

JOURNAL OF THE ASSEMBLY [September 30, 1977]

STATE OF WISCONSIN

Assembly Journal

Eighty-Third Regular Session

FRIDAY, September 30, 1977.

9:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Duane Hardy of Unity Church of Practical Christianity, 4607 Winnequah Road, Madison.

Representative Duren 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, Elconin, Ellis, Everson, Ferrall, 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, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 96.

Absent -- None.

Absent with leave -- Engeleiter -- 1.

AMENDMENTS OFFERED

Assembly amendment 21 to **Assembly Bill 264** offered by Representative Snyder.

Assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 780** offered by Representatives Clarenbach, Snyder, McClain and Roth.

Assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Metz.

Assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representatives Clarenbach, Snyder, McClain and Roth.

Assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representatives Hephner, Bradley and Duren.

Assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representatives Thompson, Pabst, DeLong, Dorff, Shabaz and Andrea.

Assembly amendment 5 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representatives Moody, Lorman, Lallensack, Murray, Matty, Johnston, Roth and Leopold.

Assembly amendment 6 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Shabaz.

Assembly amendment 7 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Shabaz.

Assembly amendment 8 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

Assembly amendment 9 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

Assembly amendment 10 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

Assembly amendment 11 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

Assembly amendment 12 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

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Assembly amendment 13 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

Assembly amendment 14 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

Assembly amendment 15 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Clarenbach.

Assembly amendment 16 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Thompson.

Assembly amendment 17 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Thompson.

Assembly amendment 18 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

Assembly amendment 19 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

Assembly amendment 20 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

Assembly amendment 21 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representatives Moody, Rutkowski, Leopold and Elconin.

Assembly amendment 22 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

Assembly amendment 23 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

Assembly amendment 24 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

Assembly amendment 25 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

Assembly amendment 26 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

Assembly amendment 27 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

Assembly amendment 1 to assembly amendment 5 to assembly substitute amendment 2 to **Assembly Bill 780** offered by Representative Gower.

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Assembly amendment 1 to **Assembly Bill 967** offered by Representatives Hanson, Otte, Pabst, Dorff and Andrea.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1023

Relating to exempting nonprofit chambers of commerce from general property taxes.

By Representatives Matty and Roth.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 1024

Relating to establishing a hazardous waste management program under the department of natural resources, establishing a waste management fund, creating a manufacturing machinery and equipment tax exemption, revising the department's regulation of the planning, establishment and operation of solid waste disposal sites and facilities, granting rule-making authority, making an appropriation and providing a penalty.

By Committee on Environmental Protection.

To Joint Survey Committee on Tax Exemptions.

COMMUNICATION

State of Wisconsin
Department of State
Madison

To Whom It May Concern:

Dear Sir: Acts, joint resolutions and resolutions, deposited in this office, have been numbered and published as follows:

Bill, Jt. Res. or Res.	Chapter No.	Publication date
Assembly Bill 384	84	September 23, 1977
Assembly Bill 428	85	September 23, 1977
Assembly Bill 435	86	September 23, 1977
Assembly Bill 510	87	September 22, 1977
Assembly Bill 953	92	September 19, 1977
Assembly Bill 954	93	September 19, 1977
Assembly Bill 955	94	September 19, 1977
Assembly Bill 956	95	September 19, 1977

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Assembly Bill 957 -----	96 -----	September 19, 1977
Assembly Bill 958 -----	97 -----	September 19, 1977
Assembly Bill 107 -----	98 -----	September 28, 1977
Assembly Bill 265 -----	99 -----	September 28, 1977
Assembly Bill 637 -----	100 -----	September 28, 1977
Assembly Bill 655 -----	101 -----	September 28, 1977

DOUGLAS LaFOLLETTE
Secretary of State

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

Assembly Joint Resolution 20

Assembly Bill 287

Assembly Bill 864

Assembly Bill 991

Senate Bill 111

Relating to taxation of metalliferous mineral mining, creating an investment and local impact fund board in the department of revenue, making appropriations and granting rule-making authority.

Representative Gunderson moved that **Senate Bill 111** be laid on the table.

Representative Schneider asked unanimous consent that **Senate Bill 111** be referred to the committee on Revenue. Granted.

LEAVES OF ABSENCE

Representative Dueholm asked unanimous consent for a leave of absence for the balance of today's session for himself. Granted.

Assembly Bill 447

Relating to licensure of ambulance drivers and attendants.

The question was: Shall senate amendment 1 to **Assembly Bill 447** be concurred in?

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Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 447** be immediately messaged to the senate. Granted.

MOTIONS

Representative Kedrowski asked unanimous consent that **Assembly Joint Resolution 57** be taken from the table and referred to the committee on Criminal Justice and Public Safety. Granted.

Representative Schmidt asked unanimous consent to be recorded as voting "Aye" on passage of **Assembly Bill 468** on September 27. Granted.

Representative Schmidt asked unanimous consent to be made a co-author of **Assembly Resolution 30**. Granted.

Representative Kincaid asked unanimous consent to be recorded as voting "No" on passage of **Assembly Bill 227** on February 9. Granted.

Speaker pro tempore Kedrowski in the chair.

CALENDAR OF FRIDAY, SEPTEMBER 30, 1977

Assembly Bill 450

Relating to prohibiting sexual harassment in employment.

The question was: Shall the vote by which **Assembly Bill 450** was passed be reconsidered?

The roll was taken.

The result follows:

Ayes -- Ausman, Bradley, Byers, Conradt, Day, DeLong, Donoghue, Ellis, Fischer, Goodrich, Gower, Gunderson, Hasenohrl, Hephner, Johnston, Klicka, Lato, Lewis, Lewison, Lingren, Lorman, Luckhardt, McEssy, Matty, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Thompson, Travis, Tregoning and Ward -- 38.

Noes -- Andrea, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Dandeneau, Dorff, Duren, Elconin, Everson,

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Ferrall, Flintrop, Gerlach, Groshek, Hanson, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Litscher, Loftus, Looby, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Tuczynski, Vanderperren, Wahner, Wood and Mr. Speaker -- 56.

Absent or not voting -- Czerwinski, Dueholm and Engeleiter -- 3.

Motion failed.

Assembly Resolution 30

Requesting an opinion of the Attorney General concerning the procedural and substantive legality of the decision of Donald E. Percy, Secretary of Health and Social Services, to fund abortions under Wisconsin's Medical Assistance Statutes (49.45 and 49.46) with 100 percent state money.

Representative Everson moved rejection of **Assembly Resolution 30**.

The question was: Shall **Assembly Resolution 30** be rejected?

The roll was taken.

The result follows:

Ayes -- Bear, Clarenbach, Coggs, Everson, Flintrop, Goodrich, Johnson, Kedrowski, Leopold, Loftus, Metz, Miller, Moody, Munts, Roberts, Schneider, Tuczynski and Ward -- 18.

Noes -- Andrea, Ausman, Barczak, Barry, Behnke, Bradley, Brist, Byers, Conradt, Dandeneau, Day, DeLong, Donoghue, Dorff, Duren, Elconin, Ellis, Ferrall, Fischer, Gerlach, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnston, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Lewis, Lewison, Lingren, Litscher, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Mohn, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Vanderperren, Wahner, Wood and Mr. Speaker -- 76.

Absent or not voting -- Czerwinski, Dueholm and Engeleiter -- 3.

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Motion failed.

The question was: Shall **Assembly Resolution 30** be adopted?

Motion carried.

Assembly Resolution 31

Relating to floorperiod IV consideration of proposals pending in the assembly.

The question was: Shall **Assembly Resolution 31** be adopted?

Motion carried.

Assembly Bill 670

Relating to election of the common council in 1st class cities and the board of supervisors in populous counties.

Representative Barczak asked unanimous consent that **Assembly Bill 670** be laid on the table. Granted.

Assembly Bill 780

Relating to access to public records, creating an open records board, granting rule-making authority, making an appropriation and providing a penalty.

Representative Wahner asked unanimous consent that **Assembly Bill 780** be laid on the table. Granted.

Assembly Bill 325

Relating to altering current penalties for the possession and nonprofit transfer of marijuana and permitting the enactment of certain ordinances.

Representative Wahner asked unanimous consent that **Assembly Bill 325** be laid on the table. Granted.

Assembly Bill 1021

Relating to in-session per diems for legislators, to 1977-1979 salary adjustment for elected state officials and authorizing the expenditure of funds.

Representative Shabaz asked unanimous consent that **Assembly Bill 1021** be referred to the Joint Committee on Finance.

Representative Wahner objected.

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

The assembly stood recessed.

10:40 A.M.

RECESS

12:10 P.M.

The assembly reconvened.

Representative Wahner asked unanimous consent that the assembly stand recessed until 2:15 P.M. Granted.

The assembly stood recessed.

12:11 P.M.

RECESS

3:15 P.M.

The assembly reconvened.

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 - Engeleiter.

Members absent without leave - Czerwinski and Tesmer.

LEAVES OF ABSENCE

Representative Wahner asked unanimous consent for a leave of absence for Representative Tesmer. Granted.

The assembly proceeded to other business while remaining under call.

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Representative Wahner asked unanimous consent to introduce a bill.

Representative Shabaz objected.

Representative Wahner moved that the rules be suspended to introduce a bill.

The question was: Shall the rules be suspended to introduce a bill?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Conradt, Dandeneau, Day, Donoghue, Dorff, Dueholm, Duren, Elconin, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Hephner, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, McClain, McEssy, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Soucie, Swoboda, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 67.

Noes -- Ausman, Bradley, Byers, DeLong, Goodrich, Gower, Gunderson, Johnson, Johnston, Klicka, Lewis, Lewison, Lorman, Luckhardt, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Shabaz, Snyder, Thompson, Travis and Tregoning -- 25.

Absent or not voting -- Czerwinski, Engeleiter, Matty, Schricker and Tesmer -- 5.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1025

Relating to legislators' in-session per diem for lodging and food.
By Representatives Jackamonis, Wahner, Rooney, Kedrowski and Ferrall.

To Calendar.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1025** be withdrawn from the

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calendar of Wednesday, February 1, 1978 and taken up at this time.

Representative Shabaz objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 1025** be withdrawn from the calendar of Wednesday, February 1, 1978 and taken up at this time.

The question was: Shall the rules be suspended and **Assembly Bill 1025** be withdrawn from the calendar of Wednesday, February 1, 1978 and taken up at this time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Conradt, Dandeneau, Day, Donoghue, Dorff, Dueholm, Duren, Elconin, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, McClain, Matty, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schricker, Soucie, Swoboda, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 70.

Noes -- Ausman, Bradley, DeLong, Goodrich, Gower, Gunderson, Johnston, Klicka, Lewis, Lewison, Lorman, Luckhardt, McEssy, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Shabaz, Snyder, Thompson, Travis and Tregoning -- 24.

Absent or not voting -- Czerwinski, Engeleiter and Tesmer -- 3.

Motion carried.

Representative Shabaz moved indefinite postponement of **Assembly Bill 1025**.

The question was: Shall **Assembly Bill 1025** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Ausman, Barry, Bear, Bradley, Byers, Clarenbach, DeLong, Duren, Everson, Goodrich, Gower, Groshek, Hephner, Johnston, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkt, Miller, Munts, Olson, Opitz, Porter, Quackenbush,

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Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis and Tregoning -- 37.

Noes -- Andrea, Barczak, Behnke, Brist, Coggs, Conradt, Dandeneau, Day, Donoghue, Dorff, Dueholm, Elconin, Ellis, Ferrall, Fischer, Flintrop, Gerlach, Gunderson, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Medinger, Metz, Mohn, Moody, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 57.

Absent or not voting -- Czerwinski, Engeleiter and Tesmer -- 3.

Motion failed.

The question was: Shall **Assembly Bill 1025** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Behnke, Brist, Coggs, Conradt, Dandeneau, Day, Donoghue, Dorff, Dueholm, Elconin, Ellis, Ferrall, Fischer, Flintrop, Gerlach, Gunderson, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Medinger, Metz, Mohn, Moody, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 57.

Noes -- Ausman, Barry, Bear, Bradley, Byers, Clarenbach, DeLong, Duren, Everson, Goodrich, Gower, Groshek, Hephner, Johnston, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkt, Miller, Munts, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis and Tregoning -- 37.

Absent or not voting -- Czerwinski, Engeleiter and Tesmer -- 3.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1025** be given a third reading. Representative Shabaz objected.

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Representative Wahner moved that the rules be suspended and that Assembly Bill 1025 be given a third reading.

The question was: Shall the rules be suspended and Assembly Bill 1025 be given a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Bear, Behnke, Brist, Clarenbach, Cogg, Conradt, Dandeneau, Day, Donoghue, Dorff, Dueholm, Duren, Elconin, Ellis, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, McClain, McEssy, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schricker, Soucie, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 65.

Noes -- Ausman, Barry, Bradley, Byers, DeLong, Everson, Goodrich, Gower, Gunderson, Johnston, Klicka, Lewis, Lewison, Lorman, Luckhardt, Matty, Menos, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Shabaz, Snyder, Swoboda, Thompson, Travis and Tregoning -- 29.

Absent or not voting -- Czerwinski, Engeleiter and Tesmer -- 3.

Motion carried.

The question was: Assembly Bill 1025 having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Behnke, Brist, Cogg, Conradt, Dandeneau, Day, Donoghue, Dorff, Dueholm, Elconin, Ellis, Ferrall, Fischer, Flintrop, Gerlach, Gunderson, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Medinger, Metz, Mohn, Moody, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 57.

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Noes -- Ausman, Barry, Bear, Bradley, Byers, Clarenbach, DeLong, Duren, Everson, Goodrich, Gower, Groshek, Hephner, Johnston, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkt, Miller, Munts, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis and Tregoning -- 37.

Absent or not voting -- Czerwinski, Engeleiter and Tesmer -- 3.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1025** be immediately messaged to the senate.

Representative Gower objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 1025** be immediately messaged to the senate.

The question was: Shall the rules be suspended and **Assembly Bill 1025** be immediately messaged to the senate?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Conradt, Dandeneau, Day, Donoghue, Dorff, Dueholm, Duren, Elconin, Ellis, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, McClain, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schricker, Soucie, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 66.

Noes -- Ausman, Barry, Bradley, DeLong, Everson, Goodrich, Gower, Gunderson, Johnston, Klicka, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Olson, Opitz, Porter, Roth, Shabaz, Snyder, Swoboda, Thompson, Travis and Tregoning -- 28.

Absent or not voting -- Czerwinski, Engeleiter and Tesmer -- 3.

Motion carried.

Representative Wahner asked unanimous consent that the call of the assembly be lifted. Granted.

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The call of the assembly on **Assembly Bill 1021** having been lifted, the assembly proceeded to consideration of the bill.

Assembly Bill 1021

Relating to in-session per diems for legislators, to 1977-1979 salary adjustment for elected state officials and authorizing the expenditure of funds.

Representative Wahner moved that assembly amendment 1 to **Assembly Bill 1021** be laid on the table.

The question was: Shall assembly amendment 1 to **Assembly Bill 1021** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Bear, Behnke, Brist, Clarenbach, Coggs, Conradt, Dandeneau, Day, Dorff, Dueholm, Duren, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, Lorman, McClain, Matty, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Schricker, Soucie, Travis, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 63.

Noes -- Ausman, Barry, Bradley, Byers, DeLong, Donoghue, Ellis, Goodrich, Gower, Gunderson, Hephner, Johnston, Klicka, Lewis, Lewison, Luckhardt, McEssy, Menos, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Shabaz, Snyder, Swoboda, Thompson and Tregoning -- 30.

Absent or not voting -- Czerwinski, Engeleiter, Litscher and Tesmer -- 4.

Motion carried.

The question was: Shall assembly amendment 2 to **Assembly Bill 1021** be adopted?

Motion carried.

Representative Wahner moved that assembly amendment 3 to **Assembly Bill 1021** be laid on the table.

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The question was: Shall assembly amendment 3 to **Assembly Bill 1021** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Elconin, Ellis, Everson, Ferrall, 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, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 92.

Noes -- Barczak and Swoboda -- 2.

Absent or not voting -- Czerwinski, Engeleiter and Tesmer -- 3.

Motion carried.

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

Assembly amendment 4 to **Assembly Bill 1021** offered by Representatives Snyder and Roth.

Representative Wahner moved that assembly amendment 4 to **Assembly Bill 1021** be laid on the table.

The question was: Shall assembly amendment 4 to **Assembly Bill 1021** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Conradt, Dandeneau, Day, Donoghue, Dorff, Dueholm, Duren, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody,

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Munts, Murray, Norquist, Olson, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schricker, Soucie, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 71.

Noes -- Bradley, DeLong, Ellis, Gower, Hephner, Johnston, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkt, Opitz, Porter, Quackenbush, Roth, Shabaz, Snyder, Swoboda, Thompson, Travis and Tregoning -- 23.

Absent or not voting -- Czerwinski, Engeleiter and Tesmer -- 3.

Motion carried.

Assembly amendment 5 to **Assembly Bill 1021** offered by Representatives Rooney, Johnson, Jackamonis and Wahner.

The question was: Shall assembly amendment 5 to **Assembly Bill 1021** be adopted?

Motion carried.

Representative Shabaz moved indefinite postponement of **Assembly Bill 1021**.

Representative Rooney asked unanimous consent to expunge the record on adoption of assembly amendment 5 to **Assembly Bill 1021** and that the amendment be withdrawn and returned to the authors.

Representative Shabaz objected.

Representative Wahner moved that the rules be suspended to expunge the record on adoption of assembly amendment 5 to **Assembly Bill 1021** and that the amendment be withdrawn and returned to the authors.

The question was: Shall the rules be suspended to expunge the record on adoption of assembly amendment 5 to **Assembly Bill 1021** and that the amendment be withdrawn and returned to the authors?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Cogs, Conradt, Dandeneau, Day, Dorff, Dueholm, Duren, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, McEssy,

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Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schricker, Soucie, Swoboda, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 68.

Noes -- Ausman, Bradley, Byers, DeLong, Donoghue, Ellis, Goodrich, Gower, Gunderson, Johnston, Klicka, Lewis, Lewison, Luckhardt, Matty, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Shabaz, Snyder, Thompson, Travis and Tregoning -- 26.

Absent or not voting -- Czerwinski, Engeleiter and Tesmer -- 3.

Motion carried.

The question was: Shall **Assembly Bill 1021** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Bear, Behnke, Brist, Coggs, Conradt, Dandeneau, Day, Dorff, Dueholm, Duren, Elconin, Ferrall, Flintrop, Gerlach, Groshek, Hanson, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Looby, Lorman, McClain, Medinger, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 53.

Noes -- Ausman, Barry, Bradley, Byers, Clarenbach, DeLong, Donoghue, Ellis, Everson, Fischer, Goodrich, Gower, Gunderson, Hasenohrl, Hephner, Johnston, Klicka, Lewis, Lewison, Lingren, Litscher, Loftus, Luckhardt, McEssy, Matty, Menos, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis and Tregoning -- 40.

Absent or not voting -- Engeleiter and Tesmer -- 2.

Paired for -- Czerwinski -- 1.

Paired against -- Metz -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1021** be given a third reading. Representative Shabaz objected.

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Representative Wahner moved that the rules be suspended and that **Assembly Bill 1021** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 1021** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, Dorff, Dueholm, Duren, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Looby, McClain, Matty, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schricker, Soucie, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 63.

Noes -- Ausman, Barry, Bradley, DeLong, Donoghue, Ellis, Everson, Goodrich, Gower, Gunderson, Johnston, Klicka, Lewis, Lewison, Litscher, Loftus, Lorman, Luckhardt, McEssy, Menos, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Shabaz, Snyder, Swoboda, Thompson, Travis and Tregoning -- 32.

Absent or not voting -- Engeleiter and Tesmer -- 2.

Motion failed.

Senate Bill 47

Relating to discounting tips from employer minimum wage obligations and granting rule-making authority.

Assembly amendment 1 to **Senate Bill 47** offered by Representatives Thompson, Pabst, DeLong, Andrea, Shabaz and Dorff.

The question was: Shall assembly amendment 1 to **Senate Bill 47** be adopted?

Motion carried.

The question was: Shall **Senate Bill 47** be ordered to a third reading?

Motion carried.

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Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 47** be given a third reading. Granted.

The question was: **Senate Bill 47** having been read three times, shall the bill be concurred in?

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, Elconin, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, 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, Tuczynski, Wahner, Ward, Wood and Mr. Speaker -- 92.

Noes -- Luckhardt -- 1.

Absent or not voting -- Engeleiter, Lallensack, Tesmer and Vanderperren -- 4.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 47** be immediately messaged to the senate. Granted.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 1021** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 1021** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Bear, Behnke, Brist, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, Dorff, Dueholm, Duren, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Groshek,

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Hanson, Hasenohrl, Hauke, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, McClain, McEssy, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schricker, Soucie, Swoboda, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 65.

Noes -- Ausman, Barry, Bradley, Byers, DeLong, Donoghue, Ellis, Everson, Goodrich, Gower, Gunderson, Johnston, Klicka, Lewis, Lewison, Lorman, Luckhardt, Matty, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Shabaz, Snyder, Thompson, Travis and Tregoning -- 29.

Absent or not voting -- Engeleiter, Litscher and Tesmer -- 3.

Motion carried.

The question was: **Assembly Bill 1021** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Bear, Behnke, Brist, Coggs, Conradt, Czerwinski, Dandeneau, Day, Dorff, Dueholm, Duren, Elconin, Ferrall, Flintrop, Gerlach, Hanson, Hauke, Johnson, Kedrowski, Kirby, Lallensack, Lee, Leopold, Looby, Lorman, McClain, Medinger, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Wahner, Ward, Wood and Mr. Speaker -- 50.

Noes -- Ausman, Barry, Bradley, Byers, Clarenbach, DeLong, Donoghue, Ellis, Everson, Fischer, Goodrich, Gower, Groshek, Gunderson, Hasenohrl, Hephner, Johnston, Kincaid, Klicka, Lato, Lewis, Lewison, Lingren, Litscher, Loftus, Luckhardt, McEssy, Matty, Menos, Merkt, Metz, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis, Tregoning and Vanderperren -- 45.

Absent or not voting -- Engeleiter and Tesmer -- 2.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1021** be immediately messaged to the senate.

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Representative Gower objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 1021** be immediately messaged to the senate.

The question was: Shall the rules be suspended and **Assembly Bill 1021** be immediately messaged to the senate?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Bear, Behnke, Brist, Clarenbach, Cogs, Conradt, Czerwinski, Dandeneau, Day, Dorff, Dueholm, Duren, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, Lorman, McClain, McEssy, Matty, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schricker, Soucie, Swoboda, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 67.

Noes -- Ausman, Barry, Bradley, Byers, DeLong, Donoghue, Ellis, Everson, Goodrich, Gower, Gunderson, Johnston, Klicka, Lewis, Lewison, Luckhardt, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Shabaz, Snyder, Thompson, Travis and Tregoning -- 27.

Absent or not voting -- Engeleiter, Litscher and Tesmer -- 3.

Motion carried.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has adopted the conference committee report on **Assembly Bill 702**.

Concurred in:

Assembly Bill 626

Assembly Bill 970

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ACTION ON THE SENATE MESSAGE

Assembly Bill 702

Relating to special license plates for holders of amateur radio station licenses.

By Representatives Loftus and Ausman, by request of Russell R. Fleming.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 702** be taken from the senate message and placed at the foot of the twelfth order of business on the calendar of Friday, September 30. Granted.

Senate Bill 305

Relating to highway signs.

Assembly amendment 1 to **Senate Bill 305** offered by Representatives Gerlach and Kirby.

Representative Lallensack asked unanimous consent that **Senate Bill 305** be referred to the committee on Highways.

Representative Kirby objected.

Representative Lallensack moved that **Senate Bill 305** be referred to the committee on Highways.

The question was: Shall **Senate Bill 305** be referred to the committee on Highways?

The roll was taken.

The result follows:

Ayes -- Ausman, Bradley, Byers, Conradt, DeLong, Duren, Ellis, Everson, Goodrich, Gower, Gunderson, Hauke, Johnston, Klicka, Lallensack, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Matty, Merkt, Moody, Olson, Opitz, Otte, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Thompson, Travis, Tregoning and Vanderperren -- 38.

Noes -- Andrea, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Donoghue, Dorff, Dueholm, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lato, Lee, Leopold, Lingren, Loftus, Looby, McClain, Medinger, Menos, Metz, Miller, Mohn, Munts, Murray, Norquist, Pabst, Plewa, Potter, Roberts, Rogers, Rooney,

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Rutkowski, Schneider, Soucie, Swoboda, Tuczynski, Wahner, Ward, Wood and Mr. Speaker -- 57.

Absent or not voting -- Engeleiter and Tesmer -- 2.

Motion failed.

Speaker pro tempore Kedrowski in the chair.

The question was: Shall assembly amendment 1 to **Senate Bill 305** be adopted?

Motion carried.

The question was: Shall **Senate Bill 305** be ordered to a third reading?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 305** be given a third reading. Granted.

The question was: **Senate Bill 305** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Elconin, Ellis, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shabaz, Snyder, Soucie, Swoboda, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward and Wood -- 81.

Noes -- Bradley, Conradt, Everson, Klicka, Lallensack, Lewis, Lewison, Matty, Merkt, Norquist, Roth, Schmidt and Schricker -- 13.

Absent or not voting -- Engeleiter, Tesmer and Mr. Speaker -- 3.

Motion carried.

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Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 305** be immediately messaged to the senate. Granted.

Representative Jackamonis asked unanimous consent that the record on adoption of **Assembly Resolution 31** be expunged. Granted.

Assembly Resolution 31

Relating to floorperiod IV consideration of proposals pending in the assembly.

Assembly amendment 1 to **Assembly Resolution 31** offered by Representative Jackamonis.

The question was: Shall assembly amendment 1 to **Assembly Resolution 31** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Resolution 31** offered by Representative Clarenbach.

Representative Shabaz moved rejection of assembly amendment 2 to **Assembly Resolution 31**.

The question was: Shall assembly amendment 2 to **Assembly Resolution 31** be rejected?

The roll was taken.

The result follows:

Ayes -- Byers, Conradt, DeLong, Duren, Ellis, Goodrich, Gower, Hephner, Klicka, Lewis, Lewison, Luckhardt, McEssy, Merkt, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Thompson and Tregoning -- 23.

Noes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Donoghue, Dorff, Dueholm, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Matty, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Travis, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 70.

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Absent or not voting -- Bradley, Engeleiter, Opitz and Tesmer --
4.

Motion failed.

The question was: Shall assembly amendment 2 to **Assembly Resolution 31** be adopted?

Motion carried.

The question was: Shall **Assembly Resolution 31** be adopted?

Motion carried.

Assembly Bill 702

Relating to special license plates for holders of amateur radio station licenses.

The question was: Shall the report of the committee of conference on **Assembly Bill 702** be concurred in?

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, Elconin, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, 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, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 94.

Noes -- Hauke -- 1.

Absent or not voting -- Engeleiter and Tesmer -- 2.

Motion carried.

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

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Representative Wahner asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 702** be immediately messaged to the senate. Granted.

Representative Wahner asked unanimous consent that **Assembly Bill 780** be taken from the table and taken up at this time. Granted.

Assembly Bill 780

Relating to access to public records, creating an open records board, granting rule-making authority, making an appropriation and providing a penalty.

Representative Hauke moved that **Assembly Bill 780** be re-referred to the committee on Internal Management.

The question was: Shall **Assembly Bill 780** be re-referred to the committee on Internal Management?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Behnke, Bradley, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Ellis, Goodrich, Gower, Groshek, Gunderson, Hauke, Hephner, Johnston, Klicka, Lallensack, Lewis, Lewison, Litscher, Luckhardt, McClain, McEssy, Matty, Merkt, Olson, Opitz, Pabst, Porter, Quackenbush, Roberts, Rogers, Rooney, Roth, Schmidt, Schneider, Schricker, Shabaz, Snyder, Thompson, Travis, Tregoning and Tuczynski -- 48.

Noes -- Barry, Bear, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Dueholm, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hanson, Hasenohrl, Johnson, Kedrowski, Kincaid, Kirby, Lato, Lee, Leopold, Lingren, Loftus, Looby, Lorman, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Plewa, Potter, Rutkowski, Soucie, Swoboda, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 47.

Absent or not voting -- Engeleiter and Tesmer -- 2.

Motion carried.

Speaker Jackamonis in the chair.

Representative Wahner asked unanimous consent that **Assembly Bill 325** be taken from the table and taken up at this time. Granted.

Assembly Bill 325

Relating to altering current penalties for the possession and nonprofit transfer of marijuana and permitting the enactment of certain ordinances.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 325** offered by Representatives Litscher, Thompson and Otte.

Representative Tregoning moved that **Assembly Bill 325** be referred to the committee on State Affairs.

The question was: Shall **Assembly Bill 325** be referred to the committee on State Affairs?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Bradley, Brist, Byers, Conradt, Czerwinski, Day, DeLong, Dorff, Duren, Ellis, Gerlach, Goodrich, Gower, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnston, Kincaid, Klicka, Lallensack, Lewis, Lewison, Lingren, Luckhardt, McClain, McEssy, Matty, Menos, Merkt, Mohn, Murray, Olson, Opitz, Pabst, Porter, Potter, Quackenbush, Roberts, Rooney, Roth, Rutkowski, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Tregoning, Vanderperren and Wood -- 54.

Noes -- Barczak, Barry, Bear, Behnke, Clarenbach, Coggs, Dandeneau, Donoghue, Dueholm, Elconin, Everson, Ferrall, Fischer, Flintrop, Groshek, Johnson, Kedrowski, Kirby, Lato, Lee, Leopold, Litscher, Loftus, Looby, Lorman, Medinger, Metz, Miller, Moody, Munts, Norquist, Otte, Plewa, Rogers, Schneider, Soucie, Travis, Tuczynski, Wahner, Ward and Mr. Speaker -- 41.

Absent or not voting -- Engeleiter and Tesmer -- 2.

Motion carried.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

Assembly Bill 337

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Assembly Bill 693
Assembly Bill 707
Assembly Bill 724
Assembly Bill 865
Assembly Bill 1021
Assembly Bill 1025

Concurred in as amended:

Assembly Bill 214 (Senate amendments 1 and 2 adopted)

Concurred in:

Assembly substitute amendment 1 to **Senate Bill 14**
Assembly amendment 5 to **Senate Bill 17**
Assembly substitute amendment 1 to **Senate Bill 227**
Assembly amendment 1 to **Senate Bill 305**
Assembly amendment 1 to **Senate Bill 370**

Nonconcurréd in:

Assembly amendment 1 to **Senate Bill 47**

ACTION ON THE SENATE MESSAGE

Assembly Bill 214

Relating to establishing minimum safety, health and comfort requirements for railroad engines and providing a penalty.

By Representatives Schricker, Kedrowski, McEssy, Byers, Vanderperren, Schmidt, Murray, Ward, Thompson, Hasenohrl, Looby, Dueholm, Mohn and Groshek, co-sponsored by Senators Martin, McKenna and Theno.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 214** be taken from the senate message and taken up at this time. Granted.

The question was: Shall senate amendment 1 to **Assembly Bill 214** be concurred in?

Motion carried.

The question was: Shall senate amendment 2 to **Assembly Bill 214** be concurred in?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 214** be immediately messaged to the senate. Granted.

Senate Bill 47

Relating to discounting tips from employer minimum wage obligations and granting rule-making authority.

By Senator Cullen; co-sponsored by Representative Looby, by request of Department of Industry, Labor and Human Relations.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 47** be taken from the senate message and taken up at this time. Granted.

Representative Wahner moved that the assembly recede from its position on assembly amendment 1 to **Senate Bill 47**.

The question was: Shall the assembly recede from its position on assembly amendment 1 to **Senate Bill 47**?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 47** be immediately messaged to the senate. Granted.

Representative Duren asked unanimous consent that the assembly adjourn in honor of the tenth anniversary of Representative Otte's election to the assembly. Granted.

Representative Kedrowski asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Ferrall. Granted.

Representative Lewis asked unanimous consent to be recorded on the following questions. Granted.

Monday, September 27

The question was: Shall Assembly Bill 418 be withdrawn from the committee on Commerce and Consumer Affairs and referred to the committee on Health and Social Services? No

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to Assembly Bill 860 be rejected? Aye

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to Assembly Bill 860 be laid on the table? Aye

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to Assembly Bill 860 be rejected? No

The question was: Shall assembly amendment 4 to assembly substitute amendment 1 to Assembly Bill 860 be rejected? No

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The question was: Shall assembly amendment 5 to assembly substitute amendment 1 to Assembly Bill 860 be rejected? No

The question was: Assembly Bill 860 having been read three times, shall the bill pass? No

The question was: Assembly Joint Resolution 54 having been read three times, shall the joint resolution be adopted? Aye

The question was: Shall assembly amendment 1 to assembly amendment 1 to Assembly Bill 115 be rejected? No

The question was: Shall assembly amendment 2 to assembly amendment 1 to Assembly Bill 115 be rejected? No

The question was: Shall assembly amendment 3 to assembly amendment 1 to Assembly Bill 115 be rejected? No

The question was: Shall assembly amendment 4 to assembly amendment 1 to Assembly Bill 115 be rejected? No

The question was: Assembly Bill 115 having been read three times, shall the bill pass? No

The question was: Assembly Bill 337 having been read three times, shall the bill pass? Aye

The question was: Shall the rules be suspended and Assembly Bill 765 be given a third reading? No

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to Assembly Bill 811 be rejected? No

The question was: Assembly Bill 811 having been read three times, shall the bill pass? Aye

The question was: Assembly Bill 447 having been read three times, shall the bill pass? Aye

The question was: Shall assembly amendment 1 to Senate Bill 17 be rejected? No

The question was: Shall assembly amendment 2 to Senate Bill 17 be rejected? No

The question was: Shall assembly amendment 3 to Senate Bill 17 be rejected? No

The question was: Shall assembly amendment 3 to Senate Bill 17 be laid on the table? No

The question was: Senate Bill 19 having been read three times, shall the bill be concurred in? Aye

Tuesday, September 27

The question was: Shall the vote by which Senate Bill 14 was ordered to a third reading be reconsidered? Aye

Wednesday, September 28

The question was: Shall the report of the committee of conference on Assembly Bill 96 be concurred in? Aye

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The question was: Shall the assembly adhere to its position on assembly amendment 1 to senate amendment 1 to Assembly Bill 702? Aye

The question was: Shall the rules be suspended and Assembly Bill 424 be withdrawn from the committee on Internal Management and placed at the foot of the calendar of Friday, September 30? Aye

The question was: Shall the rules be suspended and Assembly Bill 536 be withdrawn from the committee on Education and placed on the calendar of Thursday, September 29? Aye

The question was: Shall the vote by which Assembly Bill 765 was ordered to a third reading be reconsidered? Aye

The question was: Assembly Bill 765 having been read three times, shall the bill pass? Aye

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to Assembly Bill 518 be rejected? No

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to Assembly Bill 518 be rejected? No

The question was: Shall assembly amendment 4 to assembly substitute amendment 1 to Assembly Bill 518 be rejected? No

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly Bill 938

In enrolling, the cross reference on page 32, line 16, of the bill to "SECTION 29", referring to "group reimbursement accounts", was corrected to read "SECTION 31".

VISITORS

During today's session, the following visitors honored the assembly by their presence, and were welcomed by the presiding officer and the members:

Chris Howard and Dave Christianson, guests of Representative Looby.

Representative Wahner moved that the assembly stand adjourned pursuant to **Assembly Joint Resolution 12.**

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The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

6:10 P.M.