



# STATE OF WISCONSIN Assembly Journal

## Ninety-Seventh Regular Session

10:42 A.M.

THURSDAY, May 4, 2006

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

Speaker Gard in the chair.

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

A quorum was present.

The prayer was offered by Representative Gottlieb.

Representative Gielow 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 Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, 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, Newcomer, Nischke, Ott, Owens, Parisi, Petrowski, Pettis, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Zepnick, Ziegelbauer and Speaker Gard – 97.

Absent with leave – Representative Young – 1.

Vacancies – 98th Assembly District – 1.

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### LEAVES OF ABSENCE

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

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### LEAVES OF ABSENCE

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

Representative Turner asked unanimous consent for a leave of absence for part of today's session for Representatives Sinicki and Steinbrink. Granted.

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### AMENDMENTS OFFERED

Assembly amendment 2 to **Assembly Bill 1191** offered by Representative Gunderson.

Assembly amendment 1 to **Assembly Bill 1192** offered by Representative Pettis.

Assembly amendment 1 to **Senate Bill 530** offered by committee on **Criminal Justice and Homeland Security**.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Resolution 54**

Relating to: prohibiting any member of the assembly from accepting any campaign contribution from any lobbyist during the remainder of 2006.

By Representatives Parisi and Kreuser.

To committee on **Rules**.

#### **Assembly Bill 1215**

Relating to: automated teller machine charges for international accounts.

By Representatives Krawczyk, Van Roy, Musser, Vos, Owens and McCormick.

To committee on **Financial Institutions**.

#### **Assembly Bill 1216**

Relating to: gifts or grants made to a school district by a particular class.

By Representatives Richards, Sheridan, Sinicki, Turner, Jeskewitz and Kessler.

To committee on **Education**.

**Assembly Bill 1217**

Relating to: requiring health insurance coverage of hearing aids and cochlear implants for infants.

By Representative Schneider; cosponsored by Senator Lassa.

To committee on **Insurance**.

**Assembly Bill 1218**

Relating to: requiring health insurance policies to cover orphan drugs and granting rule-making authority.

By Representative Schneider.

To committee on **Insurance**.

**Assembly Bill 1219**

Relating to: indigency determinations, provision of legal services by the State Public Defender, and requiring the exercise of rule-making authority.

By Representatives McCormick, Krawczyk, Musser, Staskunas, Van Roy and Turner.

To committee on **Judiciary**.

**Assembly Bill 1220**

Relating to: the prohibition against making, reproducing, or possessing visual representations of a person nude without the person's consent.

By Representative Parisi.

To committee on **Rules**.

**Assembly Bill 1221**

Relating to: requirements relating to air pollution and to water pollution from point sources.

By Representative Black, by request of Attorney General Peg Lautenschlager.

To committee on **Rules**.

**Assembly Bill 1222**

Relating to: sales of consumer goods and services during periods of abnormal economic disruption, requiring the exercise of rule-making authority, and providing a penalty.

By Representatives Musser, Gronemus, Towns, Lothian, Ott, Hines, Petrowski, Owens, Hahn, Kerkman, Gunderson, M. Williams, Bies, Nerison and Kreibich; cosponsored by Senators Kedzie, Schultz, Olsen and Brown.

To committee on **Rules**.

**Assembly Bill 1223**

Relating to: disposition of certain contributions or other moneys in campaign treasuries.

By Representative Kessler.

To committee on **Rules**.

**Assembly Bill 1224**

Relating to: notification regarding foreign assets of public utility holding companies.

By Representative Pohan.

To committee on **Rules**.

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**COMMITTEE REPORTS**

The committee on **Campaigns and Elections** reports and recommends:

**Assembly Bill 226**

Relating to: campaign financing, designations for the Wisconsin election campaign fund by individuals filing state income tax returns, creating a nonrefundable individual income tax credit for contributions to the Public Integrity Endowment, candidate time on public broadcasting television stations and public access channels, statewide voter registration, staffing of the Elections Board, providing exemptions from emergency rule procedures, granting rule-making authority, and providing penalties.

Assembly Amendment 1 adoption:

Ayes: 5 – Representatives Freese, Gundrum, Wood, Travis and Kessler.

Noes: 1 – Representative Vos.

Assembly Amendment 2 adoption:

Ayes: 4 – Representatives Freese, Wood, Travis and Kessler.

Noes: 2 – Representatives Gundrum and Vos.

Assembly Amendment 3 adoption:

Ayes: 6 – Representatives Freese, Gundrum, Wood, Vos, Travis and Kessler.

Noes: 0.

Passage as amended:

Ayes: 4 – Representatives Freese, Wood, Travis and Kessler.

Noes: 2 – Representatives Gundrum and Vos.

To committee on **Rules**.

*STEPHEN FREESE*

Chairperson

Committee on Campaigns and Elections

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The committee on **Criminal Justice and Homeland Security** reports and recommends:

**Assembly Bill 1192**

Relating to: grants for the costs of jailing persons for methamphetamine offenses and making an appropriation.

Assembly Amendment 1 adoption:

Ayes: 10 – Representatives Suder, Owens, F. Lasee, Jeskewitz, Gundrum, Vukmir, Turner, Krusick, Black and Grigsby.

Noes: 0.

Without recommendation (Assembly Rule 19).

Ayes: 5 – Representatives Suder, Owens, F. Lasee, Jeskewitz and Gundrum.

Noes: 5 – Representatives Vukmir, Turner, Krusick, Black and Grigsby.

To committee on **Rules**.

**Senate Bill 530**

Relating to: drunken driving and creating a penalty.

Assembly Amendment 1 adoption:

Ayes: 10 – Representatives Suder, Owens, F. Lasee, Jeskewitz, Gundrum, Vukmir, Turner, Krusick, Black and Grigsby.

Noes: 0.

Concurrence as amended:

Ayes: 10 – Representatives Suder, Owens, F. Lasee, Jeskewitz, Gundrum, Vukmir, Turner, Krusick, Black and Grigsby.

Noes: 0.

To committee on **Rules**.

*SCOTT SUDER*  
Chairperson  
Committee on Criminal Justice and  
Homeland Security

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The committee on **Forestry** reports and recommends:

**Assembly Bill 1011**

Relating to: the determination of the value of timber for purposes of assessing a yield tax.

Assembly Substitute Amendment 1 adoption:

Ayes: 5 – Representatives Friske, Mursau, Ainsworth, M. Williams and Hubler.

Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Friske, Mursau, Ainsworth, M. Williams and Hubler.

Noes: 0.

To committee on **Rules**.

*DONALD FRISKE*  
Chairperson  
Committee on Forestry

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The committee on **Judiciary** reports and recommends:

**Assembly Bill 1122**

Relating to: the Vernon County District Attorney and making an appropriation.

Passage:

Ayes: 7 – Representatives Gundrum, McCormick, Pridemore, Kerkman, Kleefisch, Staskunas and Turner.

Noes: 0.

To committee on **Rules**.

*MARK GUNDRUM*  
Chairperson  
Committee on Judiciary

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

**Senate Bill 498**

Relating to: excavation notices and installation of certain water and sewer laterals.

Assembly Substitute Amendment 1 adoption:

Ayes: 9 – Representatives Nass, Newcomer, J. Fitzgerald, Wieckert, Hundertmark, Vos, Van Akkeren, Sinicki and Sheridan.

Noes: 0.

Concurrence as amended:

Ayes: 9 – Representatives Nass, Newcomer, J. Fitzgerald, Wieckert, Hundertmark, Vos, Van Akkeren, Sinicki and Sheridan.

Noes: 0.

To committee on **Rules**.

*STEPHEN NASS*  
Chairperson  
Committee on Labor

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The committee on **Small Business** reports and recommends:

**Senate Bill 251**

Relating to: the regulation of traveling sales crews, requiring the exercise of rule-making authority, and providing penalties.

Assembly Amendment 1 adoption:

Ayes: 5 – Representatives Van Roy, Honadel, M. Williams, Ballweg and Mursau.

Noes: 3 – Representatives Sheridan, Fields and Hebl.

Concurrence as amended:

Ayes: 7 – Representatives Van Roy, Honadel, M. Williams, Ballweg, Mursau, Sheridan and Fields.

Noes: 1 – Representative Hebl.

To committee on **Rules**.

*KARL VAN ROY*  
Chairperson  
Committee on Small Business

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**MESSAGE FROM THE SENATE**

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Amended and concurred in as amended:

**Assembly Bill 887** (Senate amendment 1 adopted)

Adopted and asks concurrence in:

**Senate Joint Resolution 81**  
**Senate Joint Resolution 82**  
**Senate Joint Resolution 84**

**Senate Joint Resolution 85**

Passed and asks concurrence in:

**Senate Bill 222**  
**Senate Bill 223**  
**Senate Bill 358**  
**Senate Bill 541**  
**Senate Bill 550**  
**Senate Bill 626**  
**Senate Bill 640**  
**Senate Bill 641**  
**Senate Bill 680**

Nonconcurred in:

**Assembly Bill 414**  
**Assembly Bill 675**

Concurred in:

**Assembly Joint Resolution 75**  
**Assembly Joint Resolution 102**  
**Assembly Joint Resolution 105**  
**Assembly Bill 426**  
**Assembly Bill 461**  
**Assembly Bill 538**  
**Assembly Bill 579**  
**Assembly Bill 856**  
**Assembly Bill 868**  
**Assembly Bill 923**  
**Assembly Bill 942**  
**Assembly Bill 967**  
**Assembly Bill 1044**  
**Assembly Bill 1065**  
**Assembly Bill 1087**  
**Assembly Bill 1132**  
**Assembly Bill 1163**  
**Assembly Bill 1186**  
**Assembly Bill 1209**

Assembly substitute amendment 1 to **Senate Bill 61**  
Assembly amendment 1 to **Senate Bill 99**  
Assembly substitute amendment 2 to **Senate Bill 186**  
Assembly substitute amendment 1 to **Senate Bill 473**  
Assembly substitute amendment 1 to **Senate Bill 498**  
Assembly substitute amendment 1 to **Senate Bill 526**  
Assembly amendment 1 to **Senate Bill 611**

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**ACTION ON THE SENATE MESSAGE**

**Assembly Bill 887**

Relating to: electing not to provide an address in a petition in a family action in a case in which abuse is alleged.

By Representatives Suder, Kleefisch, Hahn, Musser, Petrowski, Jensen, Hines, Gunderson and McCormick; cosponsored by Senators Zien, Brown, Darling, Roessler and Lassa.

To committee on **Rules**.

**Senate Joint Resolution 81**

Relating to: the life and military service of Lance Corporal Adam J. VanAlstine of the United States Marines who lost his life during Operation Iraqi Freedom.

By Senator Jauch; cosponsored by Representative Boyle.  
To committee on **Rules**.

**Senate Joint Resolution 82**

Relating to: the life and public service of Eric A. Palmisano.

By Senator Breske; cosponsored by Representative Mursau.  
To committee on **Rules**.

**Senate Joint Resolution 84**

Relating to: the life and public service of Robert A. Anderson.

By Senators Plale and Carpenter; cosponsored by Representatives Sinicki and Zepnick.  
To committee on **Rules**.

**Senate Joint Resolution 85**

Relating to: commending Senator Fred Risser upon becoming the longest-serving state legislator in the United States of America.

By Senators Schultz and Robson.  
To committee on **Rules**.

**Senate Bill 222**

Relating to: expenditure of \$13,785.25 from moneys appropriated to the Department of Transportation in payment of a claim against the state made by the city of West Allis.

By Senator Reynolds.  
To committee on **Rules**.

**Senate Bill 223**

Relating to: expenditure of \$56,300 from moneys appropriated to the Department of Transportation in payment of a claim against the state made by the city of West Allis.

By Senator Reynolds.  
To committee on **Rules**.

**Senate Bill 358**

Relating to: sales of consumer goods and services during periods of abnormal economic disruption, requiring the exercise of rule-making authority, and providing a penalty.

By Senators Kedzie, Schultz, Olsen and Brown; cosponsored by Representatives Gronemus, Towns, Lothian, Ott, Hines, Musser, Petrowski, Owens, Hahn, Kerkman, Gunderson, M. Williams, Bies, Nerison and Kreibich.

To committee on **Rules**.

**Senate Bill 541**

Relating to: maintenance and removal of vegetation obstructing the view of outdoor advertising signs along highways under the jurisdiction of the Department of Transportation and an audit of a program of the Department of Transportation.

By Senators Kanavas, Erpenbach, Breske, Brown, Grothman, Hansen, Kapanke, Olsen and Reynolds; cosponsored by Representatives Honadel, Ainsworth, Albers, Ballweg, Friske, Gielow, Gronemus, Gunderson, Hahn,

Krawczyk, Lehman, Moulton, Musser, Nerison, Ott, Petrowski, Richards, Sheridan, Shilling, Staskunas, Stone, Strachota, Towns, Van Roy, Ward, Wood and Zepnick.

To committee on **Rules**.

**Senate Bill 550**

Relating to: return of funds in excess of surplus and incurred liabilities.

By Senators Darling, Lassa and Roessler; cosponsored by Representatives Gielow, Nischke, Ainsworth, Albers, Bies, Gunderson, Hahn, Hines, Hundertmark, McCormick, Nerison, Ott and Strachota.

To committee on **Rules**.

**Senate Bill 626**

Relating to: causing property damage, injury, or death while operating a vehicle without a valid driver's license or after suspension or revocation of an operating privilege and providing penalties.

By Senators Lazich, Lassa and Roessler; cosponsored by Representatives Stone, Ainsworth, Hahn, Nass, Jeskewitz, Krusick, Lehman and Gunderson.

To committee on **Rules**.

**Senate Bill 640**

Relating to: licensing and activities of driver schools and instructors, granting rule-making authority, and providing a penalty.

By Senators Lazich and S. Fitzgerald; cosponsored by Representatives Petrowski, Stone, Ott, Pettis, Krawczyk and Boyle.

To committee on **Rules**.

**Senate Bill 641**

Relating to: authority for an off-duty peace officer to act outside his or her territorial jurisdiction.

By Senators Lazich, Carpenter and Roessler; cosponsored by Representatives Krusick, Gundrum, Stone, Ainsworth, Bies, Hahn, Jeskewitz, Lehman, LeMahieu, Musser, Nass, Owens, Sinicki, Zepnick, Friske, Mursau and Kaufert.

To committee on **Rules**.

**Senate Bill 680**

Relating to: creating an exception to the local levy limits for amounts assessed by a joint fire department.

By Senator Darling; cosponsored by Representatives Gielow and Wasserman.

To committee on **Rules**.

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**ENROLLED BILLS**

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

**Assembly Bill 966**

*PATRICK E. FULLER*  
Assembly Chief Clerk

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**SPEAKER'S COMMUNICATIONS**

May 2, 2006

Mr. Patrick Fuller  
Chief Clerk, Wisconsin State Assembly  
Room 401, Risser Justice Center  
17 West Main Street  
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Assembly Rule 42 (3)(c), I am withdrawing **Assembly Bill 347** from the Assembly Veterans Committee and re-referring it to the Assembly Rules Committee.

Sincerely,  
*JOHN G. GARD*  
Speaker

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**COMMUNICATIONS**

May 3, 2006

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

Dear Patrick:

I would like to request that my name be removed as a co-sponsor of Assembly Bill 87, authored by Representative Krawczyk and relating to UW nonresident tuition exemption to a dependent of an active member of the armed forces regarding eligibility for Wisconsin veterans benefits.

Your assistance with this request is greatly appreciated.

Sincerely,  
*ROB KREIBICH*  
State Representative  
93rd Assembly District

May 3, 2006

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

Dear Chief Clerk Fuller:

I am writing to request that my vote on passage for Assembly Bills 814, 1159, 1187, 1188, and 1191 on the Assembly floor on May 2, 2006, be recorded as Green/Aye.

Please record my vote on passage for Assembly Bill 733 on the Assembly floor on May 2, 2006, as Red/Nay.

In addition, please record my vote on concurrence on Senate Bills 655, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, and 714 on the Assembly floor on May 2, 2006, as Green/Aye.

Finally, please record my vote on suspending the rules to withdraw and take up Senate Bill 1 on the Assembly floor on May 2, 2006, as Green/Aye.

Thank you for your time and consideration.

Sincerely,  
*MICHAEL J. SHERIDAN*  
State Representative  
44th Assembly District

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May 4, 2006

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

Dear Chief Clerk Fuller:

I am writing to ask that my vote on Senate Bill 483 be changed from No to Aye. The vote occurred on April 25, 2006.

If you have any questions, please contact me at 266-3756.

Thank you,  
*JASON M. FIELDS*  
State Representative  
11th Assembly District

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Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 39** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Senate Joint Resolution 39**

Relating to: the life and military service of Sergeant Andrew L. Bossert.

The question was: Shall **Senate Joint Resolution 39** be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that all members of the Assembly be added as cosponsors of **Senate Joint Resolution 39**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 39** be immediately messaged to the Senate. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 40** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Senate Joint Resolution 40**

Relating to: the life and military service of Sergeant 1st Class Trevor John Diesing.

The question was: Shall **Senate Joint Resolution 40** be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that all members of the Assembly be added as cosponsors of **Senate Joint Resolution 40**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 40** be immediately messaged to the Senate. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 46** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Senate Joint Resolution 46**

Relating to: the life and service of United States Army Specialist Eric Poelman, who lost his life during Operation Iraqi Freedom.

The question was: Shall **Senate Joint Resolution 46** be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that all members of the Assembly be added as cosponsors of **Senate Joint Resolution 46**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 46** be immediately messaged to the Senate. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 81** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Senate Joint Resolution 81**

Relating to: the life and military service of Lance Corporal Adam J. VanAlstine of the United States Marines who lost his life during Operation Iraqi Freedom.

The question was: Shall **Senate Joint Resolution 81** be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that all members of the Assembly be added as cosponsors of **Senate Joint Resolution 81**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 81** be immediately messaged to the Senate. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 82** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Senate Joint Resolution 82**

Relating to: the life and public service of Eric A. Palmisano.

The question was: Shall **Senate Joint Resolution 82** be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that all members of the Assembly be added as cosponsors of **Senate Joint Resolution 82**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 82** be immediately messaged to the Senate. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 85** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### **Senate Joint Resolution 85**

Relating to: commending Senator Fred Risser upon becoming the longest-serving state legislator in the United States of America.

The question was: Shall **Senate Joint Resolution 85** be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that all members of the Assembly be added as cosponsors of **Senate Joint Resolution 85**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 85** be immediately messaged to the Senate. Granted.

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## **CALENDAR OF THURSDAY, MAY 4**

### **Assembly Resolution 52**

Relating to: Taiwan's participation in the World Health Organization.

The question was: Shall **Assembly Resolution 52** be adopted?

Motion carried.

### **Senate Joint Resolution 68**

Relating to: the life and service of Captain Stephen Hahn.

The question was: Shall **Senate Joint Resolution 68** be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that all members of the Assembly be added as cosponsors of **Senate Joint Resolution 68**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 68** be immediately messaged to the Senate. Granted.

### **Senate Joint Resolution 78**

Relating to: the life and service of Lance Corporal Nicholas R. Anderson.

The question was: Shall **Senate Joint Resolution 78** be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that all members of the Assembly be added as cosponsors of **Senate Joint Resolution 78**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 78** be immediately messaged to the Senate. Granted.

### **Senate Joint Resolution 80**

Relating to: the life and service of Merton Timmerman.

The question was: Shall **Senate Joint Resolution 80** be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 80** be immediately messaged to the Senate. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 61** be withdrawn from today's calendar and taken up at this time. Granted.

### **Senate Bill 61**

Relating to: consecutive monthly registration of certain vehicles used exclusively to transport calcium chloride liquid.

Assembly substitute amendment 1 to **Senate Bill 61** offered by Representative Musser.

The question was: Shall Assembly substitute amendment 1 to **Senate Bill 61** be adopted?

Motion carried.

The question was: Shall **Senate Bill 61** be ordered to a third reading?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 61** be given a third reading. Granted.

The question was: **Senate Bill 61** having been read three times, shall the bill be concurred in as amended?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 61** be immediately messaged to the Senate. Granted.

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

The Assembly stood recessed.

11:16 A.M.

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## **RECESS**

The Assembly reconvened.

3:44 P.M.

Speaker Pro Tempore Freese in the chair.

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

A quorum was present.

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

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

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

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 86** be withdrawn from the Senate message and taken up at this time. Granted.

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**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 86**

**Senate Joint Resolution 86**

Relating to: the December 2006 floorperiod of the 2005–2006 legislative session schedule.

By Senators Schultz and A. Lasee.

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

The Assembly stood informal.

3:51 P.M.

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**INFORMAL**

4:16 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

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

The Assembly stood informal.

4:46 P.M.

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**INFORMAL**

6:04 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

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

The Assembly stood recessed.

6:05 P.M.

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**RECESS**

7:26 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

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**LEAVES OF ABSENCE**

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

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

**Senate Joint Resolution 86**

Relating to: the December 2006 floorperiod of the 2005–2006 legislative session schedule.

The question was: Shall **Senate Joint Resolution 86** 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, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, 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 – 56.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Krawczyk, Kreuser, Krusick, Lehman, McCormick, 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 – 40.

Absent or not voting – Representatives Petrowski and Young – 2.

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 86** be immediately messaged to the Senate. Granted.

Representative Montgomery introduced a privileged resolution.

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## INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

### Assembly Resolution 56

Relating to: prohibiting any member of the assembly from accepting a personal financial contribution made by a lobbyist to the member's personal campaign committee during the remainder of 2006.

By Representative Montgomery.

The question was: Shall **Assembly Resolution 56** 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, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, 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, Newcomer, Nischke, Ott, Owens, Parisi, Pettis, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Zepnick, Ziegelbauer and Speaker Gard – 96.

Noes – None.

Absent or not voting – Representatives Petrowski and Young – 2.

Motion carried.

Representative Cullen introduced a privileged resolution.

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## INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

### Assembly Resolution 55

Relating to: repayment of certain attorneys' fees paid by the state for former, current, and future members and employees of the assembly.

By Representatives Cullen, Black, Vruwink, Turner, Lehman, Molepske, Pocan, Seidel, Parisi, Berceau, Pope–Roberts, Van Akkeren, Zepnick, Fields, Grigsby, Benedict, Ziegelbauer, Travis, Hubler, Schneider, Gronemus, Shilling, Krusick, Wasserman, A. Williams, Toles and Hebl.

Assembly amendment 1 to **Assembly Resolution 55** offered by Representative Gielow.

The question was: Shall Assembly amendment 1 to **Assembly Resolution 55** be adopted?

Motion carried.

The question was: Shall **Assembly Resolution 55** 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, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, 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, Newcomer, Nischke, Ott, Owens, Parisi, Pettis, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Zepnick, Ziegelbauer and Speaker Gard – 96.

Noes – None.

Absent or not voting – Representatives Petrowski and Young – 2.

Motion carried.

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

The Assembly stood recessed.

7:55 P.M.

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## RECESS

8:01 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

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Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 136** be withdrawn from today's calendar and taken up at this time. Granted.

### Senate Bill 136

Relating to: creating income and franchise tax credits for businesses located in an airport development zone and a loan program for certain construction projects in an airport development zone.

The question was: Shall **Senate Bill 136** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 136** be given a third reading. Granted.

The question was: **Senate Bill 136** having been read three times, shall the bill be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 136** be immediately messaged to the Senate. Granted.

### Assembly Bill 223

Relating to: creating income and franchise tax credits for businesses located in an airport development zone and a loan program for certain construction projects in an airport development zone.

Representative J. Fitzgerald asked unanimous consent that **Assembly Bill 223** be laid on the table. Granted.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 528** be withdrawn from today's calendar and taken up at this time. Granted.

### Senate Bill 528

Relating to: authorization to operate motorcycles, stops required of vehicles at traffic control signals, vehicle failure-to-yield violations, driver education instruction, highway project planning by the Department of Transportation, and providing a penalty.

The question was: Shall **Senate Bill 528** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 528** be given a third reading. Granted.

The question was: **Senate Bill 528** having been read three times, shall the bill be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 528** be immediately messaged to the Senate. Granted.

### Assembly Bill 964

Relating to: authorization to operate motorcycles, stops required of vehicles at traffic control signals, vehicle failure-to-yield violations, driver education instruction, highway project planning by the Department of Transportation, and providing a penalty.

Representative J. Fitzgerald asked unanimous consent that **Assembly Bill 964** be laid on the table. Granted.

### Assembly Bill 1084

Relating to: an income and franchise tax credit for sales tax paid for the right to purchase season admission to athletic events sponsored by an institution of higher education.

Representative Montgomery asked unanimous consent that **Assembly Bill 1084** be placed at the foot of today's calendar. Granted.

### Assembly Bill 1132

Relating to: the possession and use of inhalers in private schools.

The question was: Shall **Assembly Bill 1132** be ordered engrossed and read a third time?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 1132** be given a third reading. Granted.

The question was: **Assembly Bill 1132** having been read three times, shall the bill be passed?

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, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, 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, Newcomer, Nischke, Ott, Owens, Parisi, Pettis, Pohan, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Zepnick, Ziegelbauer and Speaker Gard – 96.

Noes – None.

Absent or not voting – Representatives Petrowski and Young – 2.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 1132** be immediately messaged to the Senate. Granted.

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## LEAVES OF ABSENCE

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

### Assembly Bill 1209

Relating to: fenced areas of farm-raised deer that are located both in this state and in an adjoining state.

The question was: Shall Assembly amendment 1 to **Assembly Bill 1209** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 1209** be ordered engrossed and read a third time?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 1209** be given a third reading. Granted.

The question was: **Assembly Bill 1209** having been read three times, shall the bill be passed?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 1209** be immediately messaged to the Senate. Granted.

### Assembly Bill 1065

Relating to: self-service storage late fees.

The question was: Shall **Assembly Bill 1065** be ordered engrossed and read a third time?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 1065** be given a third reading. Granted.

The question was: **Assembly Bill 1065** having been read three times, shall the bill be passed?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Assembly Bill 1065** be immediately messaged to the Senate. Granted.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 611** be withdrawn from today's calendar and taken up at this time. Granted.

### Senate Bill 611

Relating to: testing of persons involved in certain motor vehicle accidents and providing a penalty.

The question was: Shall Assembly amendment 1 to **Senate Bill 611** be adopted?

Motion carried.

The question was: Shall **Senate Bill 611** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 611** be given a third reading. Granted.

The question was: **Senate Bill 611** having been read three times, shall the bill be concurred in as amended?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 611** be immediately messaged to the Senate. Granted.

### Senate Bill 391

Relating to: guardianships, conservatorships, and wards; involuntary administration of psychotropic medication; protective placements and protective services; powers of attorney for health care; durable powers of attorney; venue, residence, and county of responsibility; requiring the exercise of rule-making authority; and providing a penalty.

The question was: Shall **Senate Bill 391** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 391** be given a third reading. Granted.

The question was: **Senate Bill 391** having been read three times, shall the bill be concurred in?

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, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Kreibich, Kreuser, Krusick, Lamb, F. Lasee, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Newcomer, Nischke, Ott, Owens, Parisi, 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, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Zepnick, Ziegelbauer and Speaker Gard – 94.

Noes – Representative Suder – 1.

Absent or not voting – Representatives Krawczyk, Petrowski and Young – 3.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 391** be immediately messaged to the Senate. Granted.

**Senate Bill 392**

Relating to: the sale of gift certificates, gift cards, and other gift obligations and providing penalties.

Representative Sherman asked unanimous consent that **Senate Bill 392** be placed following **Assembly Bill 498**. Granted.

**Senate Bill 407**

Relating to: eliminating an outdated reference regarding the calculation of the school levy property tax credit (suggested as remedial legislation by the Department of Revenue).

The question was: Shall **Senate Bill 407** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 407** be given a third reading. Granted.

The question was: **Senate Bill 407** having been read three times, shall the bill be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 407** be immediately messaged to the Senate. Granted.

**Senate Bill 436**

Relating to: college reenrollment and registration priority of persons called into active military service.

The question was: Shall **Senate Bill 436** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 436** be given a third reading. Granted.

The question was: **Senate Bill 436** having been read three times, shall the bill be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 436** be immediately messaged to the Senate. Granted.

**Senate Bill 446**

Relating to: interfund transfers in state government.

The question was: Shall **Senate Bill 446** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 446** be given a third reading. Granted.

The question was: **Senate Bill 446** having been read three times, shall the bill be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 446** be immediately messaged to the Senate. Granted.

**Senate Bill 486**

Relating to: income continuation insurance errors (suggested as remedial legislation by the Department of Employee Trust Funds).

The question was: Shall **Senate Bill 486** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 486** be given a third reading. Granted.

The question was: **Senate Bill 486** having been read three times, shall the bill be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 486** be immediately messaged to the Senate. Granted.

**Senate Bill 498**

Relating to: excavation notices and installation of certain water and sewer laterals.

Assembly amendment 1 to Assembly substitute amendment 1 to **Senate Bill 498** offered by Representatives Nass and Montgomery.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Senate Bill 498** be adopted?

Motion carried.

The question was: Shall Assembly substitute amendment 1 to **Senate Bill 498** be adopted?

Motion carried.

The question was: Shall **Senate Bill 498** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 498** be given a third reading. Granted.

The question was: **Senate Bill 498** having been read three times, shall the bill be concurred in as amended?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 498** be immediately messaged to the Senate. Granted.

### **Senate Bill 392**

Relating to: the sale of gift certificates, gift cards, and other gift obligations and providing penalties.

Representative Sherman asked unanimous consent that **Senate Bill 392** be placed at the foot of the twelfth order of business. Granted.

### **Senate Bill 503**

Relating to: the compensation paid for temporary reserve judges.

The question was: Shall **Senate Bill 503** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 503** be given a third reading. Granted.

Representative Kessler asked unanimous consent to be excused from voting on **Senate Bill 503** under Assembly Rule 77. Granted.

The question was: **Senate Bill 503** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Kreibich, Kreuser, Krusick, Lamb, F. Lasee, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Newcomer, Nischke, Ott, Owens, Parisi, 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, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, Wood, Zepnick, Ziegelbauer and Speaker Gard – 90.

Noes – Representatives J. Fitzgerald, Suder, Vos and M. Williams – 4.

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

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 503** be immediately messaged to the Senate. Granted.

### **Senate Bill 554**

Relating to: membership of the State Laboratory of Hygiene Board; nonresident tuition exemption for veterans; and the transfer program at the University of Wisconsin School of Medicine and Public Health (suggested as remedial legislation by the Board of Regents of the University of Wisconsin System).

The question was: Shall **Senate Bill 554** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 554** be given a third reading. Granted.

The question was: **Senate Bill 554** having been read three times, shall the bill be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 554** be immediately messaged to the Senate. Granted.

### **Senate Bill 606**

Relating to: placement for adoption of a child with a sibling who has been adopted or has been placed for adoption.

The question was: Shall **Senate Bill 606** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 606** be given a third reading. Granted.

The question was: **Senate Bill 606** having been read three times, shall the bill be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 606** be immediately messaged to the Senate. Granted.

### **Senate Bill 639**

Relating to: the payment of interest on property tax refunds for manufacturing property and making an appropriation.

The question was: Shall **Senate Bill 639** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 639** be given a third reading. Granted.

The question was: **Senate Bill 639** having been read three times, shall the bill be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 639** be immediately messaged to the Senate. Granted.

**Senate Bill 641**

Relating to: authority for an off-duty peace officer to act outside his or her territorial jurisdiction.

The question was: Shall **Senate Bill 641** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 641** be given a third reading. Granted.

The question was: **Senate Bill 641** having been read three times, shall the bill be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 641** be immediately messaged to the Senate. Granted.

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

The Assembly stood recessed.

8:23 P.M.

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**RECESS**

12:01 A.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

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**LEAVES OF ABSENCE**

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

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**MESSAGE FROM THE SENATE**

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Amended and concurred in as amended:

**Assembly Bill 875** (Senate amendment 1 adopted)

**Assembly Bill 715** (Senate amendment 1 adopted)

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**ACTION ON THE SENATE MESSAGE**

**Assembly Bill 875**

Relating to: exempting from registration and trail sticker requirements snowmobiles and all-terrain vehicles that are

used in certain advertisements and exempting from certificate of number and registration requirements boats which are used in certain advertisements.

The question was: Shall Senate amendment 1 to **Assembly Bill 875** be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 875** be immediately messaged to the Senate. Granted.

**Assembly Bill 715**

Relating to: special identification cards and special registration plates issued by the Department of Transportation providing parking privileges for persons with physical disabilities, requiring the exercise of rule-making authority, and providing a penalty.

The question was: Shall Senate amendment 1 to **Assembly Bill 715** be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 715** be immediately messaged to the Senate. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 626** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

**Senate Bill 626**

Relating to: causing property damage, injury, or death while operating a vehicle without a valid driver's license or after suspension or revocation of an operating privilege and providing penalties.

The question was: Shall **Senate Bill 626** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 626** be given a third reading. Granted.

The question was: **Senate Bill 626** having been read three times, shall the bill be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 626** be immediately messaged to the Senate. Granted.

---

**LEAVES OF ABSENCE**

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

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 680** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### **Senate Bill 680**

Relating to: creating an exception to the local levy limits for amounts assessed by a joint fire department.

The question was: Shall **Senate Bill 680** be ordered to a third reading?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 680** be given a third reading. Granted.

The question was: **Senate Bill 680** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, Freese, Gielow, Gottlieb, Grigsby, Gronemus, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kessler, Kestell, Kleefisch, Kreibich, Kreuser, Krusick, Lehman, Loeffelholz, Lothian, McCormick, Molepske, Montgomery, Mursau, Nelson, Newcomer, Ott, Owens, Parisi, Pettis, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Strachota, Toles, Towns, Townsend, Turner, Underheim, Van Roy, Vruwink, Vukmir, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Zepnick and Speaker Gard – 72.

Noes – Representatives Ainsworth, Ballweg, J. Fitzgerald, Gunderson, Gundrum, Kerkman, F. Lasee, LeMahieu, Meyer, Moulton, Musser, Nass, Nerison, Nischke, Suder, Travis, Van Akkeren, Vos, Ward and Ziegelbauer – 20.

Absent or not voting – Representatives Albers, Friske, Krawczyk, Lamb, Petrowski and Young – 6.

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 680** be immediately messaged to the Senate. Granted.

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## **LEAVES OF ABSENCE**

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

### **Senate Bill 392**

Relating to: the sale of gift certificates, gift cards, and other gift obligations and providing penalties.

Assembly substitute amendment 1 to **Senate Bill 392** offered by Representatives Krusick, Jeskewitz, Hubler and Freese.

Representative Huebsch moved that Assembly substitute amendment 1 to **Senate Bill 392** be laid on the table.

The question was: Shall Assembly substitute amendment 1 to **Senate Bill 392** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Bies, Davis, J. Fitzgerald, Gottlieb, Gunderson, Gundrum, Honadel, Huebsch, Hundertmark, Kaufert, Kerkman, Kestell, Kleefisch, Kreibich, F. Lasee, LeMahieu, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Newcomer, Nischke, Ott, Owens, Pettis, Pridemore, Rhoades, Strachota, Suder, Townsend, Underheim, Van Roy, Vos, Vukmir, Ward, Wieckert, Wood and Speaker Gard – 43.

Noes – Representatives Ainsworth, Ballweg, Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Freese, Grigsby, Gronemus, Hahn, Hebl, Hines, Hubler, Jeskewitz, Kessler, Kreuser, Krusick, Lehman, Loeffelholz, Molepske, Nelson, Parisi, Pocan, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Toles, Towns, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, M. Williams, Zepnick and Ziegelbauer – 48.

Absent or not voting – Representatives Albers, Friske, Gielow, Krawczyk, Lamb, Petrowski and Young – 7.

Motion failed.

Representative Huebsch moved that **Senate Bill 392** be laid on the table.

The question was: Shall **Senate Bill 392** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Bies, Davis, J. Fitzgerald, Freese, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, 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, Wood and Speaker Gard – 49.

Noes – Representatives Ainsworth, Ballweg, Benedict, Berceau, Black, Boyle, Colon, Cullen, Fields, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreibich, 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, Zepnick and Ziegelbauer – 42.

Absent or not voting – Representatives Albers, Friske, Gielow, Krawczyk, Lamb, Petrowski and Young – 7.

Motion carried.

Representative Jeskewitz asked unanimous consent to be recorded as voting “No” on the previous question. Granted.

Representative M. Williams asked unanimous consent to be recorded as voting “No” on the previous question. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 358** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### **Senate Bill 358**

Relating to: sales of consumer goods and services during periods of abnormal economic disruption, requiring the exercise of rule-making authority, and providing a penalty.

Assembly substitute amendment 1 to **Senate Bill 358** offered by Representative Zepnick.

Representative Huebsch moved that Assembly substitute amendment 1 to **Senate Bill 358** be laid on the table.

The question was: Shall Assembly substitute amendment 1 to **Senate Bill 358** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Kreibich, 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 – 53.

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, Gielow, Krawczyk, Lamb, Petrowski and Young – 7.

Motion carried.

The question was: Shall **Senate Bill 358** be ordered to a third reading?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 358** be given a third reading. Granted.

The question was: **Senate Bill 358** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Kreibich, Kreuser, Krusick, F. Lasee, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Newcomer, Nischke, Ott, Owens, Parisi, Pettis, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Zepnick, Ziegelbauer and Speaker Gard – 91.

Noes – None.

Absent or not voting – Representatives Albers, Friske, Gielow, Krawczyk, Lamb, Petrowski and Young – 7.

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 358** be immediately messaged to the Senate. Granted.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 530** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### **Senate Bill 530**

Relating to: drunken driving and creating a penalty.

Representative Kaufert moved that Assembly amendment 1 to **Senate Bill 530** be laid on the table.

The question was: Shall Assembly amendment 1 to **Senate Bill 530** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Fields, J. Fitzgerald, Freese, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jeskewitz, Kaufert, Kessler, Kestell, Kleefisch, Kreuser, Krusick, F. Lasee, Lehman, LeMahieu, Lothian, McCormick, Meyer, Molepske, Montgomery, Mursau, Musser, Nelson, Nerison, Newcomer, Nischke, Ott, Owens, Parisi, Pocan, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Strachota, Toles, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vruwink, Ward, Wasserman, Wieckert, A. Williams, Zepnick, Ziegelbauer and Speaker Gard – 78.

Noes – Representatives Davis, Kerkman, Kreibich, Loeffelholz, Moulton, Nass, Pettis, Suder, Towns, Vos, Vukmir, M. Williams and Wood – 13.

Absent or not voting – Representatives Albers, Friske, Gielow, Krawczyk, Lamb, Petrowski and Young – 7.

Motion carried.

The question was: Shall **Senate Bill 530** be ordered to a third reading?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 530** be given a third reading. Granted.

The question was: **Senate Bill 530** having been read three times, shall the bill be occurred in?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 530** be immediately messaged to the Senate. Granted.

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## MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Amended and concurred in as amended:

**Assembly Bill 33** (Senate substitute amendment 1 adopted)

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## ACTION ON THE SENATE MESSAGE

### Assembly Bill 33

Relating to: an exception to confidentiality requirements for treatment records.

The question was: Shall Senate substitute amendment 1 to **Assembly Bill 33** be concurred in?

Motion carried.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 33** be immediately messaged to the Senate. Granted.

Representative J. Fitzgerald asked unanimous consent that the rules be suspended and that **Senate Bill 306** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### Senate Bill 306

Relating to: designation of state aviation facilities at the Dane County Regional Airport as the Fritz E. Wolf Aviation Center.

The question was: Shall **Senate Bill 306** be ordered to a third reading?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 306** be given a third reading. Granted.

The question was: **Senate Bill 306** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 306** be immediately messaged to the Senate. Granted.

Representative Huebsch asked unanimous consent that **Senate Bill 613** be taken from the table. Granted.

### Senate Bill 613

Relating to: the transfer of funds to the veterans trust fund, exempting certain veterans from tuition and fees at the University of Wisconsin System and at technical colleges, eligibility for tuition fee remissions of unremarried surviving spouses and children of certain deceased veterans, information technology server and network infrastructure staff in the Department of Veterans Affairs, and making an appropriation.

Representative Nelson asked unanimous consent that Assembly amendment 1 to **Senate Bill 613** be withdrawn and returned to the author. Granted.

The question was: Shall **Senate Bill 613** be ordered to a third reading?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 613** be given a third reading. Granted.

The question was: **Senate Bill 613** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 613** be immediately messaged to the Senate. Granted.

Representative Schneider asked unanimous consent to be recorded as voting "Aye" on passage of **Assembly Bill 99** on March 8, 2005. Granted.

Representative Schneider asked unanimous consent to be recorded as voting "Aye" on passage of **Assembly Bill 897** on May 2, 2006. Granted.

Representative Molepske asked unanimous consent to be recorded as voting "Aye" on passage of **Assembly Bill 1154** on May 2, 2006. Granted.

Representative Black asked unanimous consent to be recorded as voting "Aye" on passage of **Assembly Bill 1179** on May 2, 2006. Granted.

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## ANNOUNCEMENTS

Representative Lehman asked unanimous consent that the Assembly adjourn in memory of Kristy Wanek, who was tragically killed on January 1, 2005, when a drunken driver with no license struck and killed her while she was crossing a street in Racine. Granted.

Representative Montgomery asked unanimous consent that the Assembly adjourn in honor of Assembly Speaker John Gard, for 18 years of public service to Wisconsin as a representative, including 4 years as Assembly Speaker. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of his wife, Lynn, on the occasion of her birthday and their 30th wedding anniversary. Granted.

Representative Molepske asked unanimous consent that the Assembly adjourn in honor of his staff member, Marc Christopher, who will be leaving his office May 5. Granted.

Representative Molepske asked unanimous consent that the Assembly adjourn in honor of his staff member, Stephanie Hilton. Granted.

Representative Strachota asked unanimous consent that the Assembly adjourn in honor of Theresa Nemastil, on the occasion of her birthday. Granted.

Representative Vukmir asked unanimous consent that the Assembly adjourn in honor of Stella Papachristou, on the occasion of her birthday on May 3. Granted.

Representative Gronemus asked unanimous consent that the Assembly adjourn in honor of Bonnie Jean Baker, on the occasion of her graduation from Eau Claire Technical College. Granted.

Representative Steinbrink asked unanimous consent that the Assembly adjourn in honor of Rosalie Gentile, on the occasion of her retirement after 36 years as secretary at Our Lady of the Holy Rosary of Pompeii Parish. Granted.

Representative Gottlieb asked unanimous consent that the Assembly adjourn in honor of Elizabeth Gottlieb, on the occasion of her graduation from the University of Wisconsin-Madison on May 13. Granted.

Representative Rhoades asked unanimous consent that the Assembly adjourn in honor of her staff member, Nick Cekosh, on the occasion of the birth of his son, Kaeden, on May 4. Granted.

Representative Colon asked unanimous consent that the Assembly adjourn in honor of his daughter, Lily Rose, on the occasion of her 7th birthday. Granted.

Representative Turner asked unanimous consent that the Assembly adjourn in honor of Representative Sherman, on the occasion of his birthday. Granted.

Representative Kaufert asked unanimous consent that the Assembly adjourn in honor of his daughter, Kari, on the occasion of her graduation from the University of Wisconsin-Green Bay with a Bachelor of Science in Social Work. Granted.

Representative Kreuser asked unanimous consent that the Assembly adjourn in honor of his son, Justin, for his second place finish in the 800 Meter Track Meet at Bullen Middle School in Kenosha. Granted.

Representative M. Williams asked unanimous consent that the Assembly adjourn in honor of the Flambeau Falcons Girls Basketball Team, who won the WIAA Division IV Girls State Basketball Championship in March. Granted.

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## 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 the Cumberland School in Whitefish Bay, guests of Representative Wasserman.

Jon Hoelter, guest and new staff member of Representative M. Williams.

Ralph Bultman and Corrine Bultman of Bultman Insurance in Brookfield, guests of Representative Sherman.

Scott Resnick, guest and intern of Representative Seidel.

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## ADJOURNMENT

Representative Huebsch moved that the Assembly stand adjourned pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

1:16 A.M. Friday, May 5