

JOURNAL OF THE SENATE [May 4, 1971]

STATE OF WISCONSIN

Senate Journal

Eightieth Session

TUESDAY, May 4, 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 Irving M. Hedstrom, Pastor of the Buckeye Evangelical Free 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, Senator Krueger was granted a leave of absence for this week's session.

By request of Senator Risser, with unanimous consent, Senator Frank was granted a leave of absence for today's session.

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

Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Heinzen, Hollander, Johnson, Kendzioriski, 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 Frank and Krueger—2.

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LEAVE OF ABSENCE

By request of Senator Knowles, with unanimous consent, Senator Knowles was granted a leave of absence at 12:15 P.M. for the balance of today's and tomorrow's session.

AMENDMENTS OFFERED

Senate amendment 1 to senate substitute amendment 1 to Senate Bill 198 by Senator Heinzen.

Senate amendment 1 to Senate Bill 239 by Senator Swan.

Senate amendment 1 to Senate Bill 317 by Senator Hollander.

Senate substitute amendment 1 to Senate Bill 323 by Senators Murphy and Steinhilber.

Senate amendment 1 to Senate Bill 357 by Senator Heinzen.

Senate amendment 1 to Senate Bill 358 by Senator Heinzen.

Senate substitute amendment 1 to Assembly Bill 72 by Senator Heinzen.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 54

Memorializing congress to alleviate the shortage of persons delivering health care to certain areas.

By the Legislative Council and Senators Lorge and Chilsen.

Read and referred to committee on Health and Social Services.

Senate Joint Resolution 55

Relating to directing a legislative council study of the liability of health professionals.

By the Legislative Council and Senators Lorge and Chilsen.

Read and referred to joint committee on Finance.

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BILLS INTRODUCED

Read first time and referred:

Senate Bill 463

Relating to tuition reimbursement and loans for medical students, creating councils on medical and health education and on physician's assistants and requiring certification of physician's assistants.

By the Legislative Council and Senators Lorge and Childsen.

To committee on Education.

Senate Bill 464

Relating to registration of sources of ionizing and non-ionizing radiation sources.

By the Legislative Council.

To committee on Health and Social Services.

Senate Bill 465

Relating to regulation of equipment and materials generating or emitting radiation.

By the Legislative Council.

To committee on Health and Social Services.

Senate Bill 466

Relating to trapping licenses and trap identification tags.

By Senator Krueger; co-sponsored by Representative Mittness.

To committee on Natural Resources.

Senate Bill 467

Relating to service of process on the insurance commission.

By the Legislative Council.

To committee on Commerce, Labor, Taxation, Insurance and Banking.

Senate Bill 468

Relating to a general revision of the insurance law relating to town mutual company law.

By the Legislative Council.

To committee on Commerce, Labor, Taxation, Insurance and Banking.

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Senate Bill 469

Relating to a general revision of the insurance law relating to insurance company law.

By the Legislative Council.

To committee on Commerce, Labor, Taxation, Insurance and Banking.

Senate Bill 470

Relating to optional cumulative voting for stock and mutual insurance corporations.

By the Legislative Council.

To committee on Commerce, Labor, Taxation, Insurance and Banking.

Senate Bill 471

Relating to inheritance, estate and gift tax.

By the Legislative Council.

To joint Survey committee on Tax Exemptions.

Senate Bill 472

Relating to appraisers and the appraisal of probate assets.

By the Legislative Council.

To committee on Judiciary.

Senate Bill 473

Relating to periods during which studded tires may be used.

By Senator Bidwell.

To committee on Transportation.

Senate Bill 474

Relating to creating a beef promotion, research and education program and a beef council in the department of agriculture, providing penalties and making an appropriation.

By Senators Bidwell, Devitt and Chilsen, by request of the Wisconsin Cattleman's Association.

To committee on Agriculture.

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Senate Bill 475

Relating to motor vehicle air emission control device inspection, making an appropriation and providing penalties.

By Senator Risser.

To committee on Natural Resources.

COMMITTEE REPORTS

**REPORT OF JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS**

Appendix to Senate Bill 324

Public Policy Involved

Independent taxicab drivers rent their cabs from taxicab companies and pay sales tax on their cab rentals while holding themselves out "for hire" to the public. The vehicles they use are taxed when acquired by their owner-lessors. They cannot pass on the tax they pay on their rentals to their passengers without an approved rate increase. This bill is desirable as public policy, since it accords independent taxicab operators similar treatment to others in the business of offering transportation of persons or things on a "for hire" basis.

Respectfully submitted,

**JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS**

HARVEY L. DUEHOLM,

Chairman.

Read and referred to committee on Transportation.

The committee on Transportation reports and recommends:

Senate Bill 210

Relating to requiring snowmobile operators and passengers to wear protective headgear.

Indefinite postponement; Ayes, 5; Noes, 0.

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Senate Bill 266

Relating to prohibiting studded tires.

Adoption of substitute amendment 1; Ayes, 3; Noes, 2 and passage as amended; Ayes, 3; Noes, 2.

Senate Bill 315

Relating to denial of licenses or permits for contract motor carriers by the Public Service Commission.

Passage; Ayes, 5; Noes, 0.

REUBEN LaFAVE,
Chairman.

The committee on Governmental and Veterans' Affairs reports and recommends:

Senate Bill 253

Relating to the effect of senate rejection of a gubernatorial nominee.

Passage; Ayes, 5; Noes, 0.

Senate Bill 353

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

Passage; Ayes, 5; Noes, 0.

Senate Bill 400

Relating to rule-making authority of the board of curators of the historical society regarding parking and providing a forfeiture (suggested as remedial legislation by the historical society).

Passage; Ayes, 5; Noes, 0.

Senate Bill 403

Relating to the registration fee for architects, professional engineers and land surveyors who are registered in another state (suggested as remedial legislation by the examining board of architects, professional engineers, designers and land surveyors).

Passage; Ayes, 5; Noes, 0.

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Assembly Bill 25

Relating to meeting places for county boards.

Nonconcurrency; Ayes, 3; Noes, 1.

GORDON W. ROSELEIP,
Chairman.

PETITIONS AND COMMUNICATIONS

Mr. William P. Nugent
Senate Chief Clerk
243 South Capitol
Madison, Wisc.

Dear Mr. Nugent:

Representative Mark G. Lipscomb has resigned his seat in the assembly effective May 4, 1971.

Yours truly,

THOMAS P. FOX,
Chief Clerk, Assembly.

State of Wisconsin
Department of State

To All to Whom These Presents Shall Come.

I, **ROBERT C. ZIMMERMAN**, Secretary of State of the State of Wisconsin, do hereby certify that, at a special election held on the Sixth day of April, A. D., 1971, Mark G. Lipscomb, Jr. (Democratic), whose post office address is 5349 N. Dexter Avenue; Milwaukee, Wisconsin, was duly elected State Senator in the 6th Senatorial District, for the residue of the unexpired term ending on the first Monday of January, 1973, as appears from the official certificates of the Board of County Canvassers, on file in this office.

IN TESTIMONY WHEREOF, I have here-
unto set my hand and affixed my official
SEAL seal at the Capitol, in the City of Madi-
son, this 15th day of April, A.D. 1971.

ROBERT C. ZIMMERMAN,
Secretary of State.

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The newly elected senator appeared before the bar of the senate and subscribed the oath of office which was administered by the president.

The senate stood informal for 5 minutes.

10:25 A.M.

10:30 A.M.

The senate reconvened.

The State of Wisconsin
Department of State
Madison 53702

May 4, 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 27, 1971, and ending May 4, 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

Sverre O. Tinglum, Ass't. Atty. Gen., 317 Loraine Hotel, Madison—Assn. of Wisconsin Ass't. Attorneys General, 317 Loraine Hotel, Madison—Bills affecting Dept. of Justice—April 23, 1971—Session.

Gary N. Paske, Meatcutter, 2228 Myrtle Street, Madison—Amalgamated Meat Cutters & Butcher Workmen of North America, AFL-CIO, Local Union 538, 2228 Myrtle Street, Madison—Labor—April 27, 1971—Session.

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John A. Meyer, Attorney, 312 E. Wisconsin Ave., Milwaukee—League of Suburban Municipalities, 10701 W. National Ave., West Allis—Matters of interest to members of suburban leagues—April 27, 1971—Session.

Roland B. Day, Attorney, 25 W. Main St., Madison—American Motors Corporation, 14250 Plymouth Road, Detroit, Michigan—Matters affecting automobile manufacturing—April 27, 1971—Session.

John F. Mack, Business Manager, 15 South Franklin Street, Janesville—Wis. State Council of Sheet Metal Workers, 15 South Franklin Street, Janesville—Labor—April 29, 1971—Session.

Edward Scott, Attorney, 1 N. La Salle St., Chicago, Illinois—Lutheran Brotherhood, 701 2nd Avenue, South, Minneapolis, Minnesota—Taxation of fraternal benefit societies—April 29, 1971—Session.

Russell H. Matthias, Sr., Attorney, 1 N. La Salle St., Chicago, Illinois—Lutheran Brotherhood, 701 2nd Avenue, South, Minneapolis, Minnesota—Taxation of fraternal benefit societies—April 29, 1971—Session.

James M. Orr, Labor Representative, P. O. Box 232, Stoughton—Communications Workers of America AFL-CIO, 9733 W. Greenfield Ave., Stoughton—Labor and related legislation—April 29, 1971—Session.

Keith W. Stoehr, District Director, 3520 30th Ave., Kenosha—Area Board of Voc. Tech., & Adult Education, Dist. #6; 3520 30th Ave., Kenosha—Education—April 29, 1971—Session.

Senate Petition 83

A petition by 26 citizens of Wisconsin in support of Senate Bill 234 relating to suspending for the 1971 deer season only, the issuance of party permits.

Introduced by Senator Roseleip.

Read and referred to committee on Natural Resources.

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Senate Petition 84

A petition by 18 members of the Cassville Volunteer Fire Department, Inc. in Grant County in support of Senate Bill 257 relating to payment of compensation on behalf of policemen and firemen killed in action.

Introduced by Senator Roseleip.

Read and referred to committee on Governmental and Veterans' Affairs.

EXECUTIVE COMMUNICATIONS

April 30, 1971.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Dr. Samuel H. Friedman, of Milwaukee, as a member of the Psychology Examining Board, to succeed Robert Browning, to serve for the remainder of the unexpired term ending July 1, 1972.

Respectfully submitted,

PATRICK J. LUCEY,
Governor.

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

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State.

Senate Bill	Chapter No.	Date Approved
34 -----	23 -----	April 30, 1971
151 -----	24 -----	April 30, 1971
153 -----	25 -----	April 30, 1971

Respectfully submitted,

PATRICK J. LUCEY,
Governor.

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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:

Motions Under Joint Rule 26:

A Joint Certificate of Commendation by Representative Schneider; co-sponsored by Senator Heinzen for Rudolph J. Exner on his 40 years of service as a police officer; and

A Joint Certificate of Commendation by Representatives Sensenbrenner, McCormick, Bultman, Wilcox and Oestreicher; co-sponsored by Senator Soik for James D. Ghiardi on his public service.

Passed and asks concurrence in:

**Assembly Bill 211,
Assembly Bill 265 and
Assembly Bill 279.**

MESSAGE FROM THE ASSEMBLY CONSIDERED

Motions Under Joint Rule 26:

A Joint Certificate of Commendation by Representative Schneider; co-sponsored by Senator Heinzen for Rudolph J. Exner on his 40 years of service as a police officer; and

A Joint Certificate of Commendation by Representatives Sensenbrenner, McCormick, Bultman, Wilcox and Oestreicher; co-sponsored by Senator Soik for James D. Ghiardi on his public service.

The above motions under Joint Rule 26 were read and adopted en masse.

Assembly Bill 211

Relating to allowing 18-year-olds to vote in federal elections.

By Representatives Sensenbrenner and Kessler.

Read first time and referred to committee on Governmental and Veterans' Affairs.

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Assembly Bill 265

Relating to loan rates of interest.

By Representatives McCormick and Byers.

Read first time and referred to committee on Commerce, Labor, Taxation, Insurance and Banking.

Assembly Bill 279

Relating to making the Wisconsin conservation congress a statutory body.

By Representatives R. M. Thompson, Day, Bradley, Wilger, Gaulke, Alberts, Slaby, Byers, Baldus, T. G. Thompson, Mittness and Willkom.

Read first time and referred to committee on Natural Resources.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Allan E. Thompson died at the age of 62 in Elroy on April 16, 1971; and

Whereas, Allan Thompson, the father of Representative Tommy Thompson, dedicated most of his life to public service, having been on the Juneau county board of supervisors for the past 30 years; and

Whereas, as chairman of the county highway committee, he fulfilled his deep commitment to highway improvement; and

Whereas, Allan Thompson's death marks the irreplaceable loss of a devoted family man and an able and outstanding community leader; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Bidwell and Representative Quackenbush, under Joint Rule 26, do extend their sincere condolences to the widow and family of Allan E. Thompson and express their sorrow at his passing.

Read and adopted.

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By request of Senators Chilsen and Lorge, with unanimous consent, they were made co-sponsors of Senate Joint Resolutions 54 and 55 and Senate Bill 463.

By request of Senator Busby, with unanimous consent, Senate Bill 123 was withdrawn from the committee on Judiciary and referred to joint committee on Finance.

By request of Senator Murphy, with unanimous consent, Senate Bill 461 was withdrawn from the committee on Commerce, Labor, Taxation, Insurance and Banking and referred to committee on Natural Resources.

Senator Johnson asked unanimous consent that the vote by which Senate Bill 273 and Senate Bill 274 were indefinitely postponed be reconsidered and that the bills be re-referred to the committee on Judiciary.

Senator Risser objected.

Senate Bill 273

Senator Johnson moved reconsideration of the vote by which the bill was indefinitely postponed. The motion was laid over pursuant to Senate Rule 67 (4).

Senate Bill 274

Senator Johnson moved reconsideration of the vote by which the bill was indefinitely postponed. The motion was laid over pursuant to Senate Rule 67 (4).

CALENDAR OF APRIL 21

Senate Bill 194

Relating to filings and mailings of nonresident general relief notices.

Read a second time.

Senate amendment 1 adopted.

Ordered to a third reading.

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

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Senate Bill 194

Read a third time and passed.

Senate Bill 196

Relating to the termination of joint tenancies and liability for welfare claims against deceased joint tenants.

Read a second time.

By request of Senator Hollander, with unanimous consent, the bill was referred to joint committee on Finance.

Senate Bill 197

Relating to recovery of alimony assignments, abandonment and nonsupport.

Read a second time.

By request of Senator Hollander, with unanimous consent, the bill was referred to joint committee on Finance.

Senate Bill 198

Relating to the waiting period for marriage licenses.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 adopted.

Senate amendment 2 to senate substitute amendment 1 offered by Senator Risser.

Senator Devitt moved rejection.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 12; absent or not voting, 2; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Keppler, Knutson, LaFave, Lorge, Lotto, Lourigan, Murphy, Roseleip, Soik, Steinhilber, and Swan—19.

Noes—Senators Dorman, Kendziorski, Knowles, Lipscomb, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—12.

Absent or not voting—Senators Frank and Krueger—2.

The amendment was rejected.

By request of Senator Risser, with unanimous consent, Senate Bill 198 was laid aside.

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Senate Bill 199

Relating to qualifications for welfare payments.

Read a second time.

By request of Senator Hollander, with unanimous consent, the bill was referred to joint committee on Finance.

Senate Bill 204

Relating to furnishing chiropractic treatment under workmen's compensation laws.

Read a second time.

Senator Hollander requested that **Senate Bill 204** be referred to joint committee on Finance.

Senator Swan objected.

Senator Hollander moved that the bill be referred to joint committee on Finance.

The ayes and noes were demanded and the vote was: ayes, 9; noes, 22; absent or not voting, 2; as follows:

Ayes—Senators Bidwell, Cirilli, H e i n z e n , Hollander, Knowles, Knutson, Lotto, Lourigan and Murphy—9.

Noes—Senators Busby, Chilsen, Devitt, Dorman, Johnson, Kendziorski, Keppler, LaFave, Lipscomb, Lorge, McKenna, Martin, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—22.

Absent or not voting—Senators Frank and Krueger—2.

So the motion failed.

Senator Hollander raised the point of order that **Senate Bill 204** requires a fiscal note.

The chair took the point of order under advisement.

LEAVE OF ABSENCE

By request of Senator LaFave, with unanimous consent, Senator LaFave was granted a leave of absence for tomorrow's session, because of attending to state business concerning highway matters.

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By request of Senator Keppler all of today's actions were immediately messaged.

Upon motion of Senator Keppler the senate adjourned until May 5, 1971 at 9:00 A.M.

12:45 P.M.

INTRODUCTION OF GUESTS

Senator Johnson introduced Mr. Morton Waderphul and Mr. Thomas Nelson from Tomah, Wisconsin.

Senator Roseleip introduced 60 students from The Dodgeville Elementary School with teachers Mrs. Peterson, Mrs. Larson and Miss Nardi.

Senator Risser introduced Mrs. Mark Lipscomb with daughter, Beth Anne, his mother, Mrs. Zeta Lipscomb and his sister, Mrs. Judy Islo.

Senator Devitt introduced 100 students from Maple Grove School with teachers Miss Maured, Miss Rastkowski, Miss Novak and Mrs. Welch, from Greenfield, Wisconsin.