

STATE OF WISCONSIN

Senate Journal

Seventy-Seventh Session

WEDNESDAY, June 23, 1965.

10:00 o'clock A.M.

The senate met.

The president in the chair.

Prayer was offered by the Right Reverend Monsignor Edward M. Kinney.

Upon motion of Senator Knowles, with unanimous consent, the senate resolved to suspend that part of Senate Rule 1 relating to the wearing of coats in the chamber, due to the hot and humid weather, for the remainder of this week's session.

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

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

Absent—Senator Leonard—1.

Absent with leave—Senator Draheim—1.

INTRODUCTION OF AMENDMENTS

Substitute amendment No. 1, S. to **Senate Bill 42** was offered by Senator Leonard.

Amendment No. 2, S. to **Senate Bill 106** was offered by Senator Hollander.

Amendment No. 1, S. to substitute amendment No. 2, S. to **Senate Bill 314** was offered by Senator Hollander.

Substitute amendment No. 1, S. to **Senate Bill 499** was offered by Senator Keppler.

Amendment No. 1, S. to **Senate Bill 533** was offered by Senator Bice.

RESOLUTIONS INTRODUCED

Senate Joint Resolution 79

A joint resolution relating to the life of H. V. Kaltborn.
By Senator Krueger.

The joint resolution was considered at this time, upon motion of Senator Krueger, with unanimous consent.

Was read.

The joint resolution was adopted.

Ordered immediately messaged to the assembly.

LEAVE OF ABSENCE

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

PETITIONS AND COMMUNICATIONS

Read and referred as follows:

Senate Petition 58

By Senator Draheim. To committee on Governmental and Veterans' Affairs.

COMMITTEE REPORTS

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

Senate Joint Resolution 63

Adoption; Ayes, 2; Noes, 1.

Senate Bill 274

Passage; Ayes, 3; Noes, 0.

Senate Bill 464

Indefinite postponement; Ayes, 2; Noes, 1.

Assembly Bill 147

Concurrence; Ayes, 3; Noes, 0.

Assembly Bill 154

Concurrence; Ayes, 3; Noes, 0.

Assembly Bill 163

Concurrence; Ayes, 3; Noes, 0.

REUBEN LAFAVE,
Vice-Chairman.

The committee on Highways reports and recommends:

Senate Joint Resolution 70

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

Senate Bill 111

Passage; Ayes, 5; Noes, 0.

Senate Bill 431

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

Assembly Bill 3

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 34

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 46

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 145

Concurrence; Ayes, 5; Noes, 0.

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Assembly Bill 355

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 366

Concurrence; Ayes, 5; Noes, 0.

JESS MILLER,
Chairman.

The committee on Legislative Procedure reports and recommends:

Senate Bill —

Relating to death benefits under the Wisconsin retirement fund.

Introduction; Ayes, 13; Noes, 0.

Senate Bill —

Relating to personal jurisdiction in actions for child custody, support alimony and property division.

Introduction; Ayes, 13; Noes, 0.

FRANK E. PANZER,
Chairman.

BILLS INTRODUCED

Senate Bill 545

Relating to death benefits under the Wisconsin retirement fund.

By committee on Legislative Procedure, by request of Senators Krueger, LaFave, Roseleip, Rasmusen, Smith and Warren.

Read first time.

To joint Survey committee on Retirement Systems.

Senate Bill 546

Relating to personal jurisdiction in actions for child custody, support alimony and property division.

By committee on Legislative Procedure, by request of Senator Busby, by request of the Advisory Council for Home and Family.

Read first time.

To committee on Judiciary.

Assembly Bill 860

The bill was recalled from the committee on Governmental and Veterans' Affairs and referred to the calendar, upon motion of Senator Benson, with unanimous consent.

SPECIAL COMMITTEE REPORTS

**Report of Joint Survey Committee on Tax Exemptions on
Amendment 1, S. to Senate Bill 47**

Public Policy Involved

The bill is undesirable as a matter of public policy because it grants an exemption to annuities received from federal retirement systems but discriminates against similar annuities received from existing state or local retirement systems.

Respectfully submitted,

**JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS**

Alex J. Meunier, Chairman.

Adrian J. Manders, Vice-Chairman.

**Report of Joint Survey Committee on Tax Exemptions on
Substitute Amendment 1, S. to Senate Bill 211**

Public Policy Involved

This bill would provide uniform treatment of all mobile homes held by dealers and manufacturers regardless of location. Although uniform treatment is a basic tenet of tax policy, this particular bill is not desirable as the committee feels it tends to expand an existing exemption which is not warranted.

Respectfully submitted,

**JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS**

Alex J. Meunier, Chairman.

Adrian J. Manders, Vice-Chairman.

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Report of Joint Survey Committee to Senate Bill 305

Recommendation

It is the opinion of this committee that passage of this bill would not be in the best public interest.

Respectfully submitted,

**JOINT SURVEY COMMITTEE
ON RETIREMENT SYSTEMS**

Senator Reuben LaFave, Chairman.

Assemblyman Vincent R. Mathews,
Vice-Chairman.

Senate Bill 305

To committee on Education.

**Report of Joint Survey Committee on Tax Exemptions on
Senate Bill 322**

Public Policy Involved

The bill allows an itemized deduction in arriving at Wisconsin taxable income the income tax paid to another state on income also taxed by Wisconsin which tax payment to the other state was allowed as a deduction from the net normal tax computed on the Wisconsin return. The bill as amended by substitute amendment 1, S. is desirable as a matter of public policy as it grants equal treatment to Wisconsin taxpayers.

Respectfully submitted,

**JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS**

Alex J. Meunier, Chairman.

Adrian J. Manders, Vice-Chairman.

Senate Bill 322

To committee on Labor, Taxation, Insurance and Banking.

EXECUTIVE COMMUNICATIONS

To the Honorable, the Senate:

I have signed Senate Bill 509 into law to avoid the injustice which would otherwise have occurred on solely technical legal grounds. The denial of freedom to Dr. Midrag B.

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Pecarski and his family, and the opportunity of a Wisconsin community to obtain medical services which are badly needed has compelled me to sign this bill because of the equities involved.

I am aware of the fact that the use of special legislation to obtain the result might establish a dangerous precedent in the licensing of professional persons in this State. I do not want this to happen, nor do I believe that Legislators feel that legislation effecting a particular individual or situation is normally in the public interest.

I recommend therefore that the law of this State be made sufficiently flexible to avoid the recurrence of a situation similar to that encountered in this particular instance.

For this reason specifically I urge the Legislature to enact legislation amending the present law to permit the Medical Board of Examiners in cases such as Dr. Pecarski's to make a finding of equivalency and thus avoid the necessity of special legislation.

This bill, having been signed, has been deposited in the office of the Secretary of State.

Senate Bill	Chapter No.	Date Approved
509 -----	106 -----	June 17, 1965

Respectfully submitted,

WARREN P. KNOWLES,
Governor.

June 22, 1965.

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
380 -----	107 -----	June 21, 1965
168 -----	108 -----	June 21, 1965
293 -----	109 -----	June 21, 1965
4 -----	110 -----	June 21, 1965

Respectfully submitted,

WARREN P. KNOWLES,
Governor.

June 22, 1965.

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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
326 -----	111 -----	June 22, 1965
382 -----	112 -----	June 22, 1965
210 -----	113 -----	June 22, 1965
304 -----	114 -----	June 22, 1965

Respectfully submitted,

WARREN P. KNOWLES,

June 23, 1965.

Governor.

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 201,
Assembly Bill 304,
Assembly Bill 346,
Assembly Bill 534,
Assembly Bill 573,
Assembly Bill 728,
Assembly Bill 740,
Assembly Bill 741,
Assembly Bill 779,
Assembly Bill 780,
Assembly Bill 799 and

Concurred in

Senate Joint Resolution 68,
Senate Bill 250,
Senate Bill 346,
Senate Bill 361,

Amendment 1, S. to Assembly Bill 325 and has

Adopted and asks concurrence in

Assembly Joint Resolution 101 and

The action by which the assembly, upon motion of Assemblyman Hutnik, pursuant to Joint Rule 26, has directed the

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Legislative Reference Bureau to prepare a suitable joint certificate of Congratulations to Company E, 724th Engineering Battalion, Hayward, Wisconsin upon the occasion of being honored as Wisconsin's outstanding National Guard unit and presented the Eisenhower Trophy at the annual parade ceremonies of the 32nd Infantry Division at Camp McCoy.

ASSEMBLY MESSAGE CONSIDERED

The assembly's action under Joint Rule 26 pursuant to motion by Assemblyman Hutnik was concurred in, upon motion of Senator Rasmusen.

The senate's action was ordered immediately messaged to the assembly.

Assembly Joint Resolution 101

Relating to the life and public service of Chauncey E. Heath.

Was read.

The joint resolution was concurred in by unanimous rising vote.

Ordered immediately messaged to the assembly.

Read first time and referred:

Assembly Bill 201

To committee on Labor, Taxation, Insurance and Banking.

Assembly Bill 304

To committee on Judiciary.

Assembly Bill 346

To committee on Education.

Assembly Bill 534

To committee on Governmental and Veterans' Affairs.

Assembly Bill 573

To committee on Governmental and Veterans' Affairs.

Assembly Bill 728

To committee on Governmental and Veterans' Affairs.

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Assembly Bill 740

To committee on Conservation.

Assembly Bill 741

To committee on Public Welfare.

Assembly Bill 779

To committee on Agriculture.

Assembly Bill 780

To committee on Education.

Assembly Bill 799

To committee on Labor, Taxation, Insurance and Banking.

MOTIONS

Assembly Joint Resolution 96

A joint resolution congratulating Morris W. Reid on being named Marketing and Sales Executive of the year by the Sales and Marketing Executives International.

The joint resolution was recalled from the committee on Labor, Taxation, Insurance and Banking and was considered at this time, upon motion of Senator Lorge, with unanimous consent.

Was read.

The joint resolution was concurred in.

Ordered immediately messaged to the assembly.

Assembly Bill 726

On the calendar of Thursday, June 24th, was considered at this time, upon motion of Senator Sussman, with unanimous consent.

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 726

To appropriate additional foster home tuition for the 1963-64 school year.

Was read a third time.

The question was: Shall the bill be concurred in?

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

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

Noes—None.

Absent or not voting—Senators Draheim and Leonard—2.

So the bill was concurred in.

Ordered immediately messaged to the assembly.

MOTION UNDER JOINT RULE 26

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

Whereas, the appointment of James E. Doyle of Madison as federal district judge for the Western District of Wisconsin fills a vacancy which had not been permanently filled since January 1963; and

Whereas, the selection of James E. Doyle to this post was a particularly fortunate one in view of his great legal talent and outstanding integrity and was so acclaimed with virtual unanimity by the citizens, public officials, and press of this state; now, therefore,

The Members of the Wisconsin Legislature, on the joint motion of Senators Fred A. Risser and Carl W. Thompson (members, 1st house), under Joint Rule 26, congratulate Judge Doyle on the occasion of his taking the oath of office as the 6th judge in the history of the federal district court for the Western District of Wisconsin, and wish him a long and successful tenure on the bench.

The Legislative Reference Bureau to prepare said certificate.

Was read and adopted.

The senate's action was ordered immediately messaged to the assembly.

CALENDAR OF TUESDAY, JUNE 22nd

The president pro tempore in the chair.

CONSIDERATION OF MOTIONS

Senate Joint Resolution 51

A joint resolution to create article XII, section 3 of the constitution, relating to a new method of constitutional revision.

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

The ayes and noes were demanded and the vote was: ayes, 11; noes, 18; paired, 2; absent or not voting, 2; as follows:

Ayes—Senators Bice, Carr, Hollander, Kendziorski, Keppler, Krueger, LaFave, Lorge, Rasmusen, Roseleip and Smith—11.

Noes—Senators Benson, Busby, Christopherson, Dempsey, Dorman, Hansen, Knowles, Leverich, Lourigan, McParland, Meunier, Panzer, Risser, Schreiber, Schuele, Sussman, Thompson and Zaborski—18.

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

Paired—Senator Warren for reconsideration, Senator Leonard against—2.

So the question was decided in the negative.

Senate Joint Resolution 51

The joint resolution was ordered immediately messaged to the assembly.

Assembly Bill 84

On the calendar of Tuesday, June 22nd, was laid over until Tuesday, June 29th, upon motion of Senator Knowles, with unanimous consent.

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

INTRODUCTION OF AMENDMENTS

Substitute amendment 1, S. to **Senate Bill 434** was offered by the committee on Labor, Taxation, Insurance and Banking, by request of Dairyland Power Cooperative, Wisconsin

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Association of Cooperatives, Wisconsin Association of Plumbing Contractors, Wisconsin Council of Agriculture, Wisconsin Electric Cooperative, Wisconsin Farm Bureau Federation, Wisconsin Farmers Union, Wisconsin Electric Power Company, Wisconsin-Michigan Power Company, Wisconsin Power and Light Company and Wisconsin Public Service Corporation and Wisconsin Natural Gas Company.

GUESTS INTRODUCED

Senator Schuele introduced to the senate Mr. and Mrs. Merryfield, and Steven and Barry Merryfield of Milwaukee.

Former Senator John McBride of Milwaukee County was introduced to the senate by Senator McParland. He addressed the senate briefly from the rostrum.

Upon motion of Senator Knowles, the senate adjourned until 9:00 o'clock Thursday morning, June 24th, 1965.

CHIEF CLERK'S REPORT

**The chief clerk records:
Senate Joint Resolution 77
Correctly enrolled on Wednesday, June 23, 1965.**