

JOURNAL OF THE SENATE [June 8, 1971]

STATE OF WISCONSIN

# Senate Journal

Eightieth Session

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TUESDAY, June 8, 1971.

10:00 o'clock A.M.

The senate met.

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

Prayer was offered by the Reverend J. C. Christensen, Pastor of Calvary Methodist Church of Madison.

The senate remained standing and recited the Pledge of Allegiance to the Flag of the United States.

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## LEAVE OF ABSENCE

By request of Senator Keppler, with unanimous consent, Senator Cirilli was granted a leave of absence for today's session.

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

Senators Bidwell, Busby, Chilsen, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—32.

Absent with leave—Senator Cirilli—1.

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### AMENDMENTS OFFERED

Senate amendment 2 to senate substitute amendment 2 to **Senate Bill 140** by Senator Heinzen.

Senate amendment 1 to **Senate Bill 161** by Senator Steinhilber, by request of the Judicial Council.

Senate amendment 3 to **Senate Bill 334** by Senator Whitow.

Senate amendment 3 to **Senate Bill 357** by Senator Krueger.

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### INTRODUCTION OF RESOLUTIONS

#### **Senate Resolution 33**

To create Senate Rule 12m, relating to recording senate proceedings.

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#### Analysis by the Legislative Reference Bureau

This bill creates a senate rule which permits the members, officers or employes of the senate and the news media to use any electronic, mechanical or other device to record senate proceedings except when prohibited by a majority vote of the senate body.

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*Resolved by the senate*, That Senate Rule 12m is created to read:

**SENATE RULE 12m. RECORDING SENATE PROCEEDINGS.** The members, officers or employes of the senate, the press and all other news media may record by the use of any electronic, mechanical or other device the proceedings of the senate unless otherwise prohibited by a majority vote of the senate body.

By Senators Lorge and Murphy.

Read and referred to the committee on Senate Organization.

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## BILLS INTRODUCED

Read first time and referred:

### **Senate Bill 579**

Relating to reports of gunshot wounds, and creating a penalty.

By Senators Chilsen, Johnson and Steinhilber.

To committee on Judiciary.

### **Senate Bill 580**

Relating to limiting distribution of liquor taxes to municipalities which issue liquor licenses.

By Senators Parys, Schuele, Whittow and Kendzierski; co-sponsored by Representatives Jackson, Berger, Kleczka, Pabst, W. A. Johnson, Hanna, Sanasarian, Bultman, Orlich, Jones, Tobiasz, Barbee, McCormick, Froehlich, McEssy and Conradt.

To committee on Housing and Urban Development.

### **Senate Bill 581**

Relating to terms of office of county board supervisors.

By Senator Swan.

To committee on Governmental and Veterans' Affairs.

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## PETITIONS AND COMMUNICATIONS

### **Senate Petition 161**

A petition by 19 members of the Cassville Education Association, Cassville, Wisconsin, are in support of **Senate Bill 417**.

Introduced by Senator Roseleip.

Read and referred to joint Survey committee on Retirement Systems.

### **Senate Petition 162**

A petition by 313 citizens of Wisconsin in opposition to **Senate Bill 138**.

Introduced by Senator Roseleip.

Read and referred to committee on Education.

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**Senate Petition 163**

A petition by 3,521 citizens of the 32nd district opposing the revision of shared taxes as proposed under the Budget Bill (Assembly Bill 414).

Introduced by Senator Knutson.

Read and referred to joint committee on Finance.

The State of Wisconsin  
Department of State  
Madison

June 8, 1971.

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 June 1, 1970, and ending June 8, 1970.

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.*

Oscar Laper, Rock Springs, Wisconsin—Associated County Extension Committee, Inc., Marion, Wisconsin—Agriculture—June 1, 1971—Session.

Henry G. Gergen, Jr., Judge, Juneau, Wisconsin—Board of Circuit Judges, Courthouse, Milwaukee, Wisconsin—Judicial—June 2, 1971—Session.

J. Curtis McKay, Attorney, Cedarburg, Wisconsin—American Polygraph Association, 3412 Henley, Glen View, Illinois—271A and similar legislation—June 7, 1971—Session.

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**EXECUTIVE COMMUNICATIONS**

**June 3, 1971.**

**To the Honorable, the Senate:**

Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the Senate to appoint Mr. David Carley of Madison as a member of the University of Wisconsin Board of Regents, to succeed Gordon R. Walker, to serve for a term ending May 1, 1980.

**Respectfully submitted,**

**PATRICK J. LUCEY,**  
**Governor.**

**Read and referred to committee on Education.**

**June 4, 1971.**

**To the Honorable, the Senate:**

Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the Senate do appoint Mr. Charles H. Stoddard, of Minong, as a member of the Natural Resources Board, to succeed Herbert F. Behnke, to serve for a term ending May 1, 1977.

**Respectfully submitted,**

**PATRICK J. LUCEY,**  
**Governor.**

**Read and referred to committee on Natural Resources.**

**June 4, 1971.**

**To the Honorable, the Senate:**

Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the Senate do appoint Mr. Gerard A. Rohlich, of Madison, as a member of the Natural Resources Board, to serve for a term ending May 1, 1977.

**Sincerely,**

**PATRICK J. LUCEY,**  
**Governor.**

**Read and referred to committee on Natural Resources.**

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## **MESSAGE FROM THE ASSEMBLY**

By Thomas P. Fox, chief clerk.

Mr. President:

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

**Senate Bill 158**

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## **MOTIONS**

By request of Senator Hollander, with unanimous consent senate substitute amendment 1 to **Senate Bill 293** was returned to the author.

By request of Senator Roseleip with unanimous consent he was granted 10 minutes on a point of personal privilege.

By request of Senator McKenna with unanimous consent a tape of Senator Roseleip's speech be sent to Miles McMillan with a suggestion that he use this in lieu of one of his regular Sunday afternoon speeches.

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## **CALENDAR OF MAY 25**

### **Senate Resolution 23**

By request of Senator Keppler, with unanimous consent, the senate resolution was laid on the table.

### **Senate Joint Resolution 53**

Memorializing Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States, relating to intergovernmental sharing of federal income tax revenue.

Read.

Senator Kendzierski in the chair.

10:55 A.M.

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Senate amendment 1 offered by Senator Swan.  
Senator Knowles moved rejection.

President of the senate in the chair.

11:50 A.M.

Senator Chilsen raised the point of order that senate amendment 1 was not germane.

The chair ruled the point of order well taken.

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### LEAVE OF ABSENCE

Senator Soik with unanimous consent was granted a leave of absence for the balance of today's session.

Senator Swan moved rejection of **Senate Joint Resolution 53**.

The ayes and noes were demanded and the vote was: ayes, 11; noes, 19; absent or not voting, 3; as follows:

Ayes—Senators Dorman, Frank, Kendziorski, Knutson, McKenna, Parys, Peloquin, Risser, Swan, Thompson and Whittow—11.

Noes—Senators Bidwell, Busby, Chilsen, Devitt, Hollander, Johnson, Keppler, Knowles, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, Martin, Murphy, Roseleip, Schuele and Steinhilber—19.

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

So the motion for rejection did not prevail.

**Senate Joint Resolution 53**

The question was: Adoption?

**Senate Joint Resolution 53** was adopted.

By request of Senator Keppler, with unanimous consent, all actions were ordered immediately messaged.

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By request of Senator Keppler, with unanimous consent, the senate returned to the third, fourth, fifth and ninth orders of business.

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### INTRODUCTION OF RESOLUTIONS

#### **Senate Joint Resolution 67**

Requesting the Civil Aeronautics Board to act favorably on the petitions of Appleton, Marshfield, Sheboygan and Wisconsin Rapids to amend the Certificate of Convenience and Necessity of North Central Airlines, Inc., to delete their names from this certificate and further requesting the board to require the Reuben H. Donnelly Publications, publishers of the Official Airline Guide to include the names of each of these cities therein and the commuter air carrier service that each receives.

By Senators Lorge, Devitt, Busby, Johnson, Krueger, Hollander, Swan, Thompson, Knowles, Keppler, McKenna, Dorman, Schuele, Heinzen, Bidwell, Roseleip, LaFave, Riser, Whittow, Lourigan and Kendziorski.

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

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### BILLS INTRODUCED

Read first time and referred:

#### **Senate Bill 582**

Relating to free forest planting stock for children.

By Senators Lorge, Busby, Krueger, Bidwell, Swan, Lotto, Roseleip, Devitt, Schuele, Hollander, Soik, Steinhilber, Chilsen, Murphy, Martin, Dorman, Whittow, McKenna, Lourigan, Frank and Keppler.

To committee on Natural Resources.

#### **Senate Bill 583**

Relating to the compensation of victims of crimes, granting rule-making authority and making an appropriation.

By Senator Lipscomb.

To committee on Judiciary.



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### **Senate Bill 584**

Relating to the review of programs financed from federal aid upon the cutting back of such aid.

By Senators Swan, Whittow, Lourigan, Kendziorski, Roseleip, Bidwell, Lotto and Krueger.

To committee on Governmental and Veterans' Affairs.

### **Senate Bill 585**

Relating to a newsman's right to refuse to reveal his sources of information.

By Senators Risser and Chilsen; co-sponsored by Representative Anderson.

To committee on Judiciary.

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## COMMITTEE REPORT

The committee on Judiciary reports and recommends:

### **Senate Bill 10**

Relating to permitting certain relatives of the half blood to marry.

Passage; Ayes, 3; Noes, 2.

### **Senate Bill 57**

Relating to publication of the names of delinquent juveniles.

Indefinite postponement; Ayes, 4; Noes, 1.

### **Senate Bill 130**

Relating to indecent articles and family planning, and providing a penalty.

Adoption of senate amendment 1; Ayes, 4; Noes, 0 and indefinite postponement; Ayes, 3; Noes, 1.

### **Senate Bill 367**

Relating to resignations of trustees.

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

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### **Senate Bill 491**

Relating to instances in which subsequent marriage does not revoke a will.

Passage; Ayes, 5; Noes, 0.

### **Senate Bill 513**

Relating to tests for intoxication.

Indefinite postponement; Ayes, 5; Noes, 0.

### **Assembly Bill 90**

Relating to releases by minors from auto accident liability.

Concurrence; Ayes, 5; Noes, 0.

### **Assembly Bill 108**

Relating to placing harmful objects or drugs in candy or other edibles.

Concurrence; Ayes, 5; Noes, 0.

### **Assembly Bill 120**

Relating to purchase of firearms by Wisconsin residents in contiguous states.

Concurrence; Ayes, 5; Noes, 0.

### **Assembly Bill 400**

Relating to court permission to marry.

Concurrence; Ayes, 5; Noes, 0.

### **Assembly Bill 452**

Relating to crimes committed near county lines.

Concurrence; Ayes, 5; Noes, 0.

ALLEN J. BUSBY,  
Chairman.

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## MOTION UNDER JOINT RULE 26

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

Whereas, J. Irvin Thomas, 74, of Oconomowoc, former municipal court clerk and retired Waukesha County Court

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civil administrator, died Saturday, June 5, 1971 after a short illness; and

Whereas, J. Irvin Thomas was a State Assembly employee before becoming municipal clerk in Oconomowoc; and

Whereas, J. Irvin Thomas attended St. John's Military Academy at Delafield and his paternal grandparents were among the first settlers in Waukesha county, arriving in New York from Wales in 1836; and

Whereas, Thomas has lived in the city of Oconomowoc for the past 44 years; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Murphy and Representative Alberts, under Joint Rule 26, extend their sincere sympathy and condolences to the family of J. Irvin Thomas.

Read and adopted.

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Upon motion of Senator Keppler, with unanimous consent, the senate adjourned until 8:30 A.M., Wednesday, June 9.

12:05 P.M.

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### INTRODUCTION OF GUESTS

Senator Heinzen introduced 60 students of Washington Elementary School with Miss Alstad, Miss Dopp and 10 mothers, Marshfield, Wisconsin.

Senator Heinzen introduced 62 students of Lincoln Elementary School with Miss Bell, Miss Mays and four parents, Marshfield, Wisconsin.

Senator Heinzen introduced 104 Girl Scouts of Saint Peter's School, Stevens Point, Wisconsin.

Senator Chilsen introduced Mr. Ronald Paster and family, Stratford, Wisconsin.

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**CHIEF CLERK'S CORRECTION**

**Suggested by Legislative Reference Bureau**

**Senate amendment 2 to Senate Bill 357**

**In lines 4 and 6, change "restricted" to "(restricted)".**

**Assembly Bill 130**

**On page 3, line 3, change "so" to "do".**

**Assembly substitute amendment 2 to Assembly Bill 130**

**On page 3, line 6, change "so" to "do".**

**Assembly amendment 12 to Assembly Bill 239**

**In line 5, substitute "them" for "it".**

**Assembly substitute amendment 1 to Assembly Bill 130**

**On page 3, line 6, change "so" to "do".**