

STATE OF WISCONSIN

Assembly Journal

Eighty-First Regular Session

WEDNESDAY, October 3, 1973.

9:30 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Reverend Robert Westenbroek of Geneva Chapel, University of Wisconsin, 731 State Street, Madison, Wisconsin.

Representative Alberts 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, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Oestreicher, 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 -- 97.

Absent -- None.

Absent with leave -- Barbee and Olson -- 2.

JOURNAL OF THE ASSEMBLY (October 3, 1973)

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 899** offered by Representative Sensenbrenner.

Assembly amendment 2 to **Assembly Bill 1113** offered by Committee on Judiciary.

Assembly amendment 3 to **Assembly Bill 1113** offered by Committee on Judiciary.

Assembly amendment 1 to **Assembly Bill 920** offered by Representative Vanderperren.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 510** offered by Representative Earl.

Assembly substitute amendment 1 to **Assembly Bill 402** offered by Representatives Matty and Schricker.

Assembly amendment 7 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representatives Ferrall and Elconin.

Assembly amendment 8 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representatives Thompson and Azim.

Assembly amendment 9 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representatives Thompson and Azim.

Assembly amendment 10 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representatives Niebler and Thompson.

Assembly amendment 11 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representatives Thompson and Azim.

Assembly amendment 12 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representatives Thompson and Azim.

Assembly amendment 13 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representatives Thompson and Azim.

JOURNAL OF THE ASSEMBLY (October 3, 1973)

Assembly amendment 14 to assembly substitute amendment 1 to Assembly Bill 1016 offered by Representatives Thompson and Azim.

Assembly amendment 15 to assembly substitute amendment 1 to Assembly Bill 1016 offered by Representatives Thompson and Azim.

Assembly amendment 16 to assembly substitute amendment 1 to Assembly Bill 1016 offered by Representatives Thompson and Azim.

Assembly amendment 17 to assembly substitute amendment 1 to Assembly Bill 1016 offered by Representatives Niebler and Thompson.

Assembly amendment 18 to assembly substitute amendment 1 to Assembly Bill 1016 offered by Representative Thompson.

Assembly amendment 19 to assembly substitute amendment 1 to Assembly Bill 1016 offered by Representatives Thompson and Azim.

Assembly amendment 20 to assembly substitute amendment 1 to Assembly Bill 1016 offered by Representatives Thompson, Azim, Merkel, Cyrak and Wilcox.

Assembly amendment 21 to assembly substitute amendment 1 to Assembly Bill 1016 offered by Representatives Thompson and Azim.

Assembly amendment 22 to assembly substitute amendment 1 to Assembly Bill 1016 offered by Representatives Thompson and Azim.

Assembly amendment 23 to assembly substitute amendment 1 to Assembly Bill 1016 offered by Representatives Thompson and Azim.

Assembly amendment 24 to assembly substitute amendment 1 to Assembly Bill 1016 offered by Representatives Niebler and Azim.

Assembly amendment 25 to assembly substitute amendment 1 to Assembly Bill 1016 offered by Representative Thompson.

Assembly amendment 26 to assembly substitute amendment 1 to Assembly Bill 1016 offered by Representative Thompson.

JOURNAL OF THE ASSEMBLY (October 3, 1973)

Assembly amendment 27 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representative Thompson.

Assembly amendment 28 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representative Thompson.

Assembly amendment 29 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representatives Berger and Jackamonis.

Assembly amendment 30 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representatives Jackamonis, Berger, Conta and Oestreicher.

Assembly amendment 31 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representatives Jackamonis, Berger, Conta and Oestreicher.

Assembly amendment 32 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representative Sicula.

Assembly amendment 33 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representative Sicula.

Assembly amendment 34 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representative Sicula.

Assembly amendment 35 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representative Sicula.

Assembly amendment 36 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representative Rogers.

Assembly amendment 37 to assembly substitute amendment 1 to **Assembly Bill 1016** offered by Representative Oestreicher.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Resolution 50

Requesting the opinion of the attorney general concerning a public school system providing services for private schools.

JOURNAL OF THE ASSEMBLY (October 3, 1973)

Resolved by the assembly, That the attorney general is requested to provide an opinion as expeditiously as possible as to the legality of a public school system providing to a private school a service dealing with educational problems of students which may be caused by physical handicaps.

By Representative MERKEL.

To Calendar.

Assembly Joint Resolution 107

Directing a legislative council study of real property tax exemptions.

By Representatives CZERWINSKI, CONTA and SICULA.

To Calendar.

Assembly Joint Resolution 108

Requesting congress to propose for ratification by the states an amendment to the U.S. constitution providing that the 5th and 14th amendments to the U.S. constitution apply to all human beings including unborn humans from the time of conception.

By Representatives MERKEL, DUREN, OTTE, NIEBLER and BOLLE.

To committee on Judiciary.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1285

Relating to free fishing licenses for nonresidents 65 years or older.

By Representative KEDROWSKI, by request of Northwoods Senior Citizens Council, Inc.

To committee on Natural Resources.

Assembly Bill 1286

Relating to senior citizen hunting licenses.

By Representative KEDROWSKI, by request of Northwoods Senior Citizens Council, Inc.

To committee on Natural Resources.

Assembly Bill 1287

Relating to enabling federal administration of aid to the blind, old-age assistance and aid to totally and permanently disabled persons, and establishing a program of supplemental aids.

By JOINT COMMITTEE ON FINANCE.

JOURNAL OF THE ASSEMBLY (October 3, 1973)

To Joint Committee on Finance.

Assembly Bill 1288

Relating to mandatory rabies vaccinations for dogs and providing a penalty.

By Representative SCHNEIDER.

To committee on Agriculture.

COMMITTEE REPORTS

The committee on Commerce and Consumer Affairs reports and recommends:

Assembly Bill 1032

Relating to the sale of liquefied petroleum gas in vapor form.

Assembly amendment 1 introduction and adoption:

Ayes: (9) Noes: (0)

Passage: Ayes: (9) Noes: (0)

HAROUT O. SANASARIAN,
Chairman

The committee on Health and Social Services reports and recommends for introduction:

Assembly Joint Resolution _____

Directing the legislative council to study the subject matter of 1973 Assembly Bills 155 and 473.

Ayes: (11) Noes: (0)

Assembly Bill _____

(LRB 2565)

Relating to elimination of the home visit requirement in the AFDC program.

Ayes: (11) Noes: (0)

Assembly Bill _____

(LRB 2571)

Relating to medical assistance for indigents under the age of 21.

Ayes: (11) Noes: (0)

JOURNAL OF THE ASSEMBLY (October 3, 1973)

Assembly Bill _____
(LRB 4257)

Relating to the state's program of services for the blind.

Ayes: (11) Noes: (0)

Assembly Bill _____

Relating to creating a 3-year statute of limitations for actions involving charge-backs between counties, or between a county and the state, resulting from institution maintenance of nonresidents.

Ayes: (11) Noes: (0)

JOSEPH C. CZERWINSKI,
Chairman

The committee on Highways reports and recommends:

Assembly Bill 1094

Relating to grounds for refusing to register a vehicle.

Passage: Ayes: (8) Noes: (0)

Assembly Bill 1141

Relating to equipping of vehicles with tires conforming to federal standards and providing a penalty.

Passage: Ayes: (7) Noes: (1)

Assembly Bill 1150

Relating to mounting of clearance lamps on vehicles in relation to the mounting of identification lamps.

Passage: Ayes: (8) Noes: (0)

Assembly Bill 1157

Relating to costs of intrastate bridges.

Passage: Ayes: (8) Noes: (0)

CLETUS VANDERPERREN,
Chairman

The committee on Judiciary reports and recommends:

Senate Bill 175

Relating to adapting chapter 611 to the changes made in chapter 180 (ch. 285, laws of 1971).

Concurrence: Ayes: (7) Noes: (0) Not Voting: (1)

JOURNAL OF THE ASSEMBLY (October 3, 1973)

Senate Bill 176

Relating to mandatory commitment for presentence examination.

Concurrence: Ayes: (7) Noes: (1)

Senate Bill 353

Relating to credit card crimes and providing penalties.

Concurrence: Ayes: (5) Noes: (1) Not Voting: (2)

LLOYD A. BARBEE,
Chairman

The committee on Transportation reports and recommends:

Assembly Bill 1096

Relating to school bus operator's license examination.

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

Senate Bill 388

Relating to airport projects sponsored jointly by a political subdivision in this state and by a similar unit in an adjoining state.

Concurrence: Ayes: (7) Noes: (0)

LEONARD A. GROSHEK,
Chairman

JOINT SURVEY COMMITTEE ON TAX EXEMPTIONS

Assembly Bill 72

Public Policy Involved

This measure would remove an exemption originally extended to horses when they were primarily used as beasts of burden. However, horses are now principally used for recreational purposes. Since the exemption's initial intent is no longer valid, this bill is desirable as public policy.

To Calendar.

Assembly Bill 474

Public Policy Involved

The only desirable aspect of this bill is that it results in equal treatment for residents and nonresidents. However, both this

JOURNAL OF THE ASSEMBLY (October 3, 1973)

proposal and the original exemption for pleasure watercraft are undesirable as a matter of public policy.

To committee on Taxation.

Assembly Bill 718

Public Policy Involved

This proposal is desirable as public policy. It would strengthen the state's revenue enforcement powers and hence further encourage accurate and timely self-assessment by taxpayers.

To Calendar.

Assembly Bill 732

Public Policy Involved

Under present statutes, fuels converted to electricity by utilities are exempt from the sales tax, while those sold to other sources for similar production are taxable. To the extent that this bill would remove that unequal treatment, it is desirable as public policy.

To Calendar.

Assembly Bill 866

Public Policy Involved

This bill is undesirable as public policy. Exempting tickets and admissions to cultural performances presented by nonprofit corporations and universities would be inequitable with respect to similar events performed or sponsored by other individuals or organizations who must pay the tax. Similarly, it would be inequitable to tax necessities, such as clothing, while exempting certain entertainment activities.

To committee on Taxation.

Assembly Bill 1102

Public Policy Involved

Although the proposal's purpose is desirable, this method is inappropriate. The state's tax structure is not an effective vehicle for attaining this social goal.

To committee on Taxation.

HARVEY L. DUEHOLM,
Vice-Chairman

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

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

Motions under joint rule 26:

A Joint Certificate of Condolence by Senators Kasten, Lorge and Devitt, co-sponsored by Representative Sensenbrenner, for the Walter Harnischfeger family on the occasion of Mr. Harnischfeger's death; and

A Joint Certificate of Congratulation by Senator Theno, co-sponsored by Representative Schricker, for the Chetek Lutheran Church on the occasion of its 90th anniversary; and

A Joint Certificate of Commendation by Senator Bidwell, co-sponsored by Representative Giese, for David L. Knight on the occasion of his rescue of 2 drowning people; and

A Joint Certificate of Congratulation by Senator McKenna, co-sponsored by Representative Wackett, for Mrs. Elizabeth Ott on the occasion of her 100th Birthday.

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

The question was: Concurrence?

Motion carried.

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

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

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

Assembly amendments 1, 2, and 7 to Senate Bill 9;

Nonconcurrent in:

JOURNAL OF THE ASSEMBLY (October 3, 1973)

Assembly amendment 9 to Senate Bill 9; and requests a committee of conference, and appoints Senators Risser, Hollander, and Chilsen as conferees on its part on Senate Bill 9

Senate Bill 9

Relating to annexation of town islands.

The speaker appointed Representatives Earl, Munts and McEssy as assembly members of the committee on conference.

Representative Earl asked unanimous consent that the rules be suspended and that Senate Bill 9 be immediately messaged to the senate. Granted.

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

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

Senate Joint Resolution 51

Passed and asks concurrence in:

**Senate Bill 35,
Senate Bill 87,
Senate Bill 90,
Senate Bill 105,
Senate Bill 124,
Senate Bill 125,
Senate Bill 126,
Senate Bill 127,
Senate Bill 182,
Senate Bill 242,
Senate Bill 271,
Senate Bill 299,
Senate Bill 316,
Senate Bill 377,
Senate Bill 409,
Senate Bill 439,
Senate Bill 440, and
Senate Bill 476;**

JOURNAL OF THE ASSEMBLY (October 3, 1973)

Amended and concurred in as amended:

Assembly Bill 55, (Senate Amendment 1 adopted.)

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 51

To amend article VII, section 13 of the constitution, relating to removal by address of county and municipal court judges (2nd consideration).

By Senator Hollander.

To committee on Judiciary.

Senate Bill 35

An act authorizing sale of certain lands by the department of natural resources.

By Senator Krueger.

To committee on Natural Resources.

Senate Bill 87

Relating to mandatory imprisonment for homicide by negligent or intoxicated use of a vehicle or weapon.

By Senators Murphy, Theno, Knutson, and Roseleip, cosponsored by Representatives Alberts, Gower, and Giese.

To committee on Judiciary.

Senate Bill 90

Relating to a limitation on parental liability for his child's negligence in operating a motor vehicle.

By Senators Murphy, Theno, Devitt, Dorman, Schuele, Roseleip, Johnson, Risser, and Thompson, cosponsored by Representative Gower.

To committee on Judiciary.

Senate Bill 105

Relating to firearm safety training.

By Senators Krueger, Theno and Petri, cosponsored by Representative Alberts.

To committee on Natural Resources.

Senate Bill 124

Relating to posting of sustained-yield forest lands.

By Senator LaFave, by request of the Menominee Indian Study Committee.

To committee on Natural Resources.

JOURNAL OF THE ASSEMBLY (October 3, 1973)

Senate Bill 125

Relating to permitting entry of certain lands into sustained-yield forest land designation.

By Senators LaFave and Roseleip, by request of the Menominee Indian Study Committee.

To committee on Natural Resources.

Senate Bill 126

Relating to posting of land in counties having only one town.

By Senator LaFave, by request of the Menominee Indian Study Committee.

To committee on Natural Resources.

Senate Bill 127

Relating to posting of sustained-yield forest lands.

By Senator LaFave, by request of the Menominee Indian Study Committee.

To committee on Natural Resources.

Senate Bill 182

Relating to substitution of judges in probate matters.

By Senator Johnson, cosponsored by Representative Earl, by request of Judge Arthur A. Cirilli, Judge of Douglas County.

To committee on Judiciary.

Senate Bill 242

Relating to actions affecting marriage.

By the committee on Judiciary and Insurance.

To committee on Judiciary.

Senate Bill 271

Relating to training for fire inspectors.

By Senators Hollander and Kasten, cosponsored by Representatives Lewis and Wackett.

To committee on Labor.

Senate Bill 299

Relating to payment of compensation on behalf of policemen and firemen killed in action.

By joint committee on Finance, by request of Attorney General Robert Warren.

To committee on Labor.

Senate Bill 316

Prohibiting issuance of commercial fishing licenses to nonresidents.

By Senator Roseleip.

JOURNAL OF THE ASSEMBLY (October 3, 1973)

To committee on Natural Resources.

Senate Bill 377

Relating to place of trial in actions against insurance companies growing out of negligence.

By Senators Murphy, Lorge, Petri, Hollander, Steinhilber and McKenna.

To committee on Judiciary.

Senate Bill 409

Relating to establishment of a state association of family court commissioners.

By Senators Dorman and Johnson, cosponsored by Representative Anderson, by request of Family Court Commissioners Association.

To committee on Judiciary.

Senate Bill 439

Relating to permission to remarry.

By committee on Judiciary and Insurance, by request of the Honorable Ernest T. C. Hanson, Eau Claire.

To committee on Judiciary.

Senate Bill 440

Relating to transfer of legal guardianship of children found dependent.

By committee on Judiciary and Insurance.

To committee on Judiciary.

Senate Bill 476

Relating to reports by the retirement research committee (suggested as remedial legislation by the retirement research committee).

By committee on Remedial Legislation, by request of the Retirement Research Committee.

To Calendar.

Assembly Bill 55

Relating to terms of circuit and county judges.

By Representatives RUTKOWSKI, JACKAMONIS, WARD and LALLENSACK.

To committee on Judiciary.

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

MOTIONS

Representative Earl asked unanimous consent that **Assembly Bill 650** be taken from the table and placed at the foot of the calendar of July 4. Granted.

Representative Dorff asked unanimous consent that **Assembly Bill 351** be withdrawn from the committee on Natural Resources and referred to the joint committee on Finance. Granted.

CALENDAR OF FRIDAY, JUNE 29, 1973

SECOND READING AND AMENDMENT
OF ASSEMBLY BILLS

Assembly Bill 898

Relating to court and family court commissioners, granting rule-making authority and making an appropriation.

Representative Earl asked unanimous consent that **Assembly Bill 898** be referred to the joint committee on Finance. Granted.

Assembly Bill 899

Relating to court administration.

Representative Shabaz asked unanimous consent that **Assembly Bill 899** be referred to the joint committee on Finance. Granted.

Representative Earl asked unanimous consent that **Assembly Bill 899** be withdrawn from the joint committee on Finance and taken up at this time.

Representative Shabaz objected.

Representative Earl moved that the rules be suspended and that **Assembly Bill 899** be withdrawn from the joint committee on Finance and taken up at this time.

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

JOURNAL OF THE ASSEMBLY (October 3, 1973)

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

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

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

The question was: Shall the rules be suspended and that **Assembly Bill 899** be withdrawn from the joint committee on Finance and taken up at this time?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dueholm, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Lallensack, Looby, Menos, Mielke, Miller, Mittness, Munts, Nager, Oberle, Oestreicher, O'Malley, Otte, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Sicula, Sweda, Swoboda, Tobiasz, Tropman, Vanderperren, Wahner, Ward and Mr. Speaker -- 50.

Noes -- Alberts, Azim, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Dorff, Duren, Ellis, Gibson, Giese, Gower, Hephner, Kincaid, Kleczka, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Murray, Niebler, Opitz, Pabst, Porter, Quackenbush, Quinn, Rohner, Roth, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Tesmer, Thompson, Tregoning, Wackett, Wilcox and Willkom -- 45.

Absent or not voting -- Barbee, Mohn, Molinaro and Olson -- 4.

Motion failed.

Assembly Bill 902

Relating to the procedure for accepting pleas by defendants in criminal cases and providing a procedure for plea agreements between the prosecuting attorneys and defendants.

The question was: Shall **Assembly Bill 902** be ordered engrossed and read a third time?

Motion carried.

JOURNAL OF THE ASSEMBLY (October 3, 1973)

Representative Earl asked unanimous consent that the rules be suspended and that **Assembly Bill 902** be given a third reading. Granted.

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

10:30 A.M.

JOINT CONVENTION

The assembly was called to order by the speaker.

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

The houses went into joint convention.

Senator Knowles presiding.

Escorted by Senators Johnson and Risser and Representatives Baldus and Alberts, Governor Lucey took his place at the rostrum.

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

Representative Earl moved that the joint convention arise.

The question was: Shall the joint convention arise?

Motion carried.

11:05 A.M.

The assembly reconvened.

Representative Shabaz moved indefinite postponement of **Assembly Bill 902**.

The question was: Shall **Assembly Bill 902** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Azim, Byers, Conradt, Dorff, Duren, Gibson, Hephner, Klicka, Lallensack, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Molinaro, Murray, Niebler, Opitz, Porter, Rohner, Roth, Schroeder, Shabaz, Swoboda, Tesmer, Tregoning and Wackett -- 28.

JOURNAL OF THE ASSEMBLY (October 3, 1973)

Noes -- Alberts, Atkinson, Baldus, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lewis, Looby, Mielke, Miller, Mittness, Mohn, Munts, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Schricker, Sensenbrenner, Sicula, Sweda, Thompson, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 69.

Absent or not voting -- Barbee and Olson -- 2.

Motion failed.

The question was: Assembly Bill 902 having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Baldus, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lewis, Looby, McEssy, Matty, Mielke, Miller, Mittness, Munts, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Sicula, Sweda, Tobiasz, Tregoning, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 75.

Noes -- Azim, Byers, Conradt, Dorff, Duren, Hephner, Klicka, Lallensack, Lewison, Luckhardt, Menos, Merkel, Mohn, Molinaro, Murray, Niebler, Rohner, Shabaz, Swoboda, Tesmer, Thompson and Wackett -- 22.

Absent or not voting -- Barbee and Olson -- 2.

Motion carried.

Representative Earl moved that the rules be suspended and that Assembly Bill 902 be immediately messaged to the senate.

JOURNAL OF THE ASSEMBLY (October 3, 1973)

The question was: Shall the rules be suspended and that **Assembly Bill 902** be immediately messaged to the senate?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Baldus, Barczak, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Conta, Cyrak, Czerwinski, Day, DeLong, Donoghue, Dorff, Dueholm, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Sicula, Sweda, Tobiasz, Tregoning, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker - - 83.

Noes -- Azim, Duren, Hephner, Klicka, Lallensack, Menos, Merkel, Niebler, Porter, Shabaz, Swoboda, Tesmer, Thompson and Wackett -- 14.

Absent or not voting -- Barbee and Olson -- 2.

Motion carried.

CALENDAR OF TUESDAY, JULY 3, 1973

CONSIDERATION OF MOTIONS FOR RECONSIDERATION

Assembly Bill 978

Relating to authorization for counties of less than 500,000 to borrow money and issue bonds for low-income housing construction.

The question was: Shall the vote by which **Assembly Bill 978** was ordered to a third reading be reconsidered?

The roll was taken.

The result follows:

JOURNAL OF THE ASSEMBLY (October 3, 1973)

Ayes -- Alberts, Azim, Bradley, Bruhy, Conradt, Cyrak, DeLong, Dueholm, Ellis, Giese, Gower, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Niebler, Opitz, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 33.

Noes -- Atkinson, Baldus, Barczak, Behnke, Berger, Bolle, Byers, Conta, Czerwinski, Day, Donoghue, Dorff, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Gibson, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Looby, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sricula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 64.

Absent or not voting -- Barbee and Olson -- 2.

Motion failed.

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

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

The question was: Assembly Bill 978 having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Atkinson, Azim, Baldus, Barczak, Behnke, Berger, Bolle, Byers, Conradt, Conta, Czerwinski, Day, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Lallensack, Lewison, Looby, McEssy, Menos, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Schricker, Sricula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 73.

JOURNAL OF THE ASSEMBLY (October 3, 1973)

Noes -- Alberts, Bradley, Bruhy, Cyrak, DeLong, Giese, Gower, Klicka, Lewis, Luckhardt, Matty, Merkel, Niebler, Opitz, Rohner, Roth, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 23.

Absent or not voting -- Barbee, Olson and O'Malley -- 3.

Motion carried.

Representative Earl moved that the rules be suspended and that Assembly Bill 978 be immediately messaged to the senate.

The question was: Shall the rules be suspended and that Assembly Bill 978 be immediately messaged to the senate?

The roll was taken.

The result follows:

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

Noes -- Alberts, Bradley, Cyrak, DeLong, Gower, Klicka, Lewis, Matty, Merkel, Niebler, Porter, Roth, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 19.

Absent or not voting -- Barbee, Olson and Opitz -- 3.

Motion carried.

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

The assembly stood recessed.

12:05 P.M.

JOURNAL OF THE ASSEMBLY (October 3, 1973)

RECESS

3:05 P.M.

The assembly reconvened.

Representative Earl called the attention of the chair to the fact that the hour of 2:00 P.M. had arrived.

SPECIAL ORDER OF BUSINESS AT 2:00 P.M. ON
WEDNESDAY, OCTOBER 3

Assembly Bill 1016

Relating to regulation of elections and campaign contributions and expenditures, granting rule-making authority, providing penalties and making an appropriation.

POINT OF ORDER

Representative Shabaz rose to the point of order that the motion for reconsideration of adoption of **Assembly Resolution 47** had not been disposed of and therefore **Assembly Bill 1016** was not a special order of business pursuant to **Assembly Resolution 47**.

The speaker ruled the point of order not well taken for the same reasons stated in a ruling on May 1, 1973 which appears on page 1204 of the Assembly Journal.

Representative Shabaz appealed the ruling of the chair.

The question was: Shall the ruling of the chair stand as the judgement of the assembly?

The roll was taken.

The result follows:

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

JOURNAL OF THE ASSEMBLY (October 3, 1973)

Sanasarian, Schneider, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 61.

Noes -- Alberts, Bruhy, Byers, Cyrak, DeLong, Donoghue, Gibson, Giese, Gower, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Niebler, Opitz, Porter, Quackenbush, Roth, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 29.

Absent or not voting -- Azim, Barbee, Bradley, Conradt, Ellis, Olson, Quinn, Schricker and Sicula -- 9.

Motion carried.

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

The assembly stood recessed.

3:15 P.M.

RECESS

4:55 P.M.

The assembly reconvened.

Representative Berger moved rejection of assembly amendment 1 to assembly substitute amendment 1 to Assembly Bill 1016.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to Assembly Bill 1016 be rejected?

The roll was taken.

The result follows:

Ayes -- Atkinson, Azim, Baldus, Barczak, Behnke, Berger, Bolle, Byers, Conta, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Mielke, Mittness, Mohn, Murray, Oberle, Oestreicher, O'Malley, Otte, Plewa, Quackenbush, Roberts, Rogers, Rohner, Rooney, Rutkowski, Sanasarian, Schneider, Schroeder, Sensenbrenner, Sicula, Sweda, Tesmer, Tobiasz, Tregoning, Tropman, Vanderperren, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 69.

JOURNAL OF THE ASSEMBLY (October 3, 1973)

Noes -- Alberts, Bradley, Bruhy, Conradt, Cyrak, Elconin, Flintrop, Gibson, Giese, Gower, Merkel, Miller, Molinaro, Munts, Nager, Niebler, Opitz, Pabst, Porter, Quinn, Roth, Schricker, Shabaz, Swoboda, Thompson and Wackett -- 26.

Absent or not voting -- Barbee, Czerwinski, Ellis and Olson -- 4.

Motion carried.

Representative Oestreicher moved rejection of assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 1016**.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 1016** be rejected?

The roll was taken.

The result follows:

Ayes -- Atkinson, Baldus, Barczak, Behnke, Berger, Bolle, Conta, Day, DeLong, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Gibson, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Klicka, Lewis, Looby, Menos, Mielke, Miller, Mohn, Munts, Murray, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schroeder, Sensenbrenner, Sicula, Sweda, Swoboda, Thompson, Tropman, Vanderperren, Wahner, Willkom and Mr. Speaker -- 60.

Noes -- Alberts, Azim, Bradley, Bruhy, Byers, Conradt, Cyrak, Czerwinski, Donoghue, Dorff, Giese, Gower, Kincaid, Kleczka, Lallensack, Lewison, Luckhardt, McEssy, Matty, Merkel, Mittness, Molinaro, Nager, Niebler, Oberle, Porter, Quinn, Rohner, Schricker, Shabaz, Tesmer, Tobiasz, Tregoning, Wackett, Ward and Wilcox -- 36.

Absent or not voting -- Barbee, Ellis and Olson -- 3.

Motion carried.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly substitute amendment 1, to **Assembly Bill 950**

On page 33, line 14, substitute "(2)" for "(d)".

VISITORS

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

17 students of Political Science from Assumption High School, accompanied by leader, Mr. Thomas Infelise, from Wisconsin Rapids, Wisconsin guests of Representative Schneider.

Mr. and Mrs. Ed Krentsinger from Lansing, Michigan, guests of Representative Schroeder.

Mary Ellen Leonard, Diane Ostradovac, Jean Loeffler, Mary Beth Haluska, Kathy Caveney, Teri Richter, Laura Kanaskie and Karen Sellers from Milwaukee, Wisconsin, guests of Representatives Tobiasz, Keegan, Atkinson and Rutkowski.

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

The question was: Adjournment?

Motion carried.

The assembly stood adjourned.

5:40 P.M.