

JOURNAL OF THE ASSEMBLY [February 13, 1969]

STATE OF WISCONSIN

# Assembly Journal

Seventy-Ninth Regular Session

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THURSDAY, February 13, 1969.

9:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Rabbi Manfred Swarsensky, Beth El Temple, 2702 Arbor Drive, Madison, Wis.

Assemblyman Anderson led the membership in reciting the pledge of allegiance to the flag of the United States.

The roll was called by the chief clerk.

The result follows:

Present—Alberts, Alfonsi, Anderson, Atkinson, Azim, Baldus, Barbee, Belting, Blanchard, Boche, Bock, Boeckman, Bolle, Bradley, Brown, Byers, Conradt, Conta, Czerwinski, Day, Duesolm, Gee, Greider, Groshek, Grover, Hanna, Helgeson, Hephner, Huber, Hutnik, Jackson, Johnson L. H., Johnson W. A., Jones, Kafka, Kenyon, Kessler, Kleczka, Klicka, Korpela, LaFave, Laper, Lewison, Lipscomb, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Martin, Mathews, Mato, Merkel, Mittness, Molinaro, Nager, Nikolay, Nitschke, Nuttelman, Obey, Olson, O'Malley, Orlich, Otte, Pabst, Packard, Parkin, Parys, Peloquin, Quinn, Radcliffe, Rogers, Sanasarian, Schneeberg, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicula, Stack, Stalbaum, Steinhilber, Sweda, Tamms, Thompson, Tobiasz, Tregoning, Uehling, Vanderperren, Van Hollen, Wackett, Warren, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—100.

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AMENDMENTS OFFERED

Assembly amendment 1, to **Assembly Bill 69**, offered by Assemblyman York.

Assembly amendment 1, to **Assembly Bill 66**, offered by Assemblyman Lewison.

Assembly amendment 1, to **Assembly Joint Resolution 12**, offered by Assemblyman York.

Assembly amendment 1, to Assembly substitute amendment 1, to **Assembly Bill 71**, offered by Assemblymen Conrardt, Schwefel and McDougal.

Assembly amendment 1, to **Assembly Bill 42**, offered by Assemblyman LaFave.

Assembly amendment 2, to Assembly substitute amendment 1, to **Assembly Bill 71**, offered by Assemblyman York.

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INTRODUCTION AND REFERENCE  
OF BILLS

Read first time and referred:

**Assembly Bill 221**

By Assemblyman Nikolay.

To committee on Judiciary.

**Assembly Bill 222**

By Assemblymen Froehlich, Nikolay, Pabst, Martin, Grover, Van Hollen, Belting, Bock, Orlich, Otte, Kenyon, Wilcox and Thompson.

To committee on Public Welfare.

**Assembly Bill 223**

By Assemblyman Nikolay.

To committee on Agriculture.

**Assembly Bill 224**

By Assemblyman Sensenbrenner.

To committee on Elections.

**Assembly Bill 225**

By Assemblymen Froehlich, Lewison, Tregoning, Blanchard, Luckhardt and Wackett.

To committee on Taxation.

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**Assembly Bill 226**

By Assemblyman Jones, by request of Milwaukee County.  
To committee on Judiciary.

**Assembly Bill 227**

By Assemblymen McEssy, Nitschke and Parys; co-sponsored by Senators LaFave and Whittow.  
To committee on Excise and Fees.

**Assembly Bill 228**

By Assemblymen Weisensel, Stalbaum and Bock.  
To committee on Education.

**Assembly Bill 229**

By Assemblymen Weisensel and Bradley.  
To committee on Agriculture.

**Assembly Bill 230**

By Assemblymen Weisensel, Azim and Mittness.  
To committee on Education.

**Assembly Bill 231**

By Assemblymen LaFave, Alberts, Blanchard, L. H. Johnson, Luckhardt, Boche, Uehling, Weisensel and Wing; co-sponsored by Senator Devitt.  
To committee on Highways.

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PETITIONS

**Assembly Petition 5**

By Assemblyman Nager  
To joint committee on Finance.

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COMMITTEE REPORTS

The committee on State Affairs reports and recommends:

**Assembly Bill 138**

Relating to providing an additional penalty for committing or attempting to commit a felony while armed with a dangerous weapon.

Passage; Ayes, 9; Noes, 0.

BERNARD M. LEWISON,  
Chairman.

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The committee on Judiciary reports and recommends:

**Assembly Bill 42**

Relating to providing an additional penalty for committing or attempting to commit a felony while armed with a dangerous weapon.

Passage; Ayes, 7; Noes, 3.

**Assembly Bill 28**

Relating to criminal intent by the public officers and employes in bribery cases.

Indefinite postponement; Ayes, 7; Noes, 4.

**Assembly Bill 36**

Relating to the county courts of Racine County.

Passage; Ayes, 11; Noes, 0.

**Assembly Bill 81**

Relating to the service of a court commissioner's order by a constable.

Passage; Ayes, 11; Noes, 0.

GEORGE B. BELTING,  
Chairman.

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EXECUTIVE COMMUNICATION

The State of Wisconsin  
Executive Office  
Madison 53702

To the Honorable, the Assembly:

The following bill, originating in the Assembly, has been approved, signed and deposited in the office of the Secretary of State.

Assembly Bill	Chapter No.	Date Approved
93 -----	2 -----	February 12, 1969

Respectfully submitted,

WARREN P. KNOWLES,  
Governor.

February 12, 1969

MESSAGE FROM THE SENATE  
CERTIFICATES UNDER JOINT RULE 26

By William P. Nugent, chief clerk thereof.

Mr. Speaker:

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

A joint certificate of Congratulations commemorating Horace P. Mulloy on the occasion of his efforts and services to the dairy and cheese industry.

By Senator Roseleip; co-sponsored by Assemblymen Azim, Tregoning and Bock.

A joint certificate of Commendation commemorating Walter Renk on the occasion of his support of orderly and rational conduct within our higher education institutions.

By Senator Keppler; co-sponsored by Senators Swan, LaFave, Knutson, Lorge, Soik, Devitt, Terry, Busby, Roseleip, Meunier, Draheim, Hollander, Chilsen, Lourigan, Johnson, Lotto, Whittow, Sussman, McParland and Heinzen.

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ACTION ON SENATE MESSAGE

Assemblyman Hutnik asked unanimous consent, that the rules be suspended and that Senate Joint Rule 26 be taken up at this time. Granted.

Senate Joint Rule 26

The question was: Concurrence?

The roll was taken.

The vote follows:

Ayes—Alberts, Alfonsi, Anderson, Atkinson, Baldus, Belting, Blanchard, Boche, Bock, Boeckmann, Bolle, Bradley, Brown, Byers, Conradt, Conta, Day, Gee, Greider, Groshek, Grover, Hanna, Helgeson, Hephner, Huber, Hutnik, Jackson, Johnson L. H., Johnson W. A., Jones, Kafka, Kenyon, Kleczka, Klicka, Korpela, LaFave, Laper, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Martin, Mathews, Mato, Merkel, M i t t n e s s, Molinaro, Nitschke, Nuttelman, Obey, Olson, O'Malley, Orlich, Otte, Pabst, Packard, Parkin, Parys, Peloquin, Quinn, Radcliffe, Rogers, Sanasarian, Schneeberg, Schowalter, Schroeder,

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Schwefel, Sensenbrenner, Shabaz, Sicula, Stack, Stalbaum, Steinhilber, Sweda, Tamms, Tobiasz, Tregoning, Uehling, Vanderperren, Van Hollen, Wackett, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—90.

Noes—Czerkwinski, Dueholm, Kessler, Lipscomb, Nager and Nikolay—6.

Absent or not voting—Azim, Barbee, Thompson and Warren—4.

Motion carried.

Assemblyman Alfonsi asked unanimous consent that the assembly's action under joint rule 26 be immediately mesaged to the senate, Granted.

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**MESSAGE FROM THE SENATE**

By William P. Nugent, chief clerk thereof

Mr. Speaker:

I am directed to inform you that the senate has concurred in all of the foregoing motions under joint rule 26.

A joint certificate of Congratulations commemorating Roy E. Kumm on the occasion of Man of the Year Award.

By Assemblymen Greider and Nuttelman and Senator Knutson.

A joint certificate of Condolences extending to the family of Captain Jerold Floyd Herreman on his tragic death.

By Assemblymen Uehling, Weisensel and Wilcox.

A joint certificate of Congratulations commemorating William C. Thompkins on the occasion of his selection as Kenosha's J.C.'s Man of the Year.

By Assemblymen Olson and Molinaro.

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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:

**Assembly Joint Resolution 10**

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**Passed and asks concurrence in:**

**Senate Bill 50**

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**ACTION ON SENATE MESSAGE**

**Read first time and referred:**

**Senate Bill 50**

**To calendar.**

Assemblyman Huber asked unanimous consent that the rules be suspended for the introduction of an assembly resolution. **Granted.**

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**RESOLUTION**

**Assembly Resolution 23**

Relating to disturbances on the University of Wisconsin campus.

By Assemblyman Huber.

Assemblyman Nitschke in the chair.

Assemblyman Huber asked unanimous consent that the rules be suspended and that **Assembly Resolution 23** be taken up at this time. **Granted.**

**Assembly Resolution 23**

The question was: Shall **Assembly Resolution 23** be adopted?

Assemblyman Merkel offered an amendment. **Entered.**

The question was: Shall assembly amendment 1 be adopted?

Assemblyman Merkel asked unanimous consent that the chief clerk be directed to make a correction in line 15 of the amendment. **Granted.**

The question was: Shall assembly amendment 1 be adopted?

Assemblyman Martin offered an amendment. **Entered.**

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The question was: Shall amendment 1 to assembly amendment 1 be adopted?

The roll was taken.

The vote follows:

Ayes—Alberts, Alfonsi, Anderson, Atkinson, Azim, Baldus, Belting, Blanchard, Boche, Bock, Boeckmann, Bolle, Bradley, Brown, Byers, Conradt, Czerwinski, Day, Dueholm, Gee, Greider, Groshek, Grover, Hanna, Helgeson, Hephner, Huber, Hutnik, Jackson, Johnson L. H., Johnson W. A., Jones, Kafka, Kenyon, Kleczka, Klicka, Korpela, LaFave, Laper, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Martin, Mathews, Mato, Merkel, Mittness, Molinaro, Nager, Nikolay, Nitschke, Nuttelman, Obey, Olson, O'Malley, Orlich, Otte, Pabst, Packard, Parkin, Parys, Peloquin, Quinn, Radcliffe, Rogers, Schneeberg, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicula, Stack, Steinhilber, Sweda, Tamms, Thompson, Tobiasz, Tregoning, Uehling, Vanderperren, Van Hollen, Wackett, Warren, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—94.

Noes—Barbee, Conta, Kessler, Lipscomb, Sanasarian and Stalbaum—6.

Absent or not voting—None.

Motion carried.

The question was: Shall Assembly Amendment 1 be adopted?

The roll was taken.

The vote follows:

Ayes—Alberts, Alfonsi, Atkinson, Baldus, Belting, Blanchard, Boche, Bock, Boeckmann, Bolle, Bradley, Brown, Byers, Conradt, Day, Dueholm, Gee, Greider, Groshek, Grover, Hanna, Helgeson, Hephner, Huber, Hutnik, Jackson, Johnson L. H., Johnson W. A., Jones, Kafka, Kenyon, Kleczka, Klicka, Korpela, LaFave, Laper, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Martin, Mathews, Mato, Merkel, Mittness, Molinaro, Nikolay, Nitschke, Nuttelman, Obey, Olson, O'Malley, Orlich, Otte, Pabst, Packard, Parkin, Parys, Peloquin, Quinn, Radcliffe, Rogers, Schneeberg, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stack, Steinhilber, Sweda, Tamms, Thompson, Tobiasz, Tregoning, Uehling, Vanderperren, Van Hollen, Wackett, Warren, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—89.

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Noes—Anderson, Azim, Barbee, Conta, Czerwinski, Kessler, Lipscomb, Nager, Sanasarian, Sicula and Stalbaum—11.

Absent or not voting—None.

Motion carried.

The question was: Shall Assembly Resolution 23 be adopted?

Assemblyman Hutnik in the chair.

Assemblyman Luckhardt offered an amendent. Entered.

The question was: Shall Assembly Amendment 2 be adopted?

Assemblyman Nager moved rejection.

The question was: Shall Assembly Amendment 2 be rejected?

The roll was taken.

The vote follows:

Ayes—Anderson, Baldus, Barbee, Conta, Czerwinski, Dueholm, Johnson W. A., Kessler, Korpela, Lipscomb, Mato, Nager, Nikolay, O'Malley, Orlich, Sanasarian, Sicula, Stalbaum and Warren—19.

Noes—Alberts, Alfonsi, Atkinson, Azim, Belting, Blanchard, Boche, Bock, Boeckmann, Bolle, Bradley, Brown, Byers, Conradt, Day, Gee, Greider, Groshek, Grover, Hanna, Helgeson, Hephner, Huber, Hutnik, Jackson, Johnson L. H., Jones, Kafka, Kenyon, Kleczka, Klicka, LaFave, Laper, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Martin, Mathews, Merkel, Mittness, Molinaro, Nitschke, Nuttelman, Obey, Olson, Otte, Pabst, Packard, Parkin, Parys, Peloquin, Quinn, Radcliffe, Rogers, Schneeberg, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stack, Steinhilber, Sweda, Tamms, Thompson, Tobiasz, Tregoning, Uehling, Vanderperren, Van Hollen, Wackett, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—81.

Absent or not voting—None.

Motion failed.

The question was: Shall Assembly Amendment 2 be adopted?

The roll was taken.

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The vote follows:

Ayes—Alberts, Alfonsi, Atkinson, Azim, Baldus, Belting, Blanchard, Boche, Bock, Boeckmann, Bolle, Bradley, Brown, Byers, Conradt, Day, Gee, Greider, Groshek, Grover, Hanna, Helgeson, Hephner, Huber, Hutnik, Jackson, Johnson L. H., Johnson W. A., Jones, Kafka, Kenyon, Kleczka, Klicka, Korpela, LaFave, Laper, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Martin, Mathews, Mato, Merkel, Mittness, Molinaro, Nitschke, Nuttelman, Obey, Olson, O'Malley, Otte, Pabst, Packard, Parkin, Parys, Pelouquin, Quinn, Radcliffe, Rogers, Schneeberg, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stack, Steinhilber, Sweda, Tamms, Thompson, Tobiasz, Tregoning, Uehling, Vanderperren, Van Hollen, Wackett, Warren, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—87.

Noes—Anderson, Barbee, Conta, Czerwinski, Dueholm, Kessler, Lipscomb, Nager, Nikolay, Orlich Sanasarian, Sricula and Stalbaum—13.

Absent or not voting—None.

Motion carried.

Assemblyman Nitschke in the chair.

### Assembly Resolution 23

The question was: Shall Assembly Resolution 23 be adopted?

Assemblyman Barbee moved rejection.

The question was: Shall Assembly Resolution 23 be rejected?

Assemblyman McEssy asked unanimous consent to be listed as co-author of Assembly Resolution 23. Granted.

The question was: Shall Assembly Resolution 23 be rejected?

Assemblyman Nager moved that Assembly Resolution 23 be laid on the table.

The question was: Shall Assembly Resolution 23 be laid on the table?

The roll was taken.

The vote follows:

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Ayes—Atkinson, Barbee, Czerwinski, Dueholm, Kessler, Lipscomb, Molinaro, Nager, Nikolay, Orlich, Sanasarian and Sicula—12.

Noes—Alberts, Alfonsi, Anderson, Azim, Baldus, Belting, Blanchard, Boche, Bock, Boeckmann, Bolle, Bradley, Brown, Byers, Conradt, Conta, Day, Gee, Greider, Groshek, Grover, Hanna, Helgeson, Hephner, Huber, Hutnik, Jackson, Johnson L. H., Johnson W. A., Jones, Kafka, Kenyon, Kleczka, Klicka, Korpela, LaFave, Laper, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Martin, Mathews, Mato, Merkel, Mittness, Nitschke, Nuttelman, Obey, Olson, O'Malley, Otte, Pabst, Packard, Parkin, Parys, Peloquin, Quinn, Radcliffe, Rogers, Sch nee b e r g, Schowalter, Schroeder, S c h w e f e l, Sensenbrenner, Shabaz, Stack, Stalbaum, Steinhilber, Sweda, Tamms, Thompson, Tobiasz, Tregoning, Uehling, Vanderperren, Van Hollen, Wackett, Warren, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—88.

Absent or not voting—None.

Motion failed.

The question was: Shall Assembly Resolution 23 be rejected?

The roll was taken.

The vote follows:

Ayes—Barbee, Czerwinski, Kessler, Lipscomb, Molinaro, Nager, Nikolay, Orlich, Sanasarian and Sicula—10.

Noes—Alberts, Alfonsi, Anderson, Atkinson, Azim, Baldus, Belting, Blanchard, Boche, Bock, Boeckmann, Bolle, Bradley, Brown, Byers, Conradt, Conta, Day, Gee, Greider, Groshek, Grover, Hanna, Helgeson, Hephner, Huber, Hutnik, Jackson, Johnson L. H., Johnson W. A., Jones, Kafka, Kleczka, Klicka, Korpela, LaFave, Laper, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Martin, Mathews, Mato, Merkel, Mittness, Nitschke, Nuttelman, Obey, Olson, O'Malley, Otte, Pabst, Packard, Parkin, Parys, Peloquin, Quinn, Radcliffe, Rogers, Schneeberg, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stack, Stalbaum, Steinhilber, Sweda, Tamms, Thompson, Tobiasz, Tregoning, Vanderperren, Van Hollen, Wackett, Warren, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—87.

Absent or not voting—Dueholm, Kenyon and Uehling—3.

Motion failed.

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Assemblyman Hanna asked unanimous consent to be listed as co-author to **Assembly Resolution 23**. Granted.

**Assembly Resolution 23**

Relating to disturbances on the University of Wisconsin campus.

Whereas, in past decades, due to the sacrifice made by the Wisconsin taxpayer, it has been possible for a good many young people, whether the children of doctors or working men, lawyers or farmers, to obtain an education equal in quality to that provided by any of the great universities in America; and

Whereas, it has been possible to create and maintain our great university primarily because the University has enjoyed the support, both financial and sentimental, of the Wisconsin citizenry; and

Whereas, with each outbreak of violence on the campus public support for the University declines; and

Whereas, continued decline of public support could lead to a destruction of the qualities and values which have made the University of Wisconsin something special; and

Whereas, such a development would only make more unlikely the achievement of those goals sought by responsible student leaders, both black and white; Now, therefore, be it

*Resolved by the assembly,* That the student demonstrators are cautioned to weigh carefully the unfortunate consequences both to the University and to themselves, which result from the use of violence or the denial of legitimate access to any campus building or classroom; and, be it further

Resolved, That the assembly expresses its determination to prevent the destruction of a great university by irresponsible voices; and, be it further

Resolved, That the assembly pledges its support to University administration actions designed to prevent the outbreak of campus violence, to permit access to university buildings or classrooms by all persons with a legitimate right to that access and to achieve a curriculum with greater relevance to all students within our society.

By Assemblymen Huber, McEssy and Hanna.

The question was: Shall **Assembly Resolution 23** be adopted?

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The roll was taken.

The vote follows:

Ayes—Alberts, Alfonsi, Anderson, Atkinson, Azim, Baldus, Belting, Blanchard, Boche, Bock, Boeckmann, Bolle, Bradley, Brown, Byers, Conradt, Conta, Day, Gee, Greider, Groshek, Grover, Hanna, Helgeson, Hephner, Huber, Hutnik, Jackson, Johnson L. H., Johnson W. A., Jones, Kafka, Kenyon, Kleczka, Klicka, Korpela, LaFave, Laper, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Martin, Mathews, Mato, Merkel, Mittness, Nitschke, Nuttelman, Obey, Olson, O'Malley, Otte, Pabst, Packard, Parkin, Parys, Peloquin, Quinn, Radcliffe, Rogers, Schneeberg, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stack, Stalbaum, Steinhilber, Sweda, Tamm, Thompson, Tobiasz, Tregoning, Uehling, Vanderperren, Van Hollen, Wackett, Warren, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—89.

Noes—Barbee, Czerwinski, Dueholm, Kessler, Lipscomb, Molinaro, Nager, Nikolay, Orlich, Sanasarian and Sicula—11.

Absent or not voting—None.

Motion carried.

Assemblyman McEssy asked unanimous consent that the Assembly adjourn today in honor of the 61st birthday of the majority floor leader, Assemblyman Alfonsi. Granted.

Assemblyman Anderson asked unanimous consent that the Assembly adjourn today also in honor of the 54th wedding anniversary of Mr. and Mrs. Parrish. Mr. Parrish is the operator of the coffee shop of the legislature. Granted.

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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:

Bill Brown from Beaver Dam, Wis., guest of Assemblyman Nitschke.

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Mr. and Mrs. Alfred Wittmann, Mr. and Mrs. Norman Stecker and Mrs. Henrietta Struebing (wife of the chief clerk) from Brillion, Wis., guests of Wilmer H. Struebing, Chief Clerk of the Assembly.

Maurice C. McCann, Racine County supervisor, guest of Assemblymen Brown, Warren and Stalbaum.

Students from Madison Business College, guests of Assemblymen Uehling, Nager, Weisensel, O'Malley and Anderson.

Michael McCarthy, Madison Business College from Sun Prairie, Wis., guests of Assemblyman Weisensel.

Mrs. Robert Barrington, Racine County Board, from Racine, Wisconsin, guest of Assemblymen Brown, Warren and Stalbaum.

Mrs. Max Sulewsky, from Mequon, Ozaukee County, Wis., guest of Assemblyman Schowalter.

Daphne E. Barbee, from Milwaukeee, daughter and guest of Assemblyman Barbee.

William Bacher and Robert Kennedy from Madison, Wis., guests of Assemblyman Nager.

Tommy Johnson from Cambridge, Wis., guest of Assemblyman Blanchard.

Penny Mattison and Jyll Bittrick from Beloit, Wisconsin, guests of Assemblyman Belting.

Ray Burrows from Coloma, Wis., guest of Assemblyman Byers.

John Coan from Phoenix, Ariz., guest of the entire assembly.

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Pursuant to the requests by Assemblymen McEssy and Anderson, Assemblyman Alfonsi moved that the assembly adjourn to 9:00 A.M., Friday, February 14, 1969.

Motion carried.

11:15 A.M.