

JOURNAL OF THE ASSEMBLY [April 10, 1969]

STATE OF WISCONSIN

# Assembly Journal

## Seventy-Ninth Regular Session

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THURSDAY, April 10, 1969.

10:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Rev. David L. Hanner, United Presbyterian Church, 20 West Messenger Street, Rice Lake, Wis. 54868.

Assemblyman Mittness 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, Alfonsi, Anderson, Atkinson, Azim, Baldus, Barbee, Belting, Blanchard, Boche, Bock, Boeckmann, Bolle, Bradley, Brown, Byers, Conradt, Conta, Czerwinski, Day, Dueholm, 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, 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, Weisenel, Wilcox, Wilger, Wing, York and Mr. Speaker—99.

Absent—None.

JOURNAL OF THE ASSEMBLY [April 10, 1969]

AMENDMENTS OFFERED

Assembly amendment 1 to Assembly Bill 492 offered by Assemblyman Laper.

Assembly amendment 1 to Assembly Bill 396 offered by Assemblyman Anderson.

Assembly substitute amendment 1 to Assembly Bill 231 offered by Assemblyman LaFave.

Assembly substitute amendment 1 to Senate Bill 106 offered by Assemblymen Warren and Brown.

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INTRODUCTION AND REFERENCE OF  
JOINT RESOLUTIONS

Read and referred:

**Assembly Joint Resolution 42**

By Assemblyman Byers; co-sponsored by Senator Lorge.  
To calendar.

**Assembly Joint Resolution 43**

By Assemblyman Byers; co-sponsored by Senator Lorge.  
To calendar.

**Assembly Joint Resolution 44**

By Assemblymen Merkel, Tregoning, Sensenbrenner,  
Greider and Klicka.  
To calendar.

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INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

**Assembly Bill 639**

By Assemblymen Wackett, Olson, Wing, Steinhilber, Klicka, Shabaz, Byers, Hutnik, Stalbaum, Wilger, Bradley, Schroeder, York, Packard, Sensenbrenner, Van Hollen, Martin, Parkin, Alberts, LaFave, Blanchard, McDougal, Bock, L. H. Johnson, Nuttelman, Schowalter, Wilcox, Nitschke, Quinn, Lewison, Laper, Luckhardt and Merkel; co-sponsored by Senator Swan.

To committee on Public Welfare.

JOURNAL OF THE ASSEMBLY [April 10, 1969]

**Assembly Bill 640**

By Assemblymen Klicka, Wing, Nuttelman, Schroeder, Tregoning, Kafka, Thompson, Schwefel, Bradley, Blanchard, Gee, Quinn, Byers, McDougal, Schneeberg, Uehling, Weisen-  
sel and Wilcox.

To committee on State Affairs.

**Assembly Bill 641**

By Assemblymen Tobiasz, Orlich, Sricula, Jackson, Mc-  
Cormick, Pabst, Kleczka, Lipscomb, Conta, Anderson and  
Mato, by request of Milwaukee County.

To committee on Taxation.

**Assembly Bill 642**

By Assemblymen Klicka, Wing, Nuttelman, Schroeder,  
Tamms, Kafka, Schwefel, Bradley, Blanchard, Gee, Quinn,  
Byers, McDougal, Schneeberg and Uehling.

To committee on State Affairs.

**Assembly Bill 643**

By Assemblyman Kenyon.

To joint committee on Finance.

**Assembly Bill 644**

By Assemblymen Merkel, Thompson, Froehlich and  
Parys.

To committee on State Affairs.

**Assembly Bill 645**

By Assemblymen Luckhardt and Blanchard.

To committee on Transportation.

**Assembly Bill 646**

By Assemblyman York.

To committee on State Affairs.

**Assembly Bill 647**

By Assemblymen Gee, Parkin, Kenyon and Thompson;  
co-sponsored by Senator Heinzen.

To committee on Highways.

JOURNAL OF THE ASSEMBLY [April 10, 1969]

**Assembly Bill 648**

By Assemblymen Conta, Sicula, Sanasarian, Lipscomb, Orlich, Korpela, Brown, Parys, Tobiasz, W. A. Johnson, Czerwinski and Barbee.

To committee on Education.

**Assembly Bill 649**

By Assemblymen LaFave, Alberts, Byers, Steinhilber and Belting.

To committee on Insurance and Banking.

**Assembly Bill 650**

By Assemblyman Barbee.

To committee on Education.

**Assembly Bill 651**

By Assemblyman Barbee.

To committee on Education.

**Assembly Bill 652**

By committee on Judiciary, by request of Board of Governors, State Bar of Wisconsin.

To committee on Judiciary.

**Assembly Bill 653**

By committee on Judiciary, by request of Board of Governors, State Bar of Wisconsin.

To committee on Judiciary.

**Assembly Bill 654**

By committee on Judiciary, by request of Board of Governors, State Bar of Wisconsin.

To committee on Judiciary.

**Assembly Bill 655**

By committee on Judiciary, by request of Board of Governors, State Bar of Wisconsin.

To committee on Judiciary.

**Assembly Bill 656**

By committee on Judiciary, by request of Board of Governors, State Bar of Wisconsin.

To committee on Judiciary.

JOURNAL OF THE ASSEMBLY [April 10, 1969]

COMMITTEE REPORTS

The joint committee on Finance reports :

**Assembly Bill 346**

Granting to the county board of Vernon county, Wisconsin, and the town boards of the towns of Stark and Whites-town, Vernon county, Wisconsin, the right to abandon certain roads in connection with the LaFarge Reservoir Federal Flood Control Project.

Emergency statement. Adoption; Ayes, 10; Noes, 0. Passage; Ayes, 10; Noes, 0.

BYRON F. WACKETT,  
Chairman.

The committee on State Affairs reports and recommends:

**Assembly Bill 379**

Relating to the disposition of unclaimed property, making uniform the law with reference thereto, granting rule-making authority, providing penalties and making appropriations.

Assembly amendment 1, adoption; Ayes, 11; Noes, 0. Passage; Ayes, 9; Noes, 2.

**Senate Joint Resolution 9**

Relating to facilities for housing state departments and agencies.

Concurrence; Ayes, 9; Noes, 2.

BERNARD LEWISON,  
Chairman.

Assemblyman Nitschke in the chair.

The committee on Judiciary reports and recommends for introduction:

**Assembly Bill 652**

Relating to interests in property and condominiums.  
Ayes, 10; Noes, 0.

**Assembly Bill 653**

Relating to revision of the statutes on trusts.  
Ayes, 10; Noes, 0.

JOURNAL OF THE ASSEMBLY [April 10, 1969]

**Assembly Bill 654**

Relating to a revision of the law of landlord and tenant.  
Ayes, 10; Noes, 0.

**Assembly Bill 655**

Relating to a revision of the law of conveyances and mortgages and land contracts.  
Ayes, 10; Noes, 0.

**Assembly Bill 656**

Relating to real property actions.  
Ayes, 10; Noes, 0.

GEORGE B. BELTING,  
Chairman.

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MOTION UNDER JOINT RULE 26

The State of Wisconsin \* \* \* Citation by the Legislature  
Know you by these presents:

Whereas, Assemblyman David R. Obey's victory in the special election in the 7th Congressional District has attracted national attention to the state of Wisconsin:

Whereas Assemblyman David Obey conducted a vigorous, efficient, meaningful, and very successful campaign.

Whereas the aforementioned characteristics are typical of the image and career developed by Assemblyman Dave Obey during the tenure which he served in the Wisconsin State Assembly; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Assemblymen Sweda and Grover, under Joint Rule 26, *Therefore*, Do by this vote of confidence hereby commend him on his past accomplishments, congratulate him on his election to the United States Congress and wish him success in his new endeavor.

The question was: Adoption?  
Motion carried.

Assemblyman Alfonsi asked unanimous consent that the assembly stand recessed for 20 minutes. Granted.

10:30 A.M.

JOURNAL OF THE ASSEMBLY [April 10, 1969]

RECESS

11:25 A.M.

The assembly reconvened.

Assemblyman Olson in the chair.

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DISTINGUISHED GUESTS

Assemblyman Conradt was appointed by the Chair to conduct Robert C. Hansen, Kenosha, Wis., State Department Commander of the Disabled American Veterans to the podium. Commander Hansen then introduced to the assembly the National Commander of the Disabled American Veterans, Wayne L. Sheirbon. Commander Sheirbon addressed the membership. He spoke on student unrest throughout the entire nation. He complimented the political and educational leaders of Wisconsin on the able and efficient procedure followed by them in meeting this problem. Applause by the entire chamber accompanied the introduction of these distinguished guests and the conclusion of his remarks by the D.A.V. National Commander.

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LEAVE OF ABSENCE

Assemblyman Alfonsi asked unanimous consent for leave of absence for the balance of today's session for the following: Assemblyman L. H. Johnson. Granted.

The speaker in the chair.

Assemblyman Alfonsi asked unanimous consent that **Assembly Bill 346** be withdrawn from joint committee on Finance and taken up at this time. Granted.

Rules suspended and taken up.

**Assembly Bill 346**

Granting to the county board of Vernon county, Wisconsin, and the town boards of the towns of Stark and Whites-

JOURNAL OF THE ASSEMBLY [April 10, 1969]

town, Vernon county, Wisconsin, the right to abandon certain roads in connection with the LaFarge Reservoir Federal Flood Control Project.

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

Motion carried.

Assemblyman Alfonsi asked unanimous consent that the rules be suspended and that **Assembly Bill 346** 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, Alfonsi, Anderson, Atkinson, Azim, Baldus, Belting, Blanchard, Boche, Bock, Boeckmann, Bolle, Bradley, Brown, Byers, Conradt, Conta, Czerwinski, Day, Dueholm, Gee, Greider, Groshek, Grover, Hanna, Helgeson, Hephner, Huber, Hutnik, Jackson, Johnson W. A., Jones, Kafka, Kenyon, Kessler, Kleczka, Klicka, Korpela, LaFave, Laper, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Martin, Mathews, Mato, Merkel, Mittness, Molinaro, Nager, Nikolay, Nitschke, Nuttelman, Olson, O'Malley, Orlich, Otte, Pabst, Packard, Parkin, Parys, Peloquin, Quinn, Radcliffe, Rogers, Sanasarian, Schneeberg, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicala, Stack, Stalbaum, Steinhilber, Sweda, Tamms, Thompson, Tobiasz, Tregoning, Uehling, Vanderperren, Van Hollen, Wackett, Warren, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—96.

Noes—None.

Absent or not voting—Barbee, Johnson L. H. and Lipscomb—3.

Motion carried.

Assemblyman Alfonsi asked unanimous consent that the assembly's action on **Assembly Bill 346** be immediately messaged to the senate. Granted.

Assemblyman Alfonsi rose to point of order that the hour of 10:30 A.M. had arrived, the time of special order set for **Assembly Bill 71**.

The chair ruled the point of order well taken.

JOURNAL OF THE ASSEMBLY [April 10, 1969]

SPECIAL ORDER  
FROM THE CALENDAR OF APRIL 10, 1969  
MESSAGES FROM THE SENATE AND  
ACTION THEREON

**Assembly Bill 71**

To reduce certain appropriations, and to fund school aids and veterans housing loans.

The question was: Shall senate amendment 1 to senate amendment 2 be concurred in?

Motion carried.

The question was: Shall senate amendment 2 be concurred in?

Motion carried.

The question was: Shall senate amendment 4 be concurred in?

Motion carried.

The question was: Shall senate amendment 5 be concurred in?

Motion carried.

The question was: Shall senate amendment 6 be concurred in?

Motion carried.

The question was: Shall senate amendment 7 be concurred in?

The roll was taken.

The vote follows:

Ayes—Alberts, Alfonsi, Anderson, Atkinson Azim, Baldus, Barbee, Blanchard, Bock, Bolle, Bradley, Brown, Byers, Conradt, Czerwinski, Day, Dueholm, Gee, Greider, Groshek, Grover, Hanna, Helgeson, Huber, Hutnik, Jones, Kafka, Kenyon, Kessler, Klicka, Korpela, LaFave, Laper, Lewison, Lipscomb, Luckhardt, Lynn, McCormick, McDougal, McEssy, Martin, Mathews, Mato, Merkel, Mittness, Molinaro, Nager, Nikolay, Nitschke, Nuttelman, Olson, O'Malley, Orlich, Packard, Parkin, Quinn, Radcliffe, Rogers, Sanasarian, Schneeberg, Schowalter, Schroeder, S c h w e f e l, Sensenbrenner, Shabaz, Sicula, Stack, Stalbaum, Steinhilber, Sweda, Tamms, Thompson, Tobiasz, Tregoning, Uehling, Vanderperren, Van Hollen, Wackett, Warren, Wilcox, Wilger, York and Mr. Speaker—83.

JOURNAL OF THE ASSEMBLY [April 10, 1969]

Noes—Belting, Boche, Boeckmann, Conta, Hephner, Jackson, Johnson W. A., Looby, Otte, Pabst, Parys, Peloquin, Weisensel and Wing—14.

Absent or not voting—Johnson L. H. and Kleczka—2.

Motion carried.

Assemblyman Kleczka requested that he be recorded as voting, "Aye." Granted.

The question was: Shall senate amendment 8 be concurred in?

Motion carried.

The question was: Shall senate amendment 9 be concurred in?

Assemblyman Hephner moved non-concurrence.

The question was: Shall senate amendment 9 be non-concurred in?

Assemblyman Orlich moved that **Assembly Bill 71**, with remaining senate amendments together with assembly substitute amendment 2, to **Assembly Bill 71**, be referred to joint committee on Finance.

The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Boeckmann, Bolle, Brown, Conta, Czerwinski, Day, Dueholm, Groshek, Grover, Hanna, Hephner, Huber, Jackson, Johnson W. A., Jones, Kessler, Kleczka, Korpela, Lipscomb, Looby, Lynn, McCormick, Mato, Mittness, Molinaro, Nager, Nikolay, O'Malley, Orlich, Otte, Pabst, Parys, Peloquin, Radcliffe, Rogers, Sanasarian, Sicula, Stack, Sweda, Tobiasz, Vanderperren and Warren—46.

Noes—Alberts, Alfonsi, Azim, Belting, Blanchard, Boche, Bock, Bradley, Byers, Conradt, Gee, Greider, Helgeson, Hutnik, Kafka, Kenyon, Klicka, LaFave, Laper, Lewison, Luckhardt, McDougal, McEssy, Martin, Mathews, Merkel, Nitschke, Nuttelman, Olson, Packard, Parkin, Quinn, Schneeberg, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Steinhilber, Tamms, Thompson, Tregoning, Uehling, Van Hollen, Wackett, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—52.

Absent or not voting—Johnson L. H.—1

Motion failed.

JOURNAL OF THE ASSEMBLY [April 10, 1969]

The question was: Shall senate amendment 9 be non-concurred in?

The roll was taken.

The vote follows:

Ayes—Baldus, Barbee, Boeckmann, Conta, Grover, Hephner, Jackson, Johnson W. A., Kleczka, Klicka, Lipscomb, Looby, McCormick, McEssy, Mato, Orlich, Otte, Pabst, Parys, Peloquin, Radcliffe, Rogers, Sicula and Tamms—24.

Noes—Alberts, Alfonsi, Anderson, Atkinson, Azim, Belt-ing, Blanchard, Boche, Bock, Bolle, Bradley, Brown, Byers, Conradt, Czerwinski, Day, Dueholm, Gee, Greider, Groshek, Hanna, Helgeson, Huber, Hutnik, Jones, Kafka, Kenyon, Kessler, Korpela, LaFave, Laper, Lewison, Luckhardt, Lynn, McDougal, Martin, Mathews, Merkel, Mittness, Molinaro, Nager, Nikolay, Nitschke, Nuttelman, Olson, O'Malley, Packard, Parkin, Quinn, Sanasarian, Schneeberg, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stack, Stalbaum, Steinhilber, Sweda, Thompson, Tobiasz, Tregoning, Uehling, Vanderperren, Van Hollen, Wackett, Warren, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—74.

Absent or not voting—Johnson W. A.—1.

Motion failed.

The question was: Shall senate amendment 9 be concurred in?

Motion carried.

The question was: Shall senate amendment 1 to senate amendment 10 be concurred in?

Motion carried.

The question was: Shall senate amendment 10 be concurred in?

Motion carried.

The question was: Shall senate amendment 11 be concurred in?

Motion carried.

The question was: Shall senate amendment 12 be concurred in?

Motion carried.

The question was: Shall senate amendment 22 be concurred in?

Motion carried.

## JOURNAL OF THE ASSEMBLY [April 10, 1969]

### Assembly Bill 71

Assemblyman Alfonsi asked unanimous consent that the assembly's action on **Assembly Bill 71** be immediately messaged to the senate.

Assemblyman W. A. Johnson objected.

Assemblyman Alfonsi moved that the assembly's action on **Assembly Bill 71** be immediately messaged to the senate.

The roll was taken.

The vote follows:

Ayes—Alberts, Alfonsi, Azim, Belting, Blanchard, Boche, Bock, Bolle, Bradley, Byers, Conradt, Day, Gee, Greider, Groshek, Helgeson, Hutnik, Kafka, Kenyon, Klicka, Korpela, LaFave, Laper, Lewison, Luckhardt, McDougal, McEssy, Martin, Merkel, Mittness, Nitschke, Nuttelman, Olson, O'Malley, Packard, Parkin, Quinn, Radcliffe, Rogers, Schneeberg, Schowalter, Schroeder, S c h w e f e l, Sensenbrenner, Shabaz, Stack, S t a l b a u m, Steinhilber, Sweda, Tamms, Thompson, Tregoning, Uehling, Van Hollen, Wackett, Weisenel, Wilcox, Wilger, Wing, York and Mr. Speaker—61.

Noes—Anderson, Atkinson, Baldus, Barbee, Boeckmann, Brown, Conta, Czerwinski, Dueholm, Grover, Hanna, Hephner, Huber, Jackson, Johnson W. A., Jones, Kessler, Kleczka, Lipscomb, Looby, Lynn, McCormick, Mathews, Mato, Molinaro, Nager, Nikolay, Orlich, Otte, Pabst, Parys, Peloquin, Sanasarian, Sicula, Tobiasz, Vanderperren and Warren—37.

Absent or not voting—Johnson L. H.—1.

Motion failed.

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### CHIEF CLERK'S CORRECTION

#### Assembly Bill 576

On page 2, lines 24 and 26, substitute "15.985" for "15.983".

On page 8, line 11, substitute "15.407" for "15.405".

#### Assembly Bill 577

On page 2, lines 24 and 26, substitute "15.985" for "15.983".

On page 8, line 11, substitute "15.407" for "15.405".

JOURNAL OF THE ASSEMBLY [April 10, 1969]

VISITORS

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

Maurice E. Marine from Edgerton, Wis., guest of Assemblyman Blanchard.

Mr. and Mrs. Karl Merkel from Marshfield, Wis., guests of Assemblyman Parkin.

The following members of Marquette High School Political Science Club, Mr. George Sullivan, William Kurtz, Jim Sinsky, Norman Tenorio, Michael Orzel, Jim Kubicki and Steven Blackwood from Milwaukee, Wisconsin, guests of Assemblymen Sanasarian and Kleczka.

Mr. and Mrs. Wendelin Merkel from Marshfield, Wisconsin, guests of Assemblymen Parkin and Merkel. These visitors are the parents of Assemblyman Merkel.

Mrs. Kenneth Merkel from Brookfield, Wis., wife and special guest of Assemblyman Merkel.

Mrs. Wm. McKerrow, Gail, Brian and William, Jr., from Pewaukee, Wis., guests of Assemblyman Alberts.

Two senior classes studying "Problems of Democracy" from Pacelli H. S., Stevens Point, Wis., consisting of 30 students and Brother John, guests of Assemblyman Groshok.

Mrs. Donald Krenz, Robby, Kathy and Cindy from Milwaukee, Wis., guests of Assemblyman Parys.

John Forde, Mrs. Carol Forde, Alice, Mary, Paul and Carolyn Forde and Jon Nielsen from Wausau, Wisconsin, guests of Assemblyman Alfonsi.

Mrs. A. Jay Pastene, 6801 N. Ironwood Lane, Glendale, Wis., accompanied by Joan, Jim and Robert Pastene, guests of Assemblyman Parys.

Francis Mattis and Mrs. Audrey Mattis from Stone Lake, Wis., 54876, guests of Assemblyman Hutnik.

JOURNAL OF THE ASSEMBLY [April 10, 1969]

150 students from Sabish Jr. High, Fond du Lac, accompanied by the following 9 teachers: Mr. Anderson, Mr. Becker, Mr. Berezovsky, Mr. Schultz, Mrs. Dais, Mr. Shivek, Mr. Richter, Mrs. Laboyeske and Mr. Marschall, guests of Assemblyman McEssy.

43 students of St. John's Lutheran School, Mayville, their principal, Mr. Koehler and teacher, Mr. Davidenas, guests of Assemblyman Luckhardt.

Thomas J. Lynn and Paula Wisnewski, from West Allis, Wis., guests of Assemblyman Lynn.

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Assemblyman Alfonsi moved that the assembly adjourn to 9:00 A.M. Friday, April 11, 1969.

Motion carried.

12:45 P.M.