

JOURNAL OF THE SENATE (July 17, 1973)

STATE OF WISCONSIN

# Senate Journal

Eighty-First Regular Session

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TUESDAY, July 17, 1973.

10:00 A.M.

The senate met.

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

Prayer was offered by Reverend Doug Maynard, Pastor of Evangel Temple, The Friendly Church, Madison.

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 Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kepler, 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 -- None.

Absent with leave -- Senators Bablitch, Kasten, Kendziorski and Knowles -- 4.

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## INTRODUCTION OF RESOLUTIONS

### Senate Joint Resolution 75

Granting the use of the legislative chambers on November 2 and 3, 1973, to the 1973 Model Legislature of the Young Republicans and Young Democrats.

By Senators Risser and Johnson.

Read.

By request of Senator Risser, with unanimous consent, the joint resolution was considered for action at this time.

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Adopted.

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BILLS INTRODUCED

Read first time and referred:

**Senate Bill 692**

Relating to liability of state or political subdivisions in actions against officers or employees.

By Senators Chilsen and Krueger, by request of the League of Wisconsin Municipalities.

To committee on Judiciary and Insurance.

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COMMITTEE REPORTS

The joint committee on Employment Relations reports and recommends for introduction:

**Senate Bill 693**

An act to ratify the agreement negotiated between the State of Wisconsin and the (professional legal) Wisconsin State Attorneys Association and authorizing an expenditure of funds.

Introduction; Ayes, 6; Noes, 1.

Read first time.

WALTER J. HOLLANDER

Chairman

By request of Senator Hollander, with unanimous consent, Senate Bill 693 was laid on the table.

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PETITIONS AND COMMUNICATIONS

**Senate Petition 132**

A petition in the form of a resolution adopted by the Kenosha Common Council "Urging Gasless Day in Wisconsin and Continued Investigation into the Energy Crisis".

By Senator LaFollette.

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

**Senate Petition 133**

A petition by 87 citizens of the state of Wisconsin opposing any diversion of the segregated highway fund for nonhighway purposes.

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By Senator Murphy.

Read and referred to committee on Transportation.

**Senate Petition 134**

A petition by 42 citizens of Wisconsin opposing any diversion of the segregated highway fund for nonhighway purposes. Also opposing substituting a transportation fund for the present highway fund.

By Senator Murphy.

Read and referred to committee on Transportation.

**Senate Petition 135**

A petition by 42 citizens of Wisconsin strongly opposing any action whereby truck and trailer rigs longer than the present limit of 55 feet would be permitted on the streets and highways of Wisconsin under any circumstances, temporary or permanent.

By Senator Murphy.

Read and referred to committee on Transportation.

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**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

July 16, 1973.

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Chapter No.	Date Approved
223-----	66 -----	July 16, 1973.

Sincerely,  
**PATRICK J. LUCEY**  
Governor

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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 Passed and asks concurrence in:

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**Assembly Bill 525**  
**Assembly Bill 878**  
**Assembly Bill 938**  
**Assembly Bill 1209**

and

Concurred in:

**Senate Bill 26**

and

Concurred in as amended:

**Senate Bill 185**  
(Assembly amendment 12 adopted)  
(Assembly amendment 18 adopted)

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 525**

Relating to the fee charged and length of time for processing applications by the commissioner of banking leading to issuance of certificate of authority to commence the business of banking.

By COMMITTEE ON INSURANCE AND BANKING, by request of the Commissioner of Banking.

Read first time.

By request of Senator Bidwell, with unanimous consent, **Assembly Bill 525** was laid on the table.

**Assembly Bill 878**

Relating to construction of accident and sickness insurance policies.

By Representatives GROVER, ANDERSON and THOMPSON.

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

**Assembly Bill 938**

Relating to authority to prohibit U-turns.

By Representative BEHNKE, by request of the Department of Transportation.

Read first time and referred to committee on Transportation.

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**Assembly Bill 1209**

An act to ratify the agreement negotiated between the State of Wisconsin and the (professional legal) Wisconsin State Attorneys Association and authorizing an expenditure of funds.

By JOINT COMMITTEE ON EMPLOYMENT RELATIONS.

Read first time.

By request of Senator Risser, with unanimous consent, **Assembly Bill 1209** was laid on the table.

**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.

By request of Senator Johnson, with unanimous consent, **Senate Bill 185** was laid on the table.

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**MOTION UNDER JOINT RULE 26**

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

Know you by these presents:

Whereas, Donald R. Flanders of Fond du Lac, Wisconsin has been a County Employee of Fond du Lac County for more than 17 years; has served as a bookkeeper, County Auditor, and Executive Secretary of the National Association of Counties; has been a past president of the Fond du Lac Jaycees; has been Exalted Ruler of Elks Lodge -57, and Secretary of County Industrial Development Corporation since it was fomred; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Hollander and Representative McEssy, under Joint Rule 26, does hereby most sincerely congratulate Donald R. Flanders upon the occasion of his being appointed by the County Board to the position of being the first County Administrator of Fond du Lac County.

Read and adopted.

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SPECIAL ORDERS

**Assembly Bill 300**

Relating to state finances and appropriations constituting the executive budget bill of the 1973 legislature, and making appropriations.

The question was: Adoption of the Conference Committee Report?

Senator J. D. Swan moved rejection.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 10; absent or not voting, 0; paired, 6; as follows:

Ayes -- Senators Bidwell, Devitt, Flynn, Keppler, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Roseleip and Swan, M. -- 17.

Noes -- Senators Chilsen, Dorman, Frank, Hollander, Johnson, Risser, Schuele, Theno, Thompson and Whittow -- 10.

Absent or not voting -- None.

Paired for rejection -- Senators Kasten, Steinhilber and Swan, J. D. -- 3.

Paired against rejection -- Senators Bablitch, Kenziorski and Knowles -- 3.

So the motion prevailed.

Senator LaFave moved reconsideration of the vote by which the Conference Committee Report on Assembly Bill 300 was rejected.

Senator Dorman in the chair.

11:10 A.M.

By request of Senator Johnson, with unanimous consent, the senate recessed until 2:00 P.M.

12:00 Noon

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RECESS

2:00 P.M.

The senate reconvened.

President of the senate in the chair.

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By request of Senator Risser, with unanimous consent, **Assembly Joint Resolution 75** was ordered immediately messaged.

Senator Dorman in the chair.

3:20 P.M.

Senator Risser 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 Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Johnson, Keppler, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 28.

Absent -- Senator Hollander -- 1.

Absent with leave -- Senators Bablitch, Kasten, Kendziorski and Knowles -- 4.

Senator Parys asked unanimous consent that Senator Hollander be granted a leave of absence.

Senator Risser objected.

President of the senate in the chair.

3:30 P.M.

Senator Hollander entered the chamber.

Senator Hollander in the chair.

4:00 P.M.

President of the senate in the chair.

4:40 P.M.

Senator Krueger moved that the senate adjourn until 10:00 A.M. Wednesday, July 18.

The ayes and noes were demanded and the vote was: ayes, 5; noes, 24; absent or not voting, 4; as follows:

Ayes -- Senators Krueger, LaFave, LaFollette, Lorge and Martin -- 5.

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Noes -- Senators Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Keppler, Knutson, McKenna, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 24.

Absent or not voting -- Senators Bablitch, Kasten, Kendziorski and Knowles -- 4.

So the motion did not prevail.

By request of Senator Schuele, with unanimous consent, the senate recessed until 5:45 P.M.

4:45 P.M.

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### RECESS

5:45 P.M.

The senate reconvened.

Upon motion of Senator Johnson the senate adjourned until 10:00 A.M. Wednesday, July 18.

5:46 P.M.

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### INTRODUCTION OF GUESTS

Senator J. D. Swan introduced Mrs. Harold Lundahl of Beloit, Wisconsin.

Senator Hollander introduced Mr. and Mrs. LeRoy Wickman of Waupun and Mrs. Verna Panzer of Brownsville, Wisconsin.

Senator J. D. Swan introduced Mr. David Quckel of Lake Geneva, Wisconsin.

Senator J. D. Swan introduced Mr. Lillian Shufelt, President of the Rock County Women's Club of Beloit, Wisconsin.

Senator Chilsen introduced Mr. and Mrs. Donald Schoenhofen and children Jim, Rick and Rhonda of Shawano, Wisconsin.



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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate substitute amendment 1 (report of Committee on Conference) to **Assembly Bill 300**

1. On page 4, in the treatment of section 11.08 (3) (c) of the statutes, substitute "rebut" for "rebutt".
2. On page 6, in the treatment of section 11.09 (1) of the statutes, after "honorariums", delete the comma.
3. On page 15, in the treatment of section 16.87 of the statutes, after "assistant,", delete "and" and substitute therefore "and the".
4. On page 64, in the treatment of section 20.395 (7) (u) of the statutes, after "transportation", insert "aids".
5. On page 87, in the treatment of section 39.32 (7) of the statutes, substitute "write off" for "write-off".
6. On page 97, in the treatment of section 49.19 (11) (b) of the statutes, substitute "granted" for "grated".
7. On page 99, in the treatment of section 49.45 (6m) (e) of the statutes, delete the line beginning with "individuals" and ending with "nursing".
8. On page 101, in the treatment of section 49.52 (3) (b) of the statutes, substitute "pro rata" for "pro rate".
9. On page 103, in the treatment of section 50.04 (6) of the statutes, delete "the bill" and substitute therefore "this act (1973)".
10. On page 122, in the treatment of section 70.99 (10) of the statutes, after "taxation", substitute "county" for "county".
11. On page 133, in the treatment of section 72.12 (4) (c) 2.a of the statutes, substitute "state of Wisconsin" for "State of Wisconsin".
12. On page 133, in the treatment of section 72.18 (1) of the statutes, after "1.25%", insert a scored semicolon.
13. On page 138, in the treatment of section 77.54 (20) (c) 5 of the statutes, delete ", effective with the meals, food, food products or beverages".
14. On page 142, in the treatment of section 79.21 (intro.) of the statutes, substitute "20.855 (2) (c)" for "20.885 (2) (c)".
15. On page 144, in the treatment of section 93.24 (8) of the statutes, substitute "park" for "parks".

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16. On page 146, in the treatment of section 115.53 (1) of the statutes, after "required", insert a scored comma.

17. On page 150, in the treatment of section 121.15 of the statutes, substitute "(q) (r)" for "(r)".

18. On page 159, in the treatment of section 450.02 (2) (r) of the statutes, after "state.", delete "15.73".

19. On page 161, in the treatment of section 895.42 (1) and (2) of the statutes, strike through "or his".

20. On page 161, in the treatment of section 895.42 (2) of the statutes, strike through "or he".