

STATE OF WISCONSIN

Senate Journal

Seventy-Seventh Session

TUESDAY, February 23, 1965.

10:00 o'clock A.M.

The senate met.

The president in the chair.

Prayer was offered by Reverend E. Duane Hulse.

The senate remained standing and recited the Pledge of Allegiance to the Flag of the United States.

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

Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Absent—Senator Miller—1.

LEAVE OF ABSENCE

Senator Miller was granted a leave of absence for this week's session, upon motion of Senator Knowles, with unanimous consent.

INTRODUCTION OF AMENDMENTS

Amendment No. 1, S. to Senate Bill 66 was offered by Senator Sussman.

RESOLUTIONS INTRODUCED

Senate Joint Resolution 33

Relating to an advisory referendum on revisions in the children's code.

By Senator Sussman.

Was read.

The joint resolution was referred to the committee on Judiciary.

Senator Sussman asked unanimous consent that the joint resolution be recalled from the committee on Judiciary and referred to today's calendar.

Senator Zaborski objected.

Senator Sussman moved that the joint resolution be recalled from the committee on Judiciary and referred to today's calendar.

Senator Knowles rose to a point of order that this motion would require a 2/3's vote.

The president ruled the point of order well taken.

Senator Sussman moved that the joint resolution be recalled from the committee on Judiciary and referred to the calendar.

The president announced that the "Noes" appeared to have it.

Senator Sussman secured unanimous consent for a roll call on the foregoing motion.

There were sufficient seconds.

Senate Joint Resolution 33

The question was: Shall the joint resolution be recalled from the committee on Judiciary and referred to the calendar?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 15; absent or not voting, 1; as follows:

Ayes—Senators Benson, Busby, Christopherson, Dempsey, Hansen, Kendziorski, Keppler, LaFave, Leonard, Lourigan, McParland, Meunier, Schreiber, Schuele, Sussman and Thompson—16.

Noes—Senators Bice, Carr, Draheim, Hollander, Knowles,

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Krueger, Leverich, Lorge, Panzer, Rasmusen, Risser, Roseleip, Smith, Warren and Zaborski—15.

Absent or not voting—Senator Miller—1.

So the question was decided in the affirmative.

BILLS INTRODUCED

Senate Bill 173

Giving civil courts exclusive jurisdiction in proceedings against children for traffic violations.

By Senator Lourigan.

Read first time.

To committee on Judiciary.

Senate Bill 174

An act to suspend, for the purpose of calling a special election to fill the vacancy in the office of assemblyman from the 7th assembly district of Milwaukee county, the application of sections 5.29 (1) and (3), 7.01 (3) and 7.04 (1) and (2) of the statutes, and authorizing the governor to set the dates of the filing deadline and primary election for such special election.

By Senator Schreiber.

Read first time.

Senator Schreiber asked unanimous consent that the bill be considered at this time.

Senator Knowles objected.

Senator Schreiber asked unanimous consent that the bill be read at this time.

Senator Lorge objected.

Senator Zaborski moved that the bill be considered at this time and read.

Senator Knowles rose to a point of order that the motion would require a 2/3's vote and was nondebatable.

The president ruled the point of order well taken.

The bill was read, upon motion of Senator Zaborski, with unanimous consent.

Senator Schreiber asked unanimous consent that the bill be considered at this time.

Senator Knowles objected.

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Senator Schreiber had the floor speaking on a point of Personal Privilege.

Senator Knowles rose to a point of order that Senator Schreiber's remarks were not related to Personal Privilege.

The president allowed Senator Schreiber to continue, but held that Senator Schreiber should confine his remarks to himself and not to the question pending.

Senate Bill 174

Senator Zaborski withdrew his motion of considering the bill at this time, with unanimous consent.

Senator Zaborski asked unanimous consent that the bill be made a Special Order for 10:00 o'clock Wednesday morning, February 24.

Senator Knowles objected.

Senate Bill 174

Senator Zaborski moved that the rules be suspended and that the bill be considered at this time.

The ayes and noes were required and the vote was: ayes, 12; noes, 19; absent or not voting, 1; as follows:

Ayes—Senators Benson, Christopherson, Hansen, Kendziorski, Lourigan, McParland, Risser, Schreiber, Schuele, Sussman, Thompson and Zaborski—12.

Noes—Senators Bice, Busby, Carr, Dempsey, Draheim, Hollander, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Meunier, Panzer, Rasmusen, Roseleip, Smith and Warren—19.

Absent or not voting—Senator Miller—1.

The motion did not prevail.

Senator Zaborski asked unanimous consent that the bill be referred to the calendar.

Senator Knowles objected.

Senator Zaborski moved that the bill be referred to the calendar.

Senator Knowles objected.

Senator Zaborski moved that the bill be referred to the calendar.

The president announced that the "Ayes" appeared to have it.

Senator Knowles asked for a division on the question.

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Senator Zaborski requested a roll call.
There were sufficient seconds.

Senate Bill 174

The question was: Shall the bill be referred to the calendar?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 19; absent or not voting, 1; as follows:

Ayes—Senators Benson, Christopherson, Hansen, Kendziorski, Lourigan, McParland, Risser, Schreiber, Schuele, Sussman, Thompson and Zaborski—12.

Noes—Senators Bice, Busby, Carr, Dempsey, Draheim, Hollander, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Meunier, Panzer, Rasmusen, Roseleip, Smith and Warren—19.

Absent or not voting—Senator Miller—1.

So the question was decided in the negative.

The bill was referred to the committee on Governmental and Veterans' Affairs.

Upon motion of Senator Roseleip, with unanimous consent, the senate returned to the 4th order of business.

RESOLUTIONS INTRODUCED

Senate Joint Resolution 34

A joint resolution to create a special interim committee of the legislative council to study statutory provisions relating to programs and services established or needed to provide protection, care and treatment of the mentally ill, mentally deficient and mentally infirm for the purpose of revision and codification of such laws.

By Senators Schreiber, Christopherson and Draheim; co-sponsored by Assemblymen Mato, Iverson, Radcliffe, Barland, Mittness, Terry, Moser, Peloquin and Rogers.

Was read.

To committee on Public Welfare.

Senate Joint Resolution 35

A joint resolution memorializing Congress to prevent the proposed closing of many veterans' hospitals and other veterans' facilities.

By Senators Roseleip, McParland, Sussman, LaFave, Smith and Leverich; co-sponsored by Assemblymen Clemens, Kunde, Kenyon and Mato, by request of Wisconsin Veterans Council.

Was read.

Senator Roseleip asked unanimous consent that the joint resolution be considered at this time.

Senator Zaborski objected.

Senator Zaborski asked unanimous consent that the joint resolution be read.

With unanimous consent, Senator Zaborski withdrew his objection to considering the joint resolution at this time.

There was no further objection.

Senator Zaborski asked unanimous consent that the joint resolution be made a Special Order for 10:00 o'clock Wednesday morning, February 24.

Senator McParland objected.

Senate Joint Resolution 35

Senator Risser moved that the joint resolution be referred to the committee on Governmental and Veterans' Affairs.

The ayes and noes were demanded and the vote was: ayes, 15; noes, 16; absent or not voting, 1; as follows:

Ayes—Senators Benson, Christopherson, Draheim, Hansen, Kendziorski, Keppler, LaFave, Meunier, Risser, Schreiber, Schuele, Sussman, Thompson, Warren and Zaborski—15.

Noes—Senators Bice, Busby, Carr, Dempsey, Hollander, Knowles, Krueger, Leonard, Leverich, Lorge, Lourigan, McParland, Panzer, Rasmusen, Roseleip and Smith—16.

Absent or not voting—Senator Miller—1.

So the motion did not prevail.

SPECIAL ORDER

Senator Busby called the attention of the senate to the Special Order which had been fixed for 10:00 o'clock this morning and to the fact that that hour had arrived.

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The senate proceeded to consider
Senate Joint Resolution 30
Which had been made the Special Order.

Upon motion of Senator Zaborski, with unanimous consent, the senate recessed until 11:55 o'clock this morning.

RECESS

11:55 o'clock A.M.

The senate was called to order by the president.

SPECIAL ORDER, CONTINUED

Senate Joint Resolution 30

A joint resolution relating to an advisory referendum on raising the legal age for the consumption of fermented malt beverages.

Substitute amendment No. 1, S. was offered by Senators McParland, Benson, Schuele and Sussman.

The joint resolution was made a Special Order for 9:00 o'clock Wednesday morning, February 24, upon motion of Senator Knowles, with unanimous consent.

Senate Bill 2

The bill a Special Order for 10:15 o'clock this morning was made a Special Order for 9:15 o'clock Wednesday morning, February 24, upon motion of Senator Knowles, with unanimous consent.

Senate Bill 39

The bill a Special Order for 10:16 o'clock this morning was made a Special Order for 9:16 o'clock Wednesday morning, February 24, upon motion of Senator Knowles, with unanimous consent.

Senate Joint Resolution 35

Senator Knowles asked unanimous consent that the joint resolution be made a Special Order for 9:17 o'clock Wednesday morning, February 24.

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Senator Schreiber objected.

Senator McParland moved that the joint resolution be made a Special Order for 9:17 o'clock Wednesday morning, February 24.

The motion prevailed.

Upon motion of Senator Hollander, with unanimous consent, the senate proceeded to the 7th order of business.

COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

Bill No. —

An act to decrease the amounts of certain appropriations to the public welfare department and to transfer the amounts thereby made available to other appropriations of the public welfare department.

Introduction; Ayes, 12; Noes, 0.

Senate Bill 59

Adoption of amendment No. 1, S.; Ayes, 11; Noes, 0 and passage; Ayes, 11; Noes, 0.

Senate Bill 98

Adoption of amendment No. 1, S.; Ayes, 11; Noes, 1 and passage; Ayes, 11; Noes, 1.

WALTER G. HOLLANDER,
Senate Chairman.

BILLS INTRODUCED

Senate Bill 175

An act to decrease the amounts of certain appropriations to the public welfare department and to transfer the amounts thereby made available to other appropriations of the public welfare department.

By joint committee on Finance.

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Read first time.

To joint committee on Finance.

Senate Bill 59

Was made a Special Order for 10:00 o'clock Thursday morning, February 25, upon motion of Senator Hollander, with unanimous consent.

The committee on Judiciary reports and recommends:

Senate Jt. Resolution —

A joint resolution to amend article VII, section 24 of the constitution, relating to the retirement and eligibility for office and service after retirement of supreme court justices and judges of other courts of record (1st consideration).

Introduction; Ayes, 5; Noes, 0.

Senate Bill —

Relating to revealing the contents of or giving secret scientific or technical processes, information of formulas, and providing a penalty.

Introduction; Ayes, 5; Noes, 0.

Senate Bill —

Relating to the liability of the person who signed the application for license for a person under the age of 18 years.

Introduction; Ayes, 5; Noes, 0.

Senate Bill —

Relating to the county supplement for salaries of county judges.

Introduction; Ayes, 5; Noes, 0.

Senate Bill —

Relating to amortization of nonconforming uses.

Introduction; Ayes, 5; Noes, 0.

Senate Bill —

Relating to clarification of certain procedures in eminent domain actions.

Introduction; Ayes, 5; Noes, 0.

Senate Bill 57

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

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Senate Bill 72

Passage; Ayes, 5; Noes, 0.

Senate Bill 85

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

ALLEN J. BUSBY,
Chairman.

RESOLUTIONS INTRODUCED

Senate Joint Resolution 36

A joint resolution to amend article VII, section 24 of the constitution, relating to the retirement and eligibility for office and service after retirement of supreme court justices and judges of other courts of record (1st consideration).

By committee on Judiciary.

Read first time.

To committee on Judiciary.

BILLS INTRODUCED

Senate Bill 176

Relating to revealing the contents of or giving secret scientific or technical processes, information of formulas, and providing a penalty.

By committee on Judiciary, by request of Metropolitan Milwaukee Association of Commerce and Wisconsin Manufacturers Association.

Read first time.

To committee on Judiciary.

Senate Bill 177

Relating to the liability of the person who signed the application for license for a person under the age of 18 years.

By committee on Judiciary.

Read first time.

To committee on Highways.

Senate Bill 178

Relating to the county supplement for salaries of county judges.

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By committee on Judiciary.
Read first time.
To committee on Judiciary.

Senate Bill 179

Relating to amortization of nonconforming uses.
By committee on Judiciary, by request of the League of Wisconsin Municipalities.
Read first time.
To committee on Governmental and Veterans' Affairs.

Senate Bill 180

Relating to clarification of certain procedures in eminent domain actions.
By committee on Judiciary, by request of the League of Wisconsin Municipalities.
Read first time.
To committee on Governmental and Veterans' Affairs.

Upon motion of Senator Knowles, with unanimous consent, the senate returned to the 4th order of business.

Senate Resolution 14

Relating to the acute parking problem in the vicinity of the Milwaukee state office building.

WHEREAS, there exists an acute shortage of available parking space in the vicinity of the Milwaukee state office building, which shortage is due in part to the extended period of parking now permitted in the metered spaces in that area; and

WHEREAS, the shortage of available parking space in the vicinity of the Milwaukee State office building is particularly acute at income tax paying time when many taxpayers come to the state office building to pay their taxes; and

WHEREAS, this senate realizes how unpleasant the task of paying state income taxes can be and, not wanting to make the task any more unpleasant, wishes instead to do everything in its power to contribute to the convenience of the Wisconsin taxpayers having business at the Milwaukee state office building; now, therefore, be it

Resolved by the senate, That the appropriate officers and agencies of our state co-operate with the city of Milwaukee

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and they are hereby requested to provide to taxpayers, through faster turnover of parked cars, the opportunity to find parking space near said office building.

By Senators Schreiber, Sussman, Schuele, Kendziorski, Zaborski and Busby.

Was read.

To committee on Governmental and Veterans' Affairs.

Upon motion of Senator Knowles, with unanimous consent, the senate returned to the 5th order of business.

BILLS INTRODUCED

Senate Bill 181

Relating to erroneous allocation of income tax revenues.

By Senators Leonard, and Busby; co-sponsored by Assemblyman Lynch, by request of the League of Wisconsin Municipalities.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

Upon motion of Senator Knowles, with unanimous consent, the senate proceeded to the 9th order of business.

EXECUTIVE COMMUNICATIONS

The State of Wisconsin
Executive Office
Madison 53702

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Stanley E. Gilbertson, of Madison, a member of the Public Service Commission, to succeed Leonard Bessman, for the term ending the first Monday in March, 1971.

Respectfully submitted,

WARREN P. KNOWLES,

February 19, 1965.

Governor.

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The foregoing appointment by the Governor was referred to the committee on Labor, Taxation, Insurance and Banking.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint James R. Morgan, as Commissioner of Taxation, to succeed himself, for the term ending July 1, 1971.

Respectfully submitted,

WARREN P. KNOWLES,

February 22, 1965.

Governor.

The foregoing appointment by the Governor was referred to the committee on Labor, Taxation, Insurance and Banking.

To the Honorable, the Senate:

The following bill, originating in the Senate, has been approved, signed and deposited in the office of the Secretary of State.

Senate Bill	Chapter No.	Date Approved
91 -----	1 -----	February 22, 1965

Respectfully submitted,

WARREN P. KNOWLES,

February 22, 1965.

Governor.

Upon motion of Senator Knowles, with unanimous consent, the senate proceeded to the 17th order of business.

ANNOUNCEMENTS

Senator Knowles announced to the senate that February 22nd was a jubilant day for Senator and Mrs. Jerris Leonard occasioned by the arrival of a son weighing 8 pounds,

six ounces and upon motion of Senator Knowles, with unanimous consent, the senate resolved that the adjournment of the senate today would be in honor of the newly arrived son of Senator and Mrs. Jerris Leonard who was named Daniel Joseph Leonard.

GUESTS INTRODUCED

Mr. Paul W. Voegeli from Monticello, Wisconsin and a student at the University of Wisconsin was introduced to the senate by Senator Roseleip.

Senator Rasmusen informed the senate that it is honored by the presence of Mrs. W. A. Burdick from Rice Lake Wisconsin.

Mrs. John G. Ausman from Manitowoc, Wisconsin was introduced to the senate by Senator Meunier.

Mrs. H. L. Sherman from Menasha, Wisconsin was introduced to the senate by Senator Draheim.

Senator Sussman announced to the senate that it is honored by the presence of Mr. Loren Cherny from Milwaukee, Wisconsin.

Upon motion of Senator Knowles, and in honor of the birth on February 22, 1965 of Daniel Joseph Leonard, son of Senator and Mrs. Jerris Leonard, the senate adjourned until 9:00 o'clock Wednesday morning, February 24, 1965.