

STATE OF WISCONSIN

Assembly Journal .

Eighty-Third Regular Session

TUESDAY, June 21, 1977.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Father John Flanagan of Saint Thomas Aquinas Church, 302 South Rosa Road, Madison.

Representative Kirby 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, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conratt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Engleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, 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 -- 96.

Absent -- None.

Absent with leave -- Barczak, Lewison and Plewa -- 3.

AMENDMENTS OFFERED

Assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 240** offered by Representative Hanson.

Assembly amendment 2 to **Assembly Bill 383** offered by Representatives Jackamonis and Engleiter.

Assembly substitute amendment 1 to **Assembly Bill 474** offered by Representative Duren.

Assembly amendment 1 to **Assembly Bill 483** offered by Representative Hanson.

Assembly amendment 1 to **Assembly Bill 802** offered by Representative Duren.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Resolution 24

Relating to constituting the assembly members of the joint legislative audit committee an assembly standing committee on audit, and permitting the reference of proposals to the joint legislative audit committee.

By Representatives Kirby and Jackamonis.

To committee on Internal Management.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 831

Relating to revision of the criminal code and granting rule-making authority.

By Representatives Thompson, Lewis, DeLong, Tregoning, Matty, Bradley, Gower, Ellis and Snyder, co-sponsored by Senator Murphy.

To committee on Criminal Justice and Public Safety.

Assembly Bill 832

Relating to use of saccharin.

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By Representatives Pabst, Behnke, Hephner, Vanderperren, Porter, Murray, Menos, Lallensack, Tregoning, Klicka, Kincaid, Lewis, Byers, Dorff, Day, Kedrowski, Litscher, Everson, Opitz, Luckhardt, Travis, Bradley, Schricker, Lewison, Merkt, Snyder, Conradt, Hauke, Bear, Gower, Goodrich, Thompson, Shabaz, Early, Lingren, Tesmer, Rogers, Coggs, Tuczynski, Hanson and Barczak, co-sponsored by Senators Krueger, Parys, Dorman, Bablitch, McKenna, Murphy, Sensenbrenner and Lasee.

To committee on Commerce and Consumer Affairs.

Assembly Bill 833

Relating to use of cyclamates.

By Representatives Pabst, Behnke, Klicka, Vanderperren, Murray, Menos, Porter, Lewis, Byers, Dorff, Litscher, Opitz, Luckhardt, Travis, Bradley, Schricker, Lewison, Merkt, Snyder, Conradt, Hauke, Kincaid, Gower, Goodrich, Shabaz, Early, Tesmer, Rogers, Tuczynski, Hanson and Barczak, co-sponsored by Senators Krueger, Parys, Murphy and Lasee.

To committee on Commerce and Consumer Affairs.

Assembly Bill 834

Relating to eliminating annual and special meetings of common school districts.

By Representatives Flintrop and Ferrall.

To committee on Education.

Assembly Bill 835

Relating to liquor licenses for veterans organizations.

By Representatives Duren and Roberts.

To committee on Excise and Fees.

PETITIONS

Assembly Petition 115

A resolution submitted by the Racine Common Council in opposition to Assembly Bill 323, relating to reducing penalties and the coverage of crimes between consenting adults.

By Representative Ferrall.

To committee on Judiciary.

Assembly Petition 116

Submitted by Elinor Larson, Juneau consisting of 52 signatures of members of the Beaver Dam Chapter 1005, American Association of Retired Persons in support of Assembly Bill 557, relating to creating a citizens utility board to advocate for residential consumers in public utility matters.

By Representative Hanson.

To committee on Commerce and Consumer Affairs.

Assembly Petition 117

Submitted by Joseph Walter, Manitowoc consisting of 48 signatures of citizens of Wisconsin in opposition to Assembly Bill 530, relating to requiring hunters and fishers to wear back tags and changing the name of the sportsmen's license to sports license.

By Representative Lallensack.

To committee on Natural Resources.

Assembly Petition 118

A resolution submitted by the Jefferson County Commission on Aging in support of Assembly Bill 593, relating to county commissions on aging.

By Representative Lorman.

To committee on Health and Social Services.

Assembly Petition 119

A resolution submitted by members of St. Paul's Lutheran Church, Ixonia in opposition to Assembly Bill 616, relating to qualification procedures for private schools.

By Representative Snyder.

To committee on Education.

Assembly Petition 120

Submitted by Mrs. Cheryl Halsted, LaCrosse consisting of 160 signatures of citizens of Wisconsin in support of Assembly Bill 659, relating to transportation of pupils in areas of unusual hazard.

By Representatives Dandeneau, Medinger and Roberts.

To committee on Education.

Assembly Petition 121

A resolution submitted by the Rock County Law Enforcement Association in support of raising the legal drinking age in Wisconsin to nineteen.

By Representative DeLong.

To committee on Excise and Fees.

Assembly Petition 122

Submitted by Elsa Bailey consisting of 29 signatures of residents of Caravilla Retirement and Skilled Nursing Home in opposition to Assembly Bill 497 and Senate Bill 227, both relating to enforcement of nursing home regulations.

By Representative DeLong.

To committee on Health and Social Services.

Assembly Petition 123

A resolution submitted by the DePere Common Council in opposition to Assembly Bill 689, relating to collection of service charges by metropolitan sewerage systems.

By Representative Gower.

To committee on Local Affairs.

Assembly Petition 124

A resolution submitted by the DePere Common Council in support of amending Senate Bill 77 to delete the proposed shared tax funding change, and inventories and livestock exemption.

By Representative Gower.

To committee on Revenue.

Assembly Petition 125

A resolution submitted by the DePere Common Council in support of Assembly Bill 223, relating to state aid to municipalities and counties for revenue losses due to tax exemption of manufacturing and equipment.

By Representative Gower.

To committee on Local Affairs.

Assembly Petition 126

A resolution submitted by the DePere Common Council in support of Senate Bill 96, relating to eliminating municipal and county levy limitations.

By Representative Gower.

To committee on Local Affairs.

Assembly Petition 127

Submitted by Karen Oestreich consisting of 206 signatures of citizens of Wisconsin in opposition to the decriminalization of marijuana.

By Representative Lorman.

To committee on Health and Social Services.

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COMMITTEE REPORTS

The committee on Enrolled Bills reports and recommends:

Assembly Bill 197

Assembly Bill 304

Assembly Bill 385

Assembly Bill 428

Correctly enrolled.

GERVASE HEPHNER

Chairperson

The committee on Commerce and Consumer Affairs reports and recommends:

Assembly Bill 711

Relating to acquisition of controlling interest in a public utility.

Introduction and adoption of assembly amendment 1:

Ayes: (9) Noes: (0)

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

To committee on Rules.

Senate Bill 83

Relating to increasing maximum limits for disbursements for small claims garnishment actions.

Concurrence: Ayes: (9) Noes: (0)

To committee on Rules.

MIDGE MILLER

Chairperson

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

Senate Bill 14

Relating to revision of the criminal code.

Introduction and adoption of assembly substitute amendment 1:

Ayes: (9) Noes: (1)

Concurrence: Ayes: (8) Noes: (2)

To committee on Rules.

Senate Bill 105

Relating to rules and policy review of police and fire departments in cities of the 1st class.

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Concurrence: Ayes: (6) Noes: (3)
To committee on Rules.

MICHAEL ELCONIN
Chairperson

The committee on Transportation reports and recommends:

Assembly Resolution 23

Relating to a study of railroad abandonments by the assembly committee on transportation.

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

LEONARD GROSHEK
Chairperson

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

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

Senate Bill 391

Concurred in:

Assembly Bill 176
Assembly Bill 212
Assembly Bill 329
Assembly Bill 364
Assembly Bill 384
Assembly Bill 460
Assembly Bill 559
Assembly Bill 560

ACTION ON THE SENATE MESSAGE

Senate Bill 391

Relating to deer and bear damage payments.
By committee on Natural Resources and Tourism.
To committee on Agriculture.

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MOTIONS

Representative Wahner asked unanimous consent that **Assembly Bill 446** be taken from the table and placed at the foot of the calendar of Friday, June 17. Granted.

CALENDAR OF FRIDAY, JUNE 17, 1977

Assembly Bill 219

Relating to discrimination in employment and licensing on the basis of arrest and conviction records.

CALL OF THE ASSEMBLY

Representative Wahner demanded a call of the assembly. There were sufficient seconds.

The sergeant-at-arms was directed to close the doors and the chief clerk to call the roll.

The chief clerk called the roll.

Members absent with leave - None.

Members absent without leave - Barczak, Bear, Donoghue, Flintrop, Gower, Gunderson, Johnston, Lewison, Moody, Opitz, Plewa, Snyder, Tregoning and Tuczynski.

LEAVES OF ABSENCE

Representative Wahner asked unanimous consent for a leave of absence for today's session for Representative Barczak and for this morning's session for Representative Plewa. Granted.

Representative Thompson asked unanimous consent for a leave of absence for today's session for Representative Lewison. Granted.

The assembly proceeded to other business while remaining under call.

Assembly Resolution 22

Requesting an opinion of the attorney general with regard to the constitutionality of reducing a municipality's general property tax credit based on its per capita Wisconsin adjusted gross income.

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The question was: Shall **Assembly Resolution 22** be adopted?

Motion carried.

Assembly Bill 702

Relating to special license plates for holders of amateur radio station licenses.

Representative Wahner asked unanimous consent that **Assembly Bill 702** be referred to the Joint Committee on Finance. Granted.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 702** be withdrawn from the Joint Committee on Finance and taken up at this time. Granted.

The question was: Shall **Assembly Bill 702** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 702** be given a third reading. Granted.

The question was: **Assembly Bill 702** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, 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, Lallensack, Lee, Leopold, Lewis, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Mohn, Moody, Munts, Murray, Norquist, Olson, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Soucie, Swoboda, Tesmer, Thompson, Travis, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 91.

Noes -- Lato and Miller -- 2.

Absent or not voting -- Barczak, Klicka, Lewison, Opitz, Snyder and Tregoning -- 6.

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Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 702** be immediately messaged to the senate. Granted.

Assembly Bill 710

Relating to registration of vehicle combinations comprised of truck tractors and semitrailers, or trailers used exclusively under permits issued by the highway commission.

The question was: Shall **Assembly Bill 710** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 710** be given a third reading. Granted.

The question was: **Assembly Bill 710** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Engleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lewis, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Mohn, Moody, Munts, Murray, Norquist, Olson, Otte, Pabst, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 91.

Noes -- Miller and Shabaz -- 2.

Absent or not voting -- Barczak, Klicka, Lewison, Opitz, Plewa and Tregoning -- 6.

Motion carried.

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Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 710** be immediately messaged to the senate. Granted.

Assembly Bill 724

Relating to permitting banks located on land surrounded by outlying waters to establish bank stations within 3 miles of other banks or branches across the outlying waters but within the same municipality.

The question was: Shall **Assembly Bill 724** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 724** be given a third reading. Granted.

The question was: **Assembly Bill 724** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Engleiter, Everson, Ferrall, Fischer, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Mohn, Moody, Munts, Murray, Norquist, Olson, Otte, Pabst, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 92.

Noes -- None.

Absent or not voting -- Barczak, Flintrop, Lewison, Miller, Opitz, Plewa and Tregoning -- 7.

Motion carried.

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Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 724** be immediately messaged to the senate. Granted.

Assembly Bill 738

Relating to permits for vehicles transporting loads of pole length and pulpwood exceeding statutory length and weight limitations.

Representative Kirby moved indefinite postponement of **Assembly Bill 738**.

Representative Metz in the chair.

The question was: Shall **Assembly Bill 738** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Clarenbach, Coggs, Czerwinski, Dandeneau, Dueholm, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hanson, Hasenohrl, Johnson, Kirby, Lee, Leopold, Looby, McClain, Medinger, Metz, Miller, Munts, Norquist, Otte, Rooney, Rutkowski, Soucie, Tropman, Tuczynski, Wahner and Mr. Speaker -- 32.

Noes -- Andrea, Ausman, Barry, Bear, Behnke, Bradley, Brist, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Early, Ellis, Engleiter, Goodrich, Gower, Groshek, Gunderson, Hauke, Hephner, Johnston, Kedrowski, Kincaid, Klicka, Lallensack, Lato, Lewis, Lingren, Litscher, Loftus, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Mohn, Moody, Murray, Olson, Pabst, Porter, Potter, Quackenbush, Roberts, Rogers, Roth, Schmidt, Schneider, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Vanderperren, Ward and Wood -- 63.

Absent or not voting -- Barczak, Lewison, Opitz and Plewa -- 4.

Motion failed.

The question was: Shall **Assembly Bill 738** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barry, Bear, Behnke, Bradley, Brist, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Early,

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Ellis, Engeleiter, Goodrich, Gower, Groshek, Gunderson, Hanson, Hauke, Hephner, Johnston, Kedrowski, Kincaid, Klicka, Lallensack, Lato, Lewis, Lingren, Litscher, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Merkt, Mohn, Moody, Murray, Olson, Pabst, Porter, Potter, Quackenbush, Roberts, Rogers, Roth, Schmidt, Schneider, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Vanderperren, Ward and Wood -- 64.

Noes -- Clarenbach, Coggs, Czerwinski, Dandeneau, Dueholm, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Johnson, Kirby, Lee, Leopold, Looby, Medinger, Menos, Metz, Miller, Munts, Norquist, Otte, Rooney, Rutkowski, Soucie, Tropman, Tuczynski, Wahner and Mr. Speaker -- 31.

Absent or not voting -- Barczak, Lewison, Opitz and Plewa -- 4.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 738** be given a third reading. Granted.

The question was: **Assembly Bill 738** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barry, Bear, Behnke, Bradley, Brist, Byers, Coggs, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Early, Ellis, Engeleiter, Goodrich, Gower, Groshek, Gunderson, Hanson, Hauke, Hephner, Johnston, Kedrowski, Kincaid, Klicka, Lallensack, Lato, Lewis, Lingren, Litscher, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Merkt, Mohn, Moody, Murray, Olson, Pabst, Porter, Potter, Quackenbush, Roberts, Rogers, Roth, Schmidt, Schneider, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Vanderperren, Ward and Wood -- 65.

Noes -- Clarenbach, Czerwinski, Dandeneau, Dueholm, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Johnson, Kirby, Lee, Leopold, Looby, Medinger, Menos, Metz, Miller, Munts, Norquist, Otte, Rooney, Rutkowski, Soucie, Tropman, Tuczynski, Wahner and Mr. Speaker -- 30.

Absent or not voting -- Barczak, Lewison, Opitz and Plewa -- 4.

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Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 738** be immediately messaged to the senate. Granted.

Assembly Bill 668

Relating to closing hours for Class "B" and "Class B" establishments.

The question was: Shall assembly amendment 1 to **Assembly Bill 668** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 668** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Ausman, Barry, Behnke, Bradley, Brist, Conradt, Czerwinski, Day, DeLong, Donoghue, Dorff, Ducholm, Early, Ellis, Engeleiter, Ferrall, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lato, Lee, Lewis, Lingren, Litscher, Loftus, Luckhardt, McEssy, Matty, Merkt, Metz, Mohn, Moody, Murray, Norquist, Olson, Otte, Pabst, Porter, Potter, Quackenbush, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Vanderperren, Wahner, Ward and Mr. Speaker -- 70.

Noes -- Andrea, Bear, Byers, Clarenbach, Coggs, Dandeneau, Duren, Elconin, Fischer, Flintrop, Hanson, Lallensack, Leopold, Looby, Lorman, McClain, Medinger, Menos, Miller, Munts, Roberts, Schneider, Tuczynski and Wood -- 24.

Absent or not voting -- Barczak, Everson, Lewison, Opitz and Plewa -- 5.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 668** be given a third reading. Granted.

The question was: **Assembly Bill 668** having been read three times, shall the bill pass?

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Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 668** be immediately messaged to the senate.

Representative Gower objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 668** be immediately messaged to the senate.

The speaker in the chair.

The question was: Shall the rules be suspended and **Assembly Bill 668** be immediately messaged to the Senate?

The roll was taken.

The result follows:

Ayes -- Andrea, Bear, Behnke, Bradley, Brist, Clarenbach, Conrad, Czerwinski, Day, Donoghue, Dorff, Engeleiter, Ferrall, Groshek, Hauke, Hephner, Kedrowski, Kincaid, Kirby, Klicka, Lee, Lewis, McEssy, Matty, Menos, Metz, Mohn, Moody, Murray, Norquist, Opitz, Pabst, Porter, Rooney, Shabaz, Snyder, Soucie, Tesmer, Wahner and Mr. Speaker -- 40.

Noes -- Ausman, Barry, Byers, Coggs, Dandeneau, DeLong, Dueholm, Duren, Early, Elconin, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Gower, Gunderson, Hanson, Hasenohrl, Johnson, Johnston, Lallensack, Lato, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, Medinger, Merkt, Miller, Munts, Olson, Otte, Potter, Quackenbush, Roberts, Rogers, Roth, Rutkowski, Schmidt, Schneider, Schricker, Swoboda, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Ward and Wood -- 56.

Absent or not voting -- Barczak, Lewison and Plewa -- 3.

Motion failed.

Representative Wahner asked unanimous consent that the call of the assembly be lifted. Granted.

The call of the assembly on **Assembly Bill 219** having been lifted the assembly proceeded to consideration of the bill.

Assembly Bill 219

Relating to discrimination in employment and licensing on the basis of arrest and conviction records.

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The question was: Shall the vote by which **Assembly Bill 219** was ordered to a third reading be reconsidered?

The roll was taken.

The result follows:

Ayes -- Andrea, Bradley, Byers, Conradt, Czerwinski, Day, DeLong, Donoghue, Dorff, Ellis, Engeleiter, Everson, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hasenohrl, Hauke, Hephner, Kincaid, Klicka, Lallensack, Lato, Lewis, Litscher, Luckhardt, McEssy, Matty, Menos, Olson, Opitz, Pabst, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson and Travis -- 43.

Noes -- Ausman, Bear, Behnke, Brist, Clarenbach, Coggs, Dandeneau, Dueholm, Duren, Early, Elconin, Ferrall, Fischer, Flintrop, Hanson, Johnson, Johnston, Kedrowski, Kirby, Lee, Leopold, Lingren, Loftus, Looby, Lorman, McClain, Medinger, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tesmer, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 52.

Absent or not voting -- Barczak and Plewa -- 2.

Paired for -- Lewison -- 1.

Paired against -- Barry -- 1.

Motion failed.

Representative Shabaz moved indefinite postponement of **Assembly Bill 219**.

The question was: Shall **Assembly Bill 219** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Andrea, Bradley, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Ellis, Engeleiter, Everson, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hasenohrl, Hephner, Kincaid, Klicka, Lallensack, Lato, Lewis, Lingren, Litscher, Luckhardt, McClain, McEssy, Matty, Menos, Olson, Opitz, Pabst, Porter, Quackenbush, Rogers, Rooney, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis and Mr. Speaker -- 46.

Noes -- Ausman, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Dueholm, Duren, Early, Elconin,

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Ferrall, Fischer, Flintrop, Hanson, Hauke, Johnson, Johnston, Kedrowski, Kirby, Lee, Leopold, Loftus, Looby, Lorman, Medinger, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Potter, Roberts, Rutkowski, Schneider, Soucie, Tesmer, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward and Wood -- 50.

Absent or not voting -- Barczak, Lewison and Plewa -- 3.

Motion failed.

Representative Shabaz moved that **Assembly Bill 219** be referred to the committee on Judiciary.

The question was: Shall **Assembly Bill 219** be referred to the committee on Judiciary?

The roll was taken.

The result follows:

Ayes -- Bradley, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Ellis, Engeleiter, Everson, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hasenohrl, Hephner, Kincaid, Klicka, Lallensack, Lato, Lewis, Litscher, Luckhardt, McClain, McEssy, Matty, Menos, Olson, Opitz, Pabst, Porter, Quackenbush, Rooney, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis and Tregoning -- 43.

Noes -- Ausman, Barry, Bear, Behnke, Brist, Clarenbach, Cogs, Czerwinski, Dandeneau, Dueholm, Duren, Early, Elconin, Ferrall, Fischer, Flintrop, Hanson, Hauke, Johnson, Johnston, Kedrowski, Kirby, Lee, Leopold, Lingren, Loftus, Looby, Lorman, Medinger, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Potter, Roberts, Rogers, Rutkowski, Schneider, Soucie, Tesmer, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 52.

Absent or not voting -- Andrea, Barczak, Lewison and Plewa -- 4.

Motion failed.

The question was: **Assembly Bill 219** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

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Ayes -- Ausman, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Dueholm, Duren, Early, Elconin, Ferrall, Fischer, Flintrop, Hanson, Johnson, Johnston, Kedrowski, Kirby, Lee, Leopold, Loftus, Looby, Lorman, Medinger, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Potter, Roberts, Rogers, Rutkowski, Schneider, Soucie, Tesmer, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward and Wood -- 49.

Noes -- Andrea, Bradley, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Ellis, Engeleiter, Everson, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hasenohrl, Hauke, Hephner, Kincaid, Klicka, Lallensack, Lato, Lewis, Lingren, Litscher, Luckhardt, McClain, McEssy, Matty, Menos, Olson, Opitz, Otte, Pabst, Porter, Quackenbush, Rooney, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis and Mr. Speaker -- 47.

Absent or not voting -- Barczak, Lewison and Plewa -- 3.

Motion carried.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 219** be immediately messaged to the senate.

The question was: Shall the rules be suspended and **Assembly Bill 219** be immediately messaged to the Senate?

The roll was taken.

The result follows:

Ayes -- Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dueholm, Duren, Early, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Hanson, Hasenohrl, Johnson, Kedrowski, Kirby, Lee, Leopold, Litscher, Loftus, Looby, Lorman, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tesmer, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 54.

Noes -- Andrea, Ausman, Bradley, Byers, Conradt, DeLong, Donoghue, Dorff, Ellis, Engeleiter, Everson, Goodrich, Gower, Groshek, Gunderson, Hauke, Hephner, Johnston, Kincaid, Klicka, Lallensack, Lato, Lewis, Lingren, Luckhardt, McClain, McEssy, Matty, Menos, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson and Travis -- 42.

Absent or not voting -- Barczak, Lewison and Plewa -- 3.

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Motion failed.

Representative Wahner moved reconsideration of the vote by which **Assembly Bill 219** was passed. Entered.

Assembly Bill 726

Relating to fermented malt beverage and intoxicating liquor licenses for curling clubs.

The question was: Shall **Assembly Bill 726** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 726** be given a third reading. Granted.

The question was: **Assembly Bill 726** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Bear, Behnke, Bradley, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Duren, Early, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Goodrich, Gower, Groshek, Gunderson, Hanson, Hauke, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Lewis, Lingren, Litscher, Loftus, Lorman, Luckhardt, McClain, McEssy, Medinger, Menos, Metz, Moody, Olson, Opitz, Otte, Pabst, Porter, Potter, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schricker, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Vanderperren, Wahner, Ward and Mr. Speaker -- 72.

Noes -- Barry, Brist, Dueholm, Elconin, Gerlach, Hasenohrl, Hephner, Klicka, Lato, Leopold, Looby, Matty, Merkt, Miller, Mohn, Munts, Murray, Norquist, Quackenbush, Schneider, Shabaz, Tropman, Tuczynski and Wood -- 3.

Absent or not voting -- Barczak, Lewison and Plewa -- 3.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 726** be immediately messaged to the senate. Granted.

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Assembly Bill 446

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

The question was: Shall assembly amendment 1 to **Assembly Bill 446** be adopted?

Motion carried.

Representative Rutkowski asked unanimous consent that assembly amendment 2 to **Assembly Bill 446** be laid on the table. Granted.

The question was: Shall assembly amendment 3 to **Assembly Bill 446** be adopted?

Motion carried.

Assembly amendment 4 to **Assembly Bill 446** offered by Representative DeLong.

The question was: Shall assembly amendment 4 to **Assembly Bill 446** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 446** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 446** be given a third reading. Granted.

The question was: **Assembly Bill 446** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, 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, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Olson, Opitz, Otte, Pabst, Porter, Potter, Quackenbush, Roberts, Rogers, Roth,

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Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 94.

Noes -- None.

Absent or not voting -- Barczak, Lewison, Norquist, Plewa and Rooney -- 5.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 446** be immediately messaged to the senate. Granted.

Representative Rutkowski asked unanimous consent to be recorded as voting "Aye" on concurrence in **Senate Bill 98**. Granted.

Representative Rutkowski asked unanimous consent to be recorded as voting "Aye" on rejection of assembly amendment 11 to **Senate Bill 77**. Granted.

Representative Wahner asked unanimous consent that the assembly adjourn in honor of the birthday of Representatives Elconin and Barry. Granted.

Representative Wahner asked unanimous consent that the assembly adjourn in honor of Representative Miller's ten puppies who were born yesterday. Granted.

Representative Tregoning asked unanimous consent that the assembly adjourn in honor of Representative Travis who won a cow chip throwing contest. 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:

A joint certificate of congratulations by Representative Medinger; co-sponsored by Senator Offner for Father James F. O'Connell on the occasion of the silver jubilee of his priesthood.

A joint certificate of congratulations by Representative Medinger; co-sponsored by Senator Offner for Father Francis Heindl on the occasion of the silver jubilee of his priesthood.

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A joint certificate of congratulations by the entire membership of the Assembly; co-sponsored by the entire membership of the Senate for the city of Sheboygan on the occasion of "Bratwurst Day".

A joint certificate of commendation by Senator McKenna; co-sponsored by Representative Everson for Jean Rustad and Karen Roth on the occasion of their receipt of the state DECA awards.

A joint certificate of commendation by Senator Bablitch; co-sponsored by Representative Wahner for Herbert Kohl on the occasion of his retirement as chairman of the Democratic Party.

A joint certificate of congratulations by Senator Bablitch; co-sponsored by Representative Wahner for Governor Patrick J. Lucey on the occasion of his appointment as Ambassador to Mexico.

The above motions under joint rule 7 were concurred in pursuant to Assembly Rule 73.

The following motions under joint rule 7 were adopted pursuant to Assembly Rule 73.

MOTION UNDER JOINT RULE 7

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the Janesville Parker Vikings, under the leadership of Coach Dan Madden and Coach Mike Otte have compiled a surprising season finish of nine straight victories to a final season record of 15 wins and 7 losses; and

Whereas, Viking team members: Tom Pfeiffer, Scott Johnson, Steve Mageland, Dave Martelle, Tim Manthei, Cary McNatt, Doug Spenske, Craig Fenrick, Bob Drew, Mike Davis, Larry McIntosh, Jim Kluge, J.D. Moore, Ken Nelson, Matt Lipke, with managers Rick Busse and Greg Leuzinger and scorer Al DeBruine have continually maintained high standards of sportsmanship and perseverance in their climb to Janesville Parker's first state high school baseball championship; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Wood and Senators Thompson and Cullen under Joint Rule 7, congratulate Janesville Parker and the Janesville

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Parker Vikings on the well-earned title of WIAA state high school baseball champions.

MOTION UNDER JOINT RULE 7

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Werner Voegeli is retiring after having served diligently and faithfully in various capacities in Walworth County; and

Whereas, Werner began his career, after serving in the U.S. Army, at Walworth County Lakeland Hospital, then transferred to the Walworth County Sheriff's Department and presently he is Chief Deputy; and

Whereas, Werner Voegeli attended the C.I.C. Army school, which is equivalent to the FBI Academy; he was a polygraph examiner; operated and was in charge of the first photo lab in the Walworth County Sheriff's Department and taught many basic training seminars for new police officers; and

Whereas, Werner has held each office in the Walworth County Highway Safety Commission and is resigning from the position of President of the Commission; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representatives DeLong and Porter under Joint Rule 7, commend Werner Voegeli for his many years of outstanding service in police work and his performance of responsibilities to Walworth County and the state of Wisconsin to protect and defend its citizens and wish him many happy years of retirement.

MOTION UNDER JOINT RULE 7

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the Kohler girls track team, led by Coach Emily Cesar and Assistant Coach Mary Jo Braatz, successfully defended its title by capturing its second state Class "C" championship in 2 years; and

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Whereas, every member of the Kohler team contributed an outstanding effort to achieve the 12 point margin of victory over the team's nearest rival; and

Whereas, the skill, enthusiasm and courage of the team members, individually and together, is an inspiration to their opponents and to their school, families and community; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Potter and Senator Keppler under Joint Rule 7, congratulate Coach Cesar, Assistant Coach Braatz and the members of the Kohler girls track team on their stunning victory and wish them continued success in their future athletic efforts.

MOTION UNDER JOINT RULE 7

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the Howard Young Medical Center, Woodruff, Wisconsin, is being dedicated on June 18, 1977; and

Whereas, special recognition is being given to one of its prominent benefactors, Howard Young, and to one of the north country's first prominent women doctors, Dr. Kate Newcomb; and

Whereas, the new Howard Young Medical Center and its 250 employees and medical staff fulfill an extremely important community need for sustaining life by caring for the sick and injured and providing comfort to all who need medical care; and

Whereas, in the years to come, the white dome, the colonial pillars and paned windows of Woodruff's Monticello, a replica of Thomas Jefferson's architectural wonder, will be like a shining beacon, a symbol for health care in the Lakeland area; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Kincaid and Senator Krueger under Joint Rule 7, offer congratulations for this outstanding achievement of fulfilling an extremely important community need and wish them the utmost of success.

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MOTION UNDER JOINT RULE 7

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the freeing of the slaves in the territories of the United States, on June 19, 1865, is commemorated annually in Milwaukee with the Juneteenth Day Street Festival; and

Whereas, the festival, which depicts and expresses the Black and minority experience through a wide range of planned activities, has successfully over the years engendered the cooperation of business, industry, government and the community; and

Whereas, the sixth annual Juneteenth Day Street Festival will be celebrated on Sunday, June 19, 1977 and is sponsored by the Northcott Neighborhood House, the Girl Scouts of the Milwaukee Area, CR-Social Development Commission and the city of Milwaukee; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representatives Coggs and Ward and Senator Swan under Joint Rule 7, commend the sponsors of this event for their exemplary efforts in planning a commemorative and celebrative event around a significant development in the heritage of the Black community and of all Americans and extend their "Happy Juneteenth Day" greeting to all participants.

MOTION UNDER JOINT RULE 7

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Mr. Roy Valitchka after 21 years as editor of the Manitowoc Herald Times Reporter is retiring; and

Whereas, his untiring dedication to the ethics of journalism and concern for the individual will be missed by both the newspaper and its readers; and

Whereas, Mr. Valitchka should also be recognized for his leadership in and willingness to serve the community and particularly the educational needs of Manitowoc young people; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representatives Lallensack and Fischer under Joint Rule 7,

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commend Mr. Valitchka for his civic mindedness and continual eagerness to help or listen to any individual, and we wish him the best of luck in the future. Long may we hear his cheerful and hearty greeting -- "Shalom".

MOTION UNDER JOINT RULE 7

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Mrs. Eleanor Olsen was elected to the office of Senior Counselor of the Superior Council of the United Commercial Travelers of America; and

Whereas, on July 14, 1977, she will become the Supreme Counselor of the Ladies Auxiliary of the United Commercial Travelers of America; and

Whereas, in the past she has been active in various community affairs, spending countless hours teaching retarded and disabled persons how to make arts and crafts; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Murray under Joint Rule 7, congratulate Mrs. Eleanor Olsen on her recent honors and commend her for her fine record of public service.

MOTION UNDER JOINT RULE 7

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Edwin R. Stauffacher is being named Master Agriculturist for 1977; and

Whereas, Edwin Stauffacher was selected by a panel of judges on his abilities and accomplishments as a progressive farmer; and

Whereas, Edwin Stauffacher has given of his time to his church, local schools, civic organizations, charitable organizations and local, state, and national agricultural activities; and

Whereas, the awards are made by the "Wisconsin Agriculturist" as an honor not only to the individuals themselves, but to their families as well; now, therefore,

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The Members of the Wisconsin Legislature, on the motion of Representative Tregoning under Joint Rule 7, pay tribute to Edwin R. Stauffacher and his family for their outstanding conduct as a farm family and good citizens and commend them on their achievement.

MOTION UNDER JOINT RULE 7

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Lyle F. Sickinger, Monroe, who served as secretary of the Monroe Moose Lodge for more than 20 years, has received the highest honor in the Loyal Order of Moose, the Pilgrim Degree of Merit; and

Whereas, the Pilgrim Degree of Merit is awarded for "loyal and faithful service to the Moose on behalf of their humanitarian objectives"; and

Whereas, Sickinger has filled all offices in the local lodge as well as all offices in the Legion of the Moose, the second degree of the Moose; he received the Fellowship Degree in 1962, which is the third degree of the Moose and Lyle Sickinger has received nine stars during his service as lodge secretary; and

Whereas, Lyle Sickinger will be robed at a later date during a ceremony at the local lodge by fellow Pilgrims from the state of Wisconsin; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Tregoning under Joint Rule 7, commend the achievements of one of Monroe's outstanding citizens, a man of outstanding leadership and wish him success in all future endeavors.

VISITORS

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

Mrs. Roma S. Marrow from Hartford, Connecticut and daughter Dionne' Marie' Ward, guests of Representative Ward.

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Helen Johnson from Beloit; Margaret Dagley from Fairfield, Washington; Joseph and Lillian Pickard and children Kent, Sandy and Mitzi, from the Philippine Islands, guests of Representative Johnson.

Anne Marie, Michelle and Mrs. Richard Nson from Madison, guests of Representative Miller.

Wallace Mertz from Superior, guest of Representative Murray.

Duwayne R. Gleichner from Manitowoc, guest of Representatives Lallensack and Fischer.

Paul and Phil Bargman and Cory Turman from Green Bay, guests of Representatives Metz and Vanderperren.

Jonathan Bear from New York, guest of Representative Bear.

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.

12:20 P.M.