



STATE OF WISCONSIN

Assembly Journal

One-Hundred and First Regular Session

12:52 P.M.

TUESDAY, April 16, 2013

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

Speaker Pro Tempore Kramer in the Chair.

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

A quorum was present.

Speaker Vos in the Chair.

The prayer was offered by Representative Strachota.

Representative T. Larson 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 August, Ballweg, Barca, Barnes, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Billings, Born, Brooks, Clark, Craig, Czaja, Danou, Doyle, Endsley, Genrich, Goyke, Hebl, Hesselbein, Hintz, Honadel, Hulsey, Hutton, Jacque, Jagler, Johnson, Jorgensen, Kahl, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Klenke, Knodl, Knudson, Kolste, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Loudenberg, Marklein, Mason, Milroy, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, Nygren, Ohnstad, A. Ott, J. Ott, Pasch, Petryk, Pope, Pridemore, Richards, Riemer, Ringhand, Ripp, Sanfelippo, Sargent, Schraa, Severson, Shankland, Sinicki, Smith, Spiros, Steineke, Stone, Strachota, Stroebel, Suder, Swearingen, Tauchen, C. Taylor, Thiesfeldt, Tittl, Tranel, Vruwink, Wachs, Weatherston, Weininger, Williams, Wright, Young, Zamarripa, Zepnick and Speaker Vos - 97.

Absent with leave - Representatives Kleefisch and Petersen - 2.

Vacancies - None.

LEAVES OF ABSENCE

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

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 24

Relating to: expressing prayers and condolences to the families, friends of the victims, and the injured from the bombings at the Boston Marathon and praising the first responders who rushed to their aid.

By Representatives Barca, Vos, Suder, Pasch, Kramer, Jorgensen, Steineke, Zamarripa and Ballweg; cosponsored by Senators S. Fitzgerald and C. Larson.

To committee on **Rules**.

REFERENCE BUREAU CORRECTIONS

Assembly Joint Resolution 21

1. Page 1, line 2: after "members" insert "(first consideration)".

STATEMENT OF CANVASS FOR REPRESENTATIVE TO THE ASSEMBLY SPECIAL ELECTION APRIL 2, 2013

I, David G. Deininger, designee of the Chairperson of the Government Accountability Board, certify that the attached tabular statement, as compiled from the certified returns made to the Government Accountability Board by the Waukesha County Clerk, contains a correct abstract of the total number of votes given for the election of a candidate for Representative to the Assembly, at a Special Election held in the several towns, wards, villages and election districts in said county on the Second day of April, 2013.

I DO, THEREFORE, DETERMINE AND CERTIFY that the following candidate, having received the greatest number of votes, is duly elected Representative to the Assembly:

District
98th District

Elected
Adam Neylon

Done in the City of Madison, this 15th
day of April, 2013

Sincerely,
JUDGE DAVID G. DEININGER
Designee of the Chairperson
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

Adam Neylon

who was elected to the office of

REPRESENTATIVE TO THE ASSEMBLY

from the Ninety-Eighth Assembly District of the State of Wisconsin, for the term of two years commencing on January 7, 2013, and ending on January 5, 2015, as shown on the official canvass of the votes cast at the Special Election held on April 2, 2013.

Done in the City of Madison, this 15th day of April, 2013

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

COMMUNICATIONS

April 15, 2013

The Honorable Patrick E. Fuller, Chief Clerk
Wisconsin State Assembly
17 West Main Street, Suite 401
Madison, WI 53703

Dear Clerk Fuller:

I am pleased to provide you with the copy of the official canvass of the April 2, 2013 Special Election vote for Representative to the Assembly, District 98, along with the determination by the designee of the Chairperson of the Government Accountability Board of the winners.

With this letter, I am also delivering a copy of the Certificate of Election, the original of which was given to Representative-elect Neylon's representative at the canvass meeting.

If the Government Accountability Board can provide you with further information or assistance, please contact our office.

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

April 16, 2013

Patrick E. 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 139, relating to the duty of physicians to inform patients of treatment options.

Sincerely,
DAVID CRAIG
State Representative
83rd Assembly District

April 16, 2013

Patrick E. 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 56, relating to indication of veteran status on an operator's license or identification card and granting rule-making authority.

Please add my name as a co-author of Assembly Bill 109, relating to fees for dental services.

Sincerely,
JOEL KLEEFISCH
State Representative
38th Assembly District

April 16, 2013

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

Dear Chief Clerk Fuller:

I write today to respectfully request that my vote on the following items be entered into the Assembly Journal as how I would have voted had I been present for the floor vote on Tuesday, April 9, 2013:

2013 Senate Bill 55

Relating to: costs of replacement or relocation of certain municipal utility facilities required by the construction of a freeway and eligibility for the safe drinking water loan program.

Vote: AYE

2013 Senate Bill 35

Relating to: powers and duties of an electric transmission company and certificates of public convenience and necessity and permits for certain electric generating facilities and high-voltage transmission lines.

Vote: AYE

2013 Assembly Bill 58

Relating to: bank service corporations and credit union service organizations. (FE)

Vote: AYE

Please feel free to contact my office with any questions.

Sincerely,
JOEL KLEEFISCH
State Representative
38th Assembly District

OATH OF OFFICE

Pursuant to Article IV, Section 28 of the Wisconsin Constitution, the Honorable Justice Pat Roggensack of the Wisconsin Supreme Court administered the oath of office to Adam Neylon.

SPECIAL GUEST

Representative Ripp introduced the 65th Alice in Dairyland, his daughter Rochelle Ripp, who addressed the members from the rostrum.

SPECIAL GUEST

Representative Honadel introduced the Hometown Hero Recipient, Officer Sam Lenda of the Oak Creek Police Department, who addressed the members from the rostrum.

SPECIAL GUEST

Representative Richards, accompanied by Representative Sinicki and Senator C. Larson, introduced the Hometown Hero Recipient, Lieutenant Brian Murphy of the Oak Creek Police Department, who addressed the members from the rostrum.

CALENDAR OF TUESDAY, APRIL 16

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 24** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Joint Resolution 24

Relating to: expressing prayers and condolences to the families, friends of the victims, and the injured from the bombings at the Boston Marathon and praising the first responders who rushed to their aid.

The question was: Shall **Assembly Joint Resolution 24** be adopted?

Motion carried.

Representative Suder asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 24**. Granted.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 24** be immediately messaged to the Senate. Granted.

Assembly Bill 20

Relating to: the notice and degree requirements for the examination to practice as a certified public accountant.

The question was: Shall Assembly Amendment 1 to **Assembly Bill 20** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 20** be ordered engrossed and read a third time?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 20** be given a third reading. Granted.

The question was: **Assembly Bill 20** 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 20** be immediately messaged to the Senate. Granted.

Assembly Bill 82

Relating to: trafficking food stamp program benefits.

Assembly Amendment 1 to **Assembly Bill 82** offered by Representatives Hebl, Genrich, Barca and Pasch.

Representative Suder moved that Assembly Amendment 1 to **Assembly Bill 82** be laid on the table.

The question was: Shall Assembly Amendment 1 to **Assembly Bill 82** be laid on the table?

The roll was taken.

The result follows:

Ayes - Representatives August, Ballweg, Bernier, Bies, Born, Brooks, Craig, Czaja, Endsley, Honadel, Hutton, Jacque, Jagler, Kapenga, Kaufert, Kerkman, Kestell, Klenke, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Loudenbeck, Marklein, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, Nygren, A. Ott, J. Ott, Petryk, Pridemore, Ripp, Sanfelippo, Schraa, Severson, Spiros, Steineke, Stone, Strachota, Stroebel, Suder, Swearingen, Tauchen, Thiesfeldt, Tittl, Tranel, Weatherston, Weininger, Williams and Speaker Vos - 58.

Noes - Representatives Barca, Barnes, Berceau, Bernard Schaber, Bewley, Billings, Clark, Danou, Doyle, Genrich, Goyke, Hebl, Hesselbein, Hintz, Hulsey, Johnson, Jorgensen, Kahl, Kessler, Kolste, Mason, Milroy, Ohnstad, Pasch, Pope, Richards, Riemer, Ringhand, Sargent, Shankland, Sinicki, Smith, C. Taylor, Vruwink, Wachs, Wright, Young, Zamarripa and Zepnick - 39.

Absent or not voting - Representatives Kleefisch and Petersen - 2.

Motion carried.

The question was: Shall **Assembly Bill 82** be ordered engrossed and read a third time?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 82** be given a third reading. Granted.

Representative Hebl asked unanimous consent that the record and vote on passage of **Assembly Bill 82** be expunged. Granted.

Representative Tittl asked unanimous consent to be added as a coauthor of **Assembly Bill 82**. Granted.

The question was: shall **Assembly Bill 82** be passed?

The roll was taken.

The result follows:

Ayes - Representatives August, Ballweg, Barca, Bernier, Bewley, Bies, Billings, Born, Brooks, Craig, Czaja, Danou, Doyle, Endsley, Hintz, Honadel, Hutton, Jacque, Jagler, Jorgensen, Kahl, Kapenga, Kaufert, Kerkman, Kestell, Klenke, Knodl, Knudson, Kolste, Kooyenga, Kramer, Kuglitsch, T. Larson, LeMahieu, Loudenberg, Marklein, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, Nygren, A. Ott, J. Ott, Petryk, Pridemore, Riemer, Ripp, Sanfelippo, Schraa, Severson, Smith, Spiros, Steineke, Stone, Strachota, Stroebel, Suder, Swearingen, Tauchen, Thiesfeldt, Tittl, Tranel, Vruwink, Wachs, Weatherston, Weininger, Williams, Wright, Zepnick and Speaker Vos - 73.

Noes - Representatives Barnes, Berceau, Bernard Schaber, Clark, Genrich, Goyke, Hebl, Hesselbein, Hulsey, Johnson, Kessler, Mason, Milroy, Ohnstad, Pasch, Pope, Richards, Ringhand, Sargent, Shankland, Sinicki, C. Taylor, Young and Zamarripa - 24.

Absent or not voting - Representatives Kleefisch and Petersen - 2.

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 82** 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:

Molly Moon, guest and intern of Representative Ohnstad.

Irakli Mkheidze from the Republic of Georgia, guest of Representatives Kessler and Barca.

Sara Johnston, guest and intern of Representative Pasch.

Amy Hasenberg, guest and intern of Representative Schraa.

Jeff Beyer, Manitowoc County Public Works Director, guest of Representative Tittl.

Heart of the North visitors, including Bob Meyer, Nancy Glynn, Mary Schnacky, Kevin Ruetten, Bert Richard, Karen Heram, Terry Hogan, Ned Wolf, Polly Wolner, Chris Crowe, Cory Schnacky, Jim Luedtke and Bruce Willers, guests of Representative Smith.

ANNOUNCEMENTS

Representative Williams asked unanimous consent that the Assembly adjourn in honor of her son Kris Allen Norton Williams, on the occasion of his engagement to Rebecca Bielinski. Granted.

Representative Zamarripa asked unanimous consent that the Assembly adjourn in honor of Representative Nick Milroy, on the occasion of his birthday April 15. Granted.

Representative Bewley asked unanimous consent that the Assembly adjourn in honor of her daughter Timothy Anne Burnside, on the occasion of her 33rd birthday today. Granted.

Representative Bewley asked unanimous consent that the Assembly adjourn in honor of Captain Sherman Edwards, on the occasion of his retirement after thirty years as a driver of the Madeline Island Ferry. Granted.

Representative Barnes asked unanimous consent that the Assembly adjourn in honor of the 50th anniversary of Martin Luther King Jr.'s "Letter from Birmingham Jail". Granted.

Representative Nerison asked unanimous consent that the Assembly adjourn in honor of his granddaughter Anja Rose Johnson, on the occasion of her 3rd birthday today. Granted.

Representative Young asked unanimous consent that the Assembly adjourn in honor of Capitol Police Officer Greg Friberg, who was assaulted while on duty at a state office building in Milwaukee on April 10. Granted.

Representative Hebl adjourned in honor of Arlene King of Cottage Grove, on the occasion of her 80th birthday on April 12. Granted.

Representative Hebl adjourned in honor of Vera and Jim Ateln of Sun Prairie, on the occasion of their 50th Anniversary. Granted.

ADJOURNMENT

Representative Suder moved that the Assembly stand adjourned until 1:00 P.M. on Wednesday, April 17.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

3:01 P.M.