

JOURNAL OF THE SENATE (January 29, 1974)

STATE OF WISCONSIN

Senate Journal

Eighty-First Regular Session

TUESDAY, January 29, 1974.

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 Reverend James H. Haggerty, Chaplain, Department of Wisconsin, The American Legion, Milwaukee, Wisconsin.

Men and Women of the Senate--I have prayed with men in the bow of a rolling ship...again on the sands of some distant beach...in the ward of a Military Hospital and in some nook in the rocks or the woods.

As many as will, let us lift our hearts to God. O God, our Creator...we marvel with the many things that you have provided for our use, but we are seeing that we can make better use of them. Do help these legislators to protect the resource of this state, but even more the lives of the men, women and youth and children who call this home.

This body was established to make plans and programs, to protect the honest from the greedy; the weak from the scurrying throng; to guard the happiness of all by fair rules of the game.

We are often frustrated by our limited knowledge, then we ask your wisdom, and then, that strength that comes from outside ourselves.

Unless there be traffic in our highways and streets, unless the planes, trains and trucks may move the goods -- unless money flows from bank, shop, farm and people -- how shall we change our labor into our needs?

We love the stillness of the country, the sunset and fields of grain, the sounds of the farmyard; the glory of a mother singing her child to sleep.

Great God, help us to plan for tomorrow -- give us your love, your fairness, forgiveness and laws.

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Under the pressures of our fellow beings help us to listen to those against us and feel that they will equally listen to us. We pray for them, too.

We look to you at the opening of this day and listen for that still small voice to guide us...so will we also bow at the close of day with thanks to the God whose love stays with us.

Feed our souls, give us health, then the courage and love for all our fellow men, through the example of Jesus Christ, our Lord. 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.

LEAVE OF ABSENCE

By request of Senator Johnson, with unanimous consent, Senator Knutson was granted a leave of absence until February 8.

By request of Senator Risser, with unanimous consent, Senator Kendziorski was granted a leave of absence for the entire session.

By request of Senator Risser, with unanimous consent, Senator Frank was granted a leave of absence until 2:30 P.M.

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

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

Absent -- Senator Petri -- 1.

Absent with leave -- Senators Frank, Kendziorski and Knutson -
- 3.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 31

Requesting the attorney general's opinion on whether the internal improvements clause, Article VIII, section 10, or other provisions of the Wisconsin constitution prohibits the state from contracting with Amtrak for additional train service.

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Resolved by the senate, That the attorney general is requested to provide an opinion on the constitutionality of Wisconsin's contracting with Amtrak for additional train service, with special reference to Article VIII, section 10 and other provisions of the state constitution.

By Senator Theno.

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

Read and adopted.

Senate Joint Resolution 94

Relating to the life and public service of Joseph J. Lourigan.

By the entire Membership of the Senate, cosponsored by Representatives Molinaro and Dorff.

Read and adopted by unanimous rising vote.

Ordered immediately messaged.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 833

Relating to requiring persons to report to law enforcement authorities gunshot wounds or injuries of a suspicious nature, and providing a penalty.

By Senators Knutson and Murphy, by request of Dr. William Bingham.

To committee on Judiciary and Insurance.

Senate Bill 834

Relating to eliminating licensing and approval fees for certain in-patient health care facilities.

By Senator Roseleip.

To committee on Health, Education and Welfare.

Senate Bill 835

Relating to increasing the maximum interest rate on bonds issued by redevelopment authorities.

By Senator Bablitch, by request of Robert Colestock.

To committee on Industry, Labor, Taxation and Banking.

Senate Bill 836

Relating to exempting certain vehicles transporting newspapers from motor carrier laws.

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By Senators LaFave and Martin.

To committee on Transportation.

Senate Bill 837

Relating to utility taxes on terminal storage facilities, docks, pipelines and pumping equipment used to transfer oil to vessels.

By Senator Theno, cosponsored by Representative Murray.

To committee on Industry, Labor, Taxation and Banking.

Senate Bill 838

Relating to the waiting period for trial of actions for divorce or legal separation.

By Senator J. D. Swan, by request of Attorney Woodard W. Kerr, III.

To committee on Judiciary and Insurance.

Senate Bill 839

Relating to granting the presiding judge discretionary authority to close to the public the court records of any person given a conditional discharge under the uniform controlled substances act.

By Senator J. D. Swan, by request of Attorney Woodard W. Kerr, III.

To committee on Judiciary and Insurance.

Senate Bill 840

Relating to prohibiting the assessment of demerit points against certain violators of the emergency 55 mile speed limit.

By Senators J. D. Swan, Steinhilber and Johnson.

To committee on Judiciary and Insurance.

Senate Bill 841

Relating to listing of dogs in towns for dog license tax purposes.

By Senators Martin and McKenna, cosponsored by Representative Schricker.

To committee on Governmental and Veterans' Affairs.

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COMMITTEE REPORTS

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

Senate Joint Resolution 90

Designating the week of November 4 to 10 as "Energy Conservation Week" in Wisconsin.

Adoption; Ayes, 5; Noes, 0.

EVERETT BIDWELL

Chairman

The committee on Senate Organization reports and recommends:

Senate Bill 802

Relating to quorum and voting procedure of joint legislative committees.

Passage; Ayes, 4; Noes, 0.

Senate Bill 803

Relating to an equal number of senators and representative on all joint committees.

Passage; Ayes, 4; Noes, 0.

Senate Bill 810

Prohibiting legislators from receiving any public funds other than their salaries and expense reimbursements as members of the legislature.

Passage; Ayes, 4; Noes, 0.

ERNEST C. KEPPLER

Chairman

The committee on Transportation reports and recommends:

Senate Bill 611

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

Passage; Ayes, 3; Noes, 0.

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Senate Bill 663

Relating to registration fees and operation of state, county or municipality owned or leased vehicles.

Passage; Ayes, 3; Noes, 0.

REUBEN LAFAVE

Chairman

The committee on Judiciary and Insurance reports and recommends:

Senate Bill 776

Relating to cancellation and renewal of workmen's compensation insurance policies.

Passage; Ayes, 3; Noes, 2.

Senate Bill 777

Relating to jurisdiction of juvenile courts.

Passage; Ayes, 3; Noes, 0.

Senate Bill 790

Relating to cancellation of insurance policies.

Passage; Ayes, 5; Noes, 0.

Senate Bill 798

Relating to service of orders on judgment debtors.

Passage; Ayes, 5; Noes, 0.

Senate Bill 808

Relating to increasing county judgeships in Waukesha county.

Passage; Ayes, 3; Noes, 0.

Assembly Bill 443

Relating to drawing jury panels in Milwaukee county.

Concurrence; Ayes, 3; Noes, 0.

Assembly Bill 511

Relating to discharge of judgments in bankruptcy.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 539

Relating to mandatory 2-day jail sentence for drunk driving.

Concurrence; Ayes, 3; Noes, 1.

GERALD D. LORGE

Chairman

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The committee on Judiciary and Insurance reports and recommends:

Assembly Bill 232

Relating to execution and notarization of wills.

Concurrence; Ayes, 4; Noes, 0.

GERALD D. LORGE

Chairman

The committee on Judiciary and Insurance reports and recommends:

Senate Bill 614

Relating to waiver of attachment of jeopardy in criminal proceedings.

By request of Attorney General Warren.

Passage; Ayes, 4; Noes, 0.

Senate Bill 616

Relating to the right of the state to appeal adverse judgements on questions of law.

By request of Attorney General Warren.

Passage; Ayes, 4; Noes, 0.

Senate Bill 619

Relating to issuance of summons in battery cases.

By request of Attorney General Warren.

Passage; Ayes, 4; Noes, 0.

Senate Bill 621

Relating to operating a vehicle without the owner's consent.

By request of Attorney General Warren.

Passage; Ayes, 4; Noes, 0.

Senate Bill 623

Relating to definition of dangerous weapon.

Passage; Ayes, 4; Noes, 0.

Senate Bill 626

Relating to summons to include both types of subpoenas in criminal extradition cases.

By request of Attorney General Warren.

Passage; Ayes, 4; Noes, 0.

Senate Bill 741

Relating to restoring the office of public administrator.

Passage; Ayes, 3; Noes, 0.

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Senate Bill 744

Relating to permitting the filing of a grand jury indictment prior to the preliminary examination of the accused.

Passage; Ayes, 4; Noes, 0.

GERALD D. LORGE
Chairman

The joint committee on Finance reports and recommends:

Senate Bill 828

An act to appropriate \$19,373.07 from the general fund for payment of a claim by the city of Madison against the state.

By request of the State Claims Board.

Passage; Ayes, 9; Noes, 0.

WALTER G. HOLLANDER
Chairman

The committee on Judiciary and Insurance reports and recommends:

Senate Bill 44

Relating to open meetings of governmental bodies, and creating a penalty.

By request of Governor Lucey.

Passage; Ayes, 4; Noes, 1.

Senate Bill 433

Relating to requiring on a purchase money mortgage only the signature of that spouse who is the owner of record.

By request of the State Bar of Wisconsin.

Passage; Ayes, 4; Noes, 0.

Senate Bill 565

Relating to increased penalty when armed with a firearm in the commission of certain crimes.

Passage; Ayes, 5; Noes, 0.

Senate Bill 594

Relating to increasing the maximum civil forfeiture and maximum fines that may be imposed for illegal restraint of trade activities.

By request of Attorney General Warren.

Passage; Ayes, 4; Noes, 0.

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Senate Bill 595

Relating to treble damage liability to the state and local units of government for illegal restraint of trade activities.

By request of Attorney General Warren.

Passage; Ayes, 4, Noes, 0.

Senate Bill 596

Relating to the statute of limitations for any civil damage actions arising from illegal restraint of trade activities.

By request of Attorney General Warren.

Passage; Ayes, 3; Noes, 1.

Senate Bill 600

Relating to assessing guardian ad litem fees as costs in paternity proceedings.

By request of Milwaukee County and County Judge Robert Miech.

Passage; Ayes, 3; Noes, 0.

Senate Bill 613

Relating to risk sharing plans to provide insurance against loss or damage caused by floods.

Passage; Ayes, 3; Noes, 1.

GERALD D. LORGE

Chairman

The committee on Judiciary and Insurance reports and recommends:

Senate Bill 342

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

Passage; Ayes, 4; Noes, 1.

Senate Bill 343

Relating to limiting liability for certain medical activities involving transplants.

Passage; Ayes, 3; Noes, 2.

GERALD D. LORGE

Chairman

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The committee on Transportation reports and recommends:

Senate Bill 734

Relating to squealing tires in certain areas and providing a penalty.

By request of Ald. William Drew.

Passage; Ayes, 3; Noes, 0.

Senate Bill 765

Relating to highway signs.

Passage; Ayes, 3; Noes, 0.

Senate Bill 799

Relating to directing the department of transportation to promulgate rules pertaining to fenders and mudguards and spillage and projection of loads from motor vehicles.

Passage; Ayes, 3; Noes, 0.

REUBEN LAFAVE

Chairman

The joint committee on Finance reports and recommends:

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, 11; Noes, 0.

Adoption of senate amendment 2; Ayes, 6; Noes, 5.

Indefinite postponement; Ayes, 7; Noes, 4.

Senate Bill 424

Relating to creating a drug quality review board, permitting prescriptions filled with approved drug equivalents, prohibiting certain unfair drug pricing practices and making an appropriation.

Passage; Ayes, 5; Noes, 3.

Senate Bill 786

Relating to increasing the rate of interest to be paid upon delinquent property taxes.

Passage; Ayes, 6; Noes, 4.

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Senate Bill 825

An act to appropriate \$2,366.28 from the general fund for payment of a claim by the Sheboygan County Sheriff's Department against the state.

Passage; Ayes, 10; Noes, 0.

WALTER G. HOLLANDER
Chairman

The committee on Judiciary and Insurance reports and recommends:

Assembly Bill 987

Relating to changes in statutory fees for stenographers at coroner's inquests.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 1058

Relating to rights of witnesses and secrecy at grand juries.

Concurrence; Ayes, 3; Noes, 1.

Assembly Bill 1076

Relating to county court jurisdiction of actions for certiorari and probation and parole revocation review.

By request of Judicial Council.

Concurrence; Ayes, 3; Noes, 0.

GERALD D. LORGE
Chairman

The committee on Judiciary and Insurance reports and recommends:

Assembly Bill 565

Relating to reports by registered charitable organizations.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 588

Relating to the effect of indictments by grand juries and witnesses rights to have attorney present.

Concurrence; Ayes, 3; Noes, 0.

Assembly Bill 650

Relating to mandatory jail sentence for pushing hard drugs.

Concurrence; Ayes, 4; Noes, 1.

Assembly Bill 796

Relating to receipts for bail deposits in traffic cases.

Concurrence; Ayes, 3; Noes, 0.

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Assembly Bill 809

Excluding certain coverage under motor vehicle insurance policy for common carriers of property and contract motor carriers.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 865

Relating to cognovit judgments.

Concurrence; Ayes, 5; Noes, 0.

GERALD D. LORGE

Chairman

By request of Senator Johnson, with unanimous consent, the bills of the preceding committee reports were laid on the table.

Wisconsin Legislature

Senate Chamber

Madison

January 25, 1974.

To the Honorable, the Senate:

Senate Joint Resolution 77 directed that a Special Joint Committee be established to study ways to increase legislative input into and increased efficiency in the budgetary process. This Special Joint Committee was composed of Senators Hollander, Knowles, Theno, McKenna and Flynn; Representatives Conta, Johnson, Ferrall, Merkel and DeLong.

The Special Joint Committee has completed its work and will be submitting a series of recommendations to the Legislature. A number of the recommendations require statutory or rule changes and it is anticipated that these proposals will be ready for introduction in the near future. The Special Joint Committee report will be submitted to the Legislature at the time that these legislative proposals are introduced.

Respectfully submitted,
WALTER G. HOLLANDER
Chairman

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The committee on Committees reports and recommends:

That pursuant to Section 13.48 (a) of the Wisconsin Statutes, the following Senators be reappointed to the Insurance Laws Revision Committee, to serve for a term ending May 1, 1975.

Senator Gerald D. Lorge
Senator Roger P. Murphy
Senator Kurt Frank

GERALD D. LORGE
Chairman

REUBEN LAFAVE

RAYMOND C. JOHNSON

The question was: Confirmation of the appointees.
The appointees were confirmed.

PETITIONS AND COMMUNICATIONS

Senate Petition 192

A petition in the form of a resolution by the Brown County Board of Supervisors requesting the State Legislature to amend the Wisconsin Statutes to increase the interest rates on delinquent taxes to 1% per month.

By Senator Martin.

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

Senate Petition 193

A petition in the form of a resolution by the Brown County Board of Supervisors opposing the repeal of Chapter Law 118 of the Laws of 1973.

By Senator Martin.

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

Senate Petition 194

A petition by 19 citizens of Wisconsin in support of substitute amendment 1 to Senate Bill 566, to provide for the termination of biological fathers' rights with a minimum of red tape, facilitating the finalizing of adoptions.

By Senator J. D. Swan.

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

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**State of Wisconsin
Department of State
Madison, Wisconsin**

January 15, 1974.

To the Honorable, the Senate

Gentlemen:

Please be advised that the following two Constitutional Amendments are to be on the April 2, Spring Election ballot:

1973 Senate Joint Resolution 15, relating to retirement benefits of public officers and employes.

1973 Assembly Joint Resolution 55, relating to removal by address of county and municipal court judges.

If any additional amendment is given second approval and submitted to the people for ratification at the Spring Election, it should be in our possession no later than March 1, 1974. This would also apply for a referendum question.

Respectfully submitted,

ROBERT C. ZIMMERMAN

Secretary of State

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EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

January 22, 1974.

Mr. Thomas Hanson
Assembly Chief Clerk
220 West-State Capitol
Madison, Wisconsin

Mr. William P. Nugent
Senate Chief Clerk
243 South-State Capitol
Madison, Wisconsin

Dear Sirs:

I respectfully request permission to address a joint session of the State Legislature on Wednesday, January 30, 1974 at 10:30 A.M. for the purpose of delivering a State of the State address.

Sincerely,

PATRICK J. LUCEY

Governor

By request of Senator Johnson, with unanimous consent, the Governor's request was granted.

The chair appointed Senators Keppler and Whittow as members of the committee to await upon the Governor.

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

January 8, 1974.

To the Honorable Members of the Senate:

On July 5, 1973, I appointed Mr. John Niemisto to the Health and Social Services Board to succeed Mrs. Betty Vaughn, whose term had then expired. At that time, Mrs. Vaughn was continuing to serve as a member of the Board pending the confirmation of her successor. Mrs. Vaughn has now resigned and it is my intention to appoint Mr. Niemisto to fill the vacancy created on account of her resignation so that he can immediately begin serving on the Board.

In order to accomplish the foregoing, it is necessary that I withdraw my original nomination of Mr. Niemisto and resubmit it for confirmation. Accordingly, it is now my request that his nomination be withdrawn.

**Sincerely,
PATRICK J. LUCEY
Governor**

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

January 9, 1974.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint John Niemisto, of Madison, as a member of the Health and Social Services Board, to succeed Betty Vaughn, who has resigned, to serve for a term ending May 1, 1979.

**Sincerely,
PATRICK J. LUCEY
Governor**

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

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

January 22, 1974.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint Paul Akers, of Superior, as a member of the Housing Finance Authority, to succeed A. W. Kempinsky, to serve for the remainder of the term ending January 1, 1975.

**Sincerely,
PATRICK J. LUCEY
Governor**

Read and referred to the committee on Urban Affairs.

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

January 22, 1974.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint Gilbert Santen, of Waukesha, as a member of the Housing Finance Authority, to succeed John Schmitt, to serve for the term ending January 1, 1978.

**Sincerely,
PATRICK J. LUCEY
Governor**

Read and referred to the committee on Urban Affairs.

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

January 22, 1974.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint Mr. Dale Nordeen, of Madison, as a member of the Housing

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Finance Authority, to succeed himself, to serve for the term ending January 1, 1978.

Sincerely,
PATRICK J. LUCEY
Governor

Read and referred to the committee on Urban Affairs.

By request of Senator Devitt, with unanimous consent, **Senate Bill 512** was taken from the calendar of January 30 and considered for action at this time.

Senate Bill 512

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

The question was: Shall the bill pass notwithstanding the objection of the Governor?

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 Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Hollander, Johnson, Kasten, Keppler, Knowles, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 29.

Absent -- Senator Petri -- 1.

Absent with leave -- Senators Frank, Kendziorski and Knutson -
- 3.

LEAVE OF ABSENCE

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

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Vice-president of the senate in the chair.

11:00 A.M.

Senator Risser asked unanimous consent that **Senate Bill 512** be laid on the table.

Senator LaFave objected.

By request of Senator Johnson, with unanimous consent, the call was raised.

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

12:05 P.M.

RECESS

2:00 P.M.

The senate reconvened.

President of the senate in the chair.

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

Absent -- None.

Absent with leave -- Senators Kendziorski, Knutson and Petri -- 3.

By request of Senator Johnson, with unanimous consent, the call was raised.

The question was: Shall **Senate Bill 512** pass notwithstanding the objection of the Governor?

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The ayes and noes were required and the vote was: ayes, 29; noes, 1; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 29.

Noes -- Senator Risser -- 1.

Absent or not voting -- Senators Kendziorski, Knutson and Petri -- 3.

More than two-thirds having voted in the affirmative the bill passed.

Ordered immediately messaged.

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 95

Relating to submission to the governor of enrolled bills.

By Senators J. D. Swan, Knutson and Murphy, cosponsored by Representatives Duren, DeLong and Porter.

Read and placed on the calendar of February 5.

COMMITTEE REPORTS

REVISED REPORT OF JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

Senate Bill 632

Relating to public employes deferred compensation plan.

REVISED RECOMMENDATION

As this bill would not directly affect the retirement programs with which the Joint Survey Committee on Retirement Systems is concerned, the Committee does not recommend either for or against the bill, but suggests that the bill be referred to the Senate Committee on Judiciary and Insurance.

It is suggested that such committee take specific note of the following problem areas:

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1. On page 2, line 13, the word "underwriter" should be replaced with the word "agent". (Suggested by the Office of the Commissioner of Insurance.)
2. On page 2, lines 20 to 23, consideration should be given to clarifying the intent. The Committee suggests that the present language may well vest too much absolute authority in one individual for each employer.

Respectfully submitted,
JOINT SURVEY COMMITTEE
ON RETIREMENT SYSTEMS
REUBEN LAFAVE, Chairman
ALVIN BALDUS, Vice-Chairman

MOTIONS

Senator Thompson asked unanimous consent that **Assembly Bill 23** be withdrawn from the committee on Governmental and Veterans' Affairs and placed on the calendar.

Senator Roseleip objected.

CALENDAR OF OCTOBER 11

Senate Bill 523

Relating to changing the name of county welfare departments except Milwaukee county.

Read a third time.

Senator Steinhilber moved indefinite postponement.

The motion did not prevail.

The question was: **Passage of Senate Bill 523?**

The ayes and noes were demanded and the vote was: ayes, 18; noes, 12; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Bidwell, Devitt, Dorman, Flynn, Frank, Krueger, LaFollette, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Schuele, Theno, Thompson and Whittow -- 18.

Noes -- Senators Chilsen, Hollander, Johnson, Kasten, Keppler, Knowles, LaFave, Lorge, Roseleip, Steinhilber, Swan, J.D. and Swan, M. -- 12.

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Absent or not voting -- Senators Kendziorski, Knutson and Petri
-- 3.

So the bill passed.

By request of Senator Risser, with unanimous consent, **Senate Bill 522** was placed at the head of the calendar of January 30, 1974.

CALENDAR OF OCTOBER 12

Senate Joint Resolution 64

Relating to a legislative council study of the recreation industry.
Read.

The question was: Adoption of senate amendment 1?

Senate amendment 1 adopted.

The question was: Adoption of **Senate Joint Resolution 64**?

Adopted.

Ordered immediately messaged.

Senate Bill 174

Relating to insurance accounting, valuation and reserves.
Read a second time.

The question was: Rejection of senate amendment 1?

The amendment was rejected.

The question was: Adoption of senate amendment 2?

The amendment was adopted.

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 174

Read a third time and passed.

Senate Bill 328

Relating to land purchases by the department of natural resources.

Read a second time.

Senator Risser moved indefinite postponement.

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The motion did not prevail.

The question was: Adoption of senate amendment 1?

Senate amendment 1 adopted.

The question was: Shall the bill be ordered to a third reading.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 9; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Flynn, Hollander, Johnson, Kasten, Keppler, Knowles, Krueger, Lorge, Martin, Murphy, Peloquin, Roseleip, Steinhilber, Swan, J.D., Swan, M. and Theno -- 20.

Noes -- Senators Dorman, Frank, LaFollette, McKenna, Parys, Risser, Schuele, Thompson and Whittow -- 9.

Absent or not voting -- Senators Kendziorski, Knutson, LaFave and Petri -- 4.

The bill was 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 328

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 9; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Flynn, Hollander, Johnson, Kasten, Keppler, Knowles, Krueger, Lorge, Martin, Murphy, Peloquin, Roseleip, Steinhilber, Swan, J.D., Swan, M. and Theno -- 20.

Noes -- Senators Dorman, Frank, LaFollette, McKenna, Parys, Risser, Schuele, Thompson and Whittow -- 9.

Absent or not voting -- Senators Kendziorski, Knutson, LaFave and Petri -- 4.

So the bill passed.

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

3:15 P.M.

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RECESS

4:25 P.M.

The senate reconvened.

President pro tempore of the senate in the chair.

By request of Seantor Hollander, with unanimous consent, **Senate Bill 346** was referred to the joint committee on Finance.

By request of Senator Krueger, with unanimous consent, **Senate Bills 558 and 563** were referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 359** was referred to the joint committee on Finance.

Senator Hollander asked unanimous consent that **Senate Bill 359** be withdrawn from the joint committee on Finance and considered for action at this time.

Senator Risser objected.

Senate Bill 378

Relating to an habitual offender's law for certain convictions in the motor vehicle code, revocation of licenses, and creating penalties.

By request of Senator Hollander, with unanimous consent, **Senate Bill 378** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 378** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

The amendment was adopted.

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 378

Read a third time.

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

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

Noes -- Senators Chilsen and Dorman -- 2.

Absent or not voting -- Senators Kendziorski, Knutson and Petri -- 3.

So the bill passed.

Senate Bill 483

Relating to proportional registration of common carriers of property.

By request of Senator Hollander, with unanimous consent, **Senate Bill 483** was referred to the joint committee on Finance.

Senator LaFave asked unanimous consent that **Senate Bill 483** be withdrawn from the joint committee on Finance and be considered for action at this time.

Senator McKenna objected.

Senate Bill 544

Prohibiting the baiting of bear.

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.

Senate Bill 544

Read a third time and passed.

Senate Bill 569

Authorizing beer licensees to use the word "saloon".

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.

Senate Bill 569

Read a third time and passed.

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Senate Bill 710

Relating to excluding discounts in determining minimum retail prices for sales of malt beverages and liquor.

Read a second time.

By request of Senator Hollander, with unanimous consent, **Senate Bill 710** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 710** was withdrawn from the joint committee on Finance and considered for action at this time.

Ordered to a third reading.

Senator Steinhilber asked unanimous consent that the bill be considered for final action at this time.

Senator Bidwell objected.

By request of Senator Hollander, with unanimous consent, **Senate Bill 729** was referred to the joint committee on Finance.

Assembly Bill 403

Relating to speed limits for commercial vehicles.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 403

Read a third time.

The ayes and noes were required and the vote was: ayes, 22; noes, 7; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Parys, Roseleip, Schuele, Steinhilber, Theno and Whittow -- 22.

Noes -- Senators Bidwell, LaFollette, Murphy, Risser, Swan, J.D., swan, M. and Thompson -- 7.

Absent or not voting -- Senators Kendziorski, Knutson, Peloquin and Petri -- 4.

So the bill was concurred in.

By request of Senator Hollander, with unanimous consent, **Senate Bill 199** was withdrawn from the joint committee on Finance and referred to the committee on Judiciary and Insurance.

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Senator Johnson moved that **Senate Bill 710** be considered for final action at this time.

The ayes and noes were required and the vote was: ayes, 20; noes, 9; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Bidwell, Devitt, Dorman, Flynn, Hollander, Johnson, Kasten, Krueger, LaFave, Lorge, McKenna, Martin, Murphy, Parys, Roseleip, Schuele, Theno, Thompson and Whittow -- 20.

Noes -- Senators Chilsen, Frank, Keppler, Knowles, LaFollette, Risser, Steinhilber, Swan, J.D. and Swan, M. -- 9.

Absent or not voting -- Senators Kendziorski, Knutson, Peloquin and Petri -- 4.

More than two-thirds having voted in the affirmative the motion prevailed.

Senate Bill 710

Read a third time.

The ayes and noes were required and the vote was: ayes, 24; noes, 6; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Kasten, Keppler, Krueger, LaFollette, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Swan, M., theno, Thompson and Whittow -- 24.

Noes -- Senators Johnson, Knowles, LaFave, Lorge, Steinhilber and Swan, J.D. -- 6.

Absent or not voting -- Senators Kendziorski, Knutson and Petri -- 3.

So the bill passed.

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

RULING OF THE CHAIR

To the Honorable Senate:

On October 25, 1973 Senator Risser raised the point of order that **Senate Bill 107** could not be reported out by the Senate Committee on Finance as it was referred to the joint committee on Finance.

The chair took the point of order under advisement.

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The history of this bill, as set forth in the Journal of the Senate of February 15, 1973, page 439, is as follows:

"Senate Bill 107

Relating to deposits in the veterans' trust fund and making an appropriation.

Read a second time.

By request of Senator Hollander, with unanimous consent, the bill was referred to joint committee on Finance." (emphasis supplied)

This printed record shows unequivocally that the bill was referred to the joint committee on Finance. A reading of the Senate Bulletin of the Proceedings of the Wisconsin Legislature, page 51, shows clearly that SB 107 never left the joint committee on Finance.

Therefore only the joint committee on Finance could have jurisdiction over this piece of legislation. The point of order therefore is well taken.

Respectfully submitted,
MARTIN J. SCHREIBER
President of the Senate

Senator Johnson appealed the ruling of the chair and, with unanimous consent, laid the appeal over until January 30 under the tenth order of business.

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 563** by Senator Krueger.

Senate amendment 2 to **Senate Bill 632** by Senators Devitt and LaFave.

Senate amendment 1 to **Senate Bill 657** by Senator Devitt.

Senate substitute amendment 2 to **Senate Bill 751** by Senator Schuele.

Senate amendment 1 to **Senate Bill 753** by Senator LaFollette.

Senate amendment 1 to **Assembly Bill 959** by Senator Steinhilber.

Senate substitute amendment 2 **Assembly Bill 533** by Senator LaFave.

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Upon motion of Senator Johnson the senate adjourned until 10:00 A.M. Wednesday, January 30.

5:25 P.M.

INTRODUCTION OF GUESTS

Senator Keppler introduced the Student Council of the John Long Middle School, Grafton, Wisconsin.

Senator Murphy introduced instructors Greg Vock and Ron Mueller and 45 students of the Kettle Moraine High School, Wales, Wisconsin.