

JOURNAL OF THE SENATE (May 31, 1973)

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

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THURSDAY, May 31, 1973.

10:00 A.M.

The senate met.

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

Prayer was offered by Father Austin J. Henry, Pastor of Holy Redeemer Catholic Church of Madison.

Almighty God, Father of us all, hear our prayer. We fallible mortals recognize in Your Divine Person the Supreme Legislator, the Supreme Executive, the Supreme Judge. Our humble Founding Fathers recognizing their limitations placed Your Name on the coins of the realm "In God we trust". In a hundred thousand schools scattered across the 50 sovereign states of this great nation, this very day, millions of children will lisp Your great Name as they salute the national colors and proudly claim citizenship: "one nation, under God, indivisible". Who among us can hazard a guess as to the number of times loyal Americans, today, will pay you tribute as they sing out "God bless America" or again pray to you in the words "America, America - God shed His grace on Thee".

Following Your Divine Guidance and adhering to Your laws we have become the great republic of the West. Our constitution, our bodies politic, our economy, our very culture is the envy of the world.

This Senate body of the State of Wisconsin has inherited this great theistic tradition, Almighty God. This Senate, Almighty God is now making tradition for future generations. We beg You from Your font of infinite wisdom, guidance for these senators today and every day they convene in this august body or in committee rooms.

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Almighty God, we pray You, quicken the intellects of these senators so that in every moment of their incumbancy they will realize that they hold in their hands the destinies, the hopes, the happiness, the health, the aspirations of every man, woman, and child in this beloved state. May this Senate so conduct itself that future generations may say of them as we say of our Founding Fathers, "God must have been in their midst when they framed the constitution." Give to each senator here today good health and strength to fulfill, to the best of his ability, his awesome, tremendous task of legislating for us. Amen.

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.

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

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

Absent -- Senator Devitt -- 1.

Absent with leave -- Senators Bablitch, Bidwell and Kendziorski -- 3.

Vice-president of the senate in the chair.

10:10 A.M.

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### BILLS INTRODUCED

Read first time and referred:

#### Senate Bill 606

Relating to intergovernmental cooperation agreements.

By Senators Steinhilber and McKenna, by request of League of Wisconsin Municipalities.

To committee on Governmental and Veterans' Affairs.

#### Senate Bill 607

Relating to publishing of names of witnesses.

By Senator Murphy.

To committee on Judiciary and Insurance.

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### **Senate Bill 608**

Relating to disbursements incurred in foreclosing tax delinquent lands.

By Senator Murphy.

To committee on Urban Affairs.

### **Senate Bill 609**

Relating to expanding the powers of the joint committee for review of administrative rules and increasing its membership.

By Senators Whittow and Steinhilber, cosponsored by Representatives Thompson and Grover, by request of Legislative Council.

To committee on Senate Organization.

### **Senate Bill 610**

Relating to control of swamp fever and providing a penalty.

By Senators Murphy, Krueger, McKenna and Hollander, cosponsored by Representative Kincaid.

To committee on Agriculture and Rural Development.

### **Senate Bill 611**

Relating to swing or lift bridge allotments for cities of the 1st, 2nd and 3rd class.

By Senators Frank, Parys and Schuele.

To committee on Transportation.

### **Senate Bill 612**

Relating to occupational license fees chargeable by cities of the 1st class.

By Senators Frank, Parys and Schuele, by request of the City of Milwaukee.

To committee on Governmental and Veterans' Affairs.

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## COMMITTEE REPORTS

### REPORT OF JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

#### Appendix to Senate Bill 512

#### Recommendation

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Recognizing the need of the legislature to have some analytical basis on which to judge the merit of this bill the Joint Survey Committee on Retirement Systems has prepared this detailed report. The fact remains, however, that the payments proposed by this bill are not retirement or pension payments, nor do they affect any public employee retirement fund or system. The Committee, therefore, makes no recommendation as none is required by law.

Respectfully submitted,  
JOINT SURVEY COMMIT-  
TEE ON RETIREMENT  
SYSTEMS

REUBEN LAFAVE  
Chairman  
ALVIN BALDUS  
Vice-Chairman

Read and referred to the joint committee on Finance.

### Appendix to Senate Bill 552

#### Recommendation

It is the opinion of this committee that it would not be in the best public interest to further fragment the coverage provisions of the Wisconsin Retirement Fund, and that this bill should therefore not be enacted.

Respectfully submitted,  
JOINT SURVEY COMMIT-  
TEE ON RETIREMENT  
SYSTEMS

REUBEN LAFAVE  
Chairman  
ALVIN BALDUS  
Vice-Chairman

Read and referred to the joint committee on Finance.

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

### **Assembly Bill 663**

Relating to population estimating by the department of administration.

Concurrence; Ayes, 5; Noes, 0.

**GORDON W. ROSELEIP**

Chairman

By request of Senator Risser, with unanimous consent, **Assembly Bill 663** was laid on the table.

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## PETITIONS AND COMMUNICATIONS

### **Senate Petition 97**

A petition by the Rock Co. Farm Bureau Board of Directors and Legislative Committee urge support of Senate Bill 167.

By Senator Roseleip.

Read and referred to the joint committee on Finance.

### **Senate Petition 98**

A petition signed by 125 citizens of Wisconsin to preserve the Wisconsin segregated highway fund in its present form.

By Senator Whittow.

Read and referred to the committee on Transportation.

### **Senate Petition 99**

A petition signed by 80 citizens of Wisconsin in opposition to Senate Bill 442.

By Senator Whittow.

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

### **Senate Petition 100**

A petition by Vietnam Era Veterans who are appalled at the token veterans' educational assistance proposal, which the Joint Finance Committee of the Wisconsin Legislature has added to the budget bill. They support the equitable and comprehensive concept of veterans' educational assistance as embodied in Assembly Bill 146 and Senate Bill 108.

By Senator Roseleip.

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

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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:

**Motions Under Joint Rule 26:**

**A Joint Certificate of Commendation and Congratulations by Representative Earl; cosponsored by Senator Chilsen for REVEREND ANTHONY W. FISCHER on his retirement;**

**A Joint Certificate of Commendation by Representative Schneider; cosponsored by Senator Johnson for DON RUCKS AND DAVID BEAN on the organization of the Biron Lake Improvement Committee.**

**Assembly Joint Resolution 76**

and

Passed and asks concurrence in:

**Assembly Bill 15**

**Assembly Bill 703**

**Assembly Bill 745**

**Assembly Bill 751**

and

Adhered to its position on assembly amendment 1 to **Senate Bill 20.**

President of the senate in the chair.

10:20 A.M.

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### MESSAGE FROM THE ASSEMBLY CONSIDERED

#### Motions under Joint Rule 26:

A Joint Certificate of Commendation and Congratulations by Representative Earl, cosponsored by Senator Chilsen for REVEREND ANTHONY W. FISCHER on his retirement; and

A Joint Certificate of Commendation by Representative Schneider, cosponsored by Senator Johnson for DON RUCKS AND DAVID BEAN on the organization of the Biron Lake Improvement Committee.

The above motions under Joint Rule 26 were read and concurred in en masse.

#### Assembly Joint Resolution 76

Memorializing congress to prevent a further increase in cheese imports.

By Representatives BALDUS, EARL, MOHN, DUREN, DUEHOLM, OBERLE, OESTREICHER, SWEDA, O'MALLEY and DAY.

Read and referred to the committee on Agriculture and Rural Development.

#### Assembly Bill 15

Relating to educational objectives, special courses and instruction and textbook requirements in the Milwaukee school system.

By LEGISLATIVE COUNCIL.

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

#### Assembly Bill 703

Relating to eligibility of a wife for aid to families with dependent children when the husband is incarcerated pending or subsequent to a trial or sentencing.

By COMMITTEE ON HEALTH AND SOCIAL SERVICES, by request of the Department of Health and Social Services.

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

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**Assembly Bill 745**

Relating to child labor permits for agricultural work.

By Representatives SWOBODA, WILCOX, OBERLE, DAY, SCHRICKER, BRADLEY, CONRADT, SCHROEDER, VANDERPERREN, O'MALLEY and MOHN.

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

**Assembly Bill 751**

Relating to placement of children in foster homes.

By Representatives CZERWINSKI, SHABAZ, TROPMAN, BERGER, EARL, OTTE, BARCZAK, NIEBLER, GIESE and MERKEL; co-sponsored by Senators DEVITT and CHILSEN.

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

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MOTIONS

By request of Senator Parys, with unanimous consent, **Senate Joint Resolution 12** was withdrawn from the committee on Industry, Labor, Taxation and Banking and referred to the Joint Survey Committee on Tax Exemptions.

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MOTIONS UNDER JOINT RULE 26

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

Know you by these presents:

Whereas, Sheboygan Bratwurst Day was held at Burrows Park, Madison, on Wednesday, May 30, 1973; and

Whereas, the event was sponsored by Ernest C. Keppler of the 20th Senatorial District, Representative Carl Otte of the 58th Assembly District, and Representative Bill Bruhy of the 59th Assembly District; and

Whereas, much effort in planning and working on the event was contributed by Richard Suscha, Mayor of Sheboygan, and the Firemen of Sheboygan, and numerous other persons; now, therefore, The Members of the Wisconsin Legislature, on the motion of the entire membership of the Senate and Representatives Anderson and Shabaz, under Joint Rule 26, do wish to commend and thank the City of Sheboygan and all those persons involved for



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making Sheboygan Bratwurst Day a most enjoyable May 30th, 1973, for the Legislators and staff members working at the Wisconsin State Capitol in Madison.

Read and adopted.

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

Know you by these presents:

Whereas, the North Hampton Rugby Football Club of Northhampton, England, United Kingdom, conducted by Mr. Don F. White, the tour manager, accompanied by R. Leslie, Honorary Secretary, Scottish Trials, and the touring committee members, Messrs. J. B. Deeks, G. R. Allen, G. Adkins, C. R. Jacobs, coached by B. White and captained by M J. Roper, will be visiting the State of Wisconsin and the State Senate and Assembly on Thursday, May 31st; and

Whereas, the Northhampton Rugby Football Club will be participating in a match with a combined Wisconsin-Minnesota rugby side in Madison on Thursday, May 31st.; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senators Risser and McKenna and Representatives Anderson, Miller, Munts and Nager, under Joint Rule 26, do hereby welcome the Northhampton Rugby Football Club to the state of Wisconsin and to the city of Madison in hopes that their stay here is enjoyable and that their competition on the pitch be keen.

Read and adopted.

By request of Senator Knowles, with unanimous consent, **Senate Resoution 21** was taken from the table and considered for action at this time.

### **Senate Resolution 21**

Directing the senate chief clerk to procure an electronic voting machine.

Read.

Senate amendment 1 to **Senate Resolution 21** offered by Senator Knowles.

On page 1, line 16, after the word "clerk", insert "with the approval of the Senate Organization committee."

By request of Senator Knutson, with unanimous consent, the senate recessed until 11:40 A.M.

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10:30 A.M.

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RECESS

11:40 A.M.

The senate reconvened.

Vice-president of the senate in the chair.

By request of Senator Johnson, with unanimous consent, **Assembly Bill 663** was made a special order of business at 11: 41 A.M.

Senator Johnson asked unanimous consent that **Senate Bill 548** be made a special order of business at 11:42 A.M.

Senator Parys objected.

Senator Johnson moved that **Senate Bill 548** be made a special order of business at 11:42 A.M.

The ayes and noes were demanded and the vote was: ayes, 28; noes, 2; absent or not voting, 3; as follows:

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

Noes -- Senators LaFollette and Parys -- 2.

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

So the motion prevailed.

By request of Senator Johnson, with unanimous consent, **Senate Resolution 21** was made a special order of business at 11:43 A.M.

Senator Johnson called the chair's attention to **Assembly Bill 663** which was a special order of business.

**Assembly Bill 663**

Relating to population estimating by the department of administration.

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.

### **Assembly Bill 663**

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 31.

Noes -- None.

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

So the bill was concurred in.

Senator Johnson called the chair's attention to **Senate Bill 548** which was a special order of business.

### **Senate Bill 548**

An act to authorize the town of Merrimac, in Sauk County, to hold a special referendum election on the sale of beer.

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 548**

Read a third time and passed.

By request of Senator Johnson, with unanimous consent, all actions were ordered immediately messaged.

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

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COMMITTEE REPORTS

The committee on Judiciary and Insurance reports and recommends:

**Senate Bill 520**

Relating to a no fault insurance plan for compensating victims of auto accidents, granting rule-making power and providing a penalty.

Adoption of senate substitute amendment 1; Ayes, 3; Noes, 2.

Passage as amended; Ayes, 3; Noes, 2.

GERALD D. LORGE  
Chairman

The joint committee on Finance reports and recommends:

**Senate Bill 185**

Relating to recodification of the laws pertaining to special education of children with exceptional educational needs, authorizing payment of state aids, granting rule-making authority and increasing an appropriation.

Adoption of senate substitute amendment 2; Ayes, 12; Noes, 0.

Emergency statement recommended; Ayes, 10; Noes, 2.

Passage as amended with emergency statement; Ayes, 10; Noes, 2.

WALTER G. HOLLANDER  
Chairman

The committee on Transportation reports and recommends for introduction:

**Senate Joint Resolution 69**

Relating to authority granted the highway commission of the department of transportation to issue permits under section 348.27 (6) of the statutes.

Introduction; Ayes, 3; Noes, 1.

Read and referred to the committee on Transportation.

REUBEN LAFAVE  
Chairman

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### AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 168** by Senators Petri and Parys.

Senate substitute amendment 3 to **Senate Bill 217** by Senator LaFollette.

Senate amendment 1 to **Senate Bill 280** by Senator McKenna.

Senate substitute amendment 2 to **Senate Bill 410** by Senators Frank, Parys and Schuele.

Senate amendment 1 to **Senate Bill 512** by Senator Keppler.

Senate substitute amendment 1 to **Senate Joint Resolution 45** by Senator Roseleip.

By request of Senator J. Swan, with unanimous consent, the senate adjourned in honor of a mother of four children upon the occasion of her graduation from the New London High School this Friday. Mrs. Gerald (Tina) Lorge was a third year student at Waunakee High School when she chose to interrupt her schooling and become the wife of a rising young politician, now Senator Lorge, of Bear Creek.

We commend her industry, and tenacity in her thirst for knowledge--which is culminating now in the award of her diploma in the proud enlightenment of maturity.

Upon motion of Senator Johnson the senate adjourned until 9:00 A.M. Friday, June 1.

12:25 A.M.

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### INTRODUCTION OF GUESTS

Senator Knowles introduced Dr. Edward Steichen, from the House of Representatives of Kansas.

Senator Knutson introduced Tomas Santos, Commandant, Marine Corps League, Department of Wisconsin and Donald Janeiro, Senior Vice-Commandant, LaCrosse Detachment, Marine Corps League, LaCrosse, Wisconsin.