

JOURNAL OF THE SENATE (January 31, 1974)

STATE OF WISCONSIN

Senate Journal

Eighty-First Regular Session

THURSDAY, January 31, 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 Paul W. Lueders, Chaplain of Central Wisconsin Colony, Madison.

Heavenly Father, in Whom we live, move, and have our being, grant to the members and officers of this body a moment of quiet ere they take up the duties of this day. Turn their thoughts to Thee and open their hearts to Thy Spirit, that they may have wisdom in their decisions, love in their attitudes, and mercy in their judgments. Strengthen the courage of our representatives in government -- sincere men who want to do the right if only they know what is right. Give unto us all the courage to admit mistakes. Take away from us, as a nation and as individuals, that stubborn pride which imagines itself above and beyond criticism.

Lord of the Nations, lead the people of all nations to regard all persons of whatever race or color as brothers and sisters, created of one blood, and impress upon them that none can stand founded upon injustice and racial hate. Lord Jesus, have compassion upon this world of sin. Mercifully remember those who are lonely and those who are in pain waiting for Thy healing. We commend them all to Thee as we join the Prayer Thy Son has given us:

Our Father, who are in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil, for Thine is the kingdom and the power, and the glory forever and ever. 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.

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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, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 31.**

Absent -- None.

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution 34

Requesting an opinion of the attorney general whether the county board of Milwaukee county may abolish the county park commission or transfer its functions to the county board.

Resolved by the senate, That the attorney general is requested to give his opinion as to whether Milwaukee county may abolish the county park commission, transfer any of its functions to the county board or override any of the decisions of the commission.

By Senator **Frank**, by request of **Mrs. Ronald Perey, Milwaukee.**

Read and referred to the committee on Judiciary and Insurance.

Senate Joint Resolution 98

To amend section 10 of article VIII of the constitution, relating to authorizing the state to appropriate money in the treasury or to be thereafter raised by taxation for the construction of railroads (1st consideration).

By Senators **LaFollette, Flynn, Thompson, Theno, LaFave, Dorman, Krueger, Roseleip, Martin, Bablitch and Peloquin**, cosponsored by Representatives **Rutkowski, Kincaid, Elconin, Schricker, Byers, Confa and Tropman.**

Read first time and referred to committee on Governmental and Veterans' Affairs.

Senate Joint Resolution 99

Establishing a special joint committee to study the future of female penal institutions in this state.

By Senator **Petri.**

Read and referred to the committee on Judiciary and Insurance.

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Senate Joint Resolution 100

Directing an advisory referendum on permitting the operation of 65 foot long trucks on Wisconsin roads.

By Senator Bidwell, cosponsored by Representative Giese.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 844

Relating to authorizing county highway committees to contract for work on private property.

By Senator Bidwell, cosponsored by Representative Giese.

To committee on Transportation.

Senate Bill 845

Relating to the continued operation of prison farms, and making an appropriation.

By Senators Bidwell, Chilsen, Hollander, Martin, Petri, Steinhilber, McKenna, Krueger, Bablitch and Theno, cosponsored by Representatives Giese, Hephner, Wackett, Cyrak, DeLong, Byers, Donoghue, Thompson and Rohner.

To committee on Agriculture and Rural Development.

Senate Bill 846

Relating to sale of surplus governmental lands to Indian tribes.

By Senator LaFave.

To committee on Governmental and Veterans' Affairs.

Senate Bill 847

Relating to inspection and certification of alcohol and other drug abuse programs and facilities, granting rule-making authority and making an appropriation.

By Senators McKenna, Flynn, and LaFollette, by request of the Council on Drug Abuse.

To committee on Judiciary and Insurance.

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COMMITTEE REPORTS

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

Senate Bill 441

Relating to eliminating real estate broker apprenticeships.

Passage; Ayes, 3; Noes, 1.

Senate Bill 805

Relating to employe benefits for municipal assessors and their staff who transfer to a county assessor system.

Passage; Ayes, 4; Noes, 0.

Senate Bill 740

Relating to retirement annuities for supreme court justices, circuit judges and state, county and municipal officers elected by the people.

Passage; Ayes, 4; Noes, 0.

Assembly Joint Resolution 87

Directing the legislative council to study the question of retention and destruction of public records by local governments.

Concurrence; Ayes, 4; Noes, 0.

Assembly Bill 493

Relating to initial registration of voters.

Concurrence; Ayes, 4; Noes, 0.

GORDON W. ROSELEIP

Chairman

The committee on Transportation reports and recommends:

Senate Bill 751

Relating to the definition of a "school bus" under the vehicle code and to the color of and flashing lights on busses used to transport children to or from religious schools.

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

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

REUBEN LAFAVE

Chairman

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

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MESSAGE FROM THE ASSEMBLY

By Thomas S. Hanson, chief clerk.

Mr. President:

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

Assembly Bill 541

Assembly Bill 699

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 541

Relating to creation of a health facilities authority and program for health facilities construction and improvement, granting rule-making authority, providing a penalty and making an appropriation.

By Representative EARL.

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

Assembly Bill 699

Relating to a requirement for actual inspection annually of nursing homes and staggered license renewal.

By COMMITTEE ON HEALTH AND SOCIAL SERVICES,
by request of Lieutenant Governor Martin J. Schreiber.

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

MOTIONS

Senator Roseleip moved that **Senate Bill 108** be withdrawn from the joint committee on Finance and placed on the calendar.

Senator Johnson called the chair's attention to **Senate Bill 803** which was a special order of business.

Senate Bill 803

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

Read a second time.

By request of Senator Johnson, with unanimous consent, the senate recessed until 10:45 A.M.

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10:23 A.M.

RECESS

10:45 A.M.

The senate reconvened.

Senate substitute amendment 1 to **Senate Bill 803** offered by Senator Keppler.

By request of Senator Steinhilber, with unanimous consent, the substitute amendment was considered for action at this time.

Senator Murphy asked unanimous consent that **Senate Bill 803** be made a special order of business at 2:00 P.M.

Senator Steinhilber objected.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 803** offered by Senators Steinhilber, Risser, McKenna and Hollander.

Senate amendment 1 to senate substitute amendment 1 adopted.

Senate substitute amendment 1 adopted.

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 803

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

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

Noes -- None.

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

So the bill passed.

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

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INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 101

Creating Joint Rule 5j, concerning membership on joint committees.

By Senator Keppler.

Read and referred to committee on Judiciary and Insurance.

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

Senate amendment 1 to **Senate Joint Resoluition 101** offered by Senators Flynn, Frank, LaFollette, Dorman, Thompson, McKenna, M. Swan, Peloquin, Parys, Schuele, Whittow, Risser, Bablitch and Martin.

Senator Steinhilber moved rejection.

Upon motion of Senator Steinhilber the senate recessed until 2:00 P.M.

12:05 P.M.

— — —

RECESS

2:00 P.M.

The senate reconvened.

Vice-president of the senate in the chair.

2:35 P.M.

President of the senate in the chair.

2:40 P.M.

The question was: Rejection of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 15; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Krueger, LaFave, Lorge, Murphy, Roseleip, Steinhilber, Swan, J.D. and Theno -- 16.

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Noes -- Senators **Bablitch, Dorman, Flynn, Frank, LaFollette, McKenna, Martin, Parys, Peloquin, Petri, Risser, Schuele, Swan, M., Thompson and Whittow** -- 15.

Absent or not voting -- Senators **Kendziorski and Knutson** -- 2.

So the amendment was rejected.

Senate amendment 2 to **Senate Joint Resolution 101** offered by Senator **McKenna**.

Senate amendment 2 adopted.

Senate amendment 3 to **Senate Joint Resolution 101** offered by Senators **Knowles, Hollander and Flynn**.

By request of Senator **Schuele**, with unanimous consent, the senate recessed until 3:15 P.M.

2:50 P.M.

RECESS

3:15 P.M.

The senate reconvened.

Senator **McKenna** moved rejection of senate amendment 3.

The motion did not prevail.

Senate amendment 3 adopted.

Senate amendment 4 to **Senate Joint Resolution 101** offered by Senators **Flynn, Frank, LaFollette, Dorman, Thompson, McKenna, M. Swan, Peloquin, Parys, Schuele, Whittow, Risser, Bablitch and Martin**.

Senator **Hollander** moved rejection.

The ayes and noes were demanded and the vote was: ayes, 15; noes, 14; absent or not voting, 4; as follows:

Ayes -- Senators **Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Krueger, Lorge, Martin, Murphy, Roseleip, Steinhilber, Swan, J.D. and Theno** -- 15.

Noes -- Senators **Bablitch, Dorman, Flynn, Frank, Knowles, LaFollette, McKenna, Parys, Petri, Risser, Schuele, Swan, M., Thompson and Whittow** -- 14.

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

So the amendment was rejected.

Senator Dorman moved that **Senate Joint Resolution 101** be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 9; noes, 21; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Dorman, Flynn, Frank, LaFollette, Martin, Peloquin, Swan, M. and Thompson -- 9.

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Krueger, Lorge, McKenna, Murphy, Parys, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno and Whittow -- 21.

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

So the motion did not prevail.

Senate amendment 5 to **Senate Joint Resolution 101** offered by Senator Risser.

The ayes and noes were demanded and the vote was: ayes, 25; noes, 6; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Knowles, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Swan, M., Theno, Thompson and Whittow -- 25.

Noes -- Senators Johnson, Kasten, Keppler, Murphy, Steinhilber and Swan, J.D. -- 6.

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

So the amendment was adopted.

The question was: Adoption of **Senate Joint Resolution 101**?

The ayes and noes were required and the vote was: ayes, 30; noes, 1; absent or not voting, 2; as follows:

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

Noes -- Senator Murphy -- 1.

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

So the joint resolution was adopted.

By request of Senator Steinhilber, with unanimous consent, **Senate Bill 803** and **Senate Joint Resoluituion 101** were ordered immediately messaged.

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

Senator Steinhilber objected.

Senator Krueger moved that **Assembly Bill 23** be withdrawn from the committee on Governmental and Veterans' Affairs and placed on the calendar.

Senator Steinhilber 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, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 31.

Absent -- None.

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

LEAVE OF ABSENCE

By request of Senator Theno, with unanimous consent, he was granted a leave of absence at 4:30 for the balance of the day.

By request of Senator Whittow, with unanimous consent, he was granted a leave of absence at 4:15 for the balance of the day.

By request of Senator Bidwell, with unanimous consent, he was granted a leave of absence at 4:30 for the balance of the day.

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By request of Senator Roseleip, with unanimous consent, he was granted a leave of absence at 4:30 for the balance of the day.

By request of Senator Johnson, with unanimous consent, the senate recessed until 4:12 P.M.

4:00 P.M.

RECESS

4:12 P.M.

The senate reconvened.

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

AMENDMENTS OFFERED

Senate amendment 1 to Assembly Bill 589 by Senator Whittow.

Senate amendment 2 to Assembly Bill 589 by Senator Whittow.

Senate amendment 3 to Assembly Bill 589 by Senator Whittow.

Senator Steinhilber moved that the senate adjourn until 10:00 A.M. Friday, February 1.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 14; absent or not voting, 3; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, LaFave, Murphy, Petri, Roseleip, Steinhilber, Swan, J.D. and Theno -- 16.

Noes -- Senators Bablitch, Dorman, Flynn, Krueger, LaFollette, Lorge, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Swan, M. and Thompson -- 14.

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

So the motion prevailed.

4:17 P.M.

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INTRODUCTION OF GUESTS

Senator Bidwell introduced Ms. Debbie Block, Former Tour Guide, of Baraboo, Wisconsin.

Senator Thompson introduced Mr. Nimick, Mrs. Meyers, Mrs. Schribner, Mrs. Andrews, Mrs. Kalscheur, Mrs. Thompson and 50 students of the Verona Middle School, Verona, Wisconsin.

Senator Murphy introduced 70 students and 4 adults from the Swanson School, Brookfield, Wisconsin.