

JOURNAL OF THE SENATE [April 27, 1971]

STATE OF WISCONSIN

Senate Journal

Eightieth Session

TUESDAY, April 27, 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 Bruce Burdick, Pastor of The First Christian Church of Madison.

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

LEAVE OF ABSENCE

By request of Senator Keppler, with unanimous consent, Senator Krueger was granted a leave of absence for the balance of this week.

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.

JOURNAL OF THE SENATE [April 27, 1971]

AMENDMENTS OFFERED

Senate amendment 2 to Senate Bill 52 by Senators Swan and Devitt.

Senate amendment 2 to senate substitute amendment 1 to Senate Bill 266 by Senator Lotto.

Senate substitute amendment 1 to Senate Bill 416 by Senators LaFave and Busby.

Senate amendment 2 to Assembly Bill 76 by Senators Devitt, Risser, Parys and Keppler, by request of Representatives Alberts, Boeckmann, Sanasarian and Hanna.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 439

Relating to exempting from general property taxation land owned by the National Audubon Society, Inc., to preserve unique ecological areas for future generations and provide for environmental education services thereon.

By Senator Hollander; co-sponsored by Representative Anderson.

To joint Survey committee on Tax Exemptions.

Senate Bill 440

Relating to taxing nonreturnable bottles and prescribing a penalty.

By Senator McKenna; co-sponsored by Representative Duren.

To committee on Natural Resources.

Senate Bill 441

To appropriate \$9,841.03 from the general fund for payment of a claim made by the city of Madison against the state.

By Senator Hollander; co-sponsored by Representative Molinaro, by request of State Claims Board.

To joint committee on Finance.

JOURNAL OF THE SENATE [April 27, 1971]

Senate Bill 442

Relating to periodic estimates and release of funds to contractors under public contracts.

By Senators Hollander, Dorman, Heinzen and Lotto; co-sponsored by Representatives Oestreicher, Earl and Helgeson.

To joint committee on Finance.

Senate Bill 443

Relating to monthly registration fees for fuel oil trucks.

By Senators Devitt and LaFave.

To committee on Transportation.

PETITIONS AND COMMUNICATIONS

The State of Wisconsin
Department of State
Madison 53702

April 27, 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 20, 1971, and ending April 27, 1971.

Yours very truly,

ROBERT C. ZIMMERMAN,
Secretary of State.

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

Milton E. Neshek, Attorney, Goodyear Bldg., Elkhorn—Rubber Manufacturers Association, 1346 Connecticut Ave., N.W., Washington, D.C.—Tire manufacture and retailing—April 20, 1971—Session.

JOURNAL OF THE SENATE [April 27, 1971]

Floyd W. McBurney, Attorney, 111 S. Fairchild St., Madison—Wisconsin Protestant Legislative Council, 111 S. Fairchild St., Madison—Matters of interest to churches and members—April 21, 1971—Session.

Mark E. Musolf, Attorney, 111 S. Fairchild St., Madison—Wisconsin Protestant Legislative Council, 111 S. Fairchild St., Madison—Matters of interest to churches and members—April 21, 1971—Session.

Caryle Whipple, Attorney, 111 S. Fairchild St., Madison—Wisconsin Protestant Legislative Council, 111 S. Fairchild St., Madison—Matters of interest to churches and members—April 21, 1971—Session.

Kirby Hendee, Attorney, 111 S. Fairchild, Madison—Wisconsin Fraternal Congress, 726 N. Water St., Milwaukee—Fraternal Insurance—April 22, 1971—Session.

Senate Petition 80

A petition signed by 3,075 citizens of Wisconsin requesting immediate legislation to authorize and legalize gambling in Wisconsin.

Introduced by Senators Schuele and Parys.

Read and referred to committee on Judiciary.

COMMITTEE REPORT

The joint committee on Finance reports and recommends:

Senate Bill 76

Relating to local roads and street allotments.

Emergency statement recommended; Ayes, 6; Noes, 5 and passage with emergency statement; Ayes, 6; Noes, 5.

Senate Bill 157

Relating to an exemption from non-resident tuition at the University of Wisconsin and state universities.

Emergency statement recommended; Ayes, 10; Noes, 0 and passage with emergency statement; Ayes, 10; Noes, 0.

JOURNAL OF THE SENATE [April 27, 1971]

Senate Bill 186

Relating to exempting semen from sales tax.

Emergency statement recommended; Ayes, 10; Noes, 0
and passage with emergency statement; Ayes, 10; Noes, 0.

Senate Bill 187

Relating to exempting cemetery lots from transfer fees.

Emergency statement recommended; Ayes, 10; Noes, 0
and passage with emergency statement; Ayes, 10; Noes, 0.

Senate Bill 239

Relating to state funds available for student loans.

Passage; Ayes, 10; Noes, 0.

Senate Bill 240

To appropriate \$6,403.15 from the general fund for payment of a claim by Dane County against the state.

Emergency statement recommended; Ayes, 10; Noes, 0
and passage with emergency statement; Ayes, 10; Noes, 0.

Senate Bill 317

Relating to licensing professional wrestling.

Emergency statement recommended; Ayes, 10; Noes, 0
and passage with emergency statement; Ayes, 10; Noes, 0.

WALTER G. HOLLANDER,
Chairman.

CALENDAR OF APRIL 13

Senate Bill 233

Authorizing towns which have a population exceeding 7,500 to become cities.

Read.

The question was: Reconsideration of the vote by which Senate Bill 233 was indefinitely postponed?

By request of Senator Keppler, with unanimous consent, the senate recessed for 45 minutes.

10:15 A.M.

JOURNAL OF THE SENATE [April 27, 1971]

11:05 A.M.

The senate reconvened.

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

Absent—Senator Roseleip—1.

Absent with leave—Senator Krueger—1.

Senate Resolution 13

Relating to motions to recall bills from committee.

Read and adopted.

Senate Resolution 15

Requesting an opinion of the Attorney General as to the constitutionality of 1971 Assembly Bill 43.

Read.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 12; absent or not voting, 1; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Dorman, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lotto, Murphy, Parys, Risser, Schuele, Soik and Swan—19.

Noes—Senators Devitt, Frank, Heinzen, Lorge, Lourigan, McKenna, Martin, Peloquin, Roseleip, Steinhilber, Thompson and Whittow—12.

Absent or not voting—Senator Krueger—1.

So the resolution was adopted.

JOURNAL OF THE SENATE [April 27, 1971]

Senate Bill 233

The ayes and noes were required and the vote was: ayes, 15; noes, 16; absent or not voting, 1; as follows:

Ayes—Senators Bidwell, Chilsen, Devitt, Heinzen, Johnson, Keppler, LaFave, Lorge, Lotto, Lourigan, Parys, Pelouquin, Roseleip, Swan and Thompson—15.

Noes—Senators Busby, Cirilli, Dorman, Frank, Hollander, Kendziorski, Knowles, Knutson, McKenna, Martin, Murphy, Risser, Schuele, Soik, Steinhilber and Whittow—16.

Absent or not voting—Senator Krueger—1.

So the motion failed.

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

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.

Read and adopted.

Senate Joint Resolution 31

Relating to inviting the President of the United States to address a joint session of the Wisconsin Legislature.

Senate amendment 1 offered by Senator Whittow.

Senator Hollander moved rejection of Senate Joint Resolution 31.

The ayes and noes were demanded and the vote was: ayes, 7; noes, 24; absent or not voting, 1; as follows:

Ayes—Senators Bidwell, Dorman, Frank, Heinzen, Hollander, Lotto and Swan—7.

Noes—Senators Busby, Chilsen, Cirilli, Devitt, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lorge, Lourigan, McKenna, Martin, Murphy, Parys, Pelouquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Thompson and Whittow—24.

Absent or not voting—Senator Krueger—1.

So the motion failed.

JOURNAL OF THE SENATE [April 27, 1971]

The ayes and noes were demanded and the vote was: ayes, 22; noes, 9; absent or not voting, 1; as follows:

Ayes—Senators Busby, Chilsen, Cirilli, Devitt, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Schuele, Soik, Steinhilber, Swan and Whittow—22.

Noes—Senators Bidwell, Dorman, Frank, Heinzen, Hollander, Lotto, Lourigan, Roseleip and Thompson—9.

Absent or not voting—Senator Krueger—1.

Senate amendment 1 adopted.

Senate amendment 2 offered by Senator Thompson.

Senator Swan moved rejection.

The motion to reject senate amendment 2 failed.

The ayes and noes were demanded and the vote was: ayes, 12; noes, 19; absent or not voting, 1; as follows:

Ayes—Senators Chilsen, Kendziorski, Keppler, Knutson, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—12.

Noes—Senators Bidwell, Busby, Cirilli, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Knowles, LaFave, Lorge, Lotto, Lourigan, Murphy, Roseleip, Soik, Steinhilber and Swan—19.

Absent or not voting—Senator Krueger—1.

The motion to adopt senate amendment 2 failed.

Senate amendment 3 offered by Senator Whittow.

Senator Johnson moved rejection.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 444

Relating to state assumption of financing of and control over post-high school programs in vocational, technical and adult education schools and making an appropriation.

JOURNAL OF THE SENATE [April 27, 1971]

By Senators Devitt, LaFave and Chilsen.
To joint committee on Finance.

Senate Bill 445

Relating to a limitation on parental liability for his child's negligence in operating a motor vehicle.

By Senators Johnson, Lorge, Cirilli, Murphy, Steinhilber, Soik, Dorman, Whittow and Thompson; co-sponsored by Representatives McCormick, Jackson, Brown, Pabst, Shabaz and Barbee.

To committee on Judiciary.

Senator Keppler moved that the senate adjourn until 9 A.M. April 28, 1971.

12:10 P.M.

INTRODUCTION OF GUESTS

Senators Bidwell and Hollander introduced: Mr. George Zimmer, teacher from Immanuel Christian School, with 22 7th and 8th Grade students and drivers, from Randolph, Wisconsin.

Senator Frank introduced: the 7th Grade Social Studies Class of Fernwood Elementary School, with Willie N. Walker, from Milwaukee, Wisconsin.

Senator Roseleip introduced: the 4th and 5th Grade students from Rewey Grade School, with teachers, Mrs. Campbell, Mrs. Dufty and Jo Anne Marshall, all of Rewey, Wisconsin.

Senator Keppler introduced: Mr. Paul Shaefbauer, Sister M. Nerine and 46 students from St. Peter's 7th and 8th Grades, all from Port Washington, Wisconsin.

JOURNAL OF THE SENATE [April 27, 1971]

Senator Swan introduced: Instructor Herb Erickson and 60 students from Badger High School from Lake Geneva, Wisconsin.

Senator Keppler introduced: Mrs. Ray Heinzen, wife of the senator from the 24th Senatorial District of Wisconsin.

Lieutenant Governor Schreiber introduced: Esther Joers and Margaret Zinky, from Milwaukee, Wisconsin.

Senator Risser introduced: Bill Puest, President of Local 153, Gerald Langne, Leon Hunter, Richard Johnson and Ted Hanson, all of Madison and members of Local 153 of the barbers.

CHIEF CLERK'S CORRECTION

suggested by Legislative Reference Bureau

Senate Joint Resolution 50

On page 2, line 4, substitute "despoliation" for "despoilation".

Senate Bill 263

On page 2, line 2, substitute "270.69 (5)" for "270.69 (4)".

On page 57, delete the underscoring and return to lower-case all the material beginning with "Except" in line 3 and ending with line 18.

Senate Bill 365

On page 2, line 6, substitute a comma for the semicolon.

Senate Bill 374

On page 2, line 16, change the 2nd "of" to "or" and substitute "(4)" for "(5)".

JOURNAL OF THE SENATE [April 27, 1971]

CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Bill 34,
Senate Bill 151 and
Senate Bill 153.**

Correctly enrolled and presented to the Governor on Monday, April 26, 1971.