

JOURNAL OF THE ASSEMBLY [May 24, 1977]

STATE OF WISCONSIN

Assembly Journal

Eighty-Third Regular Session

TUESDAY, May 24, 1977.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Father Thomas Segerson of Immaculate Heart of Mary Church, 5101 Schofield, Madison.

Representative Lewison 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, 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, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, 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, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 97.

Absent -- None.

Absent with leave -- Matty and Schricker -- 2.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 17** offered by Representative Clarenbach.

Assembly amendment 23 to **Assembly Bill 225** offered by Representatives Rutkowski, Hauke and DeLong.

Assembly amendment 24 to **Assembly Bill 225** offered by Representatives Rutkowski, Hauke and DeLong.

Assembly substitute amendment 1 to **Assembly Bill 286** offered by Representative Leopold.

Assembly amendment 1 to **Assembly Bill 576** offered by Representatives Day and Schmidt.

Assembly substitute amendment 1 to **Assembly Bill 659** offered by Representative Dandeneau.

Assembly amendment 1 to **Assembly Bill 754** offered by Representative Potter.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Joint Resolution 56

Relating to directing the joint legislative council to study forest fires.

By Representatives Thompson, Schneider, Groshek, Day and Quackenbush, co-sponsored by Senators Bidwell and Harnisch.

To committee on Agriculture.

Assembly Joint Resolution 57

Relating to the practice of law (1st consideration).

By Legislative Council.

To Joint Committee for Review of Administrative Rules.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 783

Relating to abortions and providing penalties.

JOURNAL OF THE ASSEMBLY [May 24, 1977]

By Representatives Medinger, Plewa, Kedrowski, Kirby, Lewis and Norquist.

To committee on Health and Social Services.

Assembly Bill 784

Relating to a general revision of occupational licensing statutes, creating an occupational standards board, abolishing the examining boards for accounting, athletics, barbers, cosmetologists, funeral directors and embalmers, hearing aid dealers and fitters, nursing home administrators, real estate brokers and salesmen and watchmaking, the pharmacy internship board and the examining councils for podiatrists, physical therapists, licensed practical nurses and registered nurses, transferring the regulation of accountants, athletics, barbers, cosmetologists, funeral directors, embalmers, land surveyors, real estate brokers and salesmen and hearing aid dealers and fitters to the department of regulation and licensing, transferring the pharmacy internship program to the pharmacy examining board, transferring the regulation of nursing home administrators to the department of health and social services, eliminating the regulation of watchmaking, making appropriations, granting rule-making authority and providing penalties.

By Legislative Council.

To Joint Committee for Review of Administrative Rules.

PETITIONS

Assembly Petition 98

A resolution submitted by the Jefferson County Board in opposition to Assembly Bill 646, relating to consideration of stepparent's income in determining AFDC eligibility and grant size.

By Representative Lorman.

To committee on Health and Social Services.

Assembly Petition 99

A resolution submitted by the Jefferson County Board in support of Senate Bill 266, relating to actions for violations of county ordinances and regulations.

By Representative Lorman.

To committee on Criminal Justice and Public Safety.

Assembly Petition 100

A resolution submitted by the Jefferson County Board in support of Senate Bill 292, relating to changing of register of deeds fees.

JOURNAL OF THE ASSEMBLY [May 24, 1977]

By Representative Lorman.
To committee on Revenue.

Assembly Petition 101

A resolution submitted by the Jefferson County Board in support of Senate Bill 310, relating to state reimbursement for municipal costs incurred as the result of state action, and making an appropriation.

By Representative Lorman.
To committee on Local Affairs.

Assembly Petition 102

A resolution submitted by the Jefferson County Board in support of Senate Bill 331, relating to prohibiting release of register of deeds records for use in commercial mailing lists.

By Representative Lorman.
To committee on Commerce and Consumer Affairs.

Assembly Petition 103

A resolution submitted by the Jefferson County Board in support of Assembly Bill 568, relating to recovery of aid fraudulently obtained by recipients of aid to families with dependent children.

By Representative Lorman.
To committee on Health and Social Services.

Assembly Petition 104

A resolution submitted by the Jefferson County Board in support of Assembly Bill 665, relating to division of real estate transfer fees between the state and counties.

By Representative Lorman.
To committee on Revenue.

Assembly Petition 105

A resolution submitted by the Jefferson County Board in opposition to Senate Bill 259, relating to county payments to municipalities for police and fire protection services.

By Representative Lorman.
To committee on Local Affairs.

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Assembly Petition 106

A resolution submitted by the Jefferson County Board in opposition to Senate Bill 272, relating to making the state, counties and municipalities responsible for the cost of constructing and maintaining streets and highways located at railroad crossings.

By Representative Lorman.
To committee on Local Affairs.

Assembly Petition 107

A resolution submitted by the Jefferson County Board in opposition to Assembly Bill 422, relating to collective bargaining units consisting of supervisors and providing a penalty.

By Representative Lorman.
To committee on Labor.

Assembly Petition 108

A resolution submitted by the Jefferson County Board in opposition to Assembly Bill 636, relating to the requirements for a political organization to qualify for a party column on election ballots.

By Representative Lorman.
To committee on Elections.

Assembly Petition 109

Submitted by Judy Kujawa consisting of 41 signatures of citizens of Racine in support of Assembly Bill 659, relating to transportation of pupils in areas of unusual hazard.

By Representative Dandeneau.
To committee on Education.

Assembly Petition 110

Submitted by Anton Hren consisting of 263 signatures of citizens of the 24th Assembly district in opposition to further school taxation for the elderly and those on fixed pensions.

By Representative Barczak.
To committee on Education.

Assembly Petition 111

Submitted by Lee Mosier consisting of 219 signatures of citizens of Wisconsin in opposition to Assembly Bill 616, relating to qualification procedures for private schools and granting rule-making authority.

By Representative Lorman.
To committee on Education.

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Assembly Petition 112

Submitted by Martha Pettit consisting of 352 signatures of citizens of Wisconsin in opposition to Senate Joint Resolution 15, rescinding Wisconsin's ratification of an amendment to the U.S. Constitution relating to equality of rights under the law.

By Representative Ferrall.
To committee on Judiciary.

Assembly Petition 113

Submitted by Gene Young consisting of 1,520 signatures of citizens of Wisconsin in support of repealing the mandatory helmet law in Wisconsin.

By Representative Clarenbach.
To committee on State Affairs.

Assembly Petition 114

Submitted by Robert Moss consisting of 18,102 signatures of persons in support of an end to the criminal prohibition of private marijuana use.

By Representative Clarenbach.
To committee on Health and Social Services.

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 77 -----	10 -----	May 23, 1977
Assembly Bill 79 -----	11 -----	May 23, 1977
Assembly Bill 86 -----	12 -----	May 23, 1977
Assembly Bill 123 -----	13 -----	May 23, 1977

DOUGLAS LaFOLLETTE
Secretary of State

SPEAKER'S APPOINTMENTS

The speaker announced the following appointments to statutory committees effective May 1, 1977.

Interstate Cooperation Commission Wis. Stats. 13.54 (1)
Representatives Duren, Menos and Tregoning

Administrative Rules Wis. Stats. 13.56 (1)
Representatives Rogers, Co-Chairperson, McClain, Vice-Chairperson, Brist and Thompson

Education Commission of the States Wis. Stats. 39.76 (1)
Representative Flintrop

The speaker announced the following appointment to the Committee on Local Affairs: Representative Andrea to replace Representative Ward who resigned on March 30, 1977.

The complete text of the speaker's ruling of May 11, 1977 on Assembly Bill 108 follows:

RULING ON THE POINT OF ORDER

On April 13, 1977 the gentleman from the 56th Assembly District raised the point of order that 1977 Assembly Bill 108, relating to battery to persons aged 62 or older and providing a penalty, requires a fiscal estimate under Joint Rule 41 (1) and section 13.10 (2) of the Wisconsin Statutes. The chair took the point of order under advisement.

These two similarly worded regulations require that "any bill making an appropriation and any bill increasing or decreasing existing appropriations or state or general local government fiscal liability or revenues" be accompanied in the legislative process by a reliable estimate of the bill's anticipated fiscal effects. Whether or not bills that establish or alter penalties, but do not contain appropriation language, fall into this category of legislation, and thus are subject to the fiscal estimate requirement, is not readily apparent, but rather is a matter for reasoned inference and interpretation.

In making that interpretation, the chair is persuaded that it should be guided by the purpose, nature and significance of the fiscal estimate requirement; existing precedents; the general significance of the fiscal implications of penalty legislation; an assessment of our capabilities to obtain reliable fiscal information

for such legislation; and a consideration of the potential impact of this ruling on the legislative process.

Purpose, Nature and Significance of Fiscal Estimates

In 1957, the Wisconsin Legislature became the first state legislature in the Nation to require the publication of fiscal estimates as appendices to certain pending bills. Although the text of this requirement has undergone modification since its original enactment as Joint Rule 24 of 1957, the basic thrust and intent have remained the same: to supply legislators with reliable and handy financial information on bills under consideration in order to facilitate informed decision-making. Fiscal estimates provide information about the availability, source and proposed utilization of financial resources associated with legislative proposals. They are the "price tags" and "financial terms" attached to "commodities" in the legislative "marketplace". In the course of a legislative session, lawmakers are faced with making decisions on a great many separate proposals dealing with a wide variety of subjects, while at the same time they also experience a need to establish and pursue comprehensive goals and policies reaching beyond the purposes of specific pieces of legislation. Because financial considerations are an important "common denominator" of many legislative proposals, fiscal estimates can be a useful, important tool not only for evaluating specific proposals, but also for ordering priorities among them in the pursuit of broader public policies. Their importance takes on added dimensions when one considers the great reliance of legislatures on "the power of the purse" to exert influence in our tripartite framework of government.

Precedents

A Legislative Reference Bureau review of rulings from the chair for the past 20 years located two which are clearly relevant to the current point-of-order. The first of these was established on April 21, 1959, when Lieutenant Governor Philleo Nash ruled (1959 Senate Journal, page 575) that 1959 Senate Bill 284, a penalty bill making it a felony to issue checks with intent to defraud, did not require a fiscal estimate. This ruling appears to be based primarily on an assessment that the fiscal impacts stemming from this legislation could not be reliably estimated. The ruling states in part:

JOURNAL OF THE ASSEMBLY [May 24, 1977]

"...The only increase in the State's fiscal liability would arise in the event of a conviction under the criminal statutes and imprisonment at State expense."

"In the opinion of the Chair, to require a fiscal note for such a remote, indefinite and uncertain obligation of the State, goes far beyond the meaning of Joint Resolution (sic) 24 and the intent of the legislature in enacting it."

This 1959 ruling appears to have served as the generally controlling precedent for legislative practice with respect to penalty bills for nearly two decades.

The other relevant precedent occurred on May 8, 1973 and limited the application of the Nash ruling by distinguishing between penalty bills in general and a sub-type of such bills. On that date, Lieutenant Governor Schreiber ruled (1973 Senate Journal, page 971) that penalty bills proposing a change in the treatment of offenders within the corrections system are subject to the fiscal estimate requirement. The specific proposal giving rise to the ruling, 1973 Senate Bill 227, made it mandatory for males aged 16 to 25 sentenced to prison for one year or more, to be placed first at the State Reformatory at Green Bay. Materials furnished to the Lieutenant Governor at the time by the state budget office indicated that the bill would have a direct, predictable effect on the costs of operating the State Reformatory and State Prison, as well as a possible indirect effect on the operational costs of the state's other correctional institutions. In arriving at his decision, the Lieutenant Governor appears to have relied heavily on the fact that at least some of this impact could be anticipated with a reasonable degree of confidence. While coming to different conclusions then, both Lieutenant Governors appear to have based their decisions principally upon assessments of the predictability of the fiscal impacts involved.

Fiscal Implications of Penalty Legislation

The typical penalty bill we are concerned with here does not make or alter an appropriation; does not have as a purpose the

raising of revenue; does not necessarily increase state or local fiscal liability; and, given the enforcement, prosecutorial and sentencing discretion enjoyed by executive and judicial officials, has an impact which, at best, is difficult to anticipate. Having said all this, it is nevertheless still true that most penalty bills do have potential fiscal impacts upon state and local treasuries and that such impacts can be substantial. This can be seen in the costs associated with implementing existing penalty legislation. The budget for the Division of Corrections in the current biennium is \$116 million, and the Governor's proposed budget for this agency for the next biennium is \$145 million, one of the greatest percentage increases for a state agency in the budget bill currently before the Legislature. According to the Division of Corrections, the cost of caring for each individual sentenced to a state prison is presently about \$9,000 per year, and, since there currently is no unused bed capacity in the system, for every 25 to 30 individuals added to the prison system, capital expenditures of approximately \$452,000 are required for facilities. Add to this the costs of enforcement and adjudication and it becomes clear that the cumulative impact of penalty legislation is indeed substantial and significant.

Current Capacity to Make Reliable Fiscal Estimates

Since 1957 when the fiscal estimate procedure was established, state agencies have significantly enhanced their ability to estimate fiscal impacts of all kinds. The acquisition of computer capabilities and numerous data banks are just two developments in state government which have greatly increased the sophistication of state agencies in providing information and in forecasting events and consequences. So, too, has the Legislature grown in sophistication in its approach to fiscal estimates. This year, with the adoption of the Legislature's joint rules, for the first time agencies have been instructed to specify in the narrative part of their estimates the assumptions utilized in computing costs and to provide a range of estimates when there is reasonable doubt about the impact of a proposed change in the law. These and other changes are resulting in the provision of meaningful and useful information to legislators, even when there is a great deal of uncertainty concerning the reliability of "bottom line" or net estimates, and even when no such net estimate is actually attempted. None of this is to say that predicting the fiscal impacts of many penalty bills will not continue to be fraught with difficulty, due to the number and complexity of the variables generally involved. Rather, it is merely to say that we are now much better prepared to deal with the problems associated with such attempts and that important and relevant financial information can be provided even when reliable estimates are

impossible. The fact that a reliable estimate cannot be provided for a bill, furthermore, is in itself important information for legislative decision-making.

Decision

Taken together, the language of the fiscal estimate requirement, its purpose, the significance of fiscal information in the legislative process, the significance of present-day fiscal effects stemming from penalty legislation, and our improved capability to anticipate such effects and deal with fiscal estimate information in a way which contributes to rationality in legislative decision-making, all point to the conclusion that Lieutenant Governor Schreiber's ruling should now be expanded to cover additional groups of penalty bills. The only element of this analysis pointing to a different conclusion is the ruling of Lieutenant Governor Nash. In the opinion of the chair, however, that precedent should be read with an understanding that with the passage of time often come changes in the settings and circumstances relied upon to arrive at and justify applications of general requirements to specific situations. It is the opinion of the chair in this case that a different answer today to the same question raised and ruled upon many years ago is justified by the changes in state government which have occurred since 1959. The only question remaining, then, is the extent to which the Schreiber ruling should be expanded.

Given the generally acknowledged importance of fiscal information in the legislative process, it would seem far better to err on the side of asking agencies to prepare fiscal estimates for bills for which reliable estimates currently cannot be provided than it would to err on the side of not asking for such estimates when they actually could be provided. As already pointed out, even when agencies cannot make reliable net estimates, significant and meaningful information can be generated for the Legislature in the fiscal estimate process. Furthermore, it is reasonable to assume that asking agencies for estimates they are presently incapable of supplying will stimulate them to acquire such capabilities in the future. To maximize the availability of fiscal information in the legislative process, then, a policy of liberally construing the fiscal estimate requirement to apply to all penalty bills would seem most appropriate.

In addition, the chair is informed by the Legislative Reference Bureau that requiring fiscal estimates on all penalty bills would simplify their responsibility of identifying bills for which fiscal estimates are required, while a policy of distinguishing between different types of penalty bills would only complicate it. Based on

JOURNAL OF THE ASSEMBLY [May 24, 1977]

the 1973 ruling of Lieutenant Governor Schreiber, the Bureau has generally sought fiscal estimates for penalty bills with a direct cost impact on the State's correctional system. The distinction between penalty bills having and not having such an impact, however, is tenuous at best, and, in practice, the chair is told, has led to frequent discussions in the Bureau as to whether a specific bill requires or does not require a fiscal estimate. This uncertainty is undesirable, for the legislative process is served best when a procedure is applied uniformly to groups of bills which can be easily identified by different individuals with few disagreements.

Accordingly, the chair now rules that the point of order raised by the Gentleman from the 56th Assembly District is well taken and that all penalty bills offered in the Assembly require fiscal estimates under Joint Rule 41 (1) and section 13.10 (2) of the Wisconsin Statutes.

COMMITTEE REPORTS

The committee on Highways reports and recommends:

Assembly Bill 713

Relating to defining and regulating mopeds, placing mopeds for certain purposes under the laws regulating bicycles instead of motor-driven cycles, and providing penalties.

Passage: Ayes: (10) Noes: (1)
To Joint Committee on Finance.

CLETUS VANDERPERREN
Chairperson

The committee on Internal Management reports and recommends:

Assembly Joint Resolution 47

Relating to a priority drafting quota system for bill drafting.

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

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

SHARON METZ
Chairperson

The committee on Transportation reports and recommends:

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Assembly Bill 599

Relating to county bicycle registration.

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

To committee on Rules.

Assembly Bill 657

Relating to school bus registration fees.

Passage: Ayes: (9) Noes: (2)

To committee on Rules.

LEONARD GROSHEK
Chairperson

JOINT SURVEY COMMITTEE ON
RETIREMENT SYSTEMS

Assembly Bill 626

Assembly Bill 626 represents the findings and and recommendations of the Retirement Research Committee contained in its report #37 (1977). This bill concerns the local police and fire funds which were closed to new members in 1948, and the bill would represent a final disposition of such funds through merger for administrative purposes with the WRF. This bill would also provide supplements to qualifying retirees on the same basis as supplements to qualifying retirees on the same basis as supplements previously granted to other retirees of the state-administered funds during the 1973 session. This bill reflects the continuing legislative policy towards merger and consolidation and towards uniformity in benefits. The committee recommends that the bill be amended as noted above. With such amendment the Joint Survey Committee on Retirement Systems finds that Assembly Bill 626 is in the public interest and recommends its passage.

To committee on Internal Management.

EDWARD McCLAIN
Assembly Chairperson

MOTIONS

Representative Wahner asked unanimous consent that **Assembly Bill 446** be taken from the table and placed at the foot of the eleventh order of business on the calendar of Tuesday, May 24. Granted.

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Representative Thompson moved reconsideration of the vote by which assembly amendment 3 to **Assembly Bill 495** was adopted. Entered.

LEAVES OF ABSENCE

Representative Thompson asked unanimous consent for a leave of absence for today's session for Representatives Matty and Schricker. Granted.

CALENDAR OF FRIDAY, MAY 20, 1977

Assembly Bill 225

Relating to retired county judges serving as reserve judges.

Representative Rutkowski asked unanimous consent that the record on rejection of assembly amendment 17 to **Assembly Bill 225** be expunged. Granted.

Representative Rutkowski asked unanimous consent that assembly amendment 17 to **Assembly Bill 225** be revived. Granted.

The question was: Shall assembly amendment 17 to **Assembly Bill 225** be adopted?

Motion carried.

Representative Thompson moved rejection of assembly amendment 22 to **Assembly Bill 225**.

Representative Rooney moved that **Assembly Bill 225** be laid on the table.

The question was: Shall **Assembly Bill 225** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Bear, Bradley, Byers, Clarenbach, Conradt, Czerwinski, Day, DeLong, Donoghue, Dueholm, Duren, Early, Elconin, Ellis, Engeleiter, Everson, Ferrall, Goodrich, Gower, Groshek, Gunderson, Hanson, Hephner, Klicka, Lee, Leopold, Lewis, Lewison, Lorman, Luckhardt, McClain, McEssy, Medinger, Menos, Merkt, Miller, Norquist, Olson, Opitz, Plewa, Porter, Quackenbush, Rogers, Rooney, Roth, Schmidt, Shabaz, Snyder,

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Thompson, Travis, Tregoning, Tropman, Tuczynski, Wahner and Ward -- 55.

Noes -- Andrea, Ausman, Barczak, Barry, Behnke, Brist, Coggs, Dandeneau, Dorff, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lingren, Litscher, Loftus, Looby, Metz, Mohn, Moody, Munts, Murray, Otte, Pabst, Potter, Roberts, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Vanderperren, Wood and Mr. Speaker -- 42.

Absent or not voting -- Matty and Schricker -- 2.

Motion carried.

CALENDAR OF MONDAY, MAY 23, 1977

Assembly Bill 495

Relating to personalized license plates.

POINT OF ORDER

Representative Thompson rose to the point of order that **Assembly Bill 495** should be placed on the calendar of Thursday, May 26 because today he had entered a motion for reconsideration of the vote by which assembly amendment 3 was adopted.

The speaker ruled the point of order not well taken because a motion to reconsider assembly amendment 3 is a subsidiary motion and is taken up in conjunction with the motion to reconsider engrossment which is a main motion. The requirement in Assembly Rule 72 that motions to reconsider lay over two legislative days applies only to main motions, not subsidiary motions.

The question was: Shall the vote by which **Assembly Bill 495** was ordered to a third reading be reconsidered?

The roll was taken.

The result follows:

Ayes -- Behnke, Bradley, Conradt, DeLong, Dorff, Dueholm, Duren, Ellis, Engeleiter, Goodrich, Gower, Hauke, Hephner, Kedrowski, Kincaid, Klicka, Leopold, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Menos, Merkt, Olson, Opitz, Porter,

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Rogers, Roth, Shabaz, Snyder, Tesmer, Thompson, Tregoning and Wood -- 36.

Noes -- Andrea, Ausman, Barczak, Barry, Bear, Brist, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Donoghue, Early, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Gunderson, Hanson, Hasenohrl, Johnson, Johnston, Kirby, Lallensack, Lato, Lee, Lingren, Loftus, Looby, McClain, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Quackenbush, Roberts, Rooney, Rutkowski, Schmidt, Schneider, Soucie, Swoboda, Travis, Tropman, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 61.

Absent or not voting -- Matty and Schricker -- 2.

Motion failed.

Representative McEssy asked unanimous consent that the chief clerk be instructed to obtain a revised fiscal estimate for **Assembly Bill 495**. Granted.

Representative McEssy asked unanimous consent that **Assembly Bill 495** be laid on the table.

Representative Kirby objected.

Representative McEssy moved that **Assembly Bill 495** be laid on the table.

The question was: Shall **Assembly Bill 495** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Behnke, Bradley, Byers, Conradt, Day, DeLong, Donoghue, Dueholm, Duren, Everson, Goodrich, Gower, Groshek, Gunderson, Hauke, Hephner, Johnson, Kincaid, Klicka, Leopold, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Merkt, Olson, Porter, Quackenbush, Rogers, Rooney, Roth, Schmidt, Shabaz, Snyder, Tesmer, Thompson, Tregoning and Wood -- 40.

Noes -- Andrea, Ausman, Barczak, Barry, Bear, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Dorff, Early, Elconin, Ellis, Engeleiter, Ferrall, Fischer, Flintrop, Gerlach, Hanson, Hasenohrl, Johnston, Kedrowski, Kirby, Lallensack, Lato, Lee, Lingren, Loftus, Looby, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Opitz, Otte, Pabst, Plewa, Potter, Roberts, Rutkowski, Schneider, Soucie, Swoboda,

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Travis, Tropman, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 57.

Absent or not voting -- Matty and Schricker -- 2.

Motion failed.

POINT OF ORDER

Representative Shabaz rose to the point of order that **Assembly Bill 495** was not properly before the assembly until a revised fiscal estimate is received under joint rules 41 to 49.

The speaker ruled the point of order not well taken.

Representative McEssy moved that **Assembly Bill 495** be placed on the calendar five days hence.

The question was: Shall **Assembly Bill 495** be placed on the calendar five days hence?

The roll was taken.

The result follows:

Ayes -- Ausman, Behnke, Bradley, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Engeleiter, Everson, Goodrich, Gower, Groshek, Gunderson, Hauke, Hephner, Johnson, Johnston, Kincaid, Klicka, Leopold, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Merkt, Olson, Opitz, Pabst, Porter, Quackenbush, Rogers, Rooney, Roth, Schmidt, Shabaz, Snyder, Tesmer, Thompson, Travis, Tregoning and Wood -- 46.

Noes -- Andrea, Barczak, Barry, Bear, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Dueholm, Early, Elconin, Ellis, Ferrall, Fischer, Flintrop, Gerlach, Hanson, Hasenohrl, Kedrowski, Kirby, Lallensack, Lato, Lee, Lingren, Loftus, Looby, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rutkowski, Schneider, Soucie, Swoboda, Tropman, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 51.

Absent or not voting -- Matty and Schricker -- 2.

Motion failed.

Representative Shabaz asked unanimous consent that **Assembly Bill 495** be made a special order of business at 9:00 A.M. on Wednesday, June 1.

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Representative Wahner objected.

Representative Shabaz moved that **Assembly Bill 495** be made a special order of business at 9:00 A.M. on Wednesday, June 1.

The question was: Shall **Assembly Bill 495** be made a special order of business at 9:00 A.M. on Wednesday, June 1?

The roll was taken.

The result follows:

Ayes -- Ausman, Behnke, Bradley, Byers, Conradt, Czerwinski, DeLong, Donoghue, Ellis, Engeleiter, Everson, Goodrich, Gower, Gunderson, Hauke, Hephner, Johnston, Kincaid, Klicka, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Menos, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Shabaz, Snyder, Tesmer, Thompson, Travis and Tregoning -- 39.

Noes -- Andrea, Barczak, Barry, Bear, Brist, Clarenbach, Coggs, Dandeneau, Day, Dorff, Dueholm, Duren, Early, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Johnson, Kedrowski, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, McClain, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 58.

Absent or not voting -- Matty and Schricker -- 2.

Motion failed.

The question was: **Assembly Bill 495** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, DeLong, Donoghue, Early, Elconin, Ellis, Engeleiter, Ferrall, Fischer, Flintrop, Gerlach, Gunderson, Hanson, Hasenohrl, Johnston, Kedrowski, Kirby, Lallensack, Lee, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Opitz, Otte, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Roth, Rutkowski, Schneider, Soucie, Swoboda, Travis, Tropman, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 65.

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Noes -- Bradley, Conradt, Day, Dorff, Dueholm, Duren, Everson, Goodrich, Gower, Groshek, Hauke, Hephner, Johnson, Kincaid, Klicka, Lato, Leopold, Lewis, Lewison, Luckhardt, McEssy, Merkt, Olson, Pabst, Rooney, Schmidt, Shabaz, Snyder, Tesmer, Thompson, Tregoning and Wood -- 32.

Absent or not voting -- Matty and Schricker -- 2.

Motion carried.

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

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 495** be immediately messaged to the senate. Granted.

CALENDAR OF TUESDAY, MAY 24, 1977

Assembly Bill 384

Relating to income continuation insurance for local employes and granting rule-making authority.

Representative Wahner asked unanimous consent that **Assembly Bill 384** be referred to the Joint Committee on Finance. Granted.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 384** be withdrawn from the Joint Committee on Finance and taken up at this time. Granted.

The question was: Shall assembly amendment 1 to assembly amendment 1 to **Assembly Bill 384** be adopted?

Motion carried.

The question was: Shall assembly amendment 1 to **Assembly Bill 384** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Bill 384** offered by Representatives Pabst and Thompson.

Assembly amendment 1 to assembly amendment 2 to **Assembly Bill 384** offered by Representative Lee.

Representative Ferrall in the chair.

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Representative Thompson moved rejection of assembly amendment 1 to assembly amendment 2 to **Assembly Bill 384**.

The question was: Shall assembly amendment 1 to assembly amendment 2 to **Assembly Bill 384** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Behnke, Bradley, Byers, Clarenbach, Conradt, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Ellis, Engeleiter, Everson, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hauke, Hephner, Johnston, Kincaid, Klicka, Lallensack, Lato, Lewis, Lewison, Lingren, Litscher, Lorman, Luckhardt, McEssy, Menos, Merkt, Mohn, Moody, Murray, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Rogers, Roth, Schmidt, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Vanderperren, Wood and Mr. Speaker -- 64.

Noes -- Bear, Brist, Coggs, Czerwinski, Dandeneau, Early, Elconin, Ferrall, Fischer, Flintrop, Hanson, Hasenohri, Johnson, Kedrowski, Kirby, Lee, Leopold, Loftus, Looby, McClain, Medinger, Metz, Miller, Munts, Norquist, Roberts, Rooney, Rutkowski, Schneider, Tropman, Tuczynski, Wahner and Ward -- 33.

Absent or not voting -- Matty and Schricker -- 2.

Motion carried.

The question was: Shall assembly amendment 2 to **Assembly Bill 384** be adopted?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Byers, Coggs, Conradt, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Ellis, Engeleiter, Everson, Ferrall, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohri, Hauke, Hephner, Johnson, Johnston, Kincaid, Klicka, Lallensack, Lato, Lewis, Lewison, Lingren, Litscher, Loftus, Lorman, Luckhardt, McEssy, Menos, Merkt, Mohn, Moody, Munts, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Roth, Rutkowski, Schmidt,

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Vanderperren, Wahner, Ward and Wood -- 73.

Noes -- Brist, Clarenbach, Czerwinski, Dandeneau, Elconin, Fischer, Flintrop, Kedrowski, Kirby, Lee, Leopold, Looby, McClain, Medinger, Metz, Miller, Murray, Norquist, Rooney, Schneider, Soucie, Tropman, Tuczynski and Mr. Speaker -- 24.

Absent or not voting -- Matty and Schricker -- 2.

Motion carried.

The speaker in the chair.

The question was: Shall **Assembly Bill 384** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 384** be given a third reading. Granted.

The question was: **Assembly Bill 384** 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, 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, 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, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 96.

Noes -- Gerlach -- 1.

Absent or not voting -- Matty and Schricker -- 2.

Motion carried.

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 384** be immediately messaged to the senate. Granted.

Assembly Bill 589

Relating to miscellaneous changes in the laws relating to cooperative educational service agencies.

The question was: Shall assembly amendment 1 to **Assembly Bill 589** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 589** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 589** be given a third reading. Granted.

The question was: **Assembly Bill 589** 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, 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, 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, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 96.

Noes -- Gower -- 1.

Absent or not voting -- Matty and Schricker -- 2.

Motion carried.

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 589** be immediately messaged to the senate. Granted.

Assembly Bill 597

Relating to public distribution of city council proceedings.

Assembly amendment 1 to **Assembly Bill 597** offered by Representative Barczak.

Representative Kedrowski moved rejection of assembly amendment 1 to **Assembly Bill 597**.

The question was: Shall assembly amendment 1 to **Assembly Bill 597** be rejected?

The roll was taken.

The result follows:

Ayes -- Ausman, Barry, Bear, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Dandeneau, Day, Donoghue, Dueholm, Elconin, Everson, Fischer, Flintrop, Gerlach, Goodrich, Gower, Gunderson, Hanson, Hasenohrl, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Lorman, Luckhardt, McClain, McEssy, Metz, Miller, Moody, Munts, Norquist, Olson, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Schmidt, Schneider, Shabaz, Snyder, Soucie, Swoboda, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Ward, Wood and Mr. Speaker -- 72.

Noes -- Andrea, Barczak, Behnke, Czerwinski, DeLong, Dorff, Duren, Early, Ellis, Engleiter, Ferrall, Groshek, Hauke, Looby, Medinger, Menos, Merkt, Mohn, Murray, Opitz, Otte, Pabst, Rutkowski, Tesmer and Wahner -- 25.

Absent or not voting -- Matty and Schricker -- 2.

Motion carried.

Assembly amendment 2 to **Assembly Bill 597** offered by Representative Ferrall.

Representative Barczak moved rejection of assembly amendment 2 to **Assembly Bill 597**.

The question was: Shall assembly amendment 2 to **Assembly Bill 597** be rejected?

JOURNAL OF THE ASSEMBLY [May 24, 1977]

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Clarenbach, Coggs, Conradt, Czerwinski, Day, DeLong, Dorff, Dueholm, Elconin, Ellis, Engeleiter, Fischer, Flintrop, Gerlach, Groshek, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Lallensack, Leopold, McClain, Medinger, Menos, Merkt, Metz, Miller, Moody, Munts, Murray, Norquist, Opitz, Pabst, Quackenbush, Rooney, Roth, Rutkowski, Schmidt, Schneider, Soucie, Tropman, Tuczynski, Vanderperren, Ward and Wood -- 50.

Noes -- Bear, Behnke, Bradley, Brist, Byers, Dandeneau, Donoghue, Duren, Early, Everson, Ferrall, Goodrich, Gower, Gunderson, Hanson, Kedrowski, Kincaid, Kirby, Klicka, Lato, Lee, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McEssy, Mohn, Olson, Otte, Plewa, Porter, Potter, Roberts, Rogers, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Wahner and Mr. Speaker -- 47.

Absent or not voting -- Matty and Schricker -- 2.

Motion carried.

Assembly amendment 3 to Assembly Bill 597 offered by Representative Lorman.

The question was: Shall assembly amendment 3 to Assembly Bill 597 be adopted?

Motion carried.

Representative Kedrowski moved indefinite postponement of Assembly Bill 597.

The question was: Shall Assembly Bill 597 be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Bear, Behnke, Bradley, Brist, Byers, Conradt, Dandeneau, Donoghue, Dorff, Duren, Early, Everson, Ferrall, Goodrich, Gower, Gunderson, Hanson, Hauke, Kedrowski, Kincaid, Klicka, Lato, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Luckhardt, McEssy, Mohn, Olson, Otte, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Schmidt,

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Schneider, Shabaz, Snyder, Tesmer, Thompson, Travis, Tregoning and Mr. Speaker -- 52.

Noes -- Ausman, Barczak, Clarenbach, Coggs, Czerwinski, Day, DeLong, Dueholm, Elconin, Ellis, Engeleiter, Fischer, Flintrop, Gerlach, Groshek, Hasenohrl, Hephner, Johnson, Johnston, Kirby, Lallensack, Lee, Leopold, Lorman, McClain, Medinger, Menos, Merkt, Metz, Miller, Moody, Munts, Murray, Norquist, Opitz, Pabst, Rutkowski, Soucie, Swoboda, Tropman, Tuczynski, Vanderperren, Wahner, Ward and Wood -- 45.

Absent or not voting -- Matty and Schricker -- 2.

Motion carried.

Assembly Bill 723

Relating to town power to pay a nurse clinician.

The question was: Shall assembly amendment 1 to **Assembly Bill 723** be adopted?

Motion carried.

The question was: Shall assembly amendment 2 to **Assembly Bill 723** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 723** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 723** be given a third reading. Granted.

The question was: **Assembly Bill 723** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, 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,

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Looby, Lorman, Luckhardt, McClain, McEssy, 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, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 96.

Noes -- None.

Absent or not voting -- Bradley, Matty and Schricker -- 3.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 723** 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.

Senate Bill 78

Relating to titling duties of insurance companies upon obtaining ownership of a motor vehicle as a result of an insurance claim settlement and subsequent resale.

The question was: Shall **Senate Bill 78** be ordered to a third reading?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 78** be given a third reading. Granted.

The question was: **Senate Bill 78** 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, Engleiter, Everson, Ferrall, Fischer, Flintrop,

JOURNAL OF THE ASSEMBLY [May 24, 1977]

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, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Shabaz, Snyder, Soucie, Swoboda, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 93.

Noes -- Ellis and Tesmer -- 2.

Absent or not voting -- Matty, Quackenbush, Schricker and Tropman -- 4.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 78** be immediately messaged to the senate. Granted.

Senate Bill 93

Relating to exempting administrative secretaries to Milwaukee county board from civil service rules.

The question was: Shall **Senate Bill 93** be ordered to a third reading?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 93** be given a third reading. Granted.

The question was: **Senate Bill 93** 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, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Duren, Early, Elconin, Engleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kincaid, Kirby, Lallensack, Lee, Leopold, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Menos, Metz, Miller, Moody,

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Munts, Murray, Norquist, Olson, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Snyder, Soucie, Swoboda, Tesmer, Thompson, Tregoning, Tropman, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 81.

Noes -- Brist, Dueholm, Ellis, Gower, Kedrowski, Klicka, Lato, Lewis, Medinger, Merkt, Mohn, Opitz, Schneider, Shabaz, Travis and Tuczynski -- 16.

Absent or not voting -- Matty and Schricker -- 2.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that Senate Bill 93 be immediately messaged to the senate. Granted.

Representative Snyder asked unanimous consent to be recorded on the following questions from Thursday, May 19. Granted.

Shall Assembly Bill 496 be taken from the table and placed at the foot of the eleventh order of business on the calendar of Thursday, May 19? No

Shall the rules be suspended and Assembly Bill 495 be withdrawn from the Joint Committee on Finance and taken up at this time? No

Shall assembly amendment 2 to Assembly Bill 495 be rejected? No

Shall assembly amendment 3 to Assembly Bill 495 be adopted? No

Shall Assembly Bill 495 be laid on the table? Aye

Shall assembly amendment 4 to Assembly Bill 495 be rejected? No

Shall Assembly Bill 495 be re-referred to the Joint Committee on Finance? Aye

Shall Assembly Bill 495 be laid on the table? Aye

Shall Assembly Bill 495 be placed at the foot of the calendar of Thursday, May 19? Aye

Shall assembly amendment 5 to Assembly Bill 495 be rejected? Aye

Shall Assembly Bill 495 be ordered engrossed and read a third time? No

Shall the rules be suspended and Assembly Bill 495 be given a third reading? No

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Shall Assembly Bill 509 be ordered engrossed and read a third time? Aye

Shall Assembly Bill 509 pass? Aye

Shall Assembly Bill 526 pass? Aye

Shall Assembly Bill 537 pass? Aye

Shall Assembly Bill 543 pass? Aye

Shall Assembly Bill 385 pass? Aye

Shall Assembly Bill 496 be placed at the foot of the calendar of Thursday, May 26? Aye

Shall Assembly Bill 496 pass? No

Shall Senate Bill 140 be concurred in? Aye

VISITORS

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

Pat and Linda Medinger from LaCrosse, guests of Representative Medinger.

Distributive Education Club members of East DePere High School, Jodi Bluma, Marilyn Ley, Annette DeCleene, Amy Thomas and John Bressers from DePere, guests of Representative Gower.

Students of Montfort Elementary School, guests of Representative Travis.

Pam Mahnke, Pam Schanel, Ann Hayden, Dianne Johnson, Deb Manning, Wayne Peters and Mary Brennan, faculty advisor, from McFarland High School, guests of Representative Everson.

Students of Yahara School, accompanied by teachers, Mrs. Gunsolus and Mrs. Schmeling from Stoughton, guests of Representatives Barry and Everson.

Students from Thorp School, guests of Representative Gunderson.

Luanne Gibboney, Barb Robertson, Kelly Ferrington, Rich Hockers, Darlene Heimede, Brenda Kreuger, Sandy Dorn, Sharon Johnson and Mr. Thomas Farah from Green Bay, guests of Representative Metz.

Gene Harder, Richard Conway, Dave Hanson, Rhonda Hartje, Teresa Atkinson and Gerry Kleist from Mauston High School, guests of Representative Thompson.

JOURNAL OF THE ASSEMBLY [May 24, 1977]

Students from Kennedy School in Madison accompanied by Mary Lou Tyne and Mildred Lavine, guests of Representative Bear.

Representative Wahner moved that the assembly stand adjourned until 9:00 A.M. on Thursday, May 26.

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

The assembly stood adjourned.

12:35 P.M.