

JOURNAL OF THE ASSEMBLY [June 6, 1979]

STATE OF WISCONSIN

Assembly Journal

Eighty-Fourth Regular Session

WEDNESDAY, June 6, 1979.

9:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Stephen Minnema of First United Presbyterian Church, 110 West Second Street, Waunakee.

Representative Czerwinski 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, 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, Wahner, Ward, Wood, Young and Mr. Speaker -- 97.

Absent -- None.

Absent with leave -- None.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 2** offered by Representatives Wahner, Wood, Jackamonis and Medinger.

Assembly substitute amendment 1 to **Assembly Bill 178** offered by Representative Lee, by request of the City of Milwaukee.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 712

Relating to authorizing delegation of county board investment authority to the county treasurer and extending the scope of county investment authority.

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

To committee on Local Affairs.

Assembly Bill 713

Relating to creating a soybean promotion and research board, granting rule-making authority, making an appropriation and providing for enforcement.

By Representatives Everson, Tregoning, Conradt, Lallensack, Laatsch, Smith, Paulson, Merkt, Harsdorf, Duren, Hephner, Potter, Gerlach, Hasenohrl and Medinger, co-sponsored by Senators Van Sistine, Kreul, Lasec, Roshell, Harnisch and Cullen.

To committee on Agriculture.

Assembly Bill 714

Relating to disposition of juveniles who run away from a secure correctional facility for juveniles and providing a penalty.

By Representatives Donoghue, Vanderperren, Omernick, Shabaz, Schmidt, Goodrich, Byers, Lewison, Bradley, Young, Rooney and Lallensack, co-sponsored by Senators Krueger, Roshell, Murphy and Chilsen.

To committee on Criminal Justice and Public Safety.

Assembly Bill 715

Relating to creating penalties which may be imposed on juveniles who commit assault or battery while placed in a secure correctional facility and providing a penalty.

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By Representatives Donoghue, Vanderperren, Omernick, Thompson, Shabaz, Schmidt, Goodrich, Byers, Matty, Gagin, Ladwig, Porter, Lewison, Bradley, Quackenbush, Young, Harsdorf, Kincaid, Plewa, Rooney and Lallensack, co-sponsored by Senators Krueger, Roshell, Murphy and Chilsen.

To committee on Criminal Justice and Public Safety.

Assembly Bill 716

Relating to aggravated battery and providing a penalty.

By Representatives Tuczynski, D. Travis, Medinger, Ladwig, Kirby, Dilweg, Jackamonis, Metz, Thompson and Laatsch, co-sponsored by Senator Murphy.

To committee on Criminal Justice and Public Safety.

COMMITTEE REPORTS

The committee on Education reports and recommends:

Assembly Bill 390

Relating to making cost controls appealable for new vocational education programs in secondary schools.

Passage: Ayes: (11) Noes: (4)

To Joint Committee on Finance.

Assembly Bill 528

Relating to notice of special school board meetings.

Passage: Ayes: (15) Noes: (0)

To committee on Rules.

Assembly Bill 557

Relating to remedial legislation relating to university of Wisconsin archives (suggested as remedial legislation by the university of Wisconsin).

Adoption of assembly amendment 1:

Ayes: (15) Noes: (0)

Passage: Ayes: (15) Noes: (0)

To committee on Rules.

Assembly Bill 569

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

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Passage: Ayes: (15) Noes: (0)
To committee on Rules.

RICHARD FLINTROP
Chairperson

The committee on State Affairs reports and recommends:

Assembly Bill 87

Relating to deleting the phrase "christian name" from the statutes.

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

Assembly Bill 512

Relating to exempting amusement devices which grant nonredeemable free replays from criminal gambling prohibitions.

Passage: Ayes: (11) Noes: (2)
To committee on Rules.

JOHN PLEWA
Chairperson

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 284

Passed and asks concurrence in:

Senate Bill 212

ACTION ON THE SENATE MESSAGE

Senate Bill 212

Relating to fees for financing statement searches by the secretary of state and making an appropriation.

By Senator Swan, by request of the Secretary of State.
To committee on Commerce and Consumer Affairs.

COMMUNICATIONS

Fifteenth Guam Legislature

Relative to requesting the Congress of the United States to take steps to amend the United States Constitution to allow citizens of the United States residing in territories of the United States to vote in Presidential Elections:

Be it resolved by the Legislature of the territory of Guam:

Whereas, the Twelfth and Twenty-Third Amendments to the United States Constitution effectively limit the right to vote for President of the United States to citizens of the United States living in the several states and the District of Columbia; and

Whereas, pursuant to Article V of the United States Constitution the Congress can, when two-thirds of its members deem it necessary, propose amendments to the Constitution of the United States; and

Whereas, only by means of a Constitutional amendment could the citizens of the United States residing in the several territories be permitted to vote in the United States Presidential elections; and

Whereas, citizens residing in the territories ought to be accorded the same elective franchise as citizens residing in other parts of the United States; and

Whereas, a Constitutional amendment allowing said citizens residing in territories to vote in United States Presidential elections would remove a manifest inequity from the great American political system; now, therefore, be it

Resolved, that the Fifteenth Guam Legislature respectfully requests the United States Congress to propose an amendment to the United States Constitution which would permit the United States citizen who is a resident of one of the territories to vote in Presidential elections; and be it further

Resolved, that the Speaker certify to and the Legislative Secretary attest to the adoption hereof and that copies of the same be thereafter transmitted to the Speaker, House of Representatives; to the Vice President of the United States; to the President Pro Tempore of the Senate; to each state and territorial legislature; to the American Civil Liberties Union; to the National Legislative Conference; to the American Bar Association; to the Federal Bar Association; to Representative Antonio B. Won Pat; and to the Governor of Guam.

State of New Hampshire

A resolution concerning the budget of the United States.

Whereas, with each passing year this Nation becomes more deeply in debt as its expenditures grossly and repeatedly exceed available revenues, so that the public debt now exceeds hundreds of billions of dollars; and

Whereas, the annual Federal budget continually demonstrates an unwillingness or inability of both the legislative and executive branches of the Federal government to curtail spending to conform to available revenues; and

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

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

Whereas, the State of New Hampshire has long been known for its sensible, prudent approach to governmental spending; and

Whereas, the New Hampshire example of fiscal responsibility is a model for all to follow; and

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

Whereas, under Article V of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both Houses deem it necessary, or on the application of the legislatures of two-thirds of the several states the Congress shall call a constitutional convention for the purpose of proposing amendments which shall be valid to all intents and purposes when ratified by three-fourths of the several states. We believe such action vital; now, therefore, be it

Resolved by the legislature of the state of New Hampshire, that this body proposes to the Congress of the United States that procedures be instituted in the Congress to propose and submit to the several states an amendment to the Constitution of the United States

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requiring that the federal budget be balanced in the absence of a national emergency; and be it further

Resolved, that, alternatively, this body respectfully petitions the Congress of the United States to call a convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto; and be it further

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

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

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

Resolved, that copies of this resolution be sent to the Secretary of State and presiding officers of both houses of the legislatures of each of the several states in the Union, the Speaker and the Clerk of the United States House of Representatives, the President and the Secretary of the United States Senate, and to each member of the New Hampshire named Congressional delegation.

State of Hawaii
Tenth Legislature

Urging a concerted national effort to replace the catalytic converters on automobiles with alternative devices in the interest of protecting the nation's consumers and serving an important public purpose.

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Whereas, the federal Clean Air Act of 1970 established mandatory automobile emission standards and time schedules for their implementation by automobile manufacturers; and

Whereas, in response to the stringent emission control requirements of the Clean Air Act, automobile manufacturers have installed catalytic converters to reduce harmful pollutants on most cars built after 1974; and

Whereas, catalytic converters are muffler-type devices intended to chemically alter harmful carbon monoxide, hydrocarbons, and nitrous oxides in automobile exhausts into harmless emissions; and

Whereas, while the catalytic converters have enabled automobile manufacturers to comply with the mandates of the Clean Air Act, a serious question has arisen as to whether these devices are in the best interests of the nation's drivers and the general public as well; and

Whereas, for example, the installation of catalytic converters on new vehicles reportedly increases the initial selling price of vehicles so equipped by an estimated average cost of up to \$400 per vehicle; and

Whereas, in addition, it is an established fact that minimal amounts of lead, a common ingredient in regular and premium gasolines, will seriously impair, if not totally negate the intended cleaning function of the catalytic converter; and

Whereas, as a result, vehicles fitted with catalytic converters must, out of practical necessity, use only unleaded gasoline to assure the effective functioning of the emission control systems and to contain the emission of harmful pollutants within acceptable limits; and

Whereas, unleaded gasoline is more expensive than conventional gasolines because of the extra costs associated with the production of unleaded gasoline; and

Whereas, efforts of the federal government to assure adequate supplies of unleaded gasoline have not been entirely successful due in large part to circumstances of an international nature beyond the control of the federal government with the resultant shortage of unleaded fuel in several regions of the United States; and

Whereas, experience has demonstrated that frequent repairs and engine service work are required for vehicles equipped with catalytic converters to assure maximum fuel efficiency and effective functioning of the emission control system with the resultant obvious additional costs which must be borne by owners of such vehicles; and

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Whereas, informed sources point to the additional cost of manufacturing unleaded gasoline coupled with the expected increase in price when and if gasoline is deregulated; and

Whereas, the cost of replacing a defective catalytic converter with a new one is upwards of \$300 per installation; and

Whereas, effective alternative technologies have been developed to reduce the emission of harmful pollutants; and

Whereas, the questionable effectiveness, fuel efficiency, high repair and maintenance cost, and other problems associated with the catalytic converter give rise to the firm conviction that the elimination of the catalytic converter and its replacement with alternate technologies may better serve the intended purposes of the catalytic converter is a matter of compelling national interest; now, therefore,

Be it resolved by the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, that the President of the United States, the United States Congress, the Department of Energy, the Department of Transportation, the Environmental Protection Agency, and all other State Legislatures are respectfully urged to join in a concerted national effort to do away with the reliance on the use of catalytic converters in view of the concerns expressed in this Resolution; and

Be it further resolved that certified copies of this Resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, the Secretary of Energy, the Secretary of Transportation, the Administrator of the Environmental Protection Agency, and to each of the presiding officers of the legislative bodies of each state of the United States of America.

MOTIONS

Representative Ward asked unanimous consent that his leave of absence for Tuesday, June 5 be cancelled. Granted.

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CALENDAR OF WEDNESDAY, JUNE 6, 1979

Assembly Bill 330

Relating to limiting the authority of the governor to direct the legislative audit bureau to perform audits.

Representative Shabaz moved that **Assembly Bill 330** be laid on the table.

The question was: Shall **Assembly Bill 330** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Barczak, Bradley, Byers, Conradt, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Loftus, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Omernick, Pabst, Paulson, Prosser, Quackenbush, Radtke, Rogers, Rooney, Schmidt, Schneider, Shabaz, Snyder, Thompson, Travis, R., Tregoning and Young -- 42.

Noes -- Andrea, Barry, Becker, Behnke, Broydrick, Clarenbach, Cogg, Czerwinski, DeLong, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, McClain, Medinger, Metz, Miller, Munts, Murray, Norquist, Otte, Plewa, Porter, Potter, Roberts, Rutkowski, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 55.

Absent or not voting -- None.

Motion failed.

Representative Thompson asked unanimous consent that **Assembly Bill 330** be placed at the foot of the twelfth order of business on the calendar of Wednesday, June 6. Granted.

Assembly Bill 351

Relating to issuing worthless checks for a past consideration and providing a penalty.

Representative Hauke moved that **Assembly Bill 351** be referred to the committee on Commerce and Consumer Affairs.

Speaker pro tempore Kedrowski in the chair.

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The question was: Shall **Assembly Bill 351** be referred to the committee on Commerce and Consumer Affairs?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dilweg, Dorff, Ellis, Ferrall, Flintrop, Gagin, Hauke, Johnson, Kedrowski, Klicka, Laatsch, Lallensack, Leopold, Lewison, Loftus, Matty, Merkt, Miller, Munts, Murray, Otte, Pabst, Prosser, Shabaz, Snyder, Tesmer, Tregoning, Ulichny, Vanderperren, Wagner, Wahner, Ward and Young -- 40.

Noes -- Barry, Becker, Behnke, Bradley, Broydrick, DeLong, Donoghue, Duren, Everson, Fischer, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Helbach, Hephner, Hopkins, Kincaid, Kirby, Ladwig, Larson, Lee, Lewis, Lingren, Lorman, Luckhardt, McClain, McEssy, Medinger, Menos, Metz, Norquist, Omernick, Paulson, Plewa, Porter, Potter, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Soucie, Swoboda, Thompson, Travis, D., Travis, R., Tuczynski, Wood and Mr. Speaker -- 57.

Absent or not voting -- None.

Motion failed.

The question was: Shall **Assembly Bill 351** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Barczak, Barry, Becker, Behnke, Bradley, Byers, Clarenbach, Conradt, DeLong, Donoghue, Duren, Everson, Fischer, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Helbach, Hephner, Hopkins, Kincaid, Kirby, Ladwig, Larson, Lee, Leopold, Lewis, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Medinger, Menos, Metz, Norquist, Omernick, Otte, Paulson, Plewa, Porter, Potter, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Soucie, Swoboda, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Wood and Mr. Speaker -- 64.

Noes -- Andrea, Broydrick, Coggs, Czerwinski, Dilweg, Dorff, Ellis, Ferrall, Flintrop, Gagin, Hauke, Johnson, Kedrowski, Klicka, Laatsch, Lallensack, Lewison, Matty, Merkt, Miller, Munts,

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Murray, Pabst, Prosser, Shabaz, Snyder, Tesmer, Ulichny, Vanderperren, Wagner, Wahner, Ward and Young -- 33.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 351** be given a third reading.

Representative Miller objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 351** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 351** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Behnke, Bradley, Byers, Clarenbach, Czerwinski, DeLong, Donoghue, Duren, Ellis, Everson, Fischer, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Helbach, Hephner, Hopkins, Kedrowski, Kincaid, Kirby, Laatsch, Ladwig, Larson, Lee, Lewis, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Medinger, Menos, Merkt, Metz, Murray, Norquist, Omernick, Pabst, Paulson, Plewa, Porter, Potter, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Soucie, Swoboda, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood, Young and Mr. Speaker -- 75.

Noes -- Barczak, Broydrick, Coggs, Conradt, Dilweg, Dorff, Ferrall, Flintrop, Hauke, Johnson, Klicka, Lallensack, Leopold, Lewison, Matty, Miller, Munts, Otte, Prosser, Snyder, Tesmer and Ward -- 22.

Absent or not voting -- None.

Motion carried.

The question was: **Assembly Bill 351** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

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Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Byers, DeLong, Donoghue, Duren, Ellis, Everson, Fischer, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Helbach, Hephner, Hopkins, Kedrowski, Kincaid, Kirby, Ladwig, Larson, Lee, Leopold, Lewis, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Medinger, Menos, Metz, Norquist, Omernick, Otte, Paulson, Plewa, Porter, Potter, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Soucie, Swoboda, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Vanderperren, Wagner, Wahner, Wood and Mr. Speaker -- 68.

Noes -- Broydrick, Clarenbach, Coggs, Conradt, Czerwinski, Dilweg, Dorff, Ferrall, Flintrop, Gagin, Hauke, Johnson, Klicka, Laatsch, Lallensack, Lewison, Matty, Merkt, Miller, Munts, Murray, Pabst, Prosser, Shabaz, Snyder, Tesmer, Ulichny, Ward and Young -- 29.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 351** be immediately messaged to the senate. Granted.

Assembly Bill 413

Relating to committing a crime with a dangerous weapon and providing a penalty.

The question was: Shall assembly amendment 1 to **Assembly Bill 413** be adopted?

Motion carried.

Representative Shabaz moved rejection of assembly amendment 2 to **Assembly Bill 413**.

The question was: Shall assembly amendment 2 to **Assembly Bill 413** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Behnke, Bradley, Byers, Clarenbach, Coggs, Conradt, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Kedrowski,

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Kincaid, Klicka, Laatsch, Ladwig, Lallensack, Larson, Leopold, Lewis, Lewison, Lingren, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Metz, Murray, Otte, Pabst, Paulson, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Ward, Wood, Young and Mr. Speaker -- 75.

Noes -- Becker, Broydrick, Czerwinski, Everson, Ferrall, Fischer, Flintrop, Hopkins, Johnson, Kirby, Lee, Loftus, McClain, Medinger, Miller, Munts, Norquist, Omernick, Plewa, Rutkowski, Travis, D. and Wahner -- 22.

Absent or not voting -- None.

Motion carried.

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

The question was: Shall **Assembly Bill 413** be ordered engrossed and read a third time?

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 413** be given a third reading. Granted.

Speaker Jackamonis in the chair.

The question was: **Assembly Bill 413** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andra, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Conrardt, 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, Lec, 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,

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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 -- Coggs -- 1.

Absent or not voting -- None.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 413** be immediately messaged to the senate. Granted.

Representative Miller asked unanimous consent to be recorded on the following questions from Tuesday, April 19. Granted.

Shall Assembly Bill 3 pass? Aye

Shall Assembly Bill 176 pass? Aye

Shall assembly substitute amendment 1 to Assembly Bill 85 be rejected? No

Shall Assembly Bill 85 pass? Aye

Shall Assembly Bill 166 pass? Aye

Assembly Bill 330

Relating to limiting the authority of the governor to direct the legislative audit bureau to perform audits.

Assembly amendment 1 to **Assembly Bill 330** offered by Representatives DeLong, Thompson and Gunderson.

Representative Gerlach moved rejection of assembly amendment 1 to **Assembly Bill 330**.

Assembly amendment 1 to assembly amendment 1 to **Assembly Bill 330** offered by Representative Tuczynski.

The question was: Shall assembly amendment 1 to assembly amendment 1 to **Assembly Bill 330** be adopted?

Motion carried.

Representative Kedrowski moved rejection of assembly amendment 1 to **Assembly Bill 330**.

Representative Snyder asked unanimous consent that **Assembly Bill 330** be laid on the table.

Representative Gerlach objected.

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Representative Snyder moved that **Assembly Bill 330** be laid on the table.

The question was: Shall **Assembly Bill 330** be laid on the table?

The roll was taken.

The result follows:

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

Noes -- Andrea, Barry, Becker, Behnke, Broydrick, Clarenbach, Cogg, Czerwinski, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Ladwig, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Plewa, Porter, 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.

Absent or not voting -- None.

Motion failed.

Assembly amendment 2 to assembly amendment 1 to **Assembly Bill 330** offered by Representative Porter.

The question was: Shall assembly amendment 2 to assembly amendment 1 to **Assembly Bill 330** be adopted?

Motion carried.

Representative Kedrowski moved rejection of assembly amendment 1 to **Assembly Bill 330**.

The question was: Shall assembly amendment 1 to **Assembly Bill 330** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Becker, Behnke, Broydrick, Clarenbach, Cogg, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach,

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Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Loftus, McClain, Metz, Miller, Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rogers, Rutkowski, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Ulichny, Vanderperren, Wagner, Wahner, Ward and Mr. Speaker -- 48.

Noes -- Barczak, Barry, Bradley, Byers, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lingren, Lorman, Luckhardt, McEssy, Matty, Medinger, Menos, Merkt, Omernick, Pabst, Paulson, Porter, Prosser, Quackenbush, Radtke, Rooney, Schmidt, Schneider, Shabaz, Snyder, Swoboda, Thompson, Travis, R., Tregoning, Tuczynski, Wood and Young -- 49.

Absent or not voting -- None.

Motion failed.

Representative Kirby moved that assembly amendment 1 to **Assembly Bill 330** be laid on the table.

The question was: Shall assembly amendment 1 to **Assembly Bill 330** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Andrea, Becker, Behnke, Broydriek, Clarenbach, Cogs, Czerwinski, Dorff, Duren, Ferrall, Fischer, Flintrop, Gerlach, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Loftus, Luckhardt, McClain, Metz, Miller, Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rooney, Rutkowski, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Ulichny, Vanderperren, Wagner, Wahner and Mr. Speaker -- 47.

Noes -- Barczak, Barry, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Everson, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lingren, Lorman, McEssy, Matty, Medinger, Menos, Merkt, Omernick, Pabst, Paulson, Porter, Prosser, Quackenbush, Radtke, Rogers, Schmidt, Schneider, Shabaz, Snyder, Swoboda, Thompson, Travis, R., Tregoning, Tuczynski, Ward, Wood and Young -- 50.

Absent or not voting -- None.

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Motion failed.

The question was: Shall assembly amendment 1 to **Assembly Bill 330** be adopted?

The roll was taken.

The result follows:

Ayes -- Barczak, Barry, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Everson, 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, Rogers, Schmidt, Schneider, Shabaz, Snyder, Swoboda, Thompson, Travis, R., Tregoning, Tuczynski, Wagner, Wood and Young -- 50.

Noes -- Andrea, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Duren, 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, Rooney, Rutkowski, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Ulichny, Vanderperren, Wahner, Ward and Mr. Speaker -- 47.

Absent or not voting -- None.

Motion carried.

The question was: Shall **Assembly Bill 330** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- 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, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, 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.,

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Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood, Young and Mr. Speaker -- 94.

Noes -- Lallensack and Ward -- 2.

Absent or not voting -- Matty -- 1.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 330** be given a third reading. Granted.

The question was: **Assembly Bill 330** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, 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.

Noes -- None.

Absent or not voting -- None.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 330** be immediately messaged to the senate. Granted.

Senate Bill 77

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

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Representative Rutkowski asked unanimous consent that **Senate Bill 77** be laid on the table. Granted.

Representative Ward asked unanimous consent that his request to cancel his leave of absence for Tuesday, June 5 be withdrawn. Granted.

Representative Kedrowski asked unanimous consent to be recorded on the following questions from Wednesday, May 30. Granted.

Shall Assembly Bill 187 pass? Aye

Shall Assembly Bill 188 be ordered engrossed and read a third time? Aye

Shall Assembly Bill 188 pass? Aye

Shall Assembly Bill 190 pass? Aye

Shall Assembly Bill 224 pass? Aye

Shall Assembly Bill 208 pass? Aye

Representative Larson asked unanimous consent to be made a co-author of **Assembly Bill 348**. Granted.

Representative Wahner asked unanimous consent that **Assembly Bill 2** be taken from the table and placed at the head of the calendar of Thursday, June 7.

Representative Shabaz objected.

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

A joint certificate of condolence by Representative Schneider; co-sponsored by Senator Offner for the family of Stuart Brokaw on the occasion of his death.

A joint certificate of congratulations by Representative Schneider; co-sponsored by Senator Harnisch for Father Andrew Karoblis on the 25th anniversary of his ordination.

A joint certificate of congratulations by Representative Laatsch; co-sponsored by Senator Bidwell for the village of Sauk City on the 125th anniversary of its incorporation.

A joint certificate of commendation by Representatives Dorff and Andrea; co-sponsored by Senator Maurer for Ray Berres on the occasion of his outstanding baseball career.

A joint certificate of commendation by Representative Lingren for Professor Harold J. McNally on the occasion of his retirement

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A joint certificate of commendation by Representative Lingren; co-sponsored by Senator Murphy for Harry B. Titus on the occasion of his retirement from public office.

A joint certificate of congratulations by Representatives Potter and Otte for David Unger on the occasion of his graduation from Sheboygan South High School.

A joint certificate of congratulations by Representative Lingren for Professor John Downey on the occasion of receiving a UW-Milwaukee Foundation Research award.

A joint certificate of congratulations by Representative Lingren for Professor David Hull on the occasion of receiving a UW-Milwaukee Foundation Research award.

A joint certificate of congratulations by Representative Lingren for Professor David S.Y. Tong on the occasion of receiving a UW-Milwaukee Foundation Research award.

A joint certificate of commendation by Representative Conradt for Paul Kreul on the occasion of his completion of 39 years of educating the youth of Hortonville.

A joint certificate of commendation by Representatives Munts, Everson, Barry, Miller, Loftus, D. Travis and Clarenbach; co-sponsored by Senators Risser, Bear and Thompson for Bernice Brynelson on the occasion of her retirement as head of the nursing program for the division of health.

VISITORS

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

Sixth grade students from Orchard Ridge School in Madison, guests of Representative Munts.

Fourth grade students from Park Lawn School in Oconomowoc, guests of Representative Snyder.

Helen Spry, Anita Klinzing, Carole Troxel and Carol Couey from Richland Center, guests of Representative Duren.

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Representative Wahner moved that the assembly stand adjourned until 9:00 A.M. tomorrow.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

11:45 A.M.