

JOURNAL OF THE ASSEMBLY (May 8, 1973)

STATE OF WISCONSIN

Assembly Journal

Eighty-First Regular Session

TUESDAY, May 8, 1973.

10:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Father Paul Hoornstra, rector of Grace Episcopal Church, 116 West Washington Avenue, Madison, Wisconsin.

Representative Quackenbush 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.

AMENDMENTS OFFERED

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives DeLong, Donoghue, Olson, Kincaid, Merkel, Klicka, Lewison, Alberts, Thompson, Tregoning, Porter, Schricker, Gower, Gibson, Byers, Cyrak, Opitz, Sensenbrenner, Luckhardt, Wilcox, Wackett and Shabaz.

Assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Kincaid, Wilcox, Quackenbush, Tregoning, Thompson, Giese, Porter, Alberts, Opitz, Gower, Bradley, Wackett, Byers, Matty, Klicka, Olson, Luckhardt, Quinn, Lewison, DeLong, Gibson, Cyrak, Schroeder, Sensenbrenner, Donoghue, Schricker and Rohner.

Assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Niebler, Shabaz, Luckhardt, Byers, Porter, Tregoning, Cyrak, Klicka, Olson, Schricker, Wackett, Thompson, Gibson, Sensenbrenner, Wilcox, Donoghue, Opitz, DeLong, Alberts, Quinn, Lewison, Kincaid, Matty, Rohner, Giese, Gower and Merkel.

Assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Merkel, Shabaz, Wackett, Sensenbrenner, Giese, Tregoning, Olson, Schricker, Lewison, Thompson, Byers, Wilcox, Luckhardt, Klicka, Donoghue, Opitz, Quinn, Porter, Cyrak, Alberts, Gower, Gibson, Matty, Kincaid, Rohner and DeLong.

Assembly amendment 7 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Thompson, Gower, Quackenbush, Wilcox, Tregoning, Alberts, Shabaz, Giese, Rohner, Matty, Kincaid, Porter, Lewison, Byers, Schricker, Olson, Klicka, Luckhardt, Donoghue, Roth, Sensenbrenner, Opitz, Cyrak, DeLong, Wackett, Bradley, Gibson and Niebler.

Assembly amendment 8 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Gower, Thompson, Matty, Rohner, Byers, Wilcox, Alberts, Shabaz, Giese, Wackett, Bradley, Tregoning, Olson, Luckhardt, Donoghue, Sensenbrenner, Opitz, Cyrak, Schroeder, DeLong, Quackenbush, Lewis, Gibson, Quinn, Roth, Lewison, Porter, Kincaid, Schricker, Klicka, Ellis and Niebler.

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Assembly amendment 9 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Sensenbrenner, Olson, Wilcox, Gibson, Cyrak, Porter, Gower, Opitz, DeLong, Wackett, Rohner, Luckhardt and Alberts.

Assembly amendment 10 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Giese, Tregoning, Cyrak, Bradley, Klicka, Schricker, Luckhardt, Thompson, Byers, Matty, Porter, Roth, Sensenbrenner, Olson, Lewison, DeLong, Wilcox, Donoghue, Opitz, Kincaid, Schroeder, Gibson, Rohner, Niebler, Merkel, Wackett and Shabaz.

Assembly amendment 11 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Alberts, Schricker, Giese, Opitz, Matty, Bradley, Luckhardt, Wilcox, Donoghue, Gibson, Tregoning, Wackett, Rohner, Sensenbrenner, Kincaid, Porter, Quinn, Lewison, Olson, Klicka, DeLong, Thompson, Merkel, Gower, Shabaz and Niebler.

Assembly amendment 12 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Donoghue, Wackett, Thompson, Quackenbush, Schricker, Tregoning, Luckhardt, Wilcox, Giese, Bradley, Byers, Olson, Porter, Cyrak, DeLong, Kincaid, Rohner, Gibson, Gower, Alberts, Merkel and Shabaz.

Assembly amendment 13 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Merkel, Rohner, Giese, Byers, Matty, DeLong, Donoghue, Olson, Luckhardt, Kincaid, Schricker, Gower, Opitz, Gibson, Porter, Cyrak, Alberts, Wilcox and Sensenbrenner.

Assembly amendment 14 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representative Atkinson.

Assembly amendment 15 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representative Atkinson.

Assembly amendment 16 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representative Atkinson.

Assembly amendment 17 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representative Atkinson.

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Assembly amendment 18 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Duren, Oberle, Atkinson, Day, Murray, Hauke, Barczak, Everson, Groshek, Roberts, Tesmer, Vanderperren, O'Malley, Menos, Bolle, Lallensack and Mielke.

Assembly amendment 19 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Barczak, Hauke, Klicka, Kincaid, Olson, DeLong, Atkinson, Menos, Swoboda, Day and Nager.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 935

Relating to appointing reporters for, and furnishing transcripts of, proceedings before the employment relations commission.

By Representative LOOBY.

To committee on Labor.

Assembly Bill 936

Relating to fuel supplies to retail outlets and providing a penalty.

By Representatives LEWIS, SANASARIAN, SENSENBRENNER, LEWISON, GIESE, OPITZ, KEDROWSKI, BRUHY, GIBSON, RUTKOWSKI, FERRALL and TROPMAN; co-sponsored by Senators HOLLANDER, MC KENNA and BIDWELL.

To committee on Commerce and Consumer Affairs.

Assembly Bill 937

Relating to making certain vehicles ineligible for registration by the division of motor vehicles.

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

To committee on Transportation.

Assembly Bill 938

Relating to authority to prohibit U-turns.

By Representative BEHNKE, by request of the Department of Transportation.

To committee on Highways.

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Assembly Bill 939

Relating to distributions from the municipal and county shared tax account.

By Representative EVERSON; co-sponsored by Senator MC KENNA, by request of the City of Monona.

To committee on Municipalities.

Assembly Bill 940

Relating to requiring transportation of certain pupils residing outside cities, providing state aids for such transportation and requiring transportation of pupils who reside in rural areas in school busses.

By Representatives EVERSON, TREGONING, VANDERPERREN, O'MALLEY, MOHN, ROHNER, PORTER, LEWISON, SCHROEDER and OBERLE; co-sponsored by Senator MC KENNA.

To committee on Education.

Assembly Bill 941

Relating to group auto insurance and granting rule-making authority.

By Representatives PABST, TOBIASZ, KEEGAN, HAUKE, BEHNKE, SCHNEIDER, DORFF, OTTE and ALBERTS; co-sponsored by Senator PARYS.

To committee on Insurance and Banking.

Assembly Bill 942

Relating to issuance of motorcycle licenses.

By Representative SWEDA, by request of the Department of Transportation.

To committee on Transportation.

Assembly Bill 943

Relating to mobile homes.

By Representative SWOBODA, by request of Mr. Andy Lawrence.

To committee on Transportation.

Assembly Bill 944

Relating to a sales tax exemption for goods and services furnished where net proceeds are expended for charitable purposes and an income tax credit for persons using real property for charitable purposes.

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By Representative SWOBODA, by request of Mrs. Robert Peterson and Mr. Clarence Engebose.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 945

Relating to a sales tax exemption for sales made by civic organizations when net proceeds are expended for charitable purposes.

By Representative SWOBODA, by request of Mrs. Robert Peterson and Mr. Clarence Engebose.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 946

Relating to special registration periods for trucks transporting perishable fresh fruits and vegetables and providing rule-making authority.

By Representative SWOBODA, by request of Mr. Leland Moe.

To committee on Highways.

Assembly Bill 947

Relating to permit issuance fees for vehicles and loads of excessive size and weight.

By Representatives OESTREICHER, GROVER, SWEDA, ROGERS, WARD and LOOBY, by request of the Department of Transportation.

To committee on Highways.

Assembly Bill 948

Relating to regulation of billboards in business areas.

By Representatives MITTNESS, FLINTROP and WAHNER; co-sponsored by Senators RISSER and THOMPSON.

To committee on Highways.

Assembly Bill 949

Relating to substitution of judges in criminal cases.

By Representative BARBEE.

To committee on Judiciary.

Assembly Bill 950

Relating to uniform registration of electors, and making an appropriation.

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By Representatives JACKAMONIS, BERGER and WAHNER; co-sponsored by Senators RISSER and MC KENNA, by request of Governor Patrick J. Lucey and the Governor's Task Force on Voter Registration and Elections.

To committee on Elections.

Assembly Bill 951

Relating to maximum distance of drive-up windows from the main office of the bank.

By Representatives KINCAID and MATTY, by request of Mr. Frank Mulrooney.

To committee on Insurance and Banking.

COMMITTEE REPORTS

The committee on Labor reports and recommends:

Assembly Bill 22

Relating to equal rights of women.

Passage: Ayes: (6) Noes: (2)

Assembly Bill 500

Relating to the regulation and licensing of private employment agents.

Assembly amendment 2 adoption:

Ayes: (5) Noes: (2)

Passage: Ayes: (7) Noes: (0)

Assembly Bill 501

Relating to a minimum wage for all employees.

Passage: Ayes: (6) Noes: (1)

Assembly Bill 760

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

Passage: Ayes: (5) Noes: (2)

JOSEPH L. LOOBY,
Chairman

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The committee on Labor reports and recommends for introduction:

Assembly Bill _____

Relating to changes in workmen's compensation law recommended by the council on workmen's compensation.

Ayes: (8) Noes: (0)

JOSEPH L. LOOBY,
Chairman

The committee on Enrolled Bills reports and recommends:

Assembly Bill 394

Correctly enrolled.

GERVASE A. HEPHNER,
Chairman

The committee on Judiciary reports and recommends:

Assembly Bill 92

Relating to the shielding of communications to newsmen.

Assembly substitute amendment 5 adoption:

Ayes: (7) Noes: (4)

Passage: Ayes: (7) Noes: (4)

Assembly Bill 134

Relating to changing the date of evaluation of property acquired by redevelopment authorities.

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

LLOYD A. BARBEE,
Chairman

JOINT SURVEY COMMITTEE ON TAX EXEMPTIONS

Assembly Substitute Amendment 1 to **Assembly Bill 300**

Public Policy Involved

Items (1) and (2). The increases in the individual income tax personal exemptions and the resulting changes in filing requirements are desirable public policy because they narrow the effect of the differences between the federal deduction for personal

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exemptions when compared to the state's credit against income tax and they recognize the effect of inflation on the value of the exemption credit. Unlike changes in the federal deduction for personal exemptions, this change in Wisconsin's personal exemption credit will provide proportionally greater benefits to lower income taxpayers.

(Item (3).) It is desirable public policy to eliminate the tax cost on furnishing nutritional meals to elderly and handicapped persons who either are unable to prepare their own meals or lack facilities for such preparations. However, the present wording does not limit itself to this result.

(Item (4).) The exemption for meals to college students will benefit those students who live in a dormitory. The amount of sales tax paid by these students is not a significant element in their budgets. Other students, who live in rooming houses where they are not permitted to prepare meals, will be required to continue to pay sales tax on meals purchased. Inasmuch as some senior citizens and other persons live under similar conditions and must pay the sales tax on all purchased meals, this proposed exemption would give special consideration to a particular group and not to others similarly situated.

(Item (5).) The purchase, installation and construction of pollution abatement plant and equipment, when ordered or approved by a governmental agency, is desirable public policy. Elimination of sales tax on materials used for acquisition or construction of pollution abatement facilities helps promote this goal.

(Item (6).) It is inconsistent to exempt food from the 4% general sales tax and, at the same time, apply a tax on oleomargarine which is equivalent to a rate of from 10% to 31%, depending on the price of the particular brand. This tax exemption provision would be desirable public policy if the tax savings would be passed on to the consumer. Because this is doubtful, however, this provision is not desirable public policy.

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Item (7). Exemptions are presently granted from the excise tax on alcoholic beverages for alcohol used in manufacturing, and it is desirable public policy to grant a similar exemption for wine so used.

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

Motions under Joint Rule 26,

A Joint Certificiate of Commendation by Representatives Gower and Quinn; co-sponsored by Senator Petri for Charles Leonard Fitch on his resignation from the position of news director of WFRV-TV, Green Bay; and

A Joint Certificate of Condolence by Representatives Vanderperren and Otte; co-sponsored by Senators Keppler, Hollander and Roseleip for Mrs. Erna Mulloy and family on the death of Horace P. Mulloy.

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

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

Senate Bill 123

Senate Bill 274;

Concurred in:

Assembly Joint Resolution 77,

Assembly Joint Resolution 78,

Assembly Bill 228, and

Assembly Bill 230;

Amended and concurred in as amended:

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Assembly Bill 226 (senate amendment 3 adopted); and

Assembly Bill 229 (senate amendment 1 adopted)

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 McKenna; co-sponsored by Representative Wackett to the Maxwell Street Marching and Frogleg Society in Jefferson.

Representative Earl asked unanimous consent that the motion under joint rule 26 be taken up at this time. Granted.

Representative Cyrak moved rejection of the motion under joint rule 26.

The question was: Shall the motion under joint rule 26 be rejected?

The roll was taken.

The result follows:

Ayes -- Barbee, Bradley, Cyrak, Duren, Elconin, Everson, Kedrowski, McEssy, Niebler, Olson, Otte, Rogers, Rutkowski, Schneider, Schricker, Sensenbrenner, Shabaz, Ward and Willkom -- 19.

Noes -- Alberts, Atkinson, Baldus, Barczak, Behnke, Berger, Bolle, Bruhy, Byers, Conradt, Conta, Day, DeLong, Donoghue, Dorff, Dueholm, Earl, Early, Ellis, Ferrall, Flintrop, Gibson, Giese, Groshek, Hauke, Jackamonis, Johnson, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, Matty, Menos, Merkel, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Oberle, Oestreicher, O'Malley, Pabst, Plewa, Porter, Quackenbush, Roberts, Rohner, Rooney, Roth, Sanasarian, Schroeder, Sricula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Wilcox and Mr. Speaker -- 71.

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Absent or not voting -- Azim, Czerwinski, Gower, Grover, Hephner, Mielke, Nager, Opitz and Quinn -- 9.

Motion failed.

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.

ACTION ON THE SENATE MESSAGE

Senate Bill 123

Relating to the preservation of the Wolf River as a scenic area and making an appropriation.

To committee on Natural Resources.

Senate Bill 274

Relating to county notice for destruction of noxious weeds.

To committee on Municipalities.

Assembly Bill 226

Relating to transfers of decedents' motor vehicles to surviving spouse by affidavit.

To Calendar.

Assembly Bill 229

Relating to summary settlement of small estates.

To Calendar.

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:

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Whereas, Miss Gladys Pufall has provided many years of unselfish service to the community; and,

Whereas, Miss Gladys Pufall of Ashland, Wisconsin, has been selected "Outstanding Citizen of the Year" by the Ashland Veterans of Foreign Wars; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Kedrowski and Senator Theno under Joint Rule 26, commend Gladys Pufall on the occasion of her recognition as "Outstanding Citizen of the Year".

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Anthony J. Natalizio is an educator and administrator who has served Wisconsin education for over 43 years; and

Whereas, 23 of those years were served as the District Director of Waukesha County Technical Institute; and

Whereas, under his direction and guidance, Waukesha County Technical Institute has expanded its educational offerings by establishing 11 centers in addition to its new campus in Pewaukee; and

Whereas, over the years, Mr. Natalizio has been actively involved in civic, social and professional organizations; and

Whereas, such devotion and dedication should be recognized by the citizens and legislators of the State of Wisconsin; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Jackamonis and Senator Murphy under Joint Rule 26, commend Anthony Natalizio for his many years of service to Waukesha County Technical Institute; to the Vocational, Technical and Adult Education system; and to the citizens of the state.

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MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, John Zancanaro, President of the Milwaukee Building and Construction Trades Council, was recently cited for his "very long and dedicated interest and participation in the continuing educational process"; and

Whereas, he has been a member of the University of Wisconsin Board of Regents and of the board of directors of the Medical College of Wisconsin; and

Whereas, he has also served as President of the Wisconsin Board of Vocational, Technical and Adult Education, as chairman of the Urban League Labor Education Advancement Program (LEAP) and the "We Milwaukee" Committee; and

Whereas, this outstanding record of public service demonstrates an exemplary interest and concern in the welfare of the people of the state; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Pabst, co-sponsored by Senators Kasten and Parys commend John Zancanaro for his distinguished service to the Milwaukee community.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Clarence W. Thomas was appointed to the position of Town Clerk of the Town of Washburn, Bayfield County, in 1919, to fill a vacancy; and,

Whereas, Clarence W. Thomas has been re-elected and served in the position of Town Clerk of the Town of Washburn since his original appointment; now, therefore,

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The Members of the Wisconsin Legislature, on the motion of Representative Kedrowski commend Clarence W. Thomas for his 54 years of service to the Town of Washburn and wish him well in his retirement.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Mrs. Irma Voight of Brown Deer, Wisconsin, has ably served the local Democratic Unit as secretary for three consecutive terms; and

Whereas, she is now retiring and moving to the state of Florida; and

Whereas, the work performed by citizens such as Mrs. Voight who actively participate in the political process in support of their beliefs helps to make the American system work; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Menos under Joint Rule 26, commend Irma Voight for her years of service and wish her continued success in her future life.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Dr. Kenneth J. Waliszewski of Hales Corners, a graduate student in dentistry at Marquette University, has been recognized for outstanding achievement in his field; and

Whereas, he graduated from Marquette with a D.D.S. magna cum laude degree in 1971, ranking first in his class, and was presented with an alumni award for service and loyalty to Marquette and the School of Dentistry; and

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Whereas, Dr. Waliszewski, who is now studying Fixed Prosthodontics, has been nominated for an "Outstanding Young Men of America Award" by Representative Menos; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representatives Menos, Rutkowski and Plewa under Joint Rule 26, commend Kenneth Waliszewski for his achievement and continuing contributions to the field of dentistry.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the Greater Milwaukee Open will be held at the Tuckaway Country Club in Franklin on July 2 to 8; and

Whereas, this is the first time in the history of the event that it has been held in the southern half of Milwaukee county; and

Whereas, the residents of Franklin and the Tuckaway Country Club are to be congratulated for their efforts in hosting the tournament; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Rutkowski and Senator Devitt under Joint Rule 26, commend the citizens of Franklin and all of the participants in the Greater Milwaukee Open and hereby declare July 2-8 as "Greater Milwaukee Open Week" in Wisconsin.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, St. Francis Hospital of Milwaukee has provided 8,000 diagnostic tests as a community service to the Spanish-speaking people of the community through the Guadalupe Children's Clinic in behalf of the Clinic and the Spanish-speaking people of Milwaukee. It has also conducted 40-50 dental prophylaxis, cleaning, examinations, and X-rays weekly since October of 1972; and

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Whereas, St. Francis Diabetic Education Center conducts education and diabetic courses which thousands of individuals have attended during the last several years charging nothing. The importance of the program lies in the fact that diabetes is a leading symptomatic cause of blindness in the United States. St. Francis is possibly the only hospital in the state currently placing major emphasis on education of diabetic patients; and

Whereas, the hospital has conducted other community programs; including, a health care cost consumer education program designed as a community service in an effort to provide candid information to the health care consumer concerning health care costs has helped to train the 452nd Military Hospital U.S. Army Reserve Staff, and

Whereas, St. Francis in addition conducted a pre-natal care orientation program for fathers and mothers and an activities program for the handicapped without charge, and the hospital's home referral nursing program also assists in co-ordinating home rehabilitation of discharged patients at no cost. These services all add up, but they probably will never add up to the \$350,000 in medical assistance charges dispensed to its indigent patients each year; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Kleczka and Senator Parys under Joint Rule 26, commend St. Francis Hospital on its truly outstanding humanitarian efforts and tremendous contribution to the community.

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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SPECIAL ORDER OF BUSINESS AT 10:00 A.M. ON
TUESDAY, MAY 8

Assembly Bill 300

Relating to state finances and appropriations constituting the executive budget bill of the 1973 legislature, and making appropriations.

LEAVES OF ABSENCE

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

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

The assembly stood recessed.

10:25 A.M.

RECESS

11:15 A.M.

The assembly reconvened.

Representative Earl moved rejection of assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 300**.

LEAVES OF ABSENCE

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

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

Assembly amendment 1 to assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representative Merkel.

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Representative Earl moved rejection of assembly amendment 1 to assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 300**.

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

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

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

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

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

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

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

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

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

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

Representative Sensenbrenner asked unanimous consent for three additional minutes of debate on the question. Granted.

The question was: Shall assembly amendment 1 to assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 300** be rejected?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers,

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Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 55.

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

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

Motion carried.

Representative Earl asked unanimous consent that the assembly stand recessed until 1:30 P.M. Granted.

The assembly stood recessed.

12:15 P.M.

RECESS

1:45 P.M.

The assembly reconvened.

Assembly amendment 2 to assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representatives Niebler and Giese.

Representative Earl moved rejection of assembly amendment 2 to assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 300**.

The question was: Shall assembly amendment 2 to assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 300** be rejected?

The roll was taken.

The result follows:

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

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

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

Motion carried.

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

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

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

Representative Azim asked unanimous consent that his leave of absence for the balance of today's session be withdrawn. Granted.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 300** be rejected?

The roll was taken.

The result follows:

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

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

Absent or not voting -- Behnke, Hephner and McEssy -- 3.

Motion carried.

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

Representative Earl moved rejection of assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 300**.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 300** be rejected?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Behnke, Berger, Conta, Czerwinski, Dorff, Dueholm, Duren, Earl, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Miller, Mittness, Mohn, Molinaro, Munts, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 50.

Noes -- Alberts, Atkinson, Azim, Barczak, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Early, Ellis, Gibson, Giese, Gower, Hauke, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Murray, Nager, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Tregoning, Wackett and Wilcox -- 48.

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Absent or not voting -- Hephner -- 1.

Motion carried.

Representative Earl moved rejection of assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 300**.

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

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

Representative Barczak asked unanimous consent to speak for three minutes. Granted.

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

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

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

Representative Alberts asked unanimous consent to speak for four minutes. Granted.

Representative Sensenbrenner asked unanimous consent to speak for four minutes. Granted.

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

Representative Cyrak asked unanimous consent to speak for four minutes. Granted.

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

Representative Shabaz moved that **Assembly Bill 300** be referred to the committee on Education.

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

The question was: Shall **Assembly Bill 300** be referred to the committee on Education?

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The roll was taken.

The result follows:

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

Noes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 56.

Absent or not voting -- Hephner -- 1.

Motion failed.

Assembly amendment 1 to assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 300** offered by Representative Niebler.

Representative Earl moved rejection of assembly amendment 1 to assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 300**.

The question was: Shall assembly amendment 1 to assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 300** be rejected?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Flintrop, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Tobiasz,

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Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 54.

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

Absent or not voting -- Elconin, Ferrall and Hephner -- 3.

Motion carried.

Representative Ferrall asked unanimous consent to be recorded as voting "Aye". Granted.

Representative Elconin asked unanimous consent to be recorded as voting "Aye". Granted.

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 300** be rejected?

The roll was taken.

The result follows:

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

Noes -- Alberts, Atkinson, Azim, Barczak, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Ellis, Gibson, Giese, Gower, Hauke, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Nager, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Tesmer, Thompson, Tregoning, Wackett and Wilcox -- 44.

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Absent or not voting -- Hephner -- 1.

Motion carried.

Representative Earl moved rejection of assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 300**.

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

Representative Grover asked unanimous consent to speak for four minutes. Granted.

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

Representative Conta asked unanimous consent to speak for five minutes. Granted.

Representative Alberts asked unanimous consent to speak for four minutes. Granted.

Representative Johnson asked unanimous consent to speak for three minutes. Granted.

LEAVES OF ABSENCE

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

The question was: Shall assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 300** be rejected?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Behnke, Berger, Bolle, Conta, Czerwinski, Dorff, Ducholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Mielke, Miller, Mittness, Mohn, Molinaro, Murray, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 52.

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Noes -- Alberts, Atkinson, Azim, Barczak, Bradley, Byers, Conradt, Cyrak, DeLong, Donoghue, Ellis, Gibson, Giese, Gower, Hauke, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Munts, Nager, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Tregoning, Wackett and Wilcox -- 43.

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

Paired for - Day --1.

Paired against - Bruhy --1.

Motion carried.

Representative Earl moved rejection of assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 300**.

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

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

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

The question was: Shall assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 300** be rejected?

The roll was taken.

The result follows:

Ayes -Baldus, Barbee, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sricula, Sweda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 53.

Noes -- Alberts, Atkinson, Azim, Barczak, Bradley, Byers, Conradt, Cyrak, DeLong, Donoghue, Ellis, Gibson, Giese, Gower, Hauke, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Nager, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder,

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Sensenbrenner, Shabaz, Swoboda, Thompson, Tregoning, Wackett and Wilcox -- 42.

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

Paired for - Early --1.

Paired against - Bruhy --1.

Motion carried.

Representative Earl moved rejection of assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 300**.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly Bill 489

On page 13, line 23, substitute "(1m)" for "(1)".

Assembly Bill 658

On page 4, line 16, substitute "paint" for "point".

Assembly substitute amendment 1, to **Assembly Bill 300**

1. On page 7, lines 14 and 16, delete "(Title)"; and in lines 16 and 17, delete the underscoring.

2. On page 119, line 18, substitute "20.566 (1) (u) for" "20.566 (2) (w)".

3. On page 120, line 20, substitute "342.14 (6)" for "342.14 (b)".

4. On page 143, line 22, substitute "SECTION 143" for "SECTION 109".

5. On page 164, line 6, delete "(a)".

6. On page 242, line 39, after "49.19", insert "or is receiving general relief from any municipality or county".

7. On page 260, in both lines 23 and 29, after "~~65%~~" insert "75%" (as shown by LRB-4500/1 records on file in the legislative reference bureau).

8. On page 261, line 9, substitute "activities" for "activites".

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9. On page 262, line 22, substitute "101.25" for "101.29".

10. On page 266, line 40, after "its" insert "accounts related to such programs may be audited."

115.91 IDENTIFICATION OF PUPILS WITH SPECIAL EDUCATIONAL NEEDS. (1) Annually the state superintendent shall establish criteria which characteristics of social and economic factors can be measured and on which he will make grants to school districts or agencies for programs for pupils with special educational needs".

11. On page 268, line 18, "and" is changed to "an".

12. On page 314, after line 7, insert in the cross reference table:

"79.01

20.395 (2) (wd)

20.395 (1) (gd)".

VISITORS

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

90 students of United States History of Junior class of Stratford High School, from Stratford, Wisconsin, guests of Representative Day.

4th and 5th grades students of North Cape School, accompanied by the teacher, Mrs. Peters, from city of Franksville, Wisconsin, guests of Representative Porter and Representative Olson.

4th and 5th grade classes, accompanied by teachers, Mrs. Schwartz, Mrs. Lemmer, Mrs. O'Brien and Mr. Schilling, from Edgewood Elementary School and Scanlon Elementary School from Oak Creek, Wisconsin, guests of Representative Atkinson.

42 students accompanied by their teacher, Mr. Nommensen, and parents, Mrs. C. Rudolph, Mrs. C. Mangenson, Mrs. H. Schoepke, and Mrs. L. Gurtgeng from Rhinelander, Wisconsin, guests of Representative Donoghue and Representative Kincaid.

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Pam Stigler from Waukesha, Wisconsin, guest of Representative Jackamonis.

Mrs. John Irgens and Mr. Gene Barta from Rice Lake, Wisconsin, guests of Representative Schricker.

Mr. and Mrs. Roland Klans, former Superintendent of Schools from Edgerton, Wisconsin, guests of Representative Everson.

Steve Dorfman from Madison, Wisconsin, guest of Representative Sensenbrenner.

Cub Scouts Den 7 Pack 828 Fall School, accompanied by Mrs. Kokott and Mrs. Anderson from Madison, Wisconsin, guests of Representative Munts.

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.

4:20 P.M.