

JOURNAL OF THE ASSEMBLY [October 24, 1979]

STATE OF WISCONSIN

# Assembly Journal

Eighty-Fourth Regular Session

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WEDNESDAY, October 24, 1979.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Chaplain Jane Redmont of Saint Paul's Chapel University Catholic Center, 723 State Street, Madison.

Representative Plewa 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, Conratt, 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 amendment 1 to assembly substitute amendment 1 to **Assembly Bill 169** offered by Joint Committee on Finance.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 169** offered by Joint Committee on Finance.

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 169** offered by Joint Committee on Finance.

Assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 169** offered by Joint Committee on Finance.

Assembly substitute amendment 1 to **Assembly Bill 682** offered by committee on Highways.

Assembly substitute amendment 1 to **Assembly Bill 713** offered by Representatives Barry, Smith, Harsdorf, Swoboda, Fischer, Tregoning, Shoemaker, Merkt, Laatsch, Paulson and Hasenohrl.

Assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 731** offered by Representative Hopkins.

Assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 731** offered by Representative Young.

Assembly amendment 7 to assembly substitute amendment 1 to **Assembly Bill 731** offered by Representative Wood.

Assembly substitute amendment 1 to **Assembly Bill 742** offered by committee on State Affairs.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 840** offered by Joint Committee on Finance.

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INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

**Assembly Joint Resolution 89**

Memorializing Congress to direct the Veterans Administration and the Department of Defense to seek out and assist those veterans who were exposed to the herbicide "Agent Orange" during the Vietnam era.

By Representative Loftus.

To committee on Veterans and Military Affairs.

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**Assembly Bill 1005**

Relating to the deduction from income of private pension payments for purposes of calculating homestead tax credit benefits.

By Representatives Donoghue, Luckhardt, Larson, Robertson, Lewison and Bradley, co-sponsored by Senator Krueger.

To committee on Revenue.

**Assembly Bill 1006**

Relating to providing funding to senior center facilities for liability insurance for the employes and volunteers.

By Representatives Donoghue, Kincaid, Vanderperren and Lallensack, co-sponsored by Senator Krueger.

To committee on Health and Social Services.

**Assembly Bill 1007**

Relating to local sales taxes.

By Representative Donoghue, co-sponsored by Senator Krueger.

To committee on Local Affairs.

**Assembly Bill 1008**

Relating to the detention of juvenile delinquents and providing a penalty.

By Representatives Donoghue, Bradley, Merkt, Matty, Ladwig, Robertson, Hopkins, Thompson, Goodrich, Luckhardt, Byers, Larson, Kedrowski, Quackenbush, Lewison, Porter and Radtke, co-sponsored by Senator Krueger.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 1009**

Relating to use of herbicides by utilities on privately owned land.

By Representatives Donoghue, Byers, Radtke, Schneider, Shabaz, Merkt, Stitt, Robertson, Thompson, Goodrich and Lewis, co-sponsored by Senator Krueger.

To committee on Environmental Resources.

**Assembly Bill 1010**

Relating to hunting from airplanes and using airplanes for hunting and increasing penalties.

By Representatives Rogers, Vanderperren and Schmidt.

To committee on Tourism, Recreation and Economic Development.

**Assembly Bill 1011**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employes Union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, for the

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1979-81 biennium, covering employes in the clerical and related collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.

To calendar.

**Assembly Bill 1012**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employes Union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, for the 1979-81 biennium, covering employes in the blue collar and nonbuilding trades collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.

To calendar.

**Assembly Bill 1013**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employes Union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, for the 1979-81 biennium, covering employes in the security and public safety collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.

To calendar.

**Assembly Bill 1014**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employes Union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, for the 1979-81 biennium, covering employes in the technical collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.

To calendar.

**Assembly Bill 1015**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employes Union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, for the 1979-81 biennium, covering employes in the professional research, statistics and analysis collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.

To calendar.

**Assembly Bill 1016**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employees Union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, for the 1979-81 biennium, covering employees in the professional social services collective bargaining unit, funding certain data processing costs, authorizing an expenditure of funds and making an appropriation.

By Joint Committee on Employment Relations.

To calendar.

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COMMITTEE REPORTS

The committee on Government Operations reports and recommends:

**Assembly Bill 321**

Relating to governmental practices regarding personal information, granting rule-making authority and providing penalties.

Adoption of assembly amendment 1:

Ayes: (7) Noes: (0)

Adoption of assembly amendment 2:

Ayes: (7) Noes: (0)

Passage: Ayes: (7) Noes: (2)

To Joint Committee on Finance.

PHILLIP TUCZYNSKI

Chairperson

The committee on Revenue reports and recommends:

**Assembly Bill 866**

Relating to a 4-year phase-in of a 60% income tax deduction for capital gains and relating to capital gains taxation on home sales by persons leaving Wisconsin.

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

To Joint Committee on Finance.

MARLIN SCHNEIDER

Chairperson

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LEAVES OF ABSENCE

Representative Wahner asked unanimous consent for a leave of absence for Representatives Behnke and Clarenbach. Granted.

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CALENDAR OF WEDNESDAY, OCTOBER 24, 1979

**Assembly Bill 522**

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

The question was: Shall senate amendment 1 to **Assembly Bill 522** be concurred in?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 522** be immediately messaged to the senate. Granted.

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MOTIONS

Representative Plewa moved reconsideration of the vote by which **Assembly Bill 757** was ordered to a third reading. Entered.

Representative Shabaz moved that the rules be suspended and that the motion for reconsideration of the vote by which **Assembly Bill 757** was ordered to a third reading be taken up at this time.

Speaker pro tempore Kedrowski in the chair.

The question was: Shall the rules be suspended and the motion for reconsideration of the vote by which **Assembly Bill 757** was ordered to a third reading be taken up at this time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Gagin, Goodrich, Harer, Harsdorf, Hasenohrl, Hauke, Hephner, Hopkins, Kincaid, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lewis, Lewison, Lingren, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Miller, Murray, Nelsen, Omernick, Pabst, Paulson, Porter, Potter, Prosser, Quackenbush, Radtke, Robertson, Rogers, Rooney,

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Rutkowski, Schmidt, Shabaz, Shoemaker, Snyder, Stitt, Swoboda, Thompson, Travis, R., Tregoning, Vanderperren, Wagner, Wood and Young -- 63.

Noes -- Barry, Becker, Broydrick, Clarenbach, Coggs, Czerwinski, Ferrall, Fischer, Flintrop, Gerlach, Helbach, Johnson, Kedrowski, Kirby, Lee, Leopold, Loftus, McClain, Medinger, Metz, Munts, Norquist, Otte, Plewa, Roberts, Schneider, Smith, Soucie, Tesmer, Travis, D., Tuczynski, Ulichny, Wahner, Ward and Mr. Speaker -- 35.

Absent or not voting -- Behnke -- 1.

Motion failed.

**Assembly Bill 731**

Relating to prohibiting counties, cities, villages, towns and public school districts from imposing residency requirements on certain employes.

Representative Johnson moved that **Assembly Bill 731** be referred to the committee on Education.

The question was: Shall **Assembly Bill 731** be referred to the committee on Education?

The roll was taken.

The result follows:

Ayes -- Becker, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Everson, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Harer, Helbach, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lewison, Loftus, Lorman, Luckhardt, McClain, Matty, Medinger, Metz, Munts, Norquist, Pabst, Plewa, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rogers, Shoemaker, Smith, Snyder, Soucie, Stitt, Travis, D., Travis, R., Tregoning, Ulichny, Vanderperren, Wagner, Wahner, Ward and Young -- 56.

Noes -- Andrea, Barczak, Barry, Bradley, Dilweg, Donoghue, Dorff, Duren, Ellis, Ferrall, Harsdorf, Hasenohrl, Hauke, Hephner, Klicka, Laatsch, Ladwig, Larson, Lewis, Lingren, McEssy, Menos, Merkt, Miller, Murray, Nelsen, Omernick, Otte, Paulson, Porter, Potter, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Swoboda, Tesmer, Thompson, Tuczynski, Wood and Mr. Speaker -- 42.

Absent or not voting -- Behnke -- 1.

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Motion carried.

**Assembly Bill 232**

Relating to local license or permit fees for milk distributors and dairy plants.

The question was: Shall **Assembly Bill 232** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bradley, Broydrick, Clarenbach, Coggs, DeLong, Donoghue, Dorff, Duren, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kincaid, Kirby, Klicka, Laatsch, Lallensack, Larson, Lee, Leopold, Lewison, Loftus, Lorman, Luckhardt, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Murray, Nelsen, Pabst, Paulson, Plewa, Porter, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Stitt, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Ward, Wood, Young and Mr. Speaker -- 75.

Noes -- Byers, Conradt, Czerwinski, Dilweg, Ellis, Everson, Gagin, Hopkins, Kedrowski, Ladwig, Lewis, Lingren, McClain, Munts, Norquist, Omernick, Otte, Potter, Prosser, Travis, D. and Wahner -- 21.

Absent or not voting -- Becker, Behnke and Soucie -- 3.

Motion carried.

**Assembly Bill 502**

Relating to town authority to combine or designate as part-time certain town offices.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 502** offered by Representatives Schmidt and Vanderperren.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 502** be adopted?

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 502** be adopted?



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Motion carried.

The question was: Shall **Assembly Bill 502** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 502** be given a third reading. Granted.

The question was: **Assembly Bill 502** 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, 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.

Noes -- None.

Absent or not voting -- Behnke -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 502** be immediately messaged to the senate. Granted.

### **Assembly Bill 554**

Relating to boathouses and houseboats on navigable waterways, granting rule-making authority and providing a penalty.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 554** be adopted?

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Motion carried.

The question was: Shall **Assembly Bill 554** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 554** be given a third reading. Granted.

The question was: **Assembly Bill 554** 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, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Nelsen, Norquist, Omernick, Otte, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner and Ward -- 89.

Noes -- Hephner, Hopkins, Lewis, Murray, Pabst and Wood -- 6.

Absent or not voting -- Behnke, Schmidt, Young and Mr. Speaker -- 4.

Motion carried.

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

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 554** be immediately messaged to the senate. Granted.

### **Assembly Bill 717**

Relating to citizen initiative on changing town meeting location and calling a special town meeting.

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The question was: Shall assembly amendment 1 to **Assembly Bill 717** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 717** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 717** be given a third reading. Granted.

The question was: **Assembly Bill 717** 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, 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, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, 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 -- 96.

Noes -- Lewis and Miller -- 2.

Absent or not voting -- Behnke -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 717** be immediately messaged to the senate. Granted.

**Assembly Bill 738**

Relating to revision of the definition of "owner" under the uniform one- and 2-family dwelling code.

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The question was: Shall assembly amendment 1 to **Assembly Bill 738** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 738** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 738** be given a third reading. Granted.

Speaker Jackamonis in the chair.

Representative Wahner asked unanimous consent that **Assembly Bill 738** be placed at the foot of the twelfth order of business on today's calendar. Granted.

**Assembly Bill 750**

Relating to allowing hearsay testimony at preliminary examinations.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 750** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 750** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 750** be given a third reading. Granted.

The question was: **Assembly Bill 750** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Broydrick, Byers, Clarenbach, Conradt, Czerwinski, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Lingren, McClain, McEssy, Matty,

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Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Soucie, Stitt, Swoboda, Travis, D., Travis, R., Tuczynski, Ulichny, Vanderperren, Wahner, Wood, Young and Mr. Speaker -- 80.

Noes -- Bradley, Coggs, DeLong, Laatsch, Lewis, Loftus, Lorman, Luckhardt, Merkt, Nelsen, Omernick, Shabaz, Snyder, Tesmer, Thompson, Tregoning, Wagner and Ward -- 18.

Absent or not voting -- Behnke -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 750** be immediately messaged to the senate. Granted.

**Assembly Bill 792**

Relating to rights of witnesses and secrecy at grand juries.

Representative Wahner asked unanimous consent that **Assembly Bill 792** be placed at the foot of the twelfth order of business on today's calendar immediately following **Assembly Bill 738**. Granted.

**Assembly Bill 793**

Relating to contributing to the delinquency of a minor.

The question was: Shall **Assembly Bill 793** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 793** be given a third reading. Granted.

The question was: **Assembly Bill 793** 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, 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 -- 97.

Noes -- Coggs -- 1.

Absent or not voting -- Behnke -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 793** be immediately messaged to the senate. Granted.

#### **Assembly Bill 810**

Relating to the inmate capacity of the state reformatory.

The question was: Shall **Assembly Bill 810** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 810** be given a third reading. Granted.

The question was: **Assembly Bill 810** 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, 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, Wahner, Ward, Wood, Young and Mr. Speaker -- 98.

Noes -- None.

Absent or not voting -- Behnke -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 810** be immediately messaged to the senate. Granted.

**Assembly Bill 822**

Relating to theft of library material and providing penalties.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 822** offered by Representatives Prosser and Thompson.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 822** be adopted?

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 822** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 822** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 822** be given a third reading. Granted.

The question was: **Assembly Bill 822** 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, 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, 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 -- 97.

Noes -- Coggs -- 1.

Absent or not voting -- Behnke -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 822** be immediately messaged to the senate. Granted.

**Assembly Bill 894**

Relating to privileged communications involving an interpreter for a hearing impaired person.

The question was: Shall **Assembly Bill 894** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 894** be given a third reading. Granted.

The question was: **Assembly Bill 894** 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, 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,



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Noes -- None.

Absent or not voting -- Behnke -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 894** be immediately messaged to the senate. Granted.

**Assembly Bill 860**

Relating to financing sewerage costs of a metropolitan sewerage commission and a sewerage commission of a 1st class city.

The question was: Shall assembly amendment 1 to **Assembly Bill 860** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 860** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 860** be given a third reading. Granted.

The question was: **Assembly Bill 860** 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, Cogg, Conrath, 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,

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Noes -- None.

Absent or not voting -- Behnke -- 1.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 860** be immediately messaged to the senate. Granted.

**Assembly Bill 738**

Relating to revision of the definition of "owner" under the uniform one- and 2-family dwelling code.

Representative Ferrall asked unanimous consent that **Assembly Bill 738** be placed at the foot of the twelfth order of business on the calendar of Thursday, October 25. Granted.

**Assembly Bill 792**

Relating to rights of witnesses and secrecy at grand juries.

Representative Wahner asked unanimous consent that **Assembly Bill 792** be placed at the foot of the thirteenth order of business on today's calendar immediately following **Senate Bill 147**. Granted.

**Senate Bill 147**

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

Representative Shabaz asked unanimous consent that **Senate Bill 147** be placed at the foot of the thirteenth order of business on today's calendar immediately following **Assembly Bill 792**. Granted.

**Assembly Bill 792**

Relating to rights of witnesses and secrecy at grand juries.

Representative Wahner asked unanimous consent that **Assembly Bill 792** be placed at the head of the twelfth order of business on the calendar of Thursday, October 25. Granted.

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**Senate Bill 147**

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

Representative Shabaz asked unanimous consent that **Senate Bill 147** be placed after **Assembly Bill 792** on the calendar of Thursday, October 25.

Representative Wahner objected.

Representative Wahner asked unanimous consent that **Senate Bill 147** be made a special order of business at 10:01 A.M. on Thursday, October 25. Granted.

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LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly substitute amendment 1 to **Assembly Bill 497**

On page 2, line 23, delete "pars.," and substitute "pars.."

**Assembly Bill 964**

On page 3, line 18, after "~~the~~", insert "state treasurer.".

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VISITORS

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

Students from the junior class of Clinton High School, guests of Representative DeLong.

Students from the senior class of Oregon High School, guests of Representative Barry.

Students from St. Nicholas School in Freedom accompanied by Mr. Cook, guests of Representatives Conradt and Rogers.

Ruth Ann Py from Franklin, guest of Representative Rutkowski.

Connie Mullinix from Shorewood, guest of Representative Nelsen.

Marge Alexander from Milwaukee, guest of Representative Ulichny.

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

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The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

11:50 A.M.