

STATE OF WISCONSIN

Assembly Journal

1969 Special Session

THURSDAY, July 3, 1969.

10:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Rev. Joseph Washington, retired Baptist Minister, 717 Regent Street, Madison, Wis. 53701.

Assemblyman Jackson 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, Conrad, 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, 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, Sricula, Stack, Stalbaum, Steinhilber, Sweda, Tamms, Thompson, Tobiasz, Tregoning, Uehling, Vanderperren, Van Hollen, Wackett, Warren, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—98.

Absent with leave—Luckhardt—1.

JOURNAL OF THE ASSEMBLY [July 3, 1969]

AMENDMENTS OFFERED

Assembly substitute amendment 2 to **Assembly Bill 161** offered by Assemblyman Nager.

Assembly amendment 10 to **Assembly Bill 275** offered by Assemblymen Brown, Warren and Stalbaum.

Assembly amendment 11 to **Assembly Bill 275** offered by Assemblymen Brown, Warren and Stalbaum.

Assembly amendment 2 to **Assembly Bill 765** offered by Assemblyman Schowalter.

Assembly amendment 1 to assembly amendment 1 to **Senate Bill 315** offered by Assemblyman Sensenbrenner.

Assembly amendment 2 to **Senate Bill 315** offered by Assemblyman Atkinson.

Assembly substitute amendment 2 to **Assembly Bill 800** offered by Assemblyman L. H. Johnson.

Assembly amendment 2 to **Senate Bill 42** offered by Assemblymen Belting, McCormick and Sensenbrenner, by request of Milwaukee County.

Assembly amendment 1 to **Senate Bill 43** offered by Assemblymen Belting, McCormick and Sensenbrenner, by request of Milwaukee County.

Assembly substitute amendment 1 to **Assembly Bill 162** offered by Assemblyman Merkel.

Assembly amendment 1 to **Assembly Bill 810** offered by Assemblyman Merkel.

JOURNAL OF THE ASSEMBLY [July 3, 1969]

COMMUNICATIONS

Department of State
Madison 2 Wisconsin

July 3, 1969.

To Whom It May Concern:

Dear Sir: Acts, Joint Resolutions and Resolutions, deposited in this office, have been numbered and published as follows:

Bills, Jt. Res. or Res.	Chapter No.	Publication Date
Assembly Bill 4	90	July 1, 1969
Assembly Bill 85	91	July 2, 1969
Senate Bill 271	93	July 2, 1969
Senate Bill 123	94	July 3, 1969
Assembly Bill 857	95	July 3, 1969

Very truly yours,

ROBERT C. ZIMMERMAN,
Secretary of State.

COMMITTEE REPORT

The committee on Agriculture reports:

Senate Bill 529

Relating to abolishing the grain and warehouse commission, transferring its functions to the department of agriculture, and making an appropriation.

Concurrence; Ayes, 10; Noes, 0.

NORBERT NUTTELMAN,
Chairman.

Referred to calendar.

Assemblyman Nuttelman asked unanimous consent that the rules be suspended and that Senate Bill 529 be taken from the calendar and taken up at this time. Granted.

Senate Bill 529

Relating to abolishing the grain and warehouse commission, transferring its functions to the department of agriculture, and making an appropriation.

JOURNAL OF THE ASSEMBLY [July 3, 1969]

The question was: Shall Senate Bill 529 be ordered to a third reading?

Motion carried.

Rules suspended.

The question was: This bill having been read three times, shall the bill be concurred in?

The roll was taken.

The vote follows:

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

Noes—Molinaro, Parys and Wackett—3.

Absent or not voting—Luckhardt and McCormick—2.

Motion carried.

Assemblyman McCormick asked unanimous consent to be recorded as voting "Aye." Granted.

Ordered immediately messaged to the senate.

MOTIONS

Assemblyman McEssy asked unanimous consent that As-
sembly Bill 75 be withdrawn from committee on Excise and
Fees and referred to the calendar. Granted.

MOTION UNDER JOINT RULE 26

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

Whereas, Patricia Ann Devitt has been named the winner of the Annual Americanism Essay Contest by the State Department of Amvets at their annual convention, and

Whereas, her essay on "What Constitutes Patriotism Toward One's Country" was adjudged outstanding in a field of over 1500 entries, and

Whereas, a small vocal minority of the youth of our state have somewhat tarnished the image of our younger generation, and

Whereas, we believe Miss Devitt is representative of the other 98% of the fine young patriotic Americans in this state; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Assemblyman Wing and Senator Roseleip, under Joint Rule 26, congratulate Miss Patricia Ann Devitt on receiving this high honor from one of the state's leading veterans' organizations.

The question was: Adoption?

Motion carried.

Ordered immediately messaged to the senate.

CALENDAR OF JUNE 19, 1969

CONSIDERATION OF RESOLUTIONS

Assembly Resolution 40

Requesting an opinion of the attorney general as to the constitutionality of Assembly Bill 801.

The question was: Shall Assembly Resolution 40 be adopted?

Motion carried.

Assemblyman Nitschke in the chair.

JOURNAL OF THE ASSEMBLY [July 3, 1969]

Assembly Resolution 42

Requesting an opinion of the attorney general as to the constitutionality of **Assembly Bill 244**, relating to corporate farming.

The question was: Adoption?

Assemblyman Nikolay moved rejection.

Assembly substitute amendment 1 was taken up.

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

Assemblyman Dueholm moved rejection.

The question was: Shall assembly substitute amendment 1 be rejected?

Assemblyman Dueholm withdrew his motion.

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

The roll was taken.

The vote follows:

Ayes—Alberts, Alfonsi, Anderson, Atkinson, Azim, Balduz, Barbee, Belting, Blanchard, Boche, Bock, Boeckmann, Bolle, Bradley, Brown, Byers, Conratt, 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, Lynn, 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, Sricula, Stack, Stalbaum, Steinhilber, Sweda, Tamms, Thompson, Tobiasz, Tregoning, Uehling, Vanderperren, Van Hollen, Wackett, Warren, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—97.

Noes—None.

Absent or not voting—Luckhardt and McCormick—2.

Motion carried.

Assemblyman McCormick asked unanimous consent to be recorded as voting "Aye". Granted.

JOURNAL OF THE ASSEMBLY [July 3, 1969]

The question was: Shall **Assembly Resolution 42** be adopted?

Assembly amendment 1 to assembly substitute amendment 1 offered by Assemblyman Anderson.

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

Assemblyman Alfonsi moved rejection.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 be rejected?

Assemblyman Anderson asked unanimous consent that the figure 10 in amendment 1 to substitute amendment 1 be changed to 9. Granted.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 be rejected?

The roll was taken.

The vote follows:

Ayes—Alberts, Alfonsi, Azim, Belting, Blanchard, Boche, Bock, Bradley, Byers, Conradt, Gee, Greider, Helgeson, Hutnik, Johnson L. H., Kafka, Kenyon, Klicka, LaFave, Laper, Lewison, McDougal, McEssy, Martin, 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—50.

Noes—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, Mathews, Mato, Merkel, Mittness, Molinaro, Nager, Nikolay, O'Malley, Orlich, Otte, Pabst, Parys, Peloquin, Radcliffe, Rogers, Sanasarian, Sicula, Stack, Sweda, Tobiasz, Vanderperren and Warren—47.

Absent or not voting—Luckhardt and McCormick—2.

Motion carried.

Assemblyman McCormick asked unanimous consent to be recorded as voting "Noe." Granted.

Assembly Resolution 42

The question was: Rejection?

JOURNAL OF THE ASSEMBLY [July 3, 1969]

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, Kenyon, Kessler, Kleczka, Korpela, Lipscomb, Looby, Lynn, McCormick, Mato, Mittness, Molinaro, Nager, Nikolay, O'Malley, Orlich, Otte, Pabst, Parys, Peloquin, Quinn, Radcliffe, Rogers, Sanasarian, Sicula, Stack, Sweda, Tobiasz, Vanderperren and Warren—48.

Noes—Alberts, Alfonsi, Azim, Belting, Blanchard, Boche, Bock, Bradley, Conradt, Gee, Greider, Helgeson, Hutnik, Johnson L. H., Kafka, Klicka, LaFave, Laper, Lewison, McDougal, Martin, Mathews, Merkel, Nitschke, Nuttelman, Olson, Packard, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Steinhilber, Tamms, Thompson, Tregoning, Uehling, Wackett, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—45.

Absent or not voting—Byers, Luckhardt, McEssy, Par-kin, Schneeberg and Van Hollen—6.

Motion carried.

Assemblyman McEssy asked unanimous consent to be recorded as voting "Noe". Granted.

Assemblyman Nuttelman asked unanimous consent that the record of the roll call be expunged.

Assemblyman Dueholm objected.

Assemblyman Quinn moved reconsideration of the vote by which **Assembly Resolution 42** was rejected. Entered.

Assemblyman Alfonsi asked unanimous consent that the rules be suspended and that reconsideration be taken up at this time.

Assemblyman Nikolay objected.

SECOND READING AND AMENDMENT OF ASSEMBLY BILLS

Assembly Bill 57

Relating to the election and term of a judge for the 2nd branch of the 3rd judicial circuit in Winnebago and Calumet counties.

JOURNAL OF THE ASSEMBLY [July 3, 1969]

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

Motion carried.

Rules suspended.

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

The roll was taken.

The vote follows:

Ayes—Alberts, Alfonsi, 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, Jones, Kafka, Kenyon, Kessler, Kleczka, Klicka, Korpela, LaFave, Laper, Lewison, Looby, Lynn, McCormick, McDougal, McEssy, Martin, Mathews, Mato, Merkel, Mittness, Molinaro, Nitschke, Nuttelman, Olson, O'Malley, Orlich, Otte, Pabst, Packard, Parkin, Parys, Peloquin, Quinn, Radcliffe, Schneeberg, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicula, Stack, Steinhilber, Sweda, Tamms, Thompson, Tregoning, Uehling, Vanderperren, Van Hollen, Warren, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—84.

Noes—Anderson, Barbee, Czerwinski, Dueholm, Johnson W. A., Lipscomb, Nager, Nikolay, Rogers, Sanasarian, Tobiasz and Wackett—12.

Absent or not voting—Johnson L. H., Luckhardt and Stalbaum—3.

Motion carried.

Assemblyman Stalbaum asked unanimous consent to be recorded as voting "Aye". Granted.

Assemblyman L. H. Johnson asked unanimous consent to be recorded as voting "Aye". Granted.

Ordered immediately messaged to the senate.

Assembly Bill 245

Relating to the approval of building plans and specifications by the department of industry, labor and human relations.

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

Motion carried.

JOURNAL OF THE ASSEMBLY [July 3, 1969]

Rules suspended.

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

The roll was taken.

The vote follows:

Ayes—Alberts, Alfonsi, Azim, Belting, Blanchard, Boche, Bock, Bolle, Bradley, Byers, Conradt, Day, Gee, Greider, Groshek, Grover, Helgeson, Huber, Hutnik, Johnson L. H., Kenyon, Kleczka, Klicka, LaFave, Laper, Lewison, Lynn, McDougal, McEssy, Martin, Merkel, Nitschke, Nuttelman, Olson, Packard, Parkin, Quinn, Schneeberg, Schowalter, Schroeder, Sensenbrenner, Shabaz, Stack, Stalbaum, Steinhilber, Tamms, Thompson, Tregoning, Uehling, Vanderperren, Van Hollen, Wackett, Warren, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—59.

Noes—Anderson, Atkinson, Baldus, Barbee, Boeckmann, Brown, Conta, Czerwinski, Dueholm, Hanna, Hephner, Jackson, Johnson W. A., Jones, Kessler, Korpela, Lipscomb, Looby, McCormick, Mathews, Mato, Mittness, Molinaro, Nager, Nikolay, O'Malley, Orlich, Otte, Pabst, Parys, Pelouquin, Radcliffe, Rogers, Sanasarian, Sicula, Sweda and Tobiasz—37.

Absent or not voting—Kafka, Luckhardt and Schwefel—3.

Motion carried.

Assemblyman Kafka asked unanimous consent to be recorded as voting "Aye". Granted.

Ordered immediately messaged to the senate.

Assembly Bill 247

Relating to removal of indemnity for bee colonies.

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

Motion carried.

Rules suspended.

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, Bal-

dus, Belting, Blanchard, Boche, Bock, Boeckmann, 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, Looby, Lynn, McCormick, McDougal, McEssy, Mathews, Mato, Merkel, Mittness, Molinaro, Nitschke, Nuttelman, Olson, O'Malley, Orlich, Otte, Pabst, Packard, Parkin, Parys, Peloquin, Quinn, Radcliffe, Rogers, Sanasarian, Schneeberg, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sricula, Stack, Steinhilber, Sweda, Tamms, Thompson, Tobiasz, Tregoning, Uehling, Vanderperren, Van Hollen, Wackett, Warren, Weisensel, Wilcox, Wing, York and Mr. Speaker—90.

Noes—Barbee, Bolle, Lipscomb, Nager, Nikolay and Stalbaum—6.

Absent or not voting—Luckhardt, Martin and Wilger—3.

Motion carried.

Ordered immediately messaged to the senate.

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.

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

Assembly amendment 3 offered by Assemblyman Dueholm.

The question was: Shall assembly amendment 3 be adopted?

Assemblyman Baldus asked unanimous consent that assembly amendment 2 be revived. Granted.

The question was: Shall assembly amendment 2 be adopted?

Motion carried.

The question was: Shall assembly amendment 3 be adopted?

JOURNAL OF THE ASSEMBLY [July 3, 1969]

Assemblyman Nikolay asked unanimous consent that Assembly Bill 379 be placed at the foot of the 13th order on the calendar of June 20th. Granted.

Assembly Bill 394

Relating to the use of a gasoline tax on power boats for recreation purposes, and making appropriations.

The question was: Shall the bill be indefinitely postponed?

The roll was taken.

The vote follows:

Ayes—Alberts, Alfonsi, Bock, Bradley, Byers, Conradt, Conta, Czerwinski, Day, Greider, Groshek, Grover, Hanna, Helgeson, Huber, Hutnik, Jackson, Johnson W. A., Kafka, Kenyon, Kessler, Klicka, Lewison, Lynn, McCormick, McDougal, McEssy, Martin, Merkel, Nitschke, Nuttelman, Olson, Orlich, Pabst, Packard, Parkin, Parys, Sanasarian, Schroeder, Schwefel, Shabaz, Sricula, Steinhilber, Sweda, Tamms, Thompson, Tregoning, Wackett, Wing and Mr. Speaker—50.

Noes—Anderson, Atkinson, Azim, Baldus, Barbee, Belt-ing, Blanchard, Boche, Boeckmann, Bolle, Brown, Dueholm, Gee, Hephner, Johnson L. H., Jones, Kleczka, Korpela, LaFave, Laper, Lipscomb, Looby, Mathews, Mato, Mittness, Molinaro, Nager, Nikolay, O'Malley, Otte, Peloquin, Quinn, Radcliffe, Rogers, Schneeberg, Schowalter, Sensenbrenner, Stack, Stalbaum, Tobiasz, Uehling, Vanderperren, Van Holen, Warren, Weisensel, Wilcox, Wilger and York—48.

Absent or not voting—Luckhardt—1.

Motion carried.

LEAVE OF ABSENCE

Assemblyman Alfonsi asked unanimous consent for leave of absence for today's session for the following: Assemblyman Luckhardt. Granted.

CHIEF CLERK'S CORRECTION

Assembly substitute amendment 2 to Senate Bill 350

In line 6, substitute "repealed and recreated" for "amend".

VISITORS

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

2 classes of deaf children from Frank Allis School's summer session; one class of children, ages 9 to 13 in charge of Mrs. Rose Mary Rapp and the other consisting of children, ages 6 to 9 in charge of Mrs. Virginia Mudgett, all from Madison, Wis. Notwithstanding their common afflictions and handicaps, all these children were studying "How a Bill Becomes a Law." All were guests of Assemblyman Weisensel.

Donald, Alice and Kenneth Hartzell, from Brookfield, Wis., guests of Assemblyman Merkel.

Nancy Nettum, from Stoughton, Wis., guest of Assemblyman Weisensel.

Thomas Glaus and Susan Preuss, from Chicago, Ill., guests of the entire membership.

Yvonne Jensen from Neillsville, Wis., guest of Assemblyman Nikolay.

Robert L. and Marian A. Schubert and family from Richfield, Wis., guests of Assemblyman Schroeder.

Mr. and Mrs. Garth Jensen and family from Neillsville, Wis., guests of Assemblyman Nikolay.

William A. Roberts and family from Nekoosa, Wis., guests of Assemblyman Thompson.

JOURNAL OF THE ASSEMBLY [July 3, 1969]

**Mr. and Mrs. R. P. Cardwell from Fresno, California,
Mr. and Mrs. S. Lancaster Stevens from Peoria, Illinois,
guests of the entire membership.**

**Assemblyman Alfonsi moved that the assembly adjourn to
9:00 A.M., Monday, July 7, 1969.**

Motion carried.

11:30 A.M.