

JOURNAL OF THE ASSEMBLY (February 7, 1973)

STATE OF WISCONSIN

Assembly Journal

Eighty-First Regular Session

WEDNESDAY, February 7, 1973.

9:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Reverend Donald Rudrud, pastor of Saint Mark's Lutheran Church, 605 Spruce Street, Madison, Wisconsin.

Representative Barczak led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present -- Alberts, Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 97.

Absent -- None.

Absent with leave -- Azim and Nager -- 2.

JOURNAL OF THE ASSEMBLY (February 7, 1973)

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 199** offered by Representative Dorff.

Assembly substitute amendment 1 to **Senate Joint Resolution 18** offered by Committee on State Affairs.

Assembly amendment 1 to **Assembly Bill 175** offered by Representative Keegan.

Assembly amendment 1 to **Assembly Bill 300** offered by Representatives Jackamonis, Berger, Dueholm and Rutkowski.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 365

Relating to deleting maximum repayment periods for loans made, guaranteed or funded by certain agencies for post-high school education.

By Representative EARL.

To committee on Commerce and Consumer Affairs.

Assembly Bill 366

Relating to requiring use of safety belts in motor vehicles, granting rule-making authority and providing a penalty.

By Representatives EARL, JACKAMONIS, and SCHNEIDER; co-sponsored by Senator KNOWLES, by request of State Highway Safety Coordinator and Council on Highway Safety.

To committee on Transportation.

Assembly Bill 367

Relating to authority of the commissioner of savings and loan to issue supervisory orders and providing a forfeiture.

By Representatives SICULA, WILCOX, NAGER, PABST and BALDUS.

JOURNAL OF THE ASSEMBLY (February 7, 1973)

To committee on Insurance and Banking.

Assembly Bill 368

Relating to payment of expenses for actions involving persons confined in certain state institutions.

By Representatives LEWIS, CYRAK, WILCOX, VANDERPERREN, QUINN, SCHRICKER, DONOGHUE, QUACKENBUSH, MATTY, LUCKHARDT, BRUHY and GOWER; co-sponsored by Senator HOLLANDER.

To Joint Committee on Finance.

Assembly Bill 369

Relating to the effect of felony convictions on licenses to engage in a regulated trade, occupation or profession.

By Representative BARBEE.

To committee on Judiciary.

Assembly Bill 370

Relating to revision of the registry of electors in cities of the 1st class.

By Representative BARBEE.

To committee on Elections.

Assembly Bill 371

Relating to extending voting registration deadlines and expanding the class of persons who may sign affidavits of eligibility.

By Representative BARBEE.

To committee on Elections.

Assembly Bill 372

Relating to permitting unregistered electors to register and vote on election day.

By Representative BARBEE.

To committee on Elections.

Assembly Bill 373

Relating to maintaining and inspecting state public records.

By Representative BARBEE.

To committee on Judiciary.

Assembly Bill 374

Relating to substitution of judges in criminal cases.

JOURNAL OF THE ASSEMBLY (February 7, 1973)

By Representative BARBEE.

To committee on Judiciary.

Assembly Bill 375

Relating to providing a tax exemption, creating an office of the commissioner of health maintenance organizations, regulation of health maintenance organizations, granting rule-making authority, making an appropriation and providing a penalty.

By Representative BARBEE, by request of Cream City Neighborhood Health Center.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 376

Relating to emergency hospital service in cities of the 1st class, making an appropriation and providing rule-making authority.

By Representative BARBEE.

To committee on Health and Social Services.

Assembly Bill 377

Relating to the release of records of psychiatric treatment.

By Representative BARBEE.

To committee on Judiciary.

Assembly Bill 378

Relating to payment of compensation on behalf of policemen and firemen killed in action.

By Representatives MITTNESS, MOLINARO, OTTE, FERRALL, MIELKE, MUNTS, PLEWA, KEEGAN, BRADLEY, JOHNSON, SCHROEDER, DORFF, PABST, ELCONIN, GROSHEK, MENOS, BYERS, HAUKE, DONOGHUE, BEHNKE, SCHRICKER, EVERSON, TESMER, LALLENSACK, ROONEY, KEDROWSKI, MOHN, DAY, OBERLE, EARLY, ROBERTS, O'MALLEY, VANDERPERREN, SICULA, LOOBY, BOLLE, TROPMAN, GIESE, CYRAK, LUCKHARDT, NIEBLER, WILLKOM, BERGER, ROGERS, WAHNER, DUREN, DE LONG, KLICKA, QUINN and CONRADT.

To Joint Committee on Finance.

Assembly Bill 379

Relating to repeal of certain public assistance laws.

By Representative SICULA.

To committee on Health and Social Services.

JOURNAL OF THE ASSEMBLY (February 7, 1973)

Assembly Bill 380

Relating to discovery procedure in criminal actions.

By Representative SICULA.

To committee on Judiciary.

Assembly Bill 381

Relating to legalization of abortions.

By Representative BARBEE.

To committee on Judiciary.

Assembly Bill 382

Relating to removing all authority to wiretaps and making evidence obtained by a wiretap inadmissible in all actions.

By Representative BARBEE.

To committee on Judiciary.

PETITIONS

Assembly Petition 3

By Representative O'MALLEY.

To committee on Taxation.

Assembly Petition 4

By Representative O'MALLEY.

To committee on Taxation.

Assembly Petition 5

By Representative O'MALLEY.

To committee on Taxation.

Assembly Petition 6

By Representative ANDERSON.

To committee on Judiciary.

JOURNAL OF THE ASSEMBLY (February 7, 1973)

SPEAKER'S APPOINTMENTS

Wisconsin Legislature
Assembly Chambers
Madison
53702

February 6, 1973

As of this date, Representative Virgil Roberts (D-District 94) has been appointed to serve on the Committee on State Affairs to fill the vacancy created by the resignation of Representative James Wahner.

NORMAN C. ANDERSON,
Speaker

COMMITTEE REPORTS

The committee on Enrolled Bills reports and recommends:

Assembly Joint Resolution 10

Assembly Joint Resolution 19

Correctly enrolled.

GERVASE A. HEPHNER,
Chairman

The committee on Judiciary reports and recommends:

Assembly Joint Resolution 21

Relating to prohibiting denial of equal rights on the basis of sex (2nd consideration).

Assembly amendment 1, Introduction:

Ayes: (10) Noes: (1).

JOURNAL OF THE ASSEMBLY (February 7, 1973)

Assembly amendment 1, Adoption:

Ayes: (10) Noes: (1).

Adoption:

Ayes: (10) Noes: (1)

LLOYD A. BARBEE,
Chairman

Representative Earl asked unanimous consent that **Assembly Joint Resolution 21** be made a special order of business at 10:30 A.M. today.

Representative Merkel objected.

Representative Earl moved that the rules be suspended and that **Assembly Joint Resolution 21** be made a special order of business at 10:30 A.M. today.

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

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

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

The question was: Shall the rules be suspended and that **Assembly Joint Resolution 21** be made a special order of business at 10:30 A.M. today?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Byers, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewis, Looby, McEssy, Matty, Menos, Mielke, Miller, Mohn, Molinaro, Munts, Murray, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sensenbrenner, Sicula, Sweda,

JOURNAL OF THE ASSEMBLY (February 7, 1973)

Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 79.

Noes -- Bradley, Bruhy, Conradt, Gower, Klicka, Lewison, Luckhardt, Merkel, Niebler, Olson, Rogers, Rohner, Schroeder, Shabaz, Thompson, Tregoning and Wackett -- 17.

Absent or not voting -- Azim, Mittness and Nager -- 3.

Motion carried.

COMMITTEE REPORTS

The Joint Committee on Finance reports and recommends for introduction:

Assembly Bill ----- (LRB 1100)

Relating to state finances and appropriations constituting the executive budget bill of the 1973 legislature, and making appropriations.

Introduction: Ayes: (12) Noes: (0)

DENNIS J. CONTA,

Assembly Chairman

MOTIONS

Representative Sricula asked unanimous consent that **Assembly Bill 19** be taken from the table and referred to the calendar of Friday, February 2 at the foot of the thirteenth order of business. Granted.

Representative Thompson moved reconsideration of the vote by which **Assembly Joint Resolution 12** was adopted. Entered.

CALENDAR OF FRIDAY, FEBRUARY 2, 1973

CONSIDERATION OF RESOLUTIONS

Assembly Resolution 9

Creating assembly rule 13m, relating to smoking in the assembly chamber.

Representative Sweda moved rejection of **Assembly Resolution 9**.

The question was: Shall **Assembly Resolution 9** be rejected?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barczak, Berger, Bolle, Bruhy, Conradt, Conta, Day, Donoghue, Dorff, Earl, Ellis, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Keegan, Kincaid, Kleczka, Lewison, Looby, Luckhardt, McEssy, Miller, Molinaro, Oberle, Oestreicher, O'Malley, Pabst, Plewa, Rooney, Sanasarian, Schroeder, Shabaz, Sweda, Thompson, Tobiasz, Tropman, Vanderperren and Wackett -- 43.

Noes -- Alberts, Barbee, Bradley, Byers, Cyrak, DeLong, Dueholm, Duren, Early, Elconin, Everson, Ferrall, Flintrop, Gibson, Giese, Hephner, Kedrowski, Klicka, Lallensack, Lewis, Matty, Menos, Merkel, Mielke, Mittness, Mohn, Munts, Murray, Niebler, Olson, Opitz, Otte, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Roth, Rutkowski, Schneider, Schricker, Sensenbrenner, Sicula, Swoboda, Tesmer, Tregoning, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 52.

Absent or not voting -- Azim, Behnke, Czerwinski and Nager -- 4.

Motion failed.

Representative Sensenbrenner moved that **Assembly Resolution 9** be laid on the table.

JOURNAL OF THE ASSEMBLY (February 7, 1973)

The question was: Shall Assembly Resolution 9 be laid on the table?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Baldus, Barczak, Behnke, Berger, Bolle, Bruhy, Conradt, Conta, Day, Donoghue, Dorff, Dueholm, Ellis, Everson, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Keegan, Kincaid, Kleczka, Lewis, Lewison, Looby, Luckhardt, McEssy, Mielke, Miller, Molinaro, Oberle, Oestreicher, O'Malley, Pabst, Plewa, Porter, Rooney, Roth, Sanasarian, Schroeder, Sensenbrenner, Shabaz, Sweda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren and Wackett -- 52.

Noes -- Barbee, Bradley, Byers, Cyrak, DeLong, Duren, Earl, Early, Elconin, Ferrall, Flintrop, Gibson, Giese, Hephner, Kedrowski, Klicka, Lallensack, Matty, Menos, Merkel, Mittness, Mohn, Munts, Murray, Niebler, Olson, Opitz, Otte, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rutkowski, Schneider, Schricker, Sicula, Swoboda, Tregoning, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 44.

Absent or not voting -- Azim, Czerwinski and Nager -- 3.

Motion carried.

Representative Earl asked unanimous consent that the assembly stand recessed for fifteen minutes. Granted.

The assembly stood recessed.

10:20 A.M.

RECESS

11:05 A.M.

The assembly reconvened.

JOURNAL OF THE ASSEMBLY (February 7, 1973)

SPECIAL ORDER OF BUSINESS AT 10:30 A.M. ON
WEDNESDAY, FEBRUARY 7

Assembly Joint Resolution 21

Relating to prohibiting denial of equal rights on the basis of sex (2nd consideration).

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

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

Motion carried.

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

Representative Merkel asked unanimous consent to conclude his remarks. Granted.

POINT OF ORDER

Representative Ferrall rose to the point of order that the question had been under discussion for more than twenty minutes.

The speaker ruled the point of order well taken.

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

The question was: Shall **Assembly Joint Resolution 21** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Baldus, Barbee, Barczak, 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, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewison, Looby, Luckhardt,

JOURNAL OF THE ASSEMBLY (February 7, 1973)

McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Niebler, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Porter, Quackenbush, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 85.

Noes -- Klicka, Lewis, Merkel, Olson, Rohner, Schroeder, Shabaz, Tregoning and Wackett -- 9.

Absent or not voting -- Azim, Behnke, Hauke, Nager and Plewa -- 5.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 21** be given a third reading. Granted.

The question was: **Assembly Joint Resolution 21** having been read three times, shall the joint resolution be adopted?

The roll was taken.

The result follows:

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

Noes -- Klicka, Lewis, Merkel, Rohner, Shabaz and Tregoning - - 6.

Absent or not voting -- Azim, Conradt and Nager -- 3.

JOURNAL OF THE ASSEMBLY (February 7, 1973)

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 21** be immediately messaged to the senate. Granted.

Assembly Resolution 14

Relating to creating a special committee on telephone and electricity rate disparities.

Representative Niebler moved that **Assembly Resolution 14** be referred to the committee on Commerce and Consumer Affairs.

The question was: Shall **Assembly Resolution 14** be referred to the committee on Commerce and Consumer Affairs?

Motion failed.

Representative Shabaz moved that **Assembly Resolution 14** be referred to the joint committee on Finance.

The question was: Shall **Assembly Resolution 14** be referred to the joint committee on Finance?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Ellis, Gibson, Giese, Gower, Groshek, Keegan, Klicka, Lewis, Looby, Luckhardt, McEssy, Matty, Merkel, Mittness, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 39.

Noes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Conta, Czerwinski, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Kleczka, Lallensack, Menos, Mielke, Miller, Mohn, Molinaro, Munts, Murray, Oberle, 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 -- 56.

Absent or not voting -- Azim, Kincaid, Lewison and Nager -- 4.

JOURNAL OF THE ASSEMBLY (February 7, 1973)

Motion failed.

The question was: Shall **Assembly Resolution 14** be adopted?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Byers, Conta, Czerwinski, Dorff, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Menos, Mielke, Miller, Mohn, Molinaro, Munts, Murray, Oberle, Oestreicher, Olson, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Roth, Rutkowski, Sanasarian, Schneider, Sensenbrenner, Sricula, Sweda, Swoboda, Tesmer, Tobiasz, Tregoning, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 62.

Noes -- Alberts, Bruhy, Conradt, Cyrak, Day, DeLong, Donoghue, Dueholm, Ellis, Gibson, Giese, Gower, Groshek, Klicka, Lewis, Looby, Luckhardt, McEssy, Matty, Merkel, Mittness, Niebler, Opitz, Porter, Quackenbush, Quinn, Rohner, Rooney, Schricker, Schroeder, Shabaz, Thompson, Wackett and Wilcox -- 34.

Absent or not voting -- Azim, Lewison and Nager -- 3.

Motion carried.

Representative Earl asked unanimous consent that the record of the introduction of **Assembly Bill 300** in the journal of Thursday, February 1 be expunged, and that LRB 1100 introduced today on the committee report of the joint committee on Finance be designated as **Assembly Bill 300**.

Representative Shabaz objected.

Representative Earl moved that the rules be suspended and that the introduction of **Assembly Bill 300** in the journal of Thursday, February 1 be expunged.

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

Representative Shabaz withdrew his objection.

JOURNAL OF THE ASSEMBLY (February 7, 1973)

Representative Earl asked unanimous consent that the record of the introduction of **Assembly Bill 300** in the journal of Thursday, February 1 be expunged. **Granted.**

Representative Earl asked unanimous consent that LRB 1100 introduced today on the committee report of the joint committee on Finance be designated as **Assembly Bill 300**. **Granted.**

Assembly Bill 300

Relating to state finances and appropriations constituting the executive budget bill of the 1973 legislature, and making appropriations.

By **JOINT COMMITTEE ON FINANCE**, by request of Governor Patrick J. Lucey.

To Joint Committee on Finance.

LEAVES OF ABSENCE

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

Representative Earl asked unanimous consent for a leave of absence for today's session for Representative Nager. **Granted.**

Representative Thompson asked unanimous consent that the assembly adjourn today in honor of the birthday of Representative Lewison. **Granted.**

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly Bill 18

On page 5, line 3, "number" is substituted for "member".

Assembly Bill 313

On page 26, line 16, delete "79.13" through the period and substitute therefor "79.13 (title) EXCESS CREDIT TO TAXPAYER.".

JOURNAL OF THE ASSEMBLY (February 7, 1973)

Assembly Bill 300

Whenever "1971-72" and "1972-73" appears in the headings of the budget schedule of 1973 AB 300 on pages 11 to 105, "1973-74" and "1974-75" are substituted, respectively.

VISITORS

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

Mrs. Helen Benson of Winnequah School from Monona, Wisconsin, guest of Representative Everson.

Mr. and Mrs. James Schad, daughter Susan, son Jay, Manager of Wisconsin River Division of Consolidated Papers, from Stevens Point, Wisconsin, guests of Representative Groshek.

32 Students of 8th grade from Wilton School, accompanied by teacher, Bernice Hoppemath from Elroy, Wisconsin, guests of Representative Thompson.

4 A.M. - 200 mile club members of the 10th District Malt Beverage Association, from Oneida County, Wisconsin, guests of Representative Donoghue.

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

The question was: Adjournment?
Motion carried.

The assembly stood adjourned.

12:05 P.M.