



# STATE OF WISCONSIN Assembly Journal

## Ninety-Eighth Regular Session

12:15 P.M.

TUESDAY, July 31, 2007

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

Speaker Huebsch in the chair.

Representative J. Fitzgerald asked unanimous consent for a quorum call. Granted.

A quorum was present.

The prayer was offered by Reverend Mark Gruner of the Pecatonica Lutheran Parish in Blanchardville.

Representative Nerison 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 Albers, Ballweg, Benedict, Berceau, Bies, Boyle, Colon, Davis, Fields, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hilgenberg, Hines, Hintz, Hixson, Honadel, Hraychuck, Hubler, Jeskewitz, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Kramer, Krusick, F. Lasee, LeMahieu, Lothian, Mason, Meyer, Molepske, Montgomery, Moulton, Mursau, Murtha, Musser, Nass, Nelson, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Owens, Parisi, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Roth, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Smith, Soletski, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Travis, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer, Zipperer and Speaker Huebsch – 94.

Absent with leave – Representatives Black, Cullen, Kreuser, Staskunas and Vukmir – 5.

Vacancies – None.

---

### LEAVES OF ABSENCE

Representative Honadel asked unanimous consent for a leave of absence for today's session for Representative Vukmir. Granted.

Representative Grigsby asked unanimous consent for a leave of absence for today's session for Representatives Black, Cullen, Kreuser and Staskunas. Granted.

---

### LEAVES OF ABSENCE

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

Representative Grigsby asked unanimous consent for a leave of absence for part of today's session for Representatives A. Williams and Ziegelbauer. Granted.

---

### ENROLLED JOINT RESOLUTIONS

The following Assembly proposal, which has been approved by both the Assembly and Senate, has been enrolled by the Legislative Reference Bureau:

#### Assembly Joint Resolution 59

*PATRICK E. FULLER*  
Assembly Chief Clerk

---

### SPEAKER'S COMMUNICATIONS

July 31, 2007

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53708

Dear Patrick:

Representative Richards will replace Representative Kreuser on the Committee of Conference on Senate Bill 40 for Wednesday, August 1, 2007.

Sincerely,  
*MIKE HUEBSCH*  
Assembly Speaker

## COMMUNICATIONS

July 31, 2007

Patrick Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53708

Dear Chief Clerk Fuller:

Please remove my name as a co-author of Assembly Bill 57, relating to disciplinary procedures for certain local law enforcement officers and fire fighters.

Sincerely,  
*JOHN TOWNSEND*  
State Representative  
52nd Assembly District

---

## SPECIAL GUEST

Representative Hebl introduced William Brue of Stoughton, the May 2007 Hometown Hero Award recipient, who addressed the members from the rostrum.

---

## SPECIAL GUEST

Representatives Davis and Gronemus introduced Monsignor Thomas Campion of Monroe, the June 2007 Hometown Hero Award recipient, who addressed the members from the rostrum.

---

## CALENDAR OF TUESDAY, JULY 31

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 52** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### **Senate Joint Resolution 52**

Relating to: David C. Mills' dedicated public service on behalf of all Wisconsin citizens, particularly the members of the Wisconsin Retirement System.

---

## SPECIAL GUEST

Speaker Huebsch introduced David C. Mills, who addressed the members from the rostrum.

The question was: Shall **Senate Joint Resolution 52** be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 52** be immediately messaged to the Senate. Granted.

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

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

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

### **Senate Bill 122**

Relating to: the property tax exemption for waste treatment facilities.

The question was: Shall **Senate Bill 122** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 122** be given a third reading. Granted.

The question was: **Senate Bill 122** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Ballweg, Benedict, Berceau, Bies, Boyle, Colon, Davis, Fields, J. Fitzgerald, Friske, Garthwaite, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hilgenberg, Hines, Hintz, Hixson, Honadel, Hraychuck, Hubler, Jeskewitz, Jorgensen, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Kramer, Krusick, F. Lasee, LeMahieu, Lothian, Mason, Meyer, Molepske, Montgomery, Moulton, Mursau, Murtha, Musser, Nass, Nelson, Nerison, Newcomer, Nygren, A. Ott, J. Ott, Owens, Parisi, Petersen, Petrowski, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Roth, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Smith, Soletski, Steinbrink, Stone, Strachota, Suder, Tauchen, Toles, Townsend, Travis, Turner, Van Akkeren, Van Roy, Vos, Vruwink, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer, Zipperer and Speaker Huebsch – 94.

Noes – None.

Absent or not voting – Representatives Black, Cullen, Kreuser, Staskunas and Vukmir – 5.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 122** be immediately messaged to the Senate. Granted.

### **Assembly Bill 62**

Relating to: electric receptacles maintained by the Department of Natural Resources at state park campsites.

Representative J. Fitzgerald asked unanimous consent that **Assembly Bill 62** be withdrawn from committee on **Rules** and referred to joint committee on **Finance**. Granted.

Representative Jorgensen asked unanimous consent to be made a coauthor of **Assembly Bill 465**. 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:

Mary Mayo, wife and guest of Representative Hilgenberg.

Mark, Carol and Bethany Gruner from Hollandale, guests of Representative Hilgenberg.

William Brue, today's Hometown Hero, from Stoughton along with his wife, Diane, son James, daughter Laura and parents James and Krisy Brue, guests of Representative Hebl.

Iver Wersland from Stoughton, whose life was saved by today's Hometown Hero, William Brue, guest of Representative Hebl.

Mayor of Stoughton, Helen Johnson and Assistant to the Mayor, Donna Olson, guests of Representative Hebl.

Stoughton Fire Chief, Marty Lamers, guest of Representative Hebl.

EMS Director, Cathy Rigdon, with husband Roger Thorson and granddaughters, Morgan and Mia, guests of Representative Hebl.

Medical Director of Stoughton EMS and Stoughton Hospital, Dr. Warren Tripp and EMT's Lisa Schimelpfenig and Jerry Hendrickson, guests of Representative Hebl.

Maxwell Taylor, a member of the Whitewater City Council, guest of Representative Hixson.

Representative Bies' son Scott, his daughter-in-law Angela and grandson Sullivan Bies from Burlington, guests of Representative Bies.

Representative Kessler's daughter Lisa and his first grandson, Noah Berry Kessler from Atlanta, guests of Representative Kessler.

Brian and Jennifer Peschal from Saukville, guests of Representative Ott.

Michelle, Nicole and Kaylee Petersen, family members and guests of Representative Petersen.

---

## ANNOUNCEMENTS

Representative Petersen asked unanimous consent that the Assembly adjourn in memory of Navy Chief Petty Officer Patrick L. Wade, a native of Manawa, Wisconsin, who was killed by a roadside bomb in Salah Ad Din Province, Iraq on July 17. Granted.

Representative Hraychuck asked unanimous consent that the Assembly adjourn in memory of Bill Klugow from

Danbury, president of the Wisconsin Bear Hunters Association, who passed away on July 28. Granted.

Representative Bies asked unanimous consent that the Assembly adjourn in memory of Sturgeon Bay Police Officer Guy Binish, who passed away on July 22. Granted.

Representative Hintz asked unanimous consent that the Assembly adjourn in memory of Larry Pasquini from Oshkosh, who passed away on July 29. Granted.

Representative Nass asked unanimous consent that the Assembly adjourn in memory of Jack Filipiak, a retired University of Wisconsin-Whitewater Native American History Professor, who passed away on May 8. Granted.

Representative Richards asked unanimous consent that the Assembly adjourn in memory of Dr. John B. Britton and Lieutenant Colonel James H. Barrett. Granted.

Representative Rhoades asked unanimous consent that the Assembly adjourn in honor of Representative Lee Nerison, on the occasion of his 55th birthday. Granted.

Representative Strachota asked unanimous consent that the Assembly adjourn in honor of the West Bend West High School Baseball Team, who won the WIAA Summer Baseball Tournament. Granted.

Representative Strachota asked unanimous consent that the Assembly adjourn in honor of Dairyland Seed Company, Inc., on the occasion of their 100th Anniversary on September 8. Granted.

Representative Montgomery asked unanimous consent that the Assembly adjourn in honor of the Ashwaubenon Boys Basketball Team, who won the Carroll College Tournament. Granted.

Representative Grigsby asked unanimous consent that the Assembly adjourn in honor of Representative Barbara Toles, on the occasion of her birthday today. Granted.

Representative Toles asked unanimous consent that the Assembly adjourn in honor of Representative Mary Hubler, on the occasion of her birthday today. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Francis and Lois Renz, on the occasion of the safe return of their daughter, Francine Renz Tate. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of the Sound of Sun Prairie for celebrating 35 years of serving youth through music and for winning the 2007 MACBDA (Mid-America Competing Band Directors Association) Championship. Granted.

Representative Kaufert asked unanimous consent that the Assembly adjourn in honor of his long time staff member, Matt Kussow, who is leaving the Legislature after 14 years of service to become the Executive Director of the Wisconsin Council of Independent and Religious Schools. Granted.

Representative Owens asked unanimous consent that the Assembly adjourn in honor of two of her constituents, Matt Woicek and Marc Schweiger, members on the University of Wisconsin-Madison Concrete Canoe Team. Granted.

Representative Sinicki asked unanimous consent that the Assembly adjourn in honor of Midwest Express Airlines for being named Travel+Leisure Magazine's "Top Domestic Airline for Service." Granted.

Representative Wieckert asked unanimous consent that the Assembly adjourn in honor of the State of Ohio, the 13th state to enact Wisconsin's Cody Law promoting organ donation. Granted.

Representative Pope-Roberts asked unanimous consent that the Assembly adjourn in honor of the City of Middleton, on the occasion of being named Money Magazine's "Best Place to Live in America". Granted.

Representative Benedict asked unanimous consent that the Assembly adjourn in honor of his staff member, Tara Vasby and her husband Mike Hottman, on the occasion of the birth of their son, Brian Charles Hottman, on July 24. Granted.

Representative Shilling asked unanimous consent that the Assembly adjourn in honor of Elizabeth Brannon, who is representing Wisconsin at the American Legion Auxiliary 61st Annual Girls Nation in Washington D.C. Granted.

Representatives Albers and Hines asked unanimous consent that the Assembly adjourn in honor of the Baraboo National Bank for 150 years of service to the community. Granted.

Representative Kleefisch asked unanimous consent that the Assembly adjourn in honor of Mike Ballard of National Seating and Mobility. Granted.

Representative Zepnick asked unanimous consent that the Assembly adjourn in honor of Jay Bullock and Sarah Johanningmeir, on the occasion of their 10th wedding anniversary on August 1. Granted.

---

## ADJOURNMENT

Representative J. Fitzgerald moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, August 2.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

1:36 P.M.