

JOURNAL OF THE SENATE [February 17, 1971]

STATE OF WISCONSIN

Senate Journal

Eightieth Session

WEDNESDAY, February 17, 1971.

10:00 o'clock A.M.

The senate was called to order by the president of the senate.

The prayer was offered by the Reverend Vernon T. Smith, Associate Pastor of Christ Presbyterian Church of Madison, Wisconsin.

The roll was called and the following senators answered to their names:

Senators Bidwell, Busby, Chilsen, Cirilli, D o r m a n , Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—30.

Absent—Senator Devitt—1.

Absent with leave—Senator Roseleip—1.

LEAVE OF ABSENCE

Senator Heinzen was granted a Leave of Absence for the balance of today's session.

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AMENDMENTS OFFERED

Senate amendment 1 to Senate Bill 138 offered by Senator Heinzen.

Senate amendment 1 to Senate Bill 68 offered by Senator Heinzen.

Senate amendment 5 to Senate Bill 35 offered by Senator Thompson.

Senate amendment 1 to Senate Bill 49 offered by Senator Johnson.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 22

Relating to the designation of the Wisconsin Arts Council as the official body for the encouragement of the arts in this state.

By Senators Risser, Hollander, Soik, Heinzen, Dorman, Swan, Knowles, Knutson, Thompson, Chilsen, Martin and Peloquin; co-sponsored by Representatives Sanasarian, Huber, Helgeson, Sensenbrenner, Brown, Molinaro, Mittness, Lipscomb, Conta, Earl and Swoboda.

Read and referred to committee on Education.

BILLS INTRODUCED

Senate Bill 185

Relating to the state flag.

By Senators Knowles, Roseleip, Knutson, Risser and Lorge.

Read first time.

Referred to joint committee on Finance.

Senate Bill 186

Relating to exempting semen from sales tax.

By Senators Hollander, Chilsen, Bidwell and McKenna; co-sponsored by Representatives Vanderperren and Schwefel.

Read first time.

Referred to joint Survey committee on Tax Exemptions.

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Senate Bill 187

Relating to exempting cemetery lots from transfer fees.
By Senators Hollander, Chilsen, Knutson and Bidwell;
co-sponsored by Representatives Vanderperren, Schwefel,
Schroeder and Conradt.

Read first time.

Referred to joint Survey committee on Tax Exemptions.

COMMITTEE REPORTS

The committee on Committees reports and recommends:

That Senator Joseph Lourigan be appointed to the Insurance Laws Revision committee to succeed Martin Schreiber.

GERALD D. LORGE,

Chairman.

REUBEN LaFAVE

WALTER G. HOLLANDER

Read and adopted.

The joint committee on Finance reports and recommends:

Senate Bill 133

Relating to statutory salary group of the highway safety coordinator.

Adoption of senate substitute amendment 1; Ayes, 13; Noes, 0; emergency statement recommended; Ayes, 13; Noes, 0 and passage as amended with emergency statement; Ayes, 13; Noes, 0.

WALTER G. HOLLANDER,

Chairman.

PETITIONS AND COMMUNICATIONS

Senate Petition 7

A petition signed by 115 people of the 27th Senatorial District who are opposed to public aid to private and religious schools.

By Senator Bidwell.

Read and referred to committee on Education.

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Senate Petition 8

A petition by 38 residents of the 24th district, opposing legalizing abortion.

By Senator Heinzen.

Read and referred to committee on Health and Social Services.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Madison 53702

February 16, 1971.

Mr. Tom Fox
Chief Clerk of the Assembly
220 West Capitol
Madison, Wisconsin 53702

Dear Mr. Fox:

I respectfully request your permission to address a Joint Conference of the Legislature with my budget and tax message on the following two dates:

Thursday, February 25, 1971 at 11:00 A.M.

Tuesday, March 2, 1971 at 11:00 A.M.

Sincerely,

PATRICK J. LUCEY,
Governor.

cc: William Nugent, Chief Clerk, State Senate
Senator Knowles, Senator Keppler, Senator Risser
Representative Huber, Representative Anderson, Representative Froehlich

MESSAGE FROM THE ASSEMBLY

By Thomas P. Fox, Chief Clerk

Mr. President:

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

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Motion Under Joint Rule 26:

A joint Certificate of Congratulations by Representatives Pabst and Sanasarian; co-sponsored by Senator Parys for James C. Windham on the occasion of his being named 1970 "Marketing Man of the Year."

Assembly Joint Resolution 10

MESSAGE FROM THE ASSEMBLY CONSIDERED

Motion Under Joint Rule 26:

A joint certificate of Congratulations by Representatives Pabst and Sanasarian; co-sponsored by Senators Parys for James C. Windham on the occasion of his being named 1970 "Marketing Man of the Year".

Read and concurred in.

Assembly Joint Resolution 10

To create Article I, section 24 of the constitution relating to the use of school buildings during nonschool hours by civic, religious or charitable organizations. (2nd consideration).

Read and referred to committee on Education.

CALENDAR OF WEDNESDAY, FEBRUARY 11TH

Senate Bill 28

Relating to municipal borrowing.

Read a second time.

Senate amendment 1 adopted.

Senator Lorge moved that the bill be indefinitely postponed.

The question was: Shall the bill be indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 10; noes, 19; absent or not voting, 3; as follows:

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Ayes—Senators Bidwell, Chilsen, D o r m a n , Johnson, Kendziorski, Knutson, Lorge, Murphy, Peloquin and Swan—10.

Noes—Senators Busby, Cirilli, Frank, Hollander, Keppler, Knowles, Krueger, LaFave, Lotto, Lourigan, McKenna, Martin, Parys, Risser, Schuele, Soik, Steinhilber, Thompson and Whittow—19.

Absent or not voting—Senators Devitt, Heinzen and Roseleip—3.

The motion for indefinite postponement did not prevail.

Senate amendment 2 to Senate Bill 28 offered by Senator Dorman.

Senator Lotto raised the point of order that senate amendment 2 to Senate Bill 28 was not germane.

The chair ruled that the point of order was well taken and that the amendment was not germane.

The question was: Shall the bill be ordered to a third reading?

The bill was ordered to a third reading.

By request of Senator Johnson, with unanimous consent, the bill was considered for final action at this time.

Read a third time and passed.

Senate Bill 33

Relating to recording and copying of public records.

Read a second time.

The question was: Shall the bill be ordered to a third reading?

The bill was ordered to a third reading.

By request of Senator Dorman, with unanimous consent, the vote by which the bill was ordered to a third reading was reconsidered.

Senate amendment 1 to Senate Bill 33 offered by Senator Dorman.

Senate amendment 1 to Senate Bill 33 was adopted.

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By request of Senator Johnson, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 33

Read a third time and passed.

Senate Bill 77

Relating to purchase of firearms by Wisconsin residents in contiguous states.

Read a second time.

By request of Senator Krueger Senate Bill 77 was laid over to the calendar of Thursday, February 25.

Senator Keppler moved that both of the Governor's requests to address the joint conferences of the legislature be granted and the president of the senate appoint two senators to usher the Governor to the assembly chamber.

The president appointed Senators Johnson and Whittow to accompany the Governor on February 25 and Senators Schuele and Chilsen to accompany him on March 2, 1971.

By request of Senator LaFave, with unanimous consent, the senate returned to the fourth order of business.

BILLS INTRODUCED

Senate Bill 188

Relating to return payment of liquor tax.

By Senators LaFave, Schuele and Whittow; co-sponsored by Representatives Bolle, Jones and McEssy.

Read first time.

Referred to committee on Governmental and Veterans' Affairs.

By request of Senator LaFave, with unanimous consent, the senate returned to the fifth order of business.

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COMMITTEE REPORT

The committee on Transportation reports and recommends:

The appointment by the Governor of Norman M. Clapp, of Madison, as Secretary of the Department of Transportation, to succeed G. H. Bakke, to serve at the pleasure of the Governor.

Confirmation; Ayes, 5; Noes, 0.

REUBEN LaFAVE,
Chairman.

Placed on calendar of February 25 upon request of Senator LaFave with unanimous consent.

RULING OF THE CHAIR

On Wednesday, February 10, 1971 Senator Lorge raised a Point of Order that Senate Bill 88 required a fiscal note.

Joint Rule 24 requires all original measures effecting finances to have a fiscal note. Senate Bill 88 is designed only to change the procedure in handling old age assistance liens, and on the surface would not appear to require a fiscal note—but because in changing the procedure it is possible that revenues could be effected. A fiscal note should be obtained for the bill, and this will be done pursuant to Joint Rule 24 (9).

MARTIN J. SCHREIBER,
Lieutenant Governor
President of the Senate

By request of Senator Johnson, with unanimous consent, the senate proceeded to the ninth order of business.

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MOTION UNDER JOINT RULE 26

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

**Whereas, Senator Allen J. Busby of Milwaukee resigned
as chairman of the Council for Home and Family after 6
years of dedicated service; and**

**Whereas, Senator Busby provided strong leadership for
the council and gave of himself far beyond the call of duty;
now, therefore,**

**The Members of the Wisconsin Senate, on the motion of
Senator Knowles, under Joint Rule 26, do commend Senator
Allen J. Busby for his dedication and service to the legisla-
ture and the people of Wisconsin.**

Read and adopted.

**Upon motion of Senator Keppler, the senate adjourned
until 9:30 A.M., Thursday, February 18.**

11:40 A.M.

INTRODUCTION OF GUESTS

**Senator Busby introduced Mr. and Mrs. Konkol and their
6 children of West Allis, Wisconsin.**

**Senator Steinhilber introduced Don Lloyd, Bill Jones and
Tom Rusch of Oshkosh, Wisconsin.**

**Senator Whittow introduced 78 children of Our Lady of
Good Hope school of Milwaukee, Wisconsin.**

**Senator Johnson introduced Mrs. Lucille Bjerke, advisor
Jackson County TARS and 6 teen-age Republicans and
Robert Galster, chairman Jackson County Republican Party
of Jackson County, Wisconsin.**

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CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 24,

Senate Bill 25,

Senate Bill 26 and

Senate Bill 64.

**Correctly enrolled and presented to the Governor on
Tuesday, February 16, 1971.**