

JOURNAL OF THE SENATE (April 25, 1973)

STATE OF WISCONSIN

# Senate Journal

**Eighty-First Regular Session**

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WEDNESDAY, April 25, 1973.

9:00 A.M.

The senate met.

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

Prayer was offered by Reverend Thomas Kuehn, Chaplain of St. Mary's Hospital, Madison, Wisconsin.

God, Our Father, the whole world utters a peal of praise for the Creator who made it and who is always perfecting it. Every program in technology, every thrust into outer space, every career developed, every talent brought to fruition, every primitive people lifted to a new level of human being, every neighborhood rehabilitated and every life made more livable, lives frustrated with depression made human, disease conquered and longevity prolonged, every law promoting the common good--This is God's glory, this is the radiance of His saving power in the world that he loves.

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.

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

JOURNAL OF THE SENATE (April 25, 1973)

Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, 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 -- 31.

Absent -- None.

Absent with leave -- Senators Kendziorski and Krueger -- 2.

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BILLS INTRODUCED

Read first time and referred:

**Senate Bill 507**

Relating to applying idle highway bonding funds to developing the highway US-151 Columbus bypass.

By Senator Bidwell, cosponsored by Representative Cyrak.

To committee on Transportation.

**Senate Bill 508**

Relating to increasing the forfeiture or fine, and abolishing the possible imprisonment, for improper recording of plats or transfer of unplatted lots.

By Senators Murphy and Devitt.

To committee on Judiciary and Insurance.

**Senate Bill 509**

Relating to passing on multi-lane highways.

By Senators Murphy and Kasten.

To committee on Transportation.

**Senate Bill 510**

Relating to statute of limitation of actions under uninsured motorist coverage.

By Senator Murphy.

To committee on Judiciary and Insurance.

**Senate Bill 511**

Relating to membership of the pharmacy examining board in the department of regulation and licensing.

By Senators Murphy, Keppler, Thompson and McKenna.

## JOURNAL OF THE SENATE (April 25, 1973)

To committee on Governmental and Veterans' Affairs.

### **Senate Bill 512**

Relating to augmented retirement benefits for retired members of the Wisconsin and Milwaukee teachers retirement systems.

By Senators LaFollette, Hollander, Theno, Thompson, Knutson, Lorge, Bidwell, Chilsen, Keppler, Devitt, M. Swan, Schuele, Flynn, Dorman, Frank, Peloquin, McKenna, Martin, Krueger, Babljtch, Roseleip, Risser and Whittow, cosponsored by Representatives Earl, Molinaro, Nager, Dorff, Sicala, Byers, Sanasarian, Schricker, Looby, Mittness, Elconin, Ferrall, Tesmer, Flintrop, Mielke, Duren, Czerwinski, Jackamonis, Miller, Tropman, Oestreicher, Kedrowski, Keegan, Oberle, Schroeder, Lewis, Giese, DeLong, Donoghue, Rohner, Porter, Lewison, McEssy, Luckhardt, Willkom, Conta, Berger and Barbee.

To Joint Survey Committee on Retirement Systems.

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## COMMITTEE REPORTS

The committee on Health, Education and Welfare reports and recommends:

### **Senate Bill 15**

Relating to eliminating tenure in the University of Wisconsin system.

Indefinite postponement; Ayes, 3; Noes, 2.

### **Senate Bill 180**

Relating to the minimum marriageable age and the procedure marriage license application.

Adoption of senate amendment 1; Ayes, 4; Noes, 0.

Passage as amended; Ayes, 4; Noes, 0.

### **Senate Bill 203**

Relating to the right to be reimbursed under accident and health policies for chiropractic services.

Passage; Ayes, 3; Noes, 3.

Without recommendation

## JOURNAL OF THE SENATE (April 25, 1973)

### **Senate Bill 217**

Relating to requiring consumer education in public high schools.

Adoption of senate substitute amendment 2; Ayes, 5; Noes, 2.

Passage as amended; Ayes, 4; Noes, 3.

### **Senate Bill 223**

Relating to safety eye protective devices.

Adoption of senate amendment 2; Ayes, 7; Noes, 0.

Passage as amended; Ayes, 7; Noes, 0.

### **Senate Bill 224**

Relating to the distribution of free identification tags to epileptics and diabetics by the department of health and social services and making an appropriation.

Passage; Ayes, 7; Noes, 0.

### **Senate Bill 257**

Relating to income tax credits for parents who pay tuition for children in public or private schools and making an appropriation.

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

Passage as amended; Ayes, 4; Noes, 3.

### **Senate Bill 258**

Relating to establishing a program of aids to medical school students and making an appropriation.

Passage; Ayes, 7; Noes, 0.

### **Senate Bill 261**

Relating to state aid for special reading programs for elementary and secondary students, and making appropriations.

Passage; Ayes, 7; Noes, 0.

### **Senate Bill 269**

Relating to personal pick up of public assistance grants and granting rule-making authority.

Adoption of senate amendment 1; Ayes, 7; Noes, 0.

Adoption of senate substitute amendment 1; Ayes, 7; Noes, 0.

Passage as amended; Ayes, 7; Noes, 0.

JOURNAL OF THE SENATE (April 25, 1973)

**Senate Bill 280**

Relating to requiring death certificates showing cause of deaths from abortion.

Passage; Ayes, 6; Noes, 1.

**Senate Bill 324**

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

Passage; Ayes, 5; Noes, 2.

**Senate Bill 338**

Relating to permitting hospitals to refuse to admit patients for the performance of abortions and to permit doctors and other persons to refuse to participate in certain medical procedures.

Passage; Ayes, 7; Noes, 0.

**Senate Bill 339**

Relating to construction and operation of health services on county institution lands in populous counties.

Passage; Ayes, 7; Noes, 0.

**Senate Bill 342**

Relating to limiting liability for certain medical activities involving blood transfusions.

Passage; Ayes, 7; Noes, 0.

**Senate Bill 343**

Relating to limiting liability for certain medical activities involving transplants.

Passage; Ayes, 7; Noes, 0.

**Senate Bill 352**

Relating to homestead tax relief for persons over 62 and certain others under 62 years of age.

Passage; Ayes, 7; Noes, 0.

**Senate Bill 365**

Relating to reimbursement of school board members.

Passage; Ayes, 6; Noes, 0.

## JOURNAL OF THE SENATE (April 25, 1973)

### **Senate Bill 380**

Relating to report requirements for nursing homes.

Passage; Ayes, 6; Noes, 1.

### **Senate Bill 381**

Relating to the extension of nursing home licensing requirements to certain county institutions.

Passage; Ayes, 7; Noes, 0.

### **Senate Bill 382**

Relating to a requirement for actual inspection annually of nursing homes and staggered license renewal.

Passage; Ayes, 7; Noes, 0.

### **Senate Bill 399**

Relating to changing the name of the pharmacy internship board to the continuing pharmacy education board, setting forth certain requirements of continuing pharmacy education, and granting rule-making power.

Adoption of senate amendment 1; Ayes, 7; Noes, 0.

Passage as amended; Ayes, 7; Noes, 0.

### **Senate Bill 400**

Relating to establishing and maintaining prescription drug profile record systems, limiting the time for refilling of prescriptions, and granting rule-making power.

Passage; Ayes, 7; Noes, 0.

### **Senate Bill 407**

Relating to creating a council on Indian education.

Passage; Ayes, 7; Noes, 0.

### **Senate Bill 428**

Relating to recovery of alimony assignments, abandonment and nonsupport.

Adoption of senate amendment 1; Ayes, 7; Noes, 0.

Passage as amended; Ayes, 7; Noes, 0.

## JOURNAL OF THE SENATE (April 25, 1973)

### **Senate Bill 430**

Relating to public information relating to applicants and recipients of aid to families with dependent children and other public assistance grants.

Passage; Ayes, 7; Noes, 0.

### **Senate Bill 431**

Relating to filings and mailings of nonresident general relief notices.

Adoption of senate amendment 1; Ayes, 7; Noes, 0.

Passage as amended; Ayes, 7; Noes, 0.

### **Senate Bill 432**

Relating to recovery of aid to families with dependent children.

Adoption of senate amendment 1; Ayes, 7; Noes, 0.

Adoption of senate amendment 2; Ayes, 7; Noes, 0.

Passage as amended; Ayes, 7; Noes, 0.

### **Senate Joint Resolution 36**

Directing a legislative council study of the liability of health professionals.

Adoption; Ayes, 7; Noes, 0.

### **Assembly Bill 7**

Relating to granting of diplomas by the Milwaukee board of school directors.

Concurrence; Ayes, 7; Noes, 0.

### **Assembly Bill 8**

Relating to the interest rate for school bonding in cities of the 1st class.

Concurrence; Ayes, 7; Noes, 0.

### **Assembly Bill 18**

Relating to school board member election, establishing school board branches, nomination paper signature requirements and filling vacancies in 1st class cities.

Concurrence; Ayes, 7; Noes, 0.

### **Assembly Bill 223**

Relating to training requirements for apprentice barbers.

Concurrence; Ayes, 7; Noes, 0.

## JOURNAL OF THE SENATE (April 25, 1973)

### **Assembly Bill 487**

Relating to medical assistance by means of prepaid health care plans.

Adoption of senate amendment 1; Ayes, 7; Noes, 0.

Concurrence; Ayes, 7; Noes, 0.

### **Assembly Bill 491**

Relating to the contractual employment of physicians by hospitals or nonprofit medical education and research organizations.

Concurrence; Ayes, 7; Noes, 0.

**JAMES C. DEVITT**  
Chairman

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

**CUDAHY, RICHARD D.**, of Milwaukee, as a member of the Public Service Commission, to succeed Michael Komar, to serve for the remainder of the unexpired term ending March 5, 1973, and then to serve for a term ending March 1, 1979.  
Confirmation; Ayes, 5; Noes, 0.

**HOBBS, EDMUND R.**, of Madison, as a member of the Banking Review Board, to succeed Gus. A. Zuehlke, to serve for a term ending May 1, 1978.  
Confirmation; Ayes, 5; Noes, 0.

**KATZ, LAWRENCE S.**, of Milwaukee, as a member of the Wisconsin Housing Finance Authority, to serve for a term ending January 1, 1976.  
Confirmation; Ayes, 5; Noes, 0.

**MEDLA, EDWARD**, of Cudahy, as a member of the Watchmaking Examining Board, to serve for a term ending July 1, 1977.  
Confirmation; Ayes, 5; Noes, 0.

**NORDEEN, DALE A.**, of Madison, as a member of the Wisconsin Housing Finance Authority, to serve for a term ending January 1, 1974.



**JOURNAL OF THE SENATE (April 25, 1973)**

Confirmation; Ayes, 5; Noes, 0.

**NELSON, JOSEPH B., JR.**, of Racine, as a member of the Wisconsin Housing Finance Authority, to serve for a term ending January 1, 1975.

Confirmation; Ayes, 5; Noes, 0.

**TILLEY, ROBERT**, of Beloit, as a member of the Consumer Credit Review Board, to succeed Donald Whitburn, to serve for a term ending May 1, 1977.

Confirmation; Ayes, 5; Noes, 0.

**SCHMITT, JOHN**, of Milwaukee, as a member of the Wisconsin Housing Finance Authority, to serve for a term ending January 1, 1974.

Confirmation; Ayes, 5; Noes, 0.

**SERPE, JOHN A.**, of Kenosha, as a member of the State Personnel Board, to serve for a term ending May 1, 1976.

Confirmation; Ayes, 5; Noes, 0.

**STEININGER, SUSAN.**, of Milwaukee, as a member of the State Personnel Board, to succeed Jerome Slechta, to serve for the remainder of the unexpired term ending May 1, 1975.

Confirmation; Ayes, 5; Noes, 0.

**ZINOS, JOHN C.**, of Milwaukee, as a member of the Industry, Labor and Human Relations Commission, to succeed Edward E. Estowski, to serve for the remainder of the unexpired term ending June 1, 1973, and then to serve for a term ending March 1, 1979.

Confirmation; Ayes, 4; Noes, 1.

**EVERETT V. BIDWELL**  
Chairman

JOURNAL OF THE SENATE (April 25, 1973)

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MOTIONS

By request of Senator Chilsen, with unanimous consent, senate substitute amendment 1 to **Senate Bill 217** was withdrawn and returned to the author.

By request of Senator Johnson, with unanimous consent, **Assembly Bill 720** was taken from the table and considered for action at this time.

**Assembly Bill 720**

Relating to providing for senate and assembly cochairmen of the joint survey committees on retirement systems and on tax exemptions.

Read a second time.

The question was: Adoption of senate substitute amendment 1 to **Assembly Bill 720**?

Senate amendment 1 to senate substitute amendment 1 offered by Senator Risser.

Senate amendment 1 adopted.

Senate substitute amendment 1 adopted.

Ordered to a third reading.

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

**Assembly Bill 720**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

JOURNAL OF THE SENATE (April 25, 1973)

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, LaFollette, Lorge, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 30.

Noes -- None.

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

So the bill was concurred in as amended.

Ordered immediately messaged.

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MOTION UNDER JOINT RULE 26

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

Know you by these presents:

Whereas, Dr. Joseph A. Russell of Randon Lake, Wisconsin, has practiced medicine full-time in the community since 1936; and

Whereas, Dr. Russell was graduated from Marquette University with an M.D. Degree in 1929 and first came to the village shortly thereafter; and

Whereas, he is past president of the county medical society and conducted a 20-week training course in first aid for the local fire fighters; and

Whereas, he was never an elected official because of his devotion to 1,500 patients in the Random Lake area, but has always been actively interested in good government, politics and patriotic functions; and

Whereas, his wife, Mrs. Katherine Russell, as a registered nurse, has been of great moral support to Dr. Russell and has often helped with his work in emergency cases; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Keppler, under Joint Rule 26, congratulate Joseph and Katherine Russell on their outstanding record of service to the community and contributions to the well-being of its citizens.

Read and adopted.

JOURNAL OF THE SENATE (April 25, 1973)

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CALENDAR OF APRIL 5

**Senate Bill 18**

Relating to a work release plan for prison inmates.  
Read.

The question was: Reconsideration of the vote by which **Senate Bill 18** passed?

Vice-president of the senate in the chair.

9:45 A.M.

By request of Senator Devitt, with unanimous consent, the citation for Frank LaConte was considered for action at this time.

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MOTION UNDER JOINT RULE 26

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

Know you by these presents:

Whereas, Frank LaConte has served his country well through 23 years of distinguished service in active and reserve military status; and

Whereas, he served as the President of the first non-commissioned Officers Council in the U.S. Army Reserve and also as vice-president of the Association of the U.S. Army; and

Whereas, he has further devoted his time to service as a village trustee and county supervisor; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senators Devitt and Murphy and Representative Niebler, under Joint Rule 26, congratulate Frank La Conte on the occasion of his departure as Commander of the Amvets Department of Wisconsin and for his long and distinguished service to his community, state and country.

Read and adopted.

The question was: Reconsideration of the vote by which **Senate Bill 18** passed?

## JOURNAL OF THE SENATE (April 25, 1973)

The ayes and noes were demanded and the vote was: ayes, 19; noes, 12; absent or not voting, 2; as follows:

Ayes -- Senators Devitt, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, Lorge, Martin, Parys, Petri, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno and Whittow -- 19.

Noes -- Senators Bablitch, Bidwell, Chilsen, Dorman, Flynn, LaFollette, McKenna, Murphy, Peloquin, Risser, Swan, M. and Thompson -- 12.

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

So the vote by which **Senate Bill 18** passed was reconsidered.

Senator Whittow moved indefinite postponement of **Senate Bill 18**.

The ayes and noes were demanded and the vote was: ayes, 14; noes, 17; absent or not voting, 2; as follows:

Ayes -- Senators Hollander, Johnson, Kasten, Keppler, Knutson, Martin, Parys, Petri, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno and Whittow -- 14.

Noes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Knowles, LaFave, LaFollette, Lorge, McKenna, Murphy, Peloquin, Risser, Swan, M. and Thompson -- 17.

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

So the motion did not prevail.

Senator Devitt moved reconsideration of the vote by which **Senate Bill 18** was ordered to a third reading.

The motion prevailed.

Senate amendment 1 to **Senate Bill 18** offered by Senator Devitt.

Senate amendment 1 to senate amendment 1 to **Senate Bill 18** offered by Senator Whittow.

JOURNAL OF THE SENATE (April 25, 1973)

Senator M. Swan moved rejection.

By request of Senator Chilsen, with unanimous consent, the senate returned to the fourth order of business.

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COMMITTEE REPORTS

The committee on Agriculture and Rural Development reports and recommends:

**Assembly Bill 454**

Relating to the location of animal rendering plants.

Concurrence; Ayes, 4; Noes, 0.

WALTER J. CHILSEN

Chairman

Upon motion of Senator Johnson the senate adjourned until 9:00 A.M. Thursday, April 26.

11:48 A.M.

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INTRODUCTION OF GUESTS

Senator Steinhilber introduced former state Representative John Van Hollen of Chetek, Wisconsin.

Senator Roseleip introduced 150 students and teachers Ms. Mary Odell, Mr. George Venema and Ms. Bev Frehner of Monroe Junior High School, Monroe, Wisconsin.

Senator Kasten introduced 10 students from Nicolet High School with Herr Wikel of Passau, Germany and teacher Ms. Johanssan of Glendale, Wisconsin.

## JOURNAL OF THE SENATE (April 25, 1973)

Senator M. Swan introduced 8 children of North Minister Presbyterian Church, Girl Scout Troop -418 and Mrs. F. Bentley, of Milwaukee, Wisconsin.

Senator LaFollette introduced 50 students and teachers F. Stieber and Ray Oestrich of Bristol Consolidated School, Bristol, Wisconsin.

Senator Bidwell introduced 41 4H Club members, leaders and parents Mrs. Sinnee, Mrs. Bainbridge, Mrs. DeShane, Mrs. Ravey, Mrs. Henndon and Mrs. Horenberger, of Baraboo Valley, Wisconsin.

Senator Roseleip introduced 38 students, Mr. Hoke and Mr. Jentz of Iowa Grant Schools, Rewey and Livingston, Wisconsin.

Senator Knowles introduced foreign exchange students from Wales, British Isles.

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### CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Bill 460**

On page 3, line 16, delete "or his" and substitute "of his".