

JOURNAL OF THE SENATE [September 1, 1971]

STATE OF WISCONSIN

# Senate Journal

## Eightieth Session

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WEDNESDAY, September 1, 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 Joseph Washington, retired Baptist minister, Madison, Wisconsin.

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### LEAVES OF ABSENCE

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

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

Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Hollander, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, Martin, Murphy, Parys, Pelouquin, Risser, Schuele, Soik, Steinhilber, Swan and Whittow—29.

Absent—Senators McKenna and Thompson—2.

Absent with leave—Senators Johnson and Roseleip—2.

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### AMENDMENTS OFFERED

Senate amendment 4 to Assembly Bill 198 by Senators Schuele and Parys.

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Senate amendment 1 to senate amendment 2 to Senate Bill 561 by Senator Devitt.

Senate amendment 1 to Senate Bill 607 by Senator Knowles.

Senate amendment 1 to Senate Bill 687 by Senator Hollander.

Senate substitute amendment 1 to Senate Joint Resolution 80 by Senators Kendziorski and Soik.

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BILLS INTRODUCED

Read first time and referred:

**Senate Bill 737**

Relating to prepayment penalties on mortgage loan notes for insurers.

By Senator Risser, by request of J. A. Fitschen.  
To committee on Judiciary.

**Senate Bill 738**

Relating to prepayment penalties on mortgage loan notes.

By Senator Risser, by request of J. A. Fitschen.  
To committee on Judiciary.

By request of Senator Hollander, with unanimous consent, **Senate Bill 293** was withdrawn from the committee on Natural Resources and returned to the author.

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COMMITTEE REPORTS

The committee on Transportation reports and recommends for introduction:

**Senate Bill 736**

Relating to removal of parked vehicles from private parking lots and premises.

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**Introduction; Ayes, 5; Noes, 0.**

**Read first time and referred to committee on Transportation.**

**REUBEN LaFAVE,  
Chairman.**

**The committee on Commerce, Labor, Taxation, Insurance and Banking reports and recommends:**

**The appointment by the Governor of John C. Zinos, of Milwaukee as a member of the Industry, Labor and Human Relations Commission to succeed Edward E. Estkowski, to serve for the remainder of the unexpired term ending June 1, 1973.**

**Confirmation; Ayes, 5; Noes, 0.**

**The appointment by the Governor of John P. Morris, of Madison, as a member of the Tax Appeals Commission, to succeed Gilbert McDonald, to serve for a term ending March 1, 1977.**

**Confirmation; Ayes, 5; Noes, 0.**

**GERALD D. LORGE,  
Chairman.**

**Senator Lorge asked unanimous consent to consider the appointment of John P. Morris at this time.**

**Senator Whittow objected.**

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**PETITIONS AND COMMUNICATIONS**

**Senate Petition 206**

**A petition signed by 126 citizens of Kenosha, Wisconsin in opposition to Assembly Bill 859 relating to the use of Lakefront Park. (Stadium Park)**

**Introduced by Senator Lourigan.**

**Referred to committee on Governmental and Veterans' Affairs.**

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**Senate Petition 207**

A petition signed by 110 citizens of Kenosha, Wisconsin in opposition to Assembly Bill 859 relating to the use of Lakefront Park. (Stadium Park)

Introduced by Senator Lourigan.

Referred to committee on Governmental and Veterans' Affairs.

By request of Senator Busby, with unanimous consent, Senate Bill 230 was withdrawn from the committee on Health and Social Services and returned to the author.

Senator Chilsen asked unanimous consent to recess after the eighth order of business.

Senator Keppler objected.

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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 Representatives Pabst and McCormick; co-sponsored by Senators Whittow and Kendziorski for Charles W. Mentkowski on the occasion of his being named to head the task force on minority group employment in law enforcement.

A joint certificate of Condolence by Representative T. G. Thompson; co-sponsored by Senator Bidwell for the widow and family of Walter A. Rose on the occasion of his death.

A joint certificate of Commendation by Representative T. G. Thompson; co-sponsored by Senator Bidwell for Judge Fulton Collipp on his long and distinguished career of public service.

A joint certificate of Condolence by Representative T. G. Thompson; co-sponsored by Senator Bidwell for the family of Wayne L. Johnson on the occasion of his death; and

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A joint certificate of Commendation by Representatives Pabst and McCormick; co-sponsored by Senators Parys and Whittow for Frank H. Ranney on his retirement.

Passed and asks concurrence in:

Assembly Bill 117,  
Assembly Bill 384 and  
Assembly Bill 427.

Concurred in:

Senate Joint Resolution 38 and  
Senate Bill 80.

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MESSAGE FROM THE ASSEMBLY CONSIDERED

Motions Under Joint Rule 26:

A joint certificate of Commendation by Representatives Pabst and McCormick; co-sponsored by Senators Whittow and Kendzierski for Charles W. Mentkowski on the occasion of his being named to head the task force on minority group employment in law enforcement;

A joint certificate of Condolence by Representative T. G. Thompson; co-sponsored by Senator Bidwell for the widow and family of Walter A. Rose on the occasion of his death;

A joint certificate of Commendation by Representative T. G. Thompson; co-sponsored by Senator Bidwell for Judge Fulton Collipp on his long and distinguished career of public service;

A joint certificate of Condolence by Representative T. G. Thompson; co-sponsored by Senator Bidwell for the family of Wayne L. Johnson on the occasion of his death; and

A joint certificate of Commendation by Representatives Pabst and McCormick; co-sponsored by Senators Parys and Whittow for Frank H. Ranney on his retirement.

The above Motions Under Joint Rule 26 were read and concurred in en masse.

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**Assembly Bill 117**

Relating to legislators' expenses.

By Representatives Jackamonis, Ferrall, Mielke, G. K. Johnson, Berger, Mittness, Bultman, Grover, Day, Rutkowski, Earl and Giese.

Read first time.

Referred to committee on Senate Organization.

**Assembly Bill 384**

Relating to country club liquor licenses.

By Representative Dueholm; co-sponsored by Senator Knowles, by request of the St. Croix Falls Country Club.

Read first time.

Referred to committee on Governmental and Veterans' Affairs.

**Assembly Bill 427**

Relating to burial expenses of veterans.

By Representatives Molinaro, Atkinson, Early, Mato, Byers, O'Malley, Gaulke, Merkel, Kafka, Schricker, Czerwinski, Wahner and Oberle.

Read first time.

Referred to committee on Governmental and Veterans' Affairs.

Senator Keppler raised the point of order that Senator Risser did not properly address the chair, therefore he did not rightfully have the floor.

The chair ruled the point of order not a valid point of order.

Senator Keppler appealed the ruling of the chair.

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,

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Frank, Heinzen, Hollander, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, Martin, Murphy, Parys, Peloquin, Risser, Schuele, Soik, Steinhilber, Swan and Whittow—29.

Absent—Senators McKenna and Thompson—2.

Absent with leave—Senators Johnson and Roseleip—2.

Senator Whittow moved that Senate Bill 713 be considered for action at this time.

Senator Keppler moved that the senate recess until 3:00 P.M.

The motion did not prevail.

Senator Keppler moved that the senate recess until 4:00 P.M.

Senator Knowles asked unanimous consent that the call be raised.

Senator Whittow objected.

The ayes and noes were demanded and the vote was: ayes, 18; noes, 12; absent or not voting, 3; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Murphy, Soik, Steinhilber and Swan—18.

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

Absent or not voting—Senators Johnson, Roseleip and Thompson—3.

The motion prevailed and the senate recessed under call until 4:00 P.M.

10:25 A.M.

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RECESS

11:25 A.M.

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

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By request of Senator Keppler, with unanimous consent, all members being present, the call of the senate was raised.

The senate continued under recess until 4:00 P.M.

11:26 A.M.

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**RECESS**

4:00 P.M.

The senate reconvened.

The president of the senate in the chair.

Senator Keppler moved that **Senate Resolution 42** be considered for action at this time.

Senator Risser raised the point of order that an appeal on the ruling of the chair was pending and therefore should be the next order of business.

The chair ruled the point of order well taken.

Senator Keppler moved that the senate recess until 5:00 P.M.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 12; absent or not voting, 1; as follows:

**Ayes**—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Murphy, Schuele, Soik, Steinhilber and Swan—20.

**Noes**—Senators Dorman, Frank, Kendziorski, Lipscomb, Lourigan, McKenna, Martin, Parys, Pelouquin, Risser, Thompson and Whittow—12.

**Absent or not voting**—Senator Roseleip—1.

The motion prevailed.

4:30 P.M.

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**RECESS**

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**5:00 P.M.**

The senate reconvened.

Senator Risser asked unanimous consent that **Senate Bill 713** be considered for action at this time.

Senator Keppler objected.

Senator Risser moved that **Senate Bill 713** be considered for action at this time.

The chair ruled the motion out of order as there was an appeal of the ruling of the chair pending before the senate.

Senator Krueger moved that the senate adjourn until 2:30 P.M., Thursday, September 2.

The ayes and noes were required and the vote was: ayes, 11; noes, 21; absent or not voting, 1; as follows:

Ayes—Senators Bidwell, Busby, Cirilli, Frank, Kendziorski, Krueger, LaFave, Lotto, Murphy, Schuele and Thompson—11.

Noes—Senators Chilsen, Devitt, Dorman, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, Lipscomb, Lorge, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Soik, Steinhilber, Swan and Whittow—21.

Absent or not voting—Senator Roseleip—1.

The motion did not prevail.

Senator Keppler moved that the senate stand adjourned until 2:30 P.M., Thursday, September 2.

The ayes and noes were required and the vote was: ayes, 21; noes, 9; absent or not voting, 3; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, Lorge, Lotto, Martin, Murphy, Parys, Soik, Steinhilber and Swan—21.

Noes—Senators Devitt, Dorman, Lipscomb, Lourigan, McKenna, Peloquin, Risser, Schuele and Whittow—9.

Absent or not voting—Senators LaFave, Roseleip and Thompson—3.

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**The motion prevailed.**

**6:05 P.M.**

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**INTRODUCTION OF GUESTS**

**Senator Lotto introduced Mr. and Mrs. Steven Otto,  
Oshkosh, Wisconsin.**

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**CHIEF CLERK'S CORRECTION**

**Suggested by Legislative Reference Bureau**

**Senate Bill 715**

**On page 1, line 17, substitute "853" for "238".**