

JOURNAL OF THE ASSEMBLY [July 1, 1971]

STATE OF WISCONSIN

Assembly Journal

Eightieth Regular Session

THURSDAY, July 1, 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 Tobiasz 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, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Robertson, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sricula, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—99.

Absent—None.

JOURNAL OF THE ASSEMBLY [July 1, 1971]

AMENDMENTS OFFERED

Assembly amendment 2 to Assembly Bill 663 offered by Representative Jackamonis.

Assembly amendment 3 to Assembly Bill 663 offered by Representative Jackamonis.

Assembly amendment 1 to Assembly Bill 630 offered by Representative Alberts.

Assembly amendment 2 to Assembly Bill 627 offered by Representative Oestreicher.

Assembly amendment 5 to Assembly Bill 504 offered by Representative Baldus.

Assembly amendment 1 to Assembly Bill 948 offered by Representative Brown.

Assembly substitute amendment 2 to Assembly Bill 272 offered by Representative LaFave.

Assembly substitute amendment 1 to Assembly Bill 966 offered by Representatives Berger and Wahner.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Joint Resolution 80

Relating to authority granted the highway commission of the department of transportation to issue permits under section 348.27 (6) of the statutes.

By Representatives Jones, McEssy, Brown, Grover, Conradt, Bolle, Quinn, Sweda, Vanderperren and Hanna; co-sponsored by Senators Knutson, Lotto, Cirilli, LaFave, Schuele and Parys.

To committee on Highways.

Assembly Joint Resolution 81

Relating to rescinding a legislative resolution supporting President Johnson in his Vietnam actions.

By Representatives Sensenbrenner, Guiles, Alberts, Giese, Ellis and Klicka.

To committee on State Affairs.

JOURNAL OF THE ASSEMBLY [July 1, 1971]

Assembly Resolution 25

Relating to prohibiting deer party permits for 2 years in 4 northern counties.

Whereas, the use of deer hunting party permits has made devastating inroads in the Wisconsin deer herd, particularly in the northern counties; and

Whereas, more than 10,000 residents of Wisconsin's famed northland have raised a very serious alarm about the decimation of Wisconsin's whitetails because of overkilling; and

Whereas, the remedy sought by these petitioners is the very reasonable request that the department of natural resources simply exercise its statutory discretion in issuance of deer hunting party permits so as to give the deer herd a chance to build up again; now, therefore, be it

Resolved by the assembly, That the department of natural resources is urged to exercise its discretion under s. 29.107 to refrain from issuing deer hunting party permits for the next 2 years in Florence, Forest, Oconto and Marinette counties for the purpose of conserving the deer herd in such area; and, be it further

Resolved, That copies of this resolution shall be immediately forwarded to the department and to each individual member of the natural resources board.

By Representatives Vanderperren, McDougal, LaFave and Gaulke.

To committee on Natural Resources.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1134

Relating to metropolitan sewerage districts.

By Representatives Anderson and Bradley.

To committee on Natural Resources.

JOURNAL OF THE ASSEMBLY [July 1, 1971]

Assembly Bill 1135

Relating to rights of creditors of construction lien claimants.

By Representatives Oestreicher, Sensenbrenner, Otte, Boeckmann, Wilcox, Shabaz, Brown, Slaby, Ferrall, Jackson, Robertson and G. K. Johnson.

To committee on Judiciary.

Assembly Bill 1136

Relating to construction lien notice.

By Representatives Oestreicher, Sensenbrenner, Otte, Boeckmann, Wilcox, Shabaz, Brown, Slaby, Ferrall, Sicula, Jackson, Robertson and G. K. Johnson.

To committee on Judiciary.

Assembly Bill 1137

Relating to construction lien payment bonds.

By Representatives Oestreicher, Sensenbrenner, Otte, Boeckmann, Wilcox, Shabaz, Brown, Slaby, Ferrall, Jackson, G. K. Johnson and Earl.

To committee on Judiciary.

Assembly Bill 1138

Relating to priority of construction liens over certain mortgages.

By Representatives Oestreicher, Otte, Boeckmann, Brown, Slaby, Ferrall, Jackson, G. K. Johnson and Earl.

To committee on Judiciary.

Assembly Bill 1139

Relating to issuance of city and village bonds for parking facilities.

By Representatives Vanderperren, Quinn, Kafka and Earl; co-sponsored by Senators Lotto and LaFave.

To committee on Municipalities.

COMMITTEE REPORT

The committee on Highways reports and recommends:

Assembly Bill 646

Relating to standards for bumpers on certain automobiles manufactured after July 30, 1973, and the manufacturer's warranty of compliance.

Passage; Ayes, 12; Noes, 0.

JOURNAL OF THE ASSEMBLY [July 1, 1971]

Assembly Bill 649

Relating to parental sponsors for driver licenses for minors.

Indefinite postponement; Ayes, 7; Noes, 5.

Assembly Bill 784

Relating to requiring automatic lighting devices on motor vehicles.

Indefinite postponement; Ayes, 12; Noes, 0.

JOSEPH E. JONES,
Chairman.

EXECUTIVE COMMUNICATION

State of Wisconsin
Office of the Governor
Madison

June 30, 1971.

To the Honorable, the Assembly:

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

Assembly Bill	Chapter No.	Date Approved
1128 -----	60 -----	June 30, 1971

Respectfully submitted,

PATRICK J. LUCEY,
Governor.

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

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

Motion under Joint Rule 26:

JOURNAL OF THE ASSEMBLY [July 1, 1971]

A joint certificate of Commendation by Representatives LaFave and Boeckmann; co-sponsored by Senators LaFave and Keppler for the Peshtigo and Kohler High School Track Teams on being co-champions in the W I A A track meet.

Adopted and asks concurrence in:

Motions under Joint Rule 26:

A joint certificate of Congratulations by Senator LaFave; co-sponsored by Representative LaFave to Daniel B. Fast on being named 1971 National "Optometrist of the Year".

A joint certificate of Congratulations by Senators LaFave and Lorge; co-sponsored by Representative Conradt to Marsha Ann Lindsay of Manawa on being named "Alice in Dairyland".

ACTION ON THE SENATE MESSAGE

Representative Anderson asked unanimous consent that the rules be suspended and that the motions 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 motions be immediately messaged to the senate. Granted.

MOTION UNDER JOINT RULE 26

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

Whereas, at the annual Miss Wisconsin Pageant held at Oshkosh, Miss Patricia Anne Jacobs was named Miss Wisconsin 1971; and

Whereas, Miss Jacobs, a 19-year old beauty from Wauwatosa, has just completed her first year at Stevens Point

JOURNAL OF THE ASSEMBLY [July 1, 1971]

State University and represented Stevens Point in the pageant; and

Whereas, the selection of the talented and beautiful Miss Jacobs, who was also talent winner in the Junior Miss contest while in high school, is sure to give this state a worthy competitor at the Miss America contest in September; now, therefore,

The members of the Wisconsin Legislature, on the motion of Representatives Klicka, Groshek and Lynn and Senator Busby, under Joint Rule 26, do congratulate Miss Jacobs on this great honor and wish her the best of luck during her reign as queen of Wisconsin.

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.

MOTION UNDER JOINT RULE 26

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

Whereas, the Speech and Debate Team of Marquette University High School, one of the nation's leading college preparatory schools, won the 1971 National Forensic League Sweepstakes Championship, defeating schools from all 50 states in prime competition among 472 state champion orators, and also won the National Catholic Forensic League Sweepstakes Championship, becoming the first team ever to win both national championships in a single year; and

Whereas, under the guidance of Coach James Copeland, who was named National Forensic League Coach of the Year, and his assistants, Mr. Kenneth Thames and Mr. Edward Konat, S.J., the Marquette team set scoring records in both national tournaments; and

Whereas, winning members of the Marquette team—each a state forensic champion—are: Jeffrey Clark, Neal Devitt, Mark Foley, Robert Gumerlock, John Patek, Mark Pilliod, and Peter Syvertsen; now, therefore,

JOURNAL OF THE ASSEMBLY [July 1, 1971]

The Members of the Wisconsin Legislature, on the motion of Representatives McCormick and Sensenbrenner and Senators Busby and Lipscomb, under Joint Rule 26, do congratulate the members and coach of the Marquette team on these outstanding achievements and wish them continued success in their future endeavors, and do commend the school President, Very Rev. William Doran, S.J., and its Principal, Rev. Thomas Schloemer, S.J., for developing the finest high school speech and debate program in the United States.

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.

MOTIONS

Representative Sensenbrenner asked unanimous consent that **Assembly Joint Resolution 81** be withdrawn from committee on State Affairs and be made a special order of business at 10:01 A.M. today.

Representative Anderson objected.

Representative Sensenbrenner moved that the rules be suspended that **Assembly Joint Resolution 81** be withdrawn from the committee on State Affairs and be made a special order of business at 10:01 A.M. today.

Representative Sensenbrenner asked unanimous consent to make a statement and read from a printed document.

Representative Baldus objected.

Representative Sensenbrenner moved that the rules be suspended that he be allowed to make a statement and read from a printed document.

The question was: Shall the rules be suspended that Representative Sensenbrenner be allowed to make a statement and read from a printed document?

The roll was taken.

JOURNAL OF THE ASSEMBLY [July 1, 1971]

The vote follows:

Ayes—Alberts, Atkinson, Azim, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Grover, Guiles, Helgeson, Johnson G. K., Kafka, Klicka, LaFave, Lewison, Looby, Luckhardt, McDougal, McEssy, Merkel, Orlich, Pabst, Quackenbush, Quinn, Robertson, Rutkowski, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sricula, Stalbaum, Sweda, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—44.

Noes—Anderson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Hanna, Hanson, Hephner, Jackamonis, Jackson, Johnson W. A., Jones, Kessler, Kleczka, Korpela, Lynn, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, O'Malley, Oberle, Oestreicher, Otte, Roberts, Rogers, Sanasarian, Slaby, Stack, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—53.

Absent or not voting—McCormick and Nager—2.

Motion failed.

Representative McCormick asked unanimous consent to be recorded as voting "No". Granted.

The question was: Shall the rules be suspended that Assembly Joint Resolution 81 be withdrawn from the committee on State Affairs and be made a special order of business at 10:01 A.M. today?

The roll was taken.

The vote follows:

Ayes—Alberts, Atkinson, Azim, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Kafka, Klicka, LaFave, Lewison, Looby, Luckhardt, McDougal, McEssy, Merkel, Quackenbush, Quinn, Robertson, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—37.

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

JOURNAL OF THE ASSEMBLY [July 1, 1971]

Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Lynn, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Sricula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—60.

Absent or not voting—McCormick and Nager—2.

Motion failed.

Representative McCormick asked unanimous consent to be recorded as voting "No". Granted.

Representative Schwefel asked unanimous consent to be recorded as voting "Aye" on passage of Assembly Bill 614. Granted.

Representative Wilcox asked unanimous consent that Assembly Bill 104 be withdrawn from joint committee on Finance and referred to the calendar of June 1.

Representative Mittness objected.

Representative Wilcox moved that Assembly Bill 104 be withdrawn from joint committee on Finance and referred to the calendar of June 1.

Representative Anderson asked unanimous consent that the assembly stand recessed for one hour. Granted.

The assembly stood recessed.

9:40 A.M.

RECESS

11:35 A.M.

The assembly reconvened.

Representative Wilcox asked unanimous consent to withdraw his motion relative to Assembly Bill 104. Granted.

JOURNAL OF THE ASSEMBLY [July 1, 1971]

CALENDAR OF MAY 25

Assembly Bill 251

Relating to teacher contract renewals and school district annual meetings.

The question was: Shall assembly amendment 1 to assembly substitute amendment 3 to Assembly Bill 251 be adopted?

Motion carried.

Representative Brown moved rejection of assembly substitute amendment 3 to Assembly Bill 251.

The question was: Shall assembly substitute amendment 3 to Assembly Bill 251 be rejected?

The roll was taken.

The vote follows:

Ayes—Anderson, Azim, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Byers, Conradt, Conta, Czerwinski, Day, Dorff, Dueholm, Earl, 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, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Robertson, Roberts, Rutkowski, Sanasarian, Schneider, Schricker, Schwefel, Sricula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—68.

Noes—Alberts, Atkinson, Boeckmann, Bradley, Duren, Early, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Kafka, Klicka, LaFave, Lewison, Luckhardt, McEssy, Merkel, Nager, Rogers, Schowalter, Schroeder, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—31.

Absent or not voting—None.

Motion carried.

Representative Merkel asked unanimous consent that Assembly Bill 251 be withdrawn from the calendar of May 25 and referred to the committee on Education. Granted.

JOURNAL OF THE ASSEMBLY [July 1, 1971]

Assembly Bill 473

Relating to licensing of mobile home, camping trailer and camper unit manufacturers, distributors and dealers.

Representative Anderson asked unanimous consent that Assembly Bill 473 be referred to joint committee on Finance. Granted.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 290 be withdrawn from the table and be taken up at this time. Granted.

Representative McEssy asked unanimous consent that Assembly Bill 290 be laid on the table. Granted.

CALENDAR OF THURSDAY, MAY 27

CONSIDERATION OF MOTIONS FOR RECONSIDERATION

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.

Representative Anderson asked unanimous consent that Assembly Resolution 21 be laid on the table. Granted.

VISITORS

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

Mr. and Mrs. Emil Vandermuss and their children, Mike, Steve and John from Pulaski, Wisconsin, guests of Representative Vanderperren.

JOURNAL OF THE ASSEMBLY [July 1, 1971]

Representative Nager asked unanimous consent that the assembly adjourn today in honor of the sixth birthday of Representative Nager's Mongolian goat-hound, Portia. Granted.

Representative Gaulke asked unanimous consent that the assembly adjourn today in honor of the "Wisconsin Indian" and "Indian Rights Day" on July 4. Granted.

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

The question was: Adjournment?

Motion carried.

The assembly stood adjourned.

12:10 P.M.