitlow, Lehman, Taylor and Vinehout.

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

Assembly Bill 229

Relating to: the sale of home-canned food.

By Representatives Sherman, Berceau, Turner, Milroy, Townsend, Mason, A. Ott, Jorgensen, Gunderson, Spanbauer, Ballweg and Petrowski; cosponsored by Senators Taylor, Lehman, Olsen, Holperin, Schultz, Lassa, Harsdorf and Plale.

To committee on **Agriculture**.

Assembly Bill 230

Relating to: electronic access by law enforcement agencies to photographs on motor vehicle operators licenses and identification cards.

By Representatives Hraychuck, Rhoades, Shilling, Montgomery, Brooks, Berceau, Van Akkeren, Danou, Gottlieb, LeMahieu, Townsend, Huebsch, Pridemore, Lothian, Gundrum, A. Ott, Jorgensen, Spanbauer, Steinbrink, Dexter, Kaufert, Murtha, Ripp and Bies; cosponsored by Senators Lehman, Olsen, Harsdorf, Leibham, Schultz, Darling and A. Lasee.

To committee on **Transportation**.

Assembly Bill 231

Relating to: the time within which a complaint may be filed or a civil action may be brought alleging a violation of the family and medical leave law and the procedures governing an appeal of a determination of the Department of Workforce Development under that law.

By Representatives Molepske Jr., Nass, Mason, Berceau, A. Ott, Parisi, A. Williams, Townsend and Lothian; cosponsored by Senators Lassa, Lehman and Taylor.

To committee on **Workforce Development**.

Assembly Bill 232

Relating to: duties upon striking a person or an attended or occupied vehicle and providing a penalty.

By Representatives Bies, Kaufert, Lothian, Mursau, Nass, Nerison, Petrowski, Spanbauer, Suder, Townsend and Zepnick; cosponsored by Senators A. Lasee, Lassa, Darling and Olsen.

To committee on **Criminal Justice**.

COMMITTEE REPORTS

The committee on **Children and Families** reports and recommends:

Assembly Bill 176

Relating to: requiring certain vehicles that transport children to and from a child care provider to have child safety alarms installed, granting rule-making authority, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, and providing a penalty.

Assembly Amendment 1 adoption:

Ayes: 7 – Representatives Grigsby, Seidel, Pope-Roberts, Berceau, Kestell, Pridemore and Spanbauer.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 7 – Representatives Grigsby, Seidel, Pope–Roberts, Berceau, Kestell, Pridemore and Spanbauer.
Noes: 0.

Assembly Amendment 3 adoption:

Ayes: 7 – Representatives Grigsby, Seidel, Pope–Roberts, Berceau, Kestell, Pridemore and Spanbauer.
Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Grigsby, Seidel, Pope–Roberts, Berceau, Kestell, Pridemore and Spanbauer.
Noes: 0.

To committee on **Rules**.

TAMARA GRIGSBY
Chairperson
Committee on Children and Families

The committee on **Criminal Justice** reports and recommends:

Assembly Bill 47

Relating to: prohibiting persons convicted of certain felonies from providing martial arts instruction to minors.

Passage:

Ayes: 9 – Representatives Turner, Kessler, Hraychuck, Pasch, Kleefisch, Friske, Kramer, Brooks and Ripp.
Noes: 0.

To committee on **Rules**.

ROBERT TURNER
Chairperson
Committee on Criminal Justice

The committee on **Judiciary and Ethics** reports and recommends:

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.

Assembly Amendment 2 adoption:

Ayes: 8 – Representatives Hebl, Kessler, Cullen, Richards, Gundrum, Kerkman, Kramer and Zipperer.
Noes: 2 – Representatives Colon and Turner.

Passage as amended:

Ayes: 9 – Representatives Hebl, Colon, Cullen, Richards, Turner, Gundrum, Kerkman, Kramer and Zipperer.
Noes: 1 – Representative Kessler.

To committee on **Rules**.

Assembly Bill 122

Relating to: appellate time limits and procedure.

Passage:

Ayes: 10 – Representatives Hebl, Colon, Kessler, Cullen, Richards, Turner, Gundrum, Kerkman, Kramer and Zipperer.
Noes: 0.

To committee on **Rules**.

Assembly Bill 123

Relating to: appellate procedure regarding commitments of persons found not guilty by reason of mental disease or defect and commitments of sexually violent persons.

Passage:

Ayes: 10 – Representatives Hebl, Colon, Kessler, Cullen, Richards, Turner, Gundrum, Kerkman, Kramer and Zipperer.
Noes: 0.

To committee on **Rules**.

Assembly Bill 124

Relating to: appellate procedure.

Passage:

Ayes: 10 – Representatives Hebl, Colon, Kessler, Cullen, Richards, Turner, Gundrum, Kerkman, Kramer and Zipperer.
Noes: 0.

To committee on **Rules**.

Assembly Bill 131

Relating to: pleading requirements for assignees of creditors under the Wisconsin Consumer Act.

Assembly Substitute Amendment 1 adoption:

Ayes: 6 – Representatives Hebl, Colon, Kessler, Cullen, Richards and Turner.
Noes: 4 – Representatives Gundrum, Kerkman, Kramer and Zipperer.

Passage as amended:

Ayes: 6 – Representatives Hebl, Colon, Kessler, Cullen, Richards and Turner.
Noes: 4 – Representatives Gundrum, Kerkman, Kramer and Zipperer.

To committee on **Rules**.

Assembly Bill 189

Relating to: increasing the amount of the homestead exemption.

Passage:

Ayes: 6 – Representatives Hebl, Colon, Kessler, Cullen, Richards and Turner.
Noes: 4 – Representatives Gundrum, Kerkman, Kramer and Zipperer.

To committee on **Rules**.

GARY HEBL
Chairperson
Committee on Judiciary and Ethics

The committee on **Labor** reports and recommends:

Assembly Bill 31

Relating to: authorizing the circuit court to order a person who engages in discrimination in employment to pay compensatory and punitive damages and a surcharge and making an appropriation.

Assembly Substitute Amendment 1 adoption:

Ayes: 5 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi and Toles.

Noes: 3 – Representatives Honadel, Nass and Knodl.

Passage as amended:

Ayes: 5 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi and Toles.

Noes: 3 – Representatives Honadel, Nass and Knodl.

To committee on **Rules**.

Assembly Bill 81

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

Passage:

Ayes: 8 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi, Toles, Honadel, Nass and Knodl.

Noes: 0.

To committee on **Rules**.

Assembly Bill 95

Relating to: preparation time as a mandatory subject of collective bargaining.

Passage:

Ayes: 5 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi and Toles.

Noes: 3 – Representatives Honadel, Nass and Knodl.

To committee on **Rules**.

Assembly Bill 102

Relating to: the licensing and regulation of thermal system insulation mechanics; creating a thermal system insulation council; requiring the employment of a state inspector; establishing standards for installing and maintaining thermal system insulation; requiring the exercise of rule-making authority; making an appropriation; and providing a penalty.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi, Toles, Honadel, Nass and Knodl.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 8 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi, Toles, Honadel, Nass and Knodl.

Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi and Toles.

Noes: 3 – Representatives Honadel, Nass and Knodl.

To committee on **Rules**.

Assembly Bill 105

Relating to: arbitration and fair-share agreements during collective bargaining negotiations under the Municipal Employment Relations Act.

Passage:

Ayes: 5 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi and Toles.

Noes: 3 – Representatives Honadel, Nass and Knodl.

To committee on **Rules**.

Assembly Bill 142

Relating to: requiring a license to engage in the practice of landscape architecture.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi, Toles, Honadel, Nass and Knodl.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 8 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi, Toles, Honadel, Nass and Knodl.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi, Toles, Honadel and Knodl.

Noes: 1 – Representative Nass.

To committee on **Rules**.

Assembly Bill 172

Relating to: requiring instruction in public schools on the history of organized labor in America and the collective bargaining process.

Passage:

Ayes: 5 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi and Toles.

Noes: 3 – Representatives Honadel, Nass and Knodl.

To committee on **Rules**.

Assembly Bill 194

Relating to: administration of certain public assistance programs in Milwaukee County, removing county civil service protections from certain employees, required provisions in certain collective bargaining agreements under the Municipal Employment Relations Act, and making an appropriation.

Passage:

Ayes: 5 – Representatives Sinicki, Van Akkeren, Jorgensen, Parisi and Toles.

Noes: 3 – Representatives Honadel, Nass and Knodl.

To committee on **Rules**.

CHRISTINE SINICKI
Chairperson
Committee on Labor

The committee on **Ways and Means** reports and recommends:

Assembly Bill 68

Relating to: the distribution of the first dollar property tax credit.

Passage:

Ayes: 10 – Representatives Ziegelbauer, Hebl, Steinbrink, Zepnick, Toles, Wood, Kerkman, Nass, Lothian and Knodl.
Noes: 0.

To committee on **Rules**.

BOB ZIEGELBAUER
Chairperson
Committee on Ways and Means

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 12**
- Assembly amendment 1 to **Senate Bill 37**
- Assembly Bill 43**
- Assembly Joint Resolution 28**
- Assembly Joint Resolution 34**
- Assembly Joint Resolution 35**

Adopted and asks concurrence in:

- Senate Joint Resolution 24**
- Senate Joint Resolution 25**
- Senate Joint Resolution 28**

Passed and asks concurrence in:

- Senate Bill 49**
 - Senate Bill 51**
 - Senate Bill 94**
-

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 24

Relating to: proclaiming May as American Stroke Month.

By Senators Taylor, Darling, Schultz, Erpenbach, Lehman, Risser, Olsen and Plale; cosponsored by Representatives Benedict, Hebl, Townsend, Steinbrink, Berceau, Bies, Spanbauer, A. Williams, Staskunas, Turner, Pope–Roberts, Hintz, Strachota, Seidel, Grigsby, Pasch and Jorgensen.

To committee on **Rules**.

Senate Joint Resolution 25

Relating to: the commemoration of The Progressive magazine's 100th anniversary.

By Senators Risser, Taylor, Lehman, Plale and Miller; cosponsored by Representatives Pocan, Black, Sinicki,

Young, Berceau, Seidel, Jorgensen, Pope–Roberts, Roys, Vruwink and Molepske Jr..

To committee on **Rules**.

Senate Joint Resolution 28

Relating to: proclaiming April 22, 2009, as Undergraduate Research Day and commending University of Wisconsin System students, faculty, and staff.

By Senators Kapanke, Cowles, Erpenbach, Hansen, Lassa, Lehman, Miller, Olsen, Risser, Taylor, Vinehout and Wirsch; cosponsored by Representatives Shilling, Berceau, Bies, Dexter, Gunderson, Hebl, Hintz, Hixson, Hraychuck, Huebsch, Mason, Pasch, Petrowski, Pope–Roberts, Seidel, Smith, Soletski, Townsend and Turner.

To committee on **Rules**.

Senate Bill 49

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

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

To committee on **Rules**.

Senate Bill 51

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

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

To committee on **Rules**.

Senate Bill 94

Relating to: the licensing and regulation of thermal system insulation mechanics; creating a thermal system insulation council; requiring the employment of a state inspector; establishing standards for installing and maintaining thermal system insulation; requiring the exercise of rule-making authority; making an appropriation; and providing a penalty.

By Senators Coggs, Wirsch, Lehman, Hansen, Carpenter, Plale, Lassa, Darling, Olsen and Erpenbach; cosponsored by Representatives Sinicki, Berceau, Newcomer, Grigsby, Mason, Richards, Turner, Pasch, Fields, Parisi, A. Williams, Benedict, A. Ott and Van Roy.

To committee on **Rules**.

COMMUNICATIONS

April 21, 2009

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53703

Dear Chief Clerk Fuller:

Please remove my name as a co-author of Assembly Bill 178.

If you have any questions about this request do not hesitate to contact my office at 266-0610. Thank you.

Sincerely,
MARK HONADEL
State Representative
21st Assembly District

CALENDAR OF THURSDAY, APRIL 23

Assembly Joint Resolution 47

Relating to: the life and public service of John L. Merkt.

SPECIAL GUESTS

Speaker Sheridan introduced the wife of John L. Merkt, Nancy Merkt, who was escorted to the rostrum by Justice David T. Prosser, Jr.

The question was: Shall **Assembly Joint Resolution 47** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 47** be immediately messaged to the Senate. Granted.

Assembly Joint Resolution 42

Relating to: recognizing April 8 as Wellness Day in Wisconsin.

The question was: Shall **Assembly Joint Resolution 42** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 42** be immediately messaged to the Senate. Granted.

Assembly Joint Resolution 43

Relating to: proclaiming April 22, 2009, as Undergraduate Research Day and commending University of Wisconsin System students, faculty, and staff.

The question was: Shall **Assembly Joint Resolution 43** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 43** be immediately messaged to the Senate. Granted.

Assembly Joint Resolution 44

Relating to: declaring May 3 to May 9, 2009, to be Vasculitis Awareness Week.

The question was: Shall **Assembly Joint Resolution 44** be adopted?

Motion carried.

Representative A. Williams asked unanimous consent to be made a coauthor of **Assembly Joint Resolution 44**. Granted.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 44** be immediately messaged to the Senate. Granted.

Assembly Joint Resolution 46

Relating to: declaring May 2009 as Drug Court Month.

The question was: Shall **Assembly Joint Resolution 46** be adopted?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 46** be immediately messaged to the Senate. Granted.

Speaker Pro Tempore Staskunas in the chair.

Assembly Bill 16

Relating to: requiring health insurance coverage of hearing aids and cochlear implants for persons under 18 years of age.

Representative Nelson asked unanimous consent that **Assembly Bill 16** be placed at the foot of today's calendar. Granted.

Assembly Bill 18

Relating to: the income and franchise tax credit that supplements the federal historic rehabilitation tax credit.

The question was: Shall Assembly amendment 1 to **Assembly Bill 18** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to **Assembly Bill 18** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 18** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 18** be given a third reading. Granted.

The question was: **Assembly Bill 18** 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 18** be immediately messaged to the Senate. Granted.

Assembly Bill 27

Relating to: the definition of sexual intercourse for the crime of incest.

Representative Cullen asked unanimous consent that **Assembly Bill 27** be placed after **Assembly Bill 103** on today's calendar. Granted.

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

Senate Joint Resolution 31

ACTION ON THE SENATE

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 31** be withdrawn from the Senate message and taken up at this time. Granted.

Senate Joint Resolution 31

Relating to: the life and public service of Marjorie Midge Cavins Leeper Miller.

By Senators Risser and Miller; cosponsored by Representatives Black, Pocan and Berceau.

SPECIAL GUESTS

Representative Black introduced Jo Miller, the wife of Senator Mark Miller and Cedar Moss, the sister of Senator Mark Miller, who joined him at the rostrum. Jo Miller addressed the Assembly from the rostrum.

The question was: Shall **Senate Joint Resolution 31** be concurred in?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 31** be immediately messaged to the Senate. Granted.

Assembly Bill 100

Relating to: preexisting condition exclusions, modifications at renewal, and establishing a standard application for individual health benefit plans and granting rule-making authority.

Representative Young asked unanimous consent to be made a coauthor of **Assembly Bill 100**. Granted.

The question was: Shall Assembly amendment 1 to **Assembly Bill 100** be adopted?

Motion carried.

Assembly amendment 7 to **Assembly Bill 100** offered by Representative Nygren.

Representative Richards moved rejection of Assembly amendment 7 to **Assembly Bill 100**.

The question was: Shall Assembly amendment 7 to **Assembly Bill 100** be rejected?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Black, Clark, Colon, Cullen, Danou, Dexter, 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, Vruwink, A. Williams, Wood, Young, Zepnick, Zigmunt and Speaker Sheridan – 50.

Noes – Representatives Ballweg, Bies, Brooks, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kaufert, Kerkman, Kestell, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Meyer, Montgomery, Mursau, Murtha, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Ripp, Roth, Spanbauer, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, Ziegelbauer and Zipperer – 46.

Absent or not voting – Representatives Fields, Van Akkeren and M. Williams – 3.

Motion carried.

Assembly amendment 8 to **Assembly Bill 100** offered by Representative Nygren.

Representative Nelson moved that Assembly amendment 8 to **Assembly Bill 100** be laid on the table.

The question was: Shall Assembly amendment 8 to **Assembly Bill 100** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Black, Clark, Colon, Cullen, Danou, Dexter, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kaufert, 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, Vruwink, A. Williams, Wood, Young, Zepnick, Zigmunt and Speaker Sheridan – 51.

Noes – Representatives Ballweg, Bies, Brooks, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kerkman, Kestell, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Meyer, Montgomery, Mursau, Murtha, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Ripp, Roth, Spanbauer, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, Ziegelbauer and Zipperer – 45.

Absent or not voting – Representatives Fields, Van Akkeren and M. Williams – 3.

Motion carried.

The question was: Shall **Assembly Bill 100** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 100** be given a third reading.

Representative Nygren objected.

Representative Kaufert asked unanimous consent that the Assembly stand informal. Granted.

The Assembly stood informal.

12:45 P.M.

INFORMAL

12:57 P.M.

The Assembly reconvened.

Speaker Pro Tempore Staskunas in the chair.

Assembly Bill 103

Relating to: authorizing temporary permits to practice dentistry or dental hygiene without compensation.

Representatives Nerison, A. Ott and Spanbauer asked unanimous consent to be made coauthors of **Assembly Bill 103**. Granted.

The question was: Shall **Assembly Bill 103** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 103** be given a third reading. Granted.

The question was: **Assembly Bill 103** 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 103** be immediately messaged to the Senate. Granted.

Assembly Bill 27

Relating to: the definition of sexual intercourse for the crime of incest.

Representative Nelson asked unanimous consent that **Assembly Bill 27** be placed at the foot of today's calendar. Granted.

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

Senate Bill 27

ACTION ON THE SENATE

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 27** be withdrawn from the Senate message and taken up at this time. Granted.

Senate Bill 27

Relating to: requiring health insurance coverage of hearing aids and cochlear implants for persons under 18 years of age.

By Senators Lassa, Hansen, Lehman, Risser, Taylor, Erpenbach, Vinehout, Darling, S. Fitzgerald, Coggs and Kapanke; cosponsored by Representatives Cullen, Bernard Schaber, Schneider, Sheridan, Berceau, Hilgenberg, Hraychuck, Vruwink, Mason, Black, Pasch, Sherman, Pocan, Jorgensen, Sinicki, Stone, Krusick, Smith, Seidel, Montgomery, Parisi, Turner, Grigsby, Richards, Zigmunt, A. Williams, Soletski, Hixson and Dexter.

Representative Young asked unanimous consent to be added as a cosponsor of **Senate Bill 27**. Granted.

Assembly amendment 1 to **Senate Bill 27** offered by Representative Ziegelbauer.

Representative Schneider moved rejection of Assembly amendment 1 to **Senate Bill 27**.

The question was: Shall Assembly amendment 1 to **Senate Bill 27** be rejected?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Black, Clark, Colon, Danou, Davis, Dexter, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kaufert, Kessler, Kramer, LeMahieu, Mason, Meyer, Milroy, Molepske Jr., Nelson, Parisi, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ripp, Roys, Schneider, Seidel, Shilling, Sinicki, Smith, Soletski, Steinbrink, Tauchen, Toles, Turner, Vruwink, Vukmir, A. Williams, Young, Zepnick, Zigmunt and Speaker Sheridan – 53.

Noes – Representatives Ballweg, Bies, Cullen, J. Fitzgerald, Friske, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kerkman, Kestell, Kleefisch, Knodl, Krusick, Montgomery, Mursau, Murtha, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Roth, Sherman, Spanbauer, Staskunas, Stone, Strachota, Suder, Townsend, Van Roy, Vos, Wood, Ziegelbauer and Zipperer – 41.

Absent or not voting – Representatives Brooks, Fields, Lothian, Van Akkeren and M. Williams – 5.

Motion carried.

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

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

Assembly amendment 2 to **Senate Bill 27** offered by Representative Nygren.

Representative Nelson moved that Assembly amendment 2 to **Senate Bill 27** be laid on the table.

The question was: Shall Assembly amendment 2 to **Senate Bill 27** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Black, Clark, Colon, Cullen, Danou, Dexter, Garthwaite, Grigsby, Hebl, Hilgenberg, Hintz, Hixson, Hraychuck, Hubler, Jorgensen, Kaufert, 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, Vruwink, A. Williams, Young, Zepnick, Zigmunt and Speaker Sheridan – 50.

Noes – Representatives Ballweg, Bies, Brooks, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kerkman, Kestell, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Meyer, Montgomery, Mursau, Murtha, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Ripp, Roth, Spanbauer, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir, Wood, Ziegelbauer and Zipperer – 46.

Absent or not voting – Representatives Fields, Van Akkeren and M. Williams – 3.

Motion carried.

Assembly amendment 3 to **Senate Bill 27** offered by Representative Nygren.

Representative Nelson moved that Assembly amendment 3 to **Senate Bill 27** be laid on the table.

The question was: Shall Assembly amendment 3 to **Senate Bill 27** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Black, Clark, Colon, Cullen, Danou, Dexter, 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, Vruwink, A. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt and Speaker Sheridan – 51.

Noes – Representatives Ballweg, Bies, Brooks, Davis, J. Fitzgerald, Friske, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Kaufert, Kerkman, Kestell, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Meyer, Montgomery, Mursau, Murtha, Nass, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Pridemore, Rhoades, Ripp, Roth, Spanbauer, Stone, Strachota, Suder, Tauchen, Townsend, Van Roy, Vos, Vukmir and Zipperer – 45.

Absent or not voting – Representatives Fields, Van Akkeren and M. Williams – 3.

Motion carried.

The question was: Shall **Senate Bill 27** be ordered to a third reading?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 27** be given a third reading. Granted.

The question was: **Senate Bill 27** 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, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gunderson, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Krusick, Mason, Meyer, Milroy, Molepske Jr., Montgomery, Murtha, Nass, Nelson, Nerison, A. Ott, J. Ott, Parisi, Pasch, Petrowski, Pocan, Pope–Roberts, Radcliffe, Rhoades, Richards, Ripp, Roth, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Stone, Suder, Toles, Townsend, Turner, Van Roy, Vruwink, A. Williams, Wood, Young, Zepnick, Ziegelbauer, Zigmunt and Speaker Sheridan – 80.

Noes – Representatives Gundrum, Kleefisch, Knodl, Kramer, LeMahieu, Lothian, Mursau, Newcomer, Nygren, Petersen, Pridemore, Strachota, Tauchen, Vos, Vukmir and Zipperer – 16.

Absent or not voting – Representatives Fields, Van Akkeren and M. Williams – 3.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Senate Bill 27** be immediately messaged to the Senate. Granted.

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

Assembly Bill 16

Relating to: requiring health insurance coverage of hearing aids and cochlear implants for persons under 18 years of age.

Representative Young asked unanimous consent to be made a coauthor of **Assembly Bill 16**. Granted.

Assembly amendment 4 to Assembly substitute amendment 1 to **Assembly Bill 16** offered by Representative Nygren.

Assembly amendment 5 to Assembly substitute amendment 1 to **Assembly Bill 16** offered by Representative Ziegelbauer.

Assembly amendment 6 to Assembly substitute amendment 1 to **Assembly Bill 16** offered by Representatives Vukmir, Kramer and Nygren.

Representative Nelson asked unanimous consent that **Assembly Bill 16** be laid on the table. Granted.

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

The Assembly stood recessed.

1:42 P.M.

RECESS

2:30 P.M.

The Assembly reconvened.

Speaker Pro Tempore Staskunas in the chair.

Assembly Bill 27

Relating to: the definition of sexual intercourse for the crime of incest.

CALL OF THE ASSEMBLY

Representative Kessler requested a call of the Assembly. There were sufficient seconds.

The Sergeant-at-Arms was directed to close the doors and the Chief Clerk to call the roll.

The Chief Clerk reported that all members of the Assembly were present. Under Assembly Rule 87, the Call of the Assembly was lifted.

Speaker Pro Tempore Staskunas in the chair.

Representative Kessler moved that **Assembly Bill 27** be referred to the committee on **Judiciary and Ethics**.

The question was: Shall **Assembly Bill 27** be referred to the committee on **Judiciary and Ethics**?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Friske, Huebsch, Kessler, Knodl, Kramer, LeMahieu, Murtha, Nass,

Newcomer, A. Ott, Pridemore, Rhoades, Roth, Suder, Vos, Vukmir and Young – 18.

Noes – Representatives Barca, Benedict, Berceau, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, J. Fitzgerald, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Jorgensen, Kaufert, Kerkman, Kestell, Kleefisch, Krusick, Lothian, Mason, Meyer, Milroy, Molepske Jr., Montgomery, Mursau, Nelson, Nerison, Nygren, J. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Radcliffe, Richards, Ripp, Roys, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Stone, Strachota, Tauchen, Toles, Townsend, Turner, Van Roy, Vruwink, A. Williams, Wood, Zepnick, Ziegelbauer, Zigmunt, Zipperer and Speaker Sheridan – 78.

Absent or not voting – Representatives Fields, Van Akkeren and M. Williams – 3.

Motion failed.

The question was: Shall **Assembly Bill 27** be ordered engrossed and read a third time?

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 27** be given a third reading. Granted.

The question was: **Assembly Bill 27** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Benedict, Bernard Schaber, Bies, Black, Brooks, Clark, Colon, Cullen, Danou, Davis, Dexter, J. Fitzgerald, Garthwaite, Gottlieb, Grigsby, Gunderson, Gundrum, Hebl, Hilgenberg, Hintz, Hixson, Honadel, Hraychuck, Hubler, Huebsch, Jorgensen, Kaufert, Kerkman, Kestell, Kleefisch, Knodl, Krusick, LeMahieu, Lothian, Mason, Meyer, Milroy, Molepske Jr., Montgomery, Mursau, Murtha, Nass, Nelson, Nerison, Newcomer, Nygren, J. Ott, Parisi, Pasch, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Radcliffe, Richards, Ripp, Roth, Schneider, Seidel, Sherman, Shilling, Sinicki, Smith, Soletski, Spanbauer, Staskunas, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Turner, Van Roy, Vos, Vruwink, Vukmir, A. Williams, Zepnick, Ziegelbauer, Zigmunt, Zipperer and Speaker Sheridan – 86.

Noes – Representatives Ballweg, Berceau, Friske, Kessler, Kramer, A. Ott, Rhoades, Roys, Wood and Young – 10.

Absent or not voting – Representatives Fields, Van Akkeren and M. Williams – 3.

Motion carried.

Representative Nelson asked unanimous consent that the rules be suspended and that **Assembly Bill 27** be immediately messaged to the Senate. 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:

Elliot Klar from Juda, guest of Representative Davis.

Ryan Huebsch from West Salem, son and guest of Representative Huebsch.

Quincy Giese from West Salem, guest of Representative Huebsch.

Julie Spangler, guest of Representative Sheridan.

Allyn Derbin, Senate Scholar Program participant, guest of Representative Kerkman.

Gretta Neubauer, Senate Scholar Program participant, guest of Representative Turner.

David Bacsik, Senate Scholar Program participant, guest of Representative Jorgensen.

Jake Tsacudakis, a student from Ripon High School and Senate Scholar Program participant, guest of Representative Ballweg.

4th Grade Students from the Cedar Grove–Belgium School District, guests of Representative LeMahieu.

Seth DeHaai from the Cedar Grove–Belgium School District, guest of Representative LeMahieu.

4th Grade Students from St. Mary's School in Lake Church, guests of Representative LeMahieu.

Boy Scout Troop 640 from the Town of Middleton, guests of Representative Pope–Roberts.

Leigh Kastenson from Sturgeon Bay, guest of Representative Bies.

Kevin Heffernan, a student at the University of Wisconsin–Madison, intern and guest of Representative Hixson.

Students and faculty from the Wisconsin Indianhead Technical College, guests of Representative Sherman.

Brittany Deneusek, a freshman at the University of Wisconsin–Madison, guest and intern of Representative Montgomery.

ANNOUNCEMENTS

Representative Ripp asked unanimous consent that the Assembly adjourn in honor of the Lodi Middle School 7th Grade Boys Basketball Team, on the occasion of their first place finish. Granted.

Representative Hixson asked unanimous consent that the Assembly adjourn in honor of the employees of the Janesville

GM Plant for their years of service in building quality cars and trucks for our state and our nation. Granted.

Representative Hixson asked unanimous consent that the Assembly adjourn in honor of Mary Beth Mackin, who was named the top student in the judicial affairs officer in the nation. Ms. Mackin received the Donald D. Gehring Award from the Association for Student Judicial Affairs at its annual conference recently. Granted.

Representative Zigmunt asked unanimous consent that the Assembly adjourn in honor of Kevin Crawford, who served as mayor of Manitowoc for twenty years. Granted.

Representative Zigmunt asked unanimous consent that the Assembly adjourn in honor of Justin Nickles, the new mayor of Manitowoc at the age of 22. Granted.

Representative Strachota asked unanimous consent that the Assembly adjourn in honor of her daughter, Elizabeth Strachota, on the occasion of her marriage to Peter Benz on April 18. Granted.

Representative Kaufert asked unanimous consent that the Assembly adjourn in honor of his wife Renee Kaufert and Kathy Jankowski, on the occasion of finishing the Boston Marathon in 4:47 on April 20. Granted.

Representatives Montgomery and Nygren asked unanimous consent that the Assembly adjourn in honor of John Gard, on the occasion of finishing the Boston Marathon in 3:13 on April 20. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Tom and BettyGene Diener from Sun Prairie, recent recipients of the Book of Golden Deeds Award. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Jill Steffes, on the occasion of her retirement after 20 years as the Sun Prairie High School Softball Coach. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Kris Saeger, a freshman wrestler from Stoughton High School who has been accepted into the People to People Sports Ambassador program. Granted.

ADJOURNMENT

Representative Nelson moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, April 28.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

4:04 P.M.