

JOURNAL OF THE ASSEMBLY (June 27, 1973)

STATE OF WISCONSIN

Assembly Journal

Eighty-First Regular Session

WEDNESDAY, June 27, 1973.

9:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Rabbi Manfred Swarsensky of Beth El Temple, 2702 Arbor Drive, Madison, Wisconsin.

Representative Porter 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, Azim, 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, Luckhardt, 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, Schricker, Schroeder, Sensenbrenner, Shabaz, Sricula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 98.

Absent -- None.

Absent with leave -- Hephner -- 1.

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AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 414** offered by Representative Baldus.

Assembly substitute amendment 1 to **Assembly Bill 1009** offered by Representative Tesmer.

Assembly amendment 1 to **Assembly Bill 873** offered by Representative O'Malley.

Assembly amendment 6 to **Assembly Bill 175** offered by Representatives Day, Oberle, Schricker, Kincaid and Murray.

Assembly substitute amendment 2 to **Assembly Bill 626** offered by Representatives Day, Mittness, Wahner, Munts, Roberts, Donoghue, Behnke, Hauke, Sensenbrenner, Ferrall, Otte, O'Malley, Elconin and Tropman.

Assembly substitute amendment 1 to **Assembly Bill 599** offered by Representatives Jackamonis and Berger.

Assembly amendment 2 to **Assembly Bill 717** offered by Representatives Murray and Elconin.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Resolution 37

Requesting an attorney general's opinion on the procedure for acting on constitutional amendments proposed on 2nd consideration.

Resolved by the assembly, That the attorney general is requested to provide an opinion, as expeditiously as possible, regarding the power of the 1973 legislature to deal upon second consideration with the amendments to Section 13 of Article VII proposed by 1971 Enrolled Joint Resolution 26, which was agreed to by a majority of the members elected to each of the 2 houses, and duly published for 3 months prior to the 1972 general election. Specifically, the attorney general is requested to provide an opinion as to the following questions:

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1. Did 1971 Enrolled Joint Resolution 26 propose 2 amendments to Section 13 of Article VII, the first being the abolition of the procedure for removal of judges by address of the legislature, and the second being the creation of the power in the supreme court to suspend or remove judges for cause or disability?

2. If 1971 Enrolled Joint Resolution 26 proposed 2 amendments, may each proposed amendment be submitted to the 1973 legislature for second consideration in a separate joint resolution?

3. If 1971 Enrolled Joint Resolution 26 proposed 2 amendments, and if both such amendments are approved by the 1973 legislature in the precise form as previously proposed, whether in a single joint resolution or in 2 separate joint resolutions, would Section 1 of Article XII require that the proposed amendments be separated into 2 ballot issues in order to allow the electorate to vote for or against such amendments separately?

4. If 1971 Enrolled Joint Resolution 26 proposed 2 amendments, and if one of such amendments is approved by the 1973 legislature in the precise form as proposed in 1971 Enrolled Joint Resolution 26 but the other amendment is not so approved, may the approved amendment be submitted to the electorate for ratification?

By COMMITTEE ON JUDICIARY.

To Calendar.

Assembly Resolution 38

Relating to commending the senate members of the conference committee on the 1973 state budget bill.

Whereas, Governor Lucey campaigned throughout the state last year promising tax relief to the property owners of Wisconsin; and

Whereas, he used the mass communications media to politically embarrass legislators who would not sign such a pledge just prior to the election; and

Whereas, he subsequently introduced a 2.7 billion dollar budget which provided much for state government agencies, but little for direct property tax relief; and

Whereas, the Republican members of the state budget conference committee have fought hard to get direct and meaningful property tax relief for the owners and renters of real property in this state; now, therefore, be it

Resolved, That the assembly hereby commends the senate conferees for their strong, independent and responsible fight to fill the campaign promise of the Governor, and the campaign promise upon which many legislators successfully ran last year.

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By Representatives ALBERTS, SHABAZ, DE LONG, KINCAID, OLSON, TREGONING, SENSENBRENNER, GIESE, MATTY, OPITZ, BYERS, NIEBLER, MERKEL, THOMPSON, ROHNER, PORTER, DONOGHUE, WACKETT, LEWIS, SCHROEDER, BRADLEY, CONRADT, QUINN, ELLIS, QUACKENBUSH, ROTH, CYRAK, GOWER, BRUHY, SCHRICKER, MC ESSY, LEWISON, GIBSON, KLIKA, LUCKHARDT and WILCOX.

To committee on Rules.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1173

Relating to taxation of and exemptions for insurance companies.

By Representative BERGER.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 1174

Relating to protective occupation participant classification for foremen and superintendents at state correctional institutions.

By Representative LEWIS, co-sponsored by Senator HOLLANDER.

To Joint Survey Committee on Retirement Systems.

Assembly Bill 1175

Relating to omnibus coverage of accident liability insurance.

By Representatives LOOBY, SANASARIAN, BERGER, SENSENBRENNER, LEWIS, TOBIASZ, BALDUS, BEHNKE, GIBSON, PABST, MOLINARO, DORFF, ELCONIN, FERRALL, OESTREICHER, TESMER, KINCAID and OTTE; co-sponsored by Senator BABLITCH, by request of the State AFL-CIO.

To committee on Insurance and Banking.

Assembly Bill 1176

Relating to temporary help employment contractors and providing a penalty.

By Representatives LOOBY, SANASARIAN, TOBIASZ, BERGER, BALDUS, BEHNKE, GIBSON, PABST, MOLINARO, DORFF, ELCONIN, FERRALL, SCHRICKER, TESMER and OTTE; co-sponsored by Senator BABLITCH, by request of State AFL-CIO.

To committee on Labor.

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Assembly Bill 1177

Relating to mandatory minimum sentence of 25 years for first degree murder and rape.

By Representatives MERKEL, KLIKA, LEWIS, SCHROEDER and OLSON.

To committee on Judiciary.

COMMITTEE REPORTS

The committee on Judiciary reports and recommends:

Assembly Bill 898

Relating to court and family court commissioners, granting rule-making authority and making an appropriation.

Passage: Ayes: (6) Noes: (5)

Assembly Bill 899

Relating to court administration.

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

Assembly Bill 902

Relating to the procedure for accepting pleas by defendants in criminal cases and providing a procedure for plea agreements between the prosecuting attorneys and defendants.

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

LLOYD A. BARBEE,
Chairman

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Joseph M. Zahorik, a life-long resident of Manitowoc County Died June 19, 1973, at the age of 86; and

Whereas, Mr. Zahorik retired in December, 1962, after 30 years of dedicated service to Manitowoc County as its Register of Deeds; and

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Whereas, Mr. Zahorik devoted much of his life to community service, being active in numerous civic, fraternal, and religious organizations, including volunteer work with the Boy Scouts and as chairman of the March of Dimes campaign; and

Whereas, Mr. Zahorik was active in the Democratic Party of Manitowoc County for over 40 years; and

Whereas, during the 15 terms he served as Manitowoc County's Register of Deeds, Mr. Zahorik had a friendly word for everyone who came in the Courthouse and always had the time to help any citizen with a problem; and

Whereas, Mr. Zahorik earned the reputation of being the top vote getter in the County, all of which helped him to deserve the affectionate title of "Mr. Democrat,"; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representatives Bolle and Lallensack and Senator Martin under Joint Rule 26, extend their deepest sympathies to his daughter, Mrs. Charlotte Johnson, and to the family.

The question was: Adoption?

Motion carried.

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

CALENDAR OF THURSDAY, JUNE 7, 1973

Assembly Bill 798

Relating to validation of village debts and contracts incurred for public works and to authorizing a city, village or county to pay for certain benefits and improvements furnished them.

The question was: Shall **Assembly Bill 798** be ordered engrossed and read a third time?

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that **Assembly Bill 798** be given a third reading. Granted.

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The question was: Assembly Bill 798 having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conrardt, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, 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, Schricker, Sensenbrenner, Shabaz, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 95.

Noes -- None.

Absent or not voting -- Everson, Hephner, Schroeder and Tropman -- 4.

Motion carried.

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

Representative Baldus asked unanimous consent that the rules be suspended and that Assembly Bill 798 be immediately messaged to the senate. Granted.

Assembly Bill 840

Permitting the investment board to designate out-of-state banks or trust companies as special correspondent depositories.

Assembly amendment 1 to Assembly Bill 840 offered by Representative Sicula.

The question was: Shall assembly amendment 1 to Assembly Bill 840 be adopted?

Motion carried.

Assembly amendment 2 to Assembly Bill 840 offered by Representative Lewis.

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Representative Cyrak moved rejection of assembly amendment 2 to **Assembly Bill 840**.

The question was: Shall assembly amendment 2 to **Assembly Bill 840** be rejected?

The roll was taken.

The result follows:

Ayes -- Cyrak, Czerwinski, Hauke, Luckhardt, Nager, Sensenbrenner and Wilcox -- 7.

Noes -- Alberts, Atkinson, Azim, 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, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, McEssy, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Shabaz, Sicala, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Willkom and Mr. Speaker -- 90.

Absent or not voting -- Hephner and Matty -- 2.

Motion failed.

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

The question was: Shall assembly amendment 2 to **Assembly Bill 840** be adopted?

Motion carried.

Representative Azim moved indefinite postponement of **Assembly Bill 840**.

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

Representative Olson moved that **Assembly Bill 840** be re-referred to the committee on Insurance and Banking.

The question was: Shall **Assembly Bill 840** be re-referred to the committee on Insurance and Banking?

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The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, DeLong, Donoghue, Dueholm, Duren, Earl, Early, Everson, Gibson, Giese, Gower, Groshek, Grover, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Miller, Mittness, Molinaro, Nager, Niebler, Olson, Opitz, Otte, Plewa, Porter, Quackenbush, Quinn, Roberts, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Thompson, Tobiasz, Tregoning, Tropman, Wackett and Wilcox -- 62.

Noes -- Barbee, Barczak, Behnke, Berger, Bolle, Czerwinski, Day, Dorff, Elconin, Ellis, Ferrall, Flintrop, Hauke, Jackamonis, Johnson, Kedrowski, Looby, Menos, Mielke, Mohn, Munts, Murray, Oberle, Oestreicher, O'Malley, Pabst, Rogers, Schneider, Sricula, Swoboda, Tesmer, Vanderperren, Ward, Willkom and Mr. Speaker -- 35.

Absent or not voting -- Hephner and Wahner -- 2.

Motion carried.

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

Assembly Bill 855

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

Representative Shabaz moved indefinite postponement of **Assembly Bill 855**.

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

The question was: Shall **Assembly Bill 855** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Duren, Early, Gibson, Giese, Gower, Hauke, Keegan, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Niebler, Opitz, Porter,

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Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Tregoning, Wackett and Wilcox -- 42.

Noes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Dorff, Dueholm, Earl, Elconin, Ellis, Everson, Ferrall, Flintrop, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Kleczka, Lallensack, Looby, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, Olson, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 56.

Absent or not voting -- Hephner -- 1.

Motion failed.

The question was: Shall Assembly Bill 855 be ordered engrossed and read a third time?

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that Assembly Bill 855 be given a third reading.

Representative Shabaz objected.

Representative Baldus moved that the rules be suspended and that Assembly Bill 855 be given a third reading.

The question was: Shall the rules be suspended and that Assembly Bill 855 be given a third reading?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Dueholm, Earl, Elconin, Ellis, Everson, Ferrall, Flintrop, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Menos, Mielke, Miller, Mittness, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 56.

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Noes -- Alberts, Atkinson, Azim, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Duren, Early, Gibson, Giese, Gower, Hauke, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Tregoning, Wackett and Wilcox -- 41.

Absent or not voting -- Hephner and Mohn -- 2.

Motion failed.

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

Assembly Bill 978

Relating to authorization for counties of less than 500,000 to borrow money and issue bonds for low-income housing construction.

Representative Everson asked unanimous consent to be recorded as voting "Aye" on passage of Assembly Bill 978. Granted.

The question was: Shall Assembly Bill 978 be ordered engrossed and read a third time?

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that Assembly Bill 978 be given a third reading.

Representative Shabaz objected.

Representative Baldus moved that the rules be suspended and that Assembly Bill 978 be given a third reading.

The question was: Shall the rules be suspended and that Assembly Bill 978 be given a third reading?

The roll was taken.

The result follows:

Ayes -- Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Looby, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski,

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Sanasarian, Schneider, Schricker, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 65.

Noes -- Alberts, Atkinson, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Gibson, Giese, Gower, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Niebler, Olson, Porter, Quackenbush, Quinn, Rohner, Roth, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 33.

Absent or not voting -- Hephner -- 1.

Motion failed.

Assembly Bill 1018

Relating to dollar amount requiring publication of balance sheet and income account by public utilities.

The question was: Shall **Assembly Bill 1018** be ordered engrossed and read a third time?

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that **Assembly Bill 1018** be given a third reading. Granted.

The question was: **Assembly Bill 1018** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

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

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Noes -- DeLong, Duren, Ferrall, Klicka, Lewis, Lewison, Merkel, Niebler and Thompson -- 9.

Absent or not voting -- Hephner and Luckhardt -- 2.

Motion carried.

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

Representative Baldus asked unanimous consent that the rules be suspended and that **Assembly Bill 1018** be immediately messaged to the senate. Granted.

Assembly Bill 1019

Relating to acquisition of controlling interest in a public utility.

Representative Sweda in the chair.

Representative Alberts moved indefinite postponement of **Assembly Bill 1019**.

The question was: Shall **Assembly Bill 1019** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Bradley, Bruhy, Byers, Conradt, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Duren, Early, Ellis, Gibson, Giese, Gower, Grover, Hauke, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Mohn, Molinaro, Niebler, Oberle, Olson, Opitz, Otte, Pabst, Porter, Quackenbush, Quinn, Rogers, Rohner, Rooney, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Tregoning, Wackett and Wilcox -- 57.

Noes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Dueholm, Earl, Elconin, Everson, Ferrall, Flintrop, Groshek, Jackamonis, Johnson, Looby, Menos, Mielke, Miller, Mittness, Munts, Murray, Nager, Oestreicher, O'Malley, Plewa, Roberts, Rutkowski, Sanasarian, Schneider, Sricula, Sweda, Tesmer, Tobiasz, Tropman, Wahner, Ward, Willkom and Mr. Speaker -- 40.

Absent or not voting -- Hephner and Vanderperren -- 2.

Motion carried.

SECOND READING AND AMENDMENT
OF SENATE BILLS

Senate Bill 104

Relating to classification of users under the Milwaukee metropolitan sewerage commission.

The speaker in the chair.

The question was: Shall **Senate Bill 104** be ordered to a third reading?

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that **Senate Bill 104** be given a third reading. Granted.

The question was: **Senate Bill 104** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, 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, Luckhardt, 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, Schricker, Schroeder, Sensenbrenner, Shabaz, Sicala, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 98.

Noes -- None.

Absent or not voting -- Hephner -- 1.

Motion carried.

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Representative Baldus asked unanimous consent that the rules be suspended and that **Senate Bill 104** be immediately messaged to the senate. **Granted.**

Senate Bill 131

Relating to the restriction on alienation of Menominee Indian tribe corporation securities.

The question was: Shall **Senate Bill 131** be ordered to a third reading?

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that **Senate Bill 131** be given a third reading. **Granted.**

The question was: **Senate Bill 131** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, 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, Luckhardt, 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, Schricker, Schroeder, Sensenbrenner, Shabaz, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 98.

Noes -- None.

Absent or not voting -- Hephner -- 1.

Motion carried.

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Representative Baldus asked unanimous consent that the rules be suspended and that **Senate Bill 131** be immediately messaged to the senate. Granted.

Senate Bill 223

Relating to safety eye protective devices.

Assembly amendment 1 to **Senate Bill 223** offered by Representative Berger.

Representative Sensenbrenner moved rejection of assembly amendment 1 to **Senate Bill 223**.

The question was: Shall assembly amendment 1 to **Senate Bill 223** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Day, DeLong, Donoghue, Dorff, Dueholm, Ellis, Everson, Flintrop, Gibson, Giese, Groshek, Hauke, Johnson, Kedrowski, Keegan, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Merkel, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Niebler, Oberle, Oestreicher, O'Malley, Opitz, Otte, Porter, Quackenbush, Quinn, Rohner, Rooney, Roth, Rutkowski, Schricker, Schroeder, Sensenbrenner, Shabaz, Tesmer, Thompson, Tobiasz, Tregoning, Vanderperren, Wackett, Ward, Wilcox, Willkom and Mr. Speaker -
- 69.

Noes -- Baldus, Barbee, Berger, Czerwinski, Duren, Earl, Early, Elconin, Ferrall, Gower, Grover, Jackamonis, Kincaid, Kleczka, Menos, Mielke, Nager, Olson, Pabst, Plewa, Roberts, Rogers, Sanasarian, Schneider, Sicula, Sweda, Swoboda, Tropman and Wahner -- 29.

Absent or not voting -- Hephner -- 1.

Motion carried.

Assembly amendment 2 to **Senate Bill 223** offered by Representative Niebler.

Representative Sensenbrenner moved rejection of assembly amendment 2 to **Senate Bill 223**.

The question was: Shall assembly amendment 2 to **Senate Bill 223** be rejected?

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The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Baldus, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Earl, Early, Ellis, Everson, Flintrop, Gibson, Groshek, Grover, Hauke, Johnson, Kedrowski, Kleczka, Klicka, Lallensack, Lewis, Looby, Matty, Menos, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Schricker, Schroeder, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 71.

Noes -- Azim, Barbee, Berger, Duren, Elconin, Ferrall, Giese, Gower, Jackamonis, Keegan, Kincaid, Lewison, Luckhardt, McEssy, Merkel, Mielke, Niebler, Olson, Porter, Rohner, Sanasarian, Schneider, Shabaz, Tregoning, Tropman, Wackett and Wilcox -- 27.

Absent or not voting -- Hephner -- 1.

Motion carried.

Assembly amendment 3 to **Senate Bill 223** offered by Representative Gower.

Representative Dorff moved rejection of assembly amendment 3 to **Senate Bill 223**.

Representative Oestreicher moved that **Senate Bill 223** be referred to the committee on Education.

The question was: Shall **Senate Bill 223** be referred to the committee on Education?

The roll was taken.

The result follows:

Ayes -- Atkinson, Azim, Berger, Bruhy, Conradt, DeLong, Dueholm, Elconin, Ferrall, Flintrop, Giese, Gower, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Klicka, Lallensack, Luckhardt, McEssy, Matty, Merkel, Mielke, Mittness, Mohn, Molinaro, Munts, Niebler, Oestreicher, Olson, O'Malley, Porter,

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Rohner, Rooney, Roth, Rutkowski, Sanasarian, Shabaz, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Wackett and Wilcox -- 46.

Noes -- Alberts, Baldus, Barbee, Barczak, Behnke, Bolle, Bradley, Byers, Conta, Cyrak, Czerwinski, Day, Donoghue, Dorff, Duren, Earl, Early, Ellis, Everson, Gibson, Hauke, Keegan, Kincaid, Kleczka, Lewis, Lewison, Looby, Menos, Miller, Murray, Nager, Oberle, Opitz, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Schneider, Schricker, Schroeder, Sensenbrenner, Sicula, Sweda, Swoboda, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 52.

Absent or not voting -- Hephner -- 1.

Motion failed.

The question was: Shall assembly amendment 3 to **Senate Bill 223** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Czerwinski, Day, Donoghue, Dorff, Ducholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewis, Lewison, Looby, Menos, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wahner, Ward and Mr. Speaker -- 79.

Noes -- Atkinson, DeLong, Duren, Giese, Gower, Jackamonis, Klicka, Luckhardt, McEssy, Matty, Merkel, Mielke, Olson, Rohner, Shabaz, Tregoning, Wackett, Wilcox and Willkom -- 19.

Absent or not voting -- Hephner -- 1.

Motion carried.

Assembly amendment 4 to **Senate Bill 223** offered by Representative Cyrak.

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Representative Sensenbrenner moved rejection of assembly amendment 4 to Senate Bill 223.

The question was: Shall assembly amendment 4 to Senate Bill 223 be rejected?

The roll was taken.

The result follows:

Ayes -- Barczak, Behnke, Bradley, Byers, Conta, Czerwinski, Day, Donoghue, Dorff, Duren, Earl, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewis, Looby, Matty, Menos, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, O'Malley, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Schneider, Schricker, Schroeder, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Wilcox and Mr. Speaker -- 65.

Noes -- Alberts, Atkinson, Azim, Baldus, Barbee, Berger, Bolle, Bruhy, Conradt, Cyrak, DeLong, Dueholm, Early, Giese, Gower, Jackamonis, Klicka, Lewison, Luckhardt, McEssy, Merkel, Mielke, Niebler, Oestreicher, Olson, Opitz, Rohner, Sanasarian, Shabaz, Thompson, Tregoning, Wackett and Willkom -- 33.

Absent or not voting -- Hephner -- 1.

Motion carried.

Assembly amendment 5 to Senate Bill 223 offered by Representative Merkel.

Representative Sensenbrenner moved rejection of assembly amendment 5 to Senate Bill 223.

Representative Willkom moved that Senate Bill 223 be referred to the committee on Labor.

The question was: Shall Senate Bill 223 be referred to the committee on Labor?

The roll was taken.

The result follows:

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Ayes -- Atkinson, Berger, Conradt, DeLong, Dueholm, Flintrop, Gower, Jackamonis, Johnson, Kedrowski, Klicka, Lewis, Lewison, Luckhardt, McEssy, Merkel, Mielke, Molinaro, Niebler, Oestreicher, Porter, Rohner, Rooney, Sanasarian, Shabaz, Thompson, Tobiasz, Wackett and Willkom -- 29.

Noes -- Alberts, Azim, Baldus, Barbee, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conta, Cyrak, Czerwinski, Day, Donoghue, Dorff, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Gibson, Giese, Groshek, Grover, Hauke, Keegan, Kincaid, Kleczka, Lallensack, Looby, Matty, Menos, Miller, Mittness, Mohn, Murray, Nager, Oberle, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Roth, Rutkowski, Schneider, Schricker, Schroeder, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Tregoning, Tropman, Vanderperren, Wahner, Ward, Wilcox and Mr. Speaker -- 68.

Absent or not voting -- Hephner and Munts -- 2.

Motion failed.

The question was: Shall assembly amendment 5 to Senate Bill 223 be rejected?

The roll was taken.

The result follows:

Ayes -- Azim, Baldus, Barbee, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Earl, Elconin, Everson, Ferrall, Flintrop, Gibson, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewison, Looby, McEssy, Matty, Menos, Miller, Mittness, Mohn, Molinaro, Munts, Nager, Oberle, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Rogers, Roth, Rutkowski, Schricker, Schroeder, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Ward and Mr. Speaker -- 65.

Noes -- Alberts, Atkinson, Berger, Conradt, Duren, Early, Ellis, Giese, Gower, Hauke, Klicka, Lewis, Luckhardt, Merkel, Mielke, Murray, Niebler, Oestreicher, Porter, Quackenbush, Quinn, Roberts, Rohner, Rooney, Sanasarian, Schneider, Shabaz, Thompson, Tregoning, Wackett, Wahner, Wilcox and Willkom -- 33.

Absent or not voting -- Hephner -- 1.

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Motion carried.

Assembly amendment 6 to Senate Bill 223 offered by Representatives Niebler and Quackenbush.

Representative Sensenbrenner moved rejection of assembly amendment 6 to Senate Bill 223.

The question was: Shall assembly amendment 6 to Senate Bill 223 be rejected?

The roll was taken.

The result follows:

Ayes -- Azim, Baldus, Barbee, Barczak, Behnke, Bolle, Bradley, Byers, Conta, Cyrak, Czerwinski, Day, Donoghue, Dorff, Earl, Elconin, Everson, Ferrall, Flintrop, Gibson, Groshek, Grover, Hauke, Lallensack, Lewison, Looby, McEssy, Matty, Menos, Miller, Mittness, Molinaro, Nager, Oberle, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Roth, Rutkowski, Schricker, Schroeder, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Ward and Mr. Speaker -- 54.

Noes -- Alberts, Atkinson, Berger, Bruhy, Conradt, DeLong, Dueholm, Duren, Early, Ellis, Giese, Gower, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lewis, Luckhardt, Merkel, Mielke, Mohn, Munts, Murray, Niehler, Oestreicher, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Rooney, Sanasarian, Schneider, Shabaz, Thompson, Tregoning, Wackett, Wahner, Wilcox and Willkom -- 44.

Absent or not voting -- Hephner -- 1.

Motion carried.

The question was: Shall Senate Bill 223 be ordered to a third reading?

The roll was taken.

The result follows:

Ayes -- Alberts, 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, Groshek, Grover, Hauke, Jackamonis, Johnson, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewison, Looby, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle,

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Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Sricula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wahner, Ward, Wilcox and Mr. Speaker -- 85.

Noes -- Atkinson, Azim, Gower, Kedrowski, Lewis, Luckhardt, Merkel, Niebler, Oestreicher, Rohner, Shabaz, Wackett and Willkom -- 13.

Absent or not voting -- Hephner -- 1.

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that **Senate Bill 223** be given a third reading.

Representative Shabaz objected.

POINT OF ORDER

Representative Shabaz rose to the point of order that the bill could not be passed because it lacked an emergency statement.

Representative Olson asked unanimous consent that **Senate Bill 223** be referred to the joint committee on Finance.

Representative Sensenbrenner objected.

The speaker took the point of order under advisement.

Senate Bill 237

Relating to banks with trust powers.

The question was: Shall **Senate Bill 237** be ordered to a third reading?

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that **Senate Bill 237** be given a third reading. Granted.

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

The assembly stood recessed.

11:30 A.M.

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RECESS

2:15 P.M.

The assembly reconvened.

Representative Nager moved nonconcurrency in Senate Bill 237.

The question was: Shall Senate Bill 237 be nonconcurrent in?

The roll was taken.

The result follows:

Ayes -- Atkinson, Bruhy, Czerwinski, Dorff, Duren, Everson, Gower, Miller, Molinaro, Nager, Niebler, Tropman and Wackett -- 13.

Noes -- Alberts, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Byers, Conradt, Conta, Cyrak, Day, DeLong, Donoghue, Dueholm, Earl, Early, Elconin, Ellis, Ferrall, Flintrop, Gibson, Giese, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Menos, Merkel, Mielke, Mittness, Mohn, Munts, Murray, Oberle, Oestreicher, Olson, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 82.

Absent or not voting -- Azim, Hephner, Matty and O'Malley -- 4.

Motion failed.

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

The question was: Senate Bill 237 having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

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Ayes -- Alberts, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Byers, Conradt, Conta, Cyrak, Day, DeLong, Ducholm, Earl, Early, Elconin, Ellis, Ferrall, Flintrop, Gibson, Giese, Groshek, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Menos, Merkel, Mielke, Mittness, Mohn, Munts, Murray, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sricula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -
- 82.

Noes -- Atkinson, Azim, Bruhy, Czerwinski, Donoghue, Dorff, Duren, Everson, Gower, Miller, Molinaro, Nager, Niebler and Wackett -- 14.

Absent or not voting -- Grover, Hephner and Matty -- 3.

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that **Senate Bill 237** be immediately messaged to the senate. Granted.

Representative Baldus asked unanimous consent that **Assembly Bill 237** be taken from the table and taken up at this time. Granted.

Assembly Bill 237

Relating to restoration of civil rights for persons convicted of federal crimes.

Representative Shabaz moved indefinite postponement of **Assembly Bill 237**.

Representative Molinaro in the chair.

The question was: Shall **Assembly Bill 237** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Behnke, Bradley, Bruhy, Conradt, Cyrak, DeLong, Dorff, Everson, Gibson, Gower, Hauke, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, Merkel,

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Molinaro, Niebler, Olson, Opitz, Pabst, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 39.

Noes -- Baldus, Barbee, Barczak, Berger, Bolle, Byers, Conta, Czerwinski, Day, Donoghue, Dueholm, Duren, Earl, Early, Elconin, Ellis, Ferrall, Flintrop, Giese, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Looby, McEssy, Menos, Mielke, Miller, Mittness, Mohn, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 58.

Absent or not voting -- Hephner and Matty -- 2.

Motion failed.

The question was: Shall **Assembly Bill 237** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Barczak, Berger, Bolle, Conta, Czerwinski, Day, Dueholm, Earl, Early, Elconin, Ferrall, Flintrop, Giese, Grover, Jackamonis, Johnson, Kedrowski, Looby, Mielke, Miller, Mittness, Mohn, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Tesmer, Tropman, Wahner, Ward, Willkom and Mr. Speaker -- 44.

Noes -- Alberts, Atkinson, Azim, Behnke, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Dorff, Duren, Ellis, Everson, Gibson, Gower, Groshek, Hauke, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Menos, Merkel, Molinaro, Niebler, Olson, Opitz, Pabst, Plewa, Porter, Quackenbush, Quinn, Rohner, Rooney, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Tobiasz, Tregoning, Wackett and Wilcox -- 52.

Absent or not voting -- Hephner, Matty and Vanderperren -- 3.

Motion failed.

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CALENDAR OF FRIDAY, JUNE 8, 1973

SECOND READING AND AMENDMENT
OF ASSEMBLY BILLS

Assembly Bill 537

Relating to legal presumptions as to intoxication based on percentages of alcohol in the blood.

Assembly substitute amendment 1 to **Assembly Bill 537** offered by Representatives Nager and Giese.

The speaker in the chair.

Representative Willkom moved rejection of assembly substitute amendment 1 to **Assembly Bill 537**.

Representative Sicula moved that **Assembly Bill 537** be laid on the table.

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

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

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

The question was: Shall **Assembly Bill 537** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Atkinson, Barbee, Gower, Niebler, Oestreicher, Pabst, Shabaz and Sicula -- 8.

Noes -- Alberts, Azim, Baldus, 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, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Olson, O'Malley, Opitz, Otte,

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Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 89.

Absent or not voting -- Hephner and Matty -- 2.

Motion failed.

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

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

Representative Sweda in the chair.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 537** be rejected?

The roll was taken.

The result follows:

Ayes -- Conta, Duren, Early, Elconin, Everson, Ferrall, Flintrop, Grover, Johnson, Miller, Mohn, Munts, Oberle, Pabst, Roberts, Roth, Schneider, Sensenbrenner, Sricula, Tregoning, Tropman and Willkom -- 22.

Noes -- Alberts, Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Earl, Ellis, Gibson, Giese, Gower, Groshek, Hauke, Jackamonis, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Menos, Merkel, Mielke, Mittness, Molinaro, Murray, Nager, Niebler, Oestreicher, Olson, O'Malley, Opitz, Otte, Plewa, Porter, Quackenbush, Quinn, Rogers, Rohner, Rooney, Rutkowski, Schricker, Schroeder, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Vanderperren, Wackett, Wahner, Ward, Wilcox and Mr. Speaker -- 74.

Absent or not voting -- Hephner, Matty and Sanasarian -- 3.

Motion failed.

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

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The question was: Shall assembly substitute amendment 1 to Assembly Bill 537 be adopted?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Barbee, Barczak, Behnke, Berger, Bolle, Bruhy, Byers, Conradt, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Earl, Ellis, Everson, Ferrall, Flintrop, Giese, Gower, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Menos, Merkel, Mielke, Mittness, Molinaro, Munts, Murray, Nager, Niebler, Oestreicher, Olson, O'Malley, Opitz, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Rutkowski, Sanasarian, Schricker, Schroeder, Shabaz, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 81.

Noes -- Baldus, Bradley, Conta, Duren, Early, Elconin, Gibson, Hauke, Miller, Mohn, Oberle, Otte, Roth, Schneider, Sensenbrenner and Tropman -- 16.

Absent or not voting -- Hephner and Matty -- 2.

The question was: Shall Assembly Bill 537 be ordered engrossed and read a third time?

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that Assembly Bill 537 be given a third reading. Granted.

The question was: Assembly Bill 537 having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, 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, Luckhardt, McEssy, Menos, Merkel,

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Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Olson, O'Malley, Opitz, Otte, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 94.

Noes -- Oestreicher, Pabst and Sicula -- 3.

Absent or not voting -- Hephner and Matty -- 2.

Representative Baldus asked unanimous consent that the rules be suspended and that **Assembly Bill 537** be immediately messaged to the senate. Granted.

Representative Earl asked unanimous consent to introduce a bill. Granted.

Assembly Bill 1178

Relating to payments for medical assistance, annual reports by skilled nursing homes, and extending certain provisions affecting nursing home reimbursement.

By Representatives OTTE, JOHNSON, WILLKOM, MOLINARO, SCHRICKER, DORFF, CZERWINSKI, MITTNESS, CONTA, DUREN, BOLLE, BALDUS, THOMPSON and CONRADT; co-sponsored by Senators KASTEN and HOLLANDER.

Representative Earl asked unanimous consent that **Assembly Bill 1178** be made a special order of business at 4:45 P.M. today. Granted.

Assembly Bill 561

Relating to installation of signs warning of reductions in the speed limits required on all highways.

Representative Baldus asked unanimous consent that **Assembly Bill 561** be referred to the joint committee on Finance. Granted.

Assembly Bill 617

Relating to correction in privilege highway tax distribution for certain years.

Representative Baldus asked unanimous consent that **Assembly Bill 617** be referred to the joint committee on Finance. Granted.

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Representative Baldus asked unanimous consent that **Assembly Bill 617** be withdrawn from the joint committee on Finance and taken up at this time. Granted.

The question was: Shall **Assembly Bill 617** be ordered engrossed and read a third time?

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that **Assembly Bill 617** be given a third reading. Granted.

The question was: **Assembly Bill 617** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, 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, Luckhardt, McEssy, 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, Schricker, Schroeder, Sensenbrenner, Shabaz, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 97.

Noes -- None.

Absent or not voting -- Hephner and Matty -- 2.

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that **Assembly Bill 617** be immediately messaged to the senate. Granted.

Assembly Bill 691

Relating to reimbursing towns for highway rescue calls.

The speaker in the chair.

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Representative Baldus asked unanimous consent that **Assembly Bill 691** be referred to the joint committee on Finance. Granted.

Representative Baldus asked unanimous consent that **Assembly Bill 691** be withdrawn from the joint committee on Finance and taken up at this time. Granted.

The question was: Shall **Assembly Bill 691** be ordered engrossed and read a third time?

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that **Assembly Bill 691** be given a third reading. Granted.

POINT OF ORDER

Representative Cyrak rose to the point of order that the bill could not be considered for passage at this time because it lacked an emergency statement.

RULING ON THE POINT OF ORDER

The point of order was raised on June 27, 1973 by Representative Cyrak that **Assembly Bill 691** requires an emergency statement under Sec. 16.47(2) of the Statutes. **Assembly Bill 691** provides up to \$100 per call reimbursement from the highway fund to towns for rescue squad emergency calls on interstate highways, state trunk highways and county trunks.

Section 16.47(2) of the Statutes provides (in part):

"No bill affecting the general fund and containing an appropriation or increasing the cost of state government or decreasing state revenues in an annual amount exceeding \$10,000 shall be passed by either house until the general fund budget bill has passed both houses; except that the governor or the joint committee on finance may recommend such bills to the presiding officer of either house, in writing, for passage and the legislature may enact them, and except that the senate or assembly committee on organization may recommend to the presiding officer of its respective house any such bill not affecting state finances by more than \$100,000 biennially."

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The fundamental question raised by the point of order is whether the phrase, "No bill affecting the general fund..." excludes from the coverage of the sub-section bills which only affect segregated funds such as the state highway fund.

The legislative history of section 16.47(2) leads to the conclusion that it does. The phrase "no bill affecting the general fund" first became part of the section of the statutes in the 1953 session when the legislature repealed and re-created section 15.11(2) of the statutes (the original version of 16.47(2) before renumbering in 1959). Previously, the section had read:

"No bill containing appropriation or increasing the cost or expense of state government and no bill decreasing state revenues shall be passed by either house until the executive budget bill has passed both houses; except that the governor may recommend the enactment of an emergency executive budget bill which shall continue in effect only until the executive budget bill becomes effective or until the next succeeding July 1, whichever is later."

The new section 15.11 (2) as the result of Chapter 49 of the 1953 Session read:

"No bill affecting the general fund and containing an appropriation or increasing the cost of state government or decreasing state revenues shall be passed by either house until the general fund budget bill has passed both houses; except that the governor may recommend and the legislature enact emergency general fund appropriation bills which shall continue in effect only until the general fund budget bill becomes effective or until the next succeeding July 1, whichever is later".

It was precisely this revised language that the state budget committee of the Legislative Council recommended for inclusion in the bill (Senate Bill 20) which eventually became Chapter 49 of the 1953 session. The minutes of the committee meeting of January 14, 1952, make it clear that the suggestion to add the phrase "affecting the general fund" was recommended by the committee for the express purpose of confining the restraints of the emergency clause requirement to only bills affecting the general fund and not those solely affecting a segregated fund.

"There was extended discussion of subsections (2) and (3) of section 15.11. The committee agreed that there did not appear to be any necessity for having both subsections, since both referred to the

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same subject -- emergency appropriation bills. The committee were also of the opinion that the restraints provided by these two subsections were important only insofar as the general fund appropriations were concerned, and that they probably should not apply to other budget bills such as those covering highways and conservation." (from Minutes of the State Budget Committee of the Legislative Council June 14, 1952, p. 5)

The motion by Senator Padrutt to recommend the change to the Council was passed unanimously by the Budget Committee.

Since the intent of the committee responsible for the drafting of what is now the language of Sec. 16.47(2) was clear that the emergency clause provision should only apply to bills that affect the general fund and not the segregated funds and since there is no evidence in the legislative record to indicate that the full legislature intended a different meaning, it is the ruling of the chair that section 16.47 (2) only requires an emergency statement for bills that affect the general fund.

Since **Assembly Bill 691** only affects the segregated highway fund, it is the ruling of the chair that the bill does not require an emergency clause.

POINT OF ORDER

Representative Ferrall rose to the point of order that the bill required a local fiscal note.

The speaker ruled the point of order not well taken.

Representative Cyrak moved that **Assembly Bill 691** be referred to the committee on Municipalities.

The question was: Shall **Assembly Bill 691** be referred to the committee on Municipalities?

The roll was taken.

The result follows:

Ayes -- Barczak, Berger, Bruhy, Cyrak, Czerwinski, Dorff, Elconin, Ferrall, Flintrop, Gower, Jackamonis, Menos, Miller, Mittness, Molinaro, Munts, Otte, Pabst, Rooney, Roth, Sanasarian, Tobiasz, Tropman and Mr. Speaker -- 24.

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Noes -- Alberts, Atkinson, Azim, Baldus, Barbee, Behnke, Bolle, Bradley, Byers, Conradt, Conta, Day, DeLong, Donoghue, Dueholm, Duren, Earl, Early, Ellis, Everson, Gibson, Giese, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Merkel, Mielke, Mohn, Murray, Nager, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tregoning, Vanderperren, Wackett, Wahner, Ward, Wilcox and Willkom -- 72.

Absent or not voting -- Hephner, Matty and Rutkowski -- 3.

Motion failed.

Representative Dorff moved indefinite postponement of **Assembly Bill 691**.

The question was: Shall **Assembly Bill 691** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Barbee, Berger, Conta, Cyrak, Czerwinski, Dorff, Elconin, Ellis, Ferrall, Flintrop, Jackamonis, Lallensack, Looby, Menos, Miller, Mittness, Molinaro, Munts, Nager, Otte, Pabst, Plewa, Rooney, Rutkowski, Sanasarian, Sensenbrenner, Sicula, Sweda, Tesmer, Tobiasz, Tropman, Ward, Wilcox and Mr. Speaker -- 34.

Noes -- Alberts, Atkinson, Azim, Baldus, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Day, DeLong, Donoghue, Dueholm, Duren, Earl, Early, Everson, Gibson, Giese, Gower, Groshek, Hauke, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lewis, Lewison, Luckhardt, McEssy, Merkel, Mielke, Mohn, Murray, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Roth, Schneider, Schricker, Schroeder, Shabaz, Swoboda, Thompson, Tregoning, Vanderperren, Wackett, Wahner and Willkom -- 61.

Absent or not voting -- Barczak, Grover, Hephner and Matty -- 4.

Motion failed.

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The question was: Assembly Bill 691 having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Barbee, Behnke, Bolle, Bradley, Bruhy, Conradt, Conta, Day, DeLong, Ducholm, Duren, Earl, Early, Elconin, Everson, Gibson, Giese, Gower, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Merkel, Mielke, Mohn, Murray, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Roth, Schneider, Schricker, Schroeder, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Wilcox and Willkom -- 69.

Noes -- Berger, Byers, Cyrak, Czerwinski, Donoghue, Dorff, Ellis, Ferrall, Flintrop, Jackamonis, Looby, Menos, Miller, Mittness, Molinaro, Munts, Nager, Otte, Pabst, Rooney, Rutkowski, Sanasarian, Sensenbrenner, Sricula, Tobiasz, Ward and Mr. Speaker -- 27.

Absent or not voting -- Barczak, Hephner and Matty -- 3.

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that Assembly Bill 691 be immediately messaged to the senate.

Representative Dorff objected.

Representative Baldus moved that the rules be suspended and that Assembly Bill 691 be immediately messaged to the senate.

The question was: Shall the rules be suspended and that Assembly Bill 691 be immediately messaged to the senate?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Behnke, Bolle, Bradley, Bruhy, Conradt, Day, DeLong, Duren, Earl, Early, Ellis, Everson, Gibson, Giese, Gower, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Merkel, Mohn, Murray, Niebler,

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Oberle, Oestreicher, Olson, O'Malley, Opitz, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Roth, Schneider, Schricker, Schroeder, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Tregoning, Vanderperren, Wackett, Wahner, Wilcox and Willkom -
- 63.

Noes -- Barbee, Berger, Byers, Conta, Cyrak, Czerwinski, Donoghue, Dorff, Dueholm, Elconin, Ferrall, Flintrop, Jackamonis, Looby, Menos, Mielke, Miller, Mittness, Molinaro, Munts, Nager, Otte, Pabst, Plewa, Rooney, Rutkowski, Sanasarian, Sensenbrenner, Sicula, Tobiasz, Tropman, Ward and Mr. Speaker -
- 33.

Absent or not voting -- Barczak, Hephner and Matty -- 3.

Motion failed.

Representative Elconin moved reconsideration of the vote by which **Assembly Bill 691** was passed. Entered.

Representative Shabaz moved that the rules be suspended and that the motion for reconsideration of the vote by which **Assembly Bill 691** passed be taken up at this time.

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

The question was: Shall the rules be suspended and that the motion for reconsideration of the vote by which **Assembly Bill 691** passed be taken up at this time?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Behnke, Bolle, Bradley, Byers, Conradt, Day, DeLong, Donoghue, Duren, Earl, Early, Everson, Gibson, Giese, Groshek, Grover, Hauke, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lewis, Lewison, Luckhardt, McEssy, Merkel, Mohn, Murray, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Roth, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Tesmer, Thompson, Tregoning, Vanderperren, Wackett, Wilcox and Willkom -- 58.

Noes -- Baldus, Barbee, Berger, Bruhy, Conta, Cyrak, Czerwinski, Dorff, Dueholm, Elconin, Ellis, Ferrall, Flintrop, Gower, Jackamonis, Johnson, Lallensack, Looby, Menos, Mielke,

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Miller, Mittness, Molinaro, Munts, Nager, Otte, Pabst, Plewa, Rooney, Rutkowski, Sanasarian, Sicula, Sweda, Tobiasz, Tropman, Wahner, Ward and Mr. Speaker -- 38.

Absent or not voting -- Barczak, Hephner and Matty -- 3.

Motion failed.

Assembly Bill 693

Relating to the cost of lighting highways and intersections.

Representative Baldus asked unanimous consent that **Assembly Bill 693** be referred to the joint committee on Finance. Granted.

SPECIAL ORDER OF BUSINESS AT 4:45 P.M. ON
WEDNESDAY, JUNE 27

Assembly Bill 1178

Relating to payments for medical assistance, annual reports by skilled nursing homes, and extending certain provisions affecting nursing home reimbursement.

The question was: Shall **Assembly Bill 1178** be ordered engrossed and read a third time?

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that **Assembly Bill 1178** be given a third reading. Granted.

The question was: **Assembly Bill 1178** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Barbee, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, 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, Luckhardt, McEssy, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle,

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Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sricula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 95.

Noes -- None.

Absent or not voting -- Barczak, Conradt, Hephner and Matty -
- 4.

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that **Assembly Bill 1178** be immediately messaged to the senate. Granted.

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

LEAVES OF ABSENCE

Representative Baldus asked unanimous consent for a leave of absence for today's session for Representative Hephner. Granted.

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

Representative Duren asked unanimous consent to be recorded as voting "Aye" on indefinite postponement of **Assembly Bill 237**. Granted.

Representative Rutkowski asked unanimous consent to be recorded as voting "Aye" on referring **Assembly Bill 691** to the committee on Municipalities. Granted.

Representative Lewis asked unanimous consent to be recorded as voting "Aye" on rejection of assembly substitute amendment 1 to **Assembly Bill 537**. Granted.

Representative Lewis asked unanimous consent to be recorded as voting "No" on adoption of assembly substitute amendment 1 to **Assembly Bill 537**. Granted.

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Representative Bruhy asked unanimous consent to be recorded as voting as follows on the following questions from Tuesday, June 26:

Shall Assembly Bill 795 be laid on the table? Aye

Shall Assembly Bill 816 pass? Aye

Shall Assembly Bill 698 be reconsidered? No

Shall Assembly Bill 153 pass? Aye

Shall Assembly Bill 818 be indefinitely postponed? Aye

Shall Assembly Bill 832 pass? Aye

Shall Assembly Bill 846 pass? Aye

Shall Senate Bill 82 be concurred in? Aye

Shall Assembly Bill 403 pass? Aye

Shall Assembly Bill 265 be reconsidered? Aye

Shall Assembly Bill 265 pass? No

Shall Assembly Bill 133 pass? Aye

Shall Assembly Bill 247 pass? No

Shall assembly amendment 1 to Assembly Bill 658 be adopted?
Aye

Shall Assembly Bill 658 pass? No

Representative Johnson asked unanimous consent that the assembly adjourn today in honor of the birthday of Representative Otte. Granted.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly substitute amendment 1, to Assembly Bill 436

On page 11, line 6 substitute "8.35 (1)" for "8.15 (1)" and, after "county" in line 5, insert "to decline nomination" to properly reflect the intent of the cross reference.

Assembly Bill 1113

On page 3, delete line 3.

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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:

Dorothy M. Raasch from Milwaukee, Wisconsin, guest of Representative Keegan.

Arvid Anderson from New York, New York, brother and guest of Representative Anderson.

Barbara J. Michaels from Milwaukee, Wisconsin, guest of Representative Conta.

Kay Seamonson, Shirley Rodiczak, and Carroll Volz from Milwaukee, Wisconsin, guests of Representative Tesmer.

Fred and Janice Redford and Ed Klein from Cambridge, Wisconsin, guests of Representative Everson.

Mr. and Mrs. Bill Koehn and grandson Dean Parker from Milwaukee, Wisconsin, guests of Representative Plewa.

13 members of St. Paul's Lutheran Church Youth Group, accompanied by Pastor Larry Carlson, leader of the group from Pine River (Merrill), Wisconsin, guests of Representative Donoghue.

Marvin and Lucille Kempen, and daughters Mary, Donna, and Karla, and son Peter, from Town of Holland (Greenleaf), Wisconsin, guests of Representatives Bolle and Vanderperren.

Mr. Ed Bieno from Thorp, Wisconsin, and Sylvia (Wife) and daughters - Marie, Jane, Elaine and Ann, from Thorp, Wisconsin, guests of Representative Oberle.

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

The question was: Adjournment?
Motion carried.

The assembly stood adjourned.

5:05 P.M.