



# STATE OF WISCONSIN

# Assembly Journal

## One-Hundred and First Regular Session

12:53 P.M.

TUESDAY, April 9, 2013

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 Vos in the Chair.

The prayer was offered by Dennis White, Administrator, La Courte Oreilles Ojibwe School.

The Color Guard posted the colors.

Hayward High School students Joshua Martin and Heather Martinson and La Courte Oreilles Ojibwe Community College students Ryan Bunker Jr. and Nicolette Trepania, 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, Barnes, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Billings, Born, Brooks, Clark, Craig, Czaja, Danou, Doyle, Endsley, Genrich, Goyke, Hebl, Hesselbein, Hintz, Honadel, Hulsey, Hutton, Jacque, Jagler, Johnson, Jorgensen, Kahl, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Klenke, Knodl, Knudson, Kolste, Kooyenga, Kramer, Krug, Kuglitsch, T. Larson, LeMahieu, Loudonbeck, Marklein, Mason, Milroy, Murphy, Mursau, Murtha, Nass, Nerison, Nygren, Ohnstad, A. Ott, J. Ott, Pasch, Petersen, Petryk, Pope, Pridemore, Richards, Riemer, Ringhand, Ripp, Sanfelippo, Sargent, Schraa, Severson, Shankland, Sinicki, Smith, Spiros, Steineke, Stone, Strachota, Stroebel, Suder, Swearingen, Tauchen, C. Taylor, Thiesfeldt, Tittl, Tranel, Vruwink, Wachs, Weatherston, Weininger, Williams, Wright, Young, Zamarripa, Zepnick and Speaker Vos - 97.

Absent with leave - Representative Kleefisch - 1.

Vacancies - 98<sup>th</sup> Assembly District - 1.

### LEAVES OF ABSENCE

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

Speaker Vos recognized the presence of Lieutenant Governor Rebecca Kleefisch, Attorney General J.B. Van Hollen and Superintendent of Public Instruction Tony Evers.

### STATE OF THE TRIBES ADDRESS

Speaker Vos introduced Gordon Thayer, Chairman, Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin, who addressed the members from the rostrum.

The Color Guard retired the colors.

Speaker Pro Tempore Kramer asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

2:16 P.M.

### RECESS

2:37 P.M.

The Assembly reconvened.

Speaker Pro Tempore Kramer in the chair.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### Assembly Bill 140

Relating to: indemnification provisions in contracts for the sale of services.

By Representatives Spiros, Jacque, Stone and Weatherston; cosponsored by Senators Lasee and Moulton.

To committee on **Small Business Development**.

### MESSAGE FROM THE SENATE

From: Jeffrey Renk, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

**Senate Joint Resolution 16**

Passed and asks concurrence in:

**Senate Bill 29**

**Senate Bill 32**

Concurred in:

**Assembly Bill 15**

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

**Senate Joint Resolution 15**

**Senate Joint Resolution 17**

Passed and asks concurrence in:

**Senate Bill 35**

**Senate Bill 55**

---

### ACTION ON THE SENATE MESSAGE

#### Senate Joint Resolution 16

Relating to: commending the Spring Valley High School National Ocean Sciences Bowl Team for winning the 12th Annual Lake Sturgeon Bowl Regional Competition.

By Senators Harsdorf and Vinehout; cosponsored by Representatives Petryk and Murtha.

To committee on **Rules**.

---

### REFERENCE BUREAU CORRECTIONS

#### Assembly Substitute Amendment 1 to **Assembly Bill 19**

1. Page 1, line 5: delete "section: (a)" and substitute "section: (a)".

2. Page 5, line 1: delete lines 1 to 5.

3. Page 6, line 22: delete "subs." and substitute "sub.".

---

#### Assembly Resolution 7

1. Page 1, line 14: delete "Dick" and substitute "Jim".

---

### COMMUNICATIONS

April 9, 2013

Patrick E. Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Fuller:

Please add my name as a co-sponsor of Assembly Bill 139, relating to the duty of physicians to inform patients of treatment options.

Sincerely,  
*DALE SCHULTZ*  
State Senator  
17th Senate District

---

### MESSAGE FROM THE SENATE

From: Jeffrey Renk, Senate Chief Clerk.

Mr. Speaker:

---

### ACTION ON THE SENATE MESSAGE

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 17** be withdrawn from the Senate message and taken up at this time. Granted.

#### Senate Joint Resolution 17

Relating to: declaring April 2013 Donate Life Month.

By Senator Olsen; cosponsored by Representative Ballweg.

The question was: Shall **Senate Joint Resolution 17** be concurred in?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 17** be immediately messaged to the Senate. Granted.

#### Assembly Joint Resolution 14

Relating to: declaring April 2013 Donate Life Month.

Representative Suder asked unanimous consent that **Assembly Joint Resolution 14** be laid on the table. Granted.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 15** be withdrawn from the Senate message and taken up at this time. Granted.

#### Senate Joint Resolution 15

Relating to: commending Ms. Tasha Schuh for being crowned Ms. Wheelchair USA.

By Senators Harsdorf and Vinehout; cosponsored by Representatives Petryk and Knudson.

---

### SPECIAL GUEST

Representative Petryk introduced Ms. Tasha Schuh, who was recognized in the Assembly Chamber.

Representative Bewley asked unanimous consent that all members of the Assembly be made cosponsors of **Senate Joint Resolution 15**. Granted.

The question was: Shall **Senate Joint Resolution 15** be concurred in?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 15** be immediately messaged to the Senate. Granted.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 55** be withdrawn from the Senate message and taken up at this time. Granted.

**Senate Bill 55**

Relating to: costs of replacement or relocation of certain municipal utility facilities required by the construction of a freeway and eligibility for the safe drinking water loan program.

By Senators Cowles, Lasee and Lehman; cosponsored by Representatives Jacque, Weininger, Bernier, Brooks, Kahl, Klenke and Bernard Schaber.

The question was: Shall **Senate Bill 55** be ordered to a third reading?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 55** be given a third reading. Granted.

The question was: **Senate Bill 55** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 55** be immediately messaged to the Senate. Granted.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 35** be withdrawn from the Senate message and taken up at this time. Granted.

**Senate Bill 35**

Relating to: powers and duties of an electric transmission company and certificates of public convenience and necessity and permits for certain electric generating facilities and high-voltage transmission lines.

By Senator Farrow; cosponsored by Representative Honadel.

The question was: Shall **Senate Bill 35** be ordered to a third reading?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 35** be given a third reading. Granted.

The question was: **Senate Bill 35** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Bill 35** be immediately messaged to the Senate. Granted.

**Assembly Bill 39**

Relating to: powers and duties of an electric transmission company and certificates of public convenience and necessity and permits for certain electric generating facilities and high-voltage transmission lines.

Representative Suder asked unanimous consent that **Assembly Bill 39** be laid on the table. Granted.

---

**CALENDAR OF TUESDAY, APRIL 9**

**Assembly Resolution 7**

Relating to: the life and public service of James P. (Jim) Buckley.

The question was: Shall **Assembly Resolution 7** be adopted?

Motion carried.

**Assembly Bill 58**

Relating to: bank service corporations and credit union service organizations.

The question was: Shall **Assembly Bill 58** be ordered engrossed and read a third time?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 58** be given a third reading. Granted.

Representatives Barca, Vruwink, Wright, Hintz, Wachs, Bernard Schaber, Sargent, Barnes, Kolste, Bies, Jagler, Spiros, Tittl and Williams asked unanimous consent to be added as coauthors of **Assembly Bill 58**. Granted.

The question was: **Assembly Bill 58** having been read three times, shall the bill be passed?

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Assembly Bill 58** be immediately messaged to the Senate. 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:

Sue Nagelkerk, Family Living Educator at the University of Wisconsin Extension-Sauk County, guest of Representative Clark.

Christian Malzatski, 4-H Agent at the University of Wisconsin Extension-Sauk County, guest of Representative Clark.

Sauk County Board of Supervisors, Donna Stehling and Reverend Joan Smoke, guests of Representative Clark.

Faye Malek from the University of Wisconsin Extension-Manitowoc County, guest of Representative Tittl.

Manitowoc County Board of Supervisors, Catherine Wagner and Melvin Waack, guests of Representative Tittl.

Duaine Stillman, Chelsa Schneider, Austin Dawson, Mary Kohrell, Ron Green, Ryan Vanden Boom, Sharon Ott and Lyle Ott, 4-H Agents from the University of Wisconsin Extension-Calumet County, guests of Representative Tittl.

Students from the Bristol Grade School, guests of Representative Kerkman.

---

### ANNOUNCEMENTS

Representative Vos asked unanimous consent that the Assembly adjourn in memory of Lady Margaret Thatcher, who passed away on April 8. Granted.

Representative Hesselbein asked unanimous consent that the Assembly adjourn in memory of James Helmuth of Middleton, who passed away on March 23 at the age of 10. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in memory of Maureen Mengelt of Sun Prairie, who passed away on April 7. Granted.

Representative Johnson asked unanimous consent that the Assembly adjourn in memory of Lamar Dunson of Milwaukee, who passed away on March 29. Granted.

Representative Sinicki asked unanimous consent that the Assembly adjourn in memory of Anne Marie Bautch of Milwaukee, who passed away on April 8. Granted.

Representative Mason asked unanimous consent that the Assembly adjourn in honor of his staff member Vicky Selkove, for her four years of outstanding service. Granted.

Representative Jacque asked unanimous consent that the Assembly adjourn in honor of his mother, Mary Jo Jacque and Uncle Jim Alt, who celebrated their birthdays on April 3 and his son Langston James Jacque and father, James Jacque, who celebrated their birthdays on April 7. Granted.

Representative Goyke asked unanimous consent that the Assembly adjourn in honor of Lacey Koplin, for her outstanding service as his office intern. Granted.

Representative Ringhand asked unanimous consent that the Assembly adjourn in honor of Prisoner of War Remembrance Day on April 9. Granted.

Representative Pasch asked unanimous consent that the Assembly adjourn in honor of her mother-in-law, Sylvia Pasch, on the occasion of her 94<sup>th</sup> birthday. Granted.

Representative Swearingen asked unanimous consent that the Assembly adjourn in honor of the Rhinelander High School Mock Trial Team, who won the State Championship and will be participating in the National Competition in May. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Anna Schulz of Stoughton, on the occasion of her 100<sup>th</sup> birthday on April 5. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Stoughton Realtor Sid Boersma, who earned the Certified Residential Specialist designation from the Council of Residential Specialists. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Shane Budack of Sun Prairie, for receiving the 2013 American Legion Lyle Knuth Firefighter of the Year Award. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Daniel Enger of Sun Prairie, for receiving the 2013 American Legion Theodore Chase Police Officer of the Year Award. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Bob Faber of Sun Prairie, who was recently honored with RSVP's Presidential Lifetime Achievement Award. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Nick Fuller of Sun Prairie, for being named the Wisconsin State Journal Basketball Player of the Year for the second year in a row and voted by the coaches as the Big 8 Player of the Year. Granted.

Representative Hesselbein asked unanimous consent that the Assembly adjourn in honor of the City of Middleton, on their 50<sup>th</sup> Anniversary. Granted.

Representative Wachs asked unanimous consent that the Assembly adjourn in honor of Susan Falch, for her Master's Thesis titled "The Port Washington Civil War Draft Riot: Legal Implications of a Local Disturbance". Granted.

Representative Knodl asked unanimous consent that the Assembly adjourn in honor of the Germantown High School Boys Basketball Team, who won the WIAA Division I State Championship. Granted.

Representative Richards asked unanimous consent that the Assembly adjourn in honor of the Riverside High School Girls Basketball Team, who won the WIAA Division I State Championship. Granted.

Representative Bewley asked unanimous consent that the Assembly adjourn in honor of the Drummond Boys Basketball Team, for their second place finish in the WIAA Division V State Semifinals. Granted.

Representative Bewley asked unanimous consent that the Assembly adjourn in honor of the South Shore High School Girls Basketball Team, for their second place finish in the WIAA Division V State Semifinals. Granted.

Representative Sinicki asked unanimous consent that the Assembly adjourn in honor of Equal Pay Day. Granted.

---

### ADJOURNMENT

Representative Suder moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, April 11.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

3:38 P.M.