



STATE OF WISCONSIN

Assembly Journal

One-Hundred and First Regular Session

12:50 P.M.

TUESDAY, May 7, 2013

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

Representative Bies 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 Pastor Dave Ruby from Stella Marris Parish in Sturgeon Bay.

Representative Bernier 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, Clark, Craig, Czaja, Danou, Doyle, Endsley, Genrich, Goyke, Hebl, Hesselbein, Hintz, Honadel, Hulsey, Hutton, Jacque, Jagler, Johnson, Jorgensen, Kahl, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knodl, Knudson, Kolste, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Loudenbeck, Marklein, Mason, Milroy, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, Nygren, Ohnstad, A. Ott, J. Ott, Pasch, Petersen, 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, Vruwink, Wachs, Weatherston, Weininger, Williams, Wright, Young, Zamarripa, Zepnick and Speaker Vos - 97.

Absent with leave - Representatives Brooks and Tranel - 2.

Vacancies - None.

LEAVES OF ABSENCE

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

LEAVES OF ABSENCE

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

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

SPECIAL GUEST

Representative Bies introduced Annika Johnson, who accepted the posthumous Hometown Hero Award on behalf of her son, Bo Johnson. Bo passed away from extramedullary acute myeloid leukemia on September 28, 2012 at the age of 13. Ms. Johnson addressed the members from the rostrum.

SPECIAL GUEST

Representative Murphy introduced Hometown Hero Award recipient Sara Froeming from Appleton, who addressed the members from the rostrum.

AMENDMENTS OFFERED

Assembly Amendment 2 to Assembly Substitute Amendment 1 to **Assembly Bill 19** offered by Representatives Wachs, Hebl and Goyke.

Assembly Amendment 3 to Assembly Substitute Amendment 1 to **Assembly Bill 19** offered by Representatives Wachs, Hebl and Goyke.

Assembly Substitute Amendment 3 to **Assembly Bill 19** offered by Representatives Hebl, Wachs and Goyke.

Assembly Amendment 5 to **Assembly Bill 27** offered by Representatives Goyke, Hebl and Wachs.

Assembly Amendment 3 to Assembly Substitute Amendment 1 to **Assembly Bill 110** offered by Representative C. Taylor.

Assembly Amendment 4 to Assembly Substitute Amendment 1 to **Assembly Bill 110** offered by Representative Zamarripa.

Assembly Amendment 5 to Assembly Substitute Amendment 1 to **Assembly Bill 110** offered by Representatives Vruwink and Zamarripa.

Assembly Amendment 6 to Assembly Substitute Amendment 1 to **Assembly Bill 110** offered by Representatives Vruwink, Shankland and C. Taylor.

Assembly Amendment 7 to Assembly Substitute Amendment 1 to **Assembly Bill 110** offered by Representative Knodl.

Assembly Amendment 1 to **Assembly Bill 139** offered by Representative J. Ott.

Assembly Amendment 2 to **Assembly Bill 139** offered by Representative Wachs.

Assembly Substitute Amendment 2 to **Assembly Bill 139** offered by Representatives Goyke, Hebl, Wachs, Genrich and C. Taylor.

Assembly Amendment 1 to **Assembly Bill 159** offered by Representatives Kessler, Johnson and Hebl.

Assembly Amendment 1 to **Assembly Bill 180** offered by Representative Hebl.

Assembly Amendment 1 to **Assembly Bill 189** offered by Representatives Craig and Kramer.

Assembly Amendment 1 to **Senate Bill 145** offered by Representatives Kessler, Ohnstad, Goyke, Pasch and Johnson.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 12-050

Relating to deceptive advertising.

No action taken by committee on **Health** on May 7, 2013.

To joint committee for review of **Administrative Rules** pursuant to s. 227.19 (5) (a), Wisconsin Statutes.

Referred on May 7, 2013.

Assembly Clearinghouse Rule 13-004

Relating to clarifying how ETF complies with applicable provisions of the Internal Revenue Code.

No action taken by committee on **Ways and Means** on May 6, 2013.

To joint committee for review of **Administrative Rules** pursuant to s. 227.19 (5) (a), Wisconsin Statutes.

Referred on May 7, 2013.

MESSAGE FROM THE SENATE

From: Jeffrey Renk, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 25

Passed and asks concurrence in:

Senate Bill 68

Senate Bill 75

Senate Bill 85

Senate Bill 135

Senate Bill 162

Concurred in:

Assembly Bill 82

Assembly Bill 109

Assembly Joint Resolution 11

Assembly Joint Resolution 16

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 25

Relating to: the life and public service of Joseph LaPorte.

By Senator Farrow; cosponsored by Representative Sinicki.

To committee on **Rules**.

SPEAKER'S COMMUNICATIONS

May 7, 2013

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

Dear Chief Clerk Fuller:

As Chairman of the Assembly Organization Committee, I have reviewed Assembly Bill 110 scheduled for floor action by the Assembly for Tuesday, May 7th. In my opinion, Assembly Bill 110 meets the \$10,000 threshold and requires a statement of emergency.

Pursuant to Wis. Stats. 16.47 (2), the Assembly Organization Committee has voted to grant a statement of emergency for Assembly Bill 110.

Sincerely,
ROBIN J. VOS
Assembly Speaker

CALENDAR OF TUESDAY, MAY 7

Assembly Joint Resolution 27

Relating to: commending the University of Wisconsin-Whitewater women's wheelchair basketball team for winning a second consecutive national championship.

The question was: Shall **Assembly Joint Resolution 27** be adopted?

Motion carried.

SPECIAL GUESTS

Representative Jorgensen introduced Head Coach Daniel Price and team members Laura Fuerst, Bethany DeVault, Desiree Miller, Mareike Adermann, Vanessa Erskine, Jillian Host and Lydia Sprain, UW-Whitewater Chancellor Richard Telfer and UW-Whitewater photographer Craig Schreiner. Mr. Price addressed the members from the rostrum.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 27** be immediately messaged to the Senate. Granted.

Assembly Joint Resolution 28

Relating to: commending the University of Wisconsin-Whitewater gymnastics team for winning a second consecutive national championship.

The question was: Shall **Assembly Joint Resolution 28** be adopted?

Motion carried.

SPECIAL GUESTS

Representative Jorgensen introduced Head Coach Jennifer Regan and gymnasts Steffi Heuer, Alexis Byington, Annie Mix, Kaitlyn Weber, Allison Annala, Alex Wentz, Morgan Hadley, Vicky Hammond, Siri Wischmann, Megan Love, Jen McKiernan, Delina Phillips, Allyse Dieringer, Mary Kate Young, Kathryn Thompson, Cici Talcott, Ginny Ebker, Alexis Williams, Kristin Shackleton, Hannah Lee and Amanda Quinn, UW-Whitewater Athletic Director Paul Plinske, UW-Whitewater Chancellor Richard Telfer, UW-Whitewater photographer Craig Schreiner and Ms. Regan's husband, Corey and son, Brayden. Ms. Regan addressed the members from the rostrum.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 28** be immediately messaged to the Senate. Granted.

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

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

Assembly Joint Resolution 30

Relating to: recognizing May as Melanoma and Skin Cancer Detection and Prevention Month.

The question was: Shall **Assembly Joint Resolution 30** be adopted?

Motion carried.

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

MESSAGE FROM THE SENATE

From: Jeffrey Renk, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 27

Senate Joint Resolution 28

ACTION ON THE SENATE MESSAGE

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

Senate Joint Resolution 27

Relating to: proclaiming May 2013 as Mental Health Awareness Month.

By Senators Darling, Erpenbach, Gudex, Hansen, Harris, Harsdorf, Kedzie, Lassa, Lehman, Olsen, Risser, Shilling, L. Taylor, Vinehout and Wirch; cosponsored by Representatives Ballweg, Berceau, Bernier, Bewley, Brooks, Czaja, Danou, Endsley, Genrich, Hebl, Hulsey, Hutton, Jagler, Jorgensen, Kahl, Kaufert, Kerkman, Kleefisch, Kolste, T. Larson, Loudbeck, Marklein, Mason, Murphy, Ohnstad, A. Ott, Pasch, Petryk, Ringhand, Ripp, Sargent, Spiros, C. Taylor, Tittl, Tranel, Williams, Wright, Zepnick and Schraa.

The question was: Shall **Senate Joint Resolution 27** be concurred in?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 27** be immediately messaged to the Senate. Granted.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 28** be withdrawn from the Senate message and taken up at this time. Granted.

Senate Joint Resolution 28

Relating to: proclaiming May 2013 as Motorcycle Awareness Month.

By Senators Petrowski, Olsen, Cowles, Erpenbach, Grothman, Lasee, Lehman, Shilling, L. Taylor and Vinehout; cosponsored by Representatives Strachota, Spiros, Ballweg, Bernier, Bewley, Danou, Endsley, Honadel, Kerkman, Kestell, Knodl, Kolste, Marklein, Milroy, Ohnstad, A. Ott, Schraa, Tittl, Weatherston, Williams, Petryk and T. Larson.

The question was: Shall **Senate Joint Resolution 28** be concurred in?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 28** be immediately messaged to the Senate. Granted.

Assembly Joint Resolution 31

Relating to: proclaiming May 2013 as Mental Health Awareness Month.

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

Assembly Joint Resolution 32

Relating to: proclaiming May 2013 as Motorcycle Awareness Month.

Representative Suder asked unanimous consent that **Assembly Joint Resolution 32** be laid on the table. Granted.

Senate Joint Resolution 16

Relating to: commending the Spring Valley High School National Ocean Sciences Bowl Team for winning the 12th Annual Lake Sturgeon Bowl Regional Competition.

The question was: Shall **Senate Joint Resolution 16** be concurred in?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 16** be immediately messaged to the Senate. Granted.

Senate Joint Resolution 23

Relating to: commending Bellin Memorial Hospital for being named the nation's safest hospital.

The question was: Shall **Senate Joint Resolution 23** be concurred in?

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.

Speaker Pro Tempore Kramer in the chair.

Assembly Bill 11

Relating to: notification requirements for registered sex offenders who are on school premises and providing penalties.

The question was: Shall **Assembly Bill 11** be ordered engrossed and read a third time?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 11** be given a third reading. Granted.

The question was: **Assembly Bill 11** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes - Representatives August, Ballweg, Barca, Barnes, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Billings, Born, Clark, Craig, Czaja, Danou, Doyle, Endsley, Genrich, Goyke, Hebl, Hesselbein, Hintz, Honadel, Hulsey, Hutton, Jacque, Jagler, Johnson, Jorgensen, Kahl, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knodl, Knudson,

Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Loudenbeck, Marklein, Mason, Milroy, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, Nygren, Ohnstad, A. Ott, J. Ott, Pasch, Petersen, 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, Vruwink, Wachs, Weatherston, Weininger, Williams, Wright, Young, Zamarripa, Zepnick and Speaker Vos - 95.

Noes - Representative Kessler - 1.

Absent or not voting - Representatives Brooks, Kolste and Tranel - 3.

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 11** be immediately messaged to the Senate. Granted.

Assembly Bill 62

Relating to: the definition of intoxicant.

The question was: Shall **Assembly Bill 62** be ordered engrossed and read a third time?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 62** be given a third reading. Granted.

The question was: **Assembly Bill 62** 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 62** be immediately messaged to the Senate. Granted.

LEAVES OF ABSENCE

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

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

Representative Suder asked unanimous consent that **Senate Bill 67** be withdrawn from today's calendar and taken up at this time. Granted.

Senate Bill 67

Relating to: the vehicle registration exemption for amphibious motor vehicles.

The question was: Shall **Senate Bill 67** be ordered to a third reading?

Motion carried.

Representative Barca introduced a privileged resolution.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 8

Relating to: requiring the speaker of the assembly to appoint a special committee to devise ways to ensure that the Wisconsin Economic Development Corporation follow state law.

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

To committee on **Assembly Organization**.

Representative Barca moved that the rules be suspended and that **Assembly Resolution 8** be withdrawn from the committee on **Assembly Organization** and taken up at this time.

The question was: Shall **Assembly Resolution 8** be withdrawn from the committee on **Assembly Organization** and taken up at this time?

The roll was taken.

The result follows:

Ayes - 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.

Noes - Representatives August, Ballweg, Bernier, Bies, Born, Craig, Czaja, Endsley, Honadel, Hutton, Jacque, Jagler, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Loudenbeck, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, Nygren, A. Ott, J. Ott, Petersen, Petryk, Pridemore, Ripp, Sanfelippo, Schraa, Severson, Spiros, Steineke, Stone, Strachota, Stroebel, Suder, Swearingen, Tauchen, Thiesfeldt, Tittl, Weatherston, Weininger, Williams and Speaker Vos - 57.

Absent or not voting - Representatives Brooks, Marklein and Tranel - 3.

Motion failed.

Senate Bill 67

Relating to: the vehicle registration exemption for amphibious motor vehicles.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 67** be given a third reading. Granted.

The question was: **Senate Bill 67** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 67** be immediately messaged to the Senate. Granted.

Assembly Bill 66

Relating to: the vehicle registration exemption for amphibious motor vehicles.

Representative Suder asked unanimous consent that **Assembly Bill 66** be laid on the table. Granted.

Assembly Bill 106

Relating to: municipal utility customer information.

The question was: Shall Assembly Amendment 1 to **Assembly Bill 106** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 106** be ordered engrossed and read a third time?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 106** be given a third reading. Granted.

The question was: **Assembly Bill 106** 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 106** be immediately messaged to the Senate. Granted.

Assembly Bill 110

Relating to: a pilot program to limit foods under FoodShare and providing an exemption from rule-making procedures.

The question was: Shall Assembly Amendment 1 to Assembly Substitute Amendment 1 to **Assembly Bill 110** be adopted?

Motion carried.

The question was: Shall Assembly Amendment 2 to Assembly Substitute Amendment 1 to **Assembly Bill 110** be adopted?

Motion carried.

POINT OF ORDER

Representative Richards rose to the point of order that Assembly Substitute Amendment 1 to **Assembly Bill 110** was not germane under Assembly Rule 54.

Speaker Pro Tempore Kramer ruled the point of order **not timely** because there were still simple amendments pending to Assembly substitute amendment 1 to **Assembly Bill 110**.

Representative Taylor asked unanimous consent that Assembly Amendment 3 to Assembly Substitute Amendment 1 to **Assembly Bill 110** be withdrawn and returned to author. Granted.

Representative Zamarripa asked unanimous consent that Assembly Amendment 4 to Assembly Substitute Amendment 1 to **Assembly Bill 110** be withdrawn and returned to author. Granted.

Representative Suder moved that Assembly Amendment 5 to Assembly Substitute Amendment 1 to **Assembly Bill 110** be laid on the table.

The question was: Shall Assembly Amendment 5 to Assembly Substitute Amendment 1 to **Assembly Bill 110** be laid on the table?

The roll was taken.

The result follows:

Ayes - Representatives August, Ballweg, Bernier, Bies, Born, Craig, Czaja, Endsley, Honadel, Hutton, Jacque, Jagler, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Loudonbeck, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, Nygren, A. Ott, J. Ott, Petersen, Petryk, Pridemore, Ripp, Sanfelippo, Schraa, Severson, Spiros, Steineke, Stone, Strachota, Stroebel, Suder, Swearingen, Tauchen, Thiesfeldt, Tittl, Weatherston, Weininger, Williams and Speaker Vos - 57.

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 Brooks, Marklein and Tranel - 3.

Motion carried.

Representative Suder moved that Assembly Amendment 6 to Assembly Substitute Amendment 1 to **Assembly Bill 110** be laid on the table.

The question was: Shall Assembly Amendment 6 to Assembly Substitute Amendment 1 to **Assembly Bill 110** be laid on the table?

The roll was taken.

The result follows:

Ayes - Representatives August, Ballweg, Bernier, Bies, Born, Craig, Czaja, Endsley, Honadel, Hutton, Jacque, Jagler, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Loudonbeck, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, Nygren, A. Ott, J. Ott, Petersen, Petryk, Pridemore, Ripp, Sanfelippo, Schraa, Severson, Spiros, Steineke, Stone, Strachota, Stroebel,

Suder, Swearingen, Tauchen, Thiesfeldt, Tittl, Weatherston, Weininger, Williams and Speaker Vos - 57.

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 Brooks, Marklein and Tranel - 3.

Motion carried.

Representative Knodl asked unanimous consent that Assembly Amendment 7 to Assembly Substitute Amendment 1 to **Assembly Bill 110** be withdrawn and returned to author. Granted.

POINT OF ORDER

Representative Richards rose to the point of order that Assembly Substitute Amendment 1 to **Assembly Bill 110** was not germane under Assembly Rule 54.

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:

“After consideration of your point of order that Assembly Substitute Amendment 1 to **Assembly Bill 110** is not germane under various provisions of Assembly Rule 54, I find that:

ASA 1 does not change the “purpose” of AB 110 -- Both seek to limit the foods that may be purchased under the FoodShare program.

Further, the bill achieves this purpose by requiring Department of Health Services to implement a pilot program, while the substitute amendment achieves this purpose by creating a permanent, state-wide program. It is within the power of the legislature to determine the manner in which the purpose of a program will be achieved and to choose whether a purpose should be achieved by a pilot program or a statewide program.

And lastly, the substitute amendment does not create a new purpose that is not in the bill or deal with a matter that is extraneous to the bill. Thus, the substitute amendment does not expand the scope of the proposal, but rather seeks to achieve the same purpose of the bill in a different manner.

Therefore, I find your point of order **not well taken**.”

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, Ballweg, Bernier, Bies, Born, Craig, Czaja, Endsley, Honadel, Hutton, Jacque, Jagler, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Loudenbeck, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, Nygren, A. Ott, J. Ott, Petersen, Petryk, Pridemore, Ripp, Sanfelippo, Schraa, Severson, Spiros, Steineke, Stone, Strachota, Stroebel, Suder, Swearingen, Tauchen, Thiesfeldt, Tittl, Weatherston, Weininger, Williams and Speaker Vos - 57.

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 Brooks, Marklein and Tranel - 3.

Motion carried.

Representative Richards moved that **Assembly Bill 110** be referred to the joint committee on **Finance**.

The question was: Shall **Assembly Bill 110** be referred to the joint committee on **Finance**?

The roll was taken.

The result follows:

Ayes - Representatives Barca, Barnes, Berceau, Bernard Schaber, Bewley, Billings, Clark, 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 - 38.

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

Absent or not voting - Representatives Brooks, Marklein and Tranel - 3.

Motion Failed.

LEAVES OF ABSENCE

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

The question was: Shall Assembly Substitute Amendment 1 to **Assembly Bill 110** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 110** be ordered engrossed and read a third time?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 110** be given a third reading. Granted.

The question was: **Assembly Bill 110** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes - Representatives August, Ballweg, Barca, Bernier, Bies, Born, Craig, Czaja, Danou, Doyle, Endsley, Hintz, Honadel, Hutton, Jacque, Jagler, Jorgensen, Kahl, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Loudenbeck, Mason, Milroy, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, A. Ott, J. Ott, Petersen, Petryk, Riemer, Ripp, Sanfelippo, Schraa, Severson, Smith, Spiros, Steineke, Stone, Strachota, Stroebel, Suder, Swearingen, Tauchen, Thiesfeldt, Tittl, Vruwink, Wachs, Weatherston, Weininger, Williams, Wright and Speaker Vos - 68.

Noes - Representatives Barnes, Berceau, Bernard Schaber, Bewley, Billings, Clark, Genrich, Goyke, Hebl, Hesselbein, Hulsey, Johnson, Kessler, Kolste, Ohnstad, Pasch, Pope, Richards, Ringhand, Sargent, Shankland, Sinicki, C. Taylor, Young, Zamarripa and Zepnick - 26.

Absent or not voting - Representatives Brooks, Marklein, Nygren, Pridemore and Tranel - 5.

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 110** be immediately messaged to the Senate. Granted.

LEAVES OF ABSENCE

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

MESSAGE FROM THE SENATE

From: Jeffrey Renk, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

Senate Bill 145

ACTION ON THE SENATE MESSAGE

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 145** be withdrawn from the Senate message and taken up at this time. Granted.

Senate Bill 145

Relating to: penalties for certain traffic offenses committed while sanitation workers are at risk from traffic and providing a penalty.

By Senators Farrow, Lasee and Hansen; cosponsored by Representatives Jagler, Murtha, Stone, Kooyenga, Petersen, Tranel, A. Ott, Petryk, Spiros, T. Larson, Ripp, Born, Kleefisch, Hesselbein, Barnes, Williams, Bies, Thiesfeldt, Zepnick, Kahl, Bernier, Kestell, Czaja, Hebl, LeMahieu and Ohnstad.

Representative Suder moved that Assembly Amendment 1 to **Senate Bill 145** be laid on the table.

The question was: Shall Assembly Amendment 1 to **Senate Bill 145** be laid on the table?

The roll was taken.

The result follows:

Ayes - Representatives August, Bies, Born, Craig, Czaja, Endsley, Honadel, Hutton, Jacque, Jagler, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, A. Ott, J. Ott, Petersen, Petryk, Ripp, Sanfelippo, Schraa, Severson, Spiros, Steineke, Stone, Strachota, Stroebel, Suder, Swearingen, Tauchen, Thiesfeldt, Tittl, Weatherston, Weininger, Williams and Speaker Vos - 52.

Noes - Representatives Barca, Barnes, Berceau, Bernard Schaber, Bewley, Billings, Clark, Danou, Doyle, Genrich, Goyke, Hebl, Hesselbein, Hintz, Hulsey, Johnson, Jorgensen, Kahl, Kessler, Kolste, Milroy, Ohnstad, Pasch, Pope, Richards, Riemer, Ringhand, Sargent, Shankland, Sinicki, Smith, C. Taylor, Vruwink, Wachs, Wright, Young, Zamarripa and Zepnick - 38.

Absent or not voting - Representatives Ballweg, Bernier, Brooks, Loudonbeck, Marklein, Mason, Nygren, Pridemore and Tranel - 9.

Motion carried.

LEAVES OF ABSENCE

Representative Suder asked unanimous consent for a leave of absence for part of today's session for Representatives Bernier and Loudonbeck. Granted.

The question was: Shall **Senate Bill 145** be ordered to a third reading?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 145** be given a third reading. Granted.

The question was: **Senate Bill 145** having been read three times, shall the bill be concurred in?

Motion carried.

Representatives Wright, Barca and Tittl asked unanimous consent to be added as cosponsors of **Senate Bill 145**. Granted.

Speaker Pro Tempore Kramer asked to be recorded as voting "**No**" on the previous questions. Granted.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 145** be immediately messaged to the Senate. Granted.

Assembly Bill 159

Relating to: penalties for certain traffic offenses committed while sanitation workers are at risk from traffic and providing a penalty.

Representative Wright asked unanimous consent to be added as a coauthor of **Assembly Bill 159**. Granted.

Representative Suder asked unanimous consent that **Assembly Bill 159** be laid on the table. Granted.

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

The Assembly stood informal.

6:22 P.M.

INFORMAL

6:28 P.M.

The Assembly reconvened.

Speaker Pro Tempore Kramer in the chair.

The committee on **Rules** introduced a privileged resolution.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 9

Relating to: establishing special orders of business for Wednesday, May 8, 2013.

By committee on **Rules**.

Privileged and read.

The question was: Shall **Assembly Resolution 9** be adopted?

Motion carried.

Assembly Bill 19 was made a special order of business at 1:01 PM on Wednesday, May 8, pursuant to **Assembly Resolution 9**.

Assembly Bill 27 was made a special order of business at 1:02 PM on Wednesday, May 8, pursuant to **Assembly Resolution 9**.

Assembly Bill 139 was made a special order of business at 1:03 PM on Wednesday, May 8, pursuant to **Assembly Resolution 9**.

Senate Bill 29

Relating to: creating an off-road vehicle council.

The question was: Shall **Senate Bill 29** be ordered to a third reading?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 29** be given a third reading. Granted.

The question was: **Senate Bill 29** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 29** 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:

New Zealand Parliament Labour Party Member, David Clark, guest of Representative Riemer.

Skyward founders and owners, Jim and Jean King, Julie King, Jerry King and Jennifer Rudnick, guests of Representative Shankland.

Skyward Employees, including Ellen Borchardt, Caryn Firkus, Jeremy Stokes, Scott Winn, Marlene Simonson, Holly Lilly, Jodi Mayek, Leslie Rogoski, Gerald and Patricia Lind, Andrew Lind, Gerald St. Hilaire, Brian Radzinski, Zack DeGeorge, Bob Zdroik, Mary Tomazin, Beth and Bob Derezinski, George Okreglicki and Don Walloch, guests of Representative Vruwink.

Skyward Employees, including Trisha Walloch, Cheri Walloch, Erich Hartman, Jon Lundeen, Kevin Duda, Darcy Grabski, Leopold Nikowitz, Jane Rasmussen, Darlene Rogoski, Ronald G. Rogoski, Mary Grace Keene, Stacy Ackerlund, Miranda Ackerlund, Cindy King, Travis Colby, Jeff Rice, Jacob Baumann, Kendra Young, Rachel Jones,

Nathan Wahn, Debbie Edgerton, Erin Pinter and Joan Schaub, guests of Representative Shankland.

Mary Jo Monday, Director of Member Relations Portage County Business Council, guest of Representative Shankland.

Connie Smith, Kathy Filipiak, Richard Seymes, Sebastian Bloomingdale and Stephanie Bloomingdale from the Wisconsin Federation of Nurses, guests of Representative Sinicki.

Cara Gore, 4th Grade Teacher from Nash Elementary School in Kenosha, guest of Representative Barca.

Alex Holland, guest and intern of Representative C. Taylor.

Cal Weber, Senate Scholar Program participant from Menomonee Falls High School, guest of Representative Pridemore.

Kyle Kettner, Senate Scholar Program participant, guest of Representative Schraa.

Mike Barton, Senate Scholar Program participant from Eau Claire, guest of Representative Petryk.

Laurel Peterson, Senate Scholar Program participant, guest of Representative Steineke.

Cal Thomas, Senate Scholar Program participant from Wisconsin Rapids, guest of Representative Krug.

Steven Xiong, Senate Scholar Program participant, guest of Representative Zepnick.

Andrew Hahn, Senate Scholar Program participant, guest of Representative Hebl.

Amy and Nicolas Baskin, guests of Representative Clark.

4th Grade Students from O. H. Schultz Elementary School in Mishicot, guests of Representative Jacque.

Hannah Marcus, guest and intern of Representative Kolste.

Nurses from AFSCME, American Federation of Nurses and SEIU, guests of Representative Pasch.

Certified Registered Nurse Anesthetists, guests of Representative Pasch.

Will Mayberry, guest and intern of Representative Bewley.

Camryn Jorgensen, guest and daughter of Representative Jorgenson.

ANNOUNCEMENTS

Representative Berceau asked unanimous consent that the Assembly adjourn in memory of her mother, Rosemary Berceau, who passed away on April 28. Granted.

Representative Berceau asked unanimous consent that the Assembly adjourn in memory of her brother-in-law Larry Heuvelmans of DeForest, who passed away on April 27. Granted.

Representative Smith asked unanimous consent that the Assembly adjourn in memory of his aunt Fern Spafford of Spooner, who passed away on May 1. Granted.

Representative Spiros asked unanimous consent that the Assembly adjourn in memory of Stacey L. Goodwin, who passed away on May 2. Granted.

Representative Strachota asked unanimous consent that the Assembly adjourn in memory of her father-in-law, Orville Strachota, who passed away on May 2. Granted.

Representative Goyke asked unanimous consent that the Assembly adjourn in memory of Daniel J. Gardner of Milwaukee, who passed away on May 6. Granted.

Representative Zamarripa asked unanimous consent that the Assembly adjourn in honor of Wisconsin Women in Government. Granted.

Representative Kaufert asked unanimous consent that the Assembly adjourn in honor of Assembly photographer Jay Salvo and his wife Joan, on the occasion of their 35th wedding anniversary. Granted.

Representative Vruwink asked unanimous consent that the Assembly adjourn in honor of her niece Brittney Vruwink, on the occasion of her 22nd birthday. Granted.

Representative Vruwink asked unanimous consent that the Assembly adjourn in honor of her great-niece Adeline Vruwink, on the occasion of her 4th birthday. Granted.

Representative Vruwink asked unanimous consent that the Assembly adjourn in honor of the Auburndale High School Students who are participating in Drive Your Tractor to School Day. Granted.

Representative Vruwink asked unanimous consent that the Assembly adjourn in honor of all mothers on Mother's Day. Granted.

Representative Milroy asked unanimous consent that the Assembly adjourn in honor of his wife, Julie, and the Wisconsin Teachers on National Teacher Appreciation Day today. Granted.

Representative Hesselbein asked unanimous consent that the Assembly adjourn in honor of Charles Ramsey and Anna Tejeda, who were instrumental in the rescue of the three missing teenagers in Cleveland, Ohio. Granted.

Representative Bewley asked unanimous consent that the Assembly adjourn in honor of Ashland's Sixth Street Market's Jerry's Original Bratwurst, which was named grand champion at the Wisconsin Association of Meat Processors' Meat Product Competition last month. And in honor of Andy Pearson, who is the son of the man the brat is named after and who handles the bratwurst production at the market. Granted.

Representative Sinicki asked unanimous consent that the Assembly adjourn in honor of her husband, Mike Sinicki, on the occasion of their 32nd wedding anniversary and his 55th birthday. Granted.

Representative Stone asked unanimous consent that the Assembly adjourn in honor of his wife, Lynn Stone, on the occasion of her birthday. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of his wife, Lynn Hebl, on the occasion of her birthday on May 11 and their 37th wedding anniversary. Granted.

Representative Swearingen asked unanimous consent that the Assembly adjourn in honor of Karen Weber-Mendham, who won Frito Lay's Million Dollar Do Us A Flavor contest with her Cheesy Garlic Bread Potato Chip flavor. Granted.

Representative Strachota asked unanimous consent that the Assembly adjourn in honor of her mother, Theresa Nemastil, on the occasion of her 90th birthday. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of 5 year old Bauer Englehart from Stoughton, who has SCN1A, a rare form of epilepsy, who will be taking a "Make A Wish" visit to Disney World. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Paul Mestelle, for receiving a Special Recognition and Meritorious Service Award from the Sun Prairie's Library. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Mike Cunningham, Sun Prairie Media Center Producer, who recently received Best in Show for his video "Footprints of Sun Prairie, Then & Now". Granted.

Representative Hebl asked unanimous consent that the Assembly Adjourn in honor of Rhenna Widerski, a Sun Prairie teacher who recently won the 2013 Outstanding Educator by the Sun Prairie Exchange Club. Granted.

ADJOURNMENT

Representative Suder moved that the Assembly stand adjourned until 1:00 P.M. on Wednesday, May 8.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

6:46 P.M