

STATE OF WISCONSIN

Assembly Journal

Eighty-Third Regular Session

WEDNESDAY, May 18, 1977.

9:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Father William Hower of Saint Thomas Aquinas Church, 5702 Driftwood, Madison.

Representative Kincaid 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 5 to **Assembly Joint Resolution 39** offered by Representative Shabaz.

Assembly amendment 6 to **Assembly Joint Resolution 39** offered by Representative Shabaz.

Assembly amendment 1 to **Assembly Bill 495** offered by Representative Kirby.

Assembly amendment 1 to **Assembly Bill 587** offered by Representative Medinger.

Assembly amendment 1 to **Assembly Bill 626** offered by Representative McClain, by request of Joint Survey Committee on Retirement Systems.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Joint Resolution 54

Relating to gubernatorial succession (1st consideration).

By Representatives Jackamonis, Johnson, Ferrall, Plewa, Norquist, Rutkowski, Kirby, Wahner, Metz and Behnke, co-sponsored by Senators Berger, Flynn, Swan and Frank.

To committee on State Affairs.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 771

Relating to creating a marriage and family counseling examining board, requiring disability insurance policies to provide coverage for the services of such counselors, granting rule-making authority and making an appropriation.

By Representatives Leopold and Lee, by request of Wisconsin Association of Marriage and Family Counselors.

To committee on State Affairs.

Assembly Bill 772

An act directing the highway commission to prepare a highway classification plan.

By Representative Dandeneau.

To committee on Highways.

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Assembly Bill 773

Relating to allowing town clerks to be either appointed or elected.

By Representatives Ausman and Dandeneau.

To committee on Local Affairs.

Assembly Bill 774

Relating to an optional preliminary breath test procedure on suspected drunk drivers, suspension of operating privilege for refusal to submit to a chemical test for intoxication and providing a penalty.

By Representatives Ausman, Schmidt, Johnston, Schneider, Flintrop, Kedrowski, Porter, Travis, Norquist, Byers, Gunderson, Brist, Medinger, Soucie and Early, by request of Alcohol in Relation to Highway Safety Technical Committee.

To committee on Judiciary.

Assembly Bill 775

Relating to hazardous duty pay for correctional guards injured while engaged in authorized training programs.

By Representatives Lewis, Klicka, Ellis, Gower, Luckhardt, Goodrich, Schricker, Conradt, Lewison, Kincaid and Hanson, co-sponsored by Senators McCallum and Sensenbrenner.

To committee on Criminal Justice and Public Safety.

Assembly Bill 776

Relating to legislative approval of proposed administrative rules.

By Representatives Dorff, Lallensack, Wood, Behnke, Kincaid, Swoboda, Menos, Andrea, Mohn, Thompson, Byers and Schricker.

To committee on State Affairs.

Assembly Bill 777

Relating to failure to honor pledges by delegates to national presidential conventions and providing a penalty.

By Representatives Kedrowski and Elconin, by request of Attorney General Bronson LaFollette.

To committee on Elections.

Assembly Bill 778

Relating to closing hours for establishments with Class "B" fermented malt beverage and "Class B" intoxicating liquor licenses.

By Representative Kedrowski.

To committee on Excise and Fees.

Assembly Bill 779

Relating to fence construction on boundaries of town subdivisions.

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By Representatives Barry, Schricker, Lallensack, Dandeneau, Day, Plewa, Loftus and Lingren.

To committee on Local Affairs.

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.

By Representatives Metz, Johnson, Flintrop, Kirby, Vanderperren, Tropman, Rooney, Clarenbach, Barry, Everson, Kedrowski, Loftus, Soucie, Ferrall, Dueholm, Moody, Hanson, Rogers, Otte, Potter, Pabst, Ellis, Jackamonis and Kincaid, co-sponsored by Senators Goyke, Adelman, McKenna, Risser, Berger and Van Sistine.

To committee on Internal Management.

COMMITTEE REPORTS

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

Assembly Joint Resolution 36

Relating to directing the legislative council to study domestic violence affecting women in this state.

Introduction and adoption of assembly amendment 1:

Ayes: (11) Noes: (0)

Adoption: Ayes: (11) Noes: (0)

To committee on Rules.

Assembly Bill 449

Relating to the granting of the powers of a peace officer to certain arson investigators.

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

To committee on Rules.

MICHAEL ELCONIN
Chairperson

The committee on Judiciary reports and recommends:

Assembly Bill 323

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

Introduction and adoption of assembly substitute amendment 1:

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Ayes: (8) Noes: (2)

Passage: Ayes: (7) Noes: (3)

To committee on Rules.

JAMES RUTKOWSKI
Chairperson

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

To the Honorable, the Assembly:

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

Assembly Bill	Chapter No.	Date Approved
77 -----	10 -----	May 17, 1977
79 -----	11 -----	May 17, 1977
86 -----	12 -----	May 17, 1977
123 -----	13 -----	May 17, 1977

Respectfully submitted,
MARTIN J. SCHREIBER
Lieutenant Governor

MOTION UNDER JOINT RULE 7

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the Milwaukee Brewers are locked in an epic battle to bring the American League pennant home to the people of Wisconsin; and

Whereas, the Brewers have the potential to capture the coveted crown, as witnessed by their brilliant start during the current campaign; and

Whereas, the fans of Wisconsin, whose ranks include all members of the Wisconsin State Assembly, are united in support of the Brewers and take particular pride in the new spirit which has

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come to Milwaukee under the able leadership of manager Alex Grammas; now, therefore,

The Members of the Wisconsin Legislature, on the motion of the entire membership of the assembly under Joint Rule 7, hereby salute the entire Brewers organization and extend every good wish to the team for a successful season.

The question was: Shall the motion under joint rule 7 be adopted?

Motion carried.

CALENDAR OF WEDNESDAY, MAY 18, 1977

Assembly Joint Resolution 9

Relating to directing the legislative council to study the feasibility of repealing all state agency rule-making authority.

The question was: Shall **Assembly Joint Resolution 9** be adopted?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Behnke, Byers, Conradt, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Ellis, Engeleiter, Everson, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Miller, Mohn, Moody, Munts, Murray, Olson, Opitz, Otte, Pabst, Porter, Potter, Quackenbush, Roberts, Rogers, Roth, Rutkowski, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Wahner, Ward and Wood -- 74.

Noes -- Barry, Bear, Brist, Clarenbach, Coggs, Dandeneau, Early, Elconin, Ferrall, Fischer, Kirby, Loftus, Looby, McClain, Medinger, Metz, Norquist, Plewa, Rooney, Schneider, Soucie, Tuczynski, Vanderperren and Mr. Speaker -- 24.

Absent or not voting -- Bradley -- 1.

Motion carried.

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

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

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

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 9** be immediately messaged to the senate. Granted.

Senate Joint Resolution 16

Memorializing Congress and the U.S. department of agriculture to expedite measures to guarantee farmers a decent income, expand disaster assistance and preserve the family farm.

The question was: Shall assembly amendment 1 to **Senate Joint Resolution 16** be adopted?

Motion carried.

The question was: Shall **Senate Joint Resolution 16** be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Cogg, 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, 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, Roth, Rutkowski, Schmidt, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 96.

Noes -- Kirby, Rooney and Schneider -- 3.

Absent or not voting -- None.

Motion carried.

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Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 16** be immediately messaged to the senate. Granted.

Assembly Bill 446

Relating to intestate succession where husband and wife die as a result of a common accident.

Representative Wahner asked unanimous consent that **Assembly Bill 446** be laid on the table. Granted.

Assembly Bill 485

Relating to permitting actions for replevin of collateral or leased goods to be brought in circuit court.

The question was: Shall **Assembly Bill 485** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 485** be given a third reading. Granted.

The question was: **Assembly Bill 485** 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, 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, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker
-- 97.

Noes -- Lato and Schmidt -- 2.

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Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 485** be immediately messaged to the senate. Granted.

Assembly Bill 453

Relating to petition for rehearing before an administrative agency (suggested as remedial legislation by the public service commission).

The question was: Shall **Assembly Bill 453** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 453** be given a third reading. Granted.

The question was: **Assembly Bill 453** 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.

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Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 453** be immediately messaged to the senate. Granted.

Assembly Bill 488

Relating to exempting municipalities from the requirement of obtaining permits from the department of natural resources for constructing certain bridges, arches and culverts.

The question was: Shall assembly amendment 1 to **Assembly Bill 488** be adopted?

Motion carried.

Representative Shabaz moved rejection of assembly amendment 2 to **Assembly Bill 488**.

The question was: Shall assembly amendment 2 to **Assembly Bill 488** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Behnke, Bradley, Brist, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Ellis, Engeleiter, Everson, Fischer, Goodrich, Gower, Groshek, Gunderson, Hasenohrl, Hauke, Hephner, Johnston, Kincaid, Klicka, Lallensack, Lato, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEassy, Matty, Menos, Merkt, Mohn, Murray, Olson, Opitz, Pabst, Porter, Potter, Quackenbush, Rogers, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis, Tregoning, Vanderperren and Wood -- 57.

Noes -- Barczak, Barry, Bear, Clarenbach, Coggs, Czerwinski, Dandeneau, Ducholm, Early, Elconin, Ferrall, Flintrop, Gerlach, Hanson, Johnson, Kedrowski, Kirby, Lee, Leopold, Lingren, Loftus, Looby, McClain, Medinger, Metz, Miller, Moody, Munts, Norquist, Otte, Plewa, Roberts, Rooney, Rutkowski, Schneider, Soucie, Tesmer, Tropman, Tuczynski, Wahner, Ward and Mr. Speaker -- 42.

Absent or not voting -- None.

Motion carried.

The question was: Shall assembly amendment 3 to **Assembly Bill 488** be adopted?

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The roll was taken.

The result follows:

Ayes -- Behnke, Clarenbach, Coggs, Czerwinski, Dandeneau, Dueholm, Early, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Hanson, Hauke, Johnson, Kedrowski, Kirby, Lee, Leopold, Lingren, Loftus, Looby, McClain, Medinger, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Rooney, Rutkowski, Soucie, Tesmer, Tropman, Tuczynski, Wahner, Ward and Mr. Speaker -- 41.

Noes -- Andrea, Ausman, Barczak, Barry, Bear, Bradley, Brist, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Ellis, Engeleiter, Everson, Goodrich, Gower, Groshek, Gunderson, Hasenohrl, Hephner, Johnston, Kincaid, Klicka, Lallensack, Lato, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Murray, Olson, Opitz, Pabst, Porter, Potter, Quackenbush, Roberts, Rogers, Roth, Schmidt, Schneider, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis, Tregoning, Vanderperren and Wood -- 58.

Absent or not voting -- None.

Motion failed.

Representative Shabaz moved rejection of assembly amendment 4 to **Assembly Bill 488**.

The question was: Shall assembly amendment 4 to **Assembly Bill 488** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Ellis, Engeleiter, Everson, Goodrich, Gower, Groshek, Gunderson, Hasenohrl, Hauke, Hephner, Johnston, Kincaid, Klicka, Lallensack, Lato, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Mohn, Murray, Olson, Opitz, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Schmidt, Schneider, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Vanderperren and Wood -- 64.

Noes -- Clarenbach, Coggs, Czerwinski, Dandeneau, Dueholm, Early, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Hanson, Johnson, Kedrowski, Kirby, Lee, Leopold, Lingren, Loftus, Looby,

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McClain, Medinger, Metz, Miller, Moody, Munts, Norquist, Otte, Rutkowski, Soucie, Tropman, Tuczynski, Wahner, Ward and Mr. Speaker -- 35.

Absent or not voting -- None.

Motion carried.

The question was: Shall **Assembly Bill 488** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Bradley, Brist, Byers, Coggs, Conradt, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Ellis, Engeleiter, Everson, Fischer, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hephner, Johnston, Kedrowski, Kincaid, Klicka, Lallensack, Lato, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Mohn, Moody, Murray, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Ward and Wood -- 80.

Noes -- Behnke, Clarenbach, Dandeneau, Elconin, Ferrall, Flintrop, Hauke, Johnson, Kirby, Lee, Looby, Metz, Miller, Munts, Norquist, Soucie, Wahner and Mr. Speaker -- 18.

Absent or not voting -- Tropman -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 488** be given a third reading. Granted.

The question was: **Assembly Bill 488** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Coggs, Conradt, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Ellis, Engeleiter, Everson, Fischer, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson,

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Hasenohrl, Hauke, Hephner, Johnston, Kedrowski, Kincaid, Klicka, Lallensack, Lato, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Mohn, Moody, Murray, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Schmidt, Schneider, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Vanderperren, Ward and Wood -- 79.

Noes -- Clarenbach, Czerwinski, Dandeneau, Elconin, Ferrall, Flintrop, Johnson, Kirby, Lee, Leopold, Metz, Miller, Munts, Norquist, Rutkowski, Soucie, Tropman, Tuczynski, Wahner and Mr. Speaker -- 20.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 488** be immediately messaged to the senate. Granted.

Assembly Bill 300

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

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 300** be adopted?

Motion carried.

Representative Kirby requested a division of the question on assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 300**. Granted.

Representative Kirby moved rejection of section 1 of assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 300**.

The question was: Shall section 1 of assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 300** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Bear, Brist, Clarenbach, Czerwinski, Dandeneau, Ducholm, Duren, Early, Hanson, Kedrowski, Kirby,

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Lee, Lewison, Looby, Medinger, Moody, Plewa, Schricker, Travis, Tuczynski and Wahner -- 23.

Noes -- Ausman, Barczak, Behnke, Bradley, Byers, Coggs, Conradt, Day, DeLong, Donoghue, Dorff, Elconin, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kincaid, Klicka, Lallensack, Lato, Leopold, Lewis, Lingren, Litscher, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Menos, Merkt, Metz, Miller, Mohn, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Tregoning, Tropman, Vanderperren, Ward, Wood and Mr. Speaker -- 76.

Absent or not voting -- None.

Motion failed.

The question was: Shall section 1 of assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 300** be adopted?

Motion carried.

Representative Thompson moved rejection of section 2 of assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 300**.

The question was: Shall section 2 of assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 300** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bradley, Brist, Byers, Conradt, DeLong, Donoghue, Dorff, Duren, Ellis, Engeleiter, Everson, Goodrich, Gower, Groshek, Gunderson, Hauke, Hephner, Johnston, Kincaid, Klicka, Lallensack, Lato, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning and Wood -- 52.

Noes -- Bear, Behnke, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dueholm, Early, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Hanson, Hasenohrl, Johnson, Kedrowski, Kirby, Lee, Leopold, Lingren, Loftus, Looby, McClain, Medinger, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Potter,

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Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tropman, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 47.

Absent or not voting -- None.

Motion carried.

Assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representative Tuczynski.

Representative Plewa moved rejection of assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 300**.

The question was: Shall assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 300** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Behnke, Bradley, Brist, Byers, Clarenbach, Conradt, Czerwinski, Dandeneau, Day, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Gunderson, Hanson, Hauke, Hephner, Johnson, Kedrowski, Kirby, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Looby, McClain, Matty, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Otte, Pabst, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schricker, Soucie, Tesmer, Tropman, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 69.

Noes -- Barczak, Barry, Bear, Cogg, DeLong, Ellis, Engeleiter, Everson, Goodrich, Gower, Hasenohrl, Johnston, Kincaid, Klicka, Litscher, Lorman, Luckhardt, McEssy, Menos, Merkt, Opitz, Porter, Roth, Shabaz, Snyder, Swoboda, Thompson, Travis, Tregoning and Tuczynski -- 30.

Absent or not voting -- None.

Motion carried.

Assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Thompson, DeLong, Andrea and Lato.

The question was: Shall assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 300** be adopted?

The roll was taken.

The result follows:

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Ayes -- Ausman, Barczak, Behnke, Bradley, Brist, Conradt, DeLong, Duren, Ellis, Engeleiter, Everson, Goodrich, Gower, Hauke, Johnston, Klicka, Lallensack, Lato, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Matty, Medinger, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush, Roberts, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning and Wood -- 45.

Noes -- Andrea, Barry, Bear, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Donoghue, Dorff, Dueholm, Early, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Gunderson, Hanson, Hasenohrl, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lee, Leopold, Lingren, Loftus, Looby, McClain, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Potter, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tropman, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 54.

Absent or not voting -- None.

Motion failed.

Assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representative Tuczynski.

Representative Plewa moved rejection of assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 300**.

The question was: Shall assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 300** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, McClain, McEssy, Matty, Medinger, Metz, Miller, Mohn, Moody, Munts, Norquist, Olson, Otte, Pabst, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schricker, Soucie, Tesmer, Travis, Tregoning, Tropman, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 74.

Noes -- DeLong, Ellis, Engeleiter, Everson, Goodrich, Gower, Hephner, Johnston, Klicka, Lewis, Lewison, Litscher, Lorman,

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Luckhardt, Menos, Merkt, Opitz, Porter, Roth, Shabaz, Snyder, Swoboda, Thompson and Tuczynski -- 24.

Absent or not voting -- Murray -- 1.

Motion carried.

Assembly amendment 7 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representative Rogers.

Representative Rogers asked unanimous consent that assembly amendment 7 to assembly substitute amendment 1 to **Assembly Bill 300** be withdrawn and returned to the author. Granted.

Assembly amendment 8 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Gower, Shabaz and Andrea.

Representative Wahner moved rejection of assembly amendment 8 to assembly substitute amendment 1 to **Assembly Bill 300**.

The question was: Shall assembly amendment 8 to assembly substitute amendment 1 to **Assembly Bill 300** be rejected?

The roll was taken.

The result follows:

Ayes -- Barczak, Behnke, Brist, Coggs, Czerwinski, Dandeneau, Dueholm, Early, Elconin, Ferrall, Fischer, Flintrop, Groshek, Hanson, Johnson, Kedrowski, Kirby, Lee, Leopold, Loftus, Looby, McClain, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tropman, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 43.

Noes -- Andrea, Ausman, Barry, Bear, Bradley, Byers, Clarenbach, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Ellis, Engeleiter, Everson, Gerlach, Goodrich, Gower, Gunderson, Hasenohrl, Hauke, Hephner, Johnston, Kincaid, Klicka, Lallensack, Lato, Lewis, Lewison, Lingren, Litscher, Lorman, Luckhardt, McEssy, Matty, Medinger, Menos, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning and Wood -- 56.

Absent or not voting -- None.

Motion failed.

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Assembly amendment 1 to assembly amendment 8 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representative Kirby.

Representative Thompson moved rejection of assembly amendment 1 to assembly amendment 8 to assembly substitute amendment 1 to **Assembly Bill 300**.

The question was: Shall assembly amendment 1 to assembly amendment 8 to assembly substitute amendment 1 to **Assembly Bill 300** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barry, Bradley, Brist, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Ellis, Engeleiter, Everson, Gerlach, Goodrich, Gower, Gunderson, Hasenohrl, Hephner, Johnston, Kincaid, Klicka, Lato, Lewis, Lewison, Litscher, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush, Rogers, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning and Wood -- 54.

Noes -- Barczak, Bear, Behnke, Clarenbach, Coggs, Czerwinski, Dandeneau, Dueholm, Early, Elconin, Ferrall, Fischer, Flintrop, Groshek, Hanson, Hauke, Johnson, Kedrowski, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, Looby, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Potter, Roberts, Rooney, Rutkowski, Schneider, Soucie, Tropman, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 45.

Absent or not voting -- None.

Motion carried.

The question was: Shall assembly amendment 8 to assembly substitute amendment 1 to **Assembly Bill 300** be adopted?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bradley, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Ellis, Engeleiter, Everson, Gerlach, Goodrich, Gower, Gunderson, Hasenohrl, Hephner, Johnston, Kincaid, Klicka, Lallensack, Lewis, Lewison, Lingren, Litscher, Lorman, Luckhardt, McEssy, Matty, Medinger, Menos, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush,

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Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning and Wood -- 53.

Noes -- Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Ducholm, Early, Elconin, Ferrall, Fischer, Flintrop, Groshek, Hanson, Hauke, Johnson, Kedrowski, Kirby, Lato, Lee, Leopold, Loftus, Looby, McClain, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tropman, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 46.

Absent or not voting -- None.

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 300** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 300** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 300** be given a third reading. Granted.

The question was: **Assembly Bill 300** 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, Ducholm, 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,

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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 300 be immediately messaged to the senate. Granted.

Representative Wahner asked unanimous consent that the assembly return to the seventh order of business. Granted.

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 379

Representative Jackamonis asked unanimous consent that the assembly adjourn in honor of Mary Dergin who is leaving the assembly staff. Granted.

Representative Roberts asked unanimous consent that the assembly adjourn in honor of Larry Zielke who is leaving the assembly staff. Granted.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Conference amendment 1 to Senate Bill 133

On line 4, substitute "line 7" for "line 4".

Assembly amendment 1 to Assembly Bill 287

On line 11, substitute "76" for "79".

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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 Washington High School in Germantown, guests of Representative Merkt.

Students from Racine Horlick High School accompanied by teacher George Hahner, guests of Representatives Rooney, Ferrall and Dandeneau.

Students from Oshkosh West High School accompanied by Leon Thompson, guests of Representative Flintrop.

Students from Sheboygan County Christian High School in Sheboygan, guests of Representatives Potter and Otte.

Students of Gompers Elementary School from Madison, guests of Representative Bear.

Students from Webster Middle School in Cedarburg, guests of Representative Opitz.

Students from Blackhawk School accompanied by Mrs. Jackson, students from Tower Rock School accompanied by Mrs. Ward and students from Merrimac School accompanied by Miss Neuman, guests of Representative Litscher.

Students from Cudahy High School accompanied by teachers Miss Hanson and Mr. Gill, guests of Representatives Plewa, Gerlach and Tesmer.

Senior students from Mukwonago High School, guests of Representative Shabaz.

Sixth grade students from Tank School, guests of Representative Metz.

Students from Irving Pertzsch Elementary School, accompanied by teacher Joan Calloway, guests of Representative Roberts.

Mr. and Mrs. Fred Johnson from Superior, guests of Representative Murray.

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

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

The assembly stood adjourned.

11:40 A.M.