

JOURNAL OF THE ASSEMBLY (May 2, 1973)

STATE OF WISCONSIN

Assembly Journal

Eighty-First Regular Session

WEDNESDAY, May 2, 1973.

9:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Reverend James Love, former chaplain of Mendota State Hospital, 1111 Edgehill Drive, Madison, Wisconsin.

Representative Swoboda 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, 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 -- 98.

Absent -- None.

Absent with leave -- Hephner -- 1.

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AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 752** offered by Representative Jackamonis.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Sensenbrenner, Barczak, Swoboda, Hauke, Kincaid, Donoghue, Klicka, Menos, Bruhy, Giese, Porter, Gower, Olson, Cyrak, Alberts, Gibson, DeLong, Thompson, Quackenbush, Lewis, Schricker, Opitz, Lewison, Schroeder, Shabaz, Byers, Luckhardt and Wilcox.

Assembly substitute amendment 2 to **Assembly Bill 63** offered by Representative Menos.

Assembly substitute amendment 1 to **Assembly Bill 462** offered by Representative Nager.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 600** offered by Representative Gibson.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 600** offered by Representative Gibson.

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 600** offered by Representative Gibson.

Assembly amendment 1 to **Assembly Bill 756** offered by Representative O'Malley.

Assembly amendment 1 to **Assembly Bill 806** offered by Representative Menos.

Assembly substitute amendment 1 to **Assembly Bill 806** offered by Representative Menos.

Assembly substitute amendment 1 to **Assembly Bill 569** offered by Representative Oestreicher.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

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Assembly Joint Resolution 76

Memorializing congress to prevent a further increase in cheese imports.

By Representatives BALDUS, EARL, MOHN, DUREN, DUEHOLM, OBERLE, OESTREICHER, SWEDA, O'MALLEY and DAY.

To Calendar.

Assembly Joint Resolution 78

Relating to the life and public service of Raymond A. Peabody.

By Representatives DUEHOLM, MOLINARO, WACKETT and QUINN; co-sponsored by Senator KNOWLES.

To Calendar.

Representative Earl asked unanimous consent that **Assembly Joint Resolution 78** be taken up at this time. Granted.

Assembly Joint Resolution 78

Relating to the life and public service of Raymond A. Peabody.

The question was: Shall **Assembly Joint Resolution 78** be adopted?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 78** be immediately messaged to the senate. Granted.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 920

Relating to regulation of commercial agricultural equipment under the motor vehicle code.

By LEGISLATIVE COUNCIL.

To committee on Highways.

Assembly Bill 921

Relating to creation of a dispensing opticians examining council in the department of regulation and licensing, granting rule-making authority and providing penalties.

By COMMITTEE ON HEALTH AND SOCIAL SERVICES, by request of the State Medical Society of Wisconsin and Wisconsin Society of Opticianry.

To committee on State Affairs.

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Assembly Bill 922

Relating to the creation of a Wisconsin solid waste reclamation authority, granting rule-making authority and making an appropriation.

By Representatives CONTA, EARL, ANDERSON, WAHNER, SENSENBRENNER, MITTNESS, BYERS, GIESE, WILLKOM and SCHNEIDER; co-sponsored by Senators KASTEN, JOHNSON, MURPHY, KNOWLES, CHILSEN, BABLITCH, STEINHILBER and KRUEGER.

To committee on Environmental Quality.

Assembly Bill 923

Relating to reimbursement of slaughterhouses for tattooing hogs and making an appropriation.

By Representatives ROBERTS, EARLY, VANDERPERREN, MOHN, CONRADT, KEDROWSKI, OBERLE, LEWISON, BALDUS and O'MALLEY.

To committee on Agriculture.

Assembly Bill 924

Relating to curb ramping for handicapped persons.

By Representatives WAHNER, JACKAMONIS, BERGER, EARLY, DUREN, PLEWA, MILLER, GIESE, JOHNSON, RUTKOWSKI, MIELKE, TOBIASZ, GROSHEK, EARL, TROPMAN, CONTA, ATKINSON, DONOGHUE, TESMER, DAY, OBERLE, FERRALL, BALDUS, SICULA, MOHN, EVERSON, MUNTS, ELCONIN, QUACKENBUSH and MERKEL; co-sponsored by Senators CHILSEN and BIDWELL.

To committee on State Affairs.

Assembly Bill 925

Relating to meeting handicapped safety requirements when old public buildings are remodeled.

By Representatives WAHNER, JACKAMONIS, BERGER, PLEWA, OBERLE, MILLER, GIESE, JOHNSON, RUTKOWSKI, TOBIASZ, GROSHEK, EARL, TROPMAN, CONTA, ATKINSON, DUREN, DONOGHUE, TESMER, DAY, FERRALL, BALDUS, SICULA, EVERSON, MUNTS, MIELKE, ELCONIN, SENSENBRENNER and MERKEL; co-sponsored by Senator BIDWELL.

To committee on State Affairs.

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Assembly Bill 926

Relating to certain reimbursement costs in inverse condemnation proceedings.

By Representative SICULA, by request of Wisconsin Department of Transportation.

To committee on Judiciary.

Assembly Bill 927

Relating to emergency aid for mass transit systems and providing an appropriation.

By Representatives FERRALL, ELCONIN, SCHNEIDER, ANDERSON, EARL, CONTA, KLECZKA, DAY, MC ESSY, GIBSON, LEWISON, MOLINARO, DORFF, TOBIASZ, FLINTROP, WAHNER, LOOBY, OTTE, NAGER, MILLER, MUNTS, TROPMAN, BARBEE, SANASARIAN, CZERWINSKI, ROBERTS, ROONEY, TESMER, WARD, RUTKOWSKI, BEHNKE, HAUKE, PLEWA, EVERSON, MENOS, BARCZAK and SICULA; co-sponsored by Senator RISSER, by request of the Governor's Study Committee on Mass Transit.

To committee on Transportation.

Assembly Bill 928

Relating to population control.

By Representative BARBEE.

To committee on Environmental Quality.

COMMITTEE REPORTS

The Joint Committee on Finance reports and recommends:

Assembly Bill 15

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

Emergency statement recommended:

Ayes: (9) Noes: (5)

Passage: Ayes: (9) Noes: (5)

Assembly Bill 128

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

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Assembly amendment 4 to assembly substitute amendment 1,
adoption:

Ayes: (14) Noes: (0)

Assembly amendment 5 to assembly substitute amendment 1,
adoption:

Ayes: (14) Noes: (0)

Assembly substitute amendment 1, adoption:

Ayes: (10) Noes: (4)

Emergency statement recommended:

Ayes: (10) Noes: (4)

Passage: Ayes: (10) Noes: (4)

Assembly Bill 238

AN ACT to temporarily waive certain requirements for foreign
physicians to practice in Wisconsin for Dr. Esteban Alejo.

Assembly amendment 1 to assembly substitute amendment 1,
introduction and adoption:

Ayes: (13) Noes: (0)

Assembly substitute amendment 1, adoption:

Ayes: (13) Noes: (0)

Emergency statement recommended:

Ayes: (13) Noes: (0)

Passage: Ayes: (13) Noes: (0)

Assembly Bill 265

Relating to wage rates in municipal public works projects.

Emergency statement recommended:

Ayes: (9) Noes: (5)

Passage: Ayes: (9) Noes: (5)

Assembly Bill 363

Relating to the establishment of a program of intrastate
retirement reciprocity.

Emergency statement recommended:

Ayes: (14) Noes: (0)

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

Assembly Bill 403

Relating to speed limits for commercial vehicles.

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Emergency statement recommended:

Ayes: (11) Noes: (3)

Passage: Ayes: (11) Noes: (3)

Assembly Bill 477

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

Assembly amendment 1 to assembly substitute amendment 1, adoption:

Ayes: (13) Noes: (1)

Assembly amendment 2 to assembly substitute amendment 1, adoption:

Ayes: (13) Noes: (1)

Assembly substitute amendment 1, adoption:

Ayes: (13) Noes: (1)

Emergency statement recommended:

Ayes: (10) Noes: (4)

Passage: Ayes: (10) Noes: (4)

DENNIS J. CONTA,
Chairman

The committee on Highways reports and recommends:

Assembly Bill 475

Relating to adjusting basic road aids.

Indefinite postponement: Ayes: (8) Noes: (4)

Assembly Bill 574

Relating to creation of a uniform system of traffic control devices on streets and highways in the state.

Assembly amendment 1, adoption:

Ayes: (10) Noes: (0)

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

Assembly Bill 628

Relating to additions to the state trunk highway system.

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Passage: Ayes: (8) Noes: (4)

CLETUS VANDERPERREN,
Chairman

The committee on Judiciary reports and recommends for introduction:

Assembly Joint Resolution ———— (LRB 3485)

Relating to a unified court system (1st consideration).

Ayes: (7) Noes: (1)

LLOYD A. BARBEE,
Chairman.

The committee on Third Reading reports:

Assembly Joint Resolution 46

Correct.

LEO MOHN,
Chairman.

SPEAKER'S APPOINTMENTS

Wisconsin Legislature
Assembly Chambers
Madison

May 1, 1973

Pursuant to the authority vested in me under Assembly Rule 5 (11), and in compliance with Section 40.017 (2) of the Wisconsin Statutes, I herewith appoint to the Council on Drug Abuse the following: Representative Michael P. Early, River Falls (D-District 30) to replace Representative Joseph Czerwinski.

NORMAN C. ANDERSON,
Speaker.

MOTIONS

Representative Earl asked unanimous consent that **Assembly Bill 689** be made a special order of business at 9:35 A.M. on Thursday, May 3. Granted.

Representative Earl asked unanimous consent that **Assembly Bill 128** be made a special order of business at 9:36 A.M. on Thursday, May 3.

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Representative Niebler objected.

Representative Earl moved that the rules be suspended and that **Assembly Bill 128** be made a special order of business at 9:36 A.M. on Thursday, May 3.

The question was: Shall the rules be suspended and that **Assembly Bill 128** be made a special order of business at 9:36 A.M. on Thursday, May 3?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Byers, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Roberts, Rogers, Rohner, Rooney, Rutkowski, Sanasarian, Schneider, Sweda, Swoboda, Tesmer, Tobiasz, Tregoning, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 70.

Noes -- Bradley, Bruhy, Conradt, Cyrak, DeLong, Duren, Gibson, Giese, Gower, Klicka, Lewis, Lewison, Looby, Luckhardt, Merkel, Niebler, Porter, Quackenbush, Quinn, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Sricula, Thompson and Wackett -- 27.

Absent or not voting -- Ellis and Hephner -- 2.

Motion carried.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Mr. Ken Stigler, chief journal clerk of the assembly, will be married on May 5 to Miss Pamela Herman of Waukesha; and

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Whereas, the assembly has appreciated Ken's efforts on our behalf during the past 2-1/2 years; and

Whereas, as the fateful hour of matrimony approaches, a few words of encouragement and official sanction are appropriate; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Jackamonis congratulate Ken and Pam on the occasion of their impending marriage and take this opportunity to wish them every happiness in the coming years.

The question was: Adoption?

Motion carried.

Representative Earl called the attention of the chair to the fact that the hour of 9:15 A.M. had arrived.

SPECIAL ORDER OF BUSINESS AT 9:15 A.M. ON WEDNESDAY, MAY 2

Assembly Bill 807

Making an appropriation for Wisconsin participation in the Marquette-Joliet tercentennial commemoration.

The question was: Shall **Assembly Bill 807** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 807** be given a third reading. Granted.

The question was: **Assembly Bill 807** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Bolle, Bradley, Bruhy, Byers, Conrard, Conta, Cyrak, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid,

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Kleczka, Klicka, Lallensack, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schricker, Schroeder, Sicala, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 88.

Noes -- Berger, Merkel, Niebler, Olson, Schneider, Sensenbrenner, Shabaz and Wackett -- 8.

Absent or not voting -- Czerwinski, Hephner and Lewis -- 3.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 807** be immediately messaged to the senate. Granted.

Representative Sanasarian asked unanimous consent to be made a co-author of **Assembly Bill 807**. Granted.

LEAVES OF ABSENCE

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

Representative Earl asked unanimous consent that the assembly stand recessed for two hours. Granted.

The assembly stood recessed.

9:30 A.M.

RECESS

11:35 A.M.

The assembly reconvened.

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Representative Earl asked unanimous consent that the assembly stand recessed until 4:00 P.M. today. Granted.

The assembly stood recessed.

11:40 A.M.

RECESS

4:05 P.M.

The assembly reconvened.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly Bill 776

Because of a number of omissions in copying the 1971 statute text of s. 858.01, line 26 on page 5 through line 3 on page 6 are deleted and the following material is substituted:

“within a reasonable time but no later than 6 months after his appointment unless the court has by order extended or shortened the time, shall file with the court an inventory of all property owned by the decedent. The inven-”.

VISITORS

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

Eleven children from the MacDowell School in Milwaukee accompanied by Miss Catherine Pettis, Miss Darlene Ratzlaff and Mrs. Eva Steele, guests of Representative Barbee.

Twenty-nine children from the MacDowell School in Milwaukee accompanied by Mr. William Pauc, guests of Representative Barbee.

Twelve children from the Ninth Street School accompanied by Mrs. Harris and Mrs. Hunter, guests of Representative Barbee.

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

The question was: Adjournment?

Motion carried.

The assembly stood adjourned.

4:10 P.M.