

JOURNAL OF THE ASSEMBLY [January 19, 1972]

STATE OF WISCONSIN

# Assembly Journal

## Eightieth Regular Session

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WEDNESDAY, January 19, 1972.

9:45 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Dr. Simeon Jewkes, pastor of Christ United Presbyterian Church, 944 East Gorham St., Madison, Wisconsin.

Representative Duren 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, 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., Jones, Kafka, Kessler, Kleczka, Klicka, Korpela, LaFave, Lewison, Menos, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mielke, Miller, Mittness, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Robertson, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sricula, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—97.

Absent with leave—Johnson W. A. and Tobiasz—2.

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Representative Earl asked unanimous consent that the assembly remain informal while awaiting the arrival of the senate. Granted.

10:00 A.M.

### JOINT CONVENTION

The assembly was called to order by the speaker.

The sergeant-at-arms announced the arrival of the senate.

Both houses went into joint convention.

Lieutenant Governor Schreiber presiding.

Escorted by Senators Hollander and Risser and Representatives Earl and Froehlich, Governor Lucey took his place at the rostrum to deliver a message to the assembly relating to the annual budget review.

### Governor's Message

Pursuant to Joint Rule 36 the Governor's message is printed in full in the senate journal only.

Representative Earl moved that the joint convention arise.

The question was: Shall the joint convention arise?

Motion carried.

10:44 A.M.

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11:30 A.M.

The assembly reconvened.

Representative Molinaro asked unanimous consent that **Assembly Bill 1285** be withdrawn from the joint committee on Finance and referred to the committee on Health and Social Services.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

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### AMENDMENTS OFFERED

Assembly amendment 1 to **Senate Bill 315** offered by Representatives Groshek and Wackett.

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**Assembly amendment 1 to assembly amendment 2 to Assembly Bill 1411 offered by Representatives Swoboda, Gaulke, Schricker, Day, Conradt, McDougal, Vanderperren and Sweda.**

**Assembly amendment 2 to Assembly Bill 1215 offered by Representative Jones.**

**Assembly amendment 1 to Assembly Bill 1429 offered by Representative Lewison.**

**Assembly amendment 1 to Senate Bill 288 offered by Representative O'Malley.**

**Assembly substitute amendment 1 to Assembly Bill 1057 offered by Representatives Grover, Bultman, R. M. Thompson, Sweda, Helgeson, Froehlich, Conradt, Willkom, Alberts and Stalbaum.**

**Assembly substitute amendment 1 to Senate Bill 164 offered by Representative Jones.**

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## **INTRODUCTION AND REFERENCE OF RESOLUTIONS**

**Read and referred:**

### **Assembly Resolution 47**

**Requesting an opinion of the attorney general as to open meetings of boards of review.**

**Whereas, it would appear that local boards of review under sections 70.46 and 70.47, Wis. Stats., are constituted chiefly for the purpose of hearing public complaints about property assessments; and**

**Whereas, the meetings of the board of review are specified as "public hearings" under section 70.47 (7), Wis. Stats.; and**

**Whereas, the meetings of the board of review appear to fall within the scope of section 66.77 (2), Wis. Stats., which states that meetings of local boards shall "be publicly held and open to all citizens"; and**

**Whereas, Glenn L. Holmes, administrator of the property and special tax division of the department of revenue, in**

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a letter dated December 17, 1971, has stated that "Our legal staff is unable to find any requirement that Board of Review meetings be open to the public."; now, therefore, be it

*Resolved by the assembly,* That the attorney general is requested to provide an opinion as expeditiously as possible as to the legality of local boards of review holding closed-door hearings in light of section 66.77 of the statutes.

By Representatives Sensenbrenner, Schneider, Hephner, Everson, Mato, Robertson, Berger, Dueholm, G. K. Johnson, Mielke, Ellis and Luckhardt.

To calendar.

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### **INTRODUCTION AND REFERENCE OF BILLS**

Read first time and referred:

#### **Assembly Bill 1471**

Relating to voluntary admissions and care costs for certain mental patients.

By Representative LaFave.

To committee on Health and Social Services.

#### **Assembly Bill 1472**

Relating to pension fund withdrawals by Richard L. Baker.

By Representatives Roberts and Greider.

To joint Survey committee on Retirement Systems.

#### **Assembly Bill 1473**

Relating to exempting semiprofessional football players from the unemployment compensation law.

By Representative Wilger.

To committee on Labor.

#### **Assembly Bill 1474**

Relating to reimbursement for skilled nursing home care for patients in certain county homes, infirmaries and hospitals.

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By joint committee on Finance, by request of Wisconsin County Boards Association and Wisconsin Association of Municipal Homes.

To joint committee on Finance.

### **Assembly Bill 1475**

Relating to districting the senate and assembly based on the number of inhabitants shown by the 1970 federal census of population.

By Representatives Merkel, Schowalter, Quackenbush and Giese.

To committee on Elections.

### **Assembly Bill 1476**

Relating to sales tax refunds on goods used in contracts with governmental units.

By Representatives Ellis, Conradt and Froehlich.

To committee on Taxation.

### **Assembly Bill 1477**

Relating to state finances and appropriations constituting the budget review bill for the 1972 meeting of the 1971 legislature, and making appropriations.

By joint committee on Finance, by request of Governor Patrick J. Lucey.

To joint committee on Finance.

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## **COMMITTEE REPORTS**

The committee on Natural Resources reports and recommends:

### **Assembly Bill 688**

Relating to review of lake and stream shore plats and public access requirements.

Assembly substitute amendment 1, adoption; Ayes, 11; Noes, 0 and passage; Ayes, 9; Noes, 2.

### **Assembly Bill 1080**

Relating to issuing trout stamps for trout habitat improvement, and making an appropriation.

Passage; Ayes, 7; Noes, 4.

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**Assembly Bill 1153**

Relating to fees for resident deer hunting licenses and deer party permits.

Passage; Ayes, 7; Noes, 4.

**Assembly Bill 1429**

Relating to prohibiting airboats.

Passage; Ayes, 9; Noes, 2.

**LEWIS T. MITTNESS,**  
Chairman.

The committee on Third Reading reports:

**Assembly Bill 917**

Correct.

**DENNIS CONTA,**  
Chairman.

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**MESSAGE FROM THE SENATE**

By William P. Nugent, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has adopted and asks concurrence in:

**Senate Joint Resolution 72**

Passed and asks concurrence in:

Senate Bill 164,	Senate Bill 621,
Senate Bill 423,	Senate Bill 622,
Senate Bill 467,	Senate Bill 624,
Senate Bill 518,	Senate Bill 646,
Senate Bill 537,	Senate Bill 649,
Senate Bill 566,	Senate Bill 659,
Senate Bill 616,	Senate Bill 660 and
Senate Bill 617,	Senate Bill 680.

Adopted and asks concurrence in:

**Senate Joint Resolution 88**

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Passed and asks concurrence in:

Senate Bill 395,  
Senate Bill 519,  
Senate Bill 525,  
Senate Bill 741 and  
Senate Bill 757.

Concurred in:

Assembly Bill 216,  
Assembly Bill 258,  
Assembly Bill 260 and  
Assembly Bill 787.

Adopted and asks concurrence in:

Senate Joint Resolution 112

Concurred in:

Assembly Joint Resolution 27,  
Assembly Joint Resolution 47,  
Assembly Joint Resolution 66,  
Assembly Bill 366,  
Assembly Bill 914,  
Assembly amendment 1 to Senate Bill 8,  
Assembly amendment 1 to Senate Bill 49,  
Assembly amendment 1 to Senate Bill 178 and  
Assembly substitute amendment 1 to Senate Bill 437.

Amended and concurred in as amended:

Assembly Bill 377 (Senate amendment 1).

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### MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

Motion under Joint Rule 26,

A joint certificate of Congratulations by Representative Klicka; co-sponsored by Senator Roseleip for Wauwatosa

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**East Red Raider Band on the occasion of their representing Wisconsin in the Tournament of Roses Parade.**

**Adopted and asks concurrence in:**

**Motions Under Joint Rule 26:**

**A joint certificate of Condolence by Senator LaFave; co-sponsored by Representative Grover to the Family of Arthur H. Schultz on the occasion of his death.**

**A joint certificate of Congratulations by Senator Kendziorski; co-sponsored by Representative Czerwinski to the Milwaukee Public Schools Division of Municipal Recreation And Adult Education on the occasion of its 60th Anniversary.**

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### **ACTION ON THE SENATE MESSAGE**

#### **Senate Joint Resolution 72**

**To amend Article VI, Section 4 of the Constitution, removing the prohibition against county liability for the acts of sheriffs (1st consideration).**

**By Senators Devitt and Steinhilber, by request of Attorney General Robert W. Warren.**

**To calendar.**

#### **Senate Bill 164**

**Relating to photographs on driver's licenses and increase in license fees.**

**By Senators LaFave and Kendziorski.**

**To committee on Highways.**

#### **Senate Bill 423**

**Relating to physical standards for driving instructors' licenses.**

**By Senators Risser, LaFave and Keppler, by request of Ray Lorberter.**

**To committee on Highways.**

#### **Senate Bill 467**

**Relating to service of process on the insurance commission.**



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By Legislative Council.  
To calendar.

## **Senate Bill 518**

Relating to creating a \$5 per acre excise tax on iron ore deposits, and establishing penalties.

By Senator Cirilli; co-sponsored by Representative Korpela, by request of the Advisory Committee on Mineral Rights.

To committee on Taxation.

## **Senate Bill 537**

Relating to notice on cognovit's notes.

By Senators Thompson and McKenna.

To calendar.

## **Senate Bill 566**

Relating to humane officers.

By Senator Hollander.

To committee on State Affairs.

## **Senate Bill 616**

Relating to criminal trespass to buildings other than dwellings and providing a penalty.

By Senators Johnson, Lorge, Soik, Swan, Knutson, Murphy, Devitt, Steinhilber, Heinzen and Keppler, by request of Attorney General Robert W. Warren.

To committee on Judiciary.

## **Senate Bill 617**

Relating to loitering as a form of vagrancy.

By Senators Devitt, Soik, Swan, Steinhilber and Keppler, by request of Attorney General Robert W. Warren.

To committee on Judiciary.

## **Senate Bill 621**

Relating to sending records of criminal convictions to the U. S. Department of Justice and use of such records.

By Senator Johnson, by request of Attorney General Robert W. Warren.

To committee on Judiciary.

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**Senate Bill 622**

Relating to gambling.

By Senator Murphy, by request of Attorney General Robert W. Warren.

To committee on Judiciary.

**Senate Bill 624**

Relating to increasing the penalty for loitering on a roadway.

By Senators Johnson, Soik, Swan and Devitt, by request of Attorney General Robert W. Warren.

To committee on Judiciary.

**Senate Bill 646**

Relating to correction of school tax levies to reflect annexation changes.

By Senators Heinzen and Thompson; co-sponsored by Representative O'Malley.

To calendar.

**Senate Bill 649**

Relating to territory which may be included in regional planning commissions.

By Senators Lotto, Chilsen and Risser; co-sponsored by Representatives Earl, Quinn, Vanderperren and Kafka.

To calendar.

**Senate Bill 659**

Relating to penalties for theft.

By Senators Murphy, Frank and Steinhilber.

To committee on Judiciary.

**Senate Bill 660**

Relating to county collection of improperly paid public assistance.

By Senator Johnson.

To committee on Health and Social Services.

**Senate Bill 680**

Relating to 6-man jury trials in certain criminal cases.

By committee on Judiciary, by request of Judicial Council.

To committee on Judiciary.

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### **Senate Joint Resolution 88**

Relating to a study of judicial administration and methods of selecting judges.

By committee on Judiciary.

To committee on Judiciary.

### **Senate Bill 395**

Relating to remedial legislation suggested by the department of transportation.

By Senator Keppler; co-sponsored by Representatives Wilcox and Jackson.

To committee on Highways.

### **Senate Bill 519**

Relating to exempting refuse trucks from highway weight limitations.

By Senators Knutson, Keppler, Roseleip and Steinhilber.

To committee on Highways.

### **Senate Bill 525**

Relating to regulation of surface mining, and making an appropriation.

By Senator Cirilli; co-sponsored by Representative Korpela, by request of the State Geologist, the Natural Resources Council of State Agencies, and the Legislative Council Advisory Committee on Mineral Rights.

To committee on Natural Resources.

### **Senate Bill 741**

To appropriate \$1,317 from the general fund for the payment of a claim made by the city of Waupun against the state.

By Senator Hollander; co-sponsored by Representative Molinaro, by request of State Claims Board.

To calendar.

### **Senate Bill 757**

To appropriate \$8,617.87 from the highway fund for payment of a claim made by F. F. Mengel Co. against the state.

By Senator Hollander; co-sponsored by Representative Molinaro, by request of State Claims Board.

To calendar.

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### **Senate Joint Resolution 112**

Relating to the recall of Assembly Bill 630 from the assembly.

By Senator Keppler.

Representative Earl asked unanimous consent that the rules be suspended and that Senate Joint Resolution 112 be taken up at this time. Granted.

### **Senate Joint Resolution 112**

Relating to the recall of Assembly Bill 630 from the assembly.

The question was: Concurrence?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that the assembly's action on Senate Joint Resolution 112 be immediately messaged to the senate. Granted.

### **Assembly Bill 377**

Relating to abandoned property sales.

To calendar.

Representative Earl asked unanimous consent that the rules be suspended and that the motions under Joint Rule 26 be taken up at this time. Granted.

A joint certificate of Condolences by Senator LaFave; co-sponsored by Representative Grover to the Family of Arthur H. Schultz on the occasion of his death.

The question was: Concurrence?

Motion carried.

A joint certificate of Congratulations by Senator Kendziorski; co-sponsored by Representative Czerwinski to the Milwaukee Public Schools Division of Municipal Recreation and Adult Education on the occasion of its 60th Anniversary.

The question was: Concurrence?

Motion carried.

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

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### **MOTION UNDER JOINT RULE 26**

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

Whereas, Mrs. Ellen Daly of Shorewood has been selected Wisconsin's Handicapped Person of the Year for 1972; and

Whereas, Mrs. Daly, a parapelegic, leads an active life as a mother, housewife, Secretary of the Milwaukee Chapter of the National Parapelegia Foundation and Secretary-Treasurer of her husband, Thomas' business, Able, Inc., which provides employment for countless handicapped persons; and

Whereas, Mrs. Ellen Daly's activities provide great inspiration to handicapped persons throughout the state; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Sensenbrenner and Senator Soik, under Joint Rule 26, congratulate Mrs. Ellen Daly on being selected Wisconsin's Handicapped Person of the Year for 1972 and wish her success in her future endeavors.

The question was: Adoption?

Motion carried.

Representative Earl 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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### **SPECIAL ORDER OF BUSINESS AT 11:00 A.M.**

#### **Assembly Joint Resolution 133**

A joint resolution accepting the official published result of the 1970 census of population—4,417,933—as the statistical basis for all apportionment computations for legislative districts.

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The question was: Adoption?  
Motion carried.

Representative Earl asked unanimous consent that the rules be suspended, and that the assembly's action on **Assembly Joint Resolution 133** be immediately messaged to the senate. Granted.

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### CALENDAR OF TUESDAY, JANUARY 18, 1972

#### **Assembly Bill 1103**

Relating to changing the name of county welfare departments except Milwaukee county.

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

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1103** be given a third reading. Granted.

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

Representative Earl asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 1103** be immediately messaged to the senate. Granted.

#### **Assembly Bill 1112**

Relating to recovery of public assistance by counties.

Representative Shabaz moved that **Assembly Bill 1112** be indefinitely postponed.

Representative Earl asked unanimous consent that the assembly stand recessed until 1:30 P.M. today. Granted.

The assembly stood recessed.

12:00 P.M.

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## RECESS

1:50 P.M.

The assembly reconvened.

Representative Sweda in the chair.

### Assembly Bill 1112

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## LEAVE OF ABSENCE

Representative Earl asked unanimous consent for a leave of absence for today's session for Representatives W. A. Johnson and Tobiasz. Granted.

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.

Members absent with leave—W. A. Johnson and Tobiasz—2.

Members absent without leave—Anderson, Azim, Barbee, Bultman, Conradt, Dueholm, Greider, Kessler, Lewison, Looby, Mohn, Nager, Quinn, Schowalter, Slaby and Stalbaum—16.

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

The question was: Shall the bill be indefinitely postponed?

The roll was taken.

The vote follows:

Ayes—Alberts, Azim, Boeckmann, Bradley, Byers, Ellis, Everson, Froehlich, Giese, Greider, Guiles, Helgeson, Kafka,

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Kleczka, Klicka, LaFave, Luckhardt, McDougal, McEssy, Merkel, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—35.

Noes—Atkinson, Baldus, Berger, Bolle, Brown, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ferrall, Gaulke, Groshek, Grover, Hanna, Hanson, Hephner, Jackamonis, Jackson, Johnson G. K., Jones, Korpela, Menos, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Vanderperren, Wahner, Willkom and Mr. Speaker—55.

Absent or not voting—Barbee, Bultman, Conradt, Johnson W. A., Kessler, Lewison, Looby, Nager and Tobiasz—9.

Motion failed.

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

Motion carried.

Representative Earl asked unanimous consent that Assembly Bill 1112 be referred to joint committee on Finance. Granted.

### Assembly Bill 1133

Relating to establishing uniform accounting and annual audit procedures in municipalities.

Representative Sensenbrenner moved rejection of assembly amendment 1 to Assembly Bill 1133.

The question was: Shall assembly amendment 1 be rejected?

The roll was taken.

The vote follows:

Ayes—Alberts, Boeckmann, Byers, Dorff, Earl, Early, Ellis, Everson, Giese, Guiles, Kafka, Klicka, LaFave, Lynn, McCormick, McDougal, Mato, Merkel, Mielke, Miller, Molinaro, Pabst, Quackenbush, Robertson, Rutkowski, Schowalter, Schroeder, Sensenbrenner, Slaby, Stack, Thompson



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**R. M., Thompson T. G., Tregoning, Wackett and Willkom**  
—35.

**Noes**—Atkinson, Azim, Baldus, Berger, Bolle, Bradley, Brown, Bultman, Conradt, Conta, Czerwinski, Day, Dueholm, Duren, Ferrall, Froehlich, Gaulke, Greider, Groshek, Grover, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Jones, Kessler, Kleczka, Korpela, Lewison, Menos, Looby, L u c k h a r d t, McEssy, Mittness, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Quinn, Roberts, Rogers, Sanasarian, Schneider, Schricker, Schwefel, Shabaz, Sicula, Sweda, Swoboda, Vanderperren, Wahner, Wilcox, Wilger and Mr. Speaker—59.

**Absent or not voting**—Barbee, Johnson W. A., Mohn, Stalbaum and Tobiasz—5.

Motion failed.

The speaker in the chair.

The question was: Shall assembly amendment 1 be adopted?

Motion carried.

The question was: Shall assembly amendment 2 be adopted?

Motion carried.

Representative Day moved that Assembly Bill 1133 be indefinitely postponed.

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### POINT OF ORDER

Representative Duren raised the point of order that Assembly Bill 1133 must have a fiscal note according to Chapter 17, 1971 Session Laws.

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### RULING ON THE POINT OF ORDER

The chair ruled the point of order was well taken.

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The chief clerk was instructed to obtain a fiscal note on **Assembly Bill 1133**.

**Assembly Bill 1135**

Relating to rights of creditors of construction lien claimants.

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

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1135** be given a third reading. Granted.

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

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 1135** be immediately messaged to the senate. Granted.

**Assembly Bill 1136**

Relating to construction lien notice.

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

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1136** be given a third reading. Granted.

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

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 1136** be immediately messaged to the senate. Granted.

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### **Assembly Bill 1137**

Relating to construction lien payment bonds.

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

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1137** be given a third reading. Granted.

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

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 1137** be immediately messaged to the senate. Granted.

### **Assembly Bill 1179**

Relating to exempting certain buildings used for agricultural purposes from the building code.

The question was: Shall assembly amendment 1 be adopted?

Motion carried.

Representative Atkinson moved that **Assembly Bill 1179** be laid on the table.

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

The question was: Shall **Assembly Bill 1179** be laid on the table?

The roll was taken.

The vote follows:

Ayes—Atkinson, Berger, Czerwinski, Dorff, Duren, Earl, Grover, Hanna, Helgeson, Kafka, Menos, McDougal, Merkel, Mielke, Miller, Molinaro, Nager, Robertson, Rogers, Sweda and Wahner—21.

Noes—Alberts, Azim, Baldus, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conradt, Conta, Day, Dueholm, Early, Ellis, Everson, Ferrall, Froehlich, Gaulke, Giese,

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Greider, Groshek, Guiles, Hanson, Hephner, Jackamonis, Jackson, Johnson G. K., Jones, Kleczka, Klicka, Korpela, LaFave, Lewison, Looby, Luckhardt, Lynn, McCormick, McEssy, Mato, Mittness, Mohn, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Roberts, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicola, Slaby, Stack, Swoboda, Thompson R. M., Thompson T. G., Tregoning, Vanderperren, Wackett, Wilcox, Wilger, Willkom and Mr. Speaker—73.

Absent or not voting—Barbee, Johnson W. A., Kessler, Stalbaum and Tobiasz—5.

Motion failed.

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

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1179** 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, Azim, Baldus, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conradt, Conta, Day, Dueholm, Earl, Early, Ellis, Everson, Ferrall, Froehlich, Gaulke, Giese, Greider, Groshek, Grover, Guiles, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Jones, Kafka, Kessler, Kleczka, Klicka, Korpela, LaFave, Lewison, Menos, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mielke, Miller, Mohn, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Robertson, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicola, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—87.

Noes—Atkinson, Czerwinski, Dorff, Duren, Hanna, Mittness, Molinaro and Nager—8.

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Absent or not voting—Barbee, Johnson W. A., Stalbaum and Tobiasz—4.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 1179 be immediately messaged to the senate. Granted.

### Assembly Bill 1191

Relating to hospital insurance extension for handicapped children.

Representative Azim asked unanimous consent that Assembly Bill 1191 be laid on the table. Granted.

### Assembly Bill 1193

Relating to clarification of teachers' retirement statutes.

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

Motion carried.

Representative Earl asked unanimous consent that Assembly Bill 1193 be referred to joint committee on Finance. Granted.

Representative Earl asked unanimous consent that Assembly Bill 1193 be withdrawn from joint committee on Finance and be taken up at this time. Granted.

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

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that Assembly Bill 1193 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, Atkinson, Azim, Baldus, Berger, Boeck-

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mann, 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., 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, Sricula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Thompson T. G., Trengoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—95.

Noes—None.

Absent or not voting—Barbee, Johnson W. A., Stalbaum and Tobiasz—4.,

Motion carried.

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

Representative Earl asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 1193** be immediately messaged to the senate. Granted.

### **Assembly Bill 1202**

Relating to registration of special interest vehicles.

Representative Hephner asked unanimous consent that **Assembly Bill 1202** be laid on the table.

Representative Jones objected.

Representative Dorff asked unanimous consent that **Assembly Bill 1202** be laid on the table.

Representative McEssy objected.

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

Representative McEssy asked unanimous consent that **Assembly Bill 1202** be made a special order of business at 9:30 A.M., tomorrow. Granted.

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### Assembly Bill 1209

Relating to classification of county trunk highways.

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 Earl asked unanimous consent that the rules be suspended and that Assembly Bill 1209 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, Atkinson, Baldus, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conradt, Conta, Czerwinski, Dorff, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Hanna, Hephner, Jackamonis, Jackson, Johnson G. K., Jones, Kafka, Kessler, Kleczka, Korpela, LaFave, Lewison, Menos, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quinn, Rogers, Rutkowski, Sanasarian, Schneider, Schricker, Sricula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Thompson T. G., Vanderperren, Wahner, Wilger and Mr. Speaker—70.

Noes—Azim, Day, Dueholm, Froehlich, Giese, Greider, Guiles, Hanson, Helgeson, Klicka, Merkel, Quackenbush, Robertson, Roberts, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Tregoning, Wackett and Wilcox—22.

Absent or not voting—Barbee, Ellis, Johnson W. A., Mato, Stalbaum, Tobiasz and Willkom—7.

Motion carried.

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

Representative Earl asked unanimous consent that the rules be suspended and that the assembly's action on As-

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sembly Bill 1209 be immediately messaged to the senate. Granted.

Representative Azim asked unanimous consent that Assembly Bill 1191 be withdrawn from the table and be taken up at this time. Granted.

### Assembly Bill 1191

Relating to hospital insurance extension for handicapped children.

Representative Azim moved that Assembly Bill 1191 be indefinitely postponed.

The question was: Shall the bill be indefinitely postponed?

The roll was taken.

The vote follows:

Ayes—Azim, Froehlich, Klicka, Merkel, Quackenbush, Robertson, Schowalter, Schwefel, Thompson T. G., Tregoning, Wackett and Wilcox—12.

Noes—Alberts, Atkinson, Baldus, Berger, Boeckmann, Bolle, Bradley, Brown, Bultmann, Byers, Conradt, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Ferrall, Gaulke, Giese, Greider, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Jones, Kafka, Kessler, Kleczka, Korpela, LaFave, Lewison, Menos, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Mielke, Miller, Mittness, Mohn, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quinn, Roberts, Rogers, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sricula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Vanderperren, Wahner, Wilger, Willkom and Mr. Speaker—81.

Absent or not voting—Barbee, Johnson W. A., Molinaro, Rutkowski, Stalbaum and Tobiasz—6.

Motion failed.

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

Motion carried.



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Representative Earl asked unanimous consent that the rules be suspended and that Assembly Bill 1191 be given a third reading. Granted.

Representative Earl asked unanimous consent that Assembly Bill 1191 be referred to joint committee on Finance. Granted.

Representative Earl asked unanimous consent that Assembly Bill 1191 be withdrawn from joint committee on Finance and be taken up at this time. Granted.

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

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that Assembly Bill 1191 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, Atkinson, Azim, Baldus, 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, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Jones, Kafka, Kessler, Kleczka, 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, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—90.

Noes—Guiles, Klicka, Merkel, Robertson and Schowalter—5.

Absent or not voting—Barbee, Johnson W. A., Stalbaum and Tobiasz—4.

Motion carried.

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Representative Earl asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 1191** be immediately messaged to the senate. Granted.

### **Assembly Bill 1211**

Relating to state trunk highways classification and maintenance.

The question was: Shall assembly amendment 1 be adopted?

Motion carried.

Representative Helgeson moved that **Assembly Bill 1211** be indefinitely postponed.

Representative McEssy asked unanimous consent that **Assembly Bill 1211** be referred to joint committee on Finance. Granted.

### **Assembly Bill 1215**

Relating to authorizing the highway commission to construct and maintain mass transportation systems on state highways.

Representative Shabaz moved that **Assembly Bill 1215** be referred to the committee on Transportation.

Representative Jones asked unanimous consent that **Assembly Bill 1215** be made a special order of business at 9:31 A.M. tomorrow. Granted.

### **Assembly Bill 1253**

Relating to permits for oversize motor vehicles transporting farm machinery.

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

Motion carried.

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Representative Earl asked unanimous consent that the rules be suspended and that Assembly Bill 1253 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, Atkinson, Baldus, 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., Jones, Kafka, Kessler, Kleczka, Klicka, Korpela, LaFave, Lewison, Menos, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mielke, 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, Sricula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tregoning, Vanderperren, Wackett, Wilcox, Wilger, Willkom and Mr. Speaker—91.

Noes—Azim, Greider, Miller and Wahner—4.

Absent or not voting—Barbee, Johnson W. A., Stalbaum and Tobiasz—4.

Motion carried.

Representative Greider 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 Earl asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 1253 be immediately messaged to the senate. Granted.

### **Assembly Bill 1263**

Relating to homestead tax relief.

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

Motion carried.

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Representative Earl asked unanimous consent that the rules be suspended and that Assembly Bill 1263 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, Atkinson, Azim, Baldus, 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., Jones, Kafka, Kessler, Kleczka, Klicka, Korpela, LaFave, Menos, Looby, Luckhardt, Lynn, McCormick, McDougal, 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, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—93.

Noes—None.

Absent or not voting—Barbee, Johnson W. A., Lewison, McEssy, Stalbaum and Tobiasz—6.

Motion carried.

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

Representative Earl asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 1263 be immediately messaged to the senate.

Representative Shabaz objected.

Representative Shabaz asked unanimous consent that Assembly Bill 1263 be referred to joint committee on Finance. Granted.

Representative Dueholm asked unanimous consent that Assembly Bill 1263 be withdrawn from joint committee on Finance and be taken up at this time. Granted.

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### Assembly Bill 1263

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

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that Assembly Bill 1263 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, Atkinson, Azim, Baldus, 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., 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, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—95.

Noes—None.

Absent or not voting—Barbee, Johnson W. A., Stalbaum and Tobiasz—4.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 1263 be immediately messaged to the senate. Granted.

Representative Mittness asked unanimous consent that Assembly Bill 969 be withdrawn from the table and be taken up at this time.

Representative Shabaz objected.

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Representative Mittness asked unanimous consent that **Assembly Bill 969** be made a special order of business at 9:32 A.M. tomorrow. Granted.

### **Assembly Bill 1281**

Relating to point system reductions for drivers who take traffic safety courses.

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

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1281** 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, Atkinson, Azim, Baldus, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conradt, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Ferrall, Froehlich, Gaulke, Greider, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Jones, Kafka, Kessler, Kleczka, Korpela, LaFave, Lewison, Menos, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Mielke, Miller, Mittness, Molinaro, Nager, O'Malley, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicala, Stack, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—88.

Noes—Giese, Klicka, Merkel and Robertson—4.

Absent or not voting—Barbee, Johnson W. A., Mohn, Oberle, Slaby, Stalbaum and Tobiasz—7.

Motion carried.

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

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

Representative Earl asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 1281 be immediately messaged to the senate. Granted.

### Assembly Bill 1297

Relating to prohibiting state aid for county hospitals which admit children to unapproved mental treatment facilities and granting rule-making authority.

Representative Earl asked unanimous consent that Assembly Bill 1297 be made a special order of business at 10:00 A.M., Tuesday, January 25. Granted.

### Assembly Bill 1311

Relating to minimum liability insurance for itinerant merchant truckers.

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

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that Assembly Bill 1311 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, Atkinson, Azim, Baldus, 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., 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,

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Quackenbush, Quinn, Robertson, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sricula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Thompson T. G., Trengoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—95.

Noes—None.

Absent or not voting—Barbee, Johnson W. A., Stalbaum and Tobiasz—4.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 1311 be immediately messaged to the senate. Granted.

Representative Froehlich asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Schroeder. Granted.

Representative Rutkowski asked unanimous consent to be recorded as voting "No", on indefinite postponement of Assembly Bill 1191. Granted.

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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:

39 students from Whitefish Bay High School with teacher Marshall Rieboldt, as guests of Representative Sensenbrenner.

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Representative Earl 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.

3:55 P.M.