

JOURNAL OF THE ASSEMBLY [February 3, 1977]

STATE OF WISCONSIN

Assembly Journal

Eighty-Third Regular Session

THURSDAY, February 3, 1977.

9:30 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Vern Denham of Madison East Bible Church, 2540 East Mifflin Street, Madison.

Representative Lallensack 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, Conratt, Dandeneau, Day, DeLong, Donoghue, Dorff, Duren, Early, Elconin, Ellis, Engeleiter, Ferrall, Fischer, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, 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, Schricke, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 94.

Absent -- None.

Absent with leave -- Czerwinski, Dueholm, Everson, Flintrop and Lewison -- 5.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 63** offered by Representatives Thompson and Klicka.

Assembly substitute amendment 1 to **Assembly Bill 119** offered by Representative McClain.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Joint Resolution 22

Memorializing Congress and the President to stimulate more aggressive research on the efficiency of Laetrile in cancer treatment.

By Representatives Lato, Kedrowski, Rooney, Vanderperren, Wood, Mohn, Menos, Plewa, Fischer, Lewis, Hasenohrl, Conradt, Bradley, Klicka, Soucie, Schmidt and Merkt, co-sponsored by Senator Krueger.

To committee on Health and Social Services.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 260

Relating to air contaminant project applications and confidentiality of related records.

By Committee on Environmental Protection, by request of Department of Natural Resources.

To committee on Environmental Protection.

Assembly Bill 261

Relating to vehicle speed limits on frozen waters and providing a penalty.

By Representatives Vanderperren, Lallensack, Groshek, Murray, Conradt, Schricker and Bradley, co-sponsored by Senator VanSistine.

To committee on Transportation.

Assembly Bill 262

Relating to optional office of town constable.

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By Representatives Vanderperren, Day, Lallensack, Groshek, Murray, Conradt, Bradley, Schricker and Schmidt, co-sponsored by Senator VanSistine.

To committee on Local Affairs.

Assembly Bill 263

Relating to appointment of a U.S. senator-elect for the balance of an unexpired term.

By Representatives Pabst, Ellis, Klicka, Kedrowski, Norquist, Dorff and Potter, co-sponsored by Senators Parys, Kleczka and Keppler.

To committee on State Affairs.

Assembly Bill 264

Relating to regulation of subdivided land sales, granting rule-making authority, making an appropriation and providing a penalty.

By Representatives Norquist, Metz, Bear, Plewa, McClain and Tropman, co-sponsored by Senator Bablitch.

To committee on Commerce and Consumer Affairs.

Assembly Bill 265

Relating to removing shopping carts without consent and providing a penalty.

By Representative Behnke.

To committee on Small Business.

Assembly Bill 266

Relating to cash register receipts and providing a penalty.

By Representative Behnke.

To committee on Small Business.

Assembly Bill 267

Relating to permitting veterinarians and artificial insemination technicians to use studded snow tires.

By Representatives Swoboda, Vanderperren, Hephner, Duren, Murray and Mohn.

To committee on Highways.

Assembly Bill 268

Relating to a death penalty for first-degree murder.

By Representatives Lato, Rooney, Lallensack, Vanderperren, Lewis, Gower, Conradt, Klicka and Behnke.

To committee on Criminal Justice and Public Safety.

Assembly Bill 269

Relating to removing the prohibition against increasing town officials' salaries.

By Representatives Vanderperren, Day, Hasenohrl, Schricker, Conradt, Gunderson, Byers, Potter, Groshek, Bradley, Barry and Duren, co-sponsored by Senators Martin, Krueger and Bablitch.

To committee on Local Affairs.

Assembly Bill 270

Relating to giving state aid to towns providing ambulance service on highways, assisting volunteer municipal ambulance attendants with licensing and making an appropriation.

By Representatives Olson, Matty, Ausman, Schricker, Potter, Conradt, Thompson, Bradley, Fischer and Duren, co-sponsored by Senators Martin, Cullen, Krueger and Bablitch.

To committee on Local Affairs.

Assembly Bill 271

Relating to assessor notices of higher assessment.

By Representatives Day, Hasenohrl, Olson, Schricker, Potter, Groshek, Conradt, Bradley and Barry, co-sponsored by Senators Martin, Cullen, Krueger, Bablitch and Radosevich.

To committee on Local Affairs.

Assembly Bill 272

Relating to the time and place and notice requirements for budget hearings.

By Representatives Hasenohrl, Potter, Byers, Fischer and Barry, co-sponsored by Senators Martin, Krueger and Bablitch.

To committee on Local Affairs.

Assembly Bill 273

Relating to increasing the penalties for fraud on a hotel or restaurant keeper.

By Representatives Vanderperren, Hasenohrl, Conradt, Gunderson, Potter, Thompson and Byers, co-sponsored by Senators Martin, Cullen and Krueger.

To committee on Criminal Justice and Public Safety.

Assembly Bill 274

Relating to increasing the number of county judges in Kenosha county.

By Representatives Dorff, Andrea and Olson, co-sponsored by Senator Maurer, by request of Kenosha County Courts Study Committee.

To committee on Judiciary.

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Assembly Bill 275

Relating to permitting school busses to use studded tires.

By Representatives Duren, Vanderperren, Early, Mohn, Hanson, Looby, Potter, Murray, Swoboda, Kedrowski and Schricker, co-sponsored by Senators Cullen, Theno and Bidwell.

To committee on Highways.

Assembly Bill 276

Relating to requiring tornado drills in public and private schools.

By Representative Duren.

To committee on Education.

Assembly Bill 277

Relating to nonresident tuition exception for children of UW faculty members.

By Representative Duren.

To committee on Education.

Assembly Bill 278

Relating to priority on court calendar for certain actions relating to traffic fatalities.

By Representatives Duren, Plewa, Lallensack, Dandeneau, Otte, Kedrowski, Lato and Schricker.

To committee on Judiciary.

Assembly Bill 279

Relating to exemption of sales by certain volunteer organizations from the sales and use tax.

By Representatives Duren, Hanson, Kedrowski, Schricker and Lato, co-sponsored by Senator Chilsen.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 280

Relating to requiring legislative review of every administrative rule in effect for at least 5 years.

By Representatives Duren, Lallensack, Early, Hanson and Schricker, co-sponsored by Senators Berger and Chilsen.

To committee on State Affairs.

COMMITTEE REPORTS

The committee on Health and Social Services reports and recommends:

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Assembly Bill ——— (Irb 585)

Relating to the definition of optometry and permitting the use of pharmaceutical agents for diagnostic purposes.

Introduction: Ayes: (10) Noes: (0)

JOSEPH C. CZERWINSKI
Chairperson

CALENDAR OF THURSDAY, FEBRUARY 3, 1977

Assembly Resolution 11

Requesting an opinion of the attorney general with regard to the constitutionality of federalizing the Wisconsin income tax.

The question was: Shall **Assembly Resolution 11** be adopted?

Motion carried.

Assembly Joint Resolution 21

Granting the use of the legislative chambers on Saturday, February 26, 1977, for the 1977 Model Legislative Session of the Wisconsin Junior Chamber of Commerce.

Assembly amendment 1 to **Assembly Joint Resolution 21** offered by Representative Shabaz.

The question was: Shall assembly amendment 1 to **Assembly Joint Resolution 21** be adopted?

Motion carried.

The question was: Shall **Assembly Joint Resolution 21** be adopted?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 21** be immediately messaged to the senate. Granted.

Representative Wahner moved that **Assembly Bill 227** be taken from the table and taken up at this time.

The question was: Shall **Assembly Bill 227** be taken from the table and taken up at this time?

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The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Bear, Behnke, Brist, Clarenbach, Coggs, Conradt, Dandeneau, Day, DeLong, Donoghue, Dorff, Early, Elconin, Ellis, Engeleiter, Ferrall, Fischer, Groshek, Gunderson, Hanson, Hasenohrl, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lewis, Lingren, Loftus, Looby, Lorman, McClain, Matty, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Plewa, Potter, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tesmer, Thompson, Tropman, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 62.

Noes -- Barry, Bradley, Byers, Duren, Gerlach, Goodrich, Gower, Hauke, Hephner, Johnston, Klicka, Litscher, Luckhardt, McEssy, Medinger, Menos, Merkt, Olson, Opitz, Pabst, Porter, Quackenbush, Roberts, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Travis, Tregoning and Tuczynski -- 32.

Absent or not voting -- Czerwinski, Dueholm, Everson, Flintrop and Lewison -- 5.

Motion carried.

Assembly Bill 227

Relating to space assignments in the capitol.

Representative Ferrall moved rejection of assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 227**.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 227** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Bear, Behnke, Brist, Clarenbach, Coggs, Dandeneau, Day, DeLong, Donoghue, Dorff, Early, Elconin, Ferrall, Fischer, Groshek, Gunderson, Hanson, Hasenohrl, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, Lorman, McClain, Matty, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Plewa, Potter, Quackenbush, Rooney, Rutkowski, Schmidt, Schneider, Soucie, Tesmer, Tropman, Vanderperren, Wahner and Mr. Speaker -- 55.

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Noes -- Ausman, Barry, Bradley, Byers, Conradt, Duren, Ellis, Engeleiter, Gerlach, Goodrich, Gower, Hauke, Hephner, Johnston, Klicka, Lewis, Litscher, Luckhardt, McEssy, Medinger, Menos, Merkt, Olson, Opitz, Pabst, Porter, Roberts, Rogers, Roth, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis, Tregoning, Tuczynski, Ward and Wood -- 39.

Absent or not voting -- Czerwinski, Dueholm, Everson, Flintrop and Lewison -- 5.

Motion carried.

Assembly amendment 2 to assembly substitute amendment 1 to Assembly Bill 227 offered by Representatives Ferrall, Rooney, Kedrowski, Elconin, DeLong and Donoghue.

Assembly amendment 1 to assembly amendment 2 to assembly substitute amendment 1 to Assembly Bill 227 offered by Representative Shabaz.

Representative Ferrall moved rejection of assembly amendment 1 to assembly amendment 2 to assembly substitute amendment 1 to Assembly Bill 227.

The question was: Shall assembly amendment 1 to assembly amendment 2 to assembly substitute amendment 1 to Assembly Bill 227 be rejected?

The roll was taken.

The result follows:

Ayes -- Barczak, Bear, Behnke, Brist, Byers, Clarenbach, Cogs, Dandeneau, Day, DeLong, Donoghue, Early, Elconin, Engeleiter, Ferrall, Fischer, Gerlach, Groshek, Gunderson, Hanson, Hasenohrl, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, Lorman, McClain, Matty, Metz, Miller, Moody, Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rooney, Rutkowski, Schneider, Soucie, Tesmer, Tropman, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 56.

Noes -- Andrea, Ausman, Barry, Bradley, Conradt, Dorff, Duren, Ellis, Goodrich, Gower, Hauke, Hephner, Johnston, Klicka, Lewis, Litscher, Luckhardt, McEssy, Medinger, Menos, Merkt, Olson, Opitz, Pabst, Porter, Quackenbush, Rogers, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis, Tregoning and Tuczynski -- 37.

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Absent or not voting -- Czerwinski, Dueholm, Everson, Flintrop, Lewison and Mohn -- 6.

Motion carried.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 227** be adopted?

The roll was taken.

The result follows:

Ayes -- Ausman, Barczak, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Conradt, Dandeneau, Day, DeLong, Donoghue, Early, Elconin, Engeleiter, Ferrall, Fischer, Groshek, Gunderson, Hanson, Hasenohrl, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, Lorman, McClain, Matty, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Plewa, Potter, Rooney, Rutkowski, Schneider, Schricker, Soucie, Tesmer, Thompson, Tropman, Vanderperren, Wahner, Wood and Mr. Speaker -- 58.

Noes -- Andrea, Barry, Bradley, Dorff, Duren, Ellis, Gerlach, Goodrich, Gower, Hauke, Hephner, Johnston, Klicka, Lewis, Litscher, Luckhardt, McEssy, Medinger, Menos, Merkt, Olson, Opitz, Pabst, Porter, Quackenbush, Roberts, Rogers, Roth, Schmidt, Shabaz, Snyder, Swoboda, Travis, Tregoning, Tuczynski and Ward -- 36.

Absent or not voting -- Czerwinski, Dueholm, Everson, Flintrop and Lewison -- 5.

Motion carried.

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 227** offered by Representative Shabaz.

Representative Ferrall moved rejection of assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 227**.

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 227** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Dandeneau, Day, Duren, Early, Elconin, Ferrall, Fischer, Groshek, Hanson, Hasenohrl, Johnson, Kedrowski, Kirby,

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Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, McClain, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rooney, Rutkowski, Schneider, Soucie, Tesmer, Tropman, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 51.

Noes -- Ausman, Bradley, Byers, Coggs, Conradt, DeLong, Donoghue, Dorff, Ellis, Engeleiter, Gerlach, Goodrich, Gower, Gunderson, Hauke, Hephner, Johnston, Kincaid, Klicka, Lewis, Litscher, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Olson, Opitz, Pabst, Porter, Quackenbush, Rogers, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis, Tregoning and Tuczynski -- 43.

Absent or not voting -- Czerwinski, Dueholm, Everson, Flintrop and Lewison -- 5.

Motion carried.

Assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 227** offered by Representative Shabaz.

The question was: Shall assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 227** be adopted?

Motion carried.

Assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 227** offered by Representative Gower.

The question was: Shall assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 227** be adopted?

Motion carried.

Representative Shabaz moved rejection of assembly substitute amendment 1 to **Assembly Bill 227**.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 227** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Bradley, Byers, Conradt, Duren, Gerlach, Goodrich, Gower, Hauke, Hephner, Johnston, Klicka, Lewis, Litscher, Luckhardt, McEssy, Medinger, Menos, Merkt, Olson, Opitz, Porter, Quackenbush, Roberts, Rogers, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda and Tregoning -- 33.

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Noes -- Ausman, Barczak, Bear, Behnke, Brist, Clarenbach, Coggs, Dandeneau, Day, DeLong, Donoghue, Dorff, Early, Elconin, Ellis, Engeleiter, Ferrall, Fischer, Groshek, Gunderson, Hanson, Hasenohrl, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, Lorman, McClain, Matty, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Rooney, Rutkowski, Schneider, Soucie, Tesmer, Thompson, Travis, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 61.

Absent or not voting -- Czerwinski, Dueholm, Everson, Flintrop and Lewison -- 5.

Motion failed.

The question was: Shall assembly substitute amendment 1 to Assembly Bill 227 be adopted?

Motion carried.

Representative Shabaz moved indefinite postponement of Assembly Bill 227.

The question was: Shall Assembly Bill 227 be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Bradley, Byers, Conradt, Dorff, Duren, Gerlach, Goodrich, Gower, Hauke, Hephner, Johnston, Klicka, Lewis, Litscher, Luckhardt, McEssy, Medinger, Menos, Merkt, Olson, Opitz, Pabst, Porter, Quackenbush, Roberts, Rogers, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tregoning, Tuczynski and Ward -- 37.

Noes -- Ausman, Barczak, Bear, Behnke, Brist, Clarenbach, Coggs, Dandeneau, Day, DeLong, Donoghue, Early, Elconin, Ellis, Engeleiter, Ferrall, Fischer, Groshek, Gunderson, Hanson, Hasenohrl, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, Lorman, McClain, Matty, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Plewa, Potter, Rooney, Rutkowski, Schneider, Soucie, Tesmer, Thompson, Travis, Tropman, Vanderperren, Wahner, Wood and Mr. Speaker -- 57.

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Absent or not voting -- Czerwinski, Dueholm, Everson, Flintrop and Lewison -- 5.

Motion failed.

Representative Shabaz moved that **Assembly Bill 227** be referred to the joint committee on Finance.

The question was: Shall **Assembly Bill 227** be referred to the joint committee on Finance?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barry, Byers, Conradt, DeLong, Dorff, Duren, Ellis, Engeleiter, Goodrich, Gower, Gunderson, Hauke, Hephner, Johnston, Kincaid, Klicka, Lewis, Litscher, Lorman, Luckhardt, McEssy, Medinger, Menos, Merkt, Olson, Opitz, Pabst, Porter, Quackenbush, Rogers, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis, Tregoning, Tuczynski and Ward -- 43.

Noes -- Barczak, Bear, Behnke, Bradley, Brist, Clarenbach, Cogs, Dandeneau, Day, Donoghue, Early, Elconin, Fischer, Gerlach, Groshek, Hanson, Hasenohrl, Johnson, Kedrowski, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, McClain, Matty, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rooney, Rutkowski, Schneider, Soucie, Tesmer, Tropman, Vanderperren, Wahner, Wood and Mr. Speaker -- 50.

Absent or not voting -- Czerwinski, Dueholm, Everson, Ferrall, Flintrop and Lewison -- 6.

Motion failed.

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

Assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 227** offered by Representative Porter.

Representative Ferrall moved rejection of assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 227**.

The question was: Shall assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 227** be rejected?

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The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Dandeneau, Day, Donoghue, Dorff, Duren, Early, Elconin, Ferrall, Fischer, Gerlach, Groshek, Hanson, Hasenohrl, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, McClain, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rooney, Rutkowski, Schneider, Soucie, Tesmer, Tropman, Vanderperren, Wahner, Wood and Mr. Speaker -- 55.

Noes -- Ausman, Barry, Bradley, Conradt, DeLong, Ellis, Engeleiter, Goodrich, Gower, Gunderson, Hauke, Hephner, Johnston, Klicka, Lewis, Litscher, Lorman, Luckhardt, McEssy, Matty, Medinger, Menos, Merkt, Olson, Opitz, Porter, Quackenbush, Rogers, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis, Tregoning, Tuczynski and Ward -- 39.

Absent or not voting -- Czerwinski, Dueholm, Everson, Flintrop and Lewison -- 5.

Motion carried.

POINT OF ORDER

Representative Duren rose to the point of order that **Assembly Bill 227** was required to be referred to the joint committee on Finance.

The speaker ruled the point of order not well taken.

The question was: Shall **Assembly Bill 227** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Ausman, Barczak, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Dandeneau, Day, DeLong, Donoghue, Duren, Early, Elconin, Ellis, Engeleiter, Ferrall, Fischer, Groshek, Gunderson, Hanson, Hasenohrl, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Matty, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Plewa, Potter, Rooney, Rutkowski,

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Schneider, Soucie, Tesmer, Thompson, Tropman, Vanderperren, Wahner, Wood and Mr. Speaker -- 60.

Noes -- Andrea, Barry, Conradt, Dorff, Gerlach, Goodrich, Gower, Hauke, Hephner, Johnston, Klicka, Lewis, Luckhardt, McEssy, Medinger, Menos, Merkt, Olson, Opitz, Pabst, Porter, Quackenbush, Roberts, Rogers, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Travis, Tregoning, Tuczynski and Ward -- 34.

Absent or not voting -- Czerwinski, Dueholm, Everson, Flintrop and Lewison -- 5.

Motion carried.

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

Representative Wahner moved that the rules be suspended and that **Assembly Bill 227** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 227** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Dandeneau, Day, DeLong, Donoghue, Dorff, Early, Elconin, Engeleiter, Ferrall, Fischer, Gerlach, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Matty, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Rooney, Rutkowski, Schneider, Soucie, Tesmer, Tropman, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 62.

Noes -- Barry, Bradley, Conradt, Duren, Ellis, Goodrich, Gower, Hephner, Johnston, Klicka, Lewis, Luckhardt, McEssy, Medinger, Menos, Merkt, Olson, Opitz, Porter, Quackenbush, Roberts, Rogers, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis, Tregoning and Tuczynski -- 32.

Absent or not voting -- Czerwinski, Dueholm, Everson, Flintrop and Lewison -- 5.

Motion failed.

Representative Potter asked unanimous consent to be recorded on the following questions from Wednesday, February 2. Granted.

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Shall the vote by which Assembly Resolution 10 was adopted be reconsidered? No

Shall Assembly Bill 77 be ordered engrossed and read a third time? Aye

Shall Assembly Bill 77 pass? Aye

Shall assembly amendment 1 to Assembly Bill 79 be rejected? No

Shall Assembly Bill 79 pass? Aye

Shall Assembly Bill 86 be ordered engrossed and read a third time? Aye

Shall Assembly Bill 86 pass? Aye

LEAVES OF ABSENCE

Representative Ferrall asked unanimous consent for a leave of absence for today's session for Representatives Czerwinski, Dueholm, Everson and Flintrop. Granted.

VISITORS

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

Seventh grade students from the Greendale Intermediate School accompanied by their teachers Mr. Gooding and Mrs. Carlson, guests of Representatives Rutkowski and Plewa.

Ed Safford, Joan Safford and their children Kay and Renae from Superior, guests of Representative Murray.

David Matty and Kathy Hrovat from Platteville, guests of Representative Matty.

Alice Wood from Janesville, guest of Representative Wood.

Representative Wahner moved that the assembly stand adjourned until 10:00 A.M. on Tuesday, February 8.

The question was: Shall the assembly stand adjourned?
Motion carried.

The assembly stood adjourned.

12:10 P.M.