

STATE OF WISCONSIN

# Senate Journal

## Seventy-Seventh Session

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THURSDAY, May 20, 1965.

9:00 o'clock A.M.

The senate met.

The president in the chair.

Prayer was offered by the Reverend Wilbur A. Reid.

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—Senator Miller—1.

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### INTRODUCTION OF AMENDMENTS

Amendment No. 2, S. to substitute amendment No. 1, S. to Senate Bill 92 was offered by Senator Dempsey.

Substitute amendment No. 1, S. to Senate Bill 310 was offered by Senator Sussman.

Substitute amendment No. 2, S. to Senate Bill 310 was offered by Senator Sussman.

PETITIONS AND COMMUNICATIONS

The State of Wisconsin  
Office of Attorney General  
Madison

William P. Nugent  
Chief Clerk, Senate  
Senate Chamber  
Madison, Wisconsin 53702

Dear Mr. Nugent: The senate has asked for an opinion as soon as possible on three questions relating to the confirmation of two appointments by the governor to the state board of examiners in chiropractic. The nomination and appointment submitted by the governor to the senate carries the initials "D. C." after the name of each individual.

The questions asked by the senate read as follows:

1. Is the senate giving tacit approval to the term "Doctor of Chiropractic" by confirming these men to the board?
2. Is it proper for these men to use "D.C." after their name at this time considering Assembly Bill 277 which recognizes this title and is pending in the assembly?
3. Inasmuch as these appointments were received from the Governor carrying the "D.C.", is it proper that they appear as such in all senate records?

1.

Sec. 147.23 (2) Stats. reads in part as follows:

"(2) The governor, with the advice and consent of the senate, shall appoint the state board of examiners in chiropractic to consist of 3 chiropractors, each of whom shall have been a continuous resident of and practitioner of chiropractic in the state for the preceding 3 years, who is not an officer or employer, nor financially interested in any school or college of chiropractic, and who shall not be a graduate of any school teaching a method of treating the sick other than chiropractic. \* \* \*"

Obviously the statute is directed to the appointment and confirmation of chiropractors to the board of examiners.

It has nothing to do with the title of the individual appointed.

As a matter of fact it would probably be very difficult today to find an eligible person for such an appointment who does not have the degree of Doctor of Chiropractic (abbreviated D.C.).

Sec. 147.23 relating to the licensing of chiropractors had its origin in ch. 408, L. 1925, and as in most new licensing laws it contained a "grandfather clause" whereby chiropractors then practicing were entitled to licenses without examination. Presumably many of these had little training or the professional degree of doctor of chiropractic conferred by a reputable school of chiropractic. Most of these early practitioners are now gone and those who still survive are elderly persons whose age and meager professional qualifications are such as to make their appointments to the board of examiners most unlikely. The purpose of any licensing law is to protect the public from the incompetent and this purpose would to a large extent be defeated if sec. 147.23 (2) were so construed as to preclude appointing to the board of examiners those chiropractors possessing the degree of doctor of chiropractic.

So far as this office is informed there have been no appointments to the board of examiners in the last 25 or 30 years of chiropractors not having this degree.

Hence it cannot be said that the senate is either approving or disapproving of the degree of a person appointed to the board particularly when practically all of the persons eligible for appointment do have the degree in question.

2.

Assembly Bill 277 so far as material here amends sec. 147.14 (3) to make it clear that a person licensed to practice chiropractic may use the terms or letters "doctor of chiropractic", "doctor", "Dr." or "D.C." in abbreviation thereof, provided such terms or letters are accompanied by the word "chiropractor".

Sec. 147.14 (3) now reads:

"(3) No person not possessing a license to practice medicine and surgery, osteopathy, or osteopathy and surgery, under s. 147.17, shall use or assume the title "doc-

tor" or append to his name the words or letters "doctor," "Dr.," "specialist," "M.D.," "D. O." or any other title, letters or designation which represents or may tend to represent him as a doctor in any branch of treating the sick."

This provision was created by ch. 438, L. 1915 prior to the first chiropractic licensing law and when presumably there were chiropractors and others treating the sick with little formal training but who used the self-bestowed title of "doctor" to attract patronage. Sec. 147.14 (3) no doubt represented an effort to protect the public from this imposition. It might also be pointed out that even under the first chiropractic licensing law in 1925 chiropractors were required to have only a high school education plus three years in a reputable school of chiropractic. Now the requirement consists of two years of college plus 36 months, which amounts to 4 academic years of 9 months each, in a reputable school of chiropractic.

In 14 O.A.G. 341 this office took the position in 1925 that in view of the above statute a chiropractor is not permitted to append to his name the term "Doctor of Chiropractic." Our Supreme Court passed upon the same question later in the case of *State v. Michaels* (1938) 226 Wis. 574, 277 N.W. 157. The fact that the chiropractor actually held such a degree was considered to be no defense. The court, however, stated that the statute by its terms relates to the use of the title in connection with "treating the sick" and that the statute would not forbid the use of the title in other connections, as, for instance, in connection with academic degrees. In the *Michaels* case the defendant used the title of doctor of chiropractic on signs about his office and in newspaper advertising as well as in advertising pamphlets.

The test to be applied is that indicated in the *Michaels* case of whether or not the use of the title is in connection with treating the sick. Hence, as to stationery of a chiropractor there might be a violation as to one use but not as to another. For instance, the members of the board of examiners in chiropractic have from time to time used the designation "D.C." after their names on the official stationery of the board. This stationery, however, is used only in connection with the transaction of the board's official business and not in connection with treatment of the sick by any individual board member. Likewise, in this office

we have no hesitancy in using the prefix "doctor" in addressing correspondence to these board members or in speaking with them.

Accordingly, in answering the second question it is concluded that whether or not the persons nominated to the board by the governor are using the title "D.C." properly depends entirely upon the context and circumstances in which the designation is used.

3.

The fact that the appointments received from the governor carry the designation "D.C." is entirely irrelevant so far as the Senate records are concerned. The only exception is that if the Senate purports in its records to quote the governor's communication it should in the interests of accuracy be done verbatim.

It must be remembered that what the Senate is asked to do here is to confirm or disapprove the appointment of a named individual to the board of examiners. The person's titles or degrees constitute no part of either his given name or surname. These are merely matters of description and form no part of a person's legal name. See *Windom v. State*, (1903) 44 Tex. Cr. R. 514, 72 S. W. 193. In *Weathers v. Masonry Materials, Inc.*, (1962) 107 Ga. App. 34, 129 S.E. (2) 65, it was held that a "name" is the word or combination of words by which a person is distinguished from other individuals, and consists of a given or Christian name and a family surname, and does not include the prefix "Mr." It would seem that the same reasoning should apply to any titles or degrees added to the name.

We do recall an instance quite a few years ago when a chiropractor had his given name legally changed to "Doctor" in an obvious attempt to avoid the impact of sec. 147.04 (3). However, he has been dead for a number of years, and we have no such problem as that involved here.

This is not an official opinion.

Very truly yours,

BRONSON C. LA FOLLETTE,  
Attorney General.

May 18, 1965.

Upon motion of Senator Knowles, with unanimous consent, the chief clerk was directed to read the conclusions of

## JOURNAL OF THE SENATE [May 20, 1965]

the attorney general's opinion and the reading at length of the opinion was dispensed with.

Ordered spread upon the journal.

The appointments by the Governor of James R. Stacker, D.C., of Port Washington, a member of the State Board of Examiners in Chiropractic, to succeed Robert P. Hintz, for the term ending April 1, 1971

And of Carl Webster, D.C., of Whitehall, a member of the State Board of Examiners in Chiropractic, to succeed J. W. Barnstable, for the term ending April 1, 1967,

Which appointments had been laid aside temporarily on Thursday, May 6th, were ordered placed on the calendar of Tuesday, May 25th, upon motion of Senator Knowles, with unanimous consent.

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### COMMITTEE REPORTS

The committee on Education reports and recommends:

The appointment by the Governor of Charles D. Gelatt, of La Crosse, a member of the Board of Regents of the University of Wisconsin, to succeed himself, for the term ending May 1, 1974.

Confirmation; Ayes, 5; Noes, 0.

PETER P. CARR,  
Chairman.

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

The appointment by the Governor of Paul A. Pratt, of Beloit, as Director of the Department of Resource Development, to succeed Frank P. Zeidler, for an indefinite term.

Confirmation; Ayes, 5; Noes, 0.

#### **Senate Bill 401**

Passage; Ayes, 5; Noes, 0.

#### **Senate Bill 405**

Passage; Ayes, 5; Noes, 0.

## JOURNAL OF THE SENATE [May 20, 1965]

### **Assembly Bill 480**

Concurrence; Ayes, 5; Noes, 0.

### **Assembly Bill 489**

Concurrence; Ayes, 5; Noes, 0.

WILLIAM A. DRAHEIM,  
Chairman.

The committee on Public Welfare reports and recommends:

The appointment by the Governor of T. A. Duckworth, of Wausau, as a member of the State Commission on Aging, to succeed Albert Blumenthal, for the term ending October 22, 1967.

Confirmation; Ayes, 3; Noes, 2.

The appointment by the Governor of Reverend William T. Eggers, of Milwaukee, as a member of the State Commission on Aging, to succeed Max Taglin, for the term ending October 22, 1967.

Confirmation; Ayes, 3; Noes, 2.

### **Assembly Bill 436**

Concurrence; Ayes, 5; Noes, 0.

CHESTER E. DEMPSEY,  
Chairman.

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## MESSAGE FROM THE ASSEMBLY

By James P. Buckley, chief clerk thereof.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in

**Assembly Bill 145,**  
**Assembly Bill 175,**  
**Assembly Bill 624,**  
**Assembly Bill 637,** and has

Concurred in  
**Senate Joint Resolution 8,**  
**Senate Joint Resolution 55,**  
**Senate Joint Resolution 59,**

**JOURNAL OF THE SENATE [May 20, 1965]**

**Senate Bill 195,  
Senate Bill 448,  
Amendment No. 2, S. to Assembly Bill 335 and has  
Amended and concurred in as amended: Senate Bill 28.**

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**ASSEMBLY MESSAGE CONSIDERED**

**Read first time and referred:**

**Assembly Bill 145**

To committee on Highways.

**Assembly Bill 175**

To committee on Labor, Taxation, Insurance and Banking.

**Assembly Bill 624**

To committee on Agriculture.

**Assembly Bill 637**

To committee on Conservation.

**Senate Bill 28**

Was referred to the calendar.

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**MOTIONS**

The president pro tempore in the chair.

**Senate Bill 99**

Senator Knowles asked unanimous consent that the bill on tomorrow's calendar be made a Special Order for 10:00 o'clock Tuesday morning, May 25th.

The foregoing request by Senator Knowles was laid aside temporarily, upon motion of Senator Knowles, with unanimous consent.

**Senate Bill 272**

Amendment No. 1, S. was returned to its author, upon motion of Senator Schreiber, with unanimous consent.

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Upon motion of Senator Zaborski, with unanimous consent, the senate recessed until 10:00 o'clock this morning.

JOURNAL OF THE SENATE [May 20, 1965]

RECESS

10:00 o'clock A.M.

The senate was called to order by the president pro tempore.

**Senate Bill 99**

An act to amend and revise chapter 20 and to make divers other changes in the statutes and session laws, relating to state finances and appropriations, constituting the general fund budget bill of the 1965 legislature, and making appropriations.

The request by Senator Knowles pursuant to the bill which had been laid aside temporarily, was taken up at this time, upon motion of Senator Knowles, with unanimous consent.

The bill was made a Special Order for 10:00 o'clock Tuesday morning, May 25th, upon motion of Senator Knowles, with unanimous consent.

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CALENDAR OF TUESDAY, MAY 18th  
FIRST ITEM OF BUSINESS

**Assembly Bill 790**

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 790**

An act to appropriate additional money to the recreational advertising program for the 1964-65 fiscal year.

Was read a third time.

The question was: Shall the bill be concurred in?

The ayes and noes were required and the vote was: ayes, 29; noes, 2; absent or not voting, 2; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dorman, Draheim, Hansen, Hollander, Kendzioriski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, Meunier, Panzer, Rasmusen, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaboriski—29.

## JOURNAL OF THE SENATE [May 20, 1965]

Noes—Senators Dempsey and Risser—2.

Absent or not voting—Senators McParland and Miller—2.

So the bill was concurred in.

Ordered immediately messaged to the assembly.

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### EXECUTIVE COMMUNICATIONS

The following two appointments by the Governor were considered en masse, upon motion of Senator Knowles, with unanimous consent.

The two appointments were read by the chief clerk.

The question was: Shall the appointments by the Governor of Kermit N. Caves, of Kenosha, as a member of the Wisconsin Federal Surplus Property Development Commission, to succeed Frank P. Zeidler, for the term ending July 1, 1968,

And of Sister Mary Thomasine Patterson, S.S.N.D., of Milwaukee, a member of the State Board of Examiners in the Basic Sciences, to succeed Dr. John W. Saunders, Jr., for the term ending April 1, 1971, be confirmed?

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzierski, Keppler, Knowles, Krueger, LaFave, Leonard, Lev-erich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—32.

Noes—None.

Absent or not voting—Senator Miller—1.

So the appointments by the Governor were confirmed.

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### ASSEMBLY MESSAGE CONSIDERED

**Senate Bill 120**

Was laid aside temporarily, upon motion of Senator Lorge, with unanimous consent.

MOTIONS FOR CONSIDERATION

**Senate Joint Resolution 56**

Was laid aside temporarily, upon motion of Senator Knowles, with unanimous consent.

**Senate Bill 147**

Was laid aside temporarily, upon motion of Senator Zaborski, with unanimous consent.

**Assembly Joint Resolution 4**

Relating to 4-year terms of office for the governor, lieutenant governor, secretary of state, state treasurer and attorney general.

The joint resolution and the motion pending were laid on the table, upon motion of Senator Leonard, with unanimous consent.

**Assembly Bill 234**

Was laid over until Tuesday, May 25th, upon motion of Senator Dempsey, with unanimous consent.

**Senate Resolution 23**

A resolution to amend Senate Rule 67 (3), relating to the time for a motion to reconsider.

Was read.

The question was: Shall the resolution be adopted?

The ayes and noes were required and the vote was: ayes, 32 noes, 0; absent or not voting, 1; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher, 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—32.

Noes—None.

Absent or not voting—Senator Miller—1.

So the resolution was adopted.

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LEAVE OF ABSENCE

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

## JOURNAL OF THE SENATE [May 20, 1965]

### Senate Bill 147

Which had been laid aside temporarily was considered at this time, upon motion of Senator Sussman, with unanimous consent.

### Senate Bill 147

The question was: Shall the vote by which the senate refused to recall the bill from the committee on Agriculture and refer it to the calendar, be reconsidered?

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 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.

Noes—None.

Absent or not voting—Senator Miller—1.

So the call was raised.

### Senate Bill 147

Relating to the taxation of colored oleo, the use of proceeds therefrom for agricultural purposes, providing a penalty and making an appropriation.

The question was: Shall the vote by which the senate refused to recall the bill from the committee on Agriculture and refer it to the calendar, be reconsidered?

The ayes and noes were required and the vote was: ayes, 14; noes, 17; paired, 2; absent or not voting, 0; as follows:

Ayes—Senators Benson, Busby, Dorman, Draheim, Han-sen, Kendziorski, Keppler, Lourigan, McParland, Risser, Schreiber, Schuele, Sussman and Zaborski—14.

Noes—Senators Bice, Carr, Christopherson, Dempsey, Hollander, Knowles, Krueger, LaFave, Leverich, Lorge, Meunier, Panzer, Rasmusen, Roseleip, Smith, Thompson and Warren—17.

Absent or not voting—None.

Paired—Senator Leonard for reconsideration; Senator Miller against—2.

So the question was decided in the negative.

**Senate Joint Resolution 56**

The joint resolution which had been laid aside temporarily earlier was considered at this time, upon motion of Senator Busby, with unanimous consent.

The question was: Shall the vote by which the joint resolution was adopted, be reconsidered?

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 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—None.

Absent with leave—Senator Miller—1.

So the call was raised.

**Senate Joint Resolution 56**

Relating to a return to the state of a portion of the revenue from the federal tax on incomes.

The question was: Shall the vote by which the joint resolution was adopted, be reconsidered?

The ayes and noes were required and the vote was: ayes, 12; noes, 20; absent or not voting 1; as follows:

Ayes—Senators Bice, Carr, Dempsey, Dorman, Draheim, Hollander, Krueger, Leverich, Lorge, Meunier, Roseleip and Warren—12.

Noes—Benson, Busby, Christopherson, Hansen, Kendzior-ski, Keppler, Knowles, LaFave, Leonard, Lourigan, McPar-land, Panzer, Rasmusen, Risser, Schreiber, Schuele, Smith, Sussman, Thompson and Zaborski—20.

**JOURNAL OF THE SENATE [May 20, 1965]**

Absent or not voting—Senator Miller—1.  
So the question was decided in the negative.

**Senate Joint Resolution 56**

Was ordered immediately messaged to the assembly.

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**LEAVE OF ABSENCE**

Senator Krueger was granted a leave of absence for the remainder of today's session, with unanimous consent.

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

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**RESOLUTIONS INTRODUCED**

**Senate Joint Resolution 71**

A joint resolution commending retiring State Health Officer, Dr. Carl N. Neupert, on his 29 years of faithful public health service.

By Senators Leonard and Risser.

Was considered at this time, upon motion of Senator Leonard, with unanimous consent.

The joint resolution was read and adopted, by unanimous rising vote.

Ordered immediately messaged to the assembly.

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Upon motion of Senator Knowles, with unanimous consent, the senate recessed until 1:30 o'clock this afternoon.

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**RECESS**

1:30 o'clock P.M.

The senate was called to order by the president pro tempore.

## JOURNAL OF THE SENATE [May 20, 1965]

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

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### COMMITTEE REPORT

The committee on Legislative Procedure reports and recommends:

**Senate Bill —**

Relating to the exercise of the power of eminent domain by housing authorities and for urban renewal.

Introduction; Ayes, 13; Noes, 0.

**Senate Bill —**

Relating to the state advisory council for home and family.

Introduction; Ayes, 13; Noes, 0.

FRANK E. PANZER,  
Chairman.

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### BILLS INTRODUCED

**Senate Bill 497**

Relating to the exercise of the power of eminent domain by housing authorities and for urban renewal.

By committee on Legislative Procedure, by request of Senator Zaborski, by request of the City of Milwaukee.

Read first time.

To committee on Governmental and Veterans' Affairs.

**Senate Bill 498**

Relating to the state advisory council for home and family.

By committee on Legislative Procedure, by request of Senators Busby, McParland and Leonard.

Read first time.

To committee on Judiciary.

## JOURNAL OF THE SENATE [May 20, 1965]

### **Senate Bill 120**

Which had been laid aside temporarily earlier was considered at this time, upon motion of Senator Lorge, with unanimous consent.

Amendment No. 2, A. was concurred in.

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### MOTIONS

### **Senate Bill 225, Senate Bill 270 and Senate Bill 444**

On the calendar of Tuesday, May 18th, were referred to the joint committee on Finance, upon motion of Senator Knowles, with unanimous consent.

### **Senate Bill 337**

Senator Knowles asked unanimous consent that the bill on the calendar of Tuesday, May 18th be referred to the joint committee on Finance.

Senator Busby objected.

### **Senate Bill 359**

Senator Knowles asked unanimous consent that the bill on the calendar of Tuesday, May 18th be referred to the joint committee on Finance.

Senator Lorge objected.

The bill was referred to the joint committee on Finance, upon motion of Senator Hollander, with unanimous consent.

### **Senate Bill 383**

On the calendar of Tuesday, May 18th, was referred to the joint committee on Finance, upon motion of Senator LaFave, with unanimous consent.

The bill was recalled from the joint committee on Finance and restored to its position on the calendar of Tuesday, May 18th, upon motion of Senator LaFave, with unanimous consent.

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## CALENDAR OF TUESDAY, MAY 18th, CONTINUED SECOND READING OF SENATE BILLS

### **Senate Bill 102**

Relating to declaratory judgments against obscene material, sale or exhibition to minors of indecent material and requiring reports on such material, and providing a penalty.

**JOURNAL OF THE SENATE [May 20, 1965]**

**Read a second time.**

Substitute amendment No. 3, S. was offered by Senator Leonard.

The bill was laid over under the rules, until Tuesday, May 25th.

**Senate Bill 301**

Relating to a truth in education act and providing penalties.

**Read a second time.**

The bill was made a Special Order for 10:00 o'clock Wednesday morning, June 2nd, upon motion of Senator Roseleip, with unanimous consent.

**Senate Bill 320**

Relating to reports by physicians, surgeons, nurses, social workers and school administrators of other than accidental injuries to children, to county child welfare agencies or the sheriff of the county, and providing a penalty.

**Read a second time.**

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and passed.

**Senate Bill 337**

Relating to applications for annuities under the Wisconsin retirement fund.

**Read a second time.**

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and passed.

**Senate Bill 366**

**Read a second time.**

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

**Senate Bill 366**

Relating to the banking department and to state banks, and providing a penalty.

Was read a third time.

## JOURNAL OF THE SENATE [May 20, 1965]

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 25; noes, 4; absent or not voting, 4; as follows:

Ayes—Senators Benson, Busby, Carr, Christopherson, Dorman, Draheim, Hansen, Hollander, Keppler, Knowles, LaFave, Leonard, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson and Warren—25.

Noes—Senators Dempsey, Kendziorski, Risser and Zabor-ski—4.

Absent or not voting—Senators Bice, Krueger, Leverich and Miller—4.

So the bill passed.

### Senate Bill 383

Read a second time.

Amendment No. 1, S. was adopted.

The bill was ordered engrossed and read a third time.

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

### Senate Bill 383

Relating to the coverage of public personnel under the federal old age, survivors and disability insurance system.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 29; noes, 0; absent or not voting, 4; as follows:

Ayes—Senators Benson, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzior-ski, Keppler, Knowles, LaFave, Leonard, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—29.

Noes—None.

Absent or not voting—Senators Bice, Krueger, Leverich and Miller—4.

So the bill passed.

### Senate Bill 413

Relating to combination of municipal offices.

Read a second time.

The bill was ordered engrossed and read a third time.

## JOURNAL OF THE SENATE [May 20, 1965]

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and passed.

### Senate Bill 420

Relating to the creation of the office of deputy state superintendent of public instruction.

Read a second time.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

Senator Zaborski moved that the bill be indefinitely postponed.

The ayes and noes were demanded and the vote was: ayes, 14; noes, 15; absent or not voting, 4; as follows:

Ayes—Senators Benson, Dempsey, Dorman, Draheim, Kendziorski, Leonard, Lourigan, McParland, Risser, Roseleip, Schreiber, Schuele, Sussman and Zaborski—14.

Noes—Senators Busby, Carr, Christopherson, Hansen, Hollander, Keppler, Knowles, LaFave, Lorge, Meunier, Panzer, Rasmusen, Smith, Thompson and Warren—15.

Absent or not voting—Senators Bice, Krueger, Leverich and Miller—4.

So the motion did not prevail.

### Senate Bill 420

The bill was laid over until Wednesday, May 26th, upon motion of Senator Zaborski, with unanimous consent.

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## SPECIAL ORDER

Senator Keppler called the attention of the senate to the Special Order which had been fixed for 9:00 o'clock this morning and to the fact that that hour had arrived.

The senate proceeded to consider

### Senate Bill 393

Which had been made the Special Order.

Read a second time.

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Upon motion of Senator Risser, with unanimous consent, the senate recessed until 2:40 o'clock this afternoon.

RECESS

2:40 o'clock P.M.

The senate was called to order by the president pro tempore.

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SPECIAL ORDER, CONTINUED

Senate Bill 393

Relating to granting the department of administration the power to regulate parking on the grounds of any state office building.

The question was: Shall the bill be ordered engrossed and read a third time?

Senator Knowles 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 Benson, Bice, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzior-ski, Keppler, Knowles, LaFave, Leonard, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—30.

Absent—Senator Leverich—1.

Absent with leave—Senators Krueger and Miller—2.

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LEAVE OF ABSENCE

Senator Leverich was granted a leave of absence for the remainder of today's session, upon motion of Senator Knowles, with unanimous consent.

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Upon motion of Senator Risser, with unanimous consent, further proceedings under the call presently in effect were dispensed with.

JOURNAL OF THE SENATE [May 20, 1965]

**Senate Bill 393**

Senator Zaborski asked unanimous consent that the bill be made a Special Order for 10:00 o'clock Thursday morning, May 27th.

Senator Keppler objected.

Senator Zaborski moved that the bill be made a Special Order for 10:00 o'clock Thursday morning, May 27th.

The motion prevailed.

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

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**INTRODUCTION OF AMENDMENTS**

Substitute amendment No. 2, S. to Senate Bill 27 was offered by Senator Schreiber.

Amendment No. 1, S. to Senate Bill 256 was offered by Senator Lorge.

Amendment No. 1, S. to Senate Bill 446 was offered by Senator Schreiber.

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

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**EXECUTIVE COMMUNICATIONS**

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State.

Senate Bill	Chapter No.	Date Approved
81 -----	64 -----	May 20, 1965
72 -----	65 -----	May 20, 1965
117 -----	66 -----	May 20, 1965
112 -----	67 -----	May 20, 1965

Respectfully submitted,

**WARREN P. KNOWLES,**

Governor.

May 20, 1965.

**JOURNAL OF THE SENATE [May 20, 1965]**

**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 Hilding Haag, of Madison, a member of the Consumer Credit Review Board, to succeed Marvin E. Brickson, for the term ending July 17, 1969.

Respectfully submitted,

**WARREN P. KNOWLES,**

**May 19, 1965.**

**Governor.**

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 Milton F. Burmaster, of Wauwatosa, a member of the Wisconsin Board of Tax Appeals, to succeed Jerome J. Reinke, for the term ending the 1st Monday in May, 1971.

Respectfully submitted,

**WARREN P. KNOWLES,**

**May 19, 1965.**

**Governor.**

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 Morris Slavney, of Madison, a member of the Wisconsin Employment Relations Board, to succeed himself, for the term ending May 12, 1971.

Respectfully submitted,

**WARREN P. KNOWLES,**

**May 19, 1965.**

**Governor.**

## JOURNAL OF THE SENATE [May 20, 1965]

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

To the Honorable, the Senate:

I return herewith Senate Bill 19 without my approval.

Section 20.530 presently provides for a Class II assistant for the Lieutenant Governor.

The effect of the legislation as now enacted would be to eliminate any maximum salary and permit the salary to be fixed at the discretion of the Lieutenant Governor.

The salary of the administrative assistant is paid from the legislative appropriation. Normally such a salary would be limited by a specific amount or by a budget appropriation. This bill does not provide any such control.

I see no reason why the position of administrative assistant should not be subject to limitations as to the range of salary to be paid to this position as in employment in other state service. Therefore, I cannot in good conscience sign this bill.

Having served three terms as Lieutenant Governor without the employment of an administrative assistant, I have some reservations as to whether or not this position is necessary. The activities of the Lieutenant Governor's office are part-time in nature and his rate of compensation is itself determined by statute.

If, however, the Legislatures desires to continue to insure the pay of the administrative assistant, I suggest that the legislation in question be revised to place a salary range commensurate with the duties of the office.

For the above reasons, I am returning Senate Bill 19 without my approval.

Respectfully submitted,

WARREN P. KNOWLES,

May 20, 1965.

Governor.

Senate Bill 19

Was referred to the calendar.

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

BILLS INTRODUCED

**Senate Bill 499**

Relating to suspension of the motor vehicle operator's license following commitment of an incompetent licensee.

By Senators Keppler, Smith, LaFave and Warren, by request of Attorney Alan J. Peek.

Read first time.

To committee on Highways.

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GUESTS INTRODUCED

Senator Roseleip introduced Mr. James Beer, Vice-Chairman of Green County Young Republicans, from Monroe.

Senator Risser introduced Mr. Rich and 24 members of his 9th grade Civics class from the Sherman School of Madison.

Senator Knowles welcomed, as guests of Senator Miller, 30 fourth and fifth graders from Tower Rock School, Sauk County, their teacher, Mrs. Ethel Ward, and parents, Mrs. F. Wilhelm, Mrs. Edw. Hager, Mrs. Duane Traxler, Mrs. Morris Enge, Mrs. Harvey Gieck, and Mrs. Ivan Steckelberg.

Senator Lorge welcomed Mr. Allan Stoner, Mrs. Dutcher, and Mrs. Ligare, with 34 students from Wilson Junior High School, of Appleton.

Senator Keppler introduced 22 students from Ostburg Christian School accompanied by Mrs. Harold Harmelink, Mrs. Stan DeBlaey, Rev. Carl Reitsma, and Mr. and Mrs. Dennis Boersema, all of Ostburg.

Senator Busby presented to the senate, Mr. Thomas Bell, President of the Village Board of West Milwaukee, Mrs. Bell and their daughter Mary, and members of the West Milwaukee Village Board, Mr. Hank Marden and Mr. Herman Rostek.

Senator Leonard welcomed 200 seniors of Granville High School, Milwaukee, and their teacher Mr. Dominick Cucinello.

## JOURNAL OF THE SENATE [May 20, 1965]

Senator Hansen introduced Mr. Dailey Cornwell and 60 eighth graders from Mead School, Wisconsin Rapids.

Senator Benson welcomed 73 eighth grade students from Edgewood School, Greenfield, with Mr. Don Sickel, teacher of Social Studies, Mr. Gayle Willis, and Miss Kathy Finley.

Senator Krueger introduced 34 eighth grade students of Woodruff Elementary School, Oneida County, with teachers Mr. Krause and Mr. Jensen, and chaperones Mrs. Robert Gehrke and Mrs. Harold Holzinger.

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Upon motion of Senator Knowles, the senate adjourned until 9:00 o'clock Friday morning, May 21, 1965.

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### CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Bill 366 and**

**Senate Bill 383**

Correctly engrossed on Thursday, May 20, 1965.