

STATE OF WISCONSIN

Senate Journal

Eightieth Session

TUESDAY, June 29, 1971.

10:00 o'clock A.M.

The senate met.

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

Prayer was offered by the Reverend Theodore Borgen of Our Savior's Lutheran Church of Black Earth, Wisconsin.

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 Lorge was granted a leave of absence for the balance of this week's session.

By request of Senator Keppler, with unanimous consent, Senator Cirilli was granted a leave of absence for the balance of the day's session.

Senator Roseleip asked unanimous consent for a leave of absence for this afternoon's session.

Senator Keppler objected.

Upon motion of Senator Keppler, with unanimous consent, that part of Senate Rule No. 1 pertaining to the wearing of coats was suspended for the balance of this week's session.

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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, Krueger, LaFave, Lipscomb, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—31.

Absent—None.

Absent with leave—Senators Cirilli and Lorge—2.

AMENDMENTS OFFERED

Senate amendment 1 to Senate Bill 288 by Senator Swan.

Senate amendment 1 to senate substitute amendment 1 to Assembly Bill 414 by Senators Lourigan, McKenna and Kendziorski.

Senate amendment 25 to Assembly Bill 414 by Senator Cirilli.

Senate amendment 26 to Assembly Bill 414 by Senators McKenna and Lourigan.

Senate substitute amendment 1 to Senate Bill 487 by Senator Hollander, by request of Attorney General Robert W. Warren.

Senate amendment 1 to Senate Bill 566 by Senator Hollander.

Senate amendment 27 to Assembly Bill 414 by Senator Thompson.

By request of Senator Hollander, with unanimous consent, a motion under Joint Rule 26 was considered for action at this time.

MOTION UNDER JOINT RULE 26

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

Whereas, the Rosendale Community Grange No. 697 has

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recently celebrated the 40th Anniversary of receiving a Charter from the National Grange on June 4, 1931, and

Whereas, the Rosendale Community Grange has worked tirelessly in building up the educational and religious facilities of the Community as well as improving community life and assisting agricultural endeavor; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Hollander and Representative Schwefel, under Joint Rule 26, do most sincerely congratulate the Rosendale Community Grange upon the occasion of this 40th Anniversary and wishes it continued success in its work and efforts in the ensuing years.

Read and adopted.

Ordered immediately messaged.

Upon motion of Senator Keppler, with unanimous consent, the senate recessed until 2:00 P.M.

10:15 A.M.

RECESS

2:00 P.M.

The senate reconvened.

PETITIONS AND COMMUNICATIONS

Senate Petition 187

A petition by 120 citizens of Waupaca and Outagamie County requesting the Governor to reconsider his recent proposals for the Wisconsin Veterans' Program as contained in his Executive Budget Bill, Assembly Bill 414, and requesting him to support the principles of Senate Bill 163.

Introduced by Senator Lorge.

Read and referred to joint committee on Finance.

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Senate Petition 188

A petition by 49 constituents of the 18th Senatorial District to increase the Vocational Rehabilitational budget.

Introduced by Senator Hollander.

Read and referred to joint committee on Finance.

Senate Petition 189

A petition by 275 citizens of the 28th Senatorial District opposing the proposed merger of the University of Wisconsin with the State University System.

Introduced by Senator Devitt.

Read and referred to joint committee on Finance.

EXECUTIVE COMMUNICATIONS

June 28, 1971.

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
42 -----	57 -----	June 28, 1971
240 -----	58 -----	June 28, 1971

Respectfully submitted,

PATRICK J. LUCEY,
Governor.

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:

**Assembly Joint Resolution 65 and
Assembly Joint Resolution 70.**

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Passed and asks concurrence in:

Assembly Bill 445,
Assembly Bill 524,
Assembly Bill 557,
Assembly Bill 679 and
Assembly Bill 700.

Concurred in:

Senate Bill 238.

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 65

Memorializing congress to enact legislation establishing a program of a broadly based federal pension termination insurance, similar to federal insurance on bank deposits, savings and loan association deposits and home and small business mortgages.

By Representatives W. A. Johnson, Huber, Otte, Molinaro, Pabst and Mielke; co-sponsored by Senators McKenna, Dorman, Schuele, Thompson, Parys, Lourigan, Risser, Pelouin and Whittow.

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

Assembly Joint Resolution 70

Requesting congress to enact federal legislation to modernize the Farm Credit System.

By Representatives Hanson, R. M. Thompson, Roberts, Boeckmann, Mohn, Oestreicher, Everson and Early.

Read and referred to committee on Agriculture.

Assembly Bill 445

Relating to extending time for correcting allocation errors on motor vehicle registration.

By Representative Stalbaum.

Read first time and referred to committee on Transportation.

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Assembly Bill 524

Relating to prohibiting misrepresentation of sale prices and creating a penalty.

By Representatives Ferrall, Brown, Dorff, Nager, Sanasarian, Oestreicher, Boeckmann, Rogers, Lipscomb, Mittness, Miller, Conta, Mielke, Korpela, Orlich, Looby, LaFave, Bultman, Ellis, Giese, Barbee, Otte, Willkom and Czerwinski.

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

Assembly Bill 557

Relating to retroactive medical assistance payments.

By Representative Conta, by request of Milwaukee County.

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

Assembly Bill 679

Relating to unlawful cutting of forest products.

By committee on Natural Resources, by request of Department of Natural Resources.

Read first time and referred to committee on Natural Resources.

Assembly Bill 700

Relating to support and custody of children in actions affecting marriage.

By Representatives Merkel, Wackett, T. G. Thompson, Pabst, Roberts, Boeckmann, Early and Conta.

Read first time and referred to committee on Judiciary.

Upon motion of Senator Risser, with unanimous consent, the senate recessed until 3:00 P.M.

2:15 P.M.

RECESS

3:00 P.M.

The senate reconvened.

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Senator Risser asked unanimous consent to withdraw **Assembly Bill 414** from the calendar of June 17 and consider it for action at this time.

Senator Johnson objected.

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, Krueger, LaFave, Lipscomb, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—32.

Absent with leave—Senator Lorge—1.

Senator Risser moved that the rules be suspended and **Assembly Bill 414** be withdrawn from the calendar of June 17 and be considered for action at this time.

By request of Senator Johnson, with unanimous consent, **Assembly Bill 414** was withdrawn from the calendar of June 17 and considered for action at this time.

Assembly Bill 414

Relating to state finances and appropriations constituting the executive budget bill of the 1971 legislature, and making appropriations.

Read a second time.

By request of Senator Risser, with unanimous consent, all motions and amendments to **Assembly Bill 414** will have a roll call ordered by the chair.

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Senator Risser asked unanimous consent to consider adoption of senate substitute amendment 1 to **Assembly Bill 414** prior to amendment 1 to senate substitute amendment 1 to **Assembly Bill 414**.

Senator Johnson objected.

Senator Soik moved rejection of senate substitute amendment 1 to **Assembly Bill 414**.

The chair ordered a recess to evacuate the building because of a bomb alarm.

3:22 P.M.

RECESS

4:40 P.M.

The senate reconvened.

The senate recessed until 5:00 P.M. so all members could be accounted for.

4:45 P.M.

RECESS

5:00 P.M.

The senate reconvened.

The question was: Rejection of senate substitute amendment 1 to **Assembly Bill 414**?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 18; absent or not voting, 1; as follows:

Ayes—Senators Busby, Dorman, Frank, Kendziorski, LaFave, Lipscomb, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—14.

Noes—Senators Bidwell, Chilsen, Cirilli, Devitt, Heinzen,

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Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, Lotto, Lourigan, Murphy, Roseleip, Soik, Steinhilber and Swan—18.

Absent or not voting—Senator Lorge—1.

The motion did not prevail.

By request of Senator Risser, with unanimous consent, senate substitute amendment 1 to Assembly Bill 414 was considered for adoption prior to amendment 1 to senate substitute amendment 1 to Assembly Bill 414.

The question was: Adoption of senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 1; as follows:

Ayes—Senators Bidwell, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, Lotto, Murphy, Roseleip, Soik, Steinhilber and Swan—17.

Noes—Senators Busby, Dorman, Frank, Kendziorski, LaFave, Lipscomb, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—15.

Absent or not voting—Senator Lorge—1.

The motion prevailed.

Senator Peloquin moved to table amendment 1 to senate substitute amendment 1 to Assembly Bill 414.

By request of Senator Risser, with unanimous consent, the senate stood informal until 5:35 P.M.

5:15 P.M.

5:35 P.M.

The senate reconvened.

The question was: Shall amendment 1 to senate substitute amendment 1 to Assembly Bill 414 be tabled?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 1; as follows:

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Ayes—Senators Bidwell, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lotto, Murphy, Parys, Peloquin, Roseleip, Steinhilber and Swan—19.

Noes—Senators Busby, Dorman, Frank, Kendziorski, Lipscomb, Lourigan, McKenna, Martin, Risser, Schuele, Soik, Thompson and Whittow—13.

Absent or not voting—Senator Lorge—1.

The motion prevailed.

Senate amendment 2 to senate substitute amendment 1 to Assembly Bill 414 offered by Senator Risser.

By request of Senator Keppler, with unanimous consent, the senate returned to the third, fourth, eighth and ninth orders of business.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 74

Requesting congress to turn Alcatraz Island back to the Indians of America to be used as they see fit.

By Senators Thompson and LaFave.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 644

Relating to general school aids, creating a soda water tax and making an appropriation.

By Senators Devitt, Cirilli, Heinzen, Chilsen, Knowles, Hollander, Keppler and Johnson.

To committee on Education.

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Senate Bill 645

Increasing maximum allowable claims and providing attorney's fees in small claims actions.

By Senator Thompson.

To committee on Judiciary.

MESSAGE FROM THE ASSEMBLY

By Thomas P. Fox, chief clerk.

Mr. President:

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

Assembly Bill 1128

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 1128

Relating to loan rates of interest.

By Representatives McCormick, Oberle, Sweda, Byers, Grover and Willkom, by request of Wisconsin Consumer Finance Association.

Read a first time.

Senator Keppler asked unanimous consent to consider **Assembly Bill 1128** for action at this time.

Senator Lipscomb objected.

Senator Keppler moved that the rules be suspended and that **Assembly Bill 1128** be considered for action at this time.

The ayes and noes were demanded and the vote was: ayes, 24; noes, 8; absent or not voting, 1; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lotto, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Steinhilber, Swan and Whittow—24.

Noes—Senators Frank, Heinzen, Kendziorski, Lipscomb, Lourigan, McKenna, Soik and Thompson—8.

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Absent or not voting—Senator Lorge—1.

More than two-thirds having voted with the majority the motion prevailed.

Assembly Bill 1128

Read a second time.

Senate amendment 1 to Assembly Bill 1128 offered by Senators Thompson and Lipscomb.

Senator Peloquin moved rejection.

President pro tempore in the chair.

6:30 P.M.

President of the senate in the chair.

6:35 P.M.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 10; absent or not voting, 1; as follows:

Ayes—Senators Bidwell, Chilsen, Cirilli, Devitt, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lotto, Martin, Murphy, Parys, Peloquin, Roseleip, Schuele, Steinhilber, Swan and Whittow—22.

Noes—Senators Busby, Dorman, Frank, Heinzen, Lipscomb, Lourigan, McKenna, Risser, Soik and Thompson—10.

Absent or not voting—Senator Lorge—1.

The motion prevailed.

Senate amendment 2 to Assembly Bill 1128 offered by Senator Lipscomb.

Senator Swan moved to table the amendment.

Senator Soik raised the point of order that the amendment was not germane.

The chair ruled the point of order not well taken.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 10; absent or not voting, 1; as follows:

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Ayes—Senators Bidwell, Chilsen, Cirilli, Frank, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lotto, Martin, Murphy, Parys, Peloquin, Roseleip, Schuele, Steinhilber, Swan and Whittow—22.

Noes—Senators Busby, Devitt, Dorman, Kendziorski, Lipscomb, Lourigan, McKenna, Risser, Soik and Thompson—10.

Absent or not voting—Senator Lorge—1.

The motion prevailed.

Assembly Bill 1128

Ordered to a third reading.

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

Assembly Bill 1128

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 10; absent or not voting, 1; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lotto, Martin, Murphy, Parys, Peloquin, Roseleip, Schuele, Steinhilber, Swan and Whittow—22.

Noes—Senators Dorman, Frank, Heinzen, Kendziorski, Lipscomb, Lourigan, McKenna, Risser, Soik and Thompson—10.

Absent or not voting—Senator Lorge—1.

So the bill was concurred in.

By request of Senator Keppler, with unanimous consent, the bill was ordered immediately messaged.

MOTIONS

By request of Senator Knutson, with unanimous consent, senate amendment 1 to Senate Bill 432 was returned to the author.

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Upon motion of Senator Keppler, with unanimous consent, the senate adjourned until 8:30 A.M., Wednesday, June 30.

7:00 P.M.

INTRODUCTION OF GUESTS

Senator Lipscomb introduced Mr. and Mrs. Lawrence Bunzel and their six children, and Mrs. Mark G. Lipscomb, Jr., and her five children, Milwaukee, Wisconsin.

Senator Risser introduced John Hegge and Mitchell Lins, Madison, Wisconsin.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 608

On page 3, line 18, change "1969" to "1971".

Senate amendment 1 to Senate Bill 390

In line 2 change "5" to "4".