

STATE OF WISCONSIN

Assembly Journal

Eightieth Regular Session

MONDAY, September 20, 1971.

4:00 P.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Reverend Edward E. Beatty, pastor of First Congregational Church, 1609 University Avenue, Madison, Wisconsin.

Representative Hanson led the membership in reciting the pledge of allegiance to the flag of the United States.

The roll was taken.

The result follows:

Present—Anderson, Atkinson, Azim, Baldus, B a r b e e, Berger, Boeckmann, Bolle, Bradley, Byers, Conradt, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Ferrall, Froehlich, Gaulke, Giese, Greider, Groshek, Grover, Guiles, Hanson, 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, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Trengoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger and Mr. Speaker—91.

Absent with leave—Alberts, Brown, Bultman, Hanna, Helgeson, Sicula, Slaby and Willkom—8.

JOURNAL OF THE ASSEMBLY [September 20, 1971]

AMENDMENTS OFFERED

Assembly substitute amendment 1 to Assembly Bill 442 offered by Representatives Slaby, Gaulke and Day.

Assembly amendment 3 to Assembly Bill 759 offered by Representative Mittness.

Assembly amendment 1 to Assembly Bill 507 offered by Representative Atkinson.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1339

Relating to sales and use tax exemption for insulin injection equipment sold to consumers.

By Representatives Dorff, Oestreicher, Oberle, Brown, Mohn, Jackamonis, Rutkowski, Otte, Duren, Ferrall, Korpela, Kleczka, Grover, Orlich, G. K. Johnson, Early, Roberts and Hanson; co-sponsored by Senators Parys and McKenna.

To joint Survey committee on Tax Exemptions.

Assembly Bill 1340

Relating to repeal of beer credit restrictions.

By Representatives Gaulke, Day, Dueholm, Hanna, R. M. Thompson, Looby and Shabaz; co-sponsored by Senators Cirilli, Martin and Roseleip.

To committee on Excise and Fees.

Assembly Bill 1341

Relating to repeal of sales tax penalty for failure to separately state.

By Representative Froehlich, by request of Frank Nikolay, Abbotsford, Wisconsin.

To committee on Taxation.

JOURNAL OF THE ASSEMBLY [September 20, 1971]

Assembly Bill 1342

Relating to creating a committee to study local government revenue sources, setting a ceiling on distribution of taxes on new generating plants, requiring uniform municipal accounting, and making an appropriation.

By Representative Froehlich, by request of Mayor William Dyke, Madison, Wisconsin.

To joint committee on Finance.

Assembly Bill 1343

Relating to repeal of liquor credit restrictions.

By Representatives Gaulke, Day, Dueholm, Hanna, R. M. Thompson, Looby, Shabaz, Slaby and Orlich; co-sponsored by Senators Cirilli, Krueger, Roseleip and Martin.

To committee on Excise and Fees.

Assembly Bill 1344

Relating to medicinal aid for mental patients, and making an appropriation.

By Representative Swoboda, by request of Mr. John Michalski.

To committee on Health and Social Services.

Assembly Bill 1345

Relating to providing transportation for students living between one and 2 miles from schools.

By Representative Swoboda, by request of Mr. Carl Pagel.

To committee on Education.

COMMUNICATION

The State of Wisconsin
Department of State
Madison 53702

September 17, 1971.

To The Honorable, The Assembly

Gentlemen: I have the honor to transmit to you the certificate of election for Gus G. Menos, duly elected Repre-

JOURNAL OF THE ASSEMBLY [September 20, 1971]

sentative to The Assembly, Milwaukee 1st Assembly District.

Yours very truly,

ROBERT C. ZIMMERMAN,
Secretary of State.

Received and placed on file in the office of the chief clerk.

Representatives Jones and W. A. Johnson escorted Mr. Menos to the speaker's rostrum where the speaker administered the oath of office. Thereafter, Representative Menos was escorted to his assembly seat.

COMMITTEE REPORT

The committee on Agriculture reports and recommends:
Assembly Bill 994

Relating to bonding requirements and license fees for livestock dealers and markets.

Assembly substitute amendment 1, introduction and adoption; Ayes, 10; Noes, 0 and passage; Ayes, 9; Noes, 1.

Assembly Bill 1074

Relating to domestic animal health and treatment services by the department of agriculture.

Assembly substitute amendment 1, adoption; Ayes, 10; Noes, 0 and passage; Ayes, 9; Noes, 1.

DAVID D. O'MALLEY,
Chairman.

JOURNAL OF THE ASSEMBLY [September 20, 1971]

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

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

**Senate Joint Resolution 95 and
Senate Joint Resolution 96.**

ACTION ON SENATE MESSAGE

Senate Joint Resolution 95

Granting the use of the legislative chambers on Saturday, January 22, 1972, for the 1972 model legislative session of the Wisconsin Junior Chamber of Commerce.

By Senators Johnson and Whittow; co-sponsored by Representatives Grover and Shabaz.

Representative Anderson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 95** 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 95** be immediately messaged to the senate. Granted.

Senate Joint Resolution 96

Relating to the life and public service of Colonel Alva E. Garey, former state senator.

By Senators Swan and Risser.

Representative Anderson asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 96** be taken up at this time. Granted.

The question was: Concurrence?

Motion carried.

JOURNAL OF THE ASSEMBLY [September 20, 1971]

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Senate Joint Resolution 96 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, Brown Deer Village President Earl McGovern has proclaimed October 9, 1971 as Walk for Mankind Day in Brown Deer; and

Whereas, sparked by the Jaycettes, the Brown Deer Jaycettes, Jaycees, Lions Club, Junior Woman's Club and other civic-minded individuals and organizations have lent their support to Project Concern's Walk for Mankind; and

Whereas, Project Concern will touch the lives of over 500,000 sick and impoverished human beings this year alone; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Representative Berger, under Joint Rule 26, heartily commend the Brown Deer Jaycettes, the Village of Brown Deer and other participants in this generous effort, and wish them well on October 9, 1971, Walk for Mankind Day.

The question was: Adoption?

Motion carried.

MOTIONS

LEAVE OF ABSENCE

Representative Anderson asked unanimous consent for a leave of absence for today's session for Representatives Bultman, Hanna, Sicula, Willkom, Slaby and Brown. Granted.

Representative Shabaz asked unanimous consent for a leave of absence for today's session for Representatives Alberts and Helgeson. Granted.

JOURNAL OF THE ASSEMBLY [September 20, 1971]

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

The assembly stood recessed.

4:45 P.M.

RECESS

5:30 P.M.

The assembly reconvened.

Representative LaFave asked unanimous consent that Senate Bill 138 be withdrawn from the table and referred to the calendar.

Representative Dueholm objected.

Representative LaFave moved that Senate Bill 138 be withdrawn from the table and referred to the calendar.

The question was: Shall Senate Bill 138 be withdrawn from the table and referred to the calendar?

The roll was taken.

The vote follows:

Ayes—Bradley, Byers, Conradt, Ellis, Froehlich, Guiles, Hephner, Kafka, Klicka, LaFave, Lewison, Luckhardt, McDougal, Merkel, Quackenbush, Quinn, Schricker, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wilcox and Wilger—25.

Noes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Giese, Greider, Groshek, Grover, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Menos, Looby, Lynn, McCormick, McEssy, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Robertson, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schroeder, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wackett, Wahner and Mr. Speaker—66.

JOURNAL OF THE ASSEMBLY [September 20, 1971]

Absent or not voting—Alberts, Azim, Brown, Bultman, Hanna, Helgeson, Sicula, Slaby and Willkom—9.

Motion failed.

Representative Azim asked unanimous consent to be recorded as voting “Aye”. Granted.

Representative G. K. Johnson asked unanimous consent to be recorded as voting “No” on ordering Senate Bill 713 to a third reading. Granted.

Representative Sensenbrenner moved that Assembly Bill 1300 be withdrawn from the joint committee on Finance and referred to the calendar.

The question was: Shall Assembly Bill 1300 be withdrawn from the joint committee on Finance and referred to the calendar?

The roll was taken.

The vote follows:

Ayes—Azim, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Kafka, Klicka, LaFave, Lewison, Luckhardt, McDougal, Merkel, Oestreicher, Quackenbush, Quinn, Robertson, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—33.

Noes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Hanson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Menos, Looby, Lynn, McCormick, McEssy, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner and Mr. Speaker—59.

Absent or not voting—Alberts, Brown, Bultman, Hanna, Helgeson, Sicula, Slaby and Willkom—8.

Motion failed.

JOURNAL OF THE ASSEMBLY [September 20, 1971]

CALENDAR OF SATURDAY, SEPTEMBER 18

**CONSIDERATION OF MOTIONS FOR
RECONSIDERATION**

Senate Bill 713

Relating to state tax sharing with local units of government and the situs, allocation and apportionment of business income.

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

Representative Froehlich asked unanimous consent to conclude his remarks. Granted.

The question was: Shall the vote by which Senate Bill 713 was ordered to third reading be reconsidered?

The roll was taken.

The vote follows:

Ayes—Azim, Boeckmann, Bolle, Bradley, Conradt, Ellis, Froehlich, Greider, Guiles, Hephner, Kafka, Klicka, LaFave, Lewison, Luckhardt, Merkel, Mielke, Quinn, Roberts, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Swoboda, Thompson R. M., Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—32.

Noes—Anderson, Atkinson, Baldus, Barbee, Berger, Byers, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Giese, Groshek, Grover, Hanson, Jackson, Johnson W. A., Jones, Kessler, Kleczka, Korpela, Menos, Looby, Lynn, McCormick, McDougal, McEssy, Mato, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Robertson, Rogers, Rutkowski, Sanasarian, Schneider, Schricker, Stack, Sweda, Tobiasz, Vanderperren, Wahner and Mr. Speaker—58.

Absent or not voting—Alberts, Brown, Bultman, Hanna, Helgeson and Willkom—6.

Paired—G. K. Johnson and Jackamonis for reconsideration, Sricula, and Slaby against reconsideration—4.

Motion failed.

JOURNAL OF THE ASSEMBLY [September 20, 1971]

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

Representative Sweda in the chair.

Representative Sensenbrenner moved that **Senate Bill 713** be nonconcurrent in.

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

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

Speaker in the chair.

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

The question was: Shall **Senate Bill 713** be nonconcurrent in?

The roll was taken.

The vote follows:

Ayes—Azim, Boeckmann, Bolle, Bradley, Conradt, Day, Ellis, Froehlich, Gaulke, Greider, Guiles, Hephner, Jackamonis, Johnson G. K., Klicka, LaFave, Merkel, Mielke, Mittness, Quinn, Roberts, Schowalter, Schroeder, Sensenbrenner, Shabaz, Swoboda, Thompson R. M., Thompson T. G., Vanderperren, Wackett, Wilcox and Wilger—32.

Noes—Anderson, Atkinson, Baldus, Barbee, Berger, Brown, Bultman, Byers, Conta, Czerwinski, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Giese, Groshek, Grover, Hanson, Jackson, Johnson W. A., Jones, Kafka, Kessler, Kleczka, Korpela, Lewison, Menos, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Miller, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Robertson, Rogers, Rutkowski, Sanasarian, Schneider, Schricker, Schwefel, Sricula, Stack, Stalbaum, Sweda, Tobiasz, Wahner and Mr. Speaker—62.

JOURNAL OF THE ASSEMBLY [September 20, 1971]

Absent or not voting—Hanna, Helgeson, Slaby and Willkom—4.

Paired—Alberts for nonconcurrence, Tregoning against nonconcurrence—2.

Motion failed.

The question was: This bill having been read three times, shall the bill be concurred in?

The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Berger, Brown, Bultman, Byers, Conta, Czerwinski, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Giese, Groshek, Grover, Hanson, Jackson, Johnson W. A., Jones, Kessler, Kleczka, Korpela, Lewison, Menos, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Miller, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Robertson, Rogers, Rutkowski, Sanaarian, Schneider, Schricker, Schwefel, Sricula, Stack, Sweda, Thompson T. G., Tobiasz, Wahner and Mr. Speaker—61.

Noes—Azim, Boeckmann, Bolle, Bradley, Conradt, Day, Ellis, Froehlich, Gaulke, Greider, Guiles, Hephner, Jackamonis, Johnson G. K., Kafka, Klicka, LaFave, Merkel, Mielke, Mittness, Quinn, Roberts, Schowalter, Schroeder, Sensenbrenner, Shabaz, Stalbaum, Swoboda, Thompson R. M., Vanderperren, Wackett, Wilcox and Wilger—33.

Absent or not voting—Hanna, Helgeson, Slaby and Willkom—4.

Paired—Tregoning for concurrence, Alberts against concurrence—2.

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Senate Bill 713 be immediately messaged to the senate.

Representative Froehlich objected.

Representative Anderson moved that the rules be suspended and the assembly's action on Senate Bill 713 be immediately messaged to the senate.

JOURNAL OF THE ASSEMBLY [September 20, 1971]

The question was: Shall the rules be suspended and the assembly's action on Senate Bill 713 be immediately messaged to the senate?

The roll was taken.

The vote follows:

Ayes—Anderson, Atkinson, Baldus, Barbee, Berger, Bolle, Bultman, Byers, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Giese, Groshek, Grover, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Menos, Looby, Lynn, McCormick, McDougal, McEssy, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Rogers, Rutkowski, Sanasarian, Schneider, Schricker, Sicula, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner and Mr. Speaker—65.

Noes—Azim, Boeckmann, Bradley, Conradt, Ellis, Froehlich, Greider, Guiles, Hephner, Kafka, Klicka, LaFave, Lewison, Luckhardt, Merkel, Quinn, Roberts, Schowalter, Schroeder, Schwefel, Sensenbrenner, Shabaz, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—27.

Absent or not voting—Brown, Hanna, Slaby and Willkom—4.

Paired—Robertson and Quackenbush for suspension, Alberts and Helgeson against suspension—4.

Motion carried.

Representative McEssy asked unanimous consent to return to the tenth order of business. Granted.

Representative McEssy asked unanimous consent that all bills that were placed on the table on Thursday and Friday, September 16 and 17 be returned to their respective positions on the calendars.

Representative Anderson objected.

Representative McEssy moved that all bills that were placed on the table on Thursday and Friday, September 16 and 17 be returned to their respective positions on the calendars.

JOURNAL OF THE ASSEMBLY [September 20, 1971]

The question was: Shall the rules be suspended that all the bills that were placed on the table on Thursday and Friday, September 16 and 17 be returned to their respective positions on the calendars?

The roll was taken.

The vote follows:

Ayes—Azim, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Hephner, Kafka, Klicka, LaFave, Lewison, Luckhardt, McDougal, McEssy, Merkel, Quackenbush, Quinn, Robertson, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, S h a b a z, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—33.

Noes—Anderson, Atkinson, Baldus, Barbee, B e r g e r, Boeckmann, Bolle, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Menos, Looby, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreich, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner and Mr. Speaker—61.

Absent or not voting—Alberts, Brown, Hanna, Helgeson, Slaby and Willkom—6.

Motion failed.

Representative Froehlich asked unanimous consent that **Assembly Bill 414** be withdrawn from the committee on Conference and be made a special order of business at 10:00 A.M. Wednesday, September 22.

Representative Anderson objected.

Representative Froehlich moved that **Assembly Bill 414** be withdrawn from the committee on Conference and be made a special order of business at 10:00 A.M. Wednesday, September 22.

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

JOURNAL OF THE ASSEMBLY [September 20, 1971]

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

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

The question was: Shall Assembly Bill 414 be withdrawn from the committee on Conference and be made a special order of business at 10:00 A.M. Wednesday, September 22?

The roll was taken.

The vote follows:

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

Noes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Bultman, Conta, Czerwinski, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Hanson, Hephner, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Menos, Looby, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sricula, Stack, Sweda, Swoboda, Tobiasz, Vanderperren, Wahner and Mr. Speaker—59.

Absent or not voting—Alberts, Brown, Hanna, Helgeson, Slaby and Willkom—6.

Motion failed.

Representative Quackenbush asked unanimous consent to be recorded as voting "No" on rejection of assembly amendment 11 to assembly substitute amendment 1 to Senate Bill 713. Granted.

JOURNAL OF THE ASSEMBLY [September 20, 1971]

VISITORS

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

Mrs. Gus G. Menos, Mrs. Louis Sadowski, Mrs. William Menos, Mrs. Kathryn Lampenis, and Mr. Louis Sadowski from Milwaukee, Wisconsin, guests of Representative Gus G. Menos.

Mr. Glenn Frey from Viroqua, Wisconsin, guest of Representative Lewison.

Mr Charles Lee (formerly from Pardeeville, Wisconsin) from Chicago, Illinois, guest of Representative Robert M. Thompson.

Representative Anderson moved that the assembly stand adjourned until 9:00 A.M. tomorrow.

The question was: Shall the assembly stand adjourned?
The motion carried.

The assembly stood adjourned.

7:30 P.M.