

JOURNAL OF THE SENATE (March 14, 1973)

STATE OF WISCONSIN

Senate Journal

Eighty-First Regular Session

WEDNESDAY, March 14, 1973.

10:00 A.M.

The senate met.

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

Prayer was offered by Reverend Austin Green O.P., Associate Pastor of Blessed Sacrament Catholic Church of Madison.

God our Father, We reaffirm that you are our Father and have a Father's continuing concern for each of us and all of us. You care for all people and all nations, give us a care for our nation, for the people of our state of Wisconsin, for the communities, the cities, the families that make up this state.

To the men of this Senate, give the light to consider wisely the legislation that will help the people of this state, remembering that land is for the use of people, that tax money is to be used for the common weal of all the people, and that human rights and human dignity are of greater worth than land or money or institutions.

Give them the courage of their conscience to follow what is right.

Remembering to "trust in the Lord and do good; live in the land and be safe. Seek your happiness with the Lord and he will give you what you most desire".

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

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

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

Absent -- None.

Absent with leave -- Senators **Kendziorski and Knowles** -- 2.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 52

Granting the use of the senate and assembly chambers to Wisconsin American Legion Auxiliary Badger Girls State in 1973 and 1974, for the purpose of holding a practice legislative session.

By Senator **Roseleip** and the Entire Membership of the Senate, cosponsored by Representative **Anderson**.

Read.

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

Senate Joint Resolution 52

Read and adopted.

Senate Joint Resolution 53

Requesting the governor to declare a state of emergency for the purpose of permitting the establishment of a bulkhead line in the bay of Green Bay.

By Senator **LaFave**, cosponsored by Representative **Vanderperren**.

Read.

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

Senate Joint Resolution 53

Read and adopted.

Ordered immediately messaged.

Senate Joint Resolution 54

Relating to the life and public service of Arnold H. Klenz.

By Senators Flynn and Whittow, cosponsored by Representatives Barczek and Hauke.

Read.

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

Senate Joint Resolution 54

Read and adopted.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 321

Relating to creditable service under the retirement fund.

By Senator LaFave, cosponsored by Representative Baldus, by request of Wisconsin Council of County and Municipal Employees, AFSCME, Milwaukee District Council -48, AFSCME, Wisconsin Professional Policemans Association, Wisconsin Professional Fire Fighters Association, Wisconsin County Traffic Officers and Deputy Sheriffs Association.

To joint survey committee on Retirement Systems.

Senate Bill 322

Relating to implied consent and penalties for drunken driving.

By Senator Bablitch, by request of State Highway Safety Coordinator and Council for Highway Safety.

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To committee on Judiciary and Insurance.

Senate Bill 323

Relating to periodic reexamination for motor vehicle operator licenses.

By Senator Bablitch, by request of State Highway Safety Coordinator and Council for Highway Safety.

To committee on Transportation.

Senate Bill 324

Relating to vision screening to detect childhood vision problems, making an appropriation and providing rule-making authority.

By Senator Johnson, cosponsored by Representative Looby, by request of Mrs. Robert Dernbach and Mr. John Bacharach, Eau Claire.

To committee on Health, Education and Welfare.

Senate Bill 325

Relating to exempting sales to political subdivisions from motor and special fuel taxes.

By Senator Hollander.

To Joint Survey Committee on Tax Exemptions.

Senate Bill 326

Relating to the establishment of town sanitary districts in towns over 180 square miles.

By Senator Theno, cosponsored by Representative Kedrowski.

To committee on Natural Resources.

Senate Bill 327

Relating to exemption of vehicles hauling pole-length forest products from length limitation.

By Senator Theno, cosponsored by Representative Kedrowski, by request of the Great Lake Enterprises of Ashland.

To committee on Transportation.

Senate Bill 328

Relating to land purchases by the department of natural resources.

By Senators Theno, Krueger, Johnson, Martin and Schuele, cosponsored by Representatives Schricker, Kinciad, Matty, Grover, Willkom and Sweda.

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To committee on Natural Resources.

Senate Bill 329

Relating to a plan for compensating persons injured in motor vehicle accidents irrespective of fault, mandatory liability coverage, granting rule-making authority and providing a penalty.

By Senator Petri.

To committee on Judiciary and Insurance.

Senate Bill 330

Relating to a requirement of restitution to crime victims as a condition for parole or probation, and granting rule-making authority.

By Senators Steinhilber, Johnson and Murphy, cosponsored by Representatives Wilcox and Shabaz.

To committee on Judiciary and Insurance.

Senate Bill 331

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

By Senators Steinhilber, Petri and Johnson.

To committee on Judiciary and Insurance.

Senate Bill 332

Relating to valuation and appraisal of certain property in estates and filing of inheritance tax information.

By Senators Lorge, Johnson, Murphy, Bablitch and Frank, by request of the State Bar of Wisconsin.

To committee on Judiciary and Insurance.

COMMITTEE REPORTS

The committee on Finance reports and recommends:

Senate Bill 138

Relating to the period in which fuel tax refund claims are to be filed.

Emergency Statement recommended; Ayes, 9; Noes, 0.

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Passage with Emergency Statement; Ayes, 9; Noes, 0.

Senate Bill 197

Relating to changing the name and certain duties of the committee to visit state properties.

Emergency Statement Recommended; Ayes, 10; Noes, 0.

Passage with Emergency Statement; Ayes, 10; Noes, 0.

Senate Bill 273

Relating to exempting restoration and reconstruction contracts at the old world Wisconsin site from the law requiring such contracts to be let on bid and let to the lowest bidder.

Emergency Statement Recommended; Ayes, 13; Noes, 3.

Passage with Emergency Statement; Ayes, 13; Noes, 3.

WALTER G HOLLANDER

Senate Chairman

The committee on Judiciary and Insurance reports and recommends:

Introduction of senate amendment 1 to Senate Bill 174: Ayes 4, Noes, 0

GERALD D. LORGE

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:

Motions Under Joint Rule 26:

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A Joint Certificate of Congratulations by Representative O'Malley; cosponsored by Senator Thompson for STEVEN R. BERNARDS on his earning the rank of Eagle Scout;

A Joint Certificate of Commendation by Representative Sensenbrenner; cosponsored by Senator Parys for CAPTAIN STEPHEN R. LEOPOLD on his release from captivity by the Vietcong;

and

A Joint Certificate of Commendation by Representative Anderson; cosponsored by Senator Knowles for MISS CHARLOTTE CHURCHILL on her retirement.

MESSAGE FROM THE ASSEMBLY CONSIDERED

A Joint Certificate of Congratulations by Representative O'Malley; cosponsored by Senator Thompson for STEVEN R. BERNARDS on his earning the rank of Eagle Scout;

A Joint Certificate of Commendation by Representative Sensenbrenner; cosponsored by Senator Parys for CAPTAIN STEPHEN R. LEOPOLD on his release from captivity by the Vietcong;

and

A Joint Certificate of Commendation by Representative Anderson; cosponsored by Senator Knowles for MISS CHARLOTTE CHURCHILL on her retirement.

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

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MOTIONS

By request of Senator Hollander, with unanimous consent, **Senate Bill 83** was withdrawn from the Joint committee on Finance and returned to the author.

Senator Roseleip asked unanimous consent that **Assembly Bill 216** be made a special order of business on Thursday, March 15, 10:00 A.M..

Senator Risser objected.

MOTIONS UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Robert Voss of Brookfield, Wisconsin, has earned and achieved the highest esteemed position of Eagle Scout in the Potawatomi District of the Boy Scout Association of American; and

Whereas, Robert Voss and his family have worked hard at reaching this coveted goal; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Murphy and Representative Merkel, under Joint Rule 26, do congratulate Robert Voss upon receiving the honor of Eagle Scout in the Boy Scouts Association of America.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Edward R. Krumbiegel, M.D., retired as Milwaukee City Health Commissioner on March 30, 1973, after 32 years of continuous service, dedication and commitment to public health and the general well being of the people of his community; and

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Whereas, Dr. Krumbiegel is a nationally and internationally recognized authority in community health and combating communicable disease because of the many programs started by the Milwaukee Health Department during the more than three decades that spanned his public service career; and

Whereas, Dr. Krumbiegel has always been held in high esteem by the members of the medical profession, government colleagues, friends and the citizens of the City of Milwaukee; and

Whereas, Through Dr. Krumbiegel's untiring and dedicated efforts the Milwaukee Health Department over the years has been credited with many "firsts". such as being the first major city in the United States to develop a comprehensive housing code, known nationally as the "Krumbiegel Ordinance"; and

Whereas, Dr. Krumbiegel was the first health officer of any major city in the nation to recommend fluoridation to reduce tooth decay, and the first to start a public program of free chest x-rays to fight tuberculosis, along with continuously keeping Milwaukee in the forefront of many new health programs with far-reaching protective impact on the citizens of his community; and

Whereas, Dr. Krumbiegel's outstanding record reflects great credit on his profession and has been cited by the American Association of Public Health Physicians, the American Public Health Association, the World Health Organization, and State and National Medical Societies and many others; and

Whereas, Milwaukee's outstanding public health program stands as a lasting tribute to Dr. Krumbiegel's expertise, diligence and unfailing dedication and honesty in all his relationships; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Whittow and Representative Sicula, under Joint Rule 26, extends its sincerest congratulations to Dr. Krumbiegel on his retirement and conveys its warm wishes that the years ahead be many and fulfilling, and that he and the members of his family enjoy good health and happiness for many, many years to come.

Read and adopted.

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Know you by these presents:

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Whereas, Coach Russell Berstenkorn, of Portage, Wisconsin and the curling team consisting of Geoff Goodland, John Kerr, Jr., James Watson, Jr., and Mark Benedict won 25 consecutive games and the state championship; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Bidwell and Representative Thompson, under Joint Rule 26, send congratulations to Coach Russell Gerstenkorn and curling team consisting of Geoff Goodland, John Kerr, Jr., James Watson, Jr. and Mark Benedict--State Championship.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Mark Neumann of St. Croix Central High School recently won the 185 pound division championship in the WIAA State Wrestling Tournament; and

Whereas, on his way to the championship, Mark compiled an overall season record of 32-0; and

Whereas, Mark's conduct both on and off the wrestling mat is a credit to his family, school and community; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Knowles and Representative John, under Joint Rule 26, do hereby extend their heartiest congratulations to Mark Neumann on the occasion of his stellar victory in the state wrestling tournament.

Read and adopted.

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Know you by these presents:

Whereas, Rick Langer of Ellsworth recently won the 138 pound division championship in the WIAA State Wrestling Tournament; and

Whereas, on his way to the championship, Rick compiled an overall season record of 27-1; and

Whereas, Rick's conduct both on and off the wrestling mat is a credit to his family, school and community; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator

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Knowles and Representatives Mohn and Early, under Joint Rule 26, do hereby extend thier heartiest congratulations to Rick Langer on the occasion of his stellar victory in the state wrestling tournament.

Read and adopted.

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Know you by these presents:

Whereas, West Allis Mayor Arnold H. Klenz was deceased on March 5, 1973, and he faithfully served the people of West Allis as their Mayor for 29 years; and

Whereas, his leadership and friendship are sorely missed by the legislature and the people of Wisconsin who recognize his record of public service exemplary life; now, therefore, The Members of the Wisconsin Legislature, on the motion of Seantor Flynn and Representatives Barczek and Hauke, under Joint Rule 26, offer their sincere condolences to the family of Mayor Arnold H. Klenz and to the people of West Allis.

Read and adopted.

By request of Senator Schuele, with unanimous consent, the senate recessed until 11:35 A.M.

10:45 A.M.

RECESS

11:35 A.M.

The senate reconvened.

The vice-president of the senate in the chair.

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CALENDAR OF MARCH 13

Senate Bill 9

Relating to annexation of town islands.

Read a second time.

Senate amendment 1 to **Senate Bill 9** offered by Senators Steinhilber and J. D. Swan.

Senator Risser moved rejection.

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

Ayes -- Senators Bablitch, Chilsen, Dorman, Flynn, Frank, Hollander, Keppler, Parys, Risser and Whittow -- 10.

Noes -- Senators Bidwell, Devitt, Johnson, Kasten, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Peloquin, Petri, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno and Thompson -- 21.

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

Senate amendment 1 to senate amendment 1 to **Senate Bill 9** offered by Senator Hollander.

LEAVE OF ABSENCE

By request of Senator Theno, with unanimous consent, he was granted a leave of absence at 11:00 A.M., Thursday, March 15.

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AMENDMENTS OFFERED

Senate amendment 2 to **Senate Bill 9** by Senators Devitt, Knutson and Keppler.

Senate substitute amendment 1 to **Senate Bill 269** by Senator Steinhilber, by request of Legislative Committee of Milwaukee County.

Upon motion of Senator Johnson the senate adjourned until 10:00 A.M. Thursday, March 15.

12:05 P.M.

INTRODUCTION OF GUESTS

Senator Devitt introduced students from Calhoun School in New Berlin, with teachers and mothers.

Senator Krueger introduced Mr. and Mrs. Stanley Lato from Gilman, Wisconsin.

Senator Bidwell introduced 30 seventh grade students and their teacher Mr. Percy Seamons and Mrs. John Tobler from Lake Delton, Wisconsin.

Senator Devitt introduced students from Greendale Intermediate Scholl and their teachers Miss Wood, Mr. Zizzo and Mrs. Winters from Greendale, Wisconsin.

Senator McKenna introduced 110 Junior High School students from McFarland, with intructors Mr. Wichmann, Mrs. Jamieson, Mr. Stack and Mr. Van Wormer, and parents Mrs. Erdahl, Mrs. Powers and Mr. Goldsworthy.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Joint Resolution 46

On page 1, line 3, substitute "28" for "18".