

JOURNAL OF THE SENATE [October 21, 1971]

STATE OF WISCONSIN

Senate Journal

Eightieth Session

THURSDAY, October 21, 1971.

9:00 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 Gordon Vanenk, Pastor of Madison Christian Reformed Church.

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

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

Absent—Senators Lipscomb and Thompson—2.

AMENDMENTS OFFERED

Senate amendment 3 to assembly substitute amendment 1 to Senate Bill 805 by Senators Keppler, Knutson, Roseleip, Swan, Lotto and Steinhilber.

Senate amendment 4 to assembly substitute amendment 1 to Senate Bill 805 by Senators Cirilli, Roseleip, Frank and Johnson.

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Senate amendment 5 to assembly substitute amendment 1 to Senate Bill 805 by Senator Devitt.

Senate amendment 1 to Assembly Bill 479 by Senator Lipscomb.

Senate amendment 1 to Senate Bill 519 by Senator Knutson.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 54

Directing the chief clerk of the senate to include the names of persons parking in restricted areas around the capitol in the next day's senate journal.

Resolved by the senate, That the chief clerk of the senate is directed to publish each day in the senate daily journal the names of all persons parking vehicles in restricted parking areas in the capitol park area on the previous day. If any person is parking in a restricted area on the basis of another person's parking privilege, the entry shall also include the name of that other person. The chief clerk shall compile the list of names of all such persons and include that list in the material to be printed in the next day's senate journal.

By Senators Parys, Thompson, LaFave and Keppler.
Read.

Senator Parys asked unanimous consent that Senate Resolution 54 be considered for action at this time.

Senator Risser objected.

Senator Parys moved that Senate Resolution 54 be considered for action at this time.

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.

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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, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan and Whittow—31.

Absent—Senators Lipscomb and Thompson—2.

Senator Parys asked unanimous consent that Senators Lipscomb and Thompson be given a leave of absence for the balance of the day's session.

Senator Risser objected.

Senator Parys moved that Senators Lipscomb and Thompson be given a leave of absence for the balance of the day's session.

The motion prevailed.

The question was: Shall **Senate Resolution 54** be considered for action at this time?

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

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Kendziorski, Knutson, LaFave, Lorge, Lotto, Lourigan, Martin, Parys, Peloquin, Schuele, Soik, Swan and Thompson—18.

Noes—Senators Dorman, Frank, Heinzen, Hollander, Johnson, Keppler, Knowles, Krueger, McKenna, Murphy, Risser, Roseleip, Steinhilber and Whittow—14.

Absent or not voting—Senator Lipscomb—1.

Less than two-thirds having voted in the affirmative, the motion did not prevail.

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

Senate Resolution 54

Referred to committee on Transportation.

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BILLS INTRODUCED

Read first time and referred:

Senate Bill 831

Relating to numbered parking spaces at the capitol.
By Senators Parys and LaFave.
To committee on Transportation.

COMMITTEE REPORT

The committee on Health and Social Services reports and recommends:

The appointment by the Governor of Jack Myers, of Madison, as a member of the Pharmacy Examining Board, to succeed Richard E. Streu, to serve for a term ending July 1, 1976.

Confirmation; Ayes, 5; Noes, 0.

Senate Bill 574

Relating to the uniform controlled substances act and changes incidental to its incorporation into Wisconsin law.

Adoption of senate amendment 1; Ayes, 5; Noes, 0; adoption of senate amendment 2; Ayes, 5; Noes, 0 and passage as amended; Ayes, 5; Noes, 0.

Assembly Bill 1348

Relating to requiring nonprofit service plans and group accident and sickness policies to provide for the hospital treatment of alcoholism.

Concurrence; Ayes, 5; Noes, 0.

JAMES C. DEVITT,
Chairman.

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PETITIONS AND COMMUNICATIONS

**Mr. William P. Nugent
Chief Clerk
Wisconsin State Senate
241-S, State Capitol
Madison, Wisconsin**

Dear Mr. Nugent:

I hereby resign my position on the State Building Commission.

Very truly yours,

**ROBERT P. KNOWLES,
President Pro Tempore
of the Senate.**

**Mr. William P. Nugent
Chief Clerk of the Senate
Wisconsin State Senate
241-S, State Capitol
Madison, Wisconsin**

Dear Mr. Nugent:

I hereby resign my position on the State Bond Board.

Very truly yours,

**ROBERT P. KNOWLES,
President Pro Tempore
of the Senate.**

By request of Senator Lorge, with unanimous consent, the above resignations were considered en masse.

Senator Lorge moved that the resignations be accepted. The motion prevailed.

By request of Senator Lorge, with unanimous consent, the senate returned to the fifth order of business.

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COMMITTEE REPORT

The committee on Committees reports and recommends:

That Senator Raymond F. Heinzen be appointed to the State Building Commission (Sec. 13.48 (2)) to succeed Senator Robert Knowles, resigned.

That Senator Everett V. Bidwell be appointed to the State Bond Board (Sec. 15.105 (7)) to succeed Senator Robert Knowles, resigned.

GERALD D. LORGE,
Chairman.

REUBEN LaFAVE
WALTER G. HOLLANDER

Senator Lorge moved that the committee report be adopted and the appointments confirmed en masse.

The motion prevailed.

MESSAGE FROM THE ASSEMBLY

By Thomas P. Fox, chief clerk.

Mr. President:

I am directed to inform you that the assembly has concurred in:

Senate Bill 595

Passed and asks concurrence in:

Assembly Bill 218 and
Assembly Bill 879.

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 218

Relating to department of natural resources powers of condemnation.

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By Representatives Merkel, Shabaz, Wilcox, Wackett, Klicka, Stalbaum, LaFave, Luckhardt, Kafka and Schowalter.

Read first time.

Referred to committee on Natural Resources.

Assembly Bill 879

Relating to public nuisance injunctions and declaring pollution a public nuisance.

By the committee on Natural Resources, by request of Governor Patrick J. Lucey.

Read first time.

Referred to committee on Natural Resources.

MOTIONS

MOTION UNDER JOINT RULE 26

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

Whereas, the Telephone Pioneers of America, a nationwide organization of men and women with over 21 years in the telephone industry, has, since its beginning in 1911, grown to include over 320,000 members; and

Whereas, the avowed purpose of the Pioneers is "to be a united force for social good . . . and to provide the opportunity for personal development and satisfaction through service to others"; and

Whereas, its members have long been active in activities with and for the visually handicapped; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Busby and Representative Nager, under Joint Rule 26, do hereby extend their most hearty congratulations to the Telephone Pioneers of America on this its 60th anniversary, and commend its 5,000 Wisconsin members on their outstanding record of public service.

Read and adopted.

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Senator Keppler brought the chair's attention to **Senate Bill 805** which was a special order of business.

Senate Bill 805

Relating to general school aids, increasing vocational school aids, decreasing the mill rate ceiling for vocational schools, increasing personal property tax relief and home-
stead tax relief, providing real property tax relief, making appropriations and constituting the executive budget bill of the 1971 legislature.

Read a second time.

Upon motion of Senator Keppler the senate recessed un-
til 10:30 A.M.

9:30 A.M.

RECESS

10:30 A.M.

The senate reconvened.

QUORUM CALL

Senator Heinzen called the attention of the chair to the possible lack of a quorum.

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

Absent with leave—Senator Lipscomb—1.

By request of Senator Risser, with unanimous consent, senate amendment 3 to assembly substitute amendment 1 to **Senate Bill 805** was considered for action at this time.

Senator Risser moved rejection.

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Upon motion of Senator Keppler the senate recessed until 11:30 A.M.

10:40 A.M.

RECESS

11:30 A.M.

The senate reconvened.

Upon motion of Senator Keppler the senate recessed until 2:00 P.M.

12:00 Noon

RECESS

2:00 P.M.

The senate reconvened.

By request of Senator Keppler, with unanimous consent, that part of Senate Rule #1 pertaining to the wearing of coats was suspended for the balance of the legislative session.

Senator Kendziorski in the chair.

2:55 P.M.

President of the senate in the chair.

3:00 P.M.

Senator Kendziorski in the chair.

3:15 P.M.

QUORUM CALL

Senator Johnson called the attention of the chair to the possible lack of a quorum.

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

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

Absent—Senators Devitt, Martin and Peloquin—3.

Absent with leave—None.

The question was: Rejection of senate amendment 3 to assembly substitute amendment 1 to Senate Bill 805?

Senator Keppler 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, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—32.

Absent—Senator Devitt—1.

LEAVE OF ABSENCE

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

President of the senate in the chair.

4:20 P.M.

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The ayes and noes were demanded and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Cirilli, Dorman, Frank, Heinzen, Hollander, Kendziorski, Knowles, Krueger, Lipscomb, Lourigan, McKenna, Martin, Parys, Pelouquin, Risser, Schuele, Thompson and Whittow—19.

Noes—Senators Busby, Chilsen, Devitt, Johnson, Keppler, Knutson, LaFave, Lorge, Lotto, Murphy, Roseleip, Soik, Steinhilber and Swan—14.

Absent or not voting—None.

The motion prevailed.

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

Upon motion of Senator Devitt the senate recessed until 5:15 P.M.

4:30 P.M.

RECESS

5:15 P.M.

The senate reconvened.

Senator Keppler moved nonconcurrency in assembly substitute amendment 1 to Senate Bill 805.

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,

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Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, Martin, Murphy, Parys, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—31.

Absent—Senators McKenna and Peloquin—2.

By request of Senators Keppler, Knutson and Roseleip, with unanimous consent, their names were withdrawn as authors of **Senate Bill 805**.

By request of Senator Whittow, with unanimous consent, he was made a co-author of assembly substitute amendment 1 to **Senate Bill 805**.

AMENDMENTS OFFERED

Senate amendment 6 to assembly substitute amendment 1 to **Senate Bill 805** by Senators Cirilli, Krueger, Chilsen, Johnson, Devitt and Lorge.

Senate amendment 7 to assembly substitute amendment 1 to **Senate Bill 805** by Senator Roseleip.

Senate amendment 8 to assembly substitute amendment 1 to **Senate Bill 805** by Senator Roseleip.

Senate amendment 9 to assembly substitute amendment 1 to **Senate Bill 805** by Senator Roseleip.

Senate amendment 2 to senate substitute amendment 2 to **Senate Bill 525** by Senator Cirilli.

Senate amendment 3 to **Senate Bill 471** by Senator Lotto, by request of Leslie J. Smith, DePere, Wisconsin.

Senate amendment 10 to assembly substitute amendment 1 to **Senate Bill 805** by Senators Steinhilber, Knutson, Lotto and Swan.

Senator Steinhilber raised the point of order that senate amendment 10 to assembly substitute amendment 1 to **Senate Bill 805** was a substitute amendment and should have been taken in as such, thereby laying **Senate Bill 805** over.

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The chair ruled that a senate substitute amendment could not be introduced to an assembly substitute amendment and therefore the point of order was not well taken.

Senator Steinhilber appealed the ruling of the chair.

Senator Keppler asked unanimous consent for a 30 minute recess.

Senator Schuele objected.

Upon motion of Senator Keppler the senate recessed until 6:25 P.M.

5:55 P.M.

RECESS

6:25 P.M.

The senate reconvened.

Senator Steinhilber withdrew his appeal of the ruling of the chair.

By request of Senator Chilsen, with unanimous consent, the president was directed to submit a written ruling regarding the introduction of substitute amendments in the senate to substitute amendments made in the other house.

By request of Senator Lottø, with unanimous consent, senate amendment 10 to assembly substitute amendment 1 to Senate Bill 805 was returned to the authors.

By request of Senator Heinzen, with unanimous consent, the senate adjourned in honor of International Credit Union Day.

Senator Keppler moved that the senate adjourn until 10:00 A.M., Monday, October 25.

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The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

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

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

Absent or not voting—None.

The motion prevailed.

6:30 P.M.

INTRODUCTION OF GUESTS

Senator Murphy introduced 84 fourth graders and ten mothers of Hiawatha Elementary School with teachers Miss Johnson, Mrs. Reiss and Miss Charnecke, Menomonee Falls, Wisconsin.

Senator Cirilli introduced Ernie Fournier, Superior, Wisconsin.

Senator Dorman introduced 35 students of St. Stanislaus School with Mr. Charles Pitzka, Racine, Wisconsin.

Senator Soik introduced 50 Homemakers from Shorewood, Wisconsin.

Senator McKenna introduced Colleen Toomey, New Zealand, Mr. and Mrs. Froh and Justice Connor Hansen, Lake Mills, Wisconsin.

Senator Martin introduced A. B. Stuebbe, Valders, Wisconsin.

Senator Dorman introduced Washington Park High School students with R. Precourt, Racine, Wisconsin.

Senator Keppler introduced Jerry and Mary LaFond, Sheboygan, Wisconsin.

Senator Kendziorski introduced Mr. and Mrs. Larry Roose and Miss Erna Bock, Milwaukee, Wisconsin.