



# STATE OF WISCONSIN Assembly Journal

## January 2002 Special Session

10:05 A.M.

FRIDAY, July 5, 2002

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

Speaker Pro Tempore Freese in the chair.

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

A quorum was present.

The prayer was offered by Pastor Steve Ward of the United Methodist Church in Siren.

Representative Urban 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, Bies, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hines, Hoven, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Riley, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 97.

Absent with leave – Representative Ryba – 1.

Vacancies – 14th Assembly District – 1.

### LEAVES OF ABSENCE

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

### SPECIAL GUEST

Representative Skindrud introduced Hometown Hero Award Recipient Palmer “Butch” Strickler, Mr. Bologna Bash, from New Glarus, who addressed the members from the rostrum.

### LEAVES OF ABSENCE

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

### MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

**Senate Joint Resolution 1, January 2002 Special Session**

### ACTION ON THE SENATE MESSAGE

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 1, January 2002 Special Session** be taken up at this time. Granted.

**Senate Joint Resolution 1, January 2002 Special Session**

Relating to: commending and congratulating Philip J. Scherer for his service and thanking him for his contribution to the Transportation Development Association of Wisconsin, Inc., and the people of Wisconsin.

By committee on Senate Organization.

The question was: Shall **Senate Joint Resolution 1, January 2002 Special Session** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 1, January 2002 Special Session** be immediately messaged to the Senate. Granted.

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## INTRODUCTION AND REFERENCE OF PROPOSALS

Representative Hubler introduced a privileged resolution.

### **Assembly Resolution 3, January 2002 Special Session**

Relating to: the life and public service of Stanley Lato.

By Representatives Hubler, Balow and Reynolds.

Representative Hubler asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Resolution 3, January 2002 Special Session**. Granted.

The question was: Shall **Assembly Resolution 3, January 2002 Special Session** be adopted?

Motion carried.

Representative Boyle introduced a privileged resolution.

### **Assembly Resolution 4, January 2002 Special Session**

Relating to: the life and public service of Reino A. Perala.

By Representative Boyle.

Representative Sherman asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Resolution 4, January 2002 Special Session**. Granted.

The question was: Shall **Assembly Resolution 4, January 2002 Special Session** be adopted?

Motion carried.

Representative Plale introduced a resolution.

### **Assembly Resolution 5, January 2002 Special Session**

Relating to: the life and public service of Howard B. Eisenberg.

By Representatives Plale, Colon, Wasserman, Plouff, Olsen, Jeskewitz, Urban, F. Lasee, Huber, Kestell, Richards, Pocan, Travis, Coggs, Rhoades, Ladwig, Miller, Owens, Krug, McCormick, Gunderson, Bock, J. Lehman, Townsend, Vrakas, Kedzie, Petrowski, Lassa, Carpenter, La Fave, Sinicki, Young, Nass, M. Lehman, Turner, Underheim, Lippert, Cullen and Stone.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Resolution 5, January 2002 Special Session** be taken up at this time. Granted.

The question was: Shall **Assembly Resolution 5, January 2002 Special Session** be adopted?

Motion carried.

Representative Carpenter introduced a resolution.

### **Assembly Resolution 6, January 2002 Special Session**

Relating to: welcoming Timothy M. Dolan, the new Archbishop of Milwaukee.

By Representatives Carpenter, Coggs, Ladwig, Ryba, Riley, Miller, Sinicki, Jeskewitz, Turner, Gundrum and M. Lehman.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Resolution 6, January 2002 Special Session** be taken up at this time. Granted.

The question was: Shall **Assembly Resolution 6, January 2002 Special Session** be adopted?

Motion carried.

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Representative Carpenter asked unanimous consent that the Assembly honor members of the military who have been killed in Operation Enduring Freedom: Specialist Marc A. Anderson, 30, from Brandon, Florida, March 4, 2002, killed in action in Operation Anaconda in Afghanistan; Specialist Curtis A. Carter, 25, Lafayette, Louisiana, February 27, 2002, non-hostile gunshot wound in Kuwait; Private First Class Matthew A. Commons, 21, Boulder City, Nevada, March 4, 2002, killed in action in Operation Anaconda in Afghanistan; Staff Sergeant Brian T. Craig, 27, Houston, Texas, April 15, 2002, killed in action in Afghanistan; Sergeant Bradley S. Crose, 22, Orange Park, Florida, March 4, 2002, killed in action in Operation Anaconda in Afghanistan; Specialist Jason A. Disney, 21, Fallon, Nevada, February 13, 2002, killed in an industrial accident in Afghanistan; Staff Sergeant Justin J. Galewski, 28, Olathe, Kansas, April 15, 2002, killed in action in Afghanistan; Chief Warrant Officer 2 Stanley L. Harriman, 34, Wade, North Carolina, March 2, 2002, killed in action in Operation Anaconda in Afghanistan; Sergeant Jamie O. Maugans, 27, Wichita, Kansas, April 15, 2002, killed in action in Afghanistan; Sergeant 1st Class Daniel A. Romero, 30, Lafayette, Colorado, April 15, 2002, killed in action in Afghanistan; Sergeant Philip J. Svitak, 31, Joplin, Missouri, March 4, 2002, killed in action in Operation Anaconda in Afghanistan; Sergeant Gene A. Vance Jr., 38, Morgantown, West Virginia, May 19, 2002, killed in action in Afghanistan; Chief Petty Officer Matthew J. Bourgeois, 35, Tallahassee, Florida, March 27, 2002, killed in action in Afghanistan; Electrician's Mate Fireman Apprentice Michael J. Jakes Jr., 20, Brooklyn, New York, December 4, 2001, killed in a shipboard accident in Northern Arabian Sea; Engineman 1st Class Vincent Parker, 38, Preston, Mississippi, November 18, 2001, lost at Sea in the Persian Gulf; Aviation Boatswain's Mate-Handling 1st Class Neil C. Roberts, 32, Woodland, California, March 4, 2002, killed in action in Operation Anaconda in Afghanistan; Electronics Technician 3rd Class Benjamin Johnson, 21, Rochester, New York, November 18, 2001, lost at Sea in the Persian Gulf; Master Sergeant Evander E. Andrews, 36, Salon, Maine, October 10, 2001, killed in a heavy equipment accident in Northern Arabian Peninsula; Technical Sergeant John A. Chapman, 36, Waco, Texas, March 4, 2002, killed in action in Operation Anaconda in Afghanistan; Senior Airman Jason D. Cunningham, 26, Camarillo, California, March 4, 2002, killed in action in Operation Anaconda in Afghanistan; Air Force Technical Sergeant Sean M. Corlew, 37, Thousand Oaks, California, June 12, 2002, killed in MC-130H crash in

Afghanistan; Air Force Staff Sergeant Anissa A. Shero, 31, Grafton, West Virginia, June 12, 2002, killed in MC-130H crash in Afghanistan; Army Sergeant 1st Class Peter P. Tycz II, 32, Tonawanda, New York, June 12, 2002, killed in MC-130H crash in Afghanistan. The following members of the military were killed in the Philippines: Specialist Thomas F. Allison, 22, Roy, Washington, February 21, 2002, killed in a helicopter crash; Staff Sergeant James P. Dorrity, 37, Goldsboro, North Carolina, February 21, 2002, killed in a helicopter crash; Chief Warrant Officer 2 Jody L. Egnor, 32, Middletown, Ohio, February 21, 2002, killed in a helicopter crash; Major Curtis D. Feistner, 34, White Bear Lake, Minnesota, February 21, 2002, killed in a helicopter crash; Sergeant Jeremy D. Foshee, 25, Pisgah, Alabama, February 21, 2002, killed in a helicopter crash; Staff Sergeant Kerry W. Frith, 37, Las Vegas, Nevada, February 21, 2002, killed in a helicopter crash; Captain Bartt D. Owens, 31, Middletown, Ohio, February 21, 2002, killed in a helicopter crash; Staff Sergeant Bruce A. Rushforth, Jr., 35, Middleboro, Massachusetts, February 21, 2002, killed in a helicopter crash; Master Sergeant William L. McDaniel II, 29, Greenville, Ohio, February 21, 2002, killed in a helicopter crash; Staff Sergeant Juan M. Ridout, 36, Maple Tree, Washington, February 21, 2002, killed in a helicopter crash.

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

The Assembly stood recessed.

10:40 A.M.

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### RECESS

11:05 P.M.

The Assembly reconvened.

Speaker Jensen in the chair.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Representative Jensen introduced a resolution.

#### **Assembly Resolution 7, January 2002 Special Session**

Relating to: the life and public service of Georgia Jean Schneider.

By Representatives Jensen, Black, Vrakas and Bock.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Resolution 7, January 2002 Special Session** be taken up at this time. Granted.

Representative Foti asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Resolution 7, January 2002 Special Session**. Granted.

The question was: Shall **Assembly Resolution 7, January 2002 Special Session** be adopted?

Motion carried.

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### MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Committee of Conference Report on **January 2002 Special Session Assembly Bill 1**

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

The Assembly stood recessed.

11:17 P.M.

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### RECESS

3:00 A.M. Saturday, July 6

The Assembly reconvened.

Speaker Jensen in the chair.

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Speaker Jensen asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

3:01 A.M. Saturday, July 6

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### RECESS

10:15 A.M. Monday, July 8

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

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

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

The Assembly stood recessed.

10:17 A.M. Monday, July 8

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### RECESS

6:50 P.M. Monday, July 8

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Speaker Jensen in the chair.

Speaker Pro Tempore Freese in the chair.

### **Assembly Bill 1, January 2002 Special Session**

Relating to: state finances and appropriations, constituting the governor's recommendations for correcting the imbalance between projected revenues and authorized expenditures.

The question was: Shall the Committee of Conference report on **Assembly Bill 1, January 2002 Special Session** be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Grothman, Gunderson, Hahn, Hines, Hoven, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Ladwig, M. Lehman, Lippert, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Skindrud, Starzyk, Stone, Suder, Sykora, Townsend, Underheim, Urban, Vrakas, Ward, Wieckert and Speaker Jensen – 50.

Noes – Representatives Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Gundrum, Hebl, Huber, Hubler, Kreibich, Kreuser, Krug, Krusick, La Fave, F. Lasee, Lassa, J. Lehman, Leibham, Meyerhofer, Miller, Morris–Tatum, Nass, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Williams, Wood, Young and Ziegelbauer – 47.

Absent or not voting – Representative Ryba – 1.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 1, January 2002 Special Session** be immediately messaged to the Senate. Granted.

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## **ANNOUNCEMENTS**

Representative Ladwig asked unanimous consent that the Assembly adjourn in honor of her staff person, Janine Hale, and her husband, Shane, on the occasion of the birth of their first child, Ashley Ann, on June 17. Granted.

Representative Vrakas asked unanimous consent that the Assembly adjourn in honor of his staff person, Bonnie Deering, and her husband, John, on the occasion of the birth of their second child, Amber Nicole, on June 9, weighing in at 9 pounds, 9 ounces. Granted.

Representative Miller asked unanimous consent that the Assembly adjourn in honor of the Monona Grove High

School Women's Soccer Team for winning the Division II State Girls Soccer Championship. Granted.

Representative Miller asked unanimous consent that the Assembly adjourn in honor of his mother, former Representative Midge Miller, on the occasion of her 80th birthday. Granted.

Representative Lippert asked unanimous consent that the Assembly adjourn in honor of the most important people in her life, husband Jerry Lippert and their three children, Joe, Hollie and Carrie. Granted.

Representatives Carpenter and Cullen asked unanimous consent that the Assembly adjourn in honor of Representative Peter Bock because he is a great guy and will be sorely missed. Granted.

Representative Schooff asked unanimous consent that the Assembly adjourn in honor of Representative Peter Bock who was his mentor and wish him well in the future. Granted.

Representative Richards asked unanimous consent that the Assembly adjourn in honor of Representatives Peter Bock and John La Fave who will be retiring from the Assembly. Granted.

Representative Richards asked unanimous consent that the Assembly adjourn in honor of Pat and Amy Hottman of Madison, on the occasion of the birth of their son, Cade Justin, on July 5. Granted.

Representative Johnsrud asked unanimous consent that the Assembly adjourn in honor of Ana Toalino, on the occasion of her retirement after working for the Assembly Chief Clerk and the Assembly Sergeant-at-Arms since 1984. Granted.

Representative Wasserman asked unanimous consent that the Assembly adjourn in honor of Representative Frank Urban on the occasion of his retirement from the Assembly and who was the first physician in the Assembly in over 70 years. Granted.

Representative Starzyk asked unanimous consent that the Assembly adjourn in honor of her fiancé, Chad Kerkman, on the occasion of his birthday on July 19. Granted.

Representative Black asked unanimous consent that the Assembly adjourn in honor of Representatives Peter Bock, Tim Carpenter, John La Fave, Marty Reynolds and John Ryba on the occasion of their retirement from the Assembly. Granted.

Representative Lassa asked unanimous consent that the Assembly adjourn in honor of her husband, John Moe, on the occasion of his birthday on July 1. Granted.

Representative Lassa asked unanimous consent that the Assembly adjourn in honor of her father, Jerry Lassa, on the occasion of his birthday on July 25. Granted.

Representative Lassa asked unanimous consent that the Assembly adjourn in honor of her aunt, Marie Cincera, on the occasion of her birthday on July 27. Granted.

Representative Rhoades asked unanimous consent that the Assembly adjourn in honor of Representatives Peter

Bock, Tim Carpenter, Tim Hoven, Neal Kedzie, John La Fave, Joe Leibham, MaryAnn Lippert, Marty Reynolds, John Ryba, Tom Sykora and Frank Urban on the occasion to their retirements from the Assembly. Granted.

Representative Kreuser asked unanimous consent that the Assembly adjourn in honor of Harold "Babe" Kreuser, on the occasion of his 76th birthday on July 18. Granted.

Representative Kreuser asked unanimous consent that the Assembly adjourn in honor of his son, Justin, on the occasion of his 9th birthday on July 21. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in memory of his wife, Georgia J. Schneider, for her years of dedicated public service to the Legislature and the people of the State of Wisconsin, who passed away on June 26. Granted.

Representative Jeskewitz asked unanimous consent that the Assembly adjourn in honor of former State Representative Lolita Schneiders and her husband, Don, who were seriously injured in a car accident. Granted.

Representative Jeskewitz asked unanimous consent that the Assembly adjourn in memory of Donna Schneiders, daughter of former State Representative Lolita Schneiders, who was killed in a car accident. Granted.

Representative Plale asked unanimous consent that the Assembly adjourn in honor of his parents, Don and Jo Plale, on the occasion of their 50th wedding anniversary on July 12. Granted.

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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:

Todd Frederick and family from Merrill, guests of Representative Sherman.

Pam Otis, John Kiley and their two sons Joss and Bror from Michigan, guests of Representative Bock.

Jamie Shookman, Salutatorian from Baraboo, guest and intern of Representative Albers.

Former State Representative Midge Miller along with her granddaughter Annabelle Gooddenn and friend Jennifer Oates, guests of Representative Black.

Rabbi Sidney Vineburg from Green Bay, guest of Representative Montgomery.

Her daughter Kristen Lease, guest of Representative McCormick.

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## ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

9:30 P.M. Monday, July 8