

STATE OF WISCONSIN

Assembly Journal

Eighty-First Regular Session

WEDNESDAY, March 14, 1973.

9:30 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Father Austin Green of Blessed Sacrament Church, 2131 Rowley Avenue, Madison, Wisconsin.

Representative Porter 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, 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 -- 97.

Absent -- None.

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

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AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 170** offered by Representative Duren.

Assembly amendment 2 to **Assembly Bill 138** offered by Representative Schneider.

Assembly amendment 19 to **Assembly Bill 300** offered by Representative Sensenbrenner.

Assembly amendment 2 to **Assembly Bill 292** offered by Representative Sensenbrenner.

Assembly amendment 1 to assembly substitute amendment 5 to **Assembly Bill 92** offered by Representative Sensenbrenner.

Assembly amendment 2 to assembly substitute amendment 5 to **Assembly Bill 92** offered by Representative Sensenbrenner.

Assembly amendment 3 to assembly substitute amendment 5 to **Assembly Bill 92** offered by Representative Sensenbrenner.

Assembly amendment 4 to assembly substitute amendment 5 to **Assembly Bill 92** offered by Representative Sensenbrenner.

Assembly amendment 1 to **Assembly Bill 102** offered by Representative Sanasarian, by request of Legislative Committee of Milwaukee County.

Assembly amendment 1 to **Assembly Bill 178** offered by Representatives Ferrall and Johnson.

Assembly amendment 1 to **Assembly Bill 348** offered by Representatives Ferrall and Johnson.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Resolution 19

Directing the assembly health and social services committee to investigate the Milwaukee county welfare department.

Whereas, the Milwaukee Sentinel newspaper has conducted an investigation of the Milwaukee county welfare department during the past 3 months with their findings being published at the present time; and

Whereas, this investigation has uncovered a great amount of fraud and waste among the welfare recipients and within the department itself; and

Whereas, the investigation discovered as much as 20% of the annual budget of \$151.5 million being lost to fraud and administrative error, totaling some \$28 million last year; and

Whereas, the welfare department has not done an adequate job of checking out the information supplied by the welfare applicants, a practice which results in many persons receiving welfare benefits without meeting the necessary qualifications; and

Whereas, it is in the best interests of all taxpayers that such fraud and waste be systematically uncovered and eliminated as soon as possible; now, therefore, be it

Resolved by the assembly, that the assembly health and social services committee undertake an immediate, full-scale investigation into the practices of the Milwaukee county welfare department using all powers granted the committee under chapter 13 of the statutes, including the power to subpoena witnesses, to bring an immediate resolution to the problems of waste and fraud.

By Representatives SENSENBRENNER, KLECZKA and SHABAZ.

To committee on Health and Social Services.

Assembly Joint Resolution 49

Relating to planning for a new veterans home in the Kenosha-Racine-Milwaukee area.

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By Representatives ATKINSON, MENOS, EVERSON, KEEGAN, BRUHY, KINCAID, SCHRICKER, MATTY, PORTER, ROHNER, MOLINARO, TOBIASZ, DORFF and FERRALL.

To committee on Veterans and Military Affairs.

Assembly Joint Resolution 50

To direct the legislative audit bureau to conduct an audit of the printing done by all departments and independent agencies of state government.

By Representatives ATKINSON, BARCZAK, SWOBODA, MOHN, WAHNER, BRUHY, KINCAID, SCHRICKER, PORTER, ROHNER and ELCONIN.

To committee on Printing.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 611

Relating to instruction in public manners, dress codes, compulsory attendance, pupil discipline and pupil and parent grievances in public schools and providing penalties.

By Representative MOLINARO, by request of J.L. Wilsen, Kenosha.

To committee on Education.

Assembly Bill 612

Relating to establishing grievance procedures for parents with complaints against school teachers and school district administrators.

By Representative MOLINARO, by request of J.L. Wilsen, Kenosha.

To committee on Education.

Assembly Bill 613

Relating to prohibiting pole-trapping of birds.

By Representative ROGERS.

To committee on Natural Resources.

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Assembly Bill 614

Relating to directing the town of Hiles, Forest county, to establish a bulkhead line on Pine lake.

By Representative ROGERS.

To committee on Natural Resources.

Assembly Bill 615

Relating to sales and use tax exemption for pollution control devices.

By Representative ROGERS.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 616

Relating to a prohibition on certain solid waste disposal sites.

By Representative ROGERS.

To committee on Environmental Quality.

Assembly Bill 617

Relating to correction in privilege highway tax distribution for certain years.

By Representative ROGERS.

To committee on Highways.

Assembly Bill 618

Relating to speedy action on town annexation contests.

By Representative ROGERS.

To committee on Municipalities.

Assembly Bill 619

Relating to free small game hunting licenses for Wisconsin residents 62 years of age or older.

By Representatives MATTY, KINCAID, DE LONG, BYERS, ROHNER, PORTER, ROTH and GIBSON; co-sponsored by Senator LA FAVE.

To committee on Natural Resources.

Assembly Bill 620

Relating to free resident fishing licenses for residents over the age of 62.

By Representatives MATTY, BYERS, KINCAID, DONOGHUE, DE LONG, ROHNER, PORTER and ROTH; co-sponsored by Senator LA FAVE.

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To committee on Natural Resources.

Assembly Bill 621

Relating to allowing, on state purchases let by bid, a 5% preference to suppliers in this state.

By Representatives SENSENBRENNER and ALBERTS.

To committee on State Affairs.

Assembly Bill 622

Relating to brucellosis testing of cattle and identification of reactors.

By Representatives BRADLEY, CONRADT, MC ESSY, LUCKHARDT, DAY and OBERLE, by request of Wisconsin Livestock Dealers Association.

To committee on Agriculture.

Assembly Bill 623

Relating to testing of cattle for tuberculosis.

By Representatives BRADLEY, CONRADT, MC ESSY, LUCKHARDT, DAY, OBERLE, EARLY and ROBERTS, by request of Wisconsin Livestock Dealers Association.

To committee on Agriculture.

Assembly Bill 624

Relating to veterans benefits and providing an appropriation.

By Representatives ATKINSON, SWOBODA, MENOS, EVERSON, KEEGAN, BRUHY, KINCAID, SCHRICKER, ELLIS, MATTY, PORTER and ROHNER.

To committee on Veterans and Military Affairs.

Assembly Bill 625

Relating to county tax collection on behalf of municipalities.

By Representatives LOOBY and QUINN, by request of League of Wisconsin Municipalities.

To committee on Taxation.

Assembly Bill 626

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

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By Representatives MITTNESS, DAY, ANDERSON, OTTE, KLECZKA, FERRALL, SENSENBRENNER, BERGER, EARL, DORFF, MILLER, MUNTS, JOHNSON, BALDUS, DUEHOLM, EARLY, CONTA, JACKAMONIS, BARBEE, MOHN and DONOGHUE; co-sponsored by Senators KRUEGER, CHILSEN, LA FOLLETTE, DORMAN and MC KENNA.

To committee on Natural Resources.

Assembly Bill 627

Relating to department of natural resources failure to act on old orders.

By Representative THOMPSON, by request of Irv Daggett, Montello.

To committee on Natural Resources.

Assembly Bill 628

Relating to additions to the state trunk highway system.

By Representatives THOMPSON and QUACKENBUSH; co-sponsored by Senator BIDWELL.

To committee on Highways.

Assembly Bill 629

AN ACT to increase the appropriation to the department of natural resources for advertising and promoting Wisconsin.

By Representative THOMPSON.

To committee on Natural Resources.

Assembly Bill 630

Relating to revising the abortion law, revocation of a physician's license and creating a penalty.

By Representatives DUREN, ROGERS, MATTY, MERKEL, OTTE, WACKETT, OPITZ, NEIBLER, KINCAID, KLECZKA, LEWIS, SCHROEDER, VANDERPERREN, DORFF, OBERLE and TREGONING; co-sponsored by Senators MURPHY, STEINHILBER and ROSELEIP.

To committee on Judiciary.

Assembly Bill 631

Relating to the family medicine program in the university of Wisconsin system and making an appropriation.

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By Representatives THOMPSON, BYERS, CONRADT, WILCOX, TREGONING, SCHRICKER, ALBERTS and BALDUS; co-sponsored by Senators DORMAN and BABLITCH.

To committee on Health and Social Services.

Assembly Bill 632

Relating to appointment of certain department heads by the Milwaukee county executive.

By Representatives WAHNER, ELCONIN, BERGER, WARD, BARCZAK, CONTA and RUTKOWSKI, by request of Milwaukee County.

To committee on Municipalities.

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

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

Motion under joint rule 26,

A Joint Certificate of Commendation by Senator Roseleip; co-sponsored by Representative Tregoning to Dr. M. J. Gonstead on the occasion of his retirement;

A Joint Certificate of Commendation by Senator Lorge; co-sponsored by Representative Ervin W. Conradt to Leonard Scrution on the occasion of his retirement as postmaster of Nichols;

A Joint Certificate of Commendation by Senator Lorge; co-sponsored by Representative Francis Byers to Edward Shaw on the occasion of his retirement as Postmaster of Black Creek;

A Joint Certificate of Commendation by Senator Keppler; co-sponsored by Representative Bill Bruhy and Carl Otte to Glenn Popple on the occasion of his retirement as Game Warden of Sheboygan County;

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A Joint Certificate of Congratulations by Senator Krueger; co-sponsored by Representatives Donoghue and Kincaid to Pat Denton on the occasion of his victory in the state wrestling tournament;

A Joint Certificate of Congratulations by Senator Krueger co-sponsored by Representative Donoghue to Mike Londerville on the occasion of his victory in the State Wrestling Tournament;

A Joint Certificate of Congratulations by Senator Roseleip; co-sponsored by Representative Duren to Steve Lawinger on the occasion of his victory in the State Wrestling Tournament.

A Joint Certificate of Condolence by Senators Krueger and Theno; co-sponsored by Representative Donoghue to the Family of Dr. Harry H. Beil on the occasion of his recent death;

A Joint Certificate of Condolence by Senator LaFave; co-sponsored by Representative Baldus to Mrs. Jo Ballentine and to the family of Will G. Ballentine on the occasion of his recent death.

A Joint Certificate of Congratulations by Senators Chilsen and Lorge; co-sponsored by Representative Herbert J. Grover on the occasion of Tom Brunner being selected as the Outstanding Young Farmer by Wisconsin Jaycees.

Representative Earl asked unanimous consent that the rules be suspended and that the motions be taken up en masse. 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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MOTIONS

Representative Barbee asked unanimous consent to be made a co-author of **Assembly Bill 492**. Granted.

Representative Earl asked unanimous consent that **Assembly Bill 128** be withdrawn from the calendar of March 15 and referred to the joint committee on Finance.

Representative Shabaz objected.

Representative Earl moved that **Assembly Bill 128** be withdrawn from the calendar of March 15 and referred to the joint committee on Finance.

POINT OF ORDER

Representative Shabaz rose to the point of order that the motion required suspension of the rules and a two-thirds vote.

The speaker took the point of order under advisement.

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

The assembly stood recessed.

9:50 A.M.

RECESS

10:45 A.M.

The assembly reconvened.

CALENDAR OF TUESDAY, FEBRUARY 13, 1973

SECOND READING AND AMENDMENT
OF ASSEMBLY BILLS

Assembly Bill 92

Relating to the shielding of communications to newsmen.

Representative Sensenbrenner asked unanimous consent to speak on both assembly substitute amendments 5 and 3. Granted.

Representative Sensenbrenner moved rejection of assembly substitute amendment 5 to **Assembly Bill 92**.

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

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

Representative Keegan asked unanimous consent to speak on both assembly substitute amendments 5 and 3. Granted.

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

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

Representative Oestreicher asked unanimous consent to extend for one half-hour the time for debate on the question. Granted.

Representative Oestreicher asked unanimous consent to speak on both assembly substitute amendments 5 and 3. Granted.

Representative Ferrall asked unanimous consent to speak on both assembly substitute amendments 5 and 3. Granted.

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Representative Sicula asked unanimous consent to speak on both assembly substitute amendments 5 and 3. Granted.

Representative Sensenbrenner asked unanimous consent to speak on both assembly substitute amendments 5 and 3. Granted.

Representative Barbee asked unanimous consent to speak on both assembly substitute amendments 5 and 3. Granted.

Representative Nager asked unanimous consent to speak for two minutes.

Representative Earl objected.

Representative Shabaz moved that the rules be suspended and that Representative Nager be allowed to speak for two minutes.

The question was: Shall the rules be suspended and that Representative Nager be allowed to speak for two minutes?

The roll was taken.

The result follows:

Ayes -Alberts, Atkinson, Berger, Bradley, Byers, Conta, Cyrak, DeLong, Donoghue, Ellis, Everson, Gibson, Giese, Hephner, Kincaid, Kleczka, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Miller, Molinaro, Murray, Nager, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Roth, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sicula, Swoboda, Thompson, Tregoning, Wackett, Wahner, Wilcox and Willkom -- 51.

Noes -- Baldus, Barbee, Barczak, Behnke, Bolle, Bruhy, Day, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Lallensack, Looby, Mielke, Mohn, Mittness, Munts, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Rooney, Rutkowski, Sanasarian, Sweda, Tesmer, Tobiasz, Tropman, Vanderperren, Ward and Mr. Speaker -- 44.

Absent or not voting -- Azim, Conradt, Czerwinski and Gower -
- 4.

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Motion failed.

Representative Shabaz moved that **Assembly Bill 92** be referred to the committee on Judiciary.

The question was: Shall **Assembly Bill 92** be referred to the committee on Judiciary?

The roll was taken.

The result follows:

Ayes -Alberts, Bruhy, DeLong, Duren, Giese, Kincaid, Klicka, Lewison, Luckhardt, Merkel, Niebler, Opitz, Pabst, Porter, Quackenbush, Quinn, Röhner, Rooney, Roth, Schneider, Schroeder, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 26.

Noes -- Atkinson, Baldus, Barbee, Barczak, Berger, Bolle, Bradley, Byers, Conta, Cyrak, Czerwinski, Day, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Lewis, Looby, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Plewa, Roberts, Rogers, Rutkowski, Sanasarian, Schricker, Sensenbrenner, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 67.

Absent or not voting -- Azim, Behnke, Conradt, Gibson, Gower and Olson -- 6.

Motion failed.

The question was: Shall assembly substitute amendment 5 to **Assembly Bill 92** be rejected?

The roll was taken.

The result follows:

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Ayes -Alberts, Bradley, Bruhy, Byers, Cyrak, DeLong, Donoghue, Duren, Ellis, Hauke, Keegan, Kincaid, Klicka, Lewison, Luckhardt, Matty, Menos, Merkel, Niebler, Olson, Opitz, Pabst, Porter, Quackenbush, Quinn, Rohner, Rooney, Roth, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 35.

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

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

Motion failed.

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

LEAVES OF ABSENCE

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

VISITORS

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

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Stanly Lato from Gilman, Wisconsin, guest of Representatives Sweda and Kincaid.

Lloyd Baumgart from Sabish Jr. High School from Fond du lac, Wisconsin, guests of Representative McEssy.

Students of McFarland Junior High, accompanied by Mr. Wichmann, Mrs. Jamieson, Mr. Stock, Mr. Vanwormer, Mrs. Erdahl, Mrs. Powers and Mr. Goldsworthy from McFarland, Wisconsin, guests of Representative Everson.

Students of 4th grades from Calhoun School, accompanied by Mrs. Linda Hilts, Mrs. Jane DeCock, Mrs. Jan Magnall and Mrs. Louise Orim from New Berlin, Wisconsin, guests of Representative Shabaz.

Greendale Intermediate School's 7th grade students, accompanied by Miss Wood, Mrs. Zizzo, and Mrs. Winters from Greendale, Wisconsin, guests of Representative Rutkowski.

67 members of American Association of Retired Persons-Mrs. Lawrence Hebal- President, from Stevens Point and surrounding area, Wisconsin, guests of Representative Groshek.

Father Thomas Crowley, Paul Ausman, Grey Dorocuer, Sam Steinmetz, Paul Kuehn, and Dave Duren from Regis High School, Eau Claire, Wisconsin, guests of Representative Looby.

Mrs. Arthur Kolff from West Allis, Wisconsin, guest of Representative Pabst.

Mrs. Harry C. Tillis from Milwaukee, Wisconsin, guest of Representative Pabst.

Mrs. Louise Clark and Mrs. Eloys J. Herron from Milwaukee, Wisconsin, guests of Representative Menos.

40 PTA representatives of Wisconsin Congress of Parents and Teachers from Milwaukee, West Allis, West Milwaukee and Wauwatosa, Wisconsin accompanied by Art Petri, Legislative Chairman of WCPT, guests of Representative Elconin and Representative Menos.

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29 Students of 7th grades from Lake Delton grade school, accompanied by teacher Mr. Percy Seamms, and parent Mrs. John Tobler from Lake Delton, Wisconsin, guests of Representative Thompson and Representative Giese.

Darlene Jansa from Greenfield, Wisconsin and Marjorie Maas from Milwaukee, Wisconsin, guests of Representative Tobiasz.

Wauwatosa PTA (4th district) Mrs. James Klippel, Mrs. Bryon Motl, Mrs. Robert L. Cantrell, Mrs. LaVerne Kokal, Mrs. Curt Weber, from Wauwatosa, Wisconsin, guests of Representative Klicka.

Betty Forecki and Mary Harling from Milwaukee, Wisconsin, guests of Representative Tesmer.

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

The question was: Adjournment?

Motion carried.

The assembly stood adjourned.

12:15 P.M.