

JOURNAL OF THE SENATE [April 13, 1971]

STATE OF WISCONSIN

Senate Journal

Eightieth Session

TUESDAY, April 13, 1971.

10:00 o'clock A.M.

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

Prayer was offered by the Reverend Richard Bowman of Grace Episcopal Church of Madison.

The senate remained standing and recited the Pledge of Allegiance to the Flag of the United States.

LEAVES OF ABSENCE

By request of Senator Keppler, with unanimous consent, Senators Knowles and Knutson were granted a leave of absence for today's session.

By request of Senator Risser, with unanimous consent, Senator Dorman was granted a leave of absence for the balance of the week.

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

Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Krueger, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—29.

Absent with leave—Senators Dorman, Knowles and Knutson—3.

JOURNAL OF THE SENATE [April 13, 1971]

AMENDMENTS OFFERED

Senate substitute amendment 1 to Senate Bill 147 by Senator Schuele, by request of Milwaukee County and Family Court Commissioner Joseph M. Suman.

Senate amendment 1 to Senate Bill 155 by Senator Kendziorski.

Senate amendment 1 to Senate Bill 173 by Senator Soik.

Senate amendment 1 to Senate Bill 261 by Senator Pelouquin.

Senate amendment 1 to Senate Bill 344 by Senator Soik.

Senate amendment 1 to Senate Bill 232 by Senator Whitow.

Senate substitute amendment 1 to Senate Bill 214 by Senator Soik.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 352

Relating to exempting property sold at fun raising events held by municipal police and fire departments from sales tax.

By Senator Roseleip.

To joint Survey committee on Tax Exemption.

Senate Bill 353

Relating to canceling the balance due on student loans to deceased servicemen.

By Senator Roseleip.

To committee on Governmental and Veterans' Affairs.

Senate Bill 354

Relating to use of snowmobile registration fees returned to counties and snowmobile trails to certain state parks.

By Senator Roseleip.

To committee on Natural Resources.

JOURNAL OF THE SENATE [April 18, 1971]

COMMITTEE REPORTS

The committee on Health and Social Services reports and recommends for introduction:

Senate Bill 355

Relating to the licensing and regulation of nursing homes, providing injunctive relief against and penalties for violations of state nursing home regulations.

Introduction; Ayes, 5; Noes, 0.

Read first time and referred to the committee on Health and Social Services.

And further recommends:

Senate Bill 238

Relating to permitting podiatrists to dispense narcotic drugs, and revising the definition of podiatry.

Adoption of senate amendment 1; Ayes, 5; Noes, 0 and passage as amended; Ayes, 5; Noes, 0.

JAMES C. DEVITT,
Chairman.

The committee on Committees reports and recommends:

The reappointment of Senator Reuben LaFave and Senator James C. Devitt to the joint Survey committee on Retirement Systems effective April 1, 1971.

Read and adopted.

GERALD D. LORGE,
Chairman.

REUBEN LaFAVE
WALTER G. HOLLANDER

The committee on Natural Resources reports and recommends:

Senate Bill 31

Relating to county waste disposal.

Adoption of senate amendment 1; Ayes, 5; Noes, 0; adoption of senate amendment 2; Ayes, 5; Noes, 0; adoption of senate amendment 3; Ayes, 5; Noes, 0 and passage as amended; Ayes, 5; Noes, 0.

JOURNAL OF THE SENATE [April 13, 1971]

Senate Bill 269

Relating to issuing free fishing and hunting licenses to servicemen.

Passage; Ayes, 5; Noes, 0.

Senate Bill 326

Relating to a higher camping fee for nonresidents than for residents.

Passage; Ayes, 5; Noes, 0.

Assembly Bill 125

Relating to requiring fishing licenses for nonresidents netting smelt and nongame fish.

Concurrence; Ayes, 5; Noes, 0.

CLIFFORD W. KRUEGER,
Chairman.

The committee on Judiciary reports and recommends:

Senate Joint Resolution 38

To amend article VI, section 4 of the constitution, relating to the office of coroner (2nd consideration).

Adoption; Ayes, 5; Noes, 0.

Senate Bill 160

Relating to permitting minors to give consent for medical treatment.

Adoption of senate amendment 1; Ayes, 4; Noes, 1 and passage; Ayes, 4; Noes, 1.

Senate Bill 251

Relating to a revision of juvenile court procedure.

Adoption of senate substitute amendment 1; Ayes, 5; Noes, 0 and passage; Ayes, 5; Noes, 0.

Senate Bill 258

Relating to service of orders on judgment debtors.

Passage; Ayes, 5; Noes, 0.

Senate Bill 273

Relating to standards for the investment of funds by executors, administrators, guardians and trustees

Indefinite postponement; Ayes, 5; Noes, 0.

JOURNAL OF THE SENATE [April 13, 1971]

Senate Bill 274

Relating to investment powers of guardians.
Indefinite postponement; Ayes, 5; Noes, 0.

Senate Bill 276

Relating to placement of guardianship assets in trust.
Passage; Ayes, 5; Noes, 0.

Senate Bill 306

Relating to motions on affidavits of prejudice.
Passage; Ayes, 5; Noes, 0.

Senate Bill 317

Relating to licensing professional wrestling.
Passage; Ayes, 5; Noes, 0.

Assembly Bill 97

Relating to notifying parents of children's traffic violations.
Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 137

Relating to making guardians bonds discretionary with the courts.
Concurrence; Ayes, 5; Noes, 0.

ALLEN J. BUSBY,
Chairman.

PETITIONS AND COMMUNICATIONS

The State of Wisconsin
Department of State
Madison

April 13, 1971.

To The Honorable, The Senate

Gentlemen: I have the honor to transmit to you, pursuant to section 13.67 (2), a list of registered lobbyists for the period beginning April 6, 1971 and ending April 13, 1971.

Yours very truly,

ROBERT C. ZIMMERMAN,
Secretary of State.

JOURNAL OF THE SENATE [April 13, 1971]

Name, Address and Occupation of Lobbyist—Name and Address of Employer—Subject of Legislation—Date of Employment—Length of Time of Employment.

Roger E. Grangaard, Business Manager, 423 Washington Avenue, Oshkosh—Wisconsin Laborers' District Council, 424 Washington Avenue, Oshkosh—Labor bills, union bills and others—Session—April 7, 1971.

John D. Winner, 111 South Fairchild Street, Madison—National Association of Optometrists and Opticians, 136 E. 55th Street, New York, New York—Eye care—Session—April 6, 1971.

Viola D. Sanderson, Housewife, 2162 S. 75th Street, West Allis—Parents of Visually Handicapped, 305 N. Prospect Dr., Brookfield—Blind—Session—April 5, 1971.

William W. Watson, Executive Director, 4912 W. Jerelyn Place, Milwaukee—Wisconsin Excavators and Graders Association, 4912 W. Jerelyn Place, Milwaukee—All bills—Session—April 6, 1971.

Wm. Pharis Horton, 2 E. Gilman, P. O. Box 2038, Madison—Wisconsin Society of Professional Engineers, 4510 Regent Street, Madison—Professional engineering—Session—April 1, 1971.

Thomas E. Durkin, Executive Secretary, 10850 W. Wisconsin Avenue, Milwaukee—Ready Mixed Concrete Association of Wisconsin, Inc., 10850 W. Wisconsin Avenue, Milwaukee—Highways, highway safety, bridge weight laws, taxes and others—Session—April 5, 1971.

Robert R. Heider, 910 Elm Grove Road, Elm Grove—Committee on Tax Sense, 740 N. Plankinton Ave., Milwaukee—Redistribution of shared taxes and aids—Session—April 5, 1971.

Donald Kret, Labor Union Staff Representative, 1012 North 3rd Street, Milwaukee—International Ladies Garment Workers Union, Midwest Department, 15 S. Wacker Dr., Chicago, Illinois—Labor, taxes, vocational schools, priority of claims (S. 183)—Session—April 8, 1971.

JOURNAL OF THE SENATE [April 13, 1971]

David Hoeveler, Associate Director, 14 North Carroll Street, Madison—Wisconsin Bankers Association, 14 North Carroll Street, Madison—Banking and banking interests—Session—April 8, 1971.

Dalton Menhall, Attorney, 402 W. Wilson Street, Madison—State Bar of Wisconsin, 402 W. Wilson Street, Madison—The statutory powers, duties or appropriations of the Bar (A. 414)—Session—April 12, 1971.

Senate Petition 61

A petition signed by 17 citizens of the 31st Senate District in opposition to direct or indirect tax support for private or parochial schools as proposed in Senate Bill 138.

Introduced by Senator Johnson.

Read and referred to committee on Education.

Senate Petition 62

A petition by 75 citizens of the 31st Senate District in opposition to any form of state aid for private or parochial education.

Introduced by Senator Johnson.

Read and referred to committee on Education.

Senate Petition 63

A petition by approximately 1600 citizens of the 31st Senate District in opposition to Senate Bill 138, relating to state aid for private and parochial schools, and requesting a referendum for such legislation at a presidential election.

Introduced by Senator Johnson.

Read and referred to committee on Education.

Senate Petition 64

A petition by 36 residents of the 8th Senatorial District opposing various family planning bills (S-2, S-160, S-230, etc.).

Introduced by Senator Busby.

Read and referred to committee on Health and Social Services.

JOURNAL OF THE SENATE [April 13, 1971]

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the Coca-Cola Bottling Company of Madison has embarked upon a unique and important effort to help the citizens of the state keep Wisconsin beautiful by establishing a recycling program in Madison; and

Whereas, the company's unselfish actions demonstrate environmental concern and provide a model on which the people and government of the state can build a cleaner and safer environment; now, therefore,

The Members of the Wisconsin Senate, on the motion of Senators Roseleip and Lorge, under Joint Rule 26, commend the Coca-Cola Bottling Company of Madison, and its president Larrie L. Isenning, for an important contribution to the people of this state.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the Milwaukee Board of Realtors has named Jaren E. Hiller of Bayside as "Realtor of the year" for his realtor spirit, civic activity, local, state and national activity and business accomplishments; and

Whereas, Mr. Hiller's father, Ray P., received the same award in 1947; and

Whereas, in addition to being president of the Hiller Mortgage Co., Mr. Hiller has been active in Cub Scouts, the Fox Point Lutheran Church and the Village of Bayside Plan Commission; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Soik and Representative Berger, under Joint Rule 26, congratulate Jaren E. Hiller on receiving this outstanding award.

By request of Senator Roseleip, with unanimous consent, Senate Joint Resolution 42 was withdrawn from the committee on Governmental and Veterans' Affairs and taken up at this time.

JOURNAL OF THE SENATE [April 13, 1971]

Senate Joint Resolution 42

A joint resolution relating to a state of emergency in counties affected by spring floods.

Read and adopted.

TODAY'S CALENDAR

Senate Bill 32

Relating to comprehensive health planning by counties.

Read a second time.

Senate substitute amendment 1 adopted.

Senator Parys moved indefinite postponement.

By request of Senator Parys, with unanimous consent, the bill was placed on the calendar, after Senate Bill 72.

Senator Lorge, with unanimous consent, was made a co-author of Senate Bill 32.

Senate Bill 50

Relating to annexation of areas subject to sewer connection orders.

Read a second time.

Ordered to a third reading.

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

Senate Bill 50

Read a third time and passed.

Senate Bill 72

Relating to allowing the prosecution to request the substitution of a judge.

Read a second time.

By request of Senator Cirilli, with unanimous consent, the bill was placed on the calendar after Senate Bill 190.

Senate Bill 32

Relating to comprehensive health planning by counties.

The question was: Indefinite postponement?

JOURNAL OF THE SENATE [April 13, 1971]

Senator Kendziorski in the chair.

10:50 A.M.

Senator Steinhilber moved that the bill be re-referred to the committee on Health and Social Services for a public hearing.

The president of the senate in the chair.

11:45 A.M.

Senate Bill 32

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

Ayes—Senators Bidwell, Cirilli, Kendziorski, Keppler, Krueger, Lourigan, Murphy, Parys, Steinhilber and Swan—10.

Noes—Senators Busby, Chilsen, Devitt, Frank, Heinzen, Hollander, Johnson, LaFave, Lorge, Lotto, McKenna, Martin, Peloquin, Risser, Roseleip, Schuele, Soik, Thompson and Whittow—19.

Absent or not voting—Senators Dorman, Knowles and Knutson—3.

So the motion failed.

By request of Senator Devitt, with unanimous consent, the senate returned to the third order of business.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 46

Ratifying an amendment to the U.S. Constitution relating to voting rights of persons 18 and older.

By Senators Devitt and Risser; co-sponsored by Representative Sanasarian.

Read first time.

Referred to committee on Governmental and Veterans' Affairs.

JOURNAL OF THE SENATE [April 13, 1971]

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

BILLS INTRODUCED

Senate Bill 356

Relating to homestead tax relief.

By Senators Devitt, Keppler, Lorge, Heinzen, Murphy and Schuele.

Read first time and referred to joint Survey committee on Tax Exemptions.

By request of Senator Keppler, with unanimous consent, all actions not previously messaged were messaged to the assembly.

By request of Senator Schuele, with unanimous consent, Senate Bill 147 was re-referred to committee on Judiciary.

Upon motion of Senator Keppler the senate adjourned to 9:30 A.M. April 14, 1971.

11:30 A.M.

INTRODUCTION OF GUESTS

Senator McKenna introduced: The Golden Doll Homemakers: Mrs. Eleanor Indermuehle, Mrs. Aurelia Neu, Mrs. Barbara Boegel, Mrs. Tillie Loden, Mrs. Anna Roskopf, Mrs. Mary Leisenfelder, Mrs. Irene Kannenberg and Mabel Caulkett, from Germantown, Washington County, Wis.

Senator Thompson introduced: Margaret Brown—Civics teacher of Oregon, with 20 7th grade students.

Senator Hollander introduced: Cub Pack #26 with John Wallace, Mrs. Wackker, Gerry Gilmore and Mr. Frederickson, from Beaver Dam, Wis.

JOURNAL OF THE SENATE [April 13, 1971]

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 48 and

Senate Bill 133.

Correctly enrolled and presented to the Governor on Tuesday, April 13, 1971.