

JOURNAL OF THE SENATE [July 15, 1969]

STATE OF WISCONSIN

Senate Journal

Seventy-Ninth Session

TUESDAY, July 15, 1969.

10:00 o'clock A.M.

The senate met.

The senate was called to order by the president.

Prayer was offered by Reverend David Baker, Deacon, St. James Catholic Church, Madison.

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 Busby, Chilsen, Dempsey, Devitt, Dorman, Draheim, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Soik, Swan, Terry and Thompson—28.

Absent—Senators Cirilli and Krueger—2.

Absent with leave—Senators Panzer and Whittow—2.

LEAVE OF ABSENCE

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

Senator Rasmusen was granted a leave of absence from 5:30 P.M. for the balance of today's session, with unanimous consent, upon motion of Senator Chilsen.

JOURNAL OF THE SENATE [July 15, 1969]

INTRODUCTION OF AMENDMENTS

Senate amendment 4 to **Senate Bill 1** offered by Senators Soik and McParland, by request of Milwaukee County.

Senate amendment 1 to **Assembly Bill 175** offered by Senator Terry.

Senate amendment 1 to **Senate Bill 197** offered by Senator Schreiber.

Senate substitute amendment 1 to **Senate Bill 328** offered by Senator Terry.

Senate amendment 4 to **Senate Bill 355** offered by Senator LaFave.

Senate substitute amendment 1 to **Senate Bill 418** offered by Senator Roseleip.

Senate amendment 1 to **Senate Bill 454** offered by Senator LaFave.

Senate amendment 3 to **Senate Bill 525** offered by Senator Schreiber.

Senate amendment 8 to **Senate Bill 544** offered by Senators LaFave and Kendziorski.

Senate amendment 2 to **Senate Bill 545** offered by Senators Krueger, Roseleip, Terry, Schuele and Whittow.

Senate amendment 1 to **Senate Bill 597** offered by Senator Busby, by request of Milwaukee County.

Upon motion of Senator Keppler, with unanimous consent, that portion of Senate Rule 1 dealing with wearing of coats, was suspended for the balance of July.

INTRODUCTION OF BILLS

Senate Bill 617

Relating to prohibiting payment of scholarship funds to persons who refuse military training.

By Senators Roseleip and Devitt.

Read first time.

To committee on Education.

JOURNAL OF THE SENATE [July 15, 1969]

Senate Bill 618

Authorizing the building commission to sell certain lands to the city of Eau Claire and making an appropriation.

By Senator Johnson.

Read first time.

To joint committee on Finance.

COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

Senate Bill 280

Relating to responsibilities of the pharmacy examining board and the division of criminal investigation in drugs and narcotics law enforcement and making an appropriation.

Emergency statement adopted; Ayes, 10; Noes, 0; adoption of senate amendment 2; Ayes, 7; Noes, 3 and passage with emergency statement and as amended; Ayes, 10; Noes, 0.

WALTER G. HOLLANDER,
Chairman.

The committee on Labor, Taxation, Insurance and Banking reports and recommends:

The appointment by the Governor of Reginald Reinke, of Appleton as a member of the Credit Union Review Board, to serve for a term ending May 1, 1974.

Confirmation; Ayes, 4; Noes, 0.

The appointment by the Governor of Zel S. Rice II of Sparta, as a member of the Employment Relations Commission, to serve for the term ending March 1, 1975.

Confirmation; Ayes, 4; Noes, 0.

Senate Bill 223

Relating to an authorization for a county room tax.

Rejection of senate amendment 1; Ayes, 5; Noes, 0; adoption of senate amendment 2; Ayes, 5; Noes, 0; rejection of senate substitute amendment 1; Ayes, 3; Noes, 2 and passage; Ayes, 3; Noes, 2.

JOURNAL OF THE SENATE [July 15, 1969]

Senate Bill 343

Relating to group life insurance for dependents.

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

Senate Bill 525

Relating to protection of insurance consumers.

Passage; Ayes, 4; Noes, 0.

Senate Bill 527

Relating to allowing multi-institutional common trust funds.

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

GERALD D. LORGE,
Chairman.

The committee on Health and Social Services reports and recommends:

The appointment by the Governor of Albert M. Davis, of Milwaukee, as a member of the Board of Health and Social Services, to serve for a term ending May 1, 1975.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Mrs. John T. McCarrier, of Wausau, as a member of the Board of Health and Social Services, to serve for a term ending May 1, 1975.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Truman O. McNulty, of Milwaukee, as a member of the Board of Health and Social Services, to serve for a term ending May 1, 1975.

Confirmation; Ayes, 5; Noes, 0.

Senate Bill 309

Relating to cruelty to any live fowl or other birds when used for a target in marksmanship practice and providing for a penalty.

Passage; Ayes, 5; Noes, 0.

JOURNAL OF THE SENATE [July 15, 1969]

Senate Bill 317

Relating to employment of a licensed physician who is responsible to the local board of health and helps a nonphysician county health officer.

Indefinite postponement; Ayes, 5; Noes, 0.

Senate Bill 410

Relating to child support.

Passage; Ayes, 5; Noes, 0.

Senate Bill 413

Relating to work release privileges for persons imprisoned in the state prisons.

Passage; Ayes, 5; Noes, 0.

Senate Bill 417

Relating to the practice of optometry through the employment of optometrists and the powers of the optometry examining board.

Adoption of senate amendment 1; Ayes, 4; Noes, 1 and passage as amended; Ayes, 4; Noes, 1.

Senate Bill 432

Relating to state charges for county tuberculosis sanatoriums.

Passage; Ayes, 5; Noes, 0.

Senate Bill 469

Relating to the creation of an examining council in the department of regulation and licensing, granting rule-making authority, providing penalties and making an appropriation.

Indefinite postponement; Ayes, 4; Noes, 1.

Senate Bill 471

Relating to the pay of inmates in state hospitals.

Passage; Ayes, 5; Noes, 0.

Senate Bill 478

Relating to dognapping and catnapping and providing penalties.

Passage; Ayes, 5; Noes, 0.

JOURNAL OF THE SENATE [July 15, 1969]

Senate Bill 483

Relating to the interstate corrections compact.
Passage; Ayes, 5; Noes, 0.

Senate Bill 484

Relating to vendor payments for applicants and recipients of the social security aids.
Passage; Ayes, 5; Noes, 0.

Senate Bill 485

Relating to assets and insurance that a person may possess and be eligible under the social security aid program.
Passage; Ayes, 5; Noes, 0.

Senate Bill 523

Relating to jurisdiction of inmates of the correctional camp system.
Adoption of senate amendment 1; Ayes, 5; Noes, 0 and passage as amended; Ayes, 5; Noes, 0.

Assembly Bill 463

Relating to permitting a pharmacist to supervise more than one apothecary shop, pharmacy or drugstore in co-operating hospitals in using his services.
Without recommendation of senate amendment 1; Ayes, 2; Noes, 2 and concurrence; Ayes, 4; Noes, 0.

Assembly Bill 551

Relating to aid to disabled persons.
Adoption of senate amendment 1; Ayes, 5; Noes, 0 and concurrence as amended; Ayes, 5; Noes, 0.

ARTHUR A. CIRILLI,
Chairman.

PETITIONS AND COMMUNICATIONS

Senate Petition 435

A petition by 23 residents of Wisconsin relative to Assembly Bill 798.
By Senator Roseleip.
To committee on Health and Social Services.

JOURNAL OF THE SENATE [July 15, 1969]

Senate Petition 436

A petition by 12 residents of Wisconsin favoring Senate Bill 222, which would restore 35% of the liquor tax to the Veterans Trust Fund.

By Senator Roseleip.

To committee on Labor, Taxation, Insurance and Banking.

The State of Wisconsin
Department of Justice
Madison

June 30, 1969.

The Honorable, The Senate
State Capitol
Madison, Wisconsin 53702

Gentlemen: You have requested my opinion regarding the constitutionality of section 29.27 of the Milwaukee city charter, as adopted by Milwaukee charter ordinance No. 341, and the constitutionality of section 3 of said ordinance, which reads:

"Section 29.27 Charges may be filed against a subordinate by the chief, by a member of the board, by the board as a body, or by an elector of the city. Such charges shall be in writing and shall be filed with the president of the board. Pending disposition of such charges, the board or chief may suspend such subordinate."

"Section 3. It is the intention of the common council that the procedures, processes, and trial under this section shall be conducted in the same manner as other trials provided in chapter 29 of the charter of the city of Milwaukee."

Section 1 of charter ordinance No. 341 (which was approved July 3, 1968 and published July 9, 1968) reveals that sec. 29.27 was deliberately copied from sec. 62.13 (5) (b), Stats., which is a paragraph of the general charter law applicable to cities of the second, third, and fourth classes, but not to Milwaukee. Sec. 62.03 (2) authorizes Milwaukee to "adopt by ordinance the provisions of chapter 62 of the statutes or *any section or sections* thereof, which when so adopted shall apply to such city."

Had Milwaukee attempted to adopt a single paragraph (62.13 (5) (a), Stats.) by a simple ordinance, it could not do so by authority of sec. 62.03 (2) which does not authorize

JOURNAL OF THE SENATE [July 15, 1969]

adoption of less than an entire section in that manner. However, charter ordinances are adopted pursuant to sec. 66.01, and are not limited by 62.03 (2).

Had Milwaukee adopted all of 62.13 it would have included (5) (d), (e) and (f) relating to procedure, which provide:

“(d) Following the filing of charges in any case, a copy thereof shall be served upon the person charged. The board shall set date for hearing not less than 10 days nor more than 30 days following service of such charges. The hearing on the charges shall be public, and both the accused and the complainant may be represented by an attorney and may compel the attendance of witnesses by subpoenas which shall be issued by the president of the board on request and be served as are subpoenas in justice court.

“(e) If the board determines that the charges are not sustained, the accused, if he has been suspended, shall be immediately reinstated and all lost pay restored. If the board determines that the charges are sustained, the accused, by order of the board, may be suspended or reduced in rank, or suspended and reduced in rank, or removed, as the good of the service may require.

“(f) Findings and determinations hereunder and orders of suspension, reduction, suspension and reduction, or removal, shall be in writing and, if they follow a hearing, shall be filed within 3 days thereof with the secretary of the board.”

It would also have included other provisions such as that no person shall be deprived of compensation while suspended during the pendency of charges.

The question is, therefore, whether Milwaukee could properly avoid these provisions by the device of a charter ordinance. Matters relating to the control of the police department and of the police and fire commission have been held to be of *state-wide* concern. *Van Gilder v. Madison*, (1936) 222 Wis. 58, 75, 267 N.W. 25, 268 N.W. 108; *Logan v. Two Rivers*, (1936) 222 Wis. 89, 94, 267 N.W. 36. It has also been held that sec. 66.01 authorizing charter ordinances applies only to *local* affairs. *Wauwatosa v. Milwaukee*, (1954) 266 Wis. 58, 67, 62 N.W. 2d 718.

In conformity with the above cases I must conclude that the method of filing charges against a police officer and the

JOURNAL OF THE SENATE [July 15, 1969]

procedure for hearing thereon are matters of state-wide concern, and ordinances relating thereto must be adopted as provided in sec. 62.03 (2), Stats.

Ordinances are presumed to be valid and constitutional, and a party attacking one must establish its invalidity beyond a reasonable doubt. *J & N Corp. v. Green Bay*, (1965) 28 Wis. 2d 583, 585, 137 N.W. 2d 434; *Milwaukee v. Hoffmann*, (1965) 29 Wis. 2d 193, 197, 138 N.W. 2d 223; *Clark Oil & Refining Corp. v. Tomah*, (1966) 30 Wis. 2d 547, 553, 141 N.W. 2d 299; *State ex rel. Baer v. Milwaukee*, (1967) 33 Wis. 2d 624, 630, 148 N.W. 2d 21; *Jelinsky v. Eggers*, (1967) 34 Wis. 2d 85, 94, 148 N.W. 2d 750.

It is my opinion that the supreme court would hold charter ordinance No. 341 invalid beyond a reasonable doubt for the reason that it deals with a matter of state-wide concern in a manner not authorized by the legislature.

Very truly yours,

ROBERT W. WARREN,
Attorney General.

CAPTION: Charter ordinance No. 341 of the city of Milwaukee adopting sec. 62.13 (5) (b), Stats., and providing further that the procedures, processes and trial thereunder should be conducted in the same manner as other trials provided in chapter 29 of the Milwaukee city charter is invalid.

The foregoing opinion was pursuant to Senate Resolution 6.

President pro tempore in the chair.

EXECUTIVE COMMUNICATIONS

The State of Wisconsin
Executive Office
Madison 53702

July 11, 1969.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I hereby nominate and with the advice and consent of the

JOURNAL OF THE SENATE [July 15, 1969]

senate appoint Al C. Steinhauer, of Madison, as a member of the Savings and Loan Review Board, to serve for the term ending May 1, 1973.

Respectfully submitted,

WARREN P. KNOWLES,
Governor.

Read.

To committee on Labor, Taxation, Insurance and Banking.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I hereby nominate and with the advice and consent of the senate appoint Donald T. Corr, of Kenosha, as a member of the Savings and Loan Review Board, to serve for the term ending May 1, 1973.

Respectfully submitted,

WARREN P. KNOWLES,
Governor.

Read.

To committee on Labor, Taxation, Insurance and Banking.

July 10, 1969.

To the Honorable, the Senate:

The following bill, originating in the senate, has been approved in part (Chapter 111) and vetoed in part and deposited in the office of the Secretary of State.

I have approved Senate Bill 529 except I have disapproved by item veto Section 28 of this bill.

I have disapproved Section 28 because I am informed by the Chief of the Legislative Reference Bureau that this section no longer serves any useful legislative purpose. The section is merely technical in nature and in no way affects the substance of the bill.

Respectfully submitted,

WARREN P. KNOWLES,
Governor.

Read.

To calendar.

JOURNAL OF THE SENATE [July 15, 1969]

MESSAGE FROM THE ASSEMBLY

By Wilmer H. Struebing, chief clerk.

Mr. President:

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

Assembly Bill 216,
Assembly Bill 217,
Assembly Bill 218,
Assembly Bill 365 and
Assembly Bill 763.

Amended and concurred in as amended:

Senate Bill 436

ASSEMBLY MESSAGE CONSIDERED

Assembly Bill 216

Relating to the rate and computation of interest on taxes and on tax refund, and granting rule-making power.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

Assembly Bill 217

Relating to refund claims on income tax office audit assessments.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

Assembly Bill 218

Relating to penalties for failure to file certain tax returns and reports.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

Assembly Bill 365

Relating to the appointment of receivers for certain properties which have been declared public nuisances.

Read first time.

To committee on Judiciary.

JOURNAL OF THE SENATE [July 15, 1969]

Assembly Bill 763

Relating to interest and discount rates on collateral and discount loans.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

Senate Bill 436

Relating to remedies of automobile dealers for violations of licensing laws and distribution of products liability for new automobiles.

To calendar.

MOTIONS

Senate Bill 564

Was recalled from the joint Survey committee on Retirement Systems upon motion of Senator LaFave, with unanimous consent, and referred to committee on Governmental and Veterans' Affairs.

TODAY'S CALENDAR

The question was: Shall the senate confirm the appointment by the Governor of James Gruentzel, of Madison, as Administrator of the Division of Emergency Government, to succeed Bruce Bishop, Cross Plains, resigned, effective May 12, 1969, to serve for an indeterminate term?

The ayes and noes were required and the vote was: ayes, 27; noes, 0; absent or not voting, 5; as follows:

Ayes—Senators Busby, Chilsen, Dempsey, Devitt, Dorman, Draheim, Heinzen, Hollander, Johnson, Kendzioriski, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Soik, Swan and Thompson—27.

Noes—None.

Absent or not voting—Senators Cirilli, Krueger, Panzer, Terry and Whittow—5.

So the appointment by the Governor was confirmed.

JOURNAL OF THE SENATE [July 15, 1969]

Senate Bill 7

Relating to altering the procedure in small claims and misdemeanor actions to remove the 6-man jury and making all misdemeanor appeals to circuit court be on the trial record in county court.

Assembly amendment 2 was concurred in.

Senate Bill 315

Upon motion of Senator Busby, with unanimous consent, the bill was placed at the foot of the July 16th calendar.

Senate Bill 480

Relating to the term for the board of regents of the university of Wisconsin.

Senator Hollander 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 Busby, Chilsen, Dempsey, Devitt, Dorman, Draheim, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Soik, Swan and Thompson—27.

Absent—Senators Krueger and Terry—2.

Absent with leave—Senators Cirilli, Panzer and Whittow—3.

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

INTRODUCTION OF BILLS

Senate Bill 619

Relating to postponing the finalization of the act creating Menominee county.

JOURNAL OF THE SENATE [July 15, 1969]

By Senators LaFave, Chilsen, Lorge and Risser; co-sponsored by Assemblyman Grover.

Read first time.

Upon motion of Senator Keppler, with unanimous consent, the bill was laid aside.

Upon motion of Senator Keppler, with unanimous consent, the call of the senate was raised.

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

RECESS

1:30 P.M.

President pro tempore in the chair.

Upon motion of Senator Johnson, with unanimous consent, Senate Bill 543 was considered for final action at this time.

Senate Bill 543

Relating to prerequisites to issuing a license to practice medicine and surgery in the state of Wisconsin to Dr. Shapoor Ansari of Iran.

Read a third time and passed.

Ordered immediately messaged to the assembly.

Senate Bill 480

Relating to the term for the board of regents of the university of Wisconsin.

Read a second time.

Upon motion of Senator Keppler the senate recessed for one-half hour.

RECESS

2:45 P.M.

President pro tempore in the chair.

JOURNAL OF THE SENATE [July 15, 1969]

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

COMMITTEE REPORT

The committee on Natural Resources reports and recommends for introduction:

Senate Bill 620

Relating to shooting preserve and fur farm licensing.

By committee on Natural Resources, by request of the Wisconsin Game Preserve Association.

Read first time.

To committee on Natural Resources.

And further recommends:

Senate Bill 426

Relating to the creation of the examining council of registered foresters and granting rule-making authority.

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

Senate Bill 545

Relating to a conservation fund budget bill.

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

Assembly Bill 386

Relating to cutting Christmas trees for one's own use.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 417

Relating to use of boat toilets on outlying waters of the state.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 759

Relating to changing membership of the natural beauty council.

Concurrence; Ayes, 5; Noes, 0.

CLIFFORD W. KRUEGER,
Chairman.

JOURNAL OF THE SENATE [July 15, 1969]

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 75

A joint resolution relating to the recall of Senate Bills 516, 517 and 518 from the assembly.

By Senators Keppler and Risser.

Read.

Adopted.

Senate Joint Resolution 76

A joint resolution memorializing Congress to take action to prevent the interstate Pecatonica River from flooding annually in the plains of southwestern Wisconsin.

By Senators Roseleip, Lourigan, Krueger and Lorge; co-sponsored by Assemblymen Conradt, Schowalter, Molinaro, Bock, Tregoning and Azim.

Read.

To committee on Governmental and Veterans' Affairs.

INTRODUCTION OF BILLS

Senate Bill 621

Relating to allowing state loans for business or home reconstruction and damage to crops following natural disasters, granting rule-making authority and making an appropriation.

By Senators Roseleip, Chilsen, Lourigan, Devitt, Krueger and McParland; co-sponsored by Assemblymen Conradt, Schowalter, Molinaro, Bock, Tregoning and Azim.

Read first time.

To joint committee on Finance.

TODAY'S CALENDAR CONTINUED

Senate Bill 480

Relating to the term for the board of regents of the University of Wisconsin.

JOURNAL OF THE SENATE [July 15, 1969]

Senator Hollander 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 Busby, Chilsen, Dempsey, Devitt, Dorman, Draheim, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Lourigan, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Soik, Swan, Terry and Thompson—29.

Absent—None.

Absent with leave—Senators Cirilli, Panzer and Whittow—3.

Senate Bill 480

Read a third time.

The question was: Shall the vote by which passage was refused be reconsidered?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 13; absent or not voting, 3; as follows:

Ayes—Senators Busby, Chilsen, Dempsey, Draheim, Heinzen, Johnson, Keppler, Knowles, Knutson, LaFave, Lorge, Lourigan, McParland, Meunier, Roseleip and Swan—16.

Noes—Senators Devitt, Dorman, Hollander, Kendziorski, Krueger, Lotto, Rasmusen, Risser, Schreiber, Schuele, Soik, Terry and Thompson—13.

Absent or not voting—Senators Cirilli, Panzer and Whittow—3.

So the vote by which the bill was refused passage was reconsidered.

The question was: Shall the bill pass?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 11; absent or not voting, 3; as follows:

Ayes—Senators Busby, Chilsen, Dempsey, Draheim, Heinzen, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lourigan, McParland, Meunier, Rasmusen, Roseleip and Swan—18.

JOURNAL OF THE SENATE [July 15, 1969]

Noes—Senators Devitt, Dorman, Hollander, Kendziorski, Lotto, Risser, Schreiber, Schuele, Soik, Terry and Thompson—11.

Absent or not voting—Senators Cirilli, Panzer and Whitow—3.

So Senate Bill 480 passed.

Senate Joint Resolution 64

Relating to a study of the implications of lowering age for voting and other purposes.

Read and adopted.

Senate Bill 1

Relating to a recodification of the laws governing vocational, technical and adult education.

Read a second time.

Upon motion of Senator Soik Senate Bill 1 was re-referred to the joint committee on Finance.

Senate Bill 196

Relating to an escalator clause for duty disability payments to police and firemen.

Read a second time.

Senate substitute amendment 1 was adopted.

The bill was ordered to a third reading.

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

Senator Schreiber moved reconsideration of the vote by which the bill was ordered to a third reading.

The question was: Shall the vote by which the bill was given a third reading be reconsidered?

The ayes and noes were demanded and the vote was: ayes, 5; noes, 23; absent or not voting, 4; as follows:

Ayes—Senators Dorman, Lorge, Risser, Schreiber and Thompson—5.

Noes—Senators Busby, Chilsen, Dempsey, Devitt, Draheim, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lotto, Lourigan, Meunier, Rasmusen, Roseleip, Schuele, Soik, Swan and Terry—23.

JOURNAL OF THE SENATE [July 15, 1969]

Absent or not voting—Senators Cirilli, McParland, Panzer and Whittow—4.

So the senate refused to reconsider the vote by which the bill was given a third reading.

Read a third time.

The question was: Shall the bill pass?

Senator Hollander in the chair.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 12; absent or not voting, 3; as follows:

Ayes—Senators Busby, Dempsey, Devitt, Dorman, Draheim, Kendziorski, Knutson, Lorge, Lourigan, McParland, Rasmusen, Roseleip, Schuele, Soik, Swan, Terry and Thompson—17.

Noes—Senators Chilsen, Heinzen, Hollander, Johnson, Keppler, Knowles, Krueger, LaFave, Lotto, Meunier, Risser and Schreiber—12.

Absent or not voting—Senators Cirilli, Panzer and Whittow—3.

So **Senate Bill 196** passed.

Ordered immediately messaged to the assembly.

Upon motion of Senator McParland **Senate Bill 197** and **Senate Bill 264** were referred to the committee on Judiciary.

Senate Bill 239

Relating to duty disability payments for police or firemen in cities of the 1st class.

Read a second time.

Senate amendment 1 offered by Senator Schreiber.

Senator Devitt moved rejection of senate amendment 1.

The question was: Shall the senate reject senate amendment 1 to **Senate Bill 239**?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 3; absent or not voting, 7; as follows:

Ayes—Senators Busby, Chilsen, Dempsey, Devitt, Draheim, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Lourigan, McPar-

JOURNAL OF THE SENATE [July 15, 1969]

land, Meunier, Roseleip, Schuele, Soik and Swan—22.

Noes—Senators Risser, Schreiber and Thompson—3.

Absent or not voting—Senators Cirilli, Dorman, Heinzen, Panzer, Rasmusen, Terry and Whittow—7.

So senate amendment 1 was rejected.

The bill was ordered to a third reading.

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

Senate Bill 239

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 12; absent or not voting, 3; as follows:

Ayes—Senators Busby, Dempsey, Devitt, Dorman, Draheim, Heinzen, Kendziorski, Lorge, Lourigan, McParland, Rasmusen, Roseleip, Schuele, Soik, Swan, Terry and Thompson—17.

Noes—Senators Chilsen, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lotto, Meunier, Risser and Schreiber—12.

Absent or not voting—Senators Cirilli, Panzer and Whittow—3.

So Senate Bill 239 was passed.

Ordered immediately messaged to the assembly.

Senate Bill 284

Relating to the establishment of a program of intrastate retirement reciprocity.

Read a second time.

The bill was ordered to a third reading.

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

Senate Bill 284

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 26; noes, 0; absent or not voting, 6; as follows:

Ayes—Senators Busby, Chilsen, Dempsey, Devitt, Dor-

JOURNAL OF THE SENATE [July 15, 1969]

man, Draheim, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Lourigan, McParland, Meunier, Roseleip, Schreiber, S o i k , Swan, Terry and Thompson—26.

Noes—None.

Absent or not voting—Senators Cirilli, Panzer, Rasmusen, Risser, Schuele and Whittow—6.

So Senate Bill 284 passed.

Ordered immediately messaged to the assembly.

Senate Bill 348

Upon motion of Senator LaFave, with unanimous consent, the bill was referred to the committee on Transportation.

Senate Bill 365

Upon motion of Senator Draheim, with unanimous consent, the bill was referred to the joint committee on Finance.

Senate Bill 462

Relating to investments of life insurance companies.

Read a second time.

Senator McParland moved the bill be placed at the head of the July 16 calendar.

Upon motion of Senator Schreiber the senate recessed for five minutes.

RECESS

5:15 P.M.

President pro tempore in the chair.

The question was: Shall Senate Bill 462 be placed at the head of the July 16th calendar?

The ayes and noes were demanded and the vote was: ayes, 10; noes, 18; absent or not voting, 4; as follows:

Ayes—Senators Busby, Dempsey, Dorman, Kendziorski, LaFave, Lourigan, McParland, Swan, Terry and Thompson—10.

JOURNAL OF THE SENATE [July 15, 1969]

Noes—Senators Chilsen, Devitt, Draheim, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, Lorge, Lotto, Meunier, Risser, Roseleip, Schreiber, Schuele and Soik—18.

Absent or not voting—Senators Cirilli, Panzer, Rasmusen and Whittow—4.

So the motion did not prevail.

Senator Schreiber moved rejection of senate amendment 1.

Upon motion of Senator Lorge, with unanimous consent, Senate Bill 462 was re-referred to the committee on Labor, Taxation, Insurance and Banking.

Senate Bill 493

Relating to municipal bond resolutions.

Read a second time.

Senate substitute amendment 1 was adopted.

The bill was ordered to a third reading.

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

Senate Bill 493

Was read a third time and passed.

Senate Bill 497

Relating to the creation of eligible lists for part-time or short-term employment and the right of a county to enter into agreements with employment contractors or hiring agencies for the services of persons to perform essential services for the county.

Read a second time.

Senate amendment 1 was adopted.

The bill was ordered to a third reading.

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

Senate Bill 497

Was read a third time and passed.

JOURNAL OF THE SENATE [July 15, 1969]

Senate Bill 522

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

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

BILLS INTRODUCED

Senate Bill 622

An act to temporarily waive certain requirements for foreign physicians to practice in Wisconsin for Dr. Daniel Beebe.

By Senators Terry, Lorge and Swan; co-sponsored by Assemblyman Packard.

Read first time.

Upon motion of Senator Terry, with unanimous consent, the bill was considered at this time.

Senate Bill 622

Read a second time.

The bill was ordered to a third reading.

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

Senate Bill 622

Was read a third time and passed.

Senate Bill 619

Senator LaFave asked unanimous consent to take the bill up.

Senator Risser objected.

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

COMMITTEE REPORT

The committee on Labor, Taxation, Insurance and Banking reports and recommends:

JOURNAL OF THE SENATE [July 15, 1969]

Assembly Bill 685

Relating to licenses granted to sheltered workshops and rules regulating their employment of student learners and certain other employes.

Concurrence; Ayes, 5; Noes, 0.

GERALD D. LORGE,
Chairman.

MOTIONS

Upon motion of Senator Keppler all actions of the senate, except Senate Bill 480, were ordered immediately messaged to the assembly.

Senate Bill 497

Senator Dorman moved reconsideration of the vote by which the bill was passed.

Senator Schreiber moved a

CALL OF THE SENATE

Which motion was supported.

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

Senators Busby, Chilsen, Devitt, Dorman, Draheim, Heinzen, Hollander, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, Meunier, Risser, Schreiber, Schuele, Soik, Swan, Terry and Thompson—23.

Absent—Senators Dempsey, Johnson, Krueger, McParland and Roseleip—5.

Absent with leave—Senators Cirilli, Panzer, Rasmusen and Whittow—4.

Upon motion of Senator Hollander, with unanimous consent, the call of the senate was raised.

The question was: Shall the vote by which Senate Bill 497 was passed be reconsidered?

JOURNAL OF THE SENATE [July 15, 1969]

The ayes and noes were demanded and the vote was: ayes, 4; noes, 20; absent or not voting, 8; as follows:

Ayes—Senators Dorman, Risser, Schreiber and Thompson—4

Noes—Senators Busby, Chilsen, Devitt, Draheim, Heinzen, Hollander, Johnson, Kendzioriski, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, Meunier, Schuele, Soik, Swan and Terry—20.

Absent or not voting—Senators Cirilli, Dempsey, Krueger, McParland, Panzer, Rasmusen, Roseleip and Whittow—8.

So the senate refused to reconsider the vote by which the bill passed.

Senate Bill 280

Upon motion of Senator Keppler, with unanimous consent, the bill was taken from the calendar of July 17 and made a Special Order of business for July 16th at 10:15 A.M.

Senate Bill 545

Upon motion of Senator Keppler, with unanimous consent, the bill was taken from the calendar of July 17 and made a Special Order of business for Thursday, July 17th at 10:15 A.M.

Upon motion of Senator Keppler the senate adjourned.

INTRODUCTION OF GUESTS

Senator Swan welcomed to the senate Mrs. Mo Tjiang Tjide, Mrs. Djde Tjhoh Tjide, Miss Eng Hoa Tjide, and Mr. Moh Djoe Tjioe, from Djakarta, Indonesia.

JOURNAL OF THE SENATE [July 15, 1969]

Senator Risser introduced Miss Sara Jane Day, a sixth grade student at Odana School, Madison.

Senator Heinzen introduced 46 members of the Nasonville Homemakers and their leaders Mrs. Myron Dohm and Mrs. Don Hanson, of Marshfield.

CHIEF CLERK'S CORRECTION

Assembly amendment 1 to assembly amendment 1, to Senate Bill 315

In line 5, before "a" insert "for".