

# Assembly Journal

Eighty-Third Regular Session

TUESDAY, April 26, 1977.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Edward F. Johnson of First United Methodist Church, 203 Wisconsin Avenue, Madison.

Representative DeLong led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Engeleiter, 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, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 99.

Absent -- None.

Absent with leave -- None.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Resolution 19** offered by Representative Pabst.

Assembly amendment 1 to **Assembly Joint Resolution 25** offered by Committee on State Affairs.

Assembly amendment 2 to **Assembly Joint Resolution 25** offered by Representative DeLong, by request of the Wisconsin Association of School Boards.

Assembly amendment 1 to assembly amendment 2 to **Assembly Bill 221** offered by Representatives Munts, Groshek and Gower.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 365** offered by Representative Menos.

Assembly amendment 1 to **Assembly Bill 384** offered by Representative DeLong.

Assembly amendment 1 to **Assembly Bill 391** offered by Representative Shabaz.

Assembly amendment 1 to **Assembly Bill 496** offered by Representatives Gerlach and McClain.

Assembly amendment 2 to **Assembly Bill 515** offered by Representative Early.

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INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

**Assembly Joint Resolution 50**

Requesting the department of natural resources to study the suitability of the surface waters of this state for body contact and domestic consumption, and the fitness of fish and fowl taken from state waters for human consumption.

By Representative Barczak, co-sponsored by Senator Flynn.  
To committee on Natural Resources.

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INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

JOURNAL OF THE ASSEMBLY [April 26, 1977]

**Assembly Bill 698**

Relating to the board of soil and water conservation districts disapproving the plans of a district.

By Representatives Travis, Tregoning, Conradt, Matty, Klicka, Vanderperren, Ausman, Byers, Johnston, Opitz, Merkt, Wahner, Rogers, Norquist, Ellis, Snyder, DeLong, Olson, Lewis, Elconin, Soucie, Leopold, Schricker, Litscher, Day, Gunderson, Quackenbush, Schmidt, Kedrowski, Engeleiter, Goodrich, Groshek, Thompson, Roberts and Plewa, co-sponsored by Senator McCallum.

To committee on Natural Resources.

**Assembly Bill 699**

Relating to the salary of members of the legislature.

By Representative Gower.

To committee on State Affairs.

**Assembly Bill 700**

Relating to the time for appointment of election officials by municipal governing bodies except in 1st class cities.

By Representative Kedrowski, by request of The League of Wisconsin Municipalities.

To committee on Elections.

**Assembly Bill 701**

Relating to the time for designating arrangement of candidates on spring election ballots.

By Representative Kedrowski, by request of The League of Wisconsin Municipalities.

To committee on Elections.

**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.

To committee on Highways.

JOURNAL OF THE ASSEMBLY [April 26, 1977]

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 95 -----	7 -----	April 21, 1977

DOUGLAS LaFOLLETTE  
Secretary of State

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COMMITTEE REPORTS

The committee on Agriculture reports and recommends:

**Assembly Bill 382**

Relating to creating a fertilizer research fund and making an appropriation.

Passage: Ayes: (10) Noes: (2)

To Joint Committee on Finance.

**Assembly Bill 458**

Relating to remedial legislation for the department of agriculture including abolishing the council on locker plants.

Passage: Ayes: (11) Noes: (0) Not Voting: (1)

To committee on Rules.

**Assembly Bill 510**

Relating to authorizing the department of agriculture to issue licenses and permits for weather modification operations and eliminating registration with the public service commission, granting rule-making authority, providing a penalty and making an appropriation.

Adoption of assembly substitute amendment 1:

Ayes: (11) Noes: (0) Not Voting: (1)

Introduction and adoption of assembly amendments 1 and 2 to assembly substitute amendment 1:

Ayes: (12) Noes: (0)

JOURNAL OF THE ASSEMBLY [April 26, 1977]

Passage: Ayes: (12) Noes: (0)  
To committee on Rules.

LEO MOHN  
Chairperson

The committee on Enrolled Bills reports and recommends:

**Assembly Bill 94**

Correctly enrolled.

GERVASE HEPHNER  
Chairperson

The committee on Highways reports and recommends:

**Assembly Bill 290**

Relating to towing of disabled vehicles on expressways in counties with a population of 500,000 or more.

Adoption of assembly amendment 1:  
Ayes: (9) Noes: (0)

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

**Assembly Bill 409**

Relating to the issuance of a single registration plate.

Passage: Ayes: (7) Noes: (3)  
To committee on Rules.

**Assembly Bill 459**

Relating to various changes in the highway and motor vehicle laws (suggested as remedial legislation by the department of transportation).

Adoption of assembly amendment 1:  
Ayes: (10) Noes: (0)

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

CLETUS VANDERPERREN  
Chairperson

The committee on Labor reports and recommends:

**Assembly Bill 311**

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

JOURNAL OF THE ASSEMBLY [April 26, 1977]

Adoption of assembly amendment 1:

Ayes: (11) Noes: (0)

Passage: Ayes: (11) Noes: (0)

To committee on Rules.

**Assembly Bill 422**

Relating to collective bargaining units consisting of supervisors and providing a penalty.

Passage: Ayes: (7) Noes: (4)

To Joint Committee on Finance.

**Assembly Bill 501**

Relating to substituting high school equivalency for the high school graduation requirement for barber apprentice permits.

Passage: Ayes: (11) Noes: (0)

To committee on Rules.

JOSEPH LOOBY

Chairperson

The committee on Local Affairs reports and recommends:

**Assembly Resolution 19**

Appointing and directing the assembly committee on local affairs to investigate gasoline, propane gas and fuel oil price differences throughout the state.

Adoption: Ayes: (8) Noes: (3)

To committee on Rules.

**Assembly Joint Resolution 20**

Relating to town government (2nd consideration).

Adoption: Ayes: (10) Noes: (1)

To committee on Rules.

**Assembly Bill 375**

Relating to a uniform procedure for claims brought against local governments.

Adoption of assembly amendment 2:

Ayes: (8) Noes: (2)

Passage: Ayes: (7) Noes: (2)

To committee on Rules.

JOURNAL OF THE ASSEMBLY [April 26, 1977]

**Assembly Bill 440**

Relating to requiring counties and cities to provide a teletypewriter for the emergency needs of hearing and speech impaired persons.

Passage: Ayes: (10) Noes: (0)

To committee on Rules.

**Assembly Bill 472**

Relating to prohibiting the state from imposing residency requirements on all state employes except elected positions for which residency is required by any other provision of law.

Adoption of assembly amendment 1:

Ayes: (10) Noes: (0)

Introduction and adoption of assembly amendment 2:

Ayes: (11) Noes: (0)

Passage: Ayes: (7) Noes: (4)

To committee on Rules.

**Assembly Bill 454**

Relating to eliminating the division of state-local affairs and increasing membership in the council on local affairs in the department of local affairs and development (suggested as remedial legislation by the department of local affairs and development).

Adoption of assembly amendment 1:

Ayes: (10) Noes: (0)

Passage: Ayes: (10) Noes: (0)

To committee on Rules.

GARY BARCZAK

Chairperson

The committee on Natural Resources reports and recommends:

**Assembly Bill 437**

Relating to limiting the number of hunters and the game harvest in state wildlife areas.

Passage: Ayes: (12) Noes: (1)

To committee on Rules.

**Assembly Bill 464**

Relating to structures constructed without a permit on navigable waters.

JOURNAL OF THE ASSEMBLY [April 26, 1977]

Passage: Ayes: (13) Noes: (0)  
To committee on Rules.

LAURENCE DAY  
Chairperson

The committee on State Affairs reports and recommends:

**Assembly Bill 137**

Relating to recording death in the birth registry.

Introduction and adoption of assembly amendment 1:  
Ayes: (12) Noes: (0)

Passage: Ayes: (12) Noes: (0)  
To committee on Rules.

**Assembly Bill 300**

Relating to service on statutory bodies by members of the legislature, and reimbursement of legislators for actual and necessary expenses.

Introduction and adoption of assembly amendment 2 to assembly substitute amendment 1:  
Ayes: (12) Noes: (0)

Adoption of assembly substitute amendment 1:  
Ayes: (12) Noes: (0)

Passage: Ayes: (12) Noes: (0)  
To committee on Rules.

**Assembly Bill 505**

Relating to eliminating such words as "insane", "idiot", "senile", "feeble-minded", "crippled", "invalids", "deformity" and other terms describing human conditions from the statutes and providing word substitutes.

Passage: Ayes: (12) Noes: (1)  
To committee on Rules.

**Assembly Bill 515**

Relating to issuance of identification cards to persons not having a valid driver's license and providing penalties.

Introduction and adoption of assembly amendment 1:  
Ayes: (12) Noes: (0)



JOURNAL OF THE ASSEMBLY [April 26, 1977]

Passage: Ayes: (12) Noes: (0)  
To committee on Rules.

JOHN PLEWA  
Chairperson

The committee on Transportation reports and recommends:

**Assembly Bill 258**

Relating to creating a board on port development in the department of transportation, granting rule-making authority and making appropriations.

Adoption of assembly amendment 1:  
Ayes: (8) Noes: (0)

Passage: Ayes: (7) Noes: (1)  
To Joint Committee on Finance.

**Assembly Bill 261**

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

Adoption of assembly amendment 1:  
Ayes: (7) Noes: (0)

Adoption of assembly amendment 2:  
Ayes: (7) Noes: (0)

Passage: Ayes: (7) Noes: (0)  
To committee on Rules.

**Assembly Bill 298**

Relating to licensing and supervision of driver schools.

Adoption of assembly amendment 1:  
Ayes: (7) Noes: (0)

Passage: Ayes: (7) Noes: (0)  
To committee on Rules.

LEONARD GROSHEK  
Chairperson

JOURNAL OF THE ASSEMBLY [April 26, 1977]

EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor  
Madison

To the Honorable, the Assembly:

The following bill, originating in the assembly, has been approved, signed and deposited in the office of the Secretary of State:

Assembly Bill	Chapter No.	Date Approved
94 -----	8 -----	April 22, 1977

Respectfully submitted,  
MARTIN J. SCHREIBER  
Acting Governor

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MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

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

**Senate Joint Resolution 34**

Passed and asks concurrence in:

**Senate Bill 74**  
**Senate Bill 140**  
**Senate Bill 209**  
**Senate Bill 281**  
**Senate Bill 337**  
**Senate Bill 338**

Concurred in:

**Assembly Bill 160**  
**Assembly Bill 163**  
**Assembly Bill 200**

Assembly amendment 1 to senate amendment 1 to **Assembly Bill 152**

JOURNAL OF THE ASSEMBLY [April 26, 1977]

ACTION ON THE SENATE MESSAGE

**Senate Joint Resolution 34**

Relating to proclaiming the date of May 1, 1977, as "Law Day U.S.A." and to declaring an open house of the State Capitol.

By Senators Bablitch, Risser and Krueger, by request of the State Bar of Wisconsin.

To Calendar.

**Senate Bill 74**

Relating to substitution of judges.

By Committee on Judiciary and Consumer Affairs, by request of the Judicial Council.

To committee on Judiciary.

**Senate Bill 140**

Relating to service of process on the administrator of the division of motor vehicles as agent or attorney for others.

By committee on Judiciary and Consumer Affairs, by request of Department of Transportation.

To committee on Judiciary.

**Senate Bill 209**

Relating to destruction of canceled bonds and coupons by municipal fiscal or paying agents.

By Senators Flynn, Cullen, Frank and Van Sistine; co-sponsored by Representatives Menos, Vanderperren and Klicka.

To committee on Local Affairs.

**Senate Bill 281**

Relating to employment of municipal attorneys by a common carrier or utility.

By Senator Murphy, by request of Attorney Clayton Cramer, Municipal Attorney.

To committee on Judiciary.

**Senate Bill 337**

An act to repeal, renumber, renumber and amend, amend and create various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of departments, officers and institutions, correcting and clarifying references, renumbering for better location and arrangement, eliminating duplications, unnecessary and obsolete provisions and reconciling conflicts (Revisor's Correction Bill).

By Joint Committee on Revisions, Repeals and Uniform Laws.

To committee on Rules.

JOURNAL OF THE ASSEMBLY [April 26, 1977]

**Senate Bill 338**

An act to amend various provisions of the statutes for the purpose of changing the title of chairman to chairperson and eliminating other distinctions based upon sex as directed by section 13.93 (1)(m) of the statutes and for correcting errors and clarifying language (Revisor's Correction Bill).

By Joint Committee on Revisions, Repeals and Uniform Laws.  
To committee on Rules.

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MOTIONS

Representative Wahner asked unanimous consent that **Assembly Bill 221** be taken from the table and placed on the calendar of Thursday, April 28 immediately following **Assembly Bill 487**.  
Granted.

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CALENDAR OF TUESDAY, APRIL 26, 1977

**Senate Joint Resolution 32**

To create a special joint committee for investigation of the conduct of the personnel board.

The question was: Shall **Senate Joint Resolution 32** 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, 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, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 99.

JOURNAL OF THE ASSEMBLY [April 26, 1977]

Noes -- None.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 32** be immediately messaged to the senate. Granted.

**Assembly Bill 193**

Relating to requiring an autopsy on victims of sudden infant death syndrome.

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

Representative Czerwinski moved rejection of assembly amendment 1 to assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 193**.

Representative Shabaz asked unanimous consent that assembly amendment 1 to assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 193** be withdrawn and returned to the author. Granted.

Assembly amendment 2 to assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 193** offered by Representative DeLong.

The question was: Shall assembly amendment 2 to assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 193** be adopted?

Motion carried.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 193** be adopted?

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 193** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 193** be ordered engrossed and read a third time?

Motion carried.

## JOURNAL OF THE ASSEMBLY [April 26, 1977]

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 193** be given a third reading. Granted.

The question was: **Assembly Bill 193** 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, Conratt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Elconin, Ellis, Engeleiter, 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, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 98.

Noes -- None.

Absent or not voting -- Early -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 193** be immediately messaged to the senate. Granted.

### **Assembly Bill 197**

Relating to permitting embalmers and surgical technicians to remove donated eyes from corpses.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 197** be adopted?

Motion carried.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 197** be adopted?

Motion carried.

**JOURNAL OF THE ASSEMBLY [April 26, 1977]**

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 197** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 197** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 197** be given a third reading. Granted.

The question was: **Assembly Bill 197** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Engeleiter, 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, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 99.

Noes -- None.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 197** be immediately messaged to the senate. Granted.

**Assembly Bill 435**

Relating to authorization for nurses to perform certain acts under the direction of a podiatrist.

JOURNAL OF THE ASSEMBLY [April 26, 1977]

The question was: Shall **Assembly Bill 435** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 435** be given a third reading. Granted.

The question was: **Assembly Bill 435** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Engeleiter, 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, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 97.

Noes -- Quackenbush and Wood -- 2.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 435** be immediately messaged to the senate. Granted.

**Assembly Bill 391**

Relating to collective bargaining units consisting of police supervisors in cities of the 1st class and providing a penalty.

Representative Wahner asked unanimous consent that **Assembly Bill 391** be referred to the Joint Committee on Finance. Granted.



## JOURNAL OF THE ASSEMBLY [April 26, 1977]

Representative Wahner asked unanimous consent that **Assembly Bill 391** 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 **Assembly Bill 391** be withdrawn from the Joint Committee on Finance and taken up at this time.

The question was: Shall the rules be suspended and **Assembly Bill 391** be withdrawn from the Joint Committee on Finance and taken up at this time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Dorff, Duren, Elconin, Ellis, Ferrall, Fischer, Groshek, Hanson, Hasenohrl, Hauke, Hephner, Kedrowski, Kirby, Lallensack, Lee, Leopold, Loftus, Looby, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Tropman, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 55.

Noes -- Ausman, Barczak, Bradley, Byers, Day, DeLong, Donoghue, Dueholm, Engeleiter, Everson, Flintrop, Gerlach, Goodrich, Gower, Gunderson, Johnson, Johnston, Kincaid, Klicka, Lato, Lewis, Lewison, Lingren, Litscher, Lorman, Luckhardt, McEssy, Matty, Merkt, Olson, Opitz, Porter, Quackenbush, Roberts, Roth, Schmidt, Schricker, Shabaz, Snyder, Thompson, Travis, Tregoning and Wood -- 43.

Absent or not voting -- Early -- 1.

Motion failed.

### **Senate Bill 58**

Relating to the rights and duties of adjoining landowners with respect to lateral support.

The question was: Shall assembly amendment 1 to **Senate Bill 58** be adopted?

Motion carried.

The question was: Shall **Senate Bill 58** be ordered to a third reading?

JOURNAL OF THE ASSEMBLY [April 26, 1977]

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dorff, Dueholm, Early, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hephner, Johnson, Kedrowski, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rooney, Roth, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 62.

Noes -- Ausman, Bradley, Byers, Conradt, DeLong, Donoghue, Duren, Ellis, Engeleiter, Everson, Goodrich, Gower, Gunderson, Hauke, Johnston, Kincaid, Klicka, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Matty, Merkt, Olson, Opitz, Porter, Quackenbush, Rogers, Schmidt, Schricker, Shabaz, Snyder, Thompson, Travis and Tregoning -- 37.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 58** be given a third reading. Granted.

The question was: **Senate Bill 58** 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, Groshek, Gunderson, Hanson, Hasenohrl, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, McClain, Matty, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Quackenbush, Roberts, Rooney, Roth, Rutkowski, Schmidt, Schneider, Soucie, Swoboda, Tesmer, Travis, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 75.

Noes -- Bradley, Conradt, Everson, Goodrich, Gower, Hauke, Johnston, Klicka, Lewis, Lewison, Litscher, Lorman, Luckhardt,

**JOURNAL OF THE ASSEMBLY [April 26, 1977]**

**McEssy, Merkt, Olson, Opitz, Porter, Rogers, Schricker, Shabaz, Snyder, Thompson and Tregoning -- 24.**

**Absent or not voting -- None.**

**Motion carried.**

**Representative Wahner asked unanimous consent that the rules be suspended and that Senate Bill 58 be immediately messaged to the senate. Granted.**

**Representative Wahner asked unanimous consent that the assembly adjourn today in honor of the birthday of Representative Medinger. Granted.**

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**VISITORS**

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

**Students from Todd Elementary School, accompanied by teacher Miss Beutler and chaperone Mrs. Glen from Beloit, guests of Representative Johnson.**

**Arnold Hansen from Richland Center, guest of Representative Duren.**

**Students from Winneconne Central School, Winneconne, accompanied by teachers, Mrs. Liptow, Mrs. DuPrey and Mr. Reed, guests of Representative Bradley.**

**Paul and Loretta Jason and Charles and Julie Arbaugh from Rhinelander, guests of Representative Donoghue.**

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**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.**

**10:55 A.M.**