

JOURNAL OF THE SENATE [April 21, 1971]

STATE OF WISCONSIN

# Senate Journal

Eightieth Session

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WEDNESDAY, April 21, 1971.

9:30 o'clock A.M.

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

The prayer was offered by Reverend Father Gabriel Hinkes of St. Joseph's Catholic Church, Madison, Wisconsin.

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

Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—31.

Absent with leave—Senator Krueger—1.

Senator Cirilli was granted a leave of absence to attend a task force conference of the elderly on housing of which he is the chairman.

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## AMENDMENTS OFFERED

Senate amendment 1 to Senate Joint Resolution 34 by Senators Whittow and Thompson.

Senate substitute amendment 1 to Senate Bill 321 by Senators Heinzen and Lotto.

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INTRODUCTION OF RESOLUTIONS

**Senate Resolution 19**

Relating to the qualification of Mark Lipscomb to serve in the Wisconsin senate.

*Resolved by the senate*, That it is the finding of the senate that membership in the Wisconsin assembly and membership in the Wisconsin senate by the same individual at the same time, even though otherwise properly elected, is incompatible and not consistent with article IV, section 1 of the Wisconsin constitution; and, therefore, the senate determines, pursuant to its authority under article IV, section 7, of the Wisconsin constitution, that Mark Lipscomb is not qualified to serve in the Wisconsin senate until such time as he resigns or otherwise terminates his membership in the Wisconsin assembly.

By Senator Keppler.

Read.

Referred to committee on Senate Organization.

Senator Keppler requested unanimous consent to withdraw Senate Resolution 19 from the committee on Senate Organization and take it up at this time.

Senator Risser objected.

The chair ordered a 10 minute recess.

9:50 A.M.

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RECESS

10:00 A.M.

The senate reconvened.

By request of Senator Risser, with unanimous consent, the senate recessed for 20 minutes.

10:00 A.M.

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RECESS

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10:50 A.M.

The senate reconvened.

By request of Senator Keppler, with unanimous consent, Senate Resolution 19 was withdrawn from the committee on Senate Organization and taken up at this time.

**Senate Resolution 19**

Relating to the qualification of Mark Lipscomb to serve in the Wisconsin senate.

**Senate amendment 1 to Senate Resolution 19**

By Senator Johnson.

On page 1 line six after incompatible insert:

because he may not be able to respond to calls of each house or roll calls in each house simultaneously under the rules of each house.

Senator Swan moved rejection of amendment 1.

Senator Johnson moved a

CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

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

Senators Bidwell, Busby, Chilsen, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow  
—30.

Absent with leave—Senators Cirilli and Krueger—2.

The ayes and noes were demanded and the vote was: ayes, 6; noes, 24; absent or not voting, 2; as follows:

Ayes—Senators Chilsen, Dorman, Kendziorski, Risser, Steinhilber and Swan—6.

Noes—Senators Bidwell, Busby, Devitt, Frank, Heinzen,

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Hollander, Johnson, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Roseleip, Schuele, Soik, Thompson and Whittow—24.

Absent or not voting—Senators Cirilli and Krueger—2.  
The motion failed.

The question on which the call of the house was put having been decided the call of the house was raised.

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LEAVE OF ABSENCE

By request of Senator Risner, with unanimous consent, Senator Thompson was granted a leave of absence for the balance of today's session.

Senate amendment 1 adopted.

President pro tempore in the chair.

11:40 A.M.

Senator Busby raised the point of order as to the constitutionality of **Senate Resolution 19**.

The chair ruled the point of order not well taken, as it was not within his authority to rule on the constitutionality of the resolution.

The president of the senate in the chair.

11:55 A.M.

**Senate Resolution 19**

The ayes and noes were demanded and the vote was: ayes, 24; noes, 4; absent or not voting, 2; paired, 2; as follows:

Ayes—Senators Bidwell, Busby, Devitt, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, Martin, Murphy, Parys, Roseleip, Schuele, Soik, Steinhilber, Swan and Whittow—24.

Noes—Senators Chilsen, Dorman, Peloquin and Risser—4.

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Absent or not voting—Senators Cirilli and Krueger—2.  
Paired—Senator McKenna for the resolution; Senator Thompson against the resolution—2.

So Senate Resolution 19 was adopted.

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### INTRODUCTION OF RESOLUTIONS

#### **Senate Joint Resolution 52**

Directing an advisory referendum on state aid to parents of private and parochial school children.

By Senators Murphy and Steinhilber; co-sponsored by Representative Alberts.

To committee on Education.

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### BILLS INTRODUCED

Read first time and referred:

#### **Senate Bill 418**

Relating to tenure at the university of Wisconsin and state universities.

By Senators Whittow and Bidwell; co-sponsored by Representative McCormick.

To committee on Education.

#### **Senate Bill 419**

Relating to temporary licensing of graduates of foreign medical schools who are on the academic staff of medical schools in this state.

By Senators Murphy, Chilsen, Devitt and Lorge, by request of State Medical Society of Wisconsin.

To committee on Health and Social Services.

#### **Senate Bill 420**

Relating to the setting of terms of commissioners and certain board members to be concurrent with the governor's term.

By Senators Parys, Dorman and McKenna; co-sponsored by Representatives Pabst and Lynn.

To committee on Governmental and Veterans' Affairs.

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**Senate Bill 421**

Relating to the appropriation of funds to purchase Mount St. Paul College at Waukesha.

By Senators Murphy, Devitt and Soik; co-sponsored by Representative Jackamonis.

To joint committee on Finance.

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**COMMITTEE REPORTS**

The senate committee on Finance reports and recommends:

**Senate Resolution 7**

Relating to a study of employe retirement pension funds and the need for regulations thereof.

Adoption; Ayes, 4; Noes, 1.

**WALTER G. HOLLANDER,**  
Senate Chairman.

The committee on Agriculture reports and recommends:

**Senate Bill 186**

Relating to exempting semen from sales tax.

Passage; Ayes, 5; Noes, 0.

**WALTER J. CHILSEN,**  
Chairman.

By request of Senator Hollander, with unanimous consent, Senate Bill 186 was referred to joint committee on Finance.

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**PETITIONS AND COMMUNICATIONS**

**Senate Petition 76**

A petition by 14 citizens of the 1st Senatorial District supporting the proposed increase in Wisconsin's Tuition Grant Program for the 1971-1973 biennium.

Introduced by Senator Martin.

Read and referred to committee on Education.

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### Senate Petition 77

A petition by 10,300 residents of Florence, Forest, Oconto and Marinette Counties supporting Senate Bill 234.

Introduced by Senator Lotto.

Read and referred to committee on Natural Resources.

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Upon motion of Senator Keppler the senate adjourned until 9:30 A.M. April 22, 1971.

12:20 P.M.

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### INTRODUCTION OF GUESTS

Senator Hollander introduced: 58 students from Washington Elementary School, accompanied by parents and teachers: John Robata and Margery Owen, from Beaver Dam, Wisconsin.

Senator Martin introduced: 41 Senior Citizens, from Manitowoc, Wisconsin.

Senator Heinzen introduced: Elmer and Thelma Frey, Tom Harris, Floyd Hibbard, Frank Kater, John Zastrow, Len Ravlier and Arwin Sommer, representing the Wisconsin Manufactured Housing Association.

Senator Murphy introduced: 4th grade Hillside Elementary group, Miss Roy, teacher, with Mrs. Hockenberry, Mrs. Muhlbachler, Mrs. Moll, Mrs. Reed and Mrs. O'Dell, from Brookfield, Wisconsin.

Senator Devitt introduced: Calhoun School 4th Grade and teachers: Mrs. Jack Dcwner, Janie Bagnall, Mrs. Jane DeCock with 60 children, from New Berlin, Wisconsin.

Senator Soik introduced: 100 students of the 7th and 8th grade of Holy Family School of Whitefish Bay, Wisconsin.

Senator Lotto introduced: 20 Junior Girl Scouts from St. Agnes with 6 leaders from Green Bay, Wisconsin.

Senator Swan introduced: 50 4th and 5th graders of Janesville Consolidated of Milton, Wisconsin.

Senator Lorge introduced: Mr. Earl Hopps, Department of Education, of Lansing, Michigan.