

JOURNAL OF THE SENATE (March 28, 1973)

STATE OF WISCONSIN

Senate Journal

Eighty-First Regular Session

WEDNESDAY, March 28, 1973.

9:00 A.M.

The senate met.

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

Prayer was offered by Father Gabriel Hinkes, Pastor of St. Joseph's Catholic Church, Madison.

O Great and Omnipotent God, Creator of heaven and earth and of all things; you are our Father, our holy Lawgiver and our Judge. To you all men must come. You gave us Jesus Christ, your only Begotten Son, to be our Savior and Redeemer, who made your Divine Will known to us so clearly. He is our Light to enlighten us to the path of eternal life. He is our way, that we may travel through life knowing Your will that we may know the way and not transgress Your laws.

You sent us the Holy Spirit, the Spirit of light and wisdom, to enlighten our minds that we may know Your will; be our light and our strength through the difficulties of this life.

Guide and direct our legislators in our State Senate, to legislate ever and always according to Your divine laws and Your will, which will ultimately guide us to eternal life. They too, will one day have to give an account to You for their deeds, and may all their deliberations be directed towards righteousness and justice. We ask this in Jesus Name. Amen.

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

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

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

Absent -- Senators Dorman and Swan, M. -- 2.

Absent with leave -- Senators Bablitch, Kendziorski and Krueger -- 3.

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution 14

To amend senate rules 17 (1) (j) and 41 (1), relating to the time of considering appointments and motions to recall from committee.

Analysis by the Legislative Reference Bureau

This resolution makes 2 changes in the senate rules as they were adopted by 1973 Senate Resolution 7.

(1) The listing of the orders of business under senate rule 17 is currently silent on the proper time for the consideration of appointments (or nominations for appointment). This resolution specifies that appointments are to be considered under the 10th order of business.

(2) Motions to recall any matter from committee, under senate rule 41 (1), might be taken up immediately (thus interrupting any other business then scheduled on the senate calendar). This resolution would change the procedure so that the motion to recall will be entered, and its debate will be scheduled on the first calendar printed after the motion is made.

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Resolved by the senate, That:

SECTION 1. Senate rule 17 (1) (j), as adopted by 1973 Senate Resolution 7, is amended to read:

Senate Rule 17 (1) (j) *Tenth order.* Consideration of motions, appointments and resolutions.

SECTION 2. Senate Rule 41 (1), as adopted by 1973 Senate Resolution 7, is amended to read:

Senate Rule 41. Reference in order; recalling from committee.

(1) Any bill, resolution or other matter may be rereferred at any time previous to its passage, except that in no case shall a motion to recall from committee take effect prior to a committee hearing if such has been scheduled when the motion to recall is made during the week in which the bill, resolution or other matter is scheduled for a public hearing.

(a) A motion to recall, rerefer or withdraw shall be in order, but the question shall be divisible, and the senate having once refused to recall a bill, resolution or other matter from committee, and subsequent motion to recall, rerefer or withdraw shall require a suspension of the rules.

(b) Any motion to recall a bill, resolution or other matter shall be placed on the calendar next printed.

SECTION 3. Printing of engrossed senate rules. Within one week from the adoption of this resolution the chief clerk, if at that time there are no other senate resolutions pending to change the senate rules which, in the judgment of the chief clerk, will probably be agreed to by the members of the senate so as to further change the senate rules, shall cause the printing of this resolution as adopted by the senate, and incorporating the entire text of the senate rules. The document so printed shall be deemed the engrossed copy of this resolution.

By Senators Johnson and Knowles.

Read and laid over pursuant to Senate Rule 90.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 401

Relating to income tax exemptions for blind persons.

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By Senator Dorman.

To Joint Survey Committee on Tax Exemptions.

Senate Bill 402

Relating to permission of court to remarry for women receiving ADC payments.

By Senator Keppler, by request of Attorney Henry Fale, Sheboygan.

To committee on Health, Education and Welfare.

Senate Bill 403

Relating to monthly parking permit fees on unoccupied mobile homes.

By Legislative Council.

To committee on Urban Affairs.

PETITIONS AND COMMUNICATIONS

State of Wisconsin

Claims Board

Mr. William P. Nugent

Senate Chief Clerk

State Capitol

Madison, Wisconsin

Dear Mr. Nugent:

Enclosed are copies of the report and recommendation of the State Claims Board covering claims heard on December 12, 1972, and March 5, 1973.

The amount recommended for payment on claims included in these reports have, therefore, under the provisions of s. 16.007 and s. 16.008, Wisconsin Statutes, been paid directly by the Board.

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These reports are for the information of the legislature. The Board would appreciate your acceptance and spreading of them upon the journal to inform the members of the Legislature as to the nature of the claims which come before it for consideration.

Sincerely,

DONALD STERLINSKI

Secretary

BEFORE THE CLAIMS BOARD OF WISCONSIN

A hearing was held at Madison, Wisconsin, on December 12, 1972, upon the claim of Gordon Osborn, 2438 North Third Street, Sheboygan, Wisconsin. Subsequent to the hearing, affidavits were filed with the Claims Board. The claim is for \$10,000 for trees mistakenly cut down on claimant's property.

An employee of the Department of Natural Resources marked certain trees for harvesting at the request of Alan and Helen Barrows. The Barrows hired Richardson Bros. Co. to harvest the trees. Some of the trees which were marked and harvested were on lands of the claimant. The trees were marked as a convenience to the Barrows for which they were not charged.

The double damage provision of s. 26.09, Stats., is not applicable because the cutting of claimant's trees was not willful, but due to inadvertance.

It was the responsibility of Alan and Helen Barrows and Richardson Bros. Co., the persons who hired the cutting to be done and their agent who performed the actual cutting to have only those trees cut down which were located on the barrow's property.

There is insufficient evidence of negligence on the part of the state or its employees, and the claims is not one for which the state is legally liable, nor one which the state should assume and pay on equitable principles.

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The Board concludes the claim should be denied.

Dated at Madison, Wisconsin this 20th day of March, 1973.

DENNIS J. CONTA
Chairman, Assembly Committee
on Finance

WALTER G. HOLLANDER
Chairman, Senate Committee
on Finance

C. NICKERSON EGAN
Representative of the Governor

DONALD STERLINSKI
Representative of the Secretary
of Administration

ALLAN P. HUBBARD
Representative of the Attorney
General

BEFORE THE
CLAIMS BOARD OF WISCONSIN

Hearings were held at Madison, Wisconsin, on March 5, 1973,
upon the following claims.

	<i>Name of Claimant</i>	<i>Amount of Claim</i>
1.	Estate of Alois Spang -----	\$ 18.00
2.	Ruth Jaep -----	137.00
3.	Great Lakes Wool Growers Cooperative-----	452.00
4.	Michael J. Gross-----	60.00
5.	Musicians Repair and Supply -----	50.00
6.	Frank Roettinger -----	270.87
7.	James D. August -----	327.00
8.	Dane County (2 claims) -----	4,896.89
		2,036.62

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9.	Hayden W. Smith-----	20.00
10.	Norman C. Herro-----	1,400,000.00
11.	Mrs. Stella Scutt-----	81.40
12.	Anna Pape-----	56.00
13.	Carl T. Malmquist-----	45.00
14.	Laurie Ann Wendt-----	46.00
15.	John T. Denk-----	20.60
16.	Richard Roberts-----	755.00
17.	LaVerne R. Ruhland-----	25.00
18.	Jeanette Eilert-----	41.60
19.	Eugene Zander-----	64.38
20.	Kenneth C. Schwebs-----	35.00
21.	Xavier Beletsky-----	2.00
22.	Charles Dungar-----	58.14
23.	Wisconsin Public Service Corporation-----	149.31
24.	Donald E. and Diane Lohse-----	500,000.00

THE BOARD FINDS:

1. *Estate of Alois Spang*

The estate of Alois Spang claims \$18.00 for an uncashed check dated December 28, 1974, made out to Alois Spang for a Wisconsin gas tax refund. The claimant died on November 12, 1972, and the uncashed check was found among his possessions in his home at Hilbert, Wisconsin. The Board concludes that the claim is one which the state should assume and pay on equitable principles.

2. *Ruth Jaep*

Ruth M. Jaep, 222 Carroll Street, Waukesha, Wisconsin, claims \$137.10 for medical expenses related to her falling at State Fair Park on August 19, 1972, while attending a grandstand performance. Claimant fell over some boards which had been placed in the aisle to cover wires needed for the Lawrence Welk performance. Claimant testified that her insurance company had paid for \$61.60 of her expenses. The Board concludes that the balance of her claim in the amount of \$75.50 is one which the state should assume and pay on equitable principles.

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3. *Great Lakes Cooperative Wool Growers*

The Great Lakes Cooperative Wool Growers, 901 Century Drive, Waukesha, Wisconsin, claims damages of \$452.50 as the result of tar from the roof of the sheep barn dripping upon various items of clothing in their display during the 1972 Wisconsin State Fair. The Board concludes that the claim is one which the state should assume and pay on equitable principles.

4. *Michael J. Gross*

Michael J. Gross, 3608 Cottage Drive, Fond du Lac, Wisconsin, claims damages of \$60.00 for a Pansonic tape deck taken from Gruenhagen Hall at the University of Wisconsin in Oshkosh somewhere between September 1 and September 4, 1972. There is not evidence as to how the tape deck was removed. The Board concludes there is no evidence of negligence on the part of officers, agents or employees of the state and that the claim is not one for which the state is legally liable, and not one which on equitable principles the state should assume and pay.

5. *Musicians Repair and Supply*

Musicians Repair and Supply claims damages of \$50.00 for a flute which was rented from them pursuant to a state purchase order, but never returned to them. The Board concludes that the claim is one which on equitable principles the state should assume and pay.

6. *Frank Roettinger*

Frank Roettinger, Route -1, Rio, Wisconsin, claims \$270.87 for the loss of a mainsail, mainsheet, boom and other equipment lost as the result of a rescue operation on July 23, 1972, on Lake Mendota. The University of Wisconsin lifesaving station crew secured the claimant's sailboat to their boat and began hauling claimant's sailboat back to shore at a pace faster than would have been appropriate under the circumstances. The excess speed tore the mainsail from its position on the mast and also tore the mainsheet rope from its fittings on the boom and on the sailboat itself. The boom and mainsail sank into the lake without any attempt on the part of the crew to save them. The Board concludes that the claim is one which on equitable principles the state should assume and pay.

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7. *James D. August*

James D. August, by his attorney, David S. August, 5056 North Larkin Street, Milwaukee, Wisconsin, claims a refund for overcharges made by the University of Wisconsin pursuant to an alleged breach of contract relating to the 1972-73 student exchange program between the University of Wisconsin and the University of Warwick, England. The Board concludes that no contract was entered into between the claimant and the University of Wisconsin. The claimant was advised that if the terms of the program proved to be unsatisfactory to him that he could be released from the program. However, the claimant decided to participate in the program. The Board concludes that the claim is not one for which the state is legally liable, and not one which on equitable principles the state should assume and pay.

8. *Dane County*

Dane County claims \$6,933.51 on two separate claims of \$4,896.89 and \$2,036.62, under sec. 16.008, Stats., for extraordinary police services rendered at the request of appropriate University officials for protection of state property on November 7, 1972, and November 8, 1972, and on November 20, 1972. The total claim is recommended for approval by the Board of Regents of the University of Wisconsin System, and the Claims Board concludes that the total claims of \$6,933.51 is proper under sec. 16.008, Stat.

9. *Hayden W. Smith*

Hayden W. Smith of Larchmont, New York, claims \$20.80 for towing charges in removing his mobile home from a campsite in which it had become mired on August 26, 1972, at Rocky Arbor State Park, Wisconsin Dells, Wisconsin. The Board concludes that the claim is one which on equitable principles the state should assume and pay.

10. *Norman C. Herro, Trustee*

Norman C. Herro, Trustee, seeks damages of \$1,400,000.00 in addition to those awarded to him under Ch. 32 condemnation proceedings involving two tracts of realty of 977 acres and 1591 acres. Claimant purchased 977 acres on September 24, 1969, the date upon which the deed was executed and transferred to claimant by the Bong Corporation. All rights and obligations remaining between the parties are stated on the face of that deed. The 977 acres became a part of the condemnation action filed December 29, 1969, and title thereto passed to the state on June 30, 1970,

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pusuant to sec. 32.06 (9)(b), Wis. Stats. Claimant had an option to purchase coupled with a first right of refusal for the 1591-acre tract. This option right was part of the condemnation proceedings which also involved the 977 acres, and this 1591-acre parcel was also taken by the state on June 30, 1970. The Board concludes that whatever damages are due to the claimant from the State of Wisconsin should be determined by the condemnation proceedings. The Board concludes that the claimant has no further cause of action against the state, that the state is not legally liable beyond the ultimate determination of the condemnation proceedings, and the claim is not one which the should be paid on equitable principles.

11. *Mrs. Stella Scutt*

Mrs. Stella Scutt of Union Grove, Wisconsin, claims damages of \$81.40 caused by three men who had escaped on August 17, 1972, from the Southern Wisconsin Training School. The men broke into her farm house, causing the alleged damages. The state does not assume responsibility for damages to personal property caused by persons who are on escape status from a state institution, and the Board concludes that the claim is not one which the state should assume and pay.

12. *Anna Pape*

Anna Pape of Franksville, Wisconsin, claims damages of \$56.00 as a result of her automobile hitting a rut in the road near the entrance to Southern Colony on October 13, 1972. The alleged damages were to the gas tank of her automobile. The ruts were in the outer perimeter of the roadway and plainly visible. The Board concludes that the state is not legally liable for such claim, nor is the claim one which the state should assume and pay on equitable principles.

13. *Carl T. Malmquist*

Carl T. Malmquist of Green Bay, Wisconsin, claims damages of \$45.00 for a wristwatch and wallet which were lost at the Wisconsin State Reformatory on November 12, 1971, in conjunction with a fire on the premises. The Board concludes that the value of the watch is only \$35.00 and that the reduced claim of \$35.00 is one which the state should assume and pay on equitable principles.

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14. *Laurie Ann Wendt*

Laurie Ann Wendt of Madison, Wisconsin, claims damages of \$46.00 for a ski jacket and other items which were taken at Central Colony on October 12, 1972, while she was doing volunteer work at Central Colony. The Board concludes that the claim is one which the state should assume and pay on equitable principles.

15. *John T. Denk*

John T. Denk of Milwaukee, Wisconsin, claims damages of \$20.60, caused by a patient at Wisconsin Southern Colony who broke off the antenna from his car on September 12, 1972. The Board concludes that the claim is one which the state should assume and pay on equitable principles.

16. *Richard D. Roberts*

Richard D. Roberts of Oregon, Wisconsin, claims damages of \$755.00 for attorney fees related to the vacating and setting aside of a conviction on November 29, 1946, for assault with intent to do great bodily harm. The Claims Board finds that it is not clear beyond a reasonable doubt that the claimant was innocent of the crime arising out of the factual situation pertaining to his conviction on November 29, 1946. The Board concludes that the claim is one for which the state is not legally liable, nor one which the state should assume and pay on equitable principles, and therefore the claim is denied.

17. *LaVerne R. Ruhland*

LaVerne R. Ruhland of Sun Prairie, Wisconsin, claims damages of \$25.00, due to his car being covered with tar on Highway 19 west of Sun Prairie on October 13, 1972. No signs were posted warning him of the wet tar condition. The Board concludes that the claim is one which the state should assume and pay on equitable principles.

18. *Jeanette Eilert*

Jeanette Eilert of Omro, Wisconsin, claims damages of \$41.60 as a result of yellow paint being sprayed onto her automobile on November 6, 1972, at the intersection of Fourth Street and Frontage Road in Winnebago County. No signs were posted warning her of the wet paint. The Board concludes that the claim is one which the state should assume and pay on equitable principles.

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19. *Eugene Zander*

Eugene Zander of Middleton, Wisconsin, claims damages of \$64.38 caused by paint which was sprayed upon his automobile on October 13, 1972, between Cross Plains and Black Earth on Highway 14. There were no signs posted warning him of the wet paint. The Board concludes that the claim is one which on equitable principles the state should assume and pay.

20. *Kenneth C. Schwebs*

Kenneth C. Schwebs of Sun Prairie, Wisconsin, claims damages of \$35.00 for removing road oil and tar from his automobile which was sprayed on Highway 19, on October 23, 1972. No signs had been posted warning the claimant of the wet tar. The Board concludes that the claim is one which on equitable principles the state should assume and pay.

21. *Xavier A. Beletsky*

Xavier A. Beletsky of Beaver Dam, Wisconsin, claims \$2.00 for an uncashed check #G212435, dated on February 5, 1963. The Board concludes that the claim is one which the state should assume and pay on equitable principles.

22. *Charles F. Dungar, M.D.*

Charles F. Dungar, M.D., of Appleton, Wisconsin, claims damages of \$58.14 when his car became sprayed with tar on October 11, 1972, on State Highway 144 in Washington County between County Trunk K and State Highway 33. No signs had been posted warning the claimant of the wet tar condition. The Board concludes that the claim is one which the state should assume and pay on equitable principles.

23. *Wisconsin Public Service Corporation*

Wisconsin Public Service Corporation of Rhinelander, Wisconsin, claims damages of \$149.31, caused by a Wisconsin state highway vehicle #177 which struck overhead lines causing pole #3611-30E39 to break off on August 22, 1972, at Monico, Wisconsin. The Board concludes that the claim is one which the state should assume and pay on equitable principles.

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24. *Donald E. Lohse and Diane M. Lohse*

Donald E. Lohse makes a \$400,000 injury claim and Diane M. Lohse, his wife, makes a \$100,000 consortium claim against the state for damages arising out of an incident occurring on May 15, 1971, at Camp McCoy, Wisconsin. While walking in the evening on West Headquarters Road, Donald E. Lohse was struck by a truck driven by Dennis M. Benusa of the Wisconsin National Guard. Donald E. Lohse received severe brain damage and has been unconscious since the time of the accident. Dennis M. Benusa had borrowed the truck for personal reasons, and there is no evidence he was performing any act of benefit for the State of Wisconsin when the accident occurred. See 56 Wis. 2d 44 (1972). The Board concludes the claim is not one for which the State is legally liable, that there is no showing of negligence by a State employee within the scope of his employment, and that the State should not assume and pay the claims on equitable principles.

THE BOARD CONCLUDES:

1. The claims of the following named claimants should be denied:

Michael J. Gross
James D. August
Norman C. Herro
Stella Scutt
Anna Pape
Richard D. Roberts
Donald E. and Diane M. Lohse

2. Payment of the following amounts to the following claimants, respectively, is justified under sec. 16.007 (6), Stats.:

Estate of Alois Spang -----	\$ 18.00
Ruth Jaep -----	75.00
Great Lakes Cooperative	
Wool Growers -----	452.50
Musicians Repair and	
Supply -----	50.00
Frank Roettinger -----	270.87
Hayden W. Smith -----	20.80
Carl T. Malmquist -----	35.00
Laurie Ann Wendt -----	46.00
John T. Denk -----	20.60

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LaVerne L. Ruhland -----	25.00
Jeanette Eilert-----	41.60
Eugene Zander-----	64.38
Kenneth C. Schwebs-----	35.00
Xavier A. Beletsky-----	2.00
Charles F. Dungar, M.D.-----	58.14
Wisconsin Public Service	
Corporation -----	149.31

3. Payment of \$6,933.51 to Dane County is proper under sec. 16.008, Wis. Stats.

Dated at Madison, Wisconsin this 20th day of March, 1973.

DENNIS J. CONTA
Chairman, Assembly Committee
on Finance

WALTER G. HOLLANDER
Chairman, Senate Committee
on Finance

C. NICKERSON EGAN
Representative of the Governor

DONALD STERLINSKI
Representative of the Secretary
of Administration

ALLAN P. HUBBARD
Representative of the Attorney
General

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State of Wisconsin
Department of State

March 27, 1973.

To The Honorable, The Senate

Gentlemen:

I have the honor to transmit to you, pursuant to s. 13.67 (2), a list of the registered lobbyists for the period beginning on March 20, 1973, and ending March 27, 1973.

Yours very truly,
ROBERT C. ZIMMERMAN
Secretary of State

Name, Address and Occupation of Lobbyist -- Name and Address of Employer -- Subject of Legislation -- Date of Employment.

Kenneth Scholen, Administrative Assistant, 2305 Hoard St., Madison--Wisconsin Council of Churches. 818 W. Badger Rd., Madison--Health and Social Services, Education--March 20, 1973

Jack DeWitt, Attorney, 121 S. Pinckney, Madison--Diamond International Corp., 733 Third Ave., New York, New York--Paper Industry--March 21, 1973

James G. Derouin, Attorney, 121 S. Pinckney, Madison--Diamond International Corp., 733 Third Ave., New York, New York--Paper Industry--March 21, 1973

James E. Hough, Attorney, 121 S. Pinckney, Madison--Diamond International Corp., 733 Third Ave., New York, New York--Paper Industry--March 21, 1973

Victor B. Albiero, Marketing Manager, 721 Orchard St., West Bend--Premium Industry Supplies Association, 721 Orchard St., West Bend--Manufacturing--March 20, 1973

Clark F. Theiler, Executive Secretary, 28 Somo Ave., Tomahawk--Wisconsin-Michigan Timber Producers, Association, Tomahawk, Wisconsin--Timber Industry--March 21, 1973

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Charles Carson Hinners, Law Student, 908-D, Eagle Heights, Madison--Kensington Mortgage and Finance Corp., 121 S. Pinckney St., Madison--Sales Finance--March 20, 1973

Jack DeWitt, Attorney, 121 S. Pinckney, Madison--Kensington Mortgage and Finance Corp., 121 S. Pinckney St., Madison--Sales Finance--March 20, 1973

James E. Hough, Attorney, 121 S. Pinckney, Madison--Kensington Mortgage and Finance Corp., 121 S. Pinckney St., Madison--Sales Finance--March 20, 1973

Joseph J. Gannon, Jr., Attorney, 35 Point Lookout, Milford, Conn.--Electrolux 2777 Summer St., Stamford, Conn.--Minimum Wage--March 22, 1973

William T. Schmid, Attorney, 833 S. 56th St., West Allis--City of West Allis, West Allis--Municipal--March 22, 1973

Eamon T. Fennessy, State Activities Coor., 116 Fawn Hill Rd., Upper Saddle River, N., New Jersey--Hoffman-LaRoche, Inc., Kingland Rd., Nutley, New Jersey--Health Care--March 22, 1973

Thomas E. Durkin, Exec. Director, 520 E. Wabash St., Waukesha--Wisconsin Ready Mixed Concrete, Association, 10850 W. Wisconsin Ave., Wauwatosa--Highway Safety and Construction--March 26, 1973

Thomas E. Durkin, Exec. Director, 520 E. Wabash St., Waukesha--RVS Cablevision Corp., Box 21, Elm Grove--Cable Communications and Broadcasting--March 26, 1973

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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:

A Joint Certificate of Congratulations by Representative Dueholm; cosponsored by Senator Knowles for THE LUCK HIGH SCHOOL BASKETBALL TEAM on its great performance in the state tournament; and

A Joint Certificate of Commendation by Representatives DeLong, Porter, Wackett and Olson; cosponsored by Senator J. D. Swan for MISS LOIS BRIEBEL on her retirement.

and

passed and asks concurrence in:

Assembly Bill 223

MESSAGE FROM THE ASSEMBLY CONSIDERED

Motions under Joint Rule 26

A Joint Certificate of Congratulations by Representative Dueholm; cosponsored by Senator Knowles for THE LUCK HIGH SCHOOL BASKETBALL TEAM on its great performance in the state tournament; and

A Joint Certificate of Commendation by Representatives DeLong, Porter, Wackett and Olson; cosponsored by Senator J. D. Swan for MISS LOIS BRIEBEL on her retirement.

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

Assembly Bill 223

Relating to training requirements for apprentice barbers.

By Representative GROVER, by request of Wisconsin Barber and Beauty Culture Association, AFL-CIO; Association of Master Barbers of Wisconsin; United Barbers of Wisconsin.

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

LEAVE OF ABSENCE

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

MOTIONS

MOTIONS UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Robert J. Kauffman, district attorney of Washington County, is leaving his position to accept a job in the nation's capital; and

Whereas, Mr. Kauffman has been cited by the Washington County Board for "consistently performing his duties and serving the citizens of the county in a highly professional and competent manner"; and

Whereas, he has earned the wide respect and admiration of the people of the county for his fine public service; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator

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Kasten and Representative Schroeder and Lewis, under Joint Rule 26, commend Robert Kauffman for his good job as district attorney and offer him best wishes in his future work.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Miss Mary Corboy of Oconto, Wisconsin, celebrates her 100th birthday anniversary on April 2; and

Whereas, Miss Corboy, daughter of Mr. and Mrs. Jeremiah Corboy who immigrated from Ireland, was born in Oconto on April 2, 1873; and

Whereas, after Mary's dad drowned in a log drive in Oconto Falls, her mother built a house on Adams Street in Oconto where Mary lived until 1966, working as a seamstress; and

Whereas, she has been a life long member of the St. Josephs Church and has led a long and productive life; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator LaFave and Representative Matty, under Joint Rule 26, congratulate Mary Corboy on this joyful occasion and wish her a most happy birthday and many more.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the Madison East High School Varsity Hockey Team, coached by Jim Webster, and composed of Duane Kopp, John Suter, Bob Suter, Jack Bush, Chuck Carpenter, Scott Rinden, Duane Wing, Augie Faulkner, Tim Ryan, Bill Caswell, Tom O'Brien, Brian Campbell, Joe McCormick, Bob Stephenson, Al Walker, Don Lampe, Ken Grueneberg, Jim Weston, Chip Harper, and Randy Dyer, on March 3, 1973, at the Hartmeyer Ice Arena in Madison captured the State High School Hockey Championship in a convincing 5-2 final victory over Superior; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senators

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Risser and McKenna and Representative Nager, under Joint Rule 26, take this opportunity to offer its congratulations on a well-deserved state championship.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Carl A. Zielke served as manager of the Wisconsin Press Association for a longer period than any other man associated with the organization. Carl's service to the association began in 1934 and was officially terminated--though it will probably continue through frequent contacts with his friends and former colleagues-- in 1972; and

Whereas, thanks to Carl's gentle prodding in the bimonthly WISCONSIN PRESS, the weekly newspapers comprising the membership of the Wisconsin Press Association during the past 4 decades modernized, developed and consolidated to remain a reliable source of local information throughout this state, with a combined effective readership perhaps even exceeding the readership of the daily press; and

Whereas, Carl Zielke's interests as an environmentalist were recognized in September of 1972 with the dedication of man-made "Zielke Lake" in Vilas County; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Knowles and Representative Sweda, under Joint Rule 26, express their fond regard and personal affection for Carl A. Zielke whose effective representation of the interests of Wisconsin's weekly press before the committee of this legislature earned him a place of high esteem in the halls of the Capitol, and add their best wishes to Carl for pleasant and satisfying years of retirement.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

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Whereas, Hugh Wright Dickie of Tomah, Wisconsin, was recently elected President of the Wisconsin Broadcasters Association; and

Whereas, Mr. Dickie, a native of Saskatchewan, attended high school in Michigan and was graduated from Illinois Wesleyan; and

Whereas, Mr. Dickie has long been interested in the communications media, beginning as a salesman in 1956 and later founding stations WTMB and WTMB-FM in Tomah; and

Whereas, he has served as director of his region of the National Association of FM Broadcasters, as state director of the Emergency Broadcast System, as a member of the Governor's Blue Ribbon Cable Commission and has also been active in community and sports affairs; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senators Johnson and Knutson and Representative Quackenbush, under Joint Rule 26, commend Hugh Dickie on his achievements, congratulate him on his recent honor and wish him well in his new position.

Read and adopted.

Senator Risser asked unanimous consent that **Assembly Bill 610** be withdrawn from the committee on Industry, Labor, Taxation and Banking and be considered for action at this time.

Senator J. D. Swan objected.

Senator Risser moved that **Assembly Bill 610** be withdrawn from the committee on Industry, Labor, Taxation and Banking and be considered for action at this time.

Senator Hollander moved a

CALL OF THE SENATE

Which motion was supported.

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

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

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Senators Bidwell, Chilsen, Devitt, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno, Thompson and Whittow -- 27.

Absent -- Senators Dorman and Swan, M. -- 2.

Absent with leave -- Senators Bablitch, Kendziorski, Krueger and Peloquin -- 4.

Senator Risser asked unanimous consent that the call be raised.

Senator Johnson objected.

Senator Risser moved that the call be raised.

The ayes and noes were required and the vote was: ayes, 9; noes, 18; absent or not voting, 6; as follows:

Ayes -- Senators Flynn, Frank, McKenna, Martin, Parys, Risser, Schuele, Thompson and Whittow -- 9.

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

Absent or not voting -- Senators Bablitch, Dorman, Kendziorski, Krueger, Peloquin and Swan, M. -- 6.

So the motion did not prevail.

President of the senate in the chair.

9:20 A.M.

By request of Senator Murphy, with unanimous consent, the vote by which **Senate Bill 91** was ordered to a third reading was reconsidered.

Senator Murphy asked unanimous consent that **Senate Bill 91** be considered for action at this time.

Senator Risser objected.

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By request of Senator Johnson, with unanimous consent, **Senate Bill 91** was placed after **Senate Bill 27** on the calendar of March 14.

The chair appointed Senators Devitt, Bidwell, Thompson and Frank to escort the governor to the Assembly Chambers.

Senator McKenna called the chair's attention to the fact that all members now being present the question was: Shall **Assembly Bill 610** be withdrawn from the committee on Industry, Labor Taxation and Banking and be considered for 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:

Ayes -- Senators Dorman, Flynn, Frank, Keppler, LaFollette, McKenna, Martin, Parys, Risser, Schuele, Swan, M., Thompson and Whittow -- 13.

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

Absent or not voting -- Senators Bablitch, Kendziorski, Krueger and Peloquin -- 4.

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

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

Senator Thompson moved that **Assembly Bill 610** be made a special order of business at 7:00 P.M. Thursday, March 29.

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

Ayes -- Senators Dorman, Flynn, Frank, Keppler, LaFollette, McKenna, Martin, Parys, Risser, Schuele, Swan, M., Thompson and Whittow -- 13.

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

Absent or not voting -- Senators Bablitch, Kendziorski, Krueger and Peloquin -- 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 advanced to the eleventh order of business.

Senate Bill 81

Relating to special registration fees for truck tractors and semitrailers used by nonprofit corporations.

Fiscal note received.

Read a second time.

The question was: Adoption of Senate substitute amendment 1?

Senator McKenna asked unanimous consent that **Senate Bill 81** be referred to joint committee on Finance.

Senator Hollander objected.

Senator Risser asked unanimous consent that **Senate Bill 81** be placed after **Senate Bill 91** on the calendar of March 14.

Senator LaFave objected.

Senator LaFave moved rejection of senate substitute amendment 1.

Senator Dorman in the chair.

10:00 A.M.

Senator Parys raised the point of order that senate substitute amendment 1 to **Senate Bill 81** was not germane.

The chair took the point of order under advisement.

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CALENDAR OF MARCH 14

Senate Bill 27

Relating to county reorganization.

Read a second time.

The question was: Adoption of senate amendment 3?

By request of Senator Murphy, Hollander and McKenna their names were added as co-authors to senate amendment 3.

Senator Martin moved rejection.

RULING OF THE CHAIR

The chair ruled that pursuant to senate rule 52, senate substitute amendment 1 to **Senate Bill 81** was not germane.

Senator LaFollette appealed the ruling of the chair.

By request of Senator LaFollette, with unanimous consent, he withdrew his appeal of the ruling of the chair.

President of the senate in the chair.

10:20 A.M.

Senate substitute amendment 2 to **Senate Bill 81** offered by Senator LaFollette.

Senator LaFave asked unanimous consent that senate substitute amendment 2 be considered for action at this time.

Senator Risser objected.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 91** by Senator Knutson.

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

Senate substitute amendment 3 to **Assembly Bill 610** by Senator Kasten.

Senate amendment 4 to **Assembly Bill 610** by Senators Steinhilber and Theno.

By request of Senator LaFave, with unanimous consent, the senate adjourned in honor of the 100th birthday of Mrs. Mary Corboy.

Upon motion of Senator Steinhilber the senate adjourned until 9:00 A.M. Thursday, March 29.

10:30 A.M.

INTRODUCTION OF GUESTS

Senator Dorman introduced Cadet Girl Scouts from Sacred Hearts and Saint Rita Schools of Racine, Wisconsin.

Senator Lorge introduced George Gresen, Manawa and George Kriegel of Tigerton, Wisconsin.

The senate proceeded in a body to the Assembly Chamber to meet in Joint Convention to receive the Governor's message on health.

IN ASSEMBLY CHAMBER

IN JOINT CONVENTION

The Lieutenant Governor in the chair.

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

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GOVERNOR'S HEALTH MESSAGE

Life, liberty, the pursuit of happiness... and good health. We hold these truths to be self-evident -- that to secure these rights, governments are instituted among men.

Good health is a prerequisite to the enjoyment of all other rights.

The child who is brought into life undernourished, and without the benefit of competent prenatal care, may never be free. He is likely to always be one or two steps behind mentally and physically, forced to pay a price for the poverty and ignorance of his parents -- and society's lack of concern.

The adult who is crippled by alcoholism, or drug addiction is not free; nor can he ever be free until cured of his habit. What does the vote, or free speech, mean to someone who cannot look beyond his next drink?

The person for whom health care is a privilege and not a right, who must hold off visits to the doctor until funds are available, who must pass up diagnostic and preventive care -- this person cannot be free. Fear of disease, like fear of crime, imprisons people, places tighter limits around their lives than disease itself.

The Triumph of Public Health

For colonial Americans, the relationship between good health and the enjoyment of their liberties was clear and direct. Municipal governments and police forces were formed for the express purpose of enforcing sanitary laws and taking steps to halt smallpox and cholera epidemics.

The triumph of public health efforts in the past hundred years has obscured this fundamental relationship. Only government can quarantine a community, place restrictions and controls on the water supply, and make certain that basic foods are not contaminated. But what is the role of government when the concern is health care for the individual?

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As a society we have gone a long way from the view that the disease and early death which accompany the lives of the poor are inevitable, the result of the "squalor they insist on living in," genetically determined, or the judgment of the Lord. Who among us is willing to say that a person's right to good health, and life itself, should be dependent on his income, his education, or where he happens to live?

Yet if we are not willing to say this, we are nevertheless willing to let it go on.

Americans pay more for their medical care than any other country, but they do not get more. The richest nation in the history of man, has an infant mortality rate that is almost double that of Norway and Sweden, and a male life expectancy that is 18th in the world.

If a deer hunter suffers a heart attack in certain parts of rural Wisconsin, he will find himself 25 miles from the nearest physician's office, first aid station, or ambulance, 30 miles from the nearest hospital -- even one with limited emergency facilities -- and 70 miles from a major facility with the type of intensive treatment he requires.

If an individual is fortunate enough to be born into a family that is well-off, if he is fortunate enough to get sick or injured near a properly equipped emergency room, if there is fast and competent ambulance service available, and if his insurance can cover the astronomical costs, then America may well be the best country in the world in which to get sick or injured. But this is a lot of ifs.

Despite the unprecedented advances in medical technology of the past few years, America is today confronted with a health care crisis. The poor have always faced this crisis -- although it has been alleviated somewhat with the enactment of medicaid -- but now it is the middle class that is being asked to accept crippling medical costs, long waits in the hospital emergency rooms, and an end to personalized medical care. For the middle class, it is the very contradiction between scientific and technical advances and organizational and human retreats in the provision of medical care that is most galling.

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While it is easy to romanticize the past, it is evident that not all of the movement in the health care profession in the past few years has been in a forward direction. Over 115 years ago, one of Madison's first physicians wrote:

"We have had an unusually healthy season here, and on that account have been obliged to make extraordinary efforts towards supporting my family. Thus I have gone out 20 and 25 miles over the prairies in an open sleigh or on a wood wagon at a temperature of 16-18 bel. F to see a single patient, and then have taken my pay in potatoes, pork or wood."

This may well have been the last time Wisconsin enjoyed a surplus of physicians -- and such a climate of competition among them. Today, we rank 25th among American states in the number of persons per direct care physician with fewer than one physician for every 900 persons.

The memoirs of another early Wisconsin doctor are filled with descriptions of snowstorms, midnight rides, and what he called the "routine" hazards of the job. He wrote;

"Many a time I have seen a pioneer family physician drive his weary team to a hitching post, mud spattered and spread over the entire outfit, including the doctor. He would be offered a lunch, and his team given a feed while he looked after the patient, then he would be on his way again, trying to catch up with visits which were then perhaps twenty-four hours or more overdue."

It is not just nostalgia that draws us to an account such as this. Although the number of physicians per 100,000 people has steadily increased in recent years, the number of MD's providing patient care in office-based practice has been on the decline.

The increasing specialization of health care has produced significant medical advances, but not without cost. One hundred-twenty-five years ago hospitals in Wisconsin were looked upon as asylums for sick paupers, and shunned by all but the destitute. Today the hospital has become the center of health treatment, increasingly asked to absorb functions for which it was not created, and is not well equipped to handle. The result is run-away costs, and treatment that in many cases could be improved upon through

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out-patient or in-home services. In the past 20 years, no product or service has risen faster on the consumer price index than medical care.

And no component of that expense has risen at a greater rate than hospital costs.

Wisconsin Medical Problems

Today in Wisconsin, health care is fragmented among various professions. Hospitals compete with hospitals to establish specialized facilities, while more basic health needs are not met. Residency programs for medical school graduates are established in areas which have a surplus of physicians, while other sections of the state suffer from an acute shortage of medical personnel. At present, 94% of the medical residencies in Wisconsin are in Dane and Milwaukee Counties. In 1970, less than half the counties in Wisconsin had one physician for every 1500 persons, in contrast to a statewide average of 908 persons/physician, and a national average of 675 persons/physicians.

The health problems which Wisconsin faces are not merely questions of medical manpower, cost, or distribution. They represent day to day health concerns of our people -- young and old, rich and poor, rural and urban residents alike.

-- There are almost one-half million people over the age of 65 in this state, 36,000 of whom live in nursing homes, while another 3200 reside in county mental hospitals. They require more than competent medical care. They deserve programs -- such as local outreach services and the Lieutenant Governor's Nursing Home Ombudsman -- that minister to their particular needs, and do not turn old age itself into a kind of disease.

-- In 1960, there were 153 reported cases of gonorrhea among Wisconsin teenagers aged 15-19. In 1970, there were 2,160 reported cases among this age group, an increase of more than 1000%.

Clearly a major public education effort is required, as well as strong measures to encourage treatment, if this epidemic among our young is to be brought under control.

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-- The National Commission on Marijuana and Drug Abuse recently reported that alcohol is America's number one drug problem. According to current estimates, there are between 175,000 and 250,000 alcoholics in Wisconsin. In 1971, there were 25,000 arrests for drunkenness in this state -- and I do not need to tell you about the hundreds of lives lost on our highways because of alcohol. Yet Wisconsin's number one drug problem has received comparatively little medical attention. The alcoholic of today, like his predecessor of a century ago, can in most cases expect little more than a night in the "drunk tank" as a "cure" for his disease.

-- Seventy percent of the deaths from automobile accidents occur in rural areas, where emergency medical services are least accessible. In 1969, a study by the Division of Health reported that less than 5% of the ambulance personnel in Wisconsin were full-time attendants, only 54% had rudimentary Red Cross training, only one-half reported that they could be on their way in less than three minutes in the daytime and only one-fourth at night -- and only three of 155 hospitals in the state had two-way radio systems which allowed them to routinely communicate with ambulances. For the inhabitant of a sparsely-settled area, or a driver who happens to have an accident in the wrong place, the meaning of these statistics is tragic and clear.

Who is to blame?

What has not been clear in the past is who to blame for the failures in our health care system. Is it the physicians, nurses, hospital administrators, pharmacists, insurance companies, ambulance attendants and others who provide that care? Just to list these various professions is to realize the impossibility of pinpointing the responsibility. We do not have a health care system -- we have a group of independent services, professions and individuals. Only government can assure that these fragmented services work as a system. If government is unwilling to assume this responsibility, then it is government which must be blamed.

But what can state government do? Aren't the costs of medical care such that only the federal government has the funding potential to intervene to improve the equity, effectiveness, and efficiency of medical services?

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Like many Americans, I have for years looked forward to the federal government establishing some form of national health insurance system. But even if the federal government were to act tomorrow -- and, sadly, I'm afraid that such action is not likely -- there is much that state government must do now if our citizens are to be assured of the quality of health care which they deserve.

The State Role

The United States Constitution gives Congress and the President the carrot, but it gives the states the stick; where the federal government must use its superior spending power and taxing capacity to "encourage" reform, only the states possess the police power, the power to regulate, the power to demand reform. Through our licensing and regulatory authority, we can act to assure a proper distribution of medical facilities and services, so that residents of rural and poor areas have equal access to competent medical care. Similarly, we have a unique role in such fields as public health instruction, pollution control, and insurance regulation, all of which are essential to meaningful health care reform. In addition, the health planning and administrative structures which we have developed or are developing will be an important element in the implementation of any national health plan in the future.

In May of 1971, I announced before this Legislature, the creation of the Governor's Health Planning and Policy Task Force. I charged that body with developing a comprehensive state health policy which would take advantage of the unique possibilities of the state role in the regulation and delivery of health services. For eighteen months, this Task Force, which included representatives from all segments of the medical profession as well as nonprofessional spokesmen for the public interest, conducted its investigations, with a diligence that has been matched by few citizen groups in my years in government.

The people of Wisconsin owe a great debt to David Carley, Dr. Ben Lawton, and the Health Policy and Program Task Force, both for the impressive recommendations which have been presented,

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and for the way in which deliberations were conducted. The Task Force allowed itself to be used as a forum, and a common ground for conflicting viewpoints.

The result of this pattern of deliberations is that many Task Force recommendations -- including some calling for new forms of regulation and coordination at the state level -- come before the Legislature with broad professional support, from groups that have in the past competed more than they have cooperated. In addition, private groups have anticipated Task Force recommendations and initiated programs of hospital rate and quality review from within the profession.

WISCONSIN'S HEALTH MISSION

The role for the State of Wisconsin which I am urging -- and which the Task Force recommended -- is that of regulator, planner, and facilitator of quality health care in this state.

Regulator

The state is already involved as a regulator of health services, through independent licensing boards, the Commissioner of Insurance and various activities of the Department of Health and Social Services. But state regulatory efforts are fragmented, and state powers under existing laws severely limited.

-- In 1966, New York State passed the first "certificate of need" law, giving the state control over the building and expansion of health care facilities. Currently, 21 states have such a law. Wisconsin does not.

-- Wisconsin licenses watchmakers, but does not license ambulance attendants who provide emergency medical services.

-- Almost daily we read of new regulatory initiative by insurance commissioners in other states. In Wisconsin, the Commissioner of Insurance lacks the authority to even set minimum health insurance standards. Thousands of Wisconsin families are victimized yearly by inadequate and deliberately confusing health insurance policies.

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Planner

In 1966, the federal government passed the "Partnership in Health Act," calling for comprehensive health planning at the state and area-wide levels. These funds were an incentive for states to -- for the first time -- take a hard look at the dispersed and uncoordinated nature of existing health services. In Wisconsin, studies conducted with these federal funds served as a necessary prerequisite to the work of the Task Force. Today, an expanded role for the Health Policy Council is required to:

--Assist the executive and legislative branches in developing comprehensive health legislation.

--Formulate and communicate recommendations on a wide variety of state health subjects, ranging from environmental legislation, medical and nursing school enrollments, and the placement of residencies and internships to what health services should be available in the public schools.

--Assist local communities to develop comprehensive health plans and strengthen voluntary health planning capabilities.

--Review all actions, such as the construction of major new hospital facilities, from the perspective of state health needs.

Facilitator

Because the state has limited fiscal resources, there has been a tendency to down-play the important role which state government has as a facilitator of quality health care. Yet as, an operator of state hospitals and teaching facilities, as a purchaser of health care in local hospitals and for state employees, the state is for many thousands of Wisconsinites more than a facilitator -- it is a provider. How the state provides and promotes health care ought to serve as a model for the private sector.

Beyond this, state laws may either inhibit or encourage the development of the health care approaches that are most needed at this time. The state, acting as a facilitator, must:

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--Eliminate existing prohibitions which forbid physicians to work on a salaried basis, and enact provisions which would encourage the development of alternative approaches to health care -- such as health maintenance organizations and prepaid group practices.

--Establish a program that would give the uninsured the opportunity to purchase insurance.

--Encourage the treatment of alcoholism as a medical problem and the treatment of minors for venereal disease.

--Assure that the clinical medical and manpower education needs of Wisconsin's most populated county -- Milwaukee -- are met.

--Fill the gap which has been created by the recommended termination of the Hill-Burton Act at the federal level with a state health facilities authority -- to assure that private, nonprofit hospitals in need of new facilities are not forced to pay high commercial interest rates, with the cost then being passed on to patients.

THE LEGISLATIVE PROGRAM

I am here today to urge the passage of legislation which will make Wisconsin a leader among the states in the protection of the right of our citizens to quality health care. Some of this legislation has been introduced at my request; other important proposals have come from individual senators and representatives -- of both parties.

For more than a half century, Wisconsin has been viewed as a model for other states. If we are to uphold that reputation, if we are to give meaning to the phrase "the new federalism," we must not back off now on our health-care obligations to the citizens of this state.

Specifically, I believe that quality health care in Wisconsin requires:

- 1) The creation of a three-man, full-time *State Health Commission* to review and approve the rates of health care institutions, establish standards for the assessment of institutional health care (with provisions for purchase of health care review from

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private sources), license health care institutions, and administer a certificate of need program for hospital or medical facility construction in excess of \$100,000. (AB-489)

2) Repeal the fixed statutory requirements for *disability insurance* and empower the State Insurance Commissioner to set standards for such insurance. (AB-490)

3) Direct the Commissioner of Insurance to establish an *accident and health insurance plan for uninsurables* that involves no state subsidy and requires all insurers writing disability insurance in Wisconsin to provide coverage for persons unable to regularly obtain such insurance. (AB-485)

4) Eliminate the existing prohibitions against hospitals *employing physicians on a salaried basis*. (AB-491)

5) *Recodify* the state's *mental health act*, to insure that Wisconsin's commitment procedures to mental institutions meet recent court decisions on such questions as voluntary and involuntary commitments, emergency detention and due process. (AB-484)

6) Establish licensing procedures for providers of *emergency medical services*, and require area-wide plans for emergency medical services. (AB-538)

7) Expand the authority of the Department of Health and Social Services so that it can provide medical assistance through the purchase of *pre-paid health care*. (AB-307, AB-487, SB-251)

8) Permit treatment of *venereal disease for minors* without parental consent. (AB-486, SB-250)

9) Create acceptable procedures for the licensing of *physicians assistants*.

10) Make it illegal for the Pharmacy Examining Board to take any action that would prevent the *advertising of prescription drug prices*. (AB-250)

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11) Establish a *drug quality review board*, to attest to quality of drugs sold within the state. (AB-155, AB-473)

12) Create a state *health facilities mechanism*, with bonding authority for hospital construction and remodeling, and subject to state planning and certificate of need review.

13) Adopt a uniform approach to *alcoholism and intoxication treatment* that would decriminalize public drunkenness and coordinate a comprehensive statewide treatment program. (AB-589)

14) Eliminate the existing fragmentation of health services at the state level through comprehensive *reorganization of the Department of Health and Social Services*. (AB-300)

In the area of health manpower, we can take significant steps in this biennium if we:

*Approve phase 2 of the University of Wisconsin Medical Center in Madison.

*Find a workable fundign arrangement for a basic sciences building at the Medical College of Wisconsin in Milwaukee.

*Provide for adequate state support of Wisconsin students at the Marquette Dental School.

In addition, legislation is being introduced that will encourage the creation of health maintenance organizations in Wisconsin, provide important new protections for nursing home patients, and give the Health Policy and Program Council broader statutory authority. All of this legislation deserves your support.

For over twenty-three hundred years men and women entering the practice of medicine have taken an oath to:

"Follow that method of treatment, which, according to my ability and judgment, I consider for the benefit of my patient, and abstain from whatever is deleterious and mischievous."

Today lawmakers and public officials may have as much impact -- through their actions or inaction -- on the health of our citizens as doctors. We, too, must pledge ourselves to a high standard, and to a course of action that will assure adequate health care for all...

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Good health care must be a right, and not a privilege for our citizens, because good health is the prerequisite to the enjoyment of all other liberties.