

JOURNAL OF THE ASSEMBLY [June 7, 1979]

STATE OF WISCONSIN

# Assembly Journal

Eighty-Fourth Regular Session

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THURSDAY, June 7, 1979.

9:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Amos Stolen of Bethel Lutheran Church, 312 Wisconsin Avenue, Madison.

Representative Goodrich 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 -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plcwa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperron, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 97.

Absent -- None.

Absent with leave -- None.

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AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 30** offered by Joint Committee on Finance.

Assembly amendment 3 to **Assembly Bill 271** offered by Representative Tuczynski.

Assembly amendment 2 to **Assembly Bill 350** offered by Representative Leopold.

Assembly amendment 1 to **Assembly Bill 539** offered by Representatives Conradt, Matty and Bradley.

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INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

**Assembly Bill 717**

Relating to citizen initiative on changing town meeting location and calling a special town meeting.

By Representatives Lingren, Shabaz and Jackamonis, co-sponsored by Senators Adelman and Maurer.

To committee on Local Affairs.

**Assembly Bill 718**

Relating to the tax bill statement of general and personal property tax credit.

By Representative Barczak.

To committee on Revenue.

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COMMITTEE REPORTS

The committee on Enrolled Bills reports and recommends:

**Assembly Bill 284**

Correctly enrolled.

JOSEPH ANDREA  
Chairperson

The committee on Judiciary reports and recommends:

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**Assembly Bill 326**

Relating to claim procedures against government entities and employees, and statutes of limitation.

Adoption of assembly amendment 1:

Ayes: (9) Noes: (0)

Adoption of assembly amendment 2:

Ayes: (9) Noes: (0)

Adoption of assembly amendment 3:

Ayes: (9) Noes: (0)

Adoption of assembly amendment 4:

Ayes: (9) Noes: (0)

Adoption of assembly amendment 5:

Ayes: (5) Noes: (4)

Passage: Ayes: (9) Noes: (0)

To Joint Committee on Finance.

**Assembly Bill 462**

Relating to fees for the garnishment of the earnings of public officers and employees.

Passage: Ayes: (9) Noes: (0)

To Joint Committee on Finance.

**Assembly Bill 623**

Relating to the circuit court for Rock county.

Passage: Ayes: (9) Noes: (0)

To committee on Rules.

JAMES RUTKOWSKI,

Chairperson

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MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has passed and asks concurrence in:

Senate Bill 79

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## ACTION ON THE SENATE MESSAGE

### **Senate Bill 79**

Relating to state finances and appropriations, constituting the executive budget bill of the 1979 legislature, and making appropriations.

By Joint Committee on Finance, by request of Governor Lee Sherman Dreyfus.

To calendar.

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## MOTIONS

Representative Wahner asked unanimous consent that **Assembly Bill 2** be taken from the table and placed at the foot of the twelfth order of business on the calendar of Thursday, June 7.

Representative Barczak objected.

Representative Wahner moved that **Assembly Bill 2** be taken from the table.

The question was: Shall **Assembly Bill 2** be taken from the table?

Motion carried.

### **Assembly Bill 2**

Relating to creating a citizens utility board to advocate for residential consumers in public utility matters and providing a penalty.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 2** offered by Representatives Barczak, Thompson, Byers, Matty, Pabst, Hephner, Fischer, Swoboda, Ellis, Quackenbush, Porter, Snyder, Bradley, Lewison, Omernick, Young, Radtke, Luckhardt, Laatsch, Goodrich, McEssy, Hopkins, Prosser and Ladwig.

Representative Shabaz moved that **Assembly Bill 2** be made a special order of business at 10:01 A.M. on Tuesday, June 12.

Representative Wahner asked unanimous consent that **Assembly Bill 2** be placed at the foot of the twelfth order of business on the calendar of Thursday, June 7. Granted.

Representative Hauke moved that the assembly resolve itself into a committee of the whole to discuss the suspension of his office allowance by the committee on Assembly Organization.

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The question was: Shall the assembly resolve itself into a committee of the whole to discuss the suspension of Representative Hauke's office allowance by the committee on Assembly Organization?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Behnke, Bradley, Byers, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hauke, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Klicka, Laatsch, Ladwig, Lallensack, Larson, Leopold, Lewis, Lewison, Lingren, Luckhardt, McEssy, Matty, Menos, Merkt, Munts, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Schmidt, Schneider, Shabaz, Shoemaker, Snyder, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Vanderperren, Ward and Young -- 68.

Noes -- Barczak, Becker, Broydrick, Clarenbach, Everson, Ferrall, Fischer, Hasenohrl, Helbach, Kirby, Lee, Loftus, Lorman, McClain, Medinger, Metz, Miller, Murray, Norquist, Smith, Soucie, Travis, D., Tuczynski, Ulichny, Wagner, Wahner, Wood and Mr. Speaker -- 28.

Absent or not voting -- Rutkowski -- 1.

Motion carried.

9:45 A.M.

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### COMMITTEE OF THE WHOLE

Representative Wahner nominated Representative Swoboda to chair the committee.

Representative Shabaz nominated Representative Barczak to chair the committee.

Representative Barry nominated Representative Rogers to chair the committee.

Representative Swoboda declined the nomination.

Representative Barczak declined the nomination.

Representative Dorff moved that the nominations be closed.

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The question was: Shall nominations be closed?

Motion carried.

Representative Rogers was elected to chair the committee of the whole.

Representative Rogers in the chair.

Representative Andrea moved that the suspension of Representative Hauke's office allowance be lifted and that \$549.70 be deducted from Representative Hauke's 1979 session office allowance.

The chair ruled the motion out of order under Assembly Rule 8 (1).

Representative Murray asked unanimous consent that the legal documents relating to Representative Hauke's office allowance case be entered into the record. Granted.

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State of Wisconsin  
Circuit Court  
Dane County

*Thomas A. Hauke, State Representative  
23rd Assembly District, Plaintiff,*

Summons

vs.

Case No. 79CV2590

*Marcel Dandeneau, Chief Clerk of the Assembly Chamber, Wisconsin Legislature; The Assembly Organization Committee; Representative Edward G. Jackamonis, Chairperson of the Assembly Organization Committee; James W. Wahner, Member Assembly Organization Committee; R. Michael Ferrall, Member Assembly Organization Committee; John C. Shabaz, Member Assembly Organization Committee; Tommy G. Thompson, Member Assembly Organization Committee, Defendants.*

The State of Wisconsin to said defendants, each of them:

You are hereby summoned and required to serve upon Peregrine, Marcuvitz, Cameron & Peltin, S.C., Attorneys for plaintiff, whose address is 633 West Wisconsin Avenue, Suite 1600, Milwaukee, Wisconsin 53203, an Answer to the Complaint which is herewith served upon you, within twenty (20) days after service of this

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Summons upon you, exclusive of the day of service, and in case of your failure so to do, judgment will be rendered against you according to the demand of the complaint.

MICHAEL J. JASSAK  
Attorney for Plaintiff

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*Thomas A. Hauke, State Representative  
23rd Assembly District, Plaintiff,*

Complaint

vs.

Case No. 79CV2590

*Marcel Dandeneau, Chief Clerk of the Assembly Chamber, Wisconsin Legislature; The Assembly Organization Committee; Representative Edward G. Jackamonis, Chairperson of the Assembly Organization Committee; James W. Wahner, Member Assembly Organization Committee; R. Michael Ferrall, Member Assembly Organization Committee; John C. Shabaz, Member Assembly Organization Committee; Tommy G. Thompson, Member Assembly Organization Committee, Defendants:*

Now comes the above named plaintiff, by his attorneys, Peregrine, Marcuvitz, Cameron & Peltin, S.C., and for his cause of action against the defendants above named, alleges as follows:

1. That plaintiff is the duly elected State Representative from the 23rd Assembly District of the State of Wisconsin whose Madison office is located at Room 10 North, State Capitol Building.

2. That the defendant, The Assembly Organization Committee is a duly organized legislative committee charged by Wisconsin Statute Section 13.14 (1) with control over expenditures from the legislative contingent fund. That said fund is used to provide Office Allowances for each elected member of the legislature.

3. That defendant, Marcel Dandeneau, is the duly elected Chief Clerk of the Assembly Chamber of the Wisconsin Legislature, whose Madison Office is located at Room 329 West, State Capitol Building. Administration of the Assembly Office Allowance has been delegated to the office of the Chief Clerk, Marcel Dandeneau.

4. That the following defendants are members of the Assembly Organization Committee:

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Edward G. Jackamonis  
Room 211 West  
State Capitol Building

James W. Wahner  
Room 220 West  
State Capitol Building

R. Michael Ferrall  
Room 112 West  
State Capitol Building

John C. Shabaz  
Room 205 West  
State Capitol Building

Tommy G. Thompson  
Room 205 West  
State Capitol Building

5. That the Assembly Organization Committee has determined the 1979-80 Office Allowance for each member of the Assembly to be \$6,920.00. That said Allowance is to be used to provide each State Representative with a fund for printing, postage, xeroxing and telephone charges.

6. The Assembly Organization Committee at their January 30, 1979 meeting issued the following directive:

“individuals who had exceeded their 1977-78 office allowance, and had not paid up, should make arrangements within 90 days for the repayment of these obligations. If arrangements are not made within the 90 days following February 15, 1979, their office allowance for the 1979-80 Session will be suspended.”

7. At the request of the Assembly Organization Committee the plaintiff appeared before the Committee at their February 15, 1979 meeting relative to an alleged 1977-78 Office Allowance overage.

8. Plaintiff's expenses for the term 1977-78 were \$5,871.29. A detailed accounting of said expenses is attached hereto as Exhibit 1. Plaintiff submitted personal checks in the amount of \$71.29 to bring his account into balance with the 1977-78 office allowance of \$5,800.00.

9. That the plaintiff has complied in all respects with all directives and guidelines issued by the Assembly Organization



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Committee relative to the use of his Office Allowance and did not exceed his 1977-78 Office Allowance.

10. That despite such compliance, the Assembly Organization Committee has directed the Chief Clerk of the Assembly, Marcel Dandeneau to suspend the plaintiff's Office Allowance as of May 18, 1979. Defendant Marcel Dandeneau has performed said action. As a result, plaintiff has been denied by the Chief Clerks Office postage, printing, and xeroxing services and has been requested to return his telephone credit card.

11. That the action of the Assembly Organization Committee is without legal basis, arbitrary and capricious, and without factual merit. Defendants have by their action exceeded the authority granted by Wisconsin Statute Section 13.14 (1). As a result of said action, plaintiff has been and will continue to be prohibited from communicating with the constituents of the 23rd Assembly District and both plaintiff and said constituents will suffer irreparable harm.

12. The defendants' action in suspending the plaintiffs Office Allowance without just cause discriminates against the plaintiff and thus denies the plaintiff equal protection of the laws as commanded by the 14th Amendment to the United States Constitution and Article I, Section 1 of the Wisconsin Constitution.

13. That a justiciable controversy exists between the plaintiff and the defendants, and the issues raised by this complaint are ripe for determination.

Wherefore, plaintiff seeks judgment as follows:

1. For a declaration that plaintiff's 1979-80 Office Allowance has been improperly and illegally suspended without just cause.
2. For a declaration that defendants have by their action exceeded the authority granted to them by the Wisconsin Constitution and Wisconsin Statute Section 13.14 (1).
3. For a declaration that defendants' action has denied plaintiff equal protection of the Laws as commanded by the Wisconsin and Federal Constitution.
4. For a temporary and permanent injunction prohibiting the defendants from interfering with the plaintiff's free and unencumbered use of his 1979-80 Office Allowance.
5. For an award of reasonable attorneys fees and for the costs and disbursements of this action.

MICHAEL J. JASSAK  
Attorney for Plaintiff

*Thomas A. Hauke, State Representative*

*23rd Assembly District, Plaintiff,*

Temporary Restraining Order

vs.

Case No. 79CV2590

*Marcel Dandeneau, Chief Clerk of the Assembly Chamber, Wisconsin Legislature; the Assembly Organization Committee; Representative Edward G. Jackamonis, Chairperson of the Assembly Organization Committee; James W. Wahner, Member Assembly Organization Committee; R. Michael Ferrall, Member Assembly Organization Committee; John C. Shabaz, Member Assembly Organization Committee; Tommy G. Thompson, Member Assembly Organization Committee, Defendants.*

Upon all of the records, files and proceedings had herein, and after review of the plaintiff's complaint, and upon motion of Peregrine, Marcuvitz, Cameron & Peltin, S.C., plaintiff's attorneys, for a temporary injunction; the Court having found that irreparable harm and damage will be suffered by the plaintiff applicant unless this temporary restraining order is granted,

It is hereby ordered:

That the defendants, their servants, employees, representatives, and agents, and all persons acting in privity or concert with any of them, until the hearing and determination of plaintiff's motion for a temporary injunction, are hereby restrained from taking any action which would interfere with the plaintiff's free and unencumbered use of his 1979-80 Office Allowance. Pending determination of this Motion, defendants are ordered to restore without exception, plaintiff's postage, xerox, printing and telephone privileges.

Dated at Madison, Wisconsin, this 2nd day of May 1979.

The above temporary restraining order was not signed.

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*Thomas A. Hauke, State Representative  
23rd Assembly District, Plaintiff,*

Motion for Temporary Injunction

vs.

Case No. 79CV2590

*Marcel Dandeneau, Chief Clerk of the Assembly Chamber, Wisconsin Legislature; the Assembly Organization Committee; Representative Edward G. Jackamonis, Chairperson of the Assembly Organization Committee; James W. Wahner, Member Assembly Organization Committee; R. Michael Ferrall, Member Assembly Organization Committee; John C. Shabaz, Member Assembly Organization Committee; Tommy G. Thompson, Member Assembly Organization Committee, Defendants.*

To: Marcel Dandeneau, Chief Clerk of the Assembly Chamber,  
Wisconsin Legislature, et al

Please take notice that Peregrine, Marcuvitz, Cameron & Peltin, S.C., attorneys for plaintiff, will on the 6th day of June, 1979, before the Honorable P. Charles Jones, Circuit Judge, in his courtroom in the courthouse in the City of Madison, County of Dane, State of Wisconsin, at 2:00 o'clock in the afternoon, or as soon thereafter as counsel can be heard, move the Court for an order restraining and enjoining the defendants herein, their servants, employees, representatives and agents, and all persons acting in privity or concert with any of them, temporarily, until a final adjudication in this matter, from taking any action which would interfere with the plaintiff's free and unencumbered use of his 1979-80 Office Allowance.

This motion is brought pursuant to sections 813.02 and 813.025 of the Wisconsin Statutes, and is based upon the plaintiff's Complaint and Affidavit and all of the records, files and proceedings had herein.

Dated at Milwaukee, Wisconsin, this 22nd day of May 1979.

MICHAEL J. JASSAK  
Attorney for Plaintiff

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*Thomas A. Hauke, State Representative  
23rd Assembly District, Plaintiff,*

Affidavit

vs.

Case No. 79CV2590

*Marcel Dandeneau, Chief Clerk of the Assembly Chamber, Wisconsin Legislature; the Assembly Organization Committee; Representative Edward G. Jackamonis, Chairperson of the Assembly Organization Committee; James W. Wahner, Member Assembly Organization Committee; R. Michael Ferrall, Member Assembly Organization Committee; John C. Shabaz, Member Assembly Organization Committee; Tommy G. Thompson, Member Assembly Organization Committee, Defendants.*

State of Wisconsin )

) s.

Milwaukee County )

I, Thomas A. Hauke, being first duly sworn, on oath says:

1. That on November 7, 1978, your affiant was elected to represent the citizens of the 23rd Assembly District in the State of Wisconsin. Affiant took office on January 3, 1979.

2. That your affiant has served the citizens of the 23rd Assembly District as their State Representative since January 1, 1973.

3. That the Assembly Organization Committee is charged with the duty of determining and administering the Office Allowance by Wisconsin Statute Section 13.14(1), which is received by each member of the Assembly during his term of office. That such allowance is used to provide the following services to elected State Representative and their constituents: postage, xerox, printing and telephone charges.

4. That the Assembly Organization Committee has determined that each member of the Assembly shall be granted an allowance for the 1979-80 Session of \$6,920.00. As of April 1st, your affiant's account showed a balance of \$6,656.35.

5. The Assembly Organization Committee at their January 30, 1979 meeting issued the following directive:

"individuals who had exceeded their 1977-78 office allowance, and had not paid up, should make arrangements within 90 days for the repayment of these obligations. If arrangements are not made within the 90 days following

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February 15, 1979, their office allowance for the 1979-80 Session will be suspended."

6. At the request of the Assembly Organization Committee your affiant appeared before the Committee at their February 15, 1979 meeting relative to our alleged 1977-79 Office Allowance coverage.

7. Affiant's expenses for the term 1977-78 were \$5,871.29. A detailed accounting of said expenses is attached to the Complaint as Exhibit 1. Affiant submitted personal checks in the amount of \$71.29 to bring his account into balance with the 1977-78 Office Allowance of \$5,800.00.

8. That your affiant has complied in all respects with all directives and guidelines issued by the Assembly Organization Committee relative to the use of his Office Allowance. Further, your affiant, as set above, did not exceed his 1977-78 Office Allowance.

9. That pursuant to the aforementioned directive, your affiant's Office Allowance was suspended as of May 18, 1979. As a result, your affiant has been denied postage, printing and xeroxing and requested to return his telephone credit card.

10. That the action of the Assembly Organization Committee in suspending your affiant's Office Allowance was arbitrary and capricious and without factual merit. That as a result of said suspension, your affiant and the constituents of the 23rd Assembly District have and will continue to suffer irreparable harm.

THOMAS A. HAUKE

Sworn to and before me this 22nd day of May, 1979.

MICHAEL J. JASSAK

Notary Public

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Representative Andrea moved that the committee of the whole arise and report to the assembly a recommendation that the suspension of Representative Hauke's office allowance be lifted and that \$549.70 be deducted from Representative Hauke's 1979 session office allowance.

Representative Loftus moved that the committee of the whole arise.

The chair ruled the motion out of order.

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Representative Loftus rose to the point of order that Representative Andrea could not combine the motion to arise with a recommendation for a report to the assembly.

The chair ruled the point of order not well taken.

Representative Norquist appealed the ruling of the chair.

The chair ruled the appeal out of order because it would require a roll call which was not allowed under Assembly Rule 8 (1).

Representative Miller asked unanimous consent that Representative Andrea's motion be amended so that the suspension of Representative Hauke's office allowance be lifted immediately and that Representative Hauke make arrangements within 60 days to reimburse the assembly \$549.70. Granted.

The question was: Shall the assembly arise and report to the assembly the following recommendation: that the suspension of Representative Hauke's office allowance be lifted immediately and that Representative Hauke make arrangements within 60 days to reimburse the assembly \$549.70?

Motion carried.

11:15 A.M.

The assembly reconvened.

Representative Rogers reported the actions of the committee of the whole to the assembly.

Speaker pro tempore Kedrowski in the chair.

Representative Barczak asked unanimous consent to be recorded as voting "Aye" on the motion to resolve into a committee of the whole. Granted.

Representative Rutkowski asked unanimous consent to be recorded as voting "Aye" on the motion to resolve into a committee of the whole. Granted.

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## CALENDAR OF THURSDAY, JUNE 7, 1979

### **Assembly Bill 361**

Relating to the payment of special distributions of metalliferous minerals net proceeds tax revenue to eligible school districts and towns.

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The question was: Shall **Assembly Bill 361** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 361** be given a third reading. Granted.

The question was: **Assembly Bill 361** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 97.

Noes -- None.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 361** be immediately messaged to the senate. Granted.

**Assembly Bill 463**

Relating to exceptions to stopping and parking restrictions.

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

Motion carried.

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Representative Wahner 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 pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 97.

Noes -- None.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 463** be immediately messaged to the senate. Granted.

Speaker Jackamonis in the chair.

**Assembly Bill 522**

Relating to designation of rustic roads and jurisdiction over such roads.

The question was: Shall assembly amendment 1 to **Assembly Bill 522** be adopted?

Motion carried.



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The question was: Shall **Assembly Bill 522** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 522** be given a third reading. Granted.

The question was: **Assembly Bill 522** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Bradley, Byers, Clarenbach, Cogg, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Ulichny, Vanderperren, Wagner, Wahner, Wood, Young and Mr. Speaker -- 91.

Noes -- Behnke, Broydrick, Ferrall, Pabst, Tuczynski and Ward -  
- 6.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 522** be immediately messaged to the senate. Granted.

Speaker pro tempore Kedrowski in the chair.

### **Assembly Bill 711**

An act authorizing the governor, with the approval of the legislature, to declare a 30-day energy emergency, granting rule-making authority, and providing a penalty.

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Assembly amendment 1 to **Assembly Bill 711** offered by Representative Jackamonis.

The question was: Shall assembly amendment 1 to **Assembly Bill 711** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Bill 711** offered by Representative Duren.

Representative Jackamonis moved rejection of assembly amendment 2 to **Assembly Bill 711**.

Representative Duren asked unanimous consent that **Assembly Bill 711** be placed at the foot of the twelfth order of business.

Representative Shabaz objected.

The question was: Shall assembly amendment 2 to **Assembly Bill 711** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Hasenohrl, Hauke, Helbach, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Lewison, Lingren, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Norquist, Omernick, Otte, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood, Young and Mr. Speaker -- 88.

Noes -- Duren, Harsdorf, Hephner, Leopold, Lewis, Murray and Ward -- 7.

Absent or not voting -- Loftus and Pabst -- 2.

Motion carried.

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

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

The question was: Shall **Assembly Bill 711** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 711** be given a third reading. Granted.

The question was: **Assembly Bill 711** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood, Young and Mr. Speaker -- 91.

Noes -- Kincaid, Leopold, Lewis, Omernick and Ward -- 5.

Absent or not voting -- Lewison -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 711** be immediately messaged to the senate. Granted.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 72** be taken from the thirteenth order of business on the calendar of Thursday, June 7 and taken up at this time. Granted.

**Senate Bill 72**

Relating to rights and duties of drivers and pedestrians at controlled intersections and providing a penalty.

Assembly amendment 1 to **Senate Bill 72** offered by Representative Shabaz.

Representative Clarenbach moved rejection of assembly amendment 1 to **Senate Bill 72**.

The question was: Shall assembly amendment 1 to **Senate Bill 72** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Broydrick, Clarenbach, Duren, Hauke, Hephner, Johnson, Lee, Lewis, McClain, Medinger, Munts, Murray, Norquist, Soucie and Wahner -- 18.

Noes -- Barczak, Behnke, Bradley, Byers, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Helbach, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Leopold, Lewison, Lingren, Loftus, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Metz, Miller, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Ward, Wood, Young and Mr. Speaker -- 78.

Absent or not voting -- Hopkins -- 1.

Motion failed.

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

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

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

The question was: Shall assembly amendment 1 to **Senate Bill 72** be adopted?

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Motion carried.

The question was: Shall **Senate Bill 72** be ordered to a third reading?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 72** be given a third reading. Granted.

The question was: **Senate Bill 72** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Mctz. Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 97.

Noes -- None.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 72** be immediately messaged to the senate. Granted.

Representative Wahner asked unanimous consent that the assembly stand recessed until 2:15 P.M. Granted.

The assembly stood recessed.

12:15 P.M.

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RECESS

2:30 P.M.

The assembly reconvened.

Speaker Jackamonis in the chair.

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CALL OF THE ASSEMBLY

Representative Wahner demanded a call of the assembly. There were sufficient seconds.

The sergeant-at-arms was directed to close the doors and the chief clerk to call the roll.

The chief clerk called the roll.

Members absent with leave - None.

Members absent without leave - Ellis, Everson, Lewison, Soucie and Ward.

Representative Wahner asked unanimous consent that the call of the assembly be lifted. Granted.

**Assembly Bill 2**

Relating to creating a citizens utility board to advocate for residential consumers in public utility matters and providing a penalty.

Representative Wahner asked unanimous consent that **Assembly Bill 2** be placed at the foot of the thirteenth order of business on the calendar of Thursday, June 7. Granted.

**Senate Bill 58**

Relating to battery by prisoners.

The question was: Shall **Senate Bill 58** be ordered to a third reading?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 58** be given a third reading. Granted.

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The question was: **Senate Bill 58** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Byers, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Swoboda, Thompson, Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood, Young and Mr. Speaker -- 86.

Noes -- Broydrick, Clarenbach, Coggs, Lee, Miller, Munts, Tesmer, Travis, D. and Ward -- 9.

Absent or not voting -- Ellis and Soucie -- 2.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 58** be immediately messaged to the senate. Granted.

### **Senate Bill 140**

Relating to a plea of guilty for crimes committed in several counties.

The question was: Shall **Senate Bill 140** be ordered to a third reading?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 140** be given a third reading. Granted.

The question was: **Senate Bill 140** having been read three times, shall the bill be concurred in?

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The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 94.

Noes -- None.

Absent or not voting -- Ellis, Kedrowski and Soucie -- 3.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 140** be immediately messaged to the senate. Granted.

### **Assembly Bill 2**

Relating to creating a citizens utility board to advocate for residential consumers in public utility matters and providing a penalty.

Representative Wahner moved rejection of assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 2**.

Representative Kirby in the chair.

Speaker Jackamonis in the chair.

Representative Ferrall in the chair.

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### CALL OF THE ASSEMBLY

Representative Thompson demanded a call of the assembly. There were sufficient seconds.



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The sergeant-at-arms was directed to close the doors and the chief clerk to call the roll.

The chief clerk called the roll.

Members absent with leave - None.

Members absent without leave - None.

Speaker Jackamonis in the chair.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 2** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Duren, Everson, Ferrall, Flintrop, Gerlach, Gunderson, Hasenohrl, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Loftus, McClain, McEssy, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 53.

Noes -- Barczak, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Fischer, Gagin, Goodrich, Harer, Harsdorf, Hauke, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lingren, Lorman, Luckhardt, Matty, Merkt, Omernick, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtkc, Schmidt, Shabaz, Snyder, Swoboda, Thompson, Travis, R., Tregoning and Young -- 44.

Absent or not voting -- None.

Motion carried.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 2** offered by Representative Gunderson.

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

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Byers, Clarenbach, Coggs, Czerwinski, DeLong, Dilweg, Donoghue, Dorff,

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Duren, Ellis, Everson, Ferrall, Fischer, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Hephner, Hopkins, Johnson, Kincaid, Klicka, Laatsch, Ladwig, Lallensack, Larson, Leopold, Lewis, Lewison, Lingren, Lorman, Luckhardt, McClain, McEssy, Matty, Menos, Merkt, Metz, Miller, Munts, Murray, Omernick, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Swoboda, Thompson, Travis, D., Travis, R., Tregoning, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Young -- 81.

Noes -- Broydrick, Flintrop, Kedrowski, Kirby, Lee, Loftus, Medinger, Norquist, Otte, Rutkowski, Soucie, Tesmer, Tuczynski and Mr. Speaker -- 14.

Absent or not voting -- Conradt and Helbach -- 2.

Motion carried.

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 2** offered by Representative Gunderson.

Representative Wahner moved rejection of assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 2**.

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 2** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Clarenbach, Coggs, Conradt, Czerwinski, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Lee, Leopold, Lewis, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 84.

Noes -- Byers, DeLong, Dilweg, Donoghue, Goodrich, Gunderson, Larson, Lewison, Matty, Prosser, Snyder, Thompson and Travis, R. -- 13.

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Absent or not voting -- None.

Motion carried.

Assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 2** offered by Representative Quackenbush.

The question was: Shall assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 2** be adopted?

Motion carried.

Assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 2** offered by Representative Thompson.

Representative Wahner moved rejection of assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 2**.

The question was: Shall assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 2** be rejected?

The roll was taken.

The result follows:

Ayes -- Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Helbach, Johnson, Kedrowski, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood and Mr. Speaker -- 51.

Noes -- Andrea, Barczak, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hauke, Hephner, Hopkins, Kincaid, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Otte, Pabst, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Swoboda, Thompson, Travis, R., Tregoning, Ward and Young -- 46.

Absent or not voting -- None.

Motion carried.

Assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 2** offered by Representatives Thompson and Shabaz.

The question was: Shall assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 2** be adopted?

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The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Behnke, Bradley, Byers, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hauke, Helbach, Hephner, Hopkins, Johnson, Kincaid, Klicka, Laatsch, Ladwig, Lallensack, Larson, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McEssy, Matty, Medinger, Menos, Merkt, Munts, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Smith, Snyder, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Ulichny, Vanderperren, Wagner, Wahner, Ward and Young -- 80.

Noes -- Becker, Broydrick, Clarenbach, Hasenohrl, Kedrowski, Kirby, Lee, McClain, Metz, Murray, Norquist, Shoemaker, Soucie, Tuczynski, Wood and Mr. Speaker -- 16.

Absent or not voting -- Miller -- 1.

Motion carried.

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

Motion carried.

Representative Shabaz moved indefinite postponement of **Assembly Bill 2**.

The question was: Shall **Assembly Bill 2** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Barczak, Bradley, Byers, Conradt, DeLong, Donoghue, Ellis, Fischer, Gagin, Goodrich, Harer, Harsdorf, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Lallensack, Larson, Leopold, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Pabst, Paulson, Plewa, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning and Young -- 42.

Noes -- Andrea, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Duren, Everson, Ferrall, Flintrop,

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Gerlach, Gunderson, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lee, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 54.

Absent or not voting -- Dilweg -- 1.

Motion failed.

The question was: Shall **Assembly Bill 2** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Duren, Everson, Ferrall, Flintrop, Gerlach, Gunderson, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lee, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 56.

Noes -- Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Fischer, Gagin, Goodrich, Harer, Harsdorf, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Lallensack, Larson, Leopold, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Pabst, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning and Young -- 41.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 2** be given a third reading.

Representative Shabaz objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 2** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 2** be given a third reading?

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The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood and Mr. Speaker -- 57.

Noes -- Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hauke, Hopkins, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning, Ward and Young -- 40.

Absent or not voting -- None.

Motion failed.

Representative Wahner moved reconsideration of the vote by which **Assembly Bill 2** was ordered to a third reading. Entered.

Representative Lallensack asked unanimous consent that the assembly adjourn in honor of the 25th birthday of John Damon, aide to Representatives Lallensack and Vanderperren. Granted.

Representative Ferrall asked unanimous consent that the assembly adjourn in honor of Cathie Cotter who is leaving the assembly sergeant-at-arms staff. Granted.

Representative Thompson asked unanimous consent that the assembly adjourn in honor of the birthday of Representative DeLong. Granted.

Representative Metz asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Ulichny. Granted.

Representative Ulichny asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Miller. Granted.

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LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly substitute amendment 1 to **Assembly Bill 2**

1. On page 5, line 16, delete the first period.
2. On page 5, line 19, after "gifts", insert a period.

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VISITORS

During today's session, the following visitors honored the assembly by their presence, and were welcomed by the presiding officer and the members:

Students from Adams School in Janesville, guests of Representative Wood.

Rochelle, Kermit and Bernice Valleen from St. Croix Falls, guests of Representative Paulson.

Members of the senior citizens group from Randolph, guests of Representative Radtke.

Carol Pyle from Sheboygan Falls, guest of Representative Harer.

Members of the St. John's Catholic ladies group from Seymour, guests of Representative Conratt.

Mike Sinha from Madison, guest of Representative Soucie.

Residents of the Sunrise apartments in West Allis, guests of Representatives Hauke and Barczak.

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Representative Wahner moved that the assembly stand adjourned until 10:00 A.M. on Tuesday, June 12.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

5:30 P.M.