

JOURNAL OF THE SENATE (April 24, 1973)

STATE OF WISCONSIN

# Senate Journal

**Eighty-First Regular Session**

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TUESDAY, April 24, 1973.

3:30 P.M.

The senate met.

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

Prayer was offered by the Reverend John Hephner, Pastor of St. Boniface Catholic Church of Manitowoc, Wisconsin.

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

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## LEAVE OF ABSENCE

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

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

By request of Senator Roseleip, with unanimous consent, he was granted a leave of absence at 5:00 P.M. for the balance of the day's session.

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By request of Senator Bidwell, with unanimous consent, he was granted a leave of absence at 6:00 P.M. for the balance of the day's session.

By request of Senator Schuele, with unanimous consent, he was granted a leave of absence at 12:00 noon on Thursday, April 26 for the balance of the week's session.

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

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

Absent -- None.

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

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### BILLS INTRODUCED

Read first time and referred:

#### **Senate Bill 505**

Relating to exempting soda fountain items from the sales tax.

By Senator Lorge.

To Joint Survey Committee on Tax Exemptions.

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COMMITTEE REPORTS

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

Dear Mr. Nugent:

Presented herewith is the last of the bills recommended for introduction by the Committee on Remedial Legislation pursuant to section 13.83 (1), Wis. Stats.

The committee on Remedial Legislation reports and recommends for introduction:

**Senate Bill 506**

For the purpose of deleting references to "assessors of incomes" (suggested as remedial legislation by the department of revenue).

By request of the Department of Revenue.

Read first time and referred to committee on Urban Affairs.

DANIEL O. THENO  
Chairman

REPORT OF JOINT SURVEY COMMITTEE ON  
RETIREMENT SYSTEMS

Appendix to **Senate Bill 64**

Public Policy Involved

Chapter 405, Laws of 1965, granted to Milwaukee County complete authority to change the provisions of the Milwaukee County Employees Retirement System, and further declared that the operation of such system is a matter of local affair and government and shall not be construed to be a matter of state-wide concern.

As this bill would amend the laws governing the Milwaukee County Employees Retirement System in violation of the provisions of said Chapter 405, the Joint Survey Committee on Retirement

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Systems can only recommend that the bill not be passed, and that the issues presented by the bill be resolved by the Milwaukee County Board under its home rule authority previously delegated by the Legislature.

Read and referred to committee on Urban Affairs.

### Appendix to 1973 Senate Bill 50 and

senate amendment 1 thereto

#### Public Policy Involved

It is the opinion of the Joint Survey Committee on Retirement Systems that while this bill presents no particular problems in terms of the administration of the several retirement funds and systems which are supported by the state, the broader public policy issues and personnel management questions should be studied in detail, perhaps by the Legislative Council, before the bill is considered for enactment.

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

### Appendix to 1973 Senate Bill 449

#### Public Policy Involved

It is the recommendation of the Joint Survey Committee on Retirement Systems that this bill be enacted so as to achieve administrative simplification, investment flexibility, and a higher degree of equity for all retirement system participants. This committee believes that passage of this bill would be good public policy.

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

Respectfully submitted,

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

REUBEN LAFAVE  
Chairman  
ALVIN BALDUS  
Vice-Chairman

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PETITIONS AND COMMUNICATIONS

**Senate Petition 69**

A petition by 25 teachers from the Dodgeville High School in support of Senate Bill 231.

By Senator Roseleip.

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

**Senate Petition 70**

A petition by 11 teachers from Ridgeway in support of Senate Bill 231.

By Senator Roseleip.

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

**Senate Petition 71**

A petition by 400 people employed at Foster-Forbes Glass Company in Burlington in opposition to Senate Bill 263.

By Senator Roseleip.

Read and referred to committee on Natural Resources.

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State of Wisconsin  
Department of State

April 24, 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 17, 1973, and ending on April 24, 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.*

Gene Kieffer, Executive Director, 2226 W. Glenbrook La., Mequon--Wisconsin Citizens Concerned for Life-- --April 17, 1973

James P. Buckley, Attorney, 608 E. Broadway, Waukesha--Milwaukee Wrestling Club, 3232 W. Silver Spring Dr., Milwaukee--Senate Bill 136--April 17, 1973

Nancy McMahon, Housewife, Route 1, Sun Prairie--Self--Cable Communication--April 18, 1973

Richard Peterson, Attorney, 202 E. Union St., Waupaca--Union High School, Hwy. 45, Union Grove--Union High Schools--April 18, 1973

Kenneth Madritsch, Fire Fighter, 1370 N. 58th St., Milwaukee--Milwaukee Professional Fire Fighters Local -215, AFL-CIO, 2958 W. Wanda Ave., Milwaukee--Fire Fighting--April 18, 1973

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Joseph T. Ruditys, Fire Fighter, 2958 W. Wanda Ave., Milwaukee--Milwaukee Professional Fire Fighters Local #215, AFL-CIO, 2958 W. Wanda Ave., Milwaukee--Fire Fighting--April 18, 1973

Oscar Laper, Farmer, Rock Springs, Wisconsin--Wisconsin Association of Soil and Water, Conservation Districts--Soil, Water and Conservation--April 19, 1973

Paul J. Creviere, Publisher, 1421 Rebman St., DePere--Self d/b/a Journal Publishing Co., 126 S. Broadway, DePere--Newspaper and Printing--April 19, 1973

Marie S. Creviere, Managing Editor, 1421 Rebman St., DePere--Journal Publishing Co., 126 S. Broadway, DePere--Newspaper and Printing--April 19, 1973

George F. Reinke, Dane County Executive, 2141 Gateway St., Middleton--Dane County, City-County Building, Madison--County and Local Government--April 20, 1973

Virginia Gibney, Executive Secretary, Route 2, Oregon--Automotive Service Council of Wisconsin, 122 W. Washington, Madison--Automotive Service--April 23, 1973

Eva Holst, Public Relations, 3700 22nd Ave., Kenosha--Net Worth Tax League, P.O. Box 1652, Milwaukee--Taxation--April 23, 1973

Paul Alfonsi, Consultant, Box 26, Minoqua--Associated Hospital Service, Inc. 4115 N. Teutonia, Milwaukee--Blue Cross--April 23, 1973

NOTE: Authorizations have been received for the following lobbyists per our April 17 letter:

Gary M. Paske, Sec., Treas., Manager, Route 1, De Forest--Amalgamated Meat Cutters, Local -538, 2228 Myrtle St., Madison--Labor and Collective Bargaining--Feb. 23, 1973

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Clarence Knebel, Owner Meat Processing, Box 246, Belmont--Wisconsin Freezer and Meat Processors, Merrill--Meat Industry--March 4, 1973

Robert A. Schaefer, Executive Vice-pres, 184 W. Wisconsin Ave., Milwaukee--Security Savings and Loan Association, 184 W. Wisconsin Ave., Milwaukee--Savings and Loan--March 19, 1973

Elmer Nitschke, Insurance and Real Estate, 215 N. Spring St., Beaver Dam--Dodge County Board, Court House, Juneau--Dodge County--November 2, 1972

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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 56**

and

Passed and asks concurrence in:

**Assembly Bill 31**

**Assembly Bill 94**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Joint Resolution 56**

Requesting reconsideration of the impounding of certain federal funds and a reevaluation of priorities in the federal budget.

By Representatives NAGER, BARBEE, JACKAMONIS, ANDERSON, CZERWINSKI, O'MALLEY, FERRALL, MILLER, MITTNESS, DUEHOLM, EARLY, BERGER, MOHN, FLINTROP, DUREN, EARL and MUNTS.



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

**Assembly Bill 31**

Relating to financing town sanitary districts after annexation.

By Representatives ROBERTS and GIBSON.

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

**Assembly Bill 94**

Relating to county acquisition of transportation systems.

By Representatives SANASARIAN, NAGER, TOBIASZ, SENSENBRENNER, KLECZKA, BARBEE, MOLINARO, CZERWINSKI, SICULA, FERRALL, FLINTROP, BERGER, CONTA, DORFF, PABST, ELCONIN, MENOS, BARCZAK, TROPMAN, RUTKOWSKI, WARD, BEHNKE, PLEWA, HAUKE, JACKAMONIS, KEEGAN, MUNTS and TESMER; co-sponsored by Senators KENDZIORSKI, PARYS, LA FOLLETTE, M. SWAN and FLYNN, by request of Allied Council of Senior Citizens of Wisconsin, Inc., Milwaukee County, Steering Committee of the Coalition of the White House on Aging.

Read first time and referred to committee on Transportation.

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**MOTIONS**

By request of Senator LaFave, with unanimous consent, **Senate Bill 309** was withdrawn and returned to the author.

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MOTION UNDER JOINT RULE 26

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

Know you by these presents:

Whereas, the Pacelli Student Council has shown active concern for the continuation of Pacelli High School as evidenced by its Project 3-D: Drive to Dump the Debt fund-raising campaign of September, 1971, which raised thirty-three thousand dollars to erase the school's 1971-72 operating deficit, and

Whereas, this same organization has concretized its concern for the less fortunate members of the Stevens Point community by its numerous annual charitable projects, including the distribution of food baskets at holiday periods, the charity carnival in the spring, and the conjunctive fund drive with the WWSP-FM Radio Telethon, and

Whereas, this organization has actively worked to advance the cause of quality student leadership through such numerous projects as the publishing of the sole student-edited magazine on student government in the United States, GAVEL, for the Wisconsin Association of Student Councils, the annual Pacelli Leadership Workshop, open without any charge or cost to junior and senior high schools in central Wisconsin, the planning and hosting of various Wisconsin Association of Student Council's workshops and meetings, and the operation of the Pacelli Leadership and Service Achievement program, and

Whereas, these aforementioned activities have earned the Pacelli Student Council praise from National Association of Student Council personnel and the Wisconsin Association of Student Councils' Award for Outstanding Achievement in Student Government; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Bablitch and Representative Groshek, under Joint Rule 26, would like to commend the Pacelli Student Council for their unselfish service to the community and Pacelli High School and for their achievements, which should be viewed with the highest respect by the citizens of Wisconsin.

Read and adopted.

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CALENDAR OF MARCH 29

**Senate Joint Resolution 21**

To amend article VI, section 4 and article VII, section 12 of the constitution, relating to terms of office for county officers (1st consideration).

Read.

The question was: Adoption?

The ayes and noes were required and the vote was: ayes, 22; noes, 7; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Bidwell, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, Lorge, McKenna, Martin, Parys, Petri, Risser, Roseleip, Schuele, Swan, M., Theno, Thompson and Whittow -- 22.

Noes -- Senators Chilsen, Dorman, Flynn, LaFollette, Murphy, Steinhilber and Swan, J.D. -- 7.

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

More than 17 members having voted in the affirmative the Joint Resolution was adopted.

Ordered immediately messaged.

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CALENDAR OF APRIL 3

**Senate Bill 32**

Relating to adjustment of school district or vocational district property tax payments.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

So the substitute amendment was adopted.

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Ordered to a third reading.

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

**Senate Bill 32**

Read and third time and passed.

President pro tempore of the senate in the chair.

4:40 P.M.

**Senate Bill 67**

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

Read a second time.

The question was: Adoption of senate amendment 1?

Senate amendment 1 adopted.

The question was: Adoption of senate amendment 2?

Senate amendment 2 adopted.

The question was: Adoption of senate amendment 3?

Senate amendment 3 adopted.

Ordered to a third reading.

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

**Senate Bill 67**

Read a third time.

The ayes and noes were required and the vote was: ayes, 22; noes, 6; absent or not voting, 5; as follows:

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Ayes -- Senators Bablitch, Chilsen, Devitt, Flynn, Hollander, Johnson, Kasten, Keppler, Knowles, LaFave, LaFollette, Lorge, McKenna, Martin, Parys, Risser, Roseleip, Schuele, Swan, M., Theno, Thompson and Whittow -- 22.

Noes -- Senators Bidwell, Knutson, Murphy, Petri, Steinhilber and Swan, J.D. -- 6.

Absent or not voting -- Senators Dorman, Frank, Kendziorski, Krueger and Peloquin -- 5.

So the bill passed.

### **Senate Bill 136**

Relating to licensing professional wrestling.

Read a second time.

By request of Senator Murphy, with unanimous consent, **Senate Bill 136** was referred to the committee on Governmental and Veterans' Affairs.

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## CALENDAR OF APRIL 4

### **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.

Read.

By request of Senator Johnson, with unanimous consent, **Senate Resolution 14** was laid on the table.

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## CALENDAR OF APRIL 5

### **Senate Bill 1**

Relating to medical education aids, creating a medical student loan program, physicians' assistants and physicians' clerks programs, creating a council on physicians' assistants and a medical services board, granting rule-making authority and making appropriations.

Read a second time.

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By request of Senator Hollander, with unanimous consent, **Senate Bill 1** was referred to joint committee on Finance.

President of the senate in the chair.

4:35 P.M.

### **Senate Bill 18**

Relating to a work release plan for prison inmates.

Read a second time.

Ordered to a third reading.

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

### **Senate Bill 18**

Read a third time and passed.

### **Senate Bill 25**

Relating to leave for qualified prison inmates.

Read a second time.

Senator Hollander asked unanimous consent to refer the bill to joint committee on Finance.

Senator Risser objected.

Senator Hollander raised the point of order that pursuant to the fiscal note on **Senate Bill 25** the bill was required to go to joint committee on Finance.

The chair took the point of order under advisement.

By request of Senator Chilsen, with unanimous consent, **Senate Bill 96** was referred to joint committee on Finance.

By request of Senator Chilsen, with unanimous consent, **Senate Bills 97, 111, 145, 169, 170 and 251** were referred to joint committee on Finance.

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Vice-president of the senate in the chair.

5:00 P.M.

Senator Parys moved reconsideration of the vote by which **Senate Bill 18** was passed.

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### AMENDMENTS OFFERED

Senate amendment 1 to **Assembly Bill 176** by Senator Parys.

Senate substitute amendment 1 to **Assembly Bill 720** by Senators **Kasten, Petri, LaFave** and **Bidwell**.

Senate amendment 1 to **Senate Bill 418** by Senator **M. Swan**.

Senate amendment 1 to **Senate Bill 46** by Senator **LaFollette**.

Upon motion of Senator Johnson the senate adjourned until **Wednesday, April 25, 9:00 A.M.**

5:10 P.M.

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### INTRODUCTION OF GUESTS

Senator **Bidwell** introduced **Mrs. Mary McMahon, Agnes McKenna, LaVeren York, Marvin Harrington, Bernadine Murphy, Peter Boylan** and **Francis Collins** from **Portage, Wisconsin**.

Senator **Hollander** introduced **Mr. Robert Goetsch, Supervisor, Dodge County Board of Supervisors** and **Mr. Elmer Nitskke, Dodge County Board of Supervisors of Juneau and Beaver Dam, Wisconsin**.

Senator **Martin** introduced **Mr. and Mrs. John Krey** and family of **Manitowoc, Wisconsin**.

Senator **M. Swan** introduced his children **Rosalyn, Cheryl, Gwendolyn** and **Allyn** and the wife and seven children of **Mr. Lawrence Harwell, Milwaukee, Wisconsin**.

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**Senator Johnson introduced Mr. Prosper Schenk and Mr. Stanley Sonsalla of Arcadia, Wisconsin.**

**Senator Devitt introduced his father, Mr. John Devitt and his son Brian Devitt of Greenfield, Wisconsin.**

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**CHIEF CLERK'S CORRECTION**

**Suggested by Legislative Reference Bureau**

**Senate Bill 78**

**On page 5, line 9, substitute "accommodations" for "accomodations".**

**Senate substitute amendment 1 to Senate Bill 396**

**On page 1 line 2, delete "and (d)".**