

JOURNAL OF THE SENATE (April 26, 1973)

STATE OF WISCONSIN

# Senate Journal

Eighty-First Regular Session

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THURSDAY, April 26, 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 Daniel L. Apra, Pastor of Orchard Ridge United Church of Christ, Madison, Wisconsin.

Father, the schedule calls for a pause of a moment or so to invoke Almighty God...and so, as a minister of Jesus Christ I do that.

But for what shall I invoke? If for a blessing, to what end? If for knowledge, why more knowledge when already we know far more to do than we do.

So we pray for guidance...not just in general, but in the specifics of life. For guidance that those in authority, those with power, those who can and do hold the destiny and well being of others in their hands, make decisions for the common good and not for the benefit of the powerful or favored few.

More and more we are knowing that things are not well with our society...in our land. Far too many are training themselves not to feel what is happening to others.

May this not be so with those who inhabit these chambers. Guide them to know that where there is no compassion the people perish.

May the members of this senate train themselves to feel and to know and to care about what is happening to their fellow men.

This we pray as nearly as we can in your spirit of Love. Amen.

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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:

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

Absent -- None.

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

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### INTRODUCTION OF RESOLUTIONS

#### **Senate Joint Resolution 62**

Making an application to the Congress of the United States pursuant to article V of the constitution of the United States, for a convention for proposing an amendment to the constitution of the United States.

By Senator Roseleip.

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

#### **Senate Joint Resolution 63**

Directing the department of natural resources to negotiate with the Indians of this state with respect to purchasing the hunting and fishing rights which they have received from the federal government.

By Senators Theno, LaFave, Keppler, Devitt, Roseleip, Petri, McKenna and Martin, cosponsored by Representatives Kedrowski, Schricker, Oestreicher, Quinn, Wahner, Bradley, Conrad, Everson and Kincaid.

Read and referred to committee on Natural Resources.

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COMMITTEE REPORTS

The committee on Transportation reports and recommends for introduction:

**Senate Bill 513**

Relating to requiring name and birth information on application for motor vehicle operators' license.

Introduction; Ayes, 4; Noes, 0.

Read first time and referred to committee on Transportation.

**Senate Bill 514**

Relating to opening vehicle doors in traffic lanes and providing a penalty.

By request of the Department of Transportation.

Introduction; Ayes, 4; Noes, 0.

Read first time and referred to committee on Transportation.

**Senate Bill 515**

Relating to uniform traffic citations.

By request of the Department of Transportation.

Introduction; Ayes, 4; Noes, 0.

Read first time and referred to committee on Transportation.

**Senate Bill 516**

Relating to motor vehicle odometers, granting rule-making power and providing a penalty.

By request of the Department of Transportation.

Introduction; Ayes, 4; Noes, 0.

Read first time and referred to committee on Transportation.

REUBEN LAFAVE  
Chairman

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The committee on Natural Resources reports and recommends:

**Senate Bill 326**

Relating to the establishment of town sanitary districts in towns over 180 square miles.

Passage; Ayes, 5; Noes, 0.

CLIFFORD W. KRUEGER  
Chairman

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

**Senate Bill 173**

Relating to testing and sealing of weights and measures.

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

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

**Senate Bill 226**

Relating to religious exemption to unionization.

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

Passage as amended; Ayes, 4; Noes, 1.

**Senate Bill 314**

Relating to a maximum limit on the municipal room tax.

Passage; Ayes, 5; Noes, 0.

**Senate Bill 354**

Relating to destruction of canceled bonds and coupons by municipal fiscal or paying agents.

Passage; Ayes, 5; Noes, 0.

EVERETT V. BIDWELL  
Chairman

The committee on Senate Organization reports and recommends:

**Senate Bill 447**

Relating to procedures for obtaining environmental impact statements on legislative measures.

Passage; Ayes, 5; Noes, 0.

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**Senate Joint Resolution 60**

Providing for environmental impact statements on legislative proposals.

Adoption; Ayes, 5; Noes, 0.

**ERNEST C. KEPPLER**  
Chairman

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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:

Motion Under Joint Rule 26:

A Joint Certificate of Congratulations by Representative Everson; cosponsored by Senator McKenna for THE MARSHALL HIGH SCHOOL WOMEN'S GYMNASTICS TEAM on winning the state title;

and

Passed and asks concurrence in:

**Assembly Bill 55**  
**Assembly Bill 148**  
**Assembly Bill 170**  
**Assembly Bill 178**

and

Concurred in:

**Senate Bill 231**  
**Senate Bill 463**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

A Joint Certificate of Congratulations by Representative Everson; cosponsored by Senator McKenna for THE MARSHALL HIGH SCHOOL WOMEN'S GYMNASTICS TEAM on winning the state title;

Read and concurred in.

**Assembly Bill 55**

Relating to terms of circuit and county judges.

By Representatives RUTKOWSKI, JACKAMONIS, WARD and LALLENSACK.

Read first time and referred to committee on Judiciary and Insurance.

**Assembly Bill 148**

Relating to use of school bus flashers in municipalities.

By Representatives DE LONG, JOHNSON, MIELKE and PORTER; co-sponsored by Senators J. SWAN and THOMPSON.

Read first time and referred to committee on Transportation.

**Assembly Bill 170**

Relating to permitting a person who is not an elector of the town to hold the office of town assessor.

By Representatives DUREN, ROBERTS, EARL, BRADLEY, MOHN and GROSHEK.

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

**Assembly Bill 178**

Relating to released time for religious education.

By Representatives AZIM, TOBIASZ, DUREN, LEWISON, HEPHNER, VANDERPERREN, OTTE, GROSHEK, DORFF and KLECZKA; co-sponsored by Senators DEVITT and THENO.

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

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MOTIONS

By request of Senator Hollander, with unanimous consent, **Senate Bill 167** was withdrawn from the joint committee on Finance and referred to the committee on Agriculture and Rural Development.

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CALENDAR OF APRIL 5

**Senate Bill 18**

Relating to a work release plan for prison inmates.

The question was: Adoption of senate amendment 1 to senate amendment 1 to **Senate Bill 18**?

Senator Whittow asked unanimous consent to re-refer **Senate Bill 18** to committee on Health, Education and Welfare.

Senator Murphy objected.

Senator Whittow moved that **Senate Bill 18** be re-referred to the committee on Health, Education and Welfare.

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RULING OF THE CHAIR

As it relates to the point of order raised by Senator Hollander on **Senate Bill 25**. The chair ruled the point of order well taken and that **Senate Bill 25** required a fiscal note and would have to be referred to joint committee on Finance before it could be considered for passage.

President pro tempore in the chair.

9:25 A.M.

Senator Schuele raised the point of order that **Senate Bill 18** required a fiscal note.

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The chair took the point of order under advisement.

By request of Senator Hollander, with unanimous consent, **Senate Bill 36** was taken from the calendar and referred to joint committee on Finance.

**Senate Bill 256**

Relating to eligibility for aid to the totally and permanently disabled and review by county medical panels.

Read a second time.

The question was: Adoption of senate amendment 1 to **Senate Bill 256**?

So the amendment was adopted.

Ordered to a third reading.

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

**Senate Bill 256**

Read a third time.

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

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, LaFollette, Lorge, Murphy, Parys, Petri, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno, Thompson and Whittow -- 26.

Noes -- Senators McKenna, Peloquin, Risser and Swan, M. -- 4.

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

So the bill passed.

**Senate Bill 268**

Permitting girls to be employed in street trades.

Read a second time.



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Ordered to a third reading.

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

### Senate Bill 268

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 21; noes, 9; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Bidwell, Devitt, Dorman, Flynn, Frank, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, LaFollette, Lorge, McKenna, Peloquin, Petri, Risser, Steinhilber, Theno and Thompson -- 21.

Noes -- Senators Chilsen, Hollander, Murphy, Parys, Roseleip, Schuele, Swan, J.D., Swan, M. and Whittow -- 9.

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

So the bill passed.

### Senate Joint Resolution 17

To amend article IV, section 24 of the constitution relating to raffle games (1st consideration).

Read a second time.

The question was: Rejection?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 11; absent or not voting, 3; as follows:

Ayes -- Senators Bidwell, Dorman, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, Lorge, McKenna, Peloquin, Petri, Risser, Steinhilber, Swan, J.D., Thompson and Whittow -- 19.

Noes -- Senators Bablitch, Chilsen, Devitt, Flynn, LaFollette, Murphy, Parys, Roseleip, Schuele, Swan, M. and Theno -- 11.

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

So the joint resolution was rejected.

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Senator Keppler moved reconsideration of the vote by which **Senate Joint Resolution 17** was rejected and asked unanimous consent that the motion for reconsideration be laid on the table.

Senator Risser objected.

Senator Keppler moved that the motion for reconsideration be laid on the table.

The motion prevailed.

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### CALENDAR OF APRIL 6

#### **Senate Bill 13**

Relating to recessing the annual sessions of the legislature no later than July 31.

Read a second time.

The question was: Indefinite postponement?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 8; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Keppler, Knowles, LaFollette, Lorge, McKenna, Parys, Peloquin, Risser, Roseleip, Schuele, Swan, M., Theno, Thompson and Whittow -- 21.

Noes -- Senators Bidwell, Johnson, Kasten, Knutson, Murphy, Petri, Steinhilber and Swan, J.D. -- 8.

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

So the bill was indefinitely postponed.

Vice-president of the senate in the chair.

10:05 A.M.

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### **Senate Bill 166**

Relating to legislative scholarships.  
Read a second time.

By request of Senator Hollander, with unanimous consent, the bill was referred to joint committee on Finance.

### **Assembly Bill 394**

Relating to organizing a newly elected legislature.  
Read a second time.  
Ordered to a third reading.

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

### **Assembly Bill 394**

Read a third time and concurred in.

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## CALENDAR OF APRIL 10

### **Senate Joint Resolution 15**

To amend article IV, section 26 of the constitution, relating to retirement benefits of public officers and employes (2nd consideration).

The question was: Concurrence in assembly amendment 1?

So assembly amendment 1 was concurred in.

### **Senate Bill 20**

Relating to humane officers.

The question was: Concurrence in assembly amendment 1?

So assembly amendment 1 was not concurred in.

### **Senate Resolution 10**

Relating to commending President Nixon for concluding the conflict in Vietnam.

Read a second time.

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By request of Senator Roseleip, with unanimous consent, the bill was withdrawn and returned to the author.

### **Senate Bill 227**

Relating to Wisconsin state reformatory.  
Read a second time.

Senator Whittow asked unanimous consent, that **Senate Bill 227** be referred to committee on Health, Education and Welfare.

Senator Petri objected.

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### LEAVE OF ABSENCE

By request of Senator Roseleip, with unanimous consent, he was granted a leave of absence until 11:00 A.M..

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

Senator LaFollette moved indefinite postponement of **Senate Bill 227**.

Senator Risser raised the point of order that **Senate Bill 227** required a fiscal note.

The chair ruled the point of order not well taken.

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

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### MOTIONS

By request of Senator Johnson, with unanimous consent, all actions were 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, Air Force Captain Frederic Flom of Appleton was released from North Vietnamese captivity after more than 6-1/2 years on March 4; and**

**Whereas, Captain Flom demonstrated tremendous endurance and dedication in suffering severe mistreatment while in captivity; and**

**Whereas, he has made great sacrifices during this long ordeal; and**

**Whereas, we are fortunate to have men of his caliber serving our country in time of conflict; and**

**Whereas, the people of Wisconsin are thankful to him for his service and are proud and honored to have him back home again; now, therefore, the Members of the Wisconsin Legislature, on the motion of Senator Lorge and Representatives Roth and Conradt, under Joint Rule 26, commend Frederic Flom and his wife, Virginia, for their patience and courage during this trying experience and send their warmest greeting to the family at this time of happy reunion.**

**Read and adopted.**

**President of the senate in the chair.**

**11:35 A.M.**

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**LEAVE OF ABSENCE**

**By request of Senator Keppler, with unanimous consent, he was granted a leave of absence for Thursday, May 10 at 10:30 A.M.**

**By request of Senator Risser, with unanimous consent, Senator Kendzierski was granted a leave of absence for the month of May.**

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AMENDMENTS OFFERED

Senate amendment 2 to **Senate Bill 108** by Senator Hollander.

Senate amendment 1 to **Senate Bill 119** by Senators Frank and Devitt.

Senate amendment 1 to **Senate Bill 291** by Senator Roseleip.

Senate amendment 1 to **Senate Bill 134** by Senators Parys, Steinhilber, Knutson, McKenna, M. Swan and Peloquin.

Senate amendment 2 to **Senate Bill 134** by Senators Parys, Steinhilber, Knutson, McKenna, M. Swan and Peloquin.

Senate amendment 3 to **Senate Bill 134** by Senators Parys, Steinhilber, Knutson, McKenna, M. Swan and Peloquin.

Senate amendment 4 to **Senate Bill 134** by Senators Parys, Steinhilber, Knutson, McKenna, M. Swan and Peloquin.

Senate amendment 5 to **Senate Bill 134** by Senators Parys, Steinhilber, Knutson, McKenna, M. Swan and Peloquin.

Senate substitute amendment 1 to **Senate Bill 134** by Senators Parys, McKenna, M. Swan and Peloquin.

Upon motion of Senator Johnson the senate adjourned until 9:00 A.M. Friday, April 27.

11:37 A.M.

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INTRODUCTION OF GUESTS

Senator Kasten introduced Mr. Caucutt of Maple Dale School of Fox Point, Wisconsin.

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Senator Flynn introduced Mr. and Mrs. Anthony Basso, his mother and father-in-law from Libertyville, Illinois.

Senator Murphy introduced Mrs. Richard Bayerline and the Elmbrook Women's Republican Club of Brookfield and Elm Grove, Wisconsin.

Senator Roseleip introduced 59 students and teachers, Mrs. Leighty and Mrs. Morgan of Iowa-Grant School, Livingston and Cobb, Wisconsin.

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### CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Joint Resolution 61**

On page 1, line 2, substitute "properly" for "property".

**Senate Bill 503**

On page 3, line 1, substitute "from" for "form".

**Assembly amendment 3 to Assembly Bill 252**

On page 2, substitute "finding" for "funding".