

STATE OF WISCONSIN

Assembly Journal

Eightieth Regular Session

TUESDAY, October 19, 1971.

10:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Reverend William D. Simpson, pastor of St. Mark's Lutheran Church, 605 Spruce Street, Madison, Wisconsin.

Representative Gaulke led the membership in reciting the pledge of allegiance to the flag of the United States.

The roll was taken.

The result follows:

Present—Alberts, Anderson, Atkinson, Azim, Baldus, Barbee, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conradt, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Ferrall, Froehlich, Gaulke, Giese, Greider, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Klicka, Korpela, LaFave, Lewison, Menos, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Robertson, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicula, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Trenging, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—100.

Absent—None.

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INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1412

Relating to bicycle registration.

By Representatives Menos, McCormick and Pabst.

To committee on Municipalities.

Assembly Bill 1413

Relating to overtaking and passing of vehicles.

By Representative Pabst.

To committee on Highways.

COMMUNICATIONS

The State of Wisconsin
State Building Commission
State Office Building
Madison, 53702

October 13, 1971.

Mr. Thomas Fox
Assembly Chief Clerk
218-220 West Capitol
State Capitol
Madison, Wisconsin

Dear Mr. Fox:

On October 11, 1971, the Wisconsin State Building Commission passed the following motion at its formal meeting.

"Moved by Representative Vanderperren, seconded by Mr. Prince that the Wisconsin State Building Commission endorse **Assembly Bill 1368** with the proposed amendment that prevailing wage rates be applicable." The vote was as follows:

Ayes—Governor Lucey, Representatives Baldus, Vanderperren and Schowalter and Mr. Prince.

Noes—Senator Knutson.

As secretary of the Building Commission, I was instructed to transmit this information to the chief clerk

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of each house of the Wisconsin legislature and request that the endorsement be recorded in the official bulletin.

Sincerely,

PAUL L. BROWN,
Secretary.

**The State of Wisconsin
Department of Justice
Madison**

October 15, 1971.

To the Honorable, the Assembly
State Capitol
Madison, Wisconsin 53702

Gentlemen: **Senate Bill 216 (1971)**, if enacted into law, would remove the exemption of licensed cosmetologists from the Barber Code and require that shaping, cutting or singeing the hair of male patrons be performed by persons who have complied with the same apprenticeship and training standards of barbers. You inquire as to the constitutionality of the proposed law and whether it would conflict with either the Federal Civil Rights Act of 1964 or state equal opportunity laws.

The term "barbering" includes shaving; trimming the beard or cutting the hair; giving facial or scalp massages or treatments with oils, creams, lotions or other preparations, either by hand or mechanical appliances; singeing, shampooing, arranging, dressing or dyeing of the hair; applying hair tonics; applying cosmetic preparations, antiseptics, powders, oils, clay or lotion to the scalp, face or neck. Sec. 158.01, Stats.

The term "cosmetology" includes practices generally performed by beauty culturists, cosmeticians, cosmetologists or hairdressers including the arranging, dressing, curling, waving, cleansing, cutting, bleaching, coloring or similar work upon the hair of any person by any means, with hands or mechanical apparatus, or by the use of cosmetic preparations, antiseptics, tonics, lotions, creams or otherwise, and includes the massaging, cleansing, stimulating, manipulating, exercising, beautifying or similar work upon

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the scalp, face, neck, shoulders or hands, manicuring the nails of any person, or the removal of hair. Sec. 159.01 (1), Stats.

From the foregoing it will be observed that barbering and cosmetology practices are very similar. It has been said to be a matter of common knowledge that the trade of barbers and that of the cosmetologist are closely akin. 56 A.L.R. 2d 903. Ladies hair bobbing, in fact, is a branch of the barber business. *Words and Phrases*, "Barbering." A fundamental difference is that cosmetologists do not engage in the practice of shaving the face. 10 Am. Jur. 2d *Barbers and Cosmetologists* § 3.

Another difference between the two vocations involves licensing requirements. Essentially, a journeyman barber's license may be acquired only after a three-year apprenticeship. Sec. 158.10, Stats. An operator's license in cosmetology requires either a two-year apprenticeship or completion of a course of instruction of at least 1500 hours. Secs. 159.02 (3) and 159.08 (4) (a), Stats.

The right to follow any of the common occupations of life has been deemed to be an inalienable right by the United States Supreme Court. *Allgeyer v. State of Louisiana* (1897), 165 U.S. 578, 17 S. Ct. 427, 41 L. ed. 832. However, the occupation of cosmetology and of barbering are subject to regulation under the police power of the state since both are trades which operate directly on a person and directly affect health, comfort and safety of the public. 10 Am. Jur. 2d *Barbers and Cosmetologists* § 2. Our State Supreme Court has indicated that the code regulating these vocations is more than a health law in that it concerns safety and general welfare of the public as well. *Toebe Academy of Beauty Culture v. Kelly* (1941), 239 Wis. 103, 300 N.W. 476.

The constitutional validity of regulations enacted under the police power of the state depends on whether such regulations are reasonably conducive to securing and protecting public health, safety and welfare. 10 Am. Jur. 2d *Barbers and Cosmetologists* § 1. Thus, a provision of the Illinois Barbers Act denying beauty culturists the right to cut hair without a barber's license was held to be an unreasonable requirement in violation of the Due Process Clause of the Constitution because it had no definite re-

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lationship to public health, safety and welfare. *Banghart v. Walsh* (1930), 339 Ill. 132, 171 N.E. 154.

Similarly, a Minnesota statute which prohibited cosmetologists from cutting the hair of any person was found to be in violation of due process provisions of the Federal Constitution guaranteeing liberty of contract. The court said:

"It is undoubtedly true that the history of legislation pertaining to the regulation of the barber trade reveals not only the legitimate purpose to promote public health, safety and welfare but also the more questionable one of excluding the beauticians, so-called, from performing any of the work that can be brought within the definition of barber statutes."

The court noted that it was unreasonable to require time to be spent learning to shave men and trim their whiskers when such practices are entirely foreign to the beauty trade. *Johnson v. Ervin* (1939), 205 Minn. 84, 86, 285 N.W. 77.

A Michigan court observed that the art of barbering and hairdressing are both ancient occupations. The court held that haircutting and clipping incidental to hair styling was not within the meaning of the Barbering Act. *Jeffer v. Board of Examiners of Barbers* (1948), 320 Mich. 78, 30 N.W. 2d 445.

Senate Bill 216 (1971), in essence, would prevent males from patronizing today's so-called hairstylist. The proposed regulation would confine the practice of the cosmetic arts to women. In terms of public health, safety and welfare, the bill unreasonably discriminates against male persons and cosmetologists in contravention of the Fourteenth Amendment of the United States Constitution. Basic regulatory statutes are designed to protect the public, and should not be used for the primary purpose of restricting competition. *Wisconsin Collectors Asso. v. Thorp Finance Corp.* (1969), 43 Wis. 2d 229, 168 N.W. 2d 565.

Based on the foregoing, I am of the opinion that Senate Bill 216 (1971), if enacted into law, could not withstand a judicial test of constitutionality regardless of whether

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suit was brought in the form of a federal civil rights matter or a state equal opportunity action.

Sincerely yours,

ROBERT W. WARREN,
Attorney General.

CAPTION: Senate Bill 216 (1971) would be unconstitutional if enacted into law.

Department of State
Madison 53702

October 11, 1971.

To the Honorable, The Assembly:

Gentlemen: I have the honor to transmit to you, pursuant to section 13.67 (2), a list of registered lobbyists for the period beginning September 7, 1971, and ending on October 12, 1971.

Yours very truly,

ROBERT C. ZIMMERMAN,
Secretary of State.

Received and placed on file in the office of the chief clerk. Pursuant to Joint Rule 36 the list is printed in full in the senate journal only and appears there beginning on page 1932.

Department of State
Madison 2 Wisconsin

October 14, 1971.

To whom it may concern:

Dear Sir: Acts, joint resolution and resolutions, deposited in this office, have been numbered and published as follows:

Bill, Jt. Res. or Res.	Chapter No.	Publication Date
Senate Bill 213	100	October 11, 1971

Very truly yours,

ROBERT C. ZIMMERMAN,
Secretary of State.

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COMMITTEE REPORT

The committee on Enrolled Bills reports:

Assembly Bill 13,	Assembly Bill 527,
Assembly Bill 136,	Assembly Bill 583,
Assembly Bill 215,	Assembly Bill 734,
Assembly Bill 227,	Assembly Bill 1009 and
Assembly Bill 274,	Assembly Bill 1401.
Assembly Joint Resolution 4 and	
Assembly Joint Resolution 70.	

Correctly enrolled.

LLOYD A. BARBEE,
Chairman.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature
Know you by these presents:

Whereas, the Shawano County 4-H Leaders Association is celebrating its 25th anniversary; and,

Whereas, during the period from 1946 to 1971 this organization has provided youth programs for 21,008 young people in Shawano County; and

Whereas, 5,099 Shawano County adult leaders have dedicated their time, efforts and energies in an attempt to make this program meaningful and of assistance to the young people of our area; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Grover and Senator Chilsen, under Joint Rule 26, do commend the Shawano County 4-H Leaders Association and its present County 4-H agent, Don Schoedel, for the outstanding work they have done with the youth of Shawano County.

The question was: Adoption?
Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on the motion be immediately messaged to the senate. Granted.

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MOTIONS

Representative Jones asked unanimous consent that **Assembly Bill 1374** be withdrawn from the committee on Highways and be returned to its author. Granted.

Assembly Bill 922

Relating to requiring that abortions be performed by doctors in licensed maternity hospitals, and creating a penalty.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 922** be adopted?

Motion carried.

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 922** offered by Representative Schneider.

Representative Bultman moved rejection of assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 922**.

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 922** be rejected?

Motion carried.

Assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 922** offered by Representative Jackson.

Representative Bultman asked unanimous consent that assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 922** be laid on the table. Granted.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 922** be adopted?

The roll was taken.

The vote follows:

Ayes—Alberts, Atkinson, Baldus, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conradt, Day, Dorff, Duren, Early, Everson, Froehlich, Gaulke, Giese, Greider, Groshek, Hanna, Hanson, Helgeson, Hephner, Jackamonis,

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Jackson, Johnson W. A., Jones, Kafka, Kleczka, Klicka, Korpela, LaFave, Lewison, Menos, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mielke, Mohn, Molinaro, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Roberts, Rogers, Rutkowski, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—80.

Noes—Anderson, Barbee, Conta, Dueholm, Earl, Ellis, Ferrall, Grover, Guiles, Johnson G. K., Kessler, Miller, Mittness, Robertson, Sanasarian, Schneider and Sicula—17.

Absent or not voting—Azim, Czerwinski and Nager—3.

Motion carried.

Representative Mittness asked unanimous consent to be recorded as voting "Aye". Granted.

Representative Bultman asked unanimous consent that a chief clerk's correction be made in assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 922**, on page 1, line 18 strike the words "of hospitals". Granted.

Assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 922** offered by Representative Bultman.

The question was: Shall assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 922** be adopted?

Motion carried.

Representative Kessler asked unanimous consent that **Assembly Bill 922** be referred to committee on Judiciary.

Representative Shabaz objected.

Representative Kessler moved that **Assembly Bill 922** be referred to committee on Judiciary.

The question was: Shall **Assembly Bill 922** be referred to committee on Judiciary?

The roll was taken.

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The vote follows:

Ayes—Anderson, Barbee, Berger, Conta, Day, Dueholm, Earl, Ellis, Everson, Ferrall, Groshek, Grover, Guiles, Jackamonis, Johnson G. K., Kessler, Lewison, Looby, Luckhardt, Mielke, Miller, Nager, Oberle, Oestreicher, Rutkowski, Schneider, Sicula, Sweda and Thompson R. M.—29.

Noes—Alberts, Atkinson, Azim, Baldus, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conradt, Czerwinski, Dorff, Duren, Early, Froehlich, Gaulke, Giese, Greider, Hanna, Hanson, Helgeson, Hephner, Jackson, Johnson W. A., Jones, Kafka, Kleczka, Klicka, Korpela, LaFave, Menos, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mittness, Mohn, Molinaro, O'Malley, Orlich, Otte, Pabst, Quackenbush, Quinn, Robertson, Roberts, Rogers, Sanasarian, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Slaby, Stack, Stalbaum, Swoboda, Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—71.

Absent or not voting—None.

Motion failed.

Representative Kessler moved that **Assembly Bill 922** be indefinitely postponed.

The question was: Shall the bill be indefinitely postponed?

The roll was taken.

The vote follows:

Ayes—Anderson, Barbee, Bolle, Conta, Day, Dueholm, Earl, Ellis, Everson, Ferrall, Grover, Guiles, Jackamonis, Johnson G. K., Kessler, Lewison, Luckhardt, Mielke, Miller, Mittness, Molinaro, Nager, Oberle, Oestreicher, Robertson, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Thompson R. M. and Vanderperren—32.

Noes—Alberts, Atkinson, Azim, Baldus, Berger, Boeckmann, Bradley, Brown, Bultman, Byers, Conradt, Czerwinski, Dorff, Duren, Early, Froehlich, Gaulke, Giese, Greider, Groshek, Hanna, Hanson, Helgeson, Hephner, Jackson, Johnson W. A., Jones, Kafka, Kleczka, Klicka, Korpela, LaFave, Menos, Looby, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mohn, Orlich, Otte, Pabst, Quacken-

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bush, Quinn, Roberts, Rogers, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Slaby, Stack, Stalbaum, Swoboda, Thompson T. G., Tobiasz, Tregoning, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—67.

Absent or not voting—O'Malley—1.

Motion failed.

Representative Mittness asked unanimous consent to be recorded as voting "No". Granted.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 922 be given a third reading.

Representative Sicula objected.

Representative Kleczka moved that the rules be suspended and that Assembly Bill 922 be given a third reading.

The question was: Shall the rules be suspended and that Assembly Bill 922 be given a third reading?

The roll was taken.

The vote follows:

Ayes—Alberts, Atkinson, Azim, Baldus, Berger, Boeckmann, Bolle, Brown, Bultman, Byers, Dorff, Duren, Early, Froehlich, Gaulke, Giese, Greider, Groshek, Hanson, Helgeson, Hephner, Jackson, Johnson W. A., Jones, Kafka, Kleczka, Klicka, LaFave, Menos, Looby, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mittness, Mohn, Molinaro, O'Malley, Orlich, Otte, Pabst, Quackenbush, Robertson, Roberts, Rogers, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stack, Stalbaum, Swoboda, Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger and Mr. Speaker—67.

Noes—Anderson, Barbee, Bradley, Conradt, Conta, Czerwinski, Day, Dueholm, Earl, Ellis, Everson, Ferrall, Grover, Guiles, Hanna, Jackamonis, Johnson G. K., Kessler, Korpela, Lewison, Luckhardt, Mielke, Miller, Nager, Oberle, Oestrei-

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cher, Quinn, Rutkowski, Sicula, Slaby, Sweda, Thompson R. M. and Willkom—33.

Absent or not voting—None.

Motion carried.

The question was: This bill having been read three times, shall the bill pass?

The roll was taken.

The vote follows:

Ayes—Alberts, Atkinson, Azim, Baldus, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conradt, Czerwinski, Day, Dorff, Duren, Early, Everson, Froehlich, Gaulke, Giese, Greider, Groshek, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson W. A., Jones, Kafka, Kleczka, Klicka, Korpela, LaFave, Menos, Looby, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mielke, Mohn, Molinaro, O'Malley, Orlich, Otte, Pabst, Quackenbush, Quinn, Roberts, Rogers, Rutkowski, Sanasarian, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger and Mr. Speaker—77.

Noes—Anderson, Barbee, Conta, Dueholm, Earl, Ellis, Ferrall, Grover, Guiles, Johnson G. K., Kessler, Lewison, Luckhardt, Miller, Mittness, Nager, Oberle, Oestreicher, Robertson, Schneider, Sicula, Slaby and Willkom—23.

Absent or not voting—None.

Motion carried.

Representative Mittness asked unanimous consent to be recorded as voting "Aye". Granted.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 922 be immediately messaged to the senate.

Representative Kessler objected.

Representative Kleczka moved that the rules be suspended and that the assembly's action on Assembly Bill 922 be immediately messaged to the senate.

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The question was: Shall the rules be suspended and that the assembly's action on **Assembly Bill 922** be immediately messaged to the senate?

The roll was taken.

The vote follows:

Ayes—Alberts, Atkinson, Azim, Baldus, Berger, Boeckmann, Bolle, Brown, Bultman, Byers, Conradt, Dorff, Duren, Early, Everson, Froehlich, Gaulke, Giese, Greider, Groshek, Hanson, Helgeson, Hephner, Jackson, Johnson W. A., Jones, Kafka, Kleczka, Klicka, LaFave, Menos, Looby, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mielke, Mittness, Mohn, Molinaro, O'Malley, Orlich, Otte, Pabst, Quackenbush, Quinn, Robertson, Roberts, Rogers, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Shabaz, Stack, Stalbaum, Swoboda, Thompson T. G., Tobiasz, Trengoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger and Mr. Speaker—69.

Noes—Anderson, Barbee, Bradley, Conta, Czerwinski, Day, Dueholm, Earl, Ellis, Ferrall, Grover, Guiles, Hanna, Jackamonis, Johnson G. K., Kessler, Korpela, Lewison, Luckhardt, Miller, Nager, Oberle, Oestreicher, Rutkowski, Sanasarian, Sensenbrenner, Sricula, Slaby, Sweda, Thompson R. M. and Willkom—31.

Absent or not voting—None.

Motion carried.

Representative Anderson asked unanimous consent that **Assembly Bill 1057** be withdrawn from joint committee on Finance and be made a special order of business at 10:01 A.M., Thursday, October 21.

Representative Shabaz objected.

Representative Anderson moved the rules be suspended that **Assembly Bill 1057** be withdrawn from the committee on Finance and be made a special order of business at 10:01 A.M., Thursday, October 21.

Representative Shabaz asked unanimous consent to make a statement. Granted.

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The question was: Shall the rules be suspended that **Assembly Bill 1057** be withdrawn from the joint committee on Finance and be made a special order of business at 10:01 A.M., Thursday, October 21?

The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Hanna, Hanson, Hephner, Jackamomis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Menos, Looby, Lynn, McCormick, McEssy, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner and Mr. Speaker—63.

Noes—Alberts, Azim, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Kafka, Klicka, LaFave, Lewison, Luckhardt, McDougal, Mato, Merkel, Orlich, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicula, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox, Wilger and Willkom—37.

Absent or not voting—None.

Motion failed.

Representative Anderson asked unanimous consent that **Senate Bill 47** be withdrawn from the table and be taken up at this time. Granted.

Senate Bill 47

Relating to an authorization for the establishment of public library systems, the creation of a council on public library certificates and standards, and general recodification of library laws and making an appropriation.

Assembly amendment 1 to **Senate Bill 47** offered by Representative Atkinson.

Representative Earl moved rejection of assembly amendment 1 to **Senate Bill 47**.

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Assembly amendment 1 to assembly amendment 1 to **Senate Bill 47** offered by Representatives Shabaz, Merkel and Alberts.

Representative Conta moved rejection of assembly amendment 1 to assembly amendment 1 to **Senate Bill 47**.

POINT OF ORDER

Representative Merkel raised the point of order that **Senate Bill 47** must have an emergency statement attached.

Representative Merkel asked unanimous consent to withdraw his point of order. Granted.

Representative Shabaz moved that **Senate Bill 47** be referred according to Chapter 17, Section 2 of the 1971 Session Laws for a fiscal note on local fiscal effect.

The question was: Shall **Senate Bill 47** be referred for a fiscal note relative to local fiscal effect?

The roll was taken.

The vote follows:

Ayes—Alberts, Atkinson, Boeckmann, Bradley, Byers, Conradt, Ellis, Everson, Froehlich, Giese, Greider, Guiles, Helgeson, Hephner, Jackamonis, Kafka, Kleczka, Klicka, LaFave, Lewison, Looby, Luckhardt, Lynn, McDougal, Merkel, Mielke, Mohn, Nager, Pabst, Quackenbush, Quinn, Robertson, Rutkowski, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stack, Stalbaum, Sweda, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—47.

Noes—Anderson, Azim, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ferrall, Gaulke, Groshek, Grover, Hanna, Hanson, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Korpela, Menos, McCormick, McEssy, Mato, Miller, Mittness, Molinaro, O'Malley, Oberle, Oestreicher, Orlich, Otte, Roberts, Rogers, Sanasarian, Schneider, Sricula, Slaby, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—53.

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Absent or not voting—None.

Motion failed.

The question was: Shall assembly amendment 1 to assembly amendment 1 to Senate Bill 47 be rejected?

The roll was taken.

The vote follows:

Ayes—Anderson, Azim, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ferrall, Gaulke, Giese, Greider, Groshek, Grover, Hanna, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Korpela, Menos, McCormick, Mato, Mielke, Miller, Mittness, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sricula, Slaby, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—60.

Noes—Alberts, Atkinson, Boeckmann, Bradley, Byers, Conradt, Ellis, Everson, Froehlich, Guiles, Helgeson, Hephner, Kleczka, Klicka, LaFave, Lewison, Looby, Luckhardt, Lynn, McDougal, McEssy, Merkel, Mohn, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stack, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—39.

Absent or not voting—Kafka—1.

Motion carried.

The question was: Shall assembly amendment 1 be rejected?

The roll was taken.

The vote follows:

Ayes—Anderson, Azim, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Greider, Groshek, Grover, Hanna, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Klicka, Korpela, Menos, McCormick, McEssy, Mato, Mielke, Miller, Mittness, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sana-

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sarian, Schneider, Schroeder, Schwefel, Sicula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—65.

Noes—Alberts, Atkinson, Boeckmann, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Guiles, Helgeson, Hephner, Kafka, Kleczka, LaFave, Lewison, Looby, Luckhardt, Lynn, McDougal, Merkel, Mohn, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—35.

Absent or not voting—None.

Motion carried.

Assembly amendment 2 to Senate Bill 47 offered by Representative Atkinson.

Representative Oestreicher moved rejection of assembly amendment 2 to Senate Bill 47.

The question was: Shall assembly amendment 2 be rejected?

The roll was taken.

The vote follows:

Ayes—Anderson, Azim, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ferrall, Gaulke, Giese, Greider, Groshok, Grover, Hanna, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Menos, McCormick, McEssy, Mato, Mielke, Miller, Mittness, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Slaby, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—61.

Noes—Alberts, Atkinson, Boeckmann, Bradley, Byers, Conradt, Ellis, Everson, Froehlich, Guiles, Helgeson, Hephner, Kafka, Klicka, LaFave, Lewison, Looby, Luckhardt, Lynn, McDougal, Merkel, Mohn, Molinaro, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stack, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—39.

Absent or not voting—None.

Motion carried.

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Assembly amendment 3 to Senate Bill 47 offered by Representative Atkinson.

Representative Earl moved rejection of assembly amendment 3 to Senate Bill 47.

The question was: Shall assembly amendment 3 to Senate Bill 47 be rejected?

The roll was taken.

The vote follows:

Ayes—Anderson, Azim, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dueholm, Duren, Earl, Early, Ferrall, Gaulke, Giese, Greider, Grover, Hanna, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Menos, McCormick, McEssy, Mato, Mielke, Miller, Mittness, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—60.

Noes—Alberts, Atkinson, Boeckmann, Bradley, Byers, Conradt, Dorff, Ellis, Everson, Froehlich, Groshek, Guiles, Helgeson, Hephner, Kafka, Klicka, Korpela, LaFave, Lewison, Looby, Luckhardt, Lynn, McDougal, Merkel, Mohn, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—40.

Absent or not voting—None.

Motion carried.

Representative Bradley asked unanimous consent to read from a printed document. Granted.

Representative Shabaz moved that Senate Bill 47 be referred for a fiscal note relative to local fiscal effect.

The question was: Shall Senate Bill 47 be referred for a fiscal note relative to local fiscal effect?

The roll was taken.

The vote follows:

Ayes—Alberts, Atkinson, Boeckmann, Bradley, Byers,

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Conradt, Early, Ellis, Everson, Froehlich, Guiles, Helgeson, Hephner, Jackamonis, Kafka, Kleczka, Klicka, LaFave, Lewison, Looby, Luckhardt, Lynn, McDougal, Mato, Merkel, Mohn, Nager, Quackenbush, Quinn, Robertson, Roberts, Rogers, Rutkowski, Schowalter, Schricke, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Sweda, Swoboda, Thompson T. G., Tregoning, Wackett, Wilcox, Wilger and Willkom—48.

Noes—Anderson, Azim, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Ferrall, Gaulke, Giese, Greider, Groshek, Grover, Hanna, Hanson, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Korpela, Menos, McCormick, McEssy, Mielke, Miller, Mittness, Molinaro, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Sanasarian, Schneider, Sicula, Slaby, Stack, Thompson R. M., Tobiasz, Vanderperren, Wahner and Mr. Speaker—52.

Absent or not voting—None.

Motion failed.

The question was: Shall Senate Bill 47 be ordered to a third reading?

The roll was taken.

The vote follows:

Ayes—Anderson, Azim, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Byers, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Giese, Greider, Groshek, Grover, Hanna, Hanson, Helgeson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Menos, McEssy, Mato, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Quackenbush, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schwefel, Sensenbrenner, Sicula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Wilcox, Willkom and Mr. Speaker—68.

Noes—Alberts, Atkinson, Boeckmann, Bradley, Conradt, Ellis, Froehlich, Guiles, Hephner, Kafka, Klicka, LaFave, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, Merkel, Mielke, Pabst, Quinn, Robertson, Schowalter, Schricke, Schroeder, Shabaz, Stalbaum, Thompson T. G., Tre-

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goning, Wackett and Wilger—32.

Absent or not voting—None.

Motion carried.

Representative Azim asked unanimous consent to be recorded following the official roll calls of votes missed on October 15. Granted.

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

The assembly stood recessed.

12:05 P.M.

RECESS

2:25 P.M.

The assembly reconvened.

Representative Anderson asked unanimous consent that **Assembly Bill 1277** be withdraw from the committee on Municipalities and be taken up at this time.

Representative Nager objected.

Representative Lewison moved that the rules be suspended that **Assembly Bill 1277** be withdrawn from the committee on Municipalities and be taken up at this time.

Representative Shabaz moved 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.

Representative Anderson asked unanimous consent that the assembly proceed to other business. Granted.

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Representative Anderson asked unanimous consent that **Assembly Bill 742** be withdrawn from the committee on Environmental Quality and be taken up at this time. **Granted.**

Assembly Bill 742

Relating to establishing recycling collection centers for metal and glass containers.

Assembly amendment 1 to **Assembly Bill 742** offered by committee on Environmental Quality.

Representative Lynn asked unanimous consent to read from a printed document. **Granted.**

Representative Ferrall moved rejection of assembly amendment 1 to **Assembly Bill 742.**

Representative Lynn asked unanimous consent to make a statement. **Granted.**

Representative Duren asked unanimous consent that assembly amendment 1 be laid on the table.

Representative Shabaz objected.

Representative Dorff asked unanimous consent to speak on both the amendment and the bill. **Granted.**

The question was: Shall assembly amendment 1 be rejected?

Motion failed.

The question was: Shall assembly amendment 1 be adopted?

The roll was taken.

The vote follows:

Ayes—Alberts, Atkinson, Azim, Baldus, Berger, Boeckmann, Bolle, Bradley, Brown, Byers, Conradt, Conta, Czerwinski, Day, Dorff, Duren, Earl, Early, Ellis, Everson, Froehlich, Gaulke, Giese, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kleczka, Klicka, Korpela, LaFave, Lewison, Menos, Looby, Luckhardt, Lynn, McDougal, McEssy, Mato, Mielke, Miller, Mittness, Mohn, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Robertson, Roberts, Rogers, Rutkowski, Schneider,

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Schowalter, Schricker, Schroeder, Schwefel, Shabaz, Sicula, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—84.

Noes—Anderson, Barbee, Bultman, Dueholm, Ferrall, Jackamonis, Kessler, Molinaro, Nager, Sanasarian, Sensenbrenner, Slaby and Tobiasz—13.

Absent or not voting—Greider, McCormick and Merkel—3.

Motion carried.

Assembly amendment 2 to Assembly Bill 742 offered by Representative Duren.

Representative Shabaz moved that assembly amendment 2 be laid on the table.

Representative Lynn moved that Assembly Bill 742 be laid on the table.

Representative Duren asked unanimous consent to make a statement. Granted.

The question was: Shall Assembly Bill 742 be laid on the table?

The roll was taken.

The vote follows:

Ayes—Atkinson, Azim, Bradley, Conradt, Day, Froehlich, Grover, Jones, Kafka, Lewison, Looby, Luckhardt, Lynn, McDougal, Mohn, Nager, Oberle, Quinn, Schneider, Schowalter, Schroeder, Schwefel, Slaby, Stalbaum, Sweda, Thompson R. M., Tregoning, Wackett, Wilcox, Wilger and Willkom—31.

Noes—Alberts, Anderson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Bultman, Byers, Conta, Czerwinski, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Ferrall, Gaulke, Giese, Groshek, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Kessler, Kleczka, Klicka, Korpela, LaFave, Menos, McCormick, McEssy, Mato, Mielke, Miller, Mittness, Molinaro, O'Malley, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Robertson, Roberts, Rogers, Rutkowski, Sanasarian, Schricker, Sensenbrenner, Shabaz, Sicula, Stack,

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Swoboda, Thompson T. G., Tobiasz, Vanderperren, Wahner and Mr. Speaker—67.

Absent or not voting—Greider and Merkel—2.

Motion failed.

The question was: Shall assembly amendment 2 be laid on the table?

Motion carried.

Assembly amendment 3 to Assembly Bill 742 offered by Representatives Shabaz and Wackett.

Representative Duren moved rejection of assembly amendment 3 to Assembly Bill 742.

Representative Miller asked unanimous consent to speak on both the amendment and the bill. Granted.

The question was: Shall assembly amendment 3 be rejected?

Motion failed.

The question was: Shall assembly amendment 3 be adopted?

The roll was taken.

The vote follows:

Ayes—Alberts, Atkinson, Azim, Baldus, Boeckmann, Bolle, Bradley, Byers, Conradt, Conta, Day, Earl, Ellis, Ferrall, Froelich, Gaulke, Giese, Greider, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackson, Johnson G. K., Jones, Kafka, Kleczka, Klicka, Korpela, LaFave, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Mielke, Mohn, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Robertson, Sana-sarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sricula, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tregoning, Vanderperren, Wackett, Wilcox, Wilger, Willkom and Mr. Speaker—74.

Noes—Anderson, Barbee, Berger, Brown, Bultman, Czerwinski, Dorff, Dueholm, Duren, Early, Everson, Groshek, Jackamonis, Johnson W. A., Kessler, Menos, Miller, Mittness, Molinaro, Nager, Roberts, Rogers, Rutkowski, Tobiasz and Wahner—25.

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Absent or not voting—Merkel—1.

Motion carried.

Assembly amendment 4 to Assembly Bill 742 offered by Representative Day.

The question was: Shall assembly amendment 4 be adopted?

Motion failed.

Assembly amendment 5 to Assembly Bill 742 offered by Representative Ferrall.

The question was: Shall assembly amendment 5 be adopted?

Motion carried.

Representative Nager asked unanimous consent that Assembly Bill 742 be laid on the table.

Representative Duren objected.

Representative Nager moved that Assembly Bill 742 be laid on the table.

The question was: Shall Assembly Bill 742 be laid on the table?

The roll was taken.

The vote follows:

Ayes—Atkinson, Czerwinski, Ferrall, Jackamonis, Jackson, Johnson G. K., Kafka, Korpela, Lewison, Luckhardt, Lynn, McDougal, McEssy, Mohn, Nager, Oberle, Rutkowski, Sanasarian, Schricker, Schwefel and Willkom—21.

Noes—Alberts, Anderson, Azim, Baldus, Barbee, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conradt, Conta, Day, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Froehlich, Gaulke, Giese, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Johnson W. A., Jones, Kessler, Kleczka, Klicka, LaFave, Menos, Looby, McCormick, Mato, Mielke, Miller, Mittness, Molinaro, O'Malley, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Robertson, Roberts, Rogers, Schneider, Schowalter, Schroeder, Sensenbrenner, Shabaz, Sricula, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox

and Mr. Speaker—76.

Absent or not voting—Greider, Merkel and Wilger—8.

Motion failed.

LEAVE OF ABSENCE

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

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 742 be given a third reading. Granted.

The question was: This bill having been read three times, shall the bill pass?

The roll was taken.

The vote follows:

Ayes—Alberts, Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Bultman, Byers, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Ferrall, Froehlich, Gaulke, Giese, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson W. A., Kafka, Kessler, Kleczka, Klicka, Korpela, Lewison, Menos, Looby, Lynn, McCormick, McEssy, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Robertson, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Sensenbrenner, Shabaz, Sicula, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Vanderperren, Wackett, Wahner, Wilcox, Wilger and Mr. Speaker—85.

Noes—Bradley, Conradt, Johnson G. K., Jones, McDougal, Nager, Quinn, Tregoning and Willkom—9.

Absent or not voting—Azim, Greider, LaFave, Luck-

hardt, Merkel and Schwefel—6.

Motion carried.

Representative Luckhardt asked unanimous consent to be recorded as voting "Aye". Granted.

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

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 742** be immediately messaged to the senate. Granted.

LEAVES OF ABSENCE

Representative Shabaz asked unanimous consent for a leave of absence for this afternoon's session for Representatives Greider and Merkel. Granted.

Members absent with leave—Azim, Greider and Merkel—3.

Members absent without leave—None.

All members being present the call on **Assembly Bill 1277** was lifted.

Representative Sensenbrenner asked unanimous consent to make a statement. Granted.

Representative Sensenbrenner asked unanimous consent to read from a printed document. Granted.

Representative Sweda in the chair.

The question was: Shall the rules be suspended that **Assembly Bill 1277** be withdrawn from the committee on Municipalities and be taken up at this time?

The roll was taken.

The vote follows:

Ayes—Alberts, Anderson, Berger, Boeckmann, Bradley, Byers, Conradt, Duren, Everson, Ferrall, Froehlich, Giese, Grover, Guiles, Hanson, Helgeson, Hephner, Johnson G. K.,

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Kafka, Kleczka, Klicka, LaFave, Lewison, Menos, Luckhardt, McDougal, McEssy, Mohn, O'Malley, Oberle, Quackenbush, Quinn, Robertson, Roberts, Rogers, Schowalter, Schricker, Schroeder, Sensenbrenner, Shabaz, Slaby, Stalbaum, Sweda, Swoboda, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—49.

Noes—Atkinson, Baldus, Barbee, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Earl, Early, Ellis, Gaulke, Groshek, Hanna, Jackamonis, Jackson, Johnson W. A., Jones, Kessler, Korpela, Looby, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Molinaro, Nager, Oestreicher, Orlich, Otte, Pabst, Rutkowski, Sanasarian, Schneider, Schwefel, Sicula, Stack, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—48.

Absent or not voting—Azim, Greider and Merkel—3.

Motion failed.

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

Representative Anderson asked unanimous consent that Assembly Bill 1348 be withdrawn from the calendar of October 14 and be taken up at this time. Granted.

Assembly Bill 1348

Relating to requiring nonprofit service plans and group accident and sickness policies to provide for the hospital treatment of alcoholism.

Assembly amendment 1 to Assembly Bill 1348 offered by Representative Early.

Representative Early asked unanimous consent to speak on both the amendment and the bill. Granted.

The question was: Shall assembly amendment 1 be adopted?

Motion carried.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 1348 be given a third reading. Granted.

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The question was: This bill having been read three times, shall the bill pass?

The roll was taken.

The vote follows:

Ayes—Alberts, Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conradt, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Ferrall, Froehlich, Gaulke, Giese, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Klicka, Korpela, LaFave, Lewison, Menos, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Robertson, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicala, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—97.

Noes—None.

Absent or not voting—Azim, Greider and Merkel—3.

Motion carried.

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

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 1348 be immediately messaged to the senate. Granted.

Representative Anderson asked unanimous consent that Assembly Bill 1109 be withdrawn from the committee on Excise and Fees and be taken up at this time.

Representative Bolle objected.

Representative Anderson moved that Assembly Bill 1109 be withdrawn from the committee on Excise and Fees and be taken up at this time.

Representative Dorff asked unanimous consent to make a statement. Granted.

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Representative Gaulke asked unanimous consent to make a statement. Granted.

Representative G. K. Johnson asked unanimous consent to make a statement and to read from a printed document. Granted.

Representative Shabaz asked unanimous consent to make a statement. Granted.

Representative Quinn asked unanimous consent to make a statement. Granted.

Representative McEssy asked unanimous consent to make a statement. Granted.

Representative Conradt asked unanimous consent to make a statement and to read from a printed document. Granted.

The speaker in the chair.

The question was: Shall the rules be suspended that Assembly Bill 1109 be withdrawn from the committee on Excise and Fees and be taken up at this time?

The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bultman, Conta, Czerwinski, Day, Dueholm, Duren, Earl, Everson, Ferrall, Froehlich, Gaulke, Giese, Guiles, Hanna, Hanson, Hephner, Jackamonis, Jackson, Johnson G. K., Kleczka, LaFave, Menos, Lynn, McDougal, Mato, Miller, Mittness, Mohn, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Quackenbush, Robertson, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Senzenbrenner, Shabaz, Sicula, Slaby, Stack, Stalbaum, Swoboda, Thompson R. M., Thompson T. G., Wackett, Wahner, Wilcox and Wilger—61.

Noes—Alberts, Bolle, Brown, Byers, Conradt, Dorff, Early, Groshek, Grover, Helgeson, Johnson W. A., Jones, Kafka, Kessler, Klicka, Korpela, Lewison, Looby, Luckhardt, McCormick, McEssy, Mielke, Molinaro, Pabst, Quinn, Schricker, Schroeder, Schwefel, Sweda, Tobiasz, Tregoning, Vanderperren, Willkom and Mr. Speaker—34.

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Absent or not voting—Azim, Bradley, Ellis, Greider and Merkel—5.

Motion failed.

Representative Azim asked unanimous consent to be recorded as voting “Aye” on the previous question. Granted.

Representative R. M. Thompson asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Day. Granted.

Representative Berger asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Jackamonis. Granted.

Representative Czerwinski asked unanimous consent that **Assembly Bill 1285** be withdrawn from the committee on Health and Social Services and referred to the joint committee on Finance.

Representative Shabaz objected.

Representative Oberle asked unanimous consent to be recorded as follows:

Shall the rules be suspended that **Assembly Bill 922** be made a special order of business at 10:15 A.M. today?—“No”;

Shall the vote by which **Assembly Bill 518** was engrossed be reconsidered?—“Aye”;

Shall assembly amendment 4 to **Assembly Bill 518** be adopted?—“Aye”;

Shall **Assembly Bill 518** be ordered engrossed and read a third time?—“Aye”;

Shall **Assembly Bill 518** pass?—“Aye”;

Shall **Assembly Bill 922** be laid on the table?—“Aye”;

Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 922** be rejected?—“No”;

Shall **Assembly Bill 922** be referred to Judiciary?—“Aye”;

Shall assembly amendment 1 to **Senate Joint Resolution 103** be rejected?—“Aye”;

Shall **Senate Joint Resolution 103** be concurred in?—“Aye”. Granted.

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Representative Willkom asked unanimous consent to be recorded as voting as follows:

Shall the rules be suspended that **Assembly Bill 922** be made a special order of business at 10:15 A.M. today?—"No";

Shall the vote by which **Assembly Bill 518** was engrossed be reconsidered?—"Aye";

Shall assembly amendment 4 to **Assembly Bill 518** be adopted?—"Aye";

Shall **Assembly Bill 518** be ordered engrossed and read a third time?—"Aye";

Shall **Assembly Bill 518** pass?—"Aye";

Shall **Assembly Bill 922** be laid on the table?—"Aye";

Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 922** be rejected?—"No";

Shall **Assembly Bill 922** be referred to Judiciary?—"Aye";

Shall assembly amendment 1 to **Senate Joint Resolution 103** be rejected?—"Aye";

Shall **Senate Joint Resolution 103** be concurred in?—"Aye". Granted.

Representative Tregoning asked unanimous consent to be recorded as voting as follows:

Shall the rules be suspended that **Assembly Bill 922** be made a special order of business at 10:15 A.M. today?—"Aye";

Shall the vote by which **Assembly Bill 518** was engrossed be reconsidered?—"No";

Shall assembly amendment 4 to **Assembly Bill 518** be adopted?—"Aye";

Shall **Assembly Bill 518** be ordered engrossed and read a third time?—"Aye";

Shall **Assembly Bill 518** pass?—"Aye";

Shall **Assembly Bill 922** be laid on the table?—"No";

Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 922** be rejected?—"Aye";

Shall **Assembly Bill 922** be referred to Judiciary?—"No";

Shall assembly amendment 1 to **Senate Joint Resolution 103** be rejected?—"Aye";

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**Shall Senate Joint Resolution 103 be concurred in?—
“Aye”. Granted.**

CHIEF CLERK'S CORRECTION

as provided by Legislative Reference Bureau

Assembly amendment 1, to Assembly Bill 215

**In enrolling Assembly Bill 215, the following correction
was made in assembly amendment 1.**

After line 3, insert the following:

“lm. On page 1, line 1, after “amend” insert “15.55,”.”

Senate Bill 315

On page 2, line 9, substitute “interests” for “interest”.

AMENDMENTS OFFERED

**Assembly amendment 1 to Assembly Bill 1178 offered by
Representative Bultman.**

**Assembly amendment 1 to Assembly Bill 1174 offered by
Representative Everson.**

VISITORS

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

**43 students of the 7th and 8th grades from Reek Element-
ary School, accompanied by the teachers, Mr. Thomas Weld
and Mr. John Sisson and 8 additional adults from Lake
Geneva, Wisconsin, guests of Representative Wilger.**

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Karen Bulowicz and Diane Lutomski from Milwaukee, Wisconsin, guests of Representative Kleczka.

62 students from the 7th and 8th grades of Reedsville Public School, accompanied by the teachers, Mrs. Sheahan, Mr. Schultz, and Mrs. Radtke from Reedsville, Wisconsin, guests of Representative Bolle.

Michael A. Roubal from Rice Lake, Wisconsin guest of Representative Schricker.

Mr. and Mrs. Robert Hanke, daughter and son-in-law, and Mrs. Day, wife of Representative Day from Menasha, Wisconsin.

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

**The question was: Shall the assembly stand adjourned?
The motion carried.**

The assembly stood adjourned.

5:30 P.M.