

JOURNAL OF THE ASSEMBLY [February 23, 1971]

STATE OF WISCONSIN

Assembly Journal

Eightieth Regular Session

TUESDAY, February 23, 1971.

1:00 P.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Rev. Rolf Olson of the Spring Prairie-Morrisonville Lutheran Parish, Rt. 2, DeForest, Wis.

Representative Alberts 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, Early, Ellis, Everson, Ferrall, Froehlich, Gaulke, Giese, Greider, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kleczka, Klicka, Korpela, LaFave, Lewison, Lobby, 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, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—96.

Absent with leave—Lipscomb, Kessler and Sicula—3.

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AMENDMENTS OFFERED

Assembly amendment 2 to Assembly Bill 104 offered by Representative Hephner.

Assembly amendment 1 to Assembly Bill 106 offered by Representative Hephner.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 337

By Representatives Mittness, Brown, G. K. Johnson and Duren.

To committee on Elections.

Assembly Bill 338

By Representatives Schroeder, Jones, Brown, Schowalter, Helgeson, Huber, Pabst, Bolle, Kleczka, Boeckmann, Jackson, Earl, Otte, Tobiasz, Mittness, McCormick, Nager, Willkom, Looby, Berger and Ferrall; co-sponsored by Senators Cirilli, Parys, Dorman, McKenna, Lourigan, Knutson and Steinhilber, by request of Wisconsin State AFL-CIO Auxiliary; Milwaukee Council of AFL-CIO Auxiliaries; United Papermakers and Paperworkers, AFL-CIO, Rhinelander; Western Publishing Co., Racine; Parker Pen Co., Local 663, United Rubber, Cork, Linoleum and Plastic Workers of America, Local 1266, International Association of Machinists and Aerospace Workers, AFL-CIO, Janesville; Mirro Aluminum Co., Local 6499, United Steel Workers, AFL-CIO, Local 695 Teamsters, Lodge 561, International Association of Machinists, Manitowoc; Enger-Kress Co., Local 902, Allied Industrial Workers, AFL-CIO, West Bend; Garton Toy Co., Local 1463, United Auto Workers, Sheboygan; Hanks-craft Company, Inc., Reedsburg; Weyenberg Shoe Mfg., Co., Beaver Dam, Edgerton, Portage, Waterloo and Milwaukee; St. Croix Corp., Local 883, U.P.&P., Park Falls; Etco Mfg. Co., Ettrick; John Oster Mfg. Co., Milwaukee; Algoma Net Co., Local 215, United Textile Workers of America, Algoma; Jockey Menswear, Kenosha; W. A. Krueger Co., Local 279, L.P.I.U., Brookfield; National Presto Ind., Eau Claire; Vanpak Products, Inc., Division of Union Camp Corp., Local

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150, A.I.W., AFL-CIO, Tomah; Regal Ware, Inc., Local 849, A.I.W., AFL-CIO, Kewaskum; David Douglas Co., Inc., Flint & Glass Workers, AFL-CIO, Manitowoc; Tiny Tot Mfg. Co., Inc., Merrill; Marlin Toy Products, Inc., Horicon; Village Blacksmith Div., McGraw-Edison, Watertown; Alva T. Smith Div., Milw.; Connor Forest Industries, Laona and Wausau; Ray-O-Vac Div., ESB Inc., Madison, Portage, Wonewoc and Fennimore; Foreway Products Co., Milw.; Realist, Inc., Menomonie Falls; Geo. McArthur and Sons, Baraboo; Wigwam Mills, Sheboygan; Top Brands, Inc., Oshkosh; Aluminum Specialty Co., Manitowoc; Norwood Mills, Inc., Janesville; Gold Medal Folding Furniture Co., Racine; Washington County Central Labor Council; A.I.W. Sub District Council No. 3, Washington County; A.M.A.L., Local 806, Allied Industrial Workers of Caterpillar Tractor, Zonolite Div., Alin Industries, Control Co., of America, Atlas Metals, Dunbar Pattern, Milw.; Local 394, A.I.W., AFL-CIO, of Precision Metals, Inc., Campbellsport; A.I.W., Local 538, of A. E. Moore Co., Waupaca; U.S.W., Local 4814, of West Bend Equipment, West Bend; A.I.W., Local 865, of West Bend Company, West Bend; A.I.W., Local 535 of Amron Corp., Antigo; A.I.W., Local 475, of Brillion Iron Works, Inc., Brillion; A.I.W., Local 152 of International Stamping Co., Inc., Hartford; District Council #1, Region #9, A.I.W., AFL-CIO, Milw.; A.I.W., Local 823, of Baso Div., Penn Controls, Inc., Milw.; A.I.W., Local 384, of Milw. Faucets, Inc., Milw.; A.I.W., Local 915, of Amity Leather Products Co., West Bend; A.I.W., Local 579, of Gehl Company, West Bend; Woman's Auxiliary #246, affiliate of International Typographical Union #710, Sheboygan; Fond du Lac County Labor Council Auxiliary, Fond du Lac; Pick Automotive, Local 632, West Bend; Construction and General Laborers', Local 1163, West Bend; Construction and General Laborers' Local 1163, Port Washington; Aluminum Specialty Co., Allied Industrial Workers, Local 415, Manitowoc; Neenah-Menasha Labor Council AFL-CIO, Neenah-Menasha; A.I.W., Local 879, Chrysler Outboard, Hartford; A.I.W., Local 369, Wacker Corporation, Hartford; A.I.W., Local 144, Weasler Engineering, West Bend; A.I.W., Local 558, West Bar Corp., Jackson; A.I.W., Local 543, Great Lakes Die Casting Corp., Cedarburg; A.I.W., Local 787, HyWay Trailer, Stoughton; A.I.W., Local 331, Wilke Metal Products, Antigo.

To committee on Commerce and Consumer Affairs.

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Assembly Bill 339

By Representatives LaFave, McDougal and Giese.
To committee on Highways.

Assembly Bill 340

By Representatives Tregoning, Conradt, LaFave, Byers, Bradley, O'Malley, Vanderperren, Bolle, Boeckmann, Schricker and T. G. Thompson; co-sponsored by Senators Chilsen, McKenna, Devitt and LaFave.
To committee on Agriculture.

Assembly Bill 341

By Representatives Atkinson, Mato, Schricker, Looby, Willkom, Early, Swoboda, Gaulke, Mielke, Oberle, Kafka, O'Malley and Greider.
To committee on Education.

Assembly Bill 342

By Representative Froehlich.
To committee on Judiciary.

Assembly Bill 343

By Representatives O'Malley, Tregoning, Schroeder, Kafka, Swoboda, Everson, Oberle, Hanson, Helgeson, Hephner, Roberts, Early, Boeckmann, Wahner, Lynn, Groshek, Dueholm, Duren, Stalbaum, G. K. Johnson, R. M. Thompson, Day, Gaulke and Baldus; co-sponsored by Senators Chilsen, Thompson, Roseleip and McKenna.
To committee on Agriculture.

Assembly Bill 344

By Representatives Sensenbrenner, McCormick, Pabst and Guiles.
To committee on Judiciary.

Assembly Bill 345

By Representatives Merkel and Conta.
To committee on Judiciary.

Assembly Bill 346

By Representatives Hephner and Mittness.
To committee on Natural Resources.

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Assembly Bill 347

By Representative Barbee.

To committee on State Affairs.

Assembly Bill 348

By Representatives W. A. Johnson, Atkinson, Senasarian,
Dorff, Nager, Bultman, Mohn and Duren.

To committee on Judiciary.

COMMITTEE REPORTS

The committee on Judiciary reports and recommends:

Assembly Bill 148

Relating to eliminating exemptions from the equal opportunity for housing law.

Passage; Ayes, 10; Noes, 1.

MARK G. LIPSCOMB, JR.,
Chairman.

The committee on Environmental Quality reports and recommends:

Assembly Bill 13

Relating to the authority of counties to engage in solid waste disposal.

Assembly substitute amendment 1, Adoption; Ayes, 7; Noes, 0 and Passage; Ayes, 7; Noes, 0.

Assembly Bill 194

Relating to the definition of air pollution which may be regulated by the county.

Passage; Ayes, 7; Noes, 0.

JAMES J. LYNN,
Chairman.

The committee on Health and Social Services reports:

Assembly Bill 94

Authorizing counties to appropriate funds for promoting and assisting senior citizens groups.

Assembly amendment 1, Adoption; Ayes, 10; Noes, 1 and Passage; Ayes, 10; Noes, 1.

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Assembly Bill 116

Relating to sale of liquor near hospitals for the insane.
Assembly amendment 1, Adoption; Ayes, 11; Noes, 0 and
Indefinite Postponement; Ayes, 11; Noes, 0.

Assembly Bill 165

Relating to prison labor.
Passage; Ayes, 11; Noes, 0.

Assembly Bill 166

Relating to activities of prisoners off prison grounds.
Assembly amendment 1, Adoption; Ayes, 11; Noes, 0 and
Passage; Ayes, 11; Noes, 0.

Assembly Bill 168

Relating to child care reimbursement to counties operating children's homes.
Passage; Ayes, 8; Noes, 3.

JOSEPH CZERWINSKI,
Chairman.

Joint Survey Committee on Tax Exemptions

Mr. Thomas P. Fox
Assembly Chief Clerk

Dear Mr. Fox:

Attached is the following bill:

Assembly Bill 281

The joint Survey committee on Tax Exemptions has reviewed this bill and reports no action taken.

Yours truly,

HARVEY L. DUEHOLM,
Chairman.

**JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS**

Assembly Bill 281

To joint committee on Finance.

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Joint Survey Committee on Tax Exemptions

Mr. Thomas P. Fox
Assembly Chief Clerk

Dear Mr. Fox:

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

Assembly Joint Resolution 13,
Assembly Joint Resolution 14,
Assembly Bill 8,
Assembly Bill 74 and
Assembly Bill 127.

Yours truly,

HARVEY L. DUEHOLM,
Chairman.
JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS

Assembly Joint Resolution 13
To committee on Taxation.

Assembly Joint Resolution 14
To committee on Taxation.

Assembly Bill 8
To committee on Insurance and Banking.

Assembly Bill 74
To committee on Taxation.

Assembly Bill 127
To committee on Taxation.

**REPORT OF JOINT SURVEY COMMITTEE ON
TAX EXEMPTIONS**

Assembly Joint Resolution 13

Public Policy Involved

This is not desirable public policy. Should this amendment be passed Wisconsin would be well on the way toward a system of classified assessments which would provide for

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different treatment for different kinds of property, thereby abandoning the rule of uniformity. Inevitably administrative problems will become multiplied and equity considerations will become confused. Partial exemptions will impose heavier taxes on remaining taxable property, already heavily burdened.

Assembly Joint Resolution 14

Public Policy Involved

This is not desirable public policy. Should this amendment be passed Wisconsin would be well on the way toward a system of classified assessments. Not only would this involve different treatment for different kinds of property, but it would also involve differential treatment of the same kind of property.

Not only is this a partial exemption which will cause other property owners to bear even heavier burdens, but it overlooks all questions of need or ability to pay, both among property owners over 65 and between them and property owners under 65. A much more equitable approach is to tie tax relief to need, as is presently done in the Homestead Property Tax Relief Act for those over 65.

Assembly Bill 8

Public Policy Involved

This is desirable public policy. There is little rationale for continuing to exempt insurance companies from personal property taxation at a time when the costs of government require the support of all segments of the economy.

Assembly Bill 74

Public Policy Involved

This is desirable public policy. There is little rationale for continuing to exempt banking institutions from personal property taxation at a time when the costs of government require the support of all segments of the economy.

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Assembly Bill 127

Public Policy Involved

This bill is desirable as a matter of public policy for it removes an exemption that was originally intended to cover work horse power on the farm as well as the major means of transportation.

REPORT OF JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

Assembly Bill 197

A recent attorney general's opinion states that the legislature can enact legislation which would add retirement benefits or reduce the age required to qualify for such benefits for police and firemen, as set forth in sections 61.65 or 62.13 of the Wisconsin statutes. In keeping with the desire of the committee to standardize and equalize the retirement benefits for all employees in the same classification, it is the opinion of this committee that passage of this bill is in the best public interest.

Assembly Bill 197

To committee on Labor.

Assembly Bill 260

This bill would allow legislative employees to purchase retirement credit for periods of legislative service performed after December 31, 1960, providing it meets all other requirements for creditable service under the Wisconsin Retirement Fund. It is the opinion of this committee that Assembly Bill 260 is in the best public interest and is therefore deserving of passage.

Assembly Bill 260

To committee on State Affairs.

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MESSAGES FROM THE SENATE

By William P. Nugent, Chief Clerk.

Mr. Speaker:

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

Motion Under Joint Rule 26:

A Joint Certificate of Commendation by Representative Tommy Thompson co-sponsored by Senator Bidwell to the Theta Chi Fraternity on UW Campus for sponsoring the "Ski for Cancer" outing at Adams-Friendship.

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 Commendation by Senator Parys; co-sponsored by Representative Sanasarian to the members of the Professional Chefs' and Cooks' Guild of Wisconsin on the occasion of their continuing contributions to the state's tourism and agri-business industries.

Representative Sanasarian asked unanimous consent, that the rules be suspended and that the Motion Under Joint Rule 26 be taken up at this time. Granted.

The question was: Concurrence?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on the Motion Under Joint Rule 26 be immediately messaged to the senate. Granted.

Motion Under Joint Rule 26.

A Joint Certificate of Congratulations by Senator Hollander; co-sponsored by Representative McEssy to H. H. Theisen on the occasion of the new H. H. Theisen Junior High School being named in his honor.

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Representative McEssy asked unanimous consent, that the rules be suspended and that the Motion Under Joint Rule 26 be taken up at this time. Granted.

The question was: Concurrence?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on the Motion Under Joint Rule 26 be immediately messaged to the senate. Granted.

By William P. Nugent, chief clerk.

Mr. Speaker:

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

Senatet Joint Resolution 23

Passed and asks concurrence in:

Senate Bill 28 and

Senate Bill 33.

ACTION ON THE SENATE MESSAGE

Representative Anderson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 23** be taken up at this time. Granted.

The question was: Concurrence?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on **Senate Joint Resolution 23** be immediately messaged to the senate. Granted.

Read first time and referred:

Senate Bill 28

By Senators Lotto and Martin, by request of Wisconsin County Boards Association.

To committee on Municipalities.

Senate Bill 33

By Senators Lotto and Martin, by request of Wisconsin County Boards Association.

To committee on Municipalities.

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MOTIONS

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

Representative Anderson asked unanimous consent for a leave of absence for Representatives Lipscomb, Kessler and Sicula. Granted.

Representative G. K. Johnson asked unanimous consent to suspend the rules and take up Motion Under Joint Rule 26. Granted.

MOTION UNDER JOINT RULE 26

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

Whereas, the Legislature of the Territory of Wisconsin granted a charter to Beloit College on February 2, 1846; and

Whereas, Beloit College began classes in the fall of 1847, thus making it the oldest institution of higher education in the state of Wisconsin in years of service; and

Whereas, during those 125 years the college has educated youths of Wisconsin; and

Whereas, the college, because of its increasing reputation for educational innovation and excellence, has attracted to Wisconsin youths from all the states of the nation, many of whom remain in this state; now, therefore, be it

Resolved by the assembly, the senate concurring, That the Wisconsin Legislature commends and congratulates Beloit College, its board of directors, officers, faculty, students and alumni; upon the occasion of the 125th anniversary of its charter; and, be it further

Resolved, That a copy of this resolution be transmitted to the president of Beloit College.

The question was: Adoption?

Motion carried.

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Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Motion Under Joint Rule 26 be immediately messaged to the senate. Granted.

Representative Rogers asked unanimous consent that the rules be suspended and that Motion Under Joint Rule 26 be taken up at this time. Granted.

MOTION UNDER JOINT RULE 26

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

Whereas, Mr. Alvin Fulcer, village president of Kimberly, has decided to step down from public office this spring; and

Whereas, Mr. Fulcer has served the people of his community as an efficient and capable public officer for the last 26 years including terms as a member and chairman of the Outagamie county board; now, therefore,

The members of the Wisconsin Legislature, on the motion of Representative Rogers, under Joint Rule 26, do commend Alvin Fulcer on his long record of fine public service and wish him continued success.

The question was: Adoption?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Motion Under Joint Rule 26 be immediately messaged to the senate. Granted.

Representative Baldus asked unanimous consent that the rules be suspended and that Motion Under Joint Rule 26 be taken up at this time. Granted.

Representative McEssy asked unanimous consent that the entire body be listed as co-authors of the Motion Under Joint Rule 26. Granted.

MOTION UNDER JOINT RULE 26

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

Whereas, Gus H. Bakke, recently left office as secretary

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of the Department of Transportation after serving with distinction as the secretary since August 1967 and as a member of the Highway Commission for 10 years, including a term as chairman of the Commission; and

Whereas, Mr. Bakke was elected to the state assembly 8 times from his native Dunn County; and

Whereas, Mr. Bakke's contributions and service to the state over a 26-year period are a fine example of the value of a dedicated and competent public servant; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Baldus, under Joint Rule 26, do commend Gus H. Bakke on his record of service to the State of Wisconsin and extend their best wishes for his continued success.

The question was: Adoption?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Motions Under Joint Rule 26 be immediately messaged to the senate. Granted.

Representative Sensenbrenner asked unanimous consent that Senate Joint Resolution 7 be withdrawn from the committee on Elections and referred to the calendar.

Representative Anderson objected.

Representative Sensenbrenner moved that Senate Joint Resolution 7 be withdrawn from the committee on Elections and referred to the calendar.

The question was: Shall Senate Joint Resolution 7 be withdrawn from the committee on Elections and referred to the calendar?

The roll was taken.

The vote follows:

Ayes—Alberts, Azim, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Kafka, Klicka, LaFave, Lewison, Luckhardt, McDougal, Merkel, Quackenbush, Quinn, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—32.

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Noes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Hanna, Hanson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kleczka, Korpela, Looby, Lynn, McCormick, McEssy, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—64.

Absent or not voting—Kessler, Lipscomb and Sicula—3.
Motion failed.

VISITORS

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

Mr. and Mrs. Jake Schaller and sons, Derek and Kent, Milwaukee, Wisconsin, guests of Representatives Tobiasz and Roberts.

Michael Harnors, Washburn, Wisconsin, guest of Representative Korpela.

Chuck Stankowsky, Milwaukee, Wisconsin, guest of Representative Berger.

Robert Benishek, Robert Curran, C. SheBell, K. Huswick, Walt Kamps, Antigo, Wisconsin, guests of Representative McDougal.

Representative Anderson moved the assembly adjourn until 9:30 A.M. Wednesday, February 24, 1971.

The question was: Adjournment?
Motion carried.

The assembly stood adjourned.

1:50 P.M.