

JOURNAL OF THE SENATE [October 30, 1969]

STATE OF WISCONSIN

# Senate Journal

## Seventy-Ninth Session

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THURSDAY, October 30, 1969.

10:05 o'clock A.M.

The senate met.

The senate was called to order by the president.

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

Senators Busby, Chilsen, Cirilli, Devitt, Dorman, Draheim, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Lourigan, McParland, Meunier, Parys, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Soik, Swan, Terry, Thompson and Whittow—31.

Absent—None.

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### LEAVE OF ABSENCE

Senator Hollander, with unanimous consent, was granted a leave of absence from 2:30 P.M. for the balance of the day.

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### INTRODUCTION OF AMENDMENTS

Senate amendment 2 to senate substitute amendment 1 to Senate Bill 530 offered by Senator Hollander.

Senate substitute amendment 1 to Assembly Bill 672 offered by Senator Risser.

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Senate amendment 2 to **Senate Bill 687** offered by Senator Knowles.

Senate amendment 1 to **Assembly Bill 955** offered by Senator Meunier.

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### RESOLUTIONS

#### **Senate Joint Resolution 98**

Relating to commencing civil suit for damages caused to the assembly chambers on September 29, 1969.

Senator Johnson inquired as to whether the president pro tempore could render his ruling on **Senate Joint Resolution 98**.

Senator Knowles ruled that **Senate Joint Resolution 98** was privileged under Senate Rule 69 and therefore the point of order raised by Senator Schreiber on page 1819 of the senate journal was not well taken.

Senator Schreiber raised a point of order that Senator Knowles was not in the chair. The president invited the president pro tempore to take the chair to present his ruling.

President pro tempore in the chair.

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### RULING OF THE CHAIR

The chair ruled that **Senate Joint Resolution 98** was privileged under Senate Rule 69 and the point of order raised by the Senator from the 6th on page 1819 of the journal was not well taken.

President in the chair.

Senator Risser raised a point of order the resolution was not proper in that it takes cognizance of matters in the other house.

The chair ruled the point not well taken.

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Senate substitute amendment 1 offered by Senator Risser.  
Senator Johnson moved rejection of the amendment.

President pro tempore in the chair.

Upon motion of Senator Keppler the senate stood informal.

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10:55 A.M.

President pro tempore in the chair.

**Senate Joint Resolution 98**

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

The ayes and noes were demanded and the vote was: ayes, 21; noes, 7; absent or not voting, 3; as follows:

Ayes—Senators Busby, Devitt, Draheim, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lotto, Lourigan, Meunier, Parys, Rasmusen, Roseleip, Schuele, Swan, Terry and Whittow—21.

Noes—Senators Chilsen, Dorman, Heinzen, McParland, Risser, Schreiber and Thompson—7.

Absent or not voting—Senators Cirilli, Lorge and Soik—3.

The motion to reject prevailed.

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

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**RECESS**

11:20 A.M.

President pro tempore in the chair.

**Senate Joint Resolution 98**

Senator Keppler moved the remaining debate be limited to no more than 15 minutes with the understanding the senators who requested a certain amount of time confine

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themselves to the amount they stated, and that would be within the 15 minutes.

Senator Schreiber moved to amend the motion so each side have 15 minutes for debate.

The amendment to the motion did not prevail.

The question was: Shall debate be limited to 15 minutes on Senate Joint Resolution 98?

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:

Senators Busby, Chilsen, Cirilli, Devitt, Dorman, Draheim, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Lourigan, McParland, Meunier, Parys, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Swan, Terry, Thompson and Whittow—30.

Absent—Senator Soik—1.

Senator Keppler called the chair's attention to the presence of Senator Soik.

All members of the senate being present, the call was raised by unanimous consent.

### Senate Joint Resolution 98

The question was: Shall debate be limited to 15 minutes?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 11; absent or not voting, 1; as follows:

Ayes—Senators Chilsen, Cirilli, Devitt, Draheim, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Meunier, Roseleip, Soik, Swan and Terry—19.

Noes—Senators Busby, Dorman, Kendziorski, Lourigan, McParland, Parys, Risser, Schreiber, Schuele, Thompson and Whittow—11.

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Absent or not voting—Senator Rasmusen—1.

The motion prevailed.

Senate amendment 1 offered by Senator Whittow.

Senate amendment 1 to senate amendment 1 offered by Senator Swan.

The question was: Shall senate amendment 1 to senate amendment 1 be adopted?

The ayes and noes were demanded and the vote was: ayes, 10; noes, 21; absent or not voting, 0; as follows:

Ayes—Senators Johnson, Kendziorski, Keppler, Knutson, LaFave, Meunier, Roseleip, Schuele, Soik and Swan—10.

Noes—Senators Busby, Chilsen, Cirilli, Devitt, Dorman, Draheim, Heinzen, Hollander, Knowles, Krueger, Lorge, Lotto, Lourigan, McParland, Parys, Rasmusen, Risser, Schreiber, Terry, Thompson and Whittow—21.

Absent or not voting—None.

Adoption failed.

The question was: Shall senate amendment 1 be adopted?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 18; absent or not voting, 0; as follows:

Ayes—Senators Chilsen, Cirilli, Heinzen, Kendziorski, Lotto, McParland, Parys, Risser, Schreiber, Schuele, Terry, Thompson and Whittow—13.

Noes—Senators Busby, Devitt, Dorman, Draheim, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lourigan, Meunier, Rasmusen, Roseleip, Soik and Swan—18.

Absent or not voting—None.

Adoption failed.

Senate amendment 2 offered by Senator Schreiber.

Senator Johnson moved rejection of senate amendment 2. Senate amendment 2 was rejected.

The question was: Shall Senate Resolution 98 be adopted?

The ayes and noes were demanded and the vote was: ayes, 25; noes, 6; absent or not voting, 0; as follows:

Ayes—Senators Busby, Chilsen, Cirilli, Devitt, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson,

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Krueger, LaFave, Lorge, Lotto, Lourigan, Meunier, Parys, Rasmusen, Roseleip, Schuele, Soik, Swan, Terry, Thompson and Whittow—25.

Noes—Senators Dorman, Draheim, Heinzen, McParland, Risser and Schreiber—6.

Absent or not voting—None.

The resolution was adopted.

Ordered immediately messaged to the assembly.

Upon motion of Senator LaFave the senate recessed until 2:00 o'clock P.M.

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**RECESS**

2:00 P.M.

President pro tempore in the chair.

**Senate Joint Resolution 100**

A joint resolution to amend article IV, section 24, of the constitution, relating to the authorization of bingo for certain purposes. (1st consideration)

By Senator Lotto; co-sponsored by Assemblyman Schroeder, by request of Clarence Mueller, Chilton, Wisconsin.

Read.

Senator Lotto asked unanimous consent to have the resolution placed on the calendar.

Senator Risser objected.

Senator Lotto asked unanimous consent to have the resolution referred to the committee on Agriculture.

Senator Kendziorski objected.

The resolution was referred to the committee on Governmental and Veterans' Affairs.

**Senate Joint Resolution 101**

A joint resolution relating to the commemoration of the Peshtigo Fire.

By Senators LaFave, Swan, Lorge, Krueger, Busby, Risser, Whittow and Kendziorski; co-sponsored by Assemblyman Alfonsi.

Read.

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Upon motion of Senator LaFave, with unanimous consent, the resolution was considered at this time.

The resolution was adopted.

Ordered immediately messaged to the assembly.

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### INTRODUCTION OF BILLS

#### Senate Bill 735

Relating to authorizing the attorney general to prosecute local crimes.

By Senators Roseleip, Swan, Knutson, Cirilli, Meunier, Soik, Lotto and Schuele.

Read first time.

To committee on Judiciary.

#### Senate Bill 736

Relating to statutory salaries.

By Senator Hollander.

Read first time.

To joint committee on Finance.

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### COMMITTEE REPORTS

The committee on Transportation reports and recommends:

#### Senate Bill 287

Relating to noise from the operation of motor vehicles, and providing a penalty and granting rule-making power.

Passage; Ayes, 4; Noes, 0.

#### Senate Bill 355

Relating to the statutory implementation of changes made by chapters 75 and 327, Laws of 1967 (the executive branch reorganization acts), in constitutional offices, departments and independent agencies.

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

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**Senate Bill 401**

Relating to muffler noise on motor vehicles.

Passage; Ayes, 4; Noes, 0.

**Senate Bill 588**

Relating to estimating the gross weight of vehicles transporting pulpwood.

Passage; Ayes, 4; Noes, 0.

**REUBEN LaFAVE,**  
Chairman.

The joint committee on Finance reports and recommends :

**Senate Bill 381**

Relating to the preservation of the Wolf river as a scenic area and making an appropriation.

Adoption of senate amendment 1 to senate substitute amendment 1; Ayes, 9; Noes, 1; adoption of senate substitute amendment 1 as amended; Ayes, 10; Noes, 0 and passage as amended; Ayes, 10; Noes, 0.

**Senate Bill 538**

Relating to the creation of a police training center, a police training center board, increasing and establishing certain registration fees and providing an appropriation.

Rejection of senate amendment 1; Ayes, 8; Noes, 2; adoption of senate amendment 2; Ayes, 7; Noes, 4 and indefinite postponement; Ayes, 6; Noes, 5.

**WALTER G. HOLLANDER,**  
Chairman.

The committee on Education reports and recommends :

The appointment by the Governor of John F. Roche, of Rio, as a member of the Coordinating Council for Higher Education, to serve for the term ending July 1, 1970.

Confirmation; Ayes, 5; Noes, 0.

**Senate Bill 184**

Relating to teaching economics in schools.

Indefinite postponement; Ayes, 4; Noes, 1.



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**Senate Bill 201**

Relating to the teaching of civics or citizenship in high schools.

Indefinite postponement; Ayes, 4; Noes, 1.

**Senate Bill 373**

Relating to legislative tuition remissions for the university of Wisconsin at Milwaukee or any state universities.

Adoption of senate amendment 2; Ayes, 5; Noes, 0 and passage as amended; Ayes, 4; Noes, 1.

**Senate Bill 414**

Relating to retirement benefits for teachers in public schools.

Passage; Ayes, 5; Noes, 0.

**Senate Bill 492**

Relating to a comprehensive program for training deprived youth, and making appropriations.

Passage; Ayes, 5; Noes, 0.

**Senate Bill 591**

Relating to the elimination of inconsistencies, and the clarification and modification of various provisions pertaining to the Milwaukee teachers retirement fund.

Passage; Ayes, 5; Noes, 0.

**Senate Bill 685**

Relating to expanding the Indian scholarship program.

Passage; Ayes, 4; Noes, 1.

**Assembly Bill 507**

Relating to authorizing school districts to set rules on conduct and dress of pupils.

Concurrence; Ayes, 2; Noes, 3; non-concurrence; Ayes, 2; Noes, 3 and without recommendation.

**Assembly Bill 1132**

An act granting authority to school boards to lower tax levies voted at annual meetings of the electors in their school districts.

Concurrence; Ayes, 5; Noes, 0.

**HOLGER B. RASMUSEN,**  
Chairman.

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The committee on Health and Social Services reports and recommends:

The appointment by the Governor of Dr. Herbert G. Grewe, of Eau Claire, as a member of the Health and Social Services Board, to succeed Dr. Frank E. Drew, Milwaukee, resigned, to serve for a term ending May 1, 1971.

Confirmation; Ayes, 5; Noes, 0.

**Senate Bill 587**

Relating to creating a task force on welfare payments and making an appropriation.

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

**Assembly Bill 20**

Relating to the licensing of persons engaged in the practice of psychology, the creation of a psychology examining board in the department of regulation and licensing, making an appropriation, granting rule-making power and providing penalties.

Concurrence; Ayes, 3; Noes, 2.

**Assembly Bill 544**

An act prohibiting the physical abuse of children, and providing a penalty.

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

ARTHUR A. CIRILLI,  
Chairman.

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**1969 REPORT OF THE JOINT COMMITTEE FOR THE  
REVIEW OF ADMINISTRATIVE RULES**

**For the years 1967-1968**

To: The Honorable Governor Warren P. Knowles  
The Honorable, the Senate and Assembly of Wisconsin

At a meeting held on November 8, 1967 the Committee elected Assemblyman Shabaz as chairman, Assemblyman Thompson as vice-chairman and Assemblyman Pabst as secretary.

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At a public hearing held on December 28, 1967 the Committee heard the following complaints and took the following action:

1. Complaint by H. E. Halvorson, representing the Retail Gasoline Dealers Assn., that the Department of Industry, Labor and Human Relations had adopted a rule authorizing self-service gasoline pumps without adequate notice of hearing and without adequate consideration of the problems involved. The department listed the hearings which had been held and the notices given. The Committee unanimously voted to request the department to hold another public hearing after publication of a new notice in the Administrative Register.

2. Complaint by Jared Lobdell that the Investment Board was not making proper use of the investment directors in the investment of state funds. No administrative rule covering the matter was cited to the Committee. The Executive Director of the Investment Board stated that he was resigning as of February 1, 1968. The Committee took no action because no administrative rule was involved.

3. Complaint that farm machinery travel on an interchange at Highways I-94 and 11 is barred by rule Hwy 30.01 (3) (e) 22. Farmers should be granted permits to move their equipment through the interchange. After listening to complainants and representatives of the department, the committee tabled the complaint for future consideration.

### Joint Committee For the Review of Administrative Rules

Assemblyman John C. Shabaz,

Chairman.

Assemblyman Tommy G. Thompson,

Vice Chairman.

Assemblyman Richard E. Pabst,

Secretary.

Senators:

Arthur A. Cirilli

Reuben LaFave

Leland S. McParland

Robert W. Warren

Assemblymen:

Vincent R. Mathews

Merrill Stalbaum

(Section 13.56 of the statutes creates the Committee and specifies its powers and duties.)

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**MESSAGE FROM THE ASSEMBLY**

By Wilmer H. Struebing, chief clerk.

Mr. President:

I am directed to inform you that the assembly has concurred in:

Senate Bill 253,	Senate Bill 394,
Senate Bill 255,	Senate Bill 413,
Senate Bill 286,	Senate Bill 422,
Senate Bill 292,	Senate Bill 429,
Senate Bill 319,	Senate Bill 467,
Senate Bill 320,	Senate Bill 495,
Senate Bill 321,	Senate Bill 501,
Senate Bill 322,	Senate Bill 523,
Senate Bill 327,	Senate Bill 526,
Senate Bill 380,	Senate Bill 553,
	Senate Bill 560 and

Senate amendment 1 to Assembly Bill 348.

Amended and concurred in as amended:

Senate Bill 241,	Senate Bill 388,
Senate Bill 285,	Senate Bill 395 and
Senate Bill 334,	Senate Bill 459.
Senate Bill 372,	

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**CALENDAR OF TUESDAY, SEPTEMBER 30th**

**Senate Bill 27**

Relating to towns which may become cities.

Read a second time.

The question was: Shall the bill be indefinitely postponed?

Senator Whittow 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:

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Senators Busby, Chilsen, Cirilli, Devitt, Dorman, Draheim, Heinzen, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Lourigan, McParland, Meunier, Parys, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Soik, Swan, Terry, Thompson and Whittow—30.

Absent—None.

Absent with leave—Senator Hollander—1.

The question was: Shall Senate Bill 27 be indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 10; absent or not voting, 0; paired, 2; as follows:

Ayes—Senators Cirilli, Devitt, Dorman, Draheim, Heinzen, Kendziorski, Knowles, Knutson, Krueger, Lorge, Lotto, Lourigan, Rasmusen, Risser, Roseleip, Schreiber, Soik, Terry and Whittow—19.

Noes—Senators Busby, Chilsen, Johnson, Keppler, LaFave, Meunier, Parys, Schuele, Swan and Thompson—10.

Absent or not voting—None.

Paired—Senator Hollander for indefinite postponement, Senator McParland against indefinite postponement—2.

The bill was indefinitely postponed.

The question on which the call was placed being decided, the call was raised.

Senator Soik moved reconsideration of the vote by which Senate Bill 27 was indefinitely postponed.

The motion did not prevail.

### Senate Bill 364

Relating to municipal boundary adjustments.

Read a second time.

Senator Kendziorski in the chair.

The question was: Shall the bill be indefinitely postponed?

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The ayes and noes were demanded and the vote was: ayes, 8; noes, 21; absent or not voting, 0; paired, 2; as follows:

Ayes—Senators Devitt, Keppler, Knutson, LaFave, Lourigan, Meunier, Roseleip and Thompson—8.

Noes—Senators Busby, Chilsen, Cirilli, Dorman, Draheim, Heinzen, Johnson, Kendziorski, Knowles, Krueger, Lorge, Lotto, Parys, Rasmusen, Risser, Schreiber, Schuele, Soik, Swan, Terry and Whittow—21.

Absent or not voting—None.

Paired—Senator McParland for indefinite postponement, Senator Hollander against indefinite postponement—2.

The senate refused indefinite postponement.

Senate amendment 2 offered by Senators Johnson, Lotto, Swan, LaFave and Knutson.

The question was: Shall senate amendment 1 be rejected?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 17; absent or not voting, 2; as follows:

Ayes—Senators Cirilli, Devitt, Knutson, LaFave, Lorge, Lourigan, McParland, Meunier, Parys, Roseleip, Swan and Terry—12.

Noes—Senators Busby, Chilsen, Dorman, Draheim, Heinzen, Johnson, Kendziorski, Keppler, Knowles, Krueger, Lotto, Rasmusen, Risser, Schreiber, Schuele, Thompson and Whittow—17.

Absent or not voting—Senators Hollander and Soik—2.

The senate refused to reject senate amendment 1.

Senate amendment 1 to Senate Bill 364 was adopted.

The question was: Shall senate amendment 2 be adopted?

Upon motion of Senator Whittow the senate stood informal.

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3:28 P.M.

President pro tempore in the chair.

Senator Whittow moved rejection of senate amendment 2 to Senate Bill 364.

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**The question was: Shall senate amendment 2 be rejected?**

**The ayes and noes were demanded and the vote was: ayes, 14; noes, 15; absent or not voting, 0; paired, 2; as follows:**

**Ayes—Senators Chilsen, Dorman, Draheim, Heinzen, Kendziorski, Knowles, Krueger, Parys, Rasmusen, Risser, Schreiber, Schuele, Soik and Whittow—14.**

**Noes—Senators Busby, Cirilli, Devitt, Johnson, Keppler, Knutson, LaFave, Lorge, Lotto, Lourigan, McParland, Meunier, Roseleip, Swan and Terry—15.**

**Absent or not voting—None.**

**Paired—Senator Hollander for rejection, Senator Thompson against rejection—2.**

**The motion to reject did not prevail.**

**Senator Kendziorski in the chair.**

**The question was: Shall senate amendment 2 be adopted?**

**The ayes and noes were demanded and the vote was: ayes, 16; noes, 13; absent or not voting, 0; paired, 2; as follows:**

**Ayes—Senators Cirilli, Devitt, Johnson, Keppler, Knutson, Krueger, LaFave, Lorge, Lotto, Lourigan, McParland, Meunier, Rasmusen, Roseleip, Swan and Terry—16.**

**Noes—Senators Busby, Chilsen, Dorman, Draheim, Heinzen, Kendziorski, Knowles, Parys, Risser, Schreiber, Schuele, Soik and Whittow—13.**

**Absent or not voting—None.**

**Paired—Senator Thompson for adoption, Senator Hollander against adoption—2.**

**Senate amendment 2 was adopted.**

**Upon motion of Senator Lorge the senate stood informal.**

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**RECESS**

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**4:33 P.M.**

**President pro tempore in the chair.**

**Senate Bill 364**

Senator Schreiber moved the bill be placed after Senate Joint Resolution 82 on the calendar.

The question was: Shall the bill be placed after Senate Joint Resolution 82 on the calendar?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 12; absent or not voting, 1; paired, 2; as follows:

Ayes—Senators Dorman, Draheim, Heinzen, Kendziorski, Keppler, Knowles, Lorge, Parys, Rasmusen, Risser, Schreiber, Schuele, Soik, Terry, Thompson and Whittow—16.

Noes—Senators Busby, Chilsen, Devitt, Johnson, Knutson, Krueger, LaFave, Lotto, Lourigan, Meunier, Roseleip and Swan—12.

Absent or not voting—Senator Cirilli—1.

Paired—Senator Hollander for laying the bill over, Senator McParland against laying the bill over—2.

The bill was placed after Senate Joint Resolution 82 on the calendar.

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Upon motion of Senator Keppler the senate adjourned until 10:01 A.M., Friday, October 31, 1969.

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**CHIEF CLERK'S REPORT**

The chief clerk records:

Senate Bill 175,  
Senate Bill 272,

Senate Bill 404 and  
Senate Bill 435.

Correctly enrolled and presented to the Governor on Thursday, October 30, 1969.



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**Senate Joint Resolution 58 and  
Senate Joint Resolution 63.**

Correctly enrolled and deposited in the office of the Secretary of State on Thursday, October 30th.

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**INTRODUCTION OF GUESTS**

Senator Dorman introduced 120 pupils of Lincoln school, from Racine.

Senator Swan introduced Miss Patricia Hodge, of Janesville.

Senator Keppler welcomed Mr. Gerald Jaeger, of Sheboygan.

Senator Whittow introduced Dr. Becker, of Milwaukee.

Senator Chilsen introduced Miss Bronwin Jones, of Wausau, and Miss Katherine Heim and Miss Kathleen Heim, of Madison.