

JOURNAL OF THE SENATE (July 18, 1973)

STATE OF WISCONSIN
Senate Journal
Eighty-First Regular Session

WEDNESDAY, July 18, 1973.

10:00 A.M.

. The senate met.

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

Prayer was offered by Roger Utnehmer, former student of Sacred Heart Seminary, now administrative secretary to Senator Lorge.

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, 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 -- 29.

Absent -- None.

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution 26

Granting the use of the senate chambers to the Wonderful Wisconsin Foundation on September 18, 1973.

Resolved by the senate, That the use of the senate chambers is granted to the Wonderful Wisconsin Foundation on Tuesday, September 18, 1973, from 9 a.m. until 6 p.m. for the purpose of

JOURNAL OF THE SENATE (July 18, 1973)

holding a congress of its affiliates at the occasion of Public Service Day which is being observed as part of Wonderful Wisconsin Week.

By Senators Risser and Johnson.

Read.

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

Adopted.

Senate Joint Resolution 76

Granting the use of the legislative chambers to the Wisconsin Jaycees for the purpose of holding a model legislative session.

By Senators Johnson and Risser.

Read.

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

Adopted.

Ordered immediately messaged.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 694

Relating to requiring lighted headlamps on all vehicles at all times.

By Senators Flynn, Chilsen and Knowles, cosponsored by Representative Schneider, by request of Mr. Steven Vincent.

To committee on Transportation.

Senate Bill 695

Relating to mandatory automobile, motorcycle and small motor truck inspection, increasing automobile, motorcycle and small motor truck registration fees, granting rule-making authority, and providing penalties.

By Senators Flynn, Bablitch and Dorman, cosponsored by Representatives Sanasarian, Flintrop and Rooney.

To committee on Transportation.

Senate Bill 696

Relating to discrimination in leasing motor vehicles and providing a penalty.

JOURNAL OF THE SENATE (July 18, 1973)

By Senators Flynn, Johnson, Roseleip and Petri, cosponsored by Representative Wahner.

To committee on Transportation.

Senate Bill 697

Relating to providing a penalty for violation of a department of natural resources rule relating to air pollution control devices installed on motor vehicles or internal combustion engines.

By Senators Flynn, Keppler, McKenna, Bablitch, Frank and Dorman, cosponsored by Representative Sanasarian.

To committee on Natural Resources.

Senator LaFave asked unanimous consent that **Senate Bill 697** be taken from the committee on Natural Resources and referred to committee on Transportation.

Senator Flynn objected.

Senator LaFave moved that **Senate Bill 697** be taken from the committee on Natural Resources and referred to committee on Transportation.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 10; absent or not voting, 4; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Keppler, Knutson, Krueger, LaFave, LaFollette, Lorge, Martin, Murphy, Parys, Petri, Schuele, Steinhilber, Swan, J.D. and Theno -- 19.

Noes -- Senators Dorman, Flynn, Frank, McKenna, Peloquin, Risser, Roseleip, Swan, M., Thompson and Whittow -- 10.

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

So the motion prevailed.

Senate Bill 698

Relating to uniform regulation of corporations, associations, partnerships and business trusts acting in fiduciary capacities.

By Senators Petri and Krueger, by request of the Commissioner of Banking, Commissioner of Securities, Commissioner of Savings and Loan, Commissioner of Insurance, and Commissioner of Credit Unions.

To committee on Industry, Labor, Taxation and Banking.

JOURNAL OF THE SENATE (July 18, 1973)

LEAVE OF ABSENCE

By request of Senator Johnson, with unanimous consent, he was granted a leave of absence at 4:30 P.M. for the balance of the day's session.

COMMITTEE REPORTS

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

Assembly Bill 798

Relating to validation of village debts and contracts incurred for public works and to authorizing a city, village or county to pay for certain benefits and improvements furnished them.

Concurrence; Ayes, 5; Noes, 0.

GORDON W. ROSELEIP

Chairman

By request of Senator Roseleip, with unanimous consent, **Assembly Bill 798** was laid on the table.

The committee on Judiciary and Insurance reports and recommends:

Assembly Bill 147

Relating to appointment of court commissioners in populous counties.

Concurrence; Ayes, 4; Noes, 0.

GERALD D. LORGE

Chairman

The committee on Transportation reports and recommends:

Senate Bill 327

Relating to exemption of vehicles hauling pole-length forest products from length limitation.

Adoption of senate substitute amendment 2; Ayes, 4; Noes, 0.

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

JOURNAL OF THE SENATE (July 18, 1973)

Senate Bill 260

Relating to minimizing use of salt on highways.

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

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

REUBEN LAFAVE

Chairman

The committee on Agriculture and Rural Development reports and recommends:

Senate Bill 17

Relating to recodification of laws pertaining to stray animals.

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

Adoption of senate amendment 2; Ayes, 5; Noes, 0.

Adoption of senate amendment 3; Ayes, 5; Noes, 0.

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

Senate Bill 21

Relating to animal welfare, regulation of pet shops, kennels, animal pounds and shelters, research facilities and dealers, granting rule-making power and providing penalties.

Rejection of senate amendment 1; Ayes, 4; Noes, 1.

Rejection of senate amendment 2; Ayes, 4; Noes, 1.

Passage; Ayes, 4; Noes, 1.

Senate Bill 22

Relating to transportation of animals and providing for adoption of rules.

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

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

Senate Bill 660

Relating to creating a potato industry board and a potato industry act, granting rule-making authority, making and appropriation and providing for enforcement.

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

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

Assembly Bill 622

Relating to brucellosis testing of cattle and identification of reactors.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 623

Relating to testing of cattle for tuberculosis.

Concurrence; Ayes, 5; Noes, 0.

JOURNAL OF THE SENATE (July 18, 1973)

Assembly Bill 773

AN ACT directing the higher educational aids board to seek interstate reciprocity agreements for resident students in veterinary education.

Concurrence; Ayes, 3; Noes, 0.

Assembly Bill 897

Relating to animals used for research.

Concurrence; Ayes, 3; Noes, 0.

WALTER JOHN CHILSEN
Chairman

Senator J. D. Swan asked unanimous consent that **Senate Bill 660** be laid on the table.

Senator Risser objected.

Senator J. D. Swan moved that **Senate Bill 660** be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 21; noes, 7; absent or not voting, 5; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Keppler, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Murphy, Parys, Peloquin, Petri, Roseleip, Steinhilber, Swan, J.D., Swan, M. and Theno -- 21.

Noes -- Senators Dorman, Flynn, Frank, Risser, Schuele, Thompson and Whittow -- 7.

Absent or not voting -- Senators Bablitch, Kasten, Kendziorski, Knowles and Martin -- 5.

So the motion prevailed.

Senator Risser asked unanimous consent that **Senate Bill 142** be laid on the table.

Senator Lorge objected.

Senator Johnson called the chair's attention to **Assembly Bill 300** which was a special order of business.

Assembly Bill 300

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

The question was: Reconsideration of the vote by which the Conference Committee Report on **Assembly Bill 300** was rejected?

JOURNAL OF THE SENATE (July 18, 1973)

Senator Lorge moved the previous question.

By request of Senator Johnson, with unanimous consent, the motion to put the previous question was laid on the table.

Senator Dorman in the chair.

10:55 P.M.

President of the senate in the chair.

12:01 P.M.

LEAVE OF ABSENCE

By request of Senator Keppler, with unanimous consent, he was granted a leave of absence for any sessions between July 24 and August 1 for the purposes of undergoing major surgery.

Upon motion of Senator Johnson the senate recessed until 2:15 P.M.

12:10 P.M.

RECESS

2:15 P.M.

The senate reconvened.

Vice president of the senate in the chair.

By request of Senator Risser, with unanimous consent, the senate returned to the fifth order of business.

PETITIONS AND COMMUNICATIONS

Senate Petition 136

A petition by 141 citizens of the 1st Senatorial District supporting Assembly Bill 1045.

By Senator Martin.

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

JOURNAL OF THE SENATE (July 18, 1973)

Senate Petition 137

A petition by 23 citizens of the 1st Senatorial District opposing any diversion of the segregated highway fund for nonhighway purposes.

By Senator Martin.

Read and referred to committee on Transportation.

The State of Wisconsin
Commission of Interstate Cooperation
Madison

July 17, 1973

To the Honorable, the Legislature:

Pursuant to the provisions of s. 13.54 (4) of the statutes, I herewith submit a report of the following receipts and disbursements from the Interstate Cooperation Commission's Contingent Fund during the period beginning April 16, 1971 and ending June 30, 1973:

1971-73 Appropriation (s. 20.765 (2)(ca))	\$ 10,000.00
Disbursements	0.00
	<hr/>
Balance 1971-73 Appropriation (Lapsed to General Fund).	\$ 10,000.00

* * * * *

Statement of Account
The American Exchange Bank
6-30-73

Balance:

10-5-70 Balance in Account for Council of State Governments Midwestern Conference (Wis. Dells)	\$ 271.66
12-29-70 Withdrawn form ICC Contingent 1970-71 appropriation and deposited in checking account	1,000.00
	<hr/>

JOURNAL OF THE SENATE (July 18, 1973)

6-30-73 On deposit, The American Exchange
Bank (Balance from 1969-71 biennium)

1,271.66

Respectfully submitted,
JOE SWEDA
Chairman
Interstate Cooperation Com-
mission

State of Wisconsin
Department of State

July 17, 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
July 10, 1973 and ending on July 17, 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.*

Wesley R. Johnson, D.P.W., Podiatrist, 4515 W. Howard Ave.,
Milwaukee--Wisconsin State Podiatry Society, 1808 East Capitol
Dr., Milwaukee--Podiatry--July 11, 1973

Ray C. Martin, Executive Director, 3805 Nakoma Rd.,
Madison--Wisconsin Association of Life Underwriters, 4513
Vernon Blvd., Madison--Life Insurance--July 11, 1973

John C. Albert, Student, 433 W. Washington Ave., Madison--
Association of Wisconsin Snowmobile Clubs, P.O. Box 147,
Franksville--Snowmobiling--July 16, 1973

John C. Albert, Student, 433 W. Washington Ave., Madison--
Associated Credit Bureaus of Wisconsin, 828 N. Broadway,
Milwaukee--Credit reporting and creditor's rights--July 16, 1973

John C. Albert, Student, 433 W. Washington Ave., Madison--
Wisconsin Construction Employers Council, 133 S. Butler St.,
Madison--Construction--July 16, 1973

JOURNAL OF THE SENATE (July 18, 1973)

EXECUTIVE COMMUNICATIONS

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

July 12, 1973.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Joseph B. Kerkman, of Fond du Lac, as a member of the Wisconsin State Employment Relations Commission, to succeed himself, to serve for the term ending March 1, 1979.

Sincerely,
PATRICK J. LUCEY
Governor

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

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 Congratulations by Representative Sensenbrenner; cosponsored by Senator Parys for MICHAEL J. BARRON on his taking office as circuit judge.

A Joint Certificate of Commendation by Representatives Cyrak, Sensenbrenner, Sicula, Barbee, Oestreicher, Thompson, Tesmer, Nager, Wilcox, Azim, DeLong, Anderson and Muntz; cosponsored by Senators Bablitch, Murphy, Dorman, Keppler, McKenna, Steinhilber, Risser and Thompson for NATHAN P. FEINSINGER on his retirement from teaching at the University of Wisconsin Law School.

and

Passed and asks concurrence in:

JOURNAL OF THE SENATE (July 18, 1973)

Assembly Bill 649
Assembly Bill 710
Assembly Bill 820
Assembly Joint Resolution 63

and

Concurred in:

Senate Joint Resolution 75
Senate Bill 391

MESSAGE FROM THE ASSEMBLY CONSIDERED

Motions Under Joint Rule 26:

A Joint Certificate of Congratulations by Representative Sensenbrenner; cosponsored by Senator Parys for MICHAEL J. BARRON on his taking office as circuit judge.

A Joint Certificate of Commendation by Representatives Cyrak, Sensenbrenner, Sicula, Barbee, Oestreicher, Thompson, Tesmer, Nager, Wilcox, Azim, DeLong, Anderson and Munts; cosponsored by Senators Bablitch, Murphy, Dorman, Keppler, McKenna, Steinhilber and Thompson for NATHAN P. FEINSINGER on his retirement from teaching at the University of Wisconsin Law School.

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

Assembly Bill 649

Relating to deer hunting party permits.

By Representatives DAY, ALBERTS, KEEGAN, BYERS, OESTREICHER, CONRADT, LALLENSACK, GROSHEK, OBERLE, KEDROWSKI, MOHN, SCHRICKER, DONOGHUE and WILLKOM.

Read first time and referred to committee on Natural Resources.

Assembly Bill 710

Relating to legislative scholarships throughout the university of Wisconsin system.

By Representatives EARLY, ROBERTS, OESTREICHER, MOHN, KEEGAN, DAY, OBERLE, WILLKOM, LOOBY, KEDROWSKI, ROONEY and DUREN.

JOURNAL OF THE SENATE (July 18, 1973)

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

Assembly Bill 820

Relating to damages caused by sandhill cranes.

By Representatives GROSHEK, DAY, OESTREICHER, LEWIS and MITTNESS.

Read first time and referred to committee on Natural Resources.

Assembly Joint Resolution 63

Directing the legislative council to study access to and utilization of lakes.

By Representative JACKAMONIS, co-sponsored by Senator DEVITT.

Read and referred to committee on Natural Resources.

MOTIONS UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, David Kisner of Wisconsin Rapids, a student at Lincoln High School in Wisconsin Rapids was elected Governor of Badger Boy's State at its most recent session in June; and

Whereas, Badger Boys State is a model of Wisconsin State Government and provides an excellent means for an understanding of government at the State level; and

Whereas, the top officers of Badger Boys State are chosen as leaders by their peers; now, therefore, The Members of the Wisconsin Senate, on the motion of Senator Petri, under Joint Rule 26, commend David Kisner, Governor of Badger Boys State, on his election, and wish him a responsible and rewarding year in State Government.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Kiel, Germany, and Kiel, Wisconsin, are sister cities; and

Whereas, the City Council President of Kiel, Wisconsin, together with the Kiel Municipal Band and other interested citizens of Kiel journeyed to Kiel, Germany, in June, 1971; and

JOURNAL OF THE SENATE (July 18, 1973)

Whereas, the Ratfherr of Kiel, Germany, accompanied by the Musikkorps der F.T. "Vorwärts" and other citizens of the City of Kiel, Germany, returned with a visit to Kiel, Wisconsin, in July, 1973; now, therefore, The Members of the Wisconsin Senate, on the motion of Senators Petri, Keppler and Martin, under Joint Rule 26, commend both cities for their efforts to bring their citizens closer together, and hope that they continue to be leaders in the field of international understanding.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, The City of New Holstein, Calumet County, was founded in 1848 by German settlers who left their homeland in search of political freedom; and

Whereas, throughout its history, New Holstein has been known as a center of commerce for the surrounding farmland, and more recently, a prosperous industrial center; and

Whereas, the City of New Holstein is a balanced, wholesome, community, law abiding, decent, and a good place to raise a family; and

Whereas, the City of New Holstein in this year, 1973, is celebrating their 125th anniversary of its founding; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Petri and Representative Hephner, under Joint Rule 26, commend the people of the City of New Holstein for their contributions to the State over the past 125 years, and wish that they continue to grow in their progressive leadership and wisdom.

Read and adopted.

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution 27

Requesting the governor to appear before the committee of the whole of the senate for the purpose of explaining certain budget policy questions.

JOURNAL OF THE SENATE (July 18, 1973)

Whereas, the partisan divisions of the legislature have brought the solution of certain budget policy questions to the brink of impasse, yet the members of the senate are desirous to cooperate with the executive office and the assembly in bringing the current budget crisis to a speedy and fruitful conclusion; and

Whereas, the preponderance of the provisions contained in the current version of the executive budget -- as shown by the report of the conferees contained in Senate Substitute Amendment 1 to 1973 Assembly Bill 300 -- are based on determinations made initially by the executive office and its policy advisors and are, particularly in their long-range implications, perhaps not as familiar to the members of the senate as they are to the governor and his advisors so that the members of the senate might benefit from an opportunity to question directly the governor and his advisors; and

Whereas, it is the intent of the laws of this state to have each new state budget period commence on July 1 but the current budget debate has already extended beyond that date, so that a timely resolution of the conflict is now the highest priority issue before the legislature; now, therefore, be it

Resolved by the senate, That the governor be requested to appear, at his convenience but as early as feasible, together with his key policy advisors, before the committee of the whole of the senate for the purpose of discussing with the members of the senate the policy issues raised in the present version of the budget, and their proposed solutions; such discussion to include, without limitation resulting from this enumeration, the following policy issues:

1. School aids and the future of union free high schools;
2. Tax sharing formulas;
3. Tax relief and tax cuts;
4. Public inheritance tax administrators and county assessment of property taxes;
5. The future of the correctional institutions system;
6. Questions of health and welfare administration;
7. The establishment of county comprehensive mental health boards;
8. Policy issues of transportation including the transportation aids fund, mass transit, and the financing of bridge construction; and
9. The continuation of the home and family council as the family environment and resources council.

By Senators Johnson, Lorge, Hollander, Devitt, Steinhilber, Keppler, Krueger, LaFave, Chilsen, Bidwell, Theno, Martin, Peloquin, Roseleip, Petri and Frank.

Read.

JOURNAL OF THE SENATE (July 18, 1973)

By request of Senator Johnson, with unanimous consent, the resolution was laid on the table.

Senator J. D. Swan moved that the senate recess until October 2 (floor period 3) with skeleton sessions on Tuesdays and Fridays in the interim.

By request of Senator Schuele, with unanimous consent, the senate recessed until 4:25 P.M.

2:45 P.M.

RECESS

4:25 P.M.

The senate reconvened.

Upon motion of Senator Johnson the senate adjourned until 9:00 A.M. Thursday, July 19.

4:26 P.M.

INTRODUCTION OF GUESTS

Senator Risser introduced Alderman Eugene Parks, fifth district, Madison, Wisconsin.

Senator Frank introduced Mr. and Mrs. Getzin and children Michele, Joseph, Ann Marie, John and LeAnn of Oak Creek, Wisconsin.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

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

On page 103, in the treatment of section 50.04 (5) (a) of the statutes, substitute "s. 73.10" for "s. 16.58".

JOURNAL OF THE SENATE (July 18, 1973)

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 48

Senate Bill 82

Senate Bill 104

Senate Bill 110

Senate Bill 131 and

Senate Bill 661

Correctly enrolled and presented to the Governor on
Wednesday, July 18, 1973.