

JOURNAL OF THE ASSEMBLY [September 21, 1977]

STATE OF WISCONSIN

Assembly Journal

Eighty-Third Regular Session

WEDNESDAY, September 21, 1977.

9:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Thomas Woodward, chaplain of Saint Francis House Episcopal Student Center, 1001 University Avenue, Madison.

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

The roll was taken.

The result follows:

Present -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Elconin, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 97.

Absent -- None.

Absent with leave -- None.

AMENDMENTS OFFERED

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 24** offered by committee on State Affairs.

Assembly substitute amendment 2 to **Assembly Bill 337** offered by Representatives McClain, Shabaz, Hephner and McEssy.

Assembly amendment 4 to **Assembly Bill 347** offered by Representatives Hasenohrl, Otte and Menos.

Assembly amendment 5 to **Assembly Bill 347** offered by Representatives Barczak, Roberts, Hauke and Groshek.

Assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 408** offered by Representative Matty.

Assembly amendment 7 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 8 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 9 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 10 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representatives Thompson, Pabst and DeLong.

Assembly amendment 11 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Quackenbush.

Assembly amendment 12 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 13 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 14 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 15 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 16 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Thompson.

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Assembly amendment 17 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Thompson.

Assembly amendment 18 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representatives Loftus and Opitz.

Assembly amendment 19 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Dorff.

Assembly amendment 20 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Gower.

Assembly amendment 21 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 22 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 23 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 24 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 25 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 26 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 27 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 28 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 29 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

Assembly amendment 30 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Rogers.

Assembly amendment 31 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Donoghue.

Assembly amendment 32 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Quackenbush.

Assembly amendment 33 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Rogers.

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Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 519** offered by Joint Committee on Finance.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 519** offered by Joint Committee on Finance.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 780** offered by Joint Committee on Finance.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 780** offered by Joint Committee on Finance.

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 780** offered by Joint Committee on Finance.

Assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 780** offered by Joint Committee on Finance.

Assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 780** offered by Joint Committee on Finance.

Assembly amendment 10 to assembly substitute amendment 1 to **Senate Bill 14** offered by Representative Gower.

Assembly substitute amendment 1 to **Senate Bill 227** offered by committee on Health and Social Services.

Assembly amendment 1 to assembly substitute amendment 1 to **Senate Bill 227** offered by committee on Health and Social Services.

Assembly amendment 2 to assembly substitute amendment 1 to **Senate Bill 227** offered by committee on Health and Social Services.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1002

Relating to declaratory judgments brought by municipalities.
By Representative Barczak, co-sponsored by Senator Flynn.
To committee on Judiciary.

Assembly Bill 1003

Relating to eligibility for homestead tax credits.
By Committee on Revenue.
To committee on Revenue.

Assembly Bill 1004

Relating to creating a waterways commission, establishing boating facilities and boating safety assistance programs, granting rule-making authority and making an appropriation.

By Representatives Rooney, Andrea, Kedrowski, Roth, Bradley, Murray, Czerwinski, Kirby, Elconin, Vanderperren, Otte, Wahner, McClain, Kincaid, Plewa, Lallensack, Tesmer, Menos, Byers, Pabst, Medinger, Munts, Mohn, Clarenbach, Roberts, Schneider, Dorff, Moody, Rogers, Matty, Dandeneau, Olson, Gerlach, Gunderson, Ducholm, Thompson, Hanson, Porter, Schricker, Opitz, Lewison, Engeleiter, Behnke, McEssy, Norquist, DeLong, Hauke, Flintrop, Brist, Johnson, Everson, Litscher, Barry, Hasenohrl, Potter, Looby, Wood, Lato, Swoboda, Conradt, Donoghue, Coggs, Barczak, Groshek, Ferrall, Metz, Loftus, Soucie, Leopold, Lee, Lingren, Lewis, Klicka, Tuczynski, Rutkowski, Johnston, Merkt, Ellis and Schmidt, co-sponsored by Senators Maurer, Dorman, Chilsen, Berger and Cullen.

To committee on Natural Resources.

PETITIONS

Assembly Petition 173

A resolution submitted by the Winnebago County Board in opposition to Assembly Bill 690, relating to prohibiting property tax for county law enforcement services duplicated by a city or village.

By Representative Bradley.

To committee on Local Affairs.

Assembly Petition 174

A resolution submitted by the Oshkosh City Council in opposition to Senate Bill 15, relating to revision of municipal employee collective bargaining impasse resolution procedures, providing for final and binding arbitration and authorizing a limited right to strike.

By Representative Bradley.

To committee on Education.

Assembly Petition 175

Submitted by Eugene Lind, Omro, consisting of 17 signatures of citizens of Wisconsin in opposition to Assembly Bill 787, relating to examination and placement of children with exceptional educational needs.

By Representative Bradley.
To committee on Education.

Assembly Petition 176

Submitted by Mrs. Mary Larson, Watertown, consisting of 413 signatures of citizens of Wisconsin in opposition to Assembly Bill 787, relating to examination and placement of children with exceptional educational needs.

By Representative Luckhardt.
To committee on Education.

Assembly Petition 177

Submitted by Gary Suhm, New Berlin, consisting of 98 signatures of citizens of Wisconsin in opposition to Senate Bill 426, relating to a residential landlord and tenant act.

By Representative Jackamonis.
To committee on Judiciary.

Assembly Petition 178

Submitted by Alan Johnson, New Berlin, consisting of 290 signatures of citizens of Wisconsin in opposition to Senate Bill 426, relating to a residential landlord and tenant act.

By Representative Pabst.
To committee on Judiciary.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

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

Senate Joint Resolution 40

Passed and asks concurrence in:

Senate Bill 247
Senate Bill 292
Senate Bill 393

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Senate Bill 417

Senate Bill 428

Senate Bill 469

Concurred in:

Assembly Bill 186

Assembly Bill 462

Assembly Bill 537

Assembly Bill 556

Assembly Bill 704

Concurred in as amended:

Assembly Bill 464 (Senate substitute amendment 1 and senate amendment 1 to senate substitute amendment 1 adopted)

Assembly Bill 495 (Senate substitute amendment 1 and senate amendment 1 to senate substitute amendment 1 adopted)

Assembly Bill 726 (Senate amendment 1 adopted)

Concurred in:

Assembly amendment 1 to **Senate Bill 234**

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 40

Memorializing the interstate commerce commission to postpone for 2 years its decision on whether to grant the application of the Chicago and Northwestern Railroad to abandon the rail line between Gillett, Wisconsin and Scott Lake, Michigan.

By Senators Van Sistine, Chilsen, Krueger and Bablitch; co-sponsored by Representatives Kincaid, Vanderperren, Travis, Donoghue, Olson, Lingren, Schmidt and Day.

To committee on Rules.

Senate Bill 247

Relating to requiring completion of a hunter safety course before issuance of a hunting license.

By Senators Adelman, Parys and Braun; co-sponsored by Representative Rutkowski.

To committee on Natural Resources.

Senate Bill 292

Relating to changing the register of deeds fees.

By committee on Judiciary and Consumer Affairs, by request of Milwaukee County.

To committee on Local Affairs.

Senate Bill 393

Relating to various changes in awards to victims of crimes.

By Senators Flynn, Frank, Swan, Cullen, Bablitch and Petri; co-sponsored by Representatives Elconin, Munts, Flintrop, Rutkowski, Ferrall, Hauke and Thompson.

To committee on Criminal Justice and Public Safety.

Senate Bill 417

Relating to using school busses to provide transportation for the elderly.

By Senators Bablitch, Offner, Cullen, Adelman, Krueger, Berger, Flynn, Theno, Chilsen, Maurer, Radosevich, Bidwell, Risser, Keppler, Van Sistine, Sensenbrenner and Swan.

To committee on Transportation.

Senate Bill 428

Relating to an appropriation for general public liability claims against the Wisconsin state agencies building corporation and the Wisconsin state public building corporation.

By Senator Risser.

To committee on Judiciary.

Senate Bill 469

Relating to authorizing and directing the department of natural resources to sell or exchange certain lands in Oneida county for the benefit of the state.

By Senator Krueger; co-sponsored by Representative Kincaid.

To committee on Natural Resources.

Assembly Bill 464

Relating to structures constructed without a permit on navigable waters.

By Legislative Council.

To Calendar.

Assembly Bill 495

Relating to personalized license plates.

By Representatives Kirby, Hanson, Tuczynski, Fischer, Moody, Norquist and Jackamonis, co-sponsored by Senators Flynn and Berger.

To Calendar.

Assembly Bill 726

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

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By Representatives Dorff and Conratt, co-sponsored by Senator Lorge.
To Calendar.

MOTIONS

Representative Shabaz moved reconsideration of the vote by which senate amendment 1 to **Assembly Bill 100** was concurred in. Entered.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 736** be withdrawn from the Joint Committee on Finance and referred to the committee on Rules. Granted.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 860** be withdrawn from the Joint Committee on Finance and referred to the committee on Rules. Granted.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 383** be taken from the table and referred to the foot of the eleventh order of business on the calendar of Friday, September 23. Granted.

Representative McEssy asked unanimous consent that **Assembly Bill 575** be withdrawn from the Joint Survey Committee on Tax Exemptions and referred to the Joint Committee on Finance.

The speaker ruled the request out of order.

SPECIAL ORDER OF BUSINESS AT 9:01 A.M. ON
WEDNESDAY, SEPTEMBER 21

Assembly Bill 408

Relating to registration and equipment requirements for wrecker tow trucks, granting rule-making authority and providing a penalty.

Assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 408** offered by Representative Vanderperren.

Representative Gunderson moved rejection of assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 408**.

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The question was: Shall assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 408** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Brist, Clarenbach, Coggs, Day, DeLong, Donoghue, Duren, Elconin, Ellis, Ferrall, Fischer, Flintrop, Goodrich, Gower, Gunderson, Hanson, Hasenohrl, Hephner, Johnson, Johnston, Kedrowski, Kirby, Klicka, Lee, Leopold, Lewis, Litscher, Loftus, Lorman, Luckhardt, McClain, Medinger, Merkt, Metz, Miller, Munts, Norquist, Olson, Opitz, Porter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Wood and Mr. Speaker -- 63.

Noes -- Behnke, Bradley, Byers, Conradt, Czerwinski, Dandeneau, Dorff, Everson, Gerlach, Groshek, Hauke, Kincaid, Lallensack, Lato, Lewison, Lingren, Looby, McEssy, Matty, Menos, Mohn, Moody, Murray, Otte, Pabst, Plewa, Potter, Roth, Schricker, Vanderperren and Ward -- 31.

Absent or not voting -- Dueholm, Engeleiter and Wahner -- 3.

Motion carried.

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

Assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 408** offered by Representative Thompson.

Representative Vanderperren moved rejection of assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 408**.

The question was: Shall assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 408** be rejected?

The roll was taken.

The result follows:

Ayes -- Byers, Czerwinski, Dandeneau, Groshek, Lallensack, Looby, McEssy, Metz, Mohn, Moody, Murray, Norquist, Otte, Plewa, Potter, Roberts, Schneider, Vanderperren and Ward -- 19.

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Noes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Bradley, Brist, Clarenbach, Coggs, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Elconin, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Lorman, Luckhardt, McClain, Matty, Medinger, Menos, Merkt, Miller, Munts, Olson, Opitz, Pabst, Porter, Quackenbush, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Wahner, Wood and Mr. Speaker -- 76.

Absent or not voting -- Dueholm and Engeleiter -- 2.

Motion failed.

The question was: Shall assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 408** be adopted?

Motion carried.

Representative Vanderperren moved rejection of assembly substitute amendment 2 to **Assembly Bill 408**.

The question was: Shall assembly substitute amendment 2 to **Assembly Bill 408** be rejected?

The roll was taken.

The result follows:

Ayes -- Barczak, Behnke, Byers, Dorff, Gerlach, Groshek, Hauke, Kincaid, Lallensack, Lato, Lingren, McEssy, Matty, Metz, Moody, Murray, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Roth, Vanderperren and Ward -- 25.

Noes -- Andrea, Ausman, Barry, Bear, Bradley, Brist, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Duren, Elconin, Ellis, Everson, Ferrall, Fischer, Flintrop, Goodrich, Gower, Gunderson, Hanson, Hasenohrl, Hephner, Johnson, Johnston, Kedrowski, Kirby, Klicka, Lee, Leopold, Lewis, Lewison, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, Medinger, Menos, Merkt, Miller, Mohn, Munts, Norquist, Olson, Opitz, Porter, Quackenbush, Rooney, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Wahner, Wood and Mr. Speaker -- 70.

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Absent or not voting -- Dueholm and Engeleiter -- 2.

Motion failed.

Speaker pro tempore Kedrowski in the chair.

Representative Lallensack moved that **Assembly Bill 408** be laid on the table.

The question was: Shall **Assembly Bill 408** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barry, Bear, Bradley, Brist, Clarenbach, Dandeneau, Day, DeLong, Donoghue, Dorff, Duren, Elconin, Ellis, Everson, Ferrall, Fischer, Flintrop, Goodrich, Gower, Gunderson, Hanson, Hasenohrl, Hephner, Johnson, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Looby, Lorman, Luckhardt, McClain, Medinger, Merkt, Miller, Mohn, Moody, Munts, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Travis, Tregoning, Wood and Mr. Speaker -- 68.

Noes -- Barczak, Behnke, Byers, Coggs, Conradt, Czerwinski, Gerlach, Groshek, Hauke, Kedrowski, Kincaid, Lewis, Lewison, Loftus, McEssy, Matty, Menos, Metz, Murray, Roth, Schricker, Thompson, Tuczynski, Vanderperren, Wahner and Ward -- 26.

Absent or not voting -- Dueholm, Engeleiter and Johnston -- 3.

Motion carried.

CALENDAR OF WEDNESDAY, SEPTEMBER 21, 1977

Assembly Bill 764

Relating to authorizing cities of the 1st class to adopt executive budget procedures.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 764** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 764** be ordered engrossed and read a third time?

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Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 764** be given a third reading. Granted.

The question was: **Assembly Bill 764** having been read three times, shall the bill pass?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 764** be immediately messaged to the senate. Granted.

Assembly Bill 630

Relating to inspection of one- and 2-family dwelling construction.

Representative Wahner asked unanimous consent that **Assembly Bill 630** be re-referred to the committee on Local Affairs. Granted.

Assembly Bill 432

Relating to establishing a nongame, threatened and endangered species conservation program in the department of natural resources, granting rule-making authority, providing penalties and making an appropriation.

Representative Opitz moved that **Assembly Bill 432** be referred to the committee on Agriculture.

Speaker Jackamonis in the chair.

Representative Dueholm asked unanimous consent to be made a co-author of **Assembly Bill 432**. Granted.

Speaker pro tempore Kedrowski in the chair.

The question was: Shall **Assembly Bill 432** be referred to the committee on Agriculture?

The roll was taken.

The result follows:

Ayes -- Andrea, Behnke, Bradley, Byers, Conradt, DeLong, Donoghue, Dorff, Ellis, Gerlach, Goodrich, Gower, Groshek, Hauke, Hephner, Klicka, Lallensack, Lewison, Litscher, Luckhardt, McEssy, Matty, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder,

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Swoboda, Tesmer, Thompson, Travis, Tregoning, Vanderperren and Wood -- 41.

Noes -- Ausman, Barczak, Barry, Bear, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dueholm, Duren, Elconin, Everson, Ferrall, Fischer, Flintrop, Gunderson, Hanson, Hasenohrl, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Lato, Lee, Leopold, Lewis, Lingren, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Wahner, Ward and Mr. Speaker -- 55.

Absent or not voting -- Engeleiter -- 1.

Motion failed.

The question was: Shall assembly amendment 1 to assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 432** be adopted?

Motion carried.

POINT OF ORDER

Representative Murray rose to the point of order that assembly substitute amendment 2 to **Assembly Bill 432** was required to be referred to the Joint Committee on Finance.

The chair ruled the point of order not well taken.

Representative Murray moved that **Assembly Bill 432** be re-referred to the Joint Committee on Finance.

The question was: Shall **Assembly Bill 432** be re-referred to the Joint Committee on Finance?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Behnke, Bradley, Byers, Conradt, DeLong, Donoghue, Dorff, Ellis, Gerlach, Goodrich, Gower, Groshek, Hauke, Hephner, Kincaid, Klicka, Lallensack, Lewison, Litscher, Luckhardt, McEssy, Matty, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Vanderperren and Wood -- 43.

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Noes -- Ausman, Barry, Bear, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dueholm, Duren, Elconin, Everson, Ferrall, Fischer, Flintrop, Gunderson, Hanson, Hasenohrl, Johnson, Johnston, Kedrowski, Kirby, Lato, Lee, Leopold, Lewis, Lingren, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Muntis, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Wahner, Ward and Mr. Speaker -- 53.

Absent or not voting -- Engeleiter -- 1.

Motion failed.

The question was: Shall assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 432** be adopted?

Motion carried.

The question was: Shall assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 432** be adopted?

Motion carried.

The question was: Shall assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 432** be adopted?

Motion carried.

The question was: Shall assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 432** be adopted?

Motion carried.

Assembly amendment 5 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Hephner.

Representative Hephner asked unanimous consent that assembly amendment 5 to assembly substitute amendment 2 to **Assembly Bill 432** be withdrawn and returned to the author. Granted.

Assembly amendment 6 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Lato.

Representative Loftus moved rejection of assembly amendment 6 to assembly substitute amendment 2 to **Assembly Bill 432**.

Representative Wahner asked unanimous consent to return to the fifth order of business. Granted.

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COMMITTEE REPORTS

The committee on Health and Social Services reports and recommends:

Senate Bill 227

Relating to enforcement of nursing home regulations, providing a penalty and increasing appropriations.

Adoption of assembly amendment 1 to assembly substitute amendment 1:

Ayes: (13) Noes: (0)

Adoption of assembly amendment 2 to assembly substitute amendment 1:

Ayes: (13) Noes: (0)

Adoption of assembly substitute amendment 1:

Ayes: (12) Noes: (1)

Concurrence: Ayes: (12) Noes: (1)

To committee on Rules.

JOSEPH CZERWINSKI

Chairperson

The committee on Local Affairs reports and recommends:

Assembly Bill 779

Relating to fence construction on boundaries of town subdivisions.

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

To committee on Rules.

GARY BARCZAK

Chairperson

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 39** be withdrawn from the committee on Commerce and Consumer Affairs and referred to the committee on Rules.

Representative Thompson objected.

Representative Behnke asked unanimous consent to be recorded as voting "No" on suspension of the rules to immediately message the assembly's action on **Assembly Bill 100** to the senate on Tuesday, September 20. Granted.

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Representative Lewis asked unanimous consent to be recorded as voting "Aye" on passage of **Assembly Bill 303** on Thursday, September 15. Granted.

LEAVES OF ABSENCE

Representative Wahner asked unanimous consent for a leave of absence for this morning's session up until 11:45 A.M. for Representative Dueholm. Granted.

Representative Shabaz asked unanimous consent for a leave of absence for today's session for Representative Engeleiter. Granted.

Representative Wahner asked unanimous consent that the assembly stand recessed until 2:00 P.M. Granted.

The assembly stood recessed.

12:05 P.M.

RECESS

The assembly reconvened.

2:10 P.M.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

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

Senate Joint Resolution 48

Passed and asks concurrence in:

Senate Bill 199

Senate Bill 208

Senate Bill 287

Senate Bill 297

Senate Bill 340

Senate Bill 370

Senate Bill 384

Senate Bill 392

Concurred in:

Assembly Bill 538

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 48

Relating to the reporting date for the special joint committee for investigation of the conduct of the personnel board.

By Senators Flynn, Murphy, Braun and Sensenbrenner; co-sponsored by Representatives Ferrall, Tesmer, Gower and Snyder.

To committee on Rules.

Senate Bill 199

Relating to authorizing the examining board of architects, professional engineers, designers and land surveyors to adopt rules for maintaining professional competence.

By Senators Berger and Murphy; co-sponsored by Representatives Rogers, Plewa, Early, Andrea and Johnson, by request of the Examining Board of Architects and Professional Engineers.

To Joint Committee for Review of Administrative Rules.

Senate Bill 208

Relating to clerk's fees in municipal courts.

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

To committee on Judiciary.

Senate Bill 287

Relating to dates for election notices, circulation and filing of nomination papers and certain related events and functions in connection with the spring primary and election.

By Senator Kleczka; co-sponsored by Representative Clarenbach, by request of the Wisconsin County Clerks Association.

To committee on Elections.

Senate Bill 297

Renaming the department of public welfare in populous counties.

By Senator Braun; co-sponsored by Representatives Moody, Leopold and Coggs, by request of Milwaukee County.

To committee on Local Affairs.

Senate Bill 340

Relating to funeral and burial allowances at the Wisconsin home for veterans and increasing an appropriation.

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By Senators Lorge, Bablitch, Keppler, McCallum and Swan.
To committee on Veterans and Military Affairs.

Senate Bill 370

Relating to licensing procedures of the psychology examining board.

By Joint Committee for Review of Administrative Rules.
To committee on Rules.

Senate Bill 384

Relating to investment of deferred compensation funds of counties, cities, villages and towns.

By committee on Commerce, by request of League of Wisconsin Municipalities.

To committee on Local Affairs.

Senate Bill 392

Relating to excluding the cost of certain facilities from veteran's loan limitations.

By Senators Flynn, Swan, Offner, Braun, Van Sistine, Murphy, McCallum and Petri; co-sponsored by Representatives Lallensack, Rogers, Soucie and Schricker.

To committee on Veterans and Military Affairs.

CALL OF THE ASSEMBLY

Representative Kedrowski 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 - Engeleiter.

Members absent without leave - Barczak, Barry, Elconin, Lewis, Luckhardt and Ward.

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

Representative Wahner asked unanimous consent to return to the fifth order of business. Granted.

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COMMITTEE REPORTS

The Joint Committee for Review of Administrative Rules reports and recommends:

Assembly Joint Resolution 57

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

Adoption: Ayes: (6) Noes: (2)

To committee on Rules.

WILLIAM ROGERS

Assembly Co-Chairperson

Assembly Bill 432

Relating to establishing a nongame, threatened and endangered species conservation program in the department of natural resources, granting rule-making authority, providing penalties and making an appropriation.

The question was: Shall assembly amendment 6 to assembly substitute amendment 2 to **Assembly Bill 432** be rejected?

The roll was taken.

The result follows:

Ayes -- Ausman, Barczak, Barry, Bear, Brist, Clarenbach, Cogs, Czerwinski, Dandeneau, Elconin, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Gunderson, Hanson, Hasenohrl, Johnson, Johnston, Kedrowski, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, Looby, Lorman, McClain, Matty, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 54.

Noes -- Andrea, Behnke, Bradley, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Goodrich, Gower, Groshek, Hauke, Hephner, Kincaid, Klicka, Lato, Lewis, Lewison, Litscher, Luckhardt, McEssy, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning and Wood -- 42.

Absent or not voting -- Engeleiter -- 1.

Motion carried.

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Representative Loftus moved rejection of assembly amendment 7 to assembly substitute amendment 2 to **Assembly Bill 432**.

The question was: Shall assembly amendment 7 to assembly substitute amendment 2 to **Assembly Bill 432** be rejected?

The roll was taken.

The result follows:

Ayes -- Ausman, Barczak, Barry, Bear, Brist, Clarenbach, Cogs, Czerwinski, Dandeneau, Dueholm, Elconin, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hanson, Hasenohrl, Johnson, Johnston, Kedrowski, Kirby, Lallensack, Lato, Lee, Leopold, Lewis, Lingren, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rutkowski, Schneider, Soucie, Travis, Tuczynski, Wahner, Ward and Mr. Speaker -- 54.

Noes -- Andrea, Behnke, Bradley, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Goodrich, Gower, Groshek, Gunderson, Hauke, Hephner, Kincaid, Klicka, Lewison, Litscher, Luckhardt, McEssy, Matty, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush, Rooney, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Tregoning, Vanderperren and Wood -- 42.

Absent or not voting -- Engeleiter -- 1.

Motion carried.

Representative Loftus asked unanimous consent that assembly amendment 18 to assembly substitute amendment 2 to **Assembly Bill 432** be taken up at this time.

Representative Porter objected.

Representative Loftus moved that the rules be suspended and that assembly amendment 18 to assembly substitute amendment 2 to **Assembly Bill 432** be taken up at this time.

The question was: Shall the rules be suspended and assembly amendment 18 to assembly substitute amendment 2 to **Assembly Bill 432** be taken up at this time?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Byers, Clarenbach, Cogs, Czerwinski, Dandeneau, Day,

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Donoghue, Dorff, Dueholm, Duren, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lewis, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Opitz, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Roth, Rutkowski, Schneider, Schricker, Soucie, Swoboda, Tesmer, Travis, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 74.

Noes -- Bradley, Conradt, DeLong, Ellis, Goodrich, Gower, Hephner, Klicka, Lewison, Luckhardt, McEssy, Matty, Merkt, Murray, Olson, Porter, Quackenbush, Schmidt, Shabaz, Snyder, Thompson and Tregoning -- 22.

Absent or not voting -- Engeleiter -- 1.

Motion carried.

The question was: Shall assembly amendment 18 to assembly substitute amendment 2 to **Assembly Bill 432** be adopted?

Motion carried.

Representative Loftus moved rejection of assembly amendment 8 to assembly substitute amendment 2 to **Assembly Bill 432**.

The question was: Shall assembly amendment 8 to assembly substitute amendment 2 to **Assembly Bill 432** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Donoghue, Dorff, Dueholm, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Gunderson, Hanson, Hasenohrl, Hauke, Johnson, Johnston, Kedrowski, Kincaid, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Matty, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Olson, Otte, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schricker, Soucie, Swoboda, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 69.

Noes -- Bradley, Conradt, Day, DeLong, Duren, Ellis, Goodrich, Gower, Groshek, Hephner, Kirby, Lewison, Luckhardt,

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McEssy, Merkt, Murray, Opitz, Pabst, Porter, Roth, Shabaz, Snyder, Tesmer, Thompson, Travis, Tregoning and Wood -- 27.

Absent or not voting -- Engeleiter -- 1.

Motion carried.

Representative Loftus moved rejection of assembly amendment 9 to assembly substitute amendment 2 to **Assembly Bill 432**.

Speaker pro tempore Kedrowski in the chair.

Assembly amendment 1 to assembly amendment 9 to assembly substitute amendment 2 to **Assembly Bill 432** offered by Representative Porter.

The question was: Shall assembly amendment 1 to assembly amendment 9 to assembly substitute amendment 2 to **Assembly Bill 432** be adopted?

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, Elconin, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 95.

Noes -- None.

Absent or not voting -- Engeleiter and Norquist -- 2.

Motion carried.

Representative Loftus moved rejection of assembly amendment 9 to assembly substitute amendment 2 to **Assembly Bill 432**.

The question was: Shall assembly amendment 9 to assembly substitute amendment 2 to **Assembly Bill 432** be rejected?

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The roll was taken.

The result follows:

Ayes -- Barczak, Barry, Bear, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Dueholm, Everson, Ferrall, Fischer, Flintrop, Gunderson, Hanson, Hasenohrl, Johnson, Kincaid, Kirby, Lallensack, Lee, Leopold, Lewis, Lingren, Loftus, Looby, Lorman, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 49.

Noes -- Andrea, Ausman, Behnke, Bradley, Byers, Day, DeLong, Donoghue, Dorff, Duren, Elconin, Ellis, Gerlach, Goodrich, Gower, Groshek, Hauke, Hephner, Johnston, Klicka, Lato, Lewison, Litscher, Luckhardt, McClain, McEssy, Matty, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning and Wood -- 45.

Absent or not voting -- Conradt, Engeleiter and Kedrowski -- 3.

Motion carried.

The question was: Shall assembly amendment 10 to assembly substitute amendment 2 to **Assembly Bill 432** be adopted?

Motion carried.

Representative Loftus moved rejection of assembly amendment 11 to assembly substitute amendment 2 to **Assembly Bill 432**.

The question was: Shall assembly amendment 11 to assembly substitute amendment 2 to **Assembly Bill 432** be rejected?

The roll was taken.

The result follows:

Ayes -- Barczak, Barry, Bear, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Dueholm, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hanson, Hasenohrl, Johnson, Kedrowski, Kincaid, Lallensack, Lee, Leopold, Lewis, Lingren, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Potter, Roberts, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 49.

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Noes -- Andrea, Ausman, Behnke, Bradley, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Ellis, Goodrich, Gower, Groshek, Gunderson, Hauke, Hephner, Johnston, Kirby, Klicka, Lato, Lewison, Litscher, Luckhardt, McEssy, Matty, Merkt, Murray, Olson, Opitz, Pabst, Plewa, Porter, Quackenbush, Rogers, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning and Wood -- 47.

Absent or not voting -- Engeleiter -- 1.

Motion carried.

Representative Loftus moved rejection of assembly amendment 12 to assembly substitute amendment 2 to **Assembly Bill 432**.

The question was: Shall assembly amendment 12 to assembly substitute amendment 2 to **Assembly Bill 432** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Brist, Clarenbach, Cogs, Czerwinski, Dandeneau, Day, Dueholm, Duren, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Gunderson, Hanson, Hasenohrl, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lewis, Lingren, Loftus, Looby, Lorman, Luckhardt, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Olson, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 60.

Noes -- Behnke, Bradley, Byers, Conradt, Donoghue, Dorff, Ellis, Everson, Goodrich, Gower, Hauke, Hephner, Klicka, Lewison, Litscher, McEssy, Matty, Merkt, Murray, Opitz, Pabst, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning and Wood -- 34.

Absent or not voting -- DeLong, Engeleiter and Johnston -- 3.

Motion carried.

Representative Porter asked unanimous consent that assembly amendment 13 to assembly substitute amendment 2 to **Assembly Bill 432** be withdrawn and returned to the author. Granted.

Representative Porter asked unanimous consent that assembly amendment 14 to assembly substitute amendment 2 to **Assembly Bill 432** be withdrawn and returned to the author. Granted.

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Representative Loftus moved rejection of assembly amendment 15 to assembly substitute amendment 2 to **Assembly Bill 432**.

The question was: Shall assembly amendment 15 to assembly substitute amendment 2 to **Assembly Bill 432** be rejected?

The roll was taken.

The result follows:

Ayes -- Ausman, Barczak, Barry, Bear, Brist, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Donoghue, Dueholm, Elconin, Ferrall, Fischer, Flintrop, Gerlach, Gunderson, Hanson, Hasenohrl, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lewis, Loftus, Looby, Lorman, McClain, Medinger, Metz, Miller, Moody, Munts, Norquist, Olson, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 55.

Noes -- Andrea, Behnke, Bradley, Conradt, Day, DeLong, Dorff, Duren, Ellis, Everson, Goodrich, Gower, Groshek, Hauke, Hephner, Klicka, Lewison, Lingren, Litscher, Luckhardt, McEssy, Matty, Menos, Merkt, Mohn, Murray, Opitz, Pabst, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning and Wood -- 41.

Absent or not voting -- Engeleiter -- 1.

Motion carried.

The question was: Shall assembly amendment 16 to assembly substitute amendment 2 to **Assembly Bill 432** be adopted?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barry, Bear, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Elconin, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz,

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Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 92.

Noes -- Dandeneau and Soucie -- 2.

Absent or not voting -- Barczak, Engeleiter and Groshek -- 3.

Motion carried.

Representative Loftus moved rejection of assembly amendment 17 to assembly substitute amendment 2 to **Assembly Bill 432**.

The question was: Shall assembly amendment 17 to assembly substitute amendment 2 to **Assembly Bill 432** be rejected?

The roll was taken.

The result follows:

Ayes -- Barczak, Barry, Bear, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dueholm, Elconin, Ferrall, Fischer, Flintrop, Hanson, Hasenohrl, Johnson, Kedrowski, Kirby, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Potter, Roberts, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Wahner, Ward and Mr. Speaker -- 50.

Noes -- Andrea, Ausman, Behnke, Bradley, Byers, Conradt, DeLong, Donoghue, Dorff, Duren, Ellis, Everson, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hauke, Hephner, Johnston, Kincaid, Klicka, Litscher, Luckhardt, McEssy, Matty, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush, Rogers, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning and Wood -- 45.

Absent or not voting -- Engeleiter and Vanderperren -- 2.

Motion carried.

The question was: Shall assembly amendment 19 to assembly substitute amendment 2 to **Assembly Bill 432** be adopted?

Motion carried.

Representative Gower asked unanimous consent that assembly amendment 20 to assembly substitute amendment 2 to **Assembly Bill 432** be withdrawn and returned to the author. Granted.

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Representative Porter asked unanimous consent that assembly amendment 21 to assembly substitute amendment 2 to **Assembly Bill 432** be withdrawn and returned to the author. Granted.

Representative Porter asked unanimous consent that assembly amendment 22 to assembly substitute amendment 2 to **Assembly Bill 432** be withdrawn and returned to the author. Granted.

Representative Porter asked unanimous consent that assembly amendment 23 to assembly substitute amendment 2 to **Assembly Bill 432** be withdrawn and returned to the author. Granted.

Representative Porter asked unanimous consent that assembly amendment 24 to assembly substitute amendment 2 to **Assembly Bill 432** be withdrawn and returned to the author. Granted.

Representative Loftus moved rejection of assembly amendment 25 to assembly substitute amendment 2 to **Assembly Bill 432**.

The question was: Shall assembly amendment 25 to assembly substitute amendment 2 to **Assembly Bill 432** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Donoghue, Dorff, Dueholm, Elconin, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lewis, Lingren, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 61.

Noes -- Ausman, Bradley, Conradt, DeLong, Duren, Goodrich, Gower, Groshek, Gunderson, Hephner, Johnston, Klicka, Lato, Lewison, Litscher, Luckhardt, McEssy, Matty, Merkt, Murray, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning and Wood -- 35.

Absent or not voting -- Engeleiter -- 1.

Motion carried.

Representative Loftus moved rejection of assembly amendment 26 to assembly substitute amendment 2 to **Assembly Bill 432**.

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The question was: Shall assembly amendment 26 to assembly substitute amendment 2 to **Assembly Bill 432** be rejected?

Motion carried.

Representative Loftus moved rejection of assembly amendment 27 to assembly substitute amendment 2 to **Assembly Bill 432**.

The question was: Shall assembly amendment 27 to assembly substitute amendment 2 to **Assembly Bill 432** be rejected?

Motion carried.

The question was: Shall assembly amendment 28 to assembly substitute amendment 2 to **Assembly Bill 432** be adopted?

Motion carried.

Representative Loftus moved rejection of assembly amendment 29 to assembly substitute amendment 2 to **Assembly Bill 432**.

The question was: Shall assembly amendment 29 to assembly substitute amendment 2 to **Assembly Bill 432** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Donoghue, Dueholm, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gunderson, Hanson, Hasenohrl, Hauke, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lewis, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Olson, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tesmer, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 66.

Noes -- Bradley, Conradt, DeLong, Dorff, Duren, Ellis, Gower, Groshek, Hephner, Klicka, Lato, Lewison, Luckhardt, McEssy, Matty, Merkt, Murray, Pabst, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis and Tregoning -- 29.

Absent or not voting -- Engeleiter and Opitz -- 2.

Motion carried.

Representative Loftus moved rejection of assembly amendment 30 to assembly substitute amendment 2 to **Assembly Bill 432**.

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The question was: Shall assembly amendment 30 to assembly substitute amendment 2 to **Assembly Bill 432** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barry, Bear, Coggs, Czerwinski, Day, DeLong, Dueholm, Elconin, Ferrall, Gerlach, Gower, Hanson, Hasenohrl, Johnson, Johnston, Kedrowski, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Norquist, Opitz, Otte, Potter, Quackenbush, Roberts, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Snyder, Soucie, Swoboda, Thompson, Tregoning, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 59.

Noes -- Barczak, Behnke, Bradley, Brist, Byers, Clarenbach, Conradt, Dandeneau, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Goodrich, Groshek, Gunderson, Hauke, Hephner, Kincaid, Lewison, Litscher, Looby, Matty, Medinger, Murray, Olson, Pabst, Plewa, Porter, Rogers, Roth, Schricker, Tesmer, Travis and Wood -- 37.

Absent or not voting -- Engeleiter -- 1.

Motion carried.

Representative Loftus moved rejection of assembly amendment 31 to assembly substitute amendment 2 to **Assembly Bill 432**.

The question was: Shall assembly amendment 31 to assembly substitute amendment 2 to **Assembly Bill 432** be rejected?

The roll was taken.

The result follows:

Ayes -- Barry, Bear, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dueholm, Elconin, Everson, Ferrall, Fischer, Flintrop, Hanson, Hasenohrl, Johnson, Kedrowski, Kirby, Lallensack, Lee, Leopold, Lewis, Lingren, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Tesmer, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 52.

Noes -- Andrea, Ausman, Barczak, Behnke, Bradley, Byers, Conradt, DeLong, Donoghue, Dorff, Duren, Ellis, Gerlach,

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Goodrich, Gower, Groshek, Gunderson, Hauke, Hephner, Johnston, Kincaid, Klicka, Lato, Lewison, Litscher, Luckhardt, McEssy, Matty, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Thompson, Travis and Tregoning -- 44.

Absent or not voting -- Engeleiter -- 1.

Motion carried.

Representative Loftus moved rejection of assembly amendment 32 to assembly substitute amendment 2 to **Assembly Bill 432**.

The question was: Shall assembly amendment 32 to assembly substitute amendment 2 to **Assembly Bill 432** be rejected?

The roll was taken.

The result follows:

Ayes -- Ausman, Barczak, Barry, Bear, Brist, Clarenbach, Cogs, Czerwinski, Dandeneau, Day, Dueholm, Elconin, Ferrall, Flintrop, Gerlach, Hanson, Hasenohrl, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lewis, Lingren, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Potter, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 51.

Noes -- Andrea, Behnke, Bradley, Byers, Conradt, DeLong, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Goodrich, Gower, Groshek, Gunderson, Hauke, Hephner, Johnston, Klicka, Lewison, Litscher, Luckhardt, McEssy, Matty, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush, Roberts, Rogers, Roth, Schmidt, Schricker, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning and Wood -- 45.

Absent or not voting -- Engeleiter -- 1.

Motion carried.

The question was: Shall assembly amendment 33 to assembly substitute amendment 2 to **Assembly Bill 432** be adopted?

Motion carried.

The question was: Shall assembly substitute amendment 2 to **Assembly Bill 432** be adopted?

Motion carried.

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The question was: Shall **Assembly Bill 432** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 432** be given a third reading. Representative Gower objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 432** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 432** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Donoghue, Dorff, Dueholm, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lewis, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 67.

Noes -- Bradley, Byers, Conradt, DeLong, Duren, Ellis, Goodrich, Gower, Hephner, Johnston, Klicka, Lewison, Luckhardt, McEssy, Matty, Merkt, Olson, Opitz, Pabst, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Thompson, Travis and Tregoning -- 29.

Absent or not voting -- Engeleiter -- 1.

Motion carried.

The question was: **Assembly Bill 432** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Ausman, Barczak, Barry, Bear, Behnke, Brist, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dueholm, Duren, Elconin, Everson, Ferrall, Fischer,

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Flintrop, Goodrich, Gower, Groshek, Gunderson, Hanson, Hauke, Johnson, Johnston, Kedrowski, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lingren, Litscher, Loftus, Looby, Lorman, McClain, McEssy, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Olson, Opitz, Otte, Plewa, Potter, Quackenbush, Roberts, Rogers, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 78.

Noes -- Andrea, Bradley, Conradt, Dorff, Ellis, Gerlach, Hasenohrl, Hephner, Kincaid, Lewison, Luckhardt, Matty, Merkt, Murray, Pabst, Porter, Rooney and Travis -- 18.

Absent or not voting -- Engeleiter -- 1.

Motion carried.

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

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

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

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 432** be immediately messaged to the senate. Granted.

Assembly Bill 233

Relating to speed limits on highways within cities or villages.

The question was: Shall **Assembly Bill 233** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Barry, Bear, Behnke, Bradley, Brist, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Dorff, Dueholm, Elconin, Ellis, Ferrall, Fischer, Gerlach, Goodrich, Gower, Hanson, Hasenohrl, Hauke, Hephner, Kedrowski, Kincaid, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Merkt, Metz, Mohn, Moody, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski,

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Schmidt, Schneider, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Wahner, Ward, Wood and Mr. Speaker -- 72.

Noes -- Andrea, Ausman, Barczak, Byers, Clarenbach, Donoghue, Duren, Everson, Flintrop, Groshek, Gunderson, Johnson, Johnston, Kirby, Lewison, Lingren, Litscher, Looby, Menos, Miller, Munts, Murray, Schricker and Vanderperren -- 24.

Absent or not voting -- Engeleiter -- 1.

Motion carried.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has nonconcurred in:

Assembly Bill 526

Senate Bill 559

Relating to miscellaneous changes in the tax credit, agreements, planning and zoning requirements for farmland preservation enacted by chapter 29, laws of 1977 and making an appropriation.

POINT OF ORDER

Representative Thompson rose to the point of order that **Senate Bill 559** was not properly before the assembly because the bill had been acted on by the senate prior to receipt of a fiscal estimate as required by Joint Rule 49 and Wisconsin Statutes 13.10.

The speaker ruled the point of order not timely.

Representative Shabaz appealed the ruling of the chair.

The question was: Shall the ruling of the chair stand as the judgement of the assembly?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Brist, Clarenbach, Cogs, Czerwinski, Dandeneau, Day, Dorff, Dueholm, Duren,

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Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 64.

Noes -- Ausman, Bradley, Byers, Conradt, DeLong, Donoghue, Ellis, Goodrich, Gower, Gunderson, Klicka, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Thompson, Travis and Tregoning -- 30.

Absent or not voting -- Behnke, Engleiter and Johnston -- 3.

Motion carried.

POINT OF ORDER

Representative Thompson rose to the point of order that **Senate Bill 559** was required to be referred to the Joint Committee on Finance.

The speaker ruled the point of order not well taken because the bill had been referred to the Joint Committee on Finance by the senate on Tuesday, September 20.

Representative Thompson moved that **Senate Bill 559** be referred to the Joint Committee on Finance.

The question was: Shall **Senate Bill 559** be referred to the Joint Committee on Finance?

The roll was taken.

The result follows:

Ayes -- Bradley, Byers, Conradt, DeLong, Donoghue, Ellis, Goodrich, Gower, Gunderson, Johnston, Klicka, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Olson, Opitz, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Thompson, Travis and Tregoning -- 29.

Noes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dorff, Dueholm, Duren, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach,

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Groshek, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Porter, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 67.

Absent or not voting -- Engeleiter -- 1.

Motion failed.

Assembly amendment 1 to **Senate Bill 559** offered by Representatives Thompson, Tregoning and Litscher.

Representative Day moved rejection of assembly amendment 1 to **Senate Bill 559**.

Representative Wahner asked unanimous consent to return to the fifth order of business. Granted.

COMMITTEE REPORTS

The Joint Committee on Finance reports and recommends:

Assembly Bill 325

Relating to altering current penalties for the possession and nonprofit transfer of marijuana and permitting the enactment of certain ordinances.

Adoption of assembly substitute amendment 1:

Ayes: (14) Noes: (0)

Passage: Ayes: (9) Noes: (5)

To committee on Rules.

Assembly Bill 519

Relating to required coverage of home care and transportation for outpatient treatment by disability insurance policies.

Adoption of assembly amendment 1 to assembly substitute amendment 1:

Ayes: (14) Noes: (0)

Adoption of assembly amendment 2 to assembly substitute amendment 1:

Ayes: (14) Noes: (0)

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Adoption of assembly substitute amendment 1:

Ayes: (14) Noes: (0)

Passage: Ayes: (14) Noes: (0)

To committee on Rules.

Assembly Bill 626

Relating to retirement programs for municipal police officers and fire fighters.

Adoption of assembly amendment 3:

Ayes: (14) Noes: (0)

Passage: Ayes: (14) Noes: (0)

To committee on Rules.

Assembly Bill 780

Relating to access to public records, creating an open records board, granting rule-making authority, making an appropriation and providing a penalty.

Adoption of assembly amendment 1 to assembly substitute amendment 1:

Ayes: (14) Noes: (0)

Adoption of assembly amendment 2 to assembly substitute amendment 1:

Ayes: (14) Noes: (0)

Adoption of assembly amendment 3 to assembly substitute amendment 1:

Ayes: (14) Noes: (0)

Adoption of assembly amendment 4 to assembly substitute amendment 1:

Ayes: (14) Noes: (0)

Adoption of assembly amendment 5 to assembly substitute amendment 1:

Ayes: (14) Noes: (0)

Adoption of assembly substitute amendment 1:

Ayes: (13) Noes: (1)

Passage: Ayes: (8) Noes: (6)

To committee on Rules.

Assembly Bill 991

Relating to the standard deduction and filing requirements under the personal income tax.

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Passage: Ayes: (13) Noes: (1)
To Calendar.

GARY JOHNSON
Assembly Chairperson

Representative Wahner asked unanimous consent that the assembly stand recessed until 5:00 P.M. Granted.

The assembly stood recessed.

4:15 P.M

RECESS

5:00 P.M.

The assembly reconvened.

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 - Engeleiter.

Members absent without leave - Barczak, Clarenbach, Gower, Hasenohrl, Lallensack, Looby and Miller.

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

Senate Bill 559

Relating to miscellaneous changes in the tax credit, agreements, planning and zoning requirements for farmland preservation enacted by chapter 29, laws of 1977 and making an appropriation.

The question was: Shall assembly amendment 1 to **Senate Bill 559** be rejected?

The roll was taken.

The result follows:

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

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

Absent or not voting -- Dueholm and Engeleiter -- 2.

Motion carried.

Assembly amendment 2 to **Senate Bill 559** offered by Representatives Thompson, Luckhardt, Porter, DeLong, Shabaz, Tregoning, Bradley, Gunderson, Lewison, Goodrich, Olson, Merkt, Lewis, Quackenbush, Schricker, Byers, Travis, Donoghue and Opitz.

Representative Day moved rejection of assembly amendment 2 to **Senate Bill 559**.

Representative Barry moved that assembly amendment 2 to **Senate Bill 559** be laid on the table.

The question was: Shall assembly amendment 2 to **Senate Bill 559** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Ausman, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dorff, Dueholm, Duren, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lewison, Lingren, Litscher, Loftus, Looby, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Schricker,

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Soucie, Swoboda, Tesmer, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 66.

Noes -- Andrea, Bradley, Byers, Conradt, DeLong, Donoghue, Ellis, Goodrich, Gower, Gunderson, Hephner, Johnston, Klicka, Lewis, Lorman, Luckhardt, McEssy, Matty, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Shabaz, Snyder, Thompson, Travis and Tregoning -- 30.

Absent or not voting -- Engeleiter -- 1.

Motion carried.

Assembly amendment 3 to **Senate Bill 559** offered by Representatives Bradley, Thompson and Tregoning.

Representative Day moved rejection of assembly amendment 3 to **Senate Bill 559**.

The question was: Shall assembly amendment 3 to **Senate Bill 559** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Cogg, Czerwinski, Dandeneau, Day, Dorff, Dueholm, Duren, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, McClain, Medinger, Menos, Metz, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Travis, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 66.

Noes -- Bradley, Byers, Conradt, DeLong, Donoghue, Ellis, Goodrich, Gower, Hephner, Johnston, Klicka, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Olson, Opitz, Porter, Roth, Schmidt, Schricker, Shabaz, Snyder, Thompson, Tregoning and Wood -- 29.

Absent or not voting -- Engeleiter and Miller -- 2.

Motion carried.

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LEAVES OF ABSENCE

Representative Wahner asked unanimous consent for a leave of absence for today's session from 5:40 P.M. on for Representative Miller. Granted.

Representative Wahner asked unanimous consent to return to the fifth order of business. Granted.

COMMITTEE REPORTS

The committee on State Affairs reports and recommends:

Senate Bill 49

Relating to protective headgear for operators of motor-driven cycles and headlamp requirements for motor-driven cycles.

Adoption of assembly substitute amendment 1:

Ayes: (6) Noes: (3)

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

To committee on Rules.

JOHN PLEWA

Chairperson

The committee on Revenue reports and recommends:

Assembly Bill 970

Relating to eliminating the reduction for estimated shared taxes under the county and municipal levy limitations.

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

To Joint Committee on Finance.

MARLIN SCHNEIDER

Chairperson

Assembly amendment 4 to **Senate Bill 559** offered by Representatives Tregoning and Travis.

Representative Day moved rejection of assembly amendment 4 to **Senate Bill 559**.

The question was: Shall assembly amendment 4 to **Senate Bill 559** be rejected?

The roll was taken.

The result follows:

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Ayes -- Andrea, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Dandeneau, Day, Dorff, Dueholm, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, McClain, Medinger, Menos, Metz, Mohn, Moody, Munts, Murray, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 59.

Noes -- Ausman, Bradley, Byers, Conradt, Czerwinski, DeLong, Donoghue, Duren, Ellis, Goodrich, Gower, Gunderson, Hephner, Johnston, Klicka, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Thompson, Travis, Tregoning and Wood -- 35.

Absent or not voting -- Engeleiter, Miller and Norquist -- 3.

Motion carried.

Representative Thompson moved that assembly amendment 2 to **Senate Bill 559** be taken from the table.

The question was: Shall assembly amendment 2 to **Senate Bill 559** be taken from the table?

Motion failed.

Representative Shabaz moved that **Senate Bill 559** be referred to the committee on Agriculture.

The question was: Shall **Senate Bill 559** be referred to the committee on Agriculture?

The roll was taken.

The result follows:

Ayes -- Bradley, Byers, Conradt, Czerwinski, DeLong, Gower, Johnston, Klicka, Lee, Leopold, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Opitz, Roth, Schricker, Shabaz, Snyder and Thompson -- 23.

Noes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Dandeneau, Day, Donoghue, Dorff, Dueholm, Duren, Elconin, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato,

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Lingren, Litscher, Loftus, Looby, McClain, Medinger, Menos, Metz, Mohn, Moody, Munts, Murray, Norquist, Olson, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Soucie, Swoboda, Tesmer, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 72.

Absent or not voting -- Engeleiter and Miller -- 2.

Motion failed.

Representative Thompson moved that assembly amendment 2 to **Senate Bill 559** be taken from the table.

The question was: Shall assembly amendment 2 to **Senate Bill 559** be taken from the table?

The roll was taken.

The result follows:

Ayes -- Barry, Bradley, Byers, Conradt, Czerwinski, DeLong, Donoghue, Ellis, Goodrich, Gower, Gunderson, Hephner, Johnston, Klicka, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Matty, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Schricker, Shabaz, Snyder, Thompson, Travis and Tregoning -- 34.

Noes -- Andrea, Ausman, Barczak, Bear, Behnke, Brist, Clarenbach, Coggs, Dandeneau, Day, Dorff, Dueholm, Duren, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, McClain, Medinger, Menos, Metz, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 61.

Absent or not voting -- Engeleiter and Miller -- 2.

Motion failed.

The question was: Shall **Senate Bill 559** be ordered to a third reading?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 559** be given a third reading.

Representative Thompson objected.

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Representative Wahner moved that the rules be suspended and that **Senate Bill 559** be given a third reading.

The question was: Shall the rules be suspended and **Senate Bill 559** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Behnke, Brist, Clarenbach, Coggs, Dandeneau, Day, Dorff, Dueholm, Duren, Elconin, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, McClain, Medinger, Menos, Metz, Mohn, Moody, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Soucie, Swoboda, Tesmer, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 67.

Noes -- Bradley, Byers, Conradt, Czerwinski, DeLong, Donoghue, Ellis, Goodrich, Gower, Johnston, Klicka, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Olson, Opitz, Porter, Roth, Schricker, Shabaz, Snyder, Thompson, Travis and Tregoning -- 28.

Absent or not voting -- Engeleiter and Miller -- 2.

Motion carried.

The question was: **Senate Bill 559** 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, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Elconin, Ellis, 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, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker,

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Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 93.

Noes -- Czerwinski and Matty -- 2.

Absent or not voting -- Engeleiter and Miller -- 2.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 559** be immediately messaged to the senate. Granted.

Assembly Bill 982

Relating to miscellaneous changes in the tax credit, agreements, planning and zoning requirements for farmland preservation enacted by chapter 29, laws of 1977 and making an appropriation.

Representative Wahner asked unanimous consent that **Assembly Bill 982** be re-referred to the committee on Agriculture. Granted.

Senate Bill 14

Relating to revision of the criminal code.

Representative Wahner asked unanimous consent that **Senate Bill 14** be made a special order of business at 9:01 A.M. on Friday, September 23. Granted.

Senate Bill 391

Relating to deer and bear damage payments.

Representative Kedrowski asked unanimous consent that **Senate Bill 391** be referred to the committee on Natural Resources.

Representative Thompson objected.

Representative Kedrowski moved that **Senate Bill 391** be referred to the committee on Natural Resources.

Representative Wahner asked unanimous consent that **Senate Bill 391** be made a special order of business at 9:02 A.M. on Friday, September 23. Granted.

Representative McClain asked unanimous consent that **Senate Bill 384** be withdrawn from the committee on Local Affairs and referred to the Joint Survey Committee on Retirement Systems. Granted.

VISITORS

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

Sixth grade students from Cecil School, guests of Representative Schmidt.

Gayle Boyer from Madison and Jenny Morris from Stoughton, guests of Representative Munts.

Mr. and Mrs. Arthur Shisler and Mr. and Mrs. Thomas Svec from La Crosse, guests of Representative Medinger.

Jon Lundgren from Cedarburg, guest of Representative Opitz.

Representative Wahner moved that the assembly stand adjourned until 9:00 A.M. on Friday, September 23.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

6:20 P.M.