



# STATE OF WISCONSIN

# Assembly Journal

## January 2011 Special Session

6:20 P.M.

TUESDAY, May 17, 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 that the prayer and 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, Brooks, Clark, E. Coggs, Craig, D. Cullen, Danou, Doyle, Endsley, Farrow, Grigsby, Hebl, Hintz, Honadel, Hulsey, Jacque, Jorgensen, 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, Stroebel, 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 – Representatives Bies, Fields and Kapenga – 3.

Vacancies – 48th Assembly District – 1.

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### LEAVES OF ABSENCE

Representative Murtha asked unanimous consent for a leave of absence for today's session for Representatives Bies and Kapenga. Granted.

Representative Roys asked unanimous consent for a leave of absence for today's session for Representative Fields. Granted.

### LEAVES OF ABSENCE

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

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### CALENDAR OF TUESDAY, MAY 17

#### Assembly Bill 8, January 2011 Special Session

Relating to: the authority of a state agency to promulgate rules interpreting the provisions of a statute enforced or administered by the agency and to implement or enforce any standard, requirement, or threshold as a term or condition of a license issued by the state agency; gubernatorial approval of proposed administrative rules; economic impact analyses of proposed rules and emergency rules; and venue in a declaratory judgment action seeking judicial review of the validity of an administrative rule and in an action in which the sole defendant is the state.

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

The question was: Shall Senate amendment 1 to **Assembly Bill 8, January 2011 Special Session** be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives August, Bernier, Brooks, Craig, Endsley, Farrow, Honadel, Jacque, Kaufert, 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, Radcliffe, Ripp, Rivard, Severson, Spanbauer, Steineke, Stone, Strachota, Stroebel, Suder, Tauchen, Thiesfeldt, Tiffany, Tranel, Van Roy, Vos, Weininger, Williams, Wynn, Ziegelbauer and Speaker Fitzgerald – 58.

Noes – Representatives Barca, Berceau, Bernard Schaber, Bewley, Clark, E. Coggs, Danou, Doyle, Grigsby, Hebl, Hintz, Hulsey, Jorgensen, Kessler, Krusick, Mason, Milroy, Molepske Jr, Pasch, Pocan, Pope–Roberts, Richards, Ringhand, Roys, Seidel, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Vruwink, Young, Zamarripa and Zepnick – 34.

Paired for – Representatives Bies and Kapenga – 2.

Paired against – Representatives D. Cullen and Turner – 2.

Absent or not voting – Representatives Ballweg and Fields – 2.

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 8, January 2011 Special Session** be immediately messaged to the Senate. Granted.

Representative Barca asked unanimous consent to adjourn pursuant to **Senate Joint Resolution 1**.

Representative Suder objected.

Representative Barca moved to adjourn pursuant to **Senate Joint Resolution 1**.

The question is: Shall January 2011 Special Session be adjourned pursuant to **Senate Joint Resolution 1**.

Motion failed.

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

The Assembly stood recessed.

6:51 P.M.

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**RECESS**

7:11 P.M.

The Assembly reconvened.

Speaker Pro Tempore Kramer in the chair.

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**ADJOURNMENT**

Representative Suder moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, May 19.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

7:12 P.M.