



STATE OF WISCONSIN

Assembly Journal

January 2011 Special Session

12:33 P.M.

THURSDAY, March 10, 2011

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

Speaker Pro Tempore Kramer in the chair.

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

A quorum was present.

The prayer was offered by Representative Litjens.

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

Absent with leave – Representative Mursau – 1.

Vacancies – 60th, 83rd and 94th Assembly District – 3.

LEAVES OF ABSENCE

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

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Committee of Conference Report on January 2011 Special Session Assembly Bill 11

(Conference substitute amendment 1 adopted)

REFERENCE BUREAU CORRECTIONS

Conference Substitute Amendment 1 to **Assembly Bill 11, January 2011 Special Session**

Note: All items in this chief clerk's correction result from a computer process that was run in error.

1. Page 137, line 22: delete "115d" and substitute "106".
2. Page 137, line 22: delete "116d" and substitute "108".
3. Page 137, line 22: delete "117d" and substitute "110".
4. Page 137, line 22: delete "118d" and substitute "112".
5. Page 137, line 22: delete "119d" and substitute "114".
6. Page 137, line 22: delete "120d" and substitute "116".
7. Page 137, line 22: delete "121d" and substitute "118".
8. Page 137, line 22: delete "122d" and substitute "120".
9. Page 137, line 22: delete "123d" and substitute "122".
10. Page 137, line 22: delete "124d" and substitute "124".
11. Page 137, line 22: delete "125d" and substitute "126".
12. Page 137, line 22: delete "126d" and substitute "128".
13. Page 137, line 22: delete "127d" and substitute "130".
14. Page 137, line 22: delete "128d" and substitute "132".
15. Page 137, line 22: delete "129d" and substitute "134".
16. Page 137, line 22: delete "130d" and substitute "136".
17. Page 137, line 22: delete "132d" and substitute "140".
18. Page 137, line 22: delete "133d" and substitute "142".
19. Page 137, line 22: delete "134d" and substitute "144".
20. Page 137, line 22: delete "135d" and substitute "146".
21. Page 137, line 22: delete "139d" and substitute "152".

22. Page 137, line 22: delete "141d" and substitute "156".
23. Page 137, line 22: delete "142d" and substitute "158".
24. Page 137, line 22: delete "143d" and substitute "160".
25. Page 137, line 22: delete "144d" and substitute "162".

COMMUNICATIONS

March 8, 2011

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

Dear Chief Clerk Fuller:

I write to request that my vote on the following item(s) be entered into the Assembly Journal as how I would have voted had my vote been properly recorded:

January 2011 Special Session Assembly Bill 11
An Act relating to: state finances, collective bargaining for public employees, compensation and fringe benefits of public employees, the state civil service system, the Medical Assistance program, sale of certain facilities, granting bonding authority, and making an appropriation.

Vote: AYE

Please contact me with any questions.

Sincerely,
MIKE ENDSLEY
State Representative
26th Assembly District

Speaker Pro Tempore Kramer asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

12:43 P.M.

RECESS

12:46 P.M.

The Assembly reconvened.

Speaker Pro Tempore Kramer in the chair.

SPECIAL GUEST

Representative Parisi introduced Reverend Jesse Jackson, who addressed the members from the rostrum.

CALENDAR OF THURSDAY, MARCH 10 January 2011 Special Session

Assembly Bill 11, January 2011 Special Session

Relating to: state finances, collective bargaining for public employees, compensation and fringe benefits of public employees, the state civil service system, the Medical Assistance program, sale of certain facilities, granting bonding authority, and making an appropriation.

Representative Barca moved that Speaker Fitzgerald be removed as Speaker.

The question was: Shall Speaker Fitzgerald be removed as the Speaker?

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

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

Absent or not voting – Representative Mursau – 1.

Motion failed.

Representative Barca introduced a privileged resolution.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 1, January 2011 Special Session

Relating to: creating a special committee on the Open Meetings Laws.

By Representatives Barca, Seidel, Roys and Clark.
To committee on **Assembly Organization**.

POINT OF ORDER

Representative Richards rose to the point of order that **Assembly Bill 11, January 2011 Special Session** was not properly before the Assembly because the Senate needed a special quorum for passage of fiscal bills pursuant to Article VIII, Section 8 of the Wisconsin Constitution.

Speaker Pro Tempore Kramer ruled the point of order **not well taken** pursuant to Assembly Rule 62 (5).

Pursuant to a unanimous consent request by Representative Richards, Speaker Pro Tempore Kramer's explanation of the ruling on the point of order will be printed in a later journal.

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

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Fields, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Parisi, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 38.

Absent or not voting – Representative Mursau – 1.

Motion carried.

POINT OF ORDER

Representative Richards rose to the point of order that **Assembly Bill 11, January 2011 Special Session** was not properly before the Assembly because the Committee of Conference report on **Assembly Bill 11, January 2011 Special Session** was changed from last night to today due to Legislative Reference Bureau Corrections and Fiscal Bureau documents.

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

Pursuant to a unanimous consent request by Representative Richards, Speaker Pro Tempore Kramer's explanation of the ruling on the point of order will be printed in a later journal.

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, Brooks, Endsley, Farrow, Honadel, Jacque, Kapenga,

Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenberg, Marklein, Meyer, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 57.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Fields, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Parisi, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Turner, Vruwink, Young, Zamarripa and Zepnick – 38.

Absent or not voting – Representative Mursau – 1.

Motion carried.

Representative Barca introduced a privileged resolution.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 2, January 2011 Special Session

Relating to: creating a special committee to examine state compliance with court orders.

By Representatives Barca and Seidel.

To committee on **Assembly Organization**.

The question was: Shall the Committee of Conference report on **Assembly Bill 11, January 2011 Special Session** be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Bernier, Bies, Brooks, Endsley, Farrow, Honadel, Jacque, Kapenga, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenberg, Marklein, Meyer, Murtha, Nass, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Steineke, Stone, Strachota, Suder, Tauchen, Thiesfeldt, Tiffany, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 53.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, D. Cullen, Danou, Fields, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kaufert, Kessler, Krusick, Mason, Milroy, Molepske Jr, Nerison, Parisi, Pasch, Pocan, Pope–Roberts, Radcliffe, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Spanbauer, Staskunas, Steinbrink, Toles, Tranel, Turner, Vruwink, Young, Zamarripa and Zepnick – 42.

Absent or not voting – Representative Mursau – 1.

Motion carried.

Action on **Assembly Bill 11, January 2011 Special Session** was immediately messaged to the Senate pursuant to Assembly Rule [50 \(1\)](#) and Joint Rule [3 \(1\)\(b\)](#).

ENROLLED BILLS

The following Assembly proposal, which has been approved by both the Assembly and Senate, has been enrolled by the Legislative Reference Bureau:

Assembly Bill 11, January 2011 Special Session

PATRICK E. FULLER
Assembly Chief Clerk

ADJOURNMENT

Representative Suder moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, March 15.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

3:43 P.M.