

JOURNAL OF THE SENATE [October 2, 1969]

STATE OF WISCONSIN

Senate Journal

Seventy-Ninth Session

THURSDAY, October 2, 1969.

10:00 o'clock A.M.

The senate met.

The senate was called to order by the president.

Prayer was offered by Father Anthony Gergiannakis, Eastern Orthodox Ministry, Madison, Wis.

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

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

Absent with leave—Senators Dorman, Lorge and Swan—3.

INTRODUCTION OF AMENDMENTS

Senate substitute amendment 2 to Senate Bill 143 offered by Senators Cirilli, Johnson and McParland.

Senate amendment 1 to Senate Bill 596 offered by Senator Roseleip.

Senate amendment 2 to Senate Bill 671 offered by Senator Roseleip.

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INTRODUCTION OF BILLS

Senate Bill 688

Relating to advisory referenda on questions in counties.

By Senators Lotto, Roseleip, Krueger, Swan, Thompson and Meunier, by request of Wisconsin County Boards Association.

Read first time.

To committee on Governmental and Veterans' Affairs.

Senate Bill 689

Relating to the tax rate applicable to certain materials used in constructing, altering, repairing or improving real estate.

By Senator Devitt.

Read first time.

To joint committee on Finance.

COMMITTEE REPORT

The committee on Judiciary reports and recommends:

Senate Bill 565

Relating to the compensation of judges and increasing certain suit taxes.

Adoption of senate substitute amendment 2; Ayes, 4; Noes, 0 and passage as amended; Ayes, 4; Noes, 0.

Assembly Bill 57

Relating to the election and term of a judge for the 2nd branch of the 3rd judicial circuit in Winnebago and Calumet counties.

Nonconcurrence; Ayes, 4; Noes, 0.

Assembly Bill 781

Relating to use of maiden name by married women.

Concurrence; Ayes, 4; Noes, 0.

ALLEN J. BUSBY,
Chairman.

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PETITIONS AND COMMUNICATIONS

Senate Petition 515

A petition from 20 residents of Sturgeon Bay, Door County urging legislation to restore 35% of the Liquor Tax to the Veterans Trust Fund.

By Senator Meunier.

To committee on Governmental and Veterans' Affairs.

Senate Petition 516

A petition by 55 citizens of Wisconsin requesting the senate to help defeat Assembly Bill 428, which would require 2 dome type lamps on all emergency vehicles, both to be in use at the scene of the accident, but only 1 to be in use en-route.

By Senator Roseleip.

To committee on Transportation.

Senate Petition 517

A petition by 27 members of the Fennimore Fire Department favoring Senate Bill 490, which 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 518

A petition by 55 residents of Milwaukee County petitioning removing school taxes from property tax.

By Senator Schuele.

To joint committee on Finance.

CALENDAR OF THURSDAY, AUGUST 14th

President pro tempore in the chair.

Senate Joint Resolution 74

Upon motion of Senator Keppler, with unanimous consent, the resolution was placed after Assembly Bill 674 on the calendar of September 30th.

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Assembly Bill 449

Upon motion of Senator Keppler, with unanimous consent, the bill was placed after **Assembly Bill 348** on the calendar of September 29th.

Senate Bill 95

Upon motion of Senator Keppler, with unanimous consent, the bill was placed at the foot of the September 29th calendar.

Senate Bill 436

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

The question was: Shall the bill pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 25; noes, 2; absent or not voting, 4; as follows:

Ayes—Senators Busby, Chilsen, Cirilli, Dempsey, Devitt, Draheim, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knutson, Krueger, LaFave, Lotto, Lourigan, Meunier, Rasmusen, Roseleip, S c h r e i b e r, Schuele, Soik, Terry, Thompson and Whittow—25.

Noes—Senators Knowles and Risser—2.

Absent or not voting—Senators Dorman, Lorge, McParland and Swan—4.

More than two-thirds having voted in the affirmative, the bill passed notwithstanding the objections of the Governor.

Ordered immediately messaged to the assembly.

Senate Bill 68

Relating to expiration of terms for governor's appointments.

Read a second time.

The bill was ordered to a third reading.

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

Senate Bill 68

Was read a third time and passed.

Senate Bill 223

Upon motion of Senator Krueger, with unanimous consent, the bill was placed after **Senate Bill 95** on the calendar of September 29th.

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Senate Bill 535

Relating to removing the exemption for certain schools from regulation by the educational approval board.

Read a second time.

The bill was ordered to a third reading.

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

Senate Bill 535

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 27; noes, 0; absent or not voting, 4; as follows:

Ayes—Senators Busby, Chilsen, Cirilli, Dempsey, Devitt, Draheim, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lotto, Lourigan, McParland, Meunier, Rasmusen, Risser, Roseleip, Schreiber, Soik, Terry, Thompson and Whittow—27.

Noes—None.

Absent or not voting—Senators Dorman, Lorge, Schuele and Swan—4.

So the bill passed.

Senate Bill 537

Upon motion of Senator Whittow, with unanimous consent, the bill was placed after Senate Bill 223 on the calendar of September 29th.

Senate Bill 558

Relating to the exemption of certain smoke novelties and party novelties from the fireworks prohibition.

Read a third time.

The bill was passed.

Assembly Bill 109

Relating to election observers.

Read a second time.

Senator Kendziorski moved nonconurrence.

The motion did not prevail.

The bill was ordered to a third reading.

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

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Assembly Bill 109

Was read a third time and concurred in.

Senate Bill 558

Senator Risser moved reconsideration of the vote by which the bill was passed, and with unanimous consent, the reconsideration motion was placed after **Senate Joint Resolution 74** on the calendar of September 30th.

Assembly Bill 204

Upon motion of Senator LaFave, with unanimous consent, the bill was placed after the reconsideration motion of **Senate Bill 558** on the calendar of September 30th.

Assembly Bill 332

Relating to a referenda on school district reorganizations.

Read a second time.

Senator Rasmusen moved nonconcurrence.

Senator Kendziorski in the chair.

The question was: Shall the bill be nonconcurrred in?

The ayes and noes were demanded and the vote was: ayes, 7; noes, 19; absent or not voting, 3; paired, 2; as follows:

Ayes—Senators Busby, Cirilli, Knowles, Rasmusen, Risser, Soik and Thompson—7.

Noes—Senators Chilsen, Dempsey, Devitt, Draheim, Hollander, Johnson, Kendziorski, Keppler, Knutson, Krueger, LaFave, Lotto, Lourigan, Meunier, Roseleip, Schreiber, Schuele, Terry and Whittow—19.

Absent or not voting—Senators Dorman, McParland and Swan—3.

Paired—Senator Heinzen for nonconcurrence, Senator Lorge against nonconcurrence—2.

So the motion did not prevail.

The question was: Shall the bill be ordered to a third reading?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 6; absent or not voting, 1; paired, 2 as follows:

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Ayes—Senators Chilsen, Cirilli, Dempsey, Devitt, Draheim, Hollander, Johnson, Kendziorski, Keppler, Knutson, Krueger, LaFave, Lotto, Lourigan, McParland, Meunier, Roseleip, Schuele, Soik, Swan, Terry and Whittow—22.

Noes—Senators Busby, Knowles, Rasmussen, Risser, Schreiber and Thompson—6.

Absent or not voting—Senator Dorman—1.

Paired—Senator Lorge for ordering to a third reading, Senator Heinzen against ordering to a third reading—2.

The bill was ordered to a third reading.

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

Assembly Bill 332

Was read a third time and concurred in.

Assembly Bill 348

Relating to state income tax appeals.

Read a second time.

The question was: Shall the vote by which the bill was nonconcurrent in be reconsidered?

The vote was reconsidered.

The question was: Shall the bill be nonconcurrent in?

Nonconcurrence failed.

The question was: Shall the bill be ordered to a third reading?

Senate amendment 1 offered by Senator Risser.

Senator Krueger moved rejection of the amendment.

Upon motion of Senator Schreiber, with unanimous consent, the bill was placed after **Assembly Bill 204** on the calendar of September 30th.

Upon motion of Senator Johnson, with unanimous consent, the actions of the senate were ordered immediately messaged to the assembly.

Upon motion of Senator Johnson the senate recessed until 3:30 P.M.

RECESS

3:38 P.M.

President pro tempore in the chair.

Assembly Bill 449

Relating to the definition of real estate broker.

Read a second time.

Senate amendment 1 was adopted.

The bill was ordered to a third reading.

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

Assembly Bill 449

Was read a third time and concurred in as amended.

Senate Bill 95

Upon motion of Senator Johnson, with unanimous consent, the bill was placed at the foot of the calendar of October 2nd.

Senate Bill 223

Relating to an authorization for a county room tax.

Read a second time.

Senator Krueger moved rejection of senate amendment 1 to senate substitute amendment 2.

The question was: Shall senate amendment 1 to senate substitute amendment 2 be rejected?

The ayes and noes were demanded and the vote was: ayes, 14; Noes, 12; absent or not voting, 5; as follows:

Ayes—Senators Chilsen, Cirilli, Dempsey, Heinzen, Hol-lander, Johnson, Knowles, Krueger, LaFave, Lotto, Meunier, Rasmusen, Roseleip and Terry—14.

Noes—Senators Busby, Kendziorski, Keppler, Knutson, Lorge, Lourigan, Risser, Schreiber, Soik, Swan, Thompson and Whittow—12.

Absent or not voting—Senators Devitt, Dorman, Draheim, McParland and Schuele—5.

So the motion to reject prevailed.

Senator Risser moved rejection of senate substitute amendment 2 to Senate Bill 223.

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Senator Hollander in the chair.

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

MOTIONS

Assembly Bill 332

Upon motion of Senator Keppler, with unanimous consent, the votes by which the bill was immediately messaged, concurred in and ordered to a third reading were reconsidered.

The bill was placed on the calendar of September 30th after Senate Bill 602.

Senate Bill 565

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

Upon motion of Senator Keppler the senate adjourned until 9:01 A.M., Friday, October 3, 1969.

INTRODUCTION OF GUESTS

Senator Knowles welcomed members of the National Guard, Second Battalion, 128th Infantry of Whitewater.

Senator McParland welcomed Mayor Abendschein, Mr. Ralph E. Leum, Mr. Frank Wellstein, Mr. William White, and Mr. Richard Fedler, all from Oak Creek.

Senator Keppler welcomed Mr. Thara Chaisinthup, from Bangkok, Thailand.