

# Assembly Journal

Eighty-Third Regular Session

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THURSDAY, February 10, 1977.

9:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Father Stephen Honeygosky of Saint Vincent Archabbey, Latrobe, Pennsylvania.

Representative Litscher 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 -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Engeleiter, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 97.

Absent -- None.

Absent with leave -- Everson and Ferrall -- 2.

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AMENDMENTS OFFERED

Assembly amendment 1 to Assembly Bill 44 offered by Representative Flintrop.

Assembly amendment 1 to Assembly Bill 160 offered by Representative Thompson.

Assembly amendment 1 to Senate Bill 63 offered by Representative Lallensack.

Assembly amendment 2 to Senate Bill 63 offered by Representative Lallensack.

Assembly amendment 1 to Assembly Bill 113 offered by Representative Conradt.

Assembly substitute amendment 1 to Assembly Bill 199 offered by Representatives Rogers, Miller, Goodrich, Otte, Donoghue and Ellis.

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INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

**Assembly Bill 311**

Relating to special compensation for the death of a member of a rescue squad who is killed in the line of duty.

By Representatives Behnke, Hephner, Schneider, Gower, Potter, Everson, Hauke, Kincaid, Lallensack, Vanderperren, Byers, Murray, Rogers, Kedrowski, Plewa, Menos, Roth, Mohn, Otte, Medinger, Barczak, Brist, Munts, Day, DeLong, Dorff, Hasenohrl, Groshek, Clarenbach, Leopold, Olson, Kirby, Porter, Gerlach, Conradt, Moody, Tregoning, Merkt, Travis, Metz, McEssy, Early, Hanson, Johnston, Dandeneau, Matty, McClain, Wood, Litscher, Barry, Soucie, Bradley, Klicka, Ward, Lato, Coggs, Pabst, Fischer, Schmidt, Lewis, Goodrich, Loftus, Luckhardt, Lewison, Ellis, Czerwinski, Snyder, Ducholm, Opitz, Tesmer, Thompson, Flintrop, Elconin, Wahner, Bear, Rutkowski, Jackamonis, Ferrall, Lee, Miller, Lingren, Duren, Andrea, Swoboda, Ausman, Gunderson, Schricker, Norquist, Donoghue, Quackenbush and Tropman, co-sponsored by Senators Parys, Chilsen, Keppler, Murphy, Sensenbrenner, Theno, VanSistine, Krueger, Lorge, Bablitch, Frank, McKenna, Swan, Morrison, Bidwell, McCallum, Berger,

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Cullen, Flynn, Braun, Adelman, Risser, Peloquin, Dorman, Harnisch and Maurer.

To committee on Labor.

**Assembly Bill 312**

Relating to taxation of lands actively devoted to agricultural use and creating a state farm land advisory committee.

By Representatives Opitz, Tregoning, Thompson, Ellis, Olson, Snyder, Travis, Donoghue, Bradley, Conradt, Merkt, Lewis, Porter, Luckhardt and Lewison.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 313**

Relating to sales and use tax exemptions for farm equipment, milk filters and medicines used to treat livestock.

By Representatives Hanson, Hasenohrl, Vanderperren, Kedrowski, Ward, Medinger, Mohn, Rogers, Hephner, Potter, Lato, Duren and Litscher.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 314**

Relating to legislative fee remissions in the university of Wisconsin system.

By Representatives Engeleiter, Flintrop and Johnston.

To committee on Education.

**Assembly Bill 315**

Relating to a mandatory death penalty by electrocution for certain kinds of first-degree murders.

By Representatives Lewis, Klicka, Snyder, Conradt, Olson, Lewison, Lallensack, Rooney, Vanderperren, Lato, Gower and Litscher.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 316**

Relating to state payment of fees charged by interpreters for the deaf and granting rule-making authority.

By Representatives Wahner, Tropman, Munts, McClain, Lingren, Flintrop and Behnke, co-sponsored by Senators Maurer and Berger.

To committee on Health and Social Services.

**Assembly Bill 317**

Relating to classification of foods.

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By Representatives Matty, Vanderperren, Schricker, Lewis, Engleiter, Ausman, Klicka, Porter, Schmidt, Gunderson and Hanson, co-sponsored by Senator Parys.

To committee on Health and Social Services.

**Assembly Bill 318**

Relating to raising the drinking age to 19.

By Representative Johnston.

To committee on Judiciary.

**Assembly Bill 319**

Relating to legislative fee remissions in the university of Wisconsin system.

By Representative Johnston.

To committee on Education.

**Assembly Bill 320**

Relating to mechanic's liens for repairs done on automobiles.

By Representatives Vanderperren, Groshek, Conradt and Hephner.

To committee on Highways.

**Assembly Bill 321**

Relating to prohibiting and restricting state and local abortion subsidies.

By Representatives Duren, Plewa, Otte, Hephner, Merkt, Klicka, Matty, Opitz, Gower, Rogers, Murray, Lallensack, Kincaid, Conradt, Porter, Kirby, Shabaz, Tregoning, Lewis, DeLong, Lewison, Medinger, Groshek, Schricker, Menos, Tesmer, Hauke, Behnke, Andrea, Byers, Bradley and McEssy, co-sponsored by Senators Flynn, Martin, Kleczka, Sensenbrenner, Petri, Lorge, Berger, Murphy, Chilsen and Keppler.

To committee on Health and Social Services.

**Assembly Bill 322**

Relating to reimbursing cities, villages and towns for highway rescue calls.

By Representatives Vanderperren, Potter, Mohn, Schmidt, Hasenohrl and Lallensack, co-sponsored by Senator VanSistine.

To committee on Local Affairs.

**Assembly Bill 323**

Relating to reducing penalties and the coverage of crimes between consenting adults.

By Representatives Clarenbach, Flintrop, Tropman, Leopold, Cogs and Gunderson, co-sponsored by Senator Berger.

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To committee on Judiciary.

**Assembly Bill 324**

Relating to bonds required for school officials and employes.

By Representatives Engeleiter, Flintrop, Elconin, Travis, Gunderson and Goodrich.

To committee on Education.

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**COMMUNICATIONS**

February 9, 1977

The Honorable Edward Jackamonis  
Speaker of the Assembly  
State Capitol 211 West  
Madison, Wisconsin 53702

Dear Ed:

Due to a conflict in hearing schedules for the Assembly Committees on Education and Transportation, I must request the release of my assignment to the Education Committee.

I have found it is impossible to do justice to both committees. During the month of February so far, there have been four hearings for each committee scheduled for the same time.

Considering I am Vice Chairman of the Committee on Transportation, it seems only reasonable that I resign from the Committee on Education.

I would appreciate your assistance in this matter and please accept my resignation from that committee effective immediately.

Thank you for your cooperation.

Sincerely,  
**THOMAS MURRAY**  
State Representative

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**COMMITTEE REPORTS**

The committee on Transportation reports and recommends:

**Senate Bill 110**

Relating to various changes in the laws concerning school busses.

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Concurrence: Ayes: (8) Noes: (1)

To calendar.

LEONARD GROSHEK  
Chairperson

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MOTIONS

Representative Wahner asked unanimous consent that the rules be suspended to take up the motion for reconsideration of the vote by which Assembly Bill 227 was passed.

Representative Shabaz objected.

Representative Wahner moved that the rules be suspended and the motion for reconsideration of the vote by which Assembly Bill 227 was passed be taken up at this time.

The question was: Shall the rules be suspended and the motion for reconsideration of the vote by which Assembly Bill 227 was passed be taken up at this time?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dorfl, Ducholm, Duren, Early, Elconin, Engeleiter, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, McClain, Matty, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 65.

Noes -- Bradley, Byers, Conradt, DeLong, Donoghue, Ellis, Goodrich, Gower, Gunderson, Hephner, Johnston, Klicka, Lewis, Lewison, Lorman, Luckhardt, McEassy, Markt, Olson, Opitz, Pabst, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Thompson, Travis and Tregoning -- 31.

Absent or not voting -- Everson, Ferrall and Kincaid -- 3.

Motion carried.

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**Assembly Bill 227**

Relating to space assignments in the capitol.

The question was: Shall the vote by which **Assembly Bill 227** was passed be reconsidered?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Bradley, Byers, Conradt, Dorff, Duren, Ellis, Goodrich, Gower, Hauke, Hephner, Johnston, Lewis, Lewison, Litscher, Luckhardt, McEssy, Menos, Merkt, Olson, Opitz, Pabst, Porter, Quackenbush, Roberts, Roth, Schmidt, Schricker, Shabaz, Swoboda, Travis, Tregoning and Wood -- 34.

Noes -- Ausman, Barczak, Bear, Behnke, Brist, Clarenbach, Cogs, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dueholm, Early, Elconin, Engeleiter, Fischer, Flintrop, Gerlach, Groshok, Gunderson, Hanson, Hasenohrl, Johnson, Kedrowski, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, Lorman, McClain, Matty, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Plewa, Potter, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tesmer, Thompson, Tropman, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 60.

Absent or not voting -- Everson, Ferrall, Kincaid, Klicka and Snyder -- 5.

Motion failed.

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CALENDAR OF THURSDAY, FEBRUARY 10, 1977

**Assembly Resolution 13**

Requesting an opinion of the attorney general concerning whether vitamins are considered drugs.

Assembly amendment 1 to **Assembly Resolution 13** offered by Representative Hephner.

The question was: Shall assembly amendment 1 to **Assembly Resolution 13** be adopted?

Motion carried.

The question was: Shall **Assembly Resolution 13** be adopted?

Motion carried.

**Assembly Resolution 14**

Permitting the distribution of a written report in lieu of first reading under the 2nd and 3rd orders of business.

The question was: Shall **Assembly Resolution 14** be adopted?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conratt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Ducholm, Duren, Early, Elconin, Ellis, Engeleiter, Fischer, Flintrop, Gerlach, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hephner, Johnson, Johnston, Kedrowski, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 93.

Noes -- Goodrich, Hauke and Thompson -- 3.

Absent or not voting -- Everson, Ferrall and Kincaid -- 3.

Motion carried.

**Assembly Joint Resolution 23**

Adopting, renumbered into a topical sequence and with the modifications shown, the joint rules observed at the conclusion of the 1975 regular session as the joint rules of the 1977 legislature.

Representative Wahner asked unanimous consent that **Assembly Joint Resolution 23** be made a special order of business at 10:00 A.M. on Tuesday, February 15. Granted.

**Assembly Bill 53**

Relating to issuance of summons by a city or village attorney in proceedings to enforce city or village regulations.

The question was: Shall **Assembly Bill 53** be ordered engrossed and read a third time?



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The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Engeleiter, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 96.

Noes -- None.

Absent or not voting -- Everson, Ferrall and Kincaid -- 3.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 53** be given a third reading. Granted.

The question was: **Assembly Bill 53** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Engeleiter, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda,

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Tesmer, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 96.

Noes -- None.

Absent or not voting -- Everson, Ferrall and Kincaid -- 3.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 53** be immediately messaged to the senate. Granted.

Representative Wahner asked unanimous consent that the assembly stand informal for ten minutes. Granted.

Representative Matty asked unanimous consent that the journal show that he is a co-author of **Assembly Bill 287** and his name does not appear on the printed copy of the bill. Granted.

Representative Miller asked unanimous consent to be recorded as voting "Aye" on passage of **Assembly Bill 210**. Granted.

**Assembly Bill 61**

Relating to exempting from levy limits sewage treatment service charges assessed by a separate taxing unit of government.

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

Motion carried.

Representative Johnson moved indefinite postponement of **Assembly Bill 61**.

The question was: Shall **Assembly Bill 61** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Behnke, Brist, Czerwinski, Elconin, Flintrop, Hasenohrl, Johnson, Kedrowski, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Looby, McClain, Medinger, Metz, Miller, Moody, Munts, Otte, Roberts, Schneider, Soucie, Tropman, Vanderperren, Wahner and Mr. Speaker -- 29.

Noes -- Andrea, Ausman, Barczak, Barry, Bear, Bradley, Byers, Clarenbach, Coggs, Conradt, Dandeneau, Day, DeLong,

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Donoghue, Dorff, Dueholm, Duren, Early, Ellis, Engeleiter, Fischer, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hauke, Hephner, Johnston, Kincaid, Klicka, Lewis, Lewison, Litscher, Loftus, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Murray, Norquist, Olson, Opitz, Pabst, Plewa, Porter, Potter, Quackenbush, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Ward and Wood -- 67.

Absent or not voting -- Everson, Ferrall and Mohn -- 3.

Motion failed.

The question was: Shall **Assembly Bill 61** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 61** be given a third reading.

Representative Johnson objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 61** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 61** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Bradley, Brist, Byers, Clarenbach, Cogg, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Ellis, Engeleiter, Fischer, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hauke, Hephner, Johnston, Kedrowski, Kincaid, Klicka, Lallensack, Lewis, Lewison, Litscher, Loftus, Lorman, Luckhardt, McEssy, Matty, Medinger, Menos, Merkt, Miller, Munts, Murray, Olson, Opitz, Otte, Pabst, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Ward and Wood -- 72.

Noes -- Behnke, Early, Elconin, Flintrop, Hasenohrl, Johnson, Kirby, Lato, Lee, Leopold, Lingren, Looby, McClain, Metz, Mohn, Moody, Norquist, Plewa, Rutkowski, Schneider, Soucie, Tropman, Vanderperren, Wahner and Mr. Speaker -- 25.

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Absent or not voting -- Everson and Ferrall -- 2.

Motion carried.

Representative Vanderperren asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

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POINT OF ORDER

Representative Schneider rose to the point of order that **Assembly Bill 61** was required to be referred to the Joint Survey Committee on Tax Exemptions.

The speaker ruled the point of order not well taken.

The question was: **Assembly Bill 61** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Behnke, Bradley, Byers, Clarenbach, Coggs, Conradt, Dandeneau, Day, DeLong, Donoghue, Dorff, Ducholm, Duren, Early, Ellis, Engeleiter, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hauke, Hephner, Johnston, Kincaid, Klicka, Lallensack, Lewis, Lewison, Litscher, Loftus, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Mohn, Munts, Murray, Olson, Opitz, Otte, Pabst, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schricker, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Ward and Wood -- 69.

Noes -- Bear, Brist, Czerwinski, Elconin, Hasenohrl, Johnson, Kedrowski, Kirby, Lato, Lee, Leopold, Lingren, Looby, McClain, Medinger, Metz, Miller, Moody, Norquist, Plewa, Schneider, Shabaz, Soucie, Tropman, Vanderperren, Wahner and Mr. Speaker -- 27.

Absent or not voting -- Everson, Ferrall and Schmidt -- 3.

Motion carried.

Representative Vanderperren asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 61** be immediately messaged to the senate. Granted.

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**Assembly Bill 95**

Relating to allowing counties to establish jail extensions for temporary confinement purposes.

The question was: Shall assembly amendment 1 to **Assembly Bill 95** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 95** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 95** be given a third reading. Granted.

The question was: **Assembly Bill 95** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Engeleiter, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 94.

Noes -- Clarenbach and Tropman -- 2.

Absent or not voting -- Everson, Ferrall and Kincaid -- 3.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 95** be immediately messaged to the senate. Granted.

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**Assembly Bill 147**

Relating to allowing the unloading of petroleum shipments prior to inspection.

Assembly amendment 1 to **Assembly Bill 147** offered by Representatives Hephner and Murray.

The question was: Shall assembly amendment 1 to **Assembly Bill 147** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 147** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 147** be given a third reading. Granted.

The question was: **Assembly Bill 147** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Engeleiter, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 96.

Noes -- Lato -- 1.

Absent or not voting -- Everson and Ferrall -- 2.

Motion carried.

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Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 147** be immediately messaged to the senate. Granted.

**Senate Joint Resolution 9**

Relating to a revised structure of the judicial branch including a unified court system with administrative authority vested in the chief justice, authorizing creation of a court of appeals, and providing for court system disciplinary proceedings (second consideration).

Assembly substitute amendment 2 to **Senate Joint Resolution 9** offered by Representatives Thompson and Gunderson.

Representative Thompson asked unanimous consent that assembly substitute amendment 2 to **Senate Joint Resolution 9** be laid on the table. Granted.

Assembly amendment 1 to assembly substitute amendment 1 to **Senate Joint Resolution 9** offered by Representatives Thompson, Hauke, Schmidt, Donoghue and Gunderson.

Representative Rutkowski moved rejection of assembly amendment 1 to assembly substitute amendment 1 to **Senate Joint Resolution 9**.

Representative Plewa in the chair.

The speaker in the chair.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Senate Joint Resolution 9** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dorff, Dueholm, Early, Elconin, Ellis, Engeleiter, Fischer, Flintrop, Gerlach, Groshek, Hasenohrl, Johnson, Johnston, Kedrowski, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Medinger, Metz, Miller, Mohn, Moody, Munts, Norquist, Opitz, Otte, Pabst, Plewa, Potter, Roberts, Rutkowski, Snyder, Soucie, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 59.

Noes -- Ausman, Bradley, Byers, Conradt, DeLong, Donoghue, Duren, Goodrich, Gower, Gunderson, Hanson, Hauke, Hephner,

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Kincaid, Kirby, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkt, Murray, Olson, Porter, Quackenbush, Rogers, Rooney, Roth, Schmidt, Schneider, Schricker, Shabaz, Swoboda, Tesmer, Thompson, Travis and Tregoning -- 38.

Absent or not voting -- Everson and Ferrall -- 2.

Motion carried.

Representative Rutkowski moved rejection of assembly substitute amendment 1 to **Senate Joint Resolution 9**.

The question was: Shall assembly substitute amendment 1 to **Senate Joint Resolution 9** be rejected?

The roll was taken.

The result follows:

Ayes -- Ausman, Barry, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, Donoghue, Dueholm, Duren, Early, Elconin, Ellis, Engeleiter, Fischer, Flintrop, Gerlach, Groshek, Gunderson, Hasenohrl, Johnson, Johnston, Kedrowski, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, Lorman, McClain, McEssy, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Opitz, Otte, Pabst, Plewa, Potter, Roberts, Rooney, Rutkowski, Schneider, Schricker, Snyder, Soucie, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 65.

Noes -- Andrea, Barczak, Bradley, DeLong, Dorff, Goodrich, Gower, Hanson, Hauke, Hephner, Kincaid, Kirby, Klicka, Lewis, Lewison, Litscher, Luckhardt, Matty, Menos, Merkt, Olson, Porter, Quackenbush, Rogers, Roth, Schmidt, Shabaz, Swoboda, Tesmer, Thompson, Travis and Tregoning -- 32.

Absent or not voting -- Everson and Ferrall -- 2.

Motion carried.

Representative Schmidt asked unanimous consent to be made a co-author of **Assembly Bill 310**. Granted.

Representative Thompson asked unanimous consent that the assembly adjourn in honor of the birthdays of Representatives McEssy and Snyder. Granted.

Representative Wahner asked unanimous consent that the assembly adjourn in honor of the birthday of messenger Joyce Thoresen. Granted.



LEAVES OF ABSENCE

Representative Wahner asked unanimous consent for a leave of absence for today's session for Representatives Everson and Ferrall. Granted.

Representative Wahner asked unanimous consent that the assembly stand recessed until 4:30 P.M. Granted.

The assembly stood recessed.

12:25 P.M.

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RECESS

4:35 P.M.

The assembly reconvened.

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CALL OF THE ASSEMBLY

Representative Wahner demanded a call of the assembly. There were sufficient seconds.

The sergeant-at-arms was directed to close the doors and the chief clerk to call the roll.

The chief clerk called the roll.

Members absent with leave - Everson and Ferrall.

Members absent without leave - Bear, Conratt, Dandeneau, Dueholm, Rooney and Tesmer.

Representative Wahner moved that the call of the assembly be lifted.

The question was: Shall the call of the assembly be lifted?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Duren, Early, Elconin, Engeleiter, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis,

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Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 91.

Noes -- None.

Absent or not voting -- Bear, Conradt, Dueholm, Ellis, Everson, Ferrall, Kincaid and Tesmer -- 8.

Motion carried.

Assembly amendment 1 to **Senate Joint Resolution 9** offered by Representative Gower.

Representative Gower asked unanimous consent that assembly amendment 1 to **Senate Joint Resolution 9** be laid on the table. Granted.

Representative Thompson asked unanimous consent that assembly substitute amendment 2 to **Senate Joint Resolution 9** be taken from the table and taken up at this time. Granted.

Representative Rutkowski moved rejection of assembly substitute amendment 2 to **Senate Joint Resolution 9**.

The question was: Shall assembly substitute amendment 2 to **Senate Joint Resolution 9** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dorff, Duren, Early, Elconin, Ellis, Engeleiter, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Johnson, Johnston, Kedrowski, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Opitz, Otte, Pabst, Plewa, Potter, Roberts, Rooney, Rutkowski, Snyder, Soucie, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 62.

Noes -- Bradley, Byers, DeLong, Donoghue, Goodrich, Gower, Gunderson, Hauke, Hephner, Kincaid, Kirby, Kliska, Lewis.

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Lewison, Luckhardt, McEssy, Matty, Menos, Merkt, Olson, Porter, Quackenbush, Rogers, Roth, Schmidt, Schneider, Schricker, Shabaz, Swoboda, Tesmer, Thompson, Travis and Tregoning -- 33.

Absent or not voting -- Conradt, Ducholm, Everson and Ferrall -- 4.

Motion carried.

Representative Gower asked unanimous consent that assembly amendment 1 to **Senate Joint Resolution 9** be taken from the table. Granted.

Representative Rutkowski moved rejection of assembly amendment 1 to **Senate Joint Resolution 9**.

The question was: Shall assembly amendment 1 to **Senate Joint Resolution 9** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Brist, Clarenbach, Cogs, Czerwinski, Dandeneau, Day, Dorff, Duren, Early, Elconin, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Johnson, Johnston, Kedrowski, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, Lorman, McClain, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rooney, Rutkowski, Schneider, Soucie, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 57.

Noes -- Ausman, Behnke, Bradley, Byers, DeLong, Donoghue, Ellis, Engeleiter, Goodrich, Gower, Gunderson, Hauke, Hephner, Kincaid, Klicka, Lewis, Lewison, Litscher, Luckhardt, McEssy, Matty, Menos, Merkt, Olson, Opitz, Porter, Quackenbush, Rogers, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis and Tregoning -- 38.

Absent or not voting -- Conradt, Ducholm, Everson and Ferrall -- 4.

Motion carried.

Assembly amendment 2 to **Senate Joint Resolution 9** offered by Representatives Shabaz, Hauke and Thompson.

Representative Rutkowski moved rejection of assembly amendment 2 to **Senate Joint Resolution 9**.

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Assembly amendment 1 to assembly amendment 2 to **Senate Joint Resolution 9** offered by Representatives Thompson and Shabaz.

The question was: Shall assembly amendment 1 to assembly amendment 2 to **Senate Joint Resolution 9** be adopted?

Motion carried.

Representative Rutkowski moved rejection of assembly amendment 2 to **Senate Joint Resolution 9**.

The question was: Shall assembly amendment 2 to **Senate Joint Resolution 9** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Duren, Elconin, Fischer, Flintrop, Gerlach, Groshek, Hasenohrl, Johnson, Johnston, Kedrowski, Kirby, Lato, Lee, Leopold, Lingren, Loftus, Looby, McClain, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rooney, Rutkowski, Soucie, Tropman, Tuczynski and Vanderperren, Wahner --48.

Noes -- Ausman, Bradley, Byers, DeLong, Donoghue, Dorff, Early, Ellis, Engeleiter, Goodrich, Gower, Gunderson, Hanson, Hauke, Hephner, Kincaid, Klicka, Lallensack, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Olson, Opitz, Pabst, Porter, Quackenbush, Rogers, Roth, Schmidt, Schneider, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Ward, Wood and Mr. Speaker -- 47.

Absent or not voting -- Conradt, Dueholm, Everson and Ferrall -- 4.

Motion carried.

Representative Barczak asked unanimous consent to be recorded as voting "No" on the previous question. Granted.

Representative Murray asked unanimous consent to be recorded as voting "No" on the previous question. Granted.

Representative Groshek asked unanimous consent to be recorded as voting "No" on the previous question. Granted.

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Representative Thompson asked unanimous consent that the previous roll call be expunged.

Representative Wahner objected.

Representative Thompson moved that the rules be suspended and the record on rejection of assembly amendment 2 to **Senate Joint Resolution 9** be expunged.

The question was: Shall the rules be suspended and the record on rejection of assembly amendment 2 to **Senate Joint Resolution 9** be expunged?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Behnke, Bradley, Byers, DeLong, Donoghue, Dorff, Duren, Ellis, Engeleiter, Goodrich, Gower, Groshek, Gunderson, Hanson, Hauke, Hephner, Johnston, Kincaid, Klicka, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush, Rogers, Roth, Schmidt, Schneider, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis and Tregoning -- 50.

Noes -- Bear, Brist, Clarenbach, Cogs, Czerwinski, Dandeneau, Day, Early, Elconin, Fischer, Flintrop, Gerlach, Hasenohrl, Johnson, Kedrowski, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, McClain, Medinger, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Potter, Roberts, Rooney, Rutkowski, Soucie, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 45.

Absent or not voting -- Conradt, Dueholm, Everson and Ferrall -- 4.

Motion failed.

Representative Shabaz moved nonconcurrency in **Senate Joint Resolution 9**.

The question was: Shall **Senate Joint Resolution 9** be nonconcurrent in?

The roll was taken.

The result follows:

Ayes -- Bradley, DeLong, Goodrich, Gower, Hanson, Hephner, Kirby, Klicka, Lewis, Lewison, Lorman, Luckhardt, Matty, Menos,

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Merkt, Olson, Quackenbush, Rogers, Rooney, Roth, Schmidt, Shabaz, Tesmer, Thompson, Travis and Tregoning -- 26.

Noes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Donoghue, Dorff, Duren, Early, Elconin, Ellis, Engeleiter, Fischer, Flintrop, Gerlach, Groshek, Gunderson, Hasenohrl, Hauke, Johnson, Johnston, Kedrowski, Kincaid, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, McClain, McEssy, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Opitz, Otte, Pabst, Plewa, Potter, Roberts, Rutkowski, Schneider, Schricker, Snyder, Soucie, Swoboda, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 69.

Absent or not voting -- Conradt, Dueholm, Everson and Ferrall -- 4.

Motion failed.

Representative Hauke moved that **Senate Joint Resolution 9** be referred to the committee on Judiciary.

The question was: Shall **Senate Joint Resolution 9** be referred to the committee on Judiciary?

The roll was taken.

The result follows:

Ayes -- Bradley, DeLong, Donoghue, Dorff, Goodrich, Gower, Hanson, Hauke, Hephner, Kirby, Klicka, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Olson, Opitz, Porter, Quackenbush, Rogers, Rooney, Roth, Schmidt, Shabaz, Tesmer, Thompson, Travis and Tregoning -- 33.

Noes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Duren, Early, Elconin, Engeleiter, Fischer, Flintrop, Gerlach, Groshek, Gunderson, Hasenohrl, Johnson, Johnston, Kedrowski, Kincaid, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, McClain, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rutkowski, Schneider, Schricker, Snyder, Soucie, Swoboda, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 61.

Absent or not voting -- Conradt, Dueholm, Ellis, Everson and Ferrall -- 5.

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Motion failed.

The question was: Shall **Senate Joint Resolution 9** be ordered to a third reading?

The roll was taken.

The result follows:

**Ayes --** Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Donoghue, Dorff, Duren, Early, Elconin, Engeleiter, Fischer, Flintrop, Gerlach, Groshek, Gunderson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, McEssy, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Roberts, Rogers, Rutkowski, Schneider, Schricker, Snyder, Soucie, Swoboda, Tesmer, Travis, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 74.

**Noes --** Bradley, DeLong, Goodrich, Gower, Hanson, Kirby, Klicka, Lewis, Lewison, Luckhardt, Matty, Menos, Merkt, Quackenbush, Rooney, Roth, Schmidt, Shabaz, Thompson and Tregoning -- 20.

**Absent or not voting --** Conradt, Ducholm, Ellis, Everson and Ferrall -- 5.

Motion carried.

Representative Wahner moved that the rules be suspended and **Senate Joint Resolution 9** be given a third reading.

The question was: Shall the rules be suspended and **Senate Joint Resolution 9** be given a third reading?

The roll was taken.

The result follows:

**Ayes --** Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Early, Elconin, Fischer, Flintrop, Gerlach, Groshek, Hasenohrl, Johnson, Johnston, Kedrowski, Kincaid, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rutkowski,

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Schneider, Schricker, Snyder, Soucie, Swoboda, Tropman, Tuczynski, Vanderperren, Wahner, Wood and Mr. Speaker -- 60.

Noes -- DeLong, Donoghue, Dorff, Duren, Ellis, Engeleiter, Goodrich, Gower, Gunderson, Hanson, Hauke, Hephner, Kirby, Klicka, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Olson, Opitz, Porter, Quackenbush, Rogers, Rooney, Roth, Schmidt, Shabaz, Tesmer, Thompson, Travis, Tregoning and Ward -- 35.

Absent or not voting -- Conradt, Dueholm, Everson and Ferrall -- 4.

Motion failed.

Representative Wahner moved reconsideration of the vote by which **Senate Joint Resolution 9** was ordered to a third reading. Entered.

Representative Duren moved reconsideration of the vote by which assembly amendment 2 to **Senate Joint Resolution 9** was rejected. Entered.

Representative Hauke asked unanimous consent that the motion for reconsideration of the vote by which **Senate Joint Resolution 9** was ordered to a third reading be taken up at this time.

Representative Rutkowski objected.

Representative Hauke moved that the rules be suspended and the motion for reconsideration of the vote by which **Senate Joint Resolution 9** was ordered to a third reading be taken up at this time.

The question was: Shall the rules be suspended and the motion for reconsideration of the vote by which **Senate Joint Resolution 9** was ordered to a third reading be taken up at this time?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Behnke, Bradley, Byers, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Duren, Elconin, Ellis, Engeleiter, Fischer, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hauke, Hephner, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lewis, Lewison, Litscher, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Menos, Merkt, Murray, Norquist, Olson, Opitz, Pabst, Porter, Potter, Quackenbush, Rogers, Rooney, Roth, Schmidt, Schneider,



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Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Vanderperren, Ward, Wood and Mr. Speaker -- 66.

Noes -- Barry, Bear, Brist, Clarenbach, Coggs, Early, Flintrop, Hasenohrl, Johnson, Lato, Lee, Leopold, Lingren, Loftus, Medinger, Metz, Miller, Mohn, Moody, Munts, Otte, Plewa, Roberts, Rutkowski, Soucie, Tropman, Tuczynski and Wahner -- 28.

Absent or not voting -- Conradt, Dorff, Dueholm, Everson and Ferrall -- 5.

Motion carried.

The question was: Shall the vote by which **Senate Joint Resolution 9** was ordered to a third reading be reconsidered?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Bradley, Byers, Czerwinski, Day, DeLong, Donoghue, Dorff, Duren, Ellis, Engeleiter, Fischer, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hauke, Hephner, Kincaid, Kirby, Klicka, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush, Rogers, Rooney, Roth, Schmidt, Schneider, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning and Ward -- 54.

Noes -- Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Dandeneau, Early, Elconin, Flintrop, Hasenohrl, Johnson, Johnston, Kedrowski, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, McClain, Medinger, Metz, Miller, Mohn, Moody, Munts, Norquist, Plewa, Potter, Roberts, Rutkowski, Soucie, Tropman, Tuczynski, Vanderperren, Wahner, Wood and Mr. Speaker -- 40.

Absent or not voting -- Conradt, Dueholm, Everson, Ferrall and Otte -- 5.

Motion carried.

Representative Rutkowski asked unanimous consent that **Senate Joint Resolution 9** be made a special order of business at 5:00 P.M. on Monday, February 14. Granted.

Representative Lallensack asked unanimous consent that **Assembly Bill 54** be withdrawn from the joint committee on

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Finance and made a special order of business at 10:01 A.M. on Tuesday, February 15.

Representative Wahner objected.

Representative Lallensack moved that the rules be suspended and that **Assembly Bill 54** be withdrawn from the joint committee on Finance and made a special order of business at 10:01 A.M. on Tuesday, February 15.

The question was: Shall the rules be suspended and **Assembly Bill 54** be withdrawn from the joint committee on Finance and made a special order of business at 10:01 A.M. on Tuesday, February 15?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bradley, Byers, Day, DeLong, Donoghue, Dorff, Ellis, Engeleiter, Fischer, Goodrich, Gower, Groshek, Gunderson, Hephner, Johnston, Klicka, Lallensack, Lewis, Lewison, Litscher, Looby, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Murray, Olson, Opitz, Pabst, Porter, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Vanderperren, Ward and Wood -- 49.

Noes -- Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Duren, Early, Elconin, Flintrop, Gerlach, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lato, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tropman, Tuczynski, Wahner and Mr. Speaker -- 46.

Absent or not voting -- Conradt, Ducholm, Everson and Ferrall -- 4.

Motion failed.

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MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has passed and asks concurrence in:

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**Senate Bill 14**

Concurred in:

**Assembly Joint Resolution 18**

**Assembly Joint Resolution 21**

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**ACTION ON THE SENATE MESSAGE**

**Senate Bill 14**

Relating to revision of the criminal code.

By Legislative Council.

To committee on Criminal Justice and Public Safety.

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**ANNOUNCEMENTS**

The speaker announced that Representatives Moody and Tregoning have been appointed to the committee on Insurance and Banking.

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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 of the 4th Grade from Emerson School, Madison, guests of Representative Clarenbach.

Mr. and Mrs. Ken Sehring and Harry Barkholz from Appleton, guests of Representative Roth.

Al Brown from Chippewa Falls, guest of Representative Brist.

Harry Witzak from Manitowoc, guest of Representative Lallensack.

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Representative Wahner moved that the assembly stand adjourned until 4:30 P.M. on Monday, February 14.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

6:40 P.M.