

STATE OF WISCONSIN

Assembly Journal

Eighty-First Regular Session

WEDNESDAY, March 28, 1973.

9:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Reverend William Morton, pastor of Sherman Avenue United Methodist Church, 3705 North Sherman Avenue, Madison, Wisconsin.

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

The roll was taken.

The result follows:

Present -Alberts, Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 99.

Absent -- None.

Absent with leave -- None.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to Assembly Bill 219 offered by Representative Conta.

Assembly amendment 1 to Assembly Bill 91 offered by Representative Earl.

Assembly amendment 1 to Assembly Bill 390 offered by Representative Oestreicher.

Assembly amendment 1 to Assembly Joint Resolution 50 offered by Committee on Printing.

Assembly amendment 2 to Assembly Bill 600 offered by Representatives Sicula and Baldus.

Assembly amendment 3 to Assembly Bill 262 offered by Representative Merkel.

Assembly amendment 1 to assembly amendment 1 to assembly substitute amendment 1 to Assembly Bill 128 offered by Representative Hephner.

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

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

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

JOURNAL OF THE ASSEMBLY (March 28, 1973)

Assembly Joint Resolution 60

Relating to a study of the children's code by the legislative council.

By LEGISLATIVE COUNCIL.

To Joint Committee on Finance.

Assembly Joint Resolution 61

Urging the higher educational aids board to seek to enter interstate reciprocity agreements for resident students in veterinary education.

By Representatives HEPHNER, TREGONING, GIESE, LEWISON, O'MALLEY, DAY, OBERLE, BOLLE, WILLKOM, WILCOX, NIEBLER, MOHN, LUCKHARDT, SCHROEDER, EVERSON, SWOBODA, DUREN, ROBERTS, EARLY, LALLENSACK, KEDROWSKI, BYERS, MATTY, THOMPSON, LEWIS, BRADLEY, VANDERPERREN, MITTNESS, DUEHOLM, GROSHEK, SWEDA, BALDUS, CYRAK, OLSON, BRUHY, GOWER, KINCAID, SCHRICKER, FLINTROP, ELLIS, KEEGAN, FERRALL, ROONEY, MILLER, BERGER, MIELKE and GROVER; co-sponsored by Senators PELOQUIN, THOMPSON, FRANK, M. SWAN, RISSER, SCHUELE, WHITTOW, PARYS, KRUEGER, THENO, DEVITT, CHILSEN, KNOWLES, MC KENNA and MARTIN, by request of Governor Patrick J. Lucey.

To committee on Education.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 756

Relating to costs of protecting grade crossings.

By Representatives EARL, SHABAZ and CONTA; co-sponsored by Senator HOLLANDER.

To committee on Highways.

Assembly Bill 757

Relating to deduction of municipal employe union dues from earnings.

JOURNAL OF THE ASSEMBLY (March 28, 1973)

By COMMITTEE ON LABOR, by request of Wisconsin Council of County and Municipal Employees.

To committee on Labor.

Assembly Bill 758

Relating to strikes and binding arbitration procedures in contract disputes by county and municipal employes other than law enforcement and firefighter personnel and granting rule-making authority.

By COMMITTEE ON LABOR, by request of Wisconsin Council of County and Municipal Employees; Milwaukee District Council 48; Wisconsin Education Association Council.

To committee on Labor.

Assembly Bill 759

Relating to fair-share arrangements for county and municipal employes.

By COMMITTEE ON LABOR, by request of Wisconsin State Council of County and Municipal Employees; Milwaukee District Council 48; Wisconsin Education Association Council; Wisconsin Professional Policemens Association; Wisconsin Professional Firefighters Association.

To committee on Labor.

Assembly Bill 760

Relating to continuation of group life insurance for retired public employes.

By COMMITTEE ON LABOR, by request of Wisconsin Council of County and Municipal Employees -40, AFSCME; Milwaukee District Council -48, AFSCME; Wisconsin Professional Policemens Association; Wisconsin Professional Firefighters Association; Wisconsin County Traffic Officers and Deputy Sheriffs Association; Wisconsin Education Association Council.

To Joint Survey Committee on Retirement Systems.

Assembly Bill 761

Relating to state group life insurance.

By COMMITTEE ON LABOR, by request of Wisconsin Council of County and Municipal Employees -40, AFSCME; Milwaukee District Council -48, AFSCME; Wisconsin Professional Policemens Association; Wisconsin Professional Firefighters Association; Wisconsin County Traffic Officers and Deputy Sheriffs Association; Wisconsin Education Association Council.

JOURNAL OF THE ASSEMBLY (March 28, 1973)

To committee on Labor.

Assembly Bill 762

Relating to collective bargaining units consisting of supervisors.

By COMMITTEE ON LABOR, by request of Wisconsin Council of County and Municipal Employes Association; Milwaukee District Council 48.

To committee on Labor.

Assembly Bill 763

Relating to prohibition of certain deposits by public utilities.

By Representatives BARBEE and SANASARIAN.

To committee on Commerce and Consumer Affairs.

Assembly Bill 764

Relating to the initial determination of eligibility for unemployment compensation.

By Representative BARBEE.

To committee on Labor.

Assembly Bill 765

Relating to licensing of child welfare agencies, foster homes and day care facilities.

By LEGISLATIVE COUNCIL.

To committee on Health and Social Services.

Assembly Bill 766

Relating to establishing a program for inland lake rehabilitation and rehabilitation districts, creating an inland lakes protection and rehabilitation council in the department of natural resources.

By LEGISLATIVE COUNCIL.

To committee on Natural Resources.

Assembly Bill 767

Relating to ground water monitoring.

By LEGISLATIVE COUNCIL.

To committee on Natural Resources.

JOURNAL OF THE ASSEMBLY (March 28, 1973)

Assembly Bill 768

Relating to ground water studies.

By LEGISLATIVE COUNCIL.

To committee on Natural Resources.

Assembly Bill 769

Relating to exclusions from income for determinations of assistance under categorical aid programs.

By LEGISLATIVE COUNCIL.

To committee on Health and Social Services.

Assembly Bill 770

Relating to the trapping of fur-bearing animals in cities or villages, and providing a penalty.

By Representative BALDUS, by request of Mr. Einer Lund.

To committee on Natural Resources.

Assembly Bill 771

Relating to eliminating statutory requirements for railroad conductors and flagmen.

By Representatives VANDERPERREN, LEWISON, CONRADT, SWEDA and GROVER.

To committee on Transportation.

Assembly Bill 772

Relating to taxation of lands actively devoted to agricultural use and creating a state farm land advisory committee.

By Representatives OPITZ, GIESE, TREGONING, OLSON, WACKETT, LUCKHARDT, DAY, OBERLE, SCHROEDER, OESTREICHER, DE LONG and LEWIS; co-sponsored by Senators THENO, KEPPLER, CHILSEN and HOLLANDER.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 773

AN ACT directing the higher educational aids board to seek interstate reciprocity agreements for resident students in veterinary education.

By Representatives HEPHNER, TREGONING, GIESE, BOLLE, LEWISON, O'MALLEY, OBERLE, EARLY, WILLKOM, WILCOX, NIEBLER, MOHN, LUCKHARDT, SCHROEDER, EVERSON, SWOBODA, DUREN, ROBERTS, KEDROWSKI, LALLENSACK, BYERS, MATTY, THOMPSON, LEWIS, BRADLEY, VANDERPERREN, MITTNESS, DUEHOLM, GROSHEK, SWEDA, BALDUS, CYRAK, OLSON, BRUHY, GOWER, KINCAID, SCHRICKER, QUACKENBUSH, FLINTROP, ELLIS,

JOURNAL OF THE ASSEMBLY (March 28, 1973)

KEEGAN, FERRALL, ROONEY, MILLER, BERGER, MIELKE and GROVER: co-sponsored by Senators PELOQUIN, THOMPSON, FRANK, M. SWAN, RISSER, SCHUELE, WHITTOW, PARYS, KRUEGER, THENO, DEVITT, CHILSEN, KNOWLES, MC KENNA and MARTIN, by request of Governor Patrick J. Lucey.

To committee on Education.

Assembly Bill 774

Reducing the maximum sentence for all crimes to 5 years and repealing the prohibition of abortion.

By Representative BARBEE.

To committee on Judiciary.

Assembly Bill 775

Relating to fair employment, granting rule-making authority, providing penalties and increasing an appropriation.

By Representative BARBEE.

To committee on Labor.

COMMITTEE REPORTS

The committee on Third Reading reports and recommends:

Assembly Bill 199

Correct.

LEO O. MOHN,
Chairman

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

JOURNAL OF THE ASSEMBLY (March 28, 1973)

Know you by these presents:

Whereas, the Monroe High School wrestling team, known as the Cheesemakers concluded their regular season as the fifth-ranked wrestling team in the State of Wisconsin; and

Whereas, they continued their winning ways in the post-season tournaments by qualifying five members of the squad for the 30th Annual State Wrestling Finals held in Madison on February 23 and 24, 1973; and

Whereas, these five men, led by Mike Miller who took the 132 pound championship with his 32nd consecutive victory to crown an undefeated season and Randy Wyss who was the runner-up in the 167 pound class and finished the season with a record of 31-1-1, "brought home the bacon" by capturing 39 points, the ninth highest total in state meet history, and outdistancing their nearest challengers by 8 points to capture the State Championship; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Tregoning and Senator Roseleip under Joint Rule 26, congratulate the Monroe High School Cheesemakers wrestling team led by Coach Fred Lehrke and 132 lb. Mike Miller, 167 lb. Randy Wyss, 98 lb. Tom Zupanc, 119 lb. Duane Torkelson and 138 lb. Steve Moe, as well as the other members of this fine team for a perfect ending to a long season of hard work and dedication.

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 Wackett moved reconsideration of the vote by which **Assembly Bill 199** was engrossed. Entered.

JOURNAL OF THE ASSEMBLY (March 28, 1973)

The assembly returned to the ninth order of business.

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:

Senate Joint Resolution 23, and

Senate Joint Resolution 46.

Representative Earl asked unanimous consent that **Senate Joint Resolution 23** be taken up at this time. Granted.

Senate Joint Resolution 23

Designating April 9th to 15th as Earth Week 1973.

The question was: Shall **Senate Joint Resolution 23** be concurred in.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 23** be immediately messaged to the senate. Granted.

Representative Earl asked unanimous consent that **Senate Joint Resolution 46** be taken up at this time. Granted.

Senate Joint Resolution 46

Relating to the life and public service of Will G. Ballentine.

The question was: Shall **Senate Joint Resolution 46** be concurred in?

Motion carried.

JOURNAL OF THE ASSEMBLY. (March 28, 1973)

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 46** be immediately messaged to the senate. Granted.

MOTIONS

Representative Earl asked unanimous consent that **Assembly Bill 717** be withdrawn from the committee on State Affairs and referred to the committee on Transportation. Granted.

Representative Ellis moved that **Assembly Bill 262** be taken from the table and taken up at this time.

Representative Shabaz moved a

CALL OF THE ASSEMBLY

There were sufficient seconds.

The sergeant-at-arms was directed to close the doors and the chief clerk to call the roll.

The chief clerk called the roll.

Members absent with leave -- None.

Members absent without leave -- Conradt, Dueholm, Flintrop, Hauke, Mielke, Rooney and Sicula.

LEAVES OF ABSENCE

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

Representative Earl asked unanimous consent that the assembly proceed to other business. Granted.

JOURNAL OF THE ASSEMBLY (March 28, 1973)

Representative Berger asked unanimous consent that **Assembly Bill 718** be taken from the committee on Taxation and referred to the Joint Survey Committee on Tax Exemptions. Granted.

CALENDAR OF WEDNESDAY, MARCH 14, 1973

Assembly Bill 461

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

Representative Thompson asked unanimous consent to speak for three additional minutes. Granted.

Representative Thompson moved indefinite postponement of **Assembly Bill 461**.

Assembly amendment 1 to **Assembly Bill 461** offered by Representative Niebler.

Representative Conta asked unanimous consent to speak on both the amendment and the bill. Granted.

Representative Conta moved that assembly amendment 1 to **Assembly Bill 461** be laid on the table.

The question was: Shall assembly amendment 1 to **Assembly Bill 461** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Donoghue, Dorff, Duren, Earl, Early, Elconin, Everson, Ferrall, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Kleczka, Lallensack, Lewis, Looby, McEssy, Menos, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quinn, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Schroeder, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 62.

JOURNAL OF THE ASSEMBLY (March 28, 1973)

Noes -- Alberts, Azim, Bradley, Bruhy, Byers, Cyrak, DeLong, Ellis, Gibson, Giese, Gower, Hephner, Keegan, Kincaid, Klicka, Lewison, Luckhardt, Matty, Merkel, Niebler, Olson, Opitz, Porter, Quackenbush, Rohner, Roth, Schricker, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 33.

Absent or not voting -- Conradt, Dueholm, Flintrop and Mielke -- 4.

Motion carried.

Assembly amendment 2 to **Assembly Bill 461** offered by Representative Merkel.

Representative Merkel asked unanimous consent to speak on both the amendment and the bill. Granted.

Representative Baldus asked unanimous consent to speak on both the amendment and the bill. Granted.

Representative Baldus moved rejection of assembly amendment 2 to **Assembly Bill 461**.

Representative Lewis asked unanimous consent to speak on both the amendment and the bill. Granted.

The question was: Shall assembly amendment 2 to **Assembly Bill 461** be rejected?

The roll was taken.

The result follows:

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

JOURNAL OF THE ASSEMBLY (March 28, 1973)

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

Absent or not voting -- Dueholm and Mielke -- 2.

Motion carried.

Assembly amendment 3 to **Assembly Bill 461** offered by Representative Swoboda.

Representative Earl moved rejection of assembly amendment 3 to **Assembly Bill 461**.

The question was: Shall assembly amendment 3 to **Assembly Bill 461** be rejected?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Looby, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, Olson, O'Malley, Otte, Pabst, Plewa, Roberts, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 54.

Noes -- Alberts, Atkinson, Azim, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Ellis, Gibson, Giese, Gower, Hephner, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Niebler, Opitz, Porter, Quinn, Rogers, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Tregoning, Wackett and Wilcox -- 41.

JOURNAL OF THE ASSEMBLY (March 28, 1973)

Absent or not voting -- Ducholm, Hauke, Mielke and Quackenbush -- 4.

Motion carried.

Assembly amendment 4 to Assembly Bill 461 offered by Representative Sensenbrenner.

The question was: Shall assembly amendment 4 to Assembly Bill 461 be adopted?

Motion carried.

Representative Thompson moved indefinite postponement of Assembly Bill 461.

Assembly amendment 5 to Assembly Bill 461 offered by Representative Shabaz.

Representative Earl moved rejection of assembly amendment 5 to Assembly Bill 461.

The question was: Shall assembly amendment 5 to Assembly Bill 461 be rejected?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Day, Dorff, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Kleczka, Lallensack, McEssy, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quinn, Roberts, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Swoboda, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 57.

JOURNAL OF THE ASSEMBLY (March 28, 1973)

Noes -- Alberts, Atkinson, Azim, Bradley, Bruhy, Byers, Conradt, Cyrak, Czerwinski, DeLong, Donoghue, Ellis, Gibson, Giese, Gower, Keegan, Kincaid, Klicka, Lewis, Lewison, Luckhardt, Matty, Merkel, Niebler, Olson, Opitz, Porter, Quackenbush, Rogers, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Tesmer, Thompson, Tregoning, Wackett and Wilcox -- 40.

Absent or not voting -- Dueholm and Looby -- 2.

Motion carried.

The question was: Shall Assembly Bill 461 be indefinitely postponed?

The roll was taken.

The result follows:

Ayes - Alberts, Azim, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Ellis, Gibson, Giese, Gower, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Niebler, Opitz, Porter, Quackenbush, Rogers, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Tesmer, Thompson, Tregoning, Wackett and Wilcox -- 37.

Noes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, Olson, O'Malley, Otte, Pabst, Plewa, Quinn, Roberts, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Swoboda, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 60.

Absent or not voting -- Dueholm and Looby -- 2.

Motion failed.

JOURNAL OF THE ASSEMBLY (March 28, 1973)

POINT OF ORDER

Representative Sensenbrenner rose to the point of order that the bill required a fiscal note according to the form prescribed in joint rule 24.

The chair took the point of order under advisement.

Representative Earl asked unanimous consent that the call of the assembly be lifted. Granted.

Representative Ellis asked unanimous consent to withdraw his motion to withdraw **Assembly Bill 262** from the table and take it up at this time. Granted.

Representative Earl asked unanimous consent that the assembly remain informal pending the arrival of the senate. Granted.

10:40 A.M.

JOINT CONVENTION

The assembly was called to order by the speaker.

The sergeant-at-arms announced the arrival of the senate.

The houses went into joint convention.

Lieutenant Governor Schreiber presiding.

Escorted by Senators Devitt and Thompson and Representatives Tobiasz and Czerwinski, Governor Lucey took his place at the rostrum to deliver a message on health.

Pursuant to joint rule 36 the Governor's message is printed in full in the senate journal only.

Representative Earl moved that the joint convention arise.

The question was: Shall the joint convention arise?

JOURNAL OF THE ASSEMBLY (March 28, 1973)

Motion carried.

11:30 A.M.

The assembly reconvened.

RULING OF THE CHAIR

The speaker ruled the point of order on **Assembly Bill 461** well taken.

Assembly Bill 235

Relating to special assessments and charges by towns.

The question was: Shall **Assembly Bill 235** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 235** be given a third reading. Granted.

The question was: **Assembly Bill 235** 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, Conradt, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, 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, Sicala, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 98.

JOURNAL OF THE ASSEMBLY (March 28, 1973)

Noes -- None.

Absent or not voting -- Dueholm -- 1.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 235** be immediately messaged to the senate. Granted.

Assembly Bill 461

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

The fiscal note on **Assembly Bill 461** was received.

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

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

The question was: Shall **Assembly Bill 461** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, Olson, O'Malley, Otte, Pabst, Plewa, Quackenbush, Roberts, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 58.

JOURNAL OF THE ASSEMBLY (March 28, 1973)

Noes -- Alberts, Azim, Bradley, Bruhy, Byers, Cyrak, DeLong, Donoghue, Duren, Ellis, Gibson, Giese, Gower, Hephner, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Niebler, Opitz, Porter, Quinn, Rogers, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Tregoning, Wackett and Wilcox -- 39.

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

Motion carried.

Representative Earl moved that the rules be suspended and that **Assembly Bill 461** be given a third reading.

The question was: Shall the rules be suspended and that **Assembly Bill 461** be given a third reading?

The roll was taken.

The result follows:

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

Noes -- Alberts, Azim, Bradley, Bruhy, Byers, Cyrak, DeLong, Donoghue, Ellis, Gibson, Giese, Gower, Hephner, Kincaid, Klicka, Lewis, Lewison, Luckhardt, Matty, Menos, Merkel, Niebler, Opitz, Porter, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Tregoning, Wackett and Wilcox -- 36.

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

Motion failed.

JOURNAL OF THE ASSEMBLY (March 28, 1973)

Representative Duren asked unanimous consent to be recorded as voting "Aye" on engrossment of **Assembly Bill 461**. Granted.

CALENDAR OF THURSDAY, MARCH 15, 1973

CONSIDERATION OF MOTIONS
FOR RECONSIDERATION

Assembly Resolution 9

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

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

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

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

The question was: Shall the vote by which **Assembly Resolution 9** failed adoption be reconsidered?

The roll was taken.

The result follows:

Ayes -- Alberts, Barbee, Bolle, Byers, Cyrak, DeLong, Dueholm, Duren, Early, Elconin, Ferrall, Flintrop, Gibson, Hephner, Klicka, Lallensack, Lewis, Menos, Merkel, Mielke, Mittness, Mohn, Munts, Olson, Opitz, Otte, Quackenbush, Roberts, Rogers, Rohner, Roth, Rutkowski, Schneider, Sicula, Swoboda, Tesmer, Thompson, Tregoning, Wackett, Wahner, Ward, Wilcox and Mr. Speaker -- 43.

Noes -- Atkinson, Azim, Baldus, Barczak, Behnke, Berger, Bradley, Bruhy, Conradt, Conta, Czerwinski, Day, Donoghue, Dorff, Earl, Ellis, Everson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lewison, Looby, Luckhardt, McEssy, Matty, Miller, Molinaro, Murray, Nager, Niebler, Oberle, Oestreicher, O'Malley, Pabst, Plewa, Porter, Quinn, Rooney, Sanasarian, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Tobiasz, Tropman, Vanderperren and Willkom -- 56.

JOURNAL OF THE ASSEMBLY (March 28, 1973)

Absent or not voting -- None.

Motion failed.

Representative Wahner asked unanimous consent to be recorded as voting as follows on the following questions from March 22:

Shall the rules be suspended to introduce a resolution? -- Aye

Shall assembly amendment 2 to Assembly Bill 104 be rejected?
-- Aye

Shall assembly amendment 2 to Assembly Bill 104 be laid on the table? -- Aye

Shall assembly amendment 3 to Assembly Bill 104 be rejected?
-- Aye

Shall the ruling of the chair stand as the judgement of the house? -- Aye

VISITORS

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

Girl Scout Cadette Troop 93 accompanied by their leader, Mrs. Jack Tomensky from Brookfield, guests of Representative Merkel.

Mrs. Thomas Murray from Superior, wife and guest of Representative Murray.

45 Students from Milwaukee Area Technical College accompanied by Mr. Art Garekis, Mr. Taft Benson, and Mr. Robert Shebesta, guests of Representative Plewa.

JOURNAL OF THE ASSEMBLY (March 28, 1973)

Senior high school students of government at Kimberly High School accompanied by their instructor Gil Frank, guests of Representative Rogers.

Dr. Gerald Derus, newly elected president of the State Medical Society, from Monona, guest of Representative Everson.

99 Students and 4 teachers from Ashippun Elementary School, Oconomowoc, guests of Representative Alberts.

150 Students from St. Margaret Mary School, Milwaukee, guests of Representative Berger.

Tim Masters from Mauston, guest of Representative Thompson.

Mr. and Mrs. Bernard Silverberg and family from Glendale, guests of Representative Menos.

Raymond Reizner and Robert E. Mullins from South Milwaukee, guests of Representative Atkinson.

Mr. and Mrs. Kenneth McGuire from Fontana, guests of Representative Luckhardt.

Frank S. Banhuzer from Whitefish Bay, guest of Representative Sensenbrenner.

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

The question was: Adjournment?

Motion carried.

The assembly stood adjourned.

11:55 A.M.