

JOURNAL OF THE ASSEMBLY (March 20, 1973)

STATE OF WISCONSIN

Assembly Journal

Eighty-First Regular Session

TUESDAY, March 20, 1973.

10:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Reverend Amos W. Stolen, pastor of Bethel Lutheran Church, 312 Wisconsin Avenue, Madison, Wisconsin.

Representative Schricker 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, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sricula, Sweda, Vswoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Ward, Wilcox, Willkom and Mr. Speaker -- 96.

Absent -- None.

Absent with leave -- Azim, Barczak and Wahner -- 3.

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AMENDMENTS OFFERED

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 309** offered by Representative Earl.

Assembly substitute amendment 1 to **Assembly Bill 531** offered by Representative Jackamonis.

Assembly amendment 1 to **Assembly Bill 633** offered by Representative Quackenbush.

Assembly amendment 2 to **Assembly Bill 469** offered by Representative Earl.

Assembly amendment 1 to **Assembly Bill 448** offered by Representative Jackamonis.

Assembly amendment 1 to **Assembly Bill 48** offered by Representatives Merkel, Cyrak, Jackamonis and Berger.

Assembly amendment 1 to **Assembly Bill 350** offered by Representative Dorff.

Assembly amendment 1 to **Assembly Bill 600** offered by Representative Sicula.

Assembly amendment 1 to **Assembly Bill 500** offered by Representative Dorff.

Assembly amendment 1 to **Assembly Bill 248** offered by Representatives Cyrak, Wackett, Alberts and Luckhardt.

Assembly amendment 1 to **Assembly Bill 562** offered by Representative Atkinson.

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Assembly amendment 23 to **Assembly Bill 300** offered by Representative Atkinson.

Assembly substitute amendment 1 to **Assembly Bill 246** offered by Representatives Kleczka and Keegan.

Assembly substitute amendment 1 to **Assembly Bill 653** offered by Representative Barbee.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Resolution 20

Relating to an investigation by the committee on agriculture into the rising cost of food.

Whereas, a major portion of the budget of every household is directed for food and this amount is increasing considerably at this time; and

Whereas, the cost of milk has increased \$.04/gal. into the store, butter \$.02/lb. into the store and cheese \$.01/lb. in the past 3 months; and

Whereas, the cost of poultry products, formerly one of the bargains in the meat market, has risen dramatically in the past 2 months with eggs increasing in cost by 20% and chicken going from \$.27-1/2/lb. to \$.47-1/2/lb., an increase of 73%; and

Whereas, the cost of choice heifers in carload lots has risen from \$.46/lb. to \$.66/lb. in 3 months and the price of pork trimmings used to make pork sausage went from \$.28-1/2/lb. to \$.50/lb. in the same time period; and

Whereas, Wisconsin is a leading agricultural state with a great portion of the state's economy depending on agri-business with an interest in determining the reasons for the tremendous cost increases in food prices in recent months; now, therefore, be it

Resolved by the assembly, That the assembly hereby directs its committee on agriculture to conduct hearings and study the reasons for these great increases in the cost of food and to report its findings to the assembly, along with recommendations for possible action that could be taken at the state level, as well as

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recommendations to the congress of the United States for national action to alleviate the tremendous burden placed on consumers by the rising prices of food; and, be it further

Resolved, That the assembly hereby empowers its committee on agriculture to exercise the powers specified under section 13.45 of the statutes for legislative committees, and to compel testimony in conjunction with its hearings so that a record of the proceedings is had and maintained.

By Representative ROTH.

To committee on Agriculture.

Assembly Joint Resolution 54

Directing the legislative council to study the advisability of the recognition of collective bargaining units for faculty members of the university of Wisconsin system.

By Representatives JACKAMONIS and FERRALL; co-sponsored by Senator LA FOLLETTE, by request of Professor Kenneth Cooley.

To committee on Education.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 658

Relating to the creation of a rustic roads board in the department of transportation, designation of a rustic roads system, providing rule-making authority and making an appropriation.

By Representatives VANDERPERREN, THOMPSON, MILLER, BYERS, GIESE, CONRADT, QUINN, MITTNESS, SCHRICKER, SWEDA, LOOBY, FERRALL, SANASARIAN, CONTA, BRADLEY, EARLY, CYRAK, LUCKHARDT, BOLLE, O'MALLEY, GROSHEK, MC ESSY, MENOS, ROGERS, LALLENSACK, LEWISON and ROONEY; co-sponsored by Senators KNOWLES, RISSER, KRUEGER, BABLITCH, JOHNSON, MARTIN, DORMAN and THENO, by request of Wisconsin County Highway Commissioners and Committee Members Association.

To committee on Tourism.

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Assembly Bill 659

Relating to procedural requirements for renewal or nonrenewal of school superintendents' contracts.

By Representatives JOHNSON, GROVER, FERRALL, KEDROWSKI, MIELKE, BERGER and JACKAMONIS.

To committee on Education.

Assembly Bill 660

Relating to the penalty for knowingly fleeing an officer.

By Representatives ALBERTS, WACKETT, MERKEL, SHABAZ and CYRAK.

To committee on Judiciary.

Assembly Bill 661

Relating to exemptions from the sales tax for certain county and state fair activities.

By Representatives CONRADT, ROTH, BYERS, TREGONING, KINCAID, ROHNER, LEWISON, MATTY, BRADLEY, SCHRICKER, OBERLE, WILLKOM, SWOBODA, ROGERS and GROSHEK.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 662

AN ACT making an appropriation to the department of public instruction for payment of aids to county teachers colleges for the 1971-72 school year.

By Representatives CONRADT, ROTH, LEWISON, ROGERS, OLSON, ROHNER and SWOBODA.

To committee on Education.

Assembly Bill 663

Relating to population estimating by the department of administration.

By Representatives JACKAMONIS, RUTKOWSKI, NAGER, OPITZ and NIEBLER; co-sponsored by Senator MURPHY, by request of the Department of Administration.

To committee on State Affairs.

Assembly Bill 664

Relating to taxation of wine.

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By Representatives EARL, MC ESSY, BOLLE and EARLY;
co-sponsored by Senators STEINHILBER and WHITTOW.

To committee on Excise and Fees.

Assembly Bill 665

Relating to establishment of a correctional program for youthful offenders.

By Representatives CZERWINSKI, BARBEE and SCHNEIDER, by request of Governor Patrick J. Lucey.

To committee on Judiciary.

Assembly Bill 666

Relating to public information relating to applicants and recipients of aid to families with dependent children and other public assistance grants.

By Representatives SHABAZ, WACKETT, ALBERTS, SENSENBRENNER, LUCKHARDT, TREGONING, KLICKA, NIEBLER, CYRAK, SCHROEDER, MERKEL, GIESE, ROHNER, PORTER, LEWISON, BRADLEY, OLSON, BRUHY, DE LONG, LEWIS, THOMPSON, HAUKE, ATKINSON, DAY and LALLENSACK; co-sponsored by Senators STEINHILBER, J. SWAN, JOHNSON, THENO and DEVITT.

To committee on Health and Social Services.

Assembly Bill 667

Relating to public assistance application forms and procedures, manner of payment and providing mandatory minimum penalties for false representations made to secure public assistance.

By Representatives SHABAZ, SENSENBRENNER, WILCOX, LEWISON, QUINN, BYERS, TREGONING, KLICKA, LUCKHARDT, OLSON, SCHROEDER, MERKEL, WACKETT, GIESE, PORTER, ROHNER, KINCAID, BRUHY, DE LONG, LEWIS, KLECZKA, HAUKE, ATKINSON, PABST, MENOS and LALLENSACK; co-sponsored by Senators STEINHILBER, J. SWAN, JOHNSON, THENO and DEVITT.

To committee on Health and Social Services.

Assembly Bill 668

Relating to requiring recipients of aid to dependent children to work for municipalities.

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By Representatives SHABAZ, WACKETT, WILCOX, SENSENBRENNER, LUCKHARDT, TREGONING, KLICKA, HAUKE, OLSON, CYRAK, SCHROEDER, MERKEL, PORTER, ROHNER, LEWISON, BRUHY, DE LONG, LEWIS, ALBERTS, THOMPSON, ATKINSON and LALLENSACK; co-sponsored by Senators STEINHILBER, J. SWAN, JOHNSON, THENO, CHILSEN and DEVITT.

To committee on Health and Social Services.

Assembly Bill 669

Relating to advertising orange beverages.

By Representatives JACKAMONIS, MIELKE and SANASARIAN.

To committee on Commerce and Consumer Affairs.

Assembly Bill 670

Relating to petroleum marketing and distribution regulation, making an appropriation, granting rule-making authority and providing a penalty.

By Representatives SANASARIAN, GIESE, MIELKE, FERRALL, LOOBY, SCHROEDER, GIBSON, FLINTROP, TESMER and TROPMAN; co-sponsored by Senators BIDWELL and PARYS.

To committee on Commerce and Consumer Affairs.

Assembly Bill 671

Relating to hauling of grade A milk and milk of a lower grade and providing a penalty.

By Representatives GIESE and SCHROEDER.

To committee on Agriculture.

Assembly Bill 672

Relating to salaries of clerks of circuit courts, increasing certain fees, and making an appropriation.

By Representatives O'MALLEY, WILLKOM, KEDROWSKI, SCHROEDER and LEWISON; co-sponsored by Senators DORMAN, PELOQUIN, MC KENNA and ROSELEIP.

To committee on Judiciary.

Assembly Bill 673

Relating to claim and delivery (formerly replevin).

By Representative SHABAZ, by request of Floyd A. Harris.

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To committee on Judiciary.

Assembly Bill 674

Relating to financial obligations of postgraduate students in the university of Wisconsin system.

By Representatives TESMER, GROVER, FERRALL, PLEWA, KEDROWSKI, KLIKA, MOHN and LALLENSACK; co-sponsored by Senators FRANK, M. SWAN, PARYS and DORMAN.

To committee on Education.

Assembly Bill 675

Relating to expunging arrest records of certain persons, inquiries about arrest records made an unfair labor practice, awarding of public contracts, expunging conviction records and providing penalties.

By Representative BARBEE.

To committee on Labor.

Assembly Bill 676

Relating to extending eligibility for certain workmen's compensation claims now barred.

By Representative BARBEE.

To committee on Labor.

Assembly Bill 677

Relating to brucellosis vaccination for female calves, and making appropriations.

By Representatives SWOBODA, CONRADT, MOHN and MIELKE, by request of Mr. Verner Gillick.

To committee on Agriculture.

Assembly Bill 678

Expanding the duties of the secretary of regulation and licensing and providing for public members on certain examining boards.

By Representatives MUNTS, SANASARIAN, JACKAMONIS, BERGER, CONTA, JOHNSON, TOBIASZ, NAGER, FERRALL, FLINTROP, TROPMAN, LOOBY, BARCZAK, MITTNESS, MIELKE, ELCONIN, WAHNER, EARLY, MILLER, WARD, MENOS, CYRAK, SCHRICKER, LEWIS, PLEWA, BALDUS, PABST and KEDROWSKI; co-

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sponsored by Senators **RISSER**, **MC KENNA** and **THOMPSON**,
by request of Governor **Patrick J. Lucey**.

To committee on State Affairs.

Assembly Bill 679

Relating to a state campaign fund, granting rule-making
authority and providing an appropriation.

By Representatives **TOBIASZ**, **MOLINARO**, **DORFF**,
SANASARIAN and **KEDROWSKI**.

To committee on Elections.

Assembly Bill 680

Relating to control of swamp fever.

By Representatives **JACKAMONIS** and **KINCAID**, by request
of **Mary Sobrofski**.

To committee on Agriculture.

COMMUNICATIONS

The State of Wisconsin

Department of State

Madison 57302

March 13, 1973

To the Honorable, the Assembly

Gentlemen:

I have the honor to transmit to you, pursuant to s. 13.67 (2), a
list of registered lobbyists for the period beginning March 6, 1973,
and ending March 13, 1973.

Respectfully submitted,

ROBERT C. ZIMMERMAN,

Secretary of State.

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Received and placed on file in the office of the chief clerk. Pursuant to joint rule 36 the list is printed in full in the senate journal only and appears there beginning on page 502.

COMMITTEE REPORTS

The committee on Agriculture reports and recommends:

Assembly Bill 454

Relating to the location of animal rendering plants.

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

DAVID D. O'MALLEY,
Chairman

The committee on Education reports and recommends:

Assembly Joint Resolution 23

Directing the legislative council to study the relationship between the programs offered by vocational, technical and adult education schools, high schools and institutions of higher education.

Adoption: Ayes: (12) Noes: (0)

Assembly Bill 15

Relating to educational objectives, special courses and instruction and textbook requirements in the Milwaukee school system.

Assembly amendment 1, adoption:

Ayes: (12) Noes: (0)

Passage: Ayes: (12) Noes: (0)

Assembly Bill 211

Relating to filling vacancies in joint city school district boards.

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Assembly amendment 1, introduction and adoption:

Ayes: (12) Noes: (0)

Passage: Ayes: (12) Noes: (0)

Assembly Bill 253

Relating to the approval of service contracts by cooperative educational service agency boards of control.

Passage: Ayes: (12) Noes: (0)

Assembly Bill 348

Relating to counting shared-time pupils for state school aids purposes and making an appropriation.

Without recommendation: Assembly Rule 30

HERBERT J. GROVER,
Chairman

The committee on Highways reports and recommends:

Assembly Bill 45

Relating to permissible length of trailers and semitrailers.

Assembly amendment 1, adoption:

Ayes: (11) Noes: (0)

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

CLETUS J. VANDERPERREN,
Chairman

The committee on Insurance and Banking reports and recommends:

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Assembly Bill 452

Relating to authorizing payment for psychological treatment under medical assistance and health insurance and providing that psychologists' services may be performed without referral by a physician.

Introduction and adoption of assembly substitute amendment 1:

Ayes: (10) Noes: (0)

Passage: Ayes: (8) Noes: (2)

Assembly Bill 525

Relating to the fee charged and length of time for processing applications by the commissioner of banking leading to issuance of certificate of authority to commence the business of banking.

Passage: Ayes: (10) Noes: (0)

PAUL E. SICULA,

Chairman

The committee on Insurance and Banking reports and recommends for introduction:

Assembly Bill ————

(LRB 2836)

Relating to updating references to authorized investments as a result of revisions of the federal farm credit act.

Ayes: (10) Noes: (0)

PAUL E. SICULA,

Chairman

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The committee on Judiciary reports and recommends for introduction:

Assembly Bill -----

(LRB 293)

Relating to civil procedures for handling equal rights complaints, sex and handicap discrimination in public places of accommodation or amusement and in automobile insurance rates and providing a penalty.

Ayes: (7) Noes: (3)

LLOYD A. BARBEE,

Chairman

The committee on Third Reading reports and recommends:

Assembly Bill 92

Report correct.

LEO O. MOHN,

Chairman

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REPORT OF SPECIAL COMMITTEE

The State of Wisconsin

Legislative Council

Madison 53702

February 28, 1973

To the Honorable,
Governor Patrick J. Lucey
and the Members of the
1973 Wisconsin Legislature

Pursuant to s. 13.81 (3) of the Wisconsin Statutes, I am submitting to you the Legislative Council Report to the 1973 Legislature on County Home Rule. This report is intended to be used as a research and information document in connection with the following legislative proposals, which have been introduced in the 1973 Legislature by the Legislative Council:

S. B. 27, relating to county home rule powers to administer and organize county functions authorized by statute.

S. J. R. 5, a constitutional amendment relating to the delegation of limited home rule powers to counties.

S. B. 28, relating to a statutory delegation of limited home rule powers to counties to determine their local affairs and government.

S. J. R. 4, a constitutional amendment relating to the authority of the Legislature to provide an alternative method for the selection of county officers.

S. B. 29, relating to the office of county executive in nonpopulous counties.

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We trust that this report will be of value to you during the 1973 session.

Respectfully submitted,

SENATOR FRED A. RISSER,

Chairman

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 Peloquin; co-sponsored by Representative Willkom to the Guru Maharaj Ji on the occasion of his impending visit to the United States.

Representative Earl asked unanimous consent that the motion be 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 motion be immediately messaged to the senate. Granted.

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:

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Senate Joint Resolution 52, and

Senate Joint Resolution 54.

ACTION ON THE SENATE MESSAGE

Representative Earl asked unanimous consent that **Senate Joint Resolution 52** be taken up at this time. Granted.

Senate Joint Resolution 52

Granting the use of the senate and assembly chambers to Wisconsin American Legion Auxiliary Badger Girls State in 1973 and 1974, for the purpose of holding a practice legislative session.

By Senator Roseleip and the Entire Membership of the Senate, cosponsored by Representative Anderson.

The question was: Shall **Senate Joint Resolution 52** be concurred in?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 52** be immediately messaged to the senate. Granted.

Representative Earl asked unanimous consent that **Senate Joint Resolution 54** be taken up at this time. Granted.

Senate Joint Resolution 54

Relating to the life and public service of Arnold H. Klenz.

By Senators Flynn and Whittow, cosponsored by Representatives Barczak and Hauke.

The question was: Shall **Senate Joint Resolution 54** be concurred in?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 54** be immediately messaged to the senate. Granted.

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Representative Earl asked unanimous consent that the motions under joint rule 26 be taken up en masse. Granted.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Mr. and Mrs. Max Riemer of 3610 S. 20th Street, Milwaukee, will celebrate their Golden Anniversary on April 5th; and

Whereas, Mr. and Mrs. Riemer were born and raised on the south side of Milwaukee and have lived at their present address for 25 years; and

Whereas, Mr. Riemer is retired from the Heil Company where he worked for 38 years and Mrs. Riemer is a former 20-year employe of the South Division High School; and

Whereas, they have three children and nine grandchildren and have been lifelong members of the Zion United Church of Christ; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Kleczka under Joint Rule 26, extend their congratulations to the Riemers on this occasion and commend them on their matrimonial happiness, which is an inspiration to all the people of the state.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, United Press International voted the Antigo High School football team the best in the state of Wisconsin in 1972; and

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Whereas, Antigo has also demonstrated an outstanding ability in basketball by winning the Marshfield sectional and earning a ticket to the state high school tournament in Madison; and

Whereas, the Antigo school system has maintained a strong and viable program in physical education; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Grover under Joint Rule 26, commend the superintendent, school board, faculty and most of all, the students of the Antigo school system for these fine achievements.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, The Wisconsin Legislature shares in the joy of the Neuens family of Aurora, Florence County, at the news of the release from Viet Nam captivity of Captain Martin J. Neuens, United States Air Force; and

Whereas, Captain Neuens, now 30 years old, entered the military service immediately upon his graduation from high school, having won an appointment to the United States Air Force Academy at Colorado Springs; and

Whereas, more than the families of many other prisoners of war the Neuens family suffered the burden of anxiety. Captain Neuens was shot down while on a mission over northern Viet Nam in his second month of Nam service, and was listed as "missing in action" for more than 5 years before his family received the welcome news that he was still alive although a captive in a northern Vietnamese prison camp. In all, Captain Neuens spent about six years and eight months in Viet Nam captivity; now, therefore,

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The Members of the Wisconsin Legislature, on the motion of Representatives Kincaid and Matty and Senators Krueger and LaFave under Joint Rule 26 wish Captain Martin J. Neuens a heartfelt "Welcome Home" and express their best wishes for his future life and career ambitions, and the hope that the remainder of his life will recompense Captain Neuens in some manner for the brutal interruption of his youth by the vicissitudes of war.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Frank R. Bieszk of Milwaukee, Wisconsin, was recently named "Man of the Year" by the council of the South Side Advancement Associations, Inc.; and

Whereas, he has managed his own barbershop on the south side for 40 years while donating a great deal of time to the Catholic and Lutheran orphanages and to the Knights of Columbus Cardinal Stritch Council to promote their efforts to aid the St. Johns School for the Deaf; and

Whereas, Mr. Bieszk, an active Democrat, has also served as finance chairman for the South Shore Water Frolic, President of the Barbers Union Local 50, President of the South Side Senior Citizens Unit One, Inc., President of the Humboldt Park 4th of July Association and is a current member of the Milwaukee Board of Review; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Kleczka under Joint Rule 26, commend Frank Bieszk on his fine community spirit and congratulate him on receiving this well-earned award.

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MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Beloit Memorial High School, coached by Head Coach Bernie Barkin and Assistant Coaches Gene Van Galder, Jerry Heying and Larry Cole, won the 58th Annual WIAA State High School Basketball Tournament with an incredible cliff-hanger final score of 60-59 versus a gallant runner-up, Fond du Lac, on Saturday, March 17; and

Whereas, the Beloit Purple Knights tied for first place in the rugged Big Eight Conference with a record of 10 wins and 2 losses, winning nine games in a row and culminated the season by returning the State Championship to Beloit Memorial for the seventh time in the school's history; and

Whereas, Beloit Memorial High School has won more state basketball championships than any other school in the state of Wisconsin; and

Whereas, Beloit Memorial has won previous championships in 1932, 1933, 1934, 1937, 1947, and 1969; and

Whereas, the "Purple Knights" have had an outstanding season record of 23 wins and 3 losses; and

Whereas, their success has crowned a true team effort in their running style of play; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative G. K. Johnson and Senator J. D. Swan under Joint Rule 26, congratulate Beloit Memorial High School's Basketball Team for winning the championship game and returning the "Gold" Trophy to Beloit Memorial High School, the basketball "capitol" of Wisconsin--Class A Division.

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MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Mrs. Harriett Graham will be honored by her family and friends in the celebration of her 100th Birthday Anniversary in Ladysmith on March 24th; and

Whereas, Harriett "Grandma" Graham, born in Adel, Iowa in 1873, has spent most of her life in Wisconsin; and

Whereas, Grandma Graham rode in a covered wagon from Audubon, Iowa to Freeland, Colorado in 1879, in the company of a guide by the name of "Buffalo Bill"; and

Whereas, 94 years later, at the age of 99, Grandma Graham visited her Grandson, Jim Cleary of Ladysmith, and took her first snowmobile ride, afterward commenting that, "It sure beats the Ol' horse and cutter"; and

Whereas, the first issue of Snow Trails was dedicated to Grandma Graham because of her incredible vim and vigor and love of adventure; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Sweda and Senator Krueger under Joint Rule 26, offer their heartiest congratulations to Grandma Harriett Graham on her 100th birthday, and their highest admiration for the reaching of a milestone which derives from the inspiration of a full and rich life.

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.

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MOTIONS

Representative Tropman asked unanimous consent to be recorded as voting "Aye" on engrossment of **Assembly Bill 92**.
Granted

Representative Alberts asked unanimous consent that the assembly stand recessed for thirty minutes. Granted.

The assembly stood recessed.

10:20 A.M.

RECESS

11:10 A.M.

The assembly reconvened.

RULING ON THE POINT OF ORDER

On March 14, 1973, Representative Earl moved that **Assembly Bill 128** be withdrawn from the calendar of March 15 and referred to the Joint Committee on Finance.

Representative Shabaz made the parliamentary inquiry as to whether the motion required a suspension of the rules and thus a two-thirds vote or whether it required a simple majority. The chair took the point of order under advisement.

It is obvious that if the motion had been made when **Assembly Bill 128** was before the Assembly on the calendar of March 15, the motion would require a simple majority. This would be true whether the bill were required by statute to be referred to the Joint Committee on Finance prior to passage or not. Under **Assembly Rule 18**, bills appear on the printed calendar for action by being referred there by the presiding officer or by recommendation of a

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standing committee. The question before us, simply stated, is whether taking some action on a bill that is on a calendar ahead of the business that the Assembly is currently working on, constitutes taking a bill up out of order and therefore a violation of Assembly Rules 17 and 18 relating to the calendar and regular orders of business.

On March 2, 1971, Speaker Huber ruled that a motion to withdraw a bill from a future calendar and refer it to the Joint Committee on Finance required a suspension of the rules since it constituted an advancement of the bill ahead of its regular consideration under the rules. Advancement of the bill ahead of its regular consideration, as expressed by Speaker Huber at the time, apparently referred to taking the matter up prior to its normal time of consideration, and did not involve a determination that the particular measure had to go to the Joint Committee on Finance prior to passage and thus a motion to refer the bill to the Joint Committee on Finance constituted advancing the bill closer to passage.

There is one additional precedent from the Senate. On June 2, 1939, a motion was made to refer a bill from a future calendar to a committee. Upon a parliamentary inquiry as to whether that motion involved a suspension of the rules and required a two-thirds vote, Senator Rush, then presiding, held that the motion did involve a suspension of the rules and required a two-thirds vote.

On the basis of the foregoing precedents, the Chair feels compelled to rule that any motion to refer a bill on a future calendar to a committee involves a suspension of the rules and therefore requires a two-thirds vote.

Assembly Bill 128

Relating to the creation of pollutant discharge elimination system, granting rule-making authority and providing penalties.

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

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

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

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

Representative O'Malley asked unanimous consent that **Assembly Bill 128** be referred to the committee on Agriculture.

Representative Earl objected.

The question was: Shall the rules be suspended and **Assembly Bill 128** be withdrawn from the calendar of March 15 and referred to the joint committee on Finance?

The roll was taken.

The result follows:

Ayes -- Alberts, Baldus, Barbee, Behnke, Berger, Bradley, Bruhy, Byers, Conta, Cyrak, Czerwinski, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Ferrall, Flintrop, Gibson, Giese, Gower, Hauke, Jackamonis, Johnson, Kedrowski, Kincaid, Kleczka, Lewison, Looby, Matty, Menos, Miller, Mittness, Molinaro, Munts, Nager, Oestreicher, Opitz, Otte, Pabst, Plewa, Quackenbush, Roberts, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Sensenbrenner, Sricula, Tesmer, Tobiasz, Tropman, Ward, Wilcox, Willkom and Mr. Speaker -- 58.

Noes -- Atkinson, Bolle, Conradt, Day, DeLong, Duren, Ellis, Everson, Groshek, Grover, Hephner, Keegan, Klicka, Lallensack, Lewis, Luckhardt, Merkel, Mielke, Mohn, Murray, Niebler, Oberle, Olson, O'Malley, Porter, Quinn, Rogers, Rohner, Schricker, Schroeder, Shabaz, Sweda, Swoboda, Thompson, Tregoning, Vanderperren and Wackett -- 37.

Absent or not voting -- Azim, Barczak, McEssy and Wahner -- 4.

Motion failed.

Representative Lewis moved reconsideration of the vote by which **Assembly Bill 92** was engrossed. Entered.

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Representative Rogers moved reconsideration of the vote by which assembly substitute amendment 5 to **Assembly Bill 92** was adopted. Entered.

Representative O'Malley moved that the rules be suspended and that **Assembly Bill 128** be withdrawn from the calendar of March 15 and referred to the committee on Agriculture.

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

POINT OF ORDER

Representative Merkel rose to the point of order that the motion did not require suspension of the rules.

The speaker ruled the point of order not well taken.

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

The question was: Shall the rules be suspended and that **Assembly Bill 128** be withdrawn from the calendar of March 15 and referred to the committee on Agriculture?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Duren, Early, Ellis, Everson, Giese, Gower, Groshek, Grover, Hephner, Keegan, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Menos, Merkel, Mielke, Mohn, Murray, Niebler, Oberle, Olson, O'Malley, Porter, Quackenbush, Quinn, Rogers, Rohner, Roth, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Thompson, Tregoning, Vanderperren and Wackett -- 54.

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Noes -- Alberts, Barbee, Behnke, Berger, Conta, Czerwinski, Dorff, Dueholm, Earl, Elconin, Ferrall, Flintrop, Gibson, Hauke, Jackamonis, Johnson, Kedrowski, Kincaid, Looby, Matty, Miller, Mittness, Molinaro, Munts, Nager, Oestreicher, Opitz, Otte, Pabst, Plewa, Roberts, Rooney, Rutkowski, Sanasarian, Sicula, Tesmer, Tobiasz, Tropman, Ward, Wilcox, Willkom and Mr. Speaker -- 42.

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

Motion failed.

Representative Rogers moved reconsideration of the vote by which assembly amendment 3 to assembly substitute amendment 5 to **Assembly Bill 92** was rejected. Entered.

Representative Merkel asked unanimous consent to be made a co-author of **Assembly Bill 350**. Granted.

Representative Kincaid asked unanimous consent that his name be withdrawn as a co-author of **Assembly Bill 420**. Granted.

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

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

Assembly Resolution 21

Establishing the assembly postage allotment at \$700 per representative per session:

Whereas, the postage allowance has been previously established for each representative at \$700 per session; and

Whereas, the assembly organization committee on March 19, 1973, increased the postage allowance for each representative to \$1,500 for first class mail and \$1,200 for bulk mail, which is a 285% increase; now, therefore, be it

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Resolved by the assembly, that, until further determined by the assembly, the postage allotment for each representative is established at \$700 for the 1973-74 session and that the action of the assembly organization committee on March 19, 1973, increasing the allowances is superseded.

By Representatives SHABAZ, WACKETT, BYERS, SCHRICKER, ALBERTS, GIESE, TREGONING, WILCOX, ROHNER, PORTER, LEWISON, KINCAID, NIEBLER, LUCKHARDT, OPITZ, DONOGHUE, SENSENBRENNER, BRUHY, DELONG, THOMPSON, LEWIS, GIBSON, KLICKA, SCHROEDER, QUACKENBUSH, CYRAK, MERKEL, MATTY and ROTH.

Representative Shabaz asked unanimous consent that **Assembly Resolution 21** be taken up at this time.

Representative Earl objected.

Representative Shabaz moved that the rules be suspended and that **Assembly Resolution 21** be taken up at this time.

POINT OF ORDER

Representative Sensenbrenner rose to the point of order that the resolution was privileged.

The speaker ruled the point of order well taken.

Representative McEssy moved that **Assembly Resolution 21** be referred to the committee on Assembly Organization.

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

Representative Ward asked unanimous consent that his resolution be considered as a substitute to **Assembly Resolution 21**.

Representative Shabaz objected.

Representative Ward moved that the rules be suspended and that his resolution be considered as a substitute to **Assembly Resolution 21**.

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

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

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

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

The question was: Shall the rules be suspended and the resolution be considered as a substitute to **Assembly Resolution 21**?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Behnke, Berger, Bolle, Conta, Czerwinski, Dorff, Dueholm, Duren, Earl, Elconin, Ferrall, Flintrop, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Looby, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Nager, O'Malley, Otte, Pabst, Plewa, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Ward, Willkom and Mr. Speaker -- 51.

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

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

Motion failed.

The question was: Shall **Assembly Resolution 21** be referred to the committee on Assembly Organization?

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The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Behnke, Berger, Bolle, Byers, Conradt, Conta, Czerwinski, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, O'Malley, Otte, Pabst, Plewa, Quinn, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Schricker, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Ward, Willkom and Mr. Speaker -- 62.

Noes -- Alberts, Atkinson, Bradley, Bruhy, Cyrak, Day, DeLong, Donoghue, Ellis, Gibson, Giese, Gower, Kincaid, Klicka, Lewis, Lewison, Luckhardt, Merkel, Niebler, Oberle, Oestreicher, Olson, Opitz, Porter, Quackenbush, Rohner, Roth, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 34.

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

Motion carried.

Representative Rogers moved reconsideration of the vote by which assembly amendment 1 to assembly substitute amendment 5 to **Assembly Bill 92** was rejected. Entered.

Representative Rogers moved reconsideration of the vote by which assembly amendment 2 to assembly substitute amendment 5 to **Assembly Bill 92** was rejected. Entered.

LEAVES OF ABSENCE

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

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Representative Earl asked unanimous consent for a leave of absence for today's session for Representatives Barczak and Wahner. Granted.

Representative Keegan asked unanimous consent to be recorded as voting as follows on the following questions from March 15:

Shall assembly amendment 1 to assembly substitute amendment 5 to **Assembly Bill 92** be rejected? --No

Shall assembly amendment 2 to assembly substitute amendment 5 to **Assembly Bill 92** be rejected?--No

Shall assembly amendment 3 to assembly substitute amendment 5 to **Assembly Bill 92** be rejected?--No

Shall assembly amendment 4 to assembly substitute amendment 5 to **Assembly Bill 92** be rejected?--No

Shall **Assembly Bill 92** be ordered engrossed and read a third time?--No

Shall assembly substitute amendment 1 to **Assembly Bill 610** be rejected?--Aye

Shall assembly amendment 2 to **Assembly Bill 610** be rejected?--Aye

Shall assembly amendment 3 to **Assembly Bill 610** be rejected?--Aye

Assembly Bill 610 having been read three times, shall the bill pass?--Aye

Shall **Assembly Bill 263** be indefinitely postponed?--Aye

Shall assembly amendments 2,3,4 and 5 to **Assembly Bill 263** be taken from the table?--Aye

Shall assembly amendment 2 to **Assembly Bill 263** be rejected?--No

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Shall assembly amendment 4 to **Assembly Bill 263** be rejected?--
-Aye

Shall assembly amendment 5 to **Assembly Bill 263** be adopted?--
-Aye

Shall assembly amendment 6 to **Assembly Bill 263** be rejected?--
-Aye

Shall assembly amendment 8 to **Assembly Bill 263** be rejected?--
-Aye

Shall assembly amendment 9 to **Assembly Bill 263** be rejected?--
-Aye

Shall assembly amendment 7 to **Assembly Bill 263** be rejected?--
-No

Shall **Assembly Bill 263** be ordered engrossed and read a third
time?--Aye

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly amendment 1, to **Assembly Bill 484**

Wherever "139.39 (1) (c)" appears on page 1, lines 5 and 6, on
page 3, lines 25 and 26, and on page 4, line 1, substitute "139.37
(1) (c)".

Assembly Bill 589

Wherever "139.39 (1) (c)" appears on page 1, lines 1 and 3, and
on page 44, lines 6, 8 and 9, substitute "139.37 (1) (c)".

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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Mrs. Mike Early and Mary Shannon Early, wife and daughter, from River Falls, Wisconsin, guests of Representative Early.

Students from Madison area, accompanied by Director, Martin Bilen from Deerfield Center School, Wisconsin, guests of Representative Everson.

Robert D. Burgess from Kewaunee, Wisconsin, guest of Representative Swoboda.

On Friday March 16th Representative Dueholm was honored by the presence of the following visitors to the State Capitol.

Brian and Allan Tomlinson from Luck, guests of Representative Dueholm.

Kevin Bille and Marvin Gjerner from Luck, guests of Representative Dueholm.

Ronnie Steen from Luck, guest of Representative Dueholm.

Daryl and Duane Bazey from Cumberland, guests of Representative Dueholm.

Dan Chamberlain, Mark Nelson, Bob Wilson, Dave Pomeroy and Jerry Dietmier, members of the St. Croix Falls basketball team, guests of Representative Dueholm.

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

The question was: Adjournment?

Motion carried.

The assembly stood adjourned.

12:40 P.M.