

JOURNAL OF THE ASSEMBLY (June 28, 1973)

STATE OF WISCONSIN

Assembly Journal

Eighty-First Regular Session

THURSDAY, June 28, 1973.

9:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Father James Jensen, rector's assistant of Grace Episcopal Church, 116 West Washington Avenue, Madison, Wisconsin.

Representative Vanderperren 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, Sricula, Sweda, Swoboda, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 97.

Absent -- None.

Absent with leave -- Hephner and Tesmer -- 2.

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AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 1113** offered by Representatives Flintrop and Tesmer.

Assembly amendment 1 to **Assembly Bill 1089** offered by Representative Kleczka.

Assembly substitute amendment 3 to **Assembly Joint Resolution 31** offered by Representative Barbee.

Assembly amendment 1 to **Assembly Bill 862** offered by Representatives O'Malley and Vanderperren.

Assembly substitute amendment 2 to **Assembly Bill 569** offered by Representatives Tropman, Oestreicher, Berger and Niebler.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Resolution 39

Requesting an attorney general's opinion on the constitutionality of 5-person town boards.

Resolved by the assembly, That the attorney general is requested to give his opinion to the assembly whether a town may constitutionally increase the membership of the town board to 5 pursuant to section 60.19 (1) (am) and (c) of the statutes.

By Representative VANDERPERREN, by request of the Township of Ashwaubenon.

To Calendar

Assembly Joint Resolution 95

Relating to an emergency request that President Nixon rescind the price freeze rules imposed on June 13, 1973, applying to the "pass-through" cost of production increases formerly allowed in the raising of raw agricultural products.

By Representatives GIESE, O'MALLEY, SWOBODA, BYERS, SCHRICKER, DAY, CONRADT, EVERSON, NIEBLER, TREGONING, WILCOX, BRADLEY, LUCKHARDT, OBERLE, AZIM, SCHROEDER, LEWIS, MOHN, KEDROWSKI, GIBSON, EARLY, ROBERTS, DONOGHUE, VANDERPERREN, MC ESSY, LEWISON, DE LONG, MITTNESS and DUEHOLM.

Representative Earl asked unanimous consent that **Assembly Joint Resolution 95** be taken up at this time. Granted.

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Assembly Joint Resolution 95

Relating to an emergency request that President Nixon rescind the price freeze rules imposed on June 13, 1973, applying to the "pass-through" cost of production increases formerly allowed in the raising of raw agricultural products.

The question was: Shall Assembly Joint Resolution 95 be adopted?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Behnke, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Menos, Merkel, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Niebler, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Rutkowski, Schneider, Schricker, Schroeder, Shabaz, Sicala, Sweda, Swoboda, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 84.

Noes -- Roth and Sensenbrenner -- 2.

Absent or not voting -- Alberts, Azim, Barczak, Berger, Czerwinski, Hephner, Jackamonis, Matty, Mielke, Nager, Olson, Sanasarian and Tesmer -- 13.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 95** be immediately messaged to the senate. Granted.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1179

Relating to examinations of pension and profit-sharing retirement funds.

By Representatives BERGER, JACKAMONIS, DORFF and MIELKE.

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To committee on Insurance and Banking.

Assembly Bill 1180

Relating to homestead tax relief.

By Representative ROGERS, by request of Mr. Thomas Heiss.

To committee on Taxation.

Assembly Bill 1181

Relating to certification and regulation of suppliers of certain energy resources, granting rule-making authority, providing penalties and making an appropriation.

By Representatives SANASARIAN, ANDERSON, EARL, LEWIS, MIELKE, TROPMAN, FERRALL, FLINTROP, JACKAMONIS, WAHNER, SICULA, BOLLE, VANDERPERREN, OTTE, LOOBY, BARBEE, BARCZAK, NAGER, MILLER and BALDUS, by request of Governor Patrick J. Lucey on the recommendation of the State Energy Committee.

To committee on Commerce and Consumer Affairs.

Assembly Bill 1182

Relating to fraudulent conveyances of recorded nonpossessory interest in land.

By Representative SICULA, by request of Professor Ray J. Aiken, Marquette Law School.

To committee on Judiciary.

COMMUNICATIONS

The State of Wisconsin
Department of State
Madison 53702

June 19, 1973

To Your Honor, The Assembly

Gentlemen:

I have the honor to transmit to you, pursuant to s. 13.67 (2), a list of the registered lobbyists for the period beginning on June 8, 1973, and ending on June 19, 1973.

Respectfully submitted,
ROBERT C. ZIMMERMAN,
Secretary of State.

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Received and placed on file in the office of the chief clerk. Pursuant to joint rule 36 the list is printed in full in the senate journal only and appears there beginning on page 1237.

COMMITTEE REPORTS

The committee on Elections reports and recommends:

Assembly Bill 436

Relating to September primary elections, filing and first day for circulation of nomination papers.

Adoption of assembly amendment 1 to assembly substitute amendment 1:

Ayes: (4) Noes: (3)

—Passage: Ayes: (4) Noes: (3)

Assembly Bill 754

Relating to election recount procedure.

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

JOHN C. OESTREICHER,
Chairman

The committee on Highways reports and recommends:

Assembly Bill 862

Requiring the use of the low-beam headlights during periods of impaired visibility.

Passage: Ayes: (12) Noes: (1)

Senate Bill 81

Relating to special registration fees for truck tractors and semitrailers used by nonprofit corporations.

Nonconcurrency: Ayes: (10) Noes: (3)

Senate Joint Resolution 3

Memorializing congress to release this state's share of held-back federal highway trust funds.

Concurrence: Ayes: (13) Noes: (0)

CLETUS J. VANDERPERREN,
Chairman

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The committee on Third Reading reports and recommends:

Assembly Bill 855

Correct.

LEO O. MOHN,
Chairman

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

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

Motion under Joint Rule 26,

A Joint Certificate of Condolence by Representatives Bolle and Lallensack; co-sponsored by Senator Martin for the Family of Joseph M. Zahorik on the occasion of his death.

Adopted and asks concurrence in:

Motions under Joint Rule 26,

A Joint Certificate of Commendation by Senators Keppler and Martin; co-sponsored by Representatives Otte, Lallensack, Bolle and Bruhy to Honorable F. H. Schlichting on his retirement from the Judicial Bench;

A Joint Certificate of Congratulations by Senator Hollander co-sponsored by Representative McEssy to Mr. and Mrs. Elmer M. Halfmann on the occasion of their Golden Wedding Anniversary; and

A Joint Certificate of Congratulations by Senator Murphy; co-sponsored by Representative Jackamonis for Joseph H. Kuranz on being honored by the American Water Works Association with an Honorary Membership.

Representative Earl asked unanimous consent that the motions under joint rule 26 be taken from the senate message and taken up at this time en masse. Granted.

The question was: Concurrence?

Motion carried.

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Representative Earl asked unanimous consent that the rules be suspended and the assembly's action on the motions be immediately messaged to the senate. Granted.

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

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Orrin W. Meyer of Chilton, Wisconsin, passed away on May 6 at the age of 59; and

Whereas, Mr. Meyer, a native of the town of Kossuth in Manitowoc County, was for more than 27 years Calumet County agriculture agent; and

Whereas, he was instrumental in enacting Calumet County's zoning ordinance and in developing the County's 200 acre park along Lake Winnebago; and

Whereas, he demonstrated his concern for his fellowman through his active participation in numerous organizations; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Hephner and Senator Petri under Joint Rule 26, extend their sincere condolences to Mrs. Florence Meyer and the family at this time of sadness.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Eugene R. McPhee, a native of Chippewa Falls, retired June 30, 1973 as Executive Secretary of the Wisconsin State Universities system; and

Whereas, Mr. McPhee has earned the distinction of being the only director of the former State Teachers' College system; and

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Whereas, he directed the course of higher education in Wisconsin for over 25 years, serving as Director of the State Teachers' Colleges and then the State Universities from 1948 to 1971; and

Whereas, Mr. McPhee will conclude his brilliant career in education as Associate Secretary of the U. W. System Regents (1971-73); and

Whereas, Eugene McPhee's quarter century of leadership contributed substantially to building this state's outstanding system of higher education; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representatives Sweda, Willkom and Baidus and Senator Peloquin under Joint Rule 26, commend Eugene R. McPhee upon his retirement for the major contribution he made to bringing Wisconsin to prominence in higher education, and wish him continued success and happiness in his richly deserved retirement.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Judy Hieke, 19, of Menomonee Falls and 1973's Miss Milwaukee and Miss Summerfest, was chosen Miss Wisconsin in the annual pageant held in Oshkosh on June 23, 1973; and

Whereas, her grace, talent and beauty promise to make her one of our most outstanding Miss Wisconsins; and

Whereas, Miss Hieke, a music major attending the University of Wisconsin-Milwaukee, will now represent Wisconsin in this season's Miss America Pageant; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Niebler and Senator Murphy under Joint Rule 26, congratulate Judy Hieke on becoming 1973's Miss Wisconsin and wish her not only a successful reign but also, for the second consecutive year for Wisconsin, the crowning title of Miss America.

The question was: Adoption?

Motion carried.

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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.

LEAVES OF ABSENCE

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

MOTIONS

Representative Thompson moved reconsideration of the vote by which **Assembly Bill 978** was ordered engrossed and read a third time. Entered.

Representative Thompson asked unanimous consent that **Assembly Bill 455** be withdrawn from the committee on Labor and referred to the calendar.

Representative Looby objected.

Representative Barbee asked unanimous consent to be made a co-author of **Assembly Bill 249**. Granted.

CALENDAR OF TUESDAY, JUNE 12, 1973

CONSIDERATION OF RESOLUTIONS

Assembly Resolution 30

Requesting the opinion of the attorney general concerning the constitutionality of 1973 Senate Bill 134.

Assembly substitute amendment 1 to **Assembly Resolution 30** offered by Representative Shabaz.

The question was: Shall assembly substitute amendment 1 to **Assembly Resolution 30** be adopted?

Motion carried.

The question was: Shall **Assembly Resolution 30** be adopted?

Motion carried.

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

The assembly stood recessed.

9:30 A.M.

RECESS

11:00 A.M.

The assembly reconvened.

RULING ON THE POINT OF ORDER

The speaker ruled the point of order raised by Representative Baldus on **Assembly Bill 756** not well taken for the same reasons stated in the ruling on **Assembly Bill 691** printed in the journal of Wednesday, June 27 beginning on page 1992.

The question was: Shall the rules be suspended and that **Assembly Bill 756** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, 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, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewison, Looby, Luckhardt, McEssy, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sensenbrenner, Shabaz, Sicula, Sweda, Swoboda, Thompson, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox and Willkom -- 89.

Noes -- Dueholm, Oestreicher, Tobiasz and Mr. Speaker -- 4.

Absent or not voting -- Azim, Hephner, Lewis, Matty, Schroeder and Tesmer -- 6.

Motion carried.

The question was: **Assembly Bill 756** having been read three times, shall the bill pass?

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The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, 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, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, 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, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox and Willkom -- 92.

Noes -- Dueholm, Oestreicher and Mr. Speaker -- 3.

Absent or not voting -- Azim, Hephner, Matty and Tesmer -- 4.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 756** be immediately messaged to the senate. Granted.

Assembly Joint Resolution 31

Requesting the congress to propose for ratification by the states an amendment to the U.S. constitution providing that the U.S. constitution shall not prohibit the states from protecting the lives of unborn children beginning with the time of conception.

Representative Earl asked unanimous consent that **Assembly Joint Resolution 31** be laid on the table. Granted.

SECOND READING AND AMENDMENT OF ASSEMBLY BILLS

Assembly Bill 266

Relating to statute of limitations for labor contract enforcement and fair representation actions.

The question was: Shall assembly amendment 2 to **Assembly Bill 266** be adopted?

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Motion carried.

The question was: Shall **Assembly Bill 266** be ordered engrossed and read a third time?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 266** be given a third reading. Granted.

The question was: **Assembly Bill 266** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Conradt, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewis, Lewison, Looby, McEssy, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sicula, Sweda, Swoboda, Tobiasz, Tropman, Vanderperren, Wackett, Ward, Willkom and Mr. Speaker -- 77.

Noes -- Alberts, Byers, Cyrak, DeLong, Gibson, Giese, Gower, Klicka, Luckhardt, Niebler, Oestreicher, Olson, Sensenbrenner, Shabaz, Thompson, Tregoning and Wilcox -- 17.

Absent or not voting -- Azim, Hephner, Matty, Tesmer and Wahner -- 5.

Motion carried.

Representative Baldus asked unanimous consent that the rules be suspended and that **Assembly Bill 266** be immediately messaged to the senate. Granted.

Assembly Bill 462

Relating to collective bargaining for police and firemen.

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Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 462** offered by Representatives Niebler and Lallensack.

Representative Nager moved rejection of assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 462**.

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

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 462** be rejected?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Grover, Hauke, Jackamonis, Johnson, Keegan, Kleczka, Looby, McEssy, Menos, Mielke, Miller, Mittness, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Roth, Sanasarian, Schneider, Sicula, Swoboda, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 56.

Noes -- Alberts, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Gibson, Giese, Gower, Groshek, Kedrowski, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, Merkel, Mohn, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Rooney, Rutkowski, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Thompson, Tregoning, Wackett and Wilcox -- 39.

Absent or not voting -- Azim, Hephner, Matty and Tesmer -- 4.

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 462** be adopted?

Motion carried.

Representative Niebler moved indefinite postponement of **Assembly Bill 462**.

The question was: Shall **Assembly Bill 462** be indefinitely postponed?

The roll was taken.

The result follows:

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Ayes -- Alberts, Bruhy, Cyrak, DeLong, Early, Gibson, Giese, Gower, Klicka, Lallensack, Lewis, Lewison, Luckhardt, Merkel, Niebler, Olson, Opitz, Porter, Roberts, Rohner, Rooney, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning and Wilcox -- 27.

Noes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Byers, Conradt, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Elconin, Ellis, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Looby, McEssy, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quackenbush, Quinn, Rogers, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sricula, Sweda, Swoboda, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Ward, Willkom and Mr. Speaker -- 68.

Absent or not voting -- Azim, Hephner, Matty and Tesmer -- 4.

Motion failed.

The question was: Shall **Assembly Bill 462** be ordered engrossed and read a third time?

Motion carried.

Representative Earl moved that the rules be suspended and that **Assembly Bill 462** be given a third reading.

The question was: Shall the rules be suspended and that **Assembly Bill 462** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Byers, Conradt, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Elconin, Ellis, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lewis, Lewison, Looby, McEssy, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quackenbush, Quinn, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sricula, Sweda, Swoboda, Tobiasz, Tropman, Vanderperren, Wackett, Wahner, Ward, Willkom and Mr. Speaker -- 72.

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Noes -- Alberts, Bruhy, Cyrak, DeLong, Early, Gibson, Giese, Gower, Klicka, Lallensack, Luckhardt, Merkel, Niebler, Olson, Opitz, Porter, Roberts, Rohner, Sensenbrenner, Shabaz, Thompson, Tregoning and Wilcox -- 23.

Absent or not voting -- Azim, Hephner, Matty and Tesmer -- 4.

Motion carried.

The question was: **Assembly Bill 462** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Bradley, Byers, Conradt, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Elconin, Ellis, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lewis, Lewison, Looby, McEssy, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quackenbush, Quinn, Rogers, Roth, Sanasarian, Schneider, Schricker, Schroeder, Sicula, Sweda, Swoboda, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 69.

Noes -- Alberts, Bruhy, Cyrak, DeLong, Early, Gibson, Giese, Gower, Klicka, Lallensack, Luckhardt, Merkel, Niebler, Olson, Opitz, Porter, Roberts, Rohner, Rooney, Rutkowski, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 26.

Absent or not voting -- Azim, Hephner, Matty and Tesmer -- 4.

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 462** be immediately messaged to the senate. Granted.

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

Representative Oestreicher asked unanimous consent that **Assembly Bill 513** be withdrawn and returned to the author. Granted.

Representative Gibson asked unanimous consent to be recorded as voting "Aye" on passage of **Assembly Bill 266**. Granted.

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Representative Cyrak asked unanimous consent that the assembly adjourn today in honor of the state of Oregon which recently passed a law prohibiting smoking at governmental meetings. Granted.

Representative Dueholm asked unanimous consent that the assembly adjourn in honor of Senators Proxmire and Nelson who made the Social Register in Washington D.C. Granted.

LEAVES OF ABSENCE

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

Representative Earl asked unanimous consent that the assembly stand recessed until 2:00 P.M.. Granted.

The assembly stood recessed.

12:10 P.M.

RECESS

2:10 P.M.

The assembly reconvened.

Assembly Bill 469

Relating to expanding the governor's cabinet to include the secretaries of agriculture, of natural resources and of veterans affairs, and to provide for appointment by the governor of the executive secretary of the higher educational aids board.

Representative Earl asked unanimous consent that **Assembly Bill 469** be laid on the table. Granted.

Representative Earl asked unanimous consent that **Assembly Joint Resolution 31** be taken from the table and taken up at this time. Granted.

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Assembly Joint Resolution 31

Requesting the congress to propose for ratification by the states an amendment to the U.S. constitution providing that the U.S. constitution shall not prohibit the states from protecting the lives of unborn children beginning with the time of conception.

Representative Barbee asked unanimous consent that assembly substitute amendment 3 to **Assembly Joint Resolution 31** be laid on the table.

Representative Klicka objected.

Representative Miller asked unanimous consent that assembly substitute amendment 4 to **Assembly Joint Resolution 31** be taken up before assembly substitute amendment 3 to **Assembly Joint Resolution 31**. Granted.

Assembly substitute amendment 4 to **Assembly Joint Resolution 31** offered by Representative Miller.

POINT OF ORDER

Representative Merkel rose to the point of order that assembly substitute amendment 4 to **Assembly Joint Resolution 31** was not germane under Assembly Rule 55 (1).

The speaker ruled the point of order well taken.

Representative Everson moved that **Assembly Joint Resolution 31** be referred to the committee on Judiciary.

The question was: Shall **Assembly Joint Resolution 31** be referred to the committee on Judiciary?

The roll was taken.

The result follows:

Ayes -- Atkinson, Barbee, Conta, Cyrak, Czerwinski, Dueholm, Earl, Everson, Ferrall, Flintrop, Johnson, Kedrowski, Looby, Mielke, Miller, Mittness, Munts, Nager, Schneider, Sicula, Tropman, Ward and Mr. Speaker -- 23.

Noes -- Alberts, Azim, Baldus, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Early, Elconin, Ellis, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Menos, Merkel,

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Mohn, Molinaro, Murray, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Thompson, Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox and Willkom -- 73.

Absent or not voting -- Hephner, Matty and Tesmer -- 3.

Motion failed.

Representative Schneider moved rejection of assembly substitute amendment 3 to **Assembly Joint Resolution 31**.

Representative Cyrak asked unanimous consent that **Assembly Joint Resolution 31** be laid on the table.

Representative Niebler objected.

POINT OF ORDER

Representative Atkinson rose to the point of order that assembly substitute amendment 3 to **Assembly Joint Resolution 31** was not germane.

The speaker ruled the point of order well taken.

Assembly amendment 1 to **Assembly Joint Resolution 31** offered by Representative Earl.

Representative Otte moved rejection of assembly amendment 1 to **Assembly Joint Resolution 31**.

POINT OF ORDER

Representative Niebler rose to the point of order that assembly amendment 1 to **Assembly Joint Resolution 31** was not germane.

The speaker ruled the point of order well taken.

Assembly amendment 2 to **Assembly Joint Resolution 31** offered by Representative Cyrak.

Representative Kincaid moved rejection of assembly amendment 2 to **Assembly Joint Resolution 31**.

The question was: Shall assembly amendment 2 to **Assembly Joint Resolution 31** be rejected?

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The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Early, Elconin, Ellis, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Menos, Merkel, Mittness, Mohn, Molinaro, Murray, Nager, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sricula, Sweda, Swoboda, Thompson, Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox and Willkom -- 79.

Noes -- Barbee, Conta, Cyrak, Dueholm, Earl, Everson, Ferrall, Flintrop, Johnson, Mielke, Miller, Munts, Tropman, Ward and Mr. Speaker -- 15.

Absent or not voting -- Barczak, Czerwinski, Hephner, Matty and Tesmer -- 5.

Motion carried.

Assembly amendment 3 to Assembly Joint Resolution 31 offered by Representatives Johnson and Munts.

Representative Merkel moved rejection of assembly amendment 3 to Assembly Joint Resolution 31.

The question was: Shall assembly amendment 3 to Assembly Joint Resolution 31 be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Baldus, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Early, Elconin, Ellis, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Menos, Merkel, Mittness, Mohn, Molinaro, Murray, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider,

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Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Thompson, Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox and Willkom -- 78.

Noes -- Barbee, Conta, Cyrak, Dueholm, Earl, Everson, Ferrall, Johnson, Looby, Mielke, Miller, Munts, Nager, Sicula, Tropman, Ward and Mr. Speaker -- 17.

Absent or not voting -- Czerwinski, Hephner, Matty and Tesmer -- 4.

Motion carried.

Representative Barbee moved rejection of Assembly Joint Resolution 31.

The question was: Shall Assembly Joint Resolution 31 be rejected?

The roll was taken.

The result follows:

Ayes -- Barbee, Conta, Cyrak, Dueholm, Earl, Everson, Ferrall, Johnson, Kedrowski, Looby, Mielke, Miller, Mittness, Munts, Nager, Olson, Schneider, Sicula, Tropman, Ward, Willkom and Mr. Speaker -- 22.

Noes -- Alberts, Atkinson, Azim, Baldus, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Day, DeLong, Donoghue, Dorff, Duren, Early, Elconin, Ellis, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mohn, Molinaro, Murray, Niebler, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Thompson, Tobiasz, Tregoning, Vanderperren, Wackett, Wahner and Wilcox -- 74.

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

Motion failed.

The question was: Shall Assembly Joint Resolution 31 be adopted?

Motion carried.

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Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 31** be immediately messaged to the senate. Granted.

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

Representative Earl asked unanimous consent that the Assembly return to the sixth order of business. Granted.

Wisconsin Legislature
Assembly Chambers
Madison
53702

June 28, 1973

To the Members of the Assembly:

This is to inform you that on June 28, 1973, the Joint Committee on Employment Relations met and held a public hearing as to the tentative labor agreement arrived at between the State of Wisconsin and the State Highway Engineers Association, for employes assigned to the Professional Engineering Bargaining Unit, after which the Committee approved such agreements and terms thereof.

In accordance with Section 111.92, Wisconsin Statutes, we are hereby introducing proposed legislation to approve and implement such agreements.

The Committee has concurred with the matters under consideration and recommends passage of the enclosed session law LRB 5933/1 without change.

Sincerely,
DENNIS J. CONTA,
Vice Chairman

To the Members of the Assembly:

This is to inform you that on June 28, 1973, the Joint Committee on Employment Relations met and held a public hearing as to the tentative labor agreement arrived at between the State of Wisconsin and the State Association of Career Employees, for employes assigned to the Professional Research, Statistics and Analysis Bargaining Unit, after which the Committee approved such agreements and terms thereof.

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In accordance with Section 111.92, Wisconsin Statutes, we are hereby introducing proposed legislation to approve and implement such agreements.

The Committee has concurred with the matters under consideration and recommends passage of the enclosed session law LRB 5934/1 without change.

Sincerely,
DENNIS J. CONTA,
Vice Chairman

COMMITTEE REPORTS

The Joint Committee on Employment Relations reports and recommends for introduction:

Assembly Bill -----

AN ACT to ratify the agreement negotiated between the State of Wisconsin and the (professional engineering) State Highway Engineers Association and authorizing an expenditure of funds.

Ayes: (5) Noes: (0)

Assembly Bill -----

AN ACT to ratify the agreement negotiated between the State of Wisconsin and the (professional research, statistics and analysis) State Association of Career Employees and authorizing an expenditure of funds.

Ayes: (4) Noes: (1)

DENNIS J. CONTA,
Vice-Chairman

Representative Earl asked unanimous consent to return to the fourth order of business. Granted.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

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Assembly Bill 1183

AN ACT to ratify the agreement negotiated between the State of Wisconsin and the (professional engineering) State Highway Engineers Association and authorizing an expenditure of funds.

By JOINT COMMITTEE ON EMPLOYMENT RELATIONS.

Representative Earl asked unanimous consent that **Assembly Bill 1183** be made a special order of business at 9:01 A.M. tomorrow. Granted.

Assembly Bill 1184

AN ACT to ratify the agreement negotiated between the State of Wisconsin and the (professional research, statistics and analysis) State Association of Career Employees and authorizing an expenditure of funds.

By JOINT COMMITTEE ON EMPLOYMENT RELATIONS.

Representative Earl asked unanimous consent that **Assembly Bill 1184** be made a special order of business at 9:02 A.M. tomorrow. Granted.

Representative Miller asked unanimous consent to introduce a resolution.

Representative Shabaz objected.

Representative Miller moved that the rules be suspended to introduce a resolution.

The question was: Shall the rules be suspended and to introduce a resolution?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Berger, Bolle, Conta, Dorff, Dueholm, Earl, Flintrop, Groshek, Grover, Jackamonis, Johnson, Kleczka, Looby, Mielke, Miller, Mittness, Molinaro, Munts, Murray, Nager, Niebler, O'Malley, Rogers, Rutkowski, Sanasarian, Sicula, Tobiasz, Tropman, Vanderperren, Wahner, Ward and Mr. Speaker -- 34.

Noes -- Alberts, Atkinson, Azim, Barczak, Behnke, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Duren, Early, Ellis, Everson, Gibson, Giese, Gower, Hauke, Kedrowski, Keegan, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mohn, Oberle, Oestreicher, Olson, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts,

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Rohner, Rooney, Roth, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sweda, Swoboda, Thompson, Tregoning, Wackett, Wilcox and Willkom -- 60.

Absent or not voting -- Czerwinski, Elconin, Ferrall, Hephner and Tesmer -- 5.

Motion failed.

Representative Schneider asked unanimous consent to be recorded as voting "No" on adoption of **Assembly Joint Resolution 95**. Granted.

VISITORS

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

Mr. Paul French from Minocqua, Wisconsin, guest of Representative Donoghue.

George B. Meneese from Milwaukee, Wisconsin, guest of Representative Barbee.

Walter Parsons and Chris and Mary Parsons of Peabody, Massachusetts, and Rita Wlodarczyk and her daughter Tekla from Monona, Wisconsin, guests of Representative Everson.

Mrs. Charles Harlow, Mr. and Mrs. Richard L. Anderson and Master Jon Lacareli from Racine and Mt. Pleasant, Wisconsin, guests of Representative Rohner.

Bab Cark, Iowa State Representative from Iowa, guest of Representatives Oberle and Day.

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.

5:00 P.M.