

JOURNAL OF THE SENATE (January 30, 1974)

STATE OF WISCONSIN

Senate Journal

Eighty-First Regular Session

WEDNESDAY, January 30, 1974.

10:00 A.M.

The senate met.

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

Prayer was offered by Reverend Joseph M. Brickle, Chaplain of Dane County Institutions.

O Almighty God, this great legislative body, chosen to guide the welfare of this state, is gathered here to dismiss its great responsibilities. Bestow upon its members Your special blessing that all their acts may begin with Your divine inspiration and may be concluded with the accomplishment of Your Holy wishes. Amen.

The senate remained standing and the president of the senate led the senate in the pledge of allegiance to the flag of the United States of America.

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

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

Absent -- Senator Devitt -- 1.

Absent with leave -- Senators Kendziorski and Knutson -- 2.

LEAVE OF ABSENCE

By request of Senator McKenna, with unanimous consent, he was granted a leave of absence at 10:30 A.M. for the balance of the day.

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Senator Thompson asked unanimous consent that **Assembly Bill 23** be withdrawn from the committee on Governmental and Veterans' Affairs and placed on the calendar.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

By request of Senator Hollander, with unanimous consent, **Senate Bill 424** was taken from the table and referred to the committee on Health, Education and Welfare.

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

10:30 A.M.

The senate proceeded in a body to the Assembly Chamber to meet in Joint Convention to receive the Governor's State of the State Message.

IN ASSEMBLY CHAMBER
IN JOINT CONVENTION

The Lieutenant Governor in the chair.

The committee appointed to await upon the Governor appeared with his excellency, the Governor, who delivered his message as follows:

No state can be an island unto itself. In many ways, 1973 was an extraordinarily good year for Wisconsin. But events elsewhere have reduced our strength as we enter 1974, and diminished our confidence.

As state officials, we must do all that we can to put this country back on the path of progress.

We must meet the challenge of the highest inflation in 27 years by tightly limiting all new state spending. The record tax relief enacted into law last summer must be kept intact, to insure the citizens of Wisconsin the pocketbook relief they will need, both this year and next.

We must answer public disillusionment with our political system by setting a realistic agenda of highest priority legislation for this short session -- and then turning that legislation into law.

And we must enact campaign reform legislation which makes the 1974 Wisconsin elections the most open and publicly accountable in our history.

The annual review session should not be the occasion for a long list of bold new policy or spending initiatives. It is a time for

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budget adjustments, for passing legislation which has been debated over many months, for concentrating on the possible, rather than the perfect.

In that spirit, I will list in this message only those measures which I believe to be capable of receiving responsible legislative action in the next nine weeks; and I will summarize as much as possible.

The place we must begin is with the economy.

This year, understanding how Wisconsin fits into the national economic picture is more important than ever before.

Even before the energy crisis became an important factor in the U. S. economic picture, many economists were predicting what is known as "growth recession" for 1974.

Since the Arab oil embargo, the forecasts have become far more pessimistic.

Walter Heller, former Chairman of the Council of Economic Advisors, has predicted a recession in the first half of 1974 and a real growth rate for the year of 0%.

Business Week, in a year-end survey of 25 leading economists, concluded that:

"Not only are economists split widely on next year's business outlook, they are in sharp disagreement on prospects after 1974. A significant number of economists believe that a chronic shortage of energy and raw materials will limit the growth potential of the economy for at least several years...."

It is this uncertainty which is most troubling, as we work to insure responsible fiscal policies for the State of Wisconsin over the next few years. Both our spending and our revenue projections can be drastically altered by a simple change in assumptions, about the national economy.

For example, if Walter Heller is correct, Wisconsin general purpose revenues would be \$30 million less than current state estimates, by the end of this biennium.

This is a sobering figure; it is probably unduly alarmist. But even as it would be foolish to base state spending policies on only the most pessimistic assumptions, so too, in this period of economic uncertainty, would it be foolish to ignore what experts say could happen. Our responsibilities to the people of this state go beyond 1974; we must act in such a way as to insure the long-term fiscal solvency of state government.

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If we had only the figures from last year on which to base our hopes for the Wisconsin economy in 1974, it would be easy to be optimistic. As it is, despite the uncertainties of the national economic picture -- and the threat of a short recession -- we remain cautiously optimistic, largely because of the budget which you enacted and I signed into law last August.

The ultimate test of major legislation is how it looks in retrospect. Had we known one year ago what we know today about the Wisconsin economy, would we have written the biennial budget we did? The answer, I believe, is an emphatic yes. If anything, the economic uncertainties of 1974 have strengthened the rationale for the tax relief and productivity initiatives we began last year.

This spring -- when the effects of inflation and a national economic slow-down are felt most acutely -- Wisconsin consumers will feel the dramatic impact of the pocketbook relief you voted for them last summer.

They will feel it when they pay their property tax bills -- and find that these bills are the only major expense in their daily lives that has stayed even or gone down over the past 12 months.

They will feel it when they compute their state income tax, and find that the standard deduction has been raised.

And if they are among the 200,000 low income and elderly Wisconsin families who qualify for homestead tax credits, they will feel it when they receive a state credit or refund check averaging \$142.

There is one other important place where Wisconsinites will feel state pocketbook relief in the months ahead: on the job. When Wisconsin businesses are confronted by the national profit squeeze, the \$153 million in business tax relief contained in the budget -- and released in the course of the next year -- will serve as a powerful spur for continued expansion and growth.

Altogether, the 1973-75 Wisconsin state budget contains a remarkable \$632 million in tax relief for the citizens of Wisconsin -- an average of \$140 for every man, woman, and child in this state.

As you know, this record tax relief was only possible because tight controls were placed on spending by state and local government, and because of an innovative state productivity policy. In a year in which total employment in Wisconsin increased by 2.8%, the growth of government jobs was only 1/5 of 1%. Authorized state positions for this year and next year have actually declined from the level of 1972-73.

But as we approach this budget review bill, the shadow of national economic uncertainty has fallen on our revenue and expenditure projections for the rest of this biennium, and the next.

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While our earlier estimates of revenues continue to hold -- and in fact can be increased modestly -- the nature of revenue growth is changing. In 1973, much of it was real growth; in 1974, it will be largely inflationary growth, accompanied by corresponding inflationary increases in the cost of government.

The productivity budget which we enacted last summer -- Wisconsin's best long-term weapon against an economic down-turn -- is threatened by these developments.

I believe that our highest obligation to the citizens of this state in the next nine weeks is to maintain the integrity of that budget, both in this biennium and into the next. The budget adjustments which I will recommend in this Annual Review Session are meant to accomplish just that.

New tax revenues, growth in departmental revenues and the uncommitted balance of funds in the State Treasury mean that a total balance of \$54 million could be available for new appropriations.

If it were not for known inflationary increases -- such as fuel costs of an additional \$3.7 million and institutional food costs which are up \$1.6 million -- as well as a number of decisions which can no longer be postponed, I would urge that all \$54 million of this uncommitted balance be set aside. This is less than 2% of the biennial budget, hardly an extravagant figure when you consider the possible effects of a revenue short-fall, or new sum sufficient costs resulting from an economic down-turn, rising unemployment, and continued inflation.

But it is neither possible nor responsible to set aside every one of these dollars in the face of agency spending proposals totaling more than \$75 million, and an additional \$75 million in other proposals currently before this Legislature. We have therefore established a more modest "set aside" target.

Our goal has been to insure that an amount equal to one percent of the biennial budget -- or \$27.7 million -- is reserved as uncommitted balance, to back us up in the uncertain economic period ahead. This is a goal to which I would hope all of you could pledge your support. It would leave \$26.1 million for all new expenditures, all re-estimates, and all new legislation -- including a carefully designed teacher retirement supplement.

In the past few weeks, I have had to make a number of painful decisions in order to restrict new state spending.

The abbreviated list of legislative priorities which I present today reflects this commitment. In effect, it reduces the price-tag for my legislative program by 75%. I am hopeful that in your deliberations you will be able to achieve comparable reductions.

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Now I would like to turn to my concerns in some specific problem areas.

The Record and the Agenda

Campaign Reform

Sixty-three years ago--before commercial radio, before televisions, before scientific polling, before advertising agencies, before Watergate and Teapot Dome, before the birth of virtually every person in this room, when postage cost a penny and travel expenses were usually expressed in "bales of hay" -- Wisconsin enacted a statute regulating campaign financing that was a model for its time. It is not a model for our time, and every elected official in this state knows it.

It would be unconscionable -- knowing all that we know -- for us to allow the 1974 election campaign to be governed by no more stringent rule than "business as usual," and a 63-year-old statute.

The Legislature has already taken some significant initiatives in this area, and these are to be commended. In the next few weeks, you will receive the final report of the Campaign Finance Study Committee, which will offer further recommendations.

At the very least, we must enact into law this spring a campaign finance reform bill which would:

Limit the amount of money a candidate for any state office can spend;

Limit the amount of money individuals can give to any or all candidates;

Make candidates accountable for all spending done in their name;

Require the full and timely disclosure of how all campaign monies were received and spent;

Require that all substantial campaign receipts and expenditures be made by check, so that the outcome of future Wisconsin elections cannot be determined by the misuse of anonymous, easily laundered, crisp \$100 bills.

In 1973, this Legislature took a giant step to open the activities of state government to public scrutiny, by establishing an ethics code for elected and appointed officials which is a model for this nation.

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In this session, we must match that achievement with the enactment of either AB 959 or SB 462, to put teeth in Wisconsin's existing open meetings statute.

Legislation resulting from the work of the Currie Commission to prevent improper or questionable public real estate transactions, also deserves your strong support.

Agriculture

For the past two state election campaigns, corporate farming has been a major political issue in rural Wisconsin. In 1974, let's not make it an issue -- but rather an accomplishment of this Legislature.

Consumer Protection

The enactment of significant probate reform was one of the great legislative triumphs of last year -- or any year. But the credit for that legislation lies less with any of us, than it does with the people of Wisconsin, who rose up with one voice and said "enough".

I am hopeful that this spring, the voice of the consumer will finally be heard on no-fault auto insurance. What that voice is saying is: enough with the inequities of existing auto insurance rates; enough with spending almost one-quarter of every auto insurance dollar on lawyers and claims investigations; enough with a concept of blame-finding that is more often unjust than just. Let us listen to the people of Wisconsin, and make no-fault insurance state law before this session ends.

It may accurately be said that virtually every activity of state government touches on some consumer concern. This message, for instance, is the first Wisconsin "State of the State" address ever to be carried on educational TV state-wide. This is a result of increased funding which you provided for the Educational Communications Board in the biennial budget.

The opening of this network has provided whole regions of the state with access to information and programming which they formerly could not have.

The impact of the Cable TV Bill before you, would be to accomplish this same goal on a broader scale, and without a vast expenditure of state dollars. It's time we gave Wisconsin consumers a say over Cable TV.

Criminal Justice

A few weeks ago I attended the funeral of a Racine police officer who was killed doing his job -- our job. There have been too many such tragedies in the past year. State assistance to the victims of crime and the families of law enforcement officers killed in the line of duty will not end these tragedies. But it will insure that the state meets its obligation to those who are left behind. In the next two months we must make this obligation part of state law.

In this session we should also take action in the most neglected - - but perhaps most important -- field of criminal justice: court reform.

Energy and the Environment

In the past year the State of Wisconsin has responded forcefully to the energy crisis on a number of fronts.

Last fall a 14-point energy conservation program for state agencies was put into effect -- which has brought significant savings, both of energy and tax dollars.

Three months ago, I established the Wisconsin Office of Emergency Energy Assistance by Executive Order.

In December you took a further step, by passing the Emergency Energy Act in Special Session. Now we must act on power plant siting.

Had it not been for the assurances of legislative leadership that this legislation would receive prompt consideration in this session, I would have called a special session to deal with it. No measure has received more careful attention over the past year -- from legislators, the executive office and other state agencies, public utility representatives, and environmentalists -- than this compromise bill. It is desperately needed if the people of Wisconsin are to have a say in the location of all the new power plants built in this state over the next decade.

We should also help to cut energy waste by establishing uniform state building codes.

Recycling and improved land use make good sense from three perspectives --economic, environmental, and energy -- and the bills before you deserve broad support.

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Higher Education

This year marks the 125th anniversary of the establishment of the University of Wisconsin. It is Wisconsin's 126th year as a state. Throughout our history, the success of the University and the success of the state have been interrelated -- and this is more true today than ever.

The complex questions raised by an issue such as the energy crisis require an expertise which only the University can provide -- and we have drawn upon that expertise many times in the past year. I am hopeful that -- with the aid of our Congressional delegation and our new Washington office -- we will be successful in our campaign to bring a major federal energy research project to the University of Wisconsin System. Such a project would not only benefit Wisconsin and the nation from a knowledge perspective; it could also become the foundation for whole new technologies -- and significant new industries for this state.

The chief problem facing the University System today is the fact that merger -- and comprehensive statewide higher education planning -- did not occur a decade ago. Many campuses within the U-W System have suffered painful enrollment declines in the past few years which were neither anticipated nor adequately planned for until recently.

In the annual review budget, we have taken a series of steps to cushion the spiraling effects of decreasing enrollments and funding at the hardest hit campuses. Unless the System is faced with still further unanticipated enrollment short-falls, it appears that staffing can be stabilized by the end of this biennium.

In addition we are calling for the restoration of funds deleted from the biennial budget because of the user fee study and release of more than \$750,000 (GPR) for public service and the Wisconsin Idea which were placed in escrow in the biennial budget.

The most important step you can take in this session on behalf of the University System, however, is to pass the Merger Implementation Act and bring to a successful conclusion an initiative which began almost three years ago.

Highway Safety

In 1973, Wisconsin had 1,156 traffic deaths, only 12 less than the tragic record established in 1972.

This number might have been even higher, had it not been for the speed limit reduction which you enacted late in the year, as an energy conservation measure. Experts believe that this reduction will save as many as 200 lives on Wisconsin highways in 1974.

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Reviewing the progress of highway safety legislation over the course of last year, I must ask: When are we going to enact tougher drunk driving laws, or other effective highway safety bills - as a people conservation measure?

The improved standard for evidence of intoxication which you passed last summer was only one element of a 10-point highway safety program. It is time we began enacting the other nine -- starting with AB 538, for emergency medical services.

Local Government

The past year has seen significant new initiatives in the continuing partnership between state and local government. The most dramatic of these involve the new state budget; the enactment of the statewide principle of school tax fairness; the assumption by state government of the local welfare burden; reimbursement to local communities for services rendered the state; and the provision of an incredible \$572.8 million in property tax relief to local residents.

In the 1973-75 state budget, we took the unusual step of placing controls on local property tax review -- to relieve the pressure on local officials for new spending initiatives, and insure that local property tax payers received the full benefit of an unprecedented state tax relief commitment.

But in the long run, the only meaningful control on local spending must come from local communities themselves. The levy constraint has served its purpose; I believe that we should now remove it, and rely upon the voluntary cost-cutting efforts of Wisconsin's many capable local officials.

Transportation

Four months ago I expressed to you my hope that this would be the session that resolved some of the pressing transportation questions facing this state once and for all. Today, I no longer think that is possible.

In no area of state concern has the energy crisis brought more confusion and uncertainty. At a simple level, the problem we face is a projected gas tax revenue short-fall of \$40 million in the next 18 months. This projection assumes a 15% decline in gasoline sales at the pump -- or a 23% decline from the projections contained in the biennial budget.

Virtually every state is facing a similar problem. Some are estimating a 5% short-fall; others 10%; others 20%. But until additional revenue figures are available, we cannot even determine

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what would be the most reasonable projection. Nor are we sure what impact an early end of the Arab oil boycott would have on these figures.

Two weeks ago the Wisconsin Department of Transportation presented a five-year transportation plan for this state which described "the minimum maintenance and improvement needs for Wisconsin's highways and urban transit systems" over the next five years as approximately \$4 billion.

I have no reason to dispute that estimate. But I think it would be dangerous for us to make any long-term transportation commitment in a period of so much uncertainty about needs, priorities, and revenues.

It would be a mistake, for example, to add a 3c per gallon tax onto the "windfall profits tax" that the big oil companies are already taking out of our hides.

If new sources of transportation revenue are needed in the next few years -- and I believe that they will be -- then we must find less regressive ways than across-the-board gas tax or fee increases to raise those revenues.

Our only real choice right now is to wait until we can get a better sense of the size and duration of the gasoline shortages and the revenue shortage.

I am convinced that a more temporary and more modest proposal to meet our transportation needs over the next eighteen months can then be found. As additional information becomes available, I will work with you and the Joint Committee on Finance to develop a responsible solution that meets those needs.

Veterans

Wisconsin has a long tradition of standing by and with her veterans. At the present time, the money in the Veterans Trust Fund is nearly depleted. A new veterans housing loan program has been proposed, which, I believe -- in this period of high inflation and high interest rates -- makes good sense -- both for the veterans buying a home and for Wisconsin taxpayers.

But even if this new program were to be enacted tomorrow, it would require about 90 days lead time before it could be in operation. I have, therefore, recommended that \$5.3 million be set aside to guarantee continued operation of the current Veterans Housing Loan Fund through June 30th of this year. This amount has been included in the budget bill and is proposed as an amendment to AB 1387, so that whichever bill passes first will contain the funds for operation in the transition period.

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I believe that this is the right time for Wisconsin to establish an effective first mortgage veterans loan program -- a program that would forestall the continued need for an annual emergency appropriation of millions of tax dollars to the Veterans Trust Fund.

CONCLUSION

Twenty-seven years ago, Governor Walter S. Goodland, responding to the inflationary pressures and economic uncertainties of the post-war period, formulated a state fiscal policy which I think bears repeating today.

In a speech which was to be his last communication to the Legislature, prepared shortly before his untimely death in office, Governor Goodland wrote:

"My mother always placed the pennies, the nickels and odd change in the old cookie jar, where they would be available when urgently needed. And when she could spare a bit extra -- or even do a little 'snitching' -- all went into the fund. And, all of us being frugal, the cookie jar was never empty and came in mighty handy." And let me add here that there never has been a better time for all of us in state government to make certain that every state dollar is stretched to the limit in rendering required services to the people and to discontinue every unnecessary expense. "I want Wisconsin to have a state 'cookie jar' with millions in it so strongly secured and guarded that there will always be something on hand when necessity compels its use -- either by this administration or its successors."

Annual review is a time for realism, restraint -and results. In the next few weeks, you will be confronted on all sides with pressures to spend the \$27.7 million we have set aside. Those pressures must be resisted.

In this period of economic uncertainty, we dare not rob the cookie jar.

Instead, let us bolster the strong foundation for future economic growth and continued tax relief which is contained in the budget you enacted last summer.

Let us meet the challenges of 1974, by learning the lessons of 1973.

This is likely to be my last formal appearance before the 81st Wisconsin Legislature. Over the past year -and for many of you, over the past three years -- we have worked together to build a better Wisconsin. I have learned much from you in that time; I would hope that this message reflects that. I would like to thank

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each of you for helping to make the past three years among the most productive in the history of Wisconsin government. In this session, I am confident that you will add significant new achievements to that record.

Wisconsin is a special place, with a long tradition of leadership. Recently I read a description which reminded me how special our state really is. It said:

"The people of Wisconsin are something of an enigma. For nearly a century and a half they have sustained a remarkable, cohesive society despite the unusual diversity of their cultural and economic interests. They have taken pride in the stability of their institutions even as they have made Wisconsin a laboratory to test the new and the untried. And their quite remarkable record of political and social innovation has far exceeded what the state's relative size and circumstances might reasonably have warranted."

All of us are fortunate to represent the people of Wisconsin. They ask more -- and they deserve more. In the next two months, let us all work to make sure that they get what they deserve.

2:00 P.M.

The senate reconvened.

President pro tempore of the senate in the chair.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 32

To amend senate rule 5, relating to directing the senate chief clerk to submit all enrolled senate bills to the governor within 15 days of the passage.

Analysis by the Legislative Reference Bureau

This senate resolution directs the senate chief clerk to submit all enrolled bills originating in the senate to the governor within 15 days, excluding Saturdays and Sundays, of passage or when requested by the governor, whichever is earlier.

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Resolved by the senate, That senate rule 5, as adopted by senate resolution 7, is amended to read:

Senate Rule 5. A chief clerk of the senate shall be elected at the commencement of each regular session, to hold his office for the full term of the legislature (2 years) unless removed by death, resignation or the vote of a majority of the actual present membership of the senate. He shall superintend the recording of the journals of the proceedings; the engrossing and enrolling of bills, resolutions, etc.; and shall cause to be kept and prepared for the printer the daily journal of the proceedings. The chief clerk, at the time requested by the governor or within 15 days, excluding Saturdays and Sundays, after passage of the bill, whichever is earlier, shall submit to the governor for executive action thereon all enrolled bills originating in the senate. He shall permit no records or papers belonging to the legislature to be taken out of his custody otherwise than in the regular course of business; and shall be responsible for all the official acts of his assistants. The chief clerk may designate one of the employes on his staff as assistant chief clerk who shall have general supervision under the direction of the chief clerk and in his absence shall have all of the powers and duties of the chief clerk.

By Senators Murphy, Steinhilber, Knutson and Johnson.

Read and placed on the calendar of February 6.

Senate Joint Resolution 96

To amend article VII, section 4, of the constitution relating to allowing the chief justice to resign or to decline to serve without resigning from the court (1st consideration).

By Senators Johnson, Lorge and Murphy.

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

Senate Joint Resolution 97

To amend article VII, section 4 of the constitution relating to the supreme court (1st consideration).

By Senators Johnson, Lorge and Murphy.

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

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BILLS INTRODUCED

Read first time and referred:

Senate Bill 842

Relating to the supervision of juvenile offenders.

By Senators Murphy, Steinhilber, Knutson, Lorge, Kasten, Johnson and Keppler.

To committee on Judiciary and Insurance.

Senate Bill 843

Relating to directing the department of natural resources to donate Cushing Memorial State Park to the city of Delafield.

By Senators Devitt and Murphy, cosponsored by Representative Alberts.

To committee on Natural Resources.

COMMITTEE REPORTS

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

Senate Bill 264

Relating to retirement credit for time in military service.

Passage; Ayes, 4; Noes, 0.

Senate Bill 582

Relating to alteration of membership on county planning and zoning committees.

Passage; Ayes, 5; Noes, 0.

Senate Bill 687

Relating to authorizing any elected county executive to declare a state of emergency.

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

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

Senate Bill 736

Relating to service of notice of sidewalk repairs.

Passage; Ayes, 4; Noes, 0.

Senate Bill 792

Relating to the priority of department of veterans affairs' mortgages over condominium assessment liens.

Passage; Ayes, 4; Noes, 0.

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Senate Bill 551

Relating to hours of board of review meetings.

Passage; Ayes, 4; Noes, 0.

Senate Joint Resolution 86

To amend article IV, section 23, and article XI, section 3, of the constitution, relating to home rule for towns (first consideration).

Adoption; Ayes, 3; Noes, 0.

Assembly Bill 726

Relating to defacing election campaign advertising, and creating a penalty.

Concurrence; Ayes, 4; Noes, 0.

Assembly Bill 754

Relating to election recount procedure.

Concurrence; Ayes, 4; Noes, 0.

Assembly Bill 632

Relating to appointment of certain department heads by the Milwaukee county executive.

Concurrence; Ayes, 4; Noes, 0.

GORDON W. ROSELEIP

Chairman

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

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

January 29, 1974.

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 January 22, 1974, and ending on January 29, 1974.

Yours very truly,
ROBERT C. ZIMMERMAN
Secretary of State

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Name, Address and Occupation of Lobbyist -- Name and Address of Employer -- Subject of Legislation -- Date of Employment.

Theresa Dolezal, Garage Attendant, 1604 Packers Ave., Madison--Communication Workers of America, Local 5530, 1400 E. Washington Ave., Madison--Labor--January 22, 1974

Janet V. Saiz, Telephone Operator, 462 Woodside Terrace, Madison--Communication Workers of America, Local 5530, 1400 E. Washington Ave., Madison--Labor--January 22, 1974

James Dalton, Garage Attendant, 2811 Waunona Way, Madison--Communication Workers of America, Local 5530, 1400 E. Washington Ave., Madison--Labor--January 22, 1974

Bruce W. Abbott, Professional Engineer, 407 Ross Ave., Wausau--Associated Builders and Contractors of Wisconsin Inc., 705 Hickory Farm Lane, Appleton--Construction and Professional Engineers--January 23, 1974

William G. LaFave, 617 Bader St., Green Bay--Associated Builders and Contractors of Wisconsin Inc., 705 Hickory Farm Lane, Appleton--Construction--January 23, 1974

MESSAGE FROM THE ASSEMBLY

By Thomas S. Hanson, chief clerk.

Mr. President:

I am directed to inform you that the assembly has Adopted and asks concurrence in:

Motion Under Joint Rule 26:

A Joint Certificate of Commendation by Representatives Roth, Conradt and Shabaz; cosponsored by Senator Lorge for ROBERT C. ZIMMERMAN on his retirement.

and

Assembly Joint Resolution 2
Assembly Joint Resolution 120

and

Passed and asks concurrence in:

Assembly Bill 22
Assembly Bill 402

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Assembly Bill 501

and

Concurred in:

Senate amendment 2 to **Assembly Bill 502**
Senate Joint Resolution 94

and

Adheres to its position on:

Assembly amendment 2 to **Senate Bill 197**

MESSAGE FROM THE ASSEMBLY CONSIDERED

Motion Under Joint Rule 26:

A Joint Certificate of Commendation by Representatives Roth, Conrad and Shabaz; cosponsored by Senator Lorge for **ROBERT C. ZIMMERMAN** on his retirement.

By request of Senator Krueger, with unanimous consent, the entire membership of the senate was added as cosponsors of the citation for Robert C. Zimmerman.

Read and concurred in.

Assembly Joint Resolution 2

Adopting the joint rules, observed at the conclusion of the 1971 session, with certain modifications as the joint rules of the 1973 legislature.

By Representative **EARL**.

Read and referred to the Senate Committee on Organization.

Assembly Joint Resolution 120

Requesting the department of transportation to study railroad passenger facilities and service in Wisconsin.

By Representatives **MURRAY, GROSHEK, DAY, LALLENSACK, GROVER, EARL, VANDERPERREN, O'MALLEY, NAGER, ANDERSON, SCHRICKER, ELCONIN, JACKAMONIS, ALBERTS, SENSENBRENNER, BYERS, SCHNEIDER, MILLER, DUREN, LEWIS, MOLINARO, OTTE, WARD, KEDROWSKI, QUACKENBUSH, BARCZAK, NIEBLER, LOOBY, BERGER, ROTH, KEEGAN, ELLIS, BRUHY, BALDUS, PABST, GIBSON, JOHNSON, MENOS, FERRALL, WILLKOM,**

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HEPHNER, MITTNESS, DUEHOLM, CZERWINSKI, ATKINSON, WAHNER, BOLLE, OBERLE, DONOGHUE, EARLY, OESTREICHER, ROONEY, MOHN, ROBERTS, BRADLEY, CONRADT, SWEDA, QUINN, SCHROEDER, EVERSON, KINCAID, PORTER, ROHNER, LEWISON, MC ESSY, TOBIASZ, TESMER, FLINTROP, SANASARIAN, ROGERS, HAUKE, TROPMAN, BEHNKE, WACKETT, THOMPSON, LUCKHARDT, GOWER, DE LONG, OPITZ, CYRAK, TREGONING, CONTA, MUNTS, KLECZKA, MATTY and GIESE; co-sponsored by Senators PARYS, THENO, ROSELEIP, LORGE, PETRI, KNOWLES, MARTIN, WHITTOW, M. SWAN, DORMAN, HOLLANDER, DEVITT, THOMPSON and BABLITCH.

Read and referred to the committee on Transportation.

Assembly Bill 22

Relating to equal rights of women.

By LEGISLATIVE COUNCIL.

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

Assembly Bill 402

Relating to bear hunting licenses.

By Representatives MATTY, KINCAID, SCHRICKER, BYERS, ROHNER, BRADLEY, TREGONING, PORTER, CYRAK, NIEBLER, BRUHY, SCHROEDER, LEWIS, GIBSON, ROTH, QUACKENBUSH, THOMPSON and MITTNESS; co-sponsored by Senator LAFAVE.

Read first time and referred to committee on Natural Resources.

Assembly Bill 501

Relating to a minimum wage for all employes.

By COMMITTEE ON LABOR, by request of the Department of Industry, Labor and Human Relations.

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

Senate Bill 197

Read and referred to the calendar.

Vice-president of the senate in the chair.

2:15 P.M.

MOTIONS UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, John Duane Pleva of Waukesha, Wisconsin, has earned and achieved the highest esteemed position of Eagle Scout in Boy Scout Troop 137, Potawatomi Council, Waukesha District of the Boy Scout Association of America; and

Whereas, this award is a symbol of the attainment of knowledge and skills in a great many fields, of good citizenship and thorough preparation for future life; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Murphy and Representative Jackamonis, under Joint Rule 26, do congratulate John Duane Pleva on his achievement of receiving the honor of Eagle Scout in the Boy Scouts Association of America and wish him every success in his future endeavors.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Dr. Anthony R. Curreri of Madison, Wisconsin, former U. W. associate vice chancellor for health sciences, recently assumed the office of president of the new Uniformed Services University of Health Services; and

Whereas, during his 34 year tenure at the U. W. Medical School, Dr. Curreri gained a national reputation as a leading cancer researcher and an outstanding educational administrator; and

Whereas, Dr. Curreri has made many worthwhile contributions to the health and well-being of the people of Wisconsin; now, therefore, The Members of the Wisconsin Legislature, on the motion of the entire Membership of the Senate and Representative Anderson, under Joint Rule 26, commend Dr. Anthony R. Curreri as a distinguished physician and educator, thank him for his loyal service to Wisconsin and wish him success in his new and important venture.

Read and adopted.

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The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Dr. Roger E. Guiles embarked on a career of service to education in Wisconsin in 1930 as a teacher at Cazenovia, and served with distinction as President of Richland County Normal College, Director of Curriculum of the Superior Public School System, Dean of Administration at Wisconsin State University, Platteville, President of Wisconsin State University, Oshkosh, and Chancellor of the University of Wisconsin, Oshkosh; and

Whereas, Dr. Guiles served as President at Oshkosh from 1959 through 1973, during which time the enrollment increased from 1800 to 12,000; and

Whereas, his extensive participation in professional and community service organizations includes serving as Vice President of the Wisconsin Congress of Parents and Teachers, President of the Wisconsin Research Association, Member of the White House Commission on Children and Youth, the Board of Directors of Mercy Medical Center and the Oshkosh United Fund and many other civic groups; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Steinhilber and Representative Bradley, under Joint Rule 26, commend Dr. Roger E. Guiles on his distinguished 43-year career and exemplary public service to thousands of Wisconsin students.

Read and adopted.

President of the senate in the chair.

2:25 P.M.

SPECIAL ORDERS

As it relates to the ruling of the chair on **Senate Bill 107**, the question was: Shall the ruling of the chair stand as the decision of the senate?

Senator Knowles moved that the question be laid on the table.

The motion prevailed.

Senator Hollander raised the point of order that, if by unanimous consent, any bill could be withdrawn from the joint committee on Finance, then, by the same reasoning, any bill could be withdrawn from the joint committee on Finance and referred to the senate committee on Finance.

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The chair took the point of order under advisement.

CALENDAR OF OCTOBER 12

Assembly Bill 538

Relating to the provision of emergency medical services by hospitals, the licensing of ambulance service managers and ambulance attendants, creating an examining council and making an appropriation.

Read a second time.

Senator Parys moved that the remaining assembly bills on the October 12th calendar be laid on the table.

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, Flym, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Krueger, LaFave, LaFollette, Lorge, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 30.

Absent -- None.

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

Senator Risser requested a division of the question.

Senator Keppler moved that the assembly bills to be laid on the table be voted upon enmasse.

Senator Risser raised the point of order that the rules could be suspended on individual bills but not on bills enmasse.

The chair ruled the point of order not well taken.

Senator Risser raised the point of order that a move to place a call on a particular question was debatable.

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The chair ruled that, pursuant to senate rule 68, a move to place a call was not debatable, and therefore the point of order was not well taken.

Senator Risser appealed the ruling of the chair.

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

By request of Senator Risser, with unanimous consent, the senate recessed until 4:27 P.M.

3:08 P.M.

RECESS

4:27 P.M.

The senate reconvened.

QUORUM CALL

Senator Johnson called the attention of the chair to the possible lack of a quorum.

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, Lorge, Martin, Murphy, Parys, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno, Thompson and Whittow -- 27.

Absent -- Senators LaFollette, Peloquin and Swan, M. -- 3.

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

LEAVE OF ABSENCE

By request of Senator J. D. Swan, with unanimous consent, he was granted a leave of absence at 5:00 P.M. for the balance of the day.

By request of Senator Johnson, with unanimous consent, the senate recessed until 5:20 P.M.

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4:22 P.M.

— — —
RECESS

5:20 P.M.

The senate reconvened.

President pro tempore of the senate in the chair.

By request of Senator Risser, with unanimous consent, he withdrew his appeal of the ruling of the chair.

By request of Senator Parys, with unanimous consent, he withdrew his motion to lay the assembly bills from the calendar of October 12 on the table.

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

— — —
INTRODUCTION OF RESOLUTIONS

Senate Resolution 33

Requesting an attorney general's opinion on the constitutionality of the statutes pertaining to the joint statutory committees as hereinafter appears.

Whereas, the Legislature of the State of Wisconsin is elected to represent the people of the State; and

Whereas, the Legislature is constitutionally divided into two houses, with the legislative power to be vested in the Senate and Assembly; now, therefore, be it

Resolved by the Senate that the attorney general be requested to prepare a written opinion for the Senate which answers the following question:

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Does the statutory membership, as presently constituted, of the Joint Committee on Finance, Government Operation Board, Administrative Rules Review Committee, Joint Legislative Council, and Committee to Visit State Institutions, constitute a denial of the equal protection and equal representation provisions of both the Wisconsin and United States constitutions, and is such membership contrary to Article IV, Section 1, of the Wisconsin Constitution or any other provisions therein.

By the entire membership of the senate.

Read and adopted.

By request of Senator Steinhilber, with unanimous consent, **Senate Bill 803** was taken from the table and made a special order of business on Thursday, January 31 at 10:00 A.M.

AMENDMENTS OFFERED

Senate amendment 2 to **Senate Bill 657** by Senator Devitt.

Senate amendment 1 to **Senate Bill 814** by Senators Krueger, Roseleip, Chilsen, LaFave, Theno and Knowles, by request of Taylor County Electric Cooperative.

Senate amendment 1 to **Senate Bill 829** by Senator LaFave.

Senate amendment 1 to **Assembly Joint Resolution 5** by Senators Murphy, Bablitch and Frank.

Senate amendment 1 to **Assembly Bill 459** by Senator Devitt.

Senate substitute amendment 2 to **Assembly Bill 538** by Senator Steinhilber.

Upon motion of Senator Steinhilber the senate adjourned until 10:00 A.M. Thursday, January 31.

5:27 P.M.

INTRODUCTION OF GUESTS

Senator LaFollette introduced students from Kemper Hall, Kenosha, Wisconsin.