

JOURNAL OF THE SENATE (April 11, 1973)

STATE OF WISCONSIN
Senate Journal
Eighty-First Regular Session

WEDNESDAY, April 11, 1973.

9:30 A.M.

IN ASSEMBLY CHAMBER
IN JOINT CONVENTION

The Speaker in the chair.

Senators Steinhilber and Risser who were to await upon the Governors appeared with their excellencies, the Governors, who delivered their messages as follows:

The State of Wisconsin

Executive Department

A Proclamation

Whereas, the future of our air, land and water rests on the continued dedication of government and citizens to preserving and restoring the quality of our natural resources; and

Whereas, all citizens as individuals or members of collective groups possess the responsibility for maintaining the quality of our environment, whether it be from the purchase of a new convenience package or the operation of a factory; and

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Whereas, thousands of colleges, universities, high schools, grade schools, and communities across the nation participated in programs last April which culminated in Earth Day; and

Whereas, this nonpartisan, constructive, educational effort involved and demonstrated the shared environmental concerns of a wide spectrum of Americans of all ages, interests and political persuasions; and

Whereas, the activities which culminated in the week-long programs of Earth Day represented and promoted a much greater awareness and understanding of the serious environmental problems facing this state and nation; and

Whereas, there is a need for continuing environmental education and for a nationwide review and assessment of environmental progress and of further steps which must be taken; and

Whereas, environmental protection cannot be a one-day or even a one-week effort. It must be continuous. The designation of Earth Week serves as another indication of the commitment on behalf of government and citizens to focus their attention on the environment. During this week I urge all citizens to rededicate themselves to improving the quality of our environment.

Now, therefore, I, Patrick J. Lucey, Governor of the State of Wisconsin, do hereby proclaim the week of April 9-15, 1973 as

EARTH WEEK

in the State of Wisconsin.

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IN TESTIMONY WHEREOF,
I have hereunto set my hand
and caused the Great Seal of
the State of Wisconsin to be
affixed. Done at the Capitol
in the City of Madison, this
twenty-ninth day of March in
the year of our Lord one
thousand nine hundred and
seventy-three.

(Seal)

PATRICK J. LUCEY
Governor

This land is our land--and our responsibility.

Not our responsibility as representatives of urban areas or rural,
not our responsibility as Republicans or Democrats, but our
responsibility as human beings, parents and sons and daughters of
Wisconsin's past and future.

Fortunately, long before there was an Earth Day, Wisconsin
was blessed with leaders who put the welfare of all--present and
future--ahead of the special interests of the few, and the concerns of
narrow partisanship.

Two years ago, it was my pleasure to share this platform with
former Governor and now Senator Gaylord Nelson, a man whose
public career is a proud record of commitment to preserving the
natural heritage of this state and this nation. Wisconsin's Outdoor
Recreation Act Program is a fitting monument to his farsightedness.

Today, it is my honor to stand alongside another former
Governor of Wisconsin, whose years of Service to this state are
eloquent testimony to his concern about the environment--Warren P.
Knowles. It was through his leadership that two of the most
significant environmental initiatives of our time--ORAP 200 and
the Water Resources Act of 1966--were enacted into Wisconsin law.
Every citizen of this state has benefitted from the \$200 million in
bonding authority for recreational facilities and land acquisition
provided by ORAP 200. And states across this nation have learned

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from Wisconsin's pioneering land use program for shoreline protection, the Water Resources Act of 1966, the first such legislation in the United States.

It was because of his record as a conservationist, his ability to bring competing interests together behind a common goal, and his openness to innovative environmental action that in 1971 I asked Warren Knowles to lead a task force dealing with Wisconsin's most critical environmental question--land use. For eighteen months he has chaired the Wisconsin Land Resources Committee, as it has grappled with ways to make private ownership subject to the public interest and difficult questions of local and state authority in the regulation of land resources. Under his able leadership, that committee has produced a set of recommendations that are a useful, equitable and timely framework for state action--a model of what can be accomplished in this vital and controversial area.

If our environment is thought of as a circle or a wheel, then the hub of that wheel is the land, the most basic--and limited--of all our resources. It is appropriate, therefore, that the recommendations of the Wisconsin Land Resources Committee form the core of the environmental program that I bring before you today.

For these recommendation, and many other initiatives on behalf of the people of this state, we are all indebted to the man who shares this platform with me. I ask you to welcome former Governor Warren P. Knowles.

STATEMENT BY WARREN P. KNOWLES

CHAIRMAN, WISCONSIN LAND RESOURCES COMMITTEE

It is indeed a pleasure and privilege for me to once again address my friends in the Wisconsin Legislature. During my six years as Governor, I had the opportunity to speak before this body on many matters of importance to the future of Wisconsin. Today, I am pleased to join Governor Lucey in making recommendations on another issue of long-term significance--protecting Wisconsin's rich land heritage from needless destruction.

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When Governor Lucey asked me to assume the chairmanship of the Land Resources Committee, I knew it would be a major task. But it was not until the committee was deep into its work that I fully realized the enormity, complexity and urgency of Wisconsin's land use crisis.

Why is it a crisis? Our urban sprawl seems modest in comparison to the mediocre sameness that stretches for miles in some of the more urbanized states. And surely our heritage of conservation, forest preservation, and careful agricultural development will not permit a repeat of the destruction of our physical landscape which took place when Wisconsin was first settled, a century ago.

Yet Wisconsin does indeed face a land use crisis. It is a quiet crisis, made all the more dangerous by its lower visibility. If the priceless vistas of the LaCrosse bluffs are destroyed by development, does it really matter whether that destruction took one year or twenty? In the year 2000 our grandchildren will not care whether the prime farmlands of Waukesha County were finally gobbled up by urban sprawl in 1985 instead of 1975. Whether the few remaining urban wetlands are not finally destroyed for another ten years will matter little to those who will look in vain for recreational resources in 1990.

Will Rogers used to advise investors: "Buy land; they ain't making any more of it."

Each day that passes, a little more of Wisconsin's precious land is destroyed. As a state, we must be willing to make the investment of energy and effort that is required to preserve our most finite of resources.

We still have time to act. But we must act soon if we are to avoid the sprawl and environmental devastation that plagues some of our sister states.

Such action will not be easy to bring about. Time-honored values of property ownership and local control over land use decisions must be balanced with the broader public interest.

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It was the task of the Land Resources Committee to design a system that would provide meaningful protection for Wisconsin's valuable resources, yet continue to honor the essential interests of private property and local self-determination. I believe the success of the committee, in arriving at such a system, resulted from the dedication of its members and their willingness to consider alternatives.

Our committee was one of diverse views, interests and philosophies. The committee members--farmers, lawyers, urbanists, planners, housewives, environmentalists, local officials and legislators--were, in essence, a Wisconsin society in miniature. Their different views broadly reflected the different views of the people of Wisconsin.

The Land Resources Committee worked extremely hard for 18 months. In addition to its 17 day-long meetings each committee member invested hundreds of hours in studying staff papers, reports of the President's Council on Environmental Quality and of the American Law Institute, and comments from thousands of private citizens.

The committee received letters from people all over the state expressing concern for preserving Wisconsin's land resources. No letter was more forceful than the one we received from a man from Racine who simply wrote:

"As a resident of Wisconsin, I am greatly concerned about what is happening to our landscape...I myself live in the city of Racine and am alarmed over the gobbling up of farms, woods, and open spaces. It seems that everywhere you go they are either putting in a new subdivision, road, shopping center, etc.

I realize that we are trying to solve the problem, but whatever we're using doesn't seem to be doing the job...To put it bluntly, it is just plain darn ugly. It's depriving Wisconsinites and Americans as a whole of a right that they are entitled to, the beauty of their land.

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Please help us solve this problem and support any strict land use bill that will protect our land and the beauty of our state.

Thank you,
Concerned Citizen"

The Land Resources Committee issued a progress report which was widely circulated and scrutinized at public meetings across the state and conference of state associations. At times during this arduous process we wondered if we would ever be able to reach a consensus on the enormous and complex task before us.

The work of the committee exemplified many of the great qualities that operate in these legislative chambers: different philosophies and convictions; heated debate; and finally, on all sides, a better understanding of the many dimensions of the problem, and movement towards a consensus position based on compromise.

The Land Resources Committee worked diligently for eighteen months considering a wide range of alternatives to many very complex land use problems. With the assistance of private citizens from all over the state, the committee gained a balanced perspective on the difficult issues state and local governments face in the regulation and control of land use. In recognition of the basic complexity of our land use problem and the need for a new way to deal with these questions, the Committee established several fundamental principles:

One comprehensive system should be created to handle all critical land use issues. The inter-relationship of wetlands with prime farming lands with wilderness areas is a fragile web that must not be fragmented.

The state should become involved only in land use issues that have more than local significance. Wisconsin enjoys a long tradition of home rule and local zoning that should be disturbed only if the issue is indeed critical.

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Where the issue is critical, the state must become involved in the decision, for there is no other governmental unit that can reflect the concerns of all affected citizens.

A final decision on major land use questions should be made by an independent, objective body that can take into account the vital interests of all Wisconsin citizens.

In your consideration of the final report of the Land Resources Committee you will appreciate the full scope of our recommendations. Briefly, the committee defined five categories of land resources and developments which are critical on a statewide scale, recommended that the state set standards for these critical resources to help guide local decisions, and proposed the creation of a State Land Appeals Board to make the final decisions on controversial issues.

The Land Resources Committee recommendations constitute a delicate, carefully-balanced approach to the protection of Wisconsin's priceless land resources. They honor local and private concerns as well as the larger public interest in land use for the common good.

Your commitment to preserving Wisconsin's land resources is not unique. Your legislative colleagues across the nation--in Michigan, Minnesota, Washington, Colorado and other states, are joining together in similar efforts.

President Nixon and members of Congress from both political parties have joined together to make a bipartisan effort to enact strong land use legislation in this Congressional session. There are good prospects that a National Land Use Act will pass the 93rd Congress requiring states to enact legislation such as that proposed by the Governor's Land Resources Committee.

I am convinced that the state must act now--while there is still time--to preserve Wisconsin's rich land heritage. We bring to you and the citizens of Wisconsin a thoughtful, carefully-designed approach to achieve that goal. I urge you to give these

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recommendations your most careful consideration during the 1973 session. Surely there is no issue that deserves stronger bipartisan support than the protection of our precious environmental resources.

When this farsighted legislation is enacted and our recommendations are implemented, then Wisconsin will have moved far along on the journey toward a responsible land resource policy. The success we have in meeting that goal will have a tremendous long-term impact on whether citizens of Wisconsin will be able to continue to truly say--We Like It Here.

WHAT WILL OUR CHILDREN REMEMBER OF THE GOOD EARTH:

1973 WISCONSIN ENVIRONMENTAL MESSAGE

By Governor Patrick J. Lucey

This land is our land--and our responsibility. The words are simple, but the lesson is not.

For two centuries Americans have taken an abundance of land and resources for granted. In a country where there were trees for as far as the eye could see, what did it matter that a few were wasted? In a state with 8,500 lakes and unparalleled fresh water resources, what effect could the run-off from one house or factory have? Caribou, moose, elk, wolverines, passenger pigeons--there were millions of them--surely enough to last Wisconsin hunters for thousands of years.

But now these species are extinct, or found only in our zoos. And now sky-blue lakes and rivers where a man could see to a depth of 50 or 100 feet have been replaced with the sickening greens and yellows of pollution and stagnation.

Not so long ago, one-sixth of the nation's white pine stood in a single Wisconsin valley (the Chippewa).

This was a resource which should have supported the economy of northern Wisconsin for many generations. Instead, that region was devastated by a clear-cut which left its timber-rich valleys so poor that they have not yet recovered. A tragic footnote to this episode is the fact that not more than 40% of the lumber felled ever reached a sawmill.

Forty years ago, the great Wisconsin conservationist, Aldo Leopold, wrote that "whenever a private landowner so uses his land as to injure the public interest, the public will eventually pay the bill, either by buying him out, or by donating the repairs, or both...If we are going to spend large sums of public money anyhow, why not use it to subsidize desirable combinations in land use, instead of to cure, by purchase, prohibition, or repair, the headache arising from bad ones?"

In contrast to the belief of the American Indian that the earth is the inheritance of all, the ethic of western man has been one of private ownership and "rugged individualism". Out of this ethic have come many American strengths, but also a fundamental weakness: an unwillingness to regulate or control private actions until it is too late to preserve the public interest. Vigorous public action usually awaits a crisis, a point at which most of the environmental damage is already done, and repair the most costly. Such a crisis occurred in this state in the latter half of the 19th century.

It was not difficult for the first conservationists to dramatize the problems caused by the depletion of Wisconsin's timber and wildlife resources. The evidence was clear and visible--miles and miles of stumps, rivers clogged with logs, increasing difficulty in locating game to hunt and fish. Yet from the time when the Legislature established the first Forestry Commission in 1867--and gave indication of an awareness of the problem--to the creation of a state Department of Forestry under Governor Robert LaFollette, in 1903, the forests of northern Wisconsin were stripped bare. If the state had acted forcefully in 1867, the history of northern Wisconsin would have been quite different. By 1903 it was already too late.

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If it took 35 years for the state to effectively respond to this dramatic and visible evidence of environmental destruction, how long will it take for us to respond to environmental crises which are far less dramatic, but may be far more devastating?

We are told that in the next thirty years, urban sprawl in American will absorb an amount of land equivalent to the total acreage of New Hampshire, Vermont, Massachusetts, and Rhode Island. For the past decade, the rate of conversion of rural land to urban use in southeastern Wisconsin has been 14 square miles a year, or almost double what had been planned for. How long will it take before we respond to the destruction of prime farm land, and the pollution of our landscape, as a crisis which demands action?

We are told that energy usage will double in the next decade, as will the amount of land necessary for power sites and transmission lines. How long will it take before we respond to the fact that land and energy resources are finite, that the heating of our houses ten years from now may depend on our not wasting or misusing these resources today?

We are told that our citizens are responsible for an average of 5.4 pounds of household, commercial and industrial waste every day, and that by 1985, Wisconsinites will be producing 12,300 tons of such garbage daily. How long will it take before we recognize this crisis? Will action only come when the garbage spills over onto the grounds of the Capitol?

In a world of restricted resources, no private action is without public consequences. The polluting factory which creates jobs and tax dollars for one community undermines the recreational resources and tax base of an adjacent community. The homeowner who builds a septic tank on land which is unsuited for this type of facility reduces the value of the homes of his neighbors. The real estate developer who creates a new community in the middle of nowhere without regard to sewage disposal problems, ends up asking for federal and state aid to build costly new pipelines and sewage treatment plants.

As Leopold points out, the question is no longer whether the public will pay, but at what point and for what purpose. Will it be for wise timber management, or--three quarters of a century later--

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welfare payments, and funds for economic development? Will it be for marsh preservation, or for lake reconstruction once the marshes servicing the lake have been destroyed? Will it be for pollution prevention, or sewage treatment? Will it be for planned suburban development, or slum clearance?

The environmental crisis is both quiet and cumulative. It is similar to the process of erosion. Every day a little piece of land is worn away, invisible to the naked eye. But if a person leaves for 15 to 20 years, he is shocked upon his return. So too, every day a little more wetland is filled in, a little more prime farm land lost, and new forms of plastic pollution created, as builders, developers, municipalities, manufacturers and home owners engage in their own variety of "space race". Only in this case, the space is limited.

It is our responsibility to act to end this legacy of neglect, of unplanned private initiatives with unanticipated public costs--and reverse the seemingly inevitable erosion of our environmental resources. In the past two years we met that responsibility in part when we:

- Blocked the establishment of Project Sanguine in northern Wisconsin.
- Enacted the Wisconsin Environmental Policy Act.
- Placed significant new restrictions on the placement of billboards.
- Obtained wild river status for the lower St. Croix River.
- Improved air and water quality controls in Wisconsin.

But these actions were only a start. In this session we must go further. We must make certain that Wisconsin joins Vermont, California, Florida and other states which have enacted effective land use legislation--by turning the recommendations of Governor Knowles and the Land Resources Committee into law. In addition we must:

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- Enact land use legislation which specifically provides for direct state regulation of surface mining (SB-39, Sub. 1), power plant siting (AB-814), wetland protection (AB-813) and inland lake rehabilitation (SB-37, AB-766).
- Bring Wisconsin law into conformity with federal air and water pollution requirements (SB-40, AB-128).
- Encourage business firms to take positive environmental initiatives by exempting pollution abatement equipment from sales taxes (AB-615, amended) and requiring review of economic as well as environmental consequences in environmental impact statements (SB-235 and SB-232).
- Double the funding for the Division of Environmental Protection (AB-300).
- Turn the recommendations of the Mass Transit and Recycling Task Forces into legislation that will reduce air pollution and visual pollution in this state.

I needn't tell this audience how complex many of these issues are. Sometimes it seems that only planners understand what is being discussed--or is it just that we do not understand the planners. In any case, we too must become experts and planners. These measures will never become effective unless elected officials understand what it is they are meant to accomplish--and are actively involved in their implementation. For this reason, I would like to briefly review the specifics of some of the major environmental legislation which I am urging before you today.

LAND RESOURCES ACT

No issue is more pivotal to improving man's relationship with the environment than wise and responsible land use. Yet, in no area is control more fragmented, standards less certain, and decisions more shielded from the general public. Under the U. S. Constitution, states possess full power to engage in land use planning and regulation, but historically, this power has been delegated to local governments. There are good reasons why local

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communities should be involved in land use decisions--most importantly, because it is they who will normally be most affected by these decisions, environmentally, socially and economically.

But there are many land use questions of greater than local impact which cannot be dealt with adequately under existing structures. These include:

How to protect lands which have natural or aesthetic significance to a regional or a statewide population.

How to get local communities to plan together, so that a development which is of tax benefit to one does not become a burden on its neighbors, environmentally and fiscally.

How to bring incremental land development into focus, so that all communities within the state don't seek to expand in ways which will have a cumulatively negative impact on the environment.

As Governor Knowles has made clear, the highest priority of the Land Resources Committee was to arrive at mechanisms that would assure preservation of significant state or regional resources without unduly restricting historic local prerogatives. The Land Resources Act which is being introduced this week defines these "significant state land resources" as the following: areas with historical, archeological, architectural or cultural significance; lands whose use affects underground water quality; major wetlands; habitat, wilderness, scientific or scenic areas; lands adjacent to major public facilities, and sites of future state facilities; deposits of non-metallic mineral resources; and prime agricultural lands.

This list sounds far more inclusive than it actually is. In specifying land use areas of significant state interest, the intent of the committee was to establish a selective, carefully thought out focus for state action.

The proposed Land Resources Act provides for the cooperative development of a statewide land use policy and planning system between state, regional and local agencies. Under the Act:

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- A State Land Resources Council, made up of regional planning commission representatives, local officials, and citizen members would be established to advise the Legislature and the Executive Branch on approaches to sound land use; perform studies of land resource problems; and review the standards established by the Department of Administration and other state agencies for the protection of significant state land resources.

- Although a number of state agencies would be involved in the implementation of the Act, the Department of Administration would be charged with the primary responsibility for preparing goals and policies for the development and conservation of state land resources. The Department, or a state agency delegated in its stead, would designate what resources meet the definition of significant state land resources specified in the legislation, and prepare standards for assuring their preservation. Local governments would be asked to protect those resources by acting in accord with the state standards.

- A State Land Appeals and Review Board, similar in structure to an appellate court, would be created to decide controversies about the way in which local land ordinances implement state standards. This board would also hear appeals concerning largescale land developments with multi-jurisdictional impact.

The proposed Wisconsin Land Resources Act defines a selective but significant area of state concern in land use questions; creates a state standard setting mechanism for this carefully defined area of concern; establishes a structure to assure citizen and local government input in state land policies and standard setting; leaves the primary responsibility for land regulation in local hands, subject to appeal to a State Land Appeals and Review Board. In short, the Wisconsin Land Resources Act represents a carefully conceived and delicately balanced approach to the regulation of land use.

OTHER LAND USE LEGISLATION

The Land Resources Committee was concerned with creating a structure for state action, but it was also interested in a number of specific land use problems, such as power plant siting, mining reclamation, and the protection of wetlands -- for each of which it

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recommended direct state regulation. An effective state land use policy requires both the passage of the proposed Land Resources Act, and the enactment of legislation in these areas.

--Power Plant Siting (AB-814) One of the most controversial decisions made in our society is where to locate a power plant. During the last legislative session a bill was introduced at my request calling for more careful planning and regulation of power plant siting. Since that time, meetings have been held with representatives of the utilities, environmental groups, the Department of Natural Resources, and the Public Service Commission in an attempt to improve this legislation, and make it acceptable to all parties concerned. The result is a bill which provides for open, long-range planning of major power facilities, and a balancing of environmental and economic considerations from the first stage of power plant development.

Under the proposed legislation, utilities would be required to submit ten-year advance plans to the Public Service Commission; these plans, which would be updated every two years, would then be reviewed by the Department of Natural Resources from an environmental perspective, and by the public in open hearings. For the utilities, the virtue of this legislation is that it simplifies existing procedures, and eliminates the costly regulatory uncertainties which have plagued the power plant siting process in the past.

--Mining Reclamation (SB-39, Sub. 1) Over the past few years legislators, environmentalists, administration personnel, the Wisconsin state geologist, and representatives of private industry have been working on a bill to create a system of state permits for surface mining. Under the provisions of this bill, communities would be protected against the visual and environmental damage which so often follows in the wake of metallic strip mining activities. Miners would be required to post a bond to assure the reclamation of a mine site once activity there has concluded.

--Wetlands Protection (AB-813) The role of wetlands in the ecological system is only today being understood in all of its many dimensions. For example, swamps are an important filtering device for ground water. Any tampering here may have consequences throughout the entire chain of life. This bill, which has been

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substantially modified since its introduction in the 1971 session, provides for identification of significant Wisconsin wetlands; and regulation of individual activities in these wetlands through the granting of permits by the Department of Natural Resources.

--Inland Lake Rehabilitation (SB-37) (AB-766) In a state which prides itself on its recreational resources, there can be no excuse for allowing lakes to "die". Under this legislation, the Department of Natural Resources would provide both professional counsel and grant-in-aid assistance to local groups interested in reclaiming lakes that have become unusable for recreation purposes.

AIR AND WATER POLLUTION

As important as state controls over land use are, there are other, equally significant, environmental measures before the Legislature which deserve broad, bipartisan support. Two of these are concerned with bringing Wisconsin into line with recently enacted federal legislation on air and water pollution. I urge your support for these measures, not for symbolic reasons, but because of very practical considerations. If new state legislation is not enacted, regulation in these areas will be preempted by the federal Environmental Protection Agency. Elements unique to Wisconsin--such as our special heritage of agricultural and water resources--might well be ignored under such federal regulation. This would be unfortunate and costly for the farmers and manufacturers of this state.

--The Wisconsin Water Pollution Control Act (AB-128) would give the Department of Natural Resources the necessary authority to establish and administer a state pollutant discharge elimination system consistent with federal water pollution standards enacted in 1972. The bill would prohibit the discharge of any pollutant into Wisconsin waters without a permit issued by the Department; it would require that discharges from point sources conform to a set of standards scaled in terms of time and the limits of pollution control technology. The goal of this legislation is elimination of the discharge of pollutants into Wisconsin waters by 1985.

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It is imperative that the Department of Natural Resources receive permanent permit authority from the Environmental Protection Agency soon, so that program continuity can be maintained. Without this authority -- which is dependent on the passage of AB-128 -Wisconsin firms will be left up in the air, and perhaps subjected to more arbitrary federal regulation.

--The Wisconsin Air Pollution Control Act (SB-40) would bring Wisconsin law into conformity with the federal Clean Air Act of 1970. It would clarify the role of the Department of Natural Resources in the regulation and control of air pollution, and revise current procedures concerning the confidentiality of air emission data utilized by the Department.

BUSINESS AND THE ENVIRONMENT

For too long the interest of the business community in making a profit has been artificially juxtaposed against the interest of the wider community in a clean environment. It has been assumed that businessmen like to pollute, and want their factories to be eyesores -- that they are not affected by the same sights and smells as everyone else. This is absurd.

Today, I would like to suggest a different assumption: that it is the responsibility of the state to encourage firms to take environmentally sound actions before they are forced to take those actions--that we should make good corporate citizenship good business as well. Creation of a sales tax exemption for pollution abatement equipment would be an important step in this direction. A requirement that economic impact be reviewed along with environmental impact in siting decisions would be a significant additional step to insure that business and environmental judgments are not made in isolation from each other.

OTHER ENVIRONMENTAL LEGISLATION

One reason that I would like to see immediate action on the environmental legislation which is before you today is that there is so much that remains to be done. In the next few weeks you will be presented with legislation in two of the most critical areas of

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environmental concern-- recycling and mass transit. This legislation is the result of many months of work and study by state task forces in these fields.

It takes four times as much energy for a person to get home from work in a car than in a bus. In a time when the words "energy crisis" are on the cover of every major news magazine, can we continue to let bus lines throughout Wisconsin curtail services and go out of business? No -- we must act, and act decisively.

And when we are informed that as much as 60% of today's solid waste can be recycled, and that the recycling of many of these materials requires 30% less energy than their production from scratch, can we afford to not have a state recycling policy? No -- for aesthetic, environmental and economic reasons, we must create such a program, and create it soon.

In the past decade, no group has asked more difficult, searching, or necessary questions about American values, and the way we live our lives, than the environmentalists. It is no accident that the American Indian is once more on our front pages. If civilized society is to be symbolized by rows of hot dog stands and miles of urban blight, then there are many who would gladly choose the way of life of what used to be called "the savage".

Earth Day will have little significance for our society if the values it symbolizes do not affect our actions throughout the years. In our individual lives, in our role as a government, we must be friends of the earth, and a model for each other.

No issue illustrates the kind of revolution in public and private values which is required today better than the problem of energy conservation. Public policy decisions, such as proper land development and power plant siting, will minimize some forms of energy misuse. But there are limits to what legislative action can accomplish. It is for this reason that I have directed state government to take three steps which I hope will serve as a model for private industry and individuals:

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The Building Commission has been asked to review all siting and design decisions for state facilities from the perspective of energy conservation.

All cars purchased by the state are now required to be energy efficient (e.g., not to be "overpowered").

State agencies have been ordered to take energy conservation into account in their operational plans.

Also, I am supporting legislation that would require state agencies to purchase recycled paper when the cost of this paper is similar to that of regular paper (SB-336).

If these steps are to have meaning, they must be matched at the individual level -- in the planning of housing, in the purchase of automobiles and supplies, in the limiting of energy waste in our homes and work places. It is only in this way that the energy crisis can be overcome. It has been estimated that more than one-third of our energy consumption could be cut without any diminution in the quality of our lives or our standard of living. All that is needed is that we put the public good ahead of private privilege, and stop being profligate with precious resources.

But this was all that was required one hundred years ago, when the Legislature was first made aware of the danger to Wisconsin's timber resources. Will we repeat the tragic failures of the past, and wake up 35 years from now to an environment which is no longer livable?

The measures which I have presented today outline a limited state regulatory role in land use and environmental questions -and attempt to influence private actions by making state government a model in its environmental policies. This is a cautious approach to a crisis which is rapidly getting out of hand. If we fail to take even these minimal steps -- if a later governor, or groups of governors, is forced to come before a future legislature on these same questions -- the result will be a far more restrictive regulatory package. And it will probably be too late.

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Aldo Leopold was perhaps America's most poetic and prophetic ecologist. He was a resident of this state, and a professor at the University of Wisconsin. Shortly before his death, he spoke at the dedication of a monument to the passenger pigeon, placed in Wyalusing State Park by the Wisconsin Society for Ornithology. His words remain as powerful today as when they were first stated more than a quarter century ago:

"Men still live who, in their youth, remember pigeons. Trees still live who, in their youth, were shaken by a living wind. But a decade hence only the oldest oaks will remember, and at long last, only the hills will know."

What will our children remember of the good earth? What will they know? We have no greater responsibility to them than to act now to preserve the land, and the living wind.

10:30 A.M.

The senate met.

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

The senate stood for a moment of silent prayer.

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

LEAVE OF ABSENCE

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

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

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

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

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

Absent -- None.

Absent with leave -- Senators Frank, Johnson, Kendziorski and Krueger -- 4.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 451

Relating to release of funds to public works and building contractors.

By Senators Hollander, Martin and Roseleip.

To committee on Industry, Labor, Taxation and Banking.

Senate Bill 452

Relating to establishment of a correctional program for youthful offenders.

By Senator Bablitch, by request of Governor Patrick J. Lucey.

To committee on Judiciary and Insurance.

COMMITTEE REPORTS

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

Senate Bill 118

Relating to county collection of improperly paid public assistance.

Passage; Ayes, 4; Noes, 1.

Senate Bill 238

Relating to membership on the Milwaukee auditorium board.

Passage; Ayes, 5; Noes, 0.

Assembly Joint Resolution 35

Expressing the intent of the legislature that all persons work together for everlasting peace.

Adoption of senate amendment 1; Ayes, 3; Noes, 1.

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

Assembly Bill 2

Relating to the authority of the revisor of statutes to merge nonconflicting acts into the statutes for printing purposes.

Concurrence; Ayes, 5; Noes, 0.

GORDON W. ROSELEIP
Chairman

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

Senate Bill 237

Relating to banks with trust powers.

Passage; Ayes, 5; Noes, 0.

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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.

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

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

EVERETT V. BIDWELL

Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 55

A petition of 2100 citizens of Wauwatosa in opposition to the school aids formula contained in the executive budget bill, Assembly Bill 300.

By Senator Flynn.

Read and referred to joint committee on Finance.

Senate Petition 56

A petition of 93 citizens of West Allis in opposition to the school aids formula contained in the executive budget bill, Assembly Bill 300.

By Senator Flynn.

Read and referred to joint committee on Finance.

Senate Petition 57

A petition of 44 citizens of Wisconsin expressing support for Senate Bill 231.

By Senator Flynn.

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 Adopted and asks concurrence in:

Motions Under Joint Rule 26:

A Joint Certificate of Commendation by Representative Vanderperren; cosponsored by Senator LaFave for EDWARD H. McHUGH on his becoming the leading blood donor in the United States;

A Joint Certificate of Condolence by Representatives Barbee and Ward; cosponsored by Senator Swan for ISAAC N. COGGS on the occasion of his death;

A Joint Certificate of Congratulations by Representative McEssy; cosponsored by Senator Hollander for FOND DU LAC's GOODRICK HIGH SCHOOL on receiving Sentry Award for Good Sportmanship;

A Joint Certificate of Commendation by Representatives Schneider and Berger; cosponsored by Senator Johnson for LT. WILLIAM J. METZGER, JR. on his release from North Vietnamese captivity;

and

A Joint Certificate of Congratulations by Representatives Mielke and Everson; cosponsored by Senator Thompson for EDGERTON HIGH SCHOOL BASKETBALL TEAM on its successful effort this season.

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MESSAGE FROM THE ASSEMBLY CONSIDERED

Motions Under Joint Rule 26:

A Joint Certificate of Commendation by Representative Vanderperren; cosponsored by Senator LaFave for EDWARD H. McHUGH on his becoming the leading blood donor in the United States;

A Joint Certificate of Condolence by Representatives Barbee and Ward; cosponsored by Senator Swan for ISAAC N. COGGS on the occasion of his death;

A Joint Certificate of Congratulations by Representative McEssy; cosponsored by Senator Hollander for FOND DU LAC'S GOODRICH HIGH SCHOOL on receiving the Sentry Award for Good Sportmanship;

A Joint Certificate of Commendation by Representatives Schneider and Berger; cosponsored by Senator Johnson for LT. WILLIAM J. METZGER, JR., on his release from North Vietnamese captivity;

and

A Joint Certificate of Congratulations by Representatives Mielke and Everson; cosponsored by Senator Thompson for EDGERTON HIGH SCHOOL BASKETBALL TEAM on its successful effort this season.

The above Motions Under Joint Rule 26 were read and concurred in en masse.

MOTIONS

Senator LaFave asked unanimous consent that Senate Resolution 16 be taken from the calendar and considered for action at this time.

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Senator Risser objected.

By request of Senator Hollander, with unanimous consent, former Governor Warren P. Knowles addressed a few remarks to the senate body.

Senator Risser called the chair's attention to **Senate Joint Resolution 38** which was a special order of business.

Senate Joint Resolution 38

Declaring April 16, 1973, as Wisconsin Tax Action Day.

Read.

Senate substitute amendment 1 to **Senate Joint Resolution 38** offered by Senator Hollander.

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

Senator Bablitch raised the point of order that senate substitute amendment 1 was not germane.

The chair took the point of order under advisement.

CALENDAR OF MARCH 20

Senate Joint Resolution 8

Memorializing Congress to make Highway US-2 from Duluth to Sault Ste. Marie part of the interstate highway system.

Read and adopted.

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Senate Joint Resolution 34

Requesting certain organizations to take immediate action for the purpose of alleviating the existing and threatening level of high waters of the Great Lakes to the property owners surrounding the Great Lakes.

Read and adopted.

By request of Senator Steinhilber, with unanimous consent, **Senate Resolution 16** was taken from the calendar and considered for action at this time.

Senate Resolution 16

Requesting the Interstate Commerce Commission to disapprove the application of the Milwaukee Road for discontinuance of certain railroad service.

Read and adopted.

AMENDMENTS OFFERED

Senate amendment 3 to **Senate Bill 67** by Senator Bablitch.

By request of Senator Keppler, with unanimous consent the senate adjourned in memory of Horace Malloy, long time Representative of the Wisconsin Cheese Makers, who passed away this week.

Upon motion of Senator Steinhilber the senate adjourned until 9:00 A.M. Thursday, April 12.

11:15 A.M.

INTRODUCTION OF GUESTS

Senator Hollander introduced Republican Women from Fond du Lac County, Wisconsin.

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Senator Roseleip introduced Professor Arthur Thompson and Political Science Students from University of Wisconsin, Platteville, Wisconsin.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 24

On page 4, line 15, the reference to "612.54" is changed to read "612.54 (4)" in agreement with section 13 of the bill (correction checked with Dean Spencer Kimball).