

JOURNAL OF THE ASSEMBLY (February 15, 1973)

STATE OF WISCONSIN

Assembly Journal

Eighty-First Regular Session

THURSDAY, February 15, 1973.

10:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Reverend Donald Iliff, pastor of Divine Savior United Methodist Church, 6402 Hammersley Road, Madison, Wisconsin.

Representative Behnke 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, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sicala, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 98.

Absent -- None.

Absent with leave -- Oestreicher -- 1.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 215** offered by Representative Thompson.

Assembly amendment 1 to **Assembly Bill 366** offered by Representative Earl.

Assembly amendment 1 to **Assembly Bill 402** offered by Representatives Matty, Porter, Niebler, Bruhy and Kincaid.

Assembly substitute amendment 1 to **Assembly Bill 55** offered by Representative Rutkowski.

Assembly amendment 1 to **Assembly Bill 125** offered by Representative Mittness.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 462

Relating to collective bargaining for police and firemen.

By Representative NAGER.

To committee on Labor.

Assembly Bill 463

Relating to printing all books, pamphlets, forms and stationery produced for agencies of state government on recycled paper.

By Representatives FERRALL, TESMER, SANASARIAN, ELCONIN, BERGER and FLINTROP.

To committee on Printing.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Assembly Bill 464

Relating to military leaves of absence for teachers.

By Representatives FERRALL, EARLY, OTTE, KEDROWSKI and OESTREICHER.

To committee on Education.

Assembly Bill 465

Relating to a procedure for authorizing commercial sales to pupils or their parents by schools or on school property.

By Representatives FERRALL, TESMER, KEDROWSKI and MOHN.

To committee on Education.

Assembly Bill 466

Relating to gathering information on individual and corporate income by school district.

By Representatives FERRALL, GROVER, JOHNSON, KEDROWSKI and MOHN.

To committee on Taxation.

Assembly Bill 467

Relating to emergency government in counties having a county executive.

By Representatives CONRADT, QUINN, ROTH, VANDERPERREN and SWOBODA; co-sponsored by Senators LORGE and PETRI.

To committee on Municipalities.

Assembly Bill 468

Relating to property improvement loans for savings and loan associations.

By Representatives KLECZKA, BERGER, PABST, CONRADT, LEWISON and SCHROEDER, by request of Wisconsin Savings and Loan League.

To committee on Insurance and Banking.

Assembly Bill 469

Relating to expanding the governor's cabinet to include the secretaries of agriculture, of natural resources and of veterans affairs, and to provide for appointment by the governor of the executive secretary of the higher educational aids board.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

By Representatives EARL, SANASARIAN, ANDERSON, BERGER, BALDUS, DUEHOLM, EARLY, SICULA, CONTA, MOHN and GROVER; co-sponsored by Senators DORMAN, WHITTOW and RISSER, by request of Governor Patrick J. Lucey.

To Joint Committee on Finance.

Assembly Bill 470

Relating to sales and use tax exemption for taxicab businesses.

By Representative MC ESSY.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 471

Relating to reports to the legislature on tax exemption devices.

By Representatives JACKAMONIS, BERGER, OESTREICHER, MIELKE, JOHNSON and DUEHOLM; co-sponsored by Senators LA FOLLETTE and MC KENNA.

To committee on Taxation.

Assembly Bill 472

Relating to employment advertisements classified on the basis of sex, granting rule-making authority and providing a penalty.

By Representatives MUNTS, JOHNSON, FLINTROP, ELCONIN, FERRALL, MIELKE, SCHNEIDER, MILLER and CONTA; co-sponsored by Senators THOMPSON, DEVITT and RISSER.

To committee on Judiciary.

Assembly Bill 473

Relating to creating a drug quality review board, permitting prescriptions to be filled with approved drug product equivalents, prohibiting certain unfair drug pricing practices and making an appropriation.

By Representatives KEDROWSKI, BERGER, ROBERTS, KEEGAN, PLEWA, MOHN, OBERLE, JACKAMONIS, FLINTROP, SCHNEIDER, EARLY, DAY, LALLENSACK, FERRALL and GROVER.

To committee on Health and Social Services.

Assembly Bill 474

Relating to taxation of pleasure boats of nonresidents.

By Representative KEDROWSKI.

To Joint Survey Committee on Tax Exemptions.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Assembly Bill 475

Relating to adjusting basic road aids.

By Representatives DAY, VANDERPERREN, OLSON, ROHNER, SCHRICKER, PORTER and GROSHEK.

To committee on Highways.

Assembly Bill 476

Relating to forest croplands acreage limitation.

By Representative THOMPSON.

To committee on Natural Resources.

Assembly Bill 477

Relating to creating a council on physician's assistants, requiring certification of physician's assistants and granting rule-making authority.

By Representatives THOMPSON and BALDUS.

To committee on Health and Social Services.

Assembly Bill 478

Relating to discrimination by real estate brokers.

By Representative BARBEE.

To committee on Judiciary.

Assembly Bill 479

Relating to full-time pharmacy services in cities of the 1st and 2nd class, making an appropriation and providing rule-making authority.

By Representative BARBEE.

To committee on Health and Social Services.

Assembly Bill 480

Relating to verification of applications for registration in cities over 500,000 population.

By Representative BARBEE.

To committee on Elections.

Assembly Bill 481

Relating to permitting a person to have more than one spouse if financially able to do so or if his religion so permits or so requires and occupancy of homestead after divorce.

By Representative BARBEE.

To committee on Judiciary.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Assembly Bill 482

Relating to authorizing group marriages, formed as nonprofit corporations.

By Representative BARBEE, inspired by Robert H. Rimmer - Proposition 31.

To committee on Judiciary.

Assembly Bill 483

Relating to county board approval of a county assessor system.

By Representatives ROONEY, ELCONIN, TROPMAN, KEDROWSKI, MITTNESS, FERRALL, EARL and WILLKOM.

To committee on Taxation.

Assembly Bill 484

Relating to a recodification of the mental health act, granting rule-making authority, making an appropriation and providing penalties.

By Representatives CZERWINSKI, EARL, CONTA, BARBEE, SICULA, BEHNKE and TROPMAN; co-sponsored by Senators DEVITT, DORMAN, LA FOLLETTE, THOMPSON, M. SWAN, FLYNN, FRANK, SCHUELE and CHILSEN, by request of Governor Patrick J. Lucey and Health Planning and Policy Task Force.

To committee on Health and Social Services.

COMMITTEE REPORTS

The committee on Labor reports and recommends:

Assembly Bill 199

Relating to municipal bargaining with police and firemen.

Assembly amendment 1 Adoption:

Ayes: (8) Noes: (0)

Passage: Ayes: (7) Noes: (1)

JOSEPH L. LOOBY,
Chairman

JOURNAL OF THE ASSEMBLY (February 15, 1973)

The committee on Labor reports and recommends for introduction:

Assembly Bill -----

Relating to enforcement of the fair employment law.

Ayes: (8) Noes: (0)

Assembly Bill -----

Relating to the regulation and licensing of private employment agents.

Ayes: (7) Noes: (1)

Assembly Bill -----

Relating to a minimum wage for all employees.

Ayes: (8) Noes: (0)

JOSEPH L. LOOBY,

Chairman

The committee on Municipalities reports and recommends:

Assembly Bill 262

Relating to annexation of town islands.

Passage: Ayes: (9) Noes: (4)

EDWARD NAGER,

Chairman

The committee on Education reports and recommends:

Assembly Bill 66

Relating to elimination of compulsory school attendance and truancy laws.

Indefinite postponement:

Ayes: (13) Noes: (0)

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Assembly Bill 104

Relating to authority of the board of vocational, technical and adult education to change districts.

Indefinite postponement:

Ayes: (7) Noes: (6)

Assembly Bill 171

Relating to abolishing legislative scholarships.

Passage: Ayes: (10) Noes: (3)

Assembly Bill 223

Relating to training requirements for apprentice barbers.

Passage: Ayes: (12) Noes: (1)

Assembly Bill 252

Relating to suspension and expulsion of pupils from public schools.

Assembly amendment 1, adoption

Ayes: (12) Noes: (1)

Passage: Ayes: (12) Noes: (1)

HERBERT J. GROVER,

Chairman

The committee on Health and Social Services reports and recommends for introduction:

Assembly Bill ————

(LRB 397)

Relating to medical assistance by means of prepaid health care plans.

Ayes: (11) Noes: (0)

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Assembly Bill -----

(LRB 321)

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

Ayes: (11) Noes: (0)

Assembly Bill -----

(LRB 618)

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

Ayes: (11) Noes: (0)

JOSEPH C. CZERWINSKI,
Chairman

The Joint Committee on Finance reports and recommends:

Assembly Bill 460

Relating to veterans housing loans, exempting executive branch loans from repayment lists and making and increasing appropriations.

Emergency statement recommended:

Ayes: (14) Noes: (0)

Passage: Ayes: (14) Noes: (0)

Assembly Bill 461

AN ACT authorizing the conveyance of the youthful offenders institution at New Chester to the federal government.

Emergency statement recommended:

Ayes: (8) Noes: (6)

Passage: Ayes: (8) Noes: (6)

DENNIS J. CONTA,
Assembly Chairman

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Representative Earl asked unanimous consent that **Assembly Bill 460** be made a special order of business at 11:00 A.M. today. Granted.

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 Congratulations by Representatives Lewis and Schroeder; co-sponsored by Senator Hollander for Norman A. Schowalter on being honored as the outstanding civic servant in West Bend.

Adopted and asks concurrence in:

Motion under joint rule 26:

A Joint Certificate of Condolence by the Entire Membership of the Senate; co-sponsored by Representative Gibson to Governor Patrick J. Lucey and family on the occasion of the death of Mrs. Ella J. Mc Namara Lucey, mother of Governor Lucey;

A Joint Certificate of Congratulations by Senators Keppler and Kasten; co-sponsored by Representatives Otte and Bruhy to the Kohler Company on the occasion of its centennial celebration; and

A Joint Certificate of Congratulation by Senator Whittow; co-sponsored by Representative Keegan to Charles E. Gillett on the occasion of being awarded the 1973 Pal Joey Award by St. Joseph Home for Children Athletic Association.

Representative Earl asked unanimous consent that the motions be taken up en masse. Granted.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

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.

Concurred in as amended:

Assembly Joint Resolution 13 (Senate amendment 4)

ACTION ON THE SENATE MESSAGE

Representative Earl asked unanimous consent that **Assembly Joint Resolution 13** be taken up at this time. Granted.

Assembly Joint Resolution 13

Creating the session schedule for the 1973-1975 biennial session as required by section 13.02 (3) of the statutes.

The question was: Shall senate amendment 4 to **Assembly Joint Resolution 13** be concurred in?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Joint Resolution 13** be immediately messaged to the senate. Granted.

Representative Earl moved that an enrolled copy of **Assembly Joint Resolution 13** be printed.

The question was: Shall an enrolled copy of **Assembly Joint Resolution 13** be printed?

The roll was taken.

The result follows:

JOURNAL OF THE ASSEMBLY (February 15, 1973)

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, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sricula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 98.

Noes -- None.

Absent or not voting -- Oestreicher -- 1.

Motion carried.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the Great Blue Heron Girl Scout Council, serving Waukesha County and parts of Jefferson and Washington Counties observes its 25th Anniversary on February 20; and

Whereas, the Council has over 10,400 members, including 1,400 adult women and 9,000 girls between 7 and 17, and 1 out of 3 eligible girls in the area are members; and

Whereas, it emphasizes community service, with the ultimate aim of helping every girl to become an active part of the community in which she lives; and

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Whereas, recently, the Council has striven to involve girls in the internal decision-making of the organization and to recruit girls who are handicapped, disadvantaged and otherwise hard-to-reach in order to involve them in the work of their communities; and

Whereas, this successful organization of commendable purpose is well-deserving of its fine reputation; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Jackamonis and Senator Murphy under joint rule 26, congratulate the Great Blue Heron Girl Scout Council on the occasion of its 25th Anniversary and praise its outstanding community service.

The question was: Adoption?

Motion carried.

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

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Stanton Peter Helland of Wisconsin Dells, Wisconsin, was elected vice-chairman of the Wisconsin Natural Resources Board in January; and

Whereas, Mr. Helland has been a member of the Natural Resources Board since 1969, where for the first two years of his term he served as chairman of the board's land and business committee; and

Whereas, Mr. Helland was recognized for his sincere dedication to the field of conservation by his election in 1971 as "Commissioner of the Year" by the Association of Midwest Fish and Game Commissioners; now, therefore,

JOURNAL OF THE ASSEMBLY (February 15, 1973)

The Members of the Wisconsin Legislature, on the motion of Representative Thompson and Senator Bidwell under Joint Rule 26, extend their congratulations to Stanton Peter Helland upon the recognition of his talent and aptitude in the field of natural resources, and wish him well in his new endeavor.

The question was: Adoption?

Motion carried.

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

MOTIONS

Representative Ferrall asked unanimous consent that **Assembly Bill 466** be withdrawn from the committee on Taxation and referred to the committee on Education. Granted.

Representative Duren moved that **Assembly Resolution 9** be taken from the table and taken up at this time.

The question was: Shall **Assembly Resolution 9** be taken from the table and taken up at this time?

The roll was taken.

The result follows:

Ayes -- Alberts, Barbee, Barczak, Berger, Bradley, Byers, Conradt, Cyrak, DeLong, Donoghue, Dueholm, Duren, Earl, Early, Elconin, Ferrall, Flintrop, Gibson, Giese, Hephner, Klicka, Lewis, McEssy, Menos, Merkel, Mittness, Mohn, Munts, Murray, Olson, Opitz, Otte, Porter, Quackenbush, Roberts, Rogers, Roth, Rutkowski, Schneider, Schricker, Schroeder, Shabaz, Sicala, Swoboda, Tesmer, Tregoning, Wackett, Wahner, Ward, Willkom and Mr. Speaker -- 51.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Noes -- Atkinson, Azim, Baldus, Behnke, Bolle, Bruhy, Conta, Czerwinski, Day, Dorff, Ellis, Everson, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewison, Looby, Luckhardt, Matty, Mielke, Miller, Molinaro, Nager, Niebler, Oberle, O'Malley, Pabst, Plewa, Quinn, Rohner, Rooney, Sanasarian, Sensenbrenner, Sweda, Thompson, Tobiasz, Tropman, Vanderperren and Wilcox -- 47.

Absent or not voting -- Oestreicher -- 1.

Motion carried.

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

Assembly Resolution 9

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

Representative Johnson moved that **Assembly Resolution 9** be referred to the joint committee on Finance.

The question was: Shall **Assembly Resolution 9** be referred to the joint committee on Finance?

The roll was taken.

The result follows:

Ayes -- Atkinson, Azim, Baldus, Barczak, Berger, Bolle, Bruhy, Conradt, Czerwinski, Day, Donoghue, Dorff, Ellis, Everson, Ferrall, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lewison, Looby, Luckhardt, McEssy, Mielke, Molinaro, Nager, Niebler, Oberle, Pabst, Plewa, Quinn, Rooney, Sanasarian, Shabaz, Sweda and Thompson -- 39.

Noes -- Alberts, Barbee, Behnke, Bradley, Byers, Conta, Cyrak, DeLong, Duholm, Duren, Earl, Early, Elconin, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hephner, Klicka, Lallensack, Lewis, Matty, Menos, Merkel, Miller, Mittness, Mohn, Munts, Murray, O'Malley, Opitz, Otte, Porter, Quackenbush, Roberts, Rogers, Rohner, Roth, Rutkowski, Schneider, Schricker, Schroeder,

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Sensenbrenner, Sicula, Swoboda, Tesmer, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 58.

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

Motion failed.

Assembly amendment 1 to **Assembly Resolution 9** offered by Representative Nager.

POINT OF ORDER

Representative Earl rose to the point of order that the amendment was frivolous.

Representative Nager withdrew his amendment.

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

The roll was taken.

The result follows:

Ayes -- Alberts, Barbee, Byers, Cyrak, DeLong, Dueholm, Duren, Early, Elconin, Ferrall, Flintrop, Gibson, Giese, Klicka, Lallensack, Lewis, Menos, Merkel, Mittness, Mohn, Munts, Murray, Olson, Opitz, Otte, Porter, Roberts, Rogers, Rohner, Roth, Rutkowski, Sicula, Swoboda, Tesmer, Tregoning, Wackett, Wahner, Ward, Wilcox and Mr. Speaker -- 40.

Noes -- Atkinson, Azim, Baldus, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Conradt, Conta, Czerwinski, Day, Donoghue, Dorff, Earl, Ellis, Everson, Gower, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lewison, Looby, Luckhardt, McEssy, Matty, Mielke, Miller, Molinaro, Nager, Niebler, Oberle, O'Malley, Pabst, Plewa, Quackenbush, Quinn, Rooney, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Thompson, Tobiasz, Tropman, Vanderperren and Willkom -- 58.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Absent or not voting -- Oestreicher -- 1.

Motion failed.

RULING OF THE CHAIR

On the point of order raised on February 14, 1973 during the discussion of **Assembly Joint Resolution 1**, the points raised by Representative Niebler and the speaker's ruling are spread upon the journal.

I respectfully submit this statement regarding the point of order I raised concerning **Assembly Joint Resolution 1**. The Speaker is considering the point of order under advisement.

Assembly Rule 61, in part, provides: "DEBATE UNDER DELAYED CALENDAR. (1) whenever the Assembly has one or more calendars pending of a later date than the calendar on which the assembly is then working, debate on measures on that calendar is limited, as follow..."

In the morning session February 14th, the gentleman from the 85th district moved to suspend the Assembly rules to make **Assembly Joint Resolution 1** a special order of business at 4:00 p.m. on the same day. That motion passed by the required 2/3 vote. As a consequence, the Assembly's consideration of **Assembly Joint Resolution 1** is a special order of business under suspension of the rules. As such, by definition it cannot be subject to Rule 61m which applies only to bills on delayed calendars ("measures on that calendar").

In short, there is no way that Rule 61m can apply to a measure that is not on a delayed calendar, but rather is a special order of business under suspension of the rules.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Incidentally, I believe that this point of order is in exact conformity with the explanation of the new Rule 61m presented by the gentleman from the 85th on January 1st and 2nd.

Respectfully submitted,
JOHN H. NIEBLER,
Representative to the Assembly

On February 14, 1973 the Gentleman from the 97th raised a point of order that the time limitations on debate contained in Assembly Rule 61m did not apply to action on **Assembly Joint Resolution 1**, then under consideration, which had been made a special order of business on the calendar of February 14. At the time the point of order was raised the Assembly calendar of February 13th was then pending, and the Assembly had left consideration of the calendar of February 13th in order to consider the special order of business on February 14th.

The rule in question states that "whenever the Assembly has one or more calendars pending of a later date than the calendar on which the Assembly is then working, debate on measures on that calendar is limited as follows..." and then follows the specific time limits. Subsection 2 of Section 6 reads: "The limitations under Subsection 1 do not apply to measures made a special order of business by resolution offered by the Committee on Rules and adopted by the Assembly."

The intent of Assembly Rule 61m is clearly to impose time limits on debate when the Assembly has pending business on one or more calendars other than the printed calendar for the day that the Assembly is meeting.

The Gentleman from the 97th urges the interpretation that when a bill is made a special order of business for a given day, during consideration of that measure, the Assembly is working on the calendar of that day, and that the language of Subsection 1 of Assembly Rule 61m does not apply.

First, the Chair notes the language of Subsection 2 which specifically excludes from the time limitations of debate those measures that are made a special order of business by resolution offered by the Committee on Rules and adopted by the Assembly. The specific exclusion of application of time limits on debate to special orders of business created by resolution offered by the Committee on Rules and adopted by the Assembly by inference

JOURNAL OF THE ASSEMBLY (February 15, 1973)

means that the time limits do apply to other kinds of special orders of business.

Furthermore, the Chair holds that the language in Subsection 1 referring to "the calendar on which the Assembly is then working" refers to the earliest calendar on which there is pending business. Since the earliest calendar on which there is pending business was Tuesday, February 13, the Chair therefore rules that the time limits on debate do apply to consideration of a measure on February 14 which had been made a special order of business for that day.

The point of order raised by the gentleman from the 97th is not well taken.

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

Representative Niebler appealed the ruling of the chair.

The question was: Shall the ruling of the chair stand as the judgement of the assembly?

The roll was taken.

The result follows:

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

Noes -- Alberts, Bruhy, Byers, Cyrak, DeLong, Donoghue, Gibson, Giese, Gower, Klicka, Lewis, Luckhardt, Matty, Merkel, Niebler, Olson, Opitz, Rohner, Roth, Sensenbrenner, Shabaz, Thompson, Wackett and Wilcox -- 24.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

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

Motion carried.

Representative Nager moved that **Assembly Joint Resolution 1** be referred to the committee on Municipalities.

POINT OF ORDER

Representative Nager rose to the point of order that the twenty minute time limit having elapsed, a subsequent motion does not require a suspension of the rules.

The speaker ruled that the motion to refer to the committee on Municipalities takes precedence over the motion to reject, requires a simple majority vote, and is debatable for twenty minutes under Assembly Rule 61m.

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

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

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

Representative Duren asked unanimous consent to speak for one minute. Granted.

The question was: Shall **Assembly Joint Resolution 1** be referred to the committee on Municipalities?

The roll was taken.

The result follows:

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Ayes -- Atkinson, Barbee, Barczak, Berger, Conta, Czerwinski, Dorff, Dueholm, Elconin, Ferrall, Flintrop, Jackamonis, Johnson, Looby, Menos, Mittness, Molinaro, Munts, Nager, Pabst, Plewa, Quinn, Rooney, Roth, Sanasarian, Schneider, Sicula, Tesmer, Tobiasz, Tropman, Wahner and Ward -- 32.

Noes -- Alberts, Azim, Baldus, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Duren, Earl, Early, Ellis, Everson, Gibson, Giese, Gower, Groshek, Grover, Hauke, Hephner, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Mielke, Miller, Mohn, Murray, Niebler, Oberle, Olson, O'Malley, Opitz, Otte, Porter, Quackenbush, Roberts, Rogers, Rohner, Rutkowski, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Thompson, Tregoning, Vanderperren, Wackett, Wilcox and Mr. Speaker -- 65.

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

Motion failed.

Representative Mittness moved that **Assembly Joint Resolution 1** be referred to the committee on State Affairs.

Representative Mittness asked unanimous consent to speak for one additional minute. Granted.

The question was: Shall **Assembly Joint Resolution 1** be referred to the committee on State Affairs?

The roll was taken.

The result follows:

Ayes -- Atkinson, Barbee, Barczak, Behnke, Berger, Conta, Czerwinski, Dorff, Dueholm, Elconin, Ellis, Ferrall, Flintrop, Jackamonis, Johnson, Looby, Mittness, Molinaro, Munts, Nager, Pabst, Quinn, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Sicula, Tesmer, Tobiasz, Tropman, Wahner and Ward -- 33.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Noes -- Alberts, Azim, Baldus, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Duren, Earl, Early, Everson, Gibson, Giese, Gower, Groshek, Grover, Hauke, Hephner, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mohn, Murray, Niebler, Oberle, Olson, O'Malley, Opitz, Otte, Porter, Quackenbush, Roberts, Rogers, Rohner, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Thompson, Tregoning, Vanderperren, Wackett, Wilcox, Willkom and Mr. Speaker -- 64.

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

Motion failed.

Assembly amendment 3 to **Assembly Joint Resolution 1** offered by Representative Ward.

Representative Earl moved rejection of assembly amendment 3 to **Assembly Joint Resolution 1**.

The question was: Shall assembly amendment 3 to **Assembly Joint Resolution 1** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Barczak, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Dorff, Duren, Earl, Early, Everson, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Hephner, Kedrowski, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Mielke, Miller, Mohn, Munts, Murray, Niebler, Oberle, Olson, O'Malley, Opitz, Otte, Porter, Quackenbush, Roberts, Rogers, Rohner, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Thompson, Tregoning, Vanderperren, Wackett, Wilcox, Willkom and Mr. Speaker -- 69.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Noes -- Barbee, Behnke, Berger, Conta, Czerwinski, Dueholm, Elconin, Ferrall, Jackamonis, Johnson, Keegan, Looby, Menos, Mittness, Molinaro, Nager, Pabst, Plewa, Quinn, Rooney, Roth, Rutkowski, Sanasarian, Sricula, Tesmer, Tobiasz, Tropman, Wahner and Ward -- 29.

Absent or not voting -- Oestreicher -- 1.

Motion carried.

The question was: Shall Assembly Joint Resolution 1 be rejected?

The roll was taken.

The result follows:

Ayes -- Atkinson, Barczak, Behnke, Berger, Conta, Czerwinski, Dorff, Dueholm, Elconin, Ferrall, Jackamonis, Johnson, Keegan, Looby, Menos, Mittness, Molinaro, Nager, Pabst, Plewa, Quinn, Rooney, Sanasarian, Schneider, Sricula, Tesmer, Tobiasz, Tropman, Wahner and Ward -- 30.

Noes -- Alberts, Azim, Baldus, Barbee, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Duren, Earl, Early, Ellis, Everson, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Hephner, Kedrowski, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Mielke, Miller, Mohn, Munts, Murray, Niebler, Oberle, Olson, O'Malley, Opitz, Otte, Porter, Quackenbush, Roberts, Rogers, Rohner, Roth, Rutkowski, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Thompson, Tregoning, Vanderperren, Wackett, Wilcox, Willkom and Mr. Speaker -- 68.

Absent or not voting -- Oestreicher -- 1.

Motion failed.

Representative Nager asked unanimous consent to speak for an additional five minutes. Granted.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Representative Dorff asked unanimous consent to speak for two minutes. Granted.

The question was: Shall **Assembly Joint Resolution 1** be ordered to a third reading?

The roll was taken.

The result follows:

Ayes -- Alberts, Azim, Baldus, Barbee, Bolle, Bradley, Bruhy, Byers, Conratt, Day, DeLong, Donoghue, Duren, Earl, Early, Ellis, Everson, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hephner, Jackamonis, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Mielke, Miller, Mohn, Munts, Murray, Niebler, Oberle, Olson, O'Malley, Opitz, Otte, Porter, Quackenbush, Roberts, Rogers, Rohner, Rutkowski, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Thompson, Tregoning, Vanderperren, Wackett, Wilcox, Willkom and Mr. Speaker -- 63.

Noes -- Atkinson, Barczak, Behnke, Berger, Conta, Cyrak, Czerwinski, Dorff, Dueholm, Elconin, Ferrall, Hauke, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Menos, Mittness, Nager, Pabst, Plewa, Quinn, Rooney, Roth, Sanasarian, Schneider, Sicula, Tesmer, Tobiasz, Tropicman, Wahner and Ward -- 34.

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

Motion carried.

Representative Earl moved that the rules be suspended and that **Assembly Joint Resolution 1** be given a third reading.

The question was: Shall the rules be suspended and that **Assembly Joint Resolution 1** be given a third reading?

The roll was taken.

The result follows:

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Ayes -- Alberts, Azim, Baldus, Barbee, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Duren, Earl, Early, Ellis, Everson, Gibson, Giese, Gower, Groshek, Grover, Hephner, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Mielke, Miller, Mohn, Murray, Niebler, Oberle, Olson, O'Malley, Opitz, Otte, Porter, Quackenbush, Roberts, Rogers, Rohner, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Thompson, Tregoning, Vanderperren, Wackett, Wilcox, Willkom and Mr. Speaker -- 59.

Noes -- Atkinson, Barczak, Behnke, Berger, Conta, Czerwinski, Dorff, Dueholm, Elconin, Ferrall, Flintrop, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Menos, Mittness, Munts, Nager, Pabst, Plewa, Quinn, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Sricula, Tesmer, Tobiasz, Tropman, Wahner and Ward -- 37.

Absent or not voting -- Kincaid, Molinaro and Oestreicher -- 3.

Motion failed.

Representative Earl called the attention of the chair to the fact that the hour of 11:00 A.M. had arrived.

SPECIAL ORDER OF BUSINESS AT 11:00 A.M. ON
THURSDAY, FEBRUARY 15

Assembly Bill 460

Relating to veterans housing loans, exempting executive branch loans from repayment lists and making and increasing appropriations.

The question was: Shall **Assembly Bill 460** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 460** be given a third reading. Granted.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

The question was: **Assembly Bill 460** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

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

Noes -- Niebler -- 1.

Absent or not voting -- Oestreicher -- 1.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 460** be immediately messaged to the senate. Granted.

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

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 13** be withdrawn from the calendar of February 16 and be taken up at this time. Granted.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Senate Joint Resolution 13

Memorializing congress and the president of the United States to continue the upper great lakes regional commission.

The question was: Shall **Senate Joint Resolution 13** be concurred in?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 13** be immediately messaged to the senate. Granted.

Representative Earl asked unanimous consent to return to the fourth order of business. Granted.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 485

Relating to a disability insurance pool.

By Representatives CZERWINSKI, JACKAMONIS, KLECZKA, BERGER, SICULA, CONTA, BARBEE, WARD, KEEGAN, BEHNKE, MENOS, PABST, RUTKOWSKI, FERRALL, MUNTS, BALDUS, EARLY, OESTREICHER, EARL, BARCZAK, NAGER, NIEBLER and GJESE; co-sponsored by Senators DEVITT, DORMAN, CHILSEN, THOMPSON, M. SWAN, RISSER, BABLITCH and LA FOLLETTE, by request of Governor Patrick J. Lucey and The Health Planning and Policy Task Force.

To committee on Health and Social Services.

Assembly Bill 486

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

By COMMITTEE ON HEALTH AND SOCIAL SERVICES, by request of Health Planning and Policy Task Force and Reps. Sanasarian, Sicula, Barbee, Ward, Mohn, Dueholm and Earl.

To committee on Judiciary.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

Assembly Bill 487

Relating to medical assistance by means of prepaid health care plans.

By COMMITTEE ON HEALTH AND SOCIAL SERVICES, by request of Health Planning and Policy Task Force and Reps. Conta, Ward, Barbee, Willkom, Ferrall, Baldus, Dueholm, Oestreicher, Earl and Sicula.

To committee on Health and Social Services.

Assembly Bill 488

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

By COMMITTEE ON HEALTH AND SOCIAL SERVICES, by request of Health Planning and Policy Task Force and Reps. Sanasarian, Sicula, Ward, Barbee, Mohn, Ferrall, Baldus, Oestreicher and Earl.

To committee on Judiciary.

Representative Sicula asked unanimous consent that the assembly adjourn today in honor of the birthday of Representative Czerwinski. Granted.

Representative Kincaid asked unanimous consent to be recorded as voting "Aye" on the question of suspension of the rules to give **Assembly Joint Resolution 1** a third reading. Granted.

LEAVES OF ABSENCE

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

Representative Earl asked unanimous consent that the assembly adjourn today in honor of Milwaukee Press Club award winner Neil Shively. Granted.

VISITORS

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

Jean Calvin from West Bend, Wisconsin, guest of Representative Lewis.

Mr. And Mrs. Harvey Mabry, and Former Representative Mickey Mc Dougal and Mrs. McDougal from Oconto, Wisconsin, guests of Representative Donoghue.

Roger Nelson and Franklin Schneider, from city of Chilton, Wisconsin, guests of Representative Hephner.

James A. Meilehm from Chetek, Wisconsin, guest of Representative Schricker.

Students from 8th Grade of Elementary School from Shullsburg, Wisconsin, guests of Representative Tregoning.

Dr. and Mrs. Eugene Armstrong of Kenosha, Wisconsin, guests of Representative Molinaro, Representative Dorff and Representative Olson.

88 children of Red Team from Gordon L. Willson School, accompanied by teachers, Mrs. Hangsby, Mrs. Naef, Miss Thon, Mrs. Picker; aide, Mrs. Hanke; and parents, Mr. Luedtke, Mrs. Weickgenant, Mrs. Carlson, Mrs. Seymour from Baraboo, Wisconsin, guests of Representative Giese.

Representative Earl moved that the assembly stand adjourned pursuant to **Assembly Joint Resolution 13**.

JOURNAL OF THE ASSEMBLY (February 15, 1973)

The question was: Adjournment?

Motion carried.

The assembly stood adjourned.

12:45 P.M.