



STATE OF WISCONSIN

Assembly Journal

One-Hundredth Regular Session

11:05 A.M.

TUESDAY, April 5, 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.

Speaker Fitzgerald in the chair.

The prayer was offered by Most Reverend David L. Ricken, Bishop of the Diocese of Green Bay.

Representative Kaufert 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 August, Ballweg, Barca, Bernard Schaber, Bernier, Bewley, Bies, Brooks, Clark, E. Cogs, 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, Parisi, Pasch, Petersen, Petrowski, Petryk, Pocan, Pope–Roberts, Pridemore, Radcliffe, Richards, Ringhand, Ripp, Rivard, Roys, Seidel, Severson, Shilling, Sinicki, Spanbauer, Staskunas, Steinbrink, Steineke, Strachota, Suder, Tauchen, Thiesfeldt, Tiffany, Toles, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Zamarripa, Zepnick, Ziegelbauer and Speaker Fitzgerald – 94.

Absent with leave – Representatives Berceau and Stone – 2.

Vacancies – 60th, 83rd and 94th Assembly District – 3.

LEAVES OF ABSENCE

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

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

LEAVES OF ABSENCE

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

Representative Roys asked unanimous consent for a leave of absence for part of today's session for Representatives Mason and Milroy. Granted.

AMENDMENTS OFFERED

Assembly amendment 4 to **Assembly Bill 24** offered by Representative Severson.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 23

Relating to: proclaiming May 13, 14, and 15, 2011, Syttende Mai Weekend.

By Representatives Hebl, Nerison, Milroy, Hulsey, Knudson, Bewley, Pope–Roberts, Spanbauer, Bernard Schaber, Berceau, Brooks, Steineke and Bernier; cosponsored by Senators Miller, Erpenbach, Hansen, Taylor, Risser, Schultz, Kapanke, Cowles, Darling and Harsdorf.

To committee on **Rules**.

COMMITTEE REPORTS

The committee on **Labor and Workforce Development** reports and recommends:

Assembly Bill 41

Relating to: preemption of city, village, town, or county ordinances requiring employers to provide employees with

leave from employment to deal with family, medical, or health issues.

Passage:

Ayes: 6 – Representatives Ballweg, Kapenga, Nass, Honadel, Kuglitsch and Litjens.

Noes: 3 – Representatives Sinicki, Toles and Parisi.

To committee on **Rules**.

Senate Bill 23

Relating to: preemption of city, village, town, or county ordinances requiring employers to provide employees with leave from employment to deal with family, medical, or health issues.

Concurrence:

Ayes: 6 – Representatives Ballweg, Kapenga, Nass, Honadel, Kuglitsch and Litjens.

Noes: 3 – Representatives Sinicki, Toles and Parisi.

To committee on **Rules**.

JOAN BALLWEG
Chairperson
Committee on Labor and Workforce
Development

The committee on **Urban and Local Affairs** reports and recommends:

Assembly Bill 60

Relating to: individuals and officers who may be covered by a county blanket bond.

Passage:

Ayes: 9 – Representatives Brooks, Thiesfeldt, Spanbauer, Jacque, Knudson, Ziegelbauer, Ringhand, E. Cogs and Pogan.

Noes: 0.

To committee on **Rules**.

EDWARD BROOKS
Chairperson
Committee on Urban and Local Affairs

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 22** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Joint Resolution 22

Relating to: the life and public service of Steven J. Hilgenberg.

SPECIAL GUEST

Representatives Marklein and Clark introduced the wife of former Wisconsin State Representative Steven J. Hilgenberg, Mary Mayo, his daughter Molly Herr and his grandson, Evan Herr. Ms. Herr addressed the members from the rostrum.

The question was: Shall **Assembly Joint Resolution 22** be adopted?

Motion carried.

Representative Suder asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 22**. Granted.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 22** be immediately messaged to the Senate. Granted.

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

The Assembly stood recessed.

11:41 A.M.

RECESS

4:07 P.M.

The Assembly reconvened.

Speaker Pro Tempore Kramer in the chair.

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

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

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

The committee on **Rules** introduced a privileged resolution.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 5

Relating to: establishing a special order of business for Tuesday, April 12, 2011.

By committee on Rules.

Privileged and read.

The question was: Shall **Assembly Resolution 5** be adopted?

Motion carried.

Assembly Bill 41 be made a special order of business at 11:01 A.M. on Tuesday, April 12 pursuant to **Assembly Resolution 5**.

Senate Bill 23 be made a special order of business at 11:01 A.M. on Tuesday, April 12 pursuant to **Assembly Resolution 5**.

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 17

Senate Joint Resolution 18

Senate Joint Resolution 19

Senate Joint Resolution 20

Concurred in:

Assembly Bill 4

Assembly Joint Resolution 22

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 17

Relating to: the life and public service of David Kachel.

By Senator Kedzie; cosponsored by Representatives Wynn, Nass and August.

To committee on **Rules**.

Senate Joint Resolution 18

Relating to: the life and public service of Carl Otte.

By Senators Leibham, Holperin, Miller, Olsen and Risser; cosponsored by Representatives Endsley, Barca, Kessler, LeMahieu, Loudenberg, A. Ott, Sinicki, Spanbauer, Ziegelbauer and E. Coggs.

To committee on **Rules**.

Senate Joint Resolution 19

Relating to: declaring April 2011 as esophageal cancer awareness month.

By Senators Cowles, Ellis, Galloway and Lassa; cosponsored by Representative Spanbauer.

To committee on **Rules**.

Senate Joint Resolution 20

Relating to: declaring April 2011 Donate Life Month.

By Senators Olsen, Cowles, Darling, Harsdorf, Holperin, Kedzie, Lassa, Lazich, Leibham, Moulton, Risser, Schultz and Taylor; cosponsored by Representatives Ballweg, Barca, Berceau, Bernard Schaber, Bewley, Bies, Brooks, Hebl, Jorgensen, Kerkman, Marklein, Milroy, Mursau, A. Ott, Petryk, Pope-Roberts, Rivard, Roys, Shilling, Sinicki,

Spanbauer, Strachota, Thiesfeldt, Williams, Ringhand and Loudenberg.

To committee on **Rules**.

Representative Wynn asked unanimous consent to be made a coauthor of **Assembly Bill 55**. Granted.

Representative Jacque asked unanimous consent to be made a coauthor of **Assembly Joint Resolution 12**, **Assembly Bill 14** and **Assembly Bill 35**. 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:

Students from Wayne Elementary School in Campbellsport, guests of Representative LeMahieu.

Students from Sun Prairie's SOAR program, including Gerald Dryer, James Paukstat, Rafael Gonzalez, Darius Scott, Kayla Raether, Kayla Dick, Cody Woerpel, Jose' Gomez, Loni Williams, Tyler Yaekel, Ian Piontek and Mackenzie Conklin, guests of Representative Hebl.

ANNOUNCEMENTS

Representative Murtha asked unanimous consent that the Assembly adjourn in memory of his father-in-law, Carl Newton from Menomonie, who passed away on March 22. Granted.

Representative Thiesfeldt asked unanimous consent that the Assembly adjourn in memory of Fond du Lac Police Officer, Craig Birkholz, who was shot and killed in the line of duty on March 20 at the age of 28. Granted.

Representative Steinbrink asked unanimous consent that the Assembly adjourn in memory of Craig Birkholz, who was born and raised in Kenosha. Granted.

Representative Grigsby asked unanimous consent that the Assembly adjourn in memory of Dr. Martin Luther King, Jr., on the occasion of the 43rd anniversary of his assassination. Granted.

Representative Bewley asked unanimous consent that the Assembly adjourn in memory of Tony Kovachevich, who passed away on March 9 at the age of 90. Granted.

Representative Loudenberg asked unanimous consent that the Assembly adjourn in memory of the first female Republican vice presidential candidate, Geraldine Ann Ferraro, who passed away on March 26. Granted.

Representative Thiesfeldt asked unanimous consent that the Assembly adjourn in honor of Fond du Lac Police Officer, Ryan Williams, who was seriously injured in the line of duty on March 20. Granted.

Representative Brooks asked unanimous consent that the Assembly adjourn in honor of Robert Utley, on the occasion of his retirement from 43 years of public service. Granted.

Representatives Bernier and Petryk asked unanimous consent that the Assembly adjourn in honor of the Altoona High School Girls Basketball Team who won the WIAA Division III State Championship. Granted.

Representatives Bernier and Petryk asked unanimous consent that the Assembly adjourn in honor of the Regis High School Girls Basketball Team who won the WIAA Division IV State Championship. Granted.

Representative Murtha asked unanimous consent that the Assembly adjourn in honor of the St. Croix Valley Fusion Girls Hockey Team who won the WIAA State Hockey Championship for the third straight year. Granted.

Representative Hulsey asked unanimous consent that the Assembly adjourn in honor of the Madison Memorial Boys Basketball Team who won the WIAA Division I State Championship. Granted.

Representative Pasch asked unanimous consent that the Assembly adjourn in honor of the Whitefish Bay Girls Gymnastics Team who won the WIAA Division II State Meet. Granted.

Representative Pasch asked unanimous consent that the Assembly adjourn in honor of the Nicolet Girls Basketball Team who won the WIAA Division I State Championship. Granted.

Representative Pasch asked unanimous consent that the Assembly adjourn in honor of the Whitefish Bay Boys Basketball Team who won the WIAA Division II State Championship. Granted.

Representative Bewley asked unanimous consent that the Assembly adjourn in honor of the 100 years of service of the Shamrock Rebekah Lodge in Bayfield. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Bill Spiers, a Sun Prairie Northside School crossing guard, on the occasion of his 90th birthday. Mr. Spiers had the opportunity to participate in the Badger Honor Flight on Saturday, April 2nd. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of all the candidates running in the Spring election today and the citizens who are voting in those elections. Granted.

Representative Zepnick asked unanimous consent that the Assembly adjourn in honor of former Wisconsin State Representative, Judge Pedro Colon, on the occasion of his re-election bid for Branch 18 on the Milwaukee County Circuit Court. Granted.

ADJOURNMENT

Representative Suder moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, April 7.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

4:25 P.M.