



STATE OF WISCONSIN

Assembly Journal

Ninety-Fourth Regular Session

10:25 A.M.

WEDNESDAY, June 23, 1999

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

Speaker Jensen in the chair.

The prayer was offered by Representative Ott.

Representative Owens led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Balow, Berceau, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Colon, Cullen, Duff, Foti, Freese, Gard, Goetsch, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Handrick, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Porter, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Sinicki, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Waukau, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 99.

Absent with leave – None.

Vacancies – None.

AMENDMENTS OFFERED

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 133** offered by Representative Travis.

EXECUTIVE COMMUNICATIONS

June 22, 1999

The Honorable Scott Jensen
Speaker of the Assembly
211 West, State Capitol
Madison, WI 53702

Re: 1999 Assembly Bill 389

Dear Speaker Jensen:

1999 Assembly Bill 389, introduced by Representatives Hoven, Plale and Meyerhofer and co-sponsored by Senator Moen, relates to the control and ownership of transmission facilities by a transmission company and a Midwest independent system operator, ownership of nonutility assets by a public utility holding company, investments in transmission facilities, offers of employment to certain public utility and nonutility affiliates employees, fees and approvals for certain high-voltage transmission lines, construction of certain electric transmission facilities, environmental reviews by the public service commission, reports on reliability status of electric utilities, state participation in a regional transmission need and siting compact, incentives for development of certain generating facilities, study of market power and retail electric competition, market-based compensation, rates and contracts for electric customers, regulation of certain nitrogen oxide emissions, establishing programs for low-income energy assistance, improving energy conservation and efficiency markets and encouraging the development and use of renewable resources, creating a council on utility public benefits, establishing a utility public benefits fund, requiring electric utilities and retail electric cooperatives to charge public benefits fees to customers and members, imposing requirements on the use of renewable resources by electric utilities and cooperatives, requiring the exercise of rule-making authority, making appropriations and providing a penalty.

1999 Assembly Bill 389 will increase the cost of state government by an annual amount exceeding \$10,000. Pursuant to sec. 16.47(2), Stats., I consider this bill an emergency bill, I recommend the bill and I ask that passage of 1999 Assembly Bill 389 be permitted prior to passage of the budget bill.

Sincerely,
TOMMY G. THOMPSON
Governor

SPECIAL GUEST

Representative Black introduced The Honorable Gaylord Nelson, former State Senator (1949-1959), former Governor (1959-1963), and former United States Senator (1963-1981), who addressed the members from the rostrum.

**REMARKS BY
THE HONORABLE GAYLORD NELSON**

Pursuant to the unanimous consent request made by Representative Freese today, the remarks made by The Honorable Gaylord Nelson to the members of the Assembly follow:

“In 1992 and 1994, the United Nations sponsored world conferences revolving around the issues of population and sustainability. The settings were in Rio in 1992 and Cairo in 1994. These conferences involved the largest gatherings of world leaders, environmentally concerned citizens and scientists ever brought together in one place –they numbered around two or three thousand. Both the citizens, representing a host of Non–Government Organizations (NGO’s), and the scientists had an extensive understanding of the emerging environmental crises in all parts of the globe. They were unanimous in the view that the environmental challenge must be addressed at all levels from the local to the international.

In contrast, the extraordinary assemblage of heads of state showed up at Rio because they were politicians and they finally sensed the growing rumblings at the grassroots. They knew it represented something politically important that could not be ignored, but what? Except for Gro Harlem Brundtland, Prime Minister of Norway, and perhaps a handful of others, the rest of the world leaders had little interest in environmental matters. These issues weren’t on their political agendas because they didn’t understand either its political or ecological significance. That now is rapidly changing as new generations come forward who do understand. Within the next two or three decades, dramatic changes will be well underway. Those changes will revolutionize the viewpoints and conduct of the political, social and economic establishments that set the standards and goals for society.

By then, it will be broadly understood that forging a society that is environmentally sustainable outweighs any other goal. And, at the same time, it will be understood that any society that is not environmentally sustainable will not be economically sustainable either.

In short, forging and maintaining a sustainable society is the single most important challenge for this and all generations to come. In responding to that challenge, population will be one of the key factors in determining whether we succeed or fail. That is what the Rio and Cairo conferences were all about.

At this point in history, no nation has managed, either by design or accident, to evolve into an environmentally

sustainable society, which can be described as “one that meets the needs of the present without compromising the ability of future generations to meet their own needs.” At present, all nations are pursuing a self–destructive course of fueling their economies by consuming their capital – that is to say, by degrading and depleting the resource base – and counting it on the income side of the ledger. That, obviously, is not a sustainable situation over the long term. The hard fact is that while the population is booming here and around the world, the resource base that sustains the economy is dwindling. It is not just a problem in faraway lands, it is an urgent, indeed, a critical problems here at home right now. We are talking about overpopulation, deforestation, aquifer depletion, air pollution, water pollution, depletion of fisheries, urbanization of farmland, soil erosion and much more. All of this is happening here and now.

Intellectually, we have finally come to understand that the wealth of the nation is its air, water, soil, forests, minerals, rivers, lakes, oceans, scenic beauty, wildlife habitats and biodiversity. Take this resource base away and all that is left is a wasteland.

In short, that’s all there is. That’s the whole economy. That’s where all the economic activity and all the jobs come from. These biological systems contain the sustaining wealth of the world. All around the planet, these systems are under varying degrees of stress and degradation in almost all places including the United States. As we continue to degrade them, we are consuming our capital. And, in the process, we erode living standards and compromise the quality of our habitat. It is a dangerous path to follow. The bottom line is this: We are not just toying with nature, we are compromising the capacity of natural systems to do what they need to do to preserve a livable world. We can, and I trust we will forge a sustainable society but it will take more and better leaders and followers than what is available just now.

The encouraging thing is that increasing numbers of committed citizens are arriving on the scene and are at work changing attitudes and policies. Nonetheless, we are still short of that critical mass of leaders and followers necessary to actually reverse our direction and move on a path to sustainability.

In a dramatic and sobering joint statement (1992), the United States National Academy of Sciences and the Royal Society of London, two of the world’s leading scientific bodies, addressed the state of the planet in the following words:

“If current predictions of population growth prove accurate and patterns of human activity on the planet remain unchanged, science and technology may not be able to prevent either irreversible degradation of the environment or continued poverty for much of the world...”

Is there any other single issue even a fraction as important as this–? Yet, the leaders of both political parties went through the last campaign in silence about sustainability and the disastrous consequences of continued exponential population growth.

If our political system is unable to engage in an honest, forthright discussion of the major challenge of our time, is it

any wonder there is widespread disillusionment with the system? It is somehow incongruous that we must go to a communist country to find another head of state as concerned about the state of the environment as Prime Minister Brundtland. "The most important issue of the 21st century is the environment." These were the words of Mikhail Gorbachev several years ago.

The President's Commission on Population Growth and the American Future published its five-volume report 27 years ago in 1972. The Commission was headed by John D. Rockefeller III. The bottom line conclusion was that the Commission could not identify a single value in American life that would be enhanced by any further population growth. In addition, the report condemned our unrestrained pro-growth philosophy and recommended that we move vigorously to stabilize our population of 200 million as rapidly as possible. Seventy million more people and 27 years later, we have yet to begin a serious discussion of the critical issues raised by the Commission. The reason is simple enough. The Commission tread into sensitive territory and raised controversial population issues. Their recommendation that we stabilize our population cannot be achieved without reducing our immigration rate below the more modest levels of the period 1950 to 1970. Though the immigration rate has been dramatically increased in recent years, any suggestion that the rate be decreased to some previously acceptable level is met with charges of "nativism" "racism" or worse. The real issue is simply numbers of people and the implications for freedom of choice and sustainability as our numbers here at home continue to expand. The United States could stabilize its population, as urgently recommended by the 1972 Rockefeller Report, and assist other nations to stabilize their populations if the political parties had the kind of courageous and enlightened leadership that is the entitlement of great nations.

All of this relates to Wisconsin and its future. Are we going to address those critical challenges that confront us here and now in Wisconsin or are we going to hover on the fringes and watch things evolve in some haphazard fashion?

The numbers give us some idea of the problem. In the past eight decades, the population of the United States has increased by about two and one half and Wisconsin has roughly doubled. At current rates, the populations of each will about double again during the next 75-90 years - within the lifespan of children already born.

This will pose multiple knotty problems, many which can be resolved but only if action is timely.

To gain some appreciation of the problem, we need to consider what Wisconsin will look like and be like with twice as many people. A doubling of the population will, for example, require that the whole current state infrastructure be approximately doubled within the next eight decades or thereabouts.

**A Few Examples of Wisconsin
With a Population of 10 Million**

1. Twice as many cars, trucks, parking lots, streets and freeways. Indeed, highway miles traveled in the U.S. have more than doubled since 1970 and the number of vehicles has risen by 90% - all that in just 28 years. With double the population, what will be the highway scene then?
2. Twice as many traffic jams.
3. Twice as many houses and apartment buildings.
4. Twice as many hospitals and nursing homes.
5. Twice as many prisons, halfway houses and juvenile facilities.
6. Twice as many grad schools, high schools, colleges and trade schools.
7. In short, twice as much of everything.

**What Will Be the Population Impact
On Those Amenities That Make
Wisconsin What It Is?**

Wisconsin's outdoor amenities of lakes, rivers, parks, forests, scenic beauty, and pleasant pastoral environments paints a picture of a very special place. This picture is framed on the east and north by two of the world's great fresh water lakes and on the west by two great rivers.

Obviously, growth creates problems and challenges. There was a time when there seemed to be an endless abundance of everything - land, fresh water, forests, space and the freedom to do whatever one pleased without intruding on the freedom of others. Unfortunately, that time has passed.

If we are to preserve those gifts of nature that make such a critical difference in the quality of our lives, then we must set far higher standards of stewardship than anything yet seriously proposed.

There isn't time nor is it necessary to run through the long list of environmental problems you are all familiar with. However, there are some concerns that I would like to share with you.

Non-point pollution remains perhaps our most complicated and persistent pollution problem. We have dealt reasonably well with pollution emanating from point sources. The challenge now is to pursue with vigor non-point pollution from urban and agricultural lands. In the eastern one-half of Wisconsin, 50% of the pollution comes from nonpoint sources; in western Wisconsin more than three fourths originate from nonpoint sources. The research and the knowledge to deal with the problem exist. Without further delay, now is the time to move forward with an aggressive program. The state has a responsibility (the Wisconsin Supreme Court has called it an "affirmative duty") under the Public Trust Doctrine to protect Wisconsin waters for all citizens.

When we combine the population growth with the proliferation of off-road vehicles (2-wheelers, three wheelers, four wheelers) speedboats, jet skis and snowmobiles, it isn't difficult to visualize the ultimate chaos and, finally, the destruction of those treasures we value most in our surroundings.

In 1960 there were fifteen visitors for every acre of state parkland - now there are twenty; in 1950 there were 200,000

deer hunters on opening weekend and in 1998 there were 600,000. There are now 27,000 jet skis registered in Wisconsin – that is a three-fold increase in just the last five years. In the five-year period from 1990–1995, snowmobile registrations increased 28% and ATV registrations increased by 37%.

The problem of proliferating motorized vehicles preempting the use of public lands and waters isn't going to go away just because we close our eyes and refuse to deal with it.

It is our responsibility to this and future generations to preserve the beauty and integrity of our resource base and permit only those activities that do not compromise its intrinsic value and the enjoyment of it by everyone. That means setting high standards and enforcing them. Doing so won't be easy or simple. Some forty years ago when we began the Wisconsin lake classification program, it was clear that pressure on our lakes from motor boats, shoreline destruction, non-point pollution from the watershed and point pollution from surrounding cottages was degrading thousands of lakes.

At the time the classification studies began (under the direction of Bill Thrienen of the DNR), I suggested as a rough rule of thumb that motor boats should not be allowed on any lake that one could row across in twenty minutes. By 1960 it was already obvious that unless reasonable standards were established for motor size and speed, the enjoyment of many lakes would simply be destroyed.

With some 15,000 lakes and 40,000 miles of streams, uniform state standards and uniform enforcement are a necessity.

I understand that the budget for the Stewardship Fund is pending and may be acted upon momentarily. With your indulgence, I would like to comment on the proposed funding level. In just about 18 months, it will be 40 years since the legislature approved ORAP (Outdoor Recreation Acquisition Program), the predecessor of the Stewardship Fund. To his credit, Governor Knowles, a committed environmentalist, extended the concept of ORAP and provided funding. I was happy to accept Governor Knowles invitation to participate in the campaign to extend the ORAP program. The Fund has been further extended since.

Forty years ago, the ORAP authorization approved by the legislature amounted to 1/2 of one percent of the total budget. That percentage of the budget today would not be \$40 million or \$60 million annually, but rather slightly over \$120 million.

Land prices have escalated even more rapidly than the inflation index. The remarkable Whitefish Bay Dunes Park in Door County was named as one of the original ORAP goals. It took from 1965 to 1980 to acquire the 840 acres for the park that included 14,000 feet of shorefront. The cost to the state was just under \$1,000,000. Based on a number of recent transactions of property just outside the boundaries of the park, it would cost over \$45,000,000 to acquire today.

As one who has closely followed this program for almost 40 years, I think it is beyond debate that the 1961 legislation blazed a new trail for others to follow and made an investment that will pay quality of life dividends for generations to come.

These kinds of quality of life opportunities show up frequently on the horizon and then fade away into history unless quickly seized and put to worthwhile use. There is, of course, an abundance of things to be done that support nature's efforts to maintain a livable world, all of them worthwhile. While it is not possible to do everything that would be useful, we ought to maintain the Fund at a level adequate to do those things we all concede are at a high level of importance.

My own biased view, thoughtfully biased I hasten to add, is that at a minimum, the Fund should be maintained at the same percentage of total budget as the original ORAP proposal – i.e. 1/2 of one percent of the total budget or \$120 million. To put the numbers in some historical perspective, it should be noted that in 1960 the average cost of land per acre was \$26. The price of comparable land in 1999 is \$1600 per acre.

I realize it is late in the budget process and \$120 million may be an unrealistic goal at this time – but it should be a realistic goal for the next budget. Thus, I hope a \$60 million annual budget will be approved at this time. This is all by way of saying, please don't further enfeeble the Stewardship Fund by allowing inflation to debase its value even more rapidly.

Council For A Sustainable Wisconsin

I think the most important current environmental need is to establish some orderly procedure for evaluating the serious environmental threats and then initiating a public dialogue over the best approach to a resolution. Presently, we simply do not have an effective, well-designed mechanism for putting important issues on the public agenda and keeping them there until some resolution is achieved.

To address this void I recommend that the legislature establish a Council For A Sustainable Wisconsin. The Council would make an annual Wisconsin Environmental Health Report to the governor, the legislature and the public.

Today, we are overwhelmed with knowledge, statistics, and information. Few have the time to synthesize and analyze this overwhelming plethora of spoken and written word. The quest for environmental quality is no exception. The annual Council report would identify a number of the most critical issues the state faces. This will place these problems on the political agenda, subject to debate and discussion. The Governor would appoint members to the Council from lists of candidates submitted by the chancellors of major campuses in the UW system with environmental teaching and research responsibilities. Ideally, the Governor would deliver an annual message to the Legislature with his environmental recommendations.

This would provide an orderly procedure to assure that environmental matters are given serious consideration.”

LEAVES OF ABSENCE

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

CALENDAR OF WEDNESDAY, JUNE 23

Assembly Joint Resolution 62

Relating to: honoring the life and service of Gaylord Nelson.

The question was: Shall **Assembly Joint Resolution 62** be adopted?

Motion carried.

Representative Berceau asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 62**. Granted.

Representative Ladwig asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 62** be immediately messaged to the Senate. Granted.

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

The Assembly stood recessed.

11:23 A.M.

RECESS

3:25 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Assembly Resolution 11

Relating to: designating August 16 of each year as National Airborne Day.

The question was: Shall **Assembly Resolution 11** be adopted?

Motion carried.

Assembly Resolution 12

Relating to: supporting an initiative seeking a just and peaceful resolution of the situation in Cyprus.

The question was: Shall **Assembly Resolution 12** be adopted?

Motion carried.

Senate Joint Resolution 15

Relating to: the life and public service of Laurie Carlson.

The question was: Shall **Senate Joint Resolution 15** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 15** be immediately messaged to the Senate. Granted.

Senate Bill 114

Relating to: the property tax lottery credit and making an appropriation.

The question was: Shall Senate amendment 1 to Assembly amendment 1 to **Senate Bill 114** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 114** be immediately messaged to the Senate. Granted.

Assembly Bill 2

Relating to: the use of high-beam headlamps on motor vehicles.

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

Motion carried.

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

The question was: **Assembly Bill 2** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 2** be immediately messaged to the Senate. Granted.

Assembly Bill 227

Relating to: changing the boundaries of Jackson County and Monroe County.

The question was: Shall **Assembly Bill 227** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 227** be given a third reading. Granted.

The question was: **Assembly Bill 227** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 227** be immediately messaged to the Senate. Granted.

Assembly Bill 355

Relating to: sexual assault of a person confined in an adult or juvenile detention or correctional facility and providing a penalty.

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

Motion carried.

The question was: Shall **Assembly Bill 355** be ordered engrossed and read a third time?

Motion carried.

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

The question was: **Assembly Bill 355** having been read three times, shall the bill be passed?

Motion carried.

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

Assembly Bill 389

Relating to: control and ownership of transmission facilities by a transmission company and a Midwest independent system operator, ownership of nonutility assets by a public utility holding company, investments in transmission facilities, offers of employment to certain public utility and nonutility affiliates employees, fees and approvals for certain high-voltage transmission lines, construction of certain electric transmission facilities, environmental reviews by the public service commission, reports on reliability status of electric utilities, state participation in a regional transmission need and siting compact, incentives for development of certain generating facilities, study of market power and retail electric competition, market-based compensation, rates and contracts for electric customers, regulation of certain nitrogen oxide emissions, establishing programs for low-income energy assistance, improving energy conservation and efficiency markets and encouraging the development and use of renewable resources, creating a council on utility public benefits, establishing a utility public benefits fund, requiring electric utilities and retail electric cooperatives to charge public benefits fees to customers and members, imposing requirements on the use of renewable resources by electric utilities and cooperatives, requiring the exercise of rule-making authority, making appropriations and providing a penalty.

Representative Foti asked unanimous consent that **Assembly Bill 389** be placed at the foot of today's calendar. Granted.

Representative Duff in the chair.

Senate Bill 179

Relating to: authorizing the completion of the capitol restoration project, historically significant furnishings, granting bonding authority and making appropriations.

Assembly amendment 1 to **Senate Bill 179** offered by Representative Nass.

Representative Freese moved rejection of Assembly amendment 1 to **Senate Bill 179**.

LEAVES OF ABSENCE

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

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

The question was: Shall Assembly amendment 1 to **Senate Bill 179** be rejected?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Colon, Cullen, Duff, Freese, Gard, Gronemus, Gundrum, Hahn, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kestell, Klusman, Kreibich, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Meyer, Meyerhofer, Miller, Montgomery, Morris-Tatum, Musser, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Porter, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Sinicki, Skindrud, Spillner, Staskunas, Steinbrink, Sykora, Townsend, Travis, Turner, Urban, Vrakas, Wasserman, Waukau, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 85.

Noes – Representatives Foti, Goetsch, Grothman, Gunderson, Kedzie, Kelso, Kreuser, Nass, Stone, Suder, Underheim, Walker and Ward – 13.

Absent or not voting – Representative Handrick – 1.

Motion carried.

The question was: Shall **Senate Bill 179** be ordered to a third reading?

Motion carried.

Representative Freese asked unanimous consent that the rules be suspended and that **Senate Bill 179** be given a third reading. Granted.

The question was: **Senate Bill 179** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Colon, Cullen, Duff, Freese, Gard, Goetsch, Gronemus, Gunderson, Gundrum, Hahn, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kelso, Kestell, Klusman, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Meyer, Meyerhofer, Miller, Montgomery, Morris-Tatum, Musser, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Porter, Powers, Reynolds, Rhoades, Richards, Riley, Ryba,

Schneider, Schooff, Seratti, Sherman, Sinicki, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Sykora, Townsend, Travis, Turner, Urban, Vrakas, Walker, Wasserman, Waukau, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 91.

Noes – Representatives Foti, Grothman, Kedzie, Nass, Suder, Underheim and Ward – 7.

Absent or not voting – Representative Handrick – 1.

Motion carried.

Representative Freese asked unanimous consent that the rules be suspended and that **Senate Bill 179** be immediately messaged to the Senate. Granted.

Speaker Pro Tempore Freese in the chair.

Assembly Bill 389

Relating to: control and ownership of transmission facilities by a transmission company and a Midwest independent system operator, ownership of nonutility assets by a public utility holding company, investments in transmission facilities, offers of employment to certain public utility and nonutility affiliates employees, fees and approvals for certain high-voltage transmission lines, construction of certain electric transmission facilities, environmental reviews by the public service commission, reports on reliability status of electric utilities, state participation in a regional transmission need and siting compact, incentives for development of certain generating facilities, study of market power and retail electric competition, market-based compensation, rates and contracts for electric customers, regulation of certain nitrogen oxide emissions, establishing programs for low-income energy assistance, improving energy conservation and efficiency markets and encouraging the development and use of renewable resources, creating a council on utility public benefits, establishing a utility public benefits fund, requiring electric utilities and retail electric cooperatives to charge public benefits fees to customers and members, imposing requirements on the use of renewable resources by electric utilities and cooperatives, requiring the exercise of rule-making authority, making appropriations and providing a penalty.

Assembly substitute amendment 1 to **Assembly Bill 389** offered by Representatives Meyerhofer, Riley and Black.

Assembly substitute amendment 2 to **Assembly Bill 389** offered by Representatives Meyerhofer, Black, Bock and Riley.

Assembly amendment 1 to Assembly substitute amendment 2 to **Assembly Bill 389** offered by Representative Huber.

Representative Jensen moved that Assembly substitute amendment 2 to **Assembly Bill 389** be laid on the table.

The question was: Shall Assembly substitute amendment 2 to **Assembly Bill 389** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Grothman, Gunderson, Gundrum, Hahn, Hoven, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Porter, Powers, Rhoades, Schneider, Seratti, Skindrud, Spillner, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Ziegelbauer and Speaker Jensen – 55.

Noes – Representatives Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyer, Meyerhofer, Miller, Morris-Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Ryba, Schooff, Sherman, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Waukau, Williams, Wood and Young – 43.

Absent or not voting – Representative Handrick – 1.

Motion carried.

Representative Albers in the chair.

Representative Meyerhofer asked unanimous consent that Assembly substitute amendment 1 to **Assembly Bill 389** be withdrawn and returned to the author. Granted.

Speaker Pro Tempore Freese in the chair.

Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 389** offered by Representative Hoven.

The question was: Shall Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 389** be adopted?

Motion carried.

Representative Black moved rejection of Assembly amendment 1 to **Assembly Bill 389**.

Representative Albers in the chair.

The question was: Shall Assembly amendment 1 to **Assembly Bill 389** be rejected?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hasenohrl, Hebl, Huber, Hubler, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyer, Meyerhofer, Miller, Morris-Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Sinicki, Staskunas, Travis, Turner, Wasserman, Waukau, Williams, Wood and Young – 42.

Noes – Representatives Ainsworth, Albers, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Grothman, Gunderson, Gundrum, Hahn, Hoven, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Kreuser, Ladwig, F. Lasee, M. Lehman, Leibham, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Porter, Powers, Rhoades, Seratti, Skindrud, Spillner, Steinbrink, Stone, Suder, Sykora, Townsend,

Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Ziegelbauer and Speaker Jensen – 56.

Absent or not voting – Representative Handrick – 1.

Motion failed.

The question was: Shall Assembly amendment 1 to **Assembly Bill 389** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Grothman, Gunderson, Gundrum, Hahn, Hoven, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Skindrud, Spillner, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Ziegelbauer and Speaker Jensen – 53.

Noes – Representatives Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyer, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Porter, Reynolds, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Waukau, Williams, Wood and Young – 45.

Absent or not voting – Representative Handrick – 1.

Motion carried.

Representative Porter asked unanimous consent to be recorded as voting “**Aye**” on the previous question. Granted.

Speaker Pro Tempore Freese in the chair.

Representative Johnsrud moved that Assembly amendment 2 to **Assembly Bill 389** be laid on the table.

The question was: Shall Assembly amendment 2 to **Assembly Bill 389** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Balow, Berceau, Black, Bock, Boyle, Brandemuehl, Carpenter, Colon, Freese, Gronemus, Hebl, Hubler, Huebsch, Johnsrud, Kreibich, Krug, Krusick, Meyer, Miller, Musser, Pettis, Plouff, Pocan, Reynolds, Rhoades, Richards, Riley, Schooff, Sherman, Sinicki, Suder, Sykora, Travis, Wasserman and Williams – 36.

Noes – Representatives Albers, Coggs, Cullen, Duff, Foti, Gard, Goetsch, Grothman, Gunderson, Gundrum, Hahn, Hasenohrl, Hoven, Huber, Hundertmark, Hutchison, Jeskewitz, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreuser, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Meyerhofer, Montgomery, Morris–Tatum, Nass, Olsen, Ott, Owens, Petrowski, Plale, Porter, Powers, Ryba, Schneider, Seratti, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Townsend, Turner, Underheim,

Urban, Vrakas, Walker, Ward, Waukau, Wieckert, Wood, Young, Ziegelbauer and Speaker Jensen – 62.

Absent or not voting – Representative Handrick – 1.

Motion failed.

Representative Williams asked unanimous consent to be recorded as voting “**No**” on the previous question. Granted.

The question was: Shall Assembly amendment 2 to **Assembly Bill 389** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Boyle, Coggs, Cullen, Duff, Foti, Gard, Goetsch, Grothman, Gunderson, Gundrum, Hahn, Hasenohrl, Hebl, Hoven, Huber, Hundertmark, Hutchison, Jeskewitz, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreuser, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Meyerhofer, Montgomery, Nass, Olsen, Ott, Owens, Petrowski, Plale, Plouff, Porter, Powers, Reynolds, Ryba, Schneider, Seratti, Sinicki, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Townsend, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Waukau, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 68.

Noes – Representatives Ainsworth, Balow, Berceau, Black, Bock, Brandemuehl, Carpenter, Colon, Freese, Gronemus, Hubler, Huebsch, Johnsrud, Kreibich, Krug, Krusick, Meyer, Miller, Morris–Tatum, Musser, Pettis, Pocan, Rhoades, Richards, Riley, Schooff, Sherman, Suder, Sykora and Travis – 30.

Absent or not voting – Representative Handrick – 1.

Motion carried.

Representative Plouff asked unanimous consent to be recorded as voting “**No**” on the previous question. Granted.

Representative Reynolds asked unanimous consent to be recorded as voting “**No**” on the previous question. Granted.

Representative Morris-Tatum asked unanimous consent to be recorded as voting “**Aye**” on the previous question. Granted.

Assembly amendment 1 to Assembly amendment 3 to **Assembly Bill 389** offered by Representative Hoven.

Speaker Jensen in the chair.

POINT OF ORDER

Representative Black rose to the point of order that **Assembly Bill 389** was not properly before the Assembly because the bill required a report by the joint survey committee on Tax Exemptions under s. 13.52(6) of the Wisconsin Statutes and Assembly Rule 45(4).

Speaker Jensen ruled the point of order **not well taken**.

Representative Bock appealed the ruling of the Chair.

The question was: Shall the ruling of the Chair stand as the ruling of the Assembly?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Grothman, Gunderson, Gundrum, Hahn, Hoven, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Porter, Powers, Rhoades, Seratti, Skindrud, Spillner, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert and Speaker Jensen – 53.

Noes – Representatives Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyer, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Waukau, Williams, Wood, Young and Ziegelbauer – 45.

Absent or not voting – Representative Handrick – 1.

Motion carried.

The question was: Shall Assembly amendment 1 to Assembly amendment 3 to **Assembly Bill 389** be adopted?

Motion carried.

Assembly amendment 2 to Assembly amendment 3 to **Assembly Bill 389** offered by Representative Walker.

Representative Foti moved that Assembly amendment 2 to Assembly amendment 3 to **Assembly Bill 389** be laid on the table.

The question was: Shall Assembly amendment 2 to Assembly amendment 3 to **Assembly Bill 389** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, Foti, Gard, Goetsch, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Nass, Olsen, Ott, Owens, Plale, Plouff, Porter, Powers, Reynolds, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Sinicki, Staskunas, Steinbrink, Stone, Travis, Turner, Underheim, Ward, Wasserman, Waukau, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 78.

Noes – Representatives Brandemuehl, Freese, Hutchison, Jeskewitz, Johnsrud, Kreibich, Musser, Petrowski, Pettis, Pocan, Rhoades, Skindrud, Spillner, Suder, Sykora, Townsend, Urban, Vrakas, Walker and Wieckert – 20.

Absent or not voting – Representative Handrick – 1.

Motion carried.

Representative Jeskewitz asked unanimous consent to be recorded as voting “**Aye**” on the previous question. Granted.

The question was: Shall Assembly amendment 3 to **Assembly Bill 389** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Black, Bock, Brandemuehl, Coggs, Colon, Cullen, Duff, Foti, Freese, Gard, Goetsch, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Porter, Powers, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Sinicki, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Waukau, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 93.

Noes – Representatives Boyle, Carpenter, Hasenohrl, Reynolds and Turner – 5.

Absent or not voting – Representative Handrick – 1.

Motion carried.

Speaker Pro Tempore Freese in the chair.

Assembly amendment 4 to **Assembly Bill 389** offered by Representative F. Lasee.

The question was: Shall Assembly amendment 4 to **Assembly Bill 389** be adopted?

Motion carried.

Assembly amendment 5 to **Assembly Bill 389** offered by Representative Ziegelbauer.

Representative Ziegelbauer asked unanimous consent that Assembly amendment 5 to **Assembly Bill 389** be laid on the table. Granted.

Assembly amendment 6 to **Assembly Bill 389** offered by Representative Ziegelbauer.

Representative Foti moved that Assembly amendment 6 to **Assembly Bill 389** be laid on the table.

The question was: Shall Assembly amendment 6 to **Assembly Bill 389** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Bock, Brandemuehl, Colon, Duff, Foti, Gard, Goetsch, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hoven,

Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Kreuser, Krusick, Ladwig, F. Lasee, Lassa, M. Lehman, Leibham, Meyer, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Porter, Powers, Rhoades, Ryba, Schneider, Schooff, Seratti, Sinicki, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Waukau, Wieckert and Speaker Jensen – 70.

Noes – Representatives Berceau, Black, Boyle, Carpenter, Cogg, Cullen, Freese, Hasenohrl, Huber, Hubler, Krug, La Fave, J. Lehman, Meyerhofer, Miller, Morris–Tatum, Plouff, Pocan, Reynolds, Richards, Riley, Sherman, Travis, Turner, Williams, Wood, Young and Ziegelbauer – 28.

Absent or not voting – Representative Handrick – 1.

Motion carried.

Assembly amendment 7 to **Assembly Bill 389** offered by Representative Ziegelbauer.

The question was: Shall Assembly amendment 7 to **Assembly Bill 389** be adopted?

Motion carried.

Assembly amendment 8 to **Assembly Bill 389** offered by Representative Ziegelbauer.

Representative Ziegelbauer asked unanimous consent that Assembly amendment 8 to **Assembly Bill 389** be withdrawn and returned to the author. Granted.

Assembly amendment 9 to **Assembly Bill 389** offered by Representatives Johnsrud and Huebsch.

Representative Johnsrud asked unanimous consent that Assembly amendment 9 to **Assembly Bill 389** be withdrawn and returned to the author. Granted.

Assembly amendment 10 to **Assembly Bill 389** offered by Representatives Seratti and Freese.

Assembly amendment 1 to Assembly amendment 10 to **Assembly Bill 389** offered by Representative Seratti.

The question was: Shall Assembly amendment 1 to Assembly amendment 10 to **Assembly Bill 389** be adopted?

Motion carried.

Representative Foti moved that Assembly amendment 10 to **Assembly Bill 389** be laid on the table.

The question was: Shall Assembly amendment 10 to **Assembly Bill 389** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Berceau, Black, Bock, Carpenter, Cogg, Colon, Cullen, Duff, Foti, Gard, Goetsch, Grothman, Gunderson, Hahn, Hasenohrl, Hebl, Hoven, Huber, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kedzie, Kelso, Kestell, Klusman, Kreibich, Krug, Krusick, La Fave, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham,

Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Plale, Pocan, Porter, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Sinicki, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Suder, Travis, Turner, Underheim, Walker, Ward, Wasserman, Waukau, Wieckert, Williams, Young and Speaker Jensen – 72.

Noes – Representatives Ainsworth, Albers, Boyle, Brandemuehl, Freese, Gronemus, Gundrum, Hubler, Hutchison, Kaufert, Kreuser, Ladwig, Meyer, Owens, Petrowski, Pettis, Plouff, Powers, Reynolds, Seratti, Sykora, Townsend, Urban, Vrakas, Wood and Ziegelbauer – 26.

Absent or not voting – Representative Handrick – 1.

Motion carried.

Assembly amendment 11 to **Assembly Bill 389** offered by Representative Seratti.

Representative Albers in the chair.

Representative Hoven moved that Assembly amendment 11 to **Assembly Bill 389** be laid on the table.

The question was: Shall Assembly amendment 11 to **Assembly Bill 389** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Berceau, Black, Bock, Boyle, Brandemuehl, Carpenter, Cogg, Colon, Cullen, Duff, Gard, Gronemus, Gunderson, Gundrum, Hahn, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kedzie, Kelso, Kestell, Klusman, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Pettis, Plale, Plouff, Pocan, Porter, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Sinicki, Skindrud, Spillner, Staskunas, Steinbrink, Stone, Suder, Travis, Turner, Underheim, Vrakas, Ward, Wasserman, Waukau, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 82.

Noes – Representatives Ainsworth, Albers, Foti, Freese, Goetsch, Grothman, Kaufert, Meyer, Owens, Petrowski, Powers, Seratti, Sykora, Townsend, Urban and Walker – 16.

Absent or not voting – Representative Handrick – 1.

Motion carried.

Assembly amendment 12 to **Assembly Bill 389** offered by Representative Ziegelbauer.

Representative Black moved that Assembly amendment 12 to **Assembly Bill 389** be laid on the table.

The question was: Shall Assembly amendment 12 to **Assembly Bill 389** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Berceau, Black, Bock, Boyle, Carpenter, Cogg, Colon, Cullen, Hasenohrl, Hebl,

Huber, Klusman, Kreuser, Krug, Krusick, La Fave, Lassa, Meyer, Meyerhofer, Miller, Morris–Tatum, Ott, Plouff, Pocan, Richards, Riley, Schooff, Seratti, Sherman, Sinicki, Steinbrink, Travis, Turner, Urban, Wasserman, Waukau, Williams and Young – 39.

Noes – Representatives Ainsworth, Albers, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hoven, Hubler, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Kreibich, Ladwig, F. Lasee, J. Lehman, M. Lehman, Leibham, Montgomery, Musser, Nass, Olsen, Owens, Petrowski, Pettis, Plale, Porter, Powers, Reynolds, Rhoades, Ryba, Schneider, Skindrud, Spillner, Staskunas, Stone, Suder, Sykora, Townsend, Underheim, Vrakas, Walker, Ward, Wieckert, Wood, Ziegelbauer and Speaker Jensen – 59.

Absent or not voting – Representative Handrick – 1.

Motion failed.

Representative Klusman asked unanimous consent to be recorded as voting “No” on the previous question. Granted.

The question was: Shall Assembly amendment 12 to **Assembly Bill 389** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 389** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes – Representatives Duff, Foti, Freese, Gard, Goetsch, Grothman, Gunderson, Gundrum, Hahn, Hoven, Huebsch, Hundertmark, Hutchison, Jeskewitz, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Kreuser, Ladwig, F. Lasee, M. Lehman, Leibham, Montgomery, Nass, Olsen, Ott, Owens, Petrowski, Porter, Powers, Rhoades, Ryba, Schneider, Schooff, Skindrud, Spillner, Steinbrink, Stone, Suder, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Ziegelbauer and Speaker Jensen – 51.

Noes – Representatives Ainsworth, Albers, Balow, Berceau, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Colon, Cullen, Gronemus, Hasenohrl, Hebl, Huber, Hubler, Johnsrud, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyer, Meyerhofer, Miller, Morris–Tatum, Musser, Pettis, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Seratti, Sherman, Sinicki, Staskunas, Sykora, Travis, Turner, Wasserman, Waukau, Williams, Wood and Young – 47.

Absent or not voting – Representative Handrick – 1.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 389** be given a third reading.

Representative Black objected.

Representative Foti moved that the rules be suspended and that **Assembly Bill 389** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 389** be given a third reading?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brandemuehl, Duff, Foti, Freese, Gard, Goetsch, Grothman, Gunderson, Gundrum, Hahn, Hoven, Huebsch, Hundertmark, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Kestell, Klusman, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Porter, Powers, Rhoades, Seratti, Skindrud, Spillner, Steinbrink, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Walker, Ward, Wieckert, Ziegelbauer and Speaker Jensen – 55.

Noes – Representatives Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hasenohrl, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyer, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Sinicki, Staskunas, Travis, Turner, Wasserman, Waukau, Williams, Wood and Young – 43.

Absent or not voting – Representative Handrick – 1.

Motion failed.

ANNOUNCEMENTS

Representative Brandemuehl asked unanimous consent that the Assembly adjourn in honor of the June 1 birth of Christian Paul Hoiland, son of Paul and Melanie Hoiland. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in honor of the American Forces in Eastern Europe and Kosovo for defending freedom in an hour of peril. Granted.

Representative Ward asked unanimous consent that the Assembly adjourn in honor of the birthdays of Jean Ward, Rene Kaufert and Anne Foti on June 21. Granted.

Representative Spillner asked unanimous consent that the Assembly adjourn in honor of her staff person, Adam Raschka, who is leaving her office for another position. Granted.

Representative Freese asked unanimous consent that the Assembly adjourn in honor of his wife, Dawn, on her fortieth birthday. Granted.

Representative Gard asked unanimous consent that the Assembly adjourn in honor of the June 18 birth of Cale Michael McCoshen, son of Bill and Carol McCoshen. 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:

Stuart Levitan, husband of Representative Berceau, and David and Judith Levitan from New York City, guests of Representative Berceau.

Marjorie Ainsworth from Shawano and Michelle Parrish from Westerville, Ohio, guests of Representative Ainsworth.

Ted Ernst, member of the La Crosse County Board, guest of Representative Meyer.

ADJOURNMENT

Representative Freese moved that the Assembly stand adjourned until 10:00 A.M. tomorrow.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

7:20 P.M.