

JOURNAL OF THE ASSEMBLY [May 1, 1979]

STATE OF WISCONSIN

# Assembly Journal

Eighty-Fourth Regular Session

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TUESDAY, May 1, 1979.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Robert Galitz of First Congregational Church, United Church of Christ, 701 N. East Avenue, Waukesha.

Representative Otte 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, Duren, 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 -- 97.

Absent -- None.

Absent with leave -- None.

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AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 226** offered by Representatives Kedrowski and DeLong.

Assembly substitute amendment 1 to **Assembly Bill 268** offered by committee on Local Affairs.

Assembly amendment 2 to **Assembly Bill 334** offered by committee on Highways.

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INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

**Assembly Bill 518**

Relating to providing notice of 24-hour parking limitations.

By Representatives Potter and Otte.

To committee on Highways.

**Assembly Bill 519**

Relating to various accounting examining board revisions and providing penalties.

By Representatives Norquist, Wahner, Soucie, Tuczynski, Otte, Plewa and Kirby, co-sponsored by Senators Berger, Chilsen, Braun, Swan, Bidwell, Frank and Van Sistine.

To committee on Commerce and Consumer Affairs.

**Assembly Bill 520**

Relating to exempting the first \$75 of interest from income taxation.

By Representatives Young, Radtke, Conradt, Ward, R. Travis, Laatsch, McEssy, Snyder, Lewis, Bradley, Larson, Schmidt, Gagin, Quackenbush, DeLong, Donoghue, Klicka, Shabaz, Prosser, Merkt, Hopkins, Omernick, Porter, Luckhardt, Tregoning, Thompson, Harer, Goodrich, Lingren, Smith, Coggs, Lorman, Leopold and D. Travis.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 521**

Relating to weight limitations on vehicles transporting forest products and metal scrap.

By Representatives Vanderperren, Kincaid, Matty, Lallensack and McEssy, co-sponsored by Senator Van Sistine.

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To committee on Highways.

**Assembly Bill 522**

Relating to designation of rustic roads and jurisdiction over such roads.

By Representatives Vanderperren, Kincaid, Bradley, Hasenohrl, Byers, Menos and Barczak, co-sponsored by Senator Van Sistine.

To committee on Highways.

**Assembly Bill 523**

Relating to a sales and use tax exemption for supplies used in the treatment of diabetes.

By Representative Merkt.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 524**

Relating to exempting military pay from income taxation.

By Representative Merkt.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 525**

Relating to compulsory school attendance through age 16.

By Representative Merkt.

To committee on Education.

**Assembly Bill 526**

Relating to reimbursement to veterans upon completion of correspondence courses and part-time classroom study.

By Representative Merkt.

To committee on Veterans and Military Affairs.

**Assembly Bill 527**

Relating to the school district budget and membership report.

By Representative Merkt.

To committee on Education.

**Assembly Bill 528**

Relating to notice of special school board meetings.

By Representative Merkt.

To committee on Education.

**Assembly Bill 529**

Relating to state funding of sub-state health planning agencies and making an appropriation.

By Representatives Czerwinski and Loftus, co-sponsored by Senator Offner, by request of Health Policy Council.

To committee on Health and Social Services.

**Assembly Bill 530**

Relating to a property tax exemption for perennial plants which produce an annual crop.

By Representatives Quackenbush, Swoboda, Donoghue, Byers, Lewison and Kincaid, co-sponsored by Senator Krueger.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 531**

Relating to printing the word "Wisconsin" in white on all state flags.

By Representatives Behnke, Matty, Porter, Vanderperren, Wahner, Ferrall, Kincaid, Dorff, Menos, Pabst, Hauke, Potter, Helbach, Wood, Schneider, Roberts, Rogers, Hephner, Kirby, Conradt, Bradley, Paulson, Lewison, Laatsch, Ladwig, Lee, Klicka, Wagner, Omernick, Barczak, Hopkins, Larson, Donoghue, McEssy, DeLong, Harsdorf, Merkt, Rutkowski, Tregoning, Schmidt, Jackamonis, Cogg, Everson, Fischer, Gerlach, Broydrick, Medinger, Norquist, Ulichny, Ward, Hasenohrl, Lallensack, R. Travis, Radtke, McClain, Tesmer, Soucie, Otte, Ellis, Rooney, Murray, Shoemaker, Swoboda, Andrea, Tuczynski, Gagin, Gunderson, Prosser, Quackenbush, Barry, Dilweg, Thompson, Goodrich, Shabaz, Harer, Lorman, Young, Byers, Snyder, Luckhardt, Kedrowski, Czerwinski, Becker, Clarenbach, Johnson, Loftus, Smith, D. Travis, Lingren and Duren, co-sponsored by Senators Cullen, Murphy, Berger, Lasee, Van Sistine, Theno, Swan, Opitz, Adelman, Kreul, Risser, Moody, Goyke, Braun, Kleczka, Bear, Roshell and Radosevich, by request of Milwaukee Professional Police Association.

To committee on State Affairs.

**Assembly Bill 532**

Relating to notices to property taxpayers.

By Representatives Jackamonis, McClain, Metz, Roberts, Norquist, Barczak, Czerwinski, Rogers, Ellis and Laatsch, co-sponsored by Senators Braun, Radosevich, Berger, Swan and Adelman.

To committee on Revenue.

**Assembly Bill 533**

Relating to creating a division of the consumer advocate in the department of justice and making an appropriation.

By Representatives Leopold, Andrea, Vanderperren, Barry, McClain, Barczak, Schneider, Fischer, Kincaid, Lallensack, Plewa, Medinger, Dorff, Rogers, Shoemaker, Hephner, Tesmer, Kirby, Hasenohrl, Tuczynski and Lingren.

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To committee on Energy.

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COMMITTEE REPORTS

The committee on Enrolled Bills reports and recommends:

**Assembly Joint Resolution 52**

Correctly enrolled.

JOSEPH ANDREA

Chairperson

The committee on Revenue reports and recommends:

**Assembly Bill 43**

Relating to refunding sales and use taxes paid on occasional sales of mobile homes exceeding 45 feet in length and making an appropriation.

Passage: Ayes: (10) Noes: (0)

To Joint Committee on Finance.

MARLIN SCHNEIDER

Chairperson

The committee on Tourism, Recreation and Economic Development reports and recommends:

**Assembly Bill 194**

Relating to requiring hunters to wear "hunter orange" material and providing a penalty.

Adoption of assembly amendment 1:

Ayes: (10) Noes: (0)

Passage: Ayes: (8) Noes: (2)

To committee on Rules.

JOANNE DUREN

Chairperson

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## 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 75**

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## ACTION ON THE SENATE MESSAGE

### **Senate Bill 75**

Relating to extension of state medical malpractice plan to podiatrists.

By committee on Human Services, by request of the Wisconsin Society of Podiatric Medicine.

To committee on Health and Social Services.

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## SPEAKER'S APPOINTMENTS

April 27, 1979

Mr. Marcel Dandeneau  
Assembly Chief Clerk  
State Capitol, 329 West  
Madison, Wisconsin 53702

Dear Marcel:

This is to inform you that I have, as of this date, made the following legislative appointments recommended to me by Representative Shabaz:

Representative Earl Schmidt to the Committee on Local Affairs to replace Rod Johnston who has resigned from the Committee and the Assembly.

Representative Richard Matty to the Committee on Energy to replace Rod Johnston who has resigned from the Committee and the Assembly.

Representative Cloyd Porter to the Committee on Environmental Resources to replace David Opitz who has resigned from the Committee and the Assembly.

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Representative David Paulson to the Committee on Small Business to replace David Opitz who has resigned from the Committee and the Assembly.

Representative Gary Dilweg to the Committee on Health and Social Services to replace David Opitz who has resigned from the Committee and the Assembly.

Also, Representative Gary Dilweg has resigned from the Committee on Labor. His resignation letter is enclosed.

ED JACKAMONIS  
Speaker

April 26, 1979

To: Representative Jackamonis  
From: Representative Dilweg

I request that my membership on the Assembly Labor Committee be terminated so that I can serve on the Assembly Health and Social Services Committee.

COMMUNICATIONS

Notice of Intent received from Division of Handicapped Children, Department of Public Instruction, to apply for Federal Assistance for Annual Program Plan.

Comments due by May 7, 1979.  
To committee on Education.

Notice of Intent received from Department of Health and Social Services to apply for Federal Assistance for State Health Plan.

Comments due by May 7, 1979.  
To committee on Health and Social Services.

Notice of Intent received from Division of Economic Opportunity, Department of Local Affairs and Development, to apply for Federal Assistance for 1979 State Weatherization Program for Low Income Persons.

Comments due by May 10, 1979.  
To committee on Energy.  
To committee on Local Affairs.

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Notice of Intent received from Division of Community Services, Department of Health and Social Services, to apply for Federal Assistance for Title V of the Older Americans Act: Senior Community Services Employment Program.

Comments due by May 4, 1979.

To committee on Health and Social Services.

Notice of Intent received from Cooperative Educational Services Agency #19 to apply for Federal Assistance for Educational Television Series: "Vanishing Wetlands".

Comments due by May 6, 1979.

To committee on Environmental Resources.

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### MOTIONS

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

Representative Kirby objected.

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### LEAVES OF ABSENCE

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

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### CALENDAR OF MONDAY, APRIL 30, 1979

#### **Assembly Bill 492**

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

Representative Hephner asked unanimous consent to be excused from voting. Granted.

The question was: Shall the vote by which **Assembly Bill 492** was passed be reconsidered?

The roll was taken.

The result follows:



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Ayes -- Bradley, Byers, Conratt, 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.

Noes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Dorff, Duren, 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 -- Czerwinski and Hephner -- 2.

Motion failed.

### **Assembly Joint Resolution 50**

Memorializing Congress, the President of the United States and the Secretary of Transportation to retain the Amtrak North Coast Hiawatha in the National Amtrak Transportation System.

The question was: Shall **Assembly Joint Resolution 50** be adopted?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 50** be immediately messaged to the senate. Granted.

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## CALENDAR OF TUESDAY, MAY 1, 1979

### **Assembly Bill 54**

Relating to the state civil service system career executive program.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 54** be adopted?

Motion carried.

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The question was: Shall **Assembly Bill 54** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 54** be given a third reading. Granted.

The question was: **Assembly Bill 54** 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, DeLong, Dilweg, Donoghue, Dorff, Duren, 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, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 93.

Noes -- Leopold and Munts -- 2.

Absent or not voting -- Czerwinski and Snyder -- 2.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 54** be immediately messaged to the senate. Granted.

### **Assembly Bill 114**

Relating to destruction of obsolete records by counties and towns.

The question was: Shall assembly amendment 1 to **Assembly Bill 114** be adopted?

Motion carried.

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The question was: Shall **Assembly Bill 114** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 114** be given a third reading. Granted.

The question was: **Assembly Bill 114** 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, DeLong, Dilweg, Donoghue, Dorff, Duren, 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 -- Czerwinski -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 114** be immediately messaged to the senate. Granted.

### **Assembly Bill 205**

Relating to a minimum tax on tax preference items.

The question was: Shall assembly amendment I to **Assembly Bill 205** be adopted?

Motion carried.

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Representative Shabaz moved indefinite postponement of **Assembly Bill 205**.

The question was: Shall **Assembly Bill 205** be indefinitely postponed?

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, Prosser, Radtke, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning and Young -- 36.

Noes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Cogg, Dorff, Duren, 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, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 60.

Absent or not voting -- Czerwinski -- 1.

Motion failed.

Assembly amendment 2 to **Assembly Bill 205** offered by Representative Shabaz.

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### POINT OF ORDER

Representative Ferrall rose to the point of order that assembly amendment 2 to **Assembly Bill 205** was not germane under Assembly Rule 54.

The speaker ruled the point of order well taken.

Assembly amendment 3 to **Assembly Bill 205** offered by Representative Shabaz.

Representative Broydrick moved rejection of assembly amendment 3 to **Assembly Bill 205**.

Speaker pro tempore Kedrowski in the chair.

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The question was: Shall assembly amendment 3 to **Assembly Bill 205** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Becker, Behnke, Broydrick, Coggs, Duren, Ferrall, Fischer, Flintrop, Gerlach, Helbach, Johnson, Kedrowski, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, Lorman, McClain, Medinger, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 48.

Noes -- Barczak, Barry, Bradley, Byers, Clarenbach, Conradt, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Hephner, Hopkins, Kincaid, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkt, Omernick, Porter, Prosser, Quackenbush, Radtke, Schmidt, Schneider, Shabaz, Snyder, Swoboda, Travis, R., Tregoning and Young -- 46.

Absent or not voting -- Czerwinski, Paulson and Thompson -- 3.

Motion carried.

Representative Lorman moved reconsideration of the vote by which assembly amendment 3 to **Assembly Bill 205** was rejected. Entered.

Assembly amendment 4 to **Assembly Bill 205** offered by Representative Radtke.

Representative Broydrick moved rejection of assembly amendment 4 to **Assembly Bill 205**.

The question was: Shall assembly amendment 4 to **Assembly Bill 205** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lewis, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller,

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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 -- 61.

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

Absent or not voting -- None.

Motion carried.

Assembly amendment 5 to **Assembly Bill 205** offered by Representatives Shabaz, Thompson and Barczak.

Representative Broydrick moved rejection of assembly amendment 5 to **Assembly Bill 205**.

The question was: Shall assembly amendment 5 to **Assembly Bill 205** be rejected?

The roll was taken.

The result follows:

Ayes -- Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Loftus, McClain, Medinger, Metz, Miller, Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward and Mr. Speaker -- 51.

Noes -- Andrea, Barczak, Barry, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Dorff, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hauke, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lingren, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Omernick, Pabst, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning, Wood and Young -- 46.

Absent or not voting -- None.

Motion carried.

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Speaker Jackamonis in the chair.

Representative R. Travis moved that **Assembly Bill 205** be referred to the committee on Revenue.

The question was: Shall **Assembly Bill 205** be referred to the committee on Revenue?

The roll was taken.

The result follows:

Ayes -- Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hauke, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Shoemaker, Snyder, Thompson, Travis, R., Tregoning and Young -- 39.

Noes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, 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, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 58.

Absent or not voting -- None.

Motion failed.

Assembly amendment 6 to **Assembly Bill 205** offered by Representatives Barczak, Dorff, Thompson and Shabaz.

Representative Broydrick moved rejection of assembly amendment 6 to **Assembly Bill 205**.

The question was: Shall assembly amendment 6 to **Assembly Bill 205** be rejected?

The roll was taken.

The result follows:

Ayes -- Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Loftus, McClain, Medinger, Metz, Miller,

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Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward and Mr. Speaker -- 49.

Noes -- Andrea, Barczak, Barry, Bradley, Byers, Conrad, DeLong, Dilweg, Donoghue, Dorff, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hauke, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lingren, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Omernick, Pabst, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Swoboda, Thompson, Travis, R., Tregoning, Wood and Young -- 48.

Absent or not voting -- None.

Motion carried.

The question was: Shall **Assembly Bill 205** 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, Duren, 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, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 61.

Noes -- 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, Radtke, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning and Young -- 36.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 205** be given a third reading.



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Representative Shabaz objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 205** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 205** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Behnke, Broydrick, Clarenbach, Cogs, Czerwinski, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, 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 -- 57.

Noes -- Barczak, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Dorff, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lingren, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning and Young -- 40.

Absent or not voting -- None.

Motion failed.

Representative Wahner moved reconsideration of the vote by which **Assembly Bill 205** was ordered to a third reading. Entered.

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### MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

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

**Senate Joint Resolution 19**

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## ACTION ON THE SENATE MESSAGE

### **Senate Joint Resolution 19**

Relating to proclaiming May 18, 19 and 20, 1979, as Syttende Mai Weekend.

By Senators Thompson and Harnisch, by request of the Norwegians of Wisconsin.

To calendar.

### **Assembly Bill 258**

Relating to delivery of goods sold by mail or telephone or by any other means, other than face-to-face contact, and providing a penalty.

Assembly amendment 1 to **Assembly Bill 258** offered by Representatives Shabaz, Hopkins and Goodrich.

Representative Wahner moved rejection of assembly amendment 1 to **Assembly Bill 258**.

The question was: Shall assembly amendment 1 to **Assembly Bill 258** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Byers, Clarenbach, Coggs, Czerwinski, DeLong, Donoghue, Dorff, Duren, Everson, Ferrall, Fischer, Gerlach, Gunderson, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Larson, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 67.

Noes -- Bradley, Conradt, Dilweg, Ellis, Gagin, Goodrich, Harer, Hopkins, Klicka, Laatsch, Ladwig, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Paulson, Porter, Prosser, Radtke, Shabaz, Snyder, Thompson, Travis, R., Tregoning and Young -- 29.

Absent or not voting -- Flintrop -- 1.

Motion carried.

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Assembly amendment 2 to **Assembly Bill 258** offered by Representatives Shabaz, Hopkins and Goodrich.

Representative Wahner moved rejection of assembly amendment 2 to **Assembly Bill 258**.

The question was: Shall assembly amendment 2 to **Assembly Bill 258** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Becker, Broydrick, Clarenbach, Coggs, Czerwinski, DeLong, Dorff, Duren, 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, Plewa, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 55.

Noes -- Barry, Behnke, Bradley, Byers, Conradt, Dilweg, Donoghue, Elic, Everson, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Pabst, Paulson, Porter, Potter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning and Young -- 42.

Absent or not voting -- None.

Motion carried.

Assembly amendment 3 to **Assembly Bill 258** offered by Representatives Shabaz and Hopkins.

Representative Wahner moved rejection of assembly amendment 3 to **Assembly Bill 258**.

The question was: Shall assembly amendment 3 to **Assembly Bill 258** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Dorff, Duren, Everson, Ferrall, Fischer,

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Flintrop, Gerlach, Goodrich, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Laatsch, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Porter, Potter, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Travis, R., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 64.

Noes -- Bradley, Byers, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Ellis, Gagin, Gunderson, Hephner, Hopkins, Klicka, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Omernick, Paulson, Prosser, Quackenbush, Schmidt, Shabaz, Snyder, Thompson, Tregoning and Young -- 33.

Absent or not voting -- None.

Motion carried.

Assembly amendment 4 to Assembly Bill 258 offered by Representatives Shabaz and Hopkins.

Representative Soucie moved rejection of assembly amendment 4 to Assembly Bill 258.

The question was: Shall assembly amendment 4 to Assembly Bill 258 be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Becker, Behnke, Broydrick, Clarenbach, Coggs, Duren, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Metz, Miller, Munts, Murray, Otte, Pabst, Plewa, Roberts, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 50.

Noes -- Barry, Bradley, Byers, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Omernick, Paulson, Porter, Potter, Prosser, Quackenbush, Radtke, Rogers, Schmidt, Shabaz, Snyder, Swoboda, Thompson, Travis, R., Tregoning and Young -- 46.

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Absent or not voting -- Norquist -- 1.

Motion carried.

Assembly amendment 5 to **Assembly Bill 258** offered by Representatives Thompson and DeLong.

Representative Soucie moved rejection of assembly amendment 5 to **Assembly Bill 258**.

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

The question was: Shall assembly amendment 5 to **Assembly Bill 258** be adopted?

Motion carried.

Assembly amendment 6 to **Assembly Bill 258** offered by Representative Barry.

Representative Soucie moved rejection of assembly amendment 6 to **Assembly Bill 258**.

The question was: Shall assembly amendment 6 to **Assembly Bill 258** be rejected?

The roll was taken.

The result follows:

Ayes -- Becker, Broydrick, Clarenbach, Coggs, Czerwinski, Duren, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Metz, Miller, Munts, Murray, Norquist, Otte, Potter, Roberts, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 47.

Noes -- Andrea, Barczak, Barry, Behnke, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hauke, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkt, Omernick, Pabst, Paulson, Plewa, Porter, Prosser, Quackenbush, Radtke, Rogers, Schmidt, Shabaz, Snyder, Swoboda, Thompson, Travis, R., Tregoning and Young -- 49.

Absent or not voting -- Lorman -- 1.

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Motion failed.

Representative Soucie moved that assembly amendment 6 to **Assembly Bill 258** be laid on the table.

Representative Duren asked unanimous consent to be made a co-author of **Assembly Bill 258**. Granted.

The question was: Shall assembly amendment 6 to **Assembly Bill 258** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Becker, Broydrick, Clarenbach, Coggs, Czerwinski, DeLong, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 50.

Noes -- Andrea, Barczak, Barry, Behnke, Bradley, Byers, Conradt, Dilweg, Donoghue, Dorff, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hauke, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Larson, Leopold, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Pabst, Paulson, Porter, Prosser, Quackenbush, Radtke, Rogers, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning, Vanderperren and Young -- 47.

Absent or not voting -- None.

Motion carried.

The question was: Shall **Assembly Bill 258** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 258** be given a third reading.

Representative Thompson objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 258** be given a third reading.

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The question was: Shall the rules be suspended and **Assembly Bill 258** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Düren, Ellis, 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 -- 61.

Noes -- Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, 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 -- 36.

Absent or not voting -- None.

Motion failed.

Representative Wahner moved reconsideration of the vote by which **Assembly Bill 258** was ordered to a third reading. Entered.

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

Representative Shabaz objected.

Representative Snyder asked unanimous consent to submit a list of votes from Thursday, April 26.

Representative Schneider objected.

Representative Snyder moved that he be allowed to submit a list of votes from Thursday, April 26.

Representative Schneider asked unanimous consent to withdraw his objection. Granted.

Representative Snyder asked unanimous consent to be recorded on the following questions from Thursday, April 26. Granted.

Shall Assembly Bill 492 pass? No

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Shall the rules be suspended to withdraw Assembly Bill 500 from the committee on Environmental Resources and refer it to the Joint Survey Committee on Tax Exemptions? No

Shall Assembly Bill 7 pass? No

Shall Assembly Bill 70 pass? Aye

Shall Assembly Bill 28 pass? Aye

Shall assembly amendment 2 to assembly substitute amendment 1 to Assembly Bill 40 be rejected? Aye

Shall assembly amendment 2 to assembly amendment 3 to assembly substitute amendment 1 to Assembly Bill 40 be rejected? Aye

Shall assembly amendment 3 to assembly substitute amendment 1 to Assembly Bill 40 be rejected? No

Shall assembly amendment 3 to assembly substitute amendment 1 to Assembly Bill 40 be laid on the table? No

Shall assembly amendment 3 to assembly substitute amendment 1 to Assembly Bill 40 be rejected? Aye

Shall assembly amendment 3 to assembly substitute amendment 1 to Assembly Bill 40 be adopted? Aye

Shall Assembly Bill 40 be ordered engrossed and read a third time? Aye

Shall Assembly Bill 40 pass? Aye

Shall Assembly Bill 239 be ordered engrossed and read a third time? Aye

Shall Assembly Bill 239 pass? Aye

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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 58**

Passed and asks concurrence in:

**Senate Bill 44**

**Senate Bill 99**

**Senate Bill 140**

**Senate Bill 144**

**Senate Bill 147**

**Senate Bill 176**



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ACTION ON THE SENATE MESSAGE

**Senate Bill 44**

Relating to legal representation in small claims type actions.

By committee on Judiciary and Consumer Affairs, by request of the Judicial Council.

To committee on Judiciary.

**Senate Bill 99**

Relating to insurance investments.

By Legislative Council.

To committee on Financial Institutions.

**Senate Bill 140**

Relating to a plea of guilty for crimes committed in several counties.

By committee on Judiciary and Consumer Affairs.

To committee on Criminal Justice and Public Safety.

**Senate Bill 144**

Relating to insurance claims adjustment practices, creating a claims adjustment advisory council, granting rule-making authority and providing penalties.

By Legislative Council.

To committee on Financial Institutions.

**Senate Bill 147**

Relating to criteria for commitment of criminal defendants if there is a finding of not guilty by reason of mental disease or defect.

By Legislative Council.

To committee on Criminal Justice and Public Safety.

**Senate Bill 176**

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

By Joint Committee on Revisions, Repeals and Uniform Laws.

To committee on Government Operations.

The following motions under joint rule 7 were adopted pursuant to Assembly Rule 96.

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A joint certificate of commendation by Representative Clarenbach for Paul Soglin on the occasion of his recognition dinner.

A joint certificate of commendation by Representative Loftus; co-sponsored by Senator Risser for Barbara Hobbs on the occasion of her retirement from state service.

A joint certificate of commendation by Representative Gagin for Joel Peterson on the occasion of his being honored by the Boy Scouts of America.

A joint certificate of commendation by Representative Plewa for Felix and Eugenia Bakalarski on their golden wedding anniversary.

A joint certificate of commendation by Representative D. Travis for Francis R. Overton on the occasion of his retirement.

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### LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly amendment 1 to **Assembly Bill 205**

On line 15, substitute "S" for "5".

**Assembly Bill 452**

On page 2, lines 12 and 13, substitute "passenger-carrying" for "passengercarrying".

**Assembly Bill 453**

On page 4, line 7, substitute "341.26" for "340.26".

**Assembly Bill 483**

On line 2, delete "principle" and substitute "principal".

**Assembly Bill 501**

On page 2, line 21, after "section", insert "424".

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### 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 Huegel Elementary School in Madison accompanied by teachers Corlie Blumenfeld and Lois Faulkner, guests of Representative Munts.

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Sixth grade students from Baraboo accompanied by teachers Bob Kaschel and Hazel Reigler and parents Mrs. Hommel, Mrs. Wanless and Mrs. McNabb from Baraboo, guests of Representative Laatsch.

Fifth grade students from Lakewood School in Twin Lakes, guests of Representative Wahner.

Fifth grade students from Green Lake accompanied by Norma Gongorek and Lois Ellis, guests of Representative Goodrich.

Students from Reedsville Junior High School, guests of Representative Fischer.

Shirley Conlon from Milwaukee, guest of Representative Ulichny.

Members of the State Medical Society Auxiliary, guests of Representative Thompson.

Seventh grade students from Monroe Junior High School accompanied by teacher Mary Odell, guests of Representative Tregoning.

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Representative Wahner moved that the assembly stand adjourned until 9:00 A.M. on Thursday, May 3.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

1:15 P.M.