



STATE OF WISCONSIN Assembly Journal

April 2006 Extraordinary Session

7:56 P.M.

THURSDAY, May 4, 2006

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

Speaker Pro Tempore Freese in the chair.

Representative J. Fitzgerald asked unanimous consent that the prayer, pledge of allegiance and attendance roll call from regular session be applied to the extraordinary session. Granted.

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Concurred in:

Assembly Bill 1182

Assembly amendment 1 to **Senate Bill 655**

ENROLLED BILLS

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

Assembly Bill 850

PATRICK E. FULLER
Assembly Chief Clerk

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

The Assembly stood recessed.

8:00 P.M.

RECESS

8:24 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

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

The Assembly stood recessed.

8:25 P.M.

RECESS

11:16 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

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

A quorum was present.

LEAVES OF ABSENCE

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

Senate Joint Resolution 5

Relating to: providing for an advisory referendum on the question of enacting the death penalty in this state.

The question was: Shall Assembly amendment 1 to **Senate Joint Resolution 5** be adopted?

Motion carried.

LEAVES OF ABSENCE

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

The question was: Shall **Senate Joint Resolution 5** be concurred in as amended?

Ayes – Representatives Ainsworth, Bies, Davis, J. Fitzgerald, Gielow, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Kreibich, Lamb, F. Lasee,

LeMahieu, Lothian, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Newcomer, Nischke, Ott, Owens, Pettis, Pridemore, Rhoades, Stone, Suder, Towns, Underheim, Van Roy, Vos, Vukmir, Wieckert, M. Williams, Wood and Speaker Gard – 47.

Noes – Representatives Ballweg, Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Freese, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Loeffelholz, McCormick, Molepske, Nelson, Parisi, Pohan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Strachota, Toles, Townsend, Travis, Turner, Van Akkeren, Vruwink, Ward, Wasserman, A. Williams, Zepnick and Ziegelbauer – 45.

Absent or not voting – Representatives Albers, Krawczyk, Petrowski, Young, – 4 .

Paired for – Representatives Friske, – 1.

Paired against – Representatives Gottlieb, – 1.

Motion carried.

CALL OF THE ASSEMBLY

Representative Kreuser requested a call of the Assembly. There were sufficient seconds.

The Sergeant-at-Arms was directed to close the doors and the Chief Clerk to call the roll.

The Chief Clerk called the roll. The Chief Clerk reported that all members of the Assembly were present. Under Assembly Rule 87, the call of the Assembly was lifted.

Representative Travis made a parliamentary inquiry regarding the leave of absence for Representative Albers during the Call of the Assembly. Representative Travis stated that he had seen Representative Albers and that since she was in the Assembly Chambers, under Assembly Rule 77 it was mandatory for her to vote on the question of Concurrence of Senate Joint Resolution 5. Speaker Pro Tempore Freese stated that when a member is absent with leave, it is the members responsibility to request that the leave of absence be lifted. He further stated that during a Call of the Assembly, no one may request a leave of absence nor can someone's leave be lifted. Representative Hubler inquired further asking if the Sergeant-at-Arms had allowed Representative Albers to leave during a Call of the Assembly. The Sergeant-at-Arms stated that no member was allowed to leave during a Call of the Assembly.

Representative Travis requested a Call of the Assembly.

Speaker Pro Tempore Freese ruled the motion out of order under Assembly Rule 88 because it was successive calls on the same motion.

Representative Richards moved that the Assembly stand adjourned.

The question was: Shall the Assembly stand adjourned?

The roll was taken.

The result follows:

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

Noes – Representatives Ainsworth, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Newcomer, Nischke, Ott, Owens, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 55.

Absent or not voting – Representatives Albers, Friske, Krawczyk, Petrowski, Young, – 5 .

Motion failed.

CALL OF THE ASSEMBLY

Representative Richards requested a call of the Assembly. There were sufficient seconds.

The Sergeant-at-Arms was directed to close the doors and the Chief Clerk to call the roll.

The Chief Clerk called the roll. The Chief Clerk reported that all members of the Assembly were present. Under Assembly Rule 87, the call of the Assembly was lifted.

Senate Joint Resolution 5

Relating to: providing for an advisory referendum on the question of enacting the death penalty in this state.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 5** be immediately messaged to the Senate.

Representative Schneider objected.

Representative Huebsch moved that the rules be suspended and that **Senate Joint Resolution 5** be immediately messaged to the Senate.

The question was: Shall the rules be suspended and **Senate Joint Resolution 5** be immediately messaged to the Senate?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Kreibich, Lamb, F.

Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Newcomer, Nischke, Ott, Owens, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 55.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, 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, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Albers, Friske, Krawczyk, Petrowski and Young – 5.

Motion carried.

Senate Bill 567

Relating to: limiting eligibility for public assistance programs to U.S. citizens and qualifying aliens, requiring documentary proof of citizenship or satisfactory immigration status, granting rule-making authority, and providing a penalty.

Assembly amendment 1 to **Senate Bill 567** offered by Representative Lehman.

Representative Huebsch moved that Assembly amendment 1 to **Senate Bill 567** be laid on the table.

The question was: Shall Assembly amendment 1 to **Senate Bill 567** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Newcomer, Nischke, Ott, Owens, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 55.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, 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, Zepnick and Ziegelbauer – 38.

Absent or not voting – Representatives Albers, Friske, Krawczyk, Petrowski and Young – 5.

Motion carried.

Assembly amendment 2 to **Senate Bill 567** offered by Representative Nass.

Representative Nass asked unanimous consent that Assembly amendment 2 to **Senate Bill 567** be withdrawn and returned to the author. Granted.

The question was: Shall **Senate Bill 567** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 567** be given a third reading. Granted.

The question was: **Senate Bill 567** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ballweg, Bies, Davis, J. Fitzgerald, Freese, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Newcomer, Nischke, Owens, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, M. Williams and Speaker Gard – 51.

Noes – Representatives Ainsworth, Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Gielow, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Ott, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Wood, Zepnick and Ziegelbauer – 42.

Absent or not voting – Representatives Albers, Friske, Krawczyk, Petrowski and Young – 5.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 567** be immediately messaged to the Senate. Granted.

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

The Assembly stood recessed.

12:00 A.M.

RECESS

1:17 A.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

ADJOURNMENT

Representative Huebsch moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, May 9

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

1:18 A.M. Friday, May 5