

JOURNAL OF THE SENATE (February 7, 1974)

STATE OF WISCONSIN

# Senate Journal

Eighty-First Regular Session

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THURSDAY, February 7, 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 Conrad L. Jorgenson, Pastor of Grace Baptist Church, Stoughton Rd., Madison, Wisconsin.

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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## LEAVE OF ABSENCE

By request of Senator Knowles, with unanimous consent, Senator Steinhilber was granted a leave of absence for the entire day's session.

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, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 29.

Absent -- None.

Absent with leave -- Senators Kendziorski, Knutson, Murphy and Steinhilber -- 4.

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**BILLS INTRODUCED**

Read first time and referred:

**Senate Bill 861**

Relating to contracting with AMTRAK for rail passenger service and providing an appropriation.

By Senators Petri and LaFollette, cosponsored by Representative Flintrop, Ferrall and Gower.

To committee on Industry, Labor, Taxation and Banking.

**Senate Bill 862**

An act to appropriate \$1,126.80 from the general fund for payment of a claim by Virginia Van DeWiel against the state.

By Senator Hollander, by request of the State Claims Board.

To joint committee on Finance.

**Senate Bill 863**

Relating to penalties for abusing children.

By Senator Parys, by request of Mrs. Cathleen Unkefer.

To committee on Judiciary and Insurance.

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**COMMITTEE REPORTS**

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

**Assembly Bill 544**

Relating to fire department "supervisors" in small municipalities.

Concurrence; Ayes, 4; Noes, 0.

**Assembly Bill 646**

Relating to the procedure for amending zoning ordinances and changing district boundaries in counties.

Concurrence; Ayes, 4; Noes, 0.

**GORDON W. ROSELEIP**  
Chairman

The committee on Transportation reports and recommends:

**Senate Bill 836**

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

Passage; Ayes, 4; Noes, 0.

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**Assembly Bill 962**

Relating to highway commission permits for transportation of overweight loads of metal scrap.

Concurrence; Ayes, 4; Noes, 0.

REUBEN LAFAVE  
Chairman

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PETITIONS AND COMMUNICATIONS

**Senate Petition 195**

A petition by 23 citizens of the 15th Senatorial District in opposition to a trial run of 65-foot trucks on Wisconsin interstate highways.

By Senator J. D. Swan.

Read and referred to the committee on Transportation.

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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 814**

**Assembly Bill 895**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 814**

Relating to long-range planning for and approval of electric generating facilities and high-voltage transmission lines.

By Representatives WAHNER, BERGER, OBERLE, DUEHOLM and MITTNESS; co-sponsored by Senator M. SWAN, by request of Governor Patrick J. Lucey.

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

**Assembly Bill 895**

Relating to state regulation of securities.

By Representative CONTA.

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

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MOTIONS

By request of Senator Knowles, with unanimous consent, **Assembly Bill 720** was taken from the table and considered for action at this time.

**Assembly Bill 720**

The question was: Concurrence in the conference committee report?

The report was concurred in.

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MOTIONS UNDER JOINT RULE 26

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

Know you by these presents:

Whereas, the Rice Lake Rotary Club is celebrating its 50th Anniversary; and

Whereas, the Rice Lake Rotary Club has, since its beginning, participated in and sponsored numerous community projects; and

Whereas, their projects have included annual appreciation dinners, fund-raising drives for school and municipal building projects, and the sponsorship of worthy area youth to participate in state and international understanding programs; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Theno and Representative Schricker, under Joint Rule 26, hereby congratulate the members of the Rice Lake Rotary Club on their organization's 50th Anniversary of service to the Rice Lake community, and wish them continued good work and success in the future.

Read and adopted.

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

Know you by these presents:

Whereas, Mrs. Theodore F. Meves of Brookfield, Wisconsin has for many years been a tireless citizen working to make her country and state a better place to live and her government more responsive to the people; and

Whereas, as State Coordinator of the Wisconsin Legislative and Research Committee she has expended countless hours and effort in an unpaid capacity as a representative of the people and their

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interests to obtain a better government under their state and national constitution; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Roseleip and Representative Klick, under Joint Rule 26, do hereby commend Mrs. Theodore F. Meves and members of the Legislative and Research Committee of Wisconsin for their service to their country, state and fellow citizens as an exponent of responsible and responsive government under their state and national Constitution.

Read and adopted.

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

Know you by these presents:

Whereas, Dr. Bernhart M. Zibolsky, D.C., a longtime resident of Dodgeville, Wisconsin passed away on January 21, 1974 at the age of 75; and

Whereas, Dr. Zibolsky practiced chiropractic for over 50 years, having opened his first office in Black Earth and Mazomanie in 1923; and

Whereas, Dr. Zibolsky was an officer and member of many professional and fraternal organizations, having served ably as secretary of the southwest district of the Wisconsin Chiropractic Association and in all high offices of the Odd Fellows Lodge; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Roseleip and Representative Tregoning, under Joint Rule 26, extend their sincere condolences to Dr. Zibolsky's wife, Hilda and his family.

Read and adopted.

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

Know you by these presents:

Whereas, Thomas Nelson of Mequon, Wisconsin, 43, commissioner of securities from 1968 to 1972, a candidate for Congress in 1962 in the 5th district, and recently named President of Loewi and Company, died on February 6, 1974; and

Whereas, Thomas Nelson distinguished himself throughout his life with the highest standards of dedication and service to state and community; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senators Kasten, Keppler, Knowles and Johnson, under Joint Rule 26, do hereby express their condolences to Mrs. Joanna Nelson, wife of Thomas Nelson, his three daughters, and his parents, on his untimely death.

Read and adopted.

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President pro tempore of the senate in the chair.

10:20 A.M.

Senator Chilsen asked unanimous consent that **Senate Bill 674** be rereferred to the committee on Health, Education and Welfare.

Senator Johnson objected.

By request of Senator Johnson, with unanimous consent, **Senate Bill 674** was placed at the foot of the calendar of October 16.

Senator Petri asked unanimous consent that **Senate Bill 607** be placed at the foot of the calendar of October 17.

Senator Bablitch objected.

### CALENDAR OF OCTOBER 16

#### **Senate Bill 589**

Relating to prior approval of administrative rules by the committee on review of administrative rules.

Read a second time.

Senator McKenna asked unanimous consent that **Senate Bill 589** be rereferred to the committee on Judiciary and Insurance.

Senator LaFave objected.

Senator McKenna moved that **Senate Bill 589** be rereferred to the committee on Judiciary and Insurance.

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

Ayes -- Senators Bablitch, Krueger, McKenna, Risser and Thompson -- 5.

Noes -- Senators Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, LaFave, LaFollette, Lorge, Martin, Parys, Peloquin, Petri, Roseleip, Schuele, Swan, J.D., Swan, M., theno and Whittow -- 24.

Absent or not voting -- Senators Kendziorski, Knutson, Murphy and Steinhilber -- 4.

The motion did not prevail.

Senator Chilsen moved reconsideration of the vote by which senate amendment 1 was adopted.

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

Ayes -- Senators Chilsen, Hollander, Johnson, Kasten, Petri, Roseleip and Theno -- 7.

Noes -- Senators Bablitch, Bidwell, Devitt, Dorman, Flynn, Frank, Keppler, Knowles, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Swan, J.D., Swan, M. and Thompson -- 21.

Absent or not voting -- Senators Kendziorski, Knutson, Murphy, Steinhilber and Whittow -- 5.

The motion did not prevail.

Senator McKenna moved indefinite postponement of the bill.

The ayes and noes were demanded and the vote was: ayes, 6; noes, 23; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Knowles, Krueger, McKenna, Peloquin and Risser -- 6.

Noes -- Senators Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, LaFave, LaFollette, Lorge, Martin, Parys, Petri, Roseleip, Schuele, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 23.

Absent or not voting -- Senators Kendziorski, Knutson, Murphy and Steinhilber -- 4.

The motion did not prevail.

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 589**

Read a third time and passed.

Ordered immediately messaged.

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

### **Senate Bill 599**

Relating to providing a penalty for misuse of public assistance allowances.

Read a second time.

The question was: Adoption of senate amendment 1?

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Senate amendment 1 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 599**

Read a third time and passed.

**Senate Bill 638**

Relating to revamping town laws.

Read a second time.

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 638**

Read a third time and passed.

**Senate Bill 690**

Relating to closing hours for retail beer and liquor bars.

Read a second time.

President of the senate in the chair.

11:15 A.M.

Senator Petri moved indefinite postponement.

The ayes and noes were demanded and the vote was: ayes, 23; noes, 6; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Krueger, LaFollette, Lorge, McKenna, Martin, Peloquin, Petri, Risser, Roseleip, Swan, J.D., theno and Thompson -- 23.

Noes -- Senators Devitt, LaFave, Parys, Schuele, Swan, M. and Whittow -- 6.

Absent or not voting -- Senators Kendziorski, Knutson, Murphy and Steinhilber -- 4.

So the motion prevailed.

Senator McKenna moved reconsideration of the vote by which **Senate Bill 690** was indefinitely postponed.

The motion did not prevail.



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LEAVE OF ABSENCE

By request of Senator Johnson, with unanimous consent, he was granted a leave of absence for February 12 and March 7.

By request of Senator Schuele, with unanimous consent, the senate recessed until 12:03 P.M.

The Clerk of the Senate in the chair.

By request of Senator Johnson, with unanimous consent, Senator Hollander was selected as presiding officer.

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

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BILLS INTRODUCED

Read first time and referred:

**Senate Bill 864**

Relating to lands dedicated to the public under subdivision plats.

By Senator J. D. Swan, by request of Philip B. Morrissy, Member of the Walworth County Board of Supervisors.

To committee on Governmental and Veterans' Affairs.

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MOTIONS

Senator M. Swan moved reconsideration of the vote by which **Senate Bill 599** was passed.

By request of Senator Risser, with unanimous consent, the motion for reconsideration was laid over until Tuesday.

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AMENDMENTS OFFERED

Senate amendment 2 to **Senate Bill 814** by Senator Bidwell, by request of the League of Wisconsin Municipalities and the Wisconsin County Boards Association.

Upon motion of Senator Johnson the senate adjourned until 9:00 A.M. Friday, February 8.

12:05 P.M.

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### INTRODUCTION OF GUESTS

Senator Kasten introduced Mr. Edward, Chairman of GOP for Waukesha County, Oconomoc, Wisconsin.

Senator Bablitch introduced Cal Olson, Harv Erdman and 49 band members from Wautoma, Wisconsin.

Senator Krueger introduced Mr. Dan O'Melia of Rhinelander, a student at the University of Wisconsin--Stevens Point.