

Assembly Journal

Eighty-Third Regular Session

TUESDAY, March 29, 1977.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Daniel Schatz of Northport Baptist Church of Madison, 1017 Northport Drive, Madison.

Representative Roth 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, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Engeleiter, 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, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 98.

Absent -- None.

Absent with leave -- Everson -- 1.

AMENDMENTS OFFERED

Assembly amendment 2 to **Assembly Bill 42** offered by Representatives Elconin, Coggs, Wahner, Moody and Norquist.

Assembly substitute amendment 2 to **Assembly Bill 71** offered by Representatives Gerlach and Plewa.

Assembly substitute amendment 1 to **Assembly Bill 193** offered by Representative Hanson.

Assembly amendment 2 to **Assembly Bill 219** offered by Representative Behnke.

Assembly amendment 1 to **Assembly Bill 259** offered by Representatives Gunderson and Ausman.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 266** offered by Representative Behnke.

Assembly substitute amendment 1 to **Assembly Bill 364** offered by Representatives Wahner and Behnke.

Assembly amendment 1 to **Assembly Bill 371** offered by Representative Gower.

Assembly amendment 1 to **Assembly Bill 375** offered by Representative Rooney.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Joint Resolution 41

Memorializing the Secretary of Defense, Secretary of the Navy, and the U.S. Congress, not to despoil Northern Wisconsin's sylvan tranquility with colossal electronic gadgets, whether named "Sanguine", or "Seafarer", or "Pisces", or "Shelf", or by any other name.

By Representative Kincaid, co-sponsored by Senator Krueger.
To committee on Environmental Protection.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

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Assembly Bill 523

Relating to state purchasing requirements and creating a council on small and minority business opportunities.

By Representatives Jackamonis, Coggs, Behnke, Plewa, Kirby, Duren, Lingren, Rutkowski, Flintrop, Pabst, Potter, Miller, Wahner, Medinger, Gerlach, Mohn and Moody, co-sponsored by Senators Parys, McKenna, Morrison, Berger, Thompson, Goyke and Bablitch.

To committee on Small Business.

Assembly Bill 524

Relating to deferment of income taxes on crop insurance proceeds, disaster payments and proceeds from livestock sold on account of drought.

By Representatives Mohn, Early, Hephner, Dueholm, Tregoning, Fischer, Merkt, Hasenohrl, Ausman and Hanson, co-sponsored by Senators Radosevich and Harnisch.

To committee on Agriculture.

Assembly Bill 525

Relating to equal coverage for chiropractic and physician services in contracts of health insurance.

By Representatives Dorff, Hauke, Vanderperren, Kirby, Plewa, Rogers, Pabst, Mohn and Bear.

To committee on Insurance and Banking.

Assembly Bill 526

Relating to removing the bounty for certain animals.

By Representatives Loftus, Wahner, Soucie and Dandeneau.

To committee on Natural Resources.

Assembly Bill 527

Relating to a rail ferry operating assistance program.

By Representatives Vanderperren, Lallensack, Swoboda and Metz, co-sponsored by Senator VanSistine.

To committee on Transportation.

Assembly Bill 528

Relating to prohibiting heated sidewalks, granting rule-making authority and imposing a penalty.

By Representatives Medinger, Brist, Gerlach and Clarenbach.

To committee on Environmental Protection.

Assembly Bill 529

Relating to requiring the referral of certain cases to the state crime laboratory.

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By Representatives Schricker, Schmidt, Byers and Lewison,
co-sponsored by Senator Thompson.

To committee on Criminal Justice and Public Safety.

Assembly Bill 530

Relating to requiring hunters and fishers to wear back tags and
changing the name of the sportsmen's license to sports license.

By Representatives Lallensack, Wood, Vanderperren and
Behnke.

To committee on Natural Resources.

Assembly Bill 531

Relating to town maintenance of school bus routes.

By Representatives Wahner, Rogers and Kedrowski,
co-sponsored by Senators Berger and Radosevich.

To committee on Local Affairs.

Assembly Bill 532

Relating to the motorcycle recreation program, making an
appropriation and granting rule-making authority.

By Representatives Day, Loftus, Plewa and Litscher,
co-sponsored by Senator Parys.

To committee on Natural Resources.

Assembly Bill 533

Relating to alternative community service programs.

By Representatives Shabaz, Thompson, Tesmer, Elconin,
Ferrall and Jackamonis, co-sponsored by Senators Sensenbrenner
and Risser.

To committee on Criminal Justice and Public Safety.

COMMUNICATIONS

From: Forty-Fifth Legislative Assembly
State of North Dakota

House Concurrent Resolution No. 3061
(Fleming)

A concurrent resolution urging the states of Minnesota, Wisconsin,
Iowa, Illinois, and Missouri, through their elected officials,
to institute the required action to adopt and enact the
vehicle weight limitations as expressed by the United States
Congress in Public Law 93-643, Section 106.

Whereas, the Ninety-third Congress of the United States
enacted Public Law 93-643, which increased the overall gross
weight of vehicles using the interstate highway system to 80,000
pounds; and

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Whereas, the American Association of State Highway and Transportation Officials has established standards and criteria designed to implement the congressional intent as expressed in Public Law 93-643, relative to the gross weight of vehicles; and

Whereas, the increased gross vehicle weight permits the transportation of a greater net cargo without a proportionate increase in motor fuel consumption, allowing conservation of petroleum products as well as reducing the costs of transportation; and

Whereas, the cost of transportation for any product has a direct and immediate effect upon the price paid by the processor, the wholesaler, and the retailer, and is ultimately passed on in the price of the goods purchased by the consumer; and

Whereas, the State of North Dakota and its sister states of Montana and South Dakota have, through appropriate legislation, authorized the operation of vehicles at a gross weight of 80,000 pounds on certain designated highways, thereby facilitating interstate movement of traffic and expediting a free and low-cost flow of commerce; and

Whereas, the states of Minnesota, Wisconsin, Iowa, Illinois, and Missouri prohibit the operation of vehicles with a gross weight of 80,000 pounds upon their highways, which indirectly adds to the cost of marketing the agricultural products grown in North Dakota, and is an economic burden on industry which is plagued by high costs of operation and depressed market prices;

Now, therefore, be it resolved by the House of Representatives of the State of North Dakota, the Senate concurring therein:

That the Forty-fifth Legislative Assembly of the state of North Dakota respectfully requests that the states of Minnesota, Wisconsin, Iowa, Illinois, and Missouri, through their legislative assemblies or by executive order, initiate the appropriate action whereby vehicles with a gross weight of 80,000 pounds would be allowed to operate on those highways designated by the proper official, and as provided by Public Law 93-643; and

Be it further resolved, that the Secretary of State send copies of this resolution to the Governor, Speaker of the House, President of the Senate, and director of the Department of Transportation or Highways of the states of Minnesota, Wisconsin, Iowa, Illinois, and Missouri.

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COMMITTEE REPORTS

The committee on Agriculture reports and recommends:

Assembly Joint Resolution 37

Directing the legislative council to study the need for weather modification legislation.

Introduction and adoption of assembly amendment 1:

Ayes: (12) Noes: (0)

Passage: Ayes: (12) Noes: (0)

To committee on Rules.

Assembly Bill 150

Relating to exempting producers of honey from food processing regulation.

Introduction and adoption of assembly substitute amendment 1:

Ayes: (12) Noes: (0)

Passage: Ayes: (12) Noes: (0)

To committee on Rules.

Assembly Bill 351

Relating to tax on liquor produced from whey and brewing wastes or by pollution control facilities.

Adoption of assembly amendment 1:

Ayes: (12) Noes: (0)

Passage: Ayes: (12) Noes: (0)

To committee on Rules.

LEO MOHN

Chairperson

The committee on Criminal Justice and Public Safety reports and recommends:

Assembly Bill 108

Relating to battery to persons age 62 or older and providing a penalty.

Adoption of assembly amendment 1:

Ayes: (6) Noes: (5)

Adoption of assembly amendment 3:

Ayes: (11) Noes: (0)

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Passage: Ayes: (11) Noes: (0)
To committee on Rules.

MICHAEL ELCONIN
Chairperson

The committee on Education reports and recommends:

Assembly Bill 114

Relating to eliminating 2 course requirements for teacher certification.

Passage: Ayes: (7) Noes: (4)
To committee on Rules.

Assembly Bill 314

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

Introduction and adoption of assembly amendment 1:
Ayes: (9) Noes: (3)

Passage: Ayes: (8) Noes: (4)
To Joint Committee on Finance.

Assembly Bill 324

Relating to bonds required for school officials and employes.

Passage: Ayes: (11) Noes: (1)
To committee on Rules.

RICHARD FLINTROP
Chairperson

The committee on Environmental Protection reports and recommends:

Assembly Bill 352

Relating to establishing energy efficiency standards for air conditioners, permitting the department of agriculture to revise the standards after review, prohibiting the sale of air conditioners not in compliance with the standards, requiring a consumer energy information pamphlet, requiring manufacturers to submit certification statements and to conduct tests of air conditioners, granting rule-making authority and providing a penalty.

Introduction and adoption of assembly amendment 1:
Ayes: (8) Noes: (0)

Passage: Ayes: (6) Noes: (2)
To Joint Committee on Finance.

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Assembly Bill 353

Relating to establishing a natural gas conservation program including prohibiting pilot lights, requiring utility-sponsored consumer education programs and prohibiting nonessential uses of natural gas under the public service commission, granting rule-making authority and providing a penalty.

Introduction and adoption of assembly amendment 1:

Ayes: (8) Noes: (0)

Passage: Ayes: (6) Noes: (2)

To Joint Committee on Finance.

MARY LOU MUNTS

Chairperson

The committee on Local Affairs reports and recommends:

Assembly Bill 383

Relating to the effects of zoning and deed covenants on community living arrangements.

Introduction and adoption of assembly amendment 1:

Ayes: (10) Noes: (1)

Passage: Ayes: (8) Noes: (3)

To Joint Committee on Finance.

GARY BARCZAK

Chairperson

The committee on Natural Resources reports and recommends:

Assembly Bill 186

Relating to declaring certain farm drainage ditches to be nonnavigable waters.

Adoption of assembly amendment 2:

Ayes: (12) Noes: (0)

Passage: Ayes: (12) Noes: (0)

To committee on Rules.

LAURENCE DAY

Chairperson

The committee on State Affairs reports and recommends:

Assembly Bill 254

Relating to permitting irrevocable burial trusts.

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Passage: Ayes: (10) Noes: (0)
To committee on Rules.

JOHN PLEWA
Chairperson

MOTIONS

Representative Kedrowski asked unanimous consent that **Assembly Joint Resolution 24** be withdrawn from the committee on State Affairs and referred to the committee on Elections. Granted.

CALENDAR OF TUESDAY, MARCH 29, 1977

Assembly Resolution 17

Requesting an opinion of the attorney general concerning the constitutionality of section 895.45 of the statutes, relating to limited liability of state officers and employees.

Representative Thompson moved rejection of **Assembly Resolution 17**.

The question was: Shall **Assembly Resolution 17** be rejected?

The roll was taken.

The result follows:

Ayes -- Barry, Bear, Behnke, Bradley, Brist, Byers, Conradt, DeLong, Donoghue, Elconin, Engeleiter, Goodrich, Gower, Gunderson, Hauke, Johnston, Klicka, Lato, Lewis, Lewison, Litscher, Lorman, McEssy, Matty, Merkt, Moody, Norquist, Opitz, Porter, Quackenbush, Roth, Schricker, Shabaz, Snyder, Thompson and Tropman -- 36.

Noes -- Andrea, Ausman, Barczak, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dorff, Dueholm, Duren, Early, Ellis, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, Looby, Luckhardt, McClain, Medinger, Menos, Metz, Miller, Mohn, Munts, Murray, Olson, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Soucie, Swoboda, Tesmer, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 62.

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Absent or not voting -- Everson -- 1.

Motion failed.

Representative Hauke moved that **Assembly Resolution 17** be referred to the committee on Judiciary.

Representative Hauke asked unanimous consent to withdraw his motion. Granted.

Representative Hauke moved that **Assembly Resolution 17** be referred to the committee on Insurance and Banking.

The question was: Shall **Assembly Resolution 17** be referred to the committee on Insurance and Banking?

The roll was taken.

The result follows:

Ayes -- Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Conradt, DeLong, Donoghue, Elconin, Goodrich, Gower, Gunderson, Hauke, Hephner, Johnson, Johnston, Klicka, Lato, Lewison, Litscher, Lorman, McClain, McEssy, Merkt, Moody, Norquist, Opitz, Plewa, Porter, Roth, Schricker, Shabaz, Snyder, Thompson, Tregoning and Tropman -- 38.

Noes -- Andrea, Ausman, Barczak, Coggs, Czerwinski, Dandeneau, Day, Dorff, Dueholm, Duren, Early, Ellis, Engeleiter, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lewis, Lingren, Loftus, Looby, Luckhardt, Matty, Medinger, Menos, Metz, Miller, Mohn, Munts, Murray, Olson, Otte, Pabst, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Soucie, Swoboda, Tesmer, Travis, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 60.

Absent or not voting -- Everson -- 1.

Motion failed.

The question was: Shall **Assembly Resolution 17** be adopted?

Motion carried.

Assembly Resolution 18

Requesting an opinion of the attorney general concerning revenue bonds issued by municipalities.

The question was: Shall **Assembly Resolution 18** be adopted?

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Motion carried.

Assembly Resolution 20

Relating to calendar scheduling of proposals referred to the rules committee during any committee work period.

Representative Shabaz moved that **Assembly Resolution 20** be laid on the table.

The question was: Shall **Assembly Resolution 20** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Ausman, Bradley, Byers, Conradt, DeLong, Donoghue, Ellis, Engeleiter, Goodrich, Gower, Gunderson, Johnston, Kincaid, Klicka, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Thompson, Travis and Tregoning -- 33.

Noes -- Andrea, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dorff, Dueholm, Duren, Early, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Kedrowski, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, 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, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 65.

Absent or not voting -- Everson -- 1.

Motion failed.

The question was: Shall **Assembly Resolution 20** be adopted?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Kedrowski, 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,

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Schneider, Soucie, Swoboda, Tesmer, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 67.

Noes -- Ausman, Bradley, Byers, Conradt, DeLong, Donoghue, Engeleiter, Goodrich, Gower, Gunderson, Johnston, Kincaid, Klicka, Lewis, Lewison, Lorman, Luckhardt, Matty, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Thompson, Travis and Tregoning -- 31.

Absent or not voting -- Everson -- 1.

Motion carried.

Assembly Bill 4

Relating to registration fees for certain motor busses.

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

Motion carried.

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

Motion carried.

Representative Wahner asked unanimous consent that **Assembly Bill 4** be referred to the joint committee on Finance. Granted.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 4** be withdrawn from the joint committee on Finance and taken up at this time. Granted.

The question was: Shall **Assembly Bill 4** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 4** be given a third reading. Granted.

The question was: **Assembly Bill 4** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Engeleiter, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower,

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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, 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, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 95.

Noes -- Ausman, Norquist and Tuczynski -- 3.

Absent or not voting -- Everson -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 4** be immediately messaged to the senate. Granted.

Assembly Bill 89

Relating to registration fees for motor busses used exclusively for transporting musical marching groups.

The question was: Shall assembly amendment 1 to **Assembly Bill 89** be adopted?

Motion carried.

Representative Shabaz asked unanimous consent that assembly amendment 2 to **Assembly Bill 89** be laid on the table. Granted.

Representative Wahner asked unanimous consent that **Assembly Bill 89** be referred to the joint committee on Finance. Granted.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 89** be withdrawn from the joint committee on Finance and taken up at this time. Granted.

The question was: Shall **Assembly Bill 89** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 89** be given a third reading. Granted.

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The question was: **Assembly Bill 89** 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, Duren, Early, Elconin, Ellis, Engeleiter, Fischer, Flintrop, Gerlach, Goodrich, 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, 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 -- 94.

Noes -- Dueholm and Norquist -- 2.

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

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 89** be immediately messaged to the senate. Granted.

Assembly Bill 94

Relating to marriage of first cousins with proof of sterility.

The question was: Shall **Assembly Bill 94** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 94** be given a third reading. Granted.

Representative Hephner asked unanimous consent that **Assembly Bill 94** be referred to the committee on Health and Social Services.

Representative Thompson objected.

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Representative Hephner moved that **Assembly Bill 94** be referred to the committee on Health and Social Services.

The question was: Shall **Assembly Bill 94** be referred to the committee on Health and Social Services?

The roll was taken.

The result follows:

Ayes -- Andrea, Behnke, Dorff, Duren, Early, Ellis, Fischer, Hephner, Kirby, Klicka, Lallensack, Looby, Luckhardt, McEssy, Menos, Merkt, Murray, Otte, Porter, Potter, Rooney, Roth, Schmidt, Snyder and Travis -- 25.

Noes -- Ausman, Barczak, Barry, Bear, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dueholm, Elconin, Engeleiter, Ferrall, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Johnson, Johnston, Kedrowski, Kincaid, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Lorman, McClain, Matty, Medinger, Metz, Miller, Mohn, Moody, Munts, Norquist, Olson, Opitz, Pabst, Plewa, Quackenbush, Roberts, Rogers, Rutkowski, Schneider, Schricker, Shabaz, Soucie, Swoboda, Tesmer, Thompson, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 73.

Absent or not voting -- Everson -- 1.

Motion failed.

The question was: **Assembly Bill 94** having been read three times, shall the bill pass?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 94** be immediately messaged to the senate. Granted.

Assembly Bill 468

Relating to authorizing the issuance of senior citizen recreation cards permitting free fishing, small game hunting and admission to state parks.

Representative Wahner asked unanimous consent that **Assembly Bill 468** be referred to the joint committee on Finance. Granted.

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Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 468** be withdrawn from the joint committee on Finance and taken up at this time.

Representative Shabaz objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 468** be withdrawn from the joint committee on Finance and taken up at this time.

Representative Wahner withdrew his motion.

Senate Bill 12

Relating to registration fees for motor busses used exclusively for transporting musical marching groups.

The question was: Shall assembly amendment 1 to **Senate Bill 12** be adopted?

Motion carried.

The question was: Shall **Senate Bill 12** be ordered to a third reading?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 12** be given a third reading. Granted.

The question was: **Senate Bill 12** 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, Early, Elconin, Ellis, Engeleiter, 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, 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.

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Noes -- Norquist -- 1.

Absent or not voting -- Everson -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 12** be immediately messaged to the senate. Granted.

Senate Bill 88

An act to appropriate \$91,447.59 from the general fund for payment of a claim made by Master Lock Company against the state.

The question was: Shall **Senate Bill 88** be ordered to a third reading?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 88** be given a third reading. Granted.

The question was: **Senate Bill 88** 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, Early, Elconin, Ellis, Engeleiter, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Klicka, Lallensack, Lato, Lee, Leopold, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 91.

Noes -- Bradley, Conradt, Kirby, Lewis, Plewa, Roth and Tuczynski -- 7.

Absent or not voting -- Everson -- 1.

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Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 88** be immediately messaged to the senate. Granted.

Senate Bill 89

An act to appropriate \$59,968.74 from the general fund for payment of a claim made by Norwood Health Center against the state.

The question was: Shall **Senate Bill 89** be ordered to a third reading?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 89** be given a third reading. Granted.

The question was: **Senate Bill 89** 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, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Engeleiter, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, 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, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 94.

Noes -- Conradt, Kirby, Plewa and Tuczynski -- 4.

Absent or not voting -- Everson -- 1.

Motion carried.

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Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 89** be immediately messaged to the senate. Granted.

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:

Senate Bill 129

Adopted and asks concurrence in:

Senate Joint Resolution 28

Nonconcurrent in:

Assembly amendment 3 to **Senate Bill 133**

ACTION ON THE SENATE MESSAGE

Senate Bill 129

An act prohibiting the department of industry, labor and human relations from promulgating daily overtime pay standards for one year.

By Joint Committee for Review of Administrative Rules.

To committee on Labor.

Senate Bill 133

An act to increase the attorney positions in the legislative reference bureau, and increasing an appropriation.

By Senators Risser, Bablitch, Kleczka, Sensenbrenner and Krueger.

To calendar.

Senate Joint Resolution 28

Relating to the life and public service of William A. Draheim, former member of the Wisconsin Senate.

By Senator Lorge, by request of the Entire Senate Membership.

Privileged and read.

Representative Wahner asked unanimous consent that all members of the assembly be made co-sponsors of **Senate Joint Resolution 28**. Granted.

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The question was: Shall **Senate Joint Resolution 28** be concurred in?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 28** be immediately messaged to the senate. Granted.

Representative Kirby asked unanimous consent that the assembly adjourn in honor of the University of Wisconsin hockey team and the Marquette University basketball team, both NCAA champions. Granted.

Representative Duren asked unanimous consent that the assembly adjourn in honor of a man of courage, artist Paul Litkey, who because of his concern for the lives of unborn children, has completed a walk from Green Bay to Madison, carrying a 45 pound cross by which he asks that abortions be stopped. Granted.

LEAVES OF ABSENCE

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

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly Bill 100

1. On page 1, line 7, delete "247.24 (2),".
2. On page 1, line 8, delete "247.32,".
3. On page 1, line 10, delete "247.083,".
4. On page 1, line 10, after "247.09," insert "247.125,".
5. On page 1, line 12, after "247.03," insert "247.083,".
6. On page 20, line 5, substitute "247.32" for "247.24".

Assembly Bill 479

- On page 1, line 7, substitute "255.03" for "225.03".

VISITORS

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

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Students of Social Studies classes from Sabish Junior High, accompanied by Mr. Anderson, from Fond du Lac, guests of Representative McEssy.

Mother of Good Counsel Girl Scout Troop 857 of Milwaukee, accompanied by Carol La Rosa, Mary Kreitzer and Helen Waldera, group leaders, guests of Representative Wahner.

Maxam Tour and Travel members from Milwaukee, guests of Representative Soucie.

Students from Northside School, Middleton, guests of Representative Loftus.

Fourth grade students from West Side School, Sun Prairie, guests of Representative Loftus.

Fourth grade students accompanied by teacher Mrs. Bankson from Spring Green, guests of Representative Litscher.

Norbert Naidl, Myron Halla, Ron Denis, Roger Olson, Evan Durocher, Joe Barta, Conrad Vogel, Alice Richards and Janice Krayniic, guests of Representatives Swoboda, Lallensack and Fischer.

Sharon Petzold and daughter Sherry, of Oshkosh Utica Hills Golf Course, guests of Representative Bradley.

Mr. James Dawson, Donald Mahnke, James Gilligan and John Kiefer from Sheboygan, guests of Representatives Otte and Potter.

Representative Wahner moved that the assembly stand adjourned until 9:00 A.M. tomorrow.

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

The assembly stood adjourned.

11:55 A.M.