

JOURNAL OF THE SENATE [March 18, 1971]

STATE OF WISCONSIN

Senate Journal

Eightieth Session

THURSDAY, March 18, 1971.

9:30 o'clock A.M.

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

Prayer was offered by Reverend W. G. Christie, Pastor of El-Shaddai Church of God in Christ of Milwaukee, Wisconsin.

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

Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—31.

Absent with leave—Senator Krueger—1.

AMENDMENTS OFFERED

Senate amendment 1 to Senate Bill 180 by Senator Swan.

Senate amendment 1 to Senate Bill 241 by Senators Cirilli and Johnson.

Senate amendment 2 to Assembly Bill 13 by Senators Devitt, McKenna and Steinhilber.

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Senate amendment 3 to Assembly Bill 89 by Senators Johnson and Cirilli.

Senate substitute amendment 1 to Senate Bill 71 by Senators Swan and Hollander.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 33

A joint resolution relating to the life and public service of Gilman H. Stordock.

By entire membership of the senate.

By request of Senator Roseleip, with unanimous consent, senate joint resolution was taken up.

Senate Joint Resolution 33

Read and adopted.

Senate Joint Resolution 34

A joint resolution to amend article VIII, section 1 of the constitution, relating to reducing the tax burden on private residences with special consideration for persons past the age of 65 years (1st consideration).

By Senator Schuele, by request of Milwaukee County and County Supervisor Edward W. Lane.

Read and referred to committee on Health and Social Services.

Senate Joint Resolution 35

A joint resolution requesting the Congress of the United States to call a constitutional convention for the purpose of clarifying the military and defense powers of the president and the Congress under the U.S. Constitution.

By Senators Knowles, Soik, Steinhilber, Murphy, Johnson, Chilsen and Knutson.

Read and referred to committee on Judiciary.

Senate Joint Resolution 36

A joint resolution to amend article XI, section 3 of the constitution, relating to exempting pollution abatement costs from municipal debt limits (1st consideration).

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By Senators Devitt, Heinzen and Bidwell.

Read and referred to joint Survey committee on Tax Exemptions.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 299

Relating to authorizing the Department of Transportation to build or purchase housing for persons displaced by highways, and making an appropriation.

By Senators Kendzierski and Frank; co-sponsored by Representatives Kleczka, Orlich, Czerwinski and Tobiasz.

To committee on Transportation.

Senate Bill 300

Relating to adjustment of school district or vocational district property tax payments.

By Senators Hollander and Lotto.

To committee on Education.

Senate Bill 301

Relating to motorcycle equipment and driver training, and making an appropriation.

By Senators Risser, Devitt, Parys, Steinhilber and Knutson; co-sponsored by Representatives Tregoning, Wilger, Wilcox, Schwefel, O'Malley, Froehlich and Anderson.

To committee on Transportation.

Senate Bill 302

Requiring approval of administrative rules by the appropriate standing committees of the legislature.

By Senators Devitt, Parys, Steinhilber, Lorge, Hollander, Murphy, Swan, Heinzen, Soik, LaFave, Frank, Busby, Keppler, Knutson, Bidwell, Roseleip, Cirilli, Johnson, Martin, Schuele, Dorman, Whittow and Kendzierski; co-sponsored by Representatives Shabaz, McCormick, Duren and Helgeson.

To committee on Senate Organization.

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Senate Bill 303

Relating to excepting taxes for pollution abatement and control purposes from limitations on city tax levies.

By Senators Devitt, Heinzen and Bidwell.

To joint Survey committee on Tax Exemptions.

Senate Bill 304

Relating to increasing maximum loans and the maximum cost of housing accommodations upon which veterans' housing may be made.

By Senator Roseleip.

To committee on Governmental and Veterans' Affairs.

COMMITTEE REPORT

The committee on Senate Organization reports and recommends:

Senate Joint Resolution 31

Relating to inviting the President of the United States to address a joint session of the Wisconsin Legislature.

Adoption; Ayes, 3; Noes, 0.

ERNEST C. KEPPLER,
Chairman.

PETITIONS AND COMMUNICATIONS

Senate Petition 42

A petition signed by 75 citizens of Milwaukee, Wisconsin, opposing Senate Bill 138, relating to public aid to private and religious schools.

By Senator Schuele.

Read and referred to committee on Education.

Senate Petition 43

A petition by 22 citizens of Walworth County stating opposition to state aid to private schools.

By Senator Swan.

Read and referred to committee on Education.

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Senate Petition 44

A petition by 12 citizens of the 33rd District in support of Assembly Bill 338 permitting the redemption of trading stamps for cash and merchandise.

By Senator Murphy.

Read and referred to committee on Commerce, Labor, Taxation, Insurance and Banking.

Senate Petition 45

A petition by 44 citizens of the 33rd Senatorial District supporting increased property tax relief for the senior citizens.

By Senator Murphy.

Read and referred to joint committee on Finance.

Senate Petition 46

A petition by 35 residents of the 5th District in opposition to Bill No. 138, S. relating to state grants for students attending private schools.

By Senator Schuele.

Read and referred to committee on Education.

Senate Petition 47

A petition by 19 residents of the 18th Senatorial District opposing Senate Bill 138.

By Senator Hollander.

Read and referred to committee on Education.

MESSAGE FROM THE ASSEMBLY

By Thomas P. Fox, chief clerk.

Mr. President:

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

Motion Under Joint Rule 26.

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MOTION UNDER JOINT RULE 26

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

Whereas, Edmund L. Wescott, of Waukesha, the oldest living state employe, will be 92 years of age on April 2, 1971; and

Whereas, Mr. Wescott, who was born in Jefferson County in 1879, served in the Spanish-American War, and, being too old for active service, he sold war bonds in World War I and worked in a defense plant in World War II; and

Whereas, after retiring from business in 1952, Mr. Wescott "got tired of being retired" in 1962 and was appointed Superintendent of the Grand Army of the Republic Memorial Hall in the capitol building, the same position he holds today; and

Whereas, Mr. Wescott's record of public service also includes terms as National Vice-Commander and National Commander of the United Spanish-American War Veterans and President of the Wisconsin Veterans Memorial Commission; and

Whereas, Mr. Wescott's wife, Norma, also serves the people of the state as Department President of the State of Wisconsin Auxiliary of Spanish-American War Veterans; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senators Murphy and Devitt and Representatives Jackamonis, Shabaz, Merkel and Alberts, under Joint Rule 26, do congratulate Edmund L. Wescott on the occasion of his 92nd birthday and commend him on his long and enthusiastic record of contributions to the people of Wisconsin and the nation.

CALENDAR OF MARCH 5

Senate Resolution 14

A resolution relating to inviting the Governor to present his views on a merger of institutions of higher education.

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By request of Senator Knowles, senate amendment 2 was laid aside.

Senate amendment 3 offered by Senators Knutson and Heinzen.

The ayes and noes were demanded and the vote was: ayes, 28; noes, 2; absent or not voting, 2; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—28.

Noes—Senators Dorman and Frank—2.

Absent or not voting—Senators Krueger and LaFave—2.

Senate amendment 3 adopted.

Senate substitute amendment 1 offered by Senator Whittow.

By request of Senator Thompson, with unanimous consent, senate amendment 2 was returned to the author.

Senate Bill 160

By request of Senator Cirilli, with unanimous consent, Senate Bill 160 was re-referred to the committee on Judiciary.

Senate Bill 180

Relating to defining the rights of inhabitants of the state inducted or serving in the military forces of the United States.

Read a second time.

Senate amendment 1 to senate amendment 1 offered by Senators McKenna and Risser.

Senate amendment 2 offered by Senators Johnson and Murphy.

Senator Kendziorski in the chair.

10:35 A.M.

The president of the senate in the chair.

10:50 A.M.

Senator Johnson moved rejection.

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The ayes and noes were demanded and the vote was: ayes, 18; noes, 13; absent or not voting, 1; as follows:

Ayes—Senators Bidwell, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Murphy, Roseleip, Soik, Steinhilber and Swan—18.

Noes—Senators Busby, D o r m a n, Frank, Kendziorski, Lourigan, McKenna, Martin, Parys, P e l o q u i n, Risser, Schuele, Thompson and Whittow—13.

Absent or not voting—Senator Krueger—1.

Senate amendment 1 to senate amendment 1 rejected.

LEAVES OF ABSENCE

By request of Senator Hollander, with unanimous consent, Senator Hollander was granted a leave of absence from 11:45 for the balance of this morning's session.

By request of Senator Knutson, with unanimous consent, Senator Knutson was granted a leave of absence for the balance of this morning's session.

Senator Risser moved rejection of senate amendment 1 to Senate Bill 180.

By request of Senator McKenna, with unanimous consent, Senator Risser's motion to reject senate amendment 1 was laid aside.

Senate amendment 2 to senate amendment 1 offered by Senator McKenna.

The ayes and noes were demanded and the vote was: ayes, 21; noes, 6; absent or not voting, 5; as follows:

Ayes—Senators Bidwell, Busby, Cirilli, Devitt, Dorman, Frank, Heinzen, Kendziorski, Lorge, Lotto, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Soik, Swan, Thompson and Whittow—21.

Noes—Senators Johnson, Keppler, LaFave, Murphy, Roseleip and Steinhilber—6.

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Absent or not voting—Senators Chilsen, Hollander, Knowles, Knutson and Krueger—5.

Senate amendment 2 to senate amendment 1 adopted.

Senate amendment 3 to senate amendment 1 offered by Senator Swan.

Senator Risser moved rejection.

The ayes and noes were demanded and the vote was: ayes, 13; noes, 14; absent or not voting, 5; as follows:

Ayes—Senators Busby, D o r m a n, F r a n k, Kendziorski, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—13.

Noes—Senators Bidwell, Cirilli, Devitt, Heinzen, Johnson, Keppler, LaFave, Lorge, Lotto, Murphy, Roseleip, Soik, Steinhilber and Swan—14.

Absent or not voting—Senators Chilsen, H o l l a n d e r, Knowles, Knutson and Krueger—5.

Rejection of senate amendment 3 to senate amendment 1 failed.

Senator Chilsen requested that the journal show immediately after the roll calls that had he and Senator Knowles been in their chairs when the roll calls were taken involving senate amendment 2 to senate amendment 1 to Senate Bill 180 and the roll call involving rejection of amendment 3 to senate amendment 1 to Senate Bill 180, they would have voted with the majority.

Senate amendment 3 to senate amendment 1 was adopted.

Senate amendment 1 was adopted.

Senator Keppler requested that the senate advance to the fifteenth order of business.

Senator Risser objected.

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:

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Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Johnson, Kendziorski, Keppler, Knowles, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—29.

Absent—None.

Absent with leave—Senators Hollander, Knutson and Krueger—3.

Senator Risser moved rejection of senate amendment 2.

Senator Risser raised the point of order that the amendment was not germane.

The senate recessed by request of the president of the senate.

12:10 P.M.

12:15 P.M.

The senate reconvened.

The chair ruled senate amendment 2 was not germane.

Senator Johnson appealed the ruling of the chair.

The question was: Shall the decision of the chair stand as the judgement of the senate?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 15; absent or not voting, 3; as follows:

Ayes—Senators Busby, Chilsen, Dorman, Frank, Kendziorski, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—14.

Noes—Senators Bidwell, Cirilli, Devitt, Heinzen, Johnson, Keppler, Knowles, LaFave, Lorge, Lotto, Murphy, Roseleip, Soik, Steinhilber and Swan—15.

Absent or not voting—Senators Hollander, Knutson and Krueger—3.

The decision of the chair was not upheld.

Senator Risser moved rejection of senate amendment 2.

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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, Devitt, Dorman, Frank, Heinzen, Kendziorski, Keppler, Lotto, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—18.

Noes—Senators Bidwell, Cirilli, Johnson, Knowles, LaFave, Lorge, Murphy, Roseleip, Soik, Steinhilber and Swan—11.

Absent or not voting—Senators Hollander, Knutson and Krueger—3.

Senate amendment 2 was rejected.

Senator Keppler asked unanimous consent to advance to the 15th order of business.

Senator Risser objected.

Senator Keppler moved that the senate advance to the 15th order of business.

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 Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Johnson, Kendziorski, Keppler, Knowles, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Fisser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—29.

Absent—None.

Absent with leave—Senators Hollander, Knutson and Krueger—3.

The question was: Shall the senate advance to the 15th order of business.

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

Ayes—Senators Busby, Chilsen, Cirilli, Devitt, Heinzen,

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Johnson, Keppler, Knowles, LaFave, Lorge, Lotto, Martin, Murphy, Roseleip, Soik, Steinhilber and Swan—17.

Noes—Senators Bidwell, Dorman, Frank, Kendzierski, Lourigan, McKenna, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—12.

Absent or not voting—Senators Hollander, Knutson and Krueger—3.

So the motion prevailed.

The question on which the call of the house was put having been resolved the call of the house was raised.

LEAVES OF ABSENCE

Upon request of Senator Knowles, with unanimous consent, Senator Knowles was granted a leave of absence for the balance of today's session.

Upon motion of Senator Keppler, with unanimous consent, Senator Johnson was granted a leave of absence for the balance of today's session.

Senator Keppler moved to recess until 7:30 P.M. today.

Senator Parys moved that Senator Keppler's motion be amended to read "recess until April 13 at 10:00 A.M."

The question was: Shall the motion to recess be amended to read "recess to April 13th at 10:00 A.M.?"

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

Ayes—Senators Frank, Kendzierski, McKenna, Martin, Parys, Peloquin, Thompson and Whittow—8.

Noes—Senators Bidwell, Busby, Chilsen, Devitt, Dorman, Heinzen, Johnson, Keppler, Knowles, LaFave, Lorge, Lotto, Lourigan, Murphy, Risser, Roseleip, Schuele, Soik, Steinhilber and Swan—20.

Absent or not voting—Senators Cirilli, Hollander, Knutson and Krueger—4.

So the motion failed.

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Senator Whittow moved that Senator Keppler's motion be amended to read "until 6:30 P.M." instead of 7:30 P.M.

The motion failed.

By request of Senator Keppler the senate recessed until 7:30 P.M.

12:40 P.M.

RECESS

7:30 P.M.

The senate re-convened.

By request of Senator Keppler, with unanimous consent, the senate proceeded through the orders of business.

AMENDMENTS OFFERED

Senate amendment 3 offered by Senator Chilsen.

Senate amendment 1 to Assembly Bill 210 by Senator Dorman.

Senate amendment 1 to Senate Bill 131 by Senator Lotto.

Senate amendment 3 to Senate Bill 138 by Senator Soik.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 15

Requesting an opinion of the attorney general as to the constitutionality of 1971 Assembly Bill 43.

By Senators Chilsen and Knutson.

Resolved by the senate, That the attorney general is requested to render an opinion to the senate at an early date with regard to the constitutionality of 1971 Assembly Bill 43, with particular attention to the question of whether the

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state of Wisconsin has the authority to regulate the programming of public service announcements of television stations in view of the fact that the federal communications commission has been given the authority under the commerce clause of the constitution of the United States to regulate all broadcasting.

Read and referred to the calendar.

Senate Resolution 16

A resolution relating to the dissemination of the enumeration district and block group population statistics resulting from the 1970 census of population.

By Senators Risser and Keppler, by request of H. Rupert Theobald, Chief, Legislative Reference Bureau.

By request of Senator Keppler, with unanimous consent, the resolution was taken up at this time.

Read and adopted.

The resolution was not spread on the journal as one thousand copies were printed.

LEAVE OF ABSENCE

Upon motion of Senator Keppler, with unanimous consent, Senator LaFave was granted a leave of absence for the balance of today's session.

INTRODUCTION OF RESOLUTIONS

Read and referred:

Senate Joint Resolution 37

A joint resolution to amend Article XIII, Sections 7 and 8, so as in effect to repeal said sections of the Constitution, relating to organization of counties and changes in the location of county seats (1st consideration).

By Senators Dorman and Frank; co-sponsored by Representatives Brown and Ferrall.

To committee on Housing and Urban Development.

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Senate Joint Resolution 38

A joint resolution to amend Article VI, Section 4 of the Constitution, relating to the office of the coroner (2nd consideration).

By Senator Dorman; co-sponsored by Representatives Brown and Ferrall.

To committee on Judiciary.

Senate Joint Resolution 39

A joint resolution providing for advisory referenda on permitting the sale of indecent articles to unmarried persons 18 years of age and older and permitting family counseling and planning by a clergyman, registered pharmacist, physician or surgeon to any married person and to any unmarried person 18 years of age and older.

By Senator Murphy.

To committee on Health and Social Services.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 305

Relating to the degree requirement for teachers' certificates and licenses.

By Senator Cirilli.

To committee on Education.

Senate Bill 306

Relating to motions on affidavits of prejudice.

By Senator Cirilli.

To committee on Judiciary.

Senate Bill 307

Relating to closing of areas open to deer hunting party permits by petition.

By Senator Cirilli.

To committee on Natural Resources.

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Senate Bill 308

Relating to use of motor vehicle dealers' license plates.
By Senator Dorman.
To committee on Transportation.

Senate Bill 309

Relating to the transfer to the state of all aid to the blind, aid to dependent children, old-age assistance, medical assistance and aid to the disabled programs from the county and increasing some appropriations.

By Senators Dorman and Frank; co-sponsored by Representatives Brown and Ferrall.

To committee on Health and Social Services.

Senate Bill 310

Relating to revoking authority for towns to become 4th class cities.

By Senator Dorman; co-sponsored by Representatives Brown and Ferrall.

To committee on Housing and Urban Development.

Senate Bill 311

Relating to election of vocational education board members in districts coinciding with municipality boundaries.

By Senator Dorman.

To committee on Education.

Senate Bill 312

Relating to state school aids and making an appropriation.

By Senator Dorman.

To committee on Education.

Senate Bill 313

Relating to permitting counties to establish the office of public defender.

By Senators Dorman and Frank; co-sponsored by Representatives Brown and Ferrall.

To committee on Judiciary.

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Senate Bill 314

Relating to contributory negligence.

By Senators Dorman and Frank; co-sponsored by Representatives Brown and Ferrall.

To committee on Judiciary.

Senate Bill 315

Relating to denial of licenses or permits for contract motor carriers by the public service commission.

By Senators Parys, Devitt and LaFave; co-sponsored by Representatives Kleczka, Jackson, Tobiasz and LaFave.

To committee on Transportation.

Senate Bill 316

Relating to exempting medicines and certain medical supplies, school supplies and textbooks and certain foods from the sales tax.

By Senator Soik, by request of Sol Bear's Pharmacy.

To joint Survey committee on Tax Exemptions.

Senate Bill 317

Relating to licensing professional wrestling.

By Senator Schuele.

To committee on Judiciary.

Senate Bill 318

Relating to increasing the burial allowance for certain veterans.

By Senator Lorge.

To committee on Governmental and Veterans' Affairs.

Senate Bill 319

Relating to income tax exemption of certain armed forces compensation.

By Senator Lorge.

To joint Survey committee on Tax Exemptions.

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COMMITTEE REPORTS

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

Senate Bill 320

Relating to utility tax penalties.

Introduction; Ayes, 5; Noes, 0.

GERALD D. LORGE,
Chairman.

Read first time and referred to committee on Commerce, Labor, Taxation, Insurance and Banking.

The committee on Housing and Urban Development reports and recommends:

Assembly Bill 89

Relating to lease or sale of space above and below municipal real estate.

Adoption of senate amendment 1; Ayes, 5; Noes, 0; adoption of senate amendment 2; Ayes, 5; Noes, 0; adoption of senate amendment 3; Ayes, 5; Noes, 0 and concurrence as amended; Ayes, 5; Noes, 0.

ARTHUR A. CIRILLI,
Chairman.

MESSAGE FROM THE ASSEMBLY

By Thomas P. Fox, chief clerk.

Mr. President:

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

Assembly Bill 252

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Concurred in:

Motion Under Joint Rule 26

Senate Joint Resolution 33

Adopted and asks concurrence in:

Motions Under Joint Rule 26:

A joint certificate of Congratulations by Representatives Schricker and Dueholm; co-sponsored by Senator Peloquin for Cumberland High School Basketball Team for winning the Spooner sectional;

A joint certificate of Congratulations by Representative Dueholm; co-sponsored by Senator Knowles for Clear Lake High School Basketball Team on its fine performance in Spooner sectional; and

A joint certificate of Congratulations by Representatives Otte and Boeckmann; co-sponsored by Senator Keppler for Mr. Pat Matzdorf for his outstanding high jump record.

Concurred in :

Senate Joint Resolution 32

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 252

Relating to state contracts for the education of dentists and making an appropriation.

Read first time and referred to committee on Health and Social Services.

A Joint Certificate of Congratulations by Representatives Schricker and Dueholm; co-sponsored by Senator Peloquin for Cumberland High School Basketball Team for winning the Spooner sectional;

A Joint Certificate of Congratulations by Representative Dueholm; co-sponsored by Senator Knowles for Clear Lake High School Basketball Team on its fine performance in Spooner sectional; and

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A Joint Certificate of Congratulations by Representatives Otte and Boeckmann; co-sponsored by Senator Keppler for Mr. Pat Matzdorf for his outstanding high jump record.

The above Certificates of Congratulations were read and concurred in en masse.

MOTIONS UNDER JOINT RULE 26

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

Whereas, Roy E. Kumm, a life-long resident of La Crosse, who was a dedicated servant to his community, state and chosen field of endeavor, succumbed on March 18, 1971, at the age of 58 years; and

Whereas, Roy was always willing to accept civic responsibility and to share his thinking for the benefit of La Crosse, its environs and Wisconsin; and spearheaded G. Heileman Brewing Co.'s rise from a small regional brewery into one of the nation's 15 largest; and served his community as president of Western Wisconsin Technical Institute, Chairman of the Gateway Area Boy Scout Council; and in numerous and diverse other ways; and his guidance will be long remembered and sorely missed; now, therefore,

The Members of the Wisconsin Legislature, on the motion of the Entire Membership of the senate and Representative Greider, under Joint Rule 26, do hereby extend their sympathy and express their condolences to Mrs. R. E. Kumm and family.

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

Whereas, Alvin Fulcer of the Village of Kimberly, Outagamie County, Wisconsin has ably served as Chairman of the Outagamie County Board of Supervisors, member of the County Board of Supervisors and as President of the Village of Kimberly, Wisconsin, for a combined period of twenty-six years; and

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Whereas, during his tenure in office he has supported and promoted efficiency in government and progress in keeping with the times; and

Whereas, he was honored on February 27, 1971, upon his retirement from public office when he decided not to run for re-election as President of the Village of Kimberly; now, therefore,

The Members of the Wisconsin Senate, on the motion of Senator Lorge, under Joint Rule 26, hereby congratulate Alvin Fulcer on his many years of public service and extend their best wishes to him.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison 53702

To the Honorable, the Senate:

The following bill, originating in the senate, has been approved, signed and deposited in the office of the Secretary of State.

Senate Bill	Chapter No.	Date Approved
60 -----	15 -----	March 18, 1971

Respectfully submitted,

PATRICK J. LUCEY,
Governor.

CALENDAR OF MARCH 5

Senate Bill 180

The question was: Adoption of senate amendment 3?
Amendment 3 adopted.

The ayes and noes were demanded and the vote was: ayes, 24; noes, 4; absent or not voting, 2; paired, 2; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Hollander, Kendziorski, Keppler, Knowles, Lorge, Lotto, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Soik, Swan, Thompson and Whittow—24.

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Noes—Senators Knutson, Murphy, Roseleip and Steinhilber—4.

Absent or not voting—Senators Krueger and LaFave—2.

Paired—Senator Heinzen for the bill, Senator Johnson against the bill—2.

The bill was ordered to a third reading.

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

Senate Bill 180

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 24; noes, 4; absent or not voting, 2; paired, 2; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Hollander, Kendziorski, Keppler, Knowles, Lorge, Lotto, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Soik, Swan, Thompson and Whittow—24.

Noes—Senators Knutson, Murphy, Roseleip and Steinhilber—4.

Absent or not voting—Senators Krueger and LaFave—2.

Paired—Senator Heinzen for the bill, Senator Johnson against the bill—2.

So the bill passed.

Upon request of Senator Risser, with unanimous consent, the bill was ordered immediately messaged.

Upon request of Senator Lorge, with unanimous consent, engrossed copies of the bill were ordered.

Assembly Bill 42

Relating to the limitation of commencement of actions to establish paternity.

Read a second time.

Ordered to a third reading.

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

Was read a third time and concurred in.

CALENDAR OF MARCH 9

Senate Bill 35

Relating to annexation of town islands.

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The question was: Shall the vote by which Senate Bill 35 was ordered to a third reading be reconsidered?

The ayes and noes were required and the vote was: ayes, 11; noes, 18; absent or not voting, 1; paired, 2; as follows:

Ayes—Senators Bidwell, Devitt, Keppler, Knutson, Lourigan, McKenna, Murphy, Peloquin, Steinhilber, Swan and Thompson—11.

Noes—Senators Busby, Chilsen, Cirilli, Dorman, Frank, Heinzen, Hollander, Kendziorski, Knowles, Lorge, Lotto, Martin, Parys, Risser, Roseleip, Schuele, Soik and Whittow—18.

Absent or not voting—Senator LaFave—1.

Paired—Senator Johnson for reconsideration, Senator Krueger against reconsideration—2.

So the motion for reconsideration failed.

Senator Devitt moved indefinite postponement.

Senator Devitt 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 Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Hollander, Kendziorski, Keppler, Knowles, Knutson, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—29.

Absent with leave—Senators Johnson, Krueger and LaFave—3.

The ayes and noes were demanded and the vote was: ayes, 10; noes, 19; absent or not voting, 1; paired, 2; as follows:

Ayes—Senators Bidwell, Devitt, Knutson, Lorge, Lourigan, Murphy, Peloquin, Roseleip, Swan and Thompson—10.

Noes—Senators Busby, Chilsen, Cirilli, Dorman, Frank,

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Heinzen, Hollander, Kendziorski, Keppler, Knowles, Lotto, McKenna, Martin, Parys, Risser, Schuele, Soik, Steinhilber and Whittow—19.

Absent or not voting—Senator LaFave—1.

Paired—Senator Johnson for the bill, Senator Krueger against the bill—2.

So the motion failed.

The question on which the call of the house was put having been decided the call was raised.

Senate Bill 35

The question was: Shall the bill pass?

So the bill passed.

Senator Hollander moved that the bill be immediately messaged.

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, Dorman, Frank, Heinzen, Hollander, Kendziorski, Keppler, Knowles, Lotto, McKenna, Martin, Parys, Risser, Schuele, Soik, Steinhilber and Whittow—18.

Noes—Senators Bidwell, Cirilli, Devitt, Knutson, Lorge, Lourigan, Murphy, Peloquin, Roseleip, Swan and Thompson—11.

Absent or not voting—Senators Johnson, Krueger and LaFave—3.

So the motion failed.

Senator Hollander moved that the vote by which the bill passed be reconsidered.

The motion failed.

Ordered immediately messaged.

Senate Joint Resolution 20

A joint resolution memorializing congress as to a formula for revenue sharing.

President pro tempore in the chair.

9:10 P.M.

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The ayes and noes were demanded and the vote was: ayes, 5; noes, 24; absent or not voting, 3; as follows:

Ayes—Senators Dorman, Knowles, Knutson, Lotto and Swan—5.

Noes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Frank, Heinzen, Hollander, Kendziorski, Keppler, Lorge, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Thompson and Whittow—24.

Absent or not voting—Senators Johnson, Krueger and LaFave—3.

So senate amendment 1 to Senate Joint Resolution 20 was not rejected.

Senate amendment 1 adopted.

Senator Parys moved rejection of Senate Joint Resolution 20.

President of the senate in the chair.

9:30 P.M.

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

Ayes—Senators Dorman, Heinzen, Knowles, Knutson, Lotto, Martin, Murphy, Parys, Roseleip, Schuele, Steinhilber and Swan—12.

Noes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Frank, Hollander, Kendziorski, Keppler, Lorge, Lourigan, McKenna, Peloquin, Risser, Soik, Thompson and Whittow—17.

Absent or not voting—Senators Johnson, Krueger and LaFave—3.

So Senate Joint Resolution 20 was not rejected.

The question was: Adoption of Senate Joint Resolution 20?

Senator Parys moved a

CALL OF THE SENATE

Which motion was supported.

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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 Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Hollander, Kendziorski, Keppler, Knowles, Knutson, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—29.

Absent with leave—Senators Johnson, Krueger and LaFave—3.

Senator Parys moved adjournment pursuant to Senate Resolution 21.

The ayes and noes were demanded and the vote was: ayes, 6; noes, 23; absent or not voting, 3; as follows:

Ayes—Senators Frank, Martin, Murphy, Parys, Peloquin and Schuele—6.

Noes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Heinzen, Hollander, Kendziorski, Keppler, Knowles, Knutson, Lorge, Lotto, Lourigan, McKenna, Risser, Roseleip, Soik, Steinhilber, Swan, Thompson and Whittow—23.

Absent or not voting—Senators Johnson, Krueger and LaFave—3.

So the motion failed.

By request of Senator Roseleip, with unanimous consent, Senate Joint Resolution 20 was laid over to the calendar of April 15.

The question on which the call of the house was put having been resolved the call was raised.

Senate Bill 58

Relating to agricultural classification of land for purposes of taxation.

Read a second time.

Senator Dorman raised the point of order that the bill by statute must go to the committee on Tax Exemptions.

The chair took the point of order under advisement.

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Assembly Bill 1

Relating to direct action against others for negligence.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 1

Read a third time and concurred in.

Assembly Bill 53

Relating to requiring medical payments coverage on automobile liability insurance policies.

Read a second time.

The question was: Shall the bill be non-concurred in?

The bill was non-concurred in.

Assembly Bill 54

Relating to uninsured motorist coverage.

Read a second time.

Senator Dorman in the chair.

9:45 P.M.

The question was: Shall the bill be non-concurred in?

Roll call was ordered.

The ayes and noes were demanded and the vote was: ayes, 6, noes, 23; absent or not voting, 3; as follows:

Ayes—Senators Keppler, Knutson, Lourigan, Murphy, Parys and Swan—6.

Noes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Hollander, Kendziorski, Knowles, Lorge, Lotto, McKenna, Martin, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Thompson and Whittow—23.

Absent or not voting—Senators Johnson, Krueger and LaFave—3.

The motion for non-concurrence failed.

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

Ordered to a third reading.

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

Assembly Bill 54

Read a third time and concurred in.

Senator Chilsen moved reconsideration of the vote by which Assembly Bill 53 was non-concurred in.

The president of the senate in the chair.

10:34 P.M.

The question was: Shall the bill be non-concurred in?

The motion failed.

Senate amendment 1 adopted.

Ordered to a third reading.

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

Assembly Bill 53

Read a third time and concurred in.

Senator Schuele requested that the senate recess for 5 minutes.

10:43 P.M.

10:50 P.M.

The senate re-convened.

CALENDAR OF MARCH 10

Senate Bill 90

Relating to limitations on reimbursement for daily expenses of members of part-time public bodies.

Read a second time.

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Senator Hollander requested that the bill be re-referred to the joint committee on Finance.

Senator Cirilli objected.

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

Ordered to a third reading.

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

Senate Bill 90

The ayes and noes were required and the vote was: ayes, 25; noes, 4; absent or not voting, 3; as follows:

Ayes—Senators Bidwell, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Kendziorski, Keppler, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—25.

Noes—Senators Busby, Hollander, Knowles and Knutson—4.

Absent or not voting—Senators Johnson, Krueger and LaFave—3.

So the bill passed.

RULING OF THE CHAIR

The chair ruled on the point of order on Senate Bill 58. Since the bill involved a differential in taxes the bill by statute would have to be referred to the joint Survey committee on Tax Exemptions.

Senate Bill 58

Referred to the joint Survey committee on Tax Exemptions.

CALENDAR OF MARCH 11

Senate Bill 1

By request of Senator Roseleip, with unanimous consent, the bill was laid over to the calendar of April 16.

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Senate Bill 205

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

By request of Senator Lorge, with unanimous consent, the chief clerk was requested to secure a fiscal note.

CALENDAR OF MARCH 16

Senate Resolution 10

Relating to directing the senate Health and Social Services committee to study drug abuse and dependence and the effectiveness of existing laws and programs.

Read.

Senate amendment 1 offered by Senator Soik.

Amendment 1 was rejected.

Senator Risser moved rejection.

The ayes and noes were demanded and the vote was: ayes, 8; noes, 21; absent or not voting, 3; as follows:

Ayes—Senators Dorman, Frank, Kendziorski, Martin, Parys, Risser, Roseleip and Schuele—8.

Noes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Keppler, Knowles, Knutson, Lorge, Lotto, Lourigan, McKenna, Murphy, Peloquin, Soik, Steinhilber, Swan, Thompson and Whittow—21.

Absent or not voting—Senators Johnson, Krueger and LaFave—3.

So the motion for rejection failed.

The question was: Adoption?

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

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Keppler, Knowles, Knutson, Lorge, Lotto, Lourigan, McKenna, Murphy, Peloquin, Roseleip, Soik, Steinhilber, Swan, Thompson and Whittow—21.

Noes—Senators Dorman, Frank, Kendziorski, Martin, Parys, Risser and Schuele—7.

Absent or not voting—Senators Johnson, Krueger and LaFave—3.

So the senate resolution was adopted.

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Senator Lorge requested that the rules be suspended and that **Senate Bill 231** be taken up at this time.

Senator Schuele objected.

By request of Senator Devitt, with unanimous consent, the senate returned to the fifth order of business.

COMMITTEE REPORTS

The committee on Health and Social Services reports and recommends:

Assembly Bill 252

Relating to state contracts for the education of dentists and making an appropriation.

Concurrence; Ayes, 5; Noes, 0.

JAMES C. DEVITT,
Chairman.

Senator Devitt requested that the rules be suspended and **Senate Bill 252** be taken up at this time.

Senator Keppler objected.

By request of Senator Lotto, with unanimous consent, the senate returned to the fourth order of business.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 321

Relating to the definition of a "school bus" under the vehicle code.

By Senator Lotto.

To committee on Education.

By request of Senator Lorge, with unanimous consent, the senate returned to the ninth order of business.

By request of Senator Heinzen, with unanimous consent, **Senate Bill 138** was withdrawn from the calendar and referred to the joint committee on Finance.

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Senator Knutson requested that when the senate adjourns today's session it adjourns in memory of Roy E. Kumm of La Crosse, Wis.

Upon motion of Senator Keppler the senate adjourned pursuant to Senate Joint Resolution 21.

11:55 P.M.

INTRODUCTION OF GUESTS

Senator Peloquin introduced Jerry Johnson, Ron Kopp, Gene Stodola and Loren Lathrop, from Rice Lake, Wisconsin.

Senator Roseleip introduced Mrs. Richard Wagner, Mrs. Roger Voekli and Mrs. Chester Hasse of Monroe, Wisconsin, with Mrs. Robert Vogel, Mrs. D. L. Witte, Mrs. Jack Pierce and Mrs. Gerald C. Condon of Broadhead, Wisconsin.

Senator Dorman introduced a group of 8th grade students from Saint Lucy and Holy Name Schools in Racine, Wisconsin.

Senator Steinhilber introduced Eugene Lind and Pastor Howard Nelson of Rushford, Wisconsin.