

JOURNAL OF THE SENATE [October 27, 1971]

STATE OF WISCONSIN

Senate Journal

Eightieth Session

WEDNESDAY, October 27, 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 Father Austin J. Henry, Pastor of Holy Redeemer Catholic Church of Madison.

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, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Pelouquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—33.

AMENDMENTS OFFERED

Senate amendment 1 to Senate Bill 686 by Senator Lipscomb.

Senate amendment 1 to senate substitute amendment 1 to Senate Bill 254 by Senator Cirilli.

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INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 105

A joint resolution requesting Congress to evaluate this country's commitment to the United Nations.

By Senator Roseleip.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 837

Relating to appropriating \$350,000 to the State Historical Society for the acquisition and refurbishing of the LaFollette property in Maple Bluff, Dane County, for use as an historic site.

By Senators McKenna, Krueger and Thompson; co-sponsored by Representatives Mato and O'Malley.

To joint committee on Finance.

COMMITTEE REPORTS

The committee on Natural Resources reports and recommends:

Assembly Bill 1415

To permit disabled veterans from the Great Lakes Naval Hospital to hunt pheasant on one day in November 1971, without a license.

Concurrence; Ayes, 5; Noes, 0.

CLIFFORD W. KRUEGER,
Chairman.

The committee on Judiciary reports and recommends:

Senate Bill 763

Relating to permit juvenile court judges to name temporary substitutes.

Indefinite postponement; Ayes, 4; Noes, 0.

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Senate Bill 766

Relating to removing from the strict conformity provisions of the motor vehicle code those laws which regulate possession of intoxicants in vehicles carrying minors.

Indefinite postponement; Ayes, 5; Noes, 0.

Senate Bill 769

Relating to prohibited transactions by the governor and establishing a penalty.

Passage; Ayes, 5; Noes, 0.

Senate Bill 777

Relating to subpoena powers for district attorneys in investigations of fraudulent advertising.

Passage; Ayes, 5; Noes, 0.

Senate Bill 778

Relating to salaries and benefits for district attorneys.

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

Senate Bill 785

Relating to payment of fines.

Passage; Ayes, 5; Noes, 0.

Senate Bill 794

Relating to making it a crime to refuse to return the property of another.

Passage; Ayes, 5; Noes, 0.

Senate Bill 798

Relating to authorizing payment for psychological treatment under medical assistance, workmen's compensation and health insurance.

Indefinite postponement; Ayes, 4; Noes, 1.

Senate Bill 803

Relating to prohibition on certain acts by fiduciaries.

Passage; Ayes, 5; Noes, 0.

ALLEN J. BUSBY,
Chairman.

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

Assembly Bill 665

Relating to various state financial matters, data processing and granting rule-making authority.

Concurrence; Ayes, 3; Noes, 2.

GORDON W. ROSELEIP,
Chairman.

PETITIONS AND COMMUNICATIONS

Senate Petition 235

A petition by 30 Citizens of Sheboygan County expressing opposition to passage of Assembly Bill 584 which would permit 65-foot double bottom trucks on Wisconsin streets and highways.

Introduced by Senator Keppler.

Read and referred to committee on Transportation.

The State of Wisconsin
Department of State

October 26, 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 October 12, 1971, and ending October 26, 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.

Roland B. Day, Attorney, 25 West Main Street, Madison—

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Wisconsin Association of Employment Agencies, c/o Dunhill of Milwaukee, Inc., 211 W. Wisconsin Avenue, Milwaukee—Private employment agencies—October 12, 1971.

John S. Holbrook, Jr., Lawyer, 780 North Water Street, Milwaukee—Wisconsin Merchants Federation, Doty Street, Madison—Retailing—October 19, 1971.

Paul Noelke, Lawyer, 780 North Water Street, Milwaukee—Wisconsin Merchants Federation, Doty Street, Madison—Retailing—October 19, 1971.

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 76

Assembly Joint Resolution 84

Motion Under Joint Rule 26:

A joint certificate of Congratulations by Representative R. M. Thompson; co-sponsored by Senator Bidwell for Wisconsin Federation of Women's Clubs on their 75th Anniversary.

Passed and asks concurrence in:

Assembly Bill 782,

Assembly Bill 976 and

Assembly Bill 1282.

Concurred in:

Report of committee of Conference to Senate Bill 355
Senate Bill 652.

Amended and concurred in as amended:

Senate Bill 87 (assembly amendment 2 adopted)

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 76

A joint resolution establishing an interim committee to prepare legislation providing for the gradual shifting to the state of 90% of school district net operating costs.

By Representatives Wahner, R. M. Thompson, Berger, Swoboda, Korpela, Earl, Mielke, G. K. Johnson, Mittness, Ferrall, Dorff, Conta, Baldus, Nager, Dueholm, Miller, Early, Sweda, Brown, Everson, Mohn, Slaby, Bultman, Roberts, Orlich, Barbee, Schneider, Vanderperren, Sana-sarian, O'Malley, Duren, Boeckmann, Rogers, Otte, Grover, Bolle, Kleczka, Tobiasz, Jackamonis, Pabst and McCormick; co-sponsored by Senators Lipscomb, Parys, Martin, Whit-tow, Schuele, Dorman and Frank.

Read.

Referred to committee on Education.

Assembly Joint Resolution 84

A joint resolution relating to a study of efficiency in state service.

By Representatives R. M. Thompson, Byers, Day, Wah-ner, Alberts, McDougal, Wilcox, Jackamonis, Duren, Swo-boda, Kafka, Hanna, T. G. Thompson, Lynn, Sensenbren-ner, Baldus, Guiles, Vanderperren, Klicka, Gaulke, Greider, Willkom, Bradley, Sweda, Tregoning, Oberle, Schricker, Quinn, Mohn, Slaby, Schwefel, Ellis, Rogers, Wilger, Mato, Mittness, G. K. Johnson, Rutkowski, Mielke, Korpela, Bar-bee, Azim and Shabaz; co-sponsored by Senators Peloquin, Frank, Steinhilber and Bidwell.

Read.

Referred to committee on Governmental and Veterans' Affairs.

Motion Under Joint Rule 26:

A joint certificate of Congratulations by Representative R. M. Thompson; co-sponsored by Senator Bidwell for Wis-consin Federation of Women's Clubs on their 75th Anni-versary.

Read and concurred in.

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Assembly Bill 782

Relating to prohibiting interest charges during forbearance periods.

By Representatives Schneider and G. K. Johnson.

Read first time.

Referred to committee on Judiciary.

Assembly Bill 976

Relating to exempting amateur radio equipment from general property taxes.

By Representative Swoboda, by request of Mr. Lyle Henry.

Read first time.

Referred to committee on Commerce, Labor, Taxation, Insurance and Banking.

Assembly Bill 1282

Relating to referenda requirements applicable to borrowing by certain school districts.

By Representatives Rutkowski, Berger and Merkel.

Read first time.

Referred to committee on Education.

Senate Bill 87

Assembly amendment 2 pending.

Referred to the calendar.

MOTIONS

President pro tempore of the senate in the chair.

10:20 A.M.

MOTIONS UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, W. Roy Kopp, a 1926 graduate of Platteville State University and a 1928 graduate of the University of Wisconsin Law School, has served with distinction as president of the board of regents of state universities; and

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Whereas, Regent Kopp, a respected Platteville attorney and past member of the board of governors of the State Bar Association, has been elected by his fellow regents to serve as president of the board of regents of the newly-merged University of Wisconsin system; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Roseleip and Representative Azim, under Joint Rule 26, do hereby extend their most sincere congratulations to Regent W. Roy Kopp on his election, and wish him well as he assumes broadened responsibilities of leadership in one of the nation's largest and most outstanding university systems.

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

Whereas, on Tuesday, November 9, 1971, John H. Miles of Sturgeon Bay will retire after more than 40 years of service to the Door County Fair Association; and

Whereas, as county fair secretary, Mr. Miles, a long-time member of the Fruit Growers Cooperative board of directors, charter member of the Sturgeon Bay Lions Club and one of the first directors and stockholders of the Farm Credit Association for northeastern Wisconsin, has played a major role in offering clean, wholesome entertainment to thousands; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Martin and Representative Swoboda, under Joint Rule 26, do hereby commend John H. Miles for his many contributions to his community, and extend their most sincere best wishes on his retirement.

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

Senator Parys brought the chair's attention to Assembly Bill 479 which was a special order of business.

By request of Senator Keppler, with unanimous consent, Assembly Bill 479 was laid aside.

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CALENDAR OF AUGUST 11

Senate Bill 568

Relating to town board membership in certain towns.

Read a second time.

Ordered to a third reading.

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

Senate Bill 568

Read a third time and passed.

Senate Bill 603

Relating to requiring satisfaction of judgments, and setting a penalty.

Read a second time.

The question was: Indefinite postponement?

So the bill was indefinitely postponed.

Senate Bill 610

Relating to protecting holders of recorded nonpossessory interests in land from forged conveyance of such interests by possessory holders.

Read a second time.

Ordered to a third reading.

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

Senate Bill 610

Read a third time and passed.

Senate Bill 612

Relating to anatomical gift notation of motor vehicle operator's license.

Read a second time.

Ordered to a third reading.

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

Senate Bill 612

Read a third time and passed.

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Senate Bill 615

Relating to a driver's duty upon striking a person or an automobile.

Read a second time.

Ordered to a third reading.

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

Senate Bill 615

Read a third time and passed.

By request of Senator Lipscomb, with unanimous consent, Senate Bills 616, 617, and 618 were laid aside.

Senate Bill 620

Relating to issuance of summons in battery cases.

Read a second time.

Ordered to a third reading.

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

Senate Bill 620

Read a third time and passed.

By request of Senator Lipscomb, with unanimous consent, Senate Bills 621, 622, and 624 were laid aside.

Senate Bill 627

Relating to giving courts broad discretion in taxing costs.

Read a second time.

The question was: Indefinite postponement?

So the bill was indefinitely postponed.

Senate Bill 671

Relating to public expression in public parks in counties with a population of 500,000 or more.

Read a second time.

The question was: Indefinite postponement?

So the bill was indefinitely postponed.

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By request of Senator Bidwell, with unanimous consent,
Senate Bill 677 was laid aside.

By request of Senator Lorge, with unanimous consent,
Assembly Joint Resolution 27 was laid aside.

By request of Senator Risser, with unanimous consent,
Assembly Joint Resolution 66 was laid aside.

By request of Senator Lotto, with unanimous consent,
Assembly Bill 200 was laid aside.

By request of Senator Chilsen, with unanimous consent,
Assembly Bill 271 was laid aside.

By request of Senator Johnson, with unanimous consent,
Assembly Bill 314 was laid aside.

Assembly Bill 319

Relating to sheriffs' process fees and other related services.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 319

Read a third time and concurred in.

Assembly Bill 330

Relating to removal of supreme court justices and circuit
court judges by address of the legislature.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 330

Read a third time and concurred in.

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Assembly Bill 346

Relating to restrictions on fox hunting.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 346

Read a third time and concurred in.

Assembly Bill 353

Relating to publication of notice in matters relating to minor children.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 353

Read a third time and concurred in.

Senator Parys objected to the special order of business being laid aside any longer.

Assembly Bill 479

Relating to county board representation in counties over 500,000 population.

Read a second time.

The question was: Rejection of senate amendment 1 to **Assembly Bill 479?**

Senator Lipscomb asked unanimous consent that senate amendment 1 be laid aside.

Senator Soik objected.

Senate amendment 1 rejected.

Senate amendment 2 to **Assembly Bill 479** offered by Senator Lipscomb.

Senator Soik moved rejection.

President of the senate in the chair.

11:00 A.M.

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Senator Soik 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, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Pelouquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—33.

Absent—None.

Absent with leave—None.

President pro tempore of the senate in the chair.

11:25 A.M.

The ayes and noes were demanded and the vote was: ayes, 28; noes, 5; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Martin, Murphy, Parys, Pelouquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—28.

Noes—Senators Heinzen, Kendziorski, Lipscomb, Lourigan and McKenna—5.

Absent or not voting—None.

The motion prevailed.

Assembly Bill 479

Ordered to a third reading.

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

Assembly Bill 479

Read a third time and concurred in.

Ordered immediately messaged.

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Assembly Bill 371

Relating to changes in workmen's compensation law recommended by the council on workmen's compensation.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 371

Read a third time and concurred in.

Assembly Bill 385

Relating to judgments without actions.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 385

Read a third time and concurred in.

Assembly Bill 402

Relating to guardianship powers through award of child custody in family court.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 402

Read a third time and concurred in.

By request of Senator Hollander, with unanimous consent, Assembly Bill 562 was laid aside.

Senator Dorman objected to Senate Bill 589 being further laid aside.

Senate Bill 589

Relating to minor's consent to adoption.

Read a third time and passed.

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Assembly Bill 570

Relating to a prohibition on certain solid waste disposal sites.

Read a second time.

The question was: Nonconcurrence?

So the bill was nonconcurrent in.

Assembly Bill 630

Relating to requiring serial numbers on boat motors and engines of snowmobiles.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 630

Read a third time and concurred in.

Assembly Bill 694

Relating to state identification card applications.

Read a second time.

The question was: Adoption of senate amendment 1 to Assembly Bill 694?

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.

Assembly Bill 694

Read a third time and concurred in as amended.

CALENDAR OF AUGUST 17

Senate Bill 584

Relating to the review of programs financed from federal aid upon the cutting back of such aid.

Read a second time.

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Ordered to a third reading.

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

Senate Bill 584

Read a third time and passed.

Senate Bill 588

Relating to composition and duties of the council on printing.

By request of Senator Hollander, with unanimous consent, Senate Bill 588 was referred to joint committee on Finance.

By request of Senator Hollander, with unanimous consent, Senate Bill 588 was withdrawn from the joint committee on Finance and considered for action at this time.

Senate Bill 588

Read a second time.

Ordered to a third reading.

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

Senate Bill 588

Read a third time.

The ayes and noes were required and the vote was: ayes, 26; noes, 7; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Busby, Cirilli, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knutson, Krueger, LaFave, Lorge, Lotto, Lourigan, Martin, Murphy, Parys, Roseleip, Schuele, Soik, Steinhilber, Swan and Whittow—26.

Noes—Senators Chilsen, Knowles, Lipscomb, McKenna, Peloquin, Risser and Thompson—7.

Absent or not voting—None.

So the bill passed.

Senate Bill 674

Relating to smoking on public transportation and providing a civil penalty.

Read a second time.

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The question was: Indefinite postponement?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 13; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Cirilli, Devitt, Dorman, Frank, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Murphy, Roseleip, Schuele, Soik, Steinhilber and Swan—20.

Noes—Senators Busby, Chilsen, Heinzen, Kendziorski, Lipscomb, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Thompson and Whittow—13.

Absent or not voting—None.

So the bill was indefinitely postponed.

By request of Senator Johnson, with unanimous consent, all actions of the senate with the exception of **Assembly Bill 570** were ordered immediately messaged.

By request of Senator Johnson, with unanimous consent, the senate recessed until 1:30 P.M.

12:05 P.M.

RECESS

1:30 P.M.

The senate reconvened.

Upon motion of Senator Johnson, with unanimous consent, the senate returned to the third, fourth, sixth, eighth, and ninth orders of business.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 55

Relating to consideration of matters pending in the senate.

Resolved by the senate, That in accordance with sub. (6) of 1971 **Senate Joint Resolution 21**, as affected by 1971

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Senate Joint Resolution 103, all matters under consideration by the senate, or referred to any senate or joint committee or laid on the table in the senate, shall be continued for further consideration after the recess of Floorperiod III; and, be it further

Resolved, That the foregoing recital shall be deemed an enumeration on behalf of the senate of all matters for continued consideration of the senate.

By Senators Johnson and Risser.
Read.

By request of Senator Johnson, with unanimous consent, **Senate Resolution 55** was considered for action at this time.

By request of Senator Johnson, with unanimous consent, **Senate Resolution 55** was laid aside.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 838

Relating to creating a local government revenue resource committee and a council on municipal accounting, and providing for uniform local accounting.

By Senators Steinhilber, Knutson, Swan, Thompson, Devitt, McKenna, Dorman, Lotto, Soik, Johnson and Chilsen.
To joint committee on Finance.

Senate Bill 839

Relating to the submittal of revised school district tax needs.

By Senator Heinzen.
To committee on Education.

Senate Bill 840

Appropriating funds for University of Wisconsin system faculty salary increases during the period prior to the wage freeze.

By Senator Heinzen.
To joint committee on Finance.

PETITIONS AND COMMUNICATIONS

Senate Petition 236

A petition by 25 citizens of the 32nd Senatorial District in opposition to the proposal to transfer funds from the gas tax fund to the general fund.

Introduced by Senator Knutson.

Read and referred to committee on Transportation.

Senate Petition 237

A petition by 15 members of the Wisconsin Society of Professional Engineers supporting **Senate Bill 709**.

Introduced by Senator Knutson.

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

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:

Motion Under Joint Rule 26:

A joint certificate of Congratulations by Representatives Jackamonis and W. A. Johnson; co-sponsored by Senators Lipscomb and McKenna for Gilbert Brunner on his retirement.

Amended and concurred in as amended:

Senate Bill 558 (assembly amendment 1 adopted)

MESSAGE FROM THE ASSEMBLY CONSIDERED

Motion Under Joint Rule 26:

A joint certificate of Congratulations by Representatives Jackamonis and W. A. Johnson; co-sponsored by Senators Lipscomb and McKenna for Gilbert Brunner on his retirement.

Read and concurred in.

Senate Bill 558

Assembly amendment 1 pending.

By request of Senator Johnson, with unanimous consent, Senate Bill 558 was laid on the table.

MOTIONS

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Miss Gladys Llewelyn Walsh of Madison, a firm believer in grass-roots democracy and active participant in state government since her first appearance before a legislative committee some 40 years ago, earned recognition as a "people's lobbyist", defender of women's rights and opponent of undeclared wars long before her positions became popular rallying points; and

Whereas, Miss Walsh, who served as secretary to many prominent Madison attorneys and an attorney general, maintains the keen interest in the law that won her acclaim "the patron saint of the Wisconsin constitution", and at one time brought her close to admission to the bar; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Keppler, under Joint Rule 26, do hereby commend Miss Gladys Walsh for her sincere, vigorous and continuing interest in the laws and government of this state.

By request of Senator Swan, with unanimous consent, the entire membership of the senate was made a co-author of the motion under Joint Rule 26.

By request of Senator Keppler, with unanimous consent, Gladys Walsh addressed the membership of the senate.

By request of Senator McKenna, with unanimous consent, Assembly Joint Resolution 31 was considered for action at this time.

Assembly Joint Resolution 31

A joint resolution to amend article VII, section 13 of the constitution, relating to removal by address of county and municipal court judges (1st consideration).

Read a second time.

Ordered to a third reading.

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

Assembly Joint Resolution 31

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

Ayes—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, Riser, Roseleip, Schuele, Soik, Steinhilber, Swan and Whittow—31.

Noes—Senator Lipscomb—1.

Absent or not voting—Senator Thompson—1.

So the resolution was concurred in.

Ordered immediately messaged.

Upon motion of Senator LaFave the senate recessed until 3:15 P.M.

2:10 P.M.

RECESS

3:15 P.M.

The senate reconvened.

President pro tempore of the senate in the chair.

By request of Senator Krueger, with unanimous consent, **Senate Bill 765** was withdrawn from committee on Natural Resources and referred to joint committee on Finance.

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By request of Senator Johnson, with unanimous consent, **Senate Resolution 55** was taken from the table and considered for action at this time.

The question was: **Adoption of Senate Resolution 55?**
Senate Resolution 55 adopted.

Senator Johnson moved that the following pieces of legislation be made special orders of business one minute apart beginning at 4:00 P.M.: **Assembly Bill 1407, Assembly Bill 1415**, the appointments of **John Q. Radcliffe, John C. Zinos, Morris Slavney, Raymond Theisen, Abe Alk, Thomas Armstrong, and D. Jack Myers, Senate Bill 378, Senate Bill 784, and Senate Bill 377.**

Senator Parys 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, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—33.**

Absent—None.

The ayes and noes were demanded and the vote was: ayes, 31; noes, 2; absent or not voting, 0; as follows:

Ayes—Senators **Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—31.**

Noes—Senators **Parys and Peloquin—2.**

Absent or not voting—None.

So the motion prevailed.

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Senator Johnson asked unanimous consent that **Senate Bill 8** be taken from the calendar and considered for action at this time.

Senator Lorge objected.

Senator Johnson asked unanimous consent that **Senate Bill 49** be taken from the calendar and considered for action at this time.

Senator Lorge objected.

By request of Senator Johnson, with unanimous consent, **Senate Bill 154** was considered for action at this time.

Senate Bill 154

Relating to disposal of abandoned motor vehicles.

Read.

The question was: Adoption of senate amendment 1 to assembly amendment 2 to **Senate Bill 154**?

Senate amendment 1 to assembly amendment 2 adopted.

By request of Senator Kendziorski, with unanimous consent, senate amendment 2 to assembly amendment 2 was withdrawn and returned to the author.

The question was: Concurrence in assembly amendment 2?

Assembly amendment 2 concurred in as amended.

Ordered immediately messaged.

By request of Senator Johnson, with unanimous consent, **Senate Bill 188** was considered for action at this time.

Senate Bill 188

Relating to return payment of liquor tax.

Read.

The question was: Concurrence in assembly amendment 1?

Assembly amendment 1 concurred in.

Ordered immediately messaged.

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By request of Senator Johnson, with unanimous consent, Senate Bill 437 was considered for action at this time.

By request of Senator Lorge, with unanimous consent, Senate Bill 437 was laid aside.

By request of Senator Johnson, with unanimous consent, Senate Bill 187 was considered for action at this time.

Senate Bill 187

**Relating to exempting cemetery lots from transfer fees.
Read.**

The question was: Concurrence in assembly substitute amendment 1 ?

Assembly substitute amendment 1 concurred in.

By request of Senator Johnson, with unanimous consent, Senate Bill 345 was considered for action at this time.

Senate Bill 345

Relating to the real estate transfer fee and land contracts and agreements to purchase.

Read.

The question was: Concurrence in assembly substitute amendment 1 ?

Assembly substitute amendment 1 concurred in.

By request of Senator Johnson, with unanimous consent, Senate Bill 87 was considered for action at this time.

Senate Bill 87

**Relating to the guaranty on credit union share holdings.
Read.**

The question was: Concurrence in assembly amendment 2 ?

Assembly amendment 2 concurred in.

Senator Bidwell brought the chair's attention to Assembly Bill 1407 which was a special order of business.

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By request of Senator Johnson, with unanimous consent, Assembly Bill 1415 which was a special order of business was considered for action at this time.

Assembly Bill 1415

To permit disabled veterans from the Great Lakes Naval Hospital to hunt pheasant on one day in November 1971, without a license.

Read a second time.

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 1415

Read a third time and concurred in.

Senator Johnson brought the chair's attention to the governor's appointments which were a special order of business.

Senator Hollander in the chair.

4:15 P.M.

Radcliffe, John Q., of Madison, as Highway Safety Co-ordinator, to succeed C. Dean Van Gorden, to serve at the pleasure of the Governor.

Read.

The question was: Confirmation of the appointment?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, 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—33.

Noes—None.

Absent or not voting—None.

So the appointment was confirmed.

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Senator Parys asked unanimous consent that the appointment of John C. Zinos be laid aside.

Senator Schuele objected.

By request of Senator Parys, with unanimous consent, the appointment of John C. Zinos was laid on the table.

By request of Senator Johnson, with unanimous consent, the remaining appointments were considered en masse.

Slavney, Morris, of Madison, as a member of the Employment Relations Commission, to serve for a term ending March 1, 1977.

Theisen, Raymond J., of Eau Claire, as a member of the Credit Union Review Board, to succeed Carl H. Steinhardt, to serve for a term ending May 1, 1976.

Alk, Abe, of Green Bay, as a member of the Accounting Examining Board to succeed Donald Gill, to serve for a term ending July 1, 1976.

Armstrong, Thomas, of Watertown, as a member of the Watchmaking Examining Board, to succeed W. Eben Greaton, to serve for a term ending July 1, 1975.

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

The question was: Confirmation of the appointments?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, 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—33.

Noes—None.

Absent or not voting—None.

So the appointments were confirmed.

Senator Johnson brought the chair's attention to Senate Bill 378 which was a special order of business.

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Senate Bill 378

Relating to the duty of the department of justice to act as a party or intervene in any lawsuit involving air or water quality, when necessary to protect the state's resources.

Read a second time.

Senator Johnson moved that the bill be ordered to a third reading.

By request of Senator Soik, with unanimous consent, **Senate Bill 378** was referred to joint committee on Finance.

By request of Senator Johnson, with unanimous consent, **Senate Bill 378** was withdrawn from joint committee on Finance and considered for action at this time.

Senator Kendziorski in the chair.

4:30 P.M.

Senate amendment 1 to **Senate Bill 378** offered by Senator Soik.

Senate amendment 1 adopted.

Senate amendment 2 to **Senate Bill 378** offered by Senators Lorge and LaFave.

Senator Krueger moved rejection.

Senator Whittow moved indefinite postponement of **Senate Bill 378**.

The ayes and noes were demanded and the vote was: ayes, 5; noes, 28; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Frank, Kendziorski, Roseleip and Whittow—5.

Noes—Senators Busby, Chilsen, Cirilli, Devitt, Dorman, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Schuele, Soik, Steinhilber, Swan and Thompson—28.

Absent or not voting—None.

The motion did not prevail.

President pro tempore of the senate in the chair.

4:55 P.M.

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The question was: Rejection of senate amendment 2 to Senate Bill 378?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Chilsen, Cirilli, Devitt, Dorman, Frank, Johnson, Keppler, Knowles, Krueger, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Thompson and Whittow—21.

Noes—Senators Busby, Heinzen, Hollander, Kendziorski, Knutson, LaFave, Lipscomb, Lorge, Lotto, Murphy, Steinhilber and Swan—12.

Absent or not voting—None.

The motion prevailed.

Senate amendment 3 to Senate Bill 378 offered by Senator Whittow.

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

The chair ruled the point of order well taken.

By request of Senator Whittow, with unanimous consent, senate amendment 3 to Senate Bill 378 was withdrawn and returned to the author.

Senate Bill 378

Ordered to a third reading.

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

Senate Bill 378

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 2; absent or not voting, 1; as follows:

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

Noes—Senators Bidwell and Roseleip—2.

Absent or not voting—Senator Cirilli—1.

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So the bill passed.

Ordered immediately messaged.

Senator Johnson brought the chair's attention to **Senate Bill 784** which was a special order of business.

Senate Bill 784

Relating to regulation of franchise investment by the commissioner of securities, granting rule-making authority, providing penalties and making an appropriation.

Read a second time.

LEAVE OF ABSENCE

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

By request of Senator Hollander, with unanimous consent, **Senate Bill 784** was referred to joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 784** was withdrawn from joint committee on Finance and considered for action at this time.

By request of Senator Johnson, with unanimous consent, **Senate Bill 784** was laid on the table.

Senator Johnson called the chair's attention to **Senate Bill 377** which was a special order of business.

Senate Bill 377

Relating to including assistant and deputy fire marshals under the Wisconsin retirement fund.

Read a second time.

By request of Senator Hollander, with unanimous consent, **Senate Bill 377** was referred to joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 377** was withdrawn from joint committee on Finance and considered for action at this time.

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Senate Bill 377

Ordered to a third reading.

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

Senate Bill 377

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 1; absent or not voting, 2; as follows:

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

Noes—Senator Knutson—1.

Absent or not voting—Senators Cirilli and Roseleip—2.

So the bill passed.

Ordered immediately messaged.

LEAVE OF ABSENCE

By request of Senator Bidwell, with unanimous consent, he was granted a leave of absence for Thursday, October 28.

By request of Senator Busby, with unanimous consent, **Assembly Bill 1407** was considered for action at this time.

Assembly Bill 1407

Relating to cooperation between sanitary districts.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 1407

Read a third time and concurred in.

By request of Senator Swan, with unanimous consent, all actions were ordered immediately messaged.

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

AMENDMENTS OFFERED

Senate amendment 2 to **Assembly Bill 210** by Senator Parys.

Senate amendment 1 to **Senate Bill 698** by Senator La-Fave.

Senate amendment 1 to **Senate Bill 784** by Senator Johnson.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 106

Directing a legislative Council study to suggest revision and recodification of the regulation of cosmetologists and barbers.

By Senators Devitt, Heinzen, Roseleip, Schuele, Steinhilber, Soik and Cirilli; co-sponsored by Representatives Molinaro, Quinn, Miller, Bolle, Kafka, Baldus, O'Malley, Lewison, Wilger, Boeckmann, T. G. Thompson, Orlich and Grover.

Read and referred to committee on Health and Social Services.

BILLS INTRODUCED

Senate Bill 841

Relating to authorizing recertifications of school budgets and providing assistance to former excess aid districts.

By Senators Devitt, Roseleip, Steinhilber, Murphy, La-Fave, Knutson, Keppler, Chilsen, Heinzen, Johnson, Schuele, Cirilli, Lipscomb, Bidwell and Lotto.

Read first time.

By request of Senator Johnson, with unanimous consent, the bill was laid on the table.

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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 concurred in:

Senate amendment 4 to Senate Bill 805

Passed and asks concurrence in:

Assembly Bill 1426

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 1426

Relating to an extension of the 1971 deadline date for school district certification of taxes or budget requests.

By Representatives Jackamonis, Korpela, Mielke, Grover, Berger, Rutkowski, Brown, Roberts, Willkom, Groshek, Hanson, Everson, Boeckmann, Early, Sweda, Slaby, Azim, Quackenbush, Earl, Oberle, Dueholm, Looby, Mittness, Quackenbush, Earl, Oberle, Grover, Dueholm, Looby, Mittness, Duren, Molinaro, Alberts, Anderson, Atkinson, Barbee, Bolle, Bradley, Bultman, Byers, Conradt, Conta, Czerwinski, Day, Dorff, Ellis, Ferrall, Froehlich, Gaulke, Guiles, Hanna, Helgeson, Hephner, Huber, Jackson, G. K. Johnson, W. A. Johnson, Jones, Kafka, Kessler, Kleczka, Klicka, Lewison, Menos, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Miller, Mohn, Nager, O'Malley, Oestreicher, Orlich, Otte, Pabst, Quinn, Rogers, Sanasarian, Schneider, Schwalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicula, Stack, Stalbaum, Swoboda, R. M. Thompson, T. G. Thompson, Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger and Baldus; co-sponsored by Senators Thompson and Lipscomb.

Read first time.

By request of Senator Johnson, with unanimous consent, **Assembly Bill 1426** was placed on the table.

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MOTIONS

By request of Senator Murphy, with unanimous consent, **Senate Bill 778** was withdrawn from the calendar and referred to joint committee on Finance.

By request of Senator LaFave, with unanimous consent, **Assembly Bill 646** was withdrawn from the calendar and referred to the committee on Transportation.

By request of Senator Johnson, with unanimous consent, **Senate Bill 841** was made a special order of business at 10:00 A.M., Thursday, October 28 and **Assembly Bill 1426** was made a special order of business at 10.01 A.M. Thursday, October 28.

Senator Johnson moved that **Senate Bill 558** be made a special order of business at 10:02 A.M. on Thursday, October 28.

Senator Peloquin moved to table the motion.

The ayes and noes were demanded and the vote was: ayes, 9; noes, 23; absent or not voting, 1; as follows:

Ayes—Senators Frank, Kendziorski, Lipscomb, Lourigan, Martin, Parys, Peloquin, Schuele and Thompson—9.

Noes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, McKenna, Murphy, Risser, Soik, Steinhilber, Swan and Whittow—23.

Absent or not voting—Senator Roseleip—1.

The motion did not prevail.

Senator Peloquin moved that **Senate Bill 558** be made a special order of business at 3:00 P.M. on Thursday, October 28.

Senator Johnson moved to table the motion.

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, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Louri-

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gan, Murphy, Risser, Soik, Steinhilber and Swan—22.

Noes—Senators Dorman, Frank, Lipscomb, McKenna, Martin, Parys, Peloquin, Schuele, Thompson and Whittow—10.

Absent or not voting—Senator Roseleip—1.

The motion prevailed.

By request of Senator Heinzen, with unanimous consent, Senate Bill 558 was made a special order of business at 1:30 P.M., Thursday, October 28.

Upon motion of Senator Keppler the senate adjourned until Thursday, October 28.

6:05 P.M.

INTRODUCTION OF GUESTS

Senators Schuele and Soik introduced the American Government Class from John Marshall High School with Mr. Dubrin, Mr. Barczak, Mrs. Arbiture and Miss Busche, Milwaukee, Wisconsin.

Senator Murphy introduced Miss Nancy O'Neil, Brookfield, Wisconsin.

Senator Keppler introduced Mr. and Mrs. Dale Wingender and daughters Barbara and Donna, Sheboygan, Wisconsin.

Senator Dorman introduced Mr. and Mrs. Tristram Richino, Racine, Wisconsin.

Senator Dorman introduced 50 students of Wadeswitz School with Mrs. Long and Mrs. Gunderson, Racine, Wisconsin.

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Senator Knutson introduced Sanford Goltz, editor of the La Crosse Tribune.

Senator Busby introduced Mrs. Joseph Romais, president of Animal Protection League with Marie Thompson, Wauwatosa, Wisconsin.

Senator Soik introduced Wally Einwald, Miss Tomei and Miss Irene Hildebrand, Milwaukee, Wisconsin.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 33,
Senate Bill 80,
Senate Bill 111,
Senate Bill 169,
Senate Bill 222,
Senate Bill 248,
Senate Bill 349,
Senate Bill 372,
Senate Bill 399,
Senate Bill 501 and
Senate Bill 570.

Correctly enrolled and presented to the Governor on Tuesday, October 26, 1971.