

JOURNAL OF THE ASSEMBLY [October 10, 1979]

STATE OF WISCONSIN

Assembly Journal

Eighty-Fourth Regular Session

WEDNESDAY, October 10, 1979.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Gary Brandenburg of Hilldale Assembly of God Church, 5202 Regent Street, Madison.

Representative Dilweg 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., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 97.

Absent -- None.

Absent with leave - Behnke and Tregoning -- 2.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 201** offered by committee on Judiciary.

Assembly substitute amendment 1 to **Assembly Bill 487** offered by Representatives Thompson, DeLong, Goodrich, R. Travis, Conradt and Porter.

Assembly amendment 1 to **Assembly Bill 503** offered by committee on Revenue.

Assembly amendment 1 to **Assembly Bill 713** offered by Representative Everson.

Assembly substitute amendment 1 to **Assembly Bill 792** offered by committee on Judiciary.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 931

Relating to requirements for snowmobile registration.

By Representatives Potter, Hephner, Hasenohrl, Thompson, Lewison, Lorman and DeLong.

To committee on Tourism, Recreation and Economic Development.

Assembly Bill 932

Relating to popular election, organization and affairs of the public service commission and providing a penalty.

By Representatives Barczak, Vanderperren, Rooney, Menos, Matty, Schmidt, McEssy, Bradley, Kirby, Merkt, Larson, Tesmer, Hauke and Shabaz.

To committee on Energy.

Assembly Bill 933

Relating to the age requirement for police and fire chiefs in 1st class cities.

By Representatives Broydrick, Coggs, Lee, Ulichny, Kirby, Becker and Leopold, co-sponsored by Senators Swan, Moody and Braun.

To committee on Local Affairs.

Assembly Bill 934

Relating to the provision of medical assistance by and licensure of nursing homes.

By Representative Otte, by request of Wisconsin Association of Nursing Homes.

To committee on Health and Social Services.

Assembly Bill 935

Relating to waiver of rules regulating nursing homes.

By Representative Otte, by request of Wisconsin Association of Nursing Homes.

To committee on Health and Social Services.

Assembly Bill 936

Relating to authorizing staff members of long-term care facilities to initiate emergency protective placement procedures for residents.

By Representative Otte, by request of Wisconsin Association of Nursing Homes.

To committee on Health and Social Services.

Assembly Bill 937

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

By Representatives Loftus, Kedrowski, Munts, Broydrick, Soucie, Ulichny, Metz, Becker, Clarenbach and McClain.

To committee on Environmental Resources.

Assembly Bill 938

Relating to the issuance of bonds by school districts.

By Representatives Flintrop and Vanderperren.

To committee on Education.

Assembly Bill 939

Relating to notice of public liability insurance in retail instalment contracts for motor vehicles.

By Representatives Roberts, Shoemaker, Hasenohrl, Kirby, R. Travis, Medinger, Plewa, Otte, Swoboda, Tuczynski, Ferrall, Prosser, Thompson, Lewison, Stitt, Laatsch, DeLong, Gerlach and Lorman.

To committee on Financial Institutions.

Assembly Bill 940

Relating to the sale of fermented malt beverage and intoxicating liquor on vessels carrying passengers.

By Representatives Roberts and Medinger, co-sponsored by Senator Offner, by request of Big Indian Boat Line (LaCrosse Queen).

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To committee on Excise and Fees.

Assembly Bill 941

Relating to the priority of mechanic's liens.

By Representatives Vanderperren, Thompson, Bradley, Conradt, Kincaid and Porter, co-sponsored by Senators Van Sistine and Chilsen.

To committee on Commerce and Consumer Affairs.

Assembly Bill 942

Relating to permitting emergency medical information on driver's license.

By Representative Ward.

To committee on Highways.

COMMITTEE REPORTS

The committee on Enrolled Bills reports and recommends:

Assembly Bill 28

Assembly Bill 187

Assembly Bill 190

Assembly Bill 224

Assembly Bill 558

Correctly enrolled.

JOSEPH ANDREA
Chairperson

MOTIONS

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 437** be withdrawn from the Joint Committee on Finance and placed at the foot of the twelfth order of business on the calendar of Wednesday, October 10.

Representative Shabaz objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 437** be withdrawn from the Joint Committee on Finance and placed at the foot of the twelfth order of business on the calendar of Wednesday, October 10.

Representative Shabaz withdrew his objection.

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Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 437** be withdrawn from the Joint Committee on Finance and placed at the foot of the twelfth order of business on the calendar of Wednesday, October 10. Granted.

CALENDAR OF WEDNESDAY, OCTOBER 10, 1979

Assembly Resolution 17

Granting the use of the assembly chambers on April 26, 1980, to the 1980 Model Legislature of the Distributive Education Clubs of America.

The question was: Shall **Assembly Resolution 17** be adopted?

Motion carried.

SPECIAL ORDER OF BUSINESS AT 10:01 A.M.
ON WEDNESDAY, OCTOBER 10, 1979

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.

The question was: Shall assembly amendment 1 to senate amendment 1 to **Assembly Bill 258** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Norquist, Otte, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Travis, D., Travis, R., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward and Mr. Speaker -- 54.

Noes -- Barczak, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Harer, Harsdorf, Hauke, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis,

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Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Murray, Nelsen, Omernick, Pabst, Paulson, Porter, Prosser, Radtke, Robertson, Schmidt, Shabaz, Snyder, Stitt, Tesmer, Thompson, Wood and Young -- 43.

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

Motion carried.

Representative Soucie moved rejection of assembly amendment 2 to senate amendment 1 to **Assembly Bill 258**.

The question was: Shall assembly amendment 2 to senate amendment 1 to **Assembly Bill 258** be rejected?

The roll was taken.

The result follows:

Ayes -- Barry, Becker, Broydrick, Clarenbach, Coggs, Czerwinski, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Metz, Miller, Munts, Murray, Norquist, Otte, Plewa, Potter, Roberts, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Tuczynski, Ulichny, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 48.

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

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

Motion failed.

Representative Soucie moved that assembly amendment 2 to senate amendment 1 to **Assembly Bill 258** be laid on the table.

The question was: Shall assembly amendment 2 to senate amendment 1 to **Assembly Bill 258** be laid on the table?

The roll was taken.

The result follows:

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Ayes -- Andrea, Barry, Becker, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Helbach, Johnson, Kedrowski, Kincaid, Kirby, 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., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 53.

Noes -- Barczak, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Harer, Harsdorf, Hauke, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Nelsen, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Robertson, Schmidt, Shabaz, Snyder, Stitt, Swoboda, Thompson, Travis, R. and Young -- 44.

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

Motion carried.

LEAVES OF ABSENCE

Representative Thompson asked unanimous consent for a leave of absence for today's session and tomorrow's session for Representative Tregoning. Granted.

Representative Shabaz moved nonconcurrency in senate amendment 1 to **Assembly Bill 258**.

The question was: Shall senate amendment 1 to **Assembly Bill 258** be nonconcurrent in?

The roll was taken.

The result follows:

Ayes -- Barczak, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Harer, Harsdorf, Hauke, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Nelsen, Omernick, Pabst, Paulson, Porter, Prosser, Radtke, Robertson, Schmidt, Shabaz, Snyder, Stitt, Thompson, Travis, R. and Young -- 41.

Noes -- Andrea, Barry, Becker, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop,

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Gerlach, Hasenohrl, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 56.

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

Motion failed.

Representative Shabaz moved that senate amendment 1 to **Assembly Bill 258** be laid on the table.

The question was: Shall senate amendment 1 to **Assembly Bill 258** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Barczak, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Dorff, Ellis, Gagin, Goodrich, Harer, Harsdorf, Hauke, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Nelsen, Omernick, Pabst, Paulson, Porter, Prosser, Radtke, Robertson, Schmidt, Shabaz, Snyder, Stitt, Thompson, Travis, R. and Young -- 42.

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

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

Motion failed.

Speaker pro tempore Kedrowski in the chair.

The question was: Shall senate amendment 1 to **Assembly Bill 258** be concurred in?

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The roll was taken.

The result follows:

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

Noes -- Barczak, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Everson, Gagin, Goodrich, Harer, Harsdorf, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Nelsen, Omernick, Pabst, Paulson, Porter, Prosser, Radtke, Robertson, Schmidt, Shabaz, Snyder, Stitt, Thompson, Travis, R. and Young -- 42.

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

Motion carried.

Assembly Joint Resolution 46

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

Representative Wahner asked unanimous consent that **Assembly Joint Resolution 46** be laid on the table. Granted.

Assembly Bill 770

Relating to revision of requirements for official newspapers in 4th class cities.

The question was: Shall **Assembly Bill 770** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 770** be given a third reading. Granted.

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The question was: **Assembly Bill 770** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conratt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, 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., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 95.

Noes -- Laatsch -- 1.

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

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 770** be immediately messaged to the senate. Granted.

Assembly Bill 787

Relating to exemption from public inspection requirements of building plans submitted to the department of industry, labor and human relations.

Representative Wahner asked unanimous consent that **Assembly Bill 787** be placed at the foot of the twelfth order of business on the calendar of Wednesday, October 10. Granted.

Assembly Bill 376

Relating to closing hours for premises for which an intoxicating liquor license is issued.

The question was: Shall **Assembly Bill 376** be ordered engrossed and read a third time?

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Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 376** be given a third reading. Granted.

Representative McClain moved indefinite postponement of **Assembly Bill 376**.

The question was: Shall **Assembly Bill 376** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Barry, Becker, Broydrick, Clarenbach, Coggs, DeLong, Dorff, Duren, Everson, Gagin, Gerlach, Goodrich, Harer, Harsdorf, Hasenohrl, Helbach, Johnson, Kincaid, Klicka, Laatsch, Lee, Leopold, Lingren, Loftus, Lorman, Luckhardt, McClain, Matty, Medinger, Menos, Metz, Miller, Munts, Murray, Nelsen, Norquist, Paulson, Plewa, Prosser, Quackenbush, Radtke, Roberts, Rooney, Rutkowski, Schneider, Shabaz, Shoemaker, Smith, Soucie, Stitt, Tesmer, Thompson, Tuczynski, Ulichny, Wagner, Wahner, Ward, Wood and Young -- 59.

Noes -- Andrea, Barczak, Bradley, Byers, Conradt, Czerwinski, Dilweg, Donoghue, Ellis, Ferrall, Fischer, Flintrop, Hauke, Hephner, Hopkins, Kedrowski, Kirby, Lallensack, Larson, Lewis, Lewison, McEssy, Merkt, Omernick, Otte, Pabst, Porter, Potter, Robertson, Rogers, Schmidt, Snyder, Swoboda, Travis, D., Travis, R., Vanderperren and Mr. Speaker -- 37.

Absent or not voting -- Behnke, Ladwig and Tregoning -- 3.

Motion carried.

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

Representative Kirby in the chair.

Assembly Bill 401

Relating to retail liquor licenses for restaurants of historical significance.

Representative Smith moved rejection of assembly amendment 1 to **Assembly Bill 401**.

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The question was: Shall assembly amendment 1 to **Assembly Bill 401** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Bradley, Broydrick, Clarenbach, Coggs, Duren, Everson, Fischer, Gagin, Gerlach, Helbach, Hephner, Hopkins, Johnson, Kincaid, Lee, Lewison, Lingren, Loftus, Lorman, Matty, Medinger, Menos, Merkt, Metz, Murray, Omernick, Otte, Plewa, Porter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Schmidt, Schneider, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Ulichny, Vanderperren, Ward, Young and Mr. Speaker -- 52.

Noes -- Byers, Conradt, DeLong, Dilweg, Donoghue, Dorff, Ellis, Ferrall, Flintrop, Goodrich, Harer, Harsdorf, Hasenohrl, Hauke, Kedrowski, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Leopold, Lewis, Luckhardt, McClain, McEssy, Miller, Munts, Nelsen, Pabst, Paulson, Potter, Rutkowski, Shabaz, Snyder, Stitt, Swoboda, Thompson, Travis, R., Tuczynski, Wagner, Wahner and Wood -- 43.

Absent or not voting -- Behnke, Czerwinski, Norquist and Tregoning -- 4.

Motion carried.

Representative Duren asked unanimous consent to be recorded as voting "Aye" on rejection of assembly amendment 20 to assembly substitute amendment 1 to Assembly Bill 293 on Tuesday, October 9. Granted.

Representative Pabst asked unanimous consent to be recorded on the following questions from Tuesday, October 9. Granted.

Shall Assembly Bill 499 pass? Aye

Shall Assembly Bill 578 pass? Aye

Shall Assembly Bill 589 be referred to the committee on Judiciary? No

Shall Assembly Bill 589 be indefinitely postponed? No

Shall Assembly Bill 599 pass? Aye

Shall Assembly Bill 608 pass? Aye

Shall Assembly Bill 631 pass? Aye

Shall assembly amendment 3 to Assembly Bill 690 be rejected?

No

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Shall assembly amendment 3 to Assembly Bill 690 be laid on the table? No

Shall assembly amendment 3 to Assembly Bill 690 be adopted?
Aye

Shall Assembly Bill 690 pass? Aye

Shall Assembly Bill 737 pass? Aye

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

The assembly stood recessed.

12:05 P.M.

RECESS

2:05 P.M.

The assembly reconvened.

Speaker Jackamonis in the chair.

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 - Behnke and Tregoning.

Members absent without leave - Bradley, Ellis, Flintrop and Snyder.

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

LEAVES OF ABSENCE

Representative Shabaz asked unanimous consent for a leave of absence for the balance of today's session for Representative Ellis. Granted.

Representative Dorff moved indefinite postponement of Assembly Bill 401.

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Assembly amendment 2 to **Assembly Bill 401** offered by Representative Kedrowski.

Representative Dorff moved rejection of assembly amendment 2 to **Assembly Bill 401**.

Representative Kedrowski asked unanimous consent that **Assembly Bill 401** be placed at the foot of the twelfth order of business on the calendar of Wednesday, October 10. Granted.

Assembly Bill 407

Relating to the use of certified mail for certain tax notices.

Representative Thompson asked unanimous consent that **Assembly Bill 407** be laid on the table. Granted.

Assembly Bill 443

Relating to requiring a conversion option for group disability insurance policies and granting rule-making authority.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 443** offered by Representatives Thompson, Rogers, DeLong and Pabst.

Representative Schneider moved rejection of assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 443**.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 443** be rejected?

The roll was taken.

The result follows:

Ayes -- Becker, Clarenbach, Coggs, Ferrall, Johnson, Kedrowski, Kirby, Lee, Leopold, Loftus, McClain, Metz, Miller, Munts, Norquist, Otte, Prosser, Roberts, Schneider, Soucie and Ward -- 21.

Noes -- Andrea, Barczak, Barry, Bradley, Byers, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Everson, Fischer, Gagin, Gerlach, Goodrich, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Kincaid, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lewis, Lewison, Lingren, Lorman, Luckhardt, McEssy, Matty, Medinger, Menos, Merkt, Murray, Nelsen, Omernick, Pabst, Paulson, Plewa, Porter, Potter, Quackenbush, Radtke, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Shabaz, Shoemaker, Smith, Snyder, Stitt, Swoboda,

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Tesmer, Thompson, Travis, D., Travis, R., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood, Young and Mr. Speaker -- 73.

Absent or not voting -- Behnke, Broydrick, Ellis, Flintrop and Tregoning -- 5.

Motion failed.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 443** be adopted?

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 443** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 443** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 443** be given a third reading. Granted.

Representative Kirby in the chair.

The question was: **Assembly Bill 443** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop, 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, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Norquist, Otte, Pabst, Paulson, Plewa, Porter, Potter, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Soucie, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tuczynski, Ulichny,

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Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 91.

Noes -- Hopkins, Omernick, Prosser and Shabaz -- 4.

Absent or not voting -- Behnke, Ellis, Snyder and Tregoning -- 4.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 443** be immediately messaged to the senate. Granted.

Assembly Bill 437

Relating to minimum benefit levels for disability insurance policies, creating a disability insurance council and granting rule-making authority.

Representative Czerwinski asked unanimous consent that assembly amendments 1, 2, 3, 4 and 5 to assembly substitute amendment 1 to **Assembly Bill 437** be revived. Granted.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 437** be adopted?

Motion carried.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 437** be adopted?

Motion carried.

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 437** be adopted?

Motion carried.

Representative Czerwinski moved rejection of assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 437**.

The question was: Shall assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 437** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Broydrick, Clarenbach, Coggs, Czerwinski, Dilweg, Dorff, Everson, Ferrall, Fischer, Flintrop, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kincaid,

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Kirby, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 55.

Noes -- Byers, Conradt, DeLong, Donoghue, Duren, Gagin, Gerlach, Goodrich, Harer, Harsdorf, Hephner, Hopkins, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Nelsen, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Robertson, Shabaz, Stitt, Swoboda, Thompson, Travis, R. and Young -- 39.

Absent or not voting -- Behnke, Bradley, Ellis, Snyder and Tregoning -- 5.

Motion carried.

Representative Czerwinski moved rejection of assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 437**.

The question was: Shall assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 437** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Broydrick, Clarenbach, Coggs, Czerwinski, Donoghue, Dorff, Duren, Ferrall, Fischer, Flintrop, Hasenohrl, Hauke, Helbach, Hephner, Kedrowski, Kincaid, Kirby, Lallensack, Larson, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood and Mr. Speaker -- 55.

Noes -- Byers, Conradt, DeLong, Dilweg, Everson, Gagin, Gerlach, Goodrich, Harer, Harsdorf, Hopkins, Johnson, Klicka, Laatsch, Ladwig, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Nelsen, Omernick, Pabst, Paulson, Plewa, Porter, Prosser, Quackenbush, Radtke, Robertson, Schmidt, Shabaz, Stitt, Thompson, Travis, R., Ward and Young -- 39.

Absent or not voting -- Behnke, Bradley, Ellis, Snyder and Tregoning -- 5.

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Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 437** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 437** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lingren, Loftus, Lorman, McClain, McEssy, Matty, Medinger, Menos, Metz, Miller, Munts, Murray, Nelsen, Norquist, Otte, Pabst, Paulson, Plewa, Porter, Potter, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Soucie, Stitt, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 80.

Noes -- Goodrich, Harer, Hopkins, Klicka, Lewis, Lewison, Luckhardt, Merkt, Omernick, Prosser, Robertson, Shabaz, Thompson and Travis, R. -- 14.

Absent or not voting -- Behnke, Bradley, Ellis, Snyder and Tregoning -- 5.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 437** be given a third reading. Granted.

The question was: **Assembly Bill 437** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

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

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Goodrich, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, McClain, McEssy, Matty, Medinger, Menos, Metz, Miller, Munts, Murray, Nelsen, Norquist, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Soucie, Stitt, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 81.

Noes -- Conradt, Harer, Hopkins, Klicka, Luckhardt, Merkt, Omernick, Paulson, Prosser, Robertson, Shabaz, Thompson and Travis, R. -- 13.

Absent or not voting -- Behnke, Bradley, Ellis, Snyder and Tregoning -- 5.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 437** be immediately messaged to the senate. Granted.

Assembly Bill 787

Relating to exemption from public inspection requirements of building plans submitted to the department of industry, labor and human relations.

Representative Wahner asked unanimous consent that **Assembly Bill 787** be made a special order of business at 10:00 A.M. on Thursday, October 11. Granted.

Assembly Bill 401

Relating to retail liquor licenses for restaurants of historical significance.

Representative Dorff asked unanimous consent that assembly amendment 2 to **Assembly Bill 401** be placed after assembly amendment 3 to **Assembly Bill 401**. Granted.

Assembly amendment 3 to **Assembly Bill 401** offered by Representative Kedrowski.

The question was: Shall assembly amendment 3 to **Assembly Bill 401** be adopted?

Motion carried.

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The question was: Shall assembly amendment 2 to **Assembly Bill 401** be adopted?

Motion carried.

Assembly amendment 4 to **Assembly Bill 401** offered by Representative Wood.

The question was: Shall assembly amendment 4 to **Assembly Bill 401** be adopted?

Motion carried.

Representative Lorman moved indefinite postponement of **Assembly Bill 401**.

The question was: Shall **Assembly Bill 401** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, DeLong, Everson, Goodrich, Harer, Harsdorf, Hasenohrl, Hephner, Klicka, Ladwig, Leopold, Lorman, Luckhardt, McClain, Matty, Nelsen, Norquist, Omernick, Pabst, Paulson, Porter, Quackenbush, Robertson, Rogers, Schneider, Shabaz, Stitt, Thompson, Tuczynski, Ward and Wood -- 32.

Noes -- Barczak, Becker, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dilweg, Donoghue, Dorff, Duren, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Hauke, Helbach, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Laatsch, Lallensack, Larson, Lee, Lewis, Lewison, Lingren, Loftus, McEssy, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Otte, Plewa, Potter, Prosser, Radtke, Roberts, Rooney, Rutkowski, Schmidt, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Travis, R., Ulichny, Vanderperren, Wagner, Wahner, Young and Mr. Speaker -- 62.

Absent or not voting -- Behnke, Bradley, Ellis, Snyder and Tregoning -- 5.

Motion failed.

The question was: Shall **Assembly Bill 401** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

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Ayes -- Barczak, Becker, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dilweg, Donoghue, Dorff, Duren, Ferrall, Flintrop, Gerlach, Hauke, Helbach, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, McEssy, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Otte, Pabst, Plewa, Potter, Radtke, Roberts, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Travis, R., Ulichny, Vanderperren, Wagner, Wahner, Young and Mr. Speaker -- 62.

Noes -- Andrea, Barry, DeLong, Everson, Fischer, Gagin, Goodrich, Harer, Harsdorf, Hasenohrl, Hephner, Klicka, Lorman, Luckhardt, McClain, Matty, Nelsen, Norquist, Omernick, Paulson, Porter, Prosser, Quackenbush, Robertson, Rogers, Schmidt, Shabaz, Stitt, Thompson, Tuczynski, Ward and Wood -- 32.

Absent or not voting -- Behnke, Bradley, Ellis, Snyder and Tregoning -- 5.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 401** be given a third reading. Granted.

The question was: **Assembly Bill 401** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Barczak, Becker, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dilweg, Donoghue, Dorff, Duren, Ferrall, Flintrop, Gerlach, Hauke, Helbach, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Lallensack, Larson, Lee, Lewis, Lewison, Lingren, Loftus, McEssy, Medinger, Merkt, Metz, Miller, Munts, Murray, Otte, Plewa, Potter, Prosser, Radtke, Roberts, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Tesmer, Travis, D., Travis, R., Ulichny, Vanderperren, Wagner, Wahner, Young and Mr. Speaker -- 59.

Noes -- Andrea, Barry, DeLong, Everson, Fischer, Gagin, Goodrich, Harer, Harsdorf, Hasenohrl, Hephner, Ladwig, Leopold, Lorman, Luckhardt, McClain, Matty, Menos, Nelsen, Norquist, Omernick, Pabst, Paulson, Porter, Quackenbush, Robertson, Rogers, Schmidt, Shabaz, Stitt, Swoboda, Thompson, Tuczynski, Ward and Wood -- 35.

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Absent or not voting -- Behnke, Bradley, Ellis, Snyder and Tregoning -- 5.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 401** be immediately messaged to the senate. Granted.

Senate Bill 17

Relating to assessment appeals in counties with a county assessor system.

The question was: Shall **Senate Bill 17** be ordered to a third reading?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 17** be given a third reading. Granted.

The question was: **Senate Bill 17** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, 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, Soucie, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 94.

Noes -- None.

Absent or not voting -- Behnke, Bradley, Ellis, Snyder and Tregoning -- 5.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 17** be immediately messaged to the senate. 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:

Fourth and fifth grade students from Sunset School in Oshkosh, accompanied by Sharon Balinski, Mrs. Marilyn Johnson, Mrs. Ginny Wilkins, Mrs. Karen Luethy, Mrs. Mary Klein and Mr. Ed Everson, guests of Representatives Bradley and Flintrop.

Twenty-two students from Appleton East High School and twelve students from Spain accompanied by Bob Simonson, guests of Representatives Prosser and Rogers.

Third and fourth grade students from Neosho, guests of Representative Luckhardt.

Representative Wahner 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.

3:45 P.M.