

JOURNAL OF THE SENATE [August 12, 1969]

STATE OF WISCONSIN

Senate Journal

Seventy-Ninth Session

TUESDAY, August 12, 1969.

2:00 o'clock P.M.

The senate met.

The senate was called to order by the president of the senate.

Prayer was offered by Reverend Paul Z. Hoornstra, Pastor, Grace Episcopal 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, Cirilli, 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, Thompson and Whittow—31.

Absent with leave—Senator Panzer—1.

INTRODUCTION OF AMENDMENTS

Senate substitute amendment 1 to **Senate Bill 565** offered by Senator Swan.

Senate amendment 1 to **Senate Bill 620** offered by Senator Krueger.

JOURNAL OF THE SENATE [August 12, 1969]

Senate amendment 1 to Senate Bill 624 offered by Senators Swan and LaFave.

Senate amendment 1 to Senate Bill 631 offered by Senator LaFave.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 23

Requesting an opinion of the attorney general as to the effect on the department of health and social services of certain prohibitions in section 151.15 of the statutes.

Whereas, section 151.15 of the Wisconsin statutes, includes in substance, the following provisions:

- (1) Inclusion of contraceptive drugs and devices in a definition of "indecent articles";
- (2) Prohibition of advertising for sale and of display to the public of "indecent articles";
- (3) Prohibition of the sale or distribution of "indecent articles" by anyone but a licensed physician or pharmacist;
- (4) Prohibition of the sale or distribution of "indecent articles" by anyone to any unmarried person; and

Whereas, these provisions of section 151.15 may have caused uncertainty in the department of health and social services and among individual social workers and public health workers as to whether the law permits giving contraceptive advice and assistance to married persons on welfare who want such advice and assistance; now, therefore, be it

Resolved by the senate, That the senate requests of the attorney general an opinion as to whether section 151.15 or any other applicable statute prohibits the department of health and social services from carrying out an affirmative program of contraceptive advice and assistance for married persons who are eligible for the services of the department and who want such advice and assistance?

By Senator Risser.

Senator Cirilli moved that **Senate Resolution 23** be referred to the committee on Health and Social Services.

The motion prevailed.

JOURNAL OF THE SENATE [August 12, 1969]

INTRODUCTION OF BILLS

Senate Bill 642

Relating to new and expanded state programs, increasing taxes and making appropriations (budget trailer bills).

By Senators Hollander, LaFave and Meunier.

Read first time.

To joint committee on Finance.

Senate Bill 642

Senator Hollander asked unanimous consent that the bill be withdrawn from the joint committee on Finance and placed on the calendar.

Senator Roseleip objected.

Senate Bill 643

Relating to perfection of security interests in motor vehicles.

By Senators Risser and Hollander.

Read first time.

To committee on Transportation.

Senate Bill 644

Relating to interstate sales and purchase of rifles and shotguns.

By Senators Swan and Krueger.

Read first time.

To committee on Governmental and Veterans' Affairs.

COMMITTEE REPORT

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

The appointment by the Governor of Joseph Kautzer, of Kenosha, as a member of the Industry, Labor and Human Relations Commission, to succeed Charles E. Arnold, Madison, to serve for the term ending March 1, 1975.

Confirmation; Ayes, 4; Noes, 1.

JOURNAL OF THE SENATE [August 12, 1969]

Senate Joint Resolution 74

To authorize the legislative council to study the shortage and need for more dentists, doctors, surveyors, plumbers, electricians, carpenters and other professional skills in this state and to permit the legislative council to appoint members of a committee to assist in such study.

Adoption; Ayes, 5; Noes, 0.

Senate Bill 594

Relating to workmen's compensation for national guard members on state duty.

Passage; Ayes, 5; Noes, 0.

Assembly Bill 61

Relating to the maximum allowable interest on an amount adjudged due in an action on a mortgage.

Adoption of senate amendment 1; Ayes, 3; Noes, 1 and concurrence; Ayes, 3; Noes, 1.

Assembly Bill 449

Relating to the definition of real estate broker.

Concurrence; Ayes, 4; Noes, 0.

Assembly Bill 558

Relating to the payment of dividends by savings and loan associations.

Concurrence; Ayes, 4; Noes, 0.

GERALD D. LORGE,
Chairman.

The committee on Education reports and recommends:

Senate Bill 542

Relating to retirement and group life insurance coverage for employes of a newly created vocational, technical and adult education district.

Passage; Ayes, 4; Noes, 0.

Assembly Bill 799

Relating to prohibition of discrimination against qualified blind, deaf or physically handicapped teachers.

Concurrence; Ayes, 4; Noes, 0.

HOLGER B. RASMUSEN,
Chairman.

JOURNAL OF THE SENATE [August 12, 1969]

REPORT OF JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS

APPENDIX TO SENATE BILL 559

Public Policy Involved

The bill is undesirable as a matter of public policy as it provides discriminatory treatment for the sales tax applicable for automobiles dependent upon end use.

Respectfully submitted,

JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS

CHESTER E. DEMPSEY,
Chairman.

ROBERT O. UEHLING,
Vice-chairman.

Read.

Referred to committee on Labor, Taxation, Insurance and Banking.

REPORT OF JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS

APPENDIX TO SENATE BILL 573

Public Policy Involved

The bill involves no public policy relating to tax exemptions.

Respectfully submitted,

JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS

CHESTER E. DEMPSEY,
Chairman.

ROBERT O. UEHLING,
Vice-chairman.

Read.

Referred to committee on Labor, Taxation, Insurance and Banking.

JOURNAL OF THE SENATE [August 12, 1969]

REPORT OF COMMITTEE OF CONFERENCE
ON SENATE BILL 95

The members of the committee of Conference on Senate Bill 95 report and recommend:

1. That both Houses recede from their respective positions on Senate Bill 95; and
2. That both Houses concur in senate substitute amendment 3 to Senate Bill 95 which is herewith offered by the committee of Conference as their report.

Dated this 12th day of August, 1969.

Senator Walter G. Hollander,
Chairman.

Senator Reuben LaFave
Senator Alex J. Meunier
Assemblyman Byron F. Wackett
Assemblyman Paul R. Alfonsi
Assemblyman John C. Shabaz

Senate Bill 95

Upon motion of Senator Keppler, with unanimous consent, the report of the committee of Conference was laid aside.

PETITIONS AND COMMUNICATIONS

Senate Petition 461

A petition by 25 citizens of the City of Sheboygan, Wisconsin expressing support for Senate Bill 222 and Assembly Bill 342 which would restore 35% of the Liquor Tax to the Veterans Trust Fund.

By Senator Keppler.

To committee on Governmental and Veterans' Affairs.

Senate Petition 462

A petition by 32 members of the WW I Barracks 1687 of Platteville requesting the Legislature to look favorably upon Senate Bill 222 and its companion Assembly Bill 342, which would restore 35% of the Liquor Tax to the Veterans Trust Fund.

By Senator Roseleip.

To committee on Governmental and Veterans' Affairs.

JOURNAL OF THE SENATE [August 12, 1969]

Senate Petition 463

A petition by 48 citizens of Wisconsin favoring a law that would exempt municipal and volunteer fire departments from paying a sales tax on property or tickets sold when they are putting on a function that is for the best interests of their department.

By Senator Roseleip.

To committee on Labor, Taxation, Insurance and Banking.

Senate Petition 464

A petition by 20 residents of Racine County urging passage of Senate Bill 222 and/or Assembly Bill 342.

By Senator Dorman.

To committee on Governmental and Veterans' Affairs.

Senate Petition 465

A petition signed by 26 residents of Milwaukee supporting Senate Bill 222 which would restore 35% of the liquor tax to the Veterans' Trust Fund.

By Senator Whittow.

To committee on Governmental and Veterans' Affairs.

Senate Petition 466

A petition by 20 citizens of Wisconsin in favor of Senate Bill 222 and/or companion Assembly Bill 342.

By Senator Knutson.

To committee on Governmental and Veterans' Affairs.

Senate Petition 467

A petition signed by 15 residents from Sturgeon Bay relating to legislation which would restore 35% of the Liquor Tax to the Veterans Trust Fund.

By Senator Meunier.

To committee on Governmental and Veterans' Affairs.

Senate Petition 468

A petition from 20 residents of Milwaukee and Waukesha Counties urging legislation to restore 35% of the Liquor Tax to the Veterans Trust Fund.

By Senator Meunier.

To committee on Governmental and Veterans' Affairs.

JOURNAL OF THE SENATE [August 12, 1969]

Senate Petition 469

A petition by 21 residents of Medford, Wisconsin, in support of **Senate Bill 222** which would restore 35% of the liquor tax to the Veterans Trust Fund.

By Senator Krueger.

To committee on Governmental and Veterans' Affairs.

To The Honorable, The Senate

Gentlemen: I have the honor to transmit to you, pursuant to Section 13.67 (2), a list of registered lobbyists for the period beginning August 5, 1969, and ending August 11, 1969.

Yours very truly,

ROBERT C. ZIMMERMAN,
Secretary of State.

Name, Address and Occupation of Lobbyist—Name and Address of Employer—Subject of Legislation—Date of Employment—Length of Time of Employment.

Thomas R. Holter, Public Relations, 106 E. Doty St., Madison, Wis.—Wis. Nat'l. High School Rodeo Assn., 123 Oak St., Sparta, Wis.—Rodeo & humane treatment of animals—July 17, 1969—Session.

Thomas R. Holter, Public Relations, 106 E. Doty St., Madison, Wis.—Wis. Public Welfare Assn., 106 E. Doty St., Madison, Wis.—Public welfare—July 17, 1969—Session.

William C. Carey, Fiscal Coordinator, 200 E. Wells St., Milwaukee, Wis.—City of Milwaukee, 200 E. Wells St., Milwaukee, Wis.—General—August 11, 1969—Session.

EXECUTIVE COMMUNICATIONS

The State of Wisconsin
Executive Office
Madison 53702

To the Honorable, the Senate:

The following bill, originating in the senate, has been

JOURNAL OF THE SENATE [August 12, 1969]

approved, signed and deposited in the office of the Secretary of State.

Senate Bill	Chapter No.	Date Approved
313 -----	143 -----	August 9, 1969

Respectfully submitted,

WARREN P. KNOWLES,
Governor.

MOTIONS

MOTION UNDER JOINT RULE 26

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

Whereas, Angus B. Rothwell, 65, will retire on September 1, 1969 from his post as executive director of the coordinating council for higher education; and

Whereas, Mr. Rothwell has spent more than 43 years in public employment related to education and has served as executive director since July 1966; and

Whereas, Mr. Rothwell also served as state superintendent of public instruction from 1961 to 1966; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senators Risser and Heinzen commend Mr. Rothwell on his distinguished service to this state and extend best wishes to him for success in his future activities.

Read and adopted.

Know you by these presents:

Whereas, Mr. Howard J. Meister is being recognized by the community leaders of the City of Milwaukee on August 26, 1969 for his outstanding contribution to various civic and charitable organizations; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senators Whittow, Kendziorski and Schuele and Pabst, under Joint Rule 26, extend to Mr. Meister their sincere congratulations on being recognized for his contribu-

JOURNAL OF THE SENATE [August 12, 1969]

tion to his community and to wish him well in his future endeavors.

Read and adopted.

Ordered immediately messaged to the assembly.

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

Upon motion of Senator Keppler, the senate recessed until 4:00 P.M.

RECESS

4:33 P.M.

President pro tempore in the chair.

Senate Bill 95

Upon motion of Senator Keppler with unanimous consent, the report of the committee of Conference was made a Special Order of Business August 13th at 1:00 P. M.

Assembly Bill 419

Senator Krueger moved to withdraw the bill from the committee on Natural Resources and place it on the calendar of Thursday, August 14th.

Senator Risser 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:

Present—Senators Busby, Chilsen, Cirilli, Dempsey, Devott, Dorman, Draheim, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Lourigan, McParland, Meunier, Rasmusen,

JOURNAL OF THE SENATE [August 12, 1969]

Risser, Roseleip, Schreiber, Schuele, Soik, Swan, Terry, Thompson and Whittow—31.

Absent—None.

Absent with leave—Senator Panzer—1.

Assembly Bill 419

Upon motion of Senator Schuele with unanimous consent, the bill was withdrawn from the committee on Natural Resources and made a Special Order of Business immediately following **Senate Bill 95** on August 13th.

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

Upon motion of Senator Keppler, the senate adjourned until 1:00 P.M. Wednesday, August 13, 1969.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Substitute Amendment 3 to Senate Bill 95

On page 126, line 5, delete "other considerations, including federal regumay take into account".