

JOURNAL OF THE ASSEMBLY (April 17, 1973)

STATE OF WISCONSIN

Assembly Journal

Eighty-First Regular Session

TUESDAY, April 17, 1973.

10:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Representative Miller.

Representative O'Malley led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present -Alberts, Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schroeder, Sensenbrenner, Shabaz, Sicala, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 94.

Absent -- None.

Absent with leave -- Azim, Hephner, Luckhardt, Schricker and Sweda -- 5.

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AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 283** offered by Representative Sanasarian.

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

Assembly substitute amendment 1 to **Assembly Bill 163** offered by Representative Sanasarian.

Assembly substitute amendment 1 to **Assembly Bill 102** offered by Representative Sanasarian.

Assembly substitute amendment 1 to **Assembly Bill 95** offered by Representative Nager.

Assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 128** offered by Representative Mittness.

Assembly substitute amendment 2 to **Assembly Joint Resolution 31** offered by Representative Barbee.

Assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 94** offered by Representatives Porter and Olson.

Assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 94** offered by Representatives Porter and Olson.

Assembly substitute amendment 2 to **Assembly Bill 183** offered by Representative Barbee.

Assembly amendment 1 to **Assembly Bill 207** offered by Representative Hephner.

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Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 573** offered by Representative Elconin.

Assembly substitute amendment 1 to **Assembly Bill 738** offered by Representatives Jackamonis and Berger.

Assembly substitute amendment 1 to **Assembly Bill 750** offered by Representative Atkinson.

Assembly amendment 1 to **Assembly Bill 606** offered by Representatives Jackamonis and Berger.

Assembly amendment 1 to **Assembly Bill 687** offered by Representative Sensenbrenner.

Assembly substitute amendment 1 to **Assembly Resolution 24** offered by Representative Duren.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Resolution 26

To amend assembly rule 25 (2), relating to notice of public hearings.

Analysis by the Legislative Reference Bureau

Under present rules of the assembly, notice of a public committee hearing must be filed on or before Wednesday noon of the week prior to the week during which the hearing will be held. This resolution requires such filing to be on or before Monday instead of Wednesday. Notice of hearing may be filed by Wednesday noon of the second week before the hearing if posting of an advance notice is desired.

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Resolved by the assembly, That:

Assembly rule 25 (2) is amended to read:

Assembly Rule 25 (2) The chairman of each standing committee shall on or before ~~Wednesday~~ Monday noon of each week file with the chief clerk a list of the public hearings on proposals before his committee which will be held during the following week. These lists shall be printed in advance in the weekly bulletin of hearings. The chairman of any standing committee may file notice of hearing on or before Wednesday noon of the second week prior to the week in which the public hearing is scheduled if he desires advance notice of the hearing to be posted.

By Representatives BALDUS and EARL.

To Calendar.

Assembly Joint Resolution 70

Directing the legislative council to study the feasibility of retaining Wisconsin's compulsory school attendance law.

By Representatives PLEWA, DE LONG, KEDROWSKI, ROGERS, QUACKENBUSH, LEWIS, WAHNER, GROVER, EARL, EVERSON, HAUKE, TESMER, RUTKOWSKI, ATKINSON, ROHNER, KLICKA, DONOGHUE and NIEBLER.

To committee on Education.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 849

Relating to issuance of automobile license plates with low numbers.

By Representatives VANDERPERREN and CONRADT; co-sponsored by Senators MARTIN and BIDWELL.

To committee on Highways.

Assembly Bill 850

Relating to instruction permits for operation of motor vehicles.

By Representatives PLEWA, ELCONIN, DE LONG, HAUKE and KLICKA, by request of Wisconsin Driver Traffic and Safety Association.

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To committee on Highways.

Assembly Bill 851

Relating to redemption on containers in which fermented malt beverages or carbonated beverages are sold.

By Representatives ANDERSON, OBERLE, MUNTS, QUINN, MITTNESS, MILLER, TESMER, JACKAMONIS, FLINTROP, WARD, ALBERTS, CYRAK and BRUHY.

To committee on Environmental Quality.

Assembly Bill 852

Relating to photographs on driver's licenses, elimination of "race" from the driver's license application form, and an increase in license fees.

By Representative VANDERPERREN; co-sponsored by Senator LA FAVE.

To committee on Highways.

Assembly Bill 853

Relating to labeling of prescription drugs.

By Representatives ROONEY, BERGER, TROPMAN, KEDROWSKI, HAUKE, ROHNER, MOHN, LALLENSACK, JACKAMONIS and SANASARIAN.

To committee on Health and Social Services.

Assembly Bill 854

Relating to agricultural conservation aids program and tax relief, membership of the board of soil and water conservation districts and on the district boards, granting rule-making authority and making an appropriation.

By Representatives MITTNESS, DAY, BRADLEY, ALBERTS, O'MALLEY, OESTREICHER, OTTE, SCHNEIDER, JACKAMONIS, MIELKE and WAHNER; co-sponsored by Senators CHILSEN, KNOWLES, MC KENNA and THOMPSON.

To committee on Natural Resources.

Assembly Bill 855

Permitting the public service commission to establish new standards for railroad track clearances, granting rule-making authority and providing a penalty.

By Representative SANASARIAN, by request of the Public Service Commission.

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To committee on Commerce and Consumer Affairs.

COMMUNICATIONS

The State of Wisconsin
Department of State
Madison 53702

April 11, 1973

To The Honorable, The Assembly

Gentlemen:

I have the honor to transmit to you, pursuant to s. 13.67 (2), a list of the registered lobbyists for the period beginning on April 3, 1973, and ending on April 10, 1973.

Respectfully submitted,
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 781.

PETITIONS

Assembly Petition 30

By Representative BARBEE.

To committee on Judiciary.

Assembly Petition 31

By Representative SWOBODA.

To Joint Committee on Finance.

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Assembly Petition 32

By Representative WAHNER.
To committee on Judiciary.

Assembly Petition 33

By Representative FERRALL.
To committee on Judiciary.

Assembly Petition 34

By Representative BARBEE.
To committee on Judiciary.

Assembly Petition 35

By Representative EARLY.
To committee on Health and Social Services.

Assembly Petition 36

By Representative BARBEE.
To committee on Judiciary.

COMMITTEE REPORTS

The committee on Commerce and Consumer Affairs reports and recommends:

Assembly Bill 96

Relating to hearings before public service commission hearing examiners.

Assembly amendment 1, adoption:

Ayes: (11) Noes: (0)

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

Assembly Bill 280

Relating to guarantees defined and providing penalties.

Assembly substitute amendment 1, adoption:

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Ayes: (11) Noes: (0)

Passage: Ayes: (8) Noes: (3)

HAROUT O. SANASARIAN,

Chairman

The committee on Education reports and recommends:

Assembly Joint Resolution 44

Urging school districts to provide outdoor classrooms.

Adoption: Ayes: (13) Noes: (0)

Assembly Joint Resolution 61

Urging the higher educational aids board to seek to enter interstate reciprocity agreements for resident students in veterinary education.

Adoption: Ayes: (13) Noes: (0)

Assembly Bill 312

Relating to learning disabilities course requirement for teacher certificates.

Indefinite Postponement:

Ayes: (8) Noes: (4)

Assembly Bill 573

Relating to confidentiality and maintenance of public school pupil records and granting rule-making authority.

Assembly substitute amendment 1, adoption:

Ayes: (11) Noes: (1)

Passage: Ayes: (9) Noes: (3)

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Assembly Bill 674

Relating to financial obligations of postgraduate students in the university of Wisconsin system.

Assembly substitute amendment 1, adoption:

Ayes: (11) Noes: (1)

Passage: Ayes: (9) Noes: (3)

Assembly Bill 773

AN ACT directing the higher educational aids board to seek interstate reciprocity agreements for resident students in veterinary education.

Passage: Ayes: (12) Noes: (0)

HERBERT J. GROVER,
Chairman

The committee on Transportation reports and recommends:

Assembly Bill 118

Relating to vehicles used interchangeably as motor homes and motor trucks.

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

Assembly Bill 414

Relating to establishing a vehicle registration grace period for new Wisconsin residents.

Passage: Ayes: (11) Noes: (0)

LEONARD A. GROSHEK,
Chairman

The committee on Third Reading reports and recommends:

Assembly Bill 219

Correct.

LEO O. MOHN,
Chairman

JOINT SURVEY COMMITTEE ON TAX EXEMPTIONS

Assembly Bill 534

Public Policy Involved

There are 2 parts to this proposal, one of which is acceptable to the Joint Survey Committee while the other part is too broad in its scope to be recommended.

Personal property, such as computers and office equipment, not owned but used by nonprofit hospitals now escapes taxation. It is doubtful that the present tax savings for the owners of the personal property are fully passed on to the hospital-users or that, following removal of the exemption, the tax imposed on the leased equipment would increase operating costs for the hospitals to a point of significance. The Joint Survey Committee finds this to be a desirable change.

The elimination of the tax exemption for property which is owned by hospitals and used for residential or commercial purposes is desirable to the extent that it would place some property, which has no direct relationship to the primary purpose of the hospital, on the tax rolls. However, the Joint Survey Committee must strongly recommend against this bill in its present form since it also would eliminate the exemption for residential facilities used for persons in training at hospitals (e. g., nurses' dormitories or interns' quarters). In its present form, the bill would not encourage expansion of facilities required by hospitals for the education of physicians, nurses and paramedic technicians. It is not desirable from the standpoint of public policy.

To committee on Taxation.

Assembly Bill 542

Public Policy Involved

The statutes presently provide several exemptions for somewhat similar purposes. For example, s. 70.11 (4), Wis. Stats., exempts

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property used by educational, religious and benevolent institutions; women's clubs; fraternities; and libraries, while s. 70.11 (10), Wis. Stats., exempts YMCA and YWCA lands. Section 70.11 (10m), Wis. Stats., exempts Lions' camps for handicapped children and s. 70.11 (11), Wis. Stats., exempts Bible camps. Lands of Boy Scouts and Boys' clubs are exempted by s. 70.11 (12), Wis. Stats., and camps for handicapped are exempted under s. 70.11 (22), Wis. Stats.

If anything, this string of exemptions should be analyzed and rejustified, not added to. This proposal attempts to create a special exemption for organizations which already seem to qualify for exemption under one of the sections cited above. This bill does not have a desirable public policy purpose.

To committee on Taxation.

Assembly Bill 608

Public Policy Involved

This bill is undesirable as public policy. It provides servicemen with an advantage over other persons receiving retirement income. Most employes contribute toward their retirement programs during their terms of employment. During this time, a tax is imposed on these earnings set aside for future retirement pay. Military personnel do not contribute to a retirement fund during their working years, when the first \$1,000 of their active duty pay is exempt from state income taxation. Both Wisconsin law and the Internal Revenue Code give special recognition to active members of the armed forces. It is not good public policy to extend special benefits to those persons receiving military retirement pay, especially when such a proposal gives retired servicemen an advantage over other retired individuals.

To committee on Taxation.

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Assembly Bill 721

Public Policy Involved

The exemption sections of this proposal are desirable public policy because they clarify the administration of the sales tax with regard to the storage of motor vehicles and aircraft; eliminate inequities with regard to the taxation of snowmobiles and when compared to aircraft, boats, and automobiles; and restore similar tax treatment to sales made by VTAE institutions and other public and private institutions of higher education. It also changes the exemptions for sales of certain meals to provide for simpler, more equitable administration.

To committee on Taxation.

Assembly Bill 740

Public Policy Involved

Changes in farm machine capacities (larger) and costs (higher) make it necessary for farmers to maximize use of their equipment. With increased emphasis on good farm management practices, it is the exceptional farmer who does not perform some custom work for other farmers. Under existing law, any farmer who makes more than nominal use of his machinery in this manner loses his exemption.

To committee on Taxation.

DAVID G. BERGER,

Chairman

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REPORT OF SPECIAL COMMITTEE

The State of Wisconsin

Legislative Council

Madison 53702

April 4, 1973

To the Honorable,
Governor Patrick J. Lucey
and the Members of the
1973 Wisconsin Legislature

Pursuant to s. 13.81 (3) of the Wisconsin Statutes, I am submitting to you the Legislative Council Report to the 1973 Legislature on Mobile Home Taxes. This report is intended to be used as a research and information document in connection with the following legislative proposal, which has been introduced in the 1973 Legislature by the Legislative Council:

Senate Bill 403, relating to monthly parking permit fees on unoccupied mobile homes.

We trust this report will be of value to you during the 1973 session.

Respectfully submitted,
SENATOR FRED A. RISSER,
Chairman.

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:

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Motion under joint rule 26

A Joint Certificate of Commendation by Senator Petri, co-sponsored by Representative McEssy to Big Sisters of Fond du Lac on the occasion of Big Sister Week, May 14-20, 1973.

Representative Earl asked unanimous consent that the motion be taken up at this time. Granted.

The question was: Concurrence?

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.

Adopted and asks concurrence in:

Motion under joint rule 26,

A Joint Certificate of Congratulations by Senator Devitt, co-sponsored by Representative O'Malley to Arthur W. Timmerman on the occasion of his 50th Birthday.

Representative Earl asked unanimous consent that the motion be taken up at this time. Granted.

The question was: Concurrence?

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.

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 8, and

Senate Joint Resolution 34.

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 8

Memorializing Congress to make Highway US-2 from Duluth to Sault Ste. Marie part of the interstate highway system.

To committee on Highways.

Senate Joint Resolution 34

Requesting certain organizations to take immediate action for the purpose of alleviating the existing and threatening level of high waters of the Great Lakes to the property owners surrounding the Great Lakes.

To committee on Natural Resources.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Air Force Captain Gerald L. Gerndt of Suring, Wisconsin, returned home on March 31 after 5-1/2 years in North Vietnamese captivity; and

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Whereas, Captain Gerndt was welcomed by over 1,000 persons in his hometown where the population is only 500; and

Whereas, he endured great sacrifices and shown tremendous courage during this long ordeal; and

Whereas, the people of Wisconsin are thankful to him for his service and are proud and honored to have him back home again; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representatives Kincaid, Grover and Matty and Senators Krueger and LaFave, under Joint Rule 26, commend Gerald Gerndt for his patience and courage during this trying experience and send their warmest greetings to the family at this time of happy reunion.

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.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Mr. Kieran Powers of Lyndon Station in January of 1973 was elected chairman of the State Board of Agriculture, and

Whereas, Mr. Powers has trained himself for this role in his educational and vocational pursuits at the University of Wisconsin and on his own farming interest, and

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Whereas, Mr. Powers is an example of an individual who gives of his energies and talents to such worthwhile projects such as the Kiwanis, Knights of Columbus, the Juneau County Fair Association and town government; now therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Thompson and Senator Bidwell, under Joint Rule 26, extends heartiest congratulations to Mr. Kieran Powers on his election to this post and wishes him well in his new 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.

MOTIONS

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

Representative Earl asked unanimous consent to introduce a joint resolution. Granted.

Assembly Joint Resolution 71

Requesting the President of the United States to designate a 33-county region as a disaster area due to serious flooding.

By Representatives MATTY, SWOBODA, VANDERPERREN, QUINN, ALBERTS, GOWER and KINCAID; co-sponsored by Senators LA FAVE and MARTIN.

Representative Earl asked unanimous consent that **Assembly Joint Resolution 71** be taken up at this time. Granted.

The question was: Shall **Assembly Joint Resolution 71** be adopted?

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Motion carried.

Representative Kincaid asked unanimous consent to be made a co-author of **Assembly Joint Resolution 71**. Granted.

Representative Gower asked unanimous consent to be made a co-author of **Assembly Joint Resolution 71**. Granted.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 71** be immediately messaged to the senate. Granted.

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

Representative Berger asked unanimous consent that **Assembly Bill 225** be made a special order of business at 11:00 A.M. on Wednesday, April 18.

Representative Shabaz objected.

Representative Berger moved that the rules be suspended and that **Assembly Bill 225** be made a special order of business at 11:00 A.M. on Wednesday, April 18.

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

The question was: Shall the rules be suspended and that **Assembly Bill 225** be made a special order of business at 11:00 A.M. on Wednesday, April 18?

The roll was taken.

The result follows:

Ayes -Berger, Dueholm, Duren, Everson, Jackamonis, Johnson, Kedrowski, Kleczka, Mielke, Miller, Mittness, Munts, Pabst, Rooney, Roth, Schneider, Sensenbrenner, Tobiasz, Tropman, Wahner and Ward -- 21.

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Noes -- Alberts, Atkinson, Baldus, Barbee, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Day, DeLong, Donoghue, Dorff, Earl, Early, Elconin, Ellis, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Keegan, Kincaid, Klicka, Lallensack, Lewis, Lewison, Looby, McEssy, Matty, Menos, Merkel, Mohn, Molinaro, Murray, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rutkowski, Sanasarian, Schroeder, Shabaz, Sicula, Swoboda, Tesmer, Thompson, Tregoning, Vanderperren, Wackett, Wilcox, Willkom and Mr. Speaker -- 71.

Absent or not voting -- Azim, Czerwinski, Hephner, Luckhardt, Nager, Schricker and Sweda -- 7.

Motion failed.

Representative Earl asked unanimous consent that **Assembly Bill 225** be withdrawn from the calendar of April 10 and referred to the calendar of March 29 immediately following **Assembly Bill 228**. Granted.

LEAVES OF ABSENCE

Representative Shabaz asked unanimous consent for a leave of absence for today's session for Representatives Azim, Luckhardt and Schricker. Granted.

Representative Shabaz moved that **Assembly Resolution 21** be withdrawn from the committee on Assembly Organization and referred to the calendar.

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

The question was: Shall **Assembly Resolution 21** be withdrawn from the committee on Assembly Organization and referred to the calendar?

Motion failed.

CALENDAR OF TUESDAY, MARCH 27, 1973

Assembly Bill 290

Relating to transcript costs on review in equal employment cases and granting rule-making authority.

Representative Looby moved rejection of assembly amendment 1 to **Assembly Bill 290**.

The question was: Shall assembly amendment 1 to **Assembly Bill 290** be rejected?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Behnke, Berger, Bolle, Byers, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Lewison, Looby, McEssy, Menos, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Porter, Quackenbush, Roberts, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Swoboda, Tesmer, Tobiasz, Tregoning, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 62.

Noes -- Alberts, Bradley, Bruhy, Cyrak, DeLong, Duren, Ellis, Gibson, Giese, Gower, Kincaid, Klicka, Lewis, Matty, Merkel, Niebler, Olson, Opitz, Plewa, Rogers, Rohner, Roth, Schroeder, Sensenbrenner, Shabaz, Thompson, Wackett and Wilcox -- 28.

Absent or not voting -- Azim, Barczak, Conradt, Hephner, Luckhardt, Mielke, Quinn, Schricker and Sweda -- 9.

Motion carried.

The question was: Shall **Assembly Bill 290** be ordered engrossed and read a third time?

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Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that **Assembly Bill 290** be given a third reading. Granted.

The question was: **Assembly Bill 290** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Baldus, Barbee, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Klicka, Lallensack, Lewis, Lewison, Looby, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schroeder, Sensenbrenner, Shabaz, Sicala, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 88.

Noes -- Dueholm, Duren and Niebler -- 3.

Absent or not voting -- Azim, Barczak, Hephner, Kleczka, Luckhardt, Porter, Schricker and Sweda -- 8.

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that **Assembly Bill 290** be immediately messaged to the senate. Granted.

Representative Plewa asked unanimous consent to be recorded as voting "Aye" on rejection of assembly amendment 1 to **Assembly Bill 290**. Granted.

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Representative Dueholm asked unanimous consent to be recorded as voting "Aye" on passage of Assembly Bill 290. Granted.

Assembly Bill 491

Relating to the contractual employment of physicians by hospitals or nonprofit medical education and research organizations.

Representative Earl moved rejection of assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 491**.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 491** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conratt, Conta, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schroeder, Sensenbrenner, Shabaz, Sicula, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 92.

Noes -- Cyrak -- 1.

Absent or not voting -- Azim, Czerwinski, Hephner, Luckhardt, Schricker and Sweda -- 6.

Motion carried.

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The question was: Shall assembly substitute amendment 1 to **Assembly Bill 491** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 491** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 491** be given a third reading. Granted.

The question was: **Assembly Bill 491** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -Alberts, Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schroeder, Sensenbrenner, Shabaz, Sicula, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 92.

Noes -- Cyrak -- 1.

Absent or not voting -- Azim, Czerwinski, Hephner, Luckhardt, Schricker and Sweda -- 6.

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Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 491** be immediately messaged to the senate. Granted.

Assembly Bill 720

Relating to providing for senate and assembly cochairmen of the joint survey committees on retirement systems and on tax exemptions.

Representative Shabaz moved rejection of assembly amendment 1 to **Assembly Bill 720**.

The question was: Shall assembly amendment 1 to **Assembly Bill 720** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Bradley, Bruhy, Conradt, DeLong, Ellis, Gibson, Giese, Gower, Kincaid, Klicka, Lewis, Lewison, Merkel, Niebler, Olson, Opitz, Porter, Rohner, Roth, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 27.

Noes -- Atkinson, Baldus, Barczak, Behnke, Berger, Bolle, Byers, Conta, Cyrak, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 65.

Absent or not voting -- Azim, Barbee, Czerwinski, Hephner, Luckhardt, Schricker and Sweda -- 7.

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Motion failed.

The question was: Shall assembly amendment 1 to **Assembly Bill 720** be adopted?

Motion carried.

POINT OF ORDER

Representative Sensenbrenner rose to the point of order that assembly amendment 2 to **Assembly Bill 720** was not germane.

The speaker ruled the point of order not well taken.

The question was: Shall assembly amendment 2 to **Assembly Bill 720** be adopted?

Motion carried.

Representative Shabaz moved indefinite postponement of **Assembly Bill 720**.

The question was: Shall **Assembly Bill 720** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Alberts, Bradley, Bruhy, Conradt, DeLong, Ellis, Gibson, Giese, Gower, Klicka, Lewis, Lewison, Olson, Porter, Quackenbush, Quinn, Rohner, Roth, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 25.

Noes -- Atkinson, Baldus, Barczak, Berger, Bolle, Byers, Conta, Cyrak, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka,

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Lallensack, Looby, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 66.

Absent or not voting -- Azim, Barbee, Behnke, Czerwinski, Hephner, Luckhardt, Schricker and Sweda -- 8.

Motion failed.

The question was: Shall **Assembly Bill 720** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 720** be given a third reading. Granted.

The question was: **Assembly Bill 720** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Baldus, Barczak, Behnke, Bolle, Bradley, Byers, Conradt, Conta, Cyrak, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewis, Lewison, Looby, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Schroeder, Sicula, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -
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Noes -- Berger, Bruhy, Gibson, Giese, Gower, Klicka, Merkel, Olson, Porter, Rohner, Roth, Sensenbrenner, Shabaz, Tregoning and Wackett -- 15.

Absent or not voting -- Azim, Barbee, Czerwinski, Hephner, Luckhardt, Schricker and Sweda -- 7.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 720** be immediately messaged to the senate.

Representative Shabaz objected.

Representative Earl moved that the rules be suspended and that **Assembly Bill 720** be immediately messaged to the Senate.

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

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

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

The question was: Shall the rules be suspended and that **Assembly Bill 720** be immediately messaged to the senate?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Byers, Conta, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Looby, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Quinn, Roberts, Rogers, Rooney, Rutkowski, Schneider, Sicula, Swoboda, Tesmer, Tobiasz, Tropman, Wahner, Ward, Willkom and Mr. Speaker -- 64.

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Noes -- Alberts, Bradley, Bruhy, Conradt, Cyrak, DeLong, Ellis, Gibson, Giese, Gower, Klicka, Lewis, Lewison, Merkel, Niebler, Olson, Porter, Quackenbush, Rohner, Roth, Sanasarian, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Vanderperren, Wackett and Wilcox -- 29.

Absent or not voting -- Azim, Czerwinski, Hephner, Luckhardt, Schricker and Sweda -- 6.

Motion carried.

LEAVES OF ABSENCE

Representative Earl asked unanimous consent for a leave of absence for today's session for Representatives Hephner and Sweda. Granted.

SECOND READING AND AMENDMENT

OF SENATE BILLS

Senate Bill 9

Relating to annexation of town islands.

Representative Nager asked unanimous consent that assembly substitute amendment 1 to **Senate Bill 9** be laid on the table.

Representative Everson objected.

Representative Earl moved that assembly substitute amendment 1 to **Senate Bill 9** be laid on the table.

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The question was: Shall assembly substitute amendment 1 to **Senate Bill 9** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bruhy, Conta, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Ellis, Ferrall, Flintrop, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Kincaid, Kleczka, Lallensack, Lewis, Looby, McEssy, Matty, Menos, Miller, Mittness, Molinaro, Munts, Nager, Oberle, O'Malley, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schroeder, Sicula, Swoboda, Tesmer, Tobiasz, Tropman, Wahner, Ward, Wilcox and Mr. Speaker -- 60.

Noes -- Alberts, Atkinson, Bradley, Byers, Conradt, Cyrak, Day, DeLong, Duren, Everson, Giese, Keegan, Klicka, Lewison, Merkel, Mielke, Mohn, Murray, Niebler, Oestreicher, Olson, Opitz, Porter, Rogers, Rohner, Sensenbrenner, Shabaz, Thompson, Tregoning, Vanderperren, Wackett and Willkom -- 32.

Absent or not voting -- Azim, Czerwinski, Gibson, Hephner, Luchhardt, Schricker and Sweda -- 7.

Motion carried.

Assembly amendment 1 to **Senate Bill 9** offered by Representative Everson.

The question was: Shall assembly amendment 1 to **Senate Bill 9** be adopted?

Motion carried.

Assembly amendment 2 to **Senate Bill 9** offered by Representatives Nager and Earl.

The question was: Shall assembly amendment 2 to **Senate Bill 9** be adopted?

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Motion carried.

Assembly amendment 3 to **Senate Bill 9** offered by Representatives Earl and Nager.

Representative Shabaz moved rejection of assembly amendment 3 to **Senate Bill 9**.

The question was: Shall assembly amendment 3 to **Senate Bill 9** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Bradley, Byers, Conradt, Cyrak, Day, Donoghue, Duren, Everson, Gibson, Giese, Grover, Kedrowski, Keegan, Kincaid, Lewison, Matty, Menos, Merkel, Mielke, Mohn, Murray, Niebler, Oberle, Oestreicher, Olson, Opitz, Rogers, Schneider, Shabaz, Swoboda, Thompson, Tregoning, Wackett, Wilcox and Willkom -- 37.

Noes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bruhy, Conta, DeLong, Dorff, Dueholm, Earl, Elconin, Ellis, Ferrall, Flintrop, Gower, Groshek, Hauke, Jackamonis, Johnson, Kleczka, Klicka, Lallensack, Lewis, Looby, McEssy, Miller, Mittness, Molinaro, Munts, Nager, O'Malley, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rohner, Rooney, Roth, Sanasarian, Schroeder, Sensenbrenner, Sricula, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward and Mr. Speaker -- 54.

Absent or not voting -- Azim, Czerwinski, Hephner and Luckhardt -- 4.

Paired for - Rutkowski and Schricker -- 2.

Paired against - Sweda and Early -- 2.

Motion failed.

The question was: Shall assembly amendment 3 to **Senate Bill 9** be adopted?

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The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Barczak, Behnke, Berger, Bruhy, Conta, Dorff, Earl, Elconin, Ellis, Ferrall, Flintrop, Groshek, Hauke, Jackamonis, Johnson, Keegan, Kleczka, Lallensack, Looby, McEssy, Miller, Mittness, Molinaro, Munts, Nager, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rooney, Roth, Sanasarian, Schneider, Sicula, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward and Mr. Speaker -- 45.

Noes -- Alberts, Atkinson, Bolle, Bradley, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Dueholm, Duren, Everson, Gibson, Giese, Gower, Grover, Kedrowski, Kincaid, Klicka, Lewis, Lewison, Matty, Menos, Merkel, Mielke, Mohn, Murray, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Porter, Rogers, Rohner, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Tregoning, Wackett, Wilcox and Willkom -- 46.

Absent or not voting -- Azim, Czerwinski, Hephner and Luckhardt -- 4.

Paired for - Sweda and Early -- 2.

Paired against - Rutkowski and Schricker -- 2.

Motion failed.

Representative Earl asked unanimous consent that the Assembly return to the ninth order of business. Granted.

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

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

Senate Bill 364

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Senate Bill 364

Relating to exemption from the Wisconsin consumer act of FHA and VA loans.

Representative Earl asked unanimous consent that **Senate Bill 364** be made a special order of business at 9:15 A.M. on Wednesday, April 18. Granted.

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

Representative Sricula asked unanimous consent to be recorded as voting as follows on the following questions from April 11 and April 12:

Shall **Assembly Bill 74** pass? - Aye.

Shall **Assembly Bill 404** pass? - Aye.

Shall the vote by which **Assembly Bill 142** passed be reconsidered? - No

Shall **Assembly Bill 200** pass? - Aye

Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 219** be rejected? - Aye.

Shall assembly substitute amendment 1 to **Assembly Bill 219** be adopted? - Aye

Shall **Assembly Bill 219** be indefinitely postponed? - No.

Shall **Assembly Bill 219** be engrossed? - Aye.

Shall assembly amendments 1, 2, 3, 4 and 5 to **Assembly Bill 265** be rejected? - Aye.

Shall **Assembly Bill 265** be engrossed? - Aye.

Shall **Assembly Bill 265** be withdrawn from the joint committee on Finance? - Aye.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly Substitute Amendment 1, to **Assembly Bill 436**

On page 12, line 11, after "1", insert ", as renumbered".

Assembly Substitute Amendment 1, to **Assembly Bill 94**

On page 1, line 8, substitute "59.968" for "59.958".

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Assembly Bill 300

On page 254, line 6, substitute "(r)" for "(q)".

Assembly Bill 492

On page 14, line 17, change "(5)" to "(4)".

Assembly Bill 722

On page 6, line 2, after "by" insert "the", as shown in the rough draft of LRB-1635/1 on file in the legislative reference bureau.

Assembly Bill 800

On page 11, line 8, substitute "which" for the first "with".

Assembly Bill 183

On page 2, line 6, after "944.27" insert a scored comma.

On page 2, line 13, insert "(6)" before "of".

On page 9, line 25, substitute "reasonably" for "reasonable".

On page 10, line 1, substitute "injecting" for "injueting".

Assembly Bill 603

On page 2, line 14, substitute "227.023" for "227.03".

VISITORS

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

Fred Ernst from Appleton, Wisconsin, guest of Representative Roth.

49-4th grade students of River Valley Elementary School, accompanied by the teachers, Mrs. Bankson and Mrs. Bohan, and parents, Mrs. Nachreiner, Mrs. Stoddard, Mrs. Cozeire, Mrs. Everson, Mrs. Johnson, Mrs. Koller, Mrs. Luther, Mrs. Davidson, Mrs. Neider, Mrs. Mickleson, Mrs. Hopkins, Mrs. Garner and Mrs. Pulvermarker, from Spring Green, Wisconsin, guests of Representative Giese.

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Bill Marchant from Arlington, Virginia, guest of Representative Menos.

Len Symkowski from Saint Francis, Wisconsin, guest of Representative Tesmer.

55 students of Bethany Lutheran School, accompanied by Mr. Valleskey, Principal, from Milwaukee, Wisconsin guests of Representative Tobiasz.

Mrs. B. J. Michelson and family from Neenah, Wisconsin, guests of Representative Ellis.

Girl Scouts Junior Troops 204 and 188, accompanied by Mrs. Soger and Mrs. McDaniel, from Ripon, Wisconsin, guests of Representative Wilcox.

Students from Watertown Senior High School, accompanied by Fred J. Evert, from Watertown, Wisconsin, guests of Representative Wackett.

Kathleen Senn from LaCrosse, Wisconsin, guest of Representative Roberts and Representative Gibson.

Very Rev. Arshag Kachaturian, Rev. Father Patee Metjian, Rev. Sumpad Ter Muhsian, Harry Kalvanjian, and Vartkes Tahtajian from Milwaukee, Wisconsin, guests of Representative Sanasarian.

Joe Robinson, former member of the assembly, from Belmont, Wisconsin, guest of Representative Tregoning.

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

The question was: Adjournment?

Motion carried.

The assembly stood adjourned.

12:05 P.M.