

JOURNAL OF THE SENATE (April 4, 1973)

STATE OF WISCONSIN

Senate Journal

Eighty-First Regular Session

WEDNESDAY, April 4, 1973.

9:00 A.M.

The senate met.

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

Prayer was offered by Reverend Lloyd G. Rediger, Pastor of Wisconsin Council of Churches.

A Bible writer once said that when he prayed he looked up to the hills. In this chamber we cannot look to the hills, but we can look up. I suggest that as a posture for our prayer this morning, and for our thinking this day. Please look up with me.

Let us pray together.

God, our Creator, sometimes you speak to us in the voice of thunder, and sometimes in the voice of silence, but always, with the love of a Father. It then remains for us to hear your voice, for we need the love, judgement and wisdom you offer to us.

So we look up at the beginning of this day. And we ask you to focus our thoughts on the highest truths and visions for our government. And in the midst of this day's activities we thank you for today's gifts and opportunities.

And now for this day we pray let the words of our mouths and the meditations of our hearts be acceptable in your sight, O Lord, our strength and our salvation. Amen.

The senate remained standing and Senator Roseleip led the senate in the pledge of allegiance to the flag of the United States of America.

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President of the senate in the chair.

9:05 A.M.

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

Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 31.

Absent -- None.

Absent with leave -- Senators Kendziorski and Krueger -- 2.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 425

Relating to exemption of certain garbage trucks from axle weight limitations.

By Senators Devitt and LaFave, cosponsored by Representative Shabaz.

To committee on Transportation.

Senate Bill 426

Relating to property tax exemption for pollution abatement equipment.

By Senator Krueger, by request of Henry L. Yulga, Rhinelander City Assessor.

To Joint Survey Committee on Tax Exemptions.

Senate Bill 427

Relating to qualifications for welfare payments.

By Senators Hollander, Steinhilber, Johnson, Devitt, Theno, Murphy, Chilsen, J. D. Swan, Roseleip and Schuele.

To committee on Health, Education and Welfare.

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Senate Bill 428

Relating to recovery of alimony assignments, abandonment and nonsupport.

By Senators Murphy, Steinhilber, Johnson, Devitt, Theno, Petri, Kasten, J. D. Swan, Roseleip, Hollander, Martin and Schuele.

To committee on Health, Education and Welfare.

Senate Bill 429

Relating to the termination of joint tenancies and liability for welfare claims against deceased joint tenants.

By Senators Johnson, Steinhilber, Murphy, J. D. Swan, Roseleip, Hollander and Martin.

To committee on Judiciary and Insurance.

Senate Bill 430

Relating to public information relating to applicants and recipients of aid to families with dependent children and other public assistance grants.

By Senators Kasten, Steinhilber, Johnson, Theno, Petri, Murphy, Chilsen, J. D. Swan, Roseleip, Hollander, Martin, Schuele and Devitt.

To committee on Health, Education and Welfare.

Senate Bill 431

Relating to filings and mailings of nonresident general relief notices.

By Senators J. D. Swan, Murphy, Steinhilber, Devitt, Kasten, Petri, Theno, Roseleip, Hollander and Martin.

To committee on Health, Education and Welfare.

Senate Bill 432

Relating to recovery of aid to families with dependent children.

By Senators Johnson, Steinhilber, J. D. Swan and Roseleip.

To committee on Health, Education and Welfare.

COMMITTEE REPORTS

The committee on Organization reports and recommends:

Senate Bill 13

Relating to recessing the annual sessions of the legislature no later than July 31.

Indefinite postponement; Ayes, 4; Noes, 1.

Assembly Bill 394

Relating to organizing a newly elected legislature.

Concurrence; Ayes, 4; Noes, 1.

Senate Bill 166

Relating to legislative scholarships.

Passage; Ayes, 3; Noes, 2.

ERNEST C. KEPPLER

Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 50

A petition by 789 citizens of Glendale, Wisconsin, in the 4th State Senate District, opposing Assembly Bill 300, the proposed 1973-75 Governor's budget.

By Senator Kasten.

Read and referred to joint committee on Finance.

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State of Wisconsin
Department of State

April 3, 1973.

To The Honorable, The Senate

Gentlemen:

I have the honor to transmit to you, pursuant to s. 13.67 (2), a list of the registered lobbyists for the period beginning on March 27, 1973, and ending on April 3, 1973.

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.

Robert Heider, Attorney, 910 Elm Grove Rd., Elm Grove.--Green Giant Co., Beaver Dam, Wisconsin--Agriculture and Food processing--March 27, 1973

John H. Stevens, Executive Director, 4315 W. Ramsey Ave., Greendale--Wisconsin Federation of Teachers, 7230 W. Capitol Dr., Milwaukee--Education, Finance, Taxation, and Labor Relations--March 28, 1973

Robert W. Schroeder, Attorney, 845 E. Glenbrooke Rd., Milwaukee--Disabled American Veterans, 2821 N. 70th St., Milwaukee--Disabled veterans--March 28, 1973

Leo Martin, Banker, East Forest St., Black Creek--American State Bank, 2915 W. College Ave., Appleton--Banking legislation--March 29, 1973

John P. O'Connell, Deputy Sheriff, R.R. 1, Oregon--Wisconsin Law Enforcement Officers Association, c/o Anthony Russos, 6105 Winnequah Rd., Madison--Law Enforcement--March 30, 1973

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Anthony Russos, Deputy Sheriff, 6105 Winnequah Rd.,
Madison--Wisconsin Law Enforcement Officers Association, c/o
Anthony Russos, 6105 Winnequah Rd., Madison--Law
Enforcement--March 30, 1973

James M. Orr, International Union Representative, P.O. Box
232, Stoughton--Communications Workers of America, 7460 N.
Sheridan Rd., Chicago, Ill.--Labor and Related Legislation--April
2, 1973

Thomas R. Burney, Transportation Researcher, 112 N.
Franklin, Madison--Wisconsin Environmental Decade, P.O. Box
1105, Madison--Balanced Transportation--April 2, 1973

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

April 3, 1973.

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Chapter No.	Date Approved
4 -----	5 -----	April 2, 1983
5 -----	6 -----	April 2, 1973
6 -----	7 -----	April 2, 1973
7 -----	8 -----	April 2, 1973
8 -----	9 -----	April 2, 1973
33 -----	10 -----	April 2, 1973
55 -----	11 -----	April 2, 1973

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71 ----- 12 ----- April 2, 1973
72 ----- 13 ----- April 2, 1973

Sincerely,
PATRICK J. LUCEY
Governor

MESSAGE FROM THE ASSEMBLY

By Thomas S. Hanson, chief clerk.

Mr. President:

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

Assembly Bill 125
Assembly Bill 226
Assembly Bill 229
Assembly Bill 230
Assembly Bill 250
Assembly Bill 254
Assembly Bill 288
Assembly Bill 311

Adopted and asks concurrence in:

Assembly Joint Resolution 1

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 125

Relating to restricting the sale of new outboard motors with improperly sealed crankcases.

By Representatives MITTNESS, OTTE, MUNTS and JACKAMONIS.

Read first time and referred to committee on Natural Resources.

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Assembly Bill 226

Relating to transfers of decedents' motor vehicles to surviving spouse by affidavit.

By Representatives BERGER, EARL, WAHNER, FERRALL, BALDUS, DUREN, ROBERTS, JACKAMONIS, MOLINARO, MILLER, RUTKOWSKI, EARLY, DUEHOLM, LALLENSACK, GROSHEK, MUNTS, EVERSON, O'MALLEY, TROPMAN, MITTNESS, DORFF, CONTA, VANDERPERREN, SICULA, ELCONIN, BARCZAK, FLINTROP, PLEWA, SANASARIAN, MIELKE, SCHRICKER, BYERS, BRADLEY, QUINN, TOBIASZ, KEDROWSKI, MURRAY, MENOS, BEHNKE, PABST, KEEGAN, DAY, SCHROEDER, LEWIS, QUACKENBUSH, CONRADT, MERKEL, DONOGHUE, SHABAZ and THOMPSON; co-sponsored by Senators HOLLANDER, CHILSEN, PARYS, PELOQUIN, J. SWAN, LAFOLLETTE, ROSELEIP, BABLITCH, SCHUELE, DORMAN, MARTIN, THOMPSON, FRANK, FLYNN, MCKENNA, M. SWAN and RISSER, by request of Governor Patrick J. Lucey.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 229

Relating to summary settlement of small estates.

By Representatives BERGER, EARL, WAHNER, EARLY, DORFF, VANDERPERREN, JACKAMONIS, BALDUS, DUEHOLM, LALLENSACK, GROSHEK, MUNTS, DUREN, EVERSON, O'MALLEY, TROPMAN, MITTNESS, CONTA, ELCONIN, FLINTROP, SWEDA, FERRALL, MURRAY, SANASARIAN, PLEWA, MIELKE, TOBIASZ, KEDROWSKI, MENOS, BEHNKE, PABST, ROBERTS, KEEGAN, DAY, SCHROEDER, CONRADT, MERKEL, SHABAZ and THOMPSON; co-sponsored by Senators LA FOLLETTE, PELOQUIN, ROSELEIP, BABLITCH, SCHUELE, DORMAN, FLYNN, MC KENNA, M. SWAN and RISSER, by request of Governor Patrick J. Lucey.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 230

Relating to transfer of inherited property by affidavit.

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By Representatives BERGER, EARL, WAHNER, BARBEE, FERRALL, BRADLEY, SCHRICKER, MOLINARO, RUTKOWSKI, EARLY, BALDUS, DUEHOLM, LALLENSACK, GROSHEK, MUNTS, DUREN, O'MALLEY, EVERSON, TROPMAN, MITTNESS, DORFF, CONTA, SICULA, VANDERPERREN, ELCONIN, BARCZAK, FLINTROP, SWEDA, MURRAY, SANASARIAN, MIELKE, QUINN, TOBIASZ, KEDROWSKI, MENOS, BEHNKE, PABST, KEEGAN, DAY, SCHROEDER, MERKEL, DONOGHUE, SHABAZ and THOMPSON; co-sponsored by Senators HOLLANDER, CHILSEN, PARYS, PELOQUIN, J. SWAN, ROSELEIP, LAFOLLETTE, SCHUELE, BABLITCH, MCKENNA, M. SWAN and RISSER, by request of Governor Patrick J. Lucey.

Read first time and referred to committee on Judiciary and Insurance.

Assembly Bill 250

Relating to advertising prices for prescription medications.

By Representatives JACKAMONIS, BERGER, CZERWINSKI, SANASARIAN, OESTREICHER and CONTA; co-sponsored by Senator LA FOLLETTE.

Read first time and referred to committee on Health, Education and Welfare.

Assembly Bill 254

Relating to allowing driver's license applicants to submit eyesight reports from out-of-state doctors and granting rule-making authority.

By Representatives ELCONIN, FERRALL and TROPMAN.

Read first time and referred to committee on Transportation.

Assembly Bill 288

Relating to appointment of U.S. senator-elect for balance of unexpired term.

By Representatives PABST, BEHNKE, EARL, CONTA and THOMPSON; co-sponsored by Senators KEPPLER and RISSER.

Read first time and referred to committee on Governmental and Veterans' Affairs.

Assembly Bill 311

Relating to permits for oversize motor vehicles transporting farm machinery.

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By Representatives BALDUS, SWEDA and OLSON.
Read first time and referred to committee on Transportation.

Assembly Joint Resolution 1

Relating to taxation of agricultural land and undeveloped land (2nd consideration).

By Representatives ANDERSON, WAHNER, WILCOX, DE LONG, EARL, BALDUS, MIELKE, OLSON, LEWISON, EARLY, DUREN, ROBERTS, SCHRICKER, SANASARIAN, FERRALL, EVERSON, MITTNESS, OTTE, O'MALLEY, BOLLE, MOHN, DORFF, OESTREICHER, WARD, ELCONIN, FLINTROP, LALLENSACK, JACKAMONIS, GIESE, TREGONING, ALBERTS, GOWER, BRADLEY, MERKEL, SCHROEDER, QUACKENBUSH, OPITZ, MATTY, LEWIS, NIEBLER, SHABAZ, GROSHEK, DAY, KEDROWSKI, MURRY and VANDERPERREN.

Read first time and referred to committee on Agriculture and Rural Development.

MOTIONS

By request of Senator Hollander, with unanimous consent, **Senate Resolution 15** was withdrawn from the senate committee on Finance and referred to the committee on Industry, Labor, Taxation and Banking.

Senator J. D. Swan asked unanimous consent that **Senate Joint Resolution 48** be withdrawn from the committee on Governmental and Veterans' Affairs and referred to the calendar.

Senator Risser objected.

Senator J. D. Swan moved that **Senate Joint Resolution 48** be withdrawn from the committee on Governmental and Veterans' Affairs and referred to the calendar.

Senator McKenna called the chair's attention to **Assembly Bill 610** which was a special order of business.

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Assembly Bill 610

Relating to making various changes in the Wisconsin consumer act in regard to consumer credit transactions secured by real property.

Read a second time.

The question was: Adoption of senate amendment 1 to senate substitute amendment 3 to **Assembly Bill 610**?

Senator Risser moved rejection.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 14; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Chilsen, Dorman, Flynn, Frank, Kasten, Keppler, LaFollette, McKenna, Martin, Parys, Risser, Schuele, Swan, M., Thompson and Whittow -- 16.

Noes -- Senators Bidwell, Devitt, Hollander, Johnson, Knowles, Knutson, LaFave, Lorge, Murphy, Petri, Roseleip, Steinhilber, Swan, J.D. and Theno -- 14.

Absent or not voting -- Senators Kendziorski, Krueger and Peloquin -- 3.

So the motion prevailed.

Senator Dorman in the chair.

9:45 A.M.

President of the senate in the chair.

9:55 A.M.

Senate amendment 2 to senate substitute amendment 3 to **Assembly Bill 610** offered by Senator J. D. Swan.

Senator Kasten raised the point of order that senate amendment 2 to senate substitute amendment 3 was not properly before the senate.

The chair ruled the point of order not well taken.

By request of Senator J. D. Swan, with unanimous consent, the senate stood informal for fifteen minutes.

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10:00 A.M.

RECESS

10:15 A.M.

The senate reconvened.

The question was: Adoption of senate amendment 2 to senate substitute amendment 3 to **Assembly Bill 610**?

The ayes and noes were demanded and the vote was: ayes, 11; noes, 20; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Johnson, LaFollette, Lorge, McKenna, Risser, Roseleip, Swan, J.D., Swan, M., Theno and Thompson -- 11.

Noes -- Senators Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Kasten, Keppler, Knowles, Knutson, LaFave, Martin, Murphy, Parys, Peloquin, Petri, Schuele, Steinhilber and Whittow -- 20.

Absent or not voting -- Senators Kendziorski and Krueger -- 2.

So the amendment was not adopted.

Senate amendment 3 to senate substitute amendment 3 to **Assembly Bill 610** offered by Senator Petri.

The ayes and noes were demanded and the vote was: ayes, 11; noes, 20; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Devitt, Johnson, Lorge, Murphy, Petri, Roseleip, Steinhilber, Swan, J.D., Swan, M. and Theno -- 11.

Noes -- Senators Bablitch, Chilsen, Dorman, Flynn, Frank, Hollander, Kasten, Keppler, Knowles, Knutson, LaFave, LaFollette, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Thompson and Whittow -- 20.

Absent or not voting -- Senators Kendziorski and Krueger -- 2.

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So the amendment was not adopted.

Senate amendment 4 to senate substitute amendment 3 to **Assembly Bill 610** offered by Senator McKenna.

Senator Kasten raised the point of order that senate amendment 4 to senate substitute amendment 3 was not germane.

The chair ruled the point of order not well taken.

The question was: Adoption of senate amendment 4 to senate substitute amendment 3 to **Assembly Bill 610**?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 17; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Chilsen, Dorman, Flynn, Frank, LaFollette, Lorge, McKenna, Peloquin, Risser, Swan, J.D., Swan, M., Theno and Thompson -- 14.

Noes -- Senators Bidwell, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, Martin, Murphy, Parys, Petri, Roseleip, Schuele, Steinhilber and Whittow -- 17.

Absent or not voting -- Senators Kendziorski and Krueger -- 2.

So the amendment was not adopted.

The question was: Adoption of senate substitute amendment 3 to **Assembly Bill 610**?

President pro tempore of the senate in the chair.

11:10 A.M.

Senator McKenna moved rejection.

The ayes and noes were demanded and the vote was: ayes, 12; noes, 19; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Dorman, Flynn, Frank, LaFollette, McKenna, Peloquin, Risser, Schuele, Swan, M., Thompson and Whittow -- 12.

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Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, Lorge, Martin, Murphy, Parys, Petri, Roseleip, Steinhilber, Swan, J.D. and Theno -- 19.

Absent or not voting -- Senators Kendziorski and Krueger -- 2.

So the motion did not prevail.

President of the senate in the chair.

11:22 A.M.

Senate amendment 5 to senate substitute amendment 3 to **Assembly Bill 610** offered by Senator Bablitch.

Senator Steinhilber moved rejection.

The ayes and noes were demanded and the vote was: ayes, 18; noes, 13; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Lorge, Martin, Murphy, Parys, Petri, Roseleip, Steinhilber, Swan, J.D. and Theno -- 18.

Noes -- Senators Bablitch, Dorman, Flynn, Frank, LaFave, LaFollette, McKenna, Peloquin, Risser, Schuele, Swan, M., Thompson and Whittow -- 13.

Absent or not voting -- Senators Kendziorski and Krueger -- 2.

So the motion prevailed.

The question was: Adoption of senate substitute amendment 3 to **Assembly Bill 610**?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 12; absent or not voting, 3; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Lorge, Martin, Murphy, Parys, Petri, Roseleip, Steinhilber, Swan, J.D. and Theno -- 18.

Noes -- Senators Bablitch, Dorman, Flynn, Frank, LaFollette, McKenna, Peloquin, Risser, Schuele, Swan, M., Thompson and Whittow -- 12.

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Absent or not voting -- Senators Kendziorski, Krueger and LaFave -- 3.

So the amendment was adopted.

By request of Senator Parys, with unanimous consent, senate substitute amendments 1 and 2 to **Assembly Bill 610** were laid on the table.

Assembly Bill 610

Ordered to a third reading.

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

Assembly Bill 610

Read a third time and concurred in as amended.

Ordered immediately messaged.

Senate Bill 364

Relating to exemption from the Wisconsin consumer act of FHA and VA loans.

Read a second time.

By request of Senator Steinhilber, with unanimous consent, the bill was laid on the table.

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 1** by Senators Lorge, Devitt and LaFave.

Senate substitute amendment 1 to **Senate Bill 242** by Senators McKenna and Frank, by request of the State Bar of Wisconsin, Family Law Section.

Senate substitute amendment 1 to **Senate Bill 351** by Senator Petri.

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Senate amendment 5 to **Assembly Bill 610** by Senator McKenna.

Senate amendment 6 to **Assembly Bill 610** by Senator J. D. Swan.

By request of Senator Risser, with unanimous consent, the senate adjourned in honor of "the week of the young child".

Upon motion of Senator Johnson the senate adjourned until 9:00 A.M. Thursday, April 5.

12:05 P.M.

INTRODUCTION OF GUESTS

Senator McKenna introduced 45 students and their teachers from the ninth grade Civics Class of Johnson Creek, Wisconsin.

Senator Kasten introduced Mr. Rob Commings from Shorewood, Wisconsin.

Senators Flynn, Devitt, Frank and Kendziorski introduced Miss Nancy Lenz, Junior Miss of Greenfield and the pageant finalists-- Mary Kaye Dohr, Jeri Jachowicz, Lenore Keen, Joyce Ouimet, Cindy Roedell, Mary Sajkowski, Bonnie Schultz and Lois Zank. Alderman Frank Pilarski of Greenfield, Mrs. Rosiland Pilarski, and Mr and Mrs. Ray Carlson, of Greenfield, Wisconsin.

Senator Frank introduced 41 students and teacher, Mr. Dennis Mattson, of the Urban Studies Class of Sholes Junior High School, Milwaukee, Wisconsin.

Senator McKenna introduced 57 students and teachers from Washington Elementary School of Whitewater, Wisconsin.

Senator M. Swan introduced 45 students and their teacher Mr. Allen Stawicki, of Parkman Junior High School, Milwaukee, Wisconsin.

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Senator McKenna introduced Mr. Bill Ehbolt of Sullivan, Wisconsin.

Senators Martin and Keppler introduced Mr. Bill Gehrke and Mr. Howard Hoppe of United Savings and Loan, Manitowoc and Sheboygan, Wisconsin.

Senator Theno introduced Professors Walt Bjouraher, Harold Matteson, and Mr. John Santos, Mr. Richard Jensen of the University of Wisconsin College of Agriculture and Life Sciences, and Ms. Paula Schutz, of Porta Alegre, Brazil.