



# STATE OF WISCONSIN Assembly Journal

## Ninety-Seventh Regular Session

11:15 A.M.

WEDNESDAY, May 17, 2006

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

Speaker Gard in the chair.

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

A quorum was present.

The prayer was offered by Speaker Gard.

John Vincent Gard, son of Speaker John Gard, 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, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, 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, Schneider, Seidel, Sheridan, Sherman, Shilling, 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, Young, Zepnick, Ziegelbauer and Speaker Gard – 94.

Absent with leave – Representatives Bies, Hundertmark, Richards and Sinicki – 4.

Vacancies – 98th Assembly District – 1.

### LEAVES OF ABSENCE

Representative Gundrum asked unanimous consent for a leave of absence for today's session for Representatives Bies and Hundertmark. Granted.

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

### LEAVES OF ABSENCE

Representative Gundrum asked unanimous consent for a leave of absence for part of today's session for Representatives Gottlieb, Gunderson, Towns and Wood. Granted.

Representative Turner asked unanimous consent for a leave of absence for part of today's session for Representatives Berceau, Grigsby, Steinbrink, Wasserman and A. Williams. Granted.

### MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

**Senate Bill 725**

**Senate Bill 726**

**Senate Bill 727**

**Senate Bill 728**

**Senate Bill 729**

**Senate Bill 730**

**Senate Bill 731**

### ACTION ON THE SENATE MESSAGE

#### **Senate Bill 725**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Law Enforcement Association, for the 2003–05 biennium, covering employees in the law enforcement collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.

To committee on **Rules**.

#### **Senate Bill 726**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Law Enforcement Association, for the 2005–07 biennium, covering employees in the law enforcement collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.  
To committee on **Rules**.

### Senate Bill 727

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the District 1199W/United Professionals for Quality Health Care, SEIU, AFL-CIO, for the 2005-07 biennium, covering employees in the professional patient care collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.  
To committee on **Rules**.

### Senate Bill 728

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the State Engineering Association for the 2003-05 biennium, covering employees in the professional engineering collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.  
To committee on **Rules**.

### Senate Bill 729

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the State Engineering Association for the 2005-07 biennium, covering employees in the professional engineering collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.  
To committee on **Rules**.

### Senate Bill 730

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Association of State Prosecutors for the 2005-07 biennium, covering employees in the assistant district attorneys collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.  
To committee on **Rules**.

### Senate Bill 731

Relating to: protective placements and protective services; involuntary administration of psychotropic medication; guardianships, conservatorships, and wards; and services for adults at risk and elder adults at risk.

By committee on Senate Organization.  
To committee on **Rules**.

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## REFERENCE BUREAU CORRECTIONS

### Senate amendment 1 to Assembly Bill 715

In enrolling, the following corrections were made:

1. Page 1, line 6: delete "**8m**" and substitute "**8L**".
2. Page 2, line 1: delete lines 1 and 2 and substitute: "8g. Page 5, line 18: after "343.52" insert "(1m) and". 8r. Page 5, line 18: delete the material beginning with " , the renumbering" and ending with "statutes" on line 19."

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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 461**  
**Assembly Bill 715**  
**Assembly Bill 875**  
**Assembly Bill 942**  
**Assembly Bill 967**  
**Assembly Bill 1087**  
**Assembly Bill 1163**

*PATRICK E. FULLER*  
Assembly Chief Clerk

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## CHIEF CLERK REPORTS

The Chief Clerk records:

**Assembly Bill 172**  
**Assembly Bill 966**  
**Assembly Bill 1209**

Presented to the Governor on Wednesday, May 17.

*PATRICK E. FULLER*  
Assembly Chief Clerk

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## COMMUNICATIONS

May 17, 2006

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

Dear Chief Clerk Fuller:

This letter is to inform your office that had I been present for today's floor session that I would have voted in favor of the contracts that were considered by the Assembly. Please let the record show that had I been present, I would have voted in the affirmative.

Thank you for your attention to this matter. Please contact me with any questions that you may have.

Respectfully,  
*GAREY BIES*  
State Representative  
1st Assembly District

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Representative Gundrum asked unanimous consent that the Assembly stand in recess. Granted.

The Assembly stood recessed.

11:39 A.M.

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**RECESS**

2:45 P.M.

The Assembly reconvened.

Speaker Prom Tempore Freese in the chair.

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

A quorum was present.

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**LEAVES OF ABSENCE**

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

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

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

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

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

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

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

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

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 725** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

**Senate Bill 725**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Law Enforcement Association, for the 2003–05 biennium, covering employees in the law enforcement collective bargaining unit, and authorizing an expenditure of funds.

The question was: Shall **Senate Bill 725** be ordered to a third reading?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 725** be given a third reading. Granted.

The question was: **Senate Bill 725** 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, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Grigsby, Gronemus, Gunderson, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, 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, Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Wasserman, Wieckert, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 90.

Noes – None.

Absent or not voting – Representatives Bies, Gottlieb, Gundrum, Hundertmark, Richards, Sinicki, Ward and A. Williams – 8.

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 725** be immediately messaged to the Senate. Granted.

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

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 726** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

**Senate Bill 726**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Law Enforcement Association, for the 2005–07 biennium, covering employees in the law enforcement collective bargaining unit, and authorizing an expenditure of funds.

The question was: Shall **Senate Bill 726** be ordered to a third reading?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 726** be given a third reading. Granted.

The question was: **Senate Bill 726** 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, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, 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, Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Wasserman, Wieckert, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 91.

Noes – None.

Absent or not voting – Representatives Bies, Gundrum, Hundertmark, Richards, Sinicki, Ward and A. Williams – 7.

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 726** be immediately messaged to the Senate. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 727** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Senate Bill 727**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the District 1199W/United Professionals for Quality Health Care, SEIU, AFL–CIO, for the 2005–07 biennium, covering employees in the professional patient care collective bargaining unit, and authorizing an expenditure of funds.

The question was: Shall **Senate Bill 727** be ordered to a third reading?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 727** be given a third reading. Granted.

The question was: **Senate Bill 727** 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, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Jeskewitz, Kaufert, Kerkman, 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, Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir,

Wasserman, Wieckert, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 90.

Noes – None.

Absent or not voting – Representatives Bies, Gundrum, Hundertmark, Kessler, Richards, Sinicki, Ward and A. Williams – 8.

Motion carried.

Representative Kessler asked unanimous consent to be recorded as voting “**Aye**” on the previous question. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 727** be immediately messaged to the Senate. Granted.

Representative Musser asked unanimous consent that the rules be suspended and that the Assembly Chief Clerk dispense with reading the entire relating clause to Senate Bills 728–730 and only read the bill number for the second and third reading for each bill. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 728** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

#### **Senate Bill 728**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the State Engineering Association for the 2003–05 biennium, covering employees in the professional engineering collective bargaining unit, and authorizing an expenditure of funds.

The question was: Shall **Senate Bill 728** be ordered to a third reading?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 728** be given a third reading. Granted.

The question was: **Senate Bill 728** 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, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, 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, Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Wasserman, Wieckert, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 91.

Noes – None.

Absent or not voting – Representatives Bies, Gundrum, Hundertmark, Richards, Sinicki, Ward and A. Williams – 7.

Motion carried.

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

Representative A. Williams asked unanimous consent to be recorded as voting “Aye” on **Senate Bill 725, Senate Bill 726, Senate Bill 727 and Senate Bill 728**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 728** be immediately messaged to the Senate. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 729** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### **Senate Bill 729**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the State Engineering Association for the 2005–07 biennium, covering employees in the professional engineering collective bargaining unit, and authorizing an expenditure of funds.

The question was: Shall **Senate Bill 729** be ordered to a third reading?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 729** be given a third reading. Granted.

The question was: **Senate Bill 729** 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, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, 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, Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 92.

Noes – None.

Absent or not voting – Representatives Bies, Gundrum, Hundertmark, Richards, Sinicki and Ward – 6.

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 729** be immediately messaged to the Senate. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 730** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### **Senate Bill 730**

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Association of State Prosecutors for the 2005–07 biennium, covering employees in the assistant district attorneys collective bargaining unit, and authorizing an expenditure of funds.

The question was: Shall **Senate Bill 730** be ordered to a third reading?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 730** be given a third reading. Granted.

The question was: **Senate Bill 730** 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, Black, Boyle, Colon, Cullen, Davis, Fields, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, 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, Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vruwink, Vukmir, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 92.

Noes – None.

Absent or not voting – Representatives Bies, Gundrum, Hundertmark, Richards, Sinicki and Ward – 6.

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 730** be immediately messaged to the Senate. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 731** be withdrawn from the committee on **Rules** and referred to the committee on **Aging and Long–Term Care**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 406** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

**Senate Bill 406**

Relating to: reporting to school districts of attendance in the Youth Challenge program (suggested as remedial language by the Department of Military Affairs).

The question was: Shall **Senate Bill 406** be ordered to a third reading?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Bill 406** be given a third reading. Granted.

The question was: **Senate Bill 406** 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 406** be immediately messaged to the Senate. Granted.

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

The Assembly stood recessed.

3:03 P.M.

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**RECESS**

5:47 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

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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:

Allen Williams, guest and husband of Representative M. Williams.

Nate Hall and Alan Charles, guests and interns of Representative Hebl.

Bob and Becky Greiber, 2006 Syttende Mai King and Queen, guests of Representative Hebl.

Dan and Cindy McGlynn, 2006 Syttende Mai Festival Coordinators, guests of Representative Hebl.

4th-Grade Students from Hillcrest Elementary School in Hobart, guests of Representative Nelson.

Joe Dentice, guest of Representative Kleefisch.

Leanne Potratz, guest of Representative Sheridan.

First Lieutenant John Flynn and his wife, Dawn Flynn, guests of Representative Townsend.

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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.

5:48 P.M.