

JOURNAL OF THE ASSEMBLY [October 3, 1979]

STATE OF WISCONSIN

Assembly Journal

Eighty-Fourth Regular Session

WEDNESDAY, October 3, 1979.

10:00 A.M.

The assembly met.

Speaker pro tempore Kedrowski in the chair.

The prayer was offered by Reverend Joseph Washington, retired Baptist minister, 717 Regent Street, Madison.

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, Barczak, Barry, Becker, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, 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, Nelsen, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 98.

Absent -- None.

Absent with leave -- Behnke -- 1.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 277** offered by committee on Judiciary.

Assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 293** offered by Representatives Munts, Thompson and Rutkowski.

Assembly amendment 1 to **Assembly Bill 375** offered by Representatives Vanderperren and Menos.

Assembly amendment 2 to **Assembly Bill 466** offered by Representative Czerwinski.

Assembly amendment 1 to **Assembly Bill 813** offered by committee on Judiciary.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 82

Relating to directing the legislative council to study the use of bail in this state.

By Representatives Rutkowski and Gerlach.

To committee on Government Operations.

Assembly Bill 897

Relating to mandatory approval of alternate waste disposal systems in exclusive agricultural use districts and creation of rules review.

By Representatives Barry, Fischer, Shoemaker, Harsdorf and Donoghue, co-sponsored by Senators Radosevich, Bear, Berger and Murphy.

To committee on Environmental Resources.

Assembly Bill 898

Relating to exempting logging equipment from the personal property tax and the sales and use tax.

By Representative Kedrowski.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 899

Relating to the minimum base pay for national guard members on active duty.

By Representatives Medinger and Rogers.

To committee on Veterans and Military Affairs.

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Assembly Bill 900

Relating to civil damages for violations of certain laws governing motor vehicle dealers and salesmen.

By committee on Commerce and Consumer Affairs, by request of Attorney General Bronson C. La Follette.

To committee on Commerce and Consumer Affairs.

Assembly Bill 901

Relating to the disciplinary procedure for fire fighters and police officers in 1st class cities.

By Representatives Plewa and Pabst, by request of city of Milwaukee.

To committee on Local Affairs.

Assembly Bill 902

Relating to declarations of residency by candidates and challenges to residency qualifications of persons elected to state and local offices, and providing a penalty.

By Representative Potter.

To committee on Elections.

Assembly Bill 903

Relating to contracts for student spaces in colleges of optometry and optometric medicine and making an appropriation.

By Representatives Dorff, Hephner, Rogers, Tuczynski, Roberts, McClain, Wagner and Ward.

To committee on Education.

Assembly Bill 904

Relating to the regulation of vehicles carrying spillable loads and providing a penalty.

By Representatives Dorff, Wahner, Ward, Metz and Norquist.

To committee on Highways.

Assembly Bill 905

Relating to permitting certain fermented malt beverage and intoxicating liquor licensees to purchase advertising from a statewide trade association.

By Representatives Dorff, Tuczynski, Ward, Matty and Omernick.

To committee on Excise and Fees.

Assembly Bill 906

Relating to revising the penalty for giving or accepting any thing of value to induce approval of a loan from a savings and loan association or bank.

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By committee on Criminal Justice and Public Safety, by request of Attorney General Bronson C. La Follette.

To committee on Criminal Justice and Public Safety.

Assembly Bill 907

Relating to service of process on Sundays.

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

To committee on Judiciary.

Assembly Bill 908

Relating to allowing the city council to set the salary of the city treasurer.

By Representative Kedrowski, by request of League of Wisconsin Municipalities.

To committee on Local Affairs.

Assembly Bill 909

Relating to the method of determination of the number of signatures required to recall school district officers.

By Representative Hauke.

To committee on Elections.

COMMITTEE REPORTS

The committee on Commerce and Consumer Affairs reports and recommends:

Assembly Bill 560

Relating to remedial legislation affecting the statutes regulating various occupations (suggested as remedial legislation by the department of regulation and licensing).

Introduction and adoption of assembly amendment 1:

Ayes: (9) Noes: (0)

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

To committee on Rules.

MIDGE MILLER
Chairperson

The committee on Criminal Justice and Public Safety reports and recommends:

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Assembly Bill 733

Relating to hotel and restaurant bills and worthless checks and providing a penalty.

Introduction and adoption of assembly substitute amendment 1:
Ayes: (11) Noes: (0)

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

Assembly Bill 749

Relating to revising conditions of bail.

Introduction and adoption of assembly substitute amendment 1:
Ayes: (12) Noes: (0)

Passage: Ayes: (12) Noes: (0)
To committee on Rules.

ED McCLAIN
Chairperson

The committee on Excise and Fees reports and recommends:

Assembly Bill 763

Relating to permitting auctions and retail sales of secondhand or antique merchandise or art on premises for which Class "B" fermented malt beverage or Class "B" intoxicating liquor licenses are issued.

Passage: Ayes: (9) Noes: (0)
To Joint Committee on Finance.

Assembly Bill 849

Relating to permitting a brewer, bottler or wholesaler of fermented malt beverage to furnish labor costs for installation or repair of dispensing equipment to a Class "B" licensee.

Passage: Ayes: (9) Noes: (0)
To committee on Rules.

EUGENE DORFF
Chairperson

The committee on Health and Social Services reports and recommends:

Assembly Bill 529

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

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Passage: Ayes: (14) Noes: (0)
To Joint Committee on Finance.

JOSEPH CZERWINSKI
Chairperson

The committee on Judiciary reports and recommends:

Assembly Bill 277

Relating to juries and jurors.

Adoption of assembly substitute amendment 1:

Ayes: (11) Noes: (0)

Passage: Ayes: (9) Noes: (2)

To committee on Rules.

Assembly Bill 813

Relating to revising miscellaneous statutes affecting state administrative procedures.

Adoption of assembly amendment 1:

Ayes: (11) Noes: (0)

Passage: Ayes: (10) Noes: (1)

To committee on Rules.

Senate Bill 44

Relating to legal representation in small claims type actions.

Adoption of assembly substitute amendment 1:

Ayes: (5) Noes: (4)

Passage: Ayes: (7) Noes: (4)

To committee on Rules.

JAMES RUTKOWSKI
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 36

Assembly Bill 64

Assembly Bill 68

Assembly Bill 84

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Assembly Bill 85
Assembly Bill 361

Adopted and asks concurrence in:
Senate Joint Resolution 20

Passed and asks concurrence in:
Senate Bill 150

Concurred in as amended:
Assembly Bill 243 (senate amendments 1 and 2 adopted)
Assembly Bill 258 (senate amendment 1 adopted)

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 20

Directing the legislative council to study the total status of Black, Hispanic and Native American male and female individuals in vocational, technical and adult education district schools.

By Senators Thompson, Bear, Braun, Cullen, Moody, Risser, Swan and Van Sistine; co-sponsored by Representatives Ulichny, Schmidt, Loftus, Clarenbach, Everson; Coggs, Miller, Norquist, Otte, Wahner and Ward.

To committee on Government Operations.

Senate Bill 150

Relating to limiting terms of police and fire chiefs in cities with a board of police and fire commissioners.

By Senator Offner; co-sponsored by Representative Medinger.
To committee on Local Affairs.

Assembly Bill 243

Relating to a prohibition against imposing a fee for completing a health or disability insurance claim form on behalf of an insured, and providing a penalty.

By Representatives Behnke, Schneider, Plewa, Pabst, Norquist, Broydrick, Leopold, Andrea, Rogers, Clarenbach, D. Travis and Czerwinski, co-sponsored by Senators Bear, Moody and Strohl.

To calendar.

Assembly Bill 258

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

By Representatives Soucie, Schneider, Hasenohrl, Coggs, Miller, Medinger, Becker, Tuczynski, Barczak, Metz, Helbach, Wood, R.

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Travis, Gunderson, Gerlach, Andrea, Shoemaker, Johnston, Harsdorf, Broydrick, Lee, Norquist, Lingren, Kincaid, Clarenbach, Kirby, Fischer, Behnke, Pabst, Ferrall, Kedrowski, Wahner, Rutkowski, McClain, Everson, Ulichny, D. Travis and Dorff, co-sponsored by Senators Flynn, Braun, Berger, Moody and Bablitch.
To calendar.

CALENDAR OF WEDNESDAY, OCTOBER 3, 1979

Assembly Resolution 15

Relating to the accomplishments of Leonne D. Wozinski.

The question was: Shall **Assembly Resolution 15** be adopted?

Motion carried.

Assembly Resolution 16

Relating to assembly guests and visitors.

Representative Kirby moved rejection of **Assembly Resolution 16**.

The question was: Shall **Assembly Resolution 16** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Bradley, Broydrick, Byers, Clarenbach, Coggs, Donoghue, Dorff, Duren, Everson, Fischer, Gerlach, Harer, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kirby, Klicka, Laatsch, Lallensack, Larson, Leopold, Lingren, Loftus, McEssy, Medinger, Menos, Metz, Miller, Munts, Murray, Otte, Pabst, Paulson, Plewa, Potter, Roberts, Rooney, Schneider, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Tregoning, Vanderperren, Wagner and Wood -- 53.

Noes -- Barczak, Barry, Becker, Conradt, Czerwinski, DeLong, Dilweg, Ellis, Ferrall, Flintrop, Gagin, Goodrich, Harsdorf, Kincaid, Ladwig, Lee, Lewis, Lewison, Lorman, Luckhardt, McClain, Matty, Merkt, Nelsen, Norquist, Omernick, Porter, Prosser, Quackenbush, Radtke, Robertson, Rogers, Rutkowski, Schmidt, Shabaz, Stitt, Thompson, Travis, D., Travis, R., Tuczynski, Ulichny, Wahner, Ward, Young and Mr. Speaker -- 45.

Absent or not voting -- Behnke -- 1.

Motion carried.

Assembly Joint Resolution 69

Commending Dr. John J. Czajka for being named the 1979 recipient of Sertoma International's Service to Mankind Award.

The question was: Shall **Assembly Joint Resolution 69** be adopted?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 69** be immediately messaged to the senate. Granted.

Assembly Joint Resolution 54

Relating to removing obsolete provisions of the state constitution regarding elections and suffrage, and creating a new article on suffrage (first consideration).

Representative Miller moved rejection of assembly amendment 1 to **Assembly Joint Resolution 54**.

Representative Miller withdrew her motion.

The question was: Shall assembly amendment 1 to **Assembly Joint Resolution 54** be adopted?

Motion carried.

Representative Shabaz asked unanimous consent that **Assembly Joint Resolution 54** be laid on the table.

Representative Miller objected.

Representative Shabaz moved that **Assembly Joint Resolution 54** be laid on the table.

Representative Miller withdrew her objection.

Representative Shabaz asked unanimous consent that **Assembly Joint Resolution 54** be laid on the table. Granted.

Assembly Bill 466

Relating to school board elections in a common or union high school district.

Representative Ferrall in the chair.

Representative Jackamonis moved indefinite postponement of **Assembly Bill 466**.

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Representative Barry moved that **Assembly Bill 466** be laid on the table.

Representative Kirby in the chair.

The question was: Shall **Assembly Bill 466** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Barry, Bradley, Dilweg, Duren, Ellis, Everson, Ferrall, Gagin, Hephner, Kincaid, Klicka, Lewis, McClain, Medinger, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Prosser, Quackenbush, Rooney, Schmidt, Shabaz, Smith, Snyder, Soucie, Stitt, Travis, D., Ulichny, Young and Mr. Speaker -- 35.

Noes -- Andrea, Barczak, Becker, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Donoghue, Dorff, Fischer, Flintrop, Gerlach, Goodrich, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hopkins, Johnson, Kedrowski, Kirby, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Lingren, Loftus, Lorman, Luckhardt, McEssy, Matty, Menos, Nelsen, Pabst, Paulson, Plewa, Porter, Potter, Radtke, Roberts, Robertson, Rogers, Rutkowski, Schneider, Shoemaker, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Tuczynski, Vanderperren, Wagner, Wahner, Ward and Wood -- 63.

Absent or not voting -- Behnke -- 1.

Motion failed.

Assembly amendment 1 to **Assembly Bill 466** offered by Representatives Barry and Quackenbush.

Representative DeLong moved rejection of assembly amendment 1 to **Assembly Bill 466**.

Speaker pro tempore Kedrowski in the chair.

The question was: Shall assembly amendment 1 to **Assembly Bill 466** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Becker, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Harer, Hasenohrl, Hauke, Helbach, Johnson, Kincaid, Ladwig, Lallensack, Lee, Leopold, Lewis, Lewison, Loftus, Lorman, Luckhardt, McClain, McEssy, Metz, Miller, Norquist,

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Pabst, Paulson, Plewa, Porter, Potter, Prosser, Radtke, Roberts, Robertson, Rogers, Rutkowski, Soucie, Stitt, Tesmer, Thompson, Tregoning, Tuczynski, Wagner, Ward, Wood, Young and Mr. Speaker -- 50.

Noes -- Barry, Bradley, Broydrick, Byers, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gagin, Gerlach, Harsdorf, Hephner, Hopkins, Kedrowski, Kirby, Klicka, Laatsch, Larson, Lingren, Matty, Medinger, Menos, Merkt, Munts, Murray, Nelsen, Omernick, Otte, Quackenbush, Rooney, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Swoboda, Travis, D., Travis, R., Ulichny, Vanderperren and Wahner -- 46.

Absent or not voting -- Behnke, Ferrall and Goodrich -- 3.

Motion carried.

The question was: Shall **Assembly Bill 466** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Becker, Bradley, Conradt, Dorff, Duren, Ellis, Everson, Ferrall, Gagin, Hephner, Kincaid, Klicka, Ladwig, Lewis, Lewison, McClain, McEssy, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Porter, Prosser, Quackenbush, Rooney, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Travis, D., Tuczynski, Ulichny, Ward, Wood, Young and Mr. Speaker -- 47.

Noes -- Andrea, Barczak, Barry, Broydrick, Byers, Clarenbach, Coggs, Czerwinski, DeLong, Donoghue, Fischer, Flintrop, Gerlach, Goodrich, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hopkins, Johnson, Kedrowski, Kirby, Laatsch, Lallensack, Larson, Lee, Leopold, Lingren, Loftus, Lorman, Luckhardt, Matty, Nelsen, Pabst, Paulson, Plewa, Potter, Radtke, Roberts, Robertson, Rogers, Rutkowski, Tesmer, Thompson, Travis, R., Tregoning, Vanderperren, Wagner and Wahner -- 50.

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

Motion failed.

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

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Representative Murray moved that **Assembly Bill 466** be referred to the committee on Education.

The question was: Shall **Assembly Bill 466** be referred to the committee on Education?

The roll was taken.

The result follows:

Ayes -- Becker, Bradley, Dilweg, Dorff, Duren, Ellis, Everson, Ferrall, Gagin, Hephner, Kincaid, Klicka, Laatsch, Lee, Lewis, Lewison, Lingren, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Porter, Prosser, Quackenbush, Rooney, Schmidt, Schneider, Smith, Snyder, Soucie, Stitt, Swoboda, Travis, D., Tuczynski, Ulichny, Ward, Wood, Young and Mr. Speaker -- 49.

Noes -- Andrea, Barczak, Barry, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Donoghue, Fischer, Flintrop, Gerlach, Goodrich, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hopkins, Johnson, Kedrowski, Kirby, Ladwig, Lallensack, Larson, Leopold, Loftus, Lorman, Nelsen, Pabst, Paulson, Plewa, Potter, Radtke, Roberts, Robertson, Rogers, Rutkowski, Shabaz, Shoemaker, Tesmer, Thompson, Travis, R., Tregoning, Vanderperren, Wagner and Wahner -- 49.

Absent or not voting -- Behnke -- 1.

Motion failed.

The question was: Shall **Assembly Bill 466** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Donoghue, Fischer, Flintrop, Gerlach, Goodrich, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hopkins, Johnson, Kedrowski, Kirby, Laatsch, Lallensack, Larson, Leopold, Lingren, Loftus, Lorman, Luckhardt, Nelsen, Pabst, Paulson, Plewa, Potter, Radtke, Roberts, Robertson, Rogers, Rutkowski, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Vanderperren, Wagner, Wahner and Ward -- 50.

Noes -- Barry, Becker, Bradley, Dilweg, Dorff, Duren, Ellis, Everson, Ferrall, Gagin, Hephner, Kincaid, Klicka, Ladwig, Lee,

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Lewis, Lewison, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Porter, Prosser, Quackenbush, Rooney, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Travis, D., Tuczynski, Ulichny, Wood, Young and Mr. Speaker -- 48.

Absent or not voting -- Behnke -- 1.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 466** be given a third reading.

Representative Schmidt objected.

Representative Ferrall moved that the rules be suspended and that **Assembly Bill 466** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 466** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Broydrick, Byers, Clarenbach, Coggs, Czerwinski, DeLong, Donoghue, Fischer, Flintrop, Gerlach, Goodrich, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kirby, Laatsch, Ladwig, Lallensack, Larson, Leopold, Lingren, Loftus, Lorman, Metz, Nelsen, Otte, Pabst, Paulson, Plewa, Potter, Radtke, Roberts, Robertson, Rogers, Schneider, Smith, Swoboda, Tesmer, Travis, R., Tregoning, Vanderperren, Wagner, Wahner and Wood -- 50.

Noes -- Barry, Becker, Bradley, Conradt, Dilweg, Dorff, Duren, Ellis, Everson, Ferrall, Gagin, Hephner, Hopkins, Kincaid, Klicka, Lee, Lewis, Lewison, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Miller, Munts, Murray, Norquist, Porter, Prosser, Quackenbush, Rooney, Rutkowski, Schmidt, Shabaz, Shoemaker, Snyder, Soucie, Stitt, Thompson, Travis, D., Tuczynski, Ulichny, Ward, Young and Mr. Speaker -- 47.

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

Motion failed.

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

Representative Czerwinski moved reconsideration of the vote by which **Assembly Bill 466** was ordered to a third reading. Entered.

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Assembly Bill 614

Relating to polling places for special referenda conducted by school districts except in 1st class cities.

Representative Lorman asked unanimous consent that the assembly adjourn in honor of Wisconsin's dairy farmers. Granted.

Representative Ferrall asked unanimous consent that the assembly stand recessed until 2:00 P.M. Granted.

The assembly stood recessed.

11:55 A.M.

RECESS

2:05 P.M.

The assembly reconvened.

CALL OF THE ASSEMBLY

Representative Ferrall 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 - Behnke.

Members absent without leave - Barczak, Becker, Clarenbach, Klicka, Quackenbush, Ulichny and Wahner.

LEAVES OF ABSENCE

Representative Ferrall asked unanimous consent for a leave of absence for this afternoon's session for Representative Wahner. Granted.

Representative Ferrall asked unanimous consent that the call of the assembly be lifted. Granted.

Assembly Bill 614

Relating to polling places for special referenda conducted by school districts except in 1st class cities.

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The question was: Shall assembly substitute amendment 1 to **Assembly Bill 614** be adopted?

Motion carried.

Representative Schmidt moved indefinite postponement of **Assembly Bill 614**.

The question was: Shall **Assembly Bill 614** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Andrea, Becker, Bradley, Broydrick, Byers, Conradt, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Gagin, Hasenohrl, Hauke, Helbach, Hephner, Kincaid, Klicka, Laatsch, Lallensack, Larson, Lee, Lewis, Lingren, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Otte, Paulson, Prosser, Quackenbush, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Travis, D., Travis, R., Ward, Wood, Young and Mr. Speaker -- 57.

Noes -- Barczak, Barry, Clarenbach, Coggs, Czerwinski, DeLong, Fischer, Flintrop, Gerlach, Goodrich, Harer, Harsdorf, Hopkins, Johnson, Kedrowski, Kirby, Ladwig, Leopold, Lewison, Loftus, Lorman, Nelsen, Omernick, Pabst, Plewa, Porter, Potter, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Tesmer, Thompson, Tregoning, Tuczynski, Ulichny, Vanderperren and Wagner -- 40.

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

Motion carried.

Assembly Bill 468

Relating to the penalty for violating a restriction on an operator's license.

Representative Thompson moved indefinite postponement of **Assembly Bill 468**.

The question was: Shall **Assembly Bill 468** be indefinitely postponed?

The roll was taken.

The result follows:

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Ayes -- Andrea, Barczak, Bradley, Byers, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Gagin, Gerlach, Goodrich, Harer, Harsdorf, Hauke, Hephner, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Murray, Nelsen, Omernick, Otte, Pabst, Paulson, Porter, Potter, Prosser, Radtke, Roberts, Robertson, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Snyder, Stitt, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Wagner, Ward, Wood and Young -- 66.

Noes -- Barry, Becker, Broydrick, Clarenbach, Coggs, Ferrall, Flintrop, Hasenohrl, Helbach, Hopkins, Johnson, Lewis, Lingren, Loftus, McClain, Medinger, Metz, Miller, Munts, Norquist, Plewa, Quackenbush, Rogers, Rooney, Smith, Soucie, Travis, D., Tuczynski, Ulichny, Vanderperren and Mr. Speaker -- 31.

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

Motion carried.

Assembly Bill 561

Relating to remedial legislation for the department of natural resources (suggested as remedial legislation by the department of natural resources).

The question was: Shall assembly amendment 1 to **Assembly Bill 561** be adopted?

Motion carried.

The question was: Shall assembly amendment 2 to **Assembly Bill 561** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 561** be ordered engrossed and read a third time?

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 561** be given a third reading. Granted.

The question was: **Assembly Bill 561** having been read three times, shall the bill pass?

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The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Bradley, Broydrick, Byers, Clarenbach, Cogg, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, 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, Nelsen, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Ward, Wood, Young and Mr. Speaker -- 97.

Noes -- None.

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

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 561** be immediately messaged to the senate. Granted.

Senate Bill 20

Relating to miscellaneous minor corrections in the insurance code.

The question was: Shall **Senate Bill 20** be ordered to a third reading?

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Senate Bill 20** be given a third reading. Granted.

The question was: **Senate Bill 20** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Bradley, Broydrick, Byers, Clarenbach, Cogg, Conradt, Czerwinski, DeLong, Dilweg,

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Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, 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, Nelsen, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Ward, Wood, Young and Mr. Speaker -- 97.

Noes -- None.

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

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Senate Bill 20** be immediately messaged to the senate. Granted.

Senate Bill 61

Relating to regulation of acquisition of control of or merger with domestic insurers or insurance holding companies.

The question was: Shall assembly amendment 1 to **Senate Bill 61** be adopted?

Motion carried.

The question was: Shall **Senate Bill 61** be ordered to a third reading?

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Senate Bill 61** be given a third reading. Granted.

The question was: **Senate Bill 61** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Becker, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop,

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Gagin, Gerlach, Goodrich, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Ward, Wood, Young and Mr. Speaker -- 93.

Noes -- Barry, Hopkins and Robertson -- 3.

Absent or not voting -- Behnke, Luckhardt and Wahner -- 3.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Senate Bill 61** be immediately messaged to the senate. Granted.

Senate Bill 99

Relating to insurance investments.

The question was: Shall **Senate Bill 99** be ordered to a third reading?

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Senate Bill 99** be given a third reading. Granted.

The question was: **Senate Bill 99** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, 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, Nelsen, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter,

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Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Ward, Wood, Young and Mr. Speaker -- 97.

Noes -- None.

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

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Senate Bill 99** be immediately messaged to the senate. Granted.

Senate Bill 144

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

Assembly amendment 1 to **Senate Bill 144** offered by Representative Goodrich.

Representative Hauke moved rejection of assembly amendment 1 to **Senate Bill 144**.

The question was: Shall assembly amendment 1 to **Senate Bill 144** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Becker, Broydrick, Clarenbach, Czerwinski, Dorff, Duren, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kirby, Ladwig, Lallensack, Lee, Leopold, Lewis, Lingren, Medinger, Menos, Metz, Miller, Munts, Murray, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Vanderperren, Wagner and Mr. Speaker -- 50.

Noes -- Barry, Bradley, Byers, Coggs, Conradt, DeLong, Dilweg, Donoghue, Ellis, Everson, Gagin, Goodrich, Harer, Harsdorf, Hopkins, Kincaid, Klicka, Laatsch, Larson, Lewison, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Merkt, Nelsen, Norquist, Omernick, Paulson, Porter, Prosser, Quackenbush,

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Radtke, Robertson, Schmidt, Shabaz, Snyder, Stitt, Thompson, Travis, R., Tregoning, Ulichny, Ward, Wood and Young -- 47.

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

Motion carried.

Representative Luckhardt moved nonconcurrency in **Senate Bill 144**.

The question was: Shall **Senate Bill 144** be nonconcurrent in?

The roll was taken.

The result follows:

Ayes -- Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Harer, Harsdorf, Hopkins, Kincaid, Klicka, Laatsch, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Merkt, Nelsen, Norquist, Omernick, Paulson, Porter, Robertson, Schmidt, Shabaz, Thompson, Travis, R. and Young -- 33.

Noes -- Andrea, Barczak, Barry, Becker, Broydrick, Clarenbach, Cogs, Czerwinski, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kirby, Ladwig, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Matty, Medinger, Menos, Metz, Miller, Munts, Murray, Otte, Pabst, Plewa, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Tesmer, Travis, D., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Ward, Wood and Mr. Speaker -- 64.

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

Motion failed.

The question was: Shall **Senate Bill 144** be ordered to a third reading?

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Senate Bill 144** be given a third reading.

Representative Shabaz objected.

Representative Ferrall moved that the rules be suspended and that **Senate Bill 144** be given a third reading.

The question was: Shall the rules be suspended and **Senate Bill 144** be given a third reading?

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The roll was taken.

The result follows:

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

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

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

Motion failed.

Representative Ferrall moved reconsideration of the vote by which **Senate Bill 144** was ordered to a third reading. Entered.

Senate Bill 156

Relating to deletion of the requirement for an affidavit from the circulator of nomination papers and providing a penalty.

POINT OF ORDER

Representative Hauke rose to the point of order that **Senate Bill 156** was not properly before the assembly because the bill required a fiscal estimate under Wisconsin Statutes 13.10(2) and Joint Rule 41(1). Representative Hauke cited the speaker's ruling on 1977 Assembly Bill 108 (1977 Assembly Journal, page 1068) as precedent for his point of order.

The chair took the point of order under advisement.

Representative Ulichny asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Ferrall. Granted.

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Representative Thompson asked unanimous consent that the assembly adjourn in honor of the 25th wedding anniversary of Representative Goodrich. Granted.

VISITORS

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

Isabelle Kelly, JoAnn Henningson, Karen Mauson, Linda Thompson and Doris Rydberg from Rice Lake, guests of Representative Smith.

Glen Seyforth from Chippewa Falls, guest of Representative Hopkins.

Ray Howen, Mary Howen, Ray Ohlsen, Eldon Rudie, Dave Seyfert and Cyril Brown from Marshfield, guests of Representative Hasenohrl.

Phyllis Krutsch from Washburn and Marge Longstreth from Ashland, guests of Representative Kedrowski.

Representative Ferrall moved that the assembly stand adjourned until 10:00 A.M. tomorrow.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

3:30 P.M.