

JOURNAL OF THE ASSEMBLY [May 20, 1971]

STATE OF WISCONSIN

Assembly Journal

Eightieth Regular Session

THURSDAY, May 20, 1971.

9:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Reverend Gordon Van Enk, pastor of Christian Reform Church, 705 Tompkins Drive, Madison, Wisconsin.

Representative Rutkowski 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, Kessler, Kleczka, Klicka, Korpela, LaFave, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Robertson, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicular, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—98.

Absent—None.

Absent with leave—O'Malley—1.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

AMENDMENTS OFFERED

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 250** offered by Representatives McCormick and Jones.

Assembly substitute amendment 1 to **Assembly Bill 64** offered by Representatives Schricker, Conradt, Schwefel, Byers, Tregoning, Day, T. G. Thompson and LaFave.

Assembly substitute amendment 1 to **Assembly Bill 379** offered by Representative Baldus.

Assembly amendment 1 to **Assembly Bill 897** offered by Representative Ferrall.

Assembly amendment 1 to **Assembly Bill 261** offered by Representative T. G. Thompson.

Assembly substitute amendment 2 to **Assembly Bill 160** offered by Representative T. G. Thompson.

Assembly substitute amendment 1 to **Assembly Bill 160** offered by Representative T. G. Thompson.

Assembly amendment 1 to **Assembly Bill 158** offered by Representative T. G. Thompson.

Assembly amendment 2 to **Assembly Bill 672** offered by Representative Day.

Assembly amendment 1 to **Assembly Bill 702** offered by Representative Merkel.

Assembly amendment 1 to **Assembly Bill 638** offered by Representative Brown.

Assembly amendment 2 to **Assembly Bill 541** offered by Representative Brown.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Joint Resolution 70

Requesting congress to enact federal legislation to modernize the Farm Credit System.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

By Representatives Hanson, R. M. Thompson, Roberts,
Boeckmann, Mohn, Oestreicher, Everson and Early.
To calendar.

Assembly Joint Resolution 71

Directing a select committee to study the matter of accelerating physicians' fees.

By Representative W. A. Johnson.
To committee on Health and Social Services.

Assembly Joint Resolution 72

Requesting the department of transportation and the Milwaukee county expressway and transportation commission to cease acquisition of right-of-way and construction on the "Lake Freeway Project" until the southeastern Wisconsin regional planning commission has carried out a comprehensive re-evaluation of its adopted land-use and transportation plan as related to the necessity for said project.

By Representative Conta.
To committee on Highways.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 924

Relating to prohibiting the sale, processing and distribution of endangered species of fish and wildlife, granting rule-making authority and providing a penalty.

By Representatives Wahner, R. M. Thompson, Sanasarian, Lynn, Mittness, Mohn, Hanson, Miller, Ferrall, Conta, Grover, Jackamonis and Rutkowski.

To committee on Natural Resources.

Assembly Bill 925

Relating to replacing the county assessor with county assessor coordinators.

By Representatives Conradt, Schwefel, Shabaz, Tregoning, Schricker, Alberts, Merkel, LaFave, Bradley, Vanderperren, Day, R. M. Thompson, Gaulke, Giese and Oberle.

To committee on State Affairs.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

Assembly Bill 926

Relating to prohibiting the highway commission from acquiring land for scenic purposes by condemnation.

By Representatives Merkel, Shabaz and Greider.

To committee on Judiciary.

Assembly Bill 927

Relating to awarding compensation in connection with certain highway encroachment removal orders.

By Representatives Merkel, Shabaz and Greider.

To committee on Judiciary.

Assembly Bill 928

Relating to impasses in negotiations between teachers and school boards.

By Representative Merkel, by request of Mr. George Hunt.

To committee on Education.

Assembly Bill 929

Relating to permits for junior instructor cosmetologists, licenses for instructor cosmetologists and granting rule-making authority.

By Representatives Looby, Schneider, Baldus, Conta and Mato; co-sponsored by Senator Cirilli.

To committee on State Affairs.

Assembly Bill 930

Relating to tax on motor fuel sold from marina pumps and making an appropriation.

By Representatives Byers, Wilger, Gaulke, Bradley, Schwefel and Schricker.

To joint Survey committee on Tax Exemptions.

Assembly Bill 931

Relating to establishing and operating a foster grandparent program under the department of health and social services, and making an appropriation.

By Representatives Mato, Schneider, Rogers, Duren, Schricker, Early, Looby, Baldus, Willkom, Byers, Conradt, McEssy, Bradley, Slaby, Oberle, Gaulke, Day, Hanna, Wahner, Grover, Boeckmann, Berger, Wilger, Schwefel, Kafka, Alberts, Luckhardt, Earl, Stalbaum, Atkinson, Miller,

JOURNAL OF THE ASSEMBLY [May 20, 1971]

Mielke, Roberts and Jackson; co-sponsored by Senators Peloquin, Thompson, Martin, Frank, Lipscomb, Dorman and Schuele.

To committee on Health and Social Services.

Assembly Bill 932

Relating to the legislative audit bureau.

By Representatives Atkinson, Sanasarian, Tobiasz, Jones, Stalbaum, Wilger, Conta and Stack.

To joint committee on Finance.

Assembly Bill 933

Relating to equalized valuation in school districts.

By Representatives Schroeder, Schricker and Gaulke; co-sponsored by Senator McKenna.

To joint Survey committee on Tax Exemptions.

Assembly Bill 934

Relating to exempting manufacturers' delivery equipment from sales tax.

By Representatives Schroeder, Mohn and Schricker.

To joint Survey committee on Tax Exemptions.

Assembly Bill 935

Relating to establishment of special tax treatment for certain wetlands.

By Representatives Schroeder, Conradt, Byers, Schricker, Bradley, Klicka, McDougal, Quackenbush, Alberts, Guiles, Day, R. M. Thompson, LaFave, Boeckmann, O'Malley, Bal-dus and Mohn; co-sponsored by Senators Lotto, Bidwell and McKenna.

To committee on Natural Resources.

Assembly Bill 936

Relating to eligibility for medical assistance.

By Representatives Schroeder, Schricker and Gaulke; co-sponsored by Senator McKenna.

To committee on Health and Social Services.

Assembly Bill 937

Relating to the transportation of school children residing in cities.

By Representative Jackamonis, by request of Alderman Paul Pronold, Waukesha.

To committee on Education.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

Assembly Bill 938

Relating to counting shared-time pupils for state school aid purposes and making an appropriation.

By Representatives Quackenbush and LaFave.
To committee on Education.

COMMITTEE REPORTS

The committee on Taxation reports and recommends:

Assembly Bill 185

Relating to allowing state income tax deduction of adoption expenses.

Passage; Ayes, 7; Noes, 2.

Assembly Bill 696

Relating to minimum franchise tax on corporations.

Passage; Ayes, 5; Noes, 4.

Assembly Bill 350

Relating to permitting counties a share of 30% emergency tax on inheritance taxes.

Indefinite postponement; Ayes, 9; Noes, 0.

Assembly Bill 586

Relating to assessment roll disposal and instruction by department of revenue.

Assembly amendment 1, adoption; Ayes, 9; Noes, 0 and passage; Ayes, 9; Noes, 0.

Senate Bill 219

Relating to assessment procedures for drainage districts.
Concurrence; Ayes, 9; Noes, 0.

HARVEY L. DUEHOLM,
Chairman.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

The committee on Commerce and Consumer Affairs reports and recommends:

Assembly Bill 622

Relating to the manner of retaking and repossessing chattels by sellers of motor vehicles, secured parties or their agents and prescribing a penalty.

Adoption of assembly amendment 1; Ayes, 11; Noes, 0 and passage; Ayes, 10; Noes, 1.

Assembly Bill 627

Relating to usury laws covering consumer credit sales, and providing penalties.

Passage; Ayes, 6; Noes, 5.

HAROUT O. SANASARIAN,
Chairman.

The committee on Elections reports:

Assembly Bill 530

Relating to elections in towns, villages and 4th class cities.

Adoption of assembly substitute amendment 1; Ayes, 4; Noes, 3 and indefinite postponement; Ayes, 6; Noes, 1.

FREDERICK P. KESSLER,
Chairman.

The committee on Insurance and Banking reports for introduction:

Assembly Bill —

Relating to various highway safety measures, automobile insurance, mandatory arbitration of certain lawsuits, wrongful death, contributory negligence, contingent fees, granting rule-making power and providing penalties.

Introduction; Ayes, 10; Noes, 0; Not Voting, 1.

JOHN E. McCORMICK,
Chairman.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

The committee on Health and Social Services reports and recommends:

Assembly Bill 651

Relating to creating a program for preventing drug abuse, commitment of alcoholics and drug dependents, providing treatment for persons convicted of drug law violations and making an appropriation.

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

JOSEPH C. CZERWINSKI,
Chairman.

The committee on Labor reports and recommends:

Assembly Joint Resolution 65

Memorializing congress to enact legislation establishing a program of a broadly based federal pension termination insurance, similar to federal insurance on bank deposits, savings and loan association deposits and home and small business mortgages.

Adoption; Ayes, 11; Noes, 0.

WILLIAM A. JOHNSON,
Chairman.

The committee on Highways reports and recommends:

Assembly Bill 365

Relating to highway signs warning motor vehicle operators and granting rule-making authority.

Assembly amendment 1, adoption; Ayes, 10; Noes, 2; assembly amendment 2, adoption; Ayes, 11; Noes, 1 and without recommendation (Assembly Rule 30).

Assembly Bill 584

Relating to length restrictions for commercial vehicles.

Assembly substitute amendment 1, adoption; Ayes, 12; Noes, 0 and passage; Ayes, 11; Noes, 1.

JOSEPH E. JONES,
Chairman.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

The committee on Enrolled Bills reports:

Assembly Bill 97

Correctly enrolled.

LLOYD A. BARBEE,
Chairman.

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 166 and

Motion Under Joint Rule 26:

A joint certificate of Congratulations by Representative Jackamonis; co-sponsored by Senator Murphy for Waukesha Symphony on their 25th anniversary.

Passed and asks concurrence in:

**Senate Bill 38,
Senate Bill 148,
Senate Bill 154,
Senate Bill 243,
Senate Bill 260 and
Senate Bill 297.**

Adopted and asks concurrence in:

Motion Under Joint Rule 26,

A joint certificate of Congratulations by Senators Thompson and Swan; co-sponsored by Representatives Mittness and Everson to the Janesville Craig and Monona Grove High School Debate Teams on the occasion of their fine showings in the state debate tournament.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

ACTION ON THE SENATE MESSAGE

Representative Anderson asked unanimous consent that the rules be suspended and that the motion be taken up at this time. Granted.

The question was: Adoption?
Motion carried.

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

Senate Bill 38

Relating to towing or drawing trailers and mobile homes.
By Legislative Council.
To committee on Highways.

Senate Bill 148

Relating to county permits for junked automobiles accumulated outside city or village limits.
By Senator Steinhilber.
To committee on Highways.

Senate Bill 154

Relating to disposal of abandoned motor vehicles.
By Senator Kendzioriski.
To committee on Highways.

Senate Bill 243

Relating to penalty for residential picketing.
By Senators Soik, Devitt and Whittow.
To committee on Judiciary.

Senate Bill 260

Relating to changing the name of the County Board of Welfare in counties having a population of over 500,000.
By Senators Devitt and Whittow, by request of Milwaukee County.
To committee on Health and Social Services.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

Senate Bill 297

Relating to limiting liability for certain medical activities including transplants and transfusions.

By committee on Health and Social Services.

To committee on Judiciary.

MOTIONS

MOTION UNDER JOINT RULE 26

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

Whereas, Monsignor August F. Gearhard is retiring after eighteen years as pastor of Saint Joseph's Catholic Church in Waukesha; and

Whereas, Monsignor Gearhard has spent his entire lifetime in the service of both God and country; as a Roman Catholic priest since 1917, and as a military chaplain decorated in two world wars, attaining the rank of Brigadier General before his retirement from the Air Force in 1953; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Jackamonis and Senator Murphy, under Joint Rule 26, commend Monsignor August F. Gearhard for his exemplary life of service to both God and country.

The question was: Adoption?

Motion carried.

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

Representative W. A. Johnson asked unanimous consent that Assembly Bill 642 be withdrawn from the committee on Labor and referred to the joint committee on Finance.

Representative Shabaz objected.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

Representative W. A. Johnson moved that Assembly Bill 642 be withdrawn from the committee on Labor and referred to the joint committee on Finance.

POINT OF ORDER

Representative Shabaz rose to the point of order that the motion was an advancement of the bill and would require a suspension of the rules.

RULING ON THE POINT OF ORDER

The chair ruled the point of order not well taken.

The question was: Shall Assembly Bill 642 be withdrawn from the committee on Labor and referred to the joint committee on Finance?

The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Bultman, Conta, Czerwinski, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Hanna, Hanson, Hephner, Jacka-monis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Looby, Lynn, McDougal, Mc-Essy, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schwefel, Sicula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—65.

Noes—Alberts, Azim, Bradley, Byers, Conradt, Day, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Kafka, Klicka, LaFave, Lewison, Luckhardt, Merkel, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Schroeder, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tre-goning, Wackett, Wilcox and Wilger—32.

Absent or not voting—McCormick and O'Malley—2.

Motion carried.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

Representative McCormick asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Representative W. A. Johnson asked unanimous consent that Assembly Bill 643 be withdrawn from the committee on Labor and referred to the joint committee on Finance.

Representative Shabaz objected.

Representative W. A. Johnson moved that Assembly Bill 643 be withdrawn from the committee on Labor and referred to the joint committee on Finance.

POINT OF ORDER

Representative Shabaz rose to the point of order that the motion was an advancement of the bill and would require a suspension of the rules.

Representative W. A. Johnson asked unanimous consent to read from a printed document. Granted.

Representative Merkel asked unanimous consent that Assembly Bill 643 be withdrawn from the committee on Labor and referred to the calendar.

Representative Anderson objected.

RULING ON THE POINT OF ORDER

The chair ruled the point of order not well taken.

The question was: Shall Assembly Bill 643 be withdrawn from the committee on Labor and referred to the joint committee on Finance?

The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Berger,

JOURNAL OF THE ASSEMBLY [May 20, 1971]

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, Kessler, Kleczka, Korpela, Looby, Lynn, McCormick, McDougal, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schwefel, Sricula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—66.

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

Absent or not voting—O'Malley—1.

Motion carried.

Representative W. A. Johnson asked unanimous consent that Assembly Bill 644 be withdrawn from the committee on Labor and referred to the joint committee on Finance.

Representative Shabaz objected.

Representative Shabaz moved that Assembly Bill 644 be withdrawn from committee on Labor and referred to the calendar.

The question was: Shall Assembly Bill 644 be withdrawn from committee on Labor and referred to the calendar?

The roll was taken.

The vote follows:

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

Noes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Guiles, Hanna, Hanson, Hephner,

JOURNAL OF THE ASSEMBLY [May 20, 1971]

Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Korpela, Looby, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, Oberle, Oestreicher, Orlich, Otte, Pabst, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Wilger, Willkom and Mr. Speaker—66.

Absent or not voting—O'Malley—1.

Motion failed.

Representative W. A. Johnson moved that Assembly Bill 644 be withdrawn from the committee on Labor and referred to the joint committee on Finance.

The question was: Shall Assembly Bill 644 be withdrawn from the committee on Labor and referred to the joint committee on Finance?

The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Bultman, Conradt, 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, Kafka, Kessler, Kleczka, Korpela, Looby, Lynn, McCormick, McDougal, McEssy, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, Oberle, Oestreicher, Orlich, Otte, Pabst, Quinn, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schwefel, Sicula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—70.

Noes—Alberts, Azim, Bradley, Byers, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Klicka, LaFave, Lewison, Luckhardt, Merkel, Quackenbush, Robertson, Schowalter, Schricker, Schroeder, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—28.

Absent or not voting—O'Malley—1.

Motion carried.

Representative W. A. Johnson moved that Assembly Bill 645 be withdrawn from the committee on Labor and referred to the joint committee on Finance.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

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

The question was: Shall Assembly Bill 645 be withdrawn from the committee on Labor and referred to the joint committee on Finance?

The roll was taken.

The vote follows:

Ayes—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, Jackamomis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Looby, Luckhardt, Lynn, McCormick, McDougal, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schwefel, Sricula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—67.

Noes—Alberts, Azim, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Kafka, Klicka, LaFave, Lewison, McEssy, Merkel, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Schroeder, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—31.

Absent or not voting—O'Malley—1.

Motion carried.

Representative McEssy moved that Senate Bill 225 be withdrawn from committee on Elections and referred to the calendar.

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

The question was: Shall Senate Bill 225 be withdrawn from committee on Elections and referred to the calendar?

The roll was taken.

The vote follows:

Ayes—Alberts, Azim, Boeckmann, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson,

JOURNAL OF THE ASSEMBLY [May 20, 1971]

Hephner, Jackson, Jones, Kafka, Kleczka, Klicka, LaFave, Lewison, Luckhardt, McDougal, McEssy, Merkel, Pabst, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Swoboda, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—41.

Noes—Anderson, Atkinson, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Hanna, Hanson, Jackamonis, Johnson G. K., Johnson W. A., Kessler, Korpela, Looby, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, Oberle, Oestreicher, Orlich, Otte, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sricula, Slaby, Stack, Sweda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—57.

Absent or not voting—O'Malley—1.

Motion failed.

Representative Roberts asked unanimous consent to be recorded as voting "No" on the question of withdrawing **Assembly Bill 643** from committee on Labor and referred to the calendar. Granted.

Representative Sensenbrenner asked unanimous consent that **Assembly Bill 474** be withdrawn from the committee on Education and referred to the joint committee on Finance.

Representative Brown objected.

Representative Sensenbrenner moved that **Assembly Bill 474** be withdrawn from the committee on Education and referred to the joint committee on Finance.

The question was: Shall **Assembly Bill 474** be withdrawn from the committee on Education and referred to the joint committee on Finance?

The roll was taken.

The vote follows:

Ayes—Alberts, Azim, Berger, Boeckmann, Bradley, Byers, Conradt, Day, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Hephner, Kafka, Klicka, LaFave, Lewison, Luck-

JOURNAL OF THE ASSEMBLY [May 20, 1971]

hardt, McDougal, McEssy, Merkel, Quackenbush, Quinn, Robertson, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Thompson R. M., Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—39.

Noes—Anderson, Atkinson, Baldus, Barbee, Bolle, Brown, Bultman, Conta, Czerwinski, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Hanna, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Looby, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Sicala, Slaby, Stack, Stalbaum, Sweda, Swoboda, Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—59.

Absent or not voting—O'Malley—1.

Motion failed.

Representative McEssy moved that Assembly Bill 130 be made a special order of business at 10:00 A.M., Tuesday, May 25, 1971.

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

The question was: Shall Assembly Bill 130 be withdrawn from calendar of May 7 and be made a special order of business at 10:00 A.M., Tuesday, May 25, 1971?

The roll was taken.

The vote follows:

Ayes—Alberts, Azim, Boeckmann, Bradley, Byers, Conradt, Ellis, Froehlich, Gaulke, Giese, Greider, Guiles, Helgeson, Hephner, Jackson, Kafka, Klicka, LaFave, Lewison, Luckhardt, McDougal, McEssy, Merkel, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Willkom—38.

Noes—Anderson, Atkinson, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Groshek, Grover, Hanna, Hanson, Jackamonis, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Looby, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers,

JOURNAL OF THE ASSEMBLY [May 20, 1971]

Rutkowski, Sanasarian, Schneider, Sicula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—60.

Absent or not voting—O'Malley—1.

Motion failed.

Representative Anderson asked unanimous consent that the assembly stand recessed until 10:30 A.M. today. Granted.

The assembly stood recessed.

10:10 A.M.

RECESS

11:00 A.M.

The assembly reconvened.

PRIVILEGED RESOLUTION

Assembly Resolution 21

Relating to creating a special committee to investigate certain alleged activities of the department of justice, and directing the department of justice to produce specified records for examination by such special committee.

Whereas, serious allegations have been made concerning intelligence and surveillance activities and related records being kept by the Wisconsin department of justice; and

Whereas, the existence of secret records in any governmental agency present potential dangers to the constitutional rights of citizens; and

Whereas, this body realizes the need for record keeping by various agencies for the efficient enforcement of state and federal laws; and

Whereas, for the purpose of determining the nature of records presently being kept, and for the purpose of initiating a procedure whereby state records would be subject

JOURNAL OF THE ASSEMBLY [May 20, 1971]

to scrutiny by certain select state officials; now, therefore, be it

Resolved by the assembly, That the Wisconsin department of justice shall produce all of its currently existing criminal intelligence records, crime information files and any other personal information files, including "Special Assignment" files, it might have at its disposal, and a list of any such records or files destroyed within the past 90 days, and make them available for examination by a committee composed of a designee of the speaker of the assembly, the minority leader of the assembly, and the Dean of the University of Wisconsin Law School; and, be it further

Resolved, That the committee report to the assembly within 60 days from adoption hereof.

By Representative Anderson.

POINT OF ORDER

Representative Shabaz rose to the point of order that the resolution is not a privileged resolution under Assembly Rule 70.

Representative Shabaz asked unanimous consent to return to the third order of business for the purpose of introducing a resolution.

Representative Anderson objected.

RULING ON THE POINT OF ORDER

The chair ruled the point of order not well taken.

Representative Froehlich asked unanimous consent to read from a printed document. Granted.

Representative Froehlich asked unanimous consent that Assembly Resolution 21 be made a special order of business at 10:00 A.M., Tuesday, May 25, 1971.

Representative Anderson objected.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

Representative Shabaz moved that **Assembly Resolution 21** be made a special order of business at 10:00 A.M., Tuesday, May 25, 1971.

Representative Earl asked unanimous consent to read from a printed document. Granted.

The question was: Shall **Assembly Resolution 21** be made a special order of business at 10:00 A.M., Tuesday, May 25, 1971?

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, McEssy, Merkel, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—34.

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, Jackamomis, Jackson, Johnson G. K., Johnson W. A., Jones, Kesler, Kleczka, Korpela, Looby, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sricula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—64.

Absent or not voting—O'Malley—1.

Motion failed.

Assembly amendment 1 to **Assembly Resolution 21** offered by Representative Froehlich.

The question was: Adoption of assembly amendment 1 to **Assembly Resolution 21**?

Motion carried.

Representative Merkel asked unanimous consent that his name be withdrawn as a co-author of **Assembly Bill 752**. Granted.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

Assembly amendment 2 to Assembly Resolution 21 offered by Representative Alberts.

Representative Anderson moved rejection of assembly amendment 2 to Assembly Resolution 21.

The question was: Rejection of assembly amendment 2?
Motion carried.

Representative Sensenbrenner moved rejection of Assembly Resolution 21.

Assembly amendment 3 to Assembly Resolution 21 offered by Representative Shabaz.

Representative Anderson moved rejection of assembly amendment 3.

The question was: Rejection of assembly amendment 3?
The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Hanna, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Loo-by, Luckhardt, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sricula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—63.

Noes—Alberts, Azim, Boeckmann, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Hephner, Kafka, Klicka, LaFave, Lewison, McDougal, McEssy, Merkel, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—35.

Absent or not voting—O'Malley—1.

Motion carried.

The question was: Shall Assembly Resolution 21 be rejected?

The roll was taken.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

The vote follows:

Ayes—Alberts, Azim, Boeckmann, Bradley, Byers, Conradt, Ellis, Froehlich, Gaulke, Giese, Greider, Guiles, Helgeson, Hephner, Jackson, Kafka, Klicka, LaFave, Lewison, McDougal, McEssy, Merkel, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Swoboda, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—38.

Noes—Anderson, Atkinson, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Groshek, Grover, Hanna, Hanson, Jackamonis, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Looby, Luckhardt, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sricula, Slaby, Stack, Sweda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—60.

Absent or not voting—O'Malley—1.

Motion failed.

Representative Gaulke asked unanimous consent to be recorded as voting "No" on the previous question. Granted.

POINT OF ORDER

Representative Sensenbrenner rose to the point of order that the resolution must be referred to the joint committee on Finance.

RULING ON THE POINT OF ORDER

The chair ruled the point of order not well taken.

Assembly amendment 4 to Assembly Resolution 21 offered by Representatives Shabaz and Helgeson.

Representative Anderson moved rejection of assembly amendment 4 to Assembly Resolution 21.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

The question was: Shall assembly amendment 4 be rejected?

The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Hanna, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Looby, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, Oberle, Oestreich, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sricula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—63.

Noes—Alberts, Azim, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Hephner, Kafka, Klicka, LaFave, Lewison, Luckhardt, McDougal, McEssy, Merkel, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—35.

Absent or not voting—O'Malley—1.

Motion carried.

POINT OF ORDER

Representative Shabaz rose to the point of order that the hour of 9:30 A.M. had arrived and that Assembly Bill 239 was before the assembly.

RULING ON THE POINT OF ORDER

The chair ruled the point of order not well taken because there was a motion pending.

The question was: Shall Assembly Resolution 21 be adopted?

The roll was taken.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Berger, Bolle, Brown, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Hanna, Hanson, Jackamonis, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Looby, Lynn, McCormick, Mato, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sricula, Slaby, Stack, Sweda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—60.

Noes—Alberts, Azim, Boeckmann, Bradley, Bultman, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Hephner, Jackson, Kafka, Klicka, LaFave, Lewison, Luckhardt, McDougal, McEssy, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Swoboda, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—38.

Absent or not voting—O'Malley—1.

Motion carried.

Representative Merkel moved reconsideration of the vote by which **Assembly Resolution 21** was adopted.

POINT OF ORDER

Representative Anderson rose to the point of order that the motion was not in order.

RULING ON THE POINT OF ORDER

The chair ruled the point of order well taken.

POINT OF ORDER

Representative Froehlich rose to the point of order that according to Assembly Rule 74 the motion for reconsideration was in order.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

RULING ON THE POINT OF ORDER

The chair ruled the point of order not well taken.

CHIEF CLERK'S CORRECTIONS

as provided by Legislative Reference Bureau
Assembly Bill 276

On page 2, line 13, before "is" insert "of the statutes".

Assembly Bill 651

On page 3, line 18, change "one" to "on" and "arises" to "rises".

Assembly Bill 867

On page 1, line 7, "realting" is changed to "relating".

VISITORS

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

Ninety-three fourth grade students from Nichols School in Monona Grove, Wisconsin, accompanied by their teachers Mrs. Jean Hlavac, Miss Evelyn Agnew, Mrs. Lucille Setz and Mrs. Corlie Blumenfeld.

Mrs. Mary Bahlert, Mrs. Mary Leonhardt and Mrs. Gladys Durkin from Milwaukee, Wisconsin, guests of Representative Jones.

Fifty-three students from St. Joseph's School in Fond du Lac, Wisconsin, accompanied by their teacher Mr. Ritger, guests of Representative McEssy.

Seventh grade students from Mt. Olive Lutheran School in Milwaukee, Wisconsin, guests of Representative Pabst.

Sixth grade class from Henry Thoreau School in Milwaukee, Wisconsin, accompanied by Mr. Anthony Denboer, Mr. Robert Krueger, Mrs. Robert Krueger and Mrs. Robert Jackson, guests of Representative Jackson.

JOURNAL OF THE ASSEMBLY [May 20, 1971]

Patricia Crandall from Milwaukee, Wisconsin, guest of Representatives Sanasarian and Conta.

Eighth grade class from Arbor-Vitae-Woodruff school district, accompanied by Mrs. Pukall, Mrs. Zeinert, Mr. Wilde and Mr. Krause, guests of Representative Gaulke.

Students from the Rock Bridge School accompanied by their teachers Dianna Torey and Mildred Peterson, guests of Representative Duren.

Students from St. Anthony's School in Cazenovia, Wisconsin, accompanied by their teacher Sister Agnes, guests of Representative Duren.

Students from the Cobb Elementary School in Cobb, Wisconsin, accompanied by Mrs. Cleo Hughes, Mrs. Marjorie Morgan, Mrs. Albert Thomas, Mrs. Jack Eggers, Mrs. Jim Pustina and Mrs. Kenneth Jewel, guests of Representative Duren.

Mayor Kelly, Father Lambert and ninety senior citizens from Cudahy, Wisconsin, guests of Representative Atkinson.

Fourth grade students from Horicon, Wisconsin, accompanied by Mrs. Meylink, Mrs. Marsch, Mrs. Gygi, Mrs. Rex, Mrs. Raw and Mr. Schwantes, guests of Representative Luckhardt.

Sixth grade students from Lomira, Wisconsin, accompanied by their teachers Mrs. Lamers and Mrs. Ramacker, guests of Representative Luckhardt.

The News Analysis Class from Wausau West High School in Wausau, Wisconsin, accompanied by their teacher Mr. James Grinsel, guests of Representative Earl.

Fourth and fifth grade students from Lomira, Wisconsin, accompanied by their teachers Miss Costello and Mrs. Henkel and principal Mr. Phelan.

Grades five and six from Holy Rosary School in Darlington, Wisconsin, guests of Representative Tregoning.

Representative Anderson moved that the assembly stand adjourned until 9:30 A.M. tomorrow.

The question was: Adjournment?
Motion carried.

The assembly stood adjourned.

1:50 P.M.