



# STATE OF WISCONSIN Assembly Journal

## January 2011 Special Session

3:19 P.M.

WEDNESDAY, May 11, 2011

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

Speaker Pro Tempore Kramer in the chair.

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

A quorum was present.

Representative Suder asked unanimous consent that the prayer and the pledge of allegiance from regular session be applied to the January 2011 Special Session. Granted.

The roll was taken.

The result follows:

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

Absent with leave – None.

Vacancies – 48th, 60th, 83rd and 94th Assembly District – 4.

### LEAVES OF ABSENCE

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

### MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

**Senate Bill 13, January 2011 Special Session**

### ACTION ON THE SENATE MESSAGE

#### Senate Bill 13, January 2011 Special Session

Relating to: regulation of telecommunications utilities and alternative telecommunications utilities; telecommunications provider of last-resort obligations; telecommunications intrastate switched access rates; interconnected voice over Internet protocol service; and use of transmission equipment and property by video service providers.

By committee on Senate Organization, by request of Governor Scott Walker, Senator Zipperer and Representative Honadel.

To calendar.

### CALENDAR OF WEDNESDAY, MAY 11

#### Senate Bill 13, January 2011 Special Session

Relating to: regulation of telecommunications utilities and alternative telecommunications utilities; telecommunications provider of last-resort obligations; telecommunications intrastate switched access rates; interconnected voice over Internet protocol service; and use of transmission equipment and property by video service providers.

Assembly amendment 1 to **Senate Bill 13, January 2011 Special Session** offered by Representatives Pasch, Bernard Schaber and Molepske Jr.

Representative Suder moved that Assembly amendment 1 to **Senate Bill 13, January 2011 Special Session** be laid on the table.

The question was: Shall Assembly amendment 1 to **Senate Bill 13, January 2011 Special Session** be laid on the table?

The roll was taken.

The result follows:

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

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

Absent or not voting – Representative Kaufert – 1.

Motion carried.

Assembly amendment 2 to **Senate Bill 13, January 2011 Special Session** offered by Representative Hebl.

Representative Suder moved that Assembly amendment 2 to **Senate Bill 13, January 2011 Special Session** be laid on the table.

The question was: Shall Assembly amendment 2 to **Senate Bill 13, January 2011 Special Session** be laid on the table?

The roll was taken.

The result follows:

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

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

Absent or not voting – Representative Kaufert – 1.

Motion carried.

Assembly amendment 3 to **Senate Bill 13, January 2011 Special Session** offered by Representatives Shilling, Clark, Vruwink, Danou, Molepske Jr, Radcliffe and Bewley.

Representative Suder moved that Assembly amendment 3 to **Senate Bill 13, January 2011 Special Session** be laid on the table.

The question was: Shall Assembly amendment 3 to **Senate Bill 13, January 2011 Special Session** be laid on the table?

The roll was taken.

The result follows:

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

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

Absent or not voting – Representative Kaufert – 1.

Motion carried.

Assembly amendment 4 to **Senate Bill 13, January 2011 Special Session** offered by Representatives Zepnick, Hulsey and Staskunas.

Representative Suder moved that Assembly amendment 4 to **Senate Bill 13, January 2011 Special Session** be laid on the table.

The question was: Shall Assembly amendment 4 to **Senate Bill 13, January 2011 Special Session** be laid on the table?

The roll was taken.

The result follows:

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

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

Absent or not voting – Representative Kaufert – 1.

Motion carried.

Assembly amendment 5 to **Senate Bill 13, January 2011 Special Session** offered by Representatives Zepnick and Hulsey.

Representative Suder moved that Assembly amendment 5 to **Senate Bill 13, January 2011 Special Session** be laid on the table.

The question was: Shall Assembly amendment 5 to **Senate Bill 13, January 2011 Special Session** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Bernier, Bies, Brooks, Endsley, Farrow, Honadel, Jacque, Kapenga, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudonbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn and Speaker Fitzgerald – 56.

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

Absent or not voting – Representative Kaufert – 1.

Motion carried.

Assembly amendment 6 to **Senate Bill 13, January 2011 Special Session** offered by Representative Hulsey.

Representative Suder moved that Assembly amendment 6 to **Senate Bill 13, January 2011 Special Session** be laid on the table.

The question was: Shall Assembly amendment 6 to **Senate Bill 13, January 2011 Special Session** be laid on the table?

The roll was taken.

The result follows:

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

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

Absent or not voting – Representative Kaufert – 1.

Motion carried.

Assembly amendment 7 to **Senate Bill 13, January 2011 Special Session** offered by Representatives Hulsey and Molepske Jr.

Representative Suder moved that Assembly amendment 7 to **Senate Bill 13, January 2011 Special Session** be laid on the table.

The question was: Shall Assembly amendment 7 to **Senate Bill 13, January 2011 Special Session** be laid on the table?

The roll was taken.

The result follows:

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

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

Absent or not voting – Representative Kaufert – 1.

Motion carried.

Assembly amendment 8 to **Senate Bill 13, January 2011 Special Session** offered by Representatives Bewley, Zepnick, Clark and Hulsey.

Representative Suder moved that Assembly amendment 8 to **Senate Bill 13, January 2011 Special Session** be laid on the table.

The question was: Shall Assembly amendment 8 to **Senate Bill 13, January 2011 Special Session** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Bernier, Bies, Brooks, Endsley, Farrow, Honadel, Jacque, Kapenga,

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

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

Absent or not voting – Representative Kaufert – 1.

Motion carried.

Assembly amendment 9 to **Senate Bill 13, January 2011 Special Session** offered by Representatives Zepnick, Hulsey, Molepske Jr and Clark.

Representative Suder moved that Assembly amendment 9 to **Senate Bill 13, January 2011 Special Session** be laid on the table.

The question was: Shall Assembly amendment 9 to **Senate Bill 13, January 2011 Special Session** be laid on the table?

The roll was taken.

The result follows:

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

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

Absent or not voting – Representative Kaufert – 1.

Motion carried.

Assembly amendment 10 to **Senate Bill 13, January 2011 Special Session** offered by Representative Hulsey.

Representative Suder moved that Assembly amendment 10 to **Senate Bill 13, January 2011 Special Session** be laid on the table.

The question was: Shall Assembly amendment 10 to **Senate Bill 13, January 2011 Special Session** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Bernier, Bies, Brooks, Endsley, Farrow, Honadel, Jacque, Kapenga, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Meyer, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Petersen, Petrowski, Petryk, Pridemore, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Suder, Tauchen, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 56.

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

Absent or not voting – Representative Kaufert – 1.

Motion carried.

The question was: Shall **Senate Bill 13, January 2011 Special Session** be ordered to a third reading?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 13, January 2011 Special Session** be given a third reading. Granted.

The question was: **Senate Bill 13, January 2011 Special Session** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Barca, Bernard Schaber, Bernier, Bies, Brooks, Clark, E. Coggs, D. Cullen, Danou, Endsley, Farrow, Fields, Grigsby, Honadel, Jacque, Jorgensen, Kapenga, Kerkman, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Mason, Meyer, Molepske Jr, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Pasch, Petersen, Petrowski, Petryk, Pridemore, Richards, Ringhand, Ripp, Rivard, Seidel, Severson, Shilling, Spanbauer, Staskunas, Steinbrink, Steineke, Stone, Strachota, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Zamarripa, Zepnick, Ziegelbauer and Speaker Fitzgerald – 80.

Noes – Representatives Berceau, Bewley, Hebl, Hintz, Hulsey, Kessler, Krusick, Milroy, Pocan, Pope–Roberts, Radcliffe, Sinicki and Toles – 13.

Paired for – Representative Kaufert – 1.

Paired against – Representative Roys – 1.

Absent or not voting – None.

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 13, January 2011 Special Session** be immediately messaged to the Senate. Granted.

**Assembly Bill 14, January 2011 Special Session**

Relating to: regulation of telecommunications utilities and alternative telecommunications utilities; telecommunications provider of last-resort obligations; telecommunications intrastate switched access rates; interconnected voice over Internet protocol service; and use of transmission equipment and property by video service providers.

Representative Suder asked unanimous consent that **Assembly Bill 14, January 2011 Special Session** be laid on the table. Granted.

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**ADJOURNMENT**

Representative Suder moved that the Assembly stand adjourned until 10:01 A.M. on Thursday, May 12.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

4:18 P.M.