



STATE OF WISCONSIN

Assembly Journal

Ninety–Third Regular Session

9:35 A.M.

WEDNESDAY, November 19, 1997

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

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Representative Gunderson.

Representative Notestein 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 Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Cogg, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schafer, Schneider, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 97.

Absent with leave – Representative Murat – 1.

Vacant – 42nd Assembly District – 1.

LEAVES OF ABSENCE

Representative R. Potter asked unanimous consent for a leave of absence for today’s session for Representative Murat. Granted.

AMENDMENTS OFFERED

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 308** offered by Representative Johnsrud.

Assembly substitute amendment 1 to **Assembly Bill 586** offered by committee on **Environment**.

Assembly amendment 1 to **Assembly Bill 613** offered by Representatives Johnsrud and Black.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 613

Relating to: effective recycling program criteria.

By Representatives Johnsrud and Black.

To committee on **Environment**.

Assembly Bill 614

Relating to: alcohol beverage “Class B” and reserve “Class B” licenses.

By Representatives Urban and Duff; cosponsored by Senators Burke, Farrow and Darling.

To committee on **State Affairs**.

Assembly Bill 615

Relating to: enforcement of interconnection agreements by the public service commission, protections for users of certain telecommunications services, granting rule–making authority and providing a penalty.

By joint committee on Information Policy.

To joint committee on **Information Policy**.

Assembly Bill 616

Relating to: conflicts of interest by local public officials.

By Representatives Travis, Walker, Baldwin, Duff, Bock, F. Lasee, Hasenohrl, Huber, Krug, Notestein, Robson, R. Young and Ziegelbauer; cosponsored by Senators Moen and Burke.

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

Assembly Bill 617

Relating to: exempting certain persons who are not at least 18 years of age from auctioneer registration requirement.

By Representatives Harsdorf, Gronemus, Ott, Sykora, Musser, Olsen, M. Lehman, J. Lehman, Plouff, Zukowski, Seratti, Albers, Handrick, Grothman, F. Lasee and Lorge; cosponsored by Senator Huelsman.

To committee on **Small Business and Economic Development**.

Assembly Bill 618

Relating to: restrictions on payment for abortions with public funds; changing the prohibition on use of federal, state or local funds for abortion-related activities by a pregnancy program, project or service; exempting the sales of flex-time time-share property from the sales tax and imposing the real estate transfer fee on all sales of time-share property; and the penalty provision for premature sales or transfers of business assets or assets used in farming that were received from family members.

By Representative Jensen.
To joint survey committee on **Tax Exemptions**.

Assembly Bill 619

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Teaching Assistants' Association, AFT, Local 3220, AFL-CIO, for the 1997-99 biennium, covering employes in the program, project and teaching assistants of the University of Wisconsin-Madison and University of Wisconsin-Extension collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.
To committee on **Rules**.

MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Concurred in:

- Assembly Joint Resolution 82**
- Assembly Bill 19**
- Assembly Bill 87**
- Assembly Bill 127**
- Assembly Bill 270**
- Assembly Bill 305**
- Assembly Bill 380**
- Assembly Bill 403**

REFERRAL OF AGENCY REPORTS

Milwaukee Area Technical College
Milwaukee

October 27, 1997

To the Honorable, the Assembly:

Attached is a copy of the information provided to all students, in accordance with Wis. Stats. 38.12.

- a. All new students are required to attend a New Student Orientation. During these orientations, detailed information is shared regarding Sexual Assault and Sexual Harassment, also these students receive the attached handout.

- b. All continuing students receive in the mail the attached flyer.

If you have any questions or concerns, please feel free to contact Mr. Archie Graham, Director of Student Life at (414)297-6870.

Sincerely,
MR. ARCHIE L. GRAHAM
Director of Student Life

Referred to committee on **Colleges and Universities**.

State of Wisconsin
Wisconsin Housing and Economic
Development Authority
Madison

October 30, 1997

To the Honorable, the Legislature:

Pursuant to Wisconsin Statute 234.93(5), please find enclosed a report on the number of guarantees, total dollar amount of guarantees and default rates for each of the programs supported by the Wisconsin Development Reserve Fund. Please note that the report also includes Wisconsin Development Reserve Fund program activity in fiscal 1997. Please feel free to contact me or Jim Langdon at 266-3529 with any questions.

Sincerely,
FRITZ RUF
Executive Director, WHEDA

Referred to committee on **Small Business and Economic Development**.

State of Wisconsin
Council on Physical Disabilities
Madison

October 31, 1997

To the Honorable, the Legislature:

As required by s. 46.29 (f) of the state statutes, I am pleased to submit to you the Annual report of the Council on Physical Disabilities for state fiscal year 1997 (July 1, 1996 through June 30, 1997). The Council appreciates the opportunity to participate in state government as a representative of Wisconsin's citizens with physical disabilities.

Large print, Braille, audiotapes, and disc versions of this report are available by contacting the staff at the Council at 608/266-9667 (voice) or 608/267-3906 (Fax).

Sincerely,
JOEL RODNEY
Chairperson

Referred to committee on **Aging and Long-Term Care**.

State of Wisconsin
Public Service Commission
Madison

November 4, 1997

To the Honorable, the Assembly:

Piegras Holding Company was formed on April 16, 1991, when the majority of stock in St. Croix Valley Natural Gas Company was transferred to Donald Piegras through a sale from his father. Section 196.795 (7), Stats, requires a Public Service Commission (Commission) investigation of the impact of the operation of the holding company on the utility no sooner than thirty–six months after a holding company is formed. Section 196.795 (7) (ar), Stats., provides that the Commission report its findings as a result of its investigation to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2).

Commission staff have completed its investigation. The attached audit report discusses the scope of the audit and associated findings. In summary, no problems have appeared as a result of the formation of the holding company. Should you wish to discuss this report with Commission staff, please contact me at (608) 267–3590.

Sincerely,
ANITA SPRENGER
Administrator, Natural Gas Division

Referred to committee on **Utilities Oversight.**

State of Wisconsin
Department of Workforce Development
Madison

November 4, 1997

To the Honorable, the Legislature:

RE: Report on Alleged Worker’s Compensation Fraud,
Section 102.125, Wis. Stats.

The purpose of this letter is to report to the Governor and Legislature regarding allegations of worker’s compensation fraud reported to the Department of Workforce development.

Section 102.125, Wis. Stats., created by 1993 Wisconsin Act 81, requires the Department to record allegations of worker’s compensation fraud, and if there is a reasonable basis to believe that a violation of s. 943.395, Stats., (insurance fraud) has occurred, to refer the case for prosecution by the district attorney of the county in which the violation occurred. It also requires the Department to report annually to the Governor and Legislature regarding the number of allegations and referrals, and the results of the referrals.

This report shows that the program continues to be very effective at discharging its statutory duties and combating fraud, with a minimum of public expenditure. These

achievements are founded on close partnerships with insurance carriers, prosecutors, and the employer community.

Sincerely,
LINDA STEWART
Secretary, DWD

Referred to committee on **Labor and Employment.**

AGENCY REPORTS

State of Wisconsin
Claims Board
Madison

November 3, 1997

To the Honorable, the Assembly:

Enclosed is the report of the State Claims Board covering the claims heard on October 14, 1997.

The amounts recommended for payment under \$5,000 on claims included in this report have, under the provisions of s. 16.007, Stats., been paid directly by the Board.

The Board is preparing the bill(s) on the recommended award(s) over \$5,000, if any, and will submit such to the Joint Finance Committee for legislative introduction.

This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the Journal to inform the members of the Legislature.

Sincerely,
EDWARD D. MAIN
Secretary, Claims Board

State of Wisconsin
Legislative Audit Bureau
Madison

November 12, 1997

To the Honorable, the Legislature:

At the request of the Joint Legislative Audit Committee, we have been monitoring construction of Miller Park, a new baseball stadium for the Milwaukee Brewers Baseball Club. Stadium construction is the responsibility of the Southeast Wisconsin Professional Baseball Park District, created in 1995 Wisconsin Act 56. This review provides the information about financial aspects of stadium construction.

In a memorandum of understanding signed by representatives of the State, Milwaukee County, the City of Milwaukee, and the Brewers before enactment of Act 56, the total cost of the stadium project was budgeted at \$322 million. However, we estimate the project’s current total cost is \$397.6 million, consisting of \$303.3 million for construction; \$82.5 million for infrastructure improvements, such as improvements to the site, U.S. Highway 41, and the Stadium Interchange on Interstate 94; and \$11.8 million for the District’s day–to–day operating expenses, including expenditures associated with Milwaukee County Stadium.

Through June 1997, a total of \$32.7 million was expended on the stadium project, independent of revenue bond interest and

fiscal charges: \$17.9 million for stadium construction, \$11.3 million for infrastructure improvements, and \$3.5 million for day-to-day operations. The District expended \$28.9 million of this amount directly. The remaining \$3.8 million was expended by the Wisconsin Department of Transportation.

To fund its expenditures, the District has issued \$160 million in revenue bonds supported by a 0.1 percent local sales and use tax that was imposed beginning January 1, 1996. More than \$21.4 million in sales and use tax revenues was distributed to the District by the Wisconsin Department of Revenue through June 1997. Additional funds were generated through the issuance of \$45.5 million in Lease Certificates of Participation in August 1997.

We appreciate the courtesy and cooperation extended to us by the staff of the Southeast Wisconsin Professional Baseball Park District, as well as by the District's outside service providers, in completing our monitoring responsibilities. The District's response in Appendix IV.

Sincerely,
DALE CATTANACH
State Auditor

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

The Assembly stood recessed.

9:40 A.M.

RECESS

12:40 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Resolution 10** be introduced and taken up at this time. Granted.

Assembly Resolution 10

Relating to: denouncing the hate-filled message of the Ku Klux Klan.

By Representatives Robson, Freese, Turner, Coggs, Morris-Tatum, Williams, Riley, Wasserman and L. Young.

Assembly amendment 1 to **Assembly Resolution 10** offered by Representative Freese.

The question was: Shall Assembly amendment 1 to **Assembly Resolution 10** be adopted?

Motion carried.

The question was: Shall **Assembly Resolution 10** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris-Tatum, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schafer, Schneider, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 97.

Noes – None.

Absent or not voting – Representative Murat – 1.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 48** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Joint Resolution 48

Relating to: recognizing the importance of the Kettle Moraine.

Assembly amendment 1 to **Assembly Joint Resolution 48** offered by Representative Duff.

Representative Black moved that Assembly amendment 1 to **Assembly Joint Resolution 48** be laid on the table.

The question was: Shall Assembly amendment 1 to **Assembly Joint Resolution 48** be laid on the table?

Motion carried.

The question was: Shall **Assembly Joint Resolution 48** be adopted?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 48** be immediately messaged to the Senate. Granted.

MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Concurred in:

Assembly Joint Resolution 83

Concurred in as amended:

Assembly Bill 378 (Senate amendment 1 adopted)

Assembly Bill 532 (Senate amendment 2 adopted)

Passed and asks concurrence in:

Senate Bill 359

ACTION ON THE SENATE MESSAGE

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 359** be withdrawn and taken up at this time. Granted.

Senate Bill 359

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Teaching Assistants' Association, AFT, Local 3220, AFL-CIO, for the 1997-99 biennium, covering employes in the program, project and teaching assistants of the University of Wisconsin-Madison and University of Wisconsin-Extension collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.

The question was: Shall **Senate Bill 359** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 359** be given a third reading. Granted.

The question was: **Senate Bill 359** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyms, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Gronemus, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris-Tatum, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 90.

Noes – Representatives Green, Grothman, Huebsch, F. Lasee, Lazich, Schafer and Walker – 7.

Absent or not voting – Representative Murat – 1.

Motion carried.

Representative Huebsch asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 359** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 378** be withdrawn and taken up at this time. Granted.

Assembly Bill 378

Relating to: repealing, consolidating, renumbering, amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, eliminating defects, anachronisms, conflicts, ambiguities and obsolete provisions, deleting, replacing or otherwise modifying language which discriminates on the basis of sex, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

The question was: Shall Senate amendment 1 to **Assembly Bill 378** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 378** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 532** be withdrawn and taken up at this time. Granted.

Assembly Bill 532

Relating to: the salaries of the executive directors of the elections board and ethics board.

Representative Foti moved nonconcurrence in Senate amendment 2 to **Assembly Bill 532**.

The question was: Shall Senate amendment 2 to **Assembly Bill 532** be nonconcurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 532** be immediately messaged to the Senate. Granted.

CALENDAR OF WEDNESDAY, NOVEMBER 19

Assembly Bill 64

Relating to: evictions of tenants in buildings used for prostitution.

Assembly amendment 1 to **Assembly Bill 64** offered by Representative Kunicki.

Representative Kunicki asked unanimous consent that Assembly amendment 1 to **Assembly Bill 64** be withdrawn and returned to the author. Granted.

Representative Grothman asked unanimous consent to be withdrawn as a coauthor of **Assembly Bill 64**. Granted.

The question was: Shall **Assembly Bill 64** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 64** be given a third reading. Granted.

The question was: **Assembly Bill 64** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Brandemuehl, Carpenter, Coggs, Cullen, Dobyms, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schafer, Schneider, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 94.

Noes – Representatives Boyle, Grothman and Williams – 3.

Absent or not voting – Representative Murat – 1.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 64** be immediately messaged to the Senate. Granted.

Assembly Bill 90

Relating to: time limits for prosecution of crimes against children.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 90** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 90** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 90** be given a third reading. Granted.

The question was: **Assembly Bill 90** having been read three times, shall the bill be passed?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 90** be immediately messaged to the Senate. Granted.

Assembly Bill 215

Relating to: nitrous oxide and providing a penalty.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 2 to **Assembly Bill 215** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to Assembly substitute amendment 2 to **Assembly Bill 215** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 2 to **Assembly Bill 215** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 215** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 215** be given a third reading. Granted.

The question was: **Assembly Bill 215** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 215** be immediately messaged to the Senate. Granted.

Assembly Bill 410

Relating to: original adult court jurisdiction over a juvenile who is alleged to have attempted or committed a violation of any state criminal law if that violation may be joined with an alleged assault, battery, homicide or attempted homicide over which the adult court has original jurisdiction, the elimination of reverse waiver for a juvenile who is once waived always waived, the imposition of a juvenile adjudication and disposition by an adult court on a juvenile who has been found to have committed a lesser offense, the financial ability of a juvenile, either alone or with the assistance of a parent with custody of the juvenile, to make restitution for any damage or injury resulting from the juvenile's act or to pay a forfeiture imposed on the juvenile, sanctions for a juvenile in need of protection or services based on habitual truancy or being a school dropout who violates a condition of his or her dispositional order and sanctions for contempt of court by a juvenile who violates a condition of his or her dispositional order, the rules of evidence at postdispositional hearings under the juvenile justice code and the disclosure of juvenile court records to other juvenile courts for the purposes of preparing a presentence investigation, determining custody of a juvenile, setting bail, impeaching a witness and determining whether a juvenile who would otherwise be an heir has intentionally killed the decedent.

Assembly amendment 1 to Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 410** offered by Representative R. Young.

The question was: Shall Assembly amendment 1 to Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 410** be adopted?

Motion carried.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 410** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 410** be adopted?

Motion carried.

Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 410** offered by Representatives Albers, Freese and Krug.

The question was: Shall Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 410** be adopted?

Motion carried.

Assembly amendment 4 to Assembly substitute amendment 1 to **Assembly Bill 410** offered by Representative R. Young.

The question was: Shall Assembly amendment 4 to Assembly substitute amendment 1 to **Assembly Bill 410** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 410** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 410** be ordered engrossed and read a third time?

Motion carried.

Representative Duff asked unanimous consent that the rules be suspended and that **Assembly Bill 410** be given a third reading. Granted.

The question was: **Assembly Bill 410** having been read three times, shall the bill be passed?

Motion carried.

Representative Duff asked unanimous consent that the rules be suspended and that **Assembly Bill 410** be immediately messaged to the Senate. Granted.

Assembly Bill 411

Relating to: burglary and providing a penalty.

The question was: Shall **Assembly Bill 411** be ordered engrossed and read a third time?

Motion carried.

Representative Duff asked unanimous consent that the rules be suspended and that **Assembly Bill 411** be given a third reading. Granted.

The question was: **Assembly Bill 411** having been read three times, shall the bill be passed?

Motion carried.

Representative Duff asked unanimous consent that the rules be suspended and that **Assembly Bill 411** be immediately messaged to the Senate. Granted.

Assembly Bill 463

Relating to: unborn children who are at substantial risk of serious physical injury due to the habitual lack of self-control of their expectant mothers in the use of alcohol beverages, controlled substances or controlled substance analogs, exhibited to a severe degree.

Representative Ladwig asked unanimous consent that Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 463** be laid on the table. Granted.

The question was: Shall Assembly amendment 4 to Assembly substitute amendment 1 to **Assembly Bill 463** be adopted?

Motion carried.

Representative Notestein moved that Assembly amendment 6 to Assembly substitute amendment 1 to **Assembly Bill 463** be laid on the table.

MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has Passed and asks concurrence in:
Senate Bill 355

ACTION ON THE SENATE MESSAGE

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 355** be withdrawn and taken up at this time. Granted.

Senate Bill 355

Relating to: effective recycling programs, reports by materials recovery facilities, waste reduction and recycling demonstration grants, liability associated with materials reuse programs, requiring studies and granting rule-making authority.

By Senators Decker and Cowles; cosponsored by Representatives Hutchison, Johnsrud and F. Lasee.

Assembly amendment 1 to **Senate Bill 355** offered by Representatives Jensen, Black, Ourada and Hutchison.

The question was: Shall Assembly amendment 1 to **Senate Bill 355** be adopted?

Motion carried.

The question was: Shall **Senate Bill 355** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 355** be given a third reading. Granted.

The question was: **Senate Bill 355** having been read three times, shall the bill be concurred in as amended?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 355** be immediately messaged to the Senate. Granted.

Assembly Bill 463

Relating to: unborn children who are at substantial risk of serious physical injury due to the habitual lack of self-control of their expectant mothers in the use of alcohol beverages, controlled substances or controlled substance analogs, exhibited to a severe degree.

POINT OF ORDER

Representative Notestein rose to the point of order that Assembly amendment 6 to Assembly substitute amendment 1 to **Assembly Bill 463** was not germane under Assembly Rule 54 (3) (f).

Speaker pro tempore Freese took the point of order under advisement.

The question was: Shall Assembly amendment 7 to Assembly substitute amendment 1 to **Assembly Bill 463** be adopted?

Motion carried.

The question was: Shall Assembly amendment 8 to Assembly substitute amendment 1 to **Assembly Bill 463** be adopted?

Motion carried.

The question was: Shall Assembly amendment 9 to Assembly substitute amendment 1 to **Assembly Bill 463** be adopted?

Motion carried.

The question was: Shall Assembly amendment 10 to Assembly substitute amendment 1 to **Assembly Bill 463** be adopted?

Motion carried.

Assembly amendment 11 to Assembly substitute amendment 1 to **Assembly Bill 463** offered by Representatives R. Young, Notestein, Hebl and Krug.

Representative Ladwig moved rejection of Assembly amendment 11 to Assembly substitute amendment 1 to **Assembly Bill 463**.

Representative Duff in the chair.

The question was: Shall Assembly amendment 11 to Assembly substitute amendment 1 to **Assembly Bill 463** be rejected?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baumgart, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, M. Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Rutkowski, Schafer, Seratti, Skindrud, Staskunas, Sykora, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wieckert, Wood, Zukowski and Speaker Jensen – 56.

Noes – Representatives Baldwin, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Gronemus, Hanson, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, J. Lehman, Linton, Meyer, Morris–Tatum, Notestein, Plale, Plouff, R. Potter, Reynolds, Riley, Robson, Ryba, Schneider, Springer, Steinbrink, Travis, Turner, Wasserman, Williams, L. Young, R. Young and Ziegelbauer – 41.

Absent or not voting – Representative Murat – 1.

Motion carried.

Assembly amendment 12 to Assembly substitute amendment 1 to **Assembly Bill 463** offered by Representatives R. Young, Notestein, Hebl and Krug.

Representative Ladwig moved that Assembly amendment 12 to Assembly substitute amendment 1 to **Assembly Bill 463** be laid on the table.

POINT OF ORDER

Representative Krug rose to the point of order that **Assembly Bill 463** was not properly before the Assembly because the bill is required to be referred to the joint committee on Finance before the Assembly can consider action on it under s. 13.093 of the Wisconsin Statutes.

The chair (Representative Duff) ruled the point of order **not well taken** because the rules and constitution do not specify that a proposal that requires action by the joint committee on Finance must go to that committee before action in either house. It just states that it must be referred to that committee before it is signed by the Governor. Therefore, if the bill does not get referred to the joint committee on Finance when it is in the Assembly, it still has ample time to get referred there after it is messaged to the Senate.

The question was: Shall Assembly amendment 12 to Assembly substitute amendment 1 to **Assembly Bill 463** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Dobyms, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Krusick, Ladwig, F. Lasee, Lazich, M. Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Rutkowski, Schafer, Seratti, Skindrud, Sykora, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wieckert, Wood, Zukowski and Speaker Jensen – 55.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Gronemus, Hanson, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Kunicki, La Fave, J. Lehman, Linton, Meyer, Morris–Tatum, Notestein, Plale, Plouff, R. Potter, Reynolds, Riley, Robson, Ryba, Schneider, Springer, Staskunas, Steinbrink, Travis, Turner, Wasserman, Williams, L. Young, R. Young and Ziegelbauer – 42.

Absent or not voting – Representative Murat – 1.

Motion carried.

Assembly amendment 13 to Assembly substitute amendment 1 to **Assembly Bill 463** offered by Representative Ladwig.

The question was: Shall Assembly amendment 13 to Assembly substitute amendment 1 to **Assembly Bill 463** be adopted?

Motion carried.

Assembly amendment 14 to Assembly substitute amendment 1 to **Assembly Bill 463** offered by Representatives Bock, Notestein, Robson and Reynolds.

Speaker Pro Tempore Freese in the chair.

POINT OF ORDER

Representative Ladwig rose to the point of order that Assembly amendment 14 to Assembly substitute amendment 1 to **Assembly Bill 463** was not germane under Assembly Rule 54 (3) (f).

Speaker pro tempore Freese took the point of order under advisement.

Assembly amendment 15 to Assembly substitute amendment 1 to **Assembly Bill 463** offered by Representative Wasserman.

The question was: Shall Assembly amendment 15 to Assembly substitute amendment 1 to **Assembly Bill 463** be adopted?

Motion carried.

The Assembly proceeded to other business under Assembly Rule 62(1)(b)(4).

Assembly Bill 497

Relating to: seizure of motor vehicles for offenses related to driving while under the influence of an intoxicant.

The question was: Shall **Assembly Bill 497** be ordered engrossed and read a third time?

Motion carried.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Bill 497** be given a third reading.

Representative Cullen objected.

Assembly Bill 513

Relating to: the licensing of motor vehicle dealers and salespersons, sales finance companies and motor vehicle salvage dealers and providing a penalty.

The question was: Shall Assembly amendment 1 to **Assembly Bill 513** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 513** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 513** be given a third reading. Granted.

The question was: **Assembly Bill 513** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 513** be immediately messaged to the Senate. Granted.

Representative Lazich asked unanimous consent to be recorded as voting “Aye” on the question of passage of **Assembly Bill 606** taken on Tuesday, November 18. Granted.

Assembly Bill 564

Relating to: sexual assault, the controlled substance flunitrazepam and providing penalties.

The question was: Shall Assembly amendment 2 to **Assembly Bill 564** be adopted?

Motion carried.

The question was: Shall Assembly amendment 3 to **Assembly Bill 564** be adopted?

Motion carried.

Assembly amendment 4 to **Assembly Bill 564** offered by Representative Huebsch.

The question was: Shall Assembly amendment 4 to **Assembly Bill 564** be adopted?

Motion carried.

Assembly amendment 5 to **Assembly Bill 564** offered by Representatives Huber and Hoven.

The question was: Shall Assembly amendment 5 to **Assembly Bill 564** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 564** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 564** be given a third reading. Granted.

The question was: **Assembly Bill 564** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schafer, Schneider, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 97.

Noes – None.

Absent or not voting – Representative Murat – 1.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 564** be immediately messaged to the Senate. Granted.

MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Concurred in:

Assembly Bill 10

Assembly Bill 11

Assembly Bill 73

Recedes from its position on:

Senate amendment 2 to **Assembly Bill 532**

COMMITTEE REPORTS

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

Assembly Bill 570

Relating to: exempting multilevel multifamily housing without elevators from the multifamily housing accessibility law.

Passage:

Ayes: 9 – Representatives Owens, Kedzie, Foti, Vrakas, Wieckert, Morris–Tatum, La Fave, L. Young and Baldwin.

Noes: 0.

To committee on **Rules**.

CAROL OWENS

Chairperson

Committee on Housing

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 570** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Bill 570

Relating to: exempting multilevel multifamily housing without elevators from the multifamily housing accessibility law.

The question was: Shall **Assembly Bill 570** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 570** be given a third reading. Granted.

The question was: **Assembly Bill 570** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 570** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 541** be withdrawn from the committee **Rules** and taken up at this time. Granted.

Assembly Bill 541

Relating to: domestic abuse and providing a penalty.

Assembly amendment 2 to Assembly amendment 1 to **Assembly Bill 541** offered by Representative Harsdorf.

Assembly amendment 3 to Assembly amendment 1 to **Assembly Bill 541** offered by Representatives Goetsch, Harsdorf and Huber.

Representative Goetsch asked unanimous consent that Assembly amendment 1 to **Assembly Bill 541** be laid on the table. Granted.

Assembly amendment 2 to **Assembly Bill 541** offered by Representative Harsdorf.

The question was: Shall Assembly amendment 2 to **Assembly Bill 541** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 541** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 541** be given a third reading. Granted.

Representative Foti asked unanimous consent that **Assembly Bill 461** be placed at the foot of today's calendar. Granted.

The Assembly stood informal.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 541** be withdrawn from the foot of today's calendar and taken up at this time. Granted.

Assembly Bill 541

Relating to: domestic abuse and providing a penalty.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 541** be returned to the amendable stage. Granted.

Representative Foti asked unanimous consent that Assembly amendment 1 to **Assembly Bill 541** be taken from the table. Granted.

Representative Goetsch asked unanimous consent that Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 541** be laid on the table. Granted.

The question was: Shall Assembly amendment 2 to Assembly amendment 1 to **Assembly Bill 541** be adopted?

Motion carried.

The question was: Shall Assembly amendment 3 to Assembly amendment 1 to **Assembly Bill 541** be adopted?

Motion carried.

The question was: Shall Assembly amendment 1 to **Assembly Bill 541** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 541** be engrossed and reordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 541** be given a third reading. Granted.

The question was: **Assembly Bill 541** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 541** be immediately messaged to the Senate. Granted.

RULING ON THE POINT OF ORDER

Speaker Pro Tempore Freese ruled **not well taken** the point of order raised by Representative Notestein that Assembly amendment 6 to Assembly substitute amendment 1 to **Assembly Bill 463** was not germane under Assembly Rule 54(3)(f).

Assembly Bill 463

Relating to: unborn children who are at substantial risk of serious physical injury due to the habitual lack of self-control of their expectant mothers in the use of alcohol beverages, controlled substances or controlled substance analogs, exhibited to a severe degree.

The question was: Shall Assembly amendment 6 to Assembly substitute amendment 1 to **Assembly Bill 463** be rejected?

The roll was taken.

The result follows:

Ayes – Representatives Baldwin, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Gronemus, Hanson, Krug, Kunicki, La Fave, J. Lehman, Meyer, Notestein, R. Potter, Riley, Schneider, Travis, Wasserman, L. Young and R. Young – 23.

Noes – Representatives Ainsworth, Albers, Baumgart, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krusick, Ladwig, F. Lasee, Lazich, M. Lehman, Linton, Lorge, Morris–Tatum, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, Powers, Reynolds, Robson, Rutkowski, Ryba, Schafer, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wieckert, Williams, Wood, Ziegelbauer, Zukowski and Speaker Jensen – 74.

Absent or not voting – Representative Murat – 1.

Motion failed.

The question was: Shall Assembly amendment 6 to Assembly substitute amendment 1 to **Assembly Bill 463** be adopted?

Motion carried.

RULING ON THE POINT OF ORDER

Speaker Pro Tempore Freese ruled **well taken** the point of order raised by Representative Ladwig that Assembly amendment 14 to Assembly substitute amendment 1 to **Assembly Bill 463** was not germane under Assembly Rule 54(3)(f).

Representative Schneider 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 Ainsworth, Albers, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, M. Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schafer, Seratti, Skindrud, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Jensen – 51.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Gronemus, Hanson, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krusick, Kunicki, La Fave, J. Lehman, Linton, Meyer, Morris–Tatum, Notestein, Plale, Plouff, R. Potter, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Springer, Staskunas, Steinbrink, Travis, Turner, Vander Loop, Wasserman, Williams, Wood, L. Young, R. Young and Ziegelbauer – 46.

Absent or not voting – Representative Murat – 1.

Motion carried.

Representative Jeskewitz asked unanimous consent to be made a coauthor of **Assembly Bill 614**. Granted.

Assembly amendment 16 to Assembly substitute amendment 1 to **Assembly Bill 463** offered by Representative Robson.

Representative Ladwig moved that Assembly amendment 16 to Assembly substitute amendment 1 to **Assembly Bill 463** be laid on the table.

The question was: Shall Assembly amendment 16 to Assembly substitute amendment 1 to **Assembly Bill 463** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baumgart, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Krug, Krusick, Ladwig, F. Lasee, Lazich, M. Lehman, Linton, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Plale, Porter, Powers, Rutkowski, Schafer, Seratti, Skindrud, Springer, Sykora, Travis, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Wood, Ziegelbauer, Zukowski and Speaker Jensen – 61.

Noes – Representatives Baldwin, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Gronemus, Hanson, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Kunicki, La Fave, J. Lehman, Meyer, Morris–Tatum, Notestein, Plouff, R. Potter, Reynolds, Riley, Robson, Ryba, Schneider, Staskunas, Steinbrink, Turner, Vander Loop, Wasserman, L. Young and R. Young – 35.

Absent or not voting – Representatives Murat and Williams – 2.

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 463** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 463** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 463** be given a third reading. Granted.

The question was: **Assembly Bill 463** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baumgart, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krusick, Kunicki, Ladwig, F. Lasee, Lazich, M. Lehman, Lorge, Meyer, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Plale, Porter, Powers, Robson, Rutkowski, Ryba, Schafer, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wieckert, Wood, Ziegelbauer, Zukowski and Speaker Jensen – 69.

Noes – Representatives Baldwin, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Gronemus, Hanson, Hubler, Krug, La Fave, J. Lehman, Linton, Morris–Tatum, Notestein, Plouff, R. Potter, Reynolds, Riley, Schneider, Travis, Turner, Wasserman, L. Young and R. Young – 27.

Absent or not voting – Representatives Murat and Williams – 2.

Motion carried.

Representative Kunicki moved reconsideration of the vote by which **Assembly Bill 463** was passed. Entered.

Representative Foti asked unanimous consent that the rules be suspended and that the motion for reconsideration of the vote by which **Assembly Bill 463** was passed be taken up at this time.

Representative Krug objected.

Representative Foti moved that the rules be suspended and that the motion for reconsideration of the vote by which **Assembly Bill 463** was passed be taken up at this time.

The question was: Shall the rules be suspended and the motion for reconsideration of the vote by which **Assembly Bill 463** was passed be taken up at this time?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hebl, Hoven, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Krusick, Ladwig, F. Lasee, Lazich, M. Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Plale, Porter, Powers, Schafer, Seratti, Skindrud, Sykora, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Zukowski and Speaker Jensen – 54.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Gronemus, Hanson, Hasenohrl, Huber, Hubler, Kreuser, Krug, Kunicki, La Fave, J. Lehman, Linton, Meyer, Morris–Tatum, Notestein, Plouff, R. Potter, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Springer, Staskunas, Steinbrink, Travis, Turner, Vander Loop, Wasserman, Wood, L. Young, R. Young and Ziegelbauer – 42.

Absent or not voting – Representatives Murat and Williams – 2.

Motion failed.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 467** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Bill 467

Relating to: information provided to a person accused of operating a motor vehicle while under the influence of an intoxicant, controlled substance or other drug.

The question was: Shall **Assembly Bill 467** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 467** be given a third reading. Granted.

The question was: **Assembly Bill 467** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 467** be immediately messaged to the Senate.

Representative Ladwig objected.

Representative Foti asked unanimous consent that the Assembly stand recessed until 6:45 P.M. Granted.

The Assembly stood recessed.

4:43 P.M.

RECESS

6:45 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

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

A quorum was present.

MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Concurred in:

Assembly Bill 96

Assembly Bill 243

Assembly Bill 280

Assembly Bill 343

Assembly Bill 385

Assembly Bill 433

Assembly amendment 1 to **Senate Bill 355**

Passed and asks concurrence in:

Senate Bill 362

ACTION ON THE SENATE MESSAGE

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 362** be withdrawn and taken up at this time. Granted.

Senate Bill 362

Relating to: the application of the business combination and the control share voting restriction provisions of the business corporation law; dry cleaning fees; nontarget population members; the date by which certain school board resolutions pertaining to the open enrollment programs must be adopted; loans made to school districts by the technology for educational achievement in Wisconsin board; the method for calculating contributions to the universal service fund; use of the universal service fund to make grants to certain school districts for telecommunications access; financial assistance for local recycling programs; funding for a boat landing located on the Wisconsin River in the town of Buena Vista; reports concerning the environmental cooperation pilot program; funding for air and solid and hazardous waste programs; studies of fish in the Great Lakes; eligibility for child care subsidies under the Wisconsin works program; increased funding for the benefit specialist program for older individuals; the amount that a county having a population of 500,000 or more must contribute for the provision of child welfare services in that county by the department of health and family services; the photographing of a person applying for or receiving kinship care payments, of employes and prospective employes of a person applying for or receiving kinship care payments and of adult residents and prospective adult residents of the home of a person applying for or receiving kinship care payments; eliminating cross-references to the Wisconsin works health plan; computing the aviation fuel tax; a sales tax and use tax

exemption for samples of medicine and registration for use tax purposes; the international fuel tax agreement; the department of revenue's expenses to administer the fee on vehicle rentals; directing the department of revenue to not adjust individual income tax withholding tables and making a technical adjustment in the calculation of income tax liability by individual nonresidents and part-year residents of this state; the sales of food by institutions of higher learning; salary-setting authority of certain state bodies; reserve "Class B" intoxicating liquor licenses; the abolishment of the emergency response board; revocation of probation for failure to pay supervision fees owed to the department of corrections; and making an appropriation.

By Senator Burke.

LEAVES OF ABSENCE

Representative Green asked unanimous consent for a leave of absence for the balance of today's session for Representative Schafer. Granted.

The question was: Shall **Senate Bill 362** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 362** be given a third reading. Granted.

The question was: **Senate Bill 362** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris-Tatum, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 95.

Noes – None.

Absent or not voting – Representatives Murat, Schafer and Williams – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 362** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 483** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Bill 483

Relating to: allowing the department of transportation to contract with public utilities and rural electric cooperative associations for cooperative acquisition, development or maintenance of jointly used rights-of-way.

Assembly amendment 1 to **Assembly Bill 483** offered by Representatives Brandemuehl and Wood.

The question was: Shall Assembly amendment 1 to **Assembly Bill 483** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 483** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 483** be given a third reading. Granted.

The question was: **Assembly Bill 483** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 483** be immediately messaged to the Senate. Granted.

Senate Bill 35

Relating to: the purchase of used home furnishings by antique dealers and recyclers and providing a penalty.

The question was: Shall Assembly amendment 1 to **Senate Bill 35** be adopted?

Motion carried.

The question was: Shall Assembly amendment 2 to **Senate Bill 35** be adopted?

Motion carried.

The question was: Shall **Senate Bill 35** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 35** be given a third reading. Granted.

Representative Skindrud moved nonconcurrence in **Senate Bill 35**.

The question was: Shall **Senate Bill 35** be nonconcurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Duff, Goetsch, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Johnsrud, Kedzie, Kelso, Klusman, Kreibich, Lazich, M. Lehman, Lorge, Musser, Nass, Ourada, Owens, Seratti, Skindrud, Underheim, Ward, Wieckert and Zukowski – 30.

Noes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Foti, Freese, Gard, Green, Gronemus, Hanson, Hasenohrl, Hebl, Huber, Hubler, Jeskewitz, Kaufert, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, J. Lehman, Linton, Meyer, Morris–Tatum, Notestein, Olsen, Ott, Otte, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Urban, Vander Loop, Vrakas, Walker, Wasserman, Wood, L. Young, R. Young, Ziegelbauer and Speaker Jensen – 65.

Absent or not voting – Representatives Murat, Schafer and Williams – 3.

Motion failed.

The question was: **Senate Bill 35** having been read three times, shall the bill be concurred in as amended?

The roll was taken.

The result follows:

Ayes – Representatives Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Foti, Freese, Green, Gronemus, Hanson, Hasenohrl, Hebl, Huber, Hubler, Huebsch, Jeskewitz, Kaufert, Kedzie, Kelso, Klusman, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, J. Lehman, Linton, Meyer, Morris–Tatum, Musser, Nass, Notestein, Olsen, Ott, Otte, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wood, L. Young, R. Young, Ziegelbauer and Speaker Jensen – 72.

Noes – Representatives Ainsworth, Albers, Duff, Gard, Goetsch, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Hutchison, Johnsrud, Kreibich, Lazich, M. Lehman, Lorge, Ourada, Seratti, Skindrud, Underheim, Wieckert and Zukowski – 23.

Absent or not voting – Representatives Murat, Schafer, and Williams – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 35** be immediately messaged to the Senate. Granted.

The members paid tribute to Representative James Rutkowski, who is resigning from the Assembly after serving twenty–six years as Representative from the 82nd Assembly district. He addressed the members from the rostrum.

ANNOUNCEMENTS

Representatives Ainsworth and Ryba asked unanimous consent that the Assembly adjourn in honor of the Oconto Falls High School Football Team and their coaches for advancing to the WIAA Division 3 State Championship in Madison. Granted.

Representative Baumgart asked unanimous consent that the Assembly adjourn in honor of Aldo Leopold. Granted.

Representatives Kaufert and Hoven asked unanimous consent that the Assembly adjourn in honor of Governor Thompson on the occasion of his birthday today. Granted.

Representative Kreuser asked unanimous consent that the Assembly adjourn in honor of Jane E. Kreuser, who will be celebrating her birthday on November 25. 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:

Robert Grimm and his daughters, Cynthia and Mindy, of the Seventh Day Adventist Home School Program, guests of Representatives Albers and Johnsrud.

Eleven month-old Elizabeth Lorge, daughter and guest of Representative Lorge.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, January 13, 1998, pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

7:30 P.M.