

JOURNAL OF THE ASSEMBLY [April 24, 1979]

STATE OF WISCONSIN

Assembly Journal

Eighty-Fourth Regular Session

TUESDAY, April 24, 1979.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend James Wilch of Saint Mark's Evangelical Lutheran Church, 424 Hyde Park Avenue, Waukesha.

Representative Tuczynski 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, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 96.

Absent -- None.

Absent with leave - Duren --1.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Joint Resolution 24** offered by Representative Medinger.

Assembly amendment 2 to **Assembly Bill 20** offered by Representatives Shoemaker and Byers, by request of Wisconsin Library Association.

Assembly amendment 1 to **Assembly Bill 67** offered by committee on Health and Social Services.

Assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 77** offered by Representatives Lee, Lewis, Rutkowski, Becker and Flintrop.

Assembly substitute amendment 1 to **Assembly Bill 80** offered by committee on State Affairs.

Assembly substitute amendment 2 to **Assembly Bill 83** offered by committee on Judiciary.

Assembly amendment 2 to **Assembly Bill 89** offered by Representative Rogers, by request of Joint Committee for Review of Administrative Rules.

Assembly substitute amendment 1 to **Assembly Bill 165** offered by committee on Judiciary.

Assembly substitute amendment 1 to **Assembly Bill 245** offered by committee on Environmental Resources.

Assembly amendment 1 to **Assembly Bill 279** offered by Representative Clarenbach.

Assembly amendment 1 to **Assembly Bill 349** offered by Representative Lorman, by request of Department of Employee Trust Funds.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 12

Relating to directing the committee on state affairs to establish a subcommittee to study the olympic ice rink.

By Representatives Clarenbach, Barczak, Gunderson, Gagin, Becker, Byers and Donoghue.

To committee on State Affairs.

Assembly Bill 493

Relating to distribution of taxes paid on new railroad ties.

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By Representatives Roberts and Murray, co-sponsored by Senators Offner and Theno.

To committee on Revenue.

Assembly Bill 494

Relating to sales and use tax exemptions for clothing.

By Representatives Hasenohrl, Kincaid, Broydrick, Medinger, Helbach, Plewa, Andrea, Becker, Shoemaker, Swoboda, Menos, Kedrowski and Byers.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 495

Relating to authorization to relocate a bank's principal office and to continue to operate the former principal office as a branch under certain circumstances.

By Representative Broydrick.

To committee on Financial Institutions.

Assembly Bill 496

Relating to special hunting privileges for disabled persons.

By Representative Rogers.

To committee on Tourism, Recreation and Economic Development.

Assembly Bill 497

Relating to community living arrangements.

By Representatives Jackamonis, Wood, Byers, Rooney, Behnke, Shabaz, Ladwig, Omernick and Donoghue, co-sponsored by Senators Berger, Adelman and Murphy.

To committee on Local Affairs.

Assembly Bill 498

Relating to the date of the annual meeting in common school districts.

By Representative Shabaz, co-sponsored by Senator Murphy.

To committee on Education.

Assembly Bill 499

Relating to licensure of mobile home parks by local government.

By Representatives Medinger and Loftus, by request of League of Wisconsin Municipalities.

To committee on Local Affairs.

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Assembly Bill 500

Relating to establishing a program of inspection and maintenance of certain motor vehicles in any county required by federal law to institute this program and in a county whose board of supervisors elect to participate in the program, granting rule-making authority, providing a penalty, making an appropriation and creating a tax exemption.

By committee on Environmental Resources.

To committee on Environmental Resources.

Assembly Bill 501

Relating to the taxation of capital gains.

By Representatives Bradley, Conradt, Thompson, Kincaid, Gagin, Quackenbush, Porter, Everson, Young, Shabaz, Hopkins, Lallensack and Hasenohrl.

To committee on Revenue.

Assembly Bill 502

Relating to town authority to combine or designate as part-time certain town offices.

By Representatives Conradt, Prosser, Vanderperren, Matty, Byers, Bradley, Dilweg, R. Travis, Fischer, Potter, Ward, Thompson, Quackenbush, Gagin, Gunderson, Larson, Lallensack, Swoboda and Rogers, co-sponsored by Senators Lorge, Murphy and Van Sistine.

To committee on Local Affairs.

Assembly Bill 503

Relating to delinquent sales and use tax returns.

By Representative Behnke.

To committee on Revenue.

Assembly Bill 504

Relating to an individual income tax personal exemption for voluntary, uncompensated blood donation.

By Representative Behnke.

To Joint Survey Committee on Tax Exemptions.

COMMITTEE REPORTS

The committee on Enrolled Bills reports and recommends:

Assembly Joint Resolution 43

Assembly Joint Resolution 44

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Correctly enrolled.

JOSEPH ANDREA

Chairperson

The committee on Environmental Resources reports and recommends:

Assembly Bill ——— (lrb 3106/2)

Relating to establishing a program of inspection and maintenance of certain motor vehicles in any county required by federal law to institute this program and in a county whose board of supervisors elect to participate in the program, granting rule-making authority, providing a penalty, making an appropriation and creating a tax exemption.

Introduction: Ayes: (9) Noes: (0)

MARY LOU MUNTS

Chairperson

COMMUNICATIONS

Notice of Intent received from University of Wisconsin Board of Regents to apply for Federal Assistance for Energy Conservation for Small Businesses, Small Business Development Center.

Comments due by April 20, 1979.

To committee on Small Business.

Notice of Intent received from Department of Health and Social Services to apply for Federal Assistance for Designation of State Health Planning and Development Agency.

Comments due by April 23, 1979.

To committee on Health and Social Services.

Notice of Intent received from Division of Community Services, Department of Health and Social Services to apply for Federal Assistance for State Training Support Program of the National Institute for Drug Abuse.

Comments due by April 30, 1979.

To committee on Health and Social Services.

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Notice of Intent received from Department of Health and Social Services to apply for Federal Assistance for Implementation of Wisconsin Statutes 51.45 Uniform Alcoholism and Intoxication Treatment Act.

Comments due by April 30, 1979.

To committee on Health and Social Services.

Notice of Intent received from Division of Job Service, Department of Industry, Labor and Human Relations to apply for Federal Assistance for Unemployment Insurance Benefits for UC Staff.

Comments due by May 7, 1979.

To committee on Labor.

Notice of Intent received from UW-Extension, Board of Regents to apply for Federal Assistance for "Citizen Participation in Economic Development: A Documentary Film Case Study."

Comments due by May 4, 1979.

To committee on Education.

To committee on Tourism, Recreation and Economic Development.

Notice of Intent received from Division of State Planning and Energy, Department of Administration to apply for Federal Assistance of State Economic Development Planning.

Comments due by May 7, 1979.

To committee on Tourism, Recreation and Economic Development.

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State of Nevada
Sixtieth Legislature

Requesting the Congress of the United States to call a convention limited to proposing an amendment to the Constitution of the United States which would require a balanced budget in the absence of a national emergency.

Whereas, Proper economic planning, fiscal prudence and common sense require that the federal budget include all federal spending and be in balance; and

Whereas, The annual federal budgets continually reflect the unwillingness or inability of the legislative and executive branches of the Federal Government to balance the budget; and

Whereas, The national debt now amounts to hundreds of billions of dollars and is increasing enormously each year as federal expenditures exceed federal revenues; and

Whereas, The inflation and other results of the fiscal irresponsibility of the Federal Government demonstrate the need for a constitutional restraint upon excessive spending; and

Whereas, Article V of the Constitution of the United States provides that on the application of the legislatures of two-thirds of the states, Congress shall call a convention for proposing amendments to the Constitution; now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, jointly, That this legislature requests the Congress of the United States to call a convention limited to proposing an amendment to the Constitution of the United States which would provide that, in the absence of a national emergency, the total of all federal appropriations for any fiscal year must not exceed the total of the estimated federal revenue for that year; and be it further

Resolved, That this legislature conditions this request upon the Congress of the United States' establishing appropriate restrictions limiting the subject matter of a convention called pursuant to this resolution to the subject matter of this resolution, and if the Congress fails to establish such restrictions, this resolution has no effect and must be considered a nullity; and be it further

Resolved, That a copy of this resolution be immediately transmitted by the legislative counsel to the Vice President of the United States as President of the Senate and the Speaker of the House of Representatives of the United States, to each member of the

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Nevada congressional delegation and to the presiding officer of each house of the legislatures of the several states; and be it further

Resolved, That this resolution shall become effective upon passage and approval.

State of South Dakota

Requesting appropriate action by the Congress, either acting by consent of two-thirds of both houses thereof or, upon the application of the legislatures of two-thirds of the several states, calling a constitutional convention therefor to propose an amendment to the Constitution of the United States to require, with certain exceptions, that the total of all federal appropriations may not exceed the total of all estimated federal revenues in any fiscal year.

Whereas, with each passing year this nation becomes more deeply in debt as its annual expenditures frequently exceed annual available revenues, so that the public debt also steadily increases to a size of inordinate proportions; and

Whereas, unified budgets do not necessarily reflect actual spending because of the exclusion of special spending outlays which are not included in the budget nor are subject to the statutory legal public debt limit; and

Whereas, knowledgeable planning, fiscal prudence, and plain good sense require that the budget reflect all federal spending and be in balance; and

Whereas, we believe that fiscal irresponsibility at the federal level, with the inflation which results primarily from this policy, is the greatest threat which faces our nation, and that constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility; and

Whereas, under Article V of the Constitution of the United States, amendments to the Federal Constitution may be proposed by Congress whenever two-thirds of both houses deem it necessary, or on the application of the legislatures of two-thirds of the several states the Congress shall call a constitutional convention for the purpose of proposing such amendments:

Be it resolved by the Senate of the State of South Dakota, the House of Representatives concurring therein:

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That the Legislature does hereby make application to the Congress of the United States that procedures be instituted in the Congress to add a new article to the Constitution of the United States, and that the Legislature of the state of South Dakota hereby requests the Congress to prepare and submit to the several states an amendment to the Constitution of the United States, requiring in the absence of a national emergency, as defined by law, that the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year; and

Be it further resolved, that alternatively, this Legislature hereby makes application under said Article V of the Constitution of the United States and with the same force and effect as if this Resolution consisted of this portion alone and requests that the Congress of the United States call a constitutional convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States requiring in the absence of a national emergency, as defined by law, that the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year; and

Be it further resolved, that this application and request be deemed null and void, rescinded, and of no effect in the event that such convention not be limited to such specific and exclusive purpose; and

Be it further resolved, that this application by this Legislature constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made applications for similar relief pursuant to Article V, but, if Congress proposes an amendment to the Constitution identical in subject matter to that contained in this Joint Resolution then this petition for a Constitutional Convention shall no longer be of any force or effect; and

Be it further resolved, that this Legislature also proposes that the legislatures of each of the several states comprising the United States apply to the Congress requesting the enactment of an appropriate amendment to the Federal Constitution, or requiring the Congress to call a constitutional convention for proposing such an amendment to the Federal Constitution; and

Be it further resolved, that copies of this Joint Resolution be sent by the Secretary of State to each member of the South Dakota Congressional Delegation; and

Be it further resolved, that the Secretary of State is directed to

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send copies of this Joint Resolution to the presiding officers of both Houses of the Legislature of each of the other states in the Union, the Clerk of the United States House of Representatives, Washington, D.C. and the Secretary of the United States Senate, Washington, D.C.

MOTIONS

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 101** be withdrawn from the Joint Committee on Finance and referred to the committee on Rules.

Speaker Jackamonis objected.

Representative Shabaz moved that the rules be suspended and that **Assembly Bill 101** be withdrawn from the Joint Committee on Finance and referred to the committee on Rules.

Representative Johnson asked unanimous consent that the rules be suspended and that **Assembly Bill 101** be withdrawn from the Joint Committee on Finance and referred to the committee on Rules.

Speaker Jackamonis objected.

Representative Wahner asked unanimous consent that the assembly stand recessed for five minutes. Granted.

The assembly stood recessed.

10:20 A.M.

RECESS

11:00 A.M.

The assembly reconvened.

The question was: Shall the rules be suspended and **Assembly Bill 101** be withdrawn from the Joint Committee on Finance and referred to the committee on Rules?

The roll was taken.

The result follows:

Ayes -- Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Paulson, Porter,

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Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning and Young -- 37.

Noes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 59.

Absent or not voting -- Duren -- 1.

Motion failed.

Representative Shabaz asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 29** be withdrawn from the committee on State-Federal Relations and referred to the calendar.

Representative Wahner objected.

CALENDAR OF MONDAY, APRIL 23, 1979

Assembly Resolution 11

To amend assembly rule 33 (2), deleting reference in the assembly rules to the senate president pro tempore.

The question was: Shall the vote by which **Assembly Resolution 11** was adopted be reconsidered?

The roll was taken.

The result follows:

Ayes -- Barry, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Loftus, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Omernick, Pabst, Porter, Prosser, Quackenbush, Radtke, Rogers, Schmidt, Schneider, Shabaz, Snyder, Thompson, Travis, R., Tregoning and Young -- 43.

Noes -- Andrea, Barczak, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Everson, Ferrall, Fischer,

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Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, McClain, Medinger, Metz, Miller, Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rooney, Rutkowski, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 52.

Absent or not voting -- Duren and Paulson -- 2.

Motion failed.

LEAVES OF ABSENCE

Representative Wahner asked unanimous consent for a leave of absence for today's session for Representative Duren. Granted.

CALENDAR OF TUESDAY, APRIL 24, 1979

Assembly Bill 184

Relating to the leasing of school property.

The question was: Shall assembly amendment 1 to **Assembly Bill 184** be adopted?

Motion carried.

The question was: Shall assembly amendment 2 to **Assembly Bill 184** be adopted?

Motion carried.

Assembly amendment 3 to **Assembly Bill 184** offered by Representative Ladwig.

Representative Lingren moved rejection of assembly amendment 3 to **Assembly Bill 184**.

The question was: Shall assembly amendment 3 to **Assembly Bill 184** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Byers, Clarenbach, Coggs, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich,

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Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Lallensack, Larson, Lee, Lewison, Lingren, Loftus, Lorman, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 88.

Noes -- Bradley, Conradt, Czerwinski, Ladwig, Leopold, Lewis, Luckhardt and Shabaz -- 8.

Absent or not voting -- Duren -- 1.

Motion carried.

The question was: Shall **Assembly Bill 184** be ordered engrossed and read a third time?

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 184** be given a third reading. Granted.

The question was: **Assembly Bill 184** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 94.

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Noes -- Bradley -- 1.

Absent or not voting -- Duren and Thompson -- 2.

Motion carried.

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

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 184** be immediately messaged to the senate. Granted.

Assembly Bill 16

Relating to citation forms for municipal court.

Assembly amendment 1 to assembly amendment 1 to **Assembly Bill 16** offered by Representative Shabaz.

Representative Rutkowski moved rejection of assembly amendment 1 to assembly amendment 1 to **Assembly Bill 16**.

Representative Dorff moved that **Assembly Bill 16** be laid on the table.

The question was: Shall **Assembly Bill 16** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bradley, Byers, Clarenbach, Conradt, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Goodrich, Harer, Hasenohrl, Hauke, Hephner, Hopkins, Klicka, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Murray, Omernick, Paulson, Prosser, Radtke, Roberts, Schneider, Shabaz, Snyder, Thompson, Tregoning, Wood and Young -- 42.

Noes -- Becker, Behnke, Broydrick, Coggs, Czerwinski, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Gunderson, Harsdorf, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Laatsch, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Norquist, Pabst, Plewa, Porter, Potter, Quackenbush, Rogers, Rooney, Rutkowski, Schmidt, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Travis, R., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward and Mr. Speaker -- 53.

Absent or not voting -- Duren and Otte -- 2.

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Motion failed.

Representative Barczak moved that **Assembly Bill 16** be laid on the table.

Representative Shabaz asked unanimous consent that **Assembly Bill 16** be referred to the committee on Local Affairs.

Representative Rutkowski objected.

The speaker ruled Representative Barczak's motion for tabling out of order under Assembly Rule 69 (2).

Representative Barry moved that **Assembly Bill 16** be referred to the committee on Judiciary.

Representative Barry asked unanimous consent to withdraw his motion. Granted.

Representative Ferrall asked unanimous consent that assembly amendment 1 to **Assembly Bill 16** be laid on the table. Granted.

Assembly amendment 1 to assembly amendment 2 to **Assembly Bill 16** offered by Representative Shabaz.

Representative Ferrall asked unanimous consent that assembly amendment 2 to **Assembly Bill 16** be laid on the table. Granted.

Representative Snyder asked unanimous consent that **Assembly Bill 16** be referred to the committee on Local Affairs.

Representative Lee objected.

Representative Snyder moved that **Assembly Bill 16** be referred to the committee on Local Affairs.

The question was: Shall **Assembly Bill 16** be referred to the committee on Local Affairs?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Bradley, Byers, Coggs, Conradt, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hauke, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Murray, Omernick, Paulson, Quackenbush, Radtke, Rogers, Schmidt, Shabaz, Smith, Snyder, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Tuczynski and Young -- 47.

Noes -- Barczak, Becker, Behnke, Broydrick, Clarenbach, Czerwinski, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Helbach,

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Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Menos, Metz, Müller, Munts, Norquist, Otte, Pabst, Plewa, Porter, Potter, Prosser, Roberts, Rooney, Rutkowski, Schneider, Shoemaker, Soucie, Travis, D., Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 49.

Absent or not voting -- Duren -- 1.

Motion failed.

Representative Shabaz moved that **Assembly Bill 16** be referred to the committee on Judiciary.

Representative Kirby in the chair.

Speaker Jackamonis in the chair.

Representative Ferrall asked unanimous consent that the assembly stand recessed until 4:00 P.M. Granted.

The assembly stood recessed.

12:25 P.M.

RECESS

4:10 P.M.

The assembly reconvened.

CALL OF THE ASSEMBLY

Representative Shabaz 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 - Duren.

Members absent without leave - Gerlach, Kincaid, Luckhardt and Smith.

The assembly proceeded to other business while remaining under call.

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Assembly Bill 68

Relating to exceptions to parking time limits for residents.

The question was: Shall **Assembly Bill 68** be ordered engrossed and read a third time?

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 68** be given a third reading. Granted.

The question was: **Assembly Bill 68** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Young and Mr. Speaker -- 91.

Noes -- Lewis, Thompson and Wood -- 3.

Absent or not voting -- Broydrick, Duren and Gerlach -- 3.

Motion carried.

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

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 68** be immediately messaged to the senate. Granted.

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Assembly Bill 73

Relating to discontinuance of interim allowances to members of the legislature for postage and clerical assistance.

The question was: Shall **Assembly Bill 73** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kirby, Klicka, Laatsch, Ladwig, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood, Young and Mr. Speaker -- 91.

Noes -- Barczak, Lallensack, Pabst and Ward -- 4.

Absent or not voting -- Duren and Kincaid -- 2.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 73** be given a third reading. Granted.

Representative McEssy asked unanimous consent that **Assembly Bill 73** be referred to the Joint Committee on Finance.

Representative Kirby objected.

Representative McEssy moved that **Assembly Bill 73** be referred to the Joint Committee on Finance.

Representative McEssy asked unanimous consent to withdraw his motion. Granted.

Representative McEssy moved that **Assembly Bill 73** be referred to the committee on State Affairs.

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Representative McEssy asked unanimous consent to withdraw his motion. Granted.

Representative Ward asked unanimous consent that the record on engrossment of **Assembly Bill 73** be expunged.

Representative Kirby objected.

The question was: **Assembly Bill 73** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Behnke, Broydrick, Byers, Clarenbach, Coggs, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood, Young and Mr. Speaker -- 91.

Noes -- Barczak, Bradley, Conradt, Pabst and Ward -- 5.

Absent or not voting -- Duren -- 1.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 73** be immediately messaged to the senate. Granted.

All members of the assembly being present or absent with leave, the call of the assembly on **Assembly Bill 16** was lifted and the assembly proceeded to consideration of the bill.

Assembly Bill 16

Relating to citation forms for municipal court.

The question was: Shall **Assembly Bill 16** be referred to the committee on Judiciary?

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The roll was taken.

The result follows:

Ayes -- Barczak, Bradley, Byers, Coggs, Conradt, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hopkins, Klicka, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Rogers, Schmidt, Shabaz, Snyder, Tesmer, Thompson, Tregoning, Wood and Young -- 40.

Noes -- Andrea, Barry, Becker, Behnke, Broydrick, Clarenbach, Czerwinski, Dorff, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Laatsch, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Travis, D., Travis, R., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward and Mr. Speaker -- 56.

Absent or not voting -- Duren -- 1.

Motion failed.

Assembly amendment 3 to Assembly Bill 16 offered by Representatives Lee and Rutkowski.

The question was: Shall assembly amendment 3 to Assembly Bill 16 be adopted?

Motion carried.

Assembly amendment 4 to Assembly Bill 16 offered by Representative Shabaz.

The question was: Shall assembly amendment 4 to Assembly Bill 16 be adopted?

Motion carried.

The question was: Shall Assembly Bill 16 be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Clarenbach, Czerwinski, DeLong, Dorff, Everson, Ferrall, Fischer, Flintrop, Gerlach, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach,

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Hephner, Johnson, Kedrowski, Kincaid, Kirby, Laatsch, Lallensack, Lee, Leopold, Lewison, Lingren, Loftus, Lorman, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Soucie, Swoboda, Travis, D., Travis, R., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 70.

Noes -- Bradley, Broydrick, Byers, Coggs, Conradt, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Hopkins, Klicka, Ladwig, Larson, Luckhardt, McEssy, Matty, Merkt, Quackenbush, Shabaz, Snyder, Tesmer, Thompson, Tregoning and Young -- 25.

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

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 16** be given a third reading. Granted.

The question was: **Assembly Bill 16** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Czerwinski, DeLong, Dorff, Everson, Ferrall, Fischer, Flintrop, Gerlach, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Laatsch, Ladwig, Lallensack, Lee, Leopold, Lingren, Loftus, Lorman, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Travis, R., Tuczynski, Ulichny, Vanderperren, Wagner, Ward, Wood and Mr. Speaker -- 70.

Noes -- Bradley, Byers, Clarenbach, Coggs, Conradt, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Klicka, Larson, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkt, Omernick, Paulson, Shabaz, Snyder, Thompson, Tregoning and Young -- 25.

Absent or not voting -- Duren and Wahner -- 2.

Motion carried.

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Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 16** be immediately messaged to the senate. Granted.

Assembly Bill 105

Relating to requiring counties to reimburse deputy sheriffs for attorney fees, costs and judgments in civil actions.

Assembly amendment 1 to **Assembly Bill 105** offered by Representatives Prosser and Thompson.

Representative McClain moved rejection of assembly amendment 1 to **Assembly Bill 105**.

The question was: Shall assembly amendment 1 to **Assembly Bill 105** be rejected?

The roll was taken.

The result follows:

Ayes -- Barczak, Barry, Becker, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Everson, Fischer, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Kedrowski, Kirby, Lallensack, Lee, Leopold, Lewis, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Plewa, Potter, Roberts, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 49.

Noes -- Andrea, Behnke, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Ferrall, Flintrop, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hopkins, Johnson, Kincaid, Klicka, Laatsch, Ladwig, Larson, Lewison, Lingren, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Otte, Pabst, Paulson, Porter, Prosser, Quackenbush, Radtke, Rogers, Rooney, Schmidt, Shabaz, Snyder, Travis, R., Tregoning and Young -- 46.

Absent or not voting -- Duren and Thompson -- 2.

Motion carried.

Assembly amendment 2 to **Assembly Bill 105** offered by Representative Quackenbush.

Representative McClain moved rejection of assembly amendment 2 to **Assembly Bill 105**.

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Representative Murray asked unanimous consent that **Assembly Bill 105** be laid on the table.

Representative McClain objected.

Representative Murray moved that **Assembly Bill 105** be laid on the table.

The question was: Shall **Assembly Bill 105** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Andrea, Becker, Broydrick, Clarenbach, Conradt, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hopkins, Johnson, Kincaid, Kirby, Klicka, Laatsch, Larson, Lee, Leopold, Lewis, Lewison, Lorman, Luckhardt, Matty, Menos, Merkt, Munts, Murray, Omernick, Pabst, Paulson, Plewa, Porter, Prosser, Quackenbush, Radtke, Rogers, Rooney, Shabaz, Snyder, Thompson, Travis, R., Tregoning, Vanderperren and Young -- 54.

Noes -- Barczak, Barry, Behnke, Bradley, Byers, Coggs, Czerwinski, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Kedrowski, Ladwig, Lallensack, Lingren, Loftus, McClain, McEssy, Medinger, Metz, Miller, Norquist, Otte, Potter, Roberts, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 42.

Absent or not voting -- Duren -- 1.

Motion carried.

Assembly Bill 156

Relating to equipping authorized emergency vehicles with lamps used to activate traffic control signal preemption devices and providing a penalty.

The question was: Shall **Assembly Bill 156** be ordered engrossed and read a third time?

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 156** be given a third reading. Granted.

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The question was: **Assembly Bill 156** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 96.

Noes -- None.

Absent or not voting -- Duren -- 1.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 156** 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 Bill 99

Passed and asks concurrence in:

Senate Bill 58

Senate Bill 72

Senate Bill 77

Senate Bill 78

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ACTION ON THE SENATE MESSAGE

Senate Bill 58

Relating to battery by prisoners.

By Senators McCallum, Theno, Murphy, Van Sistine, Krueger, Cullen, Braun, Goyke, Lasee and Lorge; co-sponsored by Representatives Metz, Rogers, Vanderperren, Fischer, Swoboda, Lallensack, Murray, Soucie, Helbach, Everson, Hephner, Smith, Behnke, Shoemaker, Pabst, Potter, Ulichny, Otte and DeLong.

To committee on Criminal Justice and Public Safety.

Senate Bill 72

Relating to rights and duties of drivers and pedestrians at controlled intersections and providing a penalty.

By Senator Risser; co-sponsored by Representative Andrea, by request of Helen Zawacki.

To committee on Highways.

Senate Bill 77

Relating to allowing the same judge to hear the preliminary examination and the trial.

By committee on Judiciary and Consumer Affairs.

To committee on Judiciary.

Senate Bill 78

Relating to allowing misdemeanor juries to separate and reassemble at a later time.

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

To committee on Judiciary.

Assembly Bill 492

Relating to clearing of voting machine recorders for use in anticipated special elections to fill certain legislative vacancies in 1979.

Representative Shabaz asked unanimous consent that **Assembly Bill 492** be referred to the committee on Elections.

Representative Broydrick objected.

Representative Shabaz moved that **Assembly Bill 492** be referred to the committee on Elections.

Representative Kirby in the chair.

Representative Hephner asked unanimous consent to be excused from voting on **Assembly Bill 492**. Granted.

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The question was: Shall **Assembly Bill 492** be referred to the committee on Elections?

The roll was taken.

The result follows:

Ayes -- Bradley, Byers, Conrad, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, McEssy, Matty, Merkt, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning and Young -- 36.

Noes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 58.

Absent or not voting -- Duren, Hephner and Luckhardt -- 3.

Motion failed.

Speaker Jackamonis in the chair.

Representative Shabaz moved indefinite postponement of **Assembly Bill 492**.

The question was: Shall **Assembly Bill 492** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Bradley, Byers, Conrad, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning, Ward and Young -- 38.

Noes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski,

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Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood and Mr. Speaker -- 57.

Absent or not voting -- Duren and Hephner -- 2.

Motion failed.

POINT OF ORDER

Representative Shabaz rose to the point of order that **Assembly Bill 492** required a local fiscal estimate under section 13.10 of the Wisconsin Statutes because local government expenses would be incurred in clearing the voting machines prior to the expiration of the 60 day waiting period.

The speaker ruled the point of order not well taken because **Assembly Bill 492** was permissive legislation and would not by itself necessitate an expenditure by local governmental units.

The question was: Shall **Assembly Bill 492** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Everson, Ferrall, Fische, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood and Mr. Speaker -- 56.

Noes -- Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning, Ward and Young -- 38.

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Absent or not voting -- Duren, Hephner and Smith -- 3.

Motion failed.

Representative Ferrall moved that the rules be suspended and that **Assembly Bill 492** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 492** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Cogs, Czerwinski, Dorff, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Heibach, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 58.

Noes -- Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning and Young -- 37.

Absent or not voting -- Duren and Hephner -- 2.

Motion failed.

Representative Ferrall moved reconsideration of the vote by which **Assembly Bill 492** was ordered to a third reading. Entered.

Representative Lee asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Loftus. Granted.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly Bill 278

1. On page 5, line 19, before "corporation", insert "The".

Assembly Bill 293

1. On page 1, line 6, after "renumbered" insert a comma.

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Assembly Bill 442

1. On page 29, line 13, substitute "SECTION 34m." for "SECTION 16."

Assembly Bill 459

1. On page 18, line 20, delete the first "person".

VISITORS

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

Students from the American History Class of Antigo High School accompanied by teachers Ron Nye and Jon Schmidt, guests of Representatives Schmidt, Donoghue and Omernick.

Steven King and Dan Schmidt from Elcho, guests of Representative Donoghue.

Senior citizens from Saint Alexander's in Milwaukee, guests of Representative Tuczynski.

Charles Lewis from Marshfield, guest of Representative Hasenohrl.

Students from Winneconne Middle School accompanied by Mr. Sandberg, Mr. Hale, Mrs. Mueller and Mrs. Duprey, guests of Representatives Bradley and Flintrop.

Carol Lofgren from Hayward, guest of Representative Smith.

Willard Nystrom from Superior, guest of Representative Murray.

Lloyd Wichie from Cumberland, guest of Representative Paulson.

Representative Ferrall moved that the assembly stand adjourned until 9:00 A.M. on Thursday.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

6:00 P.M.