

JOURNAL OF THE SENATE (January 17, 1973)

STATE OF WISCONSIN

Senate Journal

Eighty-First Regular Session

WEDNESDAY, January 17, 1973.

10:00 A.M.

The senate met.

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

Prayer was offered by Father Thomas Segerson, Assistant Pastor of Immaculate Heart of Mary Catholic Church of Madison.

By request of Senator Whittow, with unanimous consent, Senator Frank was granted a leave of absence until 2:00 P.M.

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

Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Hollander, Johnson, Kasten, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan J.D., Swan M., Theno, Thompson and Whittow -
- 32.

Absent -- None.

Absent with leave -- Senator Frank -- 1.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Resolution 7.**

Amend the resolution as follows:

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On page 12, line 16, after "prayer" insert "and pledge of allegiance to the flag".

By Senator Roseleip.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 11

To amend articles IV, section 14, article V, sections 7 and 8, article VI, section 4 and article VII, sections 9, 12 and 24; and to create article XIII, section 13 of the constitution, relating to establishing a mandatory retirement age for persons holding elective office (1st consideration).

By Senator Parys.

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

Senate Joint Resolution 12

To amend article VIII, section 1, of the constitution, relating to abolishing tax uniformity (1st consideration).

By Senator Parys.

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

COMMITTEE REPORTS

The committee on Transportation reports and recommends for introduction:

Senate Bill 48

Relating to registration fees for trailers transporting modular homes.

Introduction; Ayes 5, Noes 0.

REUBEN LAFAVE

Chairman

Read first time and referred to Committee on Transportation.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 49

Relating to use of the Wisconsin school for girls at Oregon.

By Senators Schuele, Murphy, and Bidwell, cosponsored by Representative O'Malley and Vanderperren, by request of Joint Committee to Visit State Properties.

To committee on Health, Education and Welfare.

Senate Bill 50

Relating to retirement age for certain state and local officials and employees.

By Senator Parys.

To Joint Survey Committee on Retirement Systems.

Senate Bill 51

Relating to permitting voters to cross party lines in primaries.

By Senator Parys.

To committee on Governmental and Veterans' Affairs..

Senate Bill 52

Relating to cutting forest products.

By Senator Krueger, by request of Corliss Jensen.

To committee on Natural Resources

Senate Bill 53

Relating to permitting the filing of a claim for homestead tax relief on behalf of a deceased claimant.

By Senator Lorge.

To Joint Survey Committee on Tax Exemptions.

Senate Bill 54

Relating to exempting from sales tax property on which a sales tax has previously been paid.

By Senator Lorge.

To Joint Survey Committee on Tax Exemptions.

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Senate Bill 55

An act to appropriate \$21,780.53 from the general fund for payment of a claim made by the city of Milwaukee against the state.

By Senator Hollander, cosponsored by Representative Molinaro, by request of State Claims Board.

To joint committee on Finance.

Senate Bill 56

Relating to operation of airboats in disturbing waterfowl and providing a penalty.

By Senators Roseleip, McKenna, Petri and Risser, cosponsored by Representatives Jackamonis, Molinaro, Wilcox, Byers and Dorff.

To committee on Natural Resources.

Senate Bill 57

Relating to motorboat equipment and providing a penalty.

By Senators Roseleip, McKenna and Petri, cosponsored by Representatives Jackamonis, Molinaro, Dorff, Byers, and Donoghue.

To committee on Natural Resources.

Senate Bill 58

Relating to motorboat owners' liability for negligence of persons under 18.

By Senators J. D. Swan, McKenna, Roseleip, Petri and Risser, cosponsored by Representatives Jackamonis, Molinaro, Wilcox, Byers and Dorff.

To committee on Natural Resources.

Senate Bill 59

Relating to permitting nonresidents to vote on metropolitan sewerage district bonds.

By Senators J. D. Swan and Roseleip, cosponsored by Representative Byers, by request of Federation of Wisconsin Lake Property Owners Assn.

To committee on Governmental and Veterans' Affairs.

PETITIONS AND COMMUNICATIONS

Mr. William P. Nugent
Chief Clerk of the Senate
Madison, Wisconsin

Dear Mr. Nugent:

Pursuant to the provisions of Section 13.52 (1) (a) of the Wisconsin Statutes, I hereby appoint Senator Robert W. Kasten, Jr., to be a member of the Joint Survey Committee on Tax Exemptions.

Very truly yours,
WALTER G. HOLLANDER
Senate Chairman, Joint
Committee on Finance.

Read.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Suzanne Baranowski, of Milwaukee, as a member of the Credit Union Review Board, to succeed Earl Wagner, to serve for a term ending May 1, 1977.

Sincerely,
PATRICK J. LUCEY
Governor

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Read and referred to committee on Industry, Labor, Taxation,
and Banking.

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Robert Tilley, of Beloit, as a member of the Consumer Credit Review Board, to succeed Donald Whitburn, to serve for a term ending May 1, 1977.

Sincerely,

PATRICK J. LUCEY

Governor

Read and referred to committee on Industry, Labor, Taxation,
and Banking.

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint John Schmitt, of Milwaukee, as a member of the Wisconsin Housing Finance Authority, to serve for a term ending January 1, 1974.

Sincerely,

PATRICK J. LUCEY

Governor

Read and referred to committee on Industry, Labor, Taxation,
and Banking.

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January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Nancy Barkla, of River Falls, as a member of the Board of Regents of the University of Wisconsin System, to succeed Eugene Murphy, to serve for the remainder of the unexpired term ending May 1, 1973, and then to serve for a term ending May 1, 1980.

Sincerely,
PATRICK J. LUCEY
Governor

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

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint William C. Kidd, of Racine, as Secretary of the Department of Business Development, to serve at the pleasure of the Governor.

Sincerely,
PATRICK J. LUCEY
Governor

Read and referred to committee on Industry, Labor, Taxation and Banking.

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Jeffrey B. Bartell, of Madison, as Commissioner of Securities, to succeed Thomas Nelson, to serve for the remainder of

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the unexpired term ending on March 1, 1973, and then to serve for a term ending March 1, 1979.

Sincerely,

PATRICK J. LUCEY

Governor

Read and referred to committee on Industry, Labor, Taxation, and Banking.

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Roy C. Hill, of Milwaukee, as a member of the Athletic Examining Board, to succeed Ellswyn DeRusha, to serve for a term ending July 1, 1975.

Sincerely,

PATRICK J. LUCEY

Governor

Read and referred to committee on Governmental and Veteran's Affairs.

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Donald Domrath, O. D., of Green Bay, as a member of the Optometry Examining Board, to succeed Terrence Hayes, O. D., to serve for a term ending July 1, 1977.

Sincerely,

PATRICK J. LUCEY

Governor

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

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Alexander Georges, of Milwaukee, as a member of the Accounting Examining Board, to succeed William T. Harrison, to serve for a term ending July 1, 1977.

Sincerely,

PATRICK J. LUCEY

Governor

Read and referred to committee on Industry, Labor, Taxation and Banking.

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Roland B. Day, of Madison, as a member of the University of Wisconsin System Board of Regents, to succeed David Carley, to serve for the remainder of the unexpired term ending May 1, 1974.

Sincerely,

PATRICK J. LUCEY

Governor

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

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To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Paul Youngdale, O. D., of Beaver Dam, as a member of the Optometry Examining Board, to succeed Donald Heyden, O. D., to serve for a term ending July 1, 1976.

Sincerely,

PATRICK J. LUCEY

Governor

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

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Percy L. Julian, of Madison, as a member of the State Personnel Board, to succeed John Shiels, To serve for a term ending May 1, 1977.

Sincerely,

PATRICK J. LUCEY

Governor

Read and referred to committee on Industry, Labor, Taxation, and Banking.

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To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do

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appoint John C. Broeren, of Thorp, as a member of the Wisconsin Housing Finance Authority, to serve for a term ending January 1, 1976.

**Sincerely,
PATRICK J. LUCEY
Governor**

Read and referred to committee on Industry, Labor, Taxation, and Banking.

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To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do reappoint John A. Serpe, of Kenosha, as a member of the State Personnel Board, to serve for a term ending May 1, 1976.

**Sincerely,
PATRICK J. LUCEY
Governor**

Read and referred to committee on Industry, Labor, Taxation, and Banking.

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Susan Steininger, of Milwaukee, as a member of the State Personnel Board, to succeed Jerome Slechta, to serve for the remainder of the unexpired term ending May 1, 1975.

**Sincerely,
PATRICK J. LUCEY
Governor**

Read and referred to committee on Industry, Labor, Taxation, and Banking.

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January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Dale A. Nordeen, of Madison, as a member of the Housing Finance Authority, to serve for a term ending January 1, 1974.

Sincerely,

PATRICK J. LUCEY

Governor

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

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Lawrence S. Katz, of Milwaukee, as a member of the Wisconsin Housing Finance Authority, to serve for a term ending January 1, 1976.

Sincerely,

PATRICK J. LUCEY

Governor

Read and referred referred to committee on Industry, Labor, Taxation, and Banking.

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have

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nominated and with the advise and consent of the Senate do reappoint John Zancanaro, of Milwaukee, as a member of the Medical College of Wisconsin Board of Trustees, to serve for a term ending May 1, 1978.

Sincerely,

PATRICK J. LUCEY

Governor

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

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Richard D. Cudahy, of Milwaukee, as a member of the Public Service Commission, to succeed Michael Komar, to serve for the remainder of the unexpired term ending March 5, 1973, and then to serve for a term ending March 1, 1979.

Sincerely,

PATRICK J. LUCEY

Governor

Read.

Referred to committee on Industry, Labor, Taxation and Banking.

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To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint A. William Kempinsky, of Superior, as a member of the

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Wisconsin Housing Finance Authority, to serve for a term ending January 1, 1975.

**Sincerely,
PATRICK J. LUCEY
Governor**

Read and referred to committee on Industry, Labor, Taxation and Banking.

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Virginia B. Hart, of Madison, as Secretary of the Department of Regulation and Licensing, to succeed George Greely, to serve for the remainder of the unexpired term ending March 1, 1973, and then to serve for a term ending March 1, 1979.

**Sincerely,
PATRICK J. LUCEY
Governor**

Read and referred to committee on Industry, Labor, Taxation, and Banking.

January 16, 1973

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the Senate do appoint Joseph B. Nelson, Jr., of Racine, as a member of the Wisconsin Housing Finance Authority, to serve for a term ending January 1, 1975.

**Sincerely,
PATRICK J. LUCEY
Governor**

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

MESSAGE FROM THE ASSEMBLY

By Thomas S. Hanson, chief clerk.

Mr. President:

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

Motion Under Joint Rule 26:

A Joint Certificate of Congratulations by Reps. Dorff and Molinaro; co-sponsored by Senator LaFollette for DONALD HUBBARD on his winning the national baton twirling championship.

and

Assembly Joint Resolution 10

Assembly Joint Resolution 13

and

Concurred in:

Senate Joint Resolution 2

MESSAGE FROM THE ASSEMBLY CONSIDERED

Motion Under Joint Rule 26:

A Joint Certificate of Congratulations by Reps. Dorff and Molinaro; co-sponsored by Senator LaFollette for DONALD

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HUBBARD on his winning the national baton twirling championship.

Read and concurred in.

Assembly Joint Resolution 10

Relating to the life and public service of Charles J. Kersten.

By Representative **SENSENBRENNER** co-sponsored by Senator **KASTEN**.

Read and concurred in by unanimous rising vote.

Assembly Joint Resolution 13

Creating the session schedule for the 1973-75 biennial session period, as required by section 13.02 (3) of the statutes.

By Representatives **EARL** and **ANDERSON**; co-sponsored by Senator **KNOWLES**.

Read and referred to Senate Committee on Organization.

Upon motion of Senator Johnson the senate adjourned until 3:00 P.M.

10:30 A.M.

The Senate proceeded in a body to the Assembly Chamber to meet in Joint Convention to receive the Governor's State of the State Message.

IN ASSEMBLY CHAMBER

IN JOINT CONVENTION

The Lieutenant Governor in the chair.

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The committee to await upon the Governor appeared with his excellency, the Governor, who delivered his message as follows:

My good friends and fellow representatives of the people of Wisconsin:

It is an honor to address this historic joint session, as the first governor in Wisconsin history to deliver a "State of the State Message" at the midpoint of his term in office. The four-year executive term has afforded me unique opportunities and responsibilities--to more closely scrutinize the state budget and the operation of state agencies, to give questions of state-wide importance the time and study which they deserve, and to work to make the state bureaucracy more truly accountable to the people of Wisconsin.

But without an informed, responsible, and hard-working Legislature, even a four-year governor can do little. The record of the 1971 Legislature in this regard speaks for itself. --The enactment of the Wisconsin Consumer Act, the most comprehensive--and responsible--consumer credit legislation ever passed by a state government. --The establishment of the Department of Business Development, and the creation of the Wisconsin Housing Finance Authority. --The historic revision of the state shared tax formula, and the provision of \$144.5 million in new direct property tax relief. Under the new formula, 87% of Wisconsin's 1,837 municipalities received increases in their share of the state redistribution. --The passage of the Wisconsin Environmental Policy Act. --The merger of our two great public university systems. And the list could go on and on. As I look at Michael Elconin, who at nineteen is the youngest legislator in the history of our state, I am reminded of still another milestone, the passage of the Age of Majority Bill.

If the 1973 Legislature can match the achievements of its predecessor, then this will be a year of record accomplishment. With the architects of so much of that success sitting right here in front of me--Norm Anderson, Ray Johnson, Bob Knowles, Fred Risser, Ernie Keppler, George Molinaro, Walter Hollander, Wayne Whittow and Tony Earl-- I am confident that this, the youngest legislature in Wisconsin history, will also be among our finest and most productive.

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That confidence is rooted in my knowledge of the quality of men and women serving in this year's Seante and Assembly, but it is also related to the fiscal situation of the state in 1973. Two years ago the Wisconsin economy was still suffering from the effects of a national recession. Unemployment was at 5.5%. State tax revenues were down, and costs had increased by an average of 35.6% per biennium over the previous six years.

Today Wisconsin is in the midst of an economic boom, and the rate of increase of state expenditures has been cut in half. The Baird Stock index of state firms is up 42% since January 1971--compared to a 23% increase in the Dow Jones industrial average over the same period. Unemployment, while still too high, is down to 4.5%. Corporate profits are 14% greater than in 1971, and personal income is up 9.1%. Retail sales are expected to increase by 10% in 1973.

Coupled with the enactment of federal revenue sharing, these developments mean that in 1973, with prudent fiscal management, we can reverse the spending and taxing spiral for the past decade. This fall, I made a number of fiscal pledges to the citizens of Wisconsin, and many of you joined me in those pledges. Let me assure you that we will keep those promises.

--This will be the Legislature which gives the hard-pressed taxpayers of Wisconsin more property tax relief than any session in history. Already we know that total general property taxes payable in 1973 declined for the first time since 1962, and only the second time in three decades. Together, we will establish a tax relief effort that will never be topped.

--This will be the Legislature which brings a halt to the unchecked growth of state payrolls and costs. Together, we will enact the most fiscally responsible budget of our time.

--This will be the Legislature which takes phrases such as "cabinet government", "no-fault insurance" and "probate reform" and converts them into law. Together we will demonstrate to the citizens of Wisconsin and America the continued vitality and viability of state government.

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This year marks the 125th anniversary of Wisconsin statehood. Before we address the future course of the state, it is well that we pause for a moment, and reflect upon the route we have traveled to arrive at the present. The rapid pace of change in our time should not blind us to the essential continuity of human needs and human nature.

It has been more than one hundred years since the first great wave of immigrants came to Wisconsin, and quickly outnumbered our small population of native Americans. These men and women were fleeing political oppression in Germany, famine in Ireland, and economic stagnation in the Scandinavian countries. The grandparents of some of the people in this room were among those first settlers. They chose Wisconsin for the simplest and most basic of reasons: it was a beautiful and unspoiled land which offered the opportunity for political freedom, economic advancement and community ties with immigrants of similar backgrounds and interests.

A generation or two later a new wave of immigrants came, for many of the same reasons--but with an additional one of note. While other states and communities were struggling with corruption, political interference in the lives of individuals, and boss rule, Wisconsin had a reputation for excellence and integrity in government. At the University of Wisconsin the Board of Regents had taken a stand in favor of academic freedom that was to be the foundation upon which a great university should be built--and a touchstone in the history of individual liberty. In Milwaukee, a group of Socialists was proving against all odds that they could provide honest, responsible, efficient, and conservative public administration. And in Madison, the Progressives were offering a new model to the world, the Wisconsin idea--a model of free and open democratic government, where science and scholarship were put to work on behalf of effective administration and the priorities of the people.

Sixty years ago, Governor Francis E. McGovern, whose four years in office were marked by the passage of more progressive legislation than perhaps any such term in American history, argued before this Legislature that:

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“to reconstruct this government into a fairer and more enduring temple of liberty is the problem which now confronts you. Government must be made representative of all the people, and economic forces must be so regulated as to secure a fair chance for all in every walk of life. The call is for a return to the original, fundamental theory of our government. Property must be protected, industry rewarded, thrift encouraged, and enterprise stimulated; but these things must be done in such a way as to afford to the weak, the unselfish and the defenseless, as well as to the man of average ability and means a fair start and an equal chance in the race of life.”

What is striking about Governor McGovern's appeal of sixty years ago is its contemporary nature-and those aspects of the human quest which appear to be timeless.

Like our ancestors, we all seek a better quality of life--work that has meaning, products that have worth, an environment which is not polluted and despoiled, schools that can teach, streets that are safe, and government which serves our individual needs without penalizing our individuality. There are three themes which are central to this quest, themes which are as important to the young people today as they were to the first immigrants who settled our state more than a century ago. It is these concerns to which this administration will return again and again, not just in this speech, but throughout the next two years. Simply stated, they are:

1. *Government* must be made more responsive to the needs of the people; there must be greater accountability, greater productivity, and greater efficiency. Government must not be an albatross around the necks of Wisconsin taxpayers; rather, it must be a model of low-cost, effective, representative, and humane service to the citizens of the state.

2. Government must protect the person and the liberty of the *individual* from threats to his health, safety and well-being, while at the same time allowing the expansion of the individual's capacity to defend himself against the excesses of the great and powerful institutions of our society. Government must not be the slave to fears, but rather, the servant of hope, and the ally of those who fight to preserve their integrity in a mass society.

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3. The state must act to halt the erosion of a sense of *community* in American life. Government must not divide neighborhoods and families with its social, economic, and institutional policies; it must unite them.

We cannot address these themes without first referring to the changing relationship between the state and federal governments. All of us are aware of the impact of federal revenue sharing funds on state and local treasuries. By the end of the next biennium, the State of Wisconsin will have received more than \$173 million in these new federal dollars, and local communities, more than \$346 million. Less noticeable, but no less significant, are the piecemeal federal program cuts which are taking place to, in effect, balance the ledger.

In recent weeks, we have learned of a cut-off in the Rural Environmental Assistance Program, the federal Water Bank Program, and the Neighborhood Development Program. Federal manpower funds have already been cut back. There are reports that low funds have already been cut back. There are reports that low and moderate income housing programs will be severely restricted, as will be funds under Title 2 of the Elementary and Secondary Education Act. We already know that millions of federal dollars anticipated for municipal waste treatment facilities will not be available. And every day brings word of new terminations, cut-offs, and cutbacks.

There is a temptation in reviewing these steps, and those which are yet to come, to argue that "we've been had". Such an argument is not completely fair. The economic constraints which the President faces at the federal level are similar to those which we have been forced to accept within state government. While some of us may strongly disagree with these particular cutbacks, few of us can argue with the need for effecting economies and administrative reorganization at the federal level. What is at issue is the social cost of those economies. We cannot condone cutbacks in health, housing, education, and the environment, without strenuously objecting to the outrageous and unending cost of the longest and most unjustifiable war in American history.

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It is my belief that states must resist federal cutbacks in areas such as pollution abatement and educational assistance, where existing programs are clearly serving a definable social need; and that we must be concerned in the budgetary process both with the impact of federal cuts on state expenditures, and with the human costs of not stepping in where the federal government has abandoned its post. But we should not view the changing pattern of federal aid to states and localities only as a burden--it is also an opportunity. It represents a rare moment of fluidity within our federal system in which priorities can be redefined, ineffective programs eliminated, and new initiatives begun. As we turn to the themes which the state must address if we are to assure an improved quality of life for all of our citizens, it is this opportunity, more than anything else, which we must keep in mind.

MAKING GOVERNMENT MORE OPEN, ACCOUNTABLE, AND EFFICIENT

In an age of large and all too often distant and impersonal organizations, government cannot afford to be just another unresponsive institution. The citizen who is fed up with shoddy products and inadequate services must know that here, where he elects the board of directors, he is getting his money's worth.

--That is clearly not the case if antiquated provisions of law keep him from voting, or restrict his access to the meetings at which his representatives are making their decisions.

--That is clearly not the case if the men and women he elects to public office are not given the tools with which to hold agencies accountable.

--That is clearly not the case if administrators within the state service are not required to meet the same standard of efficiency and productivity which the taxpayer must face on his own job, and are not rewarded accordingly.

--And that is clearly not the case if the organization of state and local services leads to unnecessary duplication and fragmentation of efforts, or major inequities in the quality and availability of services.

In all of these matters, we will ask the Legislature to act in 1973 to assure the citizens of Wisconsin a responsive government, a government that gives them their money's worth.

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Cabinet Government

When the administrative structure of many of our state agencies and department was established, the intent was to insulate these bodies from political interference. In some cases, such as our university system, this insulation has been essential to preserving the integrity and mission of the institution. In other cases, insulation has removed agency executives, and the bureaucracy itself, from a much-needed public accountability. The result has not been the elimination of politics, but rather, the elevation of the hidden politics of special interest over the general public interest.

Those of you who are new to the Legislature this year will soon discover that many of the most political conflicts are not between Republicans and Democrats, but between elected officials and bureaucrats. The skyrocketing costs of state government in the past decade cannot be understood without reference to the lack of effective legislative and executive control over major administrative agencies. This is why every state which has written a new constitution in the past decade has provided for a cabinet form of government. While recognizing the need to protect the quasi-judicial character of some agencies, I will ask that the people of Wisconsin be assured of cabinet-level accountability in all appropriate departments of state government.

Judicial Reorganization

State executive agencies are not the only elements of Wisconsin government in need of reorganization, better administration, and greater public accountability. Equally necessary is the reform of our courts system. Improving the efficiency of the courts is not a matter of dollars and cents, but a matter of justice. Neither the public nor litigants and defendants are well served by a system which does not provide justice swiftly and fairly.

After a thorough review of the recommendations of the Citizen's Study Committee on Judicial Organization, I will present for your consideration a comprehensive court reform program, which will include provision for a single level trial court system, and establishment of a Wisconsin Court of Appeals to lessen the burden on the State Supreme Court. We must all understand that because of the complexity of the steps required- -including amendments to our State Constitution - - it will be a number of years before the state can realize the full benefits of judicial reorganization.

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No Fault Insurance

Few would disagree with the statement that, in general, the adversary proceeding in courtrooms serves the cause of justice. But neither justice nor economy is served when our court dockets are jammed with proceedings pitting neighbor against neighbor in a blame-finding battle over small traffic accidents. In appointing a No-Fault Task Force, it was my intent to arrive at a better procedure. As soon as is possible, I will present my proposal for no-fault reform to the Legislature. The promptness with which we enact a no-fault bill into law will be a measure of the degree of our responsiveness to the people of this state.

Executive Salary Plan

One element of efficiency in government which is frequently ignored is the need for a rational executive salary structure. It is no economy to pay good employees less than they are worth, and then see them leave for higher-paying jobs in business or other levels of government. Nor does it make much sense to offer widely varying salaries for similar duties, or equal salaries for divergent responsibilities and obligations. Good administration requires that constitutional officers, legislators, judges, high-level university administrators, and unclassified agency executives in the state service be placed within a rational pay structure - - and I will suggest steps during this session which will move us towards that goal.

Universal Registration

Two years ago, I asked the Legislature to act to assure that the democratic process be open to the participation of all. At that time, I stated that "virtually every industrialized democracy in the world has a better system of registration, voting and campaign financing than we do." That remains the case. Reform of our states corrupt practices law is long overdue - - and must take place before the 1974 elections.

The ratification of the 26th Amendment, and on the state level, the passage of legislation making eighteen the Age of Majority, have facilitated the entrance of a new group into the political process. But we have only to look at the voting statistics to

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recognize that significant roadblocks remain: 48% of the eleven million persons between age 18 and 20 who were eligible to vote in the recent election did so; 83% of those within this age group who were *registered* appeared at the polls on election day.

In Wisconsin, there have long been inequities in our registration procedures, inequities for which there can be no excuse. It is for this reason that I appointed a Governor's Task Force on Voter Registration & Elections a year and a half ago, and charged it with making legal and administrative recommendations which would eliminate all procedural barriers to full democratic participation. I intend to submit recommendations from this Task Force to the Legislature which will allow for the Universal Registration of all Wisconsin citizens eligible to vote.

Open Meetings

At a time when people are more concerned than ever about governmental decisions and the way in which they are reached, we cannot permit decision-makers to conduct public business behind closed doors. It is for this reason that legislation has already been introduced at my request to amend our state's open meetings law, and put teeth in that legislation.

Merger Implementation

No battle was harder fought in the last session of the legislature than that of the merger of our two great public university systems. The intent of merger was to eliminate the needless and wasteful competition between systems, and allow each campus to develop and improve that quality, or mission, at which it excels. While many potential economies have not yet been realized, I am pleased by the progress which has been achieved - in particular, with the merger which has already taken place between the central administrations of the two systems. In this session you will be called upon to review the recommendations of the Merger Implementation Committee, and establish the permanent form which the University of Wisconsin System will take. I am confident that the result will be a state system of higher education which is not only more efficient and less fragmented, but also one that better serves the educational needs of all Wisconsin Citizens.

PROTECTING THE PERSON AND THE LIBERTY OF THE INDIVIDUAL

There is a fine line which separates government protection of the individual from the individual's need for protection from government. It is a line which is constantly changing, as standards, individual capabilities, and dangers change. Where once laws protecting women from oppressive work conditions seemed necessary, now they appear an infringement on the rights of women as individuals. Yet at the same time, we seek more government protection through such actions as tighter regulation of the health care industry. If there is a common theme to these developments, it is an increasing faith in the competence of individuals to make up their own minds about the decisions which affect their lives -- and a distrust of existing institutions. All around us there is evidence of a willingness on the part of individuals to "fight back," to resist the mediocrity and anonymity of mass institutions. This is a form of resistance which government must encourage and protect.

Probate Reform

No one would deny that there are some functions in society, such as advanced medical services, which must be provided by a small group of carefully trained professionals. The administration and probate of small estates -- if it was ever one of these functions -- is not so today. Individuals must be given the right to handle these estates for themselves -- as 300,000 Wisconsin citizens have requested. Several bills will be introduced to assure the implementation of much needed reforms in this area.

Consumer Protection

Two years ago I indicated my desire to place consumer representatives on regulatory and licensing boards -- and my belief that there should be "no regulation with representation". Equally necessary is a strengthening of the position of Secretary in the Department of Regulation and Licensing, to provide it with greater powers for consumer protection. Consumerism is one of the most effective ways in which the individual can fight back against irresponsible and impersonal institutions. And the state must join in that fight. The fine work of the Governor's Coordinating Council for Consumer Affairs, headed by the Lieutenant Governor will result in the presentation of a number of important consumer measures for your consideration in the near future.

Health Care

In the past two decades, total personal health care expenditures in the United States increased by an unbelievable 650%. Since 1960, no product or service has risen on the consumer price list as fast as general health care. Increases of this magnitude might be defensible if they led to better and more equitable distributed medical care. They are not defensible when they lead to the duplication of costly specialized facilities in hospitals which are competing rather than cooperating in their long-term planning. They are not defensible when they lead to an overemphasis on expensive or ineffective institutionalization where ambulatory care would be both cheaper and more successful. And they are not defensible when their result is the exacerbation of disparities in the availability of quality health care - - not just between the rich and the poor - - but between the urban and the rural resident, the worker who is covered by a pre-paid group insurance plan and the worker who is not, the middle-aged person of low income and the elderly on Medicare.

Some of these disparities can only be corrected by federal action, but there is much - - as the Health Planning and Policy Task Force has made abundantly clear - - that the state can do to improve and protect the health of the individual, while controlling the escalating cost of medical care. Utilizing the excellent work of the Task Force, I will introduce a package of bills to assure that our health care delivery system is rationalized and regulated in the public interest. Among the measures included in this package will be historic legislation establishing a State Health Services Commission, to regulate the health industry, approve rates for hospital care, and set standards; and legislation requiring that health facilities receive a certificate of need before construction and expansion in excess of \$100,000. Let us make 1973 the year in which a modern and equitable health care delivery system becomes a reality in Wisconsin - - and the health care consumer is given the protection he deserves.

Newsman's Shield Bill

As the 1973 session confronts the difficult task of protecting the health, the safety, and the liberty of the individual, no action can be more expressive of your faith in the competence of the individual than passage of legislation assuring protection of the people's right to know. Individual liberty depends upon the free flow of information. Government cannot be allowed to intimidate those who provide us with that information. A bill has already been

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introduced at my request which would establish an unqualified shield for newsmen attempting to protect confidential information or sources. I strongly support this legislation.

Rural Development and Preservation

Over the years, no person has symbolized the virtues of individual liberty better than the family farmer. No one works harder, or more efficiently, than he. If he is forced off his land because society has failed to protect him from forces over which he can not have control -- such as mushrooming property tax increases on land adjacent to urban areas, or incentives written into federal tax laws which encourage large corporations to use farm holding for tax write-offs -- then we are all the losers.

We must encourage rational rural development, not just out of a concern for the individual - - but in the interest of wise land use as well. I intend to assist and support efforts to help rural communities achieve equity in their economic, cultural and environmental development. I again urge the passage of Assembly Joint Resolution 1, the "Anderson" Amendment to the State Constitution, to permit agricultural land to be assessed for agricultural value and not potential value. I am also hopeful that a responsible bill placing restrictions on corporate farming will reach my desk before the end of this session.

Traffic Safety

There is no aspect of American society which is more difficult to understand than our continued willingness to accept the daily deaths and injuries of our citizens in automobile accidents. It is as if we were all eager participants in a game of Russian roulette, resigned to the drunken and reckless drivers who might kill or maim us every time we go out on the highways. This attitude cannot be allowed to continue; the state must act to protect the innocent individuals, so often the very young, who are the victims of these accidents. I will propose legislation that assures prompt and professional medical assistance to accident victims, mandates significant new safety precautions, and clamps down on the

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drunken driver -- by strengthening the implied consent law and lowering the *prima facie* intoxication level from .15 to .10. In addition, I am prepared to support any responsible legislation introduced by individual legislators which promises to reduce the carnage of our highways.

Police Protection

The first prerequisite of individual liberty is community safety -- an area in which Wisconsin has long been fortunate. In 1971, this state had the fifth lowest rate of violent crime in the nation. To preserve this record, we must act to assure that our police agencies are second to none in their professionalism. One of the steps which is necessary is an increase in the level of our support for police training, to finance 240 hours of mandatory instruction for each new officer. We must also use more fully the professional police resources which the state has to offer. All Wisconsin Citizens must be provided with the quality of police protection to which they are entitled.

PRESERVING THE SENSE OF COMMUNITY IN OUR LIVES

For much of America's two hundred years as a nation, our national identity was symbolized by the melting pot. Today, we have been labeled a "nation of strangers." At the moment when we should be coming together as a people, we appear to be drifting apart. One reason for this trend has been the failure of government to include the dimension of community in the examination of national and state problems. No clearer example of this failure exists than in the federal highway program, where for so long the improvement of our transportation network was seen apart from any concern for the disruptive impact of these highways on neighborhoods in our major cities. But it is not enough merely to resist unnecessary projects which would result in community disruption. Positive steps must be taken to join neighbor with neighbor, on behalf of common goals.

---We must break down the walls which separate those who are most in need of help from those who can best give them that help.

---We must create jobs and bring careful development to those areas of the state where people most want to live, and where the possibilities for peaceful and livable communities are the greatest.

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---We must put the tools of modern technology, such as cable TV, to work on behalf of community, rather than corporate needs.

---We must protect the environment as the heritage of all, and the common ground upon which we meet.

---We must encourage the elimination of wasteful and artificial distinctions between communities, while preserving those local institutions and prerogatives - - such as control of the schools - - which unite the individuals of an area in common cause. I urge the Legislature to examine all legislation proposed in this session from the perspective of the preservation and enhancement of the sense of community in our lives.

Institutions for Community Care and Protection

For many years, the state has ignored the dimension of community in its care of the mentally ill and the developmentally disabled, the handicapped, the aged, and the rehabilitatable offender. The institutional care which we have provided is among the best and the most expensive in the world, but in too many cases it has only succeeded in creating a cycle of institutional dependency, and turning what was to be a temporary separation from friends and loved ones into a permanent relationship with an institution. This is a poor service, both to the individual in need of care and his family, and to the hard-pressed taxpayers of Wisconsin.

While there will always be some individuals who require institutionalization -- either to protect themselves or society -- we must not allow the presence of expensive state facilities to lock us into forms of treatment which are antiquated and ineffective. For every aged, handicapped or mentally trouble person we wall off from our community life, we pay a price, as individuals, as families, and as a society. In the next few weeks you will be receiving a report from the Board on Aging, and by the end of the year, you should have a set of recommendations from the newly created Governor's Task Force on Problems of the Physically Handicapped. I ask you to give your full attention to these recommendations, as will as those which will be contained in my budget message.

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School Aids

It is never easy to balance two conflicting values, particularly when one of them is equality of educational opportunity, and the other is preservation of community control. Without getting into the specifics of my school aid recommendations, I would like to commend the Governor's Task Force on Educational Financing & Property Tax Reform for offering an approach to school financing which meets the mandate of the Serrano decision to eliminate inequities in the per pupil tax base, without sacrificing the historic relationship of communities with their schools. Their report provides us with an excellent example of how to incorporate the community dimension into difficult but necessary state decisions.

Mass Transit

By their very nature, mass transit facilities bring people together. The fact that so many individuals choose not to use these facilities speaks not of an unwillingness to travel together, but of a system of subsidy and taxation which encourages the use of the private automobile. If the price of private transportation reflected the real cost of pollution and diminishing energy reserves, it is likely that the present pattern would be quickly reversed. Later in this session, legislation growing out of the work of the Governor's Study Committee on Mass Transit will be introduced for your consideration. While responding to the needs of Wisconsin's 2-1/2 million individual motorists, we must also act to expand the uses of state transportation funds on behalf of mass transit.

Cable TV

Cable communication can be a great resource for all communities in the state - - if it is properly regulated. The Governor's Blue Ribbon Commission on Cable TV will conclude its work later this month. Based on recommendations approved by this Commission, I will submit legislation outlining the form which state regulation ought to take - - to assure that this important new tool is utilized in a fashion consistent with the public - - and community - - interest.

Business Development

The creation of a Department of Business Development during the last legislative session has already paid the state significant dividends, as have the major business tax relief and reform items

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which we enacted. To cite just one example: in 1972 there were 510 new plants and plant expansions begun in Wisconsin, an increase of 30% over the previous year. This year I will support a new package of business development reforms. The goal of these proposals will not be growth for growth's sake, but planned growth, which keeps jobs in the communities where people want to live and encourages development in the more sparsely settled areas of the state.

The Environment - - Land Use

Any growth policy for the state must be integrated with our environmental concerns. At the heart of these concerns is the question of land use. It is our failure to develop a rational land use policy in the past which has led to such unfortunate phenomena as "suburban sprawl," communities which are not communities, the misuse of fertile farm land for residential or industrial development, and the devastation of our natural landscape. Every citizen of Wisconsin is indebted to former Governor Warren Knowles and the Wisconsin Land Resources Committee for the many months of study they put into these difficult questions. My environmental package will incorporate their recommendation concerning land use; also included will be measures to regulate mining, wetland, and utility-siting regulations. The useful proposals of the Governor's Recycling Task Force and the Committee to Review Timber Management Policies on State-Owned Land will be dealt with as well. By their very nature, we cannot, and must not, postpone action on these and other urgent environmental priorities.

Metropolitan Problems

Two-thirds of all the public monies expended in the State of Wisconsin are spent at the local level. If these funds contribute to the maintenance of fragmented and wasteful governmental approaches, then they are being misused. For a sense of community to be possible, communities themselves must be viable - - economically and jurisdictionally. The state must act to insure that viability. Legislation is required to strengthen and streamline county government and establish area-wide approaches to the provision of services. In addition, it is time that we write into state law provision for annexation by communities of adjacent lands subject to the review of a state board.

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No address, even one of this length, can cover all of the pressing issues facing state government. While I have attempted to provide a wide-ranging commentary on matters of public importance which command our joint attention, some significant questions remain. Most of these are items with a major fiscal impact, that can be dealt with more appropriately in the budget message. Others will be addressed in greater detail in special messages to the Legislature. It should be said that I profess no monopoly on solutions to our state problems. Throughout the session, I will welcome proposals from individual legislators which will move Wisconsin closer towards the goals of efficient and accountable government, better protection of the individual, and enhancement of the sense of community in our lives.

I would like to close on a personal note. A few weeks ago a noble woman, who has had a profound influence upon my life, passed away. She had lived her entire life in two rural counties in western Wisconsin. The daughter of Irish immigrants who came to this country in the years before the Civil War looking for food and freedom, she was a teenager during Robert LaFollette's terms as governor. Her fierce devotion to Wisconsin was rooted in her sense of what it had allowed her to be, and become. Although her life was never easy, it was a good life, productive, free and happy. As we confront the new and innovative, as we attempt to adapt Wisconsin Government to the pressures and problems of today, let us not break faith with those who precede us. Rather, let us work to assure our children and grandchildren the opportunity to live a simple and good life in the Wisconsin of our time. Positive steps must be taken to join neighbor with neighbor, on behalf of common goals.

The Senate re-convened at 3:00 P.M.

LEAVE OF ABSENCE

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

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By request of Senator Johnson, with unanimous consent, the senate recessed until 4:05 P.M.

3:05 P.M.

RECESS

4:05 P.M.

The senate reconvened.

By request of Senator Lorge, with unanimous consent, **Senate Bill 10 and 11**, were withdrawn from the committee on Judiciary and Insurance, and referred to the joint committee on Finance.

LEAVE OF ABSENCE

By request of Senator Bidwell, with unanimous consent, he was granted a leave of absence from 4:45 P.M. for the balance of the day's session.

By request of Senator Risser, with unanimous consent, the Senate recessed until 5:45 P.M.

4:14 P.M.

RECESS

5:45 P.M.

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The senate reconvened.

**Upon motion of Senator Johnson the senate adjourned until
9:00 A.M., Thursday, January 18.**

5:50 P.M.

INTRODUCTION OF GUESTS

The president of the senate introduced Mr. Allan Forman, Director of the Nursing Home Ombudsman Demonstration Program-Department of Health, Education and Welfare-Health Services and Mental Health Administration, Washington, D.C. and Mr. Richard A. Hall, Acting Associate Regional Health Director for Health Services Delivery, HEW, Chicago, Illinois.