

• JOURNAL OF THE ASSEMBLY (February 28, 1974)

STATE OF WISCONSIN

Assembly Journal

Eighty-First Regular Session

THURSDAY, February 28, 1974.

9:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Reverend F. Samuel Hunt, pastor of East Madison Baptist Church, 4917 Milwaukee Street, Madison, Wisconsin.

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

The roll was taken.

The result follows:

Present -- Alberts, Atkinson, 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, Sicula, 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 1360** offered by Representative Kincaid.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 1407** offered by Representatives DeLong, Quackenbush, Kedrowski, Klicka, Luckhardt, Cyrak, Mielke, Duren, Ferrall, Plewa, Schricker and Lewis.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 1407** offered by Representatives Czerwinski, Sicula, Kleczka, Dorff, Tobiasz, Nager, Berger, Rogers, Ferrall, Molinaro, Keegan, Rooney, Wahner and Tropman.

Assembly substitute amendment 1 to **Assembly Bill 1471** offered by Representatives Wahner, Opitz, Mittness, Kedrowski, Jackamonis, Ward and Byers.

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 1407** offered by Representatives DeLong, Olson, Porter, Luckhardt and Menos.

Assembly amendment 1 to **Senate Bill 544** offered by Representative Gower.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 1313** offered by Representative Earl.

Assembly amendment 3 to senate substitute amendment 1 to **Assembly Bill 538** offered by Representative Olson.

Assembly amendment 4 to senate substitute amendment 1 to **Assembly Bill 538** offered by Representative Bradley.

Assembly substitute amendment 1 to **Assembly Bill 350** offered by Representatives Gower, Dorff, Duren, Merkel, Kleczka, Gibson and Klicka.

Assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 1407** offered by Representatives Tobiasz, McEssy, Azim, Otte and Miller.

Assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 1407** offered by Representatives Barczak, Czerwinski, Berger, Quackenbush, McEssy, Azim and Tobiasz.

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INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Joint Resolution 135

Requesting the U.S. secretary of agriculture to reconsider his proposed action to establish "one stop service centers" by combining the services of the farmers home administration, the agricultural stabilization and conservation service and the soil conservation service.

By Representatives BALDUS, SWEDA, DAY, O'MALLEY, OESTREICHER, MOHN, OBERLE, SWOBODA, SCHROEDER, KEDROWSKI, GROSHEK, EVERSON, PLEWA, HAUKE and DUREN.

To Calendar.

Assembly Joint Resolution 136

Requesting the governor to proclaim August 1, 1974 as "Wisconsin Business Day".

By Representatives MATTY, KLECZKA, WACKETT, WILCOX, EVERSON, MC ESSY, BYERS, TREGONING, WILCOX, CONRADT, QUINN, NIEBLER, KLICKA, OPITZ, DE LONG, ROTH, SCHROEDER, ROHNER, OLSON, KINCAID, BRUHY and LALLENSACK.

To Calendar.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1502

Relating to a sales tax exemption for certain chemicals when sold to dry cleaners for use in a dry cleaning business.

By Representative MATTY, by request of Herman Pottratz.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 1503

Relating to publication of school board meetings by the school district clerk and providing a forfeiture.

By Representative KLECZKA, by request of Greenfield Taxpayers Alliance.

To committee on Education.

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COMMUNICATIONS

**The State of Wisconsin
Department of Justice
Madison 53702**

February 27, 1974

**The Honorable, The Assembly
State Capitol
Madison, Wisconsin 53702**

Dear Representatives:

Assembly Resolution 37 (1973) requested my opinion on certain questions relating to 1971 Enrolled Joint Resolution 26, hereinafter sometimes referred to as Resolution 26. I responded on February 15, 1974(OAG 9-74), to the effect that Resolution 26 may be submitted to the people for vote as one amendment.

Further comment appears appropriate at this time in order to clarify certain matters not referred to in my February 15 opinion. While these additional comments do not materially alter my prior opinion, hopefully they will serve as further guidance to the Legislature.

The first specific question contained in Assembly Resolution 37 reads:

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

In my opinion, the 1971 Legislature proposed one amendment comprised of two propositions or amendments properly considered as one. The two propositions are (1) the abolition of removal of judges by legislative process, and (2) the creation of the authority of the court to remove or suspend judges. In other words, the language evinces an intent to substitute one method of removal for another, which, in my opinion, constitutes a single amendment.

The suggestion that 1971 Enrolled Joint Resolution 26 proposed two amendments is, in my opinion, without merit. The form and language of the Resolution does not support such an intent. To attempt to treat the Resolution as proposing two amendments, could produce unreasonable, if not absurd results, clearly not a

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legislative intendment. For example, if this were treated as two amendments, it could result in (1) the absence of any authority for removal of justices or judges or (2) dual authority. Neither of these results could reasonably have been intended.

The second question contained in Assembly Resolution 37 reads:

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

As I have already noted, the 1971 Legislature appears to have treated Resolution 26 as a single amendment. Therefore, the 1973 Legislature may not now treat Resolution 26 differently and propose two amendments. In other words, the current Legislature must accept the package as referred to it by the previous Legislature. See Art. XII, sec. 1, Wis. Const.

Questions three and four of 1973 Assembly Resolution 37 read:

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

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

Since the 1971 Legislature treated the two propositions as one amendment, the substitution of one method of removal for another, the 1973 Legislature must also treat the matter as one amendment and submit it to the voters as a single amendment.

Sincerely yours,
ROBERT W. WARREN
Attorney General

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CAPTION:

Supplemental opinion OAG 9-74, published February 15, 1974.

COMMITTEE REPORTS

The committee on Third Reading reports and recommends:

Assembly Bill 930

Report 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 1,
Assembly Bill 953,
Assembly Bill 956 and
Assembly Bill 957.**

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

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

Motion under Joint Rule 26,

A Joint Certificate of Condolence by Representative Thompson; co-sponsored by Senator James D. Swan for the family of Charles H. Lobdell on his death.

Adopted and asks concurrence in:

Motions under Joint Rule 26,

A Joint Certificate of Commendation by Senator Theno; co-sponsored by Representative Schricker for Rice Lake High School on receiving the State Physical Fitness Champion Award;

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A Joint Certificate of Congratulations by Senators Theno and Knowles; co-sponsored by Representative Schricker for Barron County Historical Society on receiving the Reuben Gold Thwaites Trophy;

A Joint Certificate of Congratulations by Senators Frank, Johnson and Whittow; co-sponsored by Representative Tesmer for the most Reverend William E. Cousins, Archbishop of the Archdiocese of Milwaukee on the 25th Anniversary of his Ordination as a Bishop of the Roman Catholic Church;

A Joint Certificate of Condolence by Senator Lorge; co-sponsored by Representative Roth to the family of Reverend George F. Beth on the occasion of his death;

A Joint Certificate of Condolence by Senator Krueger co-sponsored by Representative Donoghue for the family of George R. Gilkey on the occasion of his death;

A Joint Certificate of Condolence by Senator Chilsen; co-sponsored by Representative Earl to the family of Father John J. Krasowski on the occasion of his death; and

A Joint Certificate of Congratulations by Senators Krueger and Chilsen; co-sponsored by Representatives Kincaid and Donoghue to Trees for Tomorrow on the occasion of its 30th anniversary.

Representative Berger asked unanimous consent to be made a co-sponsor of the motion under joint rule 26 relating to Reverend William Cousins. Granted.

Representative Plewa asked unanimous consent to be made a co-sponsor of the motion under joint rule 26 relating to Reverend William Cousins. Granted.

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

The question was: Concurrence?

Motion carried.

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

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MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, on March 10 the Friends of Congressman Zablocki Committee will host a dinner at the Pfister Hotel, Milwaukee, Wisconsin, marking the 25th Anniversary of the Honorable Clement J. Zablocki's service as a member of the United States House of Representatives; and

Whereas, Speaker of the House Carl A. Albert will be the guest speaker to commemorate this public honor; and

Whereas, Congressman Zablocki since 1949 has admirably represented the interests and aspirations of the residents of the 4th Congressional District, consisting of the south side of the City of Milwaukee and southwest suburbs of Milwaukee County; and

Whereas, Congressman Zablocki, prior to his election as a member of Congress in 1948, served for six years as a member of the Wisconsin Legislature; and

Whereas, in his service as Congressman for the 4th District, he has risen to the high position of ranking member of the House Foreign Affairs Committee; and

Whereas, as a member of the House Foreign Affairs Committee he has been a leader in efforts to have the Congress exercise its rightful role as a co-equal branch of government in the shaping of our nation's foreign policy; and

Whereas, Congressman Zablocki in his 25 years as a member of the House of Representatives has the high esteem and respect of his legislative colleagues, admiration of congressional staffs, and, moreover, is beloved by his constituents and is affectionately known and referred to as "Clem" by those who deal with him in his unmatched record of personalized service to his constituents; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Barczak under Joint Rule 26, offer their congratulations to Congressman Clement J. Zablocki for a job well done and best wishes for continued good health and long service as a member of Congress.

The question was: Adoption?

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Motion carried.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the Melrose-Mindoro High School basketball team recently wrapped up the Coulee Conference basketball championship; and

Whereas, the Melrose-Mindoro "Mustangs", led by Coach Ken Bjork and Assistant Coach Ed Woods, are now tuning up for the upcoming tournaments in hope of extending their winning season record; and

Whereas, the team's success has been achieved by team work, good coaching and the unwavering support of the Melrose-Mindoro fans; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Roberts under Joint Rule 26 congratulate the Melrose-Mindoro "Mustangs" for their fine season and commend them as worthy representatives of their school and community.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Basil Bunting, brilliant Poet, Journalist and Scholar, celebrating his 74th birthday on March 1, 1974 has received recent recognition in the United States through the mass media; and

Whereas, Mr. Bunting married the former Marian Culver from Eau Claire, Wisconsin and has often expressed his fond memories of Wisconsin; and

Whereas, Mr. Bunting has distinguished himself not only as a poet, author and journalist but has lectured in the eastern and western parts of the United States; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representatives Barbee and Looby and Senator Risser under Joint Rule 26, recognize, commend and congratulate Basil Bunting on

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the excellent quality of his poetry and his other accomplishments and wish him well on the occasion of his 74th birthday.

The question was: Adoption?

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 moved that the rules be suspended and **Assembly Bill 930** be given a third reading.

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 -- Azim, Conradt, Gower and Sicula.

The assembly proceeded to other business.

Representative Shabaz asked unanimous consent that **Assembly Bill 713** be withdrawn from the committee on Education and placed on the calendar. Granted.

Representative Earl moved that the rules be suspended and that **Assembly Bill 265** be withdrawn from the calendar of March 1 and taken up at this time.

The question was: Shall the rules be suspended and **Assembly Bill 265** be withdrawn from the calendar of March 1 and taken up at this time?

The roll was taken.

The result follows:

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Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Byers, Conradt, Conta, Czerwinski, Day, Donoghue, Dorff, Ducholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewis, Looby, McEssy, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quinn, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Schricker, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 71.

Noes -- Alberts, Bruhy, Cyrak, DeLong, Duren, Giese, Gower, Klicka, Lewison, Luckhardt, Matty, Merkel, Niebler, Olson, Opitz, Porter, Quackenbush, Rohner, Roth, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 26.

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

Motion carried.

Representative Shabaz moved that **Assembly Bill 265** be made a special order of business at 2:00 P.M. on Thursday, February 28.

The question was: Shall **Assembly Bill 265** be made a special order of business at 2:00 P.M. on Thursday, February 28?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Barbee, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Duren, Ellis, Giese, Gower, Klicka, Lewison, Luckhardt, Matty, Merkel, Niebler, Olson, Opitz, Porter, Quackenbush, Rohner, Roth, Schricker, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 33.

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

Absent or not voting -- Azim -- 1.

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Motion failed.

Assembly amendment 1 to senate amendment 1 to **Assembly Bill 265** offered by Representatives Thompson and Shabaz.

Representative Earl moved rejection of assembly amendment 1 to senate amendment 1 to **Assembly Bill 265**.

The question was: Shall assembly amendment 1 to senate amendment 1 to **Assembly Bill 265** be rejected?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Conradt, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Gibson, Gower, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewis, Looby, McEssy, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quinn, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sicala, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 72.

Noes -- Alberts, Bruhy, Byers, Cyrak, DeLong, Duren, Ellis, Giese, Klicka, Lewison, Luckhardt, Matty, Merkel, Niebler, Olson, Opitz, Porter, Quackenbush, Rohner, Roth, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 26.

Absent or not voting -- Azim -- 1.

Motion carried.

The question was: Shall senate amendment 1 to **Assembly Bill 265** be concurred in?

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, Giese, Gower, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Merkel,

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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, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 96.

Noes -- Alberts and Quackenbush -- 2.

Absent or not voting -- Azim -- 1.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 265** be immediately messaged to the senate. Granted.

LEAVES OF ABSENCE

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

All members being present or absent with leave the call of the assembly was lifted.

The question was: Shall the rules be suspended and **Assembly Bill 930** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Bolle, Conradt, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Giese, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, McEssy, Menos, Miller, Mittness, Mohn, Molinaro, Munts, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 63.

Noes -- Alberts, Berger, Bradley, Bruhy, Byers, Cyrak, DeLong, Donoghue, Ellis, Gibson, Gower, Hephner, Kincaid, Klicka, Lewis, Lewison, Luckhardt, Matty, Merkel, Mielke, Murray, Niebler, Olson, Opitz, Porter, Rohner, Roth, Schricker, Schroeder,

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Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 35.

Absent or not voting -- Azim -- 1.

Motion failed.

Representative Earl asked unanimous consent that Assembly Bill 930 be referred to the joint committee on Finance. Granted.

Representative Earl moved that the rules be suspended and that Assembly Bill 930 be withdrawn from the joint committee on Finance and taken up at this time.

The question was: Shall the rules be suspended and that Assembly Bill 930 be withdrawn from the joint committee on Finance and taken up at this time?

The roll was taken.

The result follows:

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

Noes -- Alberts, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Ellis, Gibson, Gower, Hephner, Kincaid, Klicka, Lewis, Lewison, Luckhardt, Matty, Merkel, Murray, Niebler, Olson, Opitz, Pabst, Porter, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett, Ward and Wilcox -- 37.

Absent or not voting -- Azim -- 1.

Motion failed.

Representative Rutkowski asked unanimous consent to be recorded as voting as follows on the following questions from Thursday, February 21 and Tuesday, February 26:

Shall assembly amendment 23 to assembly substitute amendment 2 to Assembly Bill 1016 be rejected? Aye

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Shall assembly amendment 24 to assembly substitute amendment 2 to Assembly Bill 1016 be laid on the table? No

Shall assembly amendment 24 to assembly substitute amendment 2 to Assembly Bill 1016 be rejected? Aye

Shall the assembly stand adjourned? No

Shall that part of assembly amendment 24 to assembly substitute amendment 2 to Assembly Bill 1016 which deletes lines 8-14 of pages 45 and 46 be rejected? Aye

Shall the remaining part of assembly amendment 24 to assembly substitute amendment 2 to Assembly Bill 1016 be adopted? No

Shall assembly amendment 27 to assembly substitute amendment 2 to Assembly Bill 1016 be rejected? Aye

Shall assembly amendment 28 to assembly substitute amendment 2 to Assembly Bill 1016 be adopted? Aye

Shall assembly amendment 29 to assembly substitute amendment 2 to Assembly Bill 1016 be rejected? Aye

Shall assembly amendment 30 to assembly substitute amendment 2 to Assembly Bill 1016 be rejected? No

Shall assembly amendment 33 to assembly substitute amendment 2 to Assembly Bill 1016 be rejected? Aye

Shall assembly amendment 34 to assembly substitute amendment 2 to Assembly Bill 1016 be rejected? No

Shall assembly amendment 35 to assembly substitute amendment 2 to Assembly Bill 1016 be rejected? Aye

Shall assembly amendment 41 to assembly substitute amendment 2 to Assembly Bill 1016 be rejected? Aye

Shall the rules be suspended and that Assembly Bill 970 be taken from the table and made a special order of business at 3:00 P.M. on Wednesday, March 6? Aye

Shall the rules be suspended and that the votes of Representative Tobiasz on Assembly Bill 1016 on February 21 be expunged? No

Shall the rules be suspended and that Senate Bill 512 be taken from the calendar of February 5 and taken up at this time? No

Shall the Assembly fix the time of adjournment of Thursday, February 28 at 6:00 P.M.? No

Shall the rules be suspended and Assembly Bill 635 be taken from the calendar of February 26 and taken up at this time? Aye

Shall assembly substitute amendment 5 to Assembly Bill 874 be laid on the table? No

Shall assembly amendment 1 to assembly substitute amendment 5 to Assembly Bill 874 be rejected? No

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Shall assembly amendment 1 to assembly substitute amendment 5 to Assembly Bill 874 be laid on the table? No

Shall assembly substitute amendment 5 to Assembly Bill 874 be laid on the table? No

Shall assembly amendment 2 to assembly substitute amendment 5 to Assembly Bill 874 be laid on the table? Aye

Shall Assembly Bill 874 be re-referred to the Committee on Insurance and Banking? No

Shall Assembly Bill 874 be laid on the table? No

Shall assembly amendment 3 to assembly substitute amendment 5 to Assembly Bill 874 be rejected? Aye

Shall assembly amendment 3 to assembly substitute amendment 5 to Assembly Bill 874 be laid on the table? Aye

Shall Assembly Bill 874 be referred to the Committee on Judiciary? No

Representative Mohn moved that the rules be suspended and that **Assembly Bill 1033** be withdrawn from the calendar of January 29 and taken up at this time.

The question was: Shall the rules be suspended and that **Assembly Bill 1033** be withdrawn from the calendar of January 29 and taken up at this time?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Bolle, Bradley, Conradt, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Flintrop, Giese, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Lallensack, Lewis, Lewison, Looby, Luckhardt, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rooney, Schneider, Schricker, Schroeder, Sicala, Sweda, Swoboda, Tesmer, Tobiasz, Tregoning, Tropman, Vanderperren, Wahner, Willkom and Mr. Speaker -- 67.

Noes -- Alberts, Berger, Bruhy, Byers, Cyrak, DeLong, Donoghue, Elconin, Ferrall, Gibson, Gower, Kleczka, Klicka, McEssy, Matty, Menos, Merkel, Niebler, Olson, Pabst, Porter, Rohner, Roth, Rutkowski, Sanasarian, Sensenbrenner, Shabaz, Thompson, Wackett, Ward and Wilcox -- 31.

Absent or not voting -- Azim -- 1.

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Motion carried.

Assembly Bill 1033

Relating to price stabilization of milk used for manufacturing purposes.

The question was: Shall the vote by which **Assembly Bill 1033** was passed be reconsidered?

The roll was taken.

The result follows:

Ayes -- Alberts, Berger, Bruhy, Cyrak, DeLong, Elconin, Ferrall, Gibson, Gower, Grover, Jackamonis, Kincaid, Kleczka, Klicka, Lallensack, Matty, Menos, Merkel, Molinaro, Munts, Nager, Niebler, Olson, Porter, Quackenbush, Roth, Rutkowski, Sanasarian, Sensenbrenner, Shabaz, Thompson, Wackett, Ward and Wilcox -- 34.

Noes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Bolle, Bradley, Byers, Conradt, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Flintrop, Giese, Groshek, Hauke, Hephner, Johnson, Kedrowski, Keegan, Lewis, Lewison, Looby, Luckhardt, McEssy, Mielke, Miller, Mittness, Mohn, Murray, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Quinn, Roberts, Rogers, Rohner, Rooney, Schneider, Schricker, Schroeder, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tregoning, Tropman, Vanderperren, Wahner, Willkom and Mr. Speaker -- 64.

Absent or not voting -- Azim -- 1.

Motion failed.

Representative Earl asked unanimous consent that **Assembly Bill 762** be taken from the table and taken up at this time.

Representative Cyrak objected.

Representative Earl moved that **Assembly Bill 762** be taken from the table and taken up at this time.

The question was: Shall **Assembly Bill 762** be taken up from the table and taken up at this time?

The roll was taken.

The result follows:

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Ayes -- Atkinson, 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, Lewison, Looby, McEssy, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Sanasarian, Schneider, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 63.

Noes -- Alberts, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Ellis, Gibson, Giese, Gower, Kincaid, Klicka, Lewis, Luckhardt, Matty, Merkel, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 34.

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

Motion carried.

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

Assembly Bill 762

Relating to collective bargaining units consisting of supervisors.

POINT OF ORDER

Representative Dorff rose to the point of order that assembly amendment 2 to **Assembly Bill 762** was not germane.

The speaker ruled the point of order well taken.

Assembly amendment 3 to **Assembly Bill 762** offered by Representative Conta.

The question was: Shall assembly amendment 3 to **Assembly Bill 762** be adopted?

Motion carried.

Assembly amendment 4 to **Assembly Bill 762** offered by Representative Shabaz.

Representative Dorff moved rejection of assembly amendment 4 to **Assembly Bill 762**.

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The question was: Shall assembly amendment 4 to Assembly Bill 762 be rejected?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Duren, Earl, Early, Elconin, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 55.

Noes -- Alberts, Atkinson, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Dueholm, Ellis, Everson, Gibson, Giese, Gower, Johnson, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Niebler, Oberle, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 42.

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

Motion carried.

Assembly amendment 5 to Assembly Bill 762 offered by Representative Shabaz.

Representative Dorff moved rejection of assembly amendment 5 to Assembly Bill 762.

The question was: Shall assembly amendment 5 to Assembly Bill 762 be rejected?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Kedrowski, 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, Sicula, Sweda,

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Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 58.

Noes -- Alberts, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Dueholm, Ellis, Gibson, Giese, Gower, Johnson, Keegan, Kincaid, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 38.

Absent or not voting -- Azim, Barczak and Klicka -- 3.

Motion carried.

Representative Shabaz moved indefinite postponement of **Assembly Bill 762**.

Assembly amendment 6 to **Assembly Bill 762** offered by Representative Wilcox.

Representative Dorff moved rejection of assembly amendment 6 to **Assembly Bill 762**.

The question was: Shall assembly amendment 6 to **Assembly Bill 762** be rejected?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Kedrowski, Kleczka, Lallensack, Looby, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sricula, Sweda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 55.

Noes -- Alberts, Atkinson, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Ellis, Gibson, Giese, Gower, Johnson, Keegan, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Murray, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Rooney, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Tregoning, Wackett and Wilcox -- 43.

Absent or not voting -- Azim -- 1.

Motion carried.

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The question was: Shall **Assembly Bill 762** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Alberts, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Dueholm, Early, Ellis, Gibson, Giese, Gower, Johnson, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mittness, Niebler, Oberle, Olson, Opitz, Otte, Porter, Quackenbush, Quinn, Roberts, Rohner, Rooney, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 46.

Noes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Dorff, Duren, Earl, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Mielke, Miller, Mohn, Molinaro, Munts, Murray, Nager, Oestreicher, O'Malley, Pabst, Plewa, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 52.

Absent or not voting -- Azim -- 1.

Motion failed.

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

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

Representative Tregoning moved that **Assembly Bill 762** be referred to the joint committee on Finance.

The question was: Shall **Assembly Bill 762** be referred to the joint committee on Finance?

The roll was taken.

The result follows:

Ayes -- Alberts, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Early, Ellis, Gibson, Giese, Gower, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Niebler, Oberle, Olson, Opitz, Porter, Quackenbush, Quinn, Roberts, Rohner, Rooney, Roth, Schricker, Schroeder,

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Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 40.

Noes -- 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, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oestreicher, O'Malley, Otte, Pabst, Plewa, Rogers, Rutkowski, Sanasarian, Schneider, Sricula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 57.

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

Motion failed.

The question was: Shall Assembly Bill 762 be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Dorff, Duren, Earl, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oestreicher, O'Malley, Otte, Pabst, Plewa, Rogers, Rutkowski, Sanasarian, Sricula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward and Mr. Speaker -- 53.

Noes -- Alberts, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Dueholm, Early, Ellis, Gibson, Giese, Gower, Johnson, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Niebler, Oberle, Olson, Opitz, Porter, Quackenbush, Quinn, Roberts, Rohner, Rooney, Roth, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett, Wilcox and Willkom -- 45.

Absent or not voting -- Azim -- 1.

Motion carried.

Representative Earl moved that the rules be suspended and that Assembly Bill 762 be given a third reading.

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The question was: Shall the rules be suspended and that **Assembly Bill 762** be given a third reading?

The roll was taken.

The result follows:

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

Noes -- Alberts, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Early, Ellis, Gibson, Giese, Gower, Johnson, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Niebler, Oberle, Olson, Opitz, Porter, Quackenbush, Quinn, Roberts, Rohner, Rooney, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett, Wilcox and Willkom -- 42.

Absent or not voting -- Azim -- 1.

Motion failed.

Assembly Bill 837

Relating to cancellation of franchises.

Assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 837** offered by Representative Hauke.

Representative Kincaid asked unanimous consent to be recorded as voting "No" on reconsideration of Assembly Bill 1033. Granted.

Representative Matty asked unanimous consent to be recorded as voting as follows on the following questions from Thursday, February 21:

Shall assembly amendment 27 to assembly substitute amendment 2 to Assembly Bill 1016 be rejected? Aye

Shall assembly amendment 28 to assembly substitute amendment 2 to Assembly Bill 1016 be rejected? Aye

Shall assembly amendment 29 to assembly substitute amendment 2 to Assembly Bill 1016 be rejected? No

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- Shall assembly amendment 30 to assembly substitute
amendment 2 to Assembly Bill 1016 be rejected? No
- Shall assembly amendment 33 to assembly substitute
amendment 2 to Assembly Bill 1016 be rejected? Aye
- Shall assembly amendment 34 to assembly substitute
amendment 2 to Assembly Bill 1016 be rejected? No
- Shall assembly amendment 35 to assembly substitute
amendment 2 to Assembly Bill 1016 be rejected? No
- Shall assembly amendment 37 to assembly substitute
amendment 2 to Assembly Bill 1016 be adopted? Aye
- Shall assembly amendment 41 to assembly substitute
amendment 2 to Assembly Bill 1016 be rejected? Aye
- Shall assembly amendment 42 to assembly substitute
amendment 2 to Assembly Bill 1016 be rejected? Aye
- Shall assembly amendment 43 to assembly substitute
amendment 2 to Assembly Bill 1016 be rejected? Aye
- Shall assembly amendment 46 to assembly substitute
amendment 2 to Assembly Bill 1016 be rejected? No
- Shall assembly amendment 46 to assembly substitute
amendment 2 to Assembly Bill 1016 be adopted? Aye
- Shall assembly amendment 47 to assembly substitute
amendment 2 to Assembly Bill 1016 be rejected? Aye
- Shall assembly amendment 48 to assembly substitute
amendment 2 to Assembly Bill 1016 be rejected? Aye
- Shall assembly amendment 49 to assembly substitute
amendment 2 to Assembly Bill 1016 be laid on the table? No
- Shall assembly amendment 51 to assembly substitute
amendment 2 to Assembly Bill 1016 be rejected? No
- Shall assembly amendment 52 to assembly substitute
amendment 2 to Assembly Bill 1016 be adopted? Aye
- Shall assembly amendment 53 to assembly substitute
amendment 2 to Assembly Bill 1016 be laid on the table? Aye
- Shall assembly amendment 54 to assembly substitute
amendment 2 to Assembly Bill 1016 be rejected? No
- Shall assembly amendment 55 to assembly substitute
amendment 2 to Assembly Bill 1016 be rejected? Aye
- Shall assembly amendment 56 to assembly substitute
amendment 2 to Assembly Bill 1016 be rejected? No
- Shall assembly amendment 2 to assembly amendment 56 to
assembly substitute amendment 2 to Assembly Bill 1016 be
rejected? No
- Shall assembly amendment 56 to assembly substitute
amendment 2 to Assembly Bill 1016 be adopted? Aye

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Shall assembly amendment 57 to assembly substitute amendment 2 to Assembly Bill 1016 be adopted? No

Shall assembly amendment 60 to assembly substitute amendment 2 to Assembly Bill 1016 be adopted? Aye

Shall assembly substitute amendment 2 to Assembly Bill 1016 be adopted? Aye

Shall Assembly Bill 1016 be ordered to a third reading? Aye

Shall the rules be suspended and Assembly Bill 1016 be given a third reading? Aye

Assembly Bill 1016, having been read three times, shall the bill pass? Aye

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

The assembly stood recessed.

12:05 P.M.

RECESS

2:10 P.M.

The assembly reconvened.

The question was: Shall assembly amendment 1 to assembly substitute amendment 2 to Assembly Bill 837 be adopted?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Baldus, Barbee, Behnke, Bolle, Bradley, Byers, Conradt, Conta, Cyrak, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Groshek, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Quackenbush, Quinn, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sicula, Sweda, Tesmer, Thompson, Tobiasz, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 83.

Noes -- Berger -- 1.

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Absent or not voting -- Azim, Barczak, Bruhy, Czerwinski, Elconin, Gower, Grover, Menos, Nager, Porter, Roberts, Rohner, Swoboda, Tregoning and Tropman -- 15.

Motion carried.

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

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

Assembly amendment 2 to assembly substitute amendment 2 to Assembly Bill 837 offered by Representative Hauke.

The question was: Shall assembly amendment 2 to assembly substitute amendment 2 to Assembly Bill 837 be adopted?

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, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sricula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 95.

Noes -- None.

Absent or not voting -- Azim, Porter, Tregoning and Vanderperren -- 4.

Motion carried.

Representative Oestreicher moved rejection of assembly substitute amendment 2 to Assembly Bill 837.

Representative McEssy moved that Assembly Bill 837 be referred to the committee on Judiciary.

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The question was: Shall **Assembly Bill 837** be re-referred to the committee on Judiciary?

The roll was taken.

The result follows:

Ayes -- Alberts, Bolle, Cyrak, DeLong, Kedrowski, Looby, McEssy, Merkel, Oestreicher, Olson, Quackenbush, Shabaz, Sweda and Tregoning -- 14.

Noes -- Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bradley, Bruhy, Byers, Conradt, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, O'Malley, Opitz, Otte, Pabst, Plewa, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Sicula, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 84.

Absent or not voting -- Porter -- 1.

Motion failed.

Assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 837** offered by Representative Sanasarian, by request of the Wisconsin gasoline dealers coalition.

Representative Oestreicher moved rejection of assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 837**.

The question was: Shall assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 837** be rejected?

Motion carried.

Representative Olson asked unanimous consent that the vote on adoption of assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 837** be expunged.

Representative Earl objected.

The question was: Shall assembly substitute amendment 2 to **Assembly Bill 837** be rejected?

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The roll was taken.

The result follows:

Ayes -- Alberts, Byers, Conradt, Cyrak, DeLong, Grover, Kedrowski, McEssy, Matty, Merkel, Mohn, Oestreicher, Rohner, Sensenbrenner and Shabaz -- 15.

Noes -- Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Hauke, Hephner, Jackamonis, Johnson, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, Menos, Mielke, Miller, Mittness, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 83.

Absent or not voting -- Porter -- 1.

Motion carried.

The question was: Shall assembly substitute amendment 2 to **Assembly Bill 837** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 837** be ordered engrossed and read a third time?

Motion carried.

Representative Earl moved that the rules be suspended and that **Assembly Bill 837** be given a third reading.

The question was: Shall the rules be suspended and that **Assembly Bill 837** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Byers, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Hauke, Hephner, Jackamonis, Johnson, Keegan, Kincaid, Kleczka, Lallensack,

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Lewis, Lewison, Looby, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, O'Malley, Opitz, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Ward, Willkom and Mr. Speaker -- 76.

Noes -- Alberts, Conradt, Cyrak, DeLong, Ellis, Grover, Kedrowski, Klicka, Luckhardt, McEssy, Matty, Merkel, Niebler, Oestreicher, Olson, Rohner, Sensenbrenner, Shabaz, Thompson, Tregoning and Wilcox -- 21.

Absent or not voting -- Bruhy and Porter -- 2.

Motion carried.

Representative Shabaz moved indefinite postponement of **Assembly Bill 837**.

The question was: Shall **Assembly Bill 837** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Alberts, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Ellis, Gibson, Giese, Gower, Grover, Johnson, Kedrowski, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Niebler, Oestreicher, Olson, Opitz, Quackenbush, Rohner, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Thompson, Tregoning, Ward and Wilcox -- 36.

Noes -- Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Hauke, Hephner, Jackamonis, Keegan, Kincaid, Kleczka, Lallensack, Looby, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, O'Malley, Otte, Pabst, Plewa, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Sicula, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Willkom and Mr. Speaker -- 62.

Absent or not voting -- Porter -- 1.

Motion failed.

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The question was: Assembly Bill 837 having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes - Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bruhy, Byers, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Gower, Groshek, Hauke, Hephner, Jackamonis, Keegan, Kincaid, Kleczka, Lallensack, Looby, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, O'Malley, Otte, Pabst, Plewa, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sicula, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Ward, Willkom and Mr. Speaker -- 66.

Noes -- Alberts, Bradley, Conradt, Cyrak, DeLong, Donoghue, Ellis, Gibson, Giese, Grover, Johnson, Kedrowski, Klicka, Lewis, Luckhardt, McEssy, Matty, Merkel, Niebler, Oestreicher, Olson, Opitz, Quackenbush, Rohner, Schroeder, Sensenbrenner, Shabaz, Sweda, Thompson, Tregoning and Wilcox -- 31.

Absent or not voting -- Lewison and Porter -- 2.

Motion carried.

Representative Earl moved that the rules be suspended and that Assembly Bill 837 be immediately messaged to the senate.

The question was: Shall the rules be suspended and that Assembly Bill 837 be immediately messaged to the senate?

The roll was taken.

The result follows:

Ayes -- Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Gower, Groshek, Hauke, Hephner, Jackamonis, Keegan, Kincaid, Kleczka, Lallensack, Looby, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, O'Malley, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Ward, Willkom and Mr. Speaker -- 73.

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Noes -- Alberts, Conradt, Cyrak, DeLong, Ellis, Gibson, Giese, Grover, Johnson, Kedrowski, Klicka, Lewis, Lewison, Luckhardt, McEssy, Merkel, Niebler, Oestreicher, Olson, Opitz, Schroeder, Sensenbrenner, Shabaz, Tregoning and Wilcox -- 25.

Absent or not voting -- Porter -- 1.

Motion carried.

Representative Sicula asked unanimous consent that **Assembly Bill 1047** be taken from the table and taken up at this time.

Representative Tregoning objected.

Representative Sicula moved that **Assembly Bill 1047** be taken from the table and taken up at this time.

The question was: Shall **Assembly Bill 1047** be taken from the table and taken up at this time?

The roll was taken.

The result follows:

Ayes -- Atkinson, Berger, Bolle, Byers, Czerwinski, Donoghue, Elconin, Ellis, Everson, Ferrall, Flintrop, Gower, Hauke, Hephner, Kleczka, Looby, Luckhardt, Menos, Munts, Nager, Pabst, Rooney, Sanasarian, Schneider, Schricker, Sicula, Swoboda, Vanderperren, Wackett and Ward -- 30.

Noes -- Alberts, Azim, Baldus, Barbee, Behnke, Bradley, Bruhy, Conradt, Conta, Cyrak, Day, DeLong, Dorff, Ducholm, Duren, Earl, Early, Gibson, Giese, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Klicka, Lallensack, Lewis, Lewison, McEssy, Matty, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Murray, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rohner, Roth, Rutkowski, Schroeder, Sensenbrenner, Shabaz, Sweda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Wahner, Wilcox, Willkom and Mr. Speaker -- 67.

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

Motion failed.

Assembly Bill 923

Relating to reimbursement of slaughterhouses for tattooing hogs and making an appropriation.

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Representative Earl asked unanimous consent that **Assembly Bill 923** be referred to the joint committee on Finance. Granted.

Assembly Bill 1143

Relating to county judges serving as reserve judges.

The question was: Shall assembly amendment 1 to **Assembly Bill 1143** be adopted?

Motion carried.

Representative Shabaz moved indefinite postponement of **Assembly Bill 1143**.

The question was: Shall **Assembly Bill 1143** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Alberts, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Duren, Gibson, Giese, Gower, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Niebler, Oberle, Olson, Opitz, Pabst, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 37.

Noes -- Atkinson, Azim, Baldus, Barbee, Behnke, Berger, Bolle, Conta, Dorff, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oestreicher, O'Malley, Otte, Plewa, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 59.

Absent or not voting -- Barczak, Czerwinski and Porter -- 3.

Motion failed.

The question was: Shall **Assembly Bill 1143** be ordered engrossed and read a third time?

Motion carried.

Representative Earl moved that the rules be suspended and that **Assembly Bill 1143** be given a third reading.

The question was: Shall the rules be suspended and that **Assembly Bill 1143** be given a third reading?

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The roll was taken.

The result follows:

Ayes -- Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conradt, Conta, Czerwinski, Dorff, Ducholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, McEssy, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oestreicher, O'Malley, Otte, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 64.

Noes -- Alberts, Bradley, Bruhy, Byers, Cyrak, Day, DeLong, Donoghue, Duren, Gibson, Giese, Gower, Kincaid, Klicka, Lewis, Lewison, Luckhardt, Matty, Merkel, Niebler, Oberle, Olson, Opitz, Pabst, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 34.

Absent or not voting -- Porter -- 1.

Motion failed.

SECOND READING AND AMENDMENT OF SENATE BILLS

Senate Bill 16

Relating to crimes against animals and providing penalties.

Representative Giese moved that **Senate Bill 16** be laid on the table.

The question was: Shall **Senate Bill 16** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Alberts, Cyrak, Giese, Hephner, Mielke, Niebler, Opitz, Shabaz, Sweda and Thompson -- 10.

Noes -- Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Czerwinski, Day, DeLong, Donoghue, Dorff, Ducholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid,

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Kleczka, Klicka, Lallensack, Lewis, 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, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Sricula, Swoboda, Tesmer, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 88.

Absent or not voting -- Porter -- 1.

Motion failed.

The question was: Shall assembly amendment 2 to Senate Bill 16 be adopted?

Motion carried.

The question was: Shall assembly amendment 3 to Senate Bill 16 be adopted?

Motion carried.

The question was: Shall assembly amendment 4 to Senate Bill 16 be adopted?

Motion carried.

Assembly amendment 5 to Senate Bill 16 offered by Representatives Hephner and Mohn.

The question was: Shall assembly amendment 5 to Senate Bill 16 be adopted?

Motion carried.

Assembly amendment 6 to Senate Bill 16 offered by Representatives Hephner and Mohn.

The question was: Shall assembly amendment 6 to Senate Bill 16 be adopted?

Motion carried.

Assembly amendment 7 to Senate Bill 16 offered by Representatives Hephner and Mohn.

The question was: Shall assembly amendment 7 to Senate Bill 16 be adopted?

Motion carried.

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Assembly amendment 8 to **Senate Bill 16** offered by Representatives Hephner and Mohn.

Assembly amendment 1 to assembly amendment 8 to **Senate Bill 16** offered by Representative Quackenbush.

The question was: Shall assembly amendment 1 to assembly amendment 8 to **Senate Bill 16** be adopted?

Motion carried.

The question was: Shall assembly amendment 8 to **Senate Bill 16** be adopted?

Motion carried.

Assembly amendment 9 to **Senate Bill 16** offered by Representative Lewis.

Representative O'Malley moved rejection of assembly amendment 9 to **Senate Bill 16**.

The question was: Shall assembly amendment 9 to **Senate Bill 16** be rejected?

The roll was taken.

The result follows:

Ayes -- Barbee, Behnke, Bolle, Conta, Day, DeLong, Dorff, Dueholm, Duren, Early, Everson, Flintrop, Gower, Groshek, Hauke, Hephner, Johnson, Keegan, Kleczka, Klicka, Lallensack, Lewison, Looby, McEssy, Mielke, Miller, Mohn, Munts, Oberle, Oestreicher, Olson, O'Malley, Opitz, Pabst, Plewa, Roberts, Rogers, Rohner, Shabaz, Sicala, Tesmer, Tregoning, Tropman, Vanderperren, Wahner and Mr. Speaker -- 46.

Noes -- Alberts, Atkinson, Azim, Baldus, Barczak, Berger, Bradley, Bruhy, Byers, Conradt, Cyrak, Czerwinski, Donoghue, Earl, Elconin, Ellis, Ferrall, Gibson, Giese, Grover, Jackamonis, Kedrowski, Kincaid, Lewis, Luckhardt, Matty, Menos, Merkel, Mittness, Molinaro, Murray, Nager, Niebler, Otte, Quackenbush, Quinn, Rooney, Roth, Rutkowski, Sanasarian, Schricker, Schroeder, Sensenbrenner, Sweda, Swoboda, Thompson, Tobiasz, Wackett, Ward and Wilcox -- 50.

Absent or not voting -- Porter, Schneider and Willkom -- 3.

Motion failed.

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Representative O'Malley moved that assembly amendment 9 to **Senate Bill 16** be laid on the table.

Representative Johnson in the chair.

The question was: Shall assembly amendment 9 to **Senate Bill 16** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Alberts, Azim, Baldus, Barbee, Behnke, Bolle, Bradley, Byers, Conradt, Conta, Cyrak, DeLong, Donoghue, Dorff, Ducholm, Duren, Earl, Everson, Flintrop, Gibson, Gower, Groshek, Grover, Hauke, Hephner, Johnson, Kleczka, Klicka, Lallensack, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Murray, Oestreicher, Olson, O'Malley, Otte, Pabst, Plewa, Rogers, Rohner, Rooney, Roth, Sanasarian, Schneider, Schricker, Shabaz, Sicula, Tesmer, Thompson, Tregoning, Tropman, Vanderperren, Wilcox, Willkom and Mr. Speaker -- 63.

Noes -- Atkinson, Barczak, Berger, Bruhy, Czerwinski, Day, Early, Elconin, Ellis, Ferrall, Giese, Jackamonis, Kedrowski, Keegan, Kincaid, Lewis, Merkel, Molinaro, Munts, Nager, Niebler, Oberle, Opitz, Quackenbush, Quinn, Roberts, Rutkowski, Schroeder, Sensenbrenner, Sweda, Swoboda, Tobiasz, Wackett, Wahner and Ward -- 35.

Absent or not voting -- Porter -- 1.

Motion carried.

Assembly amendment 10 to **Senate Bill 16** offered by Representative Niebler.

Representative O'Malley moved rejection of assembly amendment 10 to **Senate Bill 16**.

The question was: Shall assembly amendment 10 to **Senate Bill 16** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Czerwinski, Day, DeLong, Donoghue, Dorff, Ducholm, Duren,

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Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, 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, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, 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 -- 93.

Noes -- Cyrak, Giese, Gower, Merkel and Niebler -- 5.

Absent or not voting -- Porter -- 1.

Motion carried.

Representative Niebler moved nonconcurrency in **Senate Bill 16**.

Assembly amendment 11 to **Senate Bill 16** offered by Representatives Lewis and Merkel.

Representative Duren moved rejection of assembly amendment 11 to **Senate Bill 16**.

Representative Shabaz in the chair.

The question was: Shall assembly amendment 11 to **Senate Bill 16** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Barbee, Behnke, Berger, Bolle, Conradt, Conta, Czerwinski, Day, DeLong, Dorff, Duren, Early, Everson, Flintrop, Gibson, Gower, Groshek, Grover, Hauke, Hephner, Johnson, Kedrowski, Keegan, Kleczka, Klicka, Lallensack, Lewison, Looby, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Murray, Nager, Oberle, Oestreicher, Olson, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Rohner, Rooney, Roth, Sanasarian, Shabaz, Sicula, Tesmer, Thompson, Tregoning, Tropman, Vanderperren, Wackett, Wahner and Mr. Speaker -- 65.

Noes -- Barczak, Bradley, Bruhy, Byers, Cyrak, Donoghue, Dueholm, Earl, Elconin, Ellis, Ferrall, Giese, Jackamonis, Kincaid,

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Lewis, Luckhardt, Merkel, Munts, Niebler, Opitz, Quackenbush, Quinn, Rutkowski, Schneider, Schricker, Schroeder, Sensenbrenner, Sweda, Swoboda, Tobiasz, Ward, Wilcox and Willkom -- 33.

Absent or not voting -- Porter -- 1.

Motion carried.

Assembly amendment 12 to **Senate Bill 16** offered by Representative Niebler.

Representative O'Malley moved rejection of assembly amendment 12 to **Senate Bill 16**.

The question was: Shall assembly amendment 12 to **Senate Bill 16** be rejected?

Motion carried.

The question was: Shall **Senate Bill 16** be ordered to a third reading?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Bill 16** be given a third reading. Granted.

The question was: **Senate Bill 16** 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, 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, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sricula, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 94.

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Noes -- Cyrak, Giese, Niebler and Sweda -- 4.

Absent or not voting -- Porter -- 1.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Bill 16** be immediately messaged to the senate. Granted.

Senate Bill 220

Relating to issuance of special orders by the division of motor vehicles and the commissioner of banking and providing a penalty.

The question was: Shall **Senate Bill 220** be ordered to a third reading?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Bill 220** be given a third reading. Granted.

Representative Sensenbrenner asked unanimous consent that **Senate Bill 220** be referred to the joint committee on Finance. Granted.

Representative Earl asked unanimous consent that **Senate Bill 220** be withdrawn from the joint committee on Finance and taken up at this time. Granted.

The question was: Shall **Senate Bill 220** be ordered to a third reading?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Bill 220** be given a third reading. Granted.

The question was: **Senate Bill 220** 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,

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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, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Scula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 98.

Noes -- None.

Absent or not voting -- Porter -- 1.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Bill 220** be immediately messaged to the senate. Granted.

The speaker in the chair.

Senate Bill 233

Relating to removal of parked vehicles from private parking lots and premises.

The question was: Shall **Senate Bill 233** be ordered to a third reading?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Bill 233** be given a third reading. Granted.

The question was: **Senate Bill 233** 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, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Hephner, Johnson,

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Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewison, Looby, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, O'Malley, Opitz, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rohner, Roth, Sanasarian, Schneider, Schricker, Schroeder, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Willkom and Mr. Speaker -- 86.

Noes -- Jackamonis, Lewis, Luckhardt, Oestreicher, Olson, Rooney, Rutkowski, Sensenbrenner, Shabaz, Ward and Wilcox -- 11.

Absent or not voting -- Conradt and Porter -- 2.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Bill 233** be immediately messaged to the senate. Granted.

Senate Bill 249

Relating to allowing drug treatment for minors without parental consent, and establishing for the treating physician immunity from civil liability.

Representative Earl asked unanimous consent that **Senate Bill 249** be placed at the foot of the calendar of Thursday, January 31. Granted.

Assembly Bill 1116

Relating to providing a minimum compensation level for Wisconsin national guardsmen ordered to state active duty by the governor.

The question was: Shall **Assembly Bill 1116** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1116** be given a third reading. Granted.

The question was: **Assembly Bill 1116** having been read three times, shall the bill pass?

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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, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sricula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 98.

Noes -- None.

Absent or not voting -- Porter -- 1.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1116** be immediately messaged to the senate. Granted.

Assembly Bill 740

Relating to the sales and use tax exemption for machinery used in farming.

The question was: Shall **Assembly Bill 740** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 740** be given a third reading. Granted.

The question was: **Assembly Bill 740** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

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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, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, 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 -- Porter -- 1.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 740** be immediately messaged to the senate. Granted.

Senate Bill 419

Relating to deleting statutory interest limits on city and village bonds and metropolitan sewerage district obligations.

The question was: Shall **Senate Bill 419** be ordered to a third reading?

Motion carried.

Representative Earl moved that the rules be suspended and that **Senate Bill 419** be given a third reading.

The question was: Shall the rules be suspended and that **Senate Bill 419** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Byers, Conradt, Conta, Czerwinski, Day, 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, McEssy, Matty, Menos, Mielke, 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, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 79.

Noes -- Alberts, Bradley, Bruhy, Cyrak, DeLong, Gower, Hephner, Klicka, Lewis, Luckhardt, Merkel, Niebler, Olson, Opitz, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 19.

Absent or not voting -- Porter -- 1.

Motion carried.

The question was: **Senate Bill 419** 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, Byers, Conradt, 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, Kleczka, Klicka, Lallensack, Lewison, Looby, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Olson, O'Malley, Otte, Pabst, Plewa, 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 -- 88.

Noes -- Bruhy, Cyrak, Gower, Hephner, Lewis, Luckhardt, Merkel, Niebler and Opitz -- 9.

Absent or not voting -- Oestreicher and Porter -- 2.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Bill 419** be immediately messaged to the senate. Granted.

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Assembly Bill 1351

Relating to chairman of the county board of judges in populous counties.

The question was: Shall **Assembly Bill 1351** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 1351** be given a third reading. Granted.

The question was: **Assembly Bill 1351** 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 1351** be immediately messaged to the senate. Granted.

Representative Swoboda asked unanimous consent to be recorded as voting "Aye" on adoption of assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 837**. Granted.

Representative Everson asked unanimous consent to be recorded as voting "No" on engrossment of **Assembly Bill 762**.

Representative Everson asked unanimous consent to be recorded as voting "No" on suspension of the rules to give **Assembly Bill 762** a third reading. Granted.

Representative Munts asked unanimous consent that the assembly adjourn in honor of Marcia Peck. Granted.

LEAVES OF ABSENCE

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

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VISITORS

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

Students of Political Process class from Brookfield East high school, accompanied by teacher, George Hunt, from Brookfield, guests of Representative Merkel.

Mohamed Amara from Elghaba, Sudan, Northeast Africa, student at the University of Wisconsin, in Madison, guest of Representatives Miller and Lewis.

I. J. Timmerman and James Runde from Cuba City, guests of Representatives Duren and Azim.

Bill Baker from Cobb, Art Wedig and Merton Hamilton from Cuba City, guests of Representative Duren.

Don Hayes, Sam Perkins, Don Taylor and Mr. and Mrs. Myles Jackson from Milwaukee, guests of Representative Ward.

50 students of Columbus High School, accompanied by leaders, Dean Muller and Dave Rybicki from Marshfield, guests of Representative Oestreicher.

Mrs. Clemie Merkel from Brookfield and Mrs. Joan Merkel from Pewaukee, guests of Representatives Jackamonis and Merkel.

Ed Roh, Robert Miess, and Mark Rochan from Dodgeville, guests of Representative Duren.

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

The question was: Adjournment?
Motion carried.

The assembly stood adjourned.

6:10 P.M.

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ERRATA AND ADDENDA

Note is made of the following amendments and addenda which bring the text into conformity with the official records of the assembly and senate, correcting major clerical and printer's omissions.

Assembly Joint Resolution 132 (p. 3546)

The order of the authors should be changed to read:

By Representatives MERKEL, NIEBLER and JACKAMONIS.

Assembly Joint Resolution 136 (p. 3716)

The name "WILCOX" appears twice in the list of authors and should only appear once.

Assembly Bill 226 (p. 175)

In the relating clause "decendents" should read "decedents".

Assembly Bill 538 (p. 498)

Add: Assembly amendment 1 to **Assembly Bill 538** offered by committee on Health and Social Services.