

JOURNAL OF THE ASSEMBLY [February 2, 1971]

STATE OF WISCONSIN

# Assembly Journal

Eightieth Regular Session

---

TUESDAY, February 2, 1971.

1:00 P.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Rev. Ray E. Robinson, pastor of Sherman Avenue United Methodist Church, 3705 N. Sherman Ave., Madison, Wisc.

Representative Duren led the membership in reciting the pledge of allegiance to the flag of the United States.

The roll was taken.

The result follows:

Present—Alberts, Anderson, Atkinson, Azim, Baldus, Barbee, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conradt, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Ellis, Everson, Ferrall, Froehlich, Gaulke, Giese, Greider, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Klicka, Korpela, LaFave, Lewison, Lipscomb, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicula, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—98.

Absent with leave—Early—1.

**JOURNAL OF THE ASSEMBLY [February 2, 1971]**

**CALENDAR OF FRIDAY, JANUARY 29, 1971**

**AMENDMENTS OFFERED**

Assembly amendment 1 to Assembly Bill 27 offered by Representative Berger.

Assembly substitute amendment 1 to Assembly Bill 25 offered by Representative Brown.

Assembly amendment 1 to Assembly Bill 26 offered by Representatives Sicula and Brown.

---

**INTRODUCTION AND REFERENCE OF BILLS**

Read first time and referred:

**Assembly Bill 202**

By Representatives Oberle, Hephner, Sweda, Day, Willkom, Mielke, Sanasarian, Slaby, Bolle, Mato, Schneider, Stack, Otte, Gaulke and Swoboda; co-sponsored by Senator Peloquin.

To committee on Agriculture.

**Assembly Bill 203**

By Representative Korpela; co-sponsored by Senator Cirilli.

To committee on Excise and Fees.

**Assembly Bill 204**

By Representatives Alberts, Bradley, Byers, Kafka and Wilger.

To committee on Natural Resources.

**Assembly Bill 205**

By Representatives Jackson, Berger, Wilcox, Kleczka, Day, Lynn, Boeckmann, Sensenbrenner, Guiles, Hanna, Pabst, McCormick and Greider, by request of Milwaukee County.

To committee on Health and Social Services.

JOURNAL OF THE ASSEMBLY [February 2, 1971]

**Assembly Bill 206**

By Representatives Korpela, Mittness, Baldus, Boeckmann, Huber, Sanasarian, Swoboda, R. M. Thompson, Earl, Otte, Mielke, Tobiasz, Barbee, Molinaro, Rogers, W. A. Johnson, Schneider, G. K. Johnson, Miller, Early, Bolle, Willkom, Looby, Stack, Berger, Dorff, Bultman, Jackamonis, Rutkowski, Brown, Sweda, Dueholm, Roberts and Gaulke; co-sponsored by Senators Peloquin, Swan, Hollander and Steinhilber.

To committee on Health and Social Services.

**Assembly Bill 207**

By Representatives Grover, Earl, Froehlich, Sweda, Nager, Early, Barbee, Jackson and Oestreicher.

To committee on Judiciary.

**Assembly Bill 208**

By Representatives Molinaro, Korpela, G. K. Johnson, Otte, Atkinson, Dorff, Vanderperren, Mato, Looby, Mittness, Mielke, Rogers, Brown and Schwefel; co-sponsored by Senators Hollander, Knutson and Risser, by request of Merwin J. Price, Executive Vice President, Wisconsin Sanatorium Trustees Association.

To committee on Health and Social Services.

**Assembly Bill 209**

By Representatives Alberts, Earl, Wilcox, LaFave, Conradt, Bradley, Sensenbrenner, Byers, Guiles, Schroeder, Klicka, Froehlich, Wilger, Wackett, Lewison, Schricker, Giese, Day, Mittness, Baldus, Luckhardt and Lynn.

To committee on Judiciary.

**Assembly Bill 210**

By Representatives W. A. Johnson, Looby, Brown, Bultman, Swoboda, Jones and Mielke.

To committee on Labor.

---

PETITIONS

**Assembly Petition 1**

By Representative Stack.

To committee on Natural Resources.

**JOURNAL OF THE ASSEMBLY [February 2, 1971]**

**Assembly Petition 2**

By Representative Dorff.

To joint Survey committee on Tax Exemptions.

**Assembly Petition 3**

By Representative Wackett.

To committee on Highways.

**Assembly Petition 4**

By Representative Stack.

To committee on Natural Resources.

**Assembly Petition 5**

By Representative Wackett.

To committee on Natural Resources.

---

**COMMITTEE REPORT**

The committee on Enrolling reports and recommends:

**Assembly Joint Resolution 15**

Correctly enrolled.

**LLOYD A. BARBEE,**  
Chairman.

---

**MESSAGE FROM THE SENATE**

By William P. Nugent, chief clerk.

Mr. Speaker:

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

**Senate Bill 60**

Concurred in:

**Assembly Joint Resolution 22**

**JOURNAL OF THE ASSEMBLY [February 2, 1971]**

**ACTION ON SENATE MESSAGE**

**Senate Bill 60**

To committee on Rules.

---

**MESSAGE FROM THE SENATE**

By William P. Nugent, chief clerk.

**Mr. Speaker:**

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

**Motion Under Joint Rule 26**

A Joint Certificate of Condolence by Senator Solk; co-sponsored by Representative Sensenbrenner to the family of Vincent A. Mercurio, deceased January 31, 1971. Vincent A. Mercurio was a prominent figure in the Republican Party.

---

**ACTION ON SENATE MESSAGE**

Representative Sensenbrenner asked unanimous consent to take up the Motion Under Joint Rule 26. Granted.

The question was: Shall the assembly concur with the Motion Under Joint Rule 26?

Motion carried.

Representative Sensenbrenner asked unanimous consent that the rules be suspended, and that the assembly's action on the Motion Under Joint Rule 26 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 Joint Resolution 24.**

MOTIONS

Representative Shabaz asked unanimous consent that assembly substitute amendment 1 to Assembly Resolution 11 be returned to its author. Granted.

---

CONSIDERATION OF RESOLUTIONS

**Assembly Resolution 11**

Directing the assembly Commerce and Consumer Affairs committee to investigate the public service commission.

---

Analysis by the Legislative Reference Bureau

This resolution requires the assembly Commerce and Consumer Affairs committee to conduct an investigation of the public service commission and a recent telephone rate increase.

For further information, see the appended fiscal note.

---

Whereas, the Wisconsin public service commission is the governmental agency charged with the regulation of certain public utilities in the state; and

Whereas, the people of this state are concerned with the rising cost of furnishing services from these utilities; now, therefore, be it

*Resolved by the assembly*, That the assembly Commerce and Consumer Affairs committee conduct an investigation of the public service commission and the recent public service commission authorization of a telephone rate increase.

By Representative Sanasarian.

Representative Shabaz moved that Assembly Resolution 11 be rejected.

Representative Froehlich moved that Assembly Resolution 11 be withdrawn from the calendar and referred to the committee on Commerce and Consumer Affairs.

Representative Sensenbrenner asked unanimous consent to refer to a printed document. Granted.

The question was: Shall Assembly Resolution 11 be referred to the committee on Commerce and Consumer Affairs?

The roll was taken.

JOURNAL OF THE ASSEMBLY [February 2, 1971]

Representative Froehlich asked unanimous consent that the roll be expunged. Granted.

The question was: Shall **Assembly Resolution 11** be referred to the committee on Commerce and Consumer Affairs?

The roll was taken.

The vote follows:

**Ayes**—Alberts, Azim, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Hanson, Helgeson, Johnson G. K., Jones, Kafka, Klicka, LaFave, Lewison, Looby, McEssy, Mato, Merkel, Quackenbush, Quinn, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilger and Willkom—36.

**Noes**—Anderson, Atkinson, Baldus, B a r b e e, Berger, Boeckmann, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Everson, Ferrall, Gaulke, Groshek, Grover, Hanna, Hephner, Jackamonis, Jackson, Johnson W. A., Kessler, Kleczka, Korpela, Lipscomb, Luckhardt, Lynn, McCormick, McDougal, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Wilcox and Mr. Speaker—62.

Absent or not voting—Early—1.

Motion failed.

The question was: Shall **Assembly Resolution 11** be rejected?

Motion failed.

**Assembly amendment 1 to Assembly Resolution 11** offered by Representative McEssy.

Representative Anderson moved that **assembly amendment 1 to Assembly Resolution 11** be rejected.

---

POINT OF ORDER

Representative Froehlich rose to a point of order that the question submitted to Representative Sanasarian is irrelevant to the amendment under discussion.

**RULING OF CHAIR ON POINT OF ORDER**

The chair ruled that the point of order was not well taken since there had been no objection to the question being put to Representative Sanasarian.

The question was: Shall assembly amendment 1 to Assembly Resolution 11 be rejected?

The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Everson, Ferrall, Gaulke, Groshek, Grover, Hanna, Hanson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Kessler, Kleczka, Korpela, Lipscomb, Looby, McCormick, Mato, Mielke, Miller, Mitteness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sricula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—62.

Noes—Alberts, Azim, Bradley, Bultman, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Jones, Kafka, Klicka, LaFave, Lewison, Luckhardt, Lynn, McDougal, McEssy, Merkel, Quackenbush, Quinn, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—36.

Absent or not voting—Early—1.

Motion carried.

Assembly substitute amendment 2 to Assembly Resolution 11 offered by Representative Froehlich.

---

**POINT OF ORDER**

Representative Anderson rose to a point of order that the proposed substitute amendment would alter the essence of the title of Assembly Resolution 11.

---

**RULING OF THE CHAIR ON THE POINT OF ORDER**

The chair ruled that the point of order was well taken.

## JOURNAL OF THE ASSEMBLY [February 2, 1971]

Representative Froehlich appealed the decision of the chair.

The question was: Shall the judgment of the chair stand as the judgment of the house?

The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Everson, Ferrall, Gaulke, Groshek, Grover, Hanna, Hanson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Lipscomb, Looby, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Slaby, Stack, Stalbaum, Sweda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—65.

Noes—Alberts, Azim, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Kafka, Klicka, LaFave, Lewison, Luckhardt, McDougal, McEssy, Merkel, Quackenbush, Quinn, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Swoboda, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—33.

Absent or not voting—Early—1.

Motion carried.

The question was: Shall Assembly Resolution 11 be adopted?

The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Bultman, Byers, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Everson, Ferrall, Froehlich, Gaulke, Greider, Groshek, Grover, Hanna, Hephner, Jackamonis, Jackson, Johnson W. A., Jones, Kessler, Kleczka, Korpela, Lipscomb, Luckhardt, Lynn, McCormick, McDougal, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schricker, Sicula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner and Mr. Speaker—66.

Noes—Alberts, Azim, Bradley, Conradt, Ellis, Giese,

JOURNAL OF THE ASSEMBLY [February 2, 1971]

Guiles, Hanson, Helgeson, Johnson G. K., Kafka, Klicka, LaFave, Lewison, Looby, McEssy, Mato, Merkel, Quackenbush, Quinn, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox, Wilger and Willkom—32.

Absent or not voting—Early—1.

Motion carried.

---

LEAVE OF ABSENCE

Representative Anderson asked unanimous consent for a leave of absence for Representative Early. Granted.

---

CHIEF CLERK'S CORRECTIONS

**Assembly Bill 30**

On page 6, line 22, change "of" to "or".

On page 7, line 1, substitute "contaminants" for "contaminants".

On page 9, line 4, substitute "municipality" for "minicipality".

On page 9, line 23, substitute "municipality" for "mimicipality".

**Assembly Bill 82**

On page 2, line 9, score "or within 10 days after".

**Assembly Bill 130**

On page 2, line 10, substitute "while" for "whole".

**Assembly Bill 150**

On page 2, line 8, change "if" to "or".

**Assembly Bill 175**

On page 11, line 22, strike "the".

On page 12, line 27, insert "or" after "therein".

JOURNAL OF THE ASSEMBLY [February 2, 1971]

**Assembly Bill 178**

On page 3, line 2, insert a comma after "71.14".  
On page 11, line 16, change "1969" to "1971".

**Assembly Bill 180**

On page 1, line 17, substitute "advice" for "advise".

---

VISITORS

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

Fourth grade class of Maywood School, Monona, Wisconsin, by Representative Everson.

Phoebe Gunderson, Pat Blahnik, Winnie Larsen, Crystal Verpoorten, Shirley Koepfel, Joe Koepfel and John Staley from Langlade County Teachers College, guests of Representative McDougal.

Linda Kranz, Beaver Dam, James Fartmonn, Oconomowoc, Gert Schouten, Brandon and Les Clemens, Ashippun, guests of Representative Luckhardt.

Edward J. Krowitz, Eau Claire, Wisconsin, also honored the assembly by his presence as guest of Representatives Barbee and Looby.

---

Representative Anderson moved that the assembly adjourn in honor of the 15th Wedding Anniversary of Representative Rogers until 9:30 A.M., Wednesday, February 3, 1971.

The question was: Adjournment?  
Motion carried.

The assembly stood adjourned.

2:40 P.M.