



STATE OF WISCONSIN

Assembly Journal

Ninety–Third Regular Session

1:40 P.M.

WEDNESDAY, January 14, 1998

The Assembly met in the Council House at the First Capitol Historic Site in Belmont, Wisconsin in commemoration of the Sesquicentennial of Wisconsin's statehood.

Speaker Jensen in the chair.

The prayer was offered by Father Brian Bricker.

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

Representative Judy Klusman led the membership in singing the "Star Spangled Banner".

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Cogg, Cullen, Dobyns, Dueholm, Duff, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Murat, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Ryba, Schafer, Schneider, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Jensen – 93.

Absent with leave – Representatives Foti, Kunicki, Morris–Tatum and Williams – 4.

Vacancies – 42nd and 82nd Assembly Districts – 2.

Speaker Pro Tempore Freese in the chair.

LEAVES OF ABSENCE

Speaker Pro Tempore Freese asked unanimous consent for a leave of absence for today's session for Representatives Foti, Kunicki, Morris–Tatum and Williams. Granted.

SPECIAL GUEST

Speaker Pro Tempore Freese introduced Former Chief Justice Nathan Heffernan, who addressed the members on the history of the First Capitol Site at Belmont.

SPECIAL GUEST

Speaker Jensen introduced Governor Tommy G. Thompson, who addressed the members on Wisconsin's Sesquicentennial.

"Speaker Jensen, members of the State Assembly, Justice Heffernan, distinguished guests, and ladies and gentlemen.

It is a pleasure to return to Belmont and Wisconsin's first territorial capitol building. I moved state government to Platteville in 1991 and held a cabinet meeting in this very room.

I had the good sense, however, to convene the meeting in August — not in the dead of winter.

No matter the temperature, this is a glorious and historic day for the state of Wisconsin.

Traveling by carriage in the middle of January to this historic location conjures up images of Asaph Whittlesey, the founder of Ashland.

It was January 1860, and armed with a pistol, a pair of goggles and a burning desire to ensure the northland's voice was heard in the state legislature, Asaph Whittlesey set out on snowshoes from Ashland to the nearest train station located in Sparta — a 240 mile trek.

Upon entering a Sparta tavern, Whittlesey was warmed by the same Wisconsin hospitality that continues to greet travelers today. Trading in his buckskins and goggles for a suit donated by the men in the tavern, he boarded a train to represent the lake superior country in Madison.

Whittlesey braved bone–chilling winds, and persevered against below zero temperatures and blinding snow to take part in the greatest human experiment ever devised....democracy.

If anyone ever deserved to collect a per diem, it was Asaph Whittlesey.

Mr. Speaker, I refer to Asaph Whittlesey because of his dogged determination to do the people's work, but equally for his penchant to carry a firearm.

Given the rambunctious and often partisan nature of this house, I hope no one gets too involved in the spirit of the event

and brandishes a pistol to reenact the Vineyard–Arndt shooting of 1842. At least while I'm here.

Besides the period clothing, then—Governor James Doty and I have something else in common following the assassination — not one but two open seats in the legislature — and both of them vacated by Democrats.

The carriage ride and the beauty of the Belmont area made it easy to drift further back in time as Wisconsin took many different shapes before statehood.

In fact, if it wasn't for the determination of Ohio to have access to the Great Lakes, the upper peninsula may have become part of our territory — an expanse that stretched from the Dakotas to Missouri's northern border and encompassing all of Iowa and Minnesota.

Prior to gaining territorial status, we bounced from the Indiana Territory, to the Illinois Territory and finally the Michigan Territory.

To exclude Wisconsin in their future plans was shortsighted.

While the Colts, Bears and Lions are sitting home a week from Sunday, the Green Bay Packers will be in San Diego capturing yet another Super Bowl Title.

It is with that same championship enthusiasm that I address this distinguished body in this venue.

Our presence today in Belmont, the site of Wisconsin's first territorial capitol, reflects the monumental significance this site holds on a historic journey that began long ago.

If only these walls could talk. These walls would tell us fascinating stories of true trailblazers. For it was here in Belmont, in this very building, that Wisconsin's founding fathers charted a course for Wisconsin's future.

And it is here that we gather, in the year of our sesquicentennial, to begin a celebration of the fortitude that culminated in the formation of our great state...*the Wisconsin Spirit*.

On the eve of statehood, J. McMullen, a settler from Sheboygan put pen to paper and conveyed to an eastern companion the destiny of America's newborn.

On May 2, 1848, he wrote: "The people have adopted a constitution and in a few months Wisconsin will take its place among the glorious states of our republic. It will by no means be an insignificant one.

With her green ocean-like prairies, the unequalled fertility of her soils, and facilities for commerce, she will become not only the 'Garden of the West,' but also the richest, fairest land in our broad country from the Atlantic to the Pacific."

Uncommon words from the common man. They are a settler's thoughts, his dreams and his visions of the Wisconsin that was yet to be.

His excitement was indicative of the people that inhabited this land. They were true leaders. Pioneers who not only tamed the forests and tilled the soil, but pioneers in education and public policy, commerce, agriculture, transportation, the arts and sciences, and sports.

So as we celebrate 150 years of Wisconsin statehood, we must also celebrate 150 years of Wisconsin leadership.

Leaders like Alexander Gallagher of Oshkosh, who in 1878 raced his way to fame between Green Bay and Madison in the first automobile race in history.

Although Gallagher traveled at the blinding speed of 6 miles per hour, Wisconsin was certainly going places.

And there was Ole Evinrude of Milwaukee, who was so upset over his ice cream melting while rowing to his favorite picnic site, he invented the first gasoline powered outboard motor in 1910.

Ole's motor made it possible for Louis Spray to land the world record 69 pound 11 ounce muskellunge caught on the Chippewa flowage in the Musky Capitol of the World.

Wisconsin's great outdoors are enjoyed by sportsmen and nature enthusiasts alike due to the advocacy of people like Aldo Leopold and John Muir.

Our long and proud tradition of conservationism includes America's first environmental program designed to purchase and manage natural areas for research, education and preservation.

We also have the distinction of the first state in the nation to ban DDT and enact a comprehensive recycling law.

While you're vacationing in the majestic northland, stop and relax with a hamburger, which first tickled taste buds in Seymour. And wash it down with a malted milk, first blended in Wisconsin in 1883.

Our records of achievement have been chronicled for posterity due to the ingenuity of Christopher Latham Sholes, who invented the first typewriter in 1869.

The Milwaukee Public Museum kindly lent us a model of Shole's first typewriter for display at today's event.

Remarkably, the original key arrangement is still used today.

Incidentally, Sholes was a reporter by trade, which makes it difficult for me to understand why after 129 years of using the same keystrokes the media still have problems writing an accurate story.

The Wisconsin media has its own story to tell. WHA is the oldest radio station in the country.

The invention of the typewriter would one-day make it easier for education leaders like Margarethe Meyer Schurz to develop lesson plans. Schurz, of course, developed the nation's first kindergarten in Watertown in 1856.

Kindergarten was literally an educational first step for the state, followed by implementing the nation's first system of state support for vocational, technical and adult education in 1911.

The University of Wisconsin went on to be the first state university in the country to offer extension courses, establish an agricultural research station and a department of agricultural economics.

The university of Wisconsin system produced ingenious instructors like professor Stephen Babcock, who invented the Babcock milk tester, which revolutionized our dairy industry

and ushered in an era as the nation's leader in the production of cheese and milk...and the title of America's Dairyland.

And everyone knows that Babcock Hall ice cream is the best in the country.

The benefits of a Wisconsin education are everywhere, including Hollywood. Celebrities like Charles Lindbergh, Harrison Ford and Steve Miller all studied in the state. In fact, many celebrities call Wisconsin home.

Kenosha native Don Ameche, Citizen Kane's Orson Wells, Jill Eikenberry of L.A. law, two-time academy award winner Spencer Tracy, Liberace, Daniel J. Travanti, Tyne Daly, Fred Macmurray and the late Chris Farley.

The stars of television and the silver screen share center stage with the Ringling Brothers' "World's Greatest Show" and the man who thrilled audiences around the world with his death defying escape acts, Appleton's own, Harry Houdini.

And a music revolution was ushered in by Les Paul, the "Wizard of Waukesha," who invented the electric guitar.

Revolutions come in all shapes and sizes — including ability, race and gender.

Leading the fight against discrimination includes the distinction of being the first state in the nation to prohibit the unlawful discrimination of handicapped people and using nationality or race as a basis for hiring teachers.

How apropos that the Outagamie County Township of Freedom was co-founded by Andy Jackson, an African American.

Upon organization of the town, citizens voted to name it Jackson, after the former slave, but when told of the honor Andy said, "no gentlemen. Call it freedom, because here's where I got my freedom."

And just 35 miles west of here is another historic site — Beetown and the community of Pleasant Ridge, founded in 1848 by former slaves.

But freedom represents more than a community for the people of this state - black or white.

Wisconsin's definition of freedom included a passage for the Underground Railroad. It meant a commitment of more than 91,000 who donned the union uniform and the more than 12,000 who made the ultimate sacrifice defending what it stood for.

One in nine Wisconsin men joined the boys in blue, one of the highest ratios per capita in the union. And they fought with such valor that General Sherman T. Williams proclaimed, "a Wisconsin regiment was worth a brigade from any other state."

Valor and honor certainly describes Milwaukee native General Douglas MacArthur, when he reminded America that "Old soldiers never die, they just fade away."

MacArthur, true to his word, returned to the Philippines and succeeded in forcing the Japanese surrender through the aid and firepower of Wisconsin's 32nd division.

11 medals of honor, 157 distinguished service cross medals and 11,500 purple hearts, the 32nd remains one of the most decorated divisions in United States military history.

From the battlefields in Antietam, to the foxholes of Europe and jungles of Asia, to the miles upon miles of endless sand in desert storm, our fight for freedom has been equaled only by our fight for equality.

Wisconsin's ratification of the 19th amendment granting women the right to vote was the first approval to reach Congress in 1919, and we were the first state in the country to pass a law eliminating legal discrimination of women in 1921.

No surprise from a state that is recognized around the world as a laboratory for visionary social reforms and public policy initiatives; including the distinction of being the first state to provide aid to the disabled, the first worker and unemployment compensation laws, and true welfare reform.

Today, in strong and growing numbers, America's symbol of freedom flies triumphantly over America's state — just as Old Abe did as he led the 8th regiment home from the civil war.

Our journey has endured many battles and challenges. It has also captured the excitement of a new century, survived a great depression, stood victorious through two world wars, and dreamt the impossible as man walked upon the surface of the moon.

Through it all we fulfilled a destiny to lead, as J. McMullen eloquently predicted in his letter of so long ago.

As we venture into a new century, let's begin the next leg of our journey by rediscovering Wisconsin through the eyes of Father Marquette on his historic waterway of discovery.

From there we'll carry our spirit of leadership all the way to the nation's capitol on the back of a Wisconsin legend...a Harley Davidson motorcycle.

I encourage each of you and all Wisconsin residents to participate in these and the hundreds of sesquicentennial events that celebrate our heritage and culture.

A new era of Wisconsin leadership begins today.

We must build upon the foundation inspired in this building to ensure that the next 150 years are filled with hope, promise and opportunity for each and every Wisconsin citizen.

It is our responsibility as citizens of this great state to carry our proud tradition of leadership forward...as our motto demands. Our actions, our purpose, and our contributions must be as visionary as our founding fathers.

Our role is neither to lead people to water nor make them drink, but rather to make them thirsty...

And may the people of Wisconsin's thirst to be the leaders of this great nation never be quenched. Thank you."

EXECUTIVE COMMUNICATIONS

January 14, 1998

To My Friends In The Wisconsin State Assembly:

In honor of our State's Sesquicentennial, I am pleased and honored to resubmit to you Governor Dodge's original message on Statehood. The Will of the People certainly was

spoken when Governor Dodge gave this most important message that enabled Wisconsin to become the 30th State admitted to the Union.

As we begin our sesquicentennial year, may we each recommit our time, talents and effort to continue to make Wisconsin the best state in the nation.

Sincerely,
TOMMY G. THOMPSON
Governor

TERRITORIAL PROCEEDINGS

The lands granted by Congress for schools and a university will not be available until after the admission of Wisconsin as a state. Five per centum on the net proceeds of the sales of the public lands sold at the land offices in this territory, to which the state of Wisconsin will be entitled on her admission into the Union, would have paid the expenses of the state government for the last five years.

The people of this territory have paid into the United States treasury, since the organization of the territorial government, near four million of dollars in payment for the public lands; and the amount appropriated by Congress for the improvement of harbors and roads, etc. in the territory is one hundred and sixty-seven thousand dollars. This state of things will remain as long as the territorial government exists.

The states of Illinois and Missouri were admitted members of the Union when the population of those states did not exceed one hundred and thirty thousand inhabitants. In the admission of all the western states none of them had a population equal to the present population of the territory of Wisconsin. The future state of Wisconsin will combine as many advantages as any other portion of the United States. Her great extent of territory; the fertility of her soil; the salubrity of her climate; with commercial advantages unsurpassed on our inland seas and navigable rivers; her inexhaustible mineral wealth, composed of lead, iron, and copper mines, with the most extensive pine lumber region in the United States; with an intelligent, enterprising population—may we not confidently hope that Wisconsin will be the happy abode of millions of freemen, and that her march will be onward until she fills the high destiny that awaits her.

The present Legislative Assembly having been convened for a special purpose, I have not deemed the present an appropriate occasion to make any suggestions, except in relation to the organization of state government.

Be assured, fellow citizens, you will have my cooperation in the support of all such measures as will promote the good of the people you represent.

HENRY DODGE

Executive Department, October 18, 1847

WISCONSIN HISTORICAL COLLECTIONS

GOVERNOR DODGE'S MESSAGE ON STATEHOOD

Fellow Citizens of the Council and House of Representatives:

In accordance with the laws of the territory I have deemed it my duty to convene a special session of the Legislative Assembly, to enable the representatives of the people to take such action in the early organization of a state government as will meet the wants and wishes of their constituents.

At the last census of the inhabitants of the territory her population was one hundred and fifty-five thousand; and from the increased immigration since that period her present population may now be estimated to exceed two hundred thousand.

By the official returns made to the office of the secretary of the territory of the votes given "for and against state government" it appears that a large majority of the people are in favor of a state government. The preparatory steps, it would seem, can be taken for the election of a convention to form a constitution and submitting it to the people of the territory, as well as to the Congress of the United States at their next session, in time for the admission of Wisconsin as an independent state of this Union, as the next is the commencement of a new Congress and a long session of that body. In that event the state of Wisconsin will give her electoral vote at the next presidential election in 1848.

The admission of Wisconsin as a state will promote the best interests of her people; they will have a representation in both houses of Congress; they will participate in all the advantages of a government created by themselves, founded on the equal rights of all, and when the expressed voice of the people will be the supreme law of the state. The donation of five hundred thousand acres of land, to which the future state of Wisconsin will be entitled under the provisions of an act of Congress entitled "An Act to appropriate the proceeds of the sale of the public lands, and to grant preemption rights," approved September 4, 1841, will be greatly lessened in value before Wisconsin becomes a state, as the choice lands have already been sold, and the refuse lands will remain, from which the selection will be made, unless they are located north of the Wisconsin River.

From Madison Wisconsin Argus, October 19, 1847

TERRITORIAL PROCEEDINGS

PROCLAMATION BY HENRY DODGE, GOVERNOR OF THE

TERRITORY OF WISCONSIN

To All to Whom These Presents Shall Come, Greeting:

WHEREAS, The people of the territory of Wisconsin did on the 5 [1st] day of February, A.D. 1848, by a convention of their delegates, assembled at Madison, the seat of government, form a constitution for a state government, which by the fourteenth article of said constitution was submitted to the qualified electors of said territory for their acceptance or rejection; and

WHEREAS, The said electors did meet at their respective county seats and election precincts on the 14th [13th] day of March last, and did then cast their votes for or against the adoption of said constitution; now, therefore,

BE IT KNOWN, That from the official returns of said election as made to the executive department, it appears that the whole number of votes cast on the question of the constitution was twenty-two thousand five hundred and ninety-one, and that the majority was ten thousand two hundred and forty-three votes in favor of the adoption of said constitution.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the territory to be affixed, at Madison this tenth day of April, in the year of our Lord one thousand eight hundred and forty-eight.

HENRY DODGE

From Madison Wisconsin Argus, April 11, 1848.

WISCONSIN HISTORICAL COLLECTIONS

AN ACT FOR THE ADMISSION OF THE STATE OF WISCONSIN INTO THE UNION

WHEREAS the people of the territory of Wisconsin did on the first day of February, eighteen hundred and forty-eight, by a convention of delegates called and assembled for the purpose, form for themselves a constitution and state government, which said constitution is republican, and said convention having asked the admission of said territory into the Union as a state on an equal footing with the original states:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the state of Wisconsin be, and is hereby, admitted to be one of the United States of America, and is hereby, admitted into the Union on an equal footing with the original states in all respects whatever, with the boundaries prescribed by the act of Congress, approved August sixth, eighteen hundred and forty-six, entitled, "An Act to enable the people of Wisconsin Territory to form a constitution and state government, and for the admission of such state into the Union."

Section 2. *And be it further enacted,* That the assent of Congress is hereby given to the first, second, fourth, and fifth resolutions adopted by said convention and appended to said constitution; and the acts of Congress referred to in the said resolutions are hereby amended so that the lands granted by the provisions of the several acts referred to in the said first and fourth resolutions, and the proceeds of said lands, and the five per centum of the net proceeds of the public lands therein mentioned shall be held and disposed of by said state in the manner and for the purposes recommended by said convention, and so that, also, the lands reserved to the United States by the provisions of the act entitled, "An Act to grant a quantity of land to aid in the improvement of the Fox and Wisconsin rivers, and to connect the same by a canal in the Territory of Wisconsin," and, also, the even-numbered sections reserved by the provisions of the act entitled, "An Act

to grant a quantity of land to the territory of Wisconsin for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock River," shall be offered for sale at the same minimum price and subject to the same rights of preemption as other public lands of the United States: *Provided,* however, That no person shall be entitled to a preemption by reason of the settlement and cultivation of any quarter section or other subdivision of said even-numbered sections, which tract, before the commencement of such settlement, shall have been claimed by any other person cultivating and improving the same in good faith, and which shall have continued to be claimed, cultivated, and improved in like good faith by such person, his representatives or assigns, until the sale of said tract, and of which said prior claim, cultivation, and improvement, the personal claiming preemption shall have had notice at the time of his entry and settlement; neither shall any preemption be allowed to any tract, to the injury of any person, or of the representatives or assigns of any person claiming and occupying the same or any part thereof in good faith, in his or her right, at the passage of this act, and owning valuable cultivation or improvements thereon, which cultivation or improvement shall have been assigned by the person so claiming preemption, or, if commenced subsequently to the entry and settlement of such person, shall have been made with his consent or acquiescence; and *Provided,* further, That the liabilities incurred by the territorial government of Wisconsin, under the act entitled "An Act to grant a quantity of land to the territory of Wisconsin for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock River," hereinbefore referred to, shall be paid and discharged by the state of Wisconsin.

Section 3. *And be it further enacted,* That the purchasers of any tract of the said even-numbered sections mentioned in the preceding section, and sold since the reservation thereof at the minimum price of \$2.50 per acre, shall be entitled to receive from the commissioner of the General Land Office a certificate of the quantity of land so purchased, and of the amount of the excess paid therefor over and above the value of said land, at the rate of \$1.25 per acre; which certificate, to the amount of such excess, shall be receivable from the holder thereof, or his assigns, in like manner as so much money in payment of the public lands of the United States. That, in the event of the death of any such purchaser before the issuing of such certificate, the same shall be issued in favor of the lawful representatives of such purchaser.

Section 4. *And be it further enacted,* That the judge of the district court for the district of Wisconsin shall hold a term of said court in each year at the seat of government, to commence on the first Monday of July, and another term of said court in each year at Milwaukee, to commence on the first Monday of January. He shall also have power to hold special terms for the trial of causes and for the determination of all suits or proceedings in said courts, at either of the aforesaid places, at his discretion, as the nature and amount of the business may require. The said court shall be open at all times for the purpose of hearing and deciding cases of admiralty and maritime jurisdiction, so far as the same can be done without a jury. The records and papers of said court may be kept at either of the places herein designated for the holding of said court, as the judge in his discretion shall direct.

Section 5. *And be it further enacted*, That the clerks of the district courts of the territory of Wisconsin shall be fore their term of office expires certify, under the seal, and transmit to the clerk of said courts all records of all unsatisfied judgments and of suits pending in said courts, respectively attaching thereto all papers connected therewith, in all cases arising under the laws or Constitution of the United States, or to which the United States shall be a party; and they shall forward the same to the clerk of said district court of the state of Wisconsin, who shall enter the same in his docket; and the said district court shall proceed therein to final judgment and execution, as if such suits or proceedings had originally been brought in said court.

Section 6. *And be it further enacted*, That the clerk of the supreme court of the territory of Wisconsin shall deliver over to the clerks of said district court all records and papers in the office of the clerk of the said supreme court relating to proceedings in bankruptcy under the late bankrupt law of the United States. He shall also certify, under seal, and deliver to said clerk all records of judgments and of proceedings in suits pending, and all papers connected therewith, in cases arising under the Constitution and laws of the United States.

Section 7. *And be it further enacted*, That from and after the fourth day of march, eighteen hundred and forty-nine, and until another census and apportionment shall be made, the state of Wisconsin shall be entitled to three representatives in the Congress of the United States.

Approved, May 29, 1848

PRESIDENT JAMES POLK

Representative Ladwig moved that the Assembly resolve itself into a Committee of the Whole.

The question was: Shall the Assembly resolve itself into a Committee of the Whole?

Motion carried.

2:35 P.M.

COMMITTEE OF THE WHOLE

Representative Ladwig asked unanimous consent that Representative Freese be designated to chair the Committee of the Whole. Granted.

Representative Freese in the chair.

Representative Ziegelbauer moved that **Senate Joint Resolution 22** be recommended for concurrence by the Committee of the Whole.

Representative Ziegelbauer read the resolution.

Senate Joint Resolution 22

Relating to: naming a Seawolf submarine the "Manitowoc".

The question was: Shall **Senate Joint Resolution 22** be recommended for concurrence by the Committee of the Whole?

Motion carried.

Representative Harsdorf moved that **Assembly Joint Resolution 91** be recommended for adoption by the Committee of the Whole.

Representative Harsdorf read the resolution.

Assembly Joint Resolution 91

Relating to: significant Wisconsin persons.

The question was: Shall **Assembly Joint Resolution 91** be recommended for adoption by the Committee of the Whole?

Motion carried.

Representative Potter moved that **Assembly Joint Resolution 94** be recommended for adoption by the Committee of the Whole.

Representative Potter read the resolution.

Assembly Joint Resolution 94

Relating to: Wisconsin women's accomplishments and significant Wisconsin events.

The question was: Shall **Assembly Joint Resolution 94** be recommended for adoption by the Committee of the Whole?

Motion carried.

Representative Jeskewitz moved that **Assembly Joint Resolution 92** be recommended for adoption by the Committee of the Whole.

Representative Jeskewitz read the resolution.

Assembly Joint Resolution 92

Relating to: Wisconsin firsts.

The question was: Shall **Assembly Joint Resolution 92** be recommended for adoption by the Committee of the Whole?

Motion carried.

Representative Reynolds moved that **Assembly Joint Resolution 90** be recommended for adoption by the Committee of the Whole.

Representative Reynolds read the resolution.

Assembly Joint Resolution 90

Relating to: honoring Wisconsin Indian tribes.

The question was: Shall **Assembly Joint Resolution 90** be recommended for adoption by the Committee of the Whole?

Motion carried.

Representative Brandemuehl moved that **Assembly Joint Resolution 89** be recommended for adoption by the Committee of the Whole.

Representative Brandemuehl read the resolution.

Assembly Joint Resolution 89

Relating to: honoring Wisconsin veterans.

The question was: Shall **Assembly Joint Resolution 89** be recommended for adoption by the Committee of the Whole?

Motion carried.

Representative Albers asked unanimous consent that the Assembly adjourn in honor of 144 members of the 115th Fighter Wing Unit from Wisconsin, who returned home to their families after spending one month participating in "Operation Southern Watch" in Kuwait – patrolling the southern "No-Fly Zone" in Iraq. Granted.

Representative Robson moved that **Senate Joint Resolution 30** be recommended for concurrence by the Committee of the Whole.

Representative Robson read the resolution.

Senate Joint Resolution 30

Relating to: proclaiming Statehood Day Weekend.

The question was: Shall **Senate Joint Resolution 30** be recommended for concurrence by the Committee of the Whole?

Motion carried.

Representative Ourada moved that **Assembly Joint Resolution 93** be recommended for adoption by the Committee of the Whole.

Representative Ourada read the resolution.

Assembly Joint Resolution 93

Relating to: significant Wisconsin events.

The question was: Shall **Assembly Joint Resolution 93** be recommended for adoption by the Committee of the Whole?

Motion carried.

Representative Hutchison moved that **Assembly Joint Resolution 88** be recommended for adoption by the Committee of the Whole.

Representative Hutchison read the resolution.

Assembly Joint Resolution 88

Relating to: celebrating Wisconsin's sesquicentennial.

The question was: Shall **Assembly Joint Resolution 88** be recommended for adoption by the Committee of the Whole?

Motion carried.

Representative Coggs moved that **Assembly Joint Resolution 95** be recommended for adoption by the Committee of the Whole.

Representative Coggs read the resolution.

Assembly Joint Resolution 95

Relating to: celebrating the achievements of Wisconsin's African-Americans.

The question was: Shall **Assembly Joint Resolution 95** be recommended for adoption by the Committee of the Whole?

Motion carried.

Representative Ladwig moved that the Committee of the Whole arise.

The question was: Shall the Committee of the Whole arise?

Motion carried.

3:30 P.M.

The Assembly reconvened.

Speaker Jensen in the chair.

ANNOUNCEMENTS

Representative Schneider addressed the members in honor of the Sesquicentennial of Wisconsin's statehood.

"We are here today because Belmont was Wisconsin's first Capital, and we're celebrating 150 years of statehood. This gives us the opportunity to step back from our usual concerns, look around and wonder how legislators operated in 1737, when this was the Territorial Capital, and see if we can find any insight for today from what has gone before. The purpose of celebrations like this is to shake us out of our complacency, to make us question how we do things, and to show us how much we have in common, and how much history we share simply by living our lives in Wisconsin.

First a few words about Belmont. Although Belmont was the first official Territorial Capitol for the Wisconsin Territory, for any whites living here between the time when this area was organized as part of the United States under the Northwest Ordinance of 1787, the territorial capitol was Marietta, Ohio when this was part of the Northwest Territory, Vincennes, when it was part of the Indiana Territory, Kaskaskia, when it was part of the Illinois Territory, and Detroit, when the Michigan Territory was formed. Carving out new Territories and making them into states was a boom industry in those years — and one people like you and me might have been engaged in.

When Michigan's Territorial Council could feel statehood approaching, they established a new Council for their western counties, (the ones that wouldn't be included in the state of Michigan), and this new Council met in Green Bay on January 1, 1836. The purpose of this Green Bay meeting was to petition for Territorial status, and the question of where the Capital would be was already an important one — because the federal government traditionally made a large grant, of land or money, for the establishment of the Capital. The Council meeting in Green Bay asked the United States Congress to name Cassville as Territorial Capitol: it was centrally located for the huge new Territory, which included Iowa, Minnesota and part of North and South Dakota, and was in the heavily populated lead-mining region. Congress ignored the

recommendation, (an experience that is not unique to their time or any other), and left it up to the new Governor of the Wisconsin Territory, Henry Dodge, to pick a temporary site, and the Legislature to be elected to pick a permanent home.

Dodge picked Belmont, where John Atchison had already begun offering lots of land for sale — he made the offers in New York, Washington, Dubuque and Mineral Point. Atchison was also bringing in several public buildings he constructed back East, (probably in Pittsburgh), such as this building, and hoped the Governor's action would determine the new Legislature's choice of a permanent Territorial Capitol — one which would get the \$20,000 in federal money.

What was it like? Brown County legislator Henry Baird wrote home "that he was 'agreeably surprised, when emerging from the wood, to see 6 or 8 very pretty framed buildings'" — not the log cabins that must have made up most homes in the Territory. But legislators were crowded, and they complained about lacking heat and water. Today, they complain about office space, travel allotments, committee assignments and state vehicles.

James Doty, who eventually convinced the Legislature to name Madison the new Capital, was only one of a number of promoters trying to change the location. Cassville and Burlington, Iowa, offered their own inducements to get the Capital changed, but Doty was better: 16 legislators, (there were only 39, 13 in a Council and 26 in a House), ended up owning land in Madison, along with the clerks of both the Council and the House, and the Governor's son.

Did Doty buy the vote? It turns out that the decision on this question turned on Iowa politics as much as Wisconsin issues: The bill to make Madison the Capital included a provision to make Burlington the temporary Capital, and that split the legislators from what would become Iowa two years later. The support of Des Moines legislators for Madison was probably critical, since the Des Moines legislators outvoted Dubuque legislators in the Council by one vote — the margin of Madison's victory. In the House there seems to have been an alliance between Des Moines, Iowa and southwestern Wisconsin legislators in favor of Madison, with Dubuque strongly opposed, and other Wisconsin legislators split, but mostly in favor of somewhere, (anywhere), north or east of Madison.

Burlington, the Wisconsin Territory's second Capital, is in southern Iowa. "Major Jerry" Smith had 'offered to build a temporary capital out of his own pocket'. The Legislature was happy with this two-story building when it met there in November, 1837, but it burnt down the next month. In the summer of 1838, Iowa was separated out as a separate Territory, with its own Capital, and our Legislature and government moved to Madison.

A Capitol building was being built in Madison, but was far from completed. The legislators used small improvised rooms on the first floor, over a basement being used to protect some of the builder's hogs from the winter cold. Ebenezer Child, a legislator from Green Bay, claimed that he would poke at the hogs underneath through gaps in the floor to rile them up to drown out boring speakers. Now, of course, none of us would think of making any noise when someone else is speaking.

These stories, and the whole history of Wisconsin, as a Territory and, for 150 years, as a state, is important to me, not just because the stories are so much fun. We need to take inspiration from the courage of the men and women who made this state, and to seek enlightenment in the way they faced their problems. It would be easy to dismiss the problems they faced, 150 or 160 years ago. We all like to look back on "the good old days" and see in our own time more dangers, more threats, and more critical issues: In our Sesquicentennial year the United States is still trying to forge a new world order to replace the Cold War Alliances, state governments face demands for changes, (usually involving additional expenditure), in welfare, education, the environment along with ferocious pressure to cut back state spending and taxation, and Americans in general face moral questions caused by technological changes unimaginable even a few years ago: Is cloning moral, and who is responsible for making the decision? How far must we go to protect our privacy, if protecting it limits the use of data bases that could save our lives in medical emergencies, or catch dead-beat parents, or prevent cheating on taxes? What limits should we, as a society, put on genetic manipulation of plants, animals, or even human beings? When currencies crash in East Asia and threaten the world's economic health, when environmentalists demand a cut-back in carbon emissions to limit damage to our climate, what can, or should, such small entities as a single state like Wisconsin do to make the economy humane and ecologically sound? It's easy to think that the first generations in Wisconsin had it easier, or at least faced fewer complex questions.

In fact, the issues of the 1830's, when, for a year, Belmont was the Territorial Capitol, or of the 1840's, when we achieved the Statehood we celebrate this year, were just as tough. Was war against Mexico justified? Ulysses S. Grant, who fought in it, thought not. Slavery and racial prejudice? The question of allowing blacks to vote was one of the controversies of the time, and Territorial Status followed closely on the heels of the Black Hawk War — which helped prepare for white settlement by clearing Native Americans out. The economy? —The original Wisconsin State Constitution forbade the formation or operation of banks without a positive referendum on the question. The paper money issued by private banks tended to decline in value and sometimes become worthless — which gave banking a bad name. The environment? At a time when pigs could root under the floor or outside the building in which the Assembly met, I think the stench of that issue probably took on a personal importance greater than we now realize; it just wasn't addressed as a "cause", but as a matter of individual responsibilities, particular problems, specific answers. "Move the pigs" is an idea that makes sense, but it's a long way from environmentalism.

To find a meaning in our Sesquicentennial, we have to go beyond "moving the pigs" to see how some of the people acted, how ideas, institutions and events shaped us, and gain inspiration from them.

The corner of the Capitol Square outside the Governor's office has a statue of Colonel Hans Christian Heg, a Wisconsin soldier who fell at the battle of Chickamauga in the Civil War. Wisconsin has given huge numbers of its civilians as soldiers in each of America's Wars since then, but not just as citizen-soldiers; Wisconsin's own General Douglas

MacArthur led America's forces, including the Wisconsin-based 32nd Division, in the Southwest Pacific during World War II. We know how to follow, and, on occasion, we're also able to lead.

Aldo Leopold and John Muir were among the founders of the Environmental Movement, but in our day Gaylord Nelson started Earth Day, and the modern form of the Movement, while we wrestle today with how best to implement and support recycling. In the early days it was enough to observe clearly and report passionately to reach people; now it's a matter of organizing, establishing distinctions, making changes in the ways we act.

Wisconsin native and UW Professor Frederick Jackson Turner formulated the Frontier Thesis: that America was formed by the contact of settlers with the wilderness, an idea which takes on new meaning every time we push for a new mission to Mars, or for more research on an earthly frontier like the deep ocean bed or an intellectual frontier like the Human Genome Project. Other Professors at the University of Wisconsin worked with Progressive politicians to produce a host of reforms: John R. Commons and Worker's Compensation, Edwin Witte, the "Father of Social Security," and UW PhD., Charles McCarthy, who fathered the nation's first vocational-technical school system as well as beginning the legislative reference library. Wisconsin was the first state to pass unemployment compensation. Wisconsin became synonymous with progressive politics, an accomplishment both parties can claim as a proud part of their past.

The Kohler family gave the state a strong industry, two Governors, and a goad to the labor movement that led to several horrible strikes; the 1934 strike saw police killing 2 and wounding 47. Herb Kohl has carried on the tradition of moving from economic commitment to personal political commitment. I only hope labor negotiations with players on the Bucks are more peaceful.

Even in fields where no advance is possible, such as the courage shown by those awarded the Congressional Medal of Honor, Wisconsin continues to make herself known, from the two MacArthurs, father and son, to Richard Bong, the World War II Marine ace from Poplar, and Mitchell Red Cloud, of Friendship, who died stopping a Chinese Communist attack in Korea, and allowed the rest of his unit to escape.

There are parallel lives, past and present, in less high-minded fields, too. Think of Ed Gein and Jeffrey Dahmer, each a reminder to his own time of the horror that man can do—that each of us might face, if social conscience loses its force.

Wisconsin has its own memories of an FBI shootout with John Dillinger near Manitowish Waters, of Al Capone's hideout near Couderay, of Frank Balistreri, Milwaukee's alleged Mob boss, and, if I remember correctly, the "Pizza" connection, organized crime's local connection here in Wisconsin that gained fame when busted a few years ago.

Wisconsinites have a history of resisting laws they don't like, from the mob that freed fugitive slave Joshua Glover from a Milwaukee jail in 1854 to actions we might like to forget, like the 1970 bombing of Sterling Hall. Each action helped determine which way the nation turned immediately after.

Frances Willard lived her early life in Wisconsin, then went on to become President of the Women's Christian Temperance Union in the 19th Century. Kathryn Clarenbach, a life-long citizen of this state, was a co-founder of the National Organization of Women, as well as giving us a friend and fellow legislator.

Politically, we've produced James Vinegard, a legislator who voted against moving the Capital to Madison and later shot and killed legislator C.C. Arndt during a debate, and Senator Joe McCarthy, who dragged the country through hell before being stopped by a televised legislative hearing.

There are parts of the past we may not care to remember: "Fighting Bob" LaFollette voted against US entry into World War I, joined by 9 of 11 Wisconsin Congressmen. Teddy Roosevelt faced an assassination attempt in Milwaukee in 1912.

Carl Schurz found a home here, and Golda Meir lived her formative years in Milwaukee, before going on to become Prime Minister of Israel.

Wisconsin's two parties have given the Defense Department two secretaries: Mel Laird and Les Aspin. We've provided the nation with: the first Secretary of Agriculture: former Wisconsin Governor Jeremiah Rusk; George Kennan, Ambassador to Russia after World War II and the man who came up with the idea of Containment — before it became government policy, and long before we won the Cold War; and William Rehnquist, Chief Justice of the United States.

Wisconsin gave the world Harry Houdini, who could get out of anything, and Chris Farley, who couldn't get out of the problems he created for himself.

Spencer Tracy and Harrison Ford went to Ripon College. Don Ameche, Willem Dafoe, Liberace, Gene Wilder and Frederic March are from Wisconsin, and performers from Fred MacMurray to Arnold Schwarzenegger went to school here. Wisconsin has given the nation authors August Derleth and Jacquelyn Mitchard.

UW Professor E.V. McCallum discovered Vitamin A in 1913, and Professor Howard Temin is one of 12 Nobel prize winners from the state's University. Not all the thinkers and dreamers come from the classroom, either: remember Billy Mitchell and his vision of Air Power.

90 years ago there was a "Wisconsin Idea" in education—that the bounds of the University are the boundaries of the state. The Progressive Movement that shaped both Democratic and Republican parties brought government closer to the people, and we're still trying to involve people in solving society's problems, from local recycling programs to educational reform. We led the nation in Unemployment Compensation and Worker's Compensation, and now we lead the nation in our efforts to reform welfare.

History is just nostalgia unless it offers a vision of a better future. It is up to us to find those visions of the future: in events of the past, in the complaints and suggestions of our constituents, in the ideas of professors and the practices of other states, where ever these visions exist. We have to find these visions, make them known to others, craft them into laws, and lead society in implementing them. This is our task, our function, —one I am happy to fulfill.

Wisconsin has too many people, too many individual points of view, too much rambunctious pride for all of us to agree on exactly what vision the Sesquicentennial should inspire, but by continuing to struggle each for his own vision of a better future, I think five million Wisconsin citizens are definitely headed for a great future. By leading them, and giving voice to their sentiments, their ideas, their hopes, we can make this happen.

Thank you.”

REMARKS BY THE SPEAKER

“It was here in this chamber where the campaign for statehood began. During the negotiations over statehood, our founders had an expansive vision of the state which included Chicago, the Twin Cities, and the Upper Peninsula of Michigan. Unfortunately, President Polk bowed to political pressure and gave away huge chunks of our fair state to our greedy neighbors in Illinois, Minnesota, and Michigan.

I believe it’s time to take back what was originally ours and liberate the ancestral Wisconsinites toiling under the oppressive governments in St. Paul, Lansing, and Springfield.

I consider this a humanitarian mission to free our brothers and sisters trapped in Minnesota, Michigan and Illinois, and welcome them home to Wisconsin where they can cheer for the Super Bowl Champions.

We rededicate ourselves to the spirit of sacrifice for our principles that led the Wisconsin Legislature and our citizens to fund three Wisconsin Regiments to the Union Army in 1861 – answering President Lincoln’s call for 75,000 soldiers by sending 96,000 of our men to the battlefield. Providing more troops in proportion to population than any other state in the Union.

We rededicate ourselves to the unwavering support for individual rights and liberties that saw Wisconsin leading the nation in the women’s suffrage movement. Saw our legislature passing state laws allowing women to vote in Wisconsin school board elections in 1885, allowing Wisconsin women to vote in presidential elections in 1919, and in 1920 becoming the first state in the nation to ratify the Nineteenth Amendment.

Today, we do not celebrate great men and women so much as we celebrate ordinary men and women who through hard work and determination accomplished great things.

Today, we do not celebrate a history of perfection. We celebrate a history of people bold enough to reach for greatness and human enough to occasionally fail. But always courageous enough to admit failure and try again.

I ask you all to look at this map again and just think of the redistricting possibilities in 2000!!!

This has been an exciting day and an historic day. When I was sworn in as Speaker two months ago, I challenged us to

strive to lead the nation from the Wisconsin Legislature. I stated that this body is in a race with its own history; to ensure that the ideals and accomplishments that have distinguished our proud past will also illuminate our hopeful future.

Today we have celebrated some of that proud past. And we rededicate ourselves to the principles that have shaped the proudest moments of our history.

We rededicate ourselves to the deep commitment to equal rights that saw the Territorial Legislature in this building in 1836 adopt the Northwest Ordinances and its prohibition of slavery as its framework for territorial government and our eventual state constitution. The commitment to equality that saw Wisconsin refuse to honor the Fugitive Slave Act and that made us one of the safest stops on the underground railroad.

It is worthwhile for those of us so often consumed by the minutiae of the moment to ponder the past. To salute our successes and to learn from our mistakes. To recognize anew the traditions we must keep and the challenges we must meet. Today, we shall rededicate ourselves to creating a future worthy of our past, and a history which our own children can celebrate with pride.

In just a few seconds after we adjourn, the gavel and flag from today’s proceedings will be presented to George Vogt for permanent residence in the State Historical Society. But before we do that, I’d like to have you join me in thanking him and his team for all their assistance along with that of the Sesquicentennial Commission in making this day a wonderful success.

We have a proud past. We have a bright future. Our deliberations here today are concluded. Our work as an Assembly and as a state has only just begun.

Thank you.”

Speaker Jensen introduced George Vogt, Director of the Wisconsin State Historical Society, who was presented the flag and gavel used during the Assembly’s historic meeting in the Council House at the First Capitol Historic Site in Belmont, to be displayed in the State Historical Society Museum.

ADJOURNMENT

Speaker Jensen moved that the Assembly stand adjourned until 9:30 A.M. tomorrow.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

3:55 P.M.