

STATE OF WISCONSIN

Senate Journal

Eightieth Session

THURSDAY, July 13, 1972.

11:00 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 Raymond D. Robinson, Retired Methodist Minister of Madison, 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 Risser, with unanimous consent, Senators Kendziorski and Lipscomb were granted a leave of absence for the balance of Thursday's and Friday's sessions.

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

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

Absent—None.

Absent with leave—Senators Kendziorski and Lipscomb
—2.

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AMENDMENTS OFFERED

Senate amendment 1 to Senate Bill 943 by Senator Knowles, by request of Representatives Early, Mohn and Dueholm.

COMMITTEE REPORTS

The committee on Natural Resources reports and recommends:

The appointment by the Governor of Robert Cook, of Green Bay, as a member of the Pesticide Advisory Council, to serve for a term ending July 1, 1975.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Lawrence Dahl, of Big Falls, as a member of the Board of Natural Resources, to succeed Gerard Rohlich, to serve for a term ending May 1, 1977.

Confirmation; Ayes, 4; Noes, 1.

The appointment by the Governor of Jack Armstrong, of Eagle River, as a member of the Snowmobile Recreational Council, to serve for a term ending May 1, 1973.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Mrs. Carol Diggelman, of Milwaukee, as a member of the Snowmobile Recreational Council, to serve for a term ending May 1, 1975.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Steve Henry, of Chippewa Falls, as a member of the Snowmobile Recreational Council, to serve for a term ending May 1, 1974.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Frank Hirsch, of Medford, as a member of the Snowmobile Recreational Council, to serve for a term ending May 1, 1974.

Confirmation; Ayes, 5; Noes, 0.

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The appointment by the Governor of Bernard Hundt, of Bangor, as a member of the Snowmobile Recreational Council, to serve for a term ending May 1, 1974.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Norman Knoll, of Argonne, as a member of the Snowmobile Recreational Council, to serve for a term ending May 1, 1973.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Professor Paul W. Lukens, Jr., of Superior, as a member of the Snowmobile Recreational Council to serve for a term ending May 1, 1973.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Mrs. Kay McIlree, of Oshkosh, as a member of the Snowmobile Recreational Council, to serve for a term ending May 1, 1973.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Ernie Meress, of Marshfield, as a member of the Snowmobile Recreational Council, to serve for a term ending May 1, 1973.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Al Pauls, of Madison, as a member of the Snowmobile Recreational Council, to serve for a term ending May 1, 1975.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Professor John W. Pendleton, of Madison, as a member of the Snowmobile Recreational Council, to serve for a term ending May 1, 1974.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Professor Orrin J. Rongstead, of Middleton, as a member of the Snowmobile Recreational Council, to serve for a term ending May 1, 1975.

Confirmation; Ayes, 5; Noes, 0.

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The appointment by the Governor of Richard D. Skruk-rud, of Wausau, as a member of the Snowmobile Recrea-tional Council, to serve for a term ending May 1, 1975.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Mrs. Kay Smith, of Wausau, as a member of the Snowmobile Recreational Council, to serve for a term ending May 1, 1975.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Frederick J. Wen-zel, of Marshfield, as a member of the Snowmobile Recrea-tional Council, to serve for a term ending May 1, 1974.

Confirmation; Ayes, 5; Noes, 0.

CLIFFORD W. KRUEGER,
Chairman.

The committee on Education reports and recommends:

The appointment by the Governor of John M. Lavine, of Chippewa Falls, as a member of the Board of Regents of the University of Wisconsin System, to serve for a term ending May 1, 1979.

Confirmation; Ayes, 5; Noes, 0.

RAY F. HEINZEN,
Chairman.

The joint committee on Revisions, Repeals and Uniform Laws reports and recommends:

Senate Bill 943

An act to renumber, amend, repeal and recreate, reenact and create various provisions of the statutes for the pur-pose of correcting errors, supplying omissions, clarifying language, correcting references, renumbering for better lo-cation and arrangement, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

Passage; Ayes, 3; Noes, 0.

NILE W. SOIK,
Chairman.

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The committee on Committees reports and recommends:

Pursuant to Section 15.917 (1) of Chapter 236, Laws of 1971, the committee on Committees hereby appoints the following senator to the Adult Education Center Council:

Senator Walter G. Hollander

GERALD D. LORGE,

Chairman.

REUBEN LaFAVE

WALTER G. HOLLANDER

Read and adopted.

The committee on Committees reports and recommends:

Pursuant to Section 15.227 (5) (c) known as Chapter 271, Laws of 1971, the committee on Committees hereby appoints the following senators to the Council on Child Labor:

Senator Roger Murphy

Senator Ronald G. Parys

GERALD D. LORGE,

Chairman.

REUBEN LaFAVE

WALTER G. HOLLANDER

By request of Senator Risser, with unanimous consent, the appointments to the Council on Child Labor were laid aside.

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Claims Board

June 27, 1972.

Mr. William P. Nugent
Senate Chief Clerk
State Capitol
Madison, Wisconsin 53702

Dear Mr. Nugent:

Enclosed is a copy of the report and recommendation of the State Claims Board covering claims heard on June 5, 1972.

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The amount recommended for payment on the claim included in this report has, therefore, under the provisions of s. 16.007, Wisconsin Statutes, been paid directly by the Board.

This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the journal to inform the members of the Legislature as to the nature of the claims which come before it for consideration.

Sincerely,

DONALD STERLINSKE,
Secretary.

BEFORE THE CLAIMS BOARD OF WISCONSIN

Hearings were held at Madison, Wisconsin on June 5, 1972, upon the following claims:

<i>Name of Claimant</i>	<i>Amount of Claim</i>
1. Arthur W. Guden, Sr. -----	\$ 1,413.95
2. American Employers Ins. Co. -----	23,072.00
3. James & Deborah Marquardt -----	50,000.00
4. Citizens National Bank & Trust, (Special Administrator, Estate of George Peterson) -----	1.67
5. C. J. Koenig Co. Inc. -----	17,250.00
6. Robert O. Neumann -----	12.00
7. Mary Jo, Wayne J. and Helen Leary --	7,500.00

THE BOARD FINDS:

1. *Arthur W. Guden, Sr.*

Arthur W. Guden, Sr. claims \$1,413.95 for expenses incurred in excess of his insurance coverage, in treating injuries received on November 15, 1965. The injuries allegedly resulted from the bolting of claimant's horses which were frightened by a state highway patrol car siren and which, consequently, caused the claimant to be struck by machinery the horses were pulling. The Board concludes that there is insufficient evidence of negligence on the part of officers,

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agents or employees of the State and that the claim is not one for which the State is legally liable, and not one which on equitable principles the State should assume and pay.

2. *American Employers Ins. Co.*

American Employers Ins. Co. claims \$23,072.00 for monies paid to the estate of its insured, Sylvester J. Jurgella, Jr., who was killed upon striking a culvert on "Old Highway 51" near Mosinee, Wisconsin, on August 13, 1971. Claimant alleges the culvert was unmarked and hidden from the view of the deceased. The Board concludes that since the road in question was no longer a State highway at the time of the accident in question, no officer, agent or employee of the State could be negligent in maintenance of the road and that, consequently, the claim is not one for which the State is legally liable, nor one which on equitable principles the State should assume and pay.

3. *James & Deborah Marquardt.*

James & Deborah Marquardt claim \$50,000.00 for the loss of society, companionship and support of their father, Howard G. Marquardt, who on September 11, 1971, was killed while driving his automobile on Highway 141 in Milwaukee County, when he entered the divided highway in the wrong lane and struck two other automobiles. Claimants allege the State was negligent in maintaining warning signs at the intersection where the deceased entered the highway, by allowing improper, misleading and confusing signs to stand. The Milwaukee Medical Examiner's office determined that the deceased's blood alcohol content by weight was 0.25% or 0.10% over the minimum for establishing prima facie evidence of being under the influence of an intoxicant, as provided by sec. 885.235 (1) (c), Stats. Investigation of the scene two days after the accident showed that there was an ample number of directional and warning signs at the intersection in question. The Board concludes the claim is not one for which the State is legally liable, that there is no showing of negligence on the part of any officer, agent or employee of the State, and that the claim is not one the State should assume and pay on equitable principles.

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4. *Citizens National Bank & Trust,
(Special Administrator, Estate of George Peterson).*

Citizens National Bank, as special administrator of the estate of George Peterson claims \$1.67 for reimbursement of a check in like amount drawn upon the State's general fund. The check was dated June 13, 1962, and is identified as check no. 6031098. The claimant is unable to cash this check. The Board concludes the claim for \$1.67 is one which on equitable principles the State should assume and pay.

5. *C. J. Koenig Co. Inc.*

C. J. Koenig Co., Inc. claims \$17,250.00 for monies in a like amount withheld as liquidated damages arising from delays by the claimant in its performance of three bridge painting contracts made with the State Department of Transportation and which were approved by the Governor on April 9, 1970. The amounts withheld were computed pursuant to section 108.8 of the Standard Specifications for Road and Bridge Construction. These Specifications were incorporated into each of the contracts. Claimant alleges that the State is unable to show substantial damages and that, consequently, the monies withheld were in the nature of a penalty rather than liquidated damages. Here, the intent of the parties to consider the sum withheld as liquidated damage is readily apparent from section 108.8 of the Standard Specifications, entitled "Liquidated Damages." It provides that if the contractor fails to complete the work on time, a certain sum should be withheld and that:

"This sum shall be considered and treated not as a penalty but as fixed, agreed and liquidated damages due the State from the contractor by reason of inconvenience to the public, added cost of engineering and supervision, maintenance of detours and other items which have caused an expenditure of public funds resulting from his failure to complete the work within the time specified in the contract."

There has been no showing that the "stipulated damages" are "grossly excessive" or "have no relation" to the actual damages. Supervisory salaries for services performed after the agreed upon completion dates totalled \$12,185.97. Consequently the Board concludes that the State is not legally liable to the claimant, nor is the claim one

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which the State should assume and pay on equitable principles.

6. *Robert O. Neumann.*

Robert O. Neumann claims \$12.00 for re-mounting studded snow tires during a snowstorm occurring after the Department of Transportation's March 15 removal date. However, claimant also states the snowstorm occurred on March 13, 1972, or two days before he was required by Motor Vehicle Department regulation 16.01 to remove his studded tires. The Board concludes that, regardless of whether the date of the snowfall was before or after the removal date, the State is not legally liable for such claim, nor is the claim one which the State should assume and pay on equitable principles.

7. *Mary Jo, Wayne J. and Helen Leary.*

Mary Jo, Wayne J. and Helen Leary claim \$7,500.00 for personal injuries and property loss incurred when the car Mary Jo was driving left a plank bridge on State Highway 145 and overturned on Wednesday, November 3, 1971, at 7:15 A.M. Claimants allege the State was negligent in failing to timely and properly salt the bridge and in failing to install and maintain appropriate warning signs. Mary Jo was familiar with the area. Signs were posted indicating the bridge was slippery where wet. The weather was clear and there had been no recent precipitation, although the morning frost had accumulated on the plank bridge. The Board concludes that the State met its responsibility to maintain the highway in a reasonably satisfactory condition, and that no negligence was shown on the part of any officer, agent or employee of the State, and that the claim is not one the State should assume and pay on equitable principles.

THE BOARD CONCLUDES:

The payment of the following claims should be denied:

Arthur W. Guden, Sr.
American Employers Ins. Co.
James & Deborah Marquardt
C. J. Koenig Co. Inc.
Robert O. Neumann
Mary Jo, Wayne J. and Helen Leary

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The payment of \$1.67 to Citizens National Bank & Trust, Marshfield, Wisconsin (Special Administrator of the Estate of George Peterson) is justified under sec. 16.007 (6), Stats.

Dated at Madison, Wisconsin this 21st day of June, 1972.

WALTER G. HOLLANDER,
Chairman, Senate Committee on
Finance

GEORGE MOLINARO,
Chairman, Assembly Committee on
Finance

DONALD STERLINSKE,
Representative of Secretary of
Administration

ALLEN W. WILLIAMS, JR.
Representative of Governor

ALLAN P. HUBBARD,
Representative of Attorney General

Department of State
State of Florida
The Capitol
Tallahassee 32304

Honorable William P. Nugent
Chief Clerk of the Senate
State Capitol
Madison, Wisconsin 53702

Dear Mr. Nugent:

As directed by the Florida Legislature, I am enclosing a certified copy of Senate Memorial No. 227, adopted in Regular Session 1972. This Memorial makes application to Congress to call a convention to propose a Constitutional amendment relating to the choosing of a presiding officer of the United States Senate.

It will be appreciated if you would bring this to the attention of the legislative leaders at your next session.

kindest regards.

Most cordially,

RICHARD (DICK) STONE.

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Senate Memorial No. 227

A Memorial to the Congress of the United States making application to Congress to call a convention for the sole and exclusive purpose of proposing to the several states a constitutional amendment relating to the choosing of a presiding officer of the Senate.

Read and referred to committee on Judiciary.

By request of Senator Keppler, with unanimous consent, the senate returned to the ninth order of business for the purpose of considering motions under Joint Rule 26.

MOTIONS

MOTIONS UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, after 36 years in the state senate, years when he shifted from the old Progressive party to the GOP, years when his support of liberal and labor measures earned him the title of maverick, the dean of the senate, Allen J. Busby (Rep.-West Milwaukee) is retiring at the age of 72; and

Whereas, he can look back to the days when he played a major role in passing such reforms as the family code, the criminal code and revision of the state judicial systems; and

Whereas, Allen J. Busby came to his decision to step down because he wants to devote more time to personal affairs and his private law practice; now, therefore,

The Members of the Wisconsin Legislature, on the motion of the Entire Membership of the Senate and Representatives Froehlich, Anderson and Earl, under Joint Rule 26, extends hearty congratulations to Senator Allen J. Busby on his 40 years of service in the legislature and the best of good wishes to him on his well-earned retirement.

Read and adopted.

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

Whereas, after serving 14 years in the legislature, the past 8 years in the state senate, Joseph Lourigan, 71, a legislator renowned for his battles on behalf of today's veterans, has announced his retirement; and

Whereas, the Democratic Senator from Kenosha was born and raised in that city and served as president and secretary of auto workers local and 3-term member of the city council; and

Whereas, he was recently cited in a Disabled American Veterans resolution at the state DAV convention for his "devotion, action and convictions" in working for disabled veterans in the legislature; now, therefore,

The Members of the Wisconsin Legislature, on the motion of the Entire Membership of the Senate and Representatives Froehlich, Anderson and Earl, under Joint Rule 26, extend their deepest and most heartfelt good wishes to their colleague, Senator Joseph Lourigan, on the occasion of his well-earned retirement.

Read and adopted.

Upon motion of Senator Keppler the senate recessed until
1:30 P.M.

11:55 A.M.

RECESS

1:30 P.M.

The senate reconvened.

President pro tempore of the senate in the chair.

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

Whereas, Myron P. Lotto (Rep.-Green Bay), after a distinguished 4 years in the state senate, is retiring to seek his political fortunes in a race for Congress; and

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Whereas, a farmer-legislator, "Mike" Lotto is a past president of the Wisconsin County Boards Association, and acquired considerable experience in the legislature, serving as vice-chairman of the Housing and Urban Development committee and of the committee for Review of Administrative Rules, and as a member of the Governmental and Veterans' Affairs committees in the 1971 session; now, therefore,

The Members of the Wisconsin Legislature, on the motion of the Entire Membership of the Senate and Representatives Anderson and Earl, under Joint Rule 26, heartily commend State Senator Myron P. Lotto for his distinguished contributions to the upper house of the legislature.

Read and adopted.

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

Whereas, after 6 years in the state senate, Arthur A. Cirilli (Rep.-Superior) is retiring to assume a new role in public service—that of Douglas County judge; and

Senator Cirilli, 58, was first elected to the upper house of the legislature in 1966, winning re-election in 1970. His distinguished career in the senate included Chairmanship of the Housing and Urban Development committee, and membership on the Judiciary and Legislative Procedures committees in the 1971 session; now, therefore,

The Members of the Wisconsin Legislature, on the motion of the Entire Membership of the Senate and Representatives Froehlich, Anderson and Earl, under Joint Rule 26, heartily commend Senator Arthur A. Cirilli for his distinguished service in the state senate and offer their congratulations and best wishes to him as he dons the robes as Douglas County judge.

Read and adopted.

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

Whereas, Charles D. Gelatt, La Crosse manufacturer and youngest (age 29) person, ever appointed to the Board of

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Regents of the University of Wisconsin, recently celebrated his 25th year as a member of the Board of Regents; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senators Keppler and Knutson and Representative Froehlich, under Joint Rule 26, congratulate Charles D. Gelatt on his 25 years of service on the Board of Regents of the University of Wisconsin.

Read and adopted.

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

Whereas, the pioneers of the lumbering industry established the municipality now known as the city of Eau Claire at the confluence of the Chippewa and Eau Claire Rivers; and

Whereas, the initiative and enthusiasm of the residents of the city of Eau Claire have built a commercial and financial center for a large agricultural area; and

Whereas, the city of Eau Claire has prospered as a result of its imaginative citizens in creating and providing over 8,700 jobs; and

Whereas, the city of Eau Claire has gained recognition as an educational center evidenced by its university and vocational-technical campuses; and

Whereas, the excellent medical facilities of the city of Eau Claire provide a medical center for the surrounding area; and

Whereas, the city of Eau Claire, with U. S. Highways 53, 12, State Trunk 93 together with Interstate 94, is connected to all parts of North America; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Johnson and Representative Looby, under Joint Rule 26, extend to the citizens and the city of Eau Claire their sincere congratulations on the occasion of the city's centennial celebration and express their hopes for the continuation of the progress and prosperity which have exemplified the city of Eau Claire for the last 100 years.

Read and adopted.

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

Whereas, J. R. Satran, 87, of Eagle River, Wisconsin, publisher of the weekly Vilas County News-Review for the past 20 years, died April 23, 1972, at a Rhinelander hospital.

Mr. Satran had been a weekly newspaper editor for more than 50 years, formerly editing the Denmark Press for 34 years. That paper won the 1950 Wisconsin Press Association Sweepstakes Award as the most outstanding weekly in the state.

Born in Milwaukee in 1884, he moved as a boy to western Minnesota where he first began hand-setting type for the Barrett Lake Breeze weekly newspaper at the age of 11.

In 1950 and 1951, he was joined by his sons, Dan and Bob as they graduated from Marquette University College of Journalism, forming a partnership which in 1952 sold the Denmark Press and bought the News-Review.

In charge of the newspaper printing department and bookkeeping until the age of 75, Mr. Satran went to the office daily until ill health forced his retirement last summer; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Krueger and Representative Gaulke, under Joint Rule 26, extend their sincere condolences to the family of J. R. Satran on the occasion of his passing.

Read and adopted.

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

Whereas, Mrs. Charles (Joan) Dahl, 39, of Viroqua, former Democratic party chairman and secretary-treasurer for Vernon county, was killed in an auto accident on July 6, 1972; and

Whereas, Mrs. Dahl was born August 2, 1932, in Vernon county. She married Charles Dahl, prominent Viroqua druggist, in 1951; and

Whereas, besides her active participation in politics, Mrs. Dahl helped organize the Viroqua Credit Union, and

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had been president of the auxiliary of the Wisconsin Pharmaceutical Association; and

She is survived by her husband, four daughters, Mrs. Edward Anderson, Kristina, Nancy and Sonja, all of Viroqua; a brother, Donald Mortenson of Beloit, her parents and her grandmother, Mrs. Anna Christianson of Viroqua; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Knutson and Representative Lewison, under Joint Rule 26, extend their sincerest condolences to the family of Mrs. Charles (Joan) Dahl on the occasion of her untimely passing.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Harold G. (Shorty) Johnson, 55, of 126 8th avenue N., Onalaska, city clerk of Onalaska for the past 22 years, died July 4 after a heart attack; and

Whereas, known widely for his outstanding ability and dedication to his work as a public servant, Mr. Johnson was a past master of the Onalaska Lodge 214 F. and A.M., a member of the La Crosse County Republican party and a director of the Onalaska Bank; and

Whereas, he is survived by his widow, Dorothy; a son, Larry of Maitland, Fla.; two sisters, Mrs. Norman Anderson of Galesville, and Mrs. Leif Mahlum of Onalaska; two brothers, William of Onalaska, and Robert of Orlando, Fla.; and a granddaughter; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Knutson and Representative Roberts, under Joint Rule 26, extend their heartfelt condolences to the family of Harold G. Johnson on the occasion of his untimely passing.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, W. Leo Murphy, age 68, chairman of the board

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of the Gateway Transportation Company, La Crosse, and prominent civic leader in La Crosse, died recently after open-heart surgery; and

Whereas, Mr. Murphy began working for the family firm in 1933, and saw it expand its operations to 18 states in the Great Lakes area, to the major cities in the east and to Florida; and

Whereas, he had been president of the Gateway Area Council of Boy Scouts, and was past president of the Wisconsin Motor Carriers Association, the Greater La Crosse Chamber of Commerce and the Wisconsin Motor Carriers Association; and

Whereas, besides his wife, Mary, he leaves three 3 sons, a daughter, a sister, three brothers and several grandchildren; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Knutson and Representative Greider, under Joint Rule 26, offer their deepest sympathy and condolences to the family of W. Leo Murphy on his untimely passing.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Mrs. Elmer R. (Evelyn) Schultz, 63, of 3525 Lakeshore Drive, president of the La Crosse Symphony Orchestra and an active participant in business and community affairs, died July 8, following heart surgery; and

Whereas, Mrs. Schultz was a partner of her husband in the Schultz Distributing Co., and served as secretary and treasurer for four creamery corporations in North and South Dakota, and served as president of the La Crosse Home for Children and on its board of directors, president of the YWCA, the La Crosse Business and Professional Women's Club; and active in numerous other local organizations; and

Whereas, in recognition of her many community activities, she was named Woman of the Month by the Greater La Crosse Chamber of Commerce and the La Crosse Tribune in August 1971; and

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Whereas, she is survived by her husband; one daughter, Mrs. Richard Galstad of Osseo; one sister, Mrs. Vic Lebens of Worthington, Minn., one brother, Henry Kelso of Spirit Lake, Iowa; and five grandchildren; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Knutson and Representatives Greider and Roberts, under Joint Rule 26, extend their heartfelt condolences to the family of Mrs. Elmer R. Schultz on the occasion of her untimely passing.

Read and adopted.

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

Whereas, after 26 years of continuous service, Clintonville Police Chief James Beggs, age 63, will retire on July 31, 1972. He had served with distinction as the Chief of Police for the past 12 years. Chief Beggs is well known throughout the State of Wisconsin for his ability as one of Wisconsin's most effective law enforcement officers and police administrators; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Lorge and Representative Byers, under Joint Rule 26, warmly commend Police Chief James Beggs on his long and faithful service to the police department of the city of Clintonville, and wish him well upon his retirement.

Read and adopted.

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

Whereas, striking, talented Terry Anne Meeuwsen, 23, 5 feet 8 inches and 120 pounds, winner of the Miss Appleton title, was crowned Miss Wisconsin in the state-wide finals at Oshkosh; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Lorge and Representatives Conradt and Froehlich, under Joint Rule 26, heartily congratulate Terry Anne Meeuwsen on her victory in the Wisconsin pageant

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and wish her the best of good luck and godspeed in the forthcoming Miss America contest.

Read and adopted.

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

Whereas, after serving a full decade as judge of Outagamie County Court, Branch 3, from his first election in 1961, Raymond P. Dohr is retiring on July 31, 1972; and

Whereas, a former corporation counsel of Outagamie County, the Appleton judge will now have more time to devote to his lifelong hobby of fishing; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Lorge and Representatives Conradt and Froehlich, under Joint Rule 26, heartily commend Outagamie County Judge Raymond P. Dohr for his distinguished service to bench and bar and wish him well upon his forthcoming retirement.

Read and adopted.

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

Whereas, after serving 20 years on the bench, one of Wisconsin's most active and versatile circuit judges, Judge Andrew W. Parnell of the 10th Judicial Circuit, is retiring on July 31, 1972; and

Whereas, born at Somerset, Wisconsin on March 15, 1902, Judge Parnell earned his law degree from Marquette University in 1927 and practiced law in Appleton from 1931 to 1952; when he was first appointed to the bench by Governor Walter J. Kohler, Jr.; and

Whereas, despite his heavy workload, Judge Parnell found time to write five books on the law, including "Trial Techniques" and "Preparation for Trial". Two of his lifelong interests have been St. Norbert's College at De Pere and the Appleton baseball team, the Fox City Foxes; now, therefore,

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The Members of the Wisconsin Legislature, on the motion of Senator Lorge and Representatives Conradt and Froehlich, under Joint Rule 26, heartily commend Judge Parnell on his lifetime of service to bench and bar and wish him well upon his well-earned retirement.

Read and adopted.

By request of Senator Chilsen, with unanimous consent, Alice in Dairyland, Miss Deborah Kaye Moser, addressed the senate body.

The chair appointed Senators Chilsen and Bidwell to escort Miss Moser to the rostrum.

QUORUM CALL

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

Absent with leave—Senators Kendziorski and Lipscomb
—2.

Upon motion of Senator Keppler the senate recessed until 4:15 P.M.

2:12 P.M.

RECESS

4:15 P.M.

The senate reconvened.

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The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the crash of a passenger airplane in South Vietnam on June 15, 1972 caused the death of Mr. and Mrs. Thomas Kenney and

Whereas, the tragedy took at the same time the lives of four of their children, Kathleen Jo, Mary Jane, Colleen and Daniel and of their good friend Andrew Pick and

Whereas, the loss of these seven lives leaves an unbreachable gap not only in the lives of their families but also in the Community of West Bend where they lived, worked, and to which they all gave so much; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senators McKenna, Hollander and Murphy and Representative Schroeder, under Joint Rule 26, do offer their deepest condolences and sympathy to the surviving members of the Kenney family, and to the family of Andrew Pick and the Community of West Bend.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Gustave J. Keller, a prominent Appleton attorney and judge retired on March 31, 1968 after serving as Outagamie County Judge of Branch 2 since January 2, 1962; and

Whereas, Judge Keller has become well known for his ability to administer justice to the end that his judicial determinations did curtail crime in the State of Wisconsin; and

Whereas Judge Keller has been recognized as one of Wisconsin's leading members of the Judiciary having, on occasion, served as a reserve judge since his retirement; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Lorge and Representatives Conradt and Froehlich, under Joint Rule 26, hereby congratulate Honorable Gustave J. Keller for his distinguished legal and

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judicial career and contributions made to the Wisconsin Judicial System and the people of the State of Wisconsin.

Read and adopted.

President of the senate in the chair.

4:20 P.M.

By request of Senator Keppler, with unanimous consent, the senate returned to the seventh order of business to consider vetoed bills on the July 13th calendar.

EXECUTIVE COMMUNICATIONS

CALENDAR OF JULY 13

Senate Bill 187

Relating to exempting cemetery lots from transfer fees.

Read.

The question was: Shall the bill pass notwithstanding the objection of the Governor?

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, Devitt, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Lourigan, Murphy, Roseleip, Soik, Steinhilber and Swan—21.

Noes—Senators Dorman, Frank, McKenna, Martin, Parys, Risser, Schuele, Thompson and Whittow—9.

Absent or not voting—Senators Kendziorski, Lipscomb and Peloquin—3.

More than two-thirds having voted in the affirmative, the bill passed notwithstanding the objection of the Governor.

By request of Senator Keppler, with unanimous consent, Senate Bill 188 was laid on the table.

By request of Senator Keppler, with unanimous consent, Senate Bill 213 (partial veto) was laid on the table.

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By request of Senator Keppler, with unanimous consent, **Senate Bill 363** was laid on the table.

By request of Senator Keppler, with unanimous consent, **Senate Bill 394** was placed at the foot of the July 14th calendar after **Senate Bill 886**.

By request of Senator Keppler, with unanimous consent, **Senate Bill 805** (partial veto) was laid on the table.

Senator McKenna asked unanimous consent that the clerk be directed to obtain the fiscal effects of the line vetoes in **Senate Bill 805**.

Senator Johnson objected.

Senator Risser moved that the clerk be directed to obtain the fiscal effects of the line vetoes in **Senate Bill 805**.

By request of Senator Keppler, with unanimous consent, **Senate Bill 805** (partial veto) was taken from the table and placed at the foot of the July 14th calendar following **Senate Bill 394**.

By request of Senator Keppler, with unanimous consent, **Assembly Bill 734** was placed at the foot of the July 14th calendar following **Senate Bill 805**.

By request of Senator Keppler, with unanimous consent, the veto bills on the calendar of July 14th were considered for action at this time.

CALENDAR OF JULY 14

By request of Senator Keppler, with unanimous consent, **Senate Bill 53** (partial veto) was laid on the table.

Senate Bill 195

Relating to public information relating to applicants and recipients of aid to families with dependent children and other public assistance grants.

Read.

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The question was: Shall the bill pass notwithstanding the objection of the governor?

The ayes and noes were required and the vote was: ayes, 27; noes, 4; absent or not voting, 2; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Lourigan, Martin, Murphy, Parys, Peloquin, Roseleip, Schuele, Soik, Steinhilber, Swan and Whittow—27.

Noes—Senators Frank, McKenna, Risser and Thompson—4.

Absent or not voting—Senators Kendziorski and Lipscomb—2.

More than two-thirds having voted in the affirmative, the bill passed notwithstanding the objection of the governor.

President pro tempore of the senate in the chair.
4:50 P.M.

By request of Senator Keppler, with unanimous consent, Senate Bill 232 was placed at the foot of the July 14th calendar following Assembly Bill 734.

Senate Bill 260

Relating to changing the name of the county board of welfare in counties having a population of over 500,000.

Read.

The question was: Shall the bill pass notwithstanding the objection of the governor?

The ayes and noes were required and the vote was: ayes, 28; noes, 3; absent or not voting, 2; as follows:

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

Noes—Senators McKenna, Risser and Thompson—3.

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Absent or not voting—Senators Kendziorski and Lipscomb—2.

More than two-thirds having voted in the affirmative, the bill passed notwithstanding the objection of the governor.

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

LEAVE OF ABSENCE

By request of Senator Swan, with unanimous consent, he was granted a leave of absence for 10:00 A.M., Saturday, July 15, for the balance of the day.

Senator Hollander in the chair.

6:05 P.M.

Senate Bill 296

Relating to establishment of a correctional program for youthful offenders.

Read.

The question was: Shall the bill pass notwithstanding the objection of the governor?

The ayes and noes were required and the vote was: ayes, 26; noes, 5; absent or not voting, 2; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Roseleip, Schuele, Soik, Steinhilber and Swan—26.

Noes—Senators Dorman, Frank, Risser, Thompson and Whittow—5.

Absent or not voting—Senators Kendziorski and Lipscomb—2.

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More than two-thirds having voted in the affirmative, the bill passed notwithstanding the objection of the governor.

Ordered immediately messaged.

By request of Senator Keppler, with unanimous consent, the senate returned to the eighth order of business.

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 167

Passed notwithstanding the objections of the Governor

**Assembly Bill 545,
Assembly Bill 591 and
Assembly Bill 1545.**

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 167

Relating to the life and public service of Earl Warren.

By Representatives Stalbaum, Brown, Ferrall, Molinaro, Dueholm, Dorf, Anderson, Vanderperren and Earl; co-sponsored by Senator Dorman.

Read and adopted by unanimous rising vote.

Ordered immediately messaged.

Assembly Bill 545

Relating to fraudulent use of checks to obtain repaired or purchased merchandise and providing a penalty.

Read and referred to calendar.

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Assembly Bill 591

Relating to applications for general relief and public assistance.

Read and referred to calendar.

Assembly Bill 1545

Relating to legislative approval of rules relating to animal waste treatment.

Read and referred to calendar.

Upon motion of Senator Keppler, the senate adjourned until 10:00 A.M. Friday, July 14.

6:25 P.M.

INTRODUCTION OF GUESTS

Senator Devitt introduced Milwaukee area Young Republicans: Sandy Brown, Doug Hall, Steve Yelanten, Laura Abelt, Richard Hall, Curt Franklin, Alex Thomas, Britt Hall, Maryana Wieczarik and Kathryn Hall.

Senator Soik introduced North Shore suburbs of Milwaukee County area Young Republicans Lynn and Lee Carey, Nancy Newald, Mary Bowen, Joan Zacharias, Kathy Mixter and Barbara R. Barrow.

Senator Murphy introduced Mr. and Mrs. Robert Wermager and family, Elm Grove, Wisconsin.

Senator Risser introduced Mrs. Betty Smith, Madison, Wisconsin.

Senator Roseleip introduced Jim Runde, member of the Wisconsin Board of Agriculture, Don Kulhs, Grant County President of N.F.O., Mrs. Walt Hinderman, Grant County Treasurer of N.F.O., Harry May, Meat Board representative of Iowa County N.F.O., and William A. Baker, Jr., Dairy representative of the Madison Marketing area.