

Assembly Journal

Eighty-First Regular Session

WEDNESDAY, October 17, 1973.

9:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Father George C. Stacey of Saint Luke's Episcopal Church, 4011 Major Avenue, Madison, Wisconsin.

Representative Kincaid 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, Hephner, 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, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 98.

Absent -- None.

Absent with leave -- Tregoning -- 1.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Joint Resolution 85** offered by Representatives Giese, Gibson, Kincaid, Byers, Donoghue, Rohner and Gower.

Assembly amendment 2 to **Assembly Bill 984** offered by Representative Groshek.

Assembly amendment 2 to **Assembly Bill 1128** offered by Representative Oestreicher.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 1045** offered by Representative Duren.

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 1045** offered by Representatives Plewa and Rutkowski.

Assembly substitute amendment 1 to **Assembly Bill 1062** offered by Representative Duren.

Assembly substitute amendment 1 to **Assembly Bill 1048** offered by Representative Berger.

Assembly substitute amendment 1 to **Assembly Bill 332** offered by Representatives Ferrall and Sanasarian.

Assembly amendment 1 to **Assembly Bill 923** offered by Representatives Roberts and O'Malley.

Assembly amendment 22 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** offered by Representative Shabaz.

Assembly amendment 23 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** offered by Representatives Jackamonis, Roth and Berger.

Assembly amendment 24 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** offered by Representatives Tesmer and Azim.

Assembly amendment 25 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** offered by Representatives Atkinson, Barczak and Bruhy.

Assembly amendment 26 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** offered by Representative Rogers.

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Assembly amendment 27 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** offered by Representative Niebler.

Assembly amendment 28 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** offered by Representatives Azim and Tesmer.

Assembly amendment 29 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** offered by Representative Rogers.

Assembly substitute amendment 1 to **Assembly Bill 984** offered by Representative Vanderperren.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 854** offered by Representative Munts.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 1305** offered by Representative Behnke.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 48** offered by Representative Cyrak.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Resolution 62

Requesting an opinion of the attorney general concerning the constitutionality of section 84.30 of the statutes involving regulation of outdoor advertising.

Whereas, there are portions of section 84.30 of the statutes which exceed federal guidelines; and

Whereas, 1516.02, 1516.03, 1516.04, 1516.05 and 1516.99 of the Ohio Revised Code, which are similar to section 84.30 of the statutes, were recently found unconstitutional in Ghaster Properties Inc. v. Preston 20 00 2d 51, 184, NE (2d) 552 (CP) because they deprived property owners of their property without due process of law and constitute unwarranted exercise of police power; and

Whereas, we find it of critical importance that in any endeavor to improve our environment we do not violate the constitutional rights of our citizens; now, therefore, be it

Resolved by the assembly, That the attorney general is requested to render his formal opinion in writing on the question of whether any portion of section 84.30 of the statutes is unconstitutional.

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By Representatives SHABAZ, THOMPSON, TREGONING, LEWIS, OLSON, CYRAK, MATTY, GIESE, PORTER, WILCOX, BRADLEY, NIEBLER, GIBSON, ROHNER, DONOGHUE, DE LONG, ROTH, QUACKENBUSH, SCHROEDER, QUINN and WACKETT.

To Calendar.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1325

Relating to regulation and licensing of health care institutions, requiring a certificate for changes at such institutions, creating a medical disciplinary board in the department of regulation and licensing, civil immunity for evaluators of health care services and confidentiality of health services review information, granting rule-making authority, making an appropriation and providing a penalty.

By Representatives CZERWINSKI, WILLKOM, OTTE, SCHRICKER, TROPMAN, FLINTROP, KLECZKA, CONTA, OESTREICHER, TOBIASZ, MOLINARO, SCHNEIDER, JOHNSON, MUNTS, BALDUS, DAY, MITTNESS, SWEDA and EARLY.

To Joint Committee on Finance.

Assembly Bill 1326

Relating to state employment bargaining in health insurance and retirement.

By Representatives GIESE, TREGONING and KLIKA; co-sponsored by Senators STEINHILBER and J. SWAN.

To committee on Labor.

Assembly Bill 1327

Relating to referendum procedure for ratification of fair-share agreements in state employment.

By Representatives GIESE, CYRAK, TREGONING and KLIKA; co-sponsored by Senators STEINHILBER and J. SWAN.

To committee on Labor.

Assembly Bill 1328

Relating to ratification of collective bargaining agreements by nonmembers of labor organizations in state employment.

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By Representatives GIESE, AZIM, CYRAK, TREGONING, KLICKA and DE LONG; co-sponsored by Senators STEINHILBER and J. SWAN.

To committee on Labor.

Assembly Bill 1329

Relating to authorizing the employment relations commission to determine employes' fair-share contributions.

By Representatives GIESE, AZIM, CYRAK, TREGONING, KLICKA and DE LONG; co-sponsored by Senators STEINHILBER and J. SWAN.

To committee on Labor.

Assembly Bill 1330

Relating to business and membership signs erected or maintained adjacent to an interstate or primary highway.

By Representatives SHABAZ, HEPHNER, TREGONING, THOMPSON, MATTY, BYERS, WILCOX, LEWIS, NIEBLER, GIESE, PORTER, BRADLEY, LUCKHARDT, BERGER, OLSON, CYRAK, GIBSON, ROHNER, DONOGHUE, DE LONG, QUACKENBUSH, SCHROEDER and WACKETT; co-sponsored by Senators LA FAVE, STEINHILBER and J. SWAN.

To committee on Environmental Quality.

PETITION

We, the undersigned, pursuant to Assembly Rule 26(1) (b), request that Senate Bill 338, relating to permitting hospitals to refuse to admit patients for the performance of abortions and to permit doctors and other persons to refuse to participate in certain medical procedures, be withdrawn from the Assembly Judiciary Committee and placed on the Calendar in the Assembly.

Representatives

Merkel

Sensenbrenner

Roth

DeLong

Ellis

Quackenbush

Conradt

Quinn

Schricker

Bradley

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**Schroeder
Lewis
Byers
Donoghue
Matty
Klicka
Rohner
Porter
Lewison
McEssy
Thompson
Alberts
Wackett
Shabaz
Giese
Niebler
Gibson
Opitz
Gower
Bruhy
Olson
Kincaid
Luckhardt
Kleczka
Hephner
Rogers
Swoboda
Menos
Otte
Duren
Berger
Dorff
Wahner
Day
Tobiasz
Atkinson
Oberle
Mohn
Keegan
Wilcox
Azim**

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COMMITTEE REPORTS

The committee on Commerce and Consumer Affairs reports and recommends:

Assembly Bill 163

Relating to licensing home television repair shops, prescribing penalties and making an appropriation.

Assembly substitute amendment 1, adoption:

Ayes: (6) Noes: (5)

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

HAROUT O. SANASARIAN,
Chairman

The committee on Enrolled Bills reports and recommends:

**Assembly Joint Resolution 110, and
Assembly Bill 45.**

Correctly enrolled.

GERVASE A. HEPHNER,
Chairman

The committee on Third Reading reports and recommends:

Assembly Bill 934

Correct.

LEO O. MOHN,
Chairman

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

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

Assembly Joint Resolution 112

Concurred in:

Motion under joint rule 26;

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A Joint Certificate of Commendation by Representatives Barbee and Berger; co-sponsored by Senators Risser and Petri for The Milwaukee Symphony Orchestra on the occasion of its 15th Anniversary Season.

Adopted and asks concurrence in:

Motions under joint rule 26;

A Joint Certificate of Congratulations by the entire membership of the senate; co-sponsored by Representative Anderson to the Wisconsin Credit Unions on the occasion of their 50th birthday;

A Joint Certificate of Congratulations by Senator Keppler; co-sponsored by Representatives Bruhy and Otte for Richardson Industries, Inc. on the occasion of their 125th anniversary;

A Joint Certificate of Congratulations by Senators Krueger and Chilsen; co-sponsored by Representative Donoghue to the Holy Cross Sisters of Merrill on the occasion of their 50th anniversary in the United States; and

A Joint Certificate of Congratulations by Senator Johnson; co-sponsored by Representative Quackenbush for Francis Steiner for his work with the Future Farmers of America in the Granton area.

Representative Earl asked unanimous consent that the motions under joint rule 26 be taken from the senate message and taken up en masse. Granted.

Representative Otte asked unanimous consent that the entire assembly be made co-sponsors of the motion relating to Wisconsin Credit Unions. 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 motions be immediately messaged to the senate. Granted.

MOTIONS

Representative Earl asked unanimous consent that **Assembly Bill 997** be withdrawn from the calendar and referred to the joint committee on Finance. Granted.

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Representative Earl asked unanimous consent that **Assembly Bill 814** be withdrawn from the calendar and referred to the joint committee on Finance. Granted.

Representative Azim moved reconsideration of the vote by which **Assembly Bill 934** was engrossed. Entered.

Representative Looby moved that the rules be suspended and that the motion for reconsideration of the vote by which **Assembly Bill 934** was engrossed be taken up at this time.

Representative Shabaz moved a

CALL OF THE ASSEMBLY

There were sufficient seconds.

The sergeant-at-arms was directed to close the doors and the chief clerk to call the roll.

The chief clerk called the roll.

Members absent with leave - None.

Members absent without leave - Bolle, Cyrak, Day, DeLong, Flintrop, Klicka, Mielke, Olson, O'Malley, Quinn, Tregoning, Ward and Wilcox.

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

Representative Shabaz objected.

Representative Earl moved that the call of the assembly be lifted.

The question was: Shall the call of the assembly be lifted?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Barczak, Behnke, Berger, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Menos, Merkel, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicala, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Willkom and Mr. Speaker -- 57.

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Noes -- Alberts, Atkinson, Azim, Bradley, Bruhy, Byers, Conradt, Cyrak, Donoghue, Ellis, Gibson, Giese, Gower, Kincaid, Lewis, Lewison, Luckhardt, McEssy, Matty, Niebler, Opitz, Porter, Quackenbush, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson and Wackett -- 31.

Absent or not voting -- Bolle, DeLong, Flintrop, Klicka, Mielke, Olson, O'Malley, Quinn, Tregoning, Ward and Wilcox -- 11.

Motion carried.

LEAVES OF ABSENCE

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

The question was: Shall the rules be suspended and that the motion for reconsideration of the vote by which **Assembly Bill 934** was engrossed be taken up at this time?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Dorff, Dueholm, Duren, Earl, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Menos, Miller, Mittness, Molinaro, Munts, Murray, Nager, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner and Mr. Speaker -- 52.

Noes -- Alberts, Azim, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Early, Ellis, Gibson, Giese, Gower, Kincaid, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Mohn, Niebler, Oberle, Opitz, Porter, Quackenbush, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Wackett and Willkom -- 38.

Absent or not voting -- Klicka, Mielke, Olson, O'Malley, Quinn, Ward and Wilcox -- 7.

Paired for - Oestreicher -- 1.

Paired against - Tregoning -- 1.

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Motion failed.

Representative Swoboda moved reconsideration of the vote by which assembly amendment 7 to Assembly Bill 934 failed adoption. Entered.

RULING OF THE CHAIR

On October 16, 1973 the gentleman from the 85th moved that Assembly Bill 874 be withdrawn from the Joint Committee on Finance and made a Special Order of Business, which motion required a suspension of the rules and a two-thirds vote. The motion failed. Later, on the 10th order of business, the gentleman from the 78th made a motion to withdraw Assembly Bill 874 from the Joint Committee on Finance and refer it to the calendar. The gentleman from the 78th then raised a point of order in the nature of an inquiry addressed to the chair as to whether the motion would require a simple majority or a two-thirds vote.

Rule 26(3) provides:

“If a motion to withdraw a proposal from a committee has been made and failed adoption, all subsequent motions to withdraw the proposal from that committee require a two-thirds affirmative vote and shall be decided without debate. Such subsequent motions are in order only on the 1st day in each calendar week on which the call of the roll occurs under the 1st order of business.”

This modification in Rule 26 was adopted early in the 1973 session and its purpose was to discourage repeated motions on successive days to withdraw bills from committee and to eliminate much of the debate which accompanied such motions while at the same time allowing at least one bona fide attempt to withdraw a bill from committee by majority vote after the bill has been in committee for 21 days. Although the language of the rule does not attempt to describe the particular motions that would be included in motions to “withdraw a proposal from a committee”, the chair feels compelled to make a distinction. If a distinction is not made between a motion to withdraw a bill from committee that requires a suspension of the rules from a motion to withdraw a bill from committee that does not require a suspension of the rules, the opponents of a proposal could prevent the Assembly from ever having the opportunity to withdraw a bill from committee by a simple majority vote except by a withdrawal petition under Rule 26 (1) (b). Thus, a motion to withdraw a bill from committee and refer it to the calendar, assuming that the bill has been in

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committee for 21 days, will require a simple majority vote, provided that the motion is made in accordance with Subsection (4) of Rule 26 and further provided that it has not been previously made. Thereafter, in accordance with Subsection (3) any motion to withdraw the bill and place it on the calendar would require a two-thirds vote.

A motion to withdraw a bill from committee and take it up immediately, or to withdraw a bill and accomplish some other action which would require suspension of the rules will not exhaust the single opportunity contemplated by Subsection (3) to withdraw a bill from committee and place it on the calendar by a simple majority vote at least one time.

Accordingly, the inquiry of the gentleman from the 78th as to whether his motion to withdraw Assembly Bill 874 from the Joint Committee on Finance and refer it to the calendar requires a simple majority or a two-thirds vote, is answered by saying that it requires only a simple majority. If this motion fails, all subsequent motions to withdraw the bill from the committee will require a two-thirds vote.

The question was: Shall Assembly Bill 874 be withdrawn from the joint committee on Finance and referred to the calendar?

The roll was taken.

The result follows:

Ayes -- Atkinson, Berger, Bradley, Conradt, Cyrak, Day, Dorff, Duren, Ellis, Everson, Hephner, McEssy, Menos, Mohn, Molinaro, Murray, Nager, Oberle, Porter, Rohner, Schricker, Swoboda, Tobiasz, Wahner and Ward -- 25.

Noes -- Alberts, Azim, Baldus, Barbee, Barczak, Behnke, Bolle, Bruhy, Byers, Conta, Czerwinski, DeLong, Donoghue, Dueholm, Earl, Early, Elconin, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, Matty, Merkel, Mielke, Miller, Mittness, Munts, Niebler, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schroeder, Sensenbrenner, Shabaz, Sicula, Sweda, Tesmer, Thompson, Tropman, Vanderperren, Wackett, Wilcox, Willkom and Mr. Speaker -- 72.

Absent or not voting -- Olson and Tregoning -- 2.

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Motion failed.

Representative McEssy asked unanimous consent to be recorded as voting "No" on rejection of assembly amendment 5 to Assembly Bill 934. Granted.

Representative Quinn asked unanimous consent to be recorded as voting "No" on rejection of assembly amendment 5 to Assembly Bill 934. Granted.

Representative Matty asked unanimous consent to be recorded as voting "No" on rejection of assembly amendment 5 to Assembly Bill 934. Granted.

Representative Kincaid asked unanimous consent to be recorded as voting "No" on rejection of assembly amendment 5 to Assembly Bill 934. Granted.

**SPECIAL ORDER OF BUSINESS AT 10:00 A.M. ON
TUESDAY, OCTOBER 16**

Assembly Joint Resolution 5

Relating to alterations in the court structure (1st consideration).

Representative Oestreicher moved rejection of assembly amendment 11 to assembly substitute amendment 1 to Assembly Joint Resolution 5.

The question was: Shall assembly amendment 11 to assembly substitute amendment 1 to Assembly Joint Resolution 5 be rejected?

The roll was taken.

The result follows:

Ayes -- Baldus, Barczak, Berger, Bolle, Conta, Day, Dueholm, Earl, Early, Elconin, Ferrall, Flintrop, Groshek, Jackamonis, Johnson, Kedrowski, Keegan, Looby, Mielke, Mittness, Munts, Oberle, Oestreicher, O'Malley, Otte, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sweda, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 37.

Noes -- Alberts, Atkinson, Azim, Barbee, Behnke, Bradley, Bruhy, Byers, Conradt, Cyrak, Czerwinski, DeLong, Donoghue, Dorff, Duren, Ellis, Everson, Gibson, Giese, Gower, Grover, Hauke,

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Hephner, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Miller, Mohn, Molinaro, Murray, Nager, Niebler, Opitz, Pabst, Plewa, Porter, Quackenbush, Quinn, Rohner, Rooney, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Sicula, Swoboda, Tesmer, Thompson, Tobiasz, Wackett and Wilcox -- 60.

Absent or not voting -- Olson and Tregoning -- 2.

Motion failed.

The question was: Shall assembly amendment 11 to assembly substitute amendment 1 to *Assembly Joint Resolution 5* be adopted?

Motion carried.

Representative Azim asked unanimous consent that assembly amendment 12 to assembly substitute amendment 1 to *Assembly Joint Resolution 5* be laid on the table. Granted.

The question was: Shall assembly amendment 14 to assembly substitute amendment 1 to *Assembly Joint Resolution 5* be adopted?

Motion carried.

Representative Oestreicher moved rejection of assembly amendment 15 to assembly substitute amendment 1 to *Assembly Joint Resolution 5*.

Representative Earl in the chair.

Assembly amendment 1 to assembly amendment 15 to assembly substitute amendment 1 to *Assembly Joint Resolution 5* offered by Representative Munts.

Representative Merkel moved that *Assembly Joint Resolution 5* be re-referred to the committee on Judiciary.

The question was: Shall *Assembly Joint Resolution 5* be re-referred to the committee on Judiciary?

The roll was taken.

The result follows:

Ayes -- Azim, Bruhy, Cyrak, Duren, Giese, Gower, Hephner, Lewis, Merkel, Niebler, Opitz, Porter, Rohner, Sanasarian, Schroeder and Sicula -- 16.

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Noes -- Alberts, Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Byers, Conradt, Conta, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Schneider, Schricker, Sensenbrenner, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 81.

Absent or not voting -- Olson and Tregoning -- 2.

Motion failed.

Representative Shabaz moved rejection of assembly amendment 1 to assembly amendment 15 to assembly substitute amendment 1 to **Assembly Joint Resolution 5**.

The question was: Shall assembly amendment 1 to assembly amendmen^t 15 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** be rejected?

Motion carried.

The question was: Shall assembly amendment 15 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Barbee, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Day, DeLong, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Ellis, Everson, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mohn, Niebler, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rohner, Rooney, Rutkowski, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sricula, Sweda, Tesmer, Tropman, Vanderperren, Wahner, Wilcox, Willkom and Mr. Speaker -- 77.

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Noes -- Barczak, Berger, Czerwinski, Duren, Ferrall, Hephner, Jackamonis, Mittness, Molinaro, Murray, Nager, Rogers, Roth, Sanasarian, Swoboda, Thompson, Tobiasz, Wackett and Ward -- 19.

Absent or not voting -- Munts, Olson and Tregoning -- 3.

Motion carried.

Representative Oestreicher moved rejection of assembly amendment 16 to assembly substitute amendment 1 to Assembly Joint Resolution 5.

The question was: Shall assembly amendment 16 to assembly substitute amendment 1 to Assembly Joint Resolution 5 be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Baldus, Barbee, Behnke, Berger, Bradley, Byers, Conta, Day, DeLong, Donoghue, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Munts, Oberle, Oestreicher, O'Malley, Otte, Plewa, Quackenbush, Roberts, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sensenbrenner, Shabaz, Sweda, Swoboda, Thompson, Tropman, Vanderperren, Wackett, Wahner, Wilcox, Willkom and Mr. Speaker -- 64.

Noes -- Atkinson, Azim, Barczak, Bolle, Bruhy, Conradt, Cyrak, Czerwinski, Dorff, Duren, Giese, Gower, Lewis, Lewison, Looby, Luckhardt, McEssy, Molinaro, Murray, Nager, Niebler, Opitz, Pabst, Porter, Quinn, Rogers, Rohner, Schroeder, Sicula, Tesmer, Tobiasz and Ward -- 32.

Absent or not voting -- Gibson, Olson and Tregoning -- 3.

Motion carried.

Representative Azim asked unanimous consent that assembly amendment 17 to assembly substitute amendment 1 to Assembly Joint Resolution 5 be withdrawn and returned to the authors. Granted.

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Representative Niebler asked unanimous consent that assembly amendment 18 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** be withdrawn and returned to the author. Granted.

POINT OF ORDER

Representative Oestreicher rose to the point of order that assembly amendment 19 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** was not germane since it was similar to assembly amendment 1 to assembly amendment 15 to assembly substitute amendment 1 to **Assembly Joint Resolution 5**.

The chair ruled the point of order well taken.

Representative Nager asked unanimous consent that assembly amendment 20 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** be withdrawn and returned to the author. Granted.

Representative Tesmer moved rejection of assembly amendment 21 to assembly substitute amendment 1 to **Assembly Joint Resolution 5**.

The question was: Shall assembly amendment 21 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Byers, Conradt, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Klicka, Lallensack, Lewison, Looby, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Porter, Quinn, Roberts, Rohner, Rooney, Rutkowski, Sanasarian, Schneider, Schricker, Shabaz, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 80.

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Noes -- Bruhy, Cyrak, DeLong, Ellis, Giese, Gower, Kincaid, Lewis, Luckhardt, Niebler, Opitz, Quackenbush, Rogers, Roth, Schroeder and Sensenbrenner -- 16.

Absent or not voting -- Gibson, Olson and Tregoning -- 3.

Motion carried.

The speaker in the chair.

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

The assembly stood recessed.

11:55 A.M.

RECESS

2:10 P.M.

The assembly reconvened.

POINT OF ORDER

Representative Oestreicher rose to the point of order that assembly amendment 22 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** was not germane because it was similar to assembly amendment 4 to assembly substitute amendment 1 to **Assembly Joint Resolution 5**.

The speaker ruled the point of order not well taken.

Representative Oestreicher moved rejection of assembly amendment 22 to assembly substitute amendment 1 to **Assembly Joint Resolution 5**.

The question was: Shall assembly amendment 22 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** be rejected?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dueholm, Earl, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson,

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Kedrowski, Keegan, Kleczka, Looby, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Plewa, Quackenbush, Roberts, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Tobiasz, Tropman, Vanderperren, Wahner, Willkom and Mr. Speaker -- 50.

Noes -- Alberts, Atkinson, Azim, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Dorff, Duren, Early, Ellis, Gibson, Giese, Gower, Hephner, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Niebler, Olson, Opitz, Pabst, Porter, Quinn, Rogers, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Wackett and Wilcox -- 47.

Absent or not voting -- Tregoning and Ward -- 2.

Motion carried.

Representative Oestreicher moved rejection of assembly amendment 23 to assembly substitute amendment 1 to Assembly Joint Resolution 5.

Representative Baldus in the chair.

The question was: Shall assembly amendment 23 to assembly substitute amendment 1 to Assembly Joint Resolution 5 be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Azim, Baldus, Barczak, Behnke, Bolle, Bradley, Byers, Conta, Czerwinski, Day, DeLong, Donoghue, Dueholm, Earl, Early, Everson, Gower, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Merkel, Miller, Mohn, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Plewa, Porter, Quackenbush, Quinn, Roberts, Rohner, Rooney, Rutkowski, Schneider, Schricker, Shabaz, Sicula, Sweda, Tesmer, Thompson, Vanderperren, Wackett, Wilcox, Willkom and Mr. Speaker -- 61.

Noes -- Atkinson, Barbee, Berger, Cyrak, Dorff, Duren, Elconin, Ellis, Ferrall, Flintrop, Gibson, Giese, Hephner, Jackamonis, Kleczka, Menos, Mielke, Mittness, Molinaro, Munts, Murray, Niebler, Pabst, Rogers, Roth, Sanasarian, Schroeder, Sensenbrenner, Swoboda, Tobiasz, Tropman and Wahner -- 32.

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Absent or not voting -- Bruhy, Conradt, Kincaid, Olson, Tregoning and Ward -- 6.

Motion carried.

Representative Oestreicher moved rejection of assembly amendment 24 to assembly substitute amendment 1 to Assembly Joint Resolution 5.

The speaker in the chair.

The question was: Shall assembly amendment 24 to assembly substitute amendment 1 to Assembly Joint Resolution 5 be rejected?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Behnke, Bolle, Conta, Czerwinski, Day, Dueholm, Earl, Early, Elconin, Everson, Ferrall, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Keegan, Looby, Mielke, Miller, Mittness, Mohn, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Roberts, Rooney, Schneider, Sicula, Tropman, Vanderperren, Wahner, Willkom and Mr. Speaker -- 40.

Noes -- Alberts, Atkinson, Azim, Barczak, Berger, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Dorff, Duren, Ellis, Flintrop, Giese, Gower, Hauke, Hephner, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Molinaro, Niebler, Olson, Opitz, Plewa, Porter, Quackenbush, Quinn, Rogers, Rohner, Roth, Rutkowski, Sanasarian, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Wackett and Wilcox -- 55.

Absent or not voting -- Gibson, Pabst, Tregoning and Ward -- 4.

Motion failed.

The question was: Shall assembly amendment 24 to assembly substitute amendment 1 to Assembly Joint Resolution 5 be adopted?

Motion carried.

Representative Oestreicher moved rejection of assembly amendment 25 to assembly substitute amendment 1 to Assembly Joint Resolution 5.

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The question was: Shall assembly amendment 25 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Azim, Baldus, Barbee, Behnke, Berger, Bolle, Bradley, Conradt, Conta, Cyrak, Day, DeLong, Donoghue, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Klicka, Lallensack, Lewis, Looby, McEssy, Matty, Mielke, Miller, Mittness, Mohn, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Plewa, Quackenbush, Roberts, Rohner, Rooney, Roth, Sanasarian, Schneider, Schricker, Sicula, Sweda, Tesmer, Thompson, Tropman, Vanderperren, Wackett, Wahner, Willkom and Mr. Speaker -- 66.

Noes -- Atkinson, Barczak, Bruhy, Byers, Czerwinski, Dorff, Ellis, Gibson, Giese, Gower, Hephner, Kincaid, Lewison, Luckhardt, Menos, Merkel, Molinaro, Niebler, Opitz, Pabst, Porter, Quinn, Rogers, Rutkowski, Schroeder, Sensenbrenner, Shabaz, Swoboda, Tobiasz and Wilcox -- 30.

Absent or not voting -- Olson, Tregoning and Ward -- 3.

Motion carried.

POINT OF ORDER

Representative Oestreicher rose to the point of order that assembly amendment 26 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** was not germane.

The speaker ruled the point of order well taken.

Representative Oestreicher moved rejection of assembly amendment 27 to assembly substitute amendment 1 to **Assembly Joint Resolution 5**.

The question was: Shall assembly amendment 27 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** be rejected?

The roll was taken.

The result follows:

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Ayes -- Azim, Baldus, Barbee, Barczak, Behnke, Bolle, Conta, Czerwinski, Day, Dueholm, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kleczka, Lewis, Looby, Miller, Mittness, Mohn, Munts, Nager, Oberle, Oestreicher, O'Malley, Otte, Plewa, Quackenbush, Roberts, Rooney, Schneider, Sicula, Sweda, Tesmer, Tropman, Vanderperren, Willkom and Mr. Speaker -- 46.

Noes -- Alberts, Atkinson, Berger, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Dorff, Duren, Ellis, Gibson, Giese, Gower, Hephner, Jackamonis, Kincaid, Klicka, Lallensack, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Molinaro, Murray, Niebler, Olson, Opitz, Pabst, Porter, Quinn, Rogers, Rohner, Roth, Rutkowski, Sanasarian, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Tobiasz, Wackett, Wahner and Wilcox -- 51.

Absent or not voting -- Tregoning and Ward -- 2.

Motion failed.

The question was: Shall assembly amendment 27 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** be adopted?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Berger, Bruhy, Byers, Cyrak, DeLong, Donoghue, Duren, Gibson, Giese, Gower, Hephner, Jackamonis, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Murray, Niebler, Olson, Opitz, Porter, Rogers, Rohner, Roth, Rutkowski, Sanasarian, Schroeder, Sensenbrenner, Shabaz, Swoboda, Tesmer, Thompson, Wackett and Wahner -- 44.

Noes -- Baldus, Barbee, Behnke, Bolle, Bradley, Conradt, Conta, Czerwinski, Day, Dorff, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kleczka, Looby, Miller, Mittness, Mohn, Molinaro, Munts, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rooney, Schneider, Schricker, Sicula, Sweda, Tobiasz, Tropman, Vanderperren, Willkom and Mr. Speaker -- 51.

Absent or not voting -- Barczak, Tregoning, Ward and Wilcox -- 4.

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Motion failed.

The question was: Shall assembly amendment 28 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** be adopted?

Motion carried.

Representative Shabaz moved rejection of assembly amendment 29 to assembly substitute amendment 1 to **Assembly Joint Resolution 5**.

The question was: Shall assembly amendment 29 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Czerwinski, Day, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Lewis, Looby, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Munts, Murray, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rohner, Rooney, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tropman, Vanderperren, Wackett, Wilcox, Willkom and Mr. Speaker -- 80.

Noes -- Barbee, Berger, DeLong, Duren, Flintrop, Hephner, Kincaid, Klicka, Lewison, Molinaro, Rogers, Roth, Rutkowski, Sanasarian, Tobiasz and Wahner -- 16.

Absent or not voting -- Nager, Tregoning and Ward -- 3.

Motion carried.

Representative Azim asked unanimous consent that assembly amendment 12 to assembly substitute amendment 1 to **Assembly Joint Resolution 5** be withdrawn and returned to the authors. Granted.

Representative Berger moved rejection of assembly substitute amendment 1 to **Assembly Joint Resolution 5**.

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The question was: Shall assembly substitute amendment 1 to Assembly Joint Resolution 5 be rejected?

The roll was taken.

The result follows:

Ayes -- Berger, Cyrak, Duren, Hephner, Jackamonis, Lewis, Niebler, Sanasarian, Schroeder and Wahner -- 10.

Noes -- Alberts, Azim, Baldus, Barbee, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Merkel, 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, Schneider, Schricker, Sensenbrenner, Shabaz, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wackett, Wilcox, Willkom and Mr. Speaker -- 86.

Absent or not voting -- Atkinson, Tregoning and Ward -- 3.

Motion failed.

Representative Sanasarian moved that assembly substitute amendment 1 to Assembly Joint Resolution 5 be laid on the table.

The question was: Shall assembly substitute amendment 1 to Assembly Joint Resolution 5 be laid on the table?

The roll was taken.

The result follows:

Ayes -- Atkinson, Berger, Bruhy, Cyrak, Duren, Hephner, Jackamonis, Merkel, Niebler, Opitz, Sanasarian, Schroeder, Sicula and Wahner -- 14.

Noes -- Alberts, Azim, Baldus, Barbee, Barczak, Behnke, Bolle, Bradley, Byers, Conradt, Conta, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Menos,

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Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Oberle, Oestreicher, Olson, O'Malley, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Schneider, Schricker, Sensenbrenner, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wackett, Wilcox, Willkom and Mr. Speaker -- 81.

Absent or not voting -- Matty, Nager, Tregoning and Ward -- 4.

Motion failed.

The question was: Shall assembly substitute amendment 1 to Assembly Joint Resolution 5 be adopted?

Motion carried.

Representative Sicula moved rejection of Assembly Joint Resolution 5.

The question was: Shall Assembly Joint Resolution 5 be rejected?

The roll was taken.

The result follows:

Ayes -- Azim, Berger, Cyrak, Duren, Hephner, Lewis, Lewison, Matty, Merkel, Niebler, Opitz, Pabst, Sanasarian, Schroeder, Sicula and Wahner -- 16.

Noes -- Alberts, Atkinson, Baldus, Barbee, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Looby, Luckhardt, McEssy, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, Olson, O'Malley, Otte, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Schneider, Schricker, Sensenbrenner, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wackett, Wilcox, Willkom and Mr. Speaker -- 81.

Absent or not voting -- Tregoning and Ward -- 2.

Motion failed.

The question was: Shall Assembly Joint Resolution 5 be ordered engrossed and read a third time?

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Motion carried.

Representative Earl moved that the rules be suspended and that **Assembly Joint Resolution 5** be given a third reading.

The question was: Shall the rules be suspended and that **Assembly Joint Resolution 5** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Bolle, Bruhy, Conradt, Conta, Czerwinski, Day, DeLong, Donoghue, Dorff, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Merkel, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, Olson, O'Malley, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Schneider, Schricker, Sensenbrenner, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wackett, Wilcox, Willkom and Mr. Speaker -- 80.

Noes -- Berger, Bradley, Byers, Cyrak, Duren, Hephner, Jackamonis, Lewis, Mielke, Niebler, Opitz, Porter, Sanasarian, Schroeder, Sicula and Wahner -- 16.

Absent or not voting -- Dueholm, Tregoning and Ward -- 3.

Motion carried.

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

The question was: Shall **Assembly Joint Resolution 5** be adopted?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Bolle, Bruhy, Conradt, Conta, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Looby, Luckhardt, McEssy, Matty, Menos,

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Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, Olson, O'Malley, Otte, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Schneider, Sensenbrenner, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Wilcox, Willkom and Mr. Speaker -- 81.

Noes -- Berger, Bradley, Byers, Cyrak, Duren, Hephner, Lewis, Lewison, Merkel, Niebler, Opitz, Pabst, Sanasarian, Schricker, Schroeder and Sicula -- 16.

Absent or not voting -- Tregoning and Ward -- 2.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 5** be immediately messaged to the senate. Granted.

Representative Munts asked unanimous consent to be recorded as voting "Aye" on rejection of assembly amendment 15 to assembly substitute amendment 1 to **Assembly Joint Resolution 5**. Granted.

Representative Wilcox asked unanimous consent to be recorded as voting "No" on adoption of assembly amendment 27 to assembly substitute amendment 1 to **Assembly Joint Resolution 5**. Granted.

CALENDAR OF THURSDAY, JULY 12, 1973

Assembly Bill 650

Relating to mandatory jail sentence for pushing hard drugs.

Assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 650** offered by Representative Elconin.

Representative Behnke moved that assembly substitute amendment 2 to **Assembly Bill 650** be laid on the table.

The question was: Shall assembly substitute amendment 2 to **Assembly Bill 650** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Alberts, Barczak, Behnke, Bradley, Bruhy, Byers, Conratt, Day, DeLong, Donoghue, Dorff, Dueholm, Early, Everson, Gibson, Giese, Gower, Groshek, Hauke, Hephner, Keegan,

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Kincaid, Kleczka, Klicka, Lallensack, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mittness, Molinaro, Murray, Nager, Niebler, Oberle, Olson, O'Malley, Opitz, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rohner, Rooney, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Tesmer, Thompson, Tobiasz, Vanderperren, Wackett and Wilcox -- 60.

Noes -- Atkinson, Baldus, Barbee, Berger, Bolle, Conta, Cyrak, Czerwinski, Duren, Earl, Elconin, Ellis, Ferrall, Flintrop, Grover, Jackamonis, Johnson, Kedrowski, Lewis, Looby, Mielke, Miller, Mohn, Munts, Oestreicher, Otte, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Tropman, Wahner, Willkom and Mr. Speaker -- 36.

Absent or not voting -- Azim, Tregoning and Ward -- 3.

Motion carried.

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

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

Assembly amendment 6 to **Assembly Bill 650** offered by Representatives Thompson, Behnke, Kleczka and Niebler.

POINT OF ORDER

Representative Berger rose to the point of order that assembly amendment 6 to **Assembly Bill 650** was not germane.

The speaker ruled the point of order not well taken.

Representative Mittness moved rejection of assembly amendment 6 to **Assembly Bill 650**.

The question was: Shall assembly amendment 6 to **Assembly Bill 650** be rejected?

The roll was taken.

The result follows:

Ayes -- Baldus, Conta, Dueholm, Duren, Earl, Elconin, Ellis, Ferrall, Flintrop, Grover, Hephner, Jackamonis, Johnson, Kedrowski, Looby, Mielke, Miller, Mittness, Mohn, Munts, Nager, Oestreicher, Otte, Rogers, Schneider, Sicula, Sweda, Tropman, Willkom and Mr. Speaker -- 30.

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Noes -- Alberts, Atkinson, Azim, Barbee, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Dorff, Early, Everson, Gibson, Giese, Gower, Groshek, Hauke, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Molinaro, Murray, Niebler, Oberle, Olson, O'Malley, Opitz, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Tesmer, Thompson, Tobiasz, Vanderperren, Wackett, Wahner and Wilcox -- 65.

Absent or not voting -- Barczak, Czerwinski, Tregoning and Ward -- 4.

Motion failed.

The question was: Shall assembly amendment 6 to **Assembly Bill 650** be adopted?

Motion carried.

Representative Barbee moved indefinite postponement of **Assembly Bill 650**.

Representative Lewis asked unanimous consent to be withdrawn as a co-author of **Assembly Bill 650**. Granted.

The question was: Shall **Assembly Bill 650** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Atkinson, Barbee, Berger, Conta, Cyrak, Dueholm, Earl, Early, Flintrop, Giese, Johnson, Kedrowski, Lewis, Mielke, Miller, Munts, Oestreicher, Otte, Sanasarian, Schneider, Sricula, Tropman, Willkom and Mr. Speaker -- 24.

Noes -- Alberts, Azim, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Elconin, Ellis, Everson, Ferrall, Gibson, Gower, Groshek, Grover, Hauke, Hephner, Jackamonis, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Merkel, Mittness, Mohn, Molinaro, Murray, Nager, Niebler, Oberle, Olson, O'Malley, Opitz, Pabst, Plewa, Porter,

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Rutkowski, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Vanderperren, Wackett, Wahner and Wilcox -- 71.

Absent or not voting -- Baldus, Czerwinski, Tregoning and Ward -- 4.

Motion failed.

Representative Cyrak moved that assembly substitute amendment 2 to **Assembly Bill 650** be taken from the table and taken up at this time.

The question was: Shall assembly substitute amendment 2 to **Assembly Bill 650** be taken from the table and taken up at this time?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Berger, Conta, Cyrak, Dueholm, Duren, Earl, Early, Elconin, Ellis, Ferrall, Flintrop, Giese, Grover, Jackamonis, Johnson, Kedrowski, Lewis, Lewison, Looby, Luckhardt, McEssy, Mielke, Miller, Mohn, Munts, Oestreicher, O'Malley, Otte, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Tropman, Wahner, Ward, Willkom and Mr. Speaker -- 42.

Noes -- Alberts, Atkinson, Azim, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Everson, Gibson, Gower, Groshek, Hauke, Hephner, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Matty, Menos, Merkel, Mittness, Molinaro, Murray, Nager, Niebler, Oberle, Olson, Opitz, Pabst, Plewa, Porter, Quackenbush, Quinn, Rohner, Rooney, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Tesmer, Thompson, Tobiasz, Vanderperren, Wackett and Wilcox -- 55.

Absent or not voting -- Czerwinski and Tregoning -- 2.

Motion failed.

The question was: Shall **Assembly Bill 650** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

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Ayes -- Alberts, Atkinson, Azim, Baldus, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Dorff, Duren, Elconin, Everson, Ferrall, Gibson, Gower, Groshek, Grover, Hauke, Hephner, Jackamonis, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Mittness, Molinaro, Murray, Nager, Niebler, Oberle, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Wackett, Wahner, Ward and Wilcox -- 74.

Noes -- Barbee, Berger, Conta, Dueholm, Earl, Early, Ellis, Flintrop, Giese, Johnson, Kedrowski, Lewis, Looby, Miller, Mohn, Munts, Oestreicher, Sanasarian, Sicala, Tropman, Willkom and Mr. Speaker -- 22.

Absent or not voting -- Czerwinski, Tregoning and Vanderperren -- 3.

Motion carried.

Representative Schneider moved reconsideration of the vote by which **Assembly Bill 650** was engrossed. Entered.

Representative Earl moved that the rules be suspended and that the motion for reconsideration of the vote by which **Assembly Bill 650** was engrossed be taken up at this time.

The question was: Shall the rules be suspended and that the motion for reconsideration of the vote by which **Assembly Bill 650** was engrossed be taken up at this time?

The roll was taken.

The result follows:

Ayes -- Alberts, Baldus, Barczak, Behnke, Bradley, Bruhy, Byers, Conradt, DeLong, Dorff, Duren, Earl, Everson, Gibson, Gower, Groshek, Grover, Hauke, Hephner, Kincaid, Kleczka, Klicka, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mittness, Molinaro, Nager, Niebler, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Thompson, Tobiasz, Vanderperren, Wackett, Wilcox and Mr. Speaker -- 55.

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Noes -- Atkinson, Azim, Barbee, Berger, Bolle, Conta, Cyrak, Day, Donoghue, Dueholm, Early, Elconin, Ellis, Ferrall, Flintrop, Giese, Jackamonis, Johnson, Kedrowski, Keegan, Lallensack, Lewis, Looby, Mielke, Miller, Mohn, Munts, Murray, Oberle, Oestreicher, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sricula, Tesmer, Tropman, Wahner, Ward and Willkom -- 41.

Absent or not voting -- Czerwinski, Rohner and Tregoning -- 3.

Motion failed.

**SPECIAL ORDER OF BUSINESS AT 1:30 P.M. ON
WEDNESDAY, OCTOBER 17**

Assembly Bill 356

Relating to expanding the powers of the joint committee for review of administrative rules and increasing its membership.

Representative Thompson moved nonconcurrence in senate amendment 1 to Assembly Bill 356.

The question was: Shall senate amendment 1 to Assembly Bill 356 be nonconcurrent in?

Motion carried.

Representative Thompson moved nonconcurrence in senate amendment 2 to Assembly Bill 356.

The question was: Shall senate amendment 2 to Assembly Bill 356 be nonconcurrent in?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that Assembly Bill 356 be immediately messaged to the senate. Granted.

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**SPECIAL ORDER OF BUSINESS AT 1:31 P.M. ON
WEDNESDAY, OCTOBER 17**

Assembly Bill 1312

Relating to restoring the department of transportation's authority to regulate dealers and salesmen of mobile homes less than 45 feet in length.

The question was: Shall Assembly Bill 1312 be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that Assembly Bill 1312 be given a third reading. Granted.

The question was: Assembly Bill 1312 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, 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, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, 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, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 95.

Noes -- Merkel -- 1.

Absent or not voting -- Bradley, Schricker and Tregoning -- 3.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that Assembly Bill 1312 be immediately messaged to the senate. Granted.

SPECIAL ORDER OF BUSINESS AT 1:32 P.M. ON
WEDNESDAY, OCTOBER 17

Senate Bill 449

Relating to investment by the investment board of employe trust funds.

The question was: Shall **Senate Bill 449** be ordered to a third reading?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Bill 449** be given a third reading. Granted.

The question was: **Senate Bill 449** 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, Gower, Groshek, Grover, Hauke, Hephner, 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, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 97.

Noes -- None.

Absent or not voting -- Giese and Tregoning -- 2.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Bill 449** be immediately messaged to the senate. Granted.

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SPECIAL ORDER OF BUSINESS AT 1:33 P.M. ON
WEDNESDAY, OCTOBER 17

Assembly Bill 1045

Relating to establishment of a program for nutritional improvement for the elderly, granting rule-making authority and making an appropriation.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 1045** be adopted?

Motion carried.

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 1045** be adopted?

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 1045** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 1045** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1045** be given a third reading. Granted.

The question was: **Assembly Bill 1045** 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, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy,

JOURNAL OF THE ASSEMBLY (October 17, 1973)

Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Oestreicher, Olson, O'Malley, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Sricula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 93.

Noes -- Merkel, Opitz and Rohner -- 3.

Absent or not voting -- Shabaz, Tregoning and Wackett -- 3.

Motion carried.

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

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

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1045 be immediately messaged to the senate. Granted.**

Representative Shabaz moved that the rules be suspended and that the motion for reconsideration of the vote by which **Assembly Bill 650 was engrossed be taken up at this time.**

The question was: Shall the rules be suspended and that the motion for reconsideration of the vote by which **Assembly Bill 650 was engrossed be taken up at this time?**

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Barczak, Behnke, Bolle, Bradley, Br. ay, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Ellis, Everson, Gibson, Gower, Grover, Hauke, Hephner, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewison, McEssy, Matty, Menos, Merkel, Molinaro, Niebler, Oberle, Olson, Opitz, Pabst, Plewa, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Tesmer, Thompson, Tobiasz, Vanderperren, Wackett and Wilcox -- 55.

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Noes -- Baldus, Barbee, Berger, Conta, Cyrak, Czerwinski, Dueholm, Earl, Early, Elconin, Ferrall, Flintrop, Giese, Groshek, Jackamonis, Johnson, Kedrowski, Lewis, Looby, Luckhardt, Mielke, Miller, Mittness, Mohn, Munts, Murray, Nager, Oestreicher, O'Malley, Otte, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Tropman, Wahner, Ward, Willkom and Mr. Speaker -- 43.

Absent or not voting -- Tregoning -- 1.

Motion failed.

Assembly Bill 309

Relating to arrest powers of state traffic patrol officers.

Assembly amendment 1 to assembly substitute amendment 4 to **Assembly Bill 309** offered by Representatives Barbee, Oestreicher, Shabaz and Berger.

Representative Earl moved rejection of assembly amendment 1 to assembly substitute amendment 4 to **Assembly Bill 309**.

Representative Barczak moved that **Assembly Bill 309** be laid on the table.

The question was: Shall **Assembly Bill 309** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Atkinson, Barczak, Bolle, Bruhy, Czerwinski, Day, Dorff, Early, Groshek, Keegan, Klicka, Lallensack, Luckhardt, Merkel, Mohn, Molinaro, Murray, Nager, Niebler, Shabaz, Tobiasz and Vanderperren -- 22.

Noes -- Alberts, Azim, Baldus, Barbee, Behnke, Berger, Bradley, Byers, Conradt, Conta, Cyrak, DeLong, Donoghue, Dueholm, Duren, Earl, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Kincaid, Kleczka, Lewis, Lewison, Looby, McEssy, Matty, Menos, Mielke, Miller, Mittness, Munts, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tropman, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 75.

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Absent or not voting -- Gower and Tregoning -- 2.

Motion failed.

The question was: Shall assembly amendment 1 to assembly substitute amendment 4 to Assembly Bill 309 be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Baldus, Behnke, Bradley, Byers, Conradt, Conta, Cyrak, Donoghue, Dueholm, Duren, Earl, Elconin, Ellis, Everson, Gibson, Giese, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Kincaid, Kleczka, Lallensack, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Munts, Oberle, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quinn, Roberts, Rooney, Roth, Rutkowski, Schneider, Schricker, Schroeder, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Wackett, Ward, Wilcox, Willkom and Mr. Speaker -- 66.

Noes -- Atkinson, Azim, Barbee, Barczak, Berger, Bolle, Bruhy, Czerwinski, Day, DeLong, Dorff, Early, Ferrall, Flintrop, Groshek, Keegan, Klicka, Lewis, Merkel, Molinaro, Murray, Nager, Niebler, Oestreicher, Quackenbush, Rogers, Rohner, Sanasarian, Shabaz, Vanderperren and Wahner -- 31.

Absent or not voting -- Gower and Tregoning -- 2.

Motion carried.

Assembly amendment 2 to assembly substitute amendment 4 to Assembly Bill 309 offered by Representatives Barbee, Shabaz, Oestreicher and Berger.

Representative Thompson moved rejection of assembly amendment 2 to assembly substitute amendment 4 to Assembly Bill 309.

The question was: Shall assembly amendment 2 to assembly substitute amendment 4 to Assembly Bill 309 be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Azim, Baldus, Barczak, Behnke, Bolle, Bradley, Conradt, Conta, Cyrak, Dueholm, Duren, Earl, Elconin, Everson, Flintrop, Giese, Grover, Hauke, Hephner, Jackamonis,

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Johnson, Kincaid, Kleczka, Lewis, Lewison, Looby, McEssy, Matty, Menos, Mielke, Miller, Mittness, Munts, Oberle, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quinn, Roberts, Rogers, Rohner, Roth, Schneider, Schricker, Schroeder, Sensenbrenner, Swoboda, Tesmer, Thompson, Tropman, Vanderperren, Wackett, Wahner, Ward, Willkom and Mr. Speaker -- 61.

Noes -- Atkinson, Barbee, Berger, Bruhy, Byers, Czerwinski, Day, DeLong, Donoghue, Dorff, Early, Ellis, Ferrall, Gibson, Groshek, Kedrowski, Keegan, Klicka, Lallensack, Luckhardt, Merkel, Mohn, Molinaro, Murray, Nager, Niebler, Oestreicher, Quackenbush, Rooney, Rutkowski, Sanasarian, Shabaz, Sicula, Sweda, Tobiasz and Wilcox -- 36.

Absent or not voting -- Gower and Tregoning -- 2.

Motion carried.

Assembly amendment 3 to assembly substitute amendment 4 to Assembly Bill 309 offered by Representatives Wilcox and Oestreicher.

Representative Earl moved rejection of assembly amendment 3 to assembly substitute amendment 4 to Assembly Bill 309.

The question was: Shall assembly amendment 3 to assembly substitute amendment 4 to Assembly Bill 309 be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Azim, Baldus, Behnke, Berger, Bradley, Byers, Conradt, Conta, Cyrak, Ducholm, Earl, Everson, Flintrop, Giese, Grover, Hauke, Hephner, Jackamonis, Kincaid, Kleczka, Lewis, Lewison, Luckhardt, McEssy, Menos, Mielke, Miller, Mittness, Munts, Oberle, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Swoboda, Tesmer, Thompson, Tropman, Wackett, Wahner, Willkom and Mr. Speaker -- 57.

Noes -- Atkinson, Barbee, Barczak, Bolle, Bruhy, Czerwinski, Day, DeLong, Donoghue, Dorff, Duren, Early, Elconin, Ellis, Ferrall, Gibson, Groshek, Johnson, Kedrowski, Keegan, Klicka,

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Lallensack, Looby, Matty, Merkel, Mohn, Molinaro, Murray, Nager, Niebler, Oestreicher, Olson, Quackenbush, Shabaz, Sicula, Sweda, Tobiasz, Vanderperren, Ward and Wilcox -- 40.

Absent or not voting -- Gower and Tregoning -- 2.

Motion carried.

Assembly amendment 4 to assembly substitute amendment 4 to Assembly Bill 309 offered by Representative Atkinson.

Representative Earl moved rejection of assembly amendment 4 to assembly substitute amendment 4 to Assembly Bill 309.

The question was: Shall assembly amendment 4 to assembly substitute amendment 4 to Assembly Bill 309 be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Azim, Baldus, Behnke, Berger, Bradley, Byers, Conradt, Conta, Cyrak, DeLong, Donoghue, Dueholm, Duren, Earl, Ellis, Everson, Flintrop, Giese, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Kincaid, Kleczka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Munts, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Sweda, Swoboda, Tesmer, Thompson, Tropman, Wackett, Ward, Wilcox, Willkom and Mr. Speaker -- 71.

Noes -- Atkinson, Barbee, Barczak, Bolle, Bruhy, Czerwinski, Day, Dorff, Early, Elconin, Ferrall, Gibson, Groshek, Keegan, Klicka, Merkel, Molinaro, Murray, Nager, Niebler, Olson, Shabaz, Sicula, Tobiasz, Vanderperren and Wahner -- 26.

Absent or not voting -- Gower and Tregoning -- 2.

Motion carried.

Assemb. amendment 5 to assembly substitute amendment 4 to Assembly Bill 309 offered by Representatives Shabaz, Oestreicher and Wilcox.

The question was: Shall assembly amendment 5 to assembly substitute amendment 4 to Assembly Bill 309 be adopted?

Motion carried.

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The question was: Shall assembly substitute amendment 4 to Assembly Bill 309 be adopted?

Motion carried.

The question was: Shall Assembly Bill 309 be ordered engrossed and read a third time?

Motion carried.

Representative Earl moved that the rules be suspended and that Assembly Bill 309 be given a third reading.

The question was: Shall the rules be suspended and that Assembly Bill 309 be given a third reading?

The roll was taken.

The result follows:

Ayes -- Alberts, Azim, Baldus, Barczak, Behnke, Berger, Bradley, Byers, Conratt, Conta, Cyrak, Day, Donoghue, Dueholm, Duren, Earl, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Mielke, Miller, Mittness, Munts, Oberle, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tropman, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 75.

Noes -- Atkinson, Barbee, Bolle, Bruhy, Czerwinski, DeLong, Dorff, Early, Klicka, Lallensack, Merkel, Mohn, Molinaro, Murray, Nager, Niebler, Oestreicher, Olson, Rohner, Shabaz, Tobiasz and Vanderperren -- 22.

Absent or not voting -- Gower and Tregoning -- 2.

Motion carried.

Representative Atkinson moved indefinite postponement of Assembly Bill 309.

The question was: Shall Assembly Bill 309 be indefinitely postponed?

The roll was taken.

The result follows:

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Ayes -- Atkinson, Barbee, Bolle, Bruhy, Czerwinski, Dorff, Klicka, Lallensack, Merkel, Molinaro, Murray, Nager, Niebler, Olson, Rohner, Shabaz, Tobiasz and Vanderperren -- 18.

Noes -- Alberts, Azim, Baldus, Barczak, Behnke, Berger, Bradley, Byers, Conradt, Conta, Cyrak, Day, DeLong, Donoghue, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Munts, 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, Tropman, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 79.

Absent or not voting -- Gower and Tregoning -- 2.

Motion failed.

The question was: Assembly Bill 309 having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Azim, Baldus, Barczak, Behnke, Berger, Bradley, Byers, Conradt, Conta, Cyrak, Day, DeLong, Donoghue, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Mielke, Miller, Mittness, Munts, 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, Tropman, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 79.

Noes -- Atkinson, Barbee, Bolle, Bruhy, Czerwinski, Dorff, Lallensack, Merkel, Mohn, Molinaro, Murray, Nager, Niebler, Olson, Rohner, Shabaz, Tobiasz and Vanderperren -- 18.

Absent or not voting -- Gower and Tregoning -- 2.

Motion carried.

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Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 309** be immediately messaged to the senate. Granted.

Assembly Bill 652

Relating to the time for commencing actions to recover damages for injuries arising from medical, surgical or dental treatment.

The question was: Shall assembly amendment 1 to **Assembly Bill 652** be adopted?

Motion carried.

Representative Wilcox asked unanimous consent that **Assembly Bill 652** be laid on the table. Granted.

Representative Early asked unanimous consent to be recorded as voting "No" on passage of **Assembly Bill 309**. Granted.

Assembly Bill 842

Relating to employment disqualifications of persons convicted of a crime.

The question was: Shall assembly amendment 1 to **Assembly Bill 842** be adopted?

Motion carried.

The question was: Shall assembly amendment 2 to **Assembly Bill 842** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 842** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 842** be given a third reading.

Representative Thompson objected.

Representative Earl moved that the rules be suspended and that **Assembly Bill 842** be given a third reading.

The question was: Shall the rules be suspended and that **Assembly Bill 842** be given a third reading?

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The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conradt, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewison, Looby, McEssy, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quinn, Roberts, Rogers, Rohner, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 69.

Noes -- Alberts, Bradley, Bruhy, Byers, Cyrak, DeLong, Duren, Gibson, Giese, Hephner, Klicka, Lewis, Luckhardt, Matty, Niebler, Olson, Opitz, Porter, Quackenbush, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Wackett and Wilcox -- 27.

Absent or not voting -- Azim, Gower and Tregoning -- 3.

Motion carried.

Representative Thompson asked unanimous consent that the rules be suspended and that the previous vote be expunged.

Representative Earl objected.

Representative Thompson moved that the rules be suspended and that the previous vote be expunged.

The question was: Shall the rules be suspended and that the previous vote be expunged?

The roll was taken.

The result follows:

Ayes -- Alberts, Azim, Behnke, Berger, Bradley, Bruhy, Byers, Cyrak, Day, DeLong, Donoghue, Dueholm, Duren, Elconin, Gibson, Giese, Hauke, Jackamonis, Johnson, Keegan, Kincaid, Klicka, Lewison, Luckhardt, McEssy, Merkel, Mielke, Miller, Murray, Niebler, Olson, Opitz, Rohner, Rooney, Rutkowski, Schricker, Shabaz, Thompson, Wackett, Wahner and Wilcox -- 41.

Noes -- Atkinson, Barbee, Barczak, Bolle, Conradt, Conta, Dorff, Earl, Early, Ellis, Everson, Ferrall, Flintrop, Groshek, Grover, Hephner, Kedrowski, Kleczka, Lallensack, Lewis, Looby,

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Matty, Menos, Mittness, Mohn, Molinaro, Munts, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Roth, Sanasarian, Schneider, Schroeder, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Ward, Willkom and Mr. Speaker -- 53.

Absent or not voting -- Baldus, Czerwinski, Gower, Nager and Tregoning -- 5.

Motion failed.

Representative Shabaz moved indefinite postponement of Assembly Bill 842.

Representative Shabaz moved that Assembly Bill 842 be re-referred to the committee on Judiciary.

The question was: Shall Assembly Bill 842 be re-referred to the committee on Judiciary?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Bradley, Bruhy, Conradt, Cyrak, DeLong, Dorff, Duren, Ellis, Gibson, Hephner, Kincaid, Kleczka, Klicka, Lallensack, Lewison, Luckhardt, McEssy, Matty, Mittness, Molinaro, Niebler, Olson, Pabst, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Tesmer, Thompson, Tobiasz, Wackett, Wahner and Wilcox -- 41.

Noes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Byers, Conta, Czerwinski, Day, Donoghue, Dueholm, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Giese, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Lewis, Looby, Menos, Merkel, Mielke, Miller, Mohn, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Swoboda, Tropman, Vanderperren, Ward, Willkom and Mr. Speaker -- 56.

Absent or not voting -- Gower and Tregoning -- 2.

Motion failed.

The question was: Shall Assembly Bill 842 be indefinitely postponed?

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The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Bradley, Bruhy, Conradt, DeLong, Dorff, Duren, Gibson, Giese, Groshek, Hephner, Kincaid, Kleczka, Klicka, Lallensack, Lewison, Luckhardt, McEssy, Matty, Menos, Mittness, Molinaro, Niebler, Olson, Pabst, Porter, Rohner, Roth, Schricker, Sensenbrenner, Shabaz, Tesmer, Thompson, Tobiasz, Wackett and Wilcox -- 38.

Noes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Byers, Conta, Cyrak, Czerwinski, Day, Donoghue, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Lewis, Looby, Merkel, Mielke, Miller, Mohn, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Schroeder, Sicula, Sweda, Swoboda, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 59.

Absent or not voting -- Gower and Tregoning -- 2.

Motion failed.

The question was: **Assembly Bill 842** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Byers, Conta, Cyrak, Czerwinski, Day, Donoghue, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Giese, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Lallensack, Lewis, Looby, Merkel, Mielke, Miller, Mittness, Mohn, Munts, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Plewa, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Schroeder, Sicula, Sweda, Swoboda, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 60.

Noes -- Alberts, Atkinson, Azim, Bradley, Bruhy, Conradt, DeLong, Dorff, Duren, Gibson, Groshek, Hephner, Kincaid, Kleczka, Klicka, Lewison, Luckhardt, McEssy, Matty, Menos, Molinaro, Murray, Niebler, Olson, Pabst, Porter, Quinn, Rohner, Roth, Schricker, Sensenbrenner, Shabaz, Tesmer, Thompson, Tobiasz, Wackett and Wilcox -- 37.

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Absent or not voting -- Gower and Tregoning -- 2.

Motion carried.

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

Representative Earl moved that the rules be suspended and that Assembly Bill 842 be immediately messaged to the senate.

The question was: Shall the rules be suspended and that Assembly Bill 842 be immediately messaged to the senate?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Donoghue, Dueholm, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Giese, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Lallensack, Lewis, Looby, Luckhardt, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Schroeder, Sicula, Sweda, Swoboda, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 60.

Noes -- Alberts, Atkinson, Azim, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Dorff, Duren, Ellis, Gibson, Hephner, Keegan, Kincaid, Kleczka, Klicka, Lewison, Matty, Molinaro, Niebler, Olson, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Sensenbrenner, Shabaz, Tesmer, Thompson, Wackett and Wilcox -- 36.

Absent or not voting -- Gower, McEssy and Tregoning -- 3.

Motion failed.

Assembly Bill 1042

Relating to definition of "customer" and "loan" in the new first lien real estate loan law.

The question was: Shall Assembly Bill 1042 be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that Assembly Bill 1042 be given a third reading. Granted.

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The question was: **Assembly Bill 1042** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conratt, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Ducholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, 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, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 94.

Noes -- Atkinson -- 1.

Absent or not voting -- Gower, Lewis, Quackenbush and Tregoning -- 4.

Motion carried.

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

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1042** be immediately messaged to the senate. Granted.

Assembly Bill 1058

Relating to rights of witnesses and secrecy at grand juries.

Representative Earl asked unanimous consent that **Assembly Bill 1058** be placed at the foot of the calendar of July 12. Granted.

Assembly Bill 1076

Relating to county court jurisdiction of actions for certiorari and probation and parole revocation review.

The question was: Shall **Assembly Bill 1076** be ordered engrossed and read a third time?

Motion carried.

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Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1076** be given a third reading. Granted.

The question was: **Assembly Bill 1076** having been read three times, shall the bill pass?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1076** be immediately messaged to the senate. Granted.

Representative Earl asked unanimous consent that **Assembly Bill 652** be taken from the table and taken up at this time. Granted.

Assembly Bill 652

Relating to the time for commencing actions to recover damages for injuries arising from medical, surgical or dental treatment.

Assembly amendment 2 to **Assembly Bill 652** offered by Representatives Niebler and Wilcox.

The question was: Shall assembly amendment 2 to **Assembly Bill 652** be adopted?

Motion carried.

Assembly amendment 3 to **Assembly Bill 652** offered by Representative Merkel.

Representative Earl in the chair.

Representative Anderson moved rejection of assembly amendment 3 to **Assembly Bill 652**.

The question was: Shall assembly amendment 3 to **Assembly Bill 652** be rejected?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Byers, Conradt, Conta, Cyrak, Czerwinski, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson,

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Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewison, Looby, Luckhardt, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 78.

Noes -- Alberts, Azim, Bruhy, DeLong, Gibson, Giese, Lewis, Merkel, Niebler, Quackenbush, Rohner, Schroeder, Shabaz, Thompson and Wackett -- 15.

Absent or not voting -- Ellis, Ferrall, Gower, Klicka, McEssy and Tregoning -- 6.

Motion carried.

The question was: Shall **Assembly Bill 652** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 652** be given a third reading.

Representative Niebler objected.

Representative Earl moved that the rules be suspended and that **Assembly Bill 652** be given a third reading.

The question was: Shall the rules be suspended and that **Assembly Bill 652** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Byers, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewison, Looby, Luckhardt, 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, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 81.

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Noes -- Alberts, Azim, Bruhy, Conradt, Cyrak, DeLong, Hephner, Klicka, Lewis, Merkel, Niebler, Rohner, Schroeder, Shabaz, Thompson and Wackett -- 16.

Absent or not voting -- Gower and Tregoning -- 2.

Motion carried.

The question was: *Assembly Bill 652* having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Byers, 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, Lallensack, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Munts, Murray, Nager, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sensenbrenner, Sricula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 83.

Noes -- Azim, Bruhy, Conradt, Hephner, Klicka, Lewis, Merkel, Molinaro, Niebler, Rohner, Schroeder, Shabaz and Wackett -- 13.

Absent or not voting -- Alberts, Gower and Tregoning -- 3.

Motion carried.

Representative Earl moved that the rules be suspended and that *Assembly Bill 652* be immediately messaged to the senate.

The question was: Shall the rules be suspended and that *Assembly Bill 652* be immediately messaged to the senate?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Byers, Conta, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Groshek, Grover, Hauke,

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Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 81.

Noes -- Azim, Bruhy, Conradt, Cyrak, Hephner, Klicka, Lewis, Merkel, Niebler, Olson, Rohner, Schroeder, Shabaz, Thompson and Wackett -- 15.

Absent or not voting -- Alberts, Gower and Tregoning -- 3.

Motion carried.

Assembly Bill 48

Relating to prohibiting purchase of term papers and providing a penalty.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 48** offered by Representatives Jackamonis and Berger.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 48** be adopted?

The roll was taken.

The result follows:

Ayes -- 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, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Munts, Murray, Nager, Niebler, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rooney, Rot , Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Wahner, Ward, Willkom and Mr. Speaker -- 84.

Noes -- Azim, Giese, Klicka, Lewis, Olson, Rohner, Shabaz, Thompson, Wackett and Wilcox -- 10.

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Absent or not voting -- Alberts, Gower, Molinaro, Tregoning and Vanderperren -- 5.

Motion carried.

Representative Shabaz moved that the assembly adjourn.

The question was: Shall the assembly adjourn?

The roll was taken.

The result follows:

Ayes -- Atkinson, Azim, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Ellis, Gibson, Giese, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Wackett and Wilcox -- 35.

Noes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sricula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 61.

Absent or not voting -- Alberts, Gower and Tregoning -- 3.

Motion failed.

Representative Wilcox moved rejection of assembly substitute amendment 1 to **Assembly Bill 48**.

Representative Berger asked unanimous consent that **Assembly Bill 48** be laid on the table.

Representative Cyrak objected.

Representative Earl moved that **Assembly Bill 48** be laid on the table.

The question was: Shall **Assembly Bill 48** be laid on the table?

The roll was taken.

The result follows:

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Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conta, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, 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, Rooney, Roth, Rutkowski, Sanasarian, Schricker, Schroeder, Sensenbrenner, Sricula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker - - 84.

Noes -- Azim, Conradt, Cyrak, Hephner, Kleczka, Niebler, Porter, Rohner, Schneider, Shabaz, Thompson and Wackett -- 12.

Absent or not voting -- Alberts, Gower and Tregoning -- 3.

Motion carried.

Assembly Bill 865

Relating to cognovit judgments.

The question was: Shall assembly amendment 1 to **Assembly Bill 865** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 865** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 865** be given a third reading. Granted.

The question was: **Assembly Bill 865** having been read three times, shall the bill pass?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 865** be immediately messaged to the senate. Granted.

Representative Ferrall asked unanimous consent to be recorded as voting "Aye" on rejection of assembly amendment 3 to **Assembly Bill 652**. Granted.

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LEAVES OF ABSENCE

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

VISITORS

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

David Welch from Chicago, Illinois, guest of Representative Ward.

John Klinger and John Moser from Beaver Dam, guests of Representatives Cyrak, Luckhardt, Lewis and Wilcox.

Eighth grade students from Saint James Lutheran High School accompanied by Mrs. Newman and Mr. Publitz from Shawano, Wisconsin, guests of Representative Grover.

Mrs. Marvin Ratke from Greenwood, guest of Representative Oberle.

90 students of Edison Junior High School, accompanied by their leader, Mrs. Burdick, from Janesville, Wisconsin, guests of Representative Mittness.

Bob, Jan and Paula Peterson from Oshkosh, Wisconsin, guests of Representative Flintrop.

Lorayne Baldus and Dr. Jane Rosenthal from Menomonie, Wisconsin, guests of Representative Baldus.

Dr. James Hasler from Reedsburg, Wisconsin, guest of Representative Giese.

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

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The question was: Adjournment?

Motion carried.

The assembly stood adjourned.

8:30 P.M.