

STATE OF WISCONSIN

Assembly Journal

Eightieth Regular Session

THURSDAY, February 11, 1971.

The assembly met.

10:00 A.M.

The speaker in the chair.

The prayer was offered by Reverend Edward E. Beatty, Pastor of First Congregational Church, 1609 University Avenue, Madison, Wisconsin.

Representative Mato 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, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, 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, 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, S c h o w a l t e r, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicula, Slaby, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—96.

Absent with leave—Conradt, Lipscomb and Stack—3.

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AMENDMENTS OFFERED

Assembly amendment 2 to assembly substitute amendment 1 to Assembly Bill 35 offered by Representative Conta.

Assembly amendment 1 to Assembly Bill 38 offered by Representatives Brown and Ferrall.

Assembly amendment 1 to Assembly Bill 99 offered by Representative Earl.

Assembly amendment 1 to Assembly Bill 245 offered by Representative Froehlich.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Joint Resolution 27

By Representatives Sensenbrenner and Baldus.

To committee on Elections.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 279

By Representatives R. M. Thompson, Day, Bradley, Wilger, Gaulke, Alberts, Slaby, Byers, Baldus, T. G. Thompson, Mittness and Willkom.

To committee on Natural Resources.

Assembly Bill 280

By Representatives Hephner, O'Malley, Vanderperren, Slaby, Oberle and Dueholm; co-sponsored by Senator Pelquin.

To committee on Agriculture.

Assembly Bill 281

By Representatives Brown, Barbee, Mittness, Groshek, Lipscomb, Dueholm, Tobiasz, Atkinson, Czerwinski and Wahner.

To joint Survey committee on Tax Exemptions.

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Assembly Bill 282

By Representatives Molinaro and Tobiasz, by request of Wisconsin Automatic Merchandising Council.
To joint committee on Finance.

Assembly Bill 283

By Representatives Brown, Stalbaum, Korpela, Mittness, Schneider and Ferrall; co-sponsored by Senator Dorman.
To committee on Education.

Assembly Bill 284

By Representatives Tobiasz, W. A. Johnson, Czerwinski, McCormick, Pabst, Sanasarian and Brown.
To committee on Municipalities.

Assembly Bill 285

By Representatives Conta, Bultman, Jackson, Sanasarian, Wahner, Berger, Earl, W. A. Johnson, Lipscomb, Pabst, Sicula, Czerwinski, Kessler, Jones, Tobiasz, McCormick, Orlich, Barbee, Kleczka, Miller, Ferrall, Anderson, Grover, Mittness, Sweda, Brown and Vanderperren; co-sponsored by Senator Whittow.
To committee on Municipalities.

Assembly Bill 286

By Representatives Lewison, Luckhardt, Wilcox, Tregoning, Brown, Froehlich, Byers, Schricker, Bradley, Rogers, Otte, Boeckmann, Merkel, McDougal, Schwefel, Schroeder, T. G. Thompson, Alberts, Kafka, LaFave, Wilger, Stalbaum, Hanson, Korpela, Dueholm, Conradt and Swoboda; co-sponsored by Senators Hollander, Lorge, Bidwell, McKenna, Martin and Keppler.
To committee on Education.

Assembly Bill 287

By Representatives Luckhardt, Lewison, LaFave, Froehlich, Shabaz, Wilcox, Tregoning, Kafka, Byers, Alberts, T. G. Thompson and Wilger.
To committee on Insurance and Banking.

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Assembly Bill 288

By Representatives W. A. Johnson, Stack, Ferrall, Hanna, Sanasarian, Berger, Wahner, Hanson, Sicula, Orlich, Willkom, Looby, Otte, Groshek, Pabst, O'Malley, Day, Gaulke, Mielke, Korpela, Schneider, Jackamonis, Dorff, Bultman, G. K. Johnson, Kleczka, Oberle, Tobiasz and Molinaro.

To committee on Judiciary.

Assembly Bill 289

By Representatives McCormick, Brown, Wilcox, Sicula, Rutkowski, Pabst, T. G. Thompson, Sensenbrenner, Shabaz and Jackson, by request of Milwaukee County.

To committee on Judiciary.

Assembly Bill 290

By Representatives Groshek, Day, Mohn, Boeckmann and Oberle.

To committee on Highways.

Assembly Bill 291

By Representatives Mato, Mittness, Bultman, Looby, Baldus and LaFave; co-sponsored by Senators Dorman, McKenna, Heinzen, Cirilli and Peloquin, by request of Wisconsin Credit Union League.

To committee on Insurance and Banking.

Assembly Bill 292

By Representative Lynn.

To committee on State Affairs.

Assembly Bill 293

By Representatives Jackson, Lynn, Kleczka, Pabst, Hephner, Berger, Wilcox, Greider, Boeckmann, Roberts, Early, Day, Groshek, Willkom, Hanna, Bolle, Shabaz, Swoboda, Hanson, Stack, Klicka, Guiles, Schroeder, Sensenbrenner, Ellis, Alberts, Byers, Kafka, Tregoning, Schricker, Wilger, Luckhardt, Bradley, Tobiasz, Schneider, Otte, Atkinson, T. G. Thompson, Stalbaum, Grover, Schwefel, Mohn, Dorff, Bultman, Sweda, Rutkowski, Helgeson, McEssy, Wahner, LaFave, Jones, Vanderperren, Schowalter; co-sponsored by Senators Whittow, Parys, Frank, Devitt, Lorigan, Lotto, Swan, Krueger, Soik, Schuele, Cirilli, Peloquin, Martin, Bidwell Murphy, LaFave, Heinzen and Johnson.

To committee on Health and Social Services.

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Assembly Bill 294
By Representative Froehlich.
To committee on Natural Resources.

COMMUNICATIONS

The State of Wisconsin
Department of State
Madison 53702

February 9, 1971.

To the Honorable, the Assembly

Gentlemen: I have the honor to transmit to you, pursuant to section 13.67 (2), a list of registered lobbyists for the period beginning February 2, 1971 and ending February 8, 1971.

Yours very truly,

ROBERT C. ZIMMERMAN,
Secretary of State.

Received and placed on file in the office of the chief clerk. Pursuant to Joint Rule 36, the list is printed in the senate journal only and appears there beginning on page 261.

Assembly Petition 6
By Representatives Bolle and Helgeson.
To committee on Transportation.

Assembly Petition 7
By Representative Dorff.
To committee on Commerce and Consumer Affairs.

Assembly Petition 8
By Representative Boeckmann.
To committee on Natural Resources.

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COMMITTEE REPORTS

The committee on State Affairs reports and recommends:
Assembly Bill 82
Relating to disapproval by town boards of county zoning ordinances.
Passage; Ayes, 9; Noes, 2.

Assembly Bill 99
Relating to election of county officers.
Indefinite postponement; Ayes, 6; Noes, 5.

ALVIN BALDUS,
Chairman.

The committee on Municipalities reports and recommends:
Assembly Bill 40
Relating to interest on municipal borrowing.
Passage; Ayes, 10; Noes, 3.

Assembly Bill 89
Relating to lease or sale of space above and below municipal real estate.
Assembly substitute amendment 1, adoption; Ayes, 13; Noes, 0 and passage; Ayes, 13; Noes, 0.

EDWARD NAGER,
Chairman.

The joint committee on Finance reports:
Assembly Bill 275
To appropriate \$8,000 from the highway fund for use in the city of Hurley for emergency snow removal.
Emergency statement attached; Ayes, 13; Noes, 0 and passage; Ayes, 13; Noes, 0.

GEORGE MOLINARO,
Chairman.

Representative Anderson asked unanimous consent, that the rules be suspended and that Assembly Bill 275 be taken up at this time.

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Representative Azim objected.

Representative Anderson moved that the rules be suspended that Assembly Bill 275 be taken up at this time.

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

The question was: Shall the rules be suspended and Assembly Bill 275 be taken up at this time?

The roll was taken.

The vote follows:

Ayes—Alberts, Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Ferrall, Gaulke, Greider, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Korpela, LaFave, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Quackenbush, Quinn, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schricker, Schwefel, Sensenbrenner, Sicula, Slaby, Stalbaum, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—84.

Noes—Azim, Froehlich, Giese, Klicka, Merkel, Pabst, Schowalter, Schroeder, Shabaz, Thompson T. G., Tregoning and Wackett—12.

Absent or not voting—Conradt, Lipscomb and Stack—3.

Motion carried.

Assembly Bill 275

To appropriate \$8,000 from the highway fund for use in the city of Hurley for emergency snow removal.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 275 be given a third reading. Granted.

The question was: This bill having been read three times, shall the bill pass?

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The roll was taken.

The vote follows:

Ayes—Alberts, Anderson, Atkinson, Azim, Baldus, Barbee, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, 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, Korpela, LaFave, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicala, Slaby, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—93.

Noes—Klicka, Merkel and Schowalter—3.

Absent or not voting—Conradt, Lipscomb and Stack—3.

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 275 be immediately messaged to the senate. Granted.

LEAVE OF ABSENCE

Representative Froehlich asked unanimous consent for a leave of absence for Representative Conradt. 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:

Motions under Joint Rule 26.

A joint certificate of Congratulations by Senator Bidwell;

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co-sponsored by Representative R. M. Thompson to the Stuart Herwig Rink of Arlington, Wisconsin who won the State Curling Championship.

Representative Anderson asked unanimous consent that the rules be suspended and that the motion under Joint Rule 26 be taken up at this time. Granted.

The question was: Concurrence?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Motion Under Joint Rule 26 be immediately messaged to the senate. Granted.

Mr. Speaker:

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

A joint certificate of Congratulations by Senator Heinzen; co-sponsored by Representative Oestreicher to Ronald and Irene Heeg for winning the Jaycee "Outstanding Young Farmer" award.

Representative Anderson asked unanimous consent that the rules be suspended and that the motion under Joint Rule 26 be taken up at this time. Granted.

The question was: Concurrence?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Motion Under Joint Rule 26 be immediately messaged to the senate. Granted.

Mr. Speaker:

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

Senate Bill 87

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ACTION ON THE SENATE MESSAGE

Senate Bill 87

By Senator Heinzen.

To committee on Insurance and Banking.

CALENDAR OF FEBRUARY 9, 1971

Representative Anderson asked unanimous consent that Assembly Bill 140 be withdrawn from the calendar of February 12 and be taken up at this time. Granted.

Assembly Bill 140

Relating to referenda requirements applicable to borrowing by certain school districts.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent, that the rules be suspended and that Assembly Bill 140 be given a third reading. Granted.

The question was: This bill having been read three times, Shall the bill pass?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended, and that the assembly's action on Assembly Bill 140 be immediately messaged to the senate. Granted.

Representative Mittness asked unanimous consent to table Assembly Bill 2 pending amendments. Granted.

Assembly Bill 16

An act relating to property tax boards of review.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

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Representative Anderson asked unanimous consent, that the rules be suspended and that **Assembly Bill 16** be given a third reading. **Granted.**

The question was: This bill having been read three times, Shall the bill pass?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended, and that the assembly's action on **Assembly Bill 16** be immediately messaged to the senate. **Granted.**

Assembly Bill 31

An act relating to the standard of time.

Representative Helgeson asked unanimous consent that **Assembly Bill 31** be withdrawn from today's calendar and be placed on the calendar of February 18. **Granted.**

Assembly Bill 50

An act relating to expansion of the comparative negligence doctrine.

Representative Shabaz moved indefinite postponement of **Assembly Bill 50.**

The question was: Indefinite postponement?

The roll was taken.

The vote follows:

Ayes—Boeckmann, Greider, Helgeson, Klicka, Mato, Merkel, Schowalter, Shabaz, Stalbaum, Wackett and Wilger—11.

Noes—Alberts, Anderson, Atkinson, Azim, Baldus, Barbee, Berger, Bolle, Bradley, Brown, Bultman, Byers, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Ferrall, Froehlich, Gaulke, Giese, Groshek, Grover, Guiles, Hanna, Hanson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Korpela, LaFave, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schricker, Schroeder,

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Schwefel, Sensenbrenner, Sricula, Slaby, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wahner, Wilcox, Willkom and Mr. Speaker—85.

Absent or not voting—Conradt, Lipscomb and Stack—3.

Motion failed.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 50 be given a third reading. Granted.

The question was: This bill having been read three times, shall the bill pass?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 50 be immediately messaged to the senate. Granted.

Assembly Bill 51

An act increasing maximum allowable claims and providing attorney's fees in small claims actions.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 51 be given a third reading. Granted.

The question was: This bill having been read three times, shall the bill pass?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 51 be immediately messaged to the senate. Granted.

Representative Sweda in the chair.

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Assembly Bill 52

An act relating to establishing procedural requirements for plaintiff offers of civil suit settlement.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 52 be given a third reading. Granted.

The question was: This bill having been read three times, shall the bill pass?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 52 be immediately messaged to the senate. Granted.

Assembly Bill 53

An act relating to requiring medical payments coverage on automobile liability insurance policies.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 53 be given a third reading. Granted.

The question was: This bill having been read three times, shall the bill pass?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 53 be immediately messaged to the senate. Granted.

Assembly Bill 54

An act relating to uninsured motorist coverage.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

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Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 54 be given a third reading. **Granted.**

The question was: This bill having been read three times, shall the bill pass?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 54 be immediately messaged to the senate. **Granted.**

Assembly Bill 57

An act relating to revamping methods of assigning substitute circuit and county judges.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 57 be given a third reading. **Granted.**

The question was: This bill having been read three times, shall the bill pass?

The roll was taken.

The vote follows:

Ayes—Alberts, Anderson, Atkinson, Azim, Baldus, Barbee, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, 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, 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, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderper-

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ren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—96.

Noes—None.

Absent or not voting—Conradt, Lipscomb and Stack—3.

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended, and that the assembly's action on Assembly Bill 57 be immediately messaged to the senate. Granted.

Assembly Bill 128

An act relating to additional employes under the supreme court.

The speaker in the chair.

Representative Nager asked unanimous consent to table Assembly Bill 128.

Representative Froehlich objected.

Representative Froehlich asked unanimous consent that Assembly Bill 128 be referred to the joint committee on Finance. Granted.

LEAVE OF ABSENCE

Representative Anderson asked unanimous consent for leave of absence for today's session for Representatives Lipscomb and Stack. Granted.

Representative G. K. Johnson asked unanimous consent to make a statement. 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:

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Madison Chapter of the Veterans for Peace in Vietnam, Bruce Lloyd, Chairman, Richard Walker, Tom Cannon, Emory Adams, John A. Cappon, Mark Donnelly, Rick Larson, Jim McBriar, Harold Fager, Paul Mann, Steve Stair, Chuck Goranson, Burt Wagner, Ron Rogers, guests of Representatives Nager and Miller.

One-hundred forty students and teachers, Oconomowoc Junior High School, Oconomowoc, Wisconsin, guests of Representative Alberts.

Seventh grade class of Fall River School, Fall River, Wisconsin, guests of Representative R. M. Thompson.

Students from the Barret School, Racine, Wisconsin, guests of Representative Brown.

Introduced as a special guest of the assembly, Majority Leader for the 1959 Session, Mr. Keith Hardie, Franklin, Wisconsin.

Representative Anderson asked unanimous consent that the assembly adjourn in honor of the 95th birthday of Mrs. Thomas O'Malley, the mother of Representative O'Malley. Granted.

Representative Jones asked unanimous consent that the assembly also adjourn in honor of the assistant sergeant-at-arms, Bob Heule's, birthday. Granted.

Representative Anderson moved that the assembly adjourn to 9:30 A.M. Friday, February 12, 1971.

The question was: Adjournment?
Motion carried.

The assembly stood adjourned.

11:15 A.M.