

JOURNAL OF THE SENATE [February 2, 1972]

STATE OF WISCONSIN

Senate Journal

Eightieth Session

WEDNESDAY, February 2, 1972.

9:00 o'clock A.M.

The senate met.

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

Prayer was offered by Reverend William D. Simpson, Pastor, St. Marks Lutheran Church, Madison.

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, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Pelouquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan and Whittow—32.

Absent—Senator Thompson—1.

Absent with leave—None.

AMENDMENTS OFFERED

Senate amendment 1 to Assembly Bill 218 by Senator Krueger.

Senate amendment 4 to Assembly Bill 239 by Senator Swan.

Senate amendment 5 to Assembly Bill 239 by Senator Swan.

JOURNAL OF THE SENATE [February 2, 1972]

Senate amendment 4 to Senate Bill 244 by Senator Swan.

Senate amendment 5 to Senate Bill 244 by Senator Swan.

Senate amendment 1 to Senate Bill 889 by Senators Devitt and Risser.

Senate amendment 2 to senate substitute amendment 3 to Senate Bill 561 by Senator Roseleip.

Senate substitute amendment 1 to Senate Bill 801 by Senator Knutson, by request of Attorney General Robert W. Warren.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 894

Relating to exempting textbooks from sales tax.

By Senator Cirilli.

To joint Survey committee on Tax Exemptions.

Senate Bill 895

Relating to sale of certain railroad property.

By Senators LaFave, Devitt and Parys; co-sponsored by Representative Schwefel.

To committee on Transportation.

Senate Bill 896

Relating to use of steam railroad equipment for fund raising.

By Senator Steinhilber, by request of Rodney Kreunen.

To committee on Governmental and Veterans' Affairs.

Senate Bill 897

An act to appropriate \$10,000 from the general fund for payment of a claim made by James Olig against the State.

By Senator Hollander, by request of Attorney Ray J. Riordan, Jr., Ripon, Wisconsin, and Robert M. Gonyo, Berlin, Wisconsin.

To joint committee on Finance.

JOURNAL OF THE SENATE [February 2, 1972]

COMMITTEE REPORT

The committee on Transportation reports and recommends:

Senate Bill 719

Relating to aircraft registration and providing a penalty.

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

Assembly Bill 290

Relating to making the posted speed limits apply to all vehicles.

Concurrence; Ayes, 5; Noes, 0.

REUBEN LaFAVE,
Chairman.

MESSAGE FROM THE ASSEMBLY

By Thomas P. Fox, chief clerk.

Mr. President:

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

Motions Under Joint Rule 26:

A joint certificate of Congratulations by Representative Earl; co-sponsored by Senator Chilsen for The City of Wausau on its centennial celebration;

A joint certificate of Congratulations by Representative O'Malley; co-sponsored by Senator Thompson for Roy Ripp on his recognition as "Outstanding Young Farmer";

A joint certificate of Congratulations by Representatives Lewison, Jones, McEssy, Conradt, Quinn, Vanderperren, Bolle, Groshek, Hanna, W. A. Johnson, Sweda, Rogers and Slaby; co-sponsored by Senator LaFave for Wesley J. "Wes" Burmeister on His Retirement as state highway engineer.

**Assembly Joint Resolution 140,
Assembly Joint Resolution 141 and
Assembly Joint Resolution 146.**

JOURNAL OF THE SENATE [February 2, 1972]

MESSAGE FROM THE ASSEMBLY CONSIDERED

Motions Under Joint Rule 26:

A joint certificate of Congratulations by Representative Earl; co-sponsored by Senator Chilsen for The City of Wausau on its centennial celebration;

A joint certificate of Congratulations by Representative O'Malley; co-sponsored by Senator Thompson for Roy Ripp on his recognition as "Outstanding Young Farmer";

A joint certificate of Congratulations by Representatives Lewison, Jones, McEssy, Conradt, Quinn, Vanderperren, Bolle, Groshek, Hanna, W. A. Johnson, Sweda, Rogers and Slaby; co-sponsored by Senator LaFave for Wesley J. "Wes" Burmeister on his retirement as state highway engineer.

The above motions under Joint Rule 26 were read and concurred in en masse.

Assembly Joint Resolution 140

A joint resolution to create article I, section 24 of the constitution, relating to prohibiting denial of equal rights on the basis of sex.

By Representatives Miller, Mielke, Luckhardt, Duren, Sensenbrenner, Wilcox, Jackamonis, Schneider, Byers, Giese, Bradley, Roberts, Quinn, Froehlich, Jones, Hanson, Looby, LaFave, Mato, Quackenbush, Barbee, Greider, Anderson, Boeckmann, Czerwinski, G. K. Johnson, Earl, Lynn, Molinaro, Berger, Menos, Sanasarian, Conradt, Ellis, Lewison, Kessler, Conta, Kleczka, Mittness, Dorff, Grover, Willkom, Sweda, Groshek, Brown, Vanderperren, Ferrall, Bolle, Nager, Hanna, Stalbaum, Wilger, Gaulke, T. G. Thompson, Schroeder, Klicka, Orlich, Schricker, Schwefel, R. M. Thompson, McDougal, O'Malley, Kafka, Oestreicher, Alberts, Everson, Stack, Baldus, Swoboda, McCormick, Sicula, Otte, Jackson, Wahner, Korpela, Slaby, Mohn, Oberle, Rutkowski and Day; co-sponsored by Senators Keppler, Hollander, Chilsen, Johnson, Krueger, Lipscomb, Thompson, McKenna, Risser, Peloquin, Schuele, Lotto, Soik, Heinzen, LaFave, Cirilli, Busby, Devitt, Murphy and Dorman.

Read first time and referred to committee on Judiciary.

JOURNAL OF THE SENATE [February 2, 1972]

Assembly Joint Resolution 141

A joint resolution relating to directing a legislative council study to recommend statutory changes to provide equal rights and equal protection under the law for all, regardless of sex.

By Representative Miller.

Read and referred to committee on Judiciary.

Assembly Joint Resolution 146

A joint resolution relating to the return of 1971 Assembly Bill 859 to the assembly for further consideration.

By Representatives Dorff and Molinaro.

Read.

By request of Senator Lourigan, with unanimous consent, Assembly Joint Resolution 146 was laid on the table.

SPECIAL ORDERS

Senate Bill 66

Relating to one additional circuit court branch in the 22nd judicial circuit and one additional county court branch in Waukesha county.

Read.

The question was: Concurrence in assembly substitute amendment 2?

Assembly substitute amendment 2 concurred in.

Action ordered immediately messaged.

SELECT LIST #2

Senate Bill 51

Relating to a recodification of the mental health act.

Read.

The question was: Adoption of senate amendment 5 to Senate Bill 51?

Senate amendment 5 adopted.

JOURNAL OF THE SENATE [February 2, 1972]

The question was: Adoption of senate amendment 6 to **Senate Bill 51?**

Senator Cirilli moved rejection.

The ayes and noes were demanded and the vote was: ayes, 13; noes, 17; absent or not voting, 3; as follows:

Ayes—Senators Chilsen, Cirilli, Heinzen, Hollander, Johnson, Knowles, Krueger, Lorge, Lotto, Martin, Murphy, Parys and Steinhilber—13.

Noes—Senators Bidwell, Busby, Devitt, Dorman, Frank, Kendzierski, Keppler, Knutson, Lipscomb, Lourigan, McKenna, Risser, Roseleip, Schuele, Soik, Swan and Whittow—17.

Absent or not voting—Senators LaFave, Peloquin and Thompson—3.

The motion did not prevail.

Senate amendment 6 adopted.

Senator Hollander moved reconsideration of the vote by which senate amendment 5 was adopted.

Senator Hollander in the chair.

9:40 A.M.

The motion prevailed.

Senator Chilsen moved rejection of senate amendment 5 to **Senate Bill 51.**

Senator Cirilli 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, Johnson, Kendzierski, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge,

JOURNAL OF THE SENATE [February 2, 1972]

Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan and Whittow—32.

Absent—Senator Thompson—1.

Absent with leave—None.

LEAVE OF ABSENCE

By request of Senator Risser, with unanimous consent, Senator Thompson was granted a leave of absence for the balance of the day's session.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 10; absent or not voting, 1; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Frank, Heinzen, Hollander, Johnson, Kendzioriski, Keppler, Knowles, Krueger, LaFave, Lotto, Martin, Murphy, Parys, Risser, Schuele, Soik, Steinhilber and Whittow—22.

Noes—Senators Devitt, Dorman, Knutson, Lipscomb, Lorge, Lourigan, McKenna, Peloquin, Roseleip and Swan—10.

Absent or not voting—Senator Thompson—1.

The motion prevailed.

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

Senator Whittow moved reconsideration of the vote by which senate amendment 6 to Senate Bill 51 was adopted.

The motion prevailed.

Senator Whittow moved rejection.

The motion prevailed.

The question was: Adoption of senate amendment 7 to Senate Bill 51?

Senator Lotto moved rejection.

JOURNAL OF THE SENATE [February 2, 1972]

The ayes and noes were demanded and the vote was: ayes, 21; noes, 10; absent or not voting, 2; as follows:

Ayes—Senators Busby, Chilsen, Cirilli, Frank, Heinzen, Hollander, Johnson, Keppler, Knowles, Krueger, LaFave, Lorge, Lotto, Martin, Murphy, Parys, Roseleip, Schuele, Soik, Steinhilber and Whittow—21.

Noes—Senators Devitt, Dorman, Kendziorski, Knutson, Lipscomb, Lourigan, McKenna, Peloquin, Risser and Swan—10.

Absent or not voting—Senators Bidwell and Thompson—2.

The motion prevailed.

By request of Senator Dorman, with unanimous consent, senate amendment 8 to **Senate Bill 51** was withdrawn and returned to the author.

The question was: Adoption of senate amendment 9 to **Senate Bill 51?**

Senator Cirilli moved rejection.

The motion prevailed.

The question was: Adoption of senate amendment 10 to **Senate Bill 51?**

Senator Cirilli moved rejection.

QUORUM CALL

Senator Keppler called the attention of the chair to the possible lack of a quorum.

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

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

Absent—Senators Devitt, Lipscomb and Lotto—3.

Absent with leave—Senator Thompson—1.

The question was: Rejection of senate amendment 10 to **Senate Bill 51?**

JOURNAL OF THE SENATE [February 2, 1972]

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 1; as follows:

Ayes—Senators Bidwell, Busby, Cirilli, Frank, Hollander, Johnson, Keppler, Knowles, Krueger, LaFave, Lotto, Martin, Murphy, Parys, Roseleip, Schuele, Soik, Steinhilber and Whittow—19.

Noes—Senators Chilsen, Devitt, Dorman, Heinzen, Kendziorski, Knutson, Lipscomb, Lorge, Lourigan, McKenna, Peloquin, Risser and Swan—13.

Absent or not voting—Senator Thompson—1.

The motion prevailed.

Senate amendment 11 to Senate Bill 51 offered by Senator Heinzen.

Senate amendment 11 adopted.

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 51

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 2; absent or not voting, 0; as follows:

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

Noes—Senators Knutson and Swan—2.

Absent or not voting—None.

So the bill passed.

Ordered immediately messaged.

President pro tempore of the senate in the chair.

10:45 A.M.

Senator Knutson brought the chair's attention to Senate Bill 280 which was a special order of business.

JOURNAL OF THE SENATE [February 2, 1972]

Senate Bill 280

Relating to Department of Natural Resources powers of condemnation.

Read a second time.

The question was: Adoption of senate amendment 1 to Senate Bill 280?

Senate amendment 1 adopted.

Ordered to a third reading.

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

Senate Bill 280

Read a third time and passed.

Ordered immediately messaged.

Senate Bill 877

Relating to the presidential primary.

Read a second time.

Senator Chilsen moved indefinite postponement.

The ayes and noes were demanded and the vote was: ayes, 13; noes, 20; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Chilsen, Devitt, Keppler, Knowles, Knutson, Lorge, Lotto, Murphy, Roseleip, Soik, Steinhilber and Swan—13.

Noes—Senators Busby, Cirilli, Dorman, Frank, Heinzen, Hollander, Johnson, Kendzierski, Krueger, LaFave, Lipscomb, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—20.

Absent or not voting—None.

The motion did not prevail.

President of the senate in the chair.

11:10 A.M.

Senate substitute amendment 1 to Senate Bill 877 offered by Senator Thompson.

Senator Thompson asked unanimous consent that substitute amendment 1 be treated as a simple amendment.

JOURNAL OF THE SENATE [February 2, 1972]

Senator Keppler objected.

Senator Thompson moved that senate substitute amendment 1 to Senate Bill 877 be treated as a simple amendment.

The ayes and noes were demanded and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Busby, Dorman, Frank, Kendziorski, Lipscomb, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—15.

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

Absent or not voting—None.

Less than two-thirds having voted in the affirmative the motion did not prevail.

Senator Swan asked unanimous consent that Senate Bill 877 be referred to joint committee on Finance.

Senator Thompson objected.

By request of Senator Keppler, with unanimous consent, Senate Bill 893 was placed at the foot of Select List #2.

Senator Risser moved that Senate Bill 879 be withdrawn from committee on Health and Social Services and considered for action at this time.

The ayes and noes were demanded and the vote was: ayes, 27; noes, 6; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Dorman, Frank, Heinzen, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, McKenna, Martin, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Swan, Thompson and Whittow—27.

Noes—Senators Devitt, Hollander, Lotto, Lourigan, Murphy and Steinhilber—6.

Absent or not voting—None.

The motion prevailed.

JOURNAL OF THE SENATE [February 2, 1972]

Senate Bill 879

Relating to permitting minors to give consent for medical treatment for venereal disease.

Read a second time.

Senator Devitt asked unanimous consent that the record on the previous roll call be expunged.

Senator Lorge objected.

By request of Senator Risser, with unanimous consent, senate substitute amendment 1 to Senate Bill 879 was withdrawn and returned to the author.

Senate amendment 1 to Senate Bill 879 offered by Senator Risser.

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.

Senate Bill 879

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 25; noes, 8; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Dorman, Frank, Heinzen, Hollander, Johnson, Kendzioriski, Keppler, Knowles, Krueger, Lipscomb, Lorge, Lotto, McKenna, Martin, Parys, Peloquin, Risser, Roseleip, Schuele, Soik and Thompson—25.

Noes—Senators Devitt, Knutson, LaFave, Lourigan, Murphy, Steinhilber, Swan and Whittow—8.

Absent or not voting—None.

So the bill passed.

Ordered immediately messaged.

By request of Senator Roseleip, with unanimous consent, Senate Bill 561 was withdrawn from the joint committee on Finance and considered for action at this time.

By request of Senator Lorge, with unanimous consent, he was made a co-author of Senate Bill 561.

JOURNAL OF THE SENATE [February 2, 1972]

By request of Senator Roseleip, with unanimous consent, substitute amendments 1 and 2 were laid aside and senate substitute amendment 3 to Senate Bill 561 was considered for action at this time.

Read a second time.

By request of Senator Roseleip, with unanimous consent, Senate Bill 561 was made a special order of business at 9:01 A.M. Thursday, February 3.

By request of Senator Lourigan, with unanimous consent, Senate Bill 156 was withdrawn from joint committee on Finance and considered for action at this time.

Senate Bill 156

Relating to the waiting period in unemployment compensation.

Read a second time.

Senator Hollander moved indefinite postponement.

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

COMMITTEE REPORT

The committee on Natural Resources reports and recommends:

Senate Bill 886

Relating to snowmobile operation and equipment, creating a snowmobile recreational council and making an appropriation.

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

CLIFFORD W. KRUEGER,
Chairman.

JOURNAL OF THE SENATE [February 2, 1972]

Upon motion of Senator Keppler, the senate recessed until 2:00 P.M.

11:55 A.M.

RECESS

2:00 P.M.

The senate reconvened.

President pro tempore of the senate in the chair.

President of the senate in the chair.

2:08 P.M.

The question was: Indefinite postponement of Senate Bill 156?

Senator Hollander 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, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan and Whittow—29.

Absent—Senators Cirilli, Devitt, Lipscomb and Thompson—4.

Absent with leave—None.

Senator Schuele asked unanimous consent that the four absent senators be granted a leave of absence.

Senator Parys objected.

JOURNAL OF THE SENATE [February 2, 1972]

Senator LaFave asked unanimous consent that **Assembly Joint Resolution 146** be taken from the table and considered for action at this time.

Senator Lourigan objected.

Senator LaFave moved that **Assembly Joint Resolution 146** be taken from the table and considered for action at this time.

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:

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

Absent—Senators Cirilli, Devitt, Lipscomb and Thompson—4.

Absent with leave—None.

Senator Schuele asked unanimous consent that the absent senators be granted a leave of absence.

Senator Whittow objected.

Assembly Bill 210

Relating to labor management relations.

Read a second time.

Senator Knutson 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.

JOURNAL OF THE SENATE [February 2, 1972]

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, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—33.

Absent—None.

Absent with leave—None.

All members being present, the question was: Indefinite postponement of **Senate Bill 156?**

The ayes and noes were demanded and the vote was: ayes, 27; noes, 6; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Martin, Murphy, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan and Thompson—27.

Noes—Senators Lipscomb, Lourigan, McKenna, Parys, Peloquin and Whittow—6.

Absent or not voting—None.

So the bill was indefinitely postponed.

The question was: Shall **Assembly Joint Resolution 146** be taken from the table and considered for action at this time?

By request of Senator Risser, with unanimous consent, the question on **Assembly Joint Resolution 146** was made a special order of business at 10:00 A.M. Thursday, February 3.

Assembly Bill 210

Senator Steinhilber moved nonconcurrency.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Chilsen, Heinzen, Hollander,

JOURNAL OF THE SENATE [February 2, 1972]

Johnson, Keppler, Knowles, Knutson, Krueger, Lorge, Lotto, Murphy, Roseleip, Soik, Steinhilber and Swan—16.

Noes—Senators Busby, Cirilli, Devitt, Dorman, Frank, Kendziorski, LaFave, Lipscomb, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—17.

Absent or not voting—None.

The motion did not prevail.

Senator Kendziorski in the chair.

2:45 P.M.

President of the senate in the chair.

2:55 P.M.

The question was: Adoption of senate substitute amendment 1 to **Assembly Bill 210?**

Senator McKenna moved rejection.

The ayes and noes were demanded and the vote was: ayes, 13; noes, 20; absent or not voting, 0; as follows:

Ayes—Senators Busby, Dorman, Frank, Kendziorski, Krueger, Lourigan, McKenna, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—13.

Noes—Senators Bidwell, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, LaFave, Lipscomb, Lorge, Lotto, Martin, Murphy, Roseleip, Soik, Steinhilber and Swan—20.

Absent or not voting—None.

The motion did not prevail.

The ayes and noes were demanded and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, LaFave, Lipscomb, Lorge, Lotto, Martin, Murphy, Roseleip, Schuele, Soik, Steinhilber and Swan—21.

Noes—Senators Busby, Dorman, Frank, Kendziorski, Krueger, Lourigan, McKenna, Parys, Peloquin, Risser, Thompson and Whittow—12.

JOURNAL OF THE SENATE [February 2, 1972]

Absent or not voting—None.

Senate substitute amendment 1 adopted.

Senate amendment 1 to senate substitute amendment 1 to **Assembly Bill 210** offered by Senator Soik.

Senator McKenna raised the point of order that senate amendment 1 to senate substitute amendment 1 was not germane.

The chair ruled the point of order well taken.

Senator Soik appealed the ruling of the chair.

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

The ayes and noes were required and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:

Ayes—Senators Busby, Chilsen, Dorman, Frank, Kendziorski, Lipscomb, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—15.

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

Absent or not voting—None.

So the decision of the chair was not sustained.

Senator Risser moved rejection of senate amendment 1 to senate substitute amendment 1 to **Assembly Bill 210**.

LEAVES OF ABSENCE

By request of Senator Schuele, with unanimous consent, he was granted a leave of absence for 10 minutes.

By request of Senator Johnson, with unanimous consent, he was granted a leave of absence for 10 minutes.

By request of Senator Murphy, with unanimous consent, he was granted a leave of absence for 10 minutes.

JOURNAL OF THE SENATE [February 2, 1972]

By request of Senator Risser, with unanimous consent, **Assembly Bill 210** was laid aside and **Senate Bill 309** considered for action at this time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 309** was withdrawn from the joint committee on Finance and considered for action at this time.

Senator Hollander in the chair.

3:25 P.M.

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.

Read a second time.

President of the senate in the chair.

3:35 P.M.

By request of Senator Swan, with unanimous consent, **Senate Bill 309** was made a special order of business at 10:15 A.M. Tuesday, February 8.

The question was: Rejection of senate amendment 1 to senate substitute amendment 1 to **Assembly Bill 210?**

The ayes and noes were demanded and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes—Senators Busby, Chilsen, Cirilli, Dorman, Frank, Heinzen, Kendziorski, Krueger, LaFave, Lipscomb, Lorge, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Roseleip, Schuele, Thompson and Whittow—21.

Noes—Senators Bidwell, Devitt, Hollander, Johnson, Keppler, Knowles, Knutson, Lotto, Murphy, Soik, Steinhilber and Swan—12.

Absent or not voting—None.

The motion prevailed.

Senate amendment 2 to senate substitute amendment 1 to **Assembly Bill 210** offered by Senators Knutson and Soik.

JOURNAL OF THE SENATE [February 2, 1972]

Senator Risser moved rejection.

Senator Risser raised the point of order that senate amendment 2 to senate substitute amendment 1 was substantially the same as senate amendment 1 to senate substitute amendment 1 and therefore not properly before the senate.

The chair ruled the point of order well taken.

Senator Knutson appealed the ruling of the chair.

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

The ayes and noes were demanded and the vote was: ayes, 14; noes, 19; absent or not voting, 0; as follows:

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

Noes—Senators Bidwell, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Keppler, Konwles, Knutson, Krueger, LaFave, Lorge, Lotto, Murphy, Roseleip, Soik, Steinhilber and Swan—19.

Absent or not voting—None.

The decision of the chair was not sustained.

The question was: Rejection of senate amendment 2 to senate substitute amendment 1 to **Assembly Bill 210**?

The ayes and noes were demanded and the vote was: ayes, 25; noes, 8; absent or not voting, 0; as follows:

Ayes—Senators Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Johnson, Kendziorski, Knowles, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Roseleip, Schuele, Thompson and Whittow—25.

Noes—Senators Bidwell, Hollander, Keppler, Knutson, Murphy, Soik, Steinhilber and Swan—8.

Absent or not voting—None.

The motion prevailed.

Senate amendment 3 to senate substitute amendment 1 to **Assembly Bill 210** offered by Senator Soik.

JOURNAL OF THE SENATE [February 2, 1972]

Senator Risser moved rejection.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 18; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Busby, Cirilli, Devitt, Dorman, Frank, Kendziorski, Krueger, LaFave, Lipscomb, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Roseleip, Schuele, Thompson and Whittow—20.

Noes—Senators Chilsen, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, Lorge, Lotto, Murphy, Soik, Steinhilber and Swan—13.

Absent or not voting—None.

The motion prevailed.

The question was: Shall Assembly Bill 210 be ordered to a third reading?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes—Senators Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Kendziorski, Keppler, LaFave, Lipscomb, Lotto, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—21.

Noes—Senators Bidwell, Hollander, Johnson, Knowles, Knutson, Krueger, Lorge, Murphy, Roseleip, Soik, Steinhilber and Swan—12.

Absent or not voting—None.

So the bill was ordered to a third reading.

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

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

Assembly Bill 210

Read a third time.

Senator Lorge asked unanimous consent that his vote on the previous roll call be changed from "No" to "Aye".

Senator Lipscomb objected.

The ayes and noes were demanded and the vote was: ayes, 24; noes, 9; absent or not voting, 0; as follows:

JOURNAL OF THE SENATE [February 2, 1972]

Ayes—Senators Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Johnson, Kendziorski, Keppler, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow—24.

Noes—Senators Bidwell, Hollander, Knowles, Knutson, Murphy, Roseleip, Soik, Steinhilber and Swan—9.

Absent or not voting—None.

So the bill was concurred in as amended.

LEAVES OF ABSENCE

By request of Senator Bidwell, with unanimous consent, he was granted a leave of absence for the balance of the day's session.

By request of Senator Roseleip, with unanimous consent, he was granted a leave of absence for the balance of the day's session.

By request of Senator Whittow, with unanimous consent, Senate Bill 259 was withdrawn from the joint committee on Finance and considered for action at this time.

Senate Bill 259

Relating to creating a Dispensing Opticians Examining Council in the Dept. of Regulation & Licensing, granting rule-making authority and providing penalties.

Read a second time.

The question was: Adoption of senate amendment 1 to Senate Bill 259?

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.

Senate Bill 259

Read a third time.

JOURNAL OF THE SENATE [February 2, 1972]

LEAVE OF ABSENCE

By request of Senator Keppler, with unanimous consent, Senator Cirilli was granted a leave of absence for the balance of the week's sessions.

Senator Johnson moved indefinite postponement of Senate Bill 259.

The ayes and noes were demanded and the vote was: ayes, 11; noes, 17; absent or not voting, 5; as follows:

Ayes—Senators Chilsen, Heinzen, Johnson, Kendziorski, Knowles, LaFave, Lorge, Lotto, McKenna, Soik and Steinhilber—11.

Noes—Senators Busby, Dorman, Frank, Hollander, Keppler, Knutson, Krueger, Lipscomb, Lourigan, Martin, Murphy, Parys, Risser, Schuele, Swan, Thompson and Whittow—17.

Absent or not voting—Senators Bidwell, Cirilli, Devitt, Peloquin and Roseleip—5.

The motion did not prevail.

The question was: Shall Senate Bill 259 pass?

Senator Johnson 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, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—29.

Absent—Senator Devitt—1.

Absent with leave—Senators Bidwell, Cirilli and Roseleip—3.

JOURNAL OF THE SENATE [February 2, 1972]

Senator Whittow asked unanimous consent that the call be raised.

Senator Johnson objected.

Senate Bill 791

Relating to exempt status for Menominee Enterprises, Inc., bonds in determining welfare eligibility.

Read a second time.

Ordered to a third reading.

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

Senate Bill 791

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

Ayes—Senators Busby, Chilsen, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Kendzior ski, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Pelouquin, Risser, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—30.

Noes—None.

Absent or not voting—Senators Bidwell, Cirilli and Roseleip—3.

So the bill passed.

Ordered immediately messaged.

By request of Senator McKenna, with unanimous consent, the call was raised.

Senator Devitt asked unanimous consent that **Senate Bill 259** be referred to committee on Health and Social Services. Senator Whittow objected.

Senator Hollander in the chair.

5:50 P.M.

President of the senate in the chair.

5:55 P.M.

JOURNAL OF THE SENATE [February 2, 1972]

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

AMENDMENTS OFFERED

Senate amendment 2 to **Senate Bill 697** by Senators Ciriilli, Peloquin, Johnson and Frank, by request of Representatives Lcooby, Mato, Schricker and Stack.

Senate amendment 1 to **Assembly Bill 545** by Senator LaFave.

Senate substitute amendment 1 to **Senate Bill 867** by Senator Parys.

Senate substitute amendment 1 to **Assembly Bill 475** by Senators Whittow, Krueger, McKenna, Lotto and LaFave.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 574** by Senators Heinzen, Whittow and Swan.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 898

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

By Senator Risser.

To committee on Judiciary.

MOTIONS

By request of Senator LaFave, with unanimous consent, **Assembly Bill 358** was rereferred to committee on Transportation.

By request of Senator Schuele, with unanimous consent, **Assembly Bill 568** was made a special order of business at 2:00 P.M. Tuesday, February 8.

JOURNAL OF THE SENATE [February 2, 1972]

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

Upon motion of Senator Keppler the senate adjourned
until 9:00 A.M. Thursday, February 3.

6:00 P.M.

INTRODUCTION OF GUESTS

Senator Risser introduced the 5th grade of Schenk Elementary School with Mrs. Lynn Brethouwer and Miss Dorothy McCloskey, Madison, Wis.

Senator McKenna introduced Mrs. Violet Rovies, Watertown, Wis.

Senator McKenna introduced Mrs. Jerold Dommer, League of Women Voters, Watertown, Wis.

Senator Risser introduced a group of 10 people from "Up with the People," Tucson, Arizona.

Senator Martin introduced Norman E. Carron, Earl Komely, John Komely, John Zimmer and Michael Turman of the Independent Business Association.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 66

Correctly enrolled and presented to the Governor on
Wednesday, February 2, 1972.