

JOURNAL OF THE ASSEMBLY (March 7, 1974)

STATE OF WISCONSIN

# Assembly Journal

Eighty-First Regular Session

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THURSDAY, March 7, 1974.

10:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Reverend Kenneth Atkins, pastor of Good Shepherd Wesleyan Methodist Church, 602 Acewood Boulevard, Madison, Wisconsin.

Representative Schneider 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, Ducholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gibson, Giese, Gower, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kincaid, Kleczka, Klicka, Lallensack, Lewis, Lewison, Looby, Luckhardt, McEssy, Matty, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Niebler, Oberle, Oestreicher, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Sensenbrenner, Shabaz, Sicula, Sweda, Swoboda, Tesmer, Thompson, Tobiasz, Tregoning, Tropman, Vanderperren, Wackett, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 99.

Absent -- None.

Absent with leave -- None.

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### AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 1439** offered by Representatives Everson, Alberts, Kincaid, Mittness, O'Malley, Roberts, Early, Lewison, Hauke, Schricker, Barczak, Plewa, DeLong, Schroeder, Klicka and Giese, by request of Senators McKenna and Thompson.

Assembly amendment 5 to senate substitute amendment 1 to **Assembly Bill 538** offered by Representatives Dorff, Molinaro, Olson and Niebler.

Assembly amendment 6 to senate substitute amendment 1 to **Assembly Bill 538** offered by Representatives Shabaz and Olson.

Assembly amendment 7 to senate substitute amendment 1 to **Assembly Bill 538** offered by Representatives Dorff, Niebler and Molinaro.

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### INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

#### **Assembly Bill 1514**

Relating to highway weight limitation enforcement tolerances for forest products.

By Representatives KEDROWSKI, VANDERPERREN, KINCAID, MATTY, CONRADT, QUINN, BYERS, DONOGHUE, SWEDA, EARL and GROSHEK.

To committee on Highways.

#### **Assembly Bill 1515**

Relating to group life insurance for state employees over age 50.

By Representatives LOOBY, EARLY, ROBERTS, VANDERPERREN, SCHNEIDER, BALDUS, MOHN, PLEWA, GROSHEK, WILLKOM, OTTE and FLINTROP, by request of the Association of University of Wisconsin Faculties.

To Joint Committee on Finance.

#### **Assembly Bill 1516**

Relating to permitting survivors to withdraw up to \$500 from the joint savings or checking account of the deceased, without the need for withholding taxes or department of revenue consent.

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By Representative BALDUS.  
To committee on Taxation.

### **Assembly Bill 1517**

Relating to gifts to public employees and officials and providing a penalty.

By Representatives JACKAMONIS, DONOGHUE, LEWISON and FLINTROP, by request of Department of Justice.  
To committee on Judiciary.

### **Assembly Bill 1518**

Relating to a retirement program for municipal policemen and firemen and making an appropriation.

By Representatives ANDERSON, BALDUS and EARL; co-sponsored by Senators LA FAVE and JOHNSON.  
To Joint Survey Committee on Retirement Systems.

### **Assembly Bill 1519**

Relating to the establishment of a joint legislative committee on law enforcement and criminal justice improvement.

By Representative EARL, by request of Wisconsin Council on Criminal Justice.  
To committee on Judiciary.

### **Assembly Bill 1520**

Relating to speed restrictions on vehicles traveling off a highway and providing a penalty.

By Representative EVERSON, by request of the City of Monona.  
To committee on Highways.

### **Assembly Bill 1521**

Relating to communications to and treatment of minors by psychologists.

By Representative CONTA.  
To committee on Judiciary.

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## COMMITTEE REPORTS

The committee on Education reports and recommends:

### **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.

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Assembly substitute amendment 1, adoption:

Ayes: (11) Noes: (1)

Passage: Ayes: (11) Noes: (1)

**HERBERT J. GROVER,**  
Chairman

The Joint Committee on Finance reports and recommends:

**Assembly Bill 575**

Relating to creating a water monitoring council and making an appropriation.

Adoption of assembly amendment 1 to assembly substitute amendment 1:

Ayes: (10) Noes: (0)

Adoption of assembly substitute amendment 1:

Ayes: (8) Noes: (2)

Passage: Ayes: (8) Noes: (2)

**Assembly Bill 1471**

Relating to state assistance to local units of government for land resource protection, land resource data collection and making an appropriation.

Adoption of assembly substitute amendment 1:

Ayes: (10) Noes: (3)

Passage: Ayes: (8) Noes: (5)

**DENNIS J. CONTA,**  
Chairman

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**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 Certificate of commendation by Representatives Vanderperren and Swoboda; co-sponsored by Senator Martin for Cecil Depeau for his outstanding service to agriculture and conservation; and

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A Joint Certificate of congratulations by Representative Murray; co-sponsored by Senator Theno for Superior High School Hockey Team on becoming the 1974 WIAA State hockey champions.

Adopted and asks concurrence in:

Motions under Joint Rule 26,

A Joint Certificate of commendation by Senators Roseleip, Dorman, Lorge, Krueger, Martin and Bablitch; co-sponsored by Representatives Azim and Schricker for the Tavern League of Wisconsin on the occasion of having raised \$60,000 for the American Cancer Society;

A Joint Certificate of congratulations by Senator Bidwell; co-sponsored by Representative Giese for Robert Madalon on his appointment as Barboo Postmaster.

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

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### 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:

**Senate Bill 107,**  
**Senate Bill 528 and**  
**Senate Bill 751.**

Amended and concurred in as amended:

**Assembly Bill 886** (Senate amendments 1 and 2 adopted.)

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**ACTION ON THE SENATE MESSAGE**

**Senate Bill 107**

Relating to deposits in the veterans' trust fund and making an appropriation.

By Senators Roseleip, Devitt, Krueger, Johnson, Bablitch, Theno, McKenna, Peloquin, Keppler, Parys, Murphy, Hollander, Knutson, and Martin, cosponsored by Representatives Klicka, Schroeder, and Lewis, by request of the American Legion Department of Wisconsin.

To committee on Veterans and Military Affairs.

**Senate Bill 528**

Relating to various changes in the retirement system.

By Senators LaFave, Devitt, Keppler, Flynn, Schuele, Lorge, Roseleip, Parys, McKenna and Whittow, cosponsored by Representatives Anderson, Tobiasz, Dorff, Molinaro, Schneider, Conradt and McEssy.

To Calendar.

**Senate Bill 751**

Relating to the definition of a "school bus" under the vehicle code and to the color of and flashing lights on busses used to transport children to or from religious schools.

By Senators LaFollette, Parys, Keppler, Lorge, Knutson, Thompson, McKenna, Bablitch, Murphy, Martin, Frank, Whittow, J. D. Swan, Chilsen, Devitt, Schuele, Flynn, Dorman and Petri.

To committee on Education.

**Assembly Bill 886**

Relating to creditable prior service for elected officials under the retirement fund.

By Representatives ROONEY, EARLY, KEDROWSKI, MOHN, OESTREICHER, KEEGAN, OBERLE, VANDERPERREN, O'MALLEY, ROBERTS, ROHNER, EARL and GROSHEK; co-sponsored by Senators DORMAN, LA FAVE and ROSELEIP.

To Calendar.

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**MOTION UNDER JOINT RULE 26**

**The State of Wisconsin \* \* \* Citation by the Legislature**

**Know you by these presents:**

**JOURNAL OF THE ASSEMBLY (March 7, 1974)**

Whereas, Lloyd Wundrock has been accorded the Eagle Scout Award, the highest award conferred by the Boy Scouts of America; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Berger under Joint Rule 26, congratulate Lloyd Wundrock on his lofty attainment and express their wish that he will continue to excel in future endeavors.

• —————  
**MOTION UNDER JOINT RULE 26**

The State of Wisconsin \* \* \* Citation by the Legislature

Know you by these presents:

Whereas, the twin cities of Neenah and Menasha have been celebrating their centennial years in 1973-1974; and

Whereas, Neenah is saluting Menasha's 100th anniversary at a civic luncheon on March 8, 1974, returning in kind Menasha's salute to Neenah last year; and

Whereas, on that day twin city citizens will proudly review Menasha's 100 years of history at a musical fete at Menasha High School; and

Whereas, this spirit of mutual cooperation has always been the foundation of progress for these fine cities; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representatives Bradley and Ellis and Senator Steinhilber under Joint Rule 26, join with the people of Neenah and all the people of Wisconsin in congratulating the city of Menasha on the occasion of its centennial and commend both Neenah and Menasha for observing their motto "together we grow".

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**MOTION UNDER JOINT RULE 26**

The State of Wisconsin \* \* \* Citation by the Legislature

Know you by these presents:

Whereas, Herbert C. Kiehl is retiring as mayor of the city of St. Francis after 22 years of public service as an elected official; and

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Whereas, Mr. Kiehl, a native of St. Francis, has had a long and colorful public career, having first entered the political ring at the age of 21; and

Whereas, he was elected alderman in 1952 and reelected every two years until 1960, when he ran successfully for mayor; and

Whereas, the people of St. Francis have shown their confidence in him by reelecting him mayor ever since; and

Whereas, he has been a popular and persistent mayor who has believed that the fastest way to pass a proposal is to convince the aldermen of its worth; and

Whereas, his years of service to the people of St. Francis are a testament to his dedication and commitment to the ideals of good city government; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Tesmer and Senator Frank under Joint Rule 26, heartily commend Herbert Kiehl on his many active years in city government and wish him many years of happiness and well-deserved relaxation in the future.

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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### MOTIONS

Representative Shabaz moved that the rules be suspended and that **Assembly Bill 666** be withdrawn from the committee on Health and Social Services and referred to the calendar.

The question was: Shall the rules be suspended and **Assembly Bill 666** be withdrawn from the committee on Health and Social Services and referred to the calendar?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Duren, Early, Ellis, Everson, Gibson, Giese, Gower, Hauke, Hephner, Kincaid, Kleczka, Klicka,



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Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Niebler, Olson, Porter, Quackenbush, Quinn, Rohner, Rooney, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Tesmer, Thompson, Tregoning, Wackett and Wilcox -- 47.

Noes -- Baldus, Barbee, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Dueholm, Earl, Elconin, Ferrall, Flintrop, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Keegan, Looby, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 51.

Absent or not voting -- Azim -- 1.

Motion failed.

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### LEAVES OF ABSENCE

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

Representative Thompson moved that the rules be suspended and **Assembly Bill 1297** be withdrawn from the committee on Judiciary and referred to the calendar.

Representative Thompson moved a

### CALL OF THE ASSEMBLY

There were sufficient seconds.

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

The chief clerk called the roll.

Members absent with leave -- Azim.

Members absent without leave -- Barbee, Day and Tregoning.

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

The question was: Shall the rules be suspended and **Assembly Bill 1297** be withdrawn from the committee on Judiciary and referred to the calendar?

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The roll was taken.

The result follows:

**Ayes** -- Alberts, Behnke, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Ellis, Gibson, Giese, Gower, Hephner, Keegan, Kincaid, Kleczka, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Niebler, Olson, Opitz, Plewa, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Tesmer, Thompson, Wackett and Wilcox -- 43.

**Noes** -- Atkinson, Baldus, Barczak, Berger, Bolle, Conta, Czerwinski, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Jackamonis, Johnson, Kedrowski, Lallensack, Looby, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Roberts, Rogers, Rooney, Sanasarian, Sricula, Sweda, Tobiasz, Tropman, Vanderperren, Wahner, Willkom and Mr. Speaker -- 49.

**Absent or not voting** -- Azim, Barbee, Day, Rutkowski, Schneider, Tregoning and Ward -- 7.

Motion failed.

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

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

Representative Gower asked unanimous consent that the Assembly return to the fifth order of business. Granted.

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### PETITIONS

#### **Assembly Petition 162**

By Representative GOWER.

To committee on Taxation.

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### MOTION UNDER JOINT RULE 26

The State of Wisconsin \* \* \* Citation by the Legislature

Know you by these presents:

## JOURNAL OF THE ASSEMBLY (March 7, 1974)

Whereas, Gerald Paradowski is presently at Milwaukee County General Hospital undergoing medical tests and evaluation; and

Whereas, Gerald is a distinguished veteran of World War II, a former assistant district attorney and is presently assistant corporation counsel for Milwaukee County; and

Whereas, he is a gifted speech writer and has been counselor to legislators for the past 11 years while representing Milwaukee county; now, therefore,

The Members of the Wisconsin Legislature, on the motion of the entire membership of the assembly and Senator Frank under Joint Rule 26, extend to Gerald Paradowski their best wishes for a speedy recovery and hope that he will soon return to the state capitol, where his absence is deeply felt.

The question was: Adoption?

Motion carried.

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

Representative Matty moved that the rules be suspended and that **Assembly Joint Resolution 111** be withdrawn from the committee on Natural Resources and taken up at this time.

The question was: Shall the rules be suspended and **Assembly Joint Resolution 111** be withdrawn from the committee on Natural Resources and taken up at this time?

The roll was taken.

The result follows:

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

**Noes** -- Baldus, Barczak, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Keegan, Kleczka, Looby, Mielke, Miller,

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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 -- 56.

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

Motion failed.

Representative Wilcox moved that the rules be suspended and **Assembly Bill 505** be withdrawn from the joint committee on Finance and placed at the foot of the calendar of October 26.

The question was: Shall the rules be suspended and **Assembly Bill 505** be withdrawn from the joint committee on Finance and placed at the foot of the calendar of October 26?

The roll was taken.

The result follows:

Ayes -- Alberts, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Ellis, Gibson, Giese, Gower, Hauke, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Merkel, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 36.

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

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

Motion failed.

Representative Sensenbrenner moved that the rules be suspended and that **Assembly Bill 362** be withdrawn from the joint committee on Finance and placed at the foot of the calendar of October 16.

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The question was: Shall the rules be suspended and that **Assembly Bill 362** be withdrawn from the joint committee on Finance and placed at the foot of the calendar of October 26?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Behnke, Berger, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Ellis, Gibson, Giese, Gower, Hauke, Hephner, Keegan, Kincaid, Kleczka, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Niebler, Olson, Opitz, Porter, Quackenbush, Quinn, Rohner, Roth, Sanasarian, Schricker, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson, Tregoning, Vanderperren, Wackett, Wahner, Ward and Wilcox -- 50.

Noes -- Baldus, Barczak, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Elconin, Everson, Ferrall, Flintrop, Groshek, Grover, Jackamonis, Johnson, Kedrowski, Lallensack, Looby, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski, Schneider, Sicula, Sweda, Tesmer, Tobiasz, Tropman, Willkom and Mr. Speaker -- 47.

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

Motion failed.

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

The assembly stood recessed.

10:55 A.M.

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RECESS

11:55 A.M.

The assembly reconvened.

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SPECIAL ORDER OF BUSINESS AT 10:00 A.M. ON  
TUESDAY, MARCH 5

**Assembly Bill 1407**

Relating to state finances and appropriations, constituting the budget review bill for the 1974 meeting of the 1973 legislature, and making appropriations.

Representative Earl asked unanimous consent that **Assembly Bill 1407** be laid on the table. Granted.

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

The assembly stood recessed.

12:05 P.M.

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RECESS

2:10 P.M.

The assembly reconvened.

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CALENDAR OF FRIDAY, OCTOBER 26, 1973

**Assembly Bill 1194**

Relating to placing small motor bicycles under the laws regulating bicycles instead of motor-driven cycles, and providing a penalty.

Representative Earl asked unanimous consent that **Assembly Bill 1194** be referred to the joint committee on Finance.

Representative Tregoning objected.

Representative Earl moved that **Assembly Bill 1194** be referred to the joint committee on Finance.

The question was: Shall **Assembly Bill 1194** be referred to the joint committee on Finance?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Behnke, Berger, Bolle, Conta, Czerwinski, Day, Dorff, Ducholm, Duren, Earl, Early, Elconin,

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Everson, Ferrall, Flintrop, Groshek, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Lallensack, Looby, Menos, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Munts, Murray, Nager, Oberle, Oestreicher, O'Malley, Opitz, Otte, Pabst, Plewa, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sicula, Sweda, Swoboda, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 62.

Noes -- Alberts, Atkinson, Barczak, Bradley, Bruhy, Byers, Conradt, Cyrak, DeLong, Donoghue, Ellis, Gibson, Giese, Gower, Kincaid, Klicka, Lewis, Lewison, Luckhardt, McEssy, Matty, Niebler, Olson, Porter, Quackenbush, Quinn, Rohner, Roth, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson, Tregoning, Wackett and Wilcox -- 36.

Absent or not voting -- Azim -- 1.

Motion carried.

### **Assembly Bill 538,**

Relating to the provision of emergency medical services by hospitals, the licensing of ambulance service managers and ambulance attendants, creating an examining council and making an appropriation.

Representative Dorff moved that **Assembly Bill 538** be laid on the table.

Representative Earl in the chair.

The speaker in the chair.

The question was: Shall **Assembly Bill 538** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Bolle, Bradley, Bruhy, Cyrak, Day, DeLong, Donoghue, Dorff, Everson, Gibson, Giese, Gower, Groshek, Keegan, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, Matty, Merkel, Mittness, Mohn, Molinaro, Murray, Niebler, Oberle, Olson, Opitz, Otte, Porter, Quackenbush, Roberts, Rogers, Rohner, Rooney, Schroeder, Shabaz, Sweda, Swoboda, Thompson, Tregoning, Vanderperren, Wackett and Wilcox -- 49.

Noes -- Baldus, Barbee, Barczak, Behnke, Berger, Byers, Conradt, Conta, Czerwinski, Ducholm, Duren, Earl, Early, Elconin,

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Ellis, Ferrall, Flintrop, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Kleczka, Looby, McEssy, Menos, Mielke, Miller, Munts, Nager, Oestreicher, O'Malley, Pabst, Plewa, Quinn, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sensenbrenner, Sicula, Tesmer, Tobiasz, Tropman, Wahner, Ward, Willkom and Mr. Speaker -- 50.

Absent or not voting -- None.

Motion failed.

Representative Olson asked unanimous consent that "lines 7-10" on line 3 of assembly amendment 1 to senate substitute amendment 1 to **Assembly Bill 538** be changed to read "lines 9-10". Granted.

Representative Czerwinski moved rejection of assembly amendment 1 to senate substitute amendment 1 to **Assembly Bill 538**.

The question was: Shall assembly amendment 1 to senate substitute amendment 1 to **Assembly Bill 538** be rejected?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Barczak, Behnke, Berger, Conta, Czerwinski, Dueholm, Duren, Earl, Early, Elconin, Ferrall, Flintrop, Grover, Hauke, Hephner, Jackamonis, Johnson, Keegan, Kleczka, Looby, Mielke, Miller, Munts, Nager, Oberle, Pabst, Plewa, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Sensenbrenner, Sicula, Tesmer, Tropman, Wahner, Ward and Mr. Speaker -- 41.

Noes -- Alberts, Atkinson, Azim, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Dorff, Ellis, Everson, Gibson, Giese, Gower, Groshek, Kedrowski, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mittness, Mohn, Molinaro, Murray, Niebler, Oestreicher, Olson, O'Malley, Opitz, Otte, Porter, Quackenbush, Quinn, Roberts, Rohner, Schneider, Schricker, Schroeder, Shabaz, Sweda, Swoboda, Thompson, Tobiasz, Tregoning, Vanderperren, Wackett, Wilcox and Willkom -- 58.

Absent or not voting -- None.

Motion failed.



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Representative Czerwinski moved that assembly amendment 1 to senate substitute amendment 1 to **Assembly Bill 538** be laid on the table.

The question was: Shall assembly amendment 1 to senate substitute amendment 1 to **Assembly Bill 538** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Barczak, Behnke, Berger, Conta, Czerwinski, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Looby, Mielke, Miller, Munts, Nager, Oestreicher, O'Malley, Pabst, Plewa, Roth, Rutkowski, Sanasarian, Sensenbrenner, Sicula, Tesmer, Tropman, Wahner, Ward, Willkom and Mr. Speaker -- 44.

Noes -- Alberts, Atkinson, Azim, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Dorff, Gibson, Giese, Gower, Groshek, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mittness, Mohn, Molinaro, Murray, Niebler, Oberle, Olson, Opitz, Otte, Porter, Quackenbush, Quinn, Roberts, Rogers, Rohner, Rooney, Schneider, Shabaz, Schroeder, Shabaz, Sweda, Swoboda, Thompson, Tobiasz, Tregoning, Vanderperren, Wackett and Wilcox -- 55.

Absent or not voting -- None.

Motion failed.

The question was: Shall assembly amendment 1 to senate substitute amendment 1 to **Assembly Bill 538** be adopted?

The roll was taken.

The result follows:

Ayes -- Alberts, Atkinson, Azim, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, DeLong, Donoghue, Dorff, Gibson, Giese, Gower, Groshek, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, McEssy, Matty, Menos, Merkel, Mohn, Molinaro, Murray, Niebler, Oberle, Olson, Opitz, Porter, Quackenbush, Roberts, Rohner, Rooney, Schroeder, Shabaz, Sweda, Swoboda, Thompson, Tregoning, Vanderperren, Wackett and Wilcox -- 48.

Noes -- Baldus, Barbee, Barczak, Behnke, Berger, Conta, Czerwinski, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson,

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Ferrall, Flintrop, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Looby, Mielke, Miller, Mittness, Munts, Nager, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quinn, Rogers, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sensenbrenner, Sicula, Tesmer, Tobiasz, Tropman, Wahner, Ward, Willkom and Mr. Speaker -- 51.

Absent or not voting -- None.

Motion failed.

Representative Olson moved that **Assembly Bill 538** be referred to the committee on Municipalities.

The question was: Shall **Assembly Bill 538** be referred to the committee on Municipalities?

The roll was taken.

The result follows:

Ayes -- Alberts, Bolle, Bradley, Bruhy, Byers, Conradt, Cyrak, Day, Donoghue, Dorff, Gibson, Giese, Gower, Groshek, Kincaid, Klicka, Lallensack, Lewis, Lewison, Luckhardt, Matty, Merkel, Mohn, Molinaro, Murray, Olson, Opitz, Porter, Quinn, Rohner, Rooney, Schroeder, Shabaz, Sweda, Swoboda, Thompson, Tregoning, Vanderperren and Wackett -- 39.

Noes -- Atkinson, Azim, Baldus, Barbee, Barczak, Behnke, Berger, Conta, Czerwinski, DeLong, Dueholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Grover, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Looby, McEssy, Menos, Mielke, Miller, Mittness, Munts, Nager, Niebler, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quackenbush, Roberts, Rogers, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sensenbrenner, Sicula, Tesmer, Tobiasz, Tropman, Wahner, Ward, Wilcox, Willkom and Mr. Speaker -- 60.

Absent or not voting -- None.

Motion failed.

Representative Czerwinski moved rejection of assembly amendment 2 to senate substitute amendment 1 to **Assembly Bill 538**.

The question was: Shall assembly amendment 2 to senate substitute amendment 1 to **Assembly Bill 538** be rejected?

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The roll was taken.

The result follows:

Ayes -- Baldus, Barbee, Barczak, Behnke, Berger, Byers, Conta, Czerwinski, Dueholm, Duren, Earl, Early, Elconin, Ferrall, Flintrop, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Kleczka, Lewison, Looby, Mielke, Miller, Mittness, Munts, Oberle, Oestreicher, Otte, Plewa, Quinn, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schneider, Schricker, Sensenbrenner, Sicula, Tesmer, Tobiasz, Tropman, Vanderperren, Wahner, Ward, Willkom and Mr. Speaker -- 50.

Noes -- Alberts, Atkinson, Azim, Bolle, Bradley, Bruhy, Conradt, Cyrak, Day, DeLong, Donoghue, Dorff, Ellis, Everson, Gibson, Giese, Gower, Groshek, Grover, Keegan, Kincaid, Klicka, Lallensack, Lewis, Luckhardt, McEssy, Matty, Menos, Merkel, Mohn, Molinaro, Murray, Nager, Niebler, Olson, Opitz, Porter, Quackenbush, Rohner, Schroeder, Shabaz, Sweda, Swoboda, Thompson, Tregoning, Wackett and Wilcox -- 47.

Absent or not voting -- O'Malley and Pabst -- 2.

Motion carried.

Representative Czerwinski moved rejection of assembly amendment 3 to senate substitute amendment 1 to **Assembly Bill 538**.

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### POINT OF ORDER

Representative Tropman rose to the point of order that assembly amendment 3 to senate substitute amendment 1 to **Assembly Bill 538** was not germane.

The speaker took the point of order under advisement.

Representative Czerwinski moved rejection of assembly amendment 4 to senate substitute amendment 1 to **Assembly Bill 538**.

The question was: Shall assembly amendment 4 to senate substitute amendment 1 to **Assembly Bill 538** be rejected?

The roll was taken.

The result follows:

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**Ayes --** Baldus, Barbee, Barczak, Behnke, Berger, Conradt, Conta, Czerwinski, Ducholm, Duren, Earl, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Keegan, Kleczka, Klicka, Looby, McEssy, Miller, Mittness, Munts, Nager, Oberle, Oestreicher, O'Malley, Otte, Pabst, Plewa, Quinn, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schricker, Sensenbrenner, Sicula, Tesmer, Tobiasz, Tropman, Wahner, Ward, Willkom and Mr. Speaker -- 53.

**Noes --** Alberts, Atkinson, Azim, Bolle, Bradley, Bruhy, Byers, Day, DeLong, Donoghue, Dorff, Gibson, Giese, Gower, Groshek, Grover, Kincaid, Lallensack, Lewis, Lewison, Luckhardt, Matty, Menos, Merkel, Mielke, Mohn, Molinaro, Murray, Niebler, Olson, Opitz, Porter, Quackenbush, Roberts, Rohner, Schneider, Schroeder, Shabaz, Sweda, Swoboda, Thompson, Tregoning, Vanderperren, Wackett and Wilcox -- 45.

Absent or not voting -- Cyrak -- 1.

Motion carried.

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

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### MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

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

A Joint Certificate of Commendation and Congratulations by Representatives Barbee and Berger, co-sponsored by Senators Parys and Swan for Maestro Henry Lewis on his accomplishments as symphony, opera conductor.

Adopted and asks concurrence in:

**Senate Joint Resolution 121**

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### ACTION ON THE SENATE MESSAGE

**Senate Joint Resolution 121**

Urging all concerned agencies of the government of the United

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States to ensure that the Lake Michigan ferry service between Manitowoc and Kewaunee, Wisconsin and Frankfort, Michigan be continued.

By Senators Martin, LaFave, Petri, Bablitch, Lorge, LaFollette and Keppler, cosponsored by Representatives Swoboda, Bolle, Lallensack, Quinn, Vanderperren and Grover.

Representative Earl asked unanimous consent that **Senate Joint Resolution 121** be taken from the senate message and taken up at this time. Granted.

The question was: Shall **Senate Joint Resolution 121** be concurred in?

Motion carried.

Representative Earl asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 121** be immediately messaged to the senate. Granted.

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

The assembly stood recessed.

5:05 P.M.

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**RECESS**

6:00 P.M.

The assembly reconvened.

Representative Menos asked unanimous consent to be recorded as voting "No" on adoption of assembly amendment 1 to senate substitute amendment 1 to **Assembly Bill 538**. Granted.

Representative Vanderperren asked unanimous consent to be recorded as voting "No" on rejection of assembly amendment 41 to assembly substitute amendment 1 to **Assembly Bill 1407**. Granted.

Representative Roberts asked unanimous consent that the assembly adjourn in honor of the birthday of Sharon Cook. Granted.

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Representative Sensenbrenner asked unanimous consent that the assembly adjourn in honor of the birthday of Muriel Coleman. Granted.

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### LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Senate substitute amendment 4 to **Senate Bill 528**

On page 6, line 18, delete all text after the first period.

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### VISITORS

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

Students of Whitnall Middle School accompanied by Mr. Hetzel and Mr. LaChaw, guests of Representative Rutkowski.

Dianne Schott, Marge Stone, Cathy Gilbertson, Debby O'Leary, Jay Crandall and Dale Stiegman accompanied by John Eyster from Janesville Parker High School, guests of Representative Mittness.

Beverly Henninger and Shirley Whipp from Bellevue, guests of Representatives Gower, Vanderperren, Quinn, Swoboda and Rogers.

Students from Wilton Elementary School, accompanied by Mrs. Garuin and Mr. Voightschild from Wilton, guests of Representative Thompson.

AFS students from Evansville High School, guests of Representative Mielke.

Elmon "Pete" Ott, Green County Board Member, from New Glarus, guest of Representative Duren.

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Representative Earl moved that the assembly stand adjourned until 9:30 A.M. tomorrow.

The question was: Adjournment?  
Motion carried.

The assembly stood adjourned.

6:05 P.M.