



# STATE OF WISCONSIN

# Assembly Journal

## Ninety-Seventh Regular Session

11:10 A.M.

WEDNESDAY, July 12, 2006

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

Speaker Gard in the chair.

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

A quorum was present.

The prayer was offered by Representative Nischke.

Representative Hundertmark 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, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Kreuser, Krusick, Lamb, F. Lasee, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Nischke, Ott, Owens, Parisi, Petrowski, Pettis, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 92.

Absent with leave – Representatives J. Fitzgerald, Kessler, Newcomer, Shilling, Sinicki and Towns – 6.

Vacancies – 98th Assembly District – 1.

### LEAVES OF ABSENCE

Representative Gundrum asked unanimous consent for a leave of absence for today's session for Representatives J. Fitzgerald, Newcomer and Towns. Granted.

Representative Turner asked unanimous consent for a leave of absence for today's session for Representatives Kessler, Shilling and Sinicki. Granted.

### LEAVES OF ABSENCE

Representative Gundrum asked unanimous consent for a leave of absence for part of today's session for Representatives Lamb and Ward. Granted.

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

### ADMINISTRATIVE RULES

#### Assembly Clearinghouse Rule 06–064

Relating to CDL exemptions.

Submitted by Department of Transportation.

Report received from Agency, July 11, 2006.

To committee on **Transportation**.

Referred on July 12, 2006.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### Assembly Bill 1227

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin State Attorneys Association, Inc., for the 2005–07 biennium, covering employees in the professional legal collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.

To **calendar**.

#### Assembly Bill 1228

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin State Attorneys Association, Inc., for the 2003–05 biennium, covering employees in the professional legal collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.

To **calendar**.

#### Assembly Bill 1229

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin State

Employees Union, AFSCME Council 24, and its appropriate affiliated locals, AFL–CIO, for the 2005–07 biennium, covering employees in the professional social services collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.  
To **calendar**.

#### **Assembly Bill 1230**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Professional Employees Council, WFT/AFT, AFL–CIO, for the 2005–07 biennium, covering employees in the professional fiscal and staff services collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.  
To **calendar**.

Representative Hahn introduced a joint resolution.

---

### **INTRODUCTION AND REFERENCE OF PROPOSALS**

#### **Assembly Joint Resolution 107**

Relating to: the life and military service of Sergeant Travis Van Zoest.

By Representative Hahn.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 107** be taken up at this time. Granted.

---

### **SPECIAL GUEST**

Representative Hahn introduced the parents of Sergeant Travis Van Zoest, Ben and Deborah Van Zoest, who addressed the members from the rostrum.

The question was: Shall **Assembly Joint Resolution 107** be adopted?

Motion carried.

Representative Huebsch asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 107**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 107** be immediately messaged to the Senate. Granted.

Representative M. Williams introduced a joint resolution.

### **INTRODUCTION AND REFERENCE OF PROPOSALS**

#### **Assembly Joint Resolution 108**

Relating to: the life and service of Staff Sergeant Nathan Vacho of the United States Army Reserve, who lost his life during Operation Iraqi Freedom.

By Representative M. Williams; cosponsored by Senator Decker.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 108** be taken up at this time. Granted.

---

### **SPECIAL GUEST**

Representative M. Williams introduced the parents of Staff Sergeant Nathan Vacho, John and Carol Vacho, who addressed the members from the rostrum.

The question was: Shall **Assembly Joint Resolution 108** be adopted?

Motion carried.

Representative Huebsch asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 108**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 108** be immediately messaged to the Senate. Granted.

Representative M. Williams introduced a joint resolution.

---

### **INTRODUCTION AND REFERENCE OF PROPOSALS**

#### **Assembly Joint Resolution 109**

Relating to: the life and service of Staff Sergeant Patrick Lybert of the United States Army, who lost his life during Operation Enduring Freedom.

By Representative M. Williams; cosponsored by Senator Decker.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 109** be taken up at this time. Granted.

---

### **SPECIAL GUEST**

Representative M. Williams introduced the mother of Staff Sergeant Patrick Lybert, Cheryl Nussburger, who addressed the members from the rostrum.

The question was: Shall **Assembly Joint Resolution 109** be adopted?

Motion carried.

Representative Huebsch asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 109**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 109** be immediately messaged to the Senate. Granted.

---

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

The Assembly stood recessed.

11:49 A.M.

---

## RECESS

12:52 P.M.

The Assembly reconvened.

Speaker Gard in the chair.

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

A quorum was present.

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

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

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

---

## CALENDAR OF WEDNESDAY, JULY 12

Representative Musser asked unanimous consent that the rules be suspended and that the Assembly Chief Clerk dispense with reading the entire relating clause to Assembly Bills 1227–1230 and only read the bill number for the second and third reading for each bill. Granted.

### Assembly Bill 1227

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin State Attorneys Association, Inc., for the 2005–07 biennium, covering employees in the professional legal collective bargaining unit, and authorizing an expenditure of funds.

The question was: Shall **Assembly Bill 1227** be ordered engrossed and read a third time?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 1227** be given a third reading. Granted.

The question was: **Assembly Bill 1227** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Kreuser, Krusick, Lamb, F. Lasee, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Nischke, Ott, Owens, Parisi, Petrowski, Pettis, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 92.

Noes – None.

Absent or not voting – Representatives J. Fitzgerald, Kessler, Newcomer, Shilling, Sinicki and Towns – 6.

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 1227** be immediately messaged to the Senate. Granted.

### Assembly Bill 1228

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin State Attorneys Association, Inc., for the 2003–05 biennium, covering employees in the professional legal collective bargaining unit, and authorizing an expenditure of funds.

The question was: Shall **Assembly Bill 1228** be ordered engrossed and read a third time?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 1228** be given a third reading. Granted.

The question was: **Assembly Bill 1228** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Kreuser, Krusick, Lamb, F. Lasee, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Nischke, Ott, Owens, Parisi, Petrowski, Pettis, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Townsend, Travis, Turner, Underheim, Van Akkeren,

Van Roy, Vos, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 92.

Noes – None.

Absent or not voting – Representatives J. Fitzgerald, Kessler, Newcomer, Shilling, Sinicki and Towns – 6.

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 1228** be immediately messaged to the Senate. Granted.

### **Assembly Bill 1229**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin State Employees Union, AFSCME Council 24, and its appropriate affiliated locals, AFL–CIO, for the 2005–07 biennium, covering employees in the professional social services collective bargaining unit, and authorizing an expenditure of funds.

The question was: Shall **Assembly Bill 1229** be ordered engrossed and read a third time?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 1229** be given a third reading. Granted.

The question was: **Assembly Bill 1229** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Kreuser, Krusick, Lamb, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Nischke, Ott, Owens, Parisi, Petrowski, Pettis, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 91.

Noes – Representative F. Lasee – 1.

Absent or not voting – Representatives J. Fitzgerald, Kessler, Newcomer, Shilling, Sinicki and Towns – 6.

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 1229** be immediately messaged to the Senate. Granted.

### **Assembly Bill 1230**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Professional Employees Council, WFT/AFT, AFL–CIO, for the 2005–07 biennium, covering employees in the professional fiscal and staff services collective bargaining unit, and authorizing an expenditure of funds.

The question was: Shall **Assembly Bill 1230** be ordered engrossed and read a third time?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 1230** be given a third reading. Granted.

The question was: **Assembly Bill 1230** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Kreuser, Krusick, Lamb, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Nischke, Ott, Owens, Parisi, Petrowski, Pettis, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 91.

Noes – Representative F. Lasee – 1.

Absent or not voting – Representatives J. Fitzgerald, Kessler, Newcomer, Shilling, Sinicki and Towns – 6.

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 1230** be immediately messaged to the Senate. Granted.

Representative Colon introduced a joint resolution.

---

## **INTRODUCTION AND REFERENCE OF PROPOSALS**

### **Assembly Joint Resolution 110**

Relating to: honoring the life and legacy of Milwaukee Mayor Frank Zeidler.

By Representatives Colon, Turner, Kessler, Zepnick, Nischke, Toles, Jeskewitz, Staskunas, Pocan, Grigsby, Richards, Wasserman, Young and Lehman; cosponsored by Senators Cogg, Lazich, Erpenbach, Carpenter, Risser and Hansen.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 110** be taken up at this time. Granted.

The question was: Shall **Assembly Joint Resolution 110** be adopted?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 110** be immediately messaged to the Senate. Granted.

---

## MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Concurred in:

**Assembly Joint Resolution 107**  
**Assembly Joint Resolution 108**  
**Assembly Joint Resolution 109**  
**Assembly Joint Resolution 110**  
**Assembly Bill 1227**  
**Assembly Bill 1228**  
**Assembly Bill 1229**  
**Assembly Bill 1230**

---

## ANNOUNCEMENTS

Representative Kreuser asked unanimous consent that the Assembly adjourn in memory of Ralph May of Kenosha, who passed away on July 7. Granted.

Representative Vruwink asked unanimous consent that the Assembly adjourn in honor of her mother, Donna Mae Vruwink. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of the Sun Prairie High School Boys Baseball Team and Coach Rob Hamilton, who won the WIAA Division I State Championship. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Bill Wambach of Sun Prairie, who set a new national high jump record for an octogenarian at 4 feet, 1 and 6/10 inches. Granted.

Representative Turner asked unanimous consent that the Assembly adjourn in honor of Speaker John Gard, for recognizing all the veterans who died for this country. 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:

Beth Behnke, guest and staff person of Representative Molepske.

Associate Professor Emeritus Dr. Len Weis, and his wife Donna, from the University of Wisconsin-Fox Valley, founding donors for the Weis Earth Science Museum, guests of Representative Wieckert.

Founding director of the Weis Earth Science Museum, Dr. Joanne Kluessendorf, guest of Representative Wieckert.

Chief of Staff Joyce Waldrop's daughter-in-law, Oelena Waldrop and Oelena's daughter Elina, guests of Representative Albers.

---

## ADJOURNMENT

Representative Huebsch moved that the Assembly stand adjourned pursuant to **Senate Joint Resolution 86**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

1:16 P.M.