

JOURNAL OF THE SENATE (February 15, 1973)

STATE OF WISCONSIN

Senate Journal

Eighty-First Regular Session

THURSDAY, February 15, 1973.

9:00 A.M.

The senate met.

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

Prayer was offered by Senator Lorge.

Our Heavenly Father, we thank you for this day to serve the people of this great state and nation. In your name we pray, Our Father, who art in Heaven, hallowed be Thy Name, Thy Kingdom come, Thy will be done, on earth as it is in Heaven. Give us this day our daily bread, forgive us our trespass as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. Amen.

LEAVE OF ABSENCE

By request of Senator Risser, with unanimous consent, Senator LaFollette 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 from 10:30 A.M. until 2:00 P.M.

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

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Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, 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 LaFollette and McKenna -- 2.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 36

Directing a legislative council study of the liability of health professionals.

By Senators Chilsen, Petri, Murphy and Devitt.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 244

Relating to a decrease in fees charged by the secretary of state for performing certain services.

By Senator Keppler.

To joint committee on Finance.

Senate Bill 245

Relating to distribution of forms for homestead tax relief.

By Senators Petri, LaFollette, Frank, Krueger, Parys, Steinhilber, Flynn, Theno, Bidwell and Chilsen.

To committee on Industry, Labor, Taxation and Banking.

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Senate Bill 246

Relating to income considered in calculating homestead tax relief credit and sending such returns to all persons 62 years of age and over.

By Senators Petri, LaFollette, Krueger, Parys, Steinhilber, Flynn, Bidwell and Chilsen.

To committee on Industry, Labor, Taxation and Banking.

COMMITTEE REPORTS

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

Senate Bill 247

Relating to the definition of employee in the minimum wage law.

Introduction; Ayes, 5; Noes, 0.

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

EVERETT V. BIDWELL
Chairman

The committee on Health, Education and Welfare reports and recommends for introduction:

Senate Bill 248

Relating to construction of accident and sickness insurance policies.

Introduction; Ayes, 4; Noes, 0.

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

Senate Bill 249

Relating to allowing drug treatment for minors without parental consent, and establishing for the treating physician immunity from civil liability.

By request of the Health Planning and Policy Task Force.

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Introduction; Ayes, 4; Noes, 0.

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

Senate Bill 250

Relating to authorizing physicians to treat minors for venereal disease without parental consent.

By request of the Health Planning and Policy Task Force.

Introduction; Ayes, 4; Noes, 0.

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

Senate Bill 251

Relating to medical assistance by means of prepaid health care plans.

By request of the Health Planning and Policy Task Force.

Introduction; Ayes, 4; Noes, 0.

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

and further recommends:

Senate Bill 181

Relating to student loan repayment period.

Passage; Ayes, 5; Noes, 0.

Senate Resolution 9

Relating to an investigation by the senate committee on Health, Education and Welfare into the closing of certain state institutions.

Adoption; Ayes, 3; Noes, 1.

JAMES C. DEVITT

Chairman

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PETITIONS AND COMMUNICATIONS

Senate Petition 17

A petition of 37 constituents of the 19th Senate District opposing the recent Supreme Court ruling on abortions.

Introduced by Senator Steinhilber.

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

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 432

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 432

Relating to making various changes in the Wisconsin consumer act and related laws and granting rule-making authority.

By LEGISLATIVE COUNCIL.

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

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MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the Mt. Telemark Ski Area at Cable, Wisconsin, has provided varied recreational opportunities for thousands of citizens in the state of Wisconsin; and

Whereas, Mt. Telemark contributes greatly to the economy of Bayfield County; and

Whereas, it is now celebrating the twenty-fifth anniversary of its existence; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senators Theno, Roseleip Risser and Representative Kedrowski, under Joint Rule 26, extend their congratulations to Mr. Anthony Wise and the employees of Mt. Telemark on the occasion of their twenty-fifth anniversary.

Read and adopted.

SPECIAL ORDERS

Senator Risser called the chair's attention to **Assembly Joint Resolution 21** which was a special order of business.

Assembly Joint Resolution 21

Read a second time.

The question was: Shall **Assembly Joint Resolution 21** be ordered to a third reading?

Senator Risser moved a

CALL OF THE SENATE

Which motion was supported.

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The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

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

Senators Bablitch, Bidwell, Chilsen, Devitt, Flynn, Frank, Hollander, Johnson, Kasten, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, M., Theno, Thompson and Whittow -- 29.

Absent -- Senators Dorman and Swan, J.D. -- 2.

Absent with leave -- Senators LaFollette and McKenna -- 2.

President pro tempore of the senate in the chair.

9:25 A.M.

Senator Risser asked unanimous consent that the call be raised.

Senator Chilsen objected.

Senator J. D. Swan called the chair's attention to the fact that all members now being present, the question was: Shall Assembly **Joint Resolution 21** be ordered to a third reading?

Senator Murphy asked unanimous consent that **Assembly Joint Resolution 21** be referred to committee on Governmental and Veterans' Affairs.

Senator Risser objected.

Senator Murphy moved that **Assembly Joint Resolution 21** be referred to committee on Governmental and Veterans' Affairs.

The ayes and noes were demanded and the vote was: ayes, 8; noes, 22; absent or not voting, 1; paired 2; as follows:

Ayes -- Senators Chilsen, Kasten, Knutson, Murphy, Roseleip, Steinhilber, Swan, J.D. and Whittow -- 8.

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Noes -- Senators Bablitch, Bidwell, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Keppler, Knowles, Krueger, LaFave, Lorge, Martin, Parys, Peloquin, Petri, Risser, Schuele, Swan, M., Theno and Thompson -- 22.

Absent or not voting -- Senator LaFollette -- 1.

Paired for referral to committee -- Senator Kendziorski -- 1.

Paired against referral to committee -- Senator McKenna -- 1.

The motion did not prevail.

Senate amendment 1 to Assembly Joint Resolution 21 offered by Senator Steinhilber.

President pro tempore of the senate in the chair.

10:30 A.M.

The question was: Adoption of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 8; noes, 21; absent or not voting, 2; paired 2; as follows:

Ayes -- Senators Kasten, Kendziorski, Knutson, LaFave, Murphy, Steinhilber, Swan, J.D. and Whittow -- 8.

Noes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Keppler, Knowles, Krueger, Lorge, Martin, Parys, Peloquin, Petri, Risser, Schuele, Swan, M. and Thompson -- 21.

Absent or not voting -- Senators LaFollette and McKenna -- 2.

Paired for adoption -- Senator Roseleip -- 1.

Paired against adoption -- Senator Theno -- 1.

So the amendment was not adopted.

By request of Senator Johnson, with unanimous consent, the senate recessed until 11:05 A.M.

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10:45 A.M.

RECESS

11:05 A.M.

The senate reconvened.

LEAVE OF ABSENCE

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

By request of Senator Johnson, with unanimous consent, Mr. Jerris Leonard of the Department of Justice, Washington, D.C., addressed the senate.

Assembly Joint Resolution 21

Ordered to a third reading.

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

Senator Johnson asked unanimous consent that **Assembly Joint Resolution 21** be laid on the table.

Senator Risser objected.

Senator Risser asked unanimous consent that **Assembly Joint Resolution 21** be given its third reading.

Senator Johnson objected.

President of the senate in the chair.

11:10 A.M.

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Senator Risser moved that **Assembly Joint Resolution 21** be given its third reading.

The ayes and noes were required and the vote was: ayes, 12; noes, 17; absent or not voting, 4; as follows:

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

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Murphy, Petri, Steinhilber, Swan, J.D. and Theno -- 17.

Absent or not voting -- Senators Kendziorski, LaFollette, McKenna and Roseleip -- 4.

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

Senator Risser called the chair's attention to **Assembly Joint Resolution 6** which was a special order of business.

Senator Johnson moved that the senate stand informal at the call of the president so that he would have time to submit a ruling on the point of order as it relates to **Senate Joint Resolution 1**.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 12; absent or not voting, 4; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Murphy, Petri, Steinhilber, Swan, J.D. and Theno -- 17.

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

Absent or not voting -- Senators Kendziorski, LaFollette, McKenna and Roseleip -- 4.

The motion prevailed.

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The senate stood informal.

11:30 A.M.

1:40 P.M.

The senate reconvened.

RULING OF THE CHAIR

On Wednesday, February 14, Senator Parys raised the point of order that **Senate Joint Resolution 1** must have a written report from the Joint Survey Committee on Tax Exemptions in order to be properly before the senate.

The chair took the point of order under advisement.

Wisconsin Statute 13.52 creates the Joint Survey Committee on Tax Exemptions and describes its powers and duties and in specific requires a report to be submitted in writing by the committee of the committee's opinion of the legality of the proposal, the fiscal effect upon the state and its subdivisions and its desirability as a matter of public policy.

Section 13.52 (5) sets forth the powers and duties of the committee. "It is the purpose of this committee to provide the legislature with a considered opinion of the legality of the proposal, of the fiscal effect upon the state and its sub-divisions and of the desirability as a matter of public policy of each legislative proposal which would modify existing laws or create new laws relating to the exemption of property or persons from any state or local taxes or special assessments."

The powers and duties section, 13.52 (5), and the report section, 13.52 (6), mention in specific: (5) "each legislative proposal which would modify existing laws or create new laws" and (6) "proposal which affects any existing statute or creates any new statute".

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Senate Joint Resolution 1 does not "affect any existing statute or create any new statute", nor does it "modify existing laws or create new laws". **Senate Joint Resolution 1** is a constitutional amendment which, if passed, would give the legislature the ability to create or modify existing laws. Because this resolution does not directly affect state statutes, it is the opinion of the chair that no report from the Joint Survey Committee on Tax Exemptions is needed in order for **Senate Joint Resolution 1** to be properly before the Senate. The point of order is not well taken.

LEAVE OF ABSENCE

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

By request of Senator Johnson, with unanimous consent, he was granted a leave of absence from 2:00 P.M. to 2:30 P.M.

Senate Joint Resolution 1

To amend article VIII, section 1 of the constitution, relating to taxation of agricultural land and undeveloped land (2nd consideration).

Read a second time.

Senator Parys moved rejection.

The ayes and noes were demanded and the vote was: ayes, 7; noes, 17; absent or not voting, 5; paired 4; as follows:

Ayes -- Senators Flynn, Parys, Peloquin, Risser, Schuele, Swan, M. and Whittow -- 7.

Noes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Hollander, Kasten, Keppler, Knowles, Knutson, LaFave, Lorge, Martin, Murphy, Petri, Swan, J.D., Theno and Thompson -- 17.

Absent or not voting -- Senators Dorman, Johnson, Kendziorski, Krueger and LaFollette -- 5.

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Paired for rejection -- Senators Frank and Steinhilber -- 2.

Paired against rejection -- Senators McKenna and Roseleip -- 2.

The motion did not prevail.

Ordered to a third reading.

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

Senate Joint Resolution 1

Read a third time.

By request of Senator Peloquin, with unanimous consent, his name was withdrawn as a co-author of Senate Joint Resolution 1.

President pro tempore of the senate in the chair.

2:30 P.M.

The question was: Adoption?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 8; absent or not voting, 4; paired, 4; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Hollander, Kasten, Keppler, Knowles, Knutson, LaFave, Lorge, Martin, Murphy, Petri, Swan, J.D., Theno and Thompson -- 17.

Noes -- Senators Dorman, Flynn, Parys, Peloquin, Risser, Schuele, Swan, M. and Whittow -- 8.

Absent or not voting -- Senators Johnson, Kendziorski, Krueger and LaFollette -- 4.

Paired for adoption -- Senators McKenna and Roseleip -- 2.

Paired against adoption -- Senators Frank and Steinhilber -- 2.

There being 17 affirmative votes the joint resolution was adopted.

Ordered immediately messaged.

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By request of Senator Steinhilber, with unanimous consent, the senate recessed until 3:07 P.M.

2:40 P.M.

RECESS

3:07 P.M.

The senate reconvened.

President pro tempore of the senate in the chair.

Senator Johnson called the chair's attention to **Assembly Joint Resolution 6** which was a special order of business.

Assembly Joint Resolution 6

Relating to the authorization of bingo for certain purposes (2nd consideration).

Read a second time.

Senator Risser moved rejection.

The motion did not prevail.

Ordered to a third reading.

Senator Johnson asked unanimous consent that **Assembly Joint Resolution 6** be considered for final action at this time.

Senator Risser objected.

Senator Johnson moved that **Assembly Joint Resolution 6** be considered for final action at this time.

The ayes and noes were required and the vote was: ayes, 19; noes, 9; absent or not voting, 5; as follows:

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Ayes -- Senators Chilsen, Devitt, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, LaFave, Martin, Murphy, Parys, Petri, Roseleip, Schuele, Steinhilber, Swan, M., Theno and Whittow -- 19.

Noes -- Senators Bablitch, Bidwell, Dorman, Knowles, Knutson, Peloquin, Risser, Swan, J.D. and Thompson -- 9.

Absent or not voting -- Senators Kendziorski, Krueger, LaFollette, Lorge and McKenna -- 5.

More than two-thirds having voted in the affirmative the motion prevailed.

President of the senate in the chair.

3:15 P.M.

Assembly Joint Resolution 6

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 10; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Chilsen, Devitt, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Lorge, Martin, Murphy, Parys, Petri, Roseleip, Schuele, Steinhilber, Swan, M. and Theno -- 19.

Noes -- Senators Bidwell, Dorman, Knowles, Knutson, LaFave, Peloquin, Risser, Swan, J.D., Thompson and Whittow -- 10.

Absent or not voting -- Senators Kendziorski, Krueger, LaFollette and McKenna -- 4.

There being more than 17 affirmative votes the joint resolution was concurred in.

Senator Risser moved that Assembly Joint Resolution 21 be considered for final action at this time.

The ayes and noes were required and the vote was: ayes, 13; noes, 16; absent or not voting, 4; as follows:

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Ayes -- Senators Bablitch, Dorman, Flynn, Frank, Knowles, Martin, Peloquin, Petri, Risser, Schuele, Swan, M., Thompson and Whittow -- 13.

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knutson, LaFave, Lorge, Murphy, Parys, Roseleip, Steinhilber, Swan, J.D. and Theno -- 16.

Absent or not voting -- Senators Kendziorski, Krueger, LaFollette and McKenna -- 4.

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

By request of Senator Johnson, with unanimous consent, the senate recessed for 5 minutes.

3:20 P.M.

RECESS

3:25 P.M.

The senate reconvened.

Senate Joint Resolution 15

To amend article IV, section 26 of the constitution, relating to retirement benefits of public officers and employes (2nd consideration).

Read a second time.

Ordered to a third reading.

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

Senate Joint Resolution 15

Read a third time.

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The ayes and noes were demanded and the vote was: ayes, 29; noes, 0; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, Lorge, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 29.

Noes -- None.

Absent or not voting -- Senators Kendziorski, Krueger, LaFollette and McKenna -- 4.

More than 17 members having voted in the affirmative the joint resolution was adopted.

Senator Risser moved that **Assembly Joint Resolution 21** be considered for final action at this time.

Senator Johnson moved that the motion to suspend the rules and give **Assembly Joint Resolution 21** its third reading be laid on the table.

Senator Risser moved a

CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

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

Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, Lorge, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 29.

Absent -- None.

Absent with leave -- Senators Kendziorski, Krueger, LaFollette and McKenna -- 4.

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Senator Risser raised the point of order that a motion to suspend the rules cannot be laid on the table.

The chair ruled the point of order well taken.

The ayes and noes were required and the vote was: ayes, 11; noes, 18; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Dorman, Flynn, Frank, Martin, Peloquin, Risser, Schuele, Swan, M., Thompson and Whittow -- 11.

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

Absent or not voting -- Senators Kendziorski, Krueger, LaFollette and McKenna -- 4.

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

By request of Senator Risser, with unanimous consent, the senate recessed for 15 minutes.

3:40 P.M.

RECESS

4:05 P.M.

The senate reconvened.

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

CALENDAR OF FEBRUARY 7

Senate Bill 59

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

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Read a second time.

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 59

Read a third time and passed.

Senate Bill 60

Relating to issuance of city and village bonds for parking facilities.

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.

By request of Senator Hollander, with unanimous consent, **Senate Bill 60** was referred to joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 60** was withdrawn from the joint committee on Finance and considered for action at this time.

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 60

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 2; absent or not voting, 4; as follows:

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Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, LaFave, Lorge, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, M., Theno, Thompson and Whittow -- 27.

Noes -- Senators Knutson and Swan, J.D. -- 2.

Absent or not voting -- Senators Kendziorski, Krueger, LaFollette and McKenna -- 4.

So the bill passed.

Ordered immediately messaged.

Senate Bill 66

Relating to creating a Michigan-Wisconsin boundary area commission and providing for the joinder of this state in a compact with the state of Michigan for the purpose of present and future protection, use and development of the boundary lands, river valleys and waters between the 2 contracting states, and making an appropriation.

Read a second time.

By request of Senator LaFave, with unanimous consent, **Senate Bill 66** was referred to joint committee on Finance.

By request of Senator Theno, with unanimous consent, he was made a co-author of **Senate Bill 66**.

Senate Bill 67

Relating to distribution of the 6-volume history of Wisconsin to public libraries, libraries of public schools, colleges and county and local affiliated historical societies and providing an appropriation.

Read a second time.

By request of Senator Hollander, with unanimous consent, **Senate Bill 67** was referred to joint committee on Finance.

Senate Bill 82

Relating to register of deeds' fees.

Read a second time.

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By request of Senator Hollander, with unanimous consent, **Senate Bill 82** was referred to joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 82** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

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 82

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 1; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, Lorge, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, M., Theno, Thompson and Whittow -- 28.

Noes -- Senator Swan, J.D. -- 1.

Absent or not voting -- Senators Kendziorski, Krueger, LaFollette and McKenna -- 4.

So the bill passed.

CALENDAR OF FEBRUARY 13

HANSON, SISTER MARY GREGORY, of La Crosse, as a member of the Nursing Home Administrator Examining Board, to serve for a term ending July 1, 1975.

ZANCANARO, JOHN., of Milwaukee, as a member of the Medical College of Wisconsin Board of Trustees, to serve for a term ending May 1, 1978.

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By request of Senator Devitt, with unanimous consent, the two appointments were considered en masse.

The ayes and noes were required and the vote was: ayes, 29; noes, 0; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, Lorge, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 29.

Noes -- None.

Absent or not voting -- Senators Kendziorski, Krueger, LaFollette and McKenna -- 4.

So the appointments were confirmed.

Senate Bill 73

Relating to a change in the requisite number for the Milwaukee county board to overrule the board of public welfare.

Read a second time.

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 73

Read a third time and passed.

Senate Bill 76

Relating to establishing a program of tuition reimbursement for residents attending accredited schools of osteopathy, and making an appropriation.

Read a second time.

The question was: Adoption of senate amendment 1?

So the amendment was adopted.

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By request of Senator Hollander, with unanimous consent, **Senate Bill 76** was referred to joint committee on Finance.

Senate Bill 150

Relating to the membership of the joint committee on finance.

Read a second time.

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 150

Read a third time and passed.

CALENDAR OF FEBRUARY 14

Senate Bill 9

Relating to annexation of town islands.

Read a second time.

By request of Senator Hollander, with unanimous consent, **Senate Bill 9** was referred to the calendar of February 16.

Senate Bill 107

Relating to deposits in the veterans' trust fund and making an appropriation.

Read a second time.

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

Senate Bill 108

Relating to tuition grants for Vietnam era veterans, resident fee and tuition exemptions in the university of Wisconsin system and vocational schools for wives and children of missing soldiers and prisoners of war and increasing an appropriation.

Read a second time.

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

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Senate Bill 128

Relating to state payment of excess county health costs in small counties, and making an appropriation.

Read a second time.

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

Senate Bill 130

Relating to alterations in membership, and the method of their selection, of the Menominee Indians committee and providing for alternate members and advisors to the committee.

Read a second time.

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

By request of Senator LaFave, with unanimous consent, Senate Bill 130 was withdrawn from the joint committee on Finance and considered for action at this time.

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.

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Senate Bill 130

Read a third time and passed.

Ordered immediately messaged.

By request of Senator Johnson, with unanimous consent, the senate returned to the second, third, fourth, seventh, and eighth orders of business.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 37

Providing for an advisory referendum on the question of reviving the death penalty in this state.

By Senators Roseleip, Theno and LaFave, cosponsored by Representatives Klicka, Lewis, Matty, Vanderperren, Schricker and Tregoning.

Read and referred to committee on Judiciary and Insurance.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 252

Relating to homestead credits.

By Senators Chilsen, Hollander, Keppler, Knutson, Flynn, Schuele, Parys, M. Swan, LaFollette and Petri.

To committee on Industry, Labor, Taxation and Banking.

Senate Bill 253

Relating to a premium discount for persons insured under accident and sickness policies who submit themselves to medical examinations.

By Senators McKenna, Peloquin, Thompson and LaFollette, cosponsored by Representatives Berger, Mittness, Ferrall and Bolle.

To committee on Industry, Labor, Taxation and Banking.

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Senate Bill 254

Relating to exempting horticultural crops from property tax.

By Senators Martin, Roseleip, J. D. Swan and Knutson.

To committee on Agriculture and Rural Development.

Senate Bill 255

Relating to exemption of all active military pay from state income tax.

By Senators Hollander, Theno, Petri, Kasten, Roseleip, Johnson, Keppler and Chilsen, cosponsored by Representatives Schroeder, Schricker, Byers, Atkinson, Klicka, Conradt, Bradley, Oberle, Willkom, Early and Day.

To committee on Governmental and Veterans' Affairs.

Senate Bill 256

Relating to eligibility for aid to the totally and permanently disabled and review by county medical panels.

By Senators Whittow and Devitt, by request of Milwaukee County.

To committee on Health, Education and Welfare.

Senate Bill 257

Relating to income tax credits for parents who pay tuition for children in public or private schools and making an appropriation.

By Senators Devitt, LaFave, Schuele, Knutson, Chilsen, Petri, Roseleip, Martin and M. Swan, cosponsored by Representatives Oestreicher, Hephner, Kleczka, Vanderperren, Berger, Gower, Lallensack, Menos, Sicula, Atkinson, Bolle, Oberle, Day, Willkom, Otte, Plewa, Sanasarian, Rogers, Keegan and Barczak.

To committee on Health, Education and Welfare.

Senate Bill 258

Relating to establishing a program of aids to medical school students and making an appropriation.

By Senators Chilsen, Devitt, LaFave, Lorge, Hollander, Roseleip and Murphy.

To committee on Health, Education and Welfare.

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COMMITTEE REPORTS

The committee on Governmental and Veterans' Affairs reports and recommends:

HILL, ROY C., of Milwaukee, as a member of the Athletic Examining Board, to succeed Ellswyn DeRusha, To serve for a term ending July 1, 1975.

Confirmation; Ayes, 5; Noes, 0.

Senate Bill 135

Relating to sureties and license fee liability for showing boxing on closed circuit television.

Adoption of senate amendment 1; Ayes, 5; Noes, 0.

Adoption of senate amendment 2; Ayes, 5; Noes, 0.

Passage as amended; Ayes, 5; Noes, 0.

Senate Joint Resolution 17

To amend article IV, section 24 of the constitution relating to raffle games (1st consideration).

Rejection; Ayes, 3; Noes, 2.

Senate Bill 164

Relating to boxing exhibitions.

Passage; Ayes, 5; Noes, 0.

GORDON W. ROSELEIP

Chairman

The committee on Health, Education and Welfare reports and recommends:

Assembly Bill 4

Relating to abolishing the Milwaukee school board's committee on appointment and instruction.

Concurrence; Ayes, 5; Noes, 0.

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Assembly Bill 5

Relating to employment of legal counsel for the Milwaukee school board.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 6

Relating to employment of legal counsel for the Milwaukee school board.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 10

Relating to the purchase of vehicles by the Milwaukee school board.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 12

Relating to permitting the Milwaukee school board to employ staff members.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 13

Relating to the budget deadline for the Milwaukee school board.

Concurrence; Ayes, 5; Noes, 0.

JAMES C. DEVITT
Chairman

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:

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A Joint Certificate of Congratulations by Representative Jackamonis; cosponsored by Senators Murphy and McKenna for THE GREAT BLUE HERON GIRL SCOUT COUNCIL on its 25th Anniversary.

A Joint Certificate of Congratulations by Representative Thompson; cosponsored by Senator Bidwell for STANTON PETER HELLEND for his election as vice-chairman of the Natural Resources Board.

Passed and asks concurrence in:

Assembly Bill 460

Concurred in:

Senate amendment 4 to Assembly Joint Resolution 13

Senate Joint Resolution 13

MESSAGE FROM THE ASSEMBLY CONSIDERED

A Joint Certificate of Congratulations by Representative Jackamonis; cosponsored by Senators Murphy and McKenna for THE GREAT BLUE HERON GIRL SCOUT COUNCIL on its 25th Anniversary.

Read and adopted.

A Joint Certificate of Congratulations by Representative Thompson; cosponsored by Senator Bidwell for STANTON PETER HELLEND on his election as vice-chairman of the Natural Resources Board.

Read and adopted.

Assembly Bill 460

Relating to veterans housing loans, exempting executive branch loans from repayment lists and making and increasing appropriations.

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By Representatives SCHNEIDER, SENSENBRENNER, BERGER, EARL, BOLLE, EARLY, ANDERSON, BALDUS, JOHNSON, MITTNESS, WILLKOM, KEEGAN, PLEWA, MOHN, CONTA, TOBIASZ, ROBERTS, LOOBY, FERRALL, FLINTROP, MIELKE, OESTREICHER, RUTKOWSKI, WARD, LALLENSACK, ATKINSON, TROPMAN, DUREN, ROGERS, PABST, ELCONIN, MENOS, SWOBODA, O'MALLEY, VANDERPERREN, SICULA, GROSHEK, OBERLE, KEDROWSKI, ROONEY, EVERSON, HAUKE, BEHNKE, MUNTS, CYRAK, TESMER, SANASARIAN, GROVER, BARBEE, JACKAMONIS, DUEHOLM, CZERWINSKI, OLSON, TREGONING, KINCAID, LEWISON, THOMPSON, LUCKHARDT, OTTE, KLICKA, SCHROEDER, MC ESSY, DE LONG, SCHRICKER, ROTH, MATTY, WACKETT, GIESE, ALBERTS and BYERS; co-sponsored by Senators BABLITCH, PELOQUIN, THOMPSON, DORMAN, FRANK, PARYS, J. SWAN, KASTEN and KNOWLES.

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

MOTIONS UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Mrs. Margaret Williams of Monona has recently celebrated her 100th birthday; and

Whereas, she has been a life-long resident of Wisconsin and has experienced a century of personal good citizenship; and

Whereas, few of us are afforded the opportunity to celebrate such a majority in years of happiness and good health; now, therefore,

The Members of the Wisconsin Senate, on the motion of Senator McKenna, under Joint Rule 26, do congratulate Mrs. Margaret Williams upon the celebration of her 100th birthday and welcome her as a member of Wisconsin's century club. May she have continued happiness and good health.

Read and adopted.

JOURNAL OF THE SENATE (February 15, 1973)

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Seymour Attorney Vernon Lubinski on Tuesday, January 30, 1973, was given the Sixth Annual Jaycee Award as Seymour's outstanding citizen of the year because of his civic endeavors in behalf of his community; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Lorge and Representative Conradt, under Joint Rule 26, hereby extends its congratulations to Vernon Lubinski for his civic interests and achievements as a citizen and attorney for his city of Seymour.

Read and adopted.

By request of Senator Johnson, with unanimous consent, the senate recessed until 5:10 P.M.

4:35 P.M.

RECESS

5:10 P.M.

The senate reconvened.

President pro tempore of the senate in the chair.

By request of Senator Schuele, with unanimous consent, the senate recessed for 10 minutes.

5:11 P.M.

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RECESS

5:21 P.M.

The senate reconvened.

President of the senate in the chair.

By request of Senator Johnson, with unanimous consent, the senate stood informal for ten minutes.

5:22 P.M.

5:32 P.M.

The senate reconvened.

LEAVE OF ABSENCE

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

By request of Senator Johnson, with unanimous consent, Assembly Bill 432 was withdrawn from the committee on Industry, Labor, Taxation and Banking, and considered for action at this time.

Assembly Bill 432

Relating to making various changes in the Wisconsin consumer act and related laws and granting rule-making authority.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 432

Read a third time and concurred in.

By request of Senator Johnson, with unanimous consent, **Assembly Bill 355** was withdrawn from committee on Industry, Labor, Taxation and Banking, and considered for action at this time.

Assembly Bill 355

Relating to various changes in the Wisconsin consumer act.

Read a second time.

Senate amendment 1 to **Assembly Bill 355** offered by Senator Steinhilber.

Senator Risser moved rejection.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 12; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Chilsen, Dorman, Flynn, Frank, Hollander, Keppler, Knowles, LaFollette, Martin, Parys, Peloquin, Risser, Schuele, Swan, M., Thompson and Whittow -- 17.

Noes -- Senators Bidwell, Devitt, Johnson, Kasten, Knutson, LaFave, Lorge, Murphy, Petri, Roseleip, Steinhilber and Swan, J.D. -- 12.

Absent or not voting -- Senators Kendziorski, Krueger, McKenna and Theno -- 4.

The motion prevailed.

Ordered to a third reading.

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

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Assembly Bill 355

Read a third time and concurred in.

By request of Senator Johnson, with unanimous consent, **Assembly Bill 460** was withdrawn from committee on Governmental and Veterans' Affairs and considered for action at this time.

Assembly Bill 460

Relating to veterans housing loans, exempting executive branch loans from repayment lists and making and increasing appropriations.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 460

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 0; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, LaFollette, Lorge, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Thompson and Whittow -- 29.

Noes -- None.

Absent or not voting -- Senators Kendziorski, Krueger, McKenna and Theno -- 4.

So the bill was concurred in.

By request of Senator Johnson, with unanimous consent, **Assembly Bill 257** was taken from the table and considered for action at this time.

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Assembly Bill 257

Relating to expenses of legislators.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 257

Read a third time.

The ayes and noes were required and the vote was: ayes, 19; noes, 9; absent or not voting, 3; paired 2; as follows:

Ayes -- Senators Bablitch, Devitt, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, LaFave, LaFollette, Martin, Parys, Peloquin, Petri, Schuele, Steinhilber, Swan, M. and Whittow -- 19.

Noes -- Senators Bidwell, Chilsen, Knutson, Lorge, Murphy, Risser, Roseleip, Swan, J.D. and Thompson -- 9.

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

Paired for concurrence -- Senator Dorman -- 1.

Paired against concurrence -- Senator Theno -- 1.

So the bill was concurred in.

Senator Johnson moved that **Assembly Joint Resolution 21** be considered for final action at this time.

The ayes and noes were required and the vote was: ayes, 26; noes, 3; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, LaFollette, Lorge, Martin, Parys, Peloquin, Petri, Risser, Schuele, Steinhilber, Swan, M., Thompson and Whittow -- 26.

Noes -- Senators Murphy, Roseleip and Swan, J.D. -- 3.

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Absent or not voting -- Senators Kendziorski, Krueger, McKenna and Theno -- 4.

More than two-thirds having voted in the affirmative, the motion prevailed.

Assembly Joint Resolution 21

Read a third time.

The ayes and noes were required and the vote was: ayes, 22; noes, 6; absent or not voting, 1; paired 4; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, LaFollette, Lorge, Martin, Murphy, Parys, Peloquin, Petri, Risser, Swan, M. and Thompson -- 22.

Noes -- Senators Knutson, LaFave, Schuele, Steinhilber, Swan, J.D. and Whittow -- 6.

Absent or not voting -- Senator Krueger -- 1.

Paired for concurrence -- Senators McKenna and Theno -- 2.

Paired against concurrence -- Senators Kendziorski and Roseleip -- 2.

So the bill was concurred in.

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

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

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COMMITTEE REPORTS

The committee on Governmental and Veterans' Affairs reports and recommends:

Assembly Bill 216

Relating to retail liquor licensing for beer bars.

Concurrence; Ayes, 3; Noes, 1.

MILO G. KNUTSON

Vice-Chairman

AMENDMENTS OFFERED

Senate amendment 2 to **Senate Bill 145** by Senator Devitt.

Upon motion of Senator Johnson the senate adjourned pursuant to **Assembly Joint Resolution 13**.

6:20 P.M.

INTRODUCTION OF GUESTS

Senator Dorman introduced Dr. and Mrs. Robert Ostwein of Racine, Wisconsin.

Senator Risser introduced Mrs. Heim and 50 students of the Orchard Elementary School of Madison.

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Senator Johnson introduced former senate majority leader and his wife, Mr. and Mrs. Jerris Leonard, now a law enforcement assistance administrator for the Department of Justice, in Washington, D.C.

Senator Roseleip introduced 8th grade students from Schullsburg, Wisconsin.

Senator Krueger introduced members of the Wisconsin Malt Beverage Association from Rhineland and Tomahawk.