



STATE OF WISCONSIN

Assembly Journal

One-Hundred and Second Regular Session

MONDAY, October 26, 2015

The Chief Clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly Amendment 1 to **Assembly Bill 117** offered by Representatives Born and Doyle.

Assembly Substitute Amendment 1 to **Assembly Bill 257** offered by Representative Kuglitsch.

Assembly Amendment 1 to **Assembly Bill 347** offered by Representative Kerkman.

Assembly Amendment 1 to **Assembly Bill 372** offered by Representative Ballweg.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 15-042

Relating to modifications in walleye harvest management in Ceded Territory waters.

Submitted by Department of Natural Resources.

Report received from Agency, October 21, 2015.

To committee on **Natural Resources and Sporting Heritage**.

Referred on October 26, 2015.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 76

Relating to: proclaiming October 26 to 30, 2015, as Canada Week in Wisconsin, and Tuesday, October 27, 2015, as Canada Day at the state capitol.

By Representatives Vos and Barca; cosponsored by Senators Lazich, S. Fitzgerald and Shilling.

To committee on **Rules**.

Assembly Bill 455

Relating to: registration of special interest, reconstructed, replica, or street modified vehicles and providing a penalty.

By Representatives Weatherston, Jagler, Swearingen, Kremer, Heaton, Edming, Murtha, Skowronski, Petryk, Schraa, Knudson, Ohnstad, Czaja, Kulp, Mursau, Kitchens, Kuglitsch, Considine, A. Ott, Horlacher, Quinn, Thiesfeldt, Brandtjen, T. Larson, Petersen and Murphy; cosponsored by Senator Wanggaard.

To committee on **Transportation**.

COMMITTEE REPORTS

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

Assembly Bill 390

Relating to: allowing the town of Freedom to create a tax incremental district in the same manner as a city or village.

Passage:

Ayes: 12 - Representatives Spiros, Macco, Kerkman, Novak, Steffen, Jacque, Katsma, Duchow, Riemer, Zepnick, Ohnstad and Brostoff.

Noes: 0.

To committee on **Rules**.

JOHN SPIROS

Chairperson

Committee on Ways and Means

ACTION ON THE SENATE MESSAGE

Senate Bill 20

Relating to: transfer of certain fish and game approvals to persons with disabilities and the transfer of Class A bear licenses to persons awarded the Purple Heart or serving on active duty in the U.S. armed forces.

By Senator Roth; cosponsored by Representative Jacque.

To committee on **Rules**.

RULING ON THE POINT OF ORDER

On Wednesday, October 21, (page 341 of the Assembly Journal), Representative Barca rose to the point of order that reconsideration of the vote by which **Assembly Bill 387** was engrossed required a 2/3 vote.

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

“Representative Barca raised a point of order that the motion to reconsider engrossment of **Assembly Bill 387** made by Representative Steineke had not passed because two-thirds of members present had not voted aye. Representative Barca pointed to Assembly Rule 33 (4) which states, in part, “The motion to advance the proposal to its 3rd reading and the motion to message the proposal to the other

house may be adopted by a majority of the members present and voting.”

Representative Barca correctly points out that advancing a proposal under a special order of business or messaging a proposal under a special order of business to the other house requires a majority of members voting. Assembly Rule 33 (4) makes this clarification due to the fact that under a normal order of business, advancing a proposal to its 3rd reading or messaging a proposal to the other house on the same legislative day requires a suspension of the rules motion, which requires a 2/3 vote.

Assembly Rule 33 is silent on what threshold is required to reconsider any action on a special order of business. Because this rule is silent on the matter, consulting Assembly Rule 76 is necessary. Assembly Rule 76 (1) states “Unless otherwise required by the state constitution, by law, or by legislative rule, all questions are decided by a majority of a quorum.”

After a review of the state constitution, state law, and Assembly Rules, there are no additional requirements placed on thresholds required for a motion to reconsider to prevail. Therefore all questions relating to reconsidering an action on a proposal are decided by a majority of a quorum. Representative Steineke’s motion to reconsider engrossment of **Assembly Bill 387** clearly and without ambiguity achieved more than a majority of the quorum present. Therefore I find Representative Barca’s point of order **not well taken.**”

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

October 23, 2015

To the Honorable Members of the Assembly:

The following bill, originating in the Assembly, has been approved, signed and deposited in the office of the Secretary of State:

Bill Number Act Number Date Approved
Assembly Bill 325 63 October 23, 2015

Respectfully submitted,
SCOTT WALKER
Governor

Pursuant to s. 35.095 (1)(b), Wisconsin Statutes, the following 2015 Act has been published:

Act Number Bill Number Publication Date
Wisconsin Act 63 Assembly Bill 325... October 24, 2015

COMMUNICATIONS

October 26, 2015

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 454, relating to modifying and repealing various rules promulgated by the Department of Transportation.

Sincerely,
DANIEL KNODL
State Representative
24th Assembly District

State of Wisconsin
Legislative Reference Bureau
Madison

Date: October 26, 2015

To: Patrick E. Fuller, Assembly Chief Clerk
Jeffrey Renk, Senate Chief Clerk

From: Bruce J. Hoesley, Code Editor

Subject: Rules published in the October, 2015 Wisconsin Administrative Register, No. 718.

The following rules have been published:

- Clearinghouse Rule 15-001 effective 2-1-2016
- Clearinghouse Rule 15-007 effective 11-1-2015
- Clearinghouse Rule 15-008 effective 11-1-2015
- Clearinghouse Rule 15-009 effective 11-1-2015
- Clearinghouse Rule 15-016 effective 11-1-2015
- Clearinghouse Rule 15-022 effective 11-1-2015
- Clearinghouse Rule 15-029 effective 11-1-2015
- Clearinghouse Rule 15-030 effective 11-1-2015
- Clearinghouse Rule 15-031 effective 11-1-2015