

JOURNAL OF THE ASSEMBLY [February 3, 1971]

STATE OF WISCONSIN

Assembly Journal

Eightieth Regular Session

WEDNESDAY, February 3, 1971.

9:30 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Fr. Dave Baker of St. James Catholic Church, 1134 St. James Court, Madison, Wis.

Representative Wilger 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, Anderson, Atkinson, Azim, Baldus, Barbee, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conradt, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Ellis, Everson, Ferrall, Froehlich, Gaulke, Giese, Greider, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Klicka, Korpela, LaFave, Lewison, Lipscomb, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicala, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—98.

Absent with leave—Early—1.

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AMENDMENTS OFFERED

Assembly amendment 1 to Assembly Bill 116 by Representative Bradley.

Assembly amendment 1 to Assembly Bill 37 by Representative Brown.

Assembly amendment 2 to Assembly Bill 27 by Representatives Sensenbrenner and Brown.

Assembly amendment 1 to Assembly Bill 95 by Representative Grover.

Assembly amendment 1 to Assembly Bill 73 by Representative Helgeson.

Assembly amendment 2 to Assembly Joint Resolution 14 by Representative Bradley.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Joint Resolution 25

By Representatives Schowalter, Tregoning, T. G. Thompson, Giese, Wilcox, Merkel, Wackett, Luckhardt, Schroeder, LaFave, Conradt, Schricker, Quackenbush, Helgeson, Bradley, Day, Groshek, Boeckmann and Grover; co-sponsored by Senators Hollander, Keppler, Swan and Soik.

To committee on Taxation.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 211

By Representatives Sensenbrenner and Kessler.
To committee on Elections.

Assembly Bill 212

By Representatives Sensenbrenner and Kessler.
To committee on Elections.

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Assembly Bill 213

By Representatives Huber, Orlich, Pabst, Kleczka, Barbee, McCormick, Berger, Sanasarian, Conta, Kessler, Jones and Sensenbrenner; co-sponsored by Senators Soik, Schuele, Devitt, Busby, Whittow, Keppler, Dorman and Hollander, by request of Milwaukee County.

To committee on State Affairs.

Assembly Bill 214

By Representative Jackson.

To committee on Judiciary.

Assembly Bill 215

By Representatives McCormick, Klicka and Schroeder, by request of Savings and Loan Review Board and Wisconsin Savings and Loan League.

To committee on Insurance and Banking.

Assembly Bill 216

By Representatives McCormick, Klicka and Schroeder, by request of Wisconsin Savings and Loan League.

To committee on Insurance and Banking.

Assembly Bill 217

By Representatives Merkel, T. G. Thompson, Wilcox, Shabaz, Tregoning, Schricker, LaFave, Klicka, Wackett, Stalbaum, Luckhardt, Quackenbush, Guiles, Bradley, Schroeder, Kafka, Froehlich and Lewison; co-sponsored by Senator Swan.

To committee on Education.

Assembly Bill 218

By Representatives Merkel, Shabaz, Wilcox, Wackett, Klicka, Stalbaum, LaFave, Luckhardt, Kafka and Schowalter.

To committee on Natural Resources.

Assembly Bill 219

By Representatives Froehlich, Tregoning, Wilcox, T. G. Thompson, Wackett, Luckhardt, Giese, Kafka and Lewison.

To joint Survey committee on Tax Exemptions.

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Assembly Bill 220

By Representatives Kafka, Wilcox, Quackenbush, Giese, Bradley, Schricker, Guiles, Ellis, Wackett, Luckhardt and Lewison.

To joint Survey committee on Tax Exemptions.

Assembly Bill 221

By Representatives Luckhardt, Tregoning, T. G. Thompson, Wilcox, Quackenbush, Giese, Guiles, Ellis, LaFave and Lewison.

To joint Survey committee on Tax Exemptions.

Assembly Bill 222

By Representatives Atkinson, Looby and Schneider.

To committee on Education.

Assembly Bill 223

By Representatives Atkinson, Looby and Brown, by request of the Chief of Police of Cudahy, Wisconsin.

To committee on Highways.

Assembly Bill 224

By Representatives LaFave, Orlich, Sicula, Barbee, Schricker, Bradley, Merkel, Giese, Wackett, T. G. Thompson, Wilcox, Lewison, Quackenbush, Molinaro, Byers, Kafka, Alberts, Guiles, Luckhardt, McDougal, Rogers, Willkom, Stack, Groshek, Grover, Conradt, Vanderperren, Day, Schwefel, Klicka, O'Malley, Froehlich, Lipscomb, Bultman, Looby, Earl, Hanna, Jackamonis, Wahner, Conta, Atkinson, Korpela, Azim, Dorff, Gaulke, R. M. Thompson, Wilger, Nager, Boeckmann, Roberts, Lynn, Ellis, Ferrall, Oestreich, Everson, Greider, Swoboda, Oberle, Mohn, Slaby and Hanson.

To committee on Commerce and Consumer Affairs.

Assembly Bill 225

By Representatives Schowalter, Giese, Wilcox, Tregoning, T. G. Thompson, LaFave, Bradley, Luckhardt, Helgeson, Schroeder, Schricker, Klicka, Conradt, Quackenbush, Froehlich, Day, Groshek, Boeckmann, Merkel and Grover; co-sponsored by Senators Hollander, Keppler and Soik.

To committee on Taxation.

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Assembly Bill 226

By Representatives Schowalter, Wilcox, Merkel, Wackett, Luckhardt, Schroeder, LaFave, Bradley, Boeckmann and Giese.

To committee on Judiciary.

Assembly Bill 227

By Representatives Schowalter, LaFave and Giese.

To committee on Highways.

Assembly Bill 228

By Representative W. A. Johnson.

To committee on State Affairs.

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

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

Senate Bill 23,

Senate Bill 27,

Senate Bill 40,

Senate Bill 42 and

Senate Bill 62.

ACTION ON SENATE MESSAGE

Senate Bill 23

By Senator Hollander; co-sponsored by Representative Sensenbrenner, by request of State Claims Board.

To calendar.

Senate Bill 27

By Senator Hollander; co-sponsored by Representative Sensenbrenner, by request of State Claims Board.

To calendar.

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Senate Bill 40

By Legislative Council.
To committee on Judiciary.

Senate Bill 42

By Legislative Council.
To committee on Judiciary.

Senate Bill 62

By Senator Solk; co-sponsored by Representative Sensenbrenner.
To committee on Insurance and Banking.

MOTIONS

Representative Froehlich having voted in the majority, moved reconsideration of the vote by which **Assembly Resolution 11** was adopted.

Representative Anderson asked unanimous consent that the assembly recess for ½ hour. Granted.

9:50 A.M.

RECESS

10:45 A.M.

The assembly reconvened.

Representative Berger asked unanimous consent that assembly amendment 1 to **Assembly Bill 18** offered by Representative Berger be returned to its author. Granted.

Representative Sensenbrenner asked unanimous consent that **Assembly Bill 192** be withdrawn from the committee on Education and referred to the joint Survey committee on Retirement Systems. Granted.

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SECOND READING AND AMENDMENT OF
ASSEMBLY BILLS

Assembly Bill 5

Relating to removal of minimum fines against the owners of unlicensed dogs.

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

Motion carried.

Representative Anderson asked unanimous consent that Assembly Bill 5 be given its third reading. Granted.

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, Anderson, Atkinson, Azim, Baldus, Barbee, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Everson, Ferrall, Froehlich, Gaulke, Giese, Greider, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Klicka, Korpela, LaFave, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicala, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—95.

Noes—0.

Absent or not voting—Conradt, Early, Ellis and Lipscomb—4.

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended, and that the assembly's action on Assembly Bill 5 be immediately messaged to the senate. Granted.

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Assembly Bill 24

Relating to removing the prohibition against fortune telling.

Representative Shabaz moved that Assembly Bill 24 be indefinitely postponed.

The question was: Shall Assembly Bill 24 be indefinitely postponed?

Representative Shabaz requested a roll call.

There were sufficient seconds.

The roll was taken.

The vote follows:

Ayes—Alberts, Atkinson, Azim, Berger, Boeckmann, Bradley, Bultman, Byers, Dorff, Duren, Froehlich, Gaulke, Giese, Greider, Guiles, Hanna, Helgeson, Hephner, Jackson, Kafka, Kessler, Kleczka, Klicka, LaFave, Lewison, Luckhardt, Lynn, McDougal, McEssy, O'Malley, Otte, Pabst, Quackenbush, Quinn, Roberts, Schowalter, Schrieker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Slaby, Stalbaum, Swoboda, Thompson T. G., Vanderperren, Wackett, Wahner, Wilcox, Wilger and Mr. Speaker—51.

Noes—Anderson, Baldus, Barbee, Bolle, Brown, Conta, Czerwinski, Day, Dueholm, Earl, Ferrall, Groshek, Grover, Hanson, Jackamonis, Johnson G. K., Johnson W. A., Jones, Korpela, Looby, McCormick, Mato, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, Oberle, Oestreicher, Orlich, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Stack, Sweda, Thompson R. M., Tobiasz, Tregoning and Willkom—43.

Absent or not voting—Conradt, Early, Ellis, Everson and Lipscomb—5.

Motion carried.

Assembly Bill 26

Relating to reaffirmation of a debt adjudicated in bankruptcy and requiring notice of reaffirmation before execution is levied.

The question was: Adoption of assembly amendment 1?
Motion carried.

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

Motion carried.

Representative Anderson asked unanimous consent that Assembly Bill 26 be given its third reading. Granted.

Rules suspended.

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

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended, and that the assembly's action on Assembly Bill 26 be immediately messaged to the senate. Granted.

Representative Froehlich asked unanimous consent for a leave of absence for the remainder of the day's session for Representatives Ellis and Conratt. Granted.

Assembly Bill 42

Relating to the limitation of commencement of actions to establish paternity.

Representative Rogers asked unanimous consent that Assembly Bill 42 be placed at the foot of the calendar of Friday, January 29, pending amendment. Granted.

Assembly Bill 72

Relating to recruitment of strikebreakers, and providing a penalty.

Representative Azim moved that Assembly Bill 72 be indefinitely postponed.

Representative Azim requested a roll call.

There were sufficient seconds.

Representative Froehlich asked unanimous consent that Assembly Bill 72 be laid on the table. Granted.

Assembly Bill 73

Relating to unemployment compensation allowance to employees laid off as a result of labor disputes by bargaining units other than their own.

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Representative Azim asked unanimous consent that Assembly Bill 73 be laid on the table.

Representative W. A. Johnson objected.

Representative Azim moved that Assembly Bill 73 be laid on the table.

Representative W. A. Johnson asked unanimous consent to make a statement. Granted.

Representative Jones asked unanimous consent to make a statement. Granted.

Representative Azim asked unanimous consent to withdraw his motion to table Assembly Bill 73.

Representative Stalbaum objected.

Representative Stalbaum asked unanimous consent to make a statement. Granted.

Representative W. A. Johnson asked unanimous consent to make a statement. Granted.

Representative Shabaz asked unanimous consent to make a statement. Granted.

The question was: Shall Assembly Bill 73 be laid on the table?

The roll was taken.

The vote follows:

Ayes—Alberts, Azim, Boeckmann, Bradley, Byers, Dueholm, Froehlich, Gaulke, Giese, Greider, Guiles, Helgeson, Hephner, Kafka, Klicka, LaFave, Lewison, Luckhardt, McEssy, Merkel, Quackenbush, Quinn, Roberts, Schowalter, Schricker, Schwefel, S e n s e n b r e n n e r, Shabaz, Sweda, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—34.

Noes—A n d e r s o n, Atkinson, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Duren, Earl, Everson, Ferrall, Groshek, Grover, Hanna, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Lipscomb, Looby, Lynn, McCormick, McDougal, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Rogers, Rutkowski, Sanasarian, Schneider, Schroeder, Sricula, Slaby, S t a c k, S t a l b a u m, Swoboda,

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Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—62.

Absent or not voting—Conradt, Early and Ellis—3.

Motion failed.

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

The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Duren, Earl, Everson, Ferrall, Groshek, Grover, Hanna, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Korpela, Lipscomb, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quinn, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sricula, Slaby, Stack, Stalbaum, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—72.

Noes—Alberts, Azim, Bradley, Byers, Dueholm, Froehlich, Gaulke, Giese, Greider, Guiles, Helgeson, Hephner, Klicka, LaFave, Lewison, Merkel, Quackenbush, Sensenbrenner, Shabaz, Sweda, Tregoning, Wackett, Wilcox and Wilger—24.

Absent or not voting—Conradt, Early and Ellis—3.

Motion carried.

Representative Molinaro asked unanimous consent that Assembly Bill 73 be referred to the joint committee on Finance. Granted.

Representative Anderson asked unanimous consent that Assembly Bill 72 be taken from the table and be taken up at this time. Granted.

Assembly Bill 72

Relating to recruitment of strikebreakers and providing a penalty.

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Assembly amendment 1 to Assembly Bill 72 offered by Representative Earl.

The question was: Adoption of assembly amendment 1?
Motion carried.

Assembly amendment 2 to Assembly Bill 72 offered by Representative Earl.

Representative Brown moved that assembly amendment 2 be rejected.

The question was: Rejection?

The roll was taken.

The vote follows:

Ayes—Barbee, Boeckmann, Bolle, Bradley, Brown, Bultman, Conta, Dorff, Gaulke, Hephner, Jackson, Johnson G. K., Johnson W. A., Jones, Kleczka, Lynn, McCormick, Mato, Mohn, Molinaro, Orlich, Otte, Pabst, Sanasarian, Schricker, Sricula, Swoboda, Tobiasz, Wahner, Willkom and Mr. Speaker—31.

Noes—Alberts, Anderson, Atkinson, Azim, Baldus, Byers, Czerwinski, Day, Dueholm, Duren, Earl, Everson, Ferrall, Froehlich, Giese, Greider, Groshek, Grover, Guiles, Hanson, Helgeson, Jackamonis, Kafka, Kessler, Klicka, Korpela, LaFave, Lewison, Lipscomb, Luckhardt, McDougal, McEssy, Merkel, Mielke, Miller, Mittness, Nager, O'Malley, Oberle, Oestreicher, Quackenbush, Quinn, Roberts, Rogers, Rutkowski, Schneider, Schowalter, Schroeder, Schwefel, Senzenbrenner, Shabaz, Slaby, Stack, Stalbaum, Sweda, Thompson R. M., Thompson T. G., Tregoning, Vanderperren, Wackett, Wilcox and Wilger—62.

Absent or not voting—Berger, Conradt, Early, Ellis, Hanna and Looby—6.

Motion failed.

Representative Berger asked unanimous consent to be recorded as voting "No" on rejection of assembly amendment 2. Granted.

Representative Hanna asked unanimous consent to be recorded as voting "No" on rejection of assembly amendment 2. Granted.

The question was: Adoption of assembly amendment 2.
Motion carried.

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Representative Azim moved that Assembly Bill 72 be indefinitely postponed.

Representative Azim requested a roll call.

There were sufficient seconds.

LEAVE OF ABSENCE

Representative Anderson asked unanimous consent for a leave of absence for Representative Early. Granted.

CHIEF CLERK'S CORRECTIONS

Assembly Bill 160

On page 12, lines 6 and 7, substitute "70.555" for "75.55".

Assembly Bill 183

On page 1, line 8, change "no" to "not".

On page 2, line 18, change "hs" to "has".

On page 5, line 6, change "an" to "and".

On page 5, line 10, "228" is changed to "288".

On page 5, line 21, change "regualtions" to "regulations".

On page 8, line 9, change "said" to "sale" and "mausoleum" to "mausoleum".

On page 9, line 3, change "construed" to "constructed".

Assembly Bill 189

On page 1, line 22, change "compell" to "compel".

On page 2, line 1, change "writting" to "writing".

Assembly Bill 193

On page 12, lines 7 and 8, substitute "70.555" for "75.55".

Assembly Bill 198

On page 10, line 7, change "discourgage" to "discourage".

VISITORS

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

Miss Joyce Thoreson, Milwaukee, Wisconsin, guest of Representative Wahner.

Eighth grade class (68 students) from St. Mary's School, Fond du Lac, Wisconsin, accompanied by Mr. Ziegler, Mrs. Walkowski, Mrs. Hess, Mr. Poepping, guests of Representative McEssy.

Sixty junior high school students from Lake Delton School, Lake Delton, Wisconsin, and Principal Penly Seamans, guests of Representative Giese.

Public Property and Institution Committee, Manitowoc County, Bernard J. Mahlik, Sr., Iron River, Claude R. Barlo, Manitowoc, William Tesler, Manitowoc, Vernon Holschbach, Manitowoc, Edwin Klessig, Kiel, guests of Representative Helgeson.

Barb Schmidt, Dale Jarrison, Kaukauna, guests of Representative Grover.

Forty students from North Junior High School and Mr. Kuehn from Eau Claire, Wisconsin, guests of Representatives Mato and Looby.

Mrs. Edward L. Anderson, Sun Prairie, Wisconsin, guest of her sister, Representative Duren.

Daniel Albydale, Chief of Police, Chilton, Wisconsin, also honored the assembly by his presence as guest of Representative Hephner.

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CORRECTION IN THE JOURNAL

Representative McEssy asked unanimous consent to have the journal read that Representative Froehlich, not Representative McEssy, raised the Point of Order on page 120. Granted.

Representative Anderson moved that the assembly adjourn until 9:30 A.M. Thursday, February 4, in honor of the 49th birthday of Representative W. A. Johnson.

The assembly stood adjourned.

12:05 P.M.