

STATE OF WISCONSIN

# Senate Journal

## Seventy-Seventh Session

---

WEDNESDAY, March 31, 1965.

10:00 o'clock A.M.

The senate met.

The president in the chair.

Prayer was offered by the Reverend Edward E. Beatty.

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

Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzior-ski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—32.

Absent with leave—Senator Miller—1.

---

### ELECTION OF CHIEF CLERK

Upon motion of Senator Knowles, with unanimous consent, the senate proceeded to the election of a chief clerk.

### STATEMENT—NOMINATING WM. P. NUGENT

Rarely do we have the opportunity to vote for a chief clerk who possesses the experience, training and qualifications as is afforded the senate today—

The man I am about to nominate has a wonderful background of training for the job he seeks.

## JOURNAL OF THE SENATE [March 31, 1965]

He was born on a Marquette County farm. I have known both he and his father, and family, for over 30 years. They are all very honorable people.

He has served as clerk of the High School District for a period of five years.

He has been chairman of his Township, and a member of the Marquette County Board from 1951 to 1958, and has served as chairman of the Marquette County Board during several years of that time.

During the 1941 Sessions of the Legislature, he served as a clerk in the assembly. During the 1945, 1947 and 1949 Sessions he served as record clerk in the senate.

During the 1949 Session, due to the death of his father, he returned to the home farm, after training a new senate record clerk to take his place.

During the years of 1961, 1963, and 1965 he has served as enrolling, journal, and record clerk in the senate with credit and distinction.

He is Fair, He is Honest, He will continue to be Fair and Honest to all.

He is extremely well qualified to take over the job as Chief Clerk of the senate from both training and actual experience; and to succeed our former and most efficient chief clerk, Lawrence R. Larsen, who was admired and respected by all members regardless of party.

It affords me real pleasure to place in nomination the name of William P. Nugent, who I am sure will make an able successor to our late chief clerk.

J. EARL LEVERICH,  
State Senator  
31st District.

March 31, 1965.

Remarks by Senator McParland in seconding the nomination of William P. Nugent.

Mr. William Nugent was in the office of the assembly chief clerk when I entered the assembly in 1941. I came to know him then as always cooperative and fair. It never mattered to which party a person belonged—he would always give you the facts regardless of your party affiliation.

Larry Larsen is a hard man to replace but I sincerely

## JOURNAL OF THE SENATE [March 31, 1965]

believe that Bill Nugent will in time acquire the knowledge of procedure possessed by Larry Larsen and will then, as he is now, be an able replacement for Larry.

LELAND S. McPARLAND,  
Senate Senator  
7th District.

March 31, 1965.

Upon motion of Senator Lorge, with unanimous consent, the foregoing statements by Senator Leverich and McParland were ordered spread upon the journal.

Senator Knowles moved that the nomination be closed.

The motion prevailed.

The roll was called and the vote was as follows:

For Mr. William P. Nugent—Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Dorman, 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 Zaboriski—32.

Absent or not voting—Senator Miller—1.

Mr. William P. Nugent was declared elected and he came before the rostrum and took the oath of office which was administered by the president.

The chief clerk addressed the senate briefly, thanking the members for their selection.

To the Honorable Senate:

I hereby appoint Head Record Clerk Jerome N. Meyer as assistant Chief Clerk of the Senate, pursuant to section 13.10 of the Statutes, Senate Rule 6 and Joint Rule 27, giving him all powers as provided in said rules, and to perform my duties in my absence.

Yours very truly,

WILLIAM NUGENT,  
Chief Clerk, Senate.

March 31, 1965.

Mr. Meyer came before the rostrum to take the oath of office which was administered by the president.

## JOURNAL OF THE SENATE [March 31, 1965]

Mr. Meyer availed himself of this opportunity to express his sincere thanks for his selection and appointment.

Senator Knowles asked unanimous consent that the appointment by the Governor of Charles F. Smith, of Wausau, a member of the State Conservation Commission, to succeed himself, for the term ending July 27, 1969, be taken from the calendar of Tuesday, March 30th and considered at this time.

Senator Kendzierski objected.

Upon motion of Senator Knowles, with unanimous consent, the appointment by the Governor of Charles F. Smith, of Wausau, a member of the State Conservation Commission, to succeed himself, for the term ending July 27, 1969, was taken from the calendar of Tuesday, March 30th and made a Special Order for 9:00 o'clock Thursday morning, April 1st.

---

Upon motion of Senator Knowles, with unanimous consent, the senate recessed until 10:45 o'clock this morning.

---

RECESS

10:45 o'clock A.M.

The senate was called to order by the president.

---

Upon motion of Senator Knowles, with unanimous consent, the appointment by the Governor of Joseph F. Fagan, of Thiensville, a member of the Industrial Commission of Wisconsin, to succeed Mathias F. Schimenz, for the term ending June 1, 1965, and for the full term ending June 1, 1971, was taken from the calendar of Tuesday, March 30th and considered at this time.

The question was: Shall the appointment by the Governor of Joseph F. Fagan, of Thiensville, a member of the Industrial Commission of Wisconsin, to succeed Mathias F.

## JOURNAL OF THE SENATE [March 31, 1965]

Schimenz, for the term ending June 1, 1965, and for the full term ending June 1, 1971 be confirmed?

Senator Zaborski 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 Bice, Busby, Carr, Christopherson, Dempsey, Dorman, 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 Benson—1.

Absent with leave—Senator Miller—1.

---

Upon motion of Senator Risser, with unanimous consent, the senate proceeded to the 11th order of business.

### MOTIONS

Senator Risser moved that pursuant to Joint Rule 32, the chief clerk be directed to procure 2,000 additional copies of Senate Bill 310.

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

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

Noes—Senator Lorge—1.

Absent or not voting—Senator Miller—1.

So the motion prevailed.

Ordered immediately messaged to the assembly.

## JOURNAL OF THE SENATE [March 31, 1965]

Senator Schreiber asked unanimous consent to return to the 5th order of business.

Senator Rasmusen objected.

---

### MOTIONS CONTINUED

#### **Senate Bill 12**

Was recalled from the joint committee on Finance and referred to the calendar, upon motion of Senator Hollander, with unanimous consent.

#### **Senate Bill 153**

The bill on the calendar of Thursday, March 25th, was re-referred to the committee on Governmental and Veterans' Affairs, upon motion of Senator Bice, with unanimous consent.

#### **Senate Bill 314**

Was recalled from the committee on Governmental and Veterans' Affairs and referred to the committee on Public Welfare, upon motion of Senator Rasmusen, with unanimous consent.

#### **Senate Bill 316**

Was recalled from the committee on Governmental and Veterans' Affairs and referred to the committee on Judiciary, upon motion of Senator Draheim, with unanimous consent.

#### **Senate Bill 317**

Was recalled from the committee on Governmental and Veterans' Affairs and referred to the committee on Public Welfare, upon motion of Senator Draheim, with unanimous consent.

#### **Assembly Bill 236**

Was recalled from the committee on Public Welfare and referred to the committee on Judiciary, upon motion of Senator Dempsey, with unanimous consent.

---

Senator Knowles rose to the point of order that as the last roll call taken revealed that all members absence without leave were now present that the call presently in effect was now raised.

JOURNAL OF THE SENATE [March 31, 1965]

The president held the point of order well taken.

The question was: Shall the appointment by the Governor of Joseph F. Fagan, of Thiensville, a member of the Industrial Commission of Wisconsin, to succeed Mathias F. Schimenz, for the term ending June 1, 1965, and for the full term ending June 1, 1971, be confirmed?

Senator Schreiber moved rejection of the foregoing appointment by the Governor.

Senator Kendziorski rose to a point of order that this was not a proper motion.

The president held the point of order well taken.

The question was: Shall the appointment by the Governor of Joseph F. Fagan, of Thiensville, a member of the Industrial Commission of Wisconsin, to succeed Mathias F. Schimenz, for the term ending June 1, 1965, and for the full term ending June 1, 1971, be confirmed?

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

Ayes—Senators Bice, Busby, Carr, Dempsey, Draheim, Hollander, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, Meunier, Panzer, Rasmusen, Roseleip, Smith, Sussman and Warren—21.

Noes—Senators Benson, Christopherson, Dorman, Hansen, Kendziorski, McParland, Risser, Schreiber, Schuele, Thompson and Zaborski—11.

Absent or not voting—Senator Miller—1.

So the appointment by the Governor was confirmed.

---

Upon motion of Senator Knowles, with unanimous consent, the appointment by the Governor of 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, was taken from the calendar of Tuesday, March 30th and considered at this time.

The president pro tempore in the chair

Senator Sussman moved that the appointment by the Governor of Stanley E. Gilbertson, of Madison, a member of the Public Service Commission, to succeed Leonard Bess-

## JOURNAL OF THE SENATE [March 31, 1965]

man, for the term ending the first Monday in March, 1971, be returned to the Governor without the consent of the senate.

The ayes and noes were demanded and the vote was: ayes, 13; noes, 19; absent or not voting, 1; as follows:

Ayes—Senators Benson, Christopherson, Dorman, Hansen, Kendziorski, Lourigan, McParland, Risser, Schreiber, Schuele, Sussman, Thompson and Zaborski—13.

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 motion did not prevail.

The question was: Shall the appointment by the Governor of 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, be confirmed?

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

Ayes—Senators Bice, Busby, Carr, Dempsey, Draheim, Hollander, Keppler, Knowles, Krueger, Leonard, Leverich, Lorge, Meunier, Panzer, Rasmusen, Roseleip, Smith and Warren—18.

Noes—Senators Benson, Christopherson, Dorman, Hansen, Kendziorski, LaFave, Lourigan, McParland, Risser, Schreiber, Schuele, Sussman, Thompson and Zaborski—14.

Absent or not voting—Senator Miller—1.

So the appointment by the Governor was confirmed.

---

## MOTIONS

### Senate Joint Resolution 22

On today's calendar as a Special Order for 9:00 o'clock A.M. was made a Special Order for 9:05 o'clock tomorrow morning, upon motion of Senator Knowles, with unanimous consent.

### Senate Bill 31

On today's calendar as a Special Order for 10:00 o'clock A.M. was made a Special Order for 9:10 o'clock tomorrow

## JOURNAL OF THE SENATE [March 31, 1965]

morning, upon motion of Senator Knowles, with unanimous consent.

---

Upon motion of Senator LaFave, with unanimous consent, the senate returned to the 3rd order of business.

---

### INTRODUCTION OF AMENDMENTS

Amendment No. 1, S. to substitute amendment No. 1, S. to **Senate Bill 94** was offered by Senator Hollander, by request of Milwaukee County.

Amendment No. 1, S. to **Senate Bill 94** was offered by Senator Hollander by request of Milwaukee County.

Substitute amendment No. 1, S. to **Senate Bill 129** was offered by Senator LaFave.

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

---

### RESOLUTIONS INTRODUCED

#### **Senate Joint Resolution 53**

A joint resolution relating to requesting the department of administration to study and investigate the adequacy of emergency first aid and medical care for state employes and persons injured or taken ill in the capitol and other state office building and report to this legislature its recommendations thereon.

By Senator LaFave.

Was read.

To committee on Governmental and Veterans' Affairs.

---

### BILLS INTRODUCED

#### **Senate Bill 338**

Providing for technical improvements of the state teachers retirement system.

By Senator LaFave.

Read first time.

To joint Survey committee on Retirement Systems.

## JOURNAL OF THE SENATE [March 31, 1965]

### **Senate Bill 339**

Relating to deductions from incomes of persons other than corporations for forest crop land expenses.

By Senator Krueger; co-sponsored by Assemblyman Martin, by request of Morris Warzinik, Neenah, Wisconsin.

Read first time.

To joint Survey committee on Tax Exemptions.

### **Senate Bill 340**

Relating to a definition of obscenity.

By Senators Roseleip and Leonard.

Read first time.

To committee on Judiciary.

### **Senate Bill 341**

Relating to the authority of the commissioner of taxation to extend the deadline for filing tax returns and tax payments.

By Senator Roseleip.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

### **Senate Bill 342**

Relating to complimentary Wisconsin state flags.

By Senator Roseleip.

Read first time.

To committee on Governmental and Veterans' Affairs.

### **Senate Bill 343**

Relating to the payment of disability retirement annuities by the Wisconsin state teachers retirement system.

By Senator Roseleip.

Read first time.

To joint Survey committee on Retirement Systems.

### **Senate Bill 344**

Relating to the teaching of civics or citizenship in high school.

By Senators Roseleip and Bice, by request of the American Legion.

Read first time.

To committee on Education.

### **Senate Bill 345**

Relating to creating a Minnesota-Wisconsin boundary area commission, and providing for the joinder of this state

## JOURNAL OF THE SENATE [March 31, 1965]

in a compact with the state of Minnesota, entered into for the purpose of present and future protection, use and development of the boundary lands, river valleys and waters between the 2 contracting state, and making an appropriation.

By Senators Knowles, Leverich, Bice and Christopher-son; co-sponsored by Assemblymen Azim, Lewison, Nuttelman, Iverson, Radcliffe, Dueholm, Wartinbee, Buchli and Perala.

Read first time.

To committee on Governmental and Veterans' Affairs.

### Senate Bill 346

Relating to the salary of the state superintendent of public instruction.

By Senators Carr, Hansen, Rasmusen, Thompson and Bice.

Read first time.

To joint committee on Finance.

### Senate Bill 347

Relating to the maximum amount which municipalities, except cities of the first class, may be obligated except by majority of the electors at a referendum election.

By Senators Benson and Leonard.

Read first time.

To committee on Governmental and Veterans' Affairs.

---

## COMMITTEE REPORTS

The committee on Public Welfare reports and recommends:

### Senate Bill 109

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

### Senate Bill 280

Passage; Ayes, 4; Noes, 1.

CHESTER E. DEMPSEY,  
Chairman.

## JOURNAL OF THE SENATE [March 31, 1965]

The committee on Legislative Procedure reports and recommends:

**Senate Bill —**

Relating to probation of felons.  
Introduction; Ayes, 13; Noes, 0.

FRANK E. PANZER,  
Chairman.

---

### BILLS INTRODUCED

**Senate Bill 348**

Relating to probation of felons.

By committee on Legislative Procedure, by request of Senators Busby and Panzer; co-sponsored by Assemblyman Dueholm, by request of Judge Charles Madsen of Polk County, and Judge Howard J. Du Rocher of Racine County.

Read first time.

To committee on Judiciary.

---

Upon motion of Senator LaFave, with unanimous consent, the senate proceeded to the eighth order of business.

---

### SPECIAL COMMITTEE REPORTS

**Senate Bill 78**

The joint Survey committee on Tax Exemptions reports unfavorable recommendation.

To committee on Labor, Taxation, Insurance and Banking.

Senator ALEX J. MEUNIER,  
Chairman.

**Senate Bill 87**

The joint Survey committee on Retirement Systems, reports favorable recommendation.

To committee on Education.

Senator REUBEN LAFAVE,  
Chairman.

GUESTS INTRODUCED

Senator Thompson announced to the senate that it is honored by the presence of groups of the following Eastern Dane County Schools and their respective teachers; Norway Grove—Mrs. Joan Wills, Sanderson—Mrs. Quam, Maple Grove—Mrs. Witalison, Happy Hour—Mrs. Jean Hammond, Vincent—Mrs. Delores Wilson, and Wangsness—Mrs. Evelyn Clark.

50 Sabish Junior High School students accompanied by their principal, Mr. Anderson were introduced to the senate by Senator Hollander.

Senator Lorge informed the senate that it is honored by the presence of Mr. and Mrs. Palmer Myhra and their daughter Judy, all from Iola, Wisconsin.

Senator Hollander announced to the senate that it is honored by the presence of Mrs. William A. Draheim, wife of Senator Draheim.

Mr. Donald Marschall of the staff of Sabish Junior High School located at Fond du Lac, Wisconsin and a group of students from that school were introduced to the senate by Senator Hollander.

Groups of student sand their teachers from West Dane County Schools were welcomed to the senate by Senator Thompson: Gordon, Camp Badger, Lukken, Maple Corners, Gammon, Spring Valley, McPherson, Andrew Henry, White, Valley View, Park, Stoner, Schaller and Maple Grove.



Upon motion of Senator Knowles, the senate adjourned until 9:00 o'clock Thursday morning, April 1, 1965.