

JOURNAL OF THE ASSEMBLY (February 14, 1974)

STATE OF WISCONSIN

Assembly Journal

Eighty-First Regular Session

THURSDAY, February 14, 1974.

9:30 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Reverend Vern J. Denham, pastor of Madison East Bible Church, 2540 East Mifflin Street, Madison, Wisconsin.

Representative Bolle 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, Sricula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 99.

Absent -- None.

Absent with leave -- None.

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AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 801** offered by Representatives Tropman and Roberts.

Assembly amendment 1 to assembly amendment 5 to **Assembly Bill 1407** offered by Representatives Olson, DeLong and Porter.

Assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 848** offered by Representatives Berger, Byers and Lewison.

Assembly amendment 5 to assembly substitute amendment 2 to **Assembly Bill 848** offered by Representatives Berger, Byers and Lewison.

Assembly amendment 6 to assembly substitute amendment 2 to **Assembly Bill 848** offered by Representatives Berger, Byers and Lewison.

Assembly amendment 7 to assembly substitute amendment 2 to **Assembly Bill 848** offered by Representatives Byers, Lewison and Plewa.

Assembly amendment 8 to assembly substitute amendment 2 to **Assembly Bill 848** offered by Representatives Byers and Lewison.

Assembly amendment 11 to assembly substitute amendment 2 to **Assembly Bill 626** offered by Representatives Thompson and Shabaz.

Assembly amendment 12 to assembly substitute amendment 2 to **Assembly Bill 626** offered by Representatives Merkel and Thompson.

Assembly amendment 13 to assembly substitute amendment 2 to **Assembly Bill 626** offered by Representative Opitz.

Assembly amendment 14 to assembly substitute amendment 2 to **Assembly Bill 626** offered by Representatives Hephner and Niebler.

Assembly amendment 15 to assembly substitute amendment 2 to **Assembly Bill 626** offered by Representatives Thompson and Hephner.

Assembly amendment 11 to **Assembly Bill 1407** offered by Representative Munts.

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Assembly amendment 12 to Assembly Bill 1407 offered by Representative Munts.

Assembly amendment 13 to Assembly Bill 1407 offered by Representative Munts.

Assembly substitute amendment 2 to Assembly Bill 837 offered by Representatives Hauke, Earl, Behnke, Keegan and Pabst.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Joint Resolution 130

Requesting the natural resources board to refrain from authorizing new agreements for acquisition of land until after July 1, 1975, to study the impact of such acquisitions on local property values and tax bases and to make recommendations for remedial legislation.

By Representatives KINCAID, SCHRICKER, WILCOX, HEPHNER, MATTY, DONOGHUE, DUREN, NIEBLER, BYERS, THOMPSON, GROVER, GIESE, GIBSON, OPITZ, LALLENSACK, BRUHY, EVERSON, SHABAZ, CYRAK, OLSON and MERKEL; co-sponsored by Senators KRUEGER and LA FAVE.

To committee on Natural Resources.

Assembly Joint Resolution 131

Extending the report deadline under 1973 assembly joint resolution 66.

By Representatives DORFF and MOLINARO.

To Calendar.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1459

Relating to sales and use tax exemption for fish sold by fish hatcheries for human consumption.

By Representatives THOMPSON and GIESE; co-sponsored by Senator BIDWELL, by request of Russel Tollakson, Wisconsin Dells.

To Joint Survey Committee on Tax Exemptions.

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Assembly Bill 1460

Relating to restricting disclosure of information relating to wire communications.

By Representative NAGER.

To committee on Judiciary.

Assembly Bill 1461

Relating to exemption of certain agricultural equipment from the personal property tax.

By Representative THOMPSON, by request of Willard and Terrance Grant, Oxford.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 1462

Relating to expanding the list of joint tenancies which may be administratively terminated.

By Representatives BERGER, JACKAMONIS and SCHNEIDER.

To committee on Judiciary.

Assembly Bill 1463

Relating to certification of applications for administrative termination of joint tenancies by notaries public.

By Representatives BERGER, BARBEE, EARL, OTTE, SENSENBRENNER, DE LONG, JACKAMONIS and SCHNEIDER.

To committee on Judiciary.

Assembly Bill 1464

Relating to permitting the governor to declare a financial emergency during which the commissioners of banking, credit unions and savings and loan may permit the deferment of debts of such institutions, granting rule-making authority and providing penalties.

By Representatives BERGER, TROPMAN, JACKAMONIS and SCHNEIDER.

To committee on Insurance and Banking.

Assembly Bill 1465

Relating to state aid to world dairy expo, inc., and making an appropriation.

By Representatives O'MALLEY, HEPHNER, GIESE, SCHROEDER, VANDERPERREN, BOLLE, SICULA, EVERSON and MOHN, by request of Governor Patrick J. Lucey.

To Joint Committee on Finance.

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Assembly Bill 1466

Prohibiting smoking in state facilities and providing a penalty.

By Representative CONTA, by request of Mr. and Mrs. David Milofsky.

To committee on State Affairs.

Assembly Bill 1467

Relating to powers of the head of the planning function in relation to incorporation and consolidation of towns and villages.

By Representative GOWER.

To committee on Municipalities.

Assembly Bill 1468

Relating to assessment of real estate.

By Representative ROGERS.

To committee on Taxation.

Assembly Bill 1469

Relating to permitting minors to work as bat boys without obtaining work permits.

By Representatives ROTH, CONRADT, SCHNEIDER and ROGERS; co-sponsored by Senator LORGE.

To committee on Labor.

Assembly Bill 1470

Relating to the unauthorized reproduction of recorded sounds and related offenses, and providing penalties.

By Representatives EARL, SHABAZ, BALDUS, THOMPSON, SENSENBRENNER, WILCOX, KEEGAN, MC ESSY, AZIM, CZERWINSKI, ANDERSON, OESTREICHER, SWEDA, SICULA, HAUKE, CONTA and GROVER.

To committee on Judiciary.

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COMMUNICATIONS

The State of Wisconsin
Department of State
Madison 53702

February 12, 1974

To Your Honor, The Assembly

Gentlemen:

I have the honor to transmit to you pursuant to s. 13.67 (2), a list of the registered lobbyists for the period beginning on February 5, 1974 and ending on February 12, 1974.

Respectfully submitted,
ROBERT C. ZIMMERMAN,
Secretary of State.

Received and placed on file in the office of the chief clerk. Pursuant to joint rule 36 the list is printed in full in the senate journal only and appears there beginning on page 2143.

COMMITTEE REPORTS

The committee on Health and Social Services reports and recommends:

Senate Bill 250

Relating to authorizing physicians to treat minors for venereal disease without parental consent.

Concurrence: Ayes: (10) Noes: (1)

Senate Bill 478

Relating to prescription labels and recordkeeping by persons authorized to possess controlled substances (suggested as remedial legislation by the pharmacy examining board).

Concurrence: Ayes: (11) Noes: (0)

Senate Bill 523

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

Concurrence: Ayes: (9) Noes: (2)

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Assembly Bill 1344

Relating to the continued operation of prison farms, and making an appropriation.

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

JOSEPH C. CZERWINSKI,
Chairman

The committee on Natural Resources reports and recommends:

Senate Bill 105

Relating to firearm safety training.

Concurrence: Ayes: (11) Noes: (0)

LEWIS T. MITTNESS,
Chairman

The committee on Transportation reports and recommends:

Assembly Bill 1420

Relating to permitting redistribution of truck weights among the various axles of a single vehicle, subject to existing overall gross weight limitations.

Passage: Ayes: (8) Noes: (2) Not voting: (1)

Senate Bill 360

Relating to cancellation of driver's license upon unauthorized alteration.

Concurrence: Ayes: (10) Noes: (1)

Senate Bill 361

Relating to short-term vehicle registration permits for nonresidents.

Concurrence: Ayes: (11) Noes: (0)

Senate Bill 412

Relating to the definition of motor truck.

Concurrence: Ayes: (11) Noes: (0)

LEONARD A. GROSHEK,
Chairman

The committee on Veterans and Military Affairs reports and recommends:

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Assembly Bill 1257

Relating to reimbursement for out-of-state courses taken by veterans.

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

Assembly Bill 1296

Relating to definition of the Viet Nam era for veterans' purposes.

Assembly substitute amendment 1 adoption:

Ayes: (11) Noes: (0)

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

Assembly Bill 1342

Relating to requiring at least 15 firefighters at the Grand Army home at King and increasing an appropriation.

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

MICHAEL P. EARLY,
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 Bill 787

Assembly Bill 892

Amended and concurred in as amended:

Assembly Bill 538 (Senate substitute amendment 1 adopted) (Senate amendment 1 to senate amendment 1 adopted) (Senate amendment 1, and Senate amendment 3 to senate substitute amendment 1 adopted.)

Passed and asks concurrence in:

Senate Bill 599, and

Senate Bill 713.

Concurred in:

Motions under joint rule 26,

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A Joint Certificate of Commendation by Representative Day; co-sponsored by Senator Chilsen for Dr. Birnbaum and the university hospital staff on the occasion of Representative Day's recovery; and

A Joint Certificate of Congratulations by Representative Pabst; co-sponsored by Senator Whittow for Mary Guenther on being named to "Who's Who Among American High School Students".

ACTION ON THE SENATE MESSAGE

Senate Bill 599

Relating to providing a penalty for misuse of public assistance allowances.

By Senators Whittow, Kasten, Parys, Schuele and Devitt, cosponsored by Representatives Keegan, Sensenbrenner, Wilcox, Kleczka, Pabst, Niebler, Cyrak, Luckhardt, Wackett, Alberts, Shabaz, Thompson and Gower, by request of Milwaukee County.

To committee on Judiciary.

Senate Bill 713

Relating to attachment of territory to counties operating handicapped children's education programs.

By Senators Devitt, LaFave, Kasten, Lorge, Bidwell and Chilsen.

To committee on Education.

Assembly Bill 538

Relating to the provision of emergency medical services by hospitals, the licensing of ambulance service managers and ambulance attendants, creating an examining council and making an appropriation.

By Representatives WILLKOM, CZERWINSKI, SCHNEIDER, OBERLE, DUREN, MIELKE, SWEDA, EVERSON, ROBERTS, RUTKOWSKI, LOOBY, SICULA, BOLLE, KEDROWSKI, MOHN, TESMER, LALLENSACK, MENOS, JACKAMONIS, JOHNSON, MUNTS, FLINTROP, ROGERS, FERRALL, EARLY, MITTNESS, HEPHNER, WARD, CYRAK, OTTE, WACKETT, TROPMAN and PLEWA; co-sponsored by Senators JOHNSON, DEVITT, LA FAVE, BABLITCH, MC KENNA, PELOQUIN, THENO, KNOWLES, LA FOLLETTE, WHITTOW and MURPHY, by request of Governor Patrick J. Lucey.

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Representative Earl asked unanimous consent that **Assembly Bill 538** be taken from the senate message and placed at the foot of the calendar of October 26. Granted.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the Somerville Rink of Superior, Wisconsin, composed of Bud Somerville, Tom Locken, Bobby Nichols and Bill Strum won the State Curling Championship on February 10, 1974, by defeating Arlington, 16-2 in an extra playoff game at the Kettle Moraine Curling Club at Hartland, Wisconsin; and

Whereas, the Somerville Rink compiled a 6-1 record in the Wisconsin playdowns prior to their overwhelming championship victory; and

Whereas, the Rink captured the World Championship title in 1965 at Perth, Scotland, and has reigned as National Champions for three of the six years it has competed in the National Curling Championships; and

Whereas, the Somerville Rink now goes to New York to once again pursue the national crown; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Murray under Joint Rule 26, congratulate the men of the Somerville Rink on their sterling season and State Championship title and wish them continued success at the National Championships and beyond.

The question was: Adoption?

Motion carried.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the Wisconsin Towns Association has been in existence since 1947; and

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Whereas, the Wisconsin Towns Association through its officers, directors, and legislative representatives has consistently espoused the cause of local government; and

Whereas, the Wisconsin Towns Association through its officers, directors and legislative representatives has effectively and successfully representative the best interests of rural citizens in the State of Wisconsin; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representatives Willkom, Byers, Schneider, Earl, Bradley, Mielke, Grover, Sweda, Rohner, Miller, Tobiasz, Molinaro, Mittness, Rogers, Flintrop, Ferrall, Dueholm, Mohn, Baldus, Jackamonis, Early, Elconin, Bolle, Wahner, Atkinson, Groshek, Berger, Conta, Kleczka, Donoghue, Otte, O'Malley, Munts, Johnson, Oestreicher, Tropman, Roberts, Kedrowski, Lallensack, Looby, Rooney, Hauke, Rutkowski, Lewison, Hephner, Plewa, Murray, Day, Everson, Oberle, Matty, Porter, Tregoning, Olson, Lewis, Quackenbush, Kincaid, Schroeder, Opitz, Gibson and Giese; cosponsored by Senator Theno.

The question was: Adoption?

Motion carried.

MOTIONS

Representative Hephner asked unanimous consent to be made a co-author of **Assembly Bill 1371**. Granted.

Representative Early asked unanimous consent that **Assembly Bill 1116** be withdrawn from the joint committee on Finance and placed at the foot of the calendar of October 25. Granted.

Representative Duren asked unanimous consent to introduce a resolution. Granted.

Assembly Resolution 70

Relating to the gasoline allocation reductions and a possible interstate trade of heating oil for gasoline.

Whereas, the Federal Energy Office announced on Friday, February 8, 1974 that Wisconsin would receive 87.2% of the base amount of gasoline used during February 1973, and on the very next day, February 9, 1974, that allocation was cut an estimated 2%; and

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Whereas, if this 2% of the gasoline is cut for February, Wisconsin will fall below the allocation levels of at least seven other states which are not being cut; and

Whereas, the State of Wisconsin has been a leader in taking early steps to curb shortages within the state and held a Special Session of the Legislature in December 1973 to deal with the energy crisis; and

Whereas, the citizens of Wisconsin have shown tremendous cooperation by conserving heating oil this winter, reducing highway speeds to 55 miles per hour and holding down unnecessary driving to conserve gasoline; and

Whereas, Wisconsin and nine other states now are being asked to share more of the shortage of gasoline with 12 states and the District of Columbia; and

Whereas, the spring and summer months will bring increasing demands for gasoline in Wisconsin with farmers in the fields and vacationers on the highways; and

Whereas, the state now has a surplus of home heating oil in storage which could be exchanged for gasoline; and some states, such as Kentucky, have adequate supplies of gasoline and are short on heating oil; now, therefore, be it

Resolved by the assembly, That the Wisconsin Office of Emergency Energy Assistance is hereby instructed to attempt to remedy this situation by communicating directly with states, such as Kentucky, which appear to have adequate gasoline supplies but a shortage of heating oil, and attempting, through direct interstate negotiations with energy assistance offices and other governmental agencies in other states, to balance the inequities which appear to exist; and, be it further

Resolved, That all pressure be brought to bear on the Federal Energy Office so that during the spring and summer months of 1974 the state of Wisconsin, through increased gasoline allocations commensurate to the allocation cut imposed on this state by the Federal Energy Office during February 1974, will be reimbursed for the gasoline now diverted to other states; and, be it further

Resolved, That duly attested copies of this resolution be immediately transmitted to President Richard M. Nixon, Federal Energy Administrator William L. Simon, Governor Patrick J. Lucey, Wisconsin Energy Coordinator Stanley York, each member of the U.S. Congress from this state, and to each of the Governors of the other 49 states.

By Representatives DUREN, SWOBODA, LEWIS, GIBSON, JACKAMONIS, WAHNER, MURRAY, GIESE, BERGER, BALDUS, BYERS, CONRADT, ALBERTS, WACKETT,

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MATTY, LUCKHARDT, THOMPSON, LEWISON, ATKINSON, MC ESSY, ROHNER, PORTER, DONOGHUE, DE LONG, OTTE, ROTH, VANDERPERREN; SENSENBRENNER, MUNTS, QUACKENBUSH, JOHNSON, SCHROEDER, KLICKA, DAY, KEEGAN, OBERLE, EARLY, HEPHNER, ROBERTS, MENOS, BARBEE, MITTNESS, GROVER, BARCZAK, GROSHEK, KEDROWSKI, O'MALLEY, BOLLE, ELCONIN, FLINTROP, DORFF, KINCAID and ROGERS.

Representative Earl asked unanimous consent that **Assembly Resolution 70** be made a special order of business at 4:00 P.M. on Thursday, February 14. Granted.

Representative Early moved reconsideration of the vote by which **Assembly Bill 1220** was refused passage. Entered.

Representative Earl asked unanimous consent that **Assembly Bill 740** be withdrawn from the joint committee on Finance and placed on the foot of the calendar of October 25. Granted.

CALENDAR OF WEDNESDAY, OCTOBER 24, 1973

Assembly Bill 273

Relating to entry of coroners and medical examiners upon premises of deceased persons, and providing a penalty.

Representative Shabaz moved indefinite postponement of **Assembly Bill 273**.

The question was: Shall **Assembly Bill 273** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Behnke, Bradley, Bruhy, Byers, Conradt, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Early, Ellis, Everson, Gibson, Giese, Gower, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Miller, Mohn, Molinaro, Murray, Nager, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Pabst, Porter, Quackenbush, Quinn, Rogers, Rohner, Rooney, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Vanderperren, Wackett, Wilcox and Willkom -- 63.

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Noes -- Baldus, Barczak, Berger, Bolle, Conta, Dueholm, Duren, Earl, Elconin, Ferrall, Flintrop, Hephner, Jackamonis, Kleczka, Looby, Menos, Mielke, Mittness, Munts, Otte, Plewa, Roberts, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Wahner, Ward and Mr. Speaker -- 34.

Absent or not voting -- Azim and Barbee -- 2.

Motion carried.

Assembly Bill 506

Relating to excursion boat certificates.

Representative Earl asked unanimous consent that **Assembly Bill 506** be placed at the foot of the calendar of October 26. Granted.

Assembly Bill 547

Relating to approval of proposed administrative rules by the appropriate standing committees of the legislature.

Representative Earl asked unanimous consent that **Assembly Bill 547** be referred to the joint committee on Finance. Granted.

Representative Earl asked unanimous consent that **Assembly Bill 547** be withdrawn from the joint committee on Finance and taken up at this time. Granted.

The question was: Shall **Assembly Bill 547** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 547** be given a third reading.

Representative Mittness objected.

Representative Thompson moved that the rules be suspended and that **Assembly Bill 547** be given a third reading.

Representative Sweda in the chair.

The speaker in the chair.

Representative Ferrall asked unanimous consent that the vote on engrossment be expunged.

Representative Grover objected.

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The question was: Shall the rules be suspended and that **Assembly Bill 547** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Dorff, Duren, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Hephner, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mohn, Molinaro, Murray, Niebler, Oberle, Olson, Opitz, Pabst, Plewa, Porter, Quackenbush, Quinn, Rogers, Rohner, Rooney, Roth, Rutkowski, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Tregoning, Wackett, Wahner, Ward and Wilcox -- 70.

Noes -- Baldus, Barbee, Berger, Conta, Czerwinski, Dueholm, Earl, Early, Jackamonis, Johnson, Looby, Mielke, Miller, Mittness, Munts, Nager, Oestreicher, O'Malley, Otte, Roberts, Sanasarian, Schneider, Sricula, Tobiasz, Tropman, Vanderperren, Willkom and Mr. Speaker -- 28.

Absent or not voting -- Azim -- 1.

Motion carried.

The question was: **Assembly Bill 547** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Duren, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Hephner, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mohn, Molinaro, Munts, Murray, Niebler, Oberle, Olson, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward and Wilcox -- 77.

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Noes -- Baldus, Barbee, Berger, Conta, Dueholm, Earl, Early, Jackamonis, Looby, Mielke, Miller, Mittness, Nager, Oestreicher, O'Malley, Sanasarian, Schneider, Sicula, Tobiasz, Willkom and Mr. Speaker -- 21.

Absent or not voting -- Azim -- 1.

Motion carried.

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

Representative Earl moved that the rules be suspended and that **Assembly Bill 547** be immediately messaged to the senate.

The question was: Shall the rules be suspended and that Assembly Bill 547 be immediately messaged to the senate?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Dorff, Duren, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Hephner, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mittness, Mohn, Molinaro, Murray, Niebler, Oberle, Olson, Opitz, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Tesmer, Thompson, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward and Wilcox -- 75.

Noes -- Baldus, Barbee, Berger, Conta, Czerwinski, Dueholm, Earl, Early, Jackamonis, Looby, Mielke, Miller, Munts, Nager, Oestreicher, O'Malley, Otte, Sanasarian, Schneider, Sicula, Tobiasz, Willkom and Mr. Speaker -- 23.

Absent or not voting -- Azim -- 1.

Motion carried.

Assembly Bill 554

Relating to regulation of consumer credit billing and providing penalties.

Representative Earl asked unanimous consent that **Assembly Bill 554** be laid on the table. Granted.

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Assembly Bill 741

Relating to granting nonresident students at vocational, technical and adult education schools hunting and fishing licenses at resident fees.

Representative Earl asked unanimous consent that **Assembly Bill 741** be referred to the joint committee on Finance. Granted.

Representative Earl asked unanimous consent that **Assembly Bill 741** be withdrawn from the joint committee on Finance and taken up at this time. Granted.

The question was: Shall **Assembly Bill 741** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 741** be given a third reading. Granted.

The question was: **Assembly Bill 741** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, 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, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 98.

Noes -- None.

Absent or not voting -- Azim -- 1.

Motion carried.

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Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 741** be immediately messaged to the senate. Granted.

Assembly Bill 1151

Relating to encouragement of mass transit ridership.

The question was: Shall **Assembly Bill 1151** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1151** be given a third reading.

Representative Shabaz objected.

Representative Earl moved that the rules be suspended and that **Assembly Bill 1151** be given a third reading.

The question was: Shall the rules be suspended and that **Assembly Bill 1151** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Byers, Conradt, Conta, Czerwinski, Day, Dorff, Ducholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Giese, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Lewison, Looby, McEssy, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 73.

Noes -- Alberts, Bradley, Bruhy, Cyrak, DeLong, Donoghue, Gibson, Gower, Kincaid, Klicka, Lewis, Luckhardt, Matty, Merkel, Niebler, Olson, Porter, Quackenbush, Rohner, Schroeder, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 25.

Absent or not voting -- Azim -- 1.

Motion carried.

The question was: **Assembly Bill 1151** having been read three times, shall the bill pass?

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The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Byers, Conradt, Conta, 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, Lallensack, Lewison, Looby, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Sricula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 80.

Noes -- Alberts, Bradley, Bruhy, Cyrak, Klicka, Lewis, Luckhardt, Merkel, Niebler, Olson, Porter, Quackenbush, Rohner, Shabaz, Thompson, Tregoning and Wackett -- 17.

Absent or not voting -- Azim and Oberle -- 2.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1151** be immediately messaged to the senate. Granted.

Assembly Bill 1165

Relating to limitation of commencement of action and cause of action for right of privacy.

Assembly amendment 1 to **Assembly Bill 1165** offered by Representative Niebler.

The question was: Shall assembly amendment 1 to **Assembly Bill 1165** be adopted?

Motion carried.

Representative Niebler moved indefinite postponement of **Assembly Bill 1165**.

The question was: Shall **Assembly Bill 1165** be indefinitely postponed?

The roll was taken.

The result follows:

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Ayes -- Atkinson, Duren, Giese, Hauke, Murray, Niebler, Porter, Rohner and Tregoning -- 9.

Noes -- Alberts, Baldus, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Gower, Groshek, Grover, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Nager, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, 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 -- 88.

Absent or not voting -- Azim and Barbee -- 2.

Motion failed.

The question was: Shall **Assembly Bill 1165** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1165** be given a third reading. Granted.

The question was: **Assembly Bill 1165** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Baldus, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, 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, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder,

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Sensenbrenner, Shabaz, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 95.

Noes -- Niebler and Olson -- 2.

Absent or not voting -- Azim and Barbee -- 2.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1165** be immediately messaged to the senate. Granted.

Assembly Bill 1280

Relating to licensing of Canadian physicians without examination.

Representative Earl asked unanimous consent that **Assembly Bill 1280** be referred to the joint committee on Finance. Granted.

Representative Earl asked unanimous consent that **Assembly Bill 1280** be withdrawn from the joint committee on Finance and taken up at this time. Granted.

Representative Earl asked unanimous consent that assembly substitute amendment 1 to **Assembly Bill 1280** be revived. Granted.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 1280** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 1280** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1280** be given a third reading. Granted.

The question was: **Assembly Bill 1280** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

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Ayes -- Alberts, Atkinson, Baldus, Barbee, Behnke, Berger, Bolle, Bradley, Byers, Conradt, Conta, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, 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, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sricula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 90.

Noes -- Bruhy, Cyrak, Duren, Gower, Merkel, Opitz and Rohner -- 7.

Absent or not voting -- Azim and Barczak -- 2.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1280** be immediately messaged to the senate. Granted.

Assembly Bill 1314

Relating to special needs allowances to families receiving aids to families with dependent children.

Representative Earl asked unanimous consent that **Assembly Bill 1314** be referred to the joint committee on Finance. Granted.

The chief clerk was instructed to obtain a fiscal note for **Assembly Bill 1314**.

Assembly Bill 886

Relating to creditable prior service for elected officials under the retirement fund.

Representative Baldus moved rejection of assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 886**.

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 886** be rejected?

The roll was taken.

The result follows:

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Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Byers, Conradt, Conta, Czerwinski, Day, Donoghue, Dorff, Ducholm, Earl, Early, Ferrall, Flintrop, Giese, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Kincaid, Kleczka, Lallensack, Lewis, Lewison, Looby, Matty, Menos, Mielke, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quinn, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sicula, Sweda, Tropman, Vanderperren, Wackett, Wahner, Willkom and Mr. Speaker -- 64.

Noes -- Alberts, Bradley, Bruhy, Cyrak, DeLong, Duren, Elconin, Ellis, Everson, Gibson, Gower, Hephner, Keegan, Klicka, Luckhardt, McEssy, Merkel, Miller, Niebler, Olson, Opitz, Porter, Quackenbush, Rohner, Roth, Sensenbrenner, Shabaz, Swoboda, Thompson, Tobiasz, Tregoning, Ward and Wilcox -- 33.

Absent or not voting -- Azim and Tesmer -- 2.

Motion carried.

Representative Molinaro moved rejection of assembly amendment 4 to assembly substitute amendment 1 to Assembly Bill 886.

The question was: Shall assembly amendment 4 to assembly substitute amendment 1 to Assembly Bill 886 be rejected?

The roll was taken.

The result follows:

Ayes -- Atkinson, Barczak, Behnke, Berger, Bolle, Byers, Conradt, Czerwinski, Donoghue, Dorff, Early, Elconin, Ferrall, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewis, Looby, Luckhardt, McEssy, Matty, Menos, Mittness, Mohn, Molinaro, Munts, Nager, O'Malley, Otte, Pabst, Plewa, Quinn, Rooney, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sicula, Swoboda, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 51.

Noes -- Alberts, Baldus, Barbee, Bradley, Bruhy, Conta, Cyrak, Day, DeLong, Ducholm, Duren, Earl, Ellis, Everson, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hephner, Klicka, Lewison, Merkel, Mielke, Miller, Murray, Niebler, Oberle, Oestreicher, Olson, Opitz, Porter, Quackenbush, Roberts, Rogers, Rohner, Roth, Sensenbrenner, Shabaz, Sweda, Thompson, Tobiasz, Tregoning, Wackett and Wilcox -- 46.

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Absent or not voting -- Azim and Tesmer -- 2.

Motion carried.

Representative Merkel moved indefinite postponement of Assembly Bill 886.

The question was: Shall Assembly Bill 886 be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Alberts, Berger, Cyrak, Day, DeLong, Duren, Elconin, Gibson, Giese, Hephner, Jackamonis, Klicka, Merkel, Mielke, Niebler, Olson, Opitz, Porter, Roth, Sensenbrenner, Shabaz, Thompson, Tregoning, Ward and Wilcox -- 25.

Noes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Czerwinski, Donoghue, Dorff, Dueholm, Earl, Early, Ellis, Everson, Ferrall, Flintrop, Gower, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Milier, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sicula, Sweda, Swoboda, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Willkom and Mr. Speaker -- 72.

Absent or not voting -- Azim and Tesmer -- 2.

Motion failed.

The question was: Shall Assembly Bill 886 be ordered engrossed and read a third time?

Motion carried.

Representative Earl moved that the rules be suspended and that Assembly Bill 886 be given a third reading.

The question was: Shall the rules be suspended and that Assembly Bill 886 be given a third reading?

The roll was taken.

The result follows:

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Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Czerwinski, Donoghue, Dorff, Dueholm, Earl, Early, Ellis, Everson, Ferrall, Gibson, Giese, Gower, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Schneider, Schricker, Schroeder, Shabaz, Sicula, Sweda, Swoboda, Thompson, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Willkom and Mr. Speaker -- 75.

Noes -- Alberts, Berger, Cyrak, Day, DeLong, Duren, Elconin, Flintrop, Hephner, Jackamonis, Klicka, Merkel, Mielke, Niebler, Olson, Opitz, Porter, Sanasarian, Sensenbrenner, Tregoning, Ward and Wilcox -- 22.

Absent or not voting -- Azim and Tesmer -- 2.

Motion carried.

The question was: Assembly Bill 886 having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Czerwinski, Donoghue, Dorff, Earl, Early, Ellis, Everson, Ferrall, Giese, Gower, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sicula, Sweda, Swoboda, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Willkom and Mr. Speaker -- 72.

Noes -- Alberts, Berger, Cyrak, Day, DeLong, Dueholm, Duren, Elconin, Flintrop, Gibson, Hephner, Jackamonis, Klicka, Merkel, Mielke, Niebler, Olson, Opitz, Porter, Sensenbrenner, Shabaz, Thompson, Tregoning, Ward and Wilcox -- 25.

Absent or not voting -- Azim and Tesmer -- 2.

Motion carried.

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Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 886** be immediately messaged to the senate. Granted.

Representative Earl asked unanimous consent that **Assembly Bill 635** be withdrawn from the calendar and made a special order of business at 10:00 A.M. on Wednesday, February 20. Granted.

Representative Earl asked unanimous consent that **Assembly Bill 1016** be withdrawn from the calendar and made a special order of business at 10:00 A.M. on Thursday, February 21. Granted.

Representative Earl asked unanimous consent that **Assembly Bill 874** be withdrawn from the calendar and made a special order of business at 2:00 P.M. on Thursday, February 21. Granted.

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

2:05 P.M.

The assembly reconvened.

Representative Earl asked unanimous consent that the assembly stand recessed for one-half hour. Granted.

The assembly stood recessed.

2:10 P.M.

RECESS

2:55 P.M.

The assembly reconvened.

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CALENDAR OF THURSDAY, OCTOBER 25, 1973

SECOND READING AND AMENDMENT
OF ASSEMBLY BILLS

Assembly Bill 213

Relating to appointment of substitute and assistant district attorneys.

The question was: Shall **Assembly Bill 213** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 213** be given a third reading. Granted.

The question was: **Assembly Bill 213** 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 213** be immediately messaged to the senate. Granted.

Assembly Bill 392

Relating to law enforcement officers' bill of rights, and providing a penalty.

Representative Earl asked unanimous consent that **Assembly Bill 392** be referred to the joint committee on Finance. Granted.

Assembly Bill 626

Relating to regulation of activities on wetlands, state contributions toward local property taxes on wetlands, making an appropriation and providing a penalty.

The question was: Shall assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 626** be adopted?

Motion carried.

Assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 626** offered by Representatives Hephner, Thompson and Niebler.

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Representative Day moved rejection of assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 626**.

The question was: Shall assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 626** be rejected?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bradley, Czerwinski, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ferrall, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rooney, Rutkowski, Sanasarian, Schneider, Schricker, Tesmer, Tobiasz, Tropman, Wahner, Ward, Willkom and Mr. Speaker -- 53.

Noes -- Alberts, Azim, Bolle, Bruhy, Byers, Conradt, Cyrak, DeLong, Everson, Flintrop, Gibson, Giese, Gower, Hephner, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Merkel, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Rogers, Rohner, Roth, Schroeder, Sensenbrenner, Shabaz, Sricula, Swoboda, Thompson, Tregoning, Vanderperren, Wackett and Wilcox -- 43.

Absent or not voting -- Conta, Ellis and Sweda -- 3.

Motion carried.

Representative Day asked unanimous consent that assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 626** be revived. Granted.

Assembly amendment 1 to assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 626** offered by Representatives Day and Oberle.

The question was: Shall assembly amendment 1 to assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 626** be adopted?

Motion carried.

The question was: Shall assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 626** be adopted?

Motion carried.

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Representative Day asked unanimous consent that assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 626** be revived. Granted.

The question was: Shall assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 626** be adopted?

Motion carried.

Assembly amendment 5 to assembly substitute amendment 2 to **Assembly Bill 626** offered by Representative Thompson.

The question was: Shall assembly amendment 5 to assembly substitute amendment 2 to **Assembly Bill 626** be adopted?

Motion carried.

Assembly amendment 6 to assembly substitute amendment 2 to **Assembly Bill 626** offered by Representative Thompson.

Representative Day moved rejection of assembly amendment 6 to assembly substitute amendment 2 to **Assembly Bill 626**.

The question was: Shall assembly amendment 6 to assembly substitute amendment 2 to **Assembly Bill 626** be rejected?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Barczak, Berger, Czerwinski, Day, Dorff, Dueholm, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Looby, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Sicula, Sweda, Tobiasz, Tropman, Wahner, Ward and Mr. Speaker -- 46.

Noes -- Alberts, Atkinson, Azim, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Duren, Gibson, Giese, Gower, Grover, Hauke, Hephner, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Roth, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Tregoning, Vanderperren, Wackett, Wilcox and Willkom -- 50.

Absent or not voting -- Conta, Ellis and Tesmer -- 3.

Motion failed.

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The question was: Shall assembly amendment 6 to assembly substitute amendment 2 to **Assembly Bill 626** be adopted?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Barczak, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Duren, Everson, Gibson, Giese, Gower, Groshek, Grover, Hephner, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Roth, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Tregoning, Vanderperren, Wackett and Wilcox -- 50.

Noes -- Baldus, Barbee, Behnke, Berger, Czerwinski, Day, Dorff, Dueholm, Earl, Early, Elconin, Ferrall, Flintrop, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Looby, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Sricula, Sweda, Tobiasz, Tropman, Wahner, Ward, Willkom and Mr. Speaker -- 46.

Absent or not voting -- Conta, Ellis and Tesmer -- 3.

Motion carried.

Assembly amendment 7 to assembly substitute amendment 2 to **Assembly Bill 626** offered by Representatives Hephner, Niebler, Alberts and Thompson.

The question was: Shall assembly amendment 7 to assembly substitute amendment 2 to **Assembly Bill 626** be adopted?

Motion carried.

Assembly amendment 8 to assembly substitute amendment 2 to **Assembly Bill 626** offered by Representatives Matty, Wilcox, Niebler, Kincaid and Thompson.

The question was: Shall assembly amendment 8 to assembly substitute amendment 2 to **Assembly Bill 626** be adopted?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Barczak, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Duren, Gibson,

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Giese, Gower, Grover, Hephner, Jackamonis, Keegan, Kincaid, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Mohn, Niebler, Oberle, Olson, Opitz, Porter, Quackenbush, Quinn, Roberts, Rohner, Schricker, Shabaz, Swoboda, Thompson, Tregoning, Vanderperren, Wackett, Ward and Wilcox -- 49.

Noes -- Baldus, Barbee, Behnke, Berger, Czerwinski, Day, Dorff, Dueholm, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Hauke, Johnson, Kedrowski, Kleczka, Klicka, Looby, Miller, Mittness, Munts, Murray, Nager, Oestreicher, O'Malley, Otte, Pabst, Plewa, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schroeder, Sensenbrenner, Sicula, Sweda, Tobiasz, Tropman, Wahner, Willkom and Mr. Speaker -- 46.

Absent or not voting -- Conta, Ellis, Molinaro and Tesmer -- 4.

Motion carried.

Assembly amendment 9 to assembly substitute amendment 2 to **Assembly Bill 626** offered by Representatives Niebler, Giese and Thompson.

The question was: Shall assembly amendment 9 to assembly substitute amendment 2 to **Assembly Bill 626** be adopted?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Barczak, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Duren, Gibson, Giese, Gower, Hephner, Jackamonis, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Mielke, Niebler, Oberle, Olson, Opitz, Porter, Quackenbush, Quinn, Rogers, Rohner, Sanasarian, Schricker, Schroeder, Shabaz, Swoboda, Thompson, Tregoning, Vanderperren, Wackett and Wilcox -- 48.

Noes -- Baldus, Barbee, Behnke, Czerwinski, Day, Dorff, Dueholm, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kleczka, Looby, Menos, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rooney, Roth, Rutkowski, Schneider, Sensenbrenner, Sicula, Sweda, Tobiasz, Tropman, Wahner, Ward, Willkom and Mr. Speaker -- 48.

Absent or not voting -- Conta, Ellis and Tesmer -- 3.

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Motion failed.

Assembly amendment 10 to assembly substitute amendment 2 to Assembly Bill 626 offered by Representatives Thompson and Wilcox.

Representative Mittness moved rejection of assembly amendment 10 to assembly substitute amendment 2 to Assembly Bill 626.

The question was: Shall assembly amendment 10 to assembly substitute amendment 2 to Assembly Bill 626 be rejected?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Behnke, Berger, Czerwinski, Day, Dorff, Dueholm, Earl, Early, Elconin, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Looby, Menos, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oestreicher, O'Malley, Otte, Pabst, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Sensenbrenner, Sicula, Sweda, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 51.

Noes -- Alberts, Atkinson, Azim, Barczak, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Duren, Everson, Gibson, Giese, Gower, Hephner, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Mielke, Niebler, Oberle, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Schricker, Schroeder, Shabaz, Swoboda, Thompson, Tregoning, Wackett and Wilcox -- 44.

Absent or not voting -- Conta, Ellis, Plewa and Tesmer -- 4.

Motion carried.

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

Representative Earl asked unanimous consent that Assembly Bill 626 be laid on the table. Granted.

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SPECIAL ORDER OF BUSINESS AT 4:00 P.M. ON
THURSDAY, FEBRUARY 14

Assembly Resolution 70

Relating to the gasoline allocation reduction and a possible interstate trade of heating oil for gasoline.

Assembly amendment 1 to Assembly Resolution 70 offered by Representatives Berger, Jackamonis and Duren.

Representative Shabaz asked unanimous consent that Assembly Resolution 70 be laid on the table.

Representative Duren objected.

Representative Shabaz moved that Assembly Resolution 70 be laid on the table.

The question was: Shall Assembly Resolution 70 be laid on the table?

The roll was taken.

The result follows:

Ayes -- Alberts, Bradley, Bruhy, Cyrak, Earl, Elconin, Ferrall, Gower, Hauke, Looby, Niebler, Olson, Pabst, Rogers, Sanasarian, Sensenbrenner, Shabaz, Sweda, Thompson, Tregoning and Mr. Speaker -- 21.

Noes -- Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Byers, Conradt, Czerwinski, Day, DeLong, Donoghue, Dorff, Ducholm, Duren, Early, Everson, Flintrop, Gibson, Giese, Groshek, Grover, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Plewa, Porter, Quackenbush, Quinn, Roberts, Rohner, Rooney, Roth, Rutkowski, Schneider, Schricker, Schroeder, Sicula, Swoboda, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox and Willkom -- 74.

Absent or not voting -- Conta, Ellis, Lewison and Tesmer -- 4.

Motion failed.

The question was: Shall assembly amendment 1 to Assembly Resolution 70 be adopted?

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Motion carried.

Assembly amendment 2 to Assembly Resolution 70 offered by Representative Oestreicher.

Representative Duren moved rejection of assembly amendment 2 to Assembly Resolution 70.

The question was: Shall assembly amendment 2 to Assembly Resolution 70 be rejected?

Motion carried.

Assembly amendment 3 to Assembly Resolution 70 offered by Representative Lewis.

The question was: Shall assembly amendment 3 to Assembly Resolution 70 be adopted?

Motion carried.

The question was: Shall Assembly Resolution 70 be adopted?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bruhy, Byers, Conradt, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, 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, Sicula, Sweda, Swoboda, Thompson, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 92.

Noes -- Bradley, Cyrak, Shabaz and Tregoning -- 4.

Absent or not voting -- Conta, Ellis and Tesmer -- 3.

Motion carried.

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

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MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

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

Senate Joint Resolution 112.

Representative Earl asked unanimous consent that **Senate Joint Resolution 112** be taken from the senate message and taken up at this time. Granted.

Senate Joint Resolution 112

Commending Senator Casimir Kendziorski for his 28 years of dedicated service in the Wisconsin State legislature.

By the Entire Membership of the Senate.

The question was: Shall **Senate Joint Resolution 112** be concurred in?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 112** be immediately messaged to the senate. Granted.

LEAVES OF ABSENCE

Representative Earl asked unanimous consent for a leave of absence for part of today's session for Representatives Conta and Tesmer. Granted.

Representative Azim asked unanimous consent for a leave of absence for the morning's session for himself. 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:

William Heerman from Appleton, guest of Representative Roth.

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Representative Earl moved that the assembly stand adjourned until 9:30 A.M. tomorrow.

The question was: Adjournment?

Motion carried.

The assembly stood adjourned.

5:20 P.M.