

JOURNAL OF THE ASSEMBLY [May 8, 1979]

STATE OF WISCONSIN

Assembly Journal

Eighty-Fourth Regular Session

TUESDAY, May 8, 1979.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Richard Sisson of Middleton Baptist Church, 6101 University Avenue, Middleton.

Representative Kincaid 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, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conratt, 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, Wabner, Ward, Wood, Young and Mr. Speaker -- 96.

Absent -- None.

Absent with leave -- Barczak --1.

AMENDMENTS OFFERED

Assembly amendment 3 to **Assembly Bill 20** offered by committee on State Affairs.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 245** offered by Representative Barry.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 245** offered by Representative Loftus.

Assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 245** offered by Representatives Tregoning, Hopkins, Everson, Schneider, Roberts, Hasenohrl and Donoghue.

Assembly substitute amendment 1 to **Assembly Bill 281** offered by committee on State Affairs.

Assembly amendment 1 to **Assembly Bill 404** offered by Representative Jackamonis.

Assembly amendment 1 to **Assembly Bill 450** offered by Representative Clarenbach.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 563

Relating to appointment of additional members to regional planning commissions which include a 1st class city.

By Representatives Norquist, Leopold, Becker, Coggs, Soucie, Broydrick, Wahner, Kirby, Lee, Ulichny and Czerwinski, co-sponsored by Senator Braun.

To committee on Local Affairs.

Assembly Bill 564

Relating to requiring the filing of abortion certificates.

By Representatives Klicka, Lewis, Matty, Snyder, Porter, Lewison, Omernick and Conradt.

To committee on Health and Social Services.

Assembly Bill 565

Relating to prohibiting smoking in health care facilities.

By Representatives Duren, Ulichny, Lee, Andrea, Kirby, Tuczynski, Wahner and Ferrall, co-sponsored by Senator Moody.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

To committee on State Affairs.

Assembly Bill 566

Relating to a sales tax exemption for items costing \$1 or less.

By Representatives Klicka, Tregoning, Harer, R. Travis and Conradt.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 567

Relating to parental liability for juvenile inpatient care at state or local institutions.

By Representatives Klicka, Snyder, Lewis and Hopkins.

To committee on Health and Social Services.

Assembly Bill 568

Relating to income tax exemption for Wisconsin military personnel stationed outside this state.

By Representatives Klicka, Lewis, Matty, Snyder, Ladwig, Gagin, Conradt, Porter, Lewison, Omernick, Hopkins, Goodrich, Thompson, DeLong, Lorman, Radtke and R. Travis.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 569

Relating to the educational communications board and policies regarding television programming and the needs of the hearing impaired.

By Representatives Wahner, DeLong and Kirby, co-sponsored by Senators Maurer and Berger.

To committee on Education.

Assembly Bill 570

Relating to prohibiting smoking in public schools.

By Representatives Duren, Ulichny, Lee, Tuczynski and Medinger, co-sponsored by Senator Moody.

To committee on State Affairs.

Assembly Bill 571

Relating to sales and use tax exemption for building materials purchased by a contractor under an agreement with a tax-exempt entity.

By Representatives Lewis, Kincaid, Matty, Snyder, Porter, Klicka, Dilweg, Hopkins, Omernick, Prosser, Ellis, Gagin, Quackenbush, Conradt, Lewison, DeLong, Clarenbach, Luckhardt, Wood, Bradley and Rooney, co-sponsored by Senators Lasec, Kreul and Opitz.

To Joint Survey Committee on Tax Exemptions.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Assembly Bill 572

Relating to requiring filing of security interests on a vehicle's certificate of title in counties having a population of 500,000 or more.

By Representatives Lallensack, Vanderperren, Murray, Andrea, Potter, Conradt, Swoboda, Menos and Shoemaker.

To committee on Financial Institutions.

Assembly Bill 573

Relating to prohibiting the use and sale of radar detectors and providing a penalty.

By Representative Schmidt, co-sponsored by Senator Bidwell, by request of Division of Highway Safety.

To committee on Highways.

Assembly Bill 574

Relating to certification of experienced assessors without examination.

By Representatives Conradt, Vanderperren, Rogers, Lallensack, Shabaz, Thompson, Bradley, Porter, Lewison, Quackenbush, Gagin, Ladwig, Omernick, Prosser, Matty, Larson, Byers and Hopkins.

To committee on Revenue.

Assembly Bill 575

Relating to prohibiting smoking in public areas owned or leased by the state and providing a penalty.

By Representatives Duren, Ulichny, Lee, Andrea, Tuczynski and Medinger, co-sponsored by Senator Moody.

To committee on State Affairs.

Assembly Bill 576

Relating to an exception from the limitations on weight, length and number of vehicles in combination for emergency towing operations.

By Representatives Vanderperren, Bradley, Matty, Hasenohrl, Ward, Rogers, Lingren, Conradt, Pabst, Otte, Roberts, Rooney, Byers, Donoghue, McEssy, Andrea and Murray, co-sponsored by Senators Van Sistine, Krueger and Theno.

To committee on Highways.

Assembly Bill 577

Relating to the display of a red flag on a towed truck.

By Representatives Vanderperren, Bradley, Ward, Matty, Rogers, Lingren, Hasenohrl, Conradt, Pabst, Otte, Roberts, Rooney, Byers, Gunderson, McEssy, Andrea and Murray, co-sponsored by Senators Van Sistine, Krueger and Theno.

To committee on Highways.

Assembly Bill 578

Relating to remedial changes of the county zoning powers.

By Representative Rooney, by request of Wisconsin County Boards Association.

To committee on Local Affairs.

Assembly Bill 579

Relating to increasing the number of commissioners on airport commissions.

By Representatives Andrea, Vanderperren, Everson, Hauke, Lallensack, Swoboda, Dorff, Potter, Rogers, Barczak, Wood and Murray, co-sponsored by Senator Harnisch.

To committee on Transportation.

Assembly Bill 580

Relating to prohibiting smoking in food stores.

By Representatives Duren, Ulichny, Lee, Kirby, Tuczynski and Ferrall, co-sponsored by Senator Moody.

To committee on State Affairs.

Assembly Bill 581

Relating to requiring racial impact statements on certain actions by the department of public instruction and public school boards affecting racial balances within and between school districts.

By Representatives Coggs, Becker, Broydrick, Leopold and Clarenbach, co-sponsored by Senator Moody.

To committee on Education.

Assembly Bill 582

Relating to requiring energy impact statements for building and road construction, authorizing the department of industry, labor and human relations to make energy impact determinations for government funded construction, granting rule-making authority, providing a penalty and increasing appropriations.

By Representatives Coggs, Becker, Ulichny, Broydrick, Leopold, Clarenbach, Metz, Smith and Wahner, co-sponsored by Senators Berger and Braun.

To committee on Energy.

Assembly Bill 583

Relating to extending coverage of the fair housing law.

By Representatives Coggs, Becker, Ulichny, Broydrick, Leopold, Clarenbach and Smith, co-sponsored by Senator Moody.

To committee on Judiciary.

Assembly Bill 584

Relating to prohibiting defamation of religious and racial groups and imposing a penalty.

By Representatives Coggs, Becker, Broydrick, Leopold, Clarenbach, Smith and Behnke, co-sponsored by Senators Swan and Braun.

To committee on Judiciary.

Assembly Bill 585

Relating to prohibiting smoking at polling places when the polls are open.

By Representatives Duren, Ulichny, Lee, Andrea and Tuczynski.

To committee on State Affairs.

Assembly Bill 586

Relating to creating a council on minority business opportunities in the department of administration and granting purchasing preference to minority businesses.

By Representatives Coggs, Becker, Broydrick, Leopold, Clarenbach and Smith, co-sponsored by Senators Swan and Moody.

To committee on State Affairs.

Assembly Bill 587

Relating to a residential landlord and tenant act.

By Representatives Coggs, Becker, Clarenbach, Ward, Broydrick, Leopold and Smith, co-sponsored by Senator Swan.

To committee on Judiciary.

Assembly Bill 588

Relating to establishing a 2-year statute of limitations for actions by a secured party to recover or for damages for certain sales of livestock and establishing a presumption of intent to defraud if secured livestock is transferred.

By Representatives Barry, Hephner, Swoboda, Hasenohri, Everson, Fischer, Tregoning, Merkt, Harsdorf, Laatsch, Paulson, Shoemaker and Smith, co-sponsored by Senators Van Sistine, Kreul and Thompson.

To committee on Judiciary.

Assembly Bill 589

Relating to enforcement of fraudulent advertising and unfair trade practices statutes and regulations, and imposing a penalty.

By Representatives Leopold, Miller and Helbach.

To committee on Commerce and Consumer Affairs.

Assembly Bill 590

Relating to required life and health insurance classifications favoring nonsmokers.

By Representatives Duren, Tesmer, Ulichny, Lee, Kirby, Tuczynski, Wahner and Ferrall, co-sponsored by Senator Moody.

To committee on Financial Institutions.

Assembly Bill 591

Relating to authorizing towns to furnish road machine work and materials to private landowners.

By Representatives Vanderperren, Duren, Barry, Kincaid, Hasenohrl, Lallensack, Bradley, Byers, Paulson, Conradt, Smith and Everson, co-sponsored by Senators Cullen and Kreul.

To committee on Local Affairs.

Assembly Bill 592

Relating to requiring retail service stations to furnish free pressurized air to customers, prohibiting retail service stations from charging for pressurized air, granting rule-making authority and providing a penalty.

By Representatives Tuczynski, Plewa and Barczak.

To committee on Commerce and Consumer Affairs.

Assembly Bill 593

Relating to prohibiting retail service stations from charging individuals for pressurized air, granting rule-making authority and providing a penalty.

By Representatives Plewa, Tuczynski, Kirby, Dorff, Otte, Duren, Behnke, McClain, Wagner, Shoemaker, Leopold, Menos, Kedrowski, Miller, Medinger, Lee, Clarenbach, Byers, Lewison, Gagin, Ladwig, Broydrick, Ferrall, Wahner, Helbach, Smith, Lingren and Barczak, co-sponsored by Senators Radosevich and Harnisch, by request of David Blasczynski.

To committee on Commerce and Consumer Affairs.

Assembly Bill 594

Relating to allowing brewers, bottlers and wholesalers to make certain contributions to or for the benefit of persons operating under temporary Class "B" licenses.

By Representatives Plewa and Barczak.

To committee on Excise and Fees.

Assembly Bill 595

Relating to income tax exemption for nonresidents warehousing goods in this state.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

By Representatives Klicka, Tregoning, Vanderperren, Merkt, Andrea, Prosser, Gagin, Schmidt, Larson, Luckhardt, DeLong, Snyder, Donoghue, Byers, Porter, Lewison, Conradt, Bradley, Quackenbush, Ellis, Shabaz, Goodrich, Menos, Lewis, Thompson, Omernick, Behnke, Murray, Hephner, Hauke, Dilweg, Paulson, Harer, McEssy, Ladwig, Rogers, Potter and Laatsch, co-sponsored by Senators Murphy, Lasee, Krueger, Chilsen, Kreul, Adelman, Goyke, Opitz and Johnston.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 596

Relating to exempting solar energy home heating systems and electricity generating devices from the property tax.

By Representatives Hasenohrl, Vanderperren, Kincaid, Metz, Becker, Helbach, Potter, Medinger, Kedrowski, Gerlach, Ferrall, Murray, Tuczynski and Wahner, co-sponsored by Senators Adelman, Van Sistine and Berger.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 597

Relating to authorization of minors 12 and 13 years of age to work in the business, trade or profession of the minor's parent or guardian.

By Representatives Jackamonis, Murray, Behnke, Dorff, Wood, Shabaz, Tregoning and Goodrich, co-sponsored by Senators Berger, Moody and Swan.

To committee on Labor.

Assembly Bill 598

Relating to increasing the interest rate applicable in the absence of other written provisions for interest rates.

By Representative Klicka.

To committee on Commerce and Consumer Affairs.

Assembly Bill 599

Relating to recording death in the birth registry.

By Representatives Klicka, Lewis and Merkt.

To committee on Health and Social Services.

Assembly Bill 600

Relating to reduced motor fuel taxes on gasohol.

By Representatives Klicka, Thompson, Luckhardt, Tregoning, Gagin, Lewis, Schmidt and Young.

To Joint Survey Committee on Tax Exemptions.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

COMMITTEE REPORTS

The committee on Elections reports and recommends:

Assembly Bill 353

Relating to election by candidates for the legislature to accept a salary lower than the statutory salary.

Passage: Ayes: (9) Noes: (2)
To committee on Rules.

Assembly Bill 400

Relating to the time for commencing ballot recounts.

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

Assembly Bill _____ (lrb 0462/4)

Relating to campaign financing, granting rule-making authority and providing penalties.

Introduction: Ayes: (10) Noes: (0)

CALVIN POTTER
Chairperson

The committee on Highways reports and recommends:

Assembly Bill 240

Relating to modifications to the height of a vehicle and providing a penalty.

Passage: Ayes: (7) Noes: (4)
To committee on Rules.

Assembly Bill 248

Relating to periods when vehicle lamps are required to be lighted and providing a penalty.

Passage: Ayes: (11) Noes: (0)
To committee on Rules.

Assembly Bill 334

Relating to requiring one blue light and one red light on police vehicles, prohibiting the use of flashing, oscillating or rotating blue lights along a highway and providing a penalty.

Adoption of assembly amendment 1:
Ayes: (11) Noes: (0)

Adoption of assembly amendment 2:

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Ayes: (10) Noes: (0) Not Voting: (1)

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

To committee on Rules.

CLETUS VANDERPERREN
Chairperson

COMMUNICATIONS

April 27, 1979

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

Dear Mr. Dandeneau:

I am pleased to transmit to you the following Reports to the 1979 Legislature on legislation introduced by the Legislative Council:

RL 79-1 Legislation Relating to Insurance Laws Revision
(S.B. 20, 21 and 23)

RL 79-2 Legislation Relating to Insurance Laws Revision
(S.B. 22)

RL 79-3 Legislation Relating to Library Laws
(A.B. 20)

RL 79-4 Legislation Relating to Domestic Abuse
(A.B. 169)

RL 79-5 Legislation Relating to Radioactive Waste
Management (A.B. 209, 210, 211 and 212)

RL 79-6 Legislation Relating to Insurance Laws Revision
(S.B. 99)

RL 79-7 Legislation Relating to Public Liability of
Local Governments (A.B. 318)

I would appreciate your spreading this letter upon the Journal for the information of the membership. Additional copies of these Reports are available, on request, in the Legislative Council offices, Room 147 North, State Capitol.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Thank you.

Sincerely
DAVID STUTE
Chief Staff Attorney

May 2, 1979

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

Dear Mr. Dandeneau:

I am pleased to transmit to you the following Reports to the 1979 Legislature on legislation introduced by the Legislative Council:

- RL 79-8 Legislation Relating to the Practice of Law
(A.J.R. 49)
- RL 79-9 Legislation Revising the School Truancy Laws
(A.B. 350)
- RL79-10 Legislation Relating to Insurance Laws Revision
(S.B. 144 and 146)
- RL79-11 Legislation Relating to Insurance Laws Revision
(S.B. 145)
- RL79-12 Legislation Relating to Statutes Construed by
the Supreme Court (A.B. 219 and 370)
- RL79-13 Legislation Relating to Septic Systems
(A.B. 320)
- RL79-14 Legislation Relating to Privacy of Personal Records
(A.B. 321)
- RL79-15 Legislation Relating to School Bus Laws
(A.B. 198, 199, 451, 452, 453, 454, and 455)
- RL79-16 Legislation Relating to the Determination of Death
(S.B. 181)
- RL79-17 Legislation Relating to Gasohol (A.B. 456)

I would appreciate your spreading this letter upon the Journal for the information of the membership. Additional copies of these

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Reports are available on request, in the Legislative Council offices,
Room 147 North, State Capitol.

Thank you.

Sincerely
DAVID STUTE
Chief Staff Attorney

May 3, 1979

Speaker Edward Jackamonis
211 West - State Capitol
Madison, WI

Dear Ed:

Because of the press of Committee work, I am finding it difficult to maintain my membership on the Local Affairs Committee. I hereby resign from the Local Affairs Committee in order to spend a greater amount of time with the Committee on Health and Social Services.

I appreciated the opportunity of working with Mr. Barczak and having your confidence in appointing me to the Local Affairs Committee.

Respectfully
JOSEPH CZERWINSKI
State Representative

April 27, 1979

Representative David Clarenbach, Co-Chairperson
Senator Michele Radosevich, Co-Chairperson
Joint Survey Committee on Tax Exemptions
State Capitol
Madison, WI 53702

Dear Michele & Dave:

Through inadvertence on my part, Assembly Bills 500 and 515 were not referred to the Joint Survey Committee on Tax Exemptions pursuant to Section 13.52 of the Wisconsin Statutes. The purpose of making such referrals is spelled out in s. 13.52 (5) Wis. Stats. which reads:

JOURNAL OF THE ASSEMBLY [May 8, 1979]

“It is the purpose of this Committee to provide the Legislature with a considered opinion of the legality of the proposal, of the fiscal effect upon the state and its subdivisions and of the desirability as a matter of public policy of each legislative proposal which would modify existing laws or create new laws relating to the exemption of property or persons from any state or local taxes or special assessments.”

Despite my error, that purpose may still be served if your Committee would proceed to analyze these proposals as if they were in fact referred to your Committee. Consequently, I ask that you treat them in this manner. By doing so, you will minimize the impact of the referral error and make certain that the principal and central intent of this law is complied with at the earliest possible time.

Best wishes,
ED JACKAMONIS
Speaker

May 4, 1979

Department of Natural Resources
Bureau of Legal Services
Attn: Carol Harris
13th Floor - Pyare Square

I have referred Natural Resources Board Order No. G-1-79 pertaining to Endangered and Threatened Species - NR27 to the Assembly Committee on Environmental Resources.

ED JACKAMONIS
Speaker

CALENDAR OF MONDAY, MAY 7, 1979

Assembly Bill 205

Relating to a minimum tax on tax preference items.

The question was: Shall the vote by which **Assembly Bill 205** was passed be reconsidered?

JOURNAL OF THE ASSEMBLY [May 8, 1979]

The roll was taken.

The result follows:

Ayes -- Barry, Bradley, Byers, Conrard, DeLong, Dilweg, Donoghue, Dorff, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lingren, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning and Young -- 41.

Noes -- Andrea, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Loftus, McClain, Medinger, 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 -- 54.

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

Motion failed.

LEAVES OF ABSENCE

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

Assembly Resolution 13

Requesting the Governor to designate a day as "Wisconsin Women in Agriculture Day".

The question was: Shall **Assembly Resolution 13** be adopted?

Motion carried.

Assembly Bill 546

Relating to the governor proclaiming April 4 as senior citizens day.

The question was: Shall **Assembly Bill 546** be ordered engrossed and read a third time?

Motion carried.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 546** be given a third reading. Granted.

The question was: **Assembly Bill 546** having been read three times, shall the bill pass?

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, 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 -- 95.

Noes -- None.

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

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 546** be immediately messaged to the senate. Granted.

CALENDAR OF TUESDAY, MAY 8, 1979

Assembly Joint Resolution 36

To reaffirm the ties of friendship between the State of Wisconsin and the Republic of China.

Assembly amendment 1 to **Assembly Joint Resolution 36** offered by Representative Jackamonis.

The question was: Shall assembly amendment 1 to **Assembly Joint Resolution 36** be adopted?

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Motion carried.

Representative Miller moved that **Assembly Joint Resolution 36** be laid on the table.

The question was: Shall **Assembly Joint Resolution 36** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Becker, Behnke, Clarenbach, Flintrop, Johnson, Lee, Loftus, Miller, Munts, Norquist, Shoemaker, Soucie, Tuczynski, Ulichny and Vanderperren -- 15.

Noes -- Andrea, Barry, Bradley, Broydrick, Byers, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Ferrall, Fischer, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Leopold, Lewis, Lewison, Lingren, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Murray, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Smith, Snyder, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 80.

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

Motion failed.

Assembly amendment 2 to **Assembly Joint Resolution 36** offered by Representative Tuczynski.

Representative Lewis moved rejection of assembly amendment 2 to **Assembly Joint Resolution 36**.

The question was: Shall assembly amendment 2 to **Assembly Joint Resolution 36** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Behnke, Bradley, Broydrick, Byers, Conradt, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Fischer, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hauke, Helbach, Hephner, Hopkins, Kedrowski, Kincaid, Klicka, Laatsch,

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Ladwig, Lallensack, Larson, Lewis, Lewison, Lingren, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Murray, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Smith, Snyder, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 76.

Noes -- Becker, Clarenbach, Coggs, Ferrall, Flintrop, Hasenohrl, Johnson, Kirby, Lee, Leopold, Loftus, Miller, Munts, Norquist, Shoemaker, Soucie, Tuczynski and Ulichny -- 18.

Absent or not voting -- Barczak, Czerwinski and Duren -- 3.

Motion carried.

The question was: Shall **Assembly Joint Resolution 36** be adopted?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Behnke, Bradley, Broydrick, Byers, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Ferrall, Fischer, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Smith, Snyder, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 84.

Noes -- Becker, Clarenbach, Flintrop, Johnson, Lee, Miller, Munts, Shoemaker, Soucie, Tuczynski and Ulichny -- 11.

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

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 36** be immediately messaged to the senate. Granted.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Representative Wahner asked unanimous consent to introduce a joint resolution. Granted.

Assembly Joint Resolution 59

Relating to the life and public service of Dr. Anthony R. Curreri, outstanding physician and cancer expert.

By the entire membership of the assembly.

Representative Wahner asked unanimous consent that all members of the assembly be made co-authors of **Assembly Joint Resolution 59**. Granted.

The question was: Shall **Assembly Joint Resolution 59** be adopted?

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, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, 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 -- 93.

Noes -- None.

Absent or not voting -- Barczak, Duren, Lingren and Miller -- 4.

Motion carried.

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

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

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 59** be immediately messaged to the senate. Granted.

Representative Wahner asked unanimous consent to introduce a joint resolution. Granted.

Assembly Joint Resolution 60

Relating to the life and public service of William Gorham Rice.

By Representatives Munts, Clarenbach, Miller, Czerwinski and D. Travis, co-sponsored by Senators Risser and Bear.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 60** be taken up at this time. Granted.

The question was: Shall **Assembly Joint Resolution 60** be adopted?

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, Kincaid, Kirby, 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 -- 94.

Noes -- Klicka -- 1.

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

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 60** be immediately messaged to the senate. Granted.

Representative Wahner asked unanimous consent that **Assembly Bill 105** be taken from the table and placed at the foot of the twelfth order of business on the calendar of Thursday, May 10.

Representative Shabaz objected.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Representative Wahner moved that **Assembly Bill 105** be taken from the table and placed at the foot of the twelfth order of business on the calendar of Thursday, May 10.

The question was: Shall **Assembly Bill 105** be taken from the table and placed at the foot of the twelfth order of business on the calendar of Thursday, May 10?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Behnke, Broydrick, Cogs, Czerwinski, Donoghue, Dorff, Everson, Ferrall, Fischer, Flintrop, Gerlach, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Ladwig, Lallensack, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, McClain, McEssy, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Potter, Prosser, Quackebush, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Travis, R., Ulichny, Vanderperren, Wagner, Wahner, Wood and Mr. Speaker -- 68.

Noes -- Bradley, Byers, Clarenbach, Conradt, DeLong, Dilweg, Ellis, Gagin, Goodrich, Hopkins, Klicka, Laatsch, Larson, Lorman, Luckhardt, Matty, Merkt, Porter, Radtke, Schmidt, Shabaz, Snyder, Thompson, Tregoning, Tuczynski, Ward and Young -- 27.

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

Motion carried.

Representative Wahner asked unanimous consent to introduce a joint resolution. Granted.

Assembly Joint Resolution 61

Commending Dean Glenn S. Pound on the occasion of his retirement.

By the entire membership of the assembly.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 61** be taken up at this time. Granted.

Representative Thompson asked unanimous consent that all members of the assembly be made co-authors of **Assembly Joint Resolution 61**. Granted.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

The question was: Shall **Assembly Joint Resolution 61** be adopted?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 61** be immediately messaged to the senate. Granted.

Assembly Bill 83

Relating to repealing a testing provision and increasing the penalty in the state open housing law.

Assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 83** offered by Representative Shabaz.

Representative Becker moved rejection of assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 83**.

The question was: Shall assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 83** be rejected?

The roll was taken.

The result follows:

Ayes -- Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Matty, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Pabst, Plewa, Potter, Prosser, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Travis, R., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward and Mr. Speaker -- 57.

Noes -- Andrea, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Dorff, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Merkt, Omernick, Otte, Paulson, Porter, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Thompson, Wood and Young -- 37.

Absent or not voting -- Barczak, Duren and Tregoning -- 3.

Motion carried.

Assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 83** offered by Representative Shabaz.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Representative Rutkowski moved rejection of assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 83**.

Speaker pro tempore Kedrowski in the chair.

The question was: Shall assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 83** be rejected?

The roll was taken.

The result follows:

Ayes -- Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, 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 and Mr. Speaker -- 52.

Noes -- Andrea, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Dorff, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hephner, Hopkins, Kincaid, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning, Wood and Young -- 43.

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

Motion carried.

The question was: Shall assembly substitute amendment 2 to **Assembly Bill 83** be adopted?

Motion carried.

Assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 83** offered by Representative Shabaz.

Representative Becker moved rejection of assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 83**.

The question was: Shall assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 83** be rejected?

The roll was taken.

The result follows:

JOURNAL OF THE ASSEMBLY [May 8, 1979]

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

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

Absent or not voting -- Barczak, Barry and Clarenbach -- 3.

Motion failed.

Representative Becker moved that assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 83** be laid on the table.

The question was: Shall assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 83** be laid on the table?

The roll was taken.

The result follows:

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

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

Absent or not voting -- Barczak -- 1.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Motion carried.

Assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 83** offered by Representative Thompson.

Representative Becker moved rejection of assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 83**.

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

The question was: Shall assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 83** be adopted?

Motion carried.

The question was: Shall assembly substitute amendment 2 to **Assembly Bill 83** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 83** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Behnke, Broydrick, Byers, Clarenbach, Coggs, Czerwinski, DeLong, Donoghue, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lingren, Loftus, Lorman, McClain, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Paulson, Plewa, Porter, Potter, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Young and Mr. Speaker -- 77.

Noes -- Bradley, Conradt, Dilweg, Dorff, Ellis, Gagin, Goodrich, Hopkins, Klicka, Laatsch, Lewison, Luckhardt, McEssy, Matty, Omernick, Prosser, Shabaz, Thompson and Wood -- 19.

Absent or not voting -- Barczak -- 1.

Motion carried.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 83** be given a third reading. Granted.

The question was: **Assembly Bill 83** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Barry, Becker, Behnke, Broydrick, Byers, Clarenbach, Cogg, Czerwinski, DeLong, Donoghue, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lingren, Loftus, Lorman, McClain, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Paulson, Plewa, Porter, Potter, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 79.

Noes -- Andrea, Bradley, Conradt, Dilweg, Dorff, Ellis, Gagin, Goodrich, Hopkins, Klicka, Lewison, Luckhardt, McEssy, Omernick, Prosser, Shabaz and Tregoning -- 17.

Absent or not voting -- Barczak -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 83** be immediately messaged to the senate. Granted.

Representative Jackamonis introduced a privileged joint resolution.

Assembly Joint Resolution 62

Relating to the life and public service of Mildred Barber Abel.

By Representatives Jackamonis and McClain.

The question was: Shall **Assembly Joint Resolution 62** be adopted?

Motion carried.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 62** be immediately messaged to the senate. Granted.

Representative Ladwig asked unanimous consent to be recorded as voting "No" on referring Assembly Bill 267 to the Joint Committee on Finance on Thursday, May 3. Granted.

Representative Ladwig asked unanimous consent that the journal show that Representatives Ladwig, Porter and Wagner were also hosts to the students from Racine County who visited the assembly on Thursday, May 3. Granted.

Representative Duren asked unanimous consent to be recorded on the following questions from the morning's session. Granted.

Shall the vote by which Assembly Bill 205 was passed be reconsidered? No

Shall Assembly Bill 546 pass? Aye

Shall Assembly Joint Resolution 36 be laid on the table? No

Shall assembly amendment 2 to Assembly Joint Resolution 36 be rejected? Aye

Shall Assembly Joint Resolution 36 be adopted? Aye

Shall Assembly Joint Resolution 59 be adopted? Aye

Shall Assembly Joint Resolution 60 be adopted? Aye

Shall Assembly Bill 105 be taken from the table and placed at the foot of the twelfth order of business on the calendar of Thursday, May 10? Aye

Shall assembly amendment 1 to assembly substitute amendment 2 to Assembly Bill 83 be rejected? Aye

Shall assembly amendment 2 to assembly substitute amendment 2 to Assembly Bill 83 be rejected? Aye

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

The assembly stood recessed.

11:45 A.M.

RECESS

4:15 P.M.

The assembly reconvened.

Speaker Jackamonis in the chair.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

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 Joint Resolution 58

Assembly Bill 181

Adopted and asks concurrence in:

Senate Joint Resolution 4

Passed and asks concurrence in:

Senate Bill 152

Senate Bill 224

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 4

Ratifying an amendment to the U.S. Constitution, relating to treating the District of Columbia as a state for the purpose of congressional representation.

By Senators Risser, Harnisch, Maurer, Goyke, Van Sistine, Thompson, Frank, Braun and Offner; co-sponsored by Representatives Wahner, Munts, Broydrick, D. Travis, Miller and Clarenbach.

To committee on State-Federal Relations.

Senate Bill 152

Relating to town authority to enforce town ordinances by issuing citations.

By Senator Maurer; co-sponsored by Representatives Dorff and Wagner.

To committee on Local Affairs.

Senate Bill 224

Relating to expanding the state income tax withholding moratorium to certain employes.

By Senators Risser, Kleczka, Offner, Bear, Cullen, Berger, Thompson, Roshell, Theno, Moody, Strohl, Radosevich, Chilsen, Kreul and Lorge; co-sponsored by Representatives Miller, Munts, Lorman, Jackamonis, Flintrop, Radtke, Wahner, Ferrall, Lorman, Lingren, Gagin, R. Travis, Johnson, Smith, Shoemaker, Clarenbach, Roberts, Wood, Harer, Schneider, Potter and Medinger.

To calendar.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

CALL OF THE ASSEMBLY

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

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

The chief clerk called the roll.

Members absent with leave - Barczak.

Members absent without leave - Ellis and Norquist.

Assembly Bill 165

Relating to immediate condemnation of blighted residential property.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 165** offered by Representative Shabaz.

Representative Becker asked unanimous consent that assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 165** be taken up at this time. Granted.

Assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 165** offered by Representative Becker.

Representative Shabaz moved that assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 165** be laid on the table.

Representative Becker asked unanimous consent that assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 165** be laid on the table. Granted.

Representative Becker moved rejection of assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 165**.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 165** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Behnke, Broydrick, Byers, Clarenbach, Cogs, Czerwinski, Donoghue, Dorff, Everson, Ferrall, Fischer, Flintrop, Gerlach, Gunderson, Hasenohrl, Hauke, Helbach,

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Johnson, Kedrowski, Kincaid, Kirby, Laatsch, Lallensack, Larson, 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., Travis, R., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 63.

Noes -- Bradley, Conradt, DeLong, Dilweg, Duren, Ellis, Gagin, Goodrich, Harer, Harsdorf, Hephner, Hopkins, Klicka, Ladwig, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Thompson, Tregoning and Young -- 33.

Absent or not voting -- Barczak -- 1.

Motion carried.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 165** offered by Representative Becker.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 165** be adopted?

Motion carried.

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 165** offered by Representative Shabaz.

Representative Becker moved rejection of assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 165**.

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

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 165** be adopted?

Motion carried.

Assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 165** offered by Representative Shabaz.

Representative Becker moved rejection of assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 165**.

The question was: Shall assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 165** be rejected?

JOURNAL OF THE ASSEMBLY [May 8, 1979]

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Behnke, Broydrick, Byers, Clarenbach, Coggs, Czerwinski, Donoghue, Dorff, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Gunderson, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Larson, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Metz, Miller, Munts, Norquist, Otte, Plewa, Potter, Roberts, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Tuczynski, Ulichny, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 56.

Noes -- Bradley, Conradt, DeLong, Dilweg, Duren, Gagin, Goodrich, Harer, Harsdorf, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Murray, Omernick, Pabst, Paulson, Porter, Prosser, Quackenbush, Radtke, Rogers, Schmidt, Shabaz, Snyder, Swoboda, Thompson, Travis, R., Tregoning, Vanderperren and Young -- 40.

Absent or not voting -- Barczak -- 1.

Motion carried.

Assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 165** offered by Representative Czerwinski.

The question was: Shall assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 165** be adopted?

Motion carried.

Assembly amendment 7 to assembly substitute amendment 1 to **Assembly Bill 165** offered by Representative Goodrich.

Representative Becker moved rejection of assembly amendment 7 to assembly substitute amendment 1 to **Assembly Bill 165**.

Speaker pro tempore Kedrowski in the chair.

The question was: Shall assembly amendment 7 to assembly substitute amendment 1 to **Assembly Bill 165** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack,

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Lee, Leopold, Lingren, Loftus, McClain, Medinger, Metz, Miller, Munts, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward and Mr. Speaker -- 50.

Noes -- Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Duren, Ellis, Everson, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Helbach, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Menos, Merkt, Murray, Omernick, Pabst, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Swoboda, Thompson, Travis, R., Tregoning, Wood and Young -- 45.

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

Motion carried.

Assembly amendment 8 to assembly substitute amendment 1 to **Assembly Bill 165** offered by Representative Thompson.

The question was: Shall assembly amendment 8 to assembly substitute amendment 1 to **Assembly Bill 165** be adopted?

Motion carried.

Assembly amendment 9 to assembly substitute amendment 1 to **Assembly Bill 165** offered by Representative Thompson.

Representative Becker moved rejection of assembly amendment 9 to assembly substitute amendment 1 to **Assembly Bill 165**.

The question was: Shall assembly amendment 9 to assembly substitute amendment 1 to **Assembly Bill 165** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Travis, R., Tuczynski, Ulichny, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 53.

Noes -- Barry, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Duren, Ellis, Everson, Gagin, Goodrich, Gunderson,

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Harer, Harsdorf, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Swoboda, Thompson, Tregoning, Vanderperren and Young -- 43.

Absent or not voting -- Barczak -- 1.

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 165** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 165** be ordered engrossed and read a third time?

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 165** be given a third reading. Granted.

The question was: **Assembly Bill 165** 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, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Gunderson, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Lingren, Loftus, Lorman, McClain, Matty, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Porter, Potter, Prosser, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Travis, R., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 76.

Noes -- Bradley, Conradt, DeLong, Gagin, Goodrich, Harer, Hopkins, Lewis, Luckhardt, McEssy, Merkt, Omernick, Paulson, Quackenbush, Shabaz, Snyder, Thompson, Tregoning and Young -- 19.

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

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 165** be immediately messaged to the senate. Granted.

Speaker Jackamonis in the chair.

Representative Wahner asked unanimous consent that **Senate Bill 224** be taken from the calendar of Thursday, May 10 and placed at the foot of the calendar of Tuesday, May 8. Granted.

Assembly Bill 245

Relating to the prohibition of the sale, distribution or use of the chemical compound 2, 4, 5 T and providing penalties.

Assembly substitute amendment 2 to **Assembly Bill 245** offered by Representatives Barry, Fischer and Radtke.

Assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 245** offered by Representatives Barry, Fischer and Radtke.

Assembly amendment 1 to assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 245** offered by Representative Loftus.

Representative Barry moved rejection of assembly amendment 1 to assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 245**.

The question was: Shall assembly amendment 1 to assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 245** be rejected?

The roll was taken.

The result follows:

Ayes -- Barry, Bradley, Byers, Clarenbach, Conradt, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Kincaid, Klicka, Laatsch, Lallensack, Larson, Leopold, Lewison, Lingren, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Murray, Omernick, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Swoboda, Thompson, Travis, R., Tregoning, Tuczynski, Vanderperren, Wagner and Young -- 66.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Noes -- Andrea, Becker, Behnke, Broydrick, Coggs, Czerwinski, Ferrall, Flintrop, Johnson, Kedrowski, Kirby, Ladwig, Lee, Lewis, Loftus, McClain, Medinger, Metz, Miller, Munts, Norquist, Otte, Soucie, Tesmer, Travis, D., Ulichny, Wahner, Ward, Wood and Mr. Speaker -- 30.

Absent or not voting -- Barczak --'1.

Motion carried.

Representative Loftus moved rejection of assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 245**.

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

The question was: Shall assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 245** be adopted?

Motion carried.

Assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 245** offered by Representative Loftus.

POINT OF ORDER

Representative Barry rose to the point of order that assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 245** was not germane under Assembly Rule 54.

Representative Barry withdrew his point of order.

Representative Barry moved rejection of assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 245**.

The question was: Shall assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 245** be rejected?

Motion carried.

POINT OF ORDER

Representative Kedrowski rose to the point of order that assembly substitute amendment 2 to **Assembly Bill 245** was not germane under Assembly Rule 54 (1) because the bill provides for a complete ban but the substitute would allow the sale, use and distribution of

JOURNAL OF THE ASSEMBLY [May 8, 1979]

pesticides, and therefore, would require a title substantially different from the original proposal.

The speaker took the point of order under advisement.

Speaker pro tempore Kedrowski in the chair.

Assembly Bill 194

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

Representative Duren asked unanimous consent that assembly amendment 1 to **Assembly Bill 194** be placed after assembly amendment 3 to **Assembly Bill 194**. Granted.

Assembly amendment 3 to **Assembly Bill 194** offered by Representatives Jackamonis and Behnke.

Assembly amendment 1 to assembly amendment 3 to **Assembly Bill 194** offered by Representatives Behnke and Duren.

The question was: Shall assembly amendment 1 to assembly amendment 3 to **Assembly Bill 194** be adopted?

Motion carried.

The question was: Shall assembly amendment 3 to **Assembly Bill 194** be adopted?

Motion carried.

Representative Duren asked unanimous consent that assembly amendment 1 to **Assembly Bill 194** be laid on the table. Granted.

Assembly amendment 4 to **Assembly Bill 194** offered by Representatives Bradley, Conradt and Ellis.

Representative Behnke moved rejection of assembly amendment 4 to **Assembly Bill 194**.

The question was: Shall assembly amendment 4 to **Assembly Bill 194** be rejected?

The roll was taken.

The result follows:

Ayes -- Becker, Behnke, Broydrick, Coggs, Czerwinski, Dilweg, Donoghue, Duren, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Harsdorf, Hauke, Helbach, Johnson, Kedrowski, Kirby, Klicka, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Lingren, Loftus, McClain, Matty, Menos, Metz, Miller, Munts,

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Murray, Norquist, Otte, Pabst, Plewa, Porter, Quackenbush, Radtke, Roberts, Rutkowski, Schneider, Shoemaker, Smith, Snyder, Soucie, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward and Mr. Speaker -- 59.

Noes -- Andrea, Barry, Bradley, Byers, Clarenbach, Conradt, DeLong, Dorff, Ellis, Goodrich, Gunderson, Harer, Hasenohrl, Hephner, Hopkins, Kincaid, Laatsch, Lewis, Lorman, Luckhardt, McEssy, Medinger, Merkt, Omernick, Paulson, Potter, Prosser, Rogers, Schmidt, Shabaz, Swoboda, Thompson, Travis, R., Tregoning, Wood and Young -- 36.

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

Motion carried.

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

Assembly amendment 5 to **Assembly Bill 194** offered by Representative Hephner.

Representative Duren moved rejection of assembly amendment 5 to **Assembly Bill 194**.

LEAVES OF ABSENCE

Representative Wahner asked unanimous consent for a leave of absence for today's session from 6:20 P.M. on for Representative Rooney. Granted.

Representative Medinger moved that **Assembly Bill 194** be re-referred to the committee on Tourism, Recreation and Economic Development.

The question was: Shall **Assembly Bill 194** be re-referred to the committee on Tourism, Recreation and Economic Development?

The roll was taken.

The result follows:

Ayes -- Bradley, Conradt, Dorff, Fischer, Flintrop, Goodrich, Gunderson, Harer, Helbach, Hephner, Klicka, Luckhardt, McEssy, Medinger, Merkt, Miller, Paulson, Rogers, Schmidt, Shabaz, Thompson, Tregoning, Tuczynski, Wagner, Wahner and Wood -- 26.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Noes -- Andrea, Barry, Becker, Behnke, Broydrick, Byers, Clarenbach, Coggs, Czerwinski, DeLong, Dilweg, Donoghue, Duren, Ellis, Everson, Ferrall, Gagin, Gerlach, Harsdorf, Hasenohrl, Hauke, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, McClain, Matty, Menos, Metz, Munts, Murray, Norquist, Omernick, Otte, Pabst, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rutkowski, Schneider, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Travis, R., Ulichny, Vanderperren, Ward, Young and Mr. Speaker -- 68.

Absent or not voting -- Barczak, Rooney and Travis, D. -- 3.

Motion failed.

The question was: Shall assembly amendment 5 to **Assembly Bill 194** be rejected?

The roll was taken.

The result follows:

Ayes -- Barry, Becker, Behnke, Broydrick, Byers, Clarenbach, Coggs, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Fischer, Gagin, Gerlach, Goodrich, Gunderson, Hasenohrl, Hauke, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, McClain, Matty, Metz, Miller, Munts, Murray, Omernick, Otte, Pabst, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rutkowski, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Ulichny, Wahner, Ward, Young and Mr. Speaker -- 70.

Noes -- Andrea, Bradley, Conradt, Ellis, Everson, Ferrall, Flintrop, Harer, Harsdorf, Helbach, Hephner, Luckhardt, McEssy, Medinger, Menos, Merkt, Norquist, Paulson, Rogers, Schmidt, Tregoning, Tuczynski, Vanderperren, Wagner and Wood -- 25.

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

Motion carried.

Assembly amendment 6 to **Assembly Bill 194** offered by Representative Hephner.

The question was: Shall assembly amendment 6 to **Assembly Bill 194** be adopted?

JOURNAL OF THE ASSEMBLY [May 8, 1979]

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Behnke, Broydrick, Byers, Clarenbach, Coggs, Czerwinski, DeLong, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Lallensack, Larson, Leopold, Lewison, Loftus, Lorman, McClain, McEssy, Medinger, Menos, Merkt, Miller, Munts, Murray, Norquist, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rutkowski, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 78.

Noes -- Bradley, Conradt, Dilweg, Flintrop, Gagin, Hasenohrl, Ladwig, Lee, Lewis, Lingren, Matty, Metz, Omernick, Schmidt, Tuczynski and Young -- 16.

Absent or not voting -- Barczak, Luckhardt and Rooney -- 3.

Motion carried.

Assembly amendment 7 to **Assembly Bill 194** offered by Representative Tregoning.

Representative Behnke moved rejection of assembly amendment 7 to **Assembly Bill 194**.

The question was: Shall assembly amendment 7 to **Assembly Bill 194** be rejected?

The roll was taken.

The result follows:

Ayes -- Barry, Becker, Behnke, Broydrick, Byers, Clarenbach, Coggs, Czerwinski, DeLong, Dilweg, Donoghue, Duren, Everson, Ferrall, Gagin, Gerlach, Hasenohrl, Hauke, Helbach, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Loftus, Lorman, McClain, Matty, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Ulichny, Vanderperren, Wahner, Ward, Wood, Young and Mr. Speaker -- 64.

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Noes -- Andrea, Bradley, Conradt, Dorff, Fischer, Flintrop, Goodrich, Gunderson, Harer, Harsdorf, Hephner, Klicka, Lewis, Lingren, Luckhardt, McEssy, Medinger, Merkt, Omernick, Paulson, Rogers, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning, Tuczynski and Wagner -- 29.

Absent or not voting -- Barczak, Ellis, Pabst and Rooney -- 4.

Motion carried.

The question was: Shall **Assembly Bill 194** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Becker, Behnke, Broydrick, Byers, Clarenbach, Cogs, Czerwinski, Dilweg, Donoghue, Duren, Everson, Ferrall, Gagin, Hauke, Hopkins, Kedrowski, Kincaid, Kirby, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Loftus, Lorman, McClain, Matty, Menos, Metz, Munts, Murray, Norquist, Otte, Pabst, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Ulichny, Vanderperren, Ward, Young and Mr. Speaker -- 57.

Noes -- Barry, Bradley, Conradt, DeLong, Dorff, Ellis, Fischer, Flintrop, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Helbach, Hephner, Johnson, Klicka, Lewis, Lingren, Luckhardt, McEssy, Medinger, Merkt, Miller, Omernick, Paulson, Rogers, Schmidt, Shabaz, Snyder, Thompson, Travis, R., Tregoning, Tuczynski, Wagner, Wahner and Wood -- 38.

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

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 194** be given a third reading.

Representative Tregoning objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 194** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 194** be given a third reading?

JOURNAL OF THE ASSEMBLY [May 8, 1979]

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Behnke, Broydrick, Byers, Clarenbach, Coggs, Czerwinski, Donoghue, Duren, Everson, Ferrall, Gagin, Gerlach, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Laatsch, Ladwig, Lallensack, Lee, Leopold, Lewis, Lingren, Loftus, McClain, Matty, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Prosser, Quackenbush, Radtke, Roberts, Rutkowski, Schneider, Shabaz, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Ulichny, Vanderperren, Wahner, Ward, Wood, Young and Mr. Speaker -- 62.

Noes -- Bradley, Conradt, DeLong, Dilweg, Dorff, Ellis, Fischer, Flintrop, Goodrich, Gunderson, Harer, Harsdorf, Hephner, Hopkins, Klicka, Larson, Lewison, Lorman, Luckhardt, McEssy, Medinger, Merkt, Omernick, Paulson, Porter, Rogers, Schmidt, Snyder, Thompson, Travis, R., Tregoning, Tuczynski and Wagner -- 33.

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

Motion failed.

Representative Kedrowski moved reconsideration of the vote by which **Assembly Bill 194** was ordered to a third reading. Entered.

RULING ON THE POINT OF ORDER

The speaker ruled well taken the point of order raised by Representative Kedrowski that assembly substitute amendment 2 to **Assembly Bill 245** was not germane because provisions of the substitute requiring permits for and regulating applications of pesticides would require a title substantially different from the original title.

Representative Everson moved that **Assembly Bill 245** be referred to the committee on Agriculture.

The question was: Shall **Assembly Bill 245** be referred to the committee on Agriculture?

The roll was taken:

The result follows:

Ayes -- Barry, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Dorff, Duren, Everson, Fischer, Gagin, Gerlach,

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Goodrich, Gunderson, Harer, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Kincaid, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lewison, Lingren, Lorman, Luckhardt, McEssy, Matty, Merkt, Murray, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Vanderperren, Wagner and Young -- 61.

Noes -- Andrea, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Ellis, Ferrall, Flintrop, Harsdorf, Johnson, Kedrowski, Kirby, Lee, Leopold, Lewis, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Norquist, Rutkowski, Soucie, Travis, D., Tuczynski, Ulichny, Wahner, Ward, Wood and Mr. Speaker -- 34.

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

Motion carried.

Senate Bill 224

Relating to expanding the state income tax withholding moratorium to certain employees.

The question was: Shall **Senate Bill 224** be ordered to a third reading?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 224** be given a third reading. Granted.

The question was: **Senate Bill 224** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, 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,

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, 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 -- 95.

Noes -- None.

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

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 224** be immediately messaged to the senate. Granted.

Representative Barry asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Kincaid. Granted.

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

A joint certificate of commendation by Representative Lingren for the Sussex Lions Club on the occasion of its 40th anniversary.

A joint certificate of condolence by Representatives Ferrall, Rooney and Ladwig; co-sponsored by Senator Strohl for the family of Mrs. Louise W. Erickson on the occasion of her death.

A joint certificate of commendation by Representative Menos for Adolph Suppan on the occasion of his retirement.

A joint certificate of commendation by Representative Vanderperren; co-sponsored by Senator Van Sistine for Earl McMellis, "Cousin Fuzzy", on the occasion of "Cousin Fuzzy Day" in Wisconsin.

A joint certificate of commendation by Representative Harer for Garth Winckler on the occasion of his retirement.

VISITORS

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

JOURNAL OF THE ASSEMBLY [May 8, 1979]

Fifth grade students from E.W. Lutheran School in South Milwaukee accompanied by teacher Larry Stys, guests of Representative Gerlach.

Third and fourth grade students from Pine River School in Merrill accompanied by teachers Mrs. Krause and Mrs. Curtis, guests of Representative Donoghue.

Seventh grade students from Southern Door School in Brussels accompanied by teachers Sonja Feld, Nancy Skadden, Jesse Harness and John Rackow, guests of Representative Swoboda.

Fifth grade students from Pigeon River School in Sheboygan accompanied by teacher Mrs. Klessig, guests of Representatives Potter and Otte.

Mary A. Potter and John Schoen from LaCrosse, guests of Representative Medinger.

Members of the Oconomowoc Area Chapter of the American Association of Retired Persons, guests of Representative Snyder.

Stanley Sommers from Marshfield, Stanley Roof from Tomah and Ed Bogdonovich from Greenwood, guests of Representative Hasenohrl.

Fourth grade, fifth grade and learning disability classes from Kosciuszko School in Cudahy accompanied by teachers Miss Cauley, Mrs. Busalacchi and Mrs. Butz, guests of Representative Plewa.

Representative Wahner 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.

7:50 P.M.