

JOURNAL OF THE ASSEMBLY [March 2, 1978]

STATE OF WISCONSIN

Assembly Journal

Eighty-Third Regular Session

THURSDAY, March 2, 1978.

9:00 A.M.

The assembly met.

Speaker pro tempore Kedrowski in the chair.

The prayer was offered by Reverend Bob Cedar of First Congregational United Church of Christ, 735 Zaffke Street, Fort Atkinson, Wisconsin.

Pursuant to Representative Wahner's unanimous consent request the prayer is spread upon the journal.

Dear God, Father of us all, in whom we live and breathe and have our being; there are times in life, Oh God, when we are brought up short, and this is one of those times for those gathered here who have lost a respected colleague and friend, Ken Schricker. We thank you, Oh Lord, for the life that was Ken, for all that he was to those who knew him and loved him, for all that he was to this legislative body, to the State and to his people whom he served. We thank you that for Ken all pain and sorrow ended and death itself has past and he has entered into that rest that remains for your people. But when death comes to another, Oh Lord, it reminds us how tenuous is our hold on this life, how we too are limited in time and space that are marked by death. So we would ask that we take each day that you give us as a gift and would receive and enjoy it, live fully in it, and do those things that we can do. We would pray, Oh Lord, that we change those things we can change, that we accept those things that we cannot change, and that you give us the wisdom to know the difference. Amen.

Representative Lorman 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:

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Present -- Andrea, Ausman, Barczak, Barry, Bear, Becker, Behnke, Bradley, Brist, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Harsdorf, 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, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 97.

Absent -- Opitz -- 1.

Absent with leave -- None.

AMENDMENTS OFFERED

Assembly amendment 1 to Assembly Bill 658 offered by committee on Education.

Assembly amendment 8 to assembly amendment 5 to assembly substitute amendment 1 to Assembly Bill 656 offered by Representative Roberts.

Assembly amendment 9 to assembly amendment 5 to assembly substitute amendment 1 to Assembly Bill 656 offered by Representative DeLong, by request of the Wisconsin Association of School Boards.

Assembly amendment 10 to assembly amendment 5 to assembly substitute amendment 1 to Assembly Bill 656 offered by Representative Quackenbush.

Assembly amendment 7 to assembly substitute amendment 1 to Assembly Bill 656 offered by Representative DeLong, by request of the Wisconsin Association of School Boards.

Assembly amendment 8 to assembly substitute amendment 1 to Assembly Bill 656 offered by Representative DeLong, by request of the Wisconsin Association of School Boards.

Assembly amendment 9 to assembly substitute amendment 1 to Assembly Bill 656 offered by Representative DeLong, by request of the Wisconsin Association of School Boards.

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Assembly amendment 10 to assembly substitute amendment 1 to **Assembly Bill 656** offered by Representative DeLong, by request of the Wisconsin Association of School Boards.

Assembly amendment 11 to assembly substitute amendment 1 to **Assembly Bill 656** offered by Representative DeLong.

Assembly amendment 12 to assembly substitute amendment 1 to **Assembly Bill 656** offered by Representative McClain.

Assembly amendment 13 to assembly substitute amendment 1 to **Assembly Bill 656** offered by Representative McClain.

Assembly amendment 14 to assembly substitute amendment 1 to **Assembly Bill 656** offered by Representative McClain.

Assembly amendment 15 to assembly substitute amendment 1 to **Assembly Bill 656** offered by Representative McClain.

Assembly amendment 1 to assembly amendment 13 to assembly substitute amendment 1 to **Assembly Bill 656** offered by Representative McClain.

Assembly substitute amendment 1 to **Assembly Bill 1054** offered by Representative Hanson.

Assembly substitute amendment 1 to **Assembly Bill 1123** offered by committee on Education.

Assembly substitute amendment 1 to **Assembly Bill 1153** offered by Representative Hanson.

Assembly substitute amendment 1 to **Assembly Bill 1189** offered by Representative Barczak.

Assembly amendment 1 to **Assembly Bill 1217** offered by committee on Commerce and Consumer Affairs.

Assembly amendment 18 to **Assembly Bill 1220** offered by Representatives Hephner, Luckhardt, Lewis, Groshek, Lato, Day, Merkt, Goodrich, Lallensack, Potter, Mohn, Litscher and Kincaid.

Assembly amendment 13 to **Senate Bill 195** offered by Representatives Thompson, Pabst, DeLong and Shabaz.

Assembly amendment 14 to **Senate Bill 195** offered by Representative Roberts.

Assembly amendment 15 to **Senate Bill 195** offered by Representative Kincaid.

Assembly amendment 16 to **Senate Bill 195** offered by Representative Kincaid.

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Assembly amendment 17 to Senate Bill 195 offered by Representative Kincaid.

Assembly amendment 18 to Senate Bill 195 offered by Representative Gower.

Assembly amendment 19 to Senate Bill 195 offered by Representative Gower.

Assembly amendment 20 to Senate Bill 195 offered by Representative Gower.

Assembly amendment 21 to Senate Bill 195 offered by Representative Gower.

Assembly amendment 22 to Senate Bill 195 offered by Representative Vanderperren.

Assembly amendment 23 to Senate Bill 195 offered by Representative Thompson.

Assembly amendment 24 to Senate Bill 195 offered by Representatives Ausman, Bradley, DeLong, Dorff, Donoghue, Duren, Goodrich, Gower, Kincaid, Klicka, Lato, Lewison, Litscher, Lorman, Luckhardt, Matty, Opitz, Pabst, Porter, Shabaz, Thompson, Tregoning and Wood.

Assembly amendment 3 to Senate Bill 422 offered by Representative Barczak.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Joint Resolution 96

Memorializing the United States Congress to have the U.S. postal service issue a Veterans Day stamp for the November 11, 1978, Veterans Day.

By Representatives Lallensack, Gerlach, Swoboda, Vanderperren, Menos, Wood, Potter, Hasenohrl, Byers, Rogers, Hephner, Bear and Travis.

To committee on Veterans and Military Affairs.

Assembly Joint Resolution 97

Relating to electing the representatives to the assembly in the odd-numbered years for 2-year terms (first consideration).

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By Representatives Tuczynski, Becker, Coggs, Leopold and Plewa.

To committee on Elections.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1256

An act to appropriate \$8,164 from the general fund for payment of a claim made by George Chia-jen Wang against the state.

By Representative Clarenbach.

To Joint Committee on Finance.

Assembly Bill 1257

Relating to creating a senior citizens utility services stamp program in the department of health and social services, making an appropriation, granting rule-making authority and imposing a penalty.

By Representatives Tuczynski, Becker, Mohn, Coggs, Hanson, Wahner, Moody, Kirby and Wood.

To committee on Health and Social Services.

Assembly Bill 1258

Relating to creating a lie detection examining board, making an appropriation and providing penalties.

By Representative Ellis, by request of Mr. Peter Clausen.

To committee on Criminal Justice and Public Safety.

Assembly Bill 1259

Relating to county purchase of a public museum from a city of the 1st class and providing a tax credit to the taxpayers of the city.

By Representative Tuczynski, co-sponsored by Senator Kleczka.

To committee on Local Affairs.

PETITIONS

Assembly Petition 206

A resolution submitted by the Jefferson County Board in support of Senate Bill 642, relating to increasing a county treasurer's fees for copies of records.

By Representative Lorman.

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To committee on Local Affairs.

Assembly Petition 207

A resolution submitted by the Jefferson County Board in support of Assembly Bill 985, relating to statement of continued eligibility for public assistance and providing a penalty.

By Representative Lorman.

To committee on Health and Social Services.

Assembly Petition 208

A resolution submitted by the Jefferson County Board in support of Assembly Bill 1006, relating to eliminating differential reimbursement for AFDC recipients moving into the state.

By Representative Lorman.

To committee on Health and Social Services.

Assembly Petition 209

A resolution submitted by the Jefferson County Board in support of Assembly Bill 1043, relating to investment of certain funds by a clerk of court.

By Representative Lorman.

To committee on Judiciary.

Assembly Petition 210

A resolution submitted by the Jefferson County Board in support of Assembly Bill 1064, relating to requiring sworn oaths from applicants for public assistance and providing a penalty.

By Representative Lorman.

To committee on Health and Social Services.

Assembly Petition 211

A resolution submitted by the Jefferson 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 Lorman.

To committee on Local Affairs.

Assembly Petition 212

A resolution submitted by the Jefferson County Board in opposition to Assembly Bill 998, relating to special preference for Wisconsin suppliers in government bidding.

By Representative Lorman.

To committee on Tourism and Economic Development.

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Assembly Petition 213

Submitted by Carl Brieman, consisting of 34 signatures of citizens of Wisconsin in support of Assembly Bill 339, relating to a volunteer fire fighters merit award plan, granting rule-making authority and making an appropriation.

By Representative Rogers.

To Joint Survey Committee on Retirement Systems.

Assembly Petition 214

Submitted by Mildred Umland, consisting of 67 signatures of citizens of Wisconsin in support of Assembly Bill 557, relating to creating a citizens utility board to advocate for residential consumers in public utility matters and providing a penalty.

By Representative Kincaid.

To committee on Commerce and Consumer Affairs.

Assembly Petition 215

Submitted by James Christenson consisting of signatures of 175 citizens of Wisconsin in opposition to proposed rate hikes for certain small trucks and vans.

By Representative Snyder.

To committee on Highways.

Assembly Petition 216

Submitted by Martin Lutzewitz, consisting of 100 signatures of citizens of Wisconsin in opposition to Senate Bill 137, relating to regulating trapping devices, granting rule-making authority and providing a penalty.

By Representative Byers.

To committee on Natural Resources.

Assembly Petition 217

Submitted by Richard J. Morris, consisting of 118 signatures of citizens of Wisconsin in support of a substitute amendment to Assembly Bill 696, relating to interference with the regulation of state schools, providing for civil damages and imposing a penalty.

By Representative Flintrop.

To committee on Education.

Assembly Petition 218

Submitted by Lawrence Abfalder, consisting of signatures of 2,233 citizens of Wisconsin in opposition to legislation which would prohibit the installation and use of radar detecting devices in motor vehicles of all types.

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By Representative Lewis.

To committee on Criminal Justice and Public Safety.

Assembly Petition 219

Submitted by David Schuppler, consisting of 643 signatures of citizens of Wisconsin in support of Senate Bills 437, 438, 439, 440, 441 and 445, relating to various aspects of product liability.

By committee on Small Business.

To committee on Judiciary.

COMMITTEE REPORTS

The committee on Enrolled Bills reports and recommends:

Assembly Bill 458

Assembly Bill 519

Assembly Bill 593

Assembly Bill 627

Correctly enrolled.

GERVASE HEPHNER
Chairperson

The committee on Judiciary reports and recommends:

Assembly Bill 1240

Relating to revising municipal court procedure.

Adoption of assembly amendment 1:

Ayes: (10) Noes: (0)

Passage: Ayes: (9) Noes: (1)

To committee on Rules.

Senate Bill 509

Relating to trusts involving minors and changes in the uniform gifts to minors act.

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

To committee on Rules.

Senate Joint Resolution 57

Directing the legislative council to study ways to strengthen and preserve the family.

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Concurrence: Ayes: (7) Noes: (3)

To committee on Rules.

JAMES RUTKOWSKI
Chairperson

The committee on Labor reports and recommends:

Assembly Bill 791

Relating to collective bargaining agreements between the state and organizations representing certain state employees.

Adoption of assembly amendment 1 to assembly substitute amendment 1:

Ayes: (9) Noes: (0)

Adoption of assembly substitute amendment 1:

Ayes: (9) Noes: (0)

Passage: Ayes: (9) Noes: (0)

To Joint Committee on Finance.

Assembly Bill 1046

Relating to application of civil service law to certain law enforcement and fire fighting personnel.

Passage: Ayes: (6) Noes: (3)

To committee on Rules.

JOSEPH LOOBY
Chairperson

The committee on State Affairs reports and recommends:

Assembly Bill 852

Relating to exemption from licensing for plumbing work designed to collect surface drainage.

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

To committee on Rules.

Senate Bill 256

Relating to creating a definition for "mass transit" and "mass transit facility".

Adoption of assembly substitute amendment 1:

Ayes: (13) Noes: (0)

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

JOHN PLEWA
Chairperson

The committee on Transportation reports and recommends:

Assembly Bill 1132

Relating to inspection of school bus routes by the county sheriff and maintenance of school bus routes.

Passage: Ayes: (6) Noes: (2)
To committee on Rules.

Assembly Bill 1196

Relating to making an appropriation from the general fund to the transportation fund to provide reimbursement for mass transit aids.

Passage: Ayes: (6) Noes: (2)
To Joint Committee on Finance.

Assembly Bill 1216

Relating to licensing requirements under the motor vehicle salvage dealer law.

Passage: Ayes: (8) Noes: (0)
To committee on Rules.

LEONARD GROSHEK
Chairperson

MESSAGES FROM THE SENATE AND ACTION THEREON

Assembly Bill 149

Relating to photographs on drivers' licenses, elimination of "race" from drivers' licenses, alteration of the license renewal period and license fees, authorizing issuance of an identification card, granting rule-making authority and making an appropriation.

Assembly amendment 1 to senate amendment 1 to **Assembly Bill 149** offered by Representative Shabaz.

Representative Vanderperren moved rejection of assembly amendment 1 to senate amendment 1 to **Assembly Bill 149**.

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The question was: Shall assembly amendment 1 to senate amendment 1 to **Assembly Bill 149** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Bear, Behnke, Brist, Broydrick, Byers, Coggs, Czerwinski, Dandeneau, Day, Donoghue, Dorff, Ducholm, Duren, Engeleiter, Everson, Ferrall, Fischer, Gerlach, Groshek, Gunderson, Hanson, Harsdorf, Hasenohrl, Hauke, Hephner, Johnston, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, McClain, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 66.

Noes -- Barry, Becker, Bradley, Clarenbach, Conradt, DeLong, Ellis, Flintrop, Goodrich, Gower, Johnson, Klicka, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Medinger, Merkt, Norquist, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Shabaz, Snyder, Thompson, Travis and Tregoning -- 32.

Absent or not voting -- None.

Motion carried.

Assembly amendment 2 to senate amendment 1 to **Assembly Bill 149** offered by Representative Shabaz.

Representative Vanderperren moved rejection of assembly amendment 2 to senate amendment 1 to **Assembly Bill 149**.

The question was: Shall assembly amendment 2 to senate amendment 1 to **Assembly Bill 149** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Becker, Behnke, Brist, Byers, Czerwinski, Dandeneau, Day, Donoghue, Dorff, Duren, Engeleiter, Ferrall, Fischer, Gerlach, Groshek, Gunderson, Harsdorf, Hasenohrl, Hauke, Kincaid, Kirby, Lallensack, Lato, Leopold, Lingren, Litscher, Loftus, Lorman, McClain, Matty, Menos, Metz, Moody, Murray, Otte, Pabst, Plewa, Potter, Quackenbush, Roberts, Rooney, Rutkowski,

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Schneider, Swoboda, Travis, Vanderperren, Wahner and Wood -- 53.

Noes -- Bradley, Broydrick, Clarenbach, Conradt, DeLong, Dueholm, Ellis, Everson, Flintrop, Goodrich, Gower, Hanson, Hephner, Johnson, Johnston, Kedrowski, Klicka, Lee, Lewis, Lewison, Looby, Luckhardt, McEssy, Medinger, Merkt, Miller, Mohn, Munts, Norquist, Olson, Opitz, Porter, Rogers, Roth, Schmidt, Shabaz, Snyder, Soucie, Tesmer, Thompson, Tregoning, Ward and Mr. Speaker -- 43.

Absent or not voting -- Coggs and Tuczynski -- 2.

Motion carried.

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

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

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

The question was: Shall senate amendment 1 to Assembly Bill 149 be concurred in?

The roll was taken.

The result follows:

Ayes -- Ausman, Barczak, Barry, Bear, Becker, Behnke, Bradley, Brist, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Dorff, Dueholm, Ellis, Engleiter, Everson, Ferrall, Fischer, Gerlach, Goodrich, Gower, Groshek, Gunderson, Harsdorf, Hasenohrl, Hauke, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewison, Lingren, Litscher, Loftus, Lorman, Luckhardt, McClain, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 84.

Noes -- Donoghue, Duren, Flintrop, Hanson, Hephner, Johnson, Johnston, Looby, McEssy, Munts, Rogers and Roth -- 12.

Absent or not voting -- Andrea and Lewis -- 2.

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Motion carried.

Representative Shabaz moved nonconcurrency in senate amendment 2 to Assembly Bill 149.

The question was: Shall senate amendment 2 to Assembly Bill 149 be nonconcurrent in?

The roll was taken.

The result follows:

Ayes -- Ausman, Becker, DeLong, Dueholm, Goodrich, Hanson, Hephner, Johnston, Klicka, Lee, Leopold, Lewis, Looby, Luckhardt, McEssy, Matty, Merkt, Norquist, Pabst, Quackenbush, Roth, Shabaz, Snyder, Soucie, Tesmer, Thompson and Tregoning - 27.

Noes -- Andrea, Barczak, Barry, Bear, Behnke, Bradley, Brist, Broydrick, Byers, Clarenbach, Coggs, Conratt, Czerwinski, Dandeneau, Day, Donoghue, Dorff, Duren, Ellis, Engleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Gower, Groshek, Gunderson, Harsdorf, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lewison, Lingren, Litscher, Loftus, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Olson, Opitz, Otte, Plewa, Porter, Potter, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Swoboda, Travis, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 71.

Absent or not voting -- None.

Motion failed.

The question was: Shall senate amendment 2 to Assembly Bill 149 be concurred in?

Motion carried.

Representative Shabaz moved nonconcurrency in senate amendment 3 to Assembly Bill 149.

The question was: Shall senate amendment 3 to Assembly Bill 149 be nonconcurrent in?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barry, Bear, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conratt,

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Dandeneau, DeLong, Donoghue, Dorff, Dueholm, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Gunderson, Hanson, Harsdorf, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Klicka, Lato, Lee, Leopold, Lewis, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Menos, Merkt, Miller, Munts, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Rogers, Rooney, Schmidt, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Wahner, Ward and Mr. Speaker -- 78.

Noes -- Barczak, Brist, Czerwinski, Day, Duren, Groshek, Kirby, Lallensack, Lewison, Medinger, Metz, Mohn, Moody, Murray, Roberts, Roth, Rutkowski, Schneider, Vanderperren and Wood -- 20.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 149** be immediately messaged to the senate.

Representative Shabaz objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 149** be immediately messaged to the senate.

The question was: Shall the rules be suspended and **Assembly Bill 149** be immediately messaged to the senate?

The roll was taken.

The result follows:

Ayes -- Ausman, Barczak, Barry, Bear, Becker, Behnke, Bradley, Brist, Broydrick, Coggs, Conradt, Czerwinski, Dandeneau, Day, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Hephner, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, McClain, Matty, Medinger, Menos, Metz, Mohn, Moody, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rooney, Rutkowski, Schmidt, Schneider, Soucie, Swoboda, Tesmer, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 63.

Noes -- Andrea, Byers, Clarenbach, DeLong, Donoghue, Dueholm, Ellis, Engeleiter, Goodrich, Gower, Gunderson, Harsdorf, Johnson, Johnston, Klicka, Lewis, Lewison, Looby, Lorman, Luckhardt, McEssy, Merkt, Miller, Munts, Olson, Opitz, Porter,

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Quackenbush, Rogers, Roth, Shabaz, Snyder, Thompson, Travis and Tregoning -- 35.

Absent or not voting -- None.

Motion failed.

CONSIDERATION OF MOTIONS
FOR RECONSIDERATION

Senate Bill 292

Relating to changing the register of deeds fees.

The question was: Shall the vote by which **Senate Bill 292** was ordered to a third reading be reconsidered?

The roll was taken.

The result follows:

Ayes -- Ausman, Barczak, Barry, Bradley, Byers, Conradt, Dandeneau, DeLong, Donoghue, Dueholm, Engeleiter, Everson, Goodrich, Gower, Groshek, Gunderson, Harsdorf, Hauke, Hephner, Johnston, Klicka, Lewis, Lewison, Loftus, Looby, Lorman, Luckhardt, McEssy, Matty, Merkt, Murray, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Shabaz, Snyder, Tesmer, Thompson, Travis, Tregoning, Ward and Mr. Speaker -- 45.

Noes -- Andrea, Bear, Becker, Behnke, Brist, Broydrick, Clarenbach, Cogg, Czerwinski, Day, Dorff, Duren, Ellis, Ferrall, Fischer, Flintrop, Gerlach, Hanson, Hasenohrl, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tuczynski, Vanderperren, Wahner and Wood -- 53.

Absent or not voting -- None.

Motion failed.

The question was: **Senate Bill 292** having been read three times, shall the bill be concurred in?

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The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Bear, Becker, Behnke, Bradley, Brist, Broydrick, Clarenbach, Coggs, Conradt, Czerwinski, Day, Donoghue, Dorff, Duren, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Groshek, Harsdorf, Hasenohrl, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Looby, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Olson, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 64.

Noes -- Ausman, Barry, Dandeneau, DeLong, Ducholm, Ellis, Gower, Gunderson, Hanson, Hauke, Hephner, Johnston, Klicka, Lewis, Lewison, Loftus, Lorman, Luckhardt, McEssy, Matty, Merkt, Murray, Opitz, Porter, Quackenbush, Roth, Schmidt, Shabaz, Snyder, Tesmer, Thompson, Travis and Tregoning -- 33.

Absent or not voting -- Byers -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 292** be immediately messaged to the senate.

Representative Gower objected.

Representative Wahner moved that the rules be suspended and that **Senate Bill 292** be immediately messaged to the senate.

The question was: Shall the rules be suspended and **Senate Bill 292** be immediately messaged to the senate?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Becker, Behnke, Brist, Broydrick, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dorff, Ducholm, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, 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,

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Schneider, Soucie, Swoboda, Tesmer, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 65.

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

Absent or not voting -- None.

Motion failed.

Representative Wahner moved reconsideration of the vote by which **Senate Bill 292** was concurred in. Entered.

Assembly Bill 874

Relating to revision of the children's code and providing penalties.

The question was: Shall the vote by which **Assembly Bill 874** was ordered to a third reading be reconsidered?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Bradley, Byers, Conradt, DeLong, Donoghue, Dorff, Engeleiter, Goodrich, Gower, Groshek, Gunderson, Harsdorf, Hephner, Johnston, Klicka, Lallensack, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Murray, Olson, Opitz, Pabst, Porter, Quackenbush, Roth, Shabaz, Snyder, Thompson and Tregoning -- 36.

Noes -- Ausman, Barry, Bear, Becker, Behnke, Brist, Broydrick, Clarenbach, Cogs, Czerwinski, Dandeneau, Day, Dueholm, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hanson, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Soucie, Swoboda, Tesmer, Travis, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 62.

Absent or not voting -- None.

Motion failed.

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The question was: **Assembly Bill 874** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barry, Bear, Becker, Behnke, Brist, Broydrick, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Gunderson, Hanson, Harsdorf, Hasenohrl, Hauke, Johnson, Johnston, Kedrowski, Kirby, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Soucie, Swoboda, Tesmer, Travis, Tuczynski, Vanderperren, Wahner, Ward and Mr. Speaker -- 75.

Noes -- Barczak, Bradley, Conradt, Engeleiter, Groshek, Hephner, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkt, Murray, Olson, Opitz, Shabaz, Snyder, Thompson, Tregoning and Wood -- 23.

Absent or not voting -- None.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 874** be immediately messaged to the senate. Granted.

Representative Wahner asked unanimous consent that the rules be suspended and that the motion for reconsideration of the vote by which **Senate Bill 292** was concurred in be taken up at this time.

Representative Shabaz objected.

Representative Wahner moved that the rules be suspended and that the motion for reconsideration of the vote by which **Senate Bill 292** was concurred in be taken up at this time.

The question was: Shall the rules be suspended and the motion for reconsideration of the vote by which **Senate Bill 292** was concurred in be taken up at this time?

The roll was taken.

The result follows:

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Ayes -- Andrea, Barczak, Barry, Bear, Becker, Behnke, Brist, Broydrick, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Donoghue, Dorff, Dueholm, 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 -- 67.

Noes -- Ausman, Bradley, Conradt, DeLong, Duren, Ellis, Engeleiter, Goodrich, Gower, Gunderson, Harsdorf, Johnston, Klicka, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Shabaz, Snyder, Thompson, Travis and Tregoning -- 31.

Absent or not voting -- None.

Motion carried.

Senate Bill 292

Relating to changing the register of deeds fees.

The question was: Shall the vote by which **Senate Bill 292** was concurred in be reconsidered?

The roll was taken.

The result follows:

Ayes -- Ausman, Barry, Bradley, Byers, Conradt, Duren, Engeleiter, Goodrich, Gower, Hephner, Johnston, Klicka, Lewis, Lewison, Litscher, Lorman, Luckhardt, McEssy, Matty, Merkt, Murray, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Shabaz, Snyder, Tesmer, Travis and Tregoning -- 32.

Noes -- Andrea, Barczak, Bear, Becker, Behnke, Brist, Broydrick, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Gunderson, Hanson, Harsdorf, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Loftus, Looby, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Thompson, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 66.

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Absent or not voting -- None.

Motion failed.

Assembly Resolution 34

Relating to review of administrative rules by assembly committees and report on such reviews.

Representative Wahner asked unanimous consent that **Assembly Resolution 34** be laid on the table. Granted.

Speaker Jackamonis in the chair.

CALENDAR OF WEDNESDAY, MARCH 1, 1978

Assembly Bill 131

Relating to criminal trespass to land.

The question was: Shall the rules be suspended and **Assembly Bill 131** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Ausman, Barry, Bear, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Day, DeLong, Donoghue, Duren, Ellis, Everson, Flintrop, Goodrich, Gower, Groshek, Hanson, Hasenohrl, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Klicka, Lallensack, Lato, Leopold, Lewis, Lewison, Litscher, Loftus, Lorman, Luckhardt, McEssy, Matty, Medinger, Merkt, Metz, Mohn, Moody, Munts, Olson, Opitz, Otte, Porter, Potter, Quackenbush, Roberts, Rogers, Roth, Rutkowski, Schmidt, Schneider, Shabaz, Snyder, Swoboda, Thompson, Travis, Tregoning, Tuczynski and Ward -- 64.

Noes -- Andrea, Barczak, Becker, Behnke, Broydrick, Czerwinski, Dandeneau, Dorff, Dueholm, Engeleiter, Ferrall, Fischer, Gerlach, Gunderson, Harsdorf, Hauke, Kirby, Lee, Lingren, Looby, McClain, Menos, Miller, Murray, Norquist, Pabst, Plewa, Rooney, Soucie, Tesmer, Vanderperren, Wahner, Wood and Mr. Speaker -- 34.

Absent or not voting -- None.

Motion failed.

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Representative Wahner moved reconsideration of the vote by which **Assembly Bill 131** was ordered to a third reading. Entered.

Representative Shabaz introduced a privileged joint resolution.

Assembly Joint Resolution 98

Relating to the life and public service of Kenneth Schricker.

By the entire membership of the Assembly, co-sponsored by the entire membership of the Senate.

The question was: Shall **Assembly Joint Resolution 98** be adopted?

Motion carried.

Representative Shabaz asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 98** be immediately messaged to the senate. Granted.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

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

Assembly amendments 5 and 7 to **Senate Bill 127**

Assembly amendment 1 to **Senate Bill 277**

Assembly amendment 1 to **Senate Bill 397**

Assembly amendments 2, 3, 18 and 21 to **Senate Bill 409**

Assembly amendment 3 to **Senate Bill 490**

Receded from its position on:

Senate amendment 2 to **Assembly Bill 894**

Nonconcurrent in:

Assembly substitute amendment 1 to **Senate Bill 414**, requests a committee of conference and appoints Senators Bablitch, Radosevich and McCallum as conferees on its part.

ACTION ON THE SENATE MESSAGE

Senate Bill 414

Relating to reporting of child abuse, mental injury or neglect and providing a penalty.

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By Senators Bablitch, Dorman, Maurer, Radosevich, Petri, Offner, Berger, Cullen, McKenna, Peloquin, Adelman, Morrison, Risser, Flynn and Braun; co-sponsored by Representatives Clarenbach, Rutkowski, Flintrop, Schricker, Hasenohrl and Wahner.

The speaker appointed Representatives Czerwinski, Loftus and Gunderson as conferees on the part of the assembly.

Representative Wahner asked unanimous consent that the rules be suspended and that the assembly's action on **Senate Bill 414** be immediately messaged to the senate. Granted.

Assembly Bill 1045

Relating to revising the metallic mining reclamation act, granting rule-making authority and providing penalties.

Representative Kedrowski asked unanimous consent to withdraw his point of order on assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 1045**. Granted.

Representative Kedrowski moved rejection of assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 1045**.

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 1045** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Cogg, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Harsdorf, Hasenohrl, 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, Rooney, Roth, Rutkowski, Schmidt, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 94.

Noes -- Brist, Hauke, Rogers and Schneider -- 4.

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Absent or not voting -- None.

Motion carried.

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

The question was: Shall assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 1045** be adopted?

Motion carried.

Representative Munts moved rejection of assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 1045**.

The question was: Shall assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 1045** be rejected?

The roll was taken.

The result follows:

Ayes -- Barczak, Bear, Becker, Behnke, Brist, Broydrick, Clarenbach, Cogs, Czerwinski, Dandeneau, Dueholm, Ferrall, Fischer, Flintrop, Hanson, Hasenohrl, Johnson, Kedrowski, Kirby, Lee, Leopold, Litscher, Loftus, Looby, McClain, Medinger, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rooney, Rutkowski, Schneider, Soucie, Tuczynski, Wahner and Mr. Speaker -- 44.

Noes -- Andrea, Ausman, Barry, Bradley, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Ellis, Engeleiter, Everson, Gerlach, Goodrich, Gower, Groshek, Gunderson, Harsdorf, Hauke, Hephner, Johnston, Kincaid, Klicka, Lallensack, Lato, Lewis, Lewison, Lingren, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Olson, Opitz, Pabst, Porter, Quackenbush, Rogers, Roth, Schmidt, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Vanderperren, Ward and Wood -- 54.

Absent or not voting -- None.

Motion failed.

The question was: Shall assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 1045** be adopted?

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 1045** be adopted?

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Motion carried.

The question was: Shall **Assembly Bill 1045** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Becker, Behnke, Bradley, Brist, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Harsdorf, 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, Rutkowski, Schmidt, Schneider, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 97.

Noes -- None.

Absent or not voting -- Roth -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1045** be given a third reading. Granted.

The question was: **Assembly Bill 1045** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Becker, Behnke, Bradley, Brist, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Harsdorf, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Leopold,

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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, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 98.

Noes -- None.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1045** be immediately messaged to the senate. Granted.

Assembly Bill 767

Relating to required information to be supplied on statements of economic interests by state public officials.

Representative Ward asked unanimous consent that **Assembly Bill 767** be laid on the table. Granted.

CALENDAR OF THURSDAY, MARCH 2, 1978

Assembly Joint Resolution 65

Directing the legislative council to study the Wisconsin criminal justice system as it relates to the developmentally disabled.

Assembly amendment 1 to **Assembly Joint Resolution 65** offered by Representative Shabaz.

The question was: Shall assembly amendment 1 to **Assembly Joint Resolution 65** be adopted?

Motion carried.

The question was: Shall **Assembly Joint Resolution 65** be adopted?

The roll was taken.

The result follows:

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Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Becker, Behnke, Bradley, Brist, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Gower, Groshek, Gunderson, Hanson, Harsdorf, 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, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 97.

Noes -- None.

Absent or not voting -- Goodrich -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 65** be immediately messaged to the senate. Granted.

Assembly Joint Resolution 79

Relating to directing the legislative council to study the concept of definite term sentencing of criminals.

POINT OF ORDER

Representative Gower rose to the point of order that assembly substitute amendment 1 to **Assembly Joint Resolution 79** was not germane under Assembly Rule 50 (3) (f).

The speaker ruled the point of order not well taken.

Representative Gower moved rejection of assembly substitute amendment 1 to **Assembly Joint Resolution 79**.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Joint Resolution 79** offered by Representative Shabaz.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Joint Resolution 79** be adopted?

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Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Joint Resolution 79** be adopted?

Motion carried.

The question was: Shall **Assembly Joint Resolution 79** be adopted?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Becker, Behnke, Bradley, Brist, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Harsdorf, 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, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 98.

Noes -- None.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 79** be immediately messaged to the senate. Granted.

Assembly Bill 1092

Relating to the use of electronic devices in telephone solicitation and providing a penalty.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 1092** be adopted?

Motion carried.

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Representative Shabaz moved indefinite postponement of **Assembly Bill 1092**.

The question was: Shall **Assembly Bill 1092** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Ausman, Bradley, Byers, Conradt, Donoghue, Dueholm, Engeleiter, Gower, Gunderson, Klicka, Lewis, Lewison, Luckhardt, Matty, Merkt, Porter, Roth, Schmidt, Shabaz, Snyder and Thompson -- 21.

Noes -- Andrea, Barczak, Barry, Bear, Becker, Behnke, Brist, Broydrick, Clarenbach, Coggs, Czerwinski, Day, DeLong, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Groshek, Hanson, Harsdorf, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, McEssy, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 76.

Absent or not voting -- Dandeneau -- 1.

Motion failed.

Representative Gower moved that **Assembly Bill 1092** be laid on the table.

The question was: Shall **Assembly Bill 1092** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Ausman, Bradley, Byers, Conradt, Dueholm, Engeleiter, Gower, Gunderson, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkt, Quackenbush, Schmidt, Shabaz, Snyder, Thompson and Tregoning -- 21.

Noes -- Andrea, Barczak, Barry, Bear, Becker, Behnke, Brist, Broydrick, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, DeLong, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop,

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Gerlach, Goodrich, Groshek, Hanson, Harsdorf, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Roberts, Rogers, Rooney, Roth, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Travis, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 76.

Absent or not voting -- Donoghue -- 1.

Motion failed.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 1092** offered by Representative Porter.

Representative Wood moved rejection of assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 1092**.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 1092** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Becker, Behnke, Brist, Broydrick, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Lingren, Litscher, Loftus, Looby, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Travis, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 69.

Noes -- Ausman, Bradley, Byers, Conradt, DeLong, Donoghue, Dueholm, Engeleiter, Goodrich, Gower, Gunderson, Harsdorf, Klicka, Leopold, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Porter, Quackenbush, Roth, Schmidt, Shabaz, Snyder, Thompson and Tregoning -- 29.

Absent or not voting -- None.

Motion carried.

The question was: Shall **Assembly Bill 1092** be ordered engrossed and read a third time?

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The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Becker, Behnke, Bradley, Brist, Broydrick, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Groshek, Hanson, Harsdorf, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Roberts, Rogers, Rooney, Roth, Rutkowski, Schneider, Snyder, Soucie, Swoboda, Tesmer, Travis, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 82.

Noes -- Ausman, Conradt, Engeleiter, Gower, Gunderson, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkt, Quackenbush, Schmidt, Shabaz, Thompson and Tregoning -- 16.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1092** be given a third reading. Granted.

The question was: **Assembly Bill 1092** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Becker, Behnke, Bradley, Brist, Broydrick, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Groshek, Hanson, Harsdorf, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, Lorman, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schneider, Snyder, Soucie, Swoboda, Tesmer, Travis, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 80.

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Noes -- Ausman, Conradt, Dueholm, Engeleiter, Gower, Gunderson, Hasenohrl, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkt, Porter, Schmidt, Shabaz, Thompson and Tregoning -- 18.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1092** be immediately messaged to the senate. Granted.

Assembly Bill 1112

Relating to duties of a motor vehicle operator upon approaching a pedestrian using a dog guide and providing a penalty.

The question was: Shall **Assembly Bill 1112** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1112** be given a third reading. Granted.

The question was: **Assembly Bill 1112** 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 1112** be immediately messaged to the senate. Granted.

Assembly Bill 838

Relating to abolishing the requirement that district attorneys make quarterly written reports regarding gambling.

The question was: Shall **Assembly Bill 838** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 838** be given a third reading. Granted.

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The question was: Assembly Bill 838 having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Becker, Behnke, Bradley, Brist, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Duren, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Harsdorf, 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, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 95.

Noes -- Dueholm, Hanson and Schneider -- 3.

Absent or not voting -- None.

∞ Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 838** be immediately messaged to the senate. Granted.

Assembly Bill 947

Relating to criminal trespass to land by use of a vehicle and providing a penalty.

The question was: Shall assembly amendment 1 to **Assembly Bill 947** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 947** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 947** be given a third reading. Granted.

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The question was: **Assembly Bill 947** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Becker, Behnke, Bradley, Brist, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Ducholm, Duren, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Harsdorf, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssey, 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, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 98.

Noes -- None.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 947** be immediately messaged to the senate. Granted.

Assembly Bill 1039

Relating to expanding the membership of county boards of health and county health commissions to include registered nurses experienced in county health functions.

The question was: Shall assembly amendment 1 to **Assembly Bill 1039** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 1039** be ordered engrossed and read a third time?

Motion carried.

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Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1039** be given a third reading. Granted.

The question was: **Assembly Bill 1039** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Becker, Behnke, Bradley, Brist, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Harsdorf, 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, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 98.

Noes -- None.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1039** be immediately messaged to the senate. Granted.

SPEAKER'S APPOINTMENTS

Pursuant to Joint Rule 25, I am hereby appointing all members of the Assembly to the official funeral delegation to attend the funeral of State Representative Ken Schricker.

ED JACKAMONIS

Speaker

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Representative Wahner asked unanimous consent that the assembly stand recessed until 3:30 P.M. Granted.

The assembly stood recessed.

12:05 P.M.

RECESS

3:30 P.M.

The assembly reconvened.

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 467
Senate Bill 682
Senate Bill 706
Senate Bill 707
Senate Bill 710

Concurred in:

Assembly Joint Resolution 98
Assembly Bill 37
Assembly Bill 594
Assembly Bill 878
Assembly Bill 903
Assembly Bill 981
Assembly Bill 1067

Amended and concurred in as amended:

Assembly Bill 281 (Senate substitute amendment 1 adopted)
Assembly Bill 705 (Senate amendments 1 and 2 adopted)
Assembly Bill 868 (Senate amendments 1 and 2 to senate substitute amendment 1 and senate substitute amendment 1 adopted)

ACTION ON THE SENATE MESSAGE

Senate Bill 467

Relating to the powers of judicial court commissioners in populous counties and changes in procedures of small claims type actions.

By committee on Judiciary and Consumer Affairs.

To committee on Judiciary.

Senate Bill 682

Relating to increasing from one to 2 the number of barber apprentices that may be supervised by a barber shop manager.

By Senators McKenna and Braun.

To committee on Labor.

Senate Bill 706

An Act to repeal, renumber, amend, reenact, reenact and amend and create various provisions of the statutes and session laws for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of departments and officers, correcting and clarifying references, renumbering for better location, eliminating duplications and unnecessary provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

By Joint Committee on Revisions, Repeals and Uniform Laws.

To committee on Rules.

Senate Bill 707

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

By Joint Committee on Revisions, Repeals and Uniform Laws.

To committee on Rules.

Senate Bill 710

Relating to personalized printing for members and officers of the legislature.

By committee on Senate Organization.

To committee on Rules.

Assembly Bill 281

Relating to the definition of optometry and permitting the use of pharmaceutical agents for diagnostic purposes.

By committee on Health and Social Services.

To calendar.

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Assembly Bill 705

Relating to time limitations on actions against health providers brought by or on behalf of minors.

By Representative Hanson, co-sponsored by Senators Morrison, Cullen and Murphy, by request of The Malpractice Committee.

To Calendar.

Assembly Bill 868

Relating to requiring the use of water conserving water closets, sink faucets and showerheads in buildings, prohibiting the sale of plumbing fixtures which are not water-conserving, granting rule-making authority and providing a penalty.

By Representatives Flintrop, Munts, Dandeneau, Plewa, Metz, Fischer, Hasenohrl, Soucie, Vanderperren, Early, Otte, Roberts, Kirby, Wahner, Ferrall, Hanson, Dueholm, Barczak, Loftus, Bear, Duren, Gerlach, Lee, Leopold, Rutkowski, Lallensack, Ellis, Ausman, Bradley, Rooney, Elconin, Norquist, McClain, Medinger, Mohn, Everson, Litscher, Clarenbach, Kedrowski, Miller, Tropman and Rogers.

To Calendar.

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

COMMITTEE REPORTS

The committee on Commerce and Consumer Affairs reports and recommends:

Assembly Bill 1042

Relating to discharge from employment for garnishment.

Indefinite postponement: Ayes: (7) Noes: (2)

To committee on Rules.

Assembly Bill 1217

Relating to requiring the registration of timber buyers, making an appropriation and providing penalties.

Adoption of assembly amendment 1:

Ayes: (10) Noes: (0)

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Passage: Ayes: (9) Noes: (1)
To Joint Committee on Finance.

MIDGE MILLER
Chairperson

The committee on Judiciary reports and recommends:

Assembly Bill ——— (lrb 11509/1)

Relating to the sentencing of parolees who are convicted of crimes resulting in the revocation of parole.

Introduction: Ayes: (12) Noes: (0)

JAMES RUTKOWSKI
Chairperson

The committee on Transportation reports and recommends:

Senate Bill 514

Relating to the requirement that certain vehicles stop at railroad crossings.

Concurrence: Ayes: (8) Noes: (0)
To committee on Rules.

Senate Bill 524

Relating to the state's share of airport costs involving building projects or building improvement projects.

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

Concurrence: Ayes: (7) Noes: (1)
To committee on Rules.

LEONARD GROSHEK
Chairperson

LEAVES OF ABSENCE

Representative Wahner asked unanimous consent for a leave of absence for the balance of today's session for Representatives Behnke and Gerlach. Granted.

Assembly Bill 1124

Relating to prohibiting deer hunting with either a rifle or a shotgun or both in Door County.

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The question was: Shall **Assembly Bill 1124** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1124** be given a third reading. Granted.

Representative Kedrowski moved indefinite postponement of **Assembly Bill 1124**.

The question was: Shall **Assembly Bill 1124** be indefinitely postponed?

Motion failed.

The question was: **Assembly Bill 1124** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Bradley, Brist, Byers, Coggs, Conradt, Czerwinski, Day, DeLong, Donoghue, Dorff, Duren, Ellis, Engeleiter, Everson, Fischer, Flintrop, Goodrich, Gower, Groshek, Gunderson, Hanson, Harsdorf, Hasenohrl, Hauke, Hephner, Johnston, Kincaid, Klicka, Lallensack, Lato, Lewis, Lewison, Lingren, Litscher, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Moody, Murray, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Schmidt, Schneider, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Ward and Wood -- 72.

Noes -- Becker, Broydrick, Clarenbach, Dandeneau, Dueholm, Ferrall, Gerlach, Johnson, Kedrowski, Kirby, Lee, Leopold, Loftus, Looby, McClain, Medinger, Metz, Miller, Mohn, Munts, Norquist, Rutkowski, Soucie, Wahner and Mr. Speaker -- 25.

Absent or not voting -- Behnke -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1124** be immediately messaged to the senate. Granted.

Assembly Bill 1141

Relating to clarifying penalties for food stamp fraud.

The question was: Shall **Assembly Bill 1141** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1141** be given a third reading. Granted.

The question was: **Assembly Bill 1141** 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 1141** be immediately messaged to the senate. Granted.

Senate Bill 528

Relating to various regulations affecting loans made by certain licensees and oral requests for information under the uniform commercial code.

Representative Tuczynski asked unanimous consent that assembly amendments 1 through 7 to **Senate Bill 528** be laid on the table. Granted.

Representative Hauke moved rejection of assembly amendment 8 to **Senate Bill 528**.

Representative Ferrall in the chair.

Speaker pro tempore Kedrowski in the chair.

The question was: Shall assembly amendment 8 to **Senate Bill 528** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Bradley, Brist, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Dueholm, Ellis, Engleiter, Everson, Goodrich, Gower, Groshek, Gunderson, Hanson, Harsdorf, Hauke, Hephner, Johnston, Kincaid, Klicka, Lallensack, Lewis, Lewison, Lingren, Litscher, Looby, Luckhardt, McClain, McEssy, Matty, Medinger, Merkt, Mohn, Murray,

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Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Schmidt, Schneider, Shabaz, Snyder, Thompson, Travis, Tregoning and Vanderperren -- 62.

Noes -- Becker, Broydrick, Clarenbach, Coggs, Czerwinski, Dandeneau, Duren, Ferrall, Flintrop, Hasenohrl, Johnson, Kedrowski, Kirby, Lato, Lee, Leopold, Loftus, Lorman, Menos, Metz, Miller, Moody, Munts, Norquist, Rutkowski, Soucie, Swoboda, Tesmer, Tuczynski, Wahner, Ward, Wood and Mr. Speaker -- 33.

Absent or not voting -- Behnke, Fischer, and Gerlach -- 3.

Motion carried.

Representative Hauke moved rejection of assembly amendment 9 to **Senate Bill 528**.

Speaker Jackamonis in the chair.

The question was: Shall assembly amendment 9 to **Senate Bill 528** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Bear, Becker, Bradley, Brist, Byers, Conrard, Donoghue, Dorff, Ellis, Engeleiter, Everson, Fischer, Gower, Groshek, Gunderson, Hanson, Harsdorf, Hauke, Hephner, Johnston, Kincaid, Klicka, Lallensack, Lewis, Lewison, Lingren, Litscher, Looby, Luckhardt, McEssy, Matty, Medinger, Merkt, Mohn, Murray, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Schmidt, Schneider, Shabaz, Snyder, Thompson, Travis, Tregoning and Vanderperren -- 58.

Noes -- Barry, Broydrick, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, DeLong, Dueholm, Duren, Ferrall, Flintrop, Goodrich, Hasenohrl, Johnson, Kedrowski, Kirby, Lato, Lee, Leopold, Loftus, Lorman, McClain, Menos, Metz, Miller, Moody, Munts, Norquist, Rutkowski, Soucie, Swoboda, Tesmer, Tuczynski, Wahner, Ward, Wood and Mr. Speaker -- 38.

Absent or not voting -- Behnke and Gerlach -- 2.

Motion carried.

Representative Tuczynski asked unanimous consent that **Senate Bill 528** be laid on the table.

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Representative Hauke objected.

Representative Tuczynski moved that **Senate Bill 528** be laid on the table.

The question was: Shall **Senate Bill 528** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Becker, Broydrick, Clarenbach, Czerwinski, Dandeneau, DeLong, Dueholm, Duren, Ferrall, Flintrop, Goodrich, Hasenohrl, Johnson, Kedrowski, Kirby, Lato, Lee, Leopold, Loftus, Lorman, McClain, Medinger, Menos, Metz, Miller, Moody, Norquist, Rutkowski, Soucie, Travis, Tuczynski, Wahner, Ward, Wood and Mr. Speaker -- 35.

Noes -- Andrea, Ausman, Barczak, Barry, Bradley, Brist, Byers, Conradt, Day, Donoghue, Dorff, Ellis, Engeleiter, Everson, Fischer, Gower, Groshek, Gunderson, Hanson, Harsdorf, Hauke, Hephner, Johnston, Kincaid, Klicka, Lallensack, Lewis, Lewison, Litscher, Looby, Luckhardt, McEssy, Matty, Merkt, Mohn, Murray, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Schmidt, Schneider, Shabaz, Snyder, Swoboda, Thompson, Tregoning and Vanderperren -- 56.

Absent or not voting -- Bear, Behnke, Coggs, Gerlach, Lingren, Munts and Tesmer -- 7.

Motion failed.

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

The question was: Shall **Senate Bill 528** be ordered to a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Becker, Bradley, Byers, Conradt, Donoghue, Dorff, Ellis, Engeleiter, Everson, Fischer, Gower, Groshek, Gunderson, Harsdorf, Hauke, Hephner, Johnson, Johnston, Kincaid, Klicka, Lallensack, Lato, Lewis, Lewison, Lingren, Litscher, Looby, Luckhardt, McEssy, Matty, Medinger, Merkt, Mohn, Murray, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Schmidt,

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Schneider, Shabaz, Snyder, Swoboda, Thompson, Tregoning and Vanderperren -- 57.

Noes -- Barry, Bear, Brist, Broydrick, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, DeLong, Dueholm, Duren, Ferrall, Flintrop, Goodrich, Hanson, Hasenohrl, Kedrowski, Kirby, Lee, Leopold, Loftus, Lorman, McClain, Menos, Metz, Miller, Moody, Munts, Norquist, Rutkowski, Soucie, Tesmer, Travis, Tuczynski, Wahner, Ward, Wood and Mr. Speaker -- 39.

Absent or not voting -- Behnke and Gerlach -- 2.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Senate Bill 528** be given a third reading.

Representative Tuczynski objected.

Representative Ferrall moved that the rules be suspended and that **Senate Bill 528** be given a third reading.

The question was: Shall the rules be suspended and **Senate Bill 528** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Bradley, Brist, Byers, Conradt, Donoghue, Dorff, Dueholm, Ellis, Engeleiter, Everson, Gower, Groshek, Gunderson, Hanson, Harsdorf, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Klicka, Lallensack, Lewis, Lewison, Lingren, Litscher, Looby, Luckhardt, McEssy, Matty, Medinger, Merkt, Mohn, Murray, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Schmidt, Schneider, Shabaz, Snyder, Swoboda, Tesmer, Thompson, Travis, Tregoning, Vanderperren, Ward and Wood -- 63.

Noes -- Barry, Bear, Becker, Broydrick, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, DeLong, Duren, Ferrall, Fischer, Flintrop, Goodrich, Kirby, Lato, Lee, Leopold, Loftus, Lorman, McClain, Menos, Metz, Miller, Moody, Munts, Norquist, Rutkowski, Soucie, Tuczynski, Wahner and Mr. Speaker -- 33.

Absent or not voting -- Behnke and Gerlach -- 2.

Motion failed.

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Representative Shabaz moved reconsideration of the vote by which **Senate Bill 528** was ordered to a third reading. Entered.

Senate Bill 122

Relating to requiring an autopsy on victims of sudden infant death syndrome and providing information and counseling.

The question was: Shall **Senate Bill 122** be ordered to a third reading?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 122** be given a third reading. Granted.

The question was: **Senate Bill 122** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Becker, Bradley, Brist, Broydrick, Byers, Clarenbach, Coggs, Conratt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Goodrich, Gower, Groshek, Gunderson, Hanson, Harsdorf, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Eoftus, 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, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 96.

Noes -- None.

Absent or not voting -- Behnke and Gerlach -- 2.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 122** be immediately messaged to the senate. Granted.

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Senate Bill 603

An act to appropriate \$8,974.96 from the transportation fund for payment of a claim made by Wisconsin Marine Bank against the state.

Representative Gower moved that **Senate Bill 603** be laid on the table.

The question was: Shall **Senate Bill 603** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Ausman, Barczak, Bear, Becker, Bradley, Brist, Broydrick, Byers, Clarenbach, Conradt, Day, DeLong, Donoghue, Dueholm, Duren, Ellis, Engeleiter, Everson, Goodrich, Gower, Groshek, Harsdorf, Hasenohrl, Hauke, Hephner, Johnston, Klicka, Lallensack, Lato, Lewis, Lewison, Litscher, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Merkt, Norquist, Opitz, Porter, Quackenbush, Rooney, Roth, Shabaz, Snyder, Tesmer, Thompson, Travis, Tregoning, Wood and Mr. Speaker -- 53.

Noes -- Andrea, Barry, Coggs, Czerwinski, Dandeneau, Dorff, Ferrall, Fischer, Flintrop, Gunderson, Hanson, Johnson, Kedrowski, Kincaid, Kirby, Lee, Leopold, Lingren, Loftus, Looby, Menos, Metz, Miller, Mohn, Moody, Munts, Murray, Olson, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rutkowski, Schmidt, Schneider, Soucie, Swoboda, Tuczynski, Vanderperren, Wahner and Ward -- 43.

Absent or not voting -- Behnke and Gerlach -- 2.

Motion carried.

Senate Bill 303

Relating to the required number of school days for state aid purposes.

Representative Wahner asked unanimous consent that **Senate Bill 303** be laid on the table. Granted.

Senate Bill 356

Relating to approval of certain driver education courses by the department of public instruction and the division of motor vehicles.

The question was: Shall **Senate Bill 356** be ordered to a third reading?

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Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 356** be given a third reading. Granted.

The question was: **Senate Bill 356** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Becker, Bradley, Brist, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Goodrich, Gower, Groshek, Gunderson, Hanson, Harsdorf, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Murray, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 95.

Noes -- Kirby -- 1.

Absent or not voting -- Behnke and Gerlach -- 2.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 356** be immediately messaged to the senate. Granted.

Senate Bill 195

Relating to regulating smoking in public places, granting rule-making authority and providing a penalty.

Representative Roberts moved that **Senate Bill 195** be referred to the committee on Labor.

Representative Wahner asked unanimous consent that **Senate Bill 195** be placed at the head of the twelfth order of business on the calendar of Monday, March 6.

Representative Shabaz objected.

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The question was: Shall **Senate Bill 195** be referred to the committee on Labor?

Motion failed.

Representative Wahner moved that **Senate Bill 195** be placed at the head of the twelfth order of business on the calendar of Monday, March 6.

The question was: Shall **Senate Bill 195** be placed at the head of the twelfth order of business on the calendar of Monday, March 6?

The roll was taken.

The result follows:

Ayes -- Andrea, Ausman, Barczak, Barry, Bear, Becker, Brist, Byers, Clarenbach, Coggs, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Goodrich, Gower, Groshek, Gunderson, Hanson, Harsdorf, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Lorman, Luckhardt, McClain, Medinger, Menos, Metz, Miller, Moody, Murray, Norquist, Olson, Otte, Pabst, Plewa, Potter, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Soucie, Swoboda, Thompson, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 74.

Noes -- Bradley, Broydrick, Conradt, Ellis, Klicka, Lewis, Lewison, Looby, McEssy, Matty, Merkt, Mohn, Opitz, Porter, Quackenbush, Roberts, Shabaz, Snyder, Tesmer, Travis and Tregoning -- 21.

Absent or not voting -- Behnke, Gerlach and Munts -- 3.

Motion carried.

Representative Lallensack asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Vanderperren. Granted.

Representative Murray asked unanimous consent to be recorded on the following questions from Wednesday, March 1. Granted.

Shall assembly amendment 1 to Assembly Joint Resolution 75 be adopted? Aye

Shall Assembly Joint Resolution 75 be adopted? Aye

Shall Assembly Bill 1223 pass? Aye

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Shall Assembly Bill 606 pass? Aye

Shall assembly amendment 2 to assembly substitute amendment 1 to Assembly Bill 1044 be rejected? No

Shall Assembly Bill 1044 pass? Aye

Representative Kedrowski asked unanimous consent to return to the third order of business. Granted.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1260

Relating to revisions in the metalliferous mineral mining tax and granting rule-making authority.

By Representatives Kedrowski, Schneider, Kincaid, Lato and Donoghue, by request of Acting Governor Martin J. Schreiber and the Wisconsin Counties Minerals Resources Association.

To committee on Revenue.

Representative Groshek asked unanimous consent that the assembly adjourn in honor of the birth of a daughter to Representative and Mrs. Barczak. Granted.

Representative Olson asked unanimous consent that the assembly adjourn in honor of the seventh wedding anniversary of Representative Tregoning. Granted.

LEAVES OF ABSENCE

Representative Wahner asked unanimous consent for a leave of absence from 5:30 P.M. on for Representative Munts. 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:

Fifth grade students from Lake View School in Madison accompanied by teachers James Lindsay, Joan Cleland and Mary Thompson, guests of Representative Bear.

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Willis J. Hutnik from Ladysmith, guest of Representative Shabaz.

Neil Hilgenberg, Terry Hilgenberg, Dennis Roddandt and Leo Seefeldt from Shawano, guests of Representative Schmidt.

Norman Watermolen, Bob Wiech, Gary Rozan and Jerry Koeppe from Green Bay, guests of Representatives Vanderperren, Metz and Gower.

Joan Reppen from Albion, guest of Representatives Everson and Barry.

Hugo Traub from Portage, guest of Representative Thompson.

Diane Quirk, Carolyn Kaye and Doris Barnes from Menomonee Falls, guests of Representative Lingren.

LaVerne Stewart from Eau Claire, guest of Representative Ausman.

Diane Hauser, Dick Clements and Bob Wehrenberg from La Crosse, guests of Representatives Roberts and Medinger.

Marvin Jensen from Milwaukee, guest of Representative Tuczynski.

Mark Bugher, C.D. Bugher, L.L. Stewart and Stan Larson, guests of Representative Looby.

James Thomas from Milwaukee, guest of Representatives Ward and Coggs.

Lynn Hummel, Joanne Smith and Dennis Lange from Watertown, guests of Representative Lorman.

Mr. and Mrs. Warren Fenceroy, Ms. Audrey Johnson, Mr. Calvin Reed and Mr. Calvin C. Thomas from Milwaukee, guests of Representatives Coggs and Ward.

Jim Runke from Lexington, Kentucky, guest of Representative Matty.

Peter Creticos, guest of Representative Everson.

Representative Wahner moved that the assembly stand adjourned until 10:00 A.M. on Tuesday, March 7.

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The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

5:50 P.M.