

JOURNAL OF THE SENATE (April 12, 1973)

STATE OF WISCONSIN  
**Senate Journal**  
**Eighty-First Regular Session**

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THURSDAY, April 12, 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 the Reverend Ray Colliver, Pastor of First Assembly of God Church of Madison.

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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LEAVE OF ABSENCE

By request of Senator Johnson, with unanimous consent, Senator LaFave 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, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 29.

Absent -- Senator Schuele -- 1.

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**Absent with leave -- Senators Kendziorski, Krueger and LaFave  
-- 3.**

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**COMMITTEE REPORTS**

The committee on Urban Affairs reports and recommends for introduction:

**Senate Bill 453**

Relating to an executive reorganization, alterations in administrative procedure, creating an administrative review commission, granting rule-making authority and making appropriations.

Introduction; Ayes, 5; Noes, 0.

Read first time and referred to committee on Urban Affairs.

**JACK D. STEINHILBER**  
Chairman

The State of Wisconsin  
Joint Survey Committee  
On Tax Exemptions

April 12, 1973

Mr. William P. Nugent  
Senate Chief Clerk  
State Capitol  
Madison, Wisconsin

Dear Mr. Nugent:

At the April 10, 1973 meeting of the Joint Survey Committee on Tax Exemptions, the Committee recommended unanimously introduction of the following 2 proposals:

Senate substitute amendment 1 to 1973 Senate Bill 270; and

Senate substitute amendment 1 to 1973 Senate Bill 306

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The jacketed copies of each draft are attached to this letter. On behalf of the Joint Survey Committee, I am respectfully requesting that you introduce these drafts in the Senate.

At the April 3, 1973 hearing on both proposals, the primary authors of each indicated that they would not object to a friendly substitute amendment to clarify the intent of the principal author of each bill. These drafts represent such clarification.

Respectfully submitted  
**DAVID B. BERGER**  
Chairman

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**PETITIONS AND COMMUNICATIONS**

State of Wisconsin  
Department of State

April 12, 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 April 3, 1973, and ending on April 10, 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.*

Martin B. Buckner, Regional Manager, 3044 W. Grand Blvd., Detroit, Mich.--General Motors Corporation, G.M. Bldg., Detroit, Mich.--General Motors and Products--April 5, 1973

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Harold D. Sargent, Executive Secretary, Route 1, Deerbrook, Wisconsin--Wisconsin Potato and Vegetable Growers, Association, Box 327, Antigo--Agriculture--April 5, 1973

James H. Kilroy, Attorney, 26500 Ashley, Dearborn Hts., Mich.--Chrysler Corporation, P.O. Box 1919, Detroit, Mich.--Auto Manufacturing and Sales--April 5, 1973

Allan Gruenizen, Insurance, 6437 Antietam Lane, Madison--American Family Insurance Group, 3099 E. Washington Ave., Madison--Insurance and Finance--April 6, 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:

**Assembly Joint Resolution 23**

**Assembly Joint Resolution 25**

and

Passed and asks concurrence in:

**Assembly Bill 45**

**Assembly Bill 73**

**Assembly Bill 74**

**Assembly Bill 211**

**Assembly Bill 289**

**Assembly Bill 404**

**Assembly Bill 493**

Refused to concur in:

Senate substitute amendment 3 to **Assembly Bill 610**,

Requests a committee of Conference and appoints Representatives Oestricher, Ferrall and McEssy as conferees on its part.

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Joint Resolution 23**

Directing the legislative council to study the relationship between the programs offered by vocational, technical and adult education schools, high schools and institutions of higher education.

By Representatives FERRALL, GROVER, FLINTROP, ELCONIN, KEDROWSKI and MIELKE.

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

**Assembly Joint Resolution 25**

Directing the legislative council to study certain aspects of tax preparation services.

By Representatives JOHNSON, MUNTS, SENSENBRENNER, FLINTROP, MIELKE, JACKAMONIS, MITNESS, FERRALL, ELCONIN and DE LONG.

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

**Assembly Bill 45**

Relating to permissible length of trailers and semitrailers.

By Representative SCHNEIDER.

Read first time and referred to committee on Transportation.

**Assembly Bill 73**

Relating to board of review proceedings and creating penalties.

By Representatives DUEHOLM, BALDUS and MOHN.

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

**Assembly Bill 74**

Relating to homestead tax relief.

By Representatives DUEHOLM, JOHNSON, O'MALLEY, MOHN and BALDUS.

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

**Assembly Bill 211**

Relating to filling vacancies in joint city school district boards.

By Representative JACKAMONIS co-sponsored by Senators MC KENNA and MURPHY.

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

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**Assembly Bill 289**

Relating to suspension and revocation of a real estate salesman's or broker's license for 'blockbusting' activities.

By Representatives ELCONIN, TROPMAN and BERGER; co-sponsored by Senator FRANK, by request of City of Milwaukee.

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

**Assembly Bill 404**

Relating to proration of homestead tax relief credit.

By Representatives GROSHEK, LALLENSACK, KLECZKA, KEDROWSKI, OESTREICHER and HEPHNER.

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

**Assembly Bill 493**

Relating to initial registration of voters.

By Representatives OLSON and ROBERTS.

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

**Assembly Bill 610**

Relating to making various changes in the Wisconsin consumer act in regard to consumer credit transactions secured by real property.

Read.

By request of Senator Johnson, with unanimous consent, Assembly Bill 610 was laid on the table.

The senate returned to the third order of business.

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**BILLS INTRODUCED**

Read first time and referred:

**Senate Bill 454**

Relating to the scope of authorized community mental health programs and state aid therefor.

By Senators Devitt, LaFave, Keppler, Lorge, Roseleip, Murphy, Theno, Hollander, Steinhilber, Krueger, McKenna, Bablitch, Frank, M. Swan, Parys, Whittow, Martin and Flynn, cosponsored by Representatives Luckhardt, Miller, Rogers, Ferrall, Munts, Flintrop and Looby.

To committee on Health, Education and Welfare.

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### **Senate Bill 455**

Establishing minimum safety, health and comfort requirements for railroad cabooses, granting rule-making authority and providing a penalty.

By Senators Devitt, LaFave, Theno, Chilsen, Thompson, Schuele, Peloquin, Bablitch, M. Swan, Flynn, McKenna, Whittow and Frank, cosponsored by Representatives Looby, Sanasarian, Murry, Schricker, Earl, McEssy, Dorff, Schroeder, Bolle, Mohn, Kedrowski and Day.

To committee on Industry, Labor, Taxation and Banking.

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### MOTIONS

Senator Devitt asked unanimous consent that **Senate Bill 455** be withdrawn from committee on Industry, Labor, Taxation and Banking and referred to committee on Transportation.

Senator Parys objected.

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### MOTIONS UNDER JOINT RULE 26

The State of Wisconsin \* \* \* Citation by the Legislature

Know you by these presents:

Whereas, the Big Sisters Organization has played an important and useful role in the communities of our state and nation; and

Whereas, Big Sisters has enabled many of our citizens to help deserving young ladies; and

Whereas, Sue Bearder, Kathy Blundon, Verda Bond, Linda Buchel, Marcia Chopski, Nancy Coate, Sharon Dahm, Margaret Faber, Carol Feucht, Carolynne Genzler, Marianne Geiger, Dorothy Hamm, Marian Humpgrey, Patricia Jacobs, Elaine Moss, Janet Peters, Sharon Peters, Diane Roach, Marilyn Steger, Lucille Tischer, Jane Thompson, Helen Wagner, Judine Wagner, Sue Williams and Dianne Yakiates have devoted three years of their lives to service to their fellows as a Big Sister; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Petri and Representative McEssy, under Joint Rule 26, resolve that the Wisconsin Legislature does by this resolution recognize the service that the above members have performed for their state and for their little sister.

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Read and adopted.

By request of Senator Roseleip, with unanimous consent, **Senate Bills 308** and **391** were referred to joint committee on Finance.

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RULING OF THE CHAIR

On Wednesday, April 11, Senator Bablitch raised the point of order that senate substitute amendment 1 to **Senate Joint Resolution 38** was not germane.

The chair took the point of order under advisement.

Pursuant to Mason's Manual, Section 402, paragraphs 3 and 4 which state:

Paragraph 3--to be germane, the amendment is required only to relate to the same subject. It may entirely change the effect of the motion or measure and still be germane to the subject.

Paragraph 4--an entirely new proposal may be substituted by amendment as long as it is germane to the main purpose of the original proposal.

It is the opinion of the chair that senate substitute amendment 1 to **Senate Joint Resolution 38** is germane.

ROBERT P. KNOWLES  
President pro tempore  
of the senate

**Senate Joint Resolution 38**

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

Senator LaFollette moved rejection of senate substitute amendment 1 to **Senate Joint Resolution 38**.



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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:

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

Absent -- Senators Peloquin and Schuele -- 2.

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

By request of Senator Hollander, with unanimous consent, the call was raised.

Vice-president of the senate in the chair.

9:45 A.M.

The ayes and noes were demanded and the vote was: ayes, 12; noes, 15; absent or not voting, 6; as follows:

Ayes -- Senators Bablitch, Flynn, Frank, McKenna, Parys, Peloquin, Risser, Roseleip, Swan, M., Theno, Thompson and Whittow -- 12.

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFollette, Lorge, Murphy, Petri, Steinhilber and Swan, J.D. -- 15.

Absent or not voting -- Senators Dorman, Kendziorski, Krueger, LaFave, Martin and Schuele -- 6.

So the motion did not prevail.

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Senator Johnson introduced Lieutenant William Metzger of Wisconsin Rapids and his wife Bonnie, and, with unanimous consent, he addressed a few remarks to the senate.

Lieutenant Metzger was a navy pilot shot down over North Vietnam on May 19, 1967.

The chair appointed Senator Knowles to escort the lieutenant to the podium.

Senator Knowles moved amendment 1 to senate substitute amendment 1 to **Senate Joint Resolution 38** offered by Senator Steinhilber.

So the amendment was adopted.

Senator Risser moved rejection of senate substitute amendment 1 to **Senate Joint Resolution 38**.

Senator LaFollette moved a

### CALL OF THE SENATE

Which motion was supported.

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

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

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

Absent -- Senator Peloquin -- 1.

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

Senator J. D. Swan asked unanimous consent that **Assembly Bill 235** be made a special order of business at 11:02 A.M.

Senator Schuele objected.

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By request of Senator Schuele, with unanimous consent, the senate recessed until 11:15 A.M.

10:30 A.M.

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### RECESS

11:15 A.M.

The senate reconvened.

Senator J. D. Swan asked unanimous consent that **Assembly Bill 235** be considered for action at this time.

Senator Risser objected.

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### LEAVE OF ABSENCE

By request of Senator Bidwell, with unanimous consent, he was granted a leave of absence at 11:50 A.M. for the balance of the day's session.

Senator J. D. Swan moved that **Assembly Bill 235** be considered for action at this time.

By request of Senators Johnson and Risser, pursuant to senate rule -76, a five minute limit on debate was placed on all questions and matters before the senate.

Senator LaFollette called the chair's attention to the fact that all members now being present, the question was: Rejection of senate substitute amendment 1 to **Senate Joint Resolution 38**?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 16; absent or not voting, 3; as follows:

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Ayes -- Senators Bablitch, Dorman, Flynn, Frank, LaFollette, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Swan, M., Thompson and Whittow -- 14.

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

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

So the motion did not prevail.

Senate amendment 2 to senate substitute amendment 1 to **Senate Joint Resolution 38** offered by Senator McKenna.

Senator Chilsen raised the point of order that the amendment was not germane.

The chair ruled the point of order not well taken.

Senator J. D. Swan moved rejection of senate amendment 2 to senate substitute amendment 1 to **Senate Joint Resolution 38**.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 14; absent or not voting, 3; as follows:

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

Noes -- Senators Bablitch, Dorman, Flynn, Frank, LaFollette, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Swan, M., Thompson and Whittow -- 14.

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

So the motion prevailed.

Senator Murphy asked unanimous consent that **Senate Joint Resolution 38** be laid on the table.

Senator LaFollette objected.

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Senator Murphy moved that **Senate Joint Resolution 38** be laid on the table.

The motion prevailed.

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

Senator LaFollette moved that **Senate Joint Resolution 38** be taken from the table and considered for action at this time.

Senator Lorge raised the point of order that the motion to take from the table was not in order.

The chair ruled the point of order not well taken.

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

Ayes -- Senators Bablitch, Dorman, Flynn, Frank, Knutson, LaFollette, Lorge, McKenna, Parys, Peloquin, Risser, Roseleip, Schuele, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 18.

Noes -- Senators Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Martin, Murphy, Petri and Steinhilber -- 11.

Absent or not voting -- Senators Bidwell, Kendziorski, Krueger and LaFave -- 4.

So the motion prevailed.

Senator LaFollette asked unanimous consent that **Senate Joint Resolution 38** be withdrawn and returned to the author.

Senator Roseleip objected.

Senator Roseleip asked unanimous consent that **Senate Joint Resolution 38** be referred to committee on Governmental and Veterans' Affairs.

Senator LaFollette objected.

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Senator Roseleip moved that **Senate Joint Resolution 38** be referred to committee on Governmental and Veterans' Affairs.

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

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**BILLS INTRODUCED**

Read first time and referred:

**Senate Bill 456**

Relating to the licensing and regulation of automotive repair dealers by the secretary of transportation, creating an automotive repair council, granting rule-making power, providing a penalty and making an appropriation.

By Senators LaFave, Whittow, Flynn, Theno, Peloquin, Keppler, Martin, Risser, Bablitch, Hollander, Frank and Chilsen, cosponsored by Representatives Berger, Jackamonis, Flintrop, Elconin, Ferrall, Nager and Schneider, by request of Wisconsin Council for Consumer Affairs.

To committee on Transportation.

**Senate Bill 457**

Prohibiting construction of certain new billboards and providing a penalty.

By Senator Risser.

To committee on Transportation.

**Senate Bill 458**

Relating to outdoor sign regulation, granting rule-making authority and providing a penalty.

By Senator Risser.

To committee on Transportation.

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### COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

#### **Senate Bill 231**

Relating to various changes in teacher retirement fund laws and in teacher retirement benefits.

Adoption of senate amendment 1 to senate substitute amendment 1; Ayes 9, Noes 3

Adoption of senate amendment 2 to senate substitute amendment 1; Ayes 11, Noes 1

Adoption of senate amendment 3 to senate substitute amendment 1; Ayes 10, Noes 4

Adoption of senate substitute amendment 1 as amended; Ayes 11, Noes 2

Passage as amended; Ayes, 11; Noes, 2:

**WALTER G. HOLLANDER**  
Chairman

Senator Hollander asked unanimous consent that **Senate Bill 231** be made a special order of business on Wednesday, April 18 at 10:00 A.M.

Senator Risser objected.

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### MOTIONS

By request of Senators Johnson and Risser the agreement pursuant to senate rule 76 was extended to include all of next week.

Senator Knutson moved rejection of the agreement.

The ayes and noes were demanded and the vote was: ayes, 6; noes, 23; absent or not voting, 4; as follows:

Ayes -- Senators Hollander, Knutson, Murphy, Petri, Roseleip and Swan, J.D. -- 6.

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Noes -- Senators Bablitch, Chilsen, Devitt, Dorman, Flynn, Frank, Johnson, Kasten, Keppler, Knowles, LaFollette, Lorge, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Steinhilber, Swan, M., Theno, Thompson and Whittow -- 23.

Absent or not voting -- Senators Bidwell, Kendziorski, Krueger and LaFave -- 4.

So the motion did not prevail.

By request of Senator Johnson, with unanimous consent, **Senate Bill 364** was taken from the table and considered for action at this time.

**Senate Bill 364**

Relating to exemption from the Wisconsin consumer act of FHA and VA loans.

Read a second time.

Senate substitute amendment 1 to **Senate Bill 364** offered by Senators Kasten, McKenna, Thompson, Bablitch and Flynn.

Senator Johnson moved that the senate adjourn.

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

Ayes -- Senators Murphy, Parys and Peloquin -- 3.

Noes -- Senators Bablitch, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFollette, Lorge, McKenna, Martin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 26.

Absent or not voting -- Senators Bidwell, Kendziorski, Krueger and LaFave -- 4.

So the motion did not prevail.

Senator Devitt asked unanimous consent for a leave of absence for the balance of the day's session.

Senator Parys objected.



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Senator Knutson asked unanimous consent for a fifteen minutes recess.

Senator Schuele objected.

Senator Johnson asked unanimous consent for a fifteen minute recess.

Senator Lorge objected.

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**AMENDMENTS OFFERED**

Senate amendment 2 to **Senate Bill 344** by Senator Steinhilber.

Senate substitute amendment 1 to **Senate Bill 378** by Senator Johnson, by request of Independent Insurance Agents of Wisconsin.

By request of Senator Johnson, with unanimous consent, the senate adjourned in memory of William P. McIntyre, former president of the Board of Regents of the University of Wisconsin, and by request of Senator Keppler, the senate also adjourned in honor of the 15th wedding anniversary of Senator and Mrs. Lorge.

Senator Johnson moved that the senate adjourn until 9:00 A.M. Friday, April 13.

The ayes and noes were demanded and the vote was: ayes, 15; noes, 13; absent or not voting, 5; as follows:

Ayes -- Senators Flynn, Frank, Hollander, Johnson, Keppler, Knowles, Knutson, McKenna, Martin, Peloquin, Risser, Steinhilber, Swan, J.D., Theno and Whittow -- 15.

Noes -- Senators Bablitch, Chilsen, Dorman, Kasten, LaFollette, Lorge, Murphy, Parys, Petri, Roseleip, Schuele, Swan, M. and Thompson -- 13.

Absent or not voting -- Senators Bidwell, Devitt, Kendziorski, Krueger and LaFave -- 5.

The motion prevailed.

12:45 P.M.

### INTRODUCTION OF GUESTS

Senator J.D. Swan introduced Mrs. Lou Ella Buzzell, Delavan, and three students from Delevan-Darien High School: Sue O'Connor, Delavan, recipient of Governor Lucey's Service Award, to be honored today for her work with retarded children and adults, and two AFS students, Gertrud Ahlsten, Sweden and Yoshi Tanimoto, Japan.

Senator Murphy introduced 44 students and teachers Miss Roy and Mr. Lewis from Hillside School, Brookfield.

Senator Flynn introduced Mrs. Ann Flynn and Mary Kay Flynn, his wife and mother from West Allis and Wauwatosa.

Senator Bablitch introduced Dale J. Kunding, Steven R. Christman and 8th grade students of Spencer Schools, Spencer, Wisconsin.

Senators McKenna and Devitt introduced 127 students from the Palmyra High School, Palmyra, Wisconsin.

Senator Hollander introduced 55 students from the Waupon Christian School in Waupon, Wisconsin.

Senator Swan introduced Mr. Ware, Mr. Miller and 11 students of the Juneau Academy, Milwaukee, Wisconsin.

Senator Martin introduced Anthony Dufek, Chairman Manitowoc County Board and William Tisler, Mayor of Manitowoc, Elect, County Supervisor of Manitowoc, Wisconsin.

Senator Devitt introduced Dr. William Knapp, Superintendent of Schools, Greendale, Don Tuler, Assistant Superintendent, Frau Chris Kindel--Greendale resident teaching in Cologne Germany and 7 students and 10 teachers from Cologne.

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**Senator Petri introduced Norbert O'Conner of Brillion, Wisconsin.**

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**CHIEF CLERK'S CORRECTION**

**Suggested by Legislative Reference Bureau**

**Senate Bill 24**

Page 4, line 15, the reference to "612.54" is changed to read "612.54 (4)" in agreement with section 12 of the bill (correction checked with Dean Spencer Kimball).