

JOURNAL OF THE ASSEMBLY [October 16, 1969]

STATE OF WISCONSIN

Assembly Journal

Seventy-Ninth Regular Session

THURSDAY, October 16, 1969.

4:45 P.M.

The assembly met.

The speaker in the chair.

The roll was taken.

The vote 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, Earl, Olson, O'Malley, Orlich, Otte, Pabst, Packard, Parkin, 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—99.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to Assembly Bill 794 offered by Assemblymen L. H. Johnson, Hutnik, Weisensel, York, Thompson and Lewison.

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COMMITTEE REPORTS

The joint committee on Finance reports:

Assembly Bill 858

Relating to review of programs started with federal aid.
Passage; Ayes, 11; Noes, 0.

Assembly Bill 1001

Relating to funding for the construction of intrastate bridges and interstate bridges.

Assembly amendment 1 to assembly substitute amendment 1, adoption; Ayes, 13; Noes, 0; assembly substitute amendment 1, adoption; Ayes, 14; Noes, 0 and without recommendation (Assembly Rule 30).

BYRON F. WACKETT,
Chairman.

The committee on State Affairs reports and recommends:

Assembly Bill 404

Relating to the amount of business a public employe can do with the state or a political subdivision.

Passage; Ayes, 8; Noes, 2.

Assembly Bill 458

Relating to financing state building corporation projects.
Passage; Ayes, 8; Noes, 2.

Assembly Bill 459

Relating to budget requests for the state's public building program.

Passage; Ayes, 9; Noes, 1.

Assembly Bill 594

Relating to appointment of one member of the expressway and transportation commissions in populous counties by the county executive.

Passage; Ayes, 11; Noes, 0.

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Assembly Bill 644

Relating to the organization and procedure of the building commission.

Assembly substitute amendment 2, adoption; Ayes, 9; Noes, 0 and passage; Ayes, 7; Noes, 2.

Assembly Bill 669

Relating to hearings for additions to town sanitary districts.

Passage; Ayes, 10; Noes, 0.

Assembly Bill 876

Relating to direct legislation by county electors.

Passage; Ayes, 7; Noes, 2.

Assembly Bill 890

Relating to a vacancy of a county supervisor in Milwaukee county.

Passage; Ayes, 10; Noes, 0.

Assembly Bill 1023

Relating to repealing the prohibition against the sale, use and possession of marijuana.

Indefinite postponement; Ayes, 8; Noes, 0.

Assembly Joint Resolution 61

To create article XIII, section 13 of the constitution, relating to initiative and referendum. (1st consideration)

Adoption; Ayes, 8; Noes, 3.

Senate Bill 330

Relating to promotion of industry by municipal acquisition of certain industrial sites and buildings.

Assembly amendment 1 to assembly substitute amendment 1, adoption; Ayes, 8; Noes, 1; assembly substitute amendment 1, adoption; Ayes, 8; Noes, 1 and concurrence; Ayes, 8; Noes, 1.

BERNARD LEWISON,
Chairman.

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The committee on Judiciary reports and recommends:

Assembly Bill 617

Relating to exempting some people from serving as jurors.

Assembly amendment 1, adoption; Ayes, 11; Noes, 0 and passage; Ayes, 11; Noes, 0.

Assembly Bill 654

Relating to a revision of the law of landlord and tenant.

Assembly amendment 1, adoption; Ayes, 11; Noes, 0 and passage; Ayes, 10; Noes, 1.

Assembly Bill 655

Relating to a revision of the law of conveyances and mortgages and land contracts.

Assembly amendment 1, adoption; Ayes, 11; Noes, 0; assembly amendment 2, adoption; Ayes, 11; Noes, 0; assembly amendment 3, adoption; Ayes, 11; Noes, 0 and passage; Ayes, 11; Noes, 0.

Assembly Bill 860

To prohibit electronic surveillance by persons other than law enforcement officers duly authorized by court order and engaged in the investigation or prevention of specific categories of offenses, and providing penalties.

Passage; Ayes, 6; Noes, 5.

Senate Bill 335

Relating to the creation of the office of probate court commissioner in counties having a population of 500,000 or more and granting powers.

Concurrence; Ayes, 10; Noes, 1.

Senate Bill 527

Relating to allowing multi-institutional common trust funds.

Concurrence; Ayes, 11; Noes, 0.

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Senate Bill 528

Relating to petitions by guardians for the removal of assets to presently existing trusts.

Concurrence; Ayes, 11; Noes, 0.

GEORGE B. BELTING,
Chairman.

The committee on Enrolled Bills reports:

Assembly Bill 109,	Assembly Bill 490,
Assembly Bill 113,	Assembly Bill 512,
Assembly Bill 143,	Assembly Bill 539,
Assembly Bill 224,	Assembly Bill 558,
Assembly Bill 247,	Assembly Bill 578,
Assembly Bill 254,	Assembly Bill 582,
Assembly Bill 293,	Assembly Bill 591,
Assembly Bill 296,	Assembly Bill 666,
Assembly Bill 310,	Assembly Bill 667,
Assembly Bill 384,	Assembly Bill 675,
Assembly Bill 423,	Assembly Bill 684,
Assembly Bill 434,	Assembly Bill 695,
Assembly Bill 435,	Assembly Bill 799 and
Assembly Bill 444,	Assembly Bill 815.
Assembly Bill 472,	

Correctly enrolled 10-13-69.

Assembly Joint Resolution 44 and

Assembly Joint Resolution 59.

Correctly enrolled 10-13-69.

LAWRENCE J. KAFKA,
Chairman.

The joint committee on Finance reports for introduction:

Assembly Bill —

Relating to sales tax exemption for construction materials.

Ayes, 8; Noes, 0.

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Assembly Bill —

Relating to a sales tax exemption for fuel and electricity used in the manufacturing process and a reduced corporate income tax deduction for federal income taxes paid.

Ayes, 8; Noes, 0.

BYRON F. WACKETT,
Chairman.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1090

By Assemblyman Parkin.

To committee on Commerce and Manufactures.

Assembly Bill 1091

By Assemblymen Rogers, Brown, Tobiasz, Boeckmann and W. A. Johnson.

To committee on Labor.

Assembly Bill 1092

By Assemblymen Blanchard and Luckhardt.

To committee on State Affairs.

COMMUNICATION

The State of Wisconsin
Joint Survey Committee on Retirement Systems
State Capitol—Room 107 North
Madison 53702

October 9, 1969.

Mr. Wilmer H. Struebing
Chief Clerk
Assembly Chambers
State Capitol
Madison, Wisconsin

Dear Mr. Struebing:

We are submitting herewith the report of the Joint Sur-

vey Committee on Retirement Systems on the following bill:

Assembly Bill 1076.

Respectfully submitted,

**JOINT SURVEY COMMITTEE
ON RETIREMENT SYSTEMS**

REUBEN LaFAVE,

Chairman.

MILTON McDOUGAL,

Vice-Chairman.

REPORT OF COMMITTEE

Assembly Bill 1076, Favorable.

Referred to committee on Labor.

Report filed in the office of the chief clerk.

MOTIONS UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Mrs. Mabel Long, age 47, died October 7, 1969 in Milwaukee, and

Whereas, Mrs. Long was the wife of Timothy Long, the chairman of the 6th Ward Unit of the Democratic Party, and an active labor leader; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Assemblyman Barbee, do hereby extend their condolences to Mr. Timothy Long and family on the death of their wife and mother.

Assemblyman Alfonsi asked unanimous consent that the motions under Joint Rule 26 be taken up en masse. Granted.

The question was: Adoption?

Motion carried.

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The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the legislature was grieved to learn of the death of Charles J. Bolle, 78, father of Assemblyman Everett E. Bolle and a former Town of Kossuth milk route trucker and town official; and

Whereas, he was born in the Town of Kossuth on July 2, 1891 and served as town clerk for 31 years and town treasurer for 3 years and was active in community affairs including the Knights of Columbus and the Catholic Church; and

Whereas, he was the father of 11 children and is survived by 74 grandchildren and 3 great grandchildren; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Assemblymen Vanderperren and O'Malley, extend their condolences to the survivors of Mr. Charles J. Bolle on his death.

Assemblyman Vanderperren asked unanimous consent that all members be made co-sponsors of this motion. Granted.

The question was: Adoption?

Motion carried by a unanimous rising vote and a moment of silence.

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:

**Senate Joint Resolution 74,
Senate Joint Resolution 89,
Senate Joint Resolution 90,
Senate Joint Resolution 91 and
Senate Joint Resolution 92.**

Passed and asks concurrence in:

Senate Bill 111,
Senate Bill 210,
Senate Bill 554,
Senate Bill 558,
Senate Bill 599 and
Senate Bill 658.

Amended and concurred in as amended:

Assembly Bill 218 (senate amendment 1)
Assembly Bill 332 (senate amendment 1)

ACTION ON SENATE MESSAGE

Read and referred:

Senate Joint Resolution 74
To joint committee on Finance.

Senate Joint Resolution 89
To calendar.

Senate Joint Resolution 90
To calendar.

Senate Joint Resolution 91
To calendar.

Senate Joint Resolution 92
To calendar.

Read first time and referred:

Senate Bill 111
To calendar.

Senate Bill 210
To committee on State Affairs.

Senate Bill 554
To calendar.

Senate Bill 558
To calendar.

Senate Bill 599
To calendar.

Senate Bill 658
To calendar.

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Assembly Bill 218 (senate amendment 1)
To calendar.

Assembly Bill 332 (senate amendment 1)
To calendar.

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has agreed to a committee of Conference and has appointed Senators Whittow, Knowles and Chilsen as conferees on its part on:
Assembly Bill 58;

Agreed to a committee of Conference and has appointed Senators Rasmusen, Soik and Schreiber as conferees on its part on:

Senate Bill 188.

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 Bill 217 and
Assembly Bill 674.

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:

Motion Under Joint Rule 26

A joint certificate of Congratulations by Senator Roseleip, co-sponsored by Assemblymen Bock, Tregoning and Alfonsi to the University of Wisconsin football team, Coach John Coatta and Athletic Director Elroy Hirsch on their spectacular victory.

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Assemblyman Alfonsi asked unanimous consent that the rules be suspended and that Motion Under Joint Rule 26 be taken from the senate message and be taken up at this time. Granted.

The question was: Shall Motion Under Joint Rule 26 be concurred in?

Motion carried.

Assemblyman Alfonsi asked unanimous consent that the rules be suspended and the assembly action be immediately messaged to the senate. Granted.

Assemblyman Alfonsi asked unanimous consent that the rules be suspended and that **Assembly Bill 332** be withdrawn from the calendar and taken up at this time. Granted.

The question was: Shall senate amendment 1 to **Assembly Bill 332** be concurred in?

Motion carried.

Assemblyman Alfonsi asked unanimous consent that the rules be suspended and that the assembly action on **Assembly Bill 332** be immediately messaged to the senate. Granted.

Assemblyman O'Malley asked unanimous consent that the rules be suspended for introduction of **Assembly Joint Resolution 85** relating to the life and public service of Hermann Eisner. Entered.

Assemblyman Alfonsi asked unanimous consent that the entire membership of the assembly be made co-authors. Granted.

Assembly Joint Resolution 85

Relating to the life and public service of Hermann Eisner.

Hermann Eisner, 70, a former assemblyman from Dane county, Wisconsin, died Thursday, September 18, 1969 in a Madison hospital.

Mr. Eisner was born in Austria on December 29, 1898. He received his education in the elementary schools. During World War I, he served in the Austro-Hungarian Army. He came to this country in 1922 and settled in Sauk City and began work as a blacksmith. In 1927, he moved to the Town of Berry and farmed there for 20 years.

Mr. Eisner was chairman of the Town of Berry board

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and had been a member of the Dane county board since 1945. From 1949 to 1952, he was assemblyman from western Dane county. He was elected as a Democrat and quit that party to become a Republican after the adjournment of the 1951 legislature. He ran for the state senate in 1956 and for the office of county clerk in 1966. At the time of his death he was working as a clerk of the state assembly and was a Dane county board supervisor from the Town of Berry-Cross Plains area.

As a supervisor and as an assemblyman he was a persistent fighter on political and moral issues. He was respected for his knowledge of parliamentary rules and known for his forthrightness.

He is survived by his wife, the former Teresa Maier, 3 daughters, 3 sons and 9 grandchildren.

In recognition of his record of public service and exemplary life, be it

Resolved by the assembly, the senate concurring, That the legislature of the state of Wisconsin expresses its sorrow at the death of Mr. Hermann Eisner and extends its most sincere sympathy to the members of his family; and, be it further

Resolved, That a duly attested copy of this resolution be sent to each of the survivors of the deceased.

The question was: Shall Assembly Joint Resolution 85 be adopted?

Motion carried by unanimous rising vote.

Assemblyman Alfonsi asked unanimous consent that the rules be suspended and that assembly action on Assembly Joint Resolution 85 be immediately messaged to the senate. Granted.

Assemblyman Mittness moved that the assembly adjourn today in honor of the peaceful War Moratorium protest of October 15, 1969.

Motion carried.

Assemblyman Alfonsi asked unanimous consent that the assembly adjourn to 9:00 A.M., Friday, October 17, 1969. Granted.

5:00 P.M.