



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

2:03 P.M.

MONDAY, January 3, 2005

The Assembly met in the Assembly Chamber located in the State Capitol. Pursuant to Section 13.02 of the Wisconsin Statutes and Assembly Rule 5, the Assembly was called to order by the chief clerk of the 2003-2004 session, Patrick Fuller.

The prayer was offered by Reverend Robert A. Wild, President of Marquette University:

“Gracious God, you whom our human family addresses by many different names, you are the Creator, the Sustainer, the Lord and Guide of us all. This day as the elected representatives of the people of Wisconsin gather to open a new session of this State’s Assembly, we beg you to bless and assist with your love and care each of the men and women who are to be sworn in this day as members of this legislative body. They are present here because the citizens of this State have formally entrusted to them the sacred duty of establishing programs and enacting legislation that will secure for these citizens the continued blessings of freedom, the protection of their rights and the promotion of their general and collective welfare. A weighty responsibility, not one to be entered upon lightly, indeed a sacred duty and trust.

Therefore, Lord, we do indeed implore you to bless abundantly the members of this Assembly. Grant them wisdom, grant them vision, grant them courage, integrity and honesty.

Amid the turmoil and tension of legislative debate, help them to respect one another, enable them to learn from one another, assist them when necessary to find workable and acceptable compromises so that the people’s proper business may go forward. While in the political process differences of opinion are inevitable, help these men and women to avoid descending into personal hostility and bitterness. May they never forget that they hold their office as a public trust and may they always honor and uphold that sacred trust to the very best of their ability.

Finally, Lord, we beg you to bless this great State of Wisconsin, our country, our entire human family. To all of us grant peace, justice, and a future filled with hope and promise. Thus we pray to you, you who live and reign today and all days, forever and ever – and let all say Amen.”

The Colors were presented by Company G, 2nd Battalion, 24th Marines, 4th Marine Division (Reinforced), Fleet Marine Forces.

Representatives-elect Brett Davis and Tamara Grigsby led the membership in reciting the pledge of allegiance to the flag of the United States of America.

Bobby Arnold, a junior from Edgewood High School in Madison, led the membership in singing the “Star Spangled Banner.”

COMMUNICATIONS

State of Wisconsin
Elections Board
Madison

December 16, 2004

The Honorable Patrick Fuller, Chief Clerk
Wisconsin State Assembly
17 West Main Street, Room 208
Madison, Wisconsin 53701

Dear Chief Clerk Fuller:

I am pleased to provide you with a copy of the official canvass of the November 2, 2004, General Election vote for representative to the assembly along with the determination by the Chairperson of the State Elections Board of the winners.

With this letter, I am delivering the Certificates of Election for the winners to you for distribution.

If the State Elections Board can provide you with further information or assistance, please contact our office.

State Elections Board
KEVIN J. KENNEDY
Executive Director

1st - Garey D. Bies
2520 Settlement Road
Sister Bay 54234
Republican

2nd - Frank G. Lasee
2380 Bluestone Place
Green Bay 54311
Republican

- 3rd - Alvin R. Ott
W2168 Campground Road
P.O. Box 112
Forest Junction 54123
Republican
- 4th - Phil Montgomery
1305 Oak Crest Drive
Green Bay 54313
Republican
- 5th - Tom Nelson
301 1/2 Fillmore
Kaukauna 54130
Democrat
- 6th - John H. Ainsworth
W6382 Waukechon Road
Shawano 54166
Republican
- 7th - Peggy Krusick
3426 South 69th Street
Milwaukee 53219
Democrat
- 8th - Pedro A. Colon
338 West Walker Street
Milwaukee 53204
Democrat
- 9th - Josh Zepnick
3173 South 49th Street
Milwaukee 53219
Democrat
- 10th - Annette Polly Williams
3927 North 16th Street
Milwaukee 53206
Democrat
- 11th - Jason Fields
5686 North 60th Street
Milwaukee 53218
Democrat
- 12th - Frederick Kessler
10536 W. Fountain Avenue
Milwaukee 53224
Democrat
- 13th - David A. Cullen
2845 North 68th Street
Milwaukee 53210
Democrat
- 14th - Leah Vukmir
2544 North 93rd Street
Wauwatosa 53226
Republican
- 15th - Tony Staskunas
2010 South 103rd Court
West Allis 53227
Democrat
- 16th - Leon D. Young
2224 North 17th Street
Milwaukee 53205
Democrat
- 17th - Barbara Toles
3835 North 56th Street
Milwaukee 53216
Democrat
- 18th - Tamara Grigsby
1311 North 42nd Street
Milwaukee 53208
Democrat
- 19th - Jon Richards
1823 North Oakland Avenue
Milwaukee 53202
Democrat
- 20th - Christine M. Sinicki
3132 South Indiana Avenue
Milwaukee 53207
Democrat
- 21st - Mark Honadel
1219 Manitoba Avenue
South Milwaukee 53172
Republican
- 22nd - Sheldon A. Wasserman
3487 North Lake Drive
Milwaukee 53211
Democrat
- 23rd - Curtis Gielow
3412 West Clubview Court
Mequon 53092
Republican
- 24th - Suzanne Jeskewitz
N80 W15239 Hilltop Drive
Menomonee Falls 53051
Republican
- 25th - Robert F. Ziegelbauer
P. O. Box 325
1213 South 8th Street
Manitowoc 54221-0325
Democrat
- 26th - Terry Van Akkeren
1719 North 13th Street
Sheboygan 53081
Democrat
- 27th - Steve Kestell
W3829 State Highway 32
Elkhart Lake 53020
Republican
- 28th - Mark L. Pettis
3984 State Road 70
Hertel 54845
Republican
- 29th - Andy Lamb
1020 Elm Avenue West
West Menomonie 54751
Republican

- | | |
|---|---|
| 30th - Kitty Rhoades
708 4th Street
Hudson 54016
Republican | 43rd - Debi Towns
7930 North Eagle Road
Janesville 53545
Republican |
| 31st - Steve Nass
N8330 Jackson Road
Whitewater 53190
Republican | 44th - Mike Sheridan
1032 Nantucket Drive
Janesville 53546
Democrat |
| 32nd - Thomas A. Lothian
539 Park Ridge Road
Williams Bay 53191
Republican | 45th - Chuck Benedict
1730 Morgan Terrace
Beloit 53511
Democrat |
| 33rd - Daniel P. Vrakas
1712 Bark River Drive
Hartland 53029
Republican | 46th - Gary Hebl
515 Scheuerell Lane
Sun Prairie 53590
Democrat |
| 34th - Dan Meyer
1013 Walnut Street
Eagle River 54521
Republican | 47th - Eugene Hahn
W3198 Old B Road
Cambria 53923
Republican |
| 35th - Donald Friske
N2998 County Highway K
Merrill 54452
Republican | 48th - Joseph Parisi
3114 Oakridge Avenue
Madison 53704
Democrat |
| 36th - Jeffrey Mursau
4 Oak Street
Crivitz 54114
Republican | 49th - Gabe Loeffelholz
1497 Airport Road
Platteville 53818
Republican |
| 37th - David W. Ward
N3401 Highway G
Fort Atkinson 53538
Republican | 50th - Sheryl K. Albers
339 Golf Course Road
Reedsburg 53959
Republican |
| 38th - Joel Kleefisch
W357 N6189 Spinnaker Drive
Oconomowoc 53066
Republican | 51st - Stephen J. Freese
310 East North Street
Dodgeville 53533
Republican |
| 39th - Jeff Fitzgerald
910 Sunset
Horicon 53032
Republican | 52nd - John F. Townsend
297 Roosevelt
Fond du Lac 54935
Republican |
| 40th - Jean L. Hundertmark
E8815 River Road
Clintonville 54929
Republican | 53rd - Carol Owens
144 County Road C
Oshkosh 54904
Republican |
| 41st - Joan Ballweg
170 West Summit Street
Markesan 53926
Republican | 54th - Gregg Underheim
1652 Beech Street
Oshkosh 54901
Republican |
| 42nd - J. A. Hines
W8632 County Road I
Oxford 53952
Republican | 55th - Dean R. Kaufert
1360 Alpine Lane
Neenah 54956
Republican |
| | 56th - Terri McCormick
W6140 Long Court
Appleton 54914
Republican |

57th - Steve Wieckert 1 Weatherstone Drive Appleton 54914 Republican	70th - Amy Sue Vruwink 9425 Flower Lane Milladore 54454 Democrat
58th - Patricia Strachota 639 Ridge Road West Bend 53095 Republican	71st - Louis Molepske 1557 Church Street Stevens Point 54481 Democrat
59th - Daniel R. LeMahieu 21 South 8th Street P. O. Box 700200 Oostburg 53070 Republican	72nd - Marlin D. Schneider 3820 Southbrook Lane Wisconsin Rapids 54494 Democrat
60th - Mark Gottlieb 1205 Noridge Trail Port Washington 53074 Republican	73rd - Frank Boyle 4900 East Tri-Lakes Road Superior 54880 Democrat
61st - Robert L. Turner 36 McKinley Avenue Racine 53404 Democrat	74th - Gary E. Sherman P.O. Box 157 Port Wing 54865 Democrat
62nd - John W. Lehman 708 Orchard Street Racine 53405 Democrat	75th - Mary Hubler P. O. Box 544 1966 21-7/8 Street Rice Lake 54868 Democrat
63rd - Robin Vos 4710 Eastwood Ridge Racine 53406 Republican	76th - Terese Berceau 4181 Cherokee Drive Madison 53711 Democrat
64th - James Kreuser 3505 14th Place Kenosha 53144 Democrat	77th - Spencer Black 5742 Elder Place Madison 53705 Democrat
65th - John P. Steinbrink 8602-88th Avenue Pleasant Prairie 53158 Democrat	78th - Mark Pocan 309 North Baldwin Madison 53703 Democrat
66th - Samantha Kerkman 8705 385th Avenue Burlington 53105 Republican	79th - Sondy Pope-Roberts 3426 Valley Woods Drive Verona 53593 Democrat
67th - Jeffrey Wood 1501 Miles Street Chippewa Falls 54729 Republican	80th - Brett Davis 1420 Raven Oaks Trail Oregon 53575 Republican
68th - Terry Moulton 980 118th Street Chippewa Falls 54729 Republican	81st - David Travis 5440 Willow Road Waunakee 53597 Democrat
69th - Scott Suder 102 South 4th Avenue Abbotsford 54405 Republican	82nd - Jeff Stone 5535 Grandview Drive Greendale 53129 Republican
	83rd - Scott L. Gunderson 123 North 2nd Street Waterford 53185 Republican

84th - Mark Gundrum
5239 South Guerin Pass
New Berlin 53151
Republican

85th - Donna Seidel
807 South 20th Street
Wausau 54403
Democrat

86th - Jerry Petrowski
720 North 136th Avenue
Marathon 54448-9580
Republican

87th - Mary Williams
542 Billings Avenue
Medford 54451
Republican

88th - Judy Krawczyk
2294 Manitowoc Road
Green Bay 54311
Republican

89th - John G. Gard
481 Aubin Street
P.O. Box 119
Peshtigo 54157
Republican

90th - Karl Van Roy
1010 Coggins Court
Green Bay 54313
Republican

91st - Barbara Gronemus
36301 West Street
P.O. Box 676
Whitehall 54773
Democrat

92nd - Terry M. Musser
W13550 Murray Road
Black River Falls 54615
Republican

93rd - Rob Kreibich
3437 Nimitz Street
Eau Claire 54701
Republican

94th - Mike Huebsch
419 West Franklin
West Salem 54669
Republican

95th - Jennifer Shilling
2608 Main Street
La Crosse 54601
Democrat

96th - Lee Nerison
S3035 CTH B
Westby 54667
Republican

97th - Ann M. Nischke
202 West College Avenue
Waukesha 53186
Republican

98th - Scott R. Jensen
850 South Springdale Road
Waukesha 53186
Republican

99th - Don Pridemore
2277 Highway K
Hartford 53027
Republican

OATH OF OFFICE

Pursuant to Article IV, Section 28 of the Wisconsin Constitution, the Honorable Justice Louis B. Butler, Jr. of the Wisconsin Supreme Court administered the oath of office to the members en masse.

The attendance roll was called by the clerk, and the members, as their names were called, came to the desk to sign the Oath of Office book.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gard, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kessler, 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, Poca, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Strachota, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick and Ziegelbauer. – 97.

Absent with leave – Representatives Hebl and Suder – 2.

Vacancies – None.

LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for today's session for Representative Suder. Granted.

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

ELECTION OF SPEAKER

Representative Meyer nominated Representative Gard for the position of Speaker of the Assembly for the Ninety-Seventh Regular Session of the Legislature.

Representative Kreuser nominated Representative Kessler for the position of Speaker of the Assembly for the Ninety-Seventh Regular Session of the Legislature.

There being no further nominations, the chair declared nominations closed.

The roll was taken.

The result follows:

For Representative Gard – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gard, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Towns, Townsend, Underheim, Van Roy, Vos, Vrakas, Vukmir, Ward, Wieckert, M. Williams and Wood – 59.

For Representative Kessler – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Hebl and Suder – 2.

Representative Gard was elected Speaker of the Assembly for the Ninety-Seventh Regular Session of the Legislature.

Representatives Nischke and Toles escorted Representative Gard to the rostrum.

The oath of office was administered by the Honorable Justice David Prosser, Jr. of the Wisconsin Supreme Court.

Speaker Gard in the chair.

REMARKS BY THE SPEAKER

“Thank you very much for the honor of being elected to lead the State Assembly. It is an honor which I shall treasure the rest of my life. Being sworn in by one of my heroes in life – Supreme Court Justice David Prosser means the world to me also. I want to thank Father Wild for blessing us today and Bobby Arnold for leading us in the national anthem. And special thanks as well to the Honorable Justice Louis Butler for administering the oath to us.

Being elected to the Wisconsin State Assembly is a true privilege and one that few people get to experience. I hope that each of you is able, in a quiet moment sometime today, to reflect upon the significance of this occasion. Signing that grand old book is like touching history. Our names are included with some amazing people who have shared this room.

As someone who has been sworn in here a couple times now – let me tell you it never gets old.

I want to take a moment to thank all the families and friends of each of the members – especially the new members – who made the trip to show support for your loved ones today. Today is a day of celebration and each of us understands the effort it took to get here. You believed in us and for that we are deeply grateful. On behalf of each member here I want to extend a heartfelt thank you for coming.

I am very fortunate to have my own family with me today. This place brought Cate Zeus and me together and for that I will always be grateful. I want to thank my beautiful wife for the remarkable rock of support she has always been. This job can put tremendous pressure on a spouse. It helps to have someone to lean on who is so strong. I hope everyone gets a chance in his or her life to feel the happiness I do. In addition, God has blessed Cate and me with two great gifts in Libby and John Vincent. It is said, time stops for no one. The four of us have been blessed to be on this journey together and when I see how quickly they have grown I am thankful we have.

I want to thank my Mom and Dad for coming all this way to be here. Someone once said, “I am very blessed. My parents always told me I could be anything I ever wanted. When you grow up in a household like that you learn to believe in yourself.” That’s exactly the house I grew up in.

Finally, I want to thank my great friends from Marinette, Oconto and Brown County. The faith they have continued to put in me is very humbling. I will work hard to fulfill their expectations.

We begin this session with the tremendous hope that comes with a New Year. As I share a few thoughts of the promise of the new year and session I feel it is important to have a moment of silence for those who have experienced the horrific tragedy of the recent earthquake and tsunami that has caused so much loss of life and pain and suffering in the world. It is an indescribable loss. My hope is that the world will seize this moment as an opportunity to come together and care for each other.

Also, I want to recognize one of our members who is not with us today. Representative Scott Suder is currently on active duty with the 115th Fighter Wing of the Wisconsin Air National Guard. In addition to Representative Suder, I know that a number of us have family and friends doing the hard work of freedom and placing themselves in harm’s way in our nation’s war on terror. We owe all of these individuals and the thousands serving by their side an immense debt of gratitude and we pray for their safe return.

Two years ago I stood here and said the journey we were about to embark on was unlike anything most of us had ever been through before but that I was confident people were up to the task.

I was right. We helped lead our state through difficult economic times and worked successfully to turn the state back in the right direction. I am pleased with the progress we made and are grateful to all of you who were part of that success. By almost any measure, last session was the most productive and bi-partisan in recent memory.

This house passed 538 pieces of legislation. 85% of those bills passed with bi-partisan majorities of 80 votes or more.

In the face of a \$3.2 billion deficit, we passed a bi-partisan, balanced, state budget – and got it done nearly two weeks ahead of schedule.

Governor Doyle signed 327 of our bills into law. That compares with just 109 bills signed into law in the 2001-02 session and 198 in the 1999-2000 session. That is real progress.

We cut taxes, we passed long overdue regulatory reforms, shored up our energy infrastructure, made venture capital more available, modernized our regulation of financial institutions, passed the comprehensive Agricultural Renewal Initiative, and despite a \$3.2 billion deficit, increased funding for public schools \$168 million.

I want to thank Governor Doyle for working with us to pass the Jobs Creation Act and sign it into law. It wasn't easy but it has made a difference. Due in part to our efforts on each of these issues Wisconsin has created more than 60,000 new jobs and now leads the Midwest in the creation of manufacturing jobs. State revenues are up, unemployment is down and our economy is growing stronger with each quarter.

Rod Nilsestuen, Governor Doyle's Secretary of Agriculture called last session, "The most productive in the last 25 years."

The Editors of the Sheboygan Press wrote, "Kudos to all the officeholders of both parties who improved the state through their cooperation, compromise and hard work on legislation in the last session."

Now we prepare to move ahead and build on our past success. There is a great deal of work ahead filled with a tremendous promise.

This Assembly has led on the great reforms of the past decade – historic welfare reform and school choice became a reality in this room among other things. And even the rebirth of Lambeau Field happened here. This Sunday that rebirth will be on full display as we get a chance to send the Minnesota Vikings packing. What a way to start the year. By the way, I'm sure you all know the reason the Vikings are purple – If you had been choking for forty-five years you'd be purple too.

Starting today we will continue to lead on the challenges before us. We must stay ever vigilant and focused on doing whatever it takes to create vibrant, private sector job growth. While we have made strides we have a long way to go.

I do not believe Wisconsin can reach it's economic potential by being one of the highest tax states in America. We simply need to be more competitive than we are when it comes

to taxes. Our tax burden drives too many jobs out of state and too many families out of their homes.

For many of our workers, the sad reality – even in a rebounding economy – is that their paychecks are not keeping up with their tax bills. We must freeze property taxes and put long-term controls in place on government spending to ensure that government's ability to increase taxes doesn't outpace our families' ability to pay them.

We must work together to reform our Medicaid system and reform health care so families and employers can enjoy top quality health care that is both affordable and accessible.

Our actions can make a difference. For example, in my district, the actions of this Legislature have helped attract many good new doctors to care for those in need of medical care. However, right across the border in Michigan the hospital has closed in some cases and the doctors came to Wisconsin. It is a perfect example of our actions having dramatic impact on the decisions people make. We have made improvements to our medical liability system and now are one of the best states in America for physicians to practice.

Wisconsin can lead in all kinds of other reforms too and we have the opportunity to make that happen.

On health care, we all know there isn't one magic solution that will completely solve the growing costs of health insurance. Instead, there are a number of things that together can give our constituents the relief they need. For example, the time has come to pass into law tax-deductible health savings accounts. We simply must give families every option available to save money and make health care affordability a reality not a luxury.

We have the chance to lead the nation on a major overhaul of our Medicaid system and will do everything we can to try to make that goal a reality. Every state in America is faced with a major financial hardship due to Medicaid program. We must think differently and work aggressively to serve people smarter and more cost effectively. We have the right people in this room to make this goal a reality.

We all know that education is where we spend most of our money. In fact, almost half of our general fund budget is spent on one thing – K-12 education. There isn't even a close second. It is the right priority to have. We face long-term challenges in the way we fund our education system that we will all need to work together on over the course of the next session. However, there are some things we can do right away. One of them is lifting the caps on the school choice program in Milwaukee. These kids are looking for some hope and it is within our power to give it too them. If we don't help them who will?

We will have a host of ideas that we will pass in the first 100 days to continue to make our state more competitive and successful. Economic growth and major reforms are going to be the hallmark of this legislative session. I am confident that each of us understands the gift that has been offered to us. The chance to make a real difference in the lives of people we have known our entire life and in the lives of people we will never meet.

Thomas Jefferson said, "I like the dreams of the future better than the history of the past."

If we work hard we can be part of something historic over the next two years.

The people of this state have given us a real opportunity to lead Wisconsin at a time when we need action. I am honored to have the chance to work with such a distinguished group of leaders to move Wisconsin forward.

When we achieve the successes we are working for Wisconsin will be a better place to create new jobs and new hope. We will become the best place in America to live, work and retire.

Thank you very much.”

ELECTION OF SPEAKER PRO TEMPORE

Representative Brett Davis nominated Representative Freese for the position of Speaker Pro Tempore of the Assembly for the Ninety-Seventh Regular Session of the Legislature.

There being no further nominations, the speaker declared nominations closed.

Representative Huebsch asked unanimous consent that a unanimous ballot be cast with all members of the Assembly recorded as voting for Representative Freese for Assembly Speaker Pro Tempore. Granted.

For Representative Freese – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kessler, 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, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Strachota, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard. – 97.

Absent or not voting – Representatives Hebl and Suder – 2.

Representative Freese was elected Speaker Pro Tempore of the Assembly for the Ninety-Seventh Regular Session of the Legislature.

Representatives Albers and Gronemus escorted Representative Freese to the rostrum.

The oath of office was administered by Speaker Gard.

REMARKS BY THE SPEAKER PRO TEMPORE

“Mr. Speaker, members of the Assembly, distinguished guests, ladies and gentlemen. It is both an honor and a privilege to once again be elected as Speaker Pro Tempore of the Wisconsin State Assembly.

Many veteran members of this house know that I am passionate about two things – vintage automobiles and history. Don’t worry, I will not talk about the history of Chrysler this afternoon, but here is a bit of history that you may find interesting.

In 1836, the first Assembly met in Belmont. There were 26 members elected to a two-year term – just a few more than the 19 new members being sworn in today. They were paid three dollars a day and reimbursed three dollars for every twenty miles that they traveled.

Wisconsin saw a good share of its legislative leaders in the mid-to-late 19th century and early 20th century coming from my part of the state. We had Assembly Speaker’s Whiteside, Strong, Hull, Cobb, Barber, Field and Bancraft. Senate leaders include Wilkinson, Hazelton, Eaton, Holloway, Ryland, Martin and Roethe. I’m proud that Senate Majority Leader Dale Schultz and I can carry on that tradition of leadership from our corner of Wisconsin.

Being elected as Speaker Pro Tempore has special meaning for me today. Today, elected to my sixth term, I have become the longest serving Speaker Pro Tempore in Wisconsin history. David Clarenbach of Madison and I shared the record up until a few moments ago. While it’s nice to have this recognition, it is much more important to me knowing that I have earned the trust of my colleagues to hold this position for so long.

The position of Speaker Pro Tempore was created in 1959. Twelve others held it before I was first elected to the post in January of 1995. Since that time, we have seen drastic changes in the day-to-day operation of this chamber – with none being more significant than going paperless to full electronic automation. Each of us, young and old, made the move to capitalize on new technologies and save hundreds of thousands of dollars by doing away with paper copies. We’ve had a few glitches along the way, but for the most part it has been a great success.

Then we entered the internet age. For the first time the proceedings of the Assembly Chamber were broadcast live around the world on the internet. Individuals from all over the world, whether located in Dodgeville, Wisconsin or Taipei, Taiwan, could watch the activity on the Assembly floor in real time. And now we will soon be entering a new age for the Legislature.

Final approval pending, the Legislature’s activities for the first time will be broadcast statewide via cable television. The State’s non-profit, programming partner, WisconsinEye, will broadcast coverage of Assembly and Senate committee meetings and floor sessions, along with activities that are going on in communities all across the state. It is my hope that this new age of televised coverage will renew our sense of

civility and respect toward others in this chamber. Our constituents will be watching. Now is the time to show the state that we are capable of carrying out our business as professionals.

As the Speaker Pro Tempore, often my role is to serve as the presiding officer of this house when we are in session. As in years past, I will do everything I can to maintain decorum, civility and fairness on the floor. This place simply cannot function as a governing body without all three in place. This is my hope for the New Year.

In closing, I want to thank Speaker Gard and members of this body for entrusting me with the responsibilities in serving as Speaker Pro Tempore. I want to thank my constituents for electing me to serve as their state representative. And most importantly, I want to thank my family – in particular my wife Dawn and my two children, Marie and Drew – and many friends for their love and support throughout my tenure in this body. Thank you!”

ELECTION OF CHIEF CLERK

Representative Vrakas nominated Patrick E. Fuller for the position of Chief Clerk of the Assembly for the Ninety-Seventh Regular Session of the Legislature.

Representative Berceau seconded the nomination of Patrick E. Fuller for the position of Chief Clerk of the Assembly for the Ninety-Seventh Regular Session of the Legislature.

There being no further nominations, the Speaker declared nominations closed.

Representative Huebsch asked unanimous consent that a unanimous ballot be cast with all members of the Assembly recorded as voting for Patrick E. Fuller for Assembly Chief Clerk. Granted.

For Patrick E. Fuller – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kessler, 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, Poca, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Strachota, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard. – 97.

Absent or not voting – Representatives Hebl and Suder – 2.

Patrick E. Fuller was elected Chief Clerk of the Assembly for the Ninety-Seventh Regular Session of the Legislature.

The oath of office was administered by Speaker Gard.

ELECTION OF SERGEANT-AT-ARMS

Representative Petrowski nominated Richard Skindrud for the position of Sergeant-at-Arms of the Assembly for the Ninety-Seventh Regular Session of the Legislature.

Representative Gronemus seconded the nomination of Richard Skindrud for the position of Sergeant-At-Arms of the Assembly for the Ninety-Seventh Regular Session of the Legislature.

There being no further nominations, the Speaker declared nominations closed.

Representative Huebsch asked unanimous consent that a unanimous ballot be cast with all members of the Assembly recorded as voting for Richard Skindrud for Assembly Sergeant-At-Arms. Granted.

The roll was taken.

The result follows:

For Richard Skindrud – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kessler, 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, Poca, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Strachota, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard. – 97.

Absent or not voting – Representatives Hebl and Suder – 2.

Richard Skindrud was elected Sergeant-at-Arms of the Assembly for the Ninety-Seventh Regular Session of the Legislature.

The oath of office was administered by Speaker Gard.

SERGEANT-AT-ARMS' ANNOUNCEMENT

Richard Skindrud announced that he has appointed Anne Tonnon Byers as Assistant Sergeant-at-Arms of the Assembly for the Ninety-Seventh Regular Session of the Legislature.

The oath of office was administered by Speaker Gard.

OATH OF OFFICE

On Wednesday, December 22, 2004, Assembly Speaker John Gard administered the oath of office to Scott Suder of the 69th Assembly District via the telephone. Representative Suder, of the 115th Fighter Wing of the Wisconsin Air National Guard, is deployed in Southwest Asia.

December 17, 2004

The Honorable Patrick E. Fuller, Chief Clerk
Wisconsin State Assembly
17 West Main Street, Room 208
Madison, WI 53701

Dear Chief Clerk Fuller:

The State Elections Board staff has received a number of inquiries concerning the last day on which the legislature may act to ensure that a proposed constitutional amendment can be placed on the ballot for the April 5, 2005 spring election. The legislature must complete action on a proposed constitutional amendment no later than Tuesday, February 22, 2005.

By statute all proposed constitutional amendments and any other measure or question that is to be submitted to a vote of the people shall be filed with the official or agency responsible for preparing the ballots for the election no later than 42 days prior to the election at which the amendment, measure or question will appear on the ballot. S. 8.37 Wis. Stats. Tuesday, February 22, 2005, is 42 days before the April 5, 2005 spring election.

In order for the legislative action to be filed in our office, it is sufficient for the chief clerks to notify our office by e-mail, that the legislature passed the resolution no later than Tuesday, February 22, 2005. It is not necessary that we receive the signed resolution by the close of business on Tuesday, February 22, 2005.

In order to facilitate preparation for the April 2005 spring election, I suggest that the sponsoring legislators contact the office of the Attorney General to make arrangements for the preparation of the explanatory statement required by S. 10.01 (2)(c) Wis. Stats. The explanatory statement is published in the paper by the county clerk immediately before the election. It is also posted at the polling place on election day.

Please make the appropriate arrangements to ensure that this information is communicated to the members of the legislature. If you or any member of the legislature has a question please contact me directly at 608-266-8005 or ask to speak to one of our election specialists.

State Elections Board

Sincerely,
KEVIN J. KENNEDY
Executive Director

State of Wisconsin
Office of the Secretary of State
Madison

December 27, 2004

To the Chief Clerk of the Assembly:

I, DOUGLAS LA FOLLETTE, Secretary of State of the State of Wisconsin, do hereby certify that the following proposed amendments to the Constitution of the State of Wisconsin

COMMUNICATIONS

November 9, 2004

Mr. Patrick Fuller
Assembly Chief Clerk
Room 208, 17 West Main
Madison, Wisconsin 53703

Dear Chief Clerk Fuller:

Pursuant to Assembly Rule 2 (2), the following officers have been duly elected by the Assembly Republican Caucus:

Majority Leader: Mike Huebsch
Assistant Majority Leader: Jeff Fitzgerald
Majority Caucus Chair: Daniel Vrakas
Majority Caucus Vice-Chair: Mark Gottlieb
Majority Caucus Secretary: Carol Owens
Majority Caucus Sergeant-at-Arms: Jerry Petrowski

Sincerely,
DANIEL P. VRAKAS
Republican Caucus Chair

November 16, 2004

Mr. Patrick Fuller
Assembly Chief Clerk
Room 208, 17 West Main St.
Madison, Wisconsin 53703

Dear Chief Clerk Fuller:

Pursuant to Assembly Rule 2 (2), the following officers have been duly elected by the Assembly Democratic Caucus:

Minority Leader: James Kreuser
Assistant Minority Leader: Jon Richards
Minority Caucus Chairperson: Robert Turner
Minority Caucus Vice-Chair: Gary Sherman
Minority Caucus Secretary: Amy Sue Vruwink
Minority Caucus Sergeant-at-Arms: Jennifer Shilling

Sincerely,
ROBERT L. TURNER
Democratic Caucus Chair

have been approved by the Regular Session of the 2003-2004 legislature and duly published as required by Section 1 of [Article XII of the Constitution](#):

Enrolled Joint Resolution 12 (Assembly Joint Resolution 10)
Enrolled Joint Resolution 29 (Assembly Joint Resolution 66)

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

2003 Assembly Joint Resolution 10

ENROLLED JOINT RESOLUTION 12

To amend so as in effect *to repeal* section 4 (3) (c) of article VI; *to renumber and amend* section 4 (1) of article VI and section 12 of article VII; *to amend* section 4 (4) of article VI; and *to create* section 4 (1) (b) and (c) of article VI and section 12 (2) of [article VII of the constitution](#); **relating to:** 4-year terms of office for certain county officers (first consideration).

Resolved by the assembly, the senate concurring, That:

Section 1. Section 4 (1) of [article VI of the constitution](#) is renumbered section 4 (1) (a) of article VI and amended to read:

[Article VI] Section 4 (1) (a) Except as provided in pars. (b) and (c) and sub. (2), coroners, registers of deeds, district attorneys, and all other elected county officers, except judicial officers, sheriffs, and chief executive officers, shall be chosen by the electors of the respective counties once in every 2 years.

Section 2. Section 4 (1) (b) and (c) of [article VI of the constitution](#) are created to read:

[Article VI] Section 4 (1) (b) Beginning with the first general election at which the governor is elected which occurs after the ratification of this paragraph, sheriffs shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4 years and coroners in counties in which there is a coroner shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4 years.

(c) Beginning with the first general election at which the president is elected which occurs after the ratification of this paragraph, district attorneys, registers of deeds, county clerks, and treasurers shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4 years and surveyors in counties in which the office of surveyor is filled by election shall be chosen by the electors of the respective counties, or by the electors of all of the respective counties comprising each combination of counties combined by the legislature for that purpose, for the term of 4 years.

Section 3. Section 4 (3) (c) of [article VI of the constitution](#) is amended so as in effect to repeal said paragraph:

[Article VI] Section 4 (3) (c) ~~Beginning with the first general election at which the governor is elected which occurs after the ratification of this paragraph, sheriffs shall be chosen by the electors of the respective counties once in every 4 years.~~

Section 4. Section 4 (4) of [article VI of the constitution](#) is amended to read:

[Article VI] Section 4 (4) The governor may remove any elected county officer mentioned in this section except a county clerk, treasurer, or surveyor, giving to the officer a copy of the charges and an opportunity of being heard.

Section 5. Section 12 of [article VII of the constitution](#) is renumbered section 12 (1) of article VII and amended to read:

[Article VII] Section 12 (1) There shall be a clerk of the circuit court chosen in each county organized for judicial purposes by the qualified electors thereof, who, except as provided in sub. (2), shall hold his office for two years, subject to removal as ~~shall be provided by law; in,~~

(3) ~~In case of a vacancy, the judge of the circuit court shall have power to may appoint a clerk until the vacancy shall be is filled by an election; the,~~

(4) ~~The clerk thus elected or appointed of circuit court shall give such security as the legislature may require requires by law.~~

(5) The supreme court shall appoint its own clerk, and may appoint a clerk of the circuit court ~~may be appointed a to be the~~ clerk of the supreme court.

Section 6. Section 12 (2) of [article VII of the constitution](#) is created to read:

[Article VII] Section 12 (2) Beginning with the first general election at which the governor is elected which occurs after the ratification of this subsection, a clerk of circuit court shall be chosen by the electors of each county, for the term of 4 years, subject to removal as provided by law.

Section 7. **Numbering of new provisions.** (1) The new paragraph (b) of subsection (1) of section 4 of [article VI of the constitution](#) created in this joint resolution shall be designated by the next higher open paragraph letter in that subsection in that section in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a paragraph (b) of subsection (1) of section 4 of [article VI of the constitution](#) of this state. If one or more joint resolutions create a paragraph (b) of subsection (1) of section 4 of article VI simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the paragraphs created shall be numbered and placed in a sequence so that the paragraphs created by the joint resolution having the lowest enrolled joint resolution number have the letters designated in that joint resolution and the paragraphs created by the other joint resolutions have letters that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the paragraphs.

(2) The new paragraph (c) of subsection (1) of section 4 of [article VI of the constitution](#) created in this joint resolution shall be designated by the next higher open paragraph letter

in that subsection in that section in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a paragraph (c) of subsection (1) of section 4 of [article VI of the constitution](#) of this state. If one or more joint resolutions create a paragraph (c) of subsection (1) of section 4 of article VI simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the paragraphs created shall be lettered and placed in a sequence so that the paragraphs created by the joint resolution having the lowest enrolled joint resolution number have the letters designated in that joint resolution and the paragraphs created by the other joint resolutions have letters that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the paragraphs.

(3) The new subsection (2) of section 12 of [article VII of the constitution](#) created in this joint resolution shall be designated by the next higher open whole subsection number in that section in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a subsection (2) of section 12 of [article VII of the constitution](#) of this state. If one or more joint resolutions create a subsection (2) of section 12 of article VII simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the subsections created shall be numbered and placed in a sequence so that the subsections created by the joint resolution having the lowest enrolled joint resolution number have the numbers designated in that joint resolution and the subsections created by the other joint resolutions have numbers that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the subsections.

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3 months previous to the time of holding such election.

2003 Assembly Joint Resolution 66

ENROLLED JOINT RESOLUTION 29

To create section 13 of [article XIII of the constitution](#); *relating to:* providing that only a marriage between one man and one woman shall be valid or recognized as a marriage in this state (first consideration).

Resolved by the assembly, the senate concurring, That:

Section 8. Section 13 of [article XIII of the constitution](#) is created to read:

[Article XIII] Section 13. Only a marriage between one man and one woman shall be valid or recognized as a marriage in this state. A legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized in this state.

Section 9. **Numbering of new provision.** The new section 13 of [article XIII of the constitution](#) created in this joint resolution shall be designated by the next higher open whole section number in that article if, before the ratification by the people of the amendment proposed in this joint

resolution, any other ratified amendment has created a section 13 of [article XIII of the constitution](#) of this state. If one or more joint resolutions create a section 13 of article XIII simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the sections created shall be numbered and placed in a sequence so that the sections created by the joint resolution having the lowest enrolled joint resolution number have the numbers designated in that joint resolution and the sections created by the other joint resolutions have numbers that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the sections.

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3 months previous to the time of holding such election.

SEAT ASSIGNMENTS

Pursuant to Assembly Rule 2 (4), for the 2005-2006 Legislative Session in the Assembly Chamber, Democrat members will be seated on the east (door) side of the center aisle, except for seats numbered 91, 92, 93, 94 and 95. Republican members will be seated in the seats on the west (window) side of the center aisle. Speaker Gard will occupy seat number 4. Seat number 39 will remain vacant.

<u>Member</u>	<u>Seat No.</u>
Ainsworth	21
Albers	18
Ballweg	51
Benedict	38
Berceau	13
Bies	79
Black	33
Boyle	64
Colon	11
Cullen	62
Davis	82
Fields	30
Fitzgerald, J.	2
Freese	3
Friske	49
Gard	4
Gielow	91
Gottlieb	25
Grigsby	59
Gronemus	35
Gunderson	77
Gundrum	53
Hahn	48
Hebl	31
Hines	97
Honadel	42
Hubler	63
Huebsch	1
Hundertmark	52
Jensen	72
Jeskewitz	22
Kaufert	20
Kerkman	95
Kessler	88
Kestell	84
Kleefisch	50
Krawczyk	74

Kreibich	94
Kreuser	5
Krusick	9
Lamb	71
Lasee, F.	98
Lehman	32
LeMahieu	55
Loeffelholz	99
Lothian	93
McCormick	73
Meyer	44
Molepske	40
Montgomery	28
Moulton	75
Mursau	27
Musser	100
Nass	41
Nelson	12
Nerison	43
Nischke	54
Ott	96
Owens	15
Parisi	58
Petrowski	80
Pettis	47
Pocan	29
Pope-Roberts	66
Pridemore	26
Rhoades	24
Richards	6
Schneider	89
Seidel	87
Sheridan	86
Sherman	7
Shilling	68
Sinicki	60
Staskunas	61
Steinbrink	34
Stone	56
Strachota	70
Suder	76
Toles	57
Towns	83
Townsend	17
Travis	10
Turner	8
Underheim	45
Van Akkeren	65
Van Roy	78
Vos	46
Vrakas	19
Vruwink	67
Vukmir	69
Ward	81
Wasserman	14
Wieckert	16
Williams, A.	90
Williams, M.	23
Wood	92
Young	36
Zepnick	37
Ziegelbauer	85

Representative Huebsch introduced a privileged resolution.

INTRODUCTION AND REFERENCE OF PROPOSALS

Assembly Resolution 1

Relating to: notifying the senate and the governor that the 2005–2006 assembly is organized.

By Representative Huebsch.

The question was: Shall **Assembly Resolution 1** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kessler, 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, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Strachota, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 97.

Noes – None.

Absent or not voting – Representatives Hebl and Suder – 2.

Motion carried.

Representative Gard introduced a privileged resolution.

INTRODUCTION AND REFERENCE OF PROPOSALS

Assembly Resolution 2

Relating to: establishing the assembly committee structure and names for the 2005–2006 legislative session.

By Representative Gard.

Assembly substitute amendment 1 to **Assembly Resolution 2** offered by Representatives Kreuser and Richards.

Representative Huebsch moved that Assembly substitute amendment 1 to **Assembly Resolution 2** be laid on the table.

The question was: Shall Assembly substitute amendment 1 to **Assembly Resolution 2** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Towns, Townsend, Underheim, Van Roy, Vos, Vrakas, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 59.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Hebl and Suder – 2.

Motion carried.

The question was: Shall **Assembly Resolution 2** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Towns, Townsend, Underheim, Van Roy, Vos, Vrakas, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 59.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Hebl and Suder – 2.

Motion carried.

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate is organized and ready to proceed to the business of the 2005-2006 Session.

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 1

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 1

Relating to: the session schedule for the 2005–2006 biennial session period and providing for a limited–business floorperiod to consider bills introduced by the Joint Committee for Review of Administrative Rules.

By joint committee on Legislative Organization.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 1** be withdrawn from the Senate message and taken up at this time. Granted.

Assembly amendment 1 to **Senate Joint Resolution 1** offered by Representative Travis.

Representative Huebsch moved that Assembly amendment 1 to **Senate Joint Resolution 1** be laid on the table.

The question was: Shall Assembly amendment 1 to **Senate Joint Resolution 1** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Towns, Townsend, Underheim, Van Roy, Vos, Vrakas, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 59.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Hebl and Suder – 2.

Motion carried.

The question was: Shall **Senate Joint Resolution 1** be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Towns, Townsend, Underheim, Van Roy, Vos, Vrakas, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 59.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Hebl and Suder – 2.

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 1** be immediately messaged to the Senate.

Representative Schneider objected.

Representative Huebsch moved that the rules be suspended and that **Senate Joint Resolution 1** be immediately messaged to the Senate.

The question was: Shall the rules be suspended and **Senate Joint Resolution 1** be immediately messaged to the Senate?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Towns, Townsend, Underheim, Van Roy, Vos, Vrakas, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 59.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles,

Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Hebl and Suder – 2.

Motion failed.

ANNOUNCEMENTS

Representative Kreuser asked unanimous consent that the Assembly adjourn in memory of Julia Tritt from Kenosha, who passed away on January 1. She will be missed by her husband Bob, her sons Dr. Edward Tritt and Mark Tritt, and all her family, friends and the Kenosha community. Granted.

Representative Sheridan asked unanimous consent that the Assembly adjourn in memory of Jake Meek, who passed away on December 11. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in honor of his staff person John Baldus. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in honor of his mother, Elva Schneider of La Crosse, on the occasion of her 90th birthday. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in honor of his brother, Jerome Gartner of Fitchburg, a United States Air Force veteran of the Korean War and a Madison Police Officer. Granted.

Representative Berceau asked unanimous consent that the Assembly adjourn in honor of Representative Montgomery for all the help he has given her parents. Granted.

Representative Pettis asked unanimous consent that the Assembly adjourn in honor of his father, Lute Pettis, on the occasion of his 90th birthday on January 4. Granted.

Representative Kreuser asked unanimous consent that the Assembly adjourn in honor of his parents, Harold "Babe" and LaVerne Kreuser, who were married in a snow storm on January 20, 1951 and they will be celebrating their 54th wedding anniversary on January 20, 2005. Granted.

ADJOURNMENT

Representative Huebsch moved that the Assembly stand adjourned until 2:00 P.M. on Tuesday, January 11, pursuant to § 13.02 of the Wisconsin Statutes.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

4:35 P.M.