

JOURNAL OF THE ASSEMBLY [July 8, 1969]

STATE OF WISCONSIN

Assembly Journal

Seventy-Ninth Regular Session

TUESDAY, July 8, 1969.

2:00 P.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Rev. William A. Schultz, Memorial United Church of Christ, 745 Miami Pass, Madison, Wis. 53701.

Assemblyman Otte 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, 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, Van Hollen, Wackett, Warren, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—97.

Absent with leave—Kenyon and Vanderperren—2.

AMENDMENTS OFFERED

Assembly amendment 1 to Senate Bill 5 offered by Assemblyman Sensenbrenner.

Assembly amendment 1 to assembly substitute amendment 1 to Assembly Bill 644 offered by Assemblyman Lewison.

Assembly amendment 12 to Assembly Bill 275 offered by Assemblymen Brown, Warren and Stalbaum.

Assembly amendment 1 to assembly amendment 4 to Assembly Bill 653 offered by Assemblyman Belting, at the request of the Real Property Revision Committee of the State Bar of Wisconsin.

Assembly amendment 1 to Assembly Bill 610 offered by Assemblyman Lewison.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read first time and referred:

Assembly Resolution 43

By Assemblyman Kenyon.

To calendar.

Assembly Resolution 43

Requesting an opinion of the attorney general reviewing a past attorney general's opinion.

Resolved by the assembly, That the attorney general is requested to review his predecessor's opinion at 55 Atty. Gen. 159, 168 (1966), with particular attention to whether he believes the opinions there expressed as to date for commencing new legislative terms (1st Monday in January) and time of adoption of new minimum legislative salary schedule ("in full force before the beginning of terms") are soundly-reasoned and represent the present attorney general's own viewpoint. It may be noted that this construction of the law vitally affects pension rights of former legislators who last served in 1966, because of the passage in 1966 of the new "formula" plan for annuities under the Wisconsin retirement fund (chapter 581, laws of 1965).

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INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 986

By Assemblymen O'Malley, Weisensel, Vanderperren and Conratt.

To committee on Conservation.

Assembly Bill 987

By Assemblymen Sensenbrenner and Kessler.

To committee on Elections.

Assembly Bill 988

By Assemblyman Schneeberg; co-sponsored by Senator Rasmusen.

To committee on Education.

Assembly Bill 989

By Assemblymen Jackson, McCormick and LaFave.

To committee on Transportation.

Assembly Bill 990

By Assemblymen Kenyon and Uehling.

To joint Survey committee on Tax Exemptions.

Assembly Bill 991

By Assemblymen Anderson and Korpela.

To committee on Conservation.

PETITIONS

Assembly Petition 247

By Assemblyman Molinaro.

To joint committee on Finance.

Assembly Petition 248

By Assemblyman Mittness.

To joint committee on Finance.

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Assembly Petition 249

By Assemblyman Bolle.

To committee on Veterans' and Military Affairs.

Assembly Petition 250

By Assemblyman Bolle.

To committee on Veterans' and Military Affairs.

Assembly Petition 251

By Assemblyman Thompson.

To committee on Veterans' and Military Affairs.

Assembly Petition 252

By Assemblyman Merkel.

To committee on Veterans' and Military Affairs.

REPORT OF JOINT STANDING COMMITTEE

The State of Wisconsin

Legislative Council

State Capitol, Madison

June 26, 1969.

Mr. Wilmer H. Struebing

Assembly Chief Clerk

Dear Mr. Struebing:

We are transmitting herewith the report of the joint Survey committee on Tax Exemptions on the following bill:

Assembly Bill 818

Respectfully submitted,

JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS

CHESTER E. DEMPSEY,

Chairman.

ROBERT O. UEHLING,

Vice-chairman.

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COMMITTEE REPORT

Assembly Bill 818, Unfavorable.

Referred to committee on Taxation.

EXECUTIVE COMMUNICATION

The State of Wisconsin
Executive Office
Madison 53702

July 7, 1969.

To the Honorable, the Assembly:

The following bills, originating in the assembly, have been approved, signed and deposited in the office of the Secretary of State.

Assembly Bill	Chapter No.	Date Approved
103 -----	96 -----	July 7, 1969
374 -----	97 -----	July 7, 1969

Respectfully submitted,

WARREN P. KNOWLES,
Governor.

MESSAGE FROM THE SENATE

By William P. Nugent, Chief Clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

Motions Under Joint Rule 26:

A joint certificate of Congratulations by Assemblyman Wing, co-sponsored by Senator Roseleip for Patricia Ann Devitt on her award as winner of the Annual Americanism Essay Contest by the State Department of AMVETS at their annual convention;

A joint certificate of Congratulations by Assemblyman Grover, co-sponsored by Senator Chilsen for Charles A.

Teetzen on his retirement as Town Chairman, Town of Richmond; and

A joint certificate of Condolence by Assemblymen Brown, Warren and Stalbaum, co-sponsored by Senator Dorman for the family of Ben J. Bleakley on his death.

CALENDAR OF JUNE 19, 1969

SECOND READING AND AMENDMENT OF
ASSEMBLY BILLS

Assembly Bill 398

For payment of a claim made by Walter Donahue against the state.

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, 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, Kleczka, Klicka, Korpela, LaFave,
Laper, Lewison, Looby, Luckhardt, Lynn, McCormick,
McDougal, McEssy, Martin, Mathews, Mato, Merkel, Mitt-
ness, Molinaro, Nager, Nitschke, Nuttelman, Olson, O'Mal-
ley, Orlich, Otte, Pabst, Packard, Parkin, Parys, Peloquin,
Quinn, Radcliffe, Rogers, Sanasarian, Schneeberg, Schowal-
ter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicula,
Stack, Stalbaum, Steinhilber, Sweda, Tamms, Thompson,
Tobiasz, Tregoning, Uehling, Van Hollen, Wackett, Warren,
Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker

—93.

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Noes—Lipscomb and Nikolay—2.

Absent or not voting—Barbee, Kenyon, Kessler and Vanderperren—4.

Motion carried.

Ordered immediately messaged to the senate.

Assembly Bill 561

Relating to the power of the conservation commission to acquire property by condemnation.

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

Motion carried.

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

Assemblyman Hutnik in the chair.

Assemblyman Anderson moved indefinite postponement.

The question was: Shall the bill be indefinitely postponed?

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

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

Assemblyman Nitschke in the chair.

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

Motion carried.

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

The roll was taken.

The vote follows:

Ayes—Alberts, Alfonsi, Belting, Blanchard, Boche, Bock, Boeckmann, Bradley, Byers, Conratt, Day, Gee, Greider, Groshek, Grover, Hanna, Helgeson, Hephner, Hutnik, Johnson L. H., Kafka, Kleczka, Klicka, LaFave, Laper, Lewison, Luckhardt, Lynn, McDougal, McEssy, Martin, Mathews,

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Merkel, Nitschke, Nuttelman, Olson, Packard, Parkin, Peloquin, Quinn, Radcliffe, Rogers, Schneeberg, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stack, Stalbaum, Steinhilber, Sweda, Tamms, Thompson, Tregoning, Uehling, Van Hollen, Wackett, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—64.

Noes—Anderson, Atkinson, Azim, Baldus, Barbee, Bolle, Brown, Conta, Czerwinski, Dueholm, Huber, Jackson, Johnson W. A., Jones, Kessler, Korpela, Lipscomb, Looby, McCormick, Mato, Mittness, Molinaro, Nager, Nikolay, O'Malley, Orlich, Otte, Pabst, Parys, Sanasarian, Sicula, Tobiasz and Warren—33.

Absent or not voting—Kenyon and Vanderperren—2.

Motion carried.

Assemblyman Alfonsi asked unanimous consent that the rules be suspended and that **Assembly Bill 561** be given a third reading.

Assemblyman Anderson objected.

Assemblyman Alfonsi moved that the rules be suspended and that **Assembly Bill 561** be given a third reading.

The roll was taken.

The vote follows:

Ayes—Alberts, Alfonsi, Belting, Blanchard, Boche, Bock, Boeckmann, Bradley, Byers, Conradt, Gee, Greider, Groshek, Helgeson, Hephner, Hutnik, Johnson L. H., Kafka, Kleczka, Klicka, LaFave, Laper, Lewison, Luckhardt, McDougal, McEssy, Martin, 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—54.

Noes—Anderson, Atkinson, Azim, Baldus, Barbee, Bolle, Brown, Conta, Czerwinski, Day, Dueholm, Grover, Hanna, Huber, Jackson, Johnson W. A., Jones, Kessler, Korpela, Lipscomb, Looby, Lynn, McCormick, Mathews, Mato, Mittness, Molinaro, Nager, Nikolay, O'Malley, Orlich, Otte, Pabst, Parys, Peloquin, Radcliffe, Rogers, Sanasarian, Sicula, Stack, Sweda, Tobiasz and Warren—43.

Absent or not voting—Kenyon and Vanderperren—2.

Motion failed.

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LEAVE OF ABSENCE

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

Assembly Bill 603

Relating to a revision of criminal procedure laws, and providing a penalty.

The question was: Shall assembly amendment 19 be adopted?

Motion carried.

The question was: Shall assembly amendment 32 be adopted?

Motion carried.

The question was: Shall assembly amendment 33 be adopted?

Motion carried.

Assembly amendment 34 offered by Assemblyman Nikolay. Entered.

The question was: Shall assembly amendment 34 be adopted?

Assemblyman Steinhilber moved rejection.

The question was: Shall assembly amendment 34 be rejected?

The roll was taken.

The vote follows:

Ayes—Alberts, Alfonsi, Azim, Belting, Blanchard, Boche, Bock, Bradley, Byers, Conratt, Gee, Greider, Helgeson, Hutnik, Johnson L. H., Kafka, Klicka, LaFave, Laper, Luckhardt, Lynn, McDougal, McEssy, Merkel, Nitschke, Olson, Packard, Parkin, Quinn, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Steinhilber, Thompson, Tregoning, Uehling, Van Hollen, Wackett, Weisensel, Wilcox, Wilger, York and Mr. Speaker—46.

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, Lewison, Lipscomb, Looby, McCormick, Martin, Mathews, Mato, Mittness, Molinaro,

Nager, Nikolay, Nuttelman, O'Malley, Orlich, Otte, Pabst, Parys, Peloquin, Radcliffe, Rogers, Sanasarian, Schneeberg, Sicula, Stack, Sweda, Tamms, Tobiasz, Warren and Wing—51.

Absent or not voting—Kenyon and Vanderperren—2.

Motion failed.

The question was: Shall assembly amendment 34 be adopted?

The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Belting, Blanchard, Bock, Boeckmann, Bolle, Bradley, Brown, Conradt, Conta, Czerwinski, Day, Dueholm, Gee, Groshek, Grover, Hanna, Hephner, Huber, Hutnik, Jackson, Johnson L. H., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Korpela, Lewison, Lipscomb, Looby, Luckhardt, McCormick, McDougal, McEssy, Mathews, Mato, Mittness, Molinaro, Nager, Nikolay, Nitschke, O'Malley, Orlich, Otte, Pabst, Parkin, Parys, Peloquin, Radcliffe, Rogers, Sanasarian, Schneeberg, Sicula, Stack, Sweda, Tamms, Thompson, Tobiasz, Van Hollen, Warren, Wing and Mr. Speaker—66.

Noes—Alberts, Alfonsi, Azim, Boche, Byers, Greider, Helgeson, LaFave, Laper, Lynn, Martin, Merkel, Nuttelman, Olson, Packard, Quinn, Schowalter, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Steinhilber, Tregoning, Uehling, Wackett, Weisensel, Wilcox, Wilger and York—29.

Absent or not voting—Kenyon, Klicka, Schroeder and Vanderperren—4.

Motion carried.

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

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

Assemblyman Kessler asked unanimous consent that assembly amendment 27 be revived.

Assemblyman Steinhilber objected.

Assemblyman Kessler moved that assembly amendment 27 be revived.

The roll was taken.

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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, Mathews, Mato, Mittness, Molinaro, Nager, Nikolay, O'Malley, Orlich, Otte, Parys, Peloquin, Radcliffe, Rogers, Sanasarian, Sicula, Stack, Sweda, Tobiasz and Warren—43.

Noes—Alberts, Alfonsi, Azim, Belting, Blanchard, Boche, Bock, Bradley, Byers, Conradt, Gee, Greider, Helgeson, Hutnik, Johnson L. H., Kafka, Klicka, LaFave, Laper, Lewison, Luckhardt, Lynn, McCormick, McDougal, McEssy, Martin, Merkel, Nitschke, Nuttelman, Olson, Pabst, 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—54.

Absent or not voting—Kenyon and Vanderperren—2.

Motion failed.

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

Assemblyman Kessler asked unanimous consent that assembly amendment 14 be revived.

Assemblyman Belting objected.

Assemblyman Kessler moved that assembly amendment 14 be revived.

The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Boeckmann, Bolle, Brown, Conta, Czerwinski, Dueholm, Groshek, Grover, Hanna, Huber, Johnson W. A., Jones, Kessler, Kleczka, Korpela, Lipscomb, Looby, Lynn, McCormick, Mathews, Mato, Mittness, Molinaro, Nager, Nikolay, O'Malley, Orlich, Otte, Pabst, Parys, Peloquin, Radcliffe, Rogers, Sanasarian, Sicula, Sweda, Tobiasz and Warren—42.

Noes—Alberts, Alfonsi, Azim, Belting, Blanchard, Boche, Bock, Bradley, Byers, Conradt, Day, Gee, Greider, Helgeson, Hephner, Hutnik, Jackson, Johnson L. H., Kafka, Klicka, LaFave, Laper, Lewison, Luckhardt, McDougal, McEssy, Martin, Merkel, Nitschke, Nuttelman, Olson, Packard, Parkin, Quinn, Schneeberg, Schowalter, Schroeder, Schwefel,

Sensenbrenner, Shabaz, Stack, Stalbaum, Steinhilber, Tamms, Thompson, Tregoning, Uehling, Van Hollen, Wackett, Weisensel, Wilcox, Wilger, Wing, York and Mr. Speaker—55.

Absent or not voting—Kenyon and Vanderperren—2.

Motion failed.

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, 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, Kessler, Kleczka, Klicka, Korpela, LaFave, Laper, Lewison, Lipscomb, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Martin, Mathews, Mato, Merkel, Mittness, Nikolay, Nitschke, Nuttelman, Olson, O'Malley, Orlich, Otte, Pabst, Packard, Par-kin, Parys, Peloquin, Quinn, Radcliffe, Rogers, Sanasarian, Schneeberg, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicula, Stack, Stalbaum, Steinhilber, Sweda, Tamms, Thompson, Tobiasz, Tregoning, Uehling, Van Hollen, Wackett, Weisensel, Wilcox, Wilger, York and Mr. Speaker—93.

Noes—Molinaro, Nager, Warren and Wing—4.

Absent or not voting—Kenyon and Vanderperren—2.

Motion carried.

Ordered immediately messaged to the senate.

LEAVE OF ABSENCE

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

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Assemblyman Alfonsi rose to point of order that the hour of 11:00 A.M. had arrived, the time of special order set for **Senate Bill 315**.

The chair ruled the point of order well taken.

SPECIAL ORDER

Senate Bill 315

Relating to garnishment of earnings and providing penalties.

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

Assemblyman Alfonsi asked unanimous consent that **Senate Bill 315** be withdrawn from the calendar of July 8th and be placed on the calendar of July 9th, special order at 9:59 A.M. Granted.

The assembly returned to the 10th order of business.

MOTIONS

Assemblyman Helgeson moved reconsideration of the vote by which **Assembly Bill 394** was indefinitely postponed on July 3rd. Entered.

Assemblyman Merkel asked unanimous consent that a petition carrying 3462 names in favor of **Assembly Bill 713** be made part of the record. 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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Members of the River Falls Chapter, Order of DeMolay, Cary Wiger, Bob Daycomb, Fred and Dan Benson, all from River Falls, Wis., guests of Assemblymen York and Boche.

David and Bill Nispel, and Edwin Muelling, all from Eau Claire, Wis., guests of Assemblyman Looby.

Mr. Arnold Thorpe, 10th District commander of the American Legion and candidate for Wisconsin Department Vice Commander from Blair, Wisc., guest of Assemblyman Radcliffe.

Sol Rendler, from Milwaukee, Wis., guest of Assemblyman Sicula.

Charles D. Schwerm and family, 9th Ward, City of Milwaukee, guests of Assemblymen Schneeberg and Jackson.

John B. Staigmiller, Great Falls, Montana, a member of the House in that state, guest of the Speaker of the Assembly, and the entire membership.

Connie G. Waterman, % Ranger Station, Prentice, Wis., guest of Assemblyman Hutnik.

Jerry and June Brunette and daughter, Jo Pat, from Wisconsin Rapids, Wis., guests of Assemblyman Gee.

Dick Skumave from Chippewa Falls, Wisc., guest of Assemblyman Peloquin.

Rev. James Wuebben and family from Milwaukee, guests of Assemblyman Kleczka.

Mr. Henk J. Vreman and Mrs. Maria Vreman, Sr., from Madison, Wis., guests of Assemblyman Uehling.

Mr. and Mrs. James Lester and two children from Two Rivers, Wis., guests of Assemblymen Helgeson and Bolle.

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Assemblyman Alfonsi asked unanimous consent that the assembly adjourn today in memory of Mrs. Harriet E. Kenyon, Tomah, mother of Assemblyman Kenyon, who died at age 74 on Friday, July 4, 1969, in a Tomah nursing home. Granted.



Assemblyman Alfonsi, pursuant to the foregoing request, moved that the assembly adjourn to 9:00 A.M. Wednesday, July 9, 1969.

Motion carried.

4:25 P.M.