



STATE OF WISCONSIN

Assembly Journal

One-Hundredth Regular Session

11:06 A.M.

TUESDAY, May 17, 2011

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

Speaker Fitzgerald in the chair.

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

A quorum was present.

The prayer was offered by Pastor Randy Raasch from the First Emmanuel Church in Cedarburg.

Representative Pocan led the membership in reciting the pledge of allegiance to the flag of the United States of America.

CERTIFICATE OF ELECTION

I, Kevin J. Kennedy, Director and General Counsel of the Government Accountability Board of the State of Wisconsin, certify that

Dave Craig

was elected to the office of

REPRESENTATIVE TO THE ASSEMBLY

from the Eighty-third Assembly District of the State of Wisconsin, for the unexpired term of two years, commencing on January 3, 2011, and ending January 7, 2013, to fill the vacancy created by the resignation of Scott L. Gunderson, as shown on the official canvass of the votes cast at the Special Election held on May 3, 2011.

Done in the City of Madison, this
12th day of May, 2011.

Sincerely,
KEVIN J. KENNEDY
Director and General Counsel
Government Accountability Board

CERTIFICATE OF ELECTION

I, Kevin J. Kennedy, Director and General Counsel of the Government Accountability Board of the State of Wisconsin, certify that

Steve Doyle

was elected to the office of

REPRESENTATIVE TO THE ASSEMBLY

from the Ninety-fourth Assembly District of the State of Wisconsin, for the unexpired term of two years, commencing on January 3, 2011, and ending January 7, 2013, to fill the vacancy created by the resignation of Michael D. Huebsch, as shown on the official canvass of the votes cast at the Special Election held on May 3, 2011.

Done in the City of Madison, this
12th day of May, 2011.

Sincerely,
KEVIN J. KENNEDY
Director and General Counsel
Government Accountability Board

CERTIFICATE OF ELECTION

I, Kevin J. Kennedy, Director and General Counsel of the Government Accountability Board of the State of Wisconsin, certify that

Duey Stroebel

was elected to the office of

REPRESENTATIVE TO THE ASSEMBLY

from the Sixtieth Assembly District of the State of Wisconsin, for the unexpired term of two years, commencing on January 3, 2011, and ending January 7, 2013, to fill the vacancy created by the resignation of Mark Gottlieb, as shown on the official canvass of the votes cast at the Special Election held on May 3, 2011.

Done in the City of Madison, this
12th day of May, 2011.

Sincerely,
KEVIN J. KENNEDY
Director and General Counsel
Government Accountability Board

OATH OF OFFICE

Pursuant to Article IV, Section 28 of the Wisconsin Constitution, the Honorable Justice David Prosser, Jr. of the

Wisconsin Supreme Court administered the oath of office to the newly elected members.

The Bible being used today was used to swear in Henry Dodge as Governor of the Wisconsin Territory at Mineral Point, Wisconsin Territory in 1836. Henry Dodge served as the first Governor of the Wisconsin Territory. Like all executives of territorial government, Dodge was appointed by the President. Wisconsin did not have an elected governor until it became a state in 1848.

The roll was taken.

The result follows:

Present – Representatives August, Ballweg, Barca, Berceau, Bernard Schaber, Bernier, Bewley, Brooks, Clark, E. Coggs, Craig, D. Cullen, Danou, Doyle, Endsley, Farrow, Grigsby, Hebl, Hintz, Honadel, Hulsey, Jacque, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Mason, Meyer, Milroy, Molepske Jr, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Pasch, Petersen, Petrowski, Petryk, Pocan, Pope–Roberts, Pridemore, Radcliffe, Richards, Ringhand, Ripp, Rivard, Roys, Seidel, Severson, Shilling, Sinicki, Spanbauer, Staskunas, Steinbrink, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Toles, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Zamarripa, Zepnick, Ziegelbauer and Speaker Fitzgerald – 95.

Absent with leave – Representatives Bies, Fields and Kapenga – 3.

Vacancies – 48th Assembly District – 1.

LEAVES OF ABSENCE

Representative Ballweg asked unanimous consent for a leave of absence for today's session for Representatives Bies and Kapenga. Granted.

Representative Roys asked unanimous consent for a leave of absence for today's session for Representative Fields. Granted.

LEAVES OF ABSENCE

Representative Ballweg asked unanimous consent for a leave of absence for part of today's session for Representatives Severson and Tranel. Granted.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Joint Resolution 34** offered by Representative Sinicki.

Assembly substitute amendment 2 to **Assembly Joint Resolution 34** offered by Representative Sinicki.

Assembly amendment 1 to **Assembly Bill 114** offered by Representative Hulsey.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 40

Relating to: proclaiming May 2011 as Mental Health Awareness Month.

By Representatives Pasch, Shilling, Grigsby, Spanbauer, Hebl, Roys, Kaufert, Molepske Jr, Bernard Schaber, Bewley, Mason, Zepnick, Young, Milroy, D. Cullen, Berceau, A. Ott, Vruwink, Bernier, E. Coggs, Clark, Fields and Hintz; cosponsored by Senators Hansen, Erpenbach, S. Coggs, Vinehout, Lassa, Wirch, C. Larson, Darling, Galloway, Olsen, Schultz and Taylor.

To committee on **Rules**.

Assembly Joint Resolution 41

Relating to: different property tax levy rates for parts of cities, villages, towns, counties, and school districts added by attachments to school districts, consolidations, and boundary changes under cooperative agreements (first consideration).

By Joint Legislative Council.

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

Assembly Bill 131

Relating to: the use of cellular telephones and other devices while operating certain motor vehicles transporting children and providing a penalty.

By Representatives Kerkman, Ballweg, Barca, Berceau, Bies, Brooks, Endsley, Hebl, Mursau, A. Ott, Pasch, Petryk, Ripp, Spanbauer and Zepnick; cosponsored by Senators Wanggaard, Carpenter, Hansen, Lassa and Taylor.

To committee on **Transportation**.

Assembly Bill 132

Relating to: motor vehicle dealers.

By Representatives Ballweg, Barca, Bernier, Brooks, Clark, Endsley, Kestell, Klenke, T. Larson, Mason, Mursau, A. Ott, Petersen, Petryk, Ripp, Seidel, Spanbauer, Steinbrink, Vruwink, Weininger, Williams and Zepnick; cosponsored by Senators Leibham, Carpenter, Cowles, T. Cullen, Erpenbach, Hansen, Holperin, Kapanke, Lasee, Olsen, Schultz, Wanggaard and Wirch.

To committee on **Transportation**.

Assembly Bill 133

Relating to: remission of fees for veterans and their dependents enrolled in the University of Wisconsin System or in a technical college and making an appropriation.

By Representatives Ringhand, Barca, Grigsby, Berceau, Fields, Vruwink, Clark, Mason, Sinicki, Turner and Bernard Schaber; cosponsored by Senators Lassa, Hansen, Holperin, Vinehout, T. Cullen, Jauch, S. Coggs and Taylor.

To committee on **Colleges and Universities**.

Assembly Bill 134

Relating to: termination of maintenance upon the payee's or payer's death and notices relating to maintenance.

By Joint Legislative Council.

To committee on **Children and Families**.

Assembly Bill 135

Relating to: the interest rate on delinquent property taxes.

By Representatives Wynn, Ziegelbauer, Bies, Bernier, Thiesfeldt, Nass and Knilans.

To committee on **Ways and Means**.

Assembly Bill 136

Relating to: mandatory minimum sentences and extended supervision eligibility for persons who commit certain crimes against children and providing penalties.

By Representatives Mason, Turner and Fields.

To committee on **Criminal Justice and Corrections**.

Assembly Bill 137

Relating to: residential mortgage loan foreclosures.

By Representatives Clark, Bewley, Young, Spanbauer, Berceau, Milroy, Hebl and Sinicki; cosponsored by Senators Holperin, Hansen, Lassa and S. Coggs.

To committee on **Financial Institutions**.

Assembly Bill 138

Relating to: county and municipal expenditures for emergency services.

By Joint Legislative Council.

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

Assembly Bill 139

Relating to: loans to study or implement the consolidation, or cooperation for the provision, of local governmental unit services or the consolidation of local governmental units and granting rule-making authority.

By Joint Legislative Council.

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

Assembly Bill 140

Relating to: exceptions to county and municipal levy limits and school district revenue limits for expenditures related to the implementation of service consolidation or cooperation, or to the implementation of political subdivision or school district consolidation.

By Joint Legislative Council.

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

Assembly Bill 141

Relating to: the Minnesota-Wisconsin student reciprocity agreement, the Wisconsin higher education grant program, and making an appropriation.

By Joint Legislative Council.

To committee on **Colleges and Universities**.

Assembly Bill 142

Relating to: enrollment requirements for recipients of talent incentive grants.

By Joint Legislative Council.

To committee on **Education**.

Assembly Bill 143

Relating to: the Wisconsin higher education grant program, tuition grant program, Lawton minority undergraduate grant program, minority undergraduate retention grant program, and making appropriations.

By Joint Legislative Council.

To committee on **Colleges and Universities**.

Assembly Bill 144

Relating to: creating a commission on financial aid consolidation and modernization.

By Joint Legislative Council.

To committee on **Colleges and Universities**.

REFERENCE BUREAU CORRECTIONS

Assembly Bill 86

1. Page 33, line 25: delete "ss." and substitute "sections".
2. Page 33, line 25: before "does" insert "of the statutes".

Senate Bill 57

1. Page 33, line 25: delete "ss." and substitute "sections".
2. Page 33, line 25: before "does" insert "of the statutes".

COMMUNICATIONS

May 16, 2011

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

Dear Chief Clerk Fuller:

As a member of the Assembly Committee on Homeland Security and State Affairs, I am writing to inform you of my position on Assembly Bill 113 (AB 113) as it relates to changing the boundaries of Marquette County and Green Lake County.

On Wednesday, May 11, 2011 the Assembly Committee on Homeland Security and State Affairs met in executive session to take action on AB 113. Due to a previously scheduled conflict, I was unable to make the meeting on time. Thus, I write this letter to inform you that I would have voted with the rest of the committee in favor of AB 113.

Thank you for your time and attention in this matter.

Sincerely,
JOCASTA ZAMARRIPA
State Representative
8th Assembly District

May 17, 2011

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

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 130.

Sincerely,
CHRIS KAPENGA
State Representative
33rd Assembly District

May 16, 2011

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

Dear Chief Clerk Fuller:

I write to request that my name be added as a co-author of Assembly Bill 130, relating to granting high school credit for extracurricular sports; services provided by a special education program; transportation aid paid to school districts; the use of moneys received by a school district from the common school fund; using the results of standardized examinations to evaluate, discharge, suspend, or discipline a teacher or for the nonrenewal of a teacher's contract; the number of teaching days scheduled in the Milwaukee Public Schools; permitting a school district to limit the grades in which to reduce class size under the Student Achievement Guarantee in Education Program; permitting a school board to deny enrollment to a pupil who has been expelled from an out-of-state school or from an independent charter school in this state and permitting an independent charter school to expel a pupil; use of law enforcement records to take disciplinary action against a pupil under a school district's athletic code; and changing the date by which a school district must certify the amount of its property tax levy.

Please contact me with any questions.

Sincerely,
MIKE ENDSLEY
State Representative
26th Assembly District

May 17, 2011

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

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 132, relating to motor vehicle dealers.

Sincerely,
JOHN MURTHA
State Representative
29th Assembly District

CALENDAR OF TUESDAY, MAY 17

Assembly Joint Resolution 1

Relating to: honoring the life and achievements of Hank Raymonds.

SPECIAL GUEST

Representative D. Cullen introduced the family of Hank Raymonds, including his widow Mary Virginia (Jinny) Raymonds, and four of his five children, Steve, Dan, Marianne and Linda Raymonds. Representative D. Cullen addressed the members from the rostrum.

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

Motion carried.

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

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

Assembly Joint Resolution 3

Relating to: commending the Stars of Life honorees.

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

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 114, relating to eligibility of hydroelectric resources under the renewable portfolio standard.

Sincerely,
PAT STRACHOTA
State Representative
58th Assembly District

May 17, 2011

The question was: Shall **Assembly Joint Resolution 3** be adopted?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 3** be immediately messaged to the Senate. Granted.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 40** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Joint Resolution 40

Relating to: proclaiming May 2011 as Mental Health Awareness Month.

The question was: Shall **Assembly Joint Resolution 40** be adopted?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 40** be immediately messaged to the Senate. Granted.

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

The Assembly stood recessed.

11:41 P.M.

RECESS

4:07 P.M.

The Assembly reconvened.

Speaker Pro Tempore Kramer in the chair.

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

A quorum was present.

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

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 23

ACTION ON THE SENATE MESSAGE

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 23** be withdrawn from the Senate message and taken up at this time. Granted.

Senate Joint Resolution 23

Relating to: creation of a department of transportation, creation of a transportation fund, and deposit of funds into the transportation fund (first consideration).

By Senators Hopper, Lazich, Olsen, Schultz, Leibham, Harsdorf and Hansen; cosponsored by Representatives Petrowski, Endsley, Knilans, Farrow, Kestell, Jacque, Ziegelbauer, Nygren, Nerison, Spanbauer, T. Larson, Petryk, Thiesfeldt, LeMahieu, Kleefisch, Strachota, Steineke, Bies, Kaufert, Brooks, Williams, Van Roy, Tranel, Klenke, Kerkman, Rivard, Honadel, Jorgensen and Zepnick.

The question was: Shall **Senate Joint Resolution 23** be ordered to a third reading?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 23** be given a third reading. Granted.

The question was: **Senate Joint Resolution 23** having been read three times, shall the joint resolution be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Barca, Bernier, Bewley, Brooks, Clark, E. Coggs, Craig, D. Cullen, Danou, Doyle, Endsley, Farrow, Hintz, Honadel, Hulsey, Jacque, Jorgensen, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Mason, Meyer, Milroy, Molepske Jr, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Radcliffe, Ripp, Rivard, Seidel, Severson, Shilling, Sinicki, Spanbauer, Staskunas, Steinbrink, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Zepnick, Ziegelbauer and Speaker Fitzgerald – 82.

Noes – Representatives Berceau, Bernard Schaber, Grigsby, Hebl, Kessler, Pohan, Pope–Roberts, Richards, Ringhand, Toles and Zamarripa – 11.

Paired for – Representatives Bies and Kapenga – 2.

Paired against – Representatives Pasch and Roys – 2.

Absent or not voting – Representative Fields – 1.

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 23** be immediately messaged to the Senate. Granted.

Assembly Bill 30

Relating to: delegation by a parent, guardian, or legal custodian of a child of powers regarding the care and custody of the child by a power of attorney.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 30** be adopted?

Motion carried.

Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 30** offered by Representatives Berceau, Molepske Jr, Pasch, Sinicki, Bernard Schaber, Bewley, Zamarripa, Vruwink, Pocan, Barca and Roys.

Representative Suder moved that Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 30** be laid on the table.

The question was: Shall Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 30** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Jorgensen, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Turner, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 60.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Kessler, Mason, Milroy, Molepske Jr, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Spanbauer, Staskunas, Steinbrink, Toles, Vruwink, Young, Zamarripa and Zepnick – 35.

Absent or not voting – Representatives Bies, Fields and Kapenga – 3.

Motion carried.

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

Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 30** offered by Representatives Richards, Kessler, Vruwink, Grigsby, Pasch and Bewley.

Representative Suder moved that Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 30** be laid on the table.

The question was: Shall Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 30** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Jorgensen, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 60.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Kessler, Mason, Milroy, Molepske Jr, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 35.

Absent or not voting – Representatives Bies, Fields and Kapenga – 3.

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 30** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 30** be ordered engrossed and read a third time?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 30** be given a third reading. Granted.

The question was: **Assembly Bill 30** having been read three times, shall the bill be passed?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 30** be immediately messaged to the Senate. Granted.

Assembly Joint Resolution 31

Relating to: creation of a department of transportation, creation of a transportation fund, and deposit of funds into the transportation fund (first consideration).

Representative Suder asked unanimous consent that **Assembly Joint Resolution 31** be laid on the table. Granted.

LEAVES OF ABSENCE

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

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 15** be withdrawn from today’s calendar and taken up at this time. Granted.

Senate Bill 15

Relating to: collection and analysis of motor vehicle traffic stop information and law enforcement training standards.

Assembly substitute amendment 1 to **Senate Bill 15** offered by Representatives Clark and Barca.

Representative Suder moved that Assembly substitute amendment 1 to **Senate Bill 15** be laid on the table.

The question was: Shall Assembly substitute amendment 1 to **Senate Bill 15** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 58.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Mason, Milroy, Molepske Jr, Pasch, Pohan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 36.

Absent or not voting – Representatives Ballweg, Bies, Fields and Kapenga – 4.

Motion carried.

The question was: Shall **Senate Bill 15** be ordered to a third reading?

Motion carried.

Representative Knodl asked unanimous consent that the rules be suspended and that **Senate Bill 15** be given a third reading.

Representative Barca objected.

Representative Knodl moved that the rules be suspended and that **Senate Bill 15** be given a third reading.

The question was: Shall the rules be suspended and **Senate Bill 15** be given a third reading?

The roll was taken.

The result follows:

Ayes – Representatives August, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson,

LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 58.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Mason, Milroy, Molepske Jr, Pasch, Pohan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 36.

Absent or not voting – Representatives Ballweg, Bies, Fields and Kapenga – 4.

Motion failed.

Assembly Bill 86

Relating to: corrections and sentencing.

Assembly amendment 2 to **Assembly Bill 86** offered by Representative Radcliffe.

Assembly amendment 3 to **Assembly Bill 86** offered by Representative Radcliffe.

Representative Knodl asked unanimous consent that **Assembly Bill 86** 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 61

ACTION ON THE SENATE MESSAGE

Representative Knodl asked unanimous consent that the rules be suspended and that **Senate Bill 61** be withdrawn from the Senate message and taken up at this time. Granted.

Senate Bill 61

Relating to: multiple trip permits for overweight vehicles transporting granular roofing material.

By Senator Galloway; cosponsored by Representatives Petrowski, Seidel, Mursau and Spanbauer.

The question was: Shall **Senate Bill 61** be ordered to a third reading?

Motion carried.

Representative Knodl asked unanimous consent that the rules be suspended and that **Senate Bill 61** be given a third reading. Granted.

The question was: **Senate Bill 61** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Knodl asked unanimous consent that the rules be suspended and that **Senate Bill 61** be immediately messaged to the Senate. Granted.

Assembly Bill 88

Relating to: multiple trip permits for overweight vehicles transporting granular roofing material.

Representative Knodl asked unanimous consent that **Assembly Bill 88** be laid on the table. Granted.

Assembly Bill 96

Relating to: the composition of the Board of Veterans Affairs, the appointment of the Secretary of Veterans Affairs, and promulgating rules for the Department of Veterans Affairs.

Assembly substitute amendment 2 to **Assembly Bill 96** offered by Representative Sinicki.

Representative Knodl moved that Assembly substitute amendment 2 to **Assembly Bill 96** be laid on the table.

The question was: Shall Assembly substitute amendment 2 to **Assembly Bill 96** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Turner, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 58.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pohan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Vruwink, Young, Zamarripa and Zepnick – 36.

Absent or not voting – Representatives Ballweg, Bies, Fields and Kapenga – 4.

Motion carried.

POINT OF ORDER

Representative Richards rose to a point of order that Assembly substitute amendment 1 to **Assembly Bill 96** was not germane under Assembly Rule 54 (3)(f).

Speaker Pro Tempore Kramer ruled the point of order **not timely**.

Representative Knodl moved that Assembly amendment 5 to Assembly substitute amendment 1 to **Assembly Bill 96** be laid on the table.

The question was: Shall Assembly amendment 5 to Assembly substitute amendment 1 to **Assembly Bill 96** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 57.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pohan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 37.

Absent or not voting – Representatives Ballweg, Bies, Fields and Kapenga – 4.

Motion carried.

Representative Knodl moved that Assembly amendment 6 to Assembly substitute amendment 1 to **Assembly Bill 96** be laid on the table.

The question was: Shall Assembly amendment 6 to Assembly substitute amendment 1 to **Assembly Bill 96** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 57.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pohan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 37.

Absent or not voting – Representatives Ballweg, Bies, Fields and Kapenga – 4.

Motion carried.

Representative Knodl moved that Assembly amendment 7 to Assembly substitute amendment 1 to **Assembly Bill 96** be laid on the table.

The question was: Shall Assembly amendment 7 to Assembly substitute amendment 1 to **Assembly Bill 96** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Ziegelbauer and Speaker Fitzgerald – 55.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Nass, Pasch, Poca, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Wynn, Young, Zamarripa and Zepnick – 39.

Absent or not voting – Representatives Ballweg, Bies, Fields and Kapenga – 4.

Motion carried.

Assembly amendment 8 to Assembly substitute amendment 1 to **Assembly Bill 96** offered by Representatives Poca, Vruwink and Bernard Schaber.

Representative Knodl moved that Assembly amendment 8 to Assembly substitute amendment 1 to **Assembly Bill 96** be laid on the table.

The question was: Shall Assembly amendment 8 to Assembly substitute amendment 1 to **Assembly Bill 96** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 57.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Poca, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 37.

Absent or not voting – Representatives Ballweg, Bies, Fields and Kapenga – 4.

Motion carried.

Assembly amendment 9 to Assembly substitute amendment 1 to **Assembly Bill 96** offered by Representatives Ringhand and Barca.

Representative Knodl moved that Assembly amendment 9 to Assembly substitute amendment 1 to **Assembly Bill 96** be laid on the table.

The question was: Shall Assembly amendment 9 to Assembly substitute amendment 1 to **Assembly Bill 96** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Jorgensen, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 58.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Poca, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 36.

Absent or not voting – Representatives Ballweg, Bies, Fields and Kapenga – 4.

Motion carried.

LEAVES OF ABSENCE

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

POINT OF ORDER

Representative Richards rose to a point of order that Assembly substitute amendment 1 to **Assembly Bill 96** was not germane under Assembly Rule 54 (3)(f).

Pursuant to a unanimous consent request by Representative Richards, his remarks have been entered into the Assembly Journal.

“Mr. Speaker, I rise on the point of order that Assembly Substitute Amendment 1 to **Assembly Bill 96** is not germane under Assembly Rule 54 and may not be considered by the body.

As originally introduced, **Assembly Bill 96** was limited to the composition of the Board of Veterans Affairs, the transfer of the power to appoint the Secretary of Veterans Affairs from the Board to the Governor, and rule making authority. The substitute amendment makes those changes as outlined in the original bill.

However, the amendment also expands the scope of the bill by specifying that the Department of Veterans Affairs will no longer be under the direction and supervision of the Board but instead be under the direction and supervision of the Secretary. By fundamentally changing the authority of the Board over the Department in a way that was not referenced or even suggested in the original bill, the substitute amendment substantially expands the scope of the bill and is, therefore, not germane under Assembly Rule 54 (3)(f).

This expansion of the bill also required the drafting attorney to create two new sections of the statutes that were not created by the original bill. Specifically, I refer to sections 6 and 8 of Assembly Substitute Amendment 1 which would create sections 45.03 (2m) and 227.14 (2)(a)6m of the statutes, respectively. These sections were not necessary in the original bill because the original bill did not alter the direction and supervision of the Department of Veterans Affairs.

In addition, the substitute amendment substantially alters the relating clause by adding “direction and supervision of the Department of Veterans Affairs.” The direction and supervision of the department does not fall under the scope of the original relating clause, and the amendment is, therefore, prohibited under Assembly Rule 54 (1).

Mr. Speaker, you are the presiding officer. These are your rules. And your rules dictate that the amendment is not germane.”

RULING ON THE POINT OF ORDER

Speaker Pro Tempore Kramer ruled the point of order **not well taken**. The full text of the ruling by Speaker Pro Tempore Kramer follows:

“Representative Richards rose to the point of order that Assembly substitute amendment 1 to **Assembly Bill 96** was not germane to the original relating clause under Assembly Rule 54 (1) generally, and specifically rule 54 (3)(f).

Both **Assembly Bill 96** and Assembly substitute amendment 1 are intended to reform the constitution of the Department of Veterans Affairs and reform its relationship to

the Governor. As noted in Representative Richard’s point of order,

“As originally introduced, Assembly Bill 96 was limited to the composition of the Board of Veterans Affairs, the transfer of the power to appoint the Secretary of Veterans Affairs from the Board to the Governor, and rule making authority. The substitute amendment makes those changes as outlined in the original bill.

However, the amendment also expands the scope of the bill by specifying that the Department of Veterans Affairs will no longer be under the direction and supervision of the Board but instead be under the direction and supervision of the Secretary. By fundamentally changing the authority of the Board over the Department in a way that was not referenced or even suggested in the original bill, the substitute amendment substantially expands the scope of the bill and is, therefore, not germane under Assembly Rule (3)(f).”

Representative Richards’ own concerns are the basis for the following ruling:

Speaker Pro Tempore Kramer ruled the point of order **not well taken** because the amendment under consideration accomplishes the same purpose as the unamended **Assembly Bill 96** but in a different manner in accord with Assembly Rule 54 (4)(b).”

Representative Richards appealed the ruling of the Chair.

The question was: Shall the ruling of the Chair stand as the ruling of the Assembly?

The roll was taken.

The result follows:

Ayes – Representatives August, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 56.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pohan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 37.

Absent or not voting – Representatives Ballweg, Bies, Fields, Kapenga and Litjens – 5.

Motion carried.

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

Motion carried.

The question was: Shall **Assembly Bill 96** be ordered engrossed and read a third time?

Motion carried.

Representative Knodl asked unanimous consent that the rules be suspended and that **Assembly Bill 96** be given a third reading.

Representative Seidel objected.

Representative Knodl moved that the rules be suspended and that **Assembly Bill 96** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 96** be given a third reading?

The roll was taken.

The result follows:

Ayes – Representatives August, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 56.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 37.

Absent or not voting – Representatives Ballweg, Bies, Fields, Kapenga and Litjens – 5.

Motion failed.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 57** be withdrawn from today's calendar and taken up at this time. Granted.

Senate Bill 57

Relating to: corrections and sentencing.

Assembly amendment 1 to **Senate Bill 57** offered by Representative Radcliffe.

Representative Suder moved that Assembly amendment 1 to **Senate Bill 57** be laid on the table.

The question was: Shall Assembly amendment 1 to **Senate Bill 57** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Barca, Berceau, Bernard Schaber, Bernier, Bewley, Brooks, Clark, E. Coggs, Craig, D. Cullen, Doyle, Endsley, Farrow, Grigsby, Hebl, Hintz, Honadel, Hulsey, Jacque, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Loudenbeck, Marklein, Mason, Meyer, Milroy, Molepske Jr, Mursau,

Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Pasch, Petersen, Petrowski, Petryk, Pocan, Pope–Roberts, Pridemore, Richards, Ringhand, Ripp, Rivard, Roys, Seidel, Severson, Shilling, Sinicki, Spanbauer, Staskunas, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Toles, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Zamarripa, Zepnick, Ziegelbauer and Speaker Fitzgerald – 86.

Noes – Representatives August, Danou, Kooyenga, Krusick, Radcliffe, Steinbrink and Steineke – 7.

Absent or not voting – Representatives Ballweg, Bies, Fields, Kapenga and Litjens – 5.

Motion carried.

Assembly amendment 2 to **Senate Bill 57** offered by Representative Radcliffe.

POINT OF ORDER

Representative D. Cullen rose to a point of order that Assembly amendment 2 to **Senate Bill 57** was not germane under Assembly Rule 54 (3)(d).

Speaker Pro Tempore Kramer ruled the point of order **well taken** under Assembly Rule 54 (3)(d).

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

Assembly amendment 3 to **Senate Bill 57** offered by Representatives Pasch, Grigsby, Hintz, Kessler, Zamarripa, Sinicki, Seidel, Berceau and Young.

Representative Suder moved that Assembly amendment 3 to **Senate Bill 57** be laid on the table.

The question was: Shall Assembly amendment 3 to **Senate Bill 57** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 58.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Mason, Milroy, Molepske Jr, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 36.

Absent or not voting – Representatives Ballweg, Bies, Fields and Kapenga – 4.

Motion carried.

The question was: Shall **Senate Bill 57** be ordered to a third reading?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 57** be given a third reading.

Representative Seidel objected.

Representative Suder moved that the rules be suspended and that **Senate Bill 57** be given a third reading.

The question was: Shall the rules be suspended and **Senate Bill 57** be given a third reading?

The roll was taken.

The result follows:

Ayes – Representatives August, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 57.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 37.

Absent or not voting – Representatives Ballweg, Bies, Fields and Kapenga – 4.

Motion failed.

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

The Assembly stood recessed.

6:19 P.M.

RECESS

6:52 P.M.

The Assembly reconvened.

Speaker Pro Tempore Kramer in the chair.

Assembly Bill 113

Relating to: changing the boundaries of Marquette County and Green Lake County.

Representative Suder asked unanimous consent that **Assembly Bill 113** be laid on the table. 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 81

ACTION ON THE SENATE MESSAGE

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 81** be withdrawn from the Senate message and taken up at this time. Granted.

Senate Bill 81

Relating to: eligibility of hydroelectric resources under the renewable portfolio standard.

By Senators Lasee, Galloway, Leibham, Hopper, Wirch, Hansen, Holperin and Lassa; cosponsored by Representatives Klenke, Weininger, Jacque, Honadel, Ziegelbauer, Nygren, Tauchen, Petersen, A. Ott, Bies, Meyer, Petrowski, Van Roy, LeMahieu, Tiffany, Steineke, Spanbauer and Ballweg.

The question was: Shall **Senate Bill 81** be ordered to a third reading?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 81** be given a third reading.

Representative Mason objected.

Representative Suder moved that the rules be suspended and that **Senate Bill 81** be given a third reading.

The question was: Shall the rules be suspended and **Senate Bill 81** be given a third reading?

The roll was taken.

The result follows:

Ayes – Representatives August, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 57.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 37.

Absent or not voting – Representatives Ballweg, Bies, Fields and Kapenga – 4.

Motion failed.

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

Senate Bill 2

Relating to: changes to timing of application process under the open enrollment program.

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

Motion carried.

The question was: Shall Assembly amendment 3 to **Senate Bill 2** be adopted?

Motion carried.

The question was: Shall **Senate Bill 2** be ordered to a third reading?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 2** be given a third reading. Granted.

The question was: **Senate Bill 2** having been read three times, shall the bill be concurred in as amended?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudonbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Young, Ziegelbauer and Speaker Fitzgerald – 60.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Mason, Milroy, Molepske Jr, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Zamarripa and Zepnick – 35.

Absent or not voting – Representatives Bies, Fields and Kapenga – 3.

Motion carried.

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

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 2** be immediately messaged to the Senate. Granted.

Representative Barca asked unanimous consent to take up **Assembly Bill 9, January 2011 Special Session** at this time. Representative Suder objected.

Speaker Pro Tempore Kramer ruled the motion out of order because the Assembly is in Regular Session, not January 2011 Special Session.

Representative Barca moved to enter into Special Session to take up **Assembly Bill 9, January 2011 Special Session** at this time.

The question was: Shall the rules be suspended to enter into Special Session to take up **Assembly Bill 9, January 2011 Special Session**?

Ayes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 37.

Noes – Representatives August, Ballweg, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudonbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 58.

Absent or not voting – Representatives Bies, Fields, Kapenga, – 3 .

Motion failed.

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 4
Senate Joint Resolution 32
Senate Joint Resolution 33

Passed and asks concurrence in

Senate Bill 18
Senate Bill 28

Senate Bill 41
Senate Bill 42
Senate Bill 47
Senate Bill 54
Senate Bill 75

Concurred in

Assembly Joint Resolution 3
Assembly Joint Resolution 40
Assembly Bill 23

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 4

Relating to: commending the Stars of Life honorees.

By Senators Harsdorf, Wanggaard, Cowles, Kedzie, Lassa, Miller and Schultz; cosponsored by Representatives Kaufert, Kerkman, A. Ott, Berceau, Pope–Roberts, Strachota, Spanbauer, Mursau, Shilling, Kestell, LeMahieu, Brooks, Bernier, Bies and Bernard Schaber.

To committee on **Rules**.

Senate Joint Resolution 32

Relating to: commending Marianne and Sheldon Lubar and family on receiving the Woodrow Wilson Award for Corporate Citizenship presented by the Smithsonian Institution.

By Senators Darling, C. Larson, Lassa, Schultz and Taylor; cosponsored by Representatives J. Ott, Berceau, Bernier, D. Cullen, Endsley, Kapenga, Marklein, Pasch and Spanbauer.

To committee on **Rules**.

Senate Joint Resolution 33

Relating to: commending Mr. and Mrs. Ted Kellner on receiving the Woodrow Wilson Award for Public Service presented by the Smithsonian Institution.

By Senators Darling, Schultz and Taylor; cosponsored by Representatives J. Ott, Ballweg, Meyer, Pasch and Steineke.

To committee on **Rules**.

Senate Bill 18

Relating to: requiring political subdivisions to pay health insurance premiums for survivors of a law enforcement officer who dies, or has died, in the line of duty.

By Senators Wanggaard, Jauch, Carpenter, Risser, Taylor and Hansen; cosponsored by Representatives Spanbauer, Milroy, Turner, Danou, Bies, Berceau, Pope–Roberts, Bernier, Krug, Kaufert, Zepnick, Wynn, Hebl, Pasch, Mason, Krusick, Ripp and Sinicki.

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

Senate Bill 28

Relating to: composition of the Board of Regents of the University of Wisconsin System.

By Senators Harsdorf, Galloway, Olsen, Moulton, Lassa and Schultz; cosponsored by Representatives Severson,

Ballweg, Bewley, Brooks, Knudson, LeMahieu, Mursau, A. Ott, Rivard, Shilling, Spanbauer, Tauchen and Wynn.

To committee on **Colleges and Universities**.

Senate Bill 41

Relating to: agreements relating to motor carrier liability.

By Senators Lazich, Lasee, Galloway, Kedzie and Schultz; cosponsored by Representatives Nygren, Klenke, Bies, Brooks, A. Ott, Van Roy and Kaufert.

To committee on **Transportation**.

Senate Bill 42

Relating to: mandatory reporting of child abuse or neglect by school district employees; training in child abuse and neglect identification, laws, and procedures for those employees; retaliation against a person who reports child abuse or neglect in good faith, and granting rule-making authority.

By Senator Wanggaard; cosponsored by Representatives Vos, Turner and Pridemore.

To committee on **Children and Families**.

Senate Bill 47

Relating to: changes to the membership of the Small Business Regulatory Review Board, notification to the Small Business Regulatory Review Board of bills with an economic impact on small businesses, the role of the Office of Regulatory Assistance in the Department of Commerce, and requiring the exercise of rule-making authority.

By Senators Moulton, Leibham, Olsen, Schultz and Holperin; cosponsored by Representatives Nygren, T. Larson, Rivard, Bies, Brooks, Endsley, Honadel, Jacque, Kaufert, Krug, LeMahieu, Meyer, Mursau, A. Ott, Petrowski, Spanbauer, Strachota, Vos and Wynn.

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

Senate Bill 54

Relating to: certain controlled substances and providing a penalty.

By Senators Harsdorf, Jauch, Darling, Wanggaard, Olsen, Leibham, Holperin, Lassa and Schultz; cosponsored by Representatives Bies, Knilans, Kleefisch, Jorgensen, Bernard Schaber, Brooks, Kaufert, Kerkman, Mason, Meyer, Mursau, Nass, Petersen, Rivard, Severson, Sinicki, Spanbauer, Steineke, Strachota, Thiesfeldt and Wynn.

To committee on **Rules**.

Senate Bill 75

Relating to: prohibiting the Department of Natural Resources from establishing certain restrictions on hunting antlered deer and regulating the establishment of fall open seasons for hunting deer with firearms.

By Senators Moulton, Kedzie, Cowles, S. Fitzgerald, Galloway, Harsdorf, Lasee, Hopper, Olsen, Grothman and Kapanke; cosponsored by Representatives Tiffany, Mursau, Bernier, Endsley, Jacque, Kerkman, Kestell, Kleefisch, Krug, T. Larson, Litjens, Nygren, J. Ott, Petryk, Pridemore, Rivard, Severson, Spanbauer and Steinbrink.

To committee on **Natural Resources**.

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 family of the late Hank Raymonds, including Mary Virginia (Jinny) Raymonds, Steve Raymonds, Beth Harwood, Marianne Raymonds, Dan Raymonds, Claudette Raymonds, Andy Raymonds, Peter Raymonds, Henry Raymonds, Sharon Wilson, Linda Raymonds, Tracy Stolte, Nate Stolte, Carol Raymonds, Steve Smith, Ray Smith, Sam Smith and Ben Smith, guests of Representative D. Cullen.

Irwin Shur, General Counsel of Snap-On Tools, guest of Representatives Barca, Steinbrink and Kerkman.

Bill Barca from Pittsburgh, PA, guest and cousin of Representative Barca.

Christie Castaneda, guest and intern of Representative Pridemore.

Former state representative and former mayor of Kenosha, John Antaramian, guest of Representatives Barca, Steinbrink, Turner and Mason.

Marv Munyon from the Wisconsin Christian Schools, guest of Representative Kleefisch.

Representative Richards asked unanimous consent that the Assembly adjourn in memory of his friend, Evelyn Suminski from Milwaukee, who passed away recently. Granted.

Representative Pridemore asked unanimous consent that the Assembly adjourn in honor of his son, Paul A. Pridemore, who graduated from the University of Wisconsin-Platteville. Paul was a member of the Dean's List with a 4.0 Grade Point Average while also playing on their football team all four years. Granted.

Representative Pasch asked unanimous consent that the Assembly adjourn in honor of her husband Allan Pasch, on the occasion of their wedding anniversary. Granted.

Representative Sinicki asked unanimous consent that the Assembly adjourn in honor of her former staff member, Zeke Dascho, on the occasion of his marriage to Allison Jensen this weekend. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of his wife, Lynn Hebl, on the occasion of their 35th wedding anniversary. Granted.

Representative Ballweg asked unanimous consent that the Assembly adjourn in honor of intern, Kelly Zimmerman, who graduated from the University of Wisconsin-Madison last weekend. Granted.

ANNOUNCEMENTS

Representative Rivard asked unanimous consent that the Assembly adjourn in memory of his mother, Eileen Rivard, who passed away on April 20 at the age of 95. Granted.

Representative August asked unanimous consent that the Assembly adjourn in memory of his great-grandmother, Adriana Armato, who passed away a year ago. Granted.

ADJOURNMENT

Representative Suder 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.

7:09 P.M.