STATE OF WISCONSIN

Eighty-First Regular Session

TUESDAY, February 19, 1974.

10:00 A.M.

The senate met.

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

Prayer was offered by Rabbit Manfred S. Warsensky of Beth El Temple, Madison.

"Teach us to number our days that we may acquire a heart of wisdom."

Time is our most precious, our only real possession. May we use our time wisely, grateful for each day we see the light of the sun, grateful for the infinite opportunities for work and service.

If each day brings us closer to some worthy achievement, we may be able to say at the end of this, yes, at the end of our days: I have not wasted my time.

"Teach us to number our days that we may acquire a heart of wisdom."

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.

LEAVE OF ABSENCE

By request of Senator Risser, with unanimous consent, Senator Schuele 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, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 31. Absent -- None.

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution 36

Requesting an opinion of the attorney general outlining guidelines for obtaining approval of the senate and assembly committees on natural resources for condemnation of lands and waters for state park purposes by the department of natural resources.

Whereas, section 27.01 (2) (a) of the statutes provides that the department of natural resources may "acquire by purchase, lease or agreement lands or waters suitable for state park purposes and may acquire such lands and waters by condemnation after obtaining approval of the senate and assembly committees on natural resources."; and

Whereas, questions have arisen as to the manner in which such approval is to be obtained; now, therefore, be it

Resolved by the senate, That the attorney general is requested to issue an opinion outlining guidelines for implementing the provisions of s. 27.01 (2) (a) of the statutes, relating to obtaining approval of the senate and assembly committees on natural resources for condemnation of lands and waters for state park purposes by the department of natural resources.

By Senator Krueger.

Read.

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

Senate Resolution 36

Adopted.

Senate Resolution 37

Rescinding 1973 senate resolution 21 which directs the senate chief clerk to procure an electronic voting machine.

Resolved by the senate, That senate resolution 21 which directs the senate chief clerk to procure an electronic voting machine is hereby rescinded.

By Senator Bablitch. Read.

Senator Bablitch drew the chair's attention to the fact that Senate Resolution 37 was privileged and should be considered for action at this time.

Senator Risser raised the point of order that Senate Resolution 37 was not privileged.

The chair ruled that, pursuant to senate rule 69, the resolution was privileged and would be considered for action at this time.

LEAVE OF ABSENCE

By request of Senator Krueger, with unanimous consent, he was granted a leave of absence for the balance of the morning.

By request of Senators J. D. Swan and M. Swan, with unanimous consent, they were added as coauthors of Senate **Resolution 37**.

Senator Peloquin moved rejection of Senate Resolution 37.

Senator Dorman in the chair.

11:20 A.M.

By request of Senator Roseleip, with unanimous consent, he spoke a third time on the question of rejection.

By request of Senator Roseleip, with unanimous consent, he was added as a coauthor of Senate Resolution 37.

The question was: Rejection?

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

Ayes -- Senators Bidwell, Chilsen, Dorman, Johnson, Knowles, Martin, Peloquin, Risser, Steinhilber, Theno, Thompson and Whittow -- 12.

Noes -- Senators Bablitch, Devitt, Flynn, Frank, Hollander, Kasten, Keppler, Knutson, LaFave, LaFollette, Lorge, McKenna, Murphy, Parys, Petri, Roseleip, Swan, J.D. and Swan, M. -- 18.

Absent or not voting -- Senators Kendziorski, Krueger and Schuele -- 3.

So the motion did not prevail.

President of the senate in the chair.

11:45 A.M.

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Senate amendment 1 to Senate Resolution 37

Amend the resolution as follows:

1. On page 1, line 5, add the following: "The senate organization committee is directed to continue its study of the subject and provide the senate with more specific information."

By Senators Chilsen and Bidwell.

Senator Bablitch raised the point of order that the amendment was not germane.

The chair ruled the point of order not well taken.

Senator J. D. Swan moved rejection of senate amendment 1.

The motion prevailed.

The question was: Adoption of Senate Resolution 37?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 14; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Chilsen, Devitt, Frank, Hollander, Kasten, Keppler, Knutson, LaFave, LaFollette, Lorge, Murphy, Parys, Petri, Roseleip, Swan, J.D. and Swan, M. -- 17.

Noes -- Senators Bidwell, Dorman, Flynn, Johnson, Knowles, Krueger, McKenna, Martin, Peloquin, Risser, Steinhilber, Theno, Thompson and Whittow -- 14.

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

So the resolution was adopted.

Senator J. D. Swan moved reconsideration of the vote by which Senate Resolution 37 was adopted.

Senator Risser moved that the motion for reconsideration be laid on the table.

The motion did not prevail.

LEAVE OF ABSENCE

By request of Senator Flynn, with unanimous consent, he was granted a leave of absence for the balance of the afternoon.

Senator Dorman in the chair.

12:05 P.M.

Senator Thompson moved that the senate recess until 2:00 P.M.

The ayes and noes were demanded and the vote was: ayes, 8; noes, 18; absent or not voting, 7; as follows:

Ayes -- Senators Dorman, Hollander, McKenna, Martin, Parys, Swan, M., Thompson and Whittow -- 8.

Noes -- Senators Bablitch, Bidwell, Chilsen, Frank, Johnson, Keppler, Knutson, Krueger, LaFave, Lorge, Murphy, Peloquin, Petri, Risser, Roseleip, Steinhilber, Swan, J.D. and Theno -- 18.

Absent or not voting -- Senators Devitt, Flynn, Kasten, Kendziorski, Knowles, LaFollette and Schuele -- 7.

So the motion did not prevail.

Vice-president of the senate in the chair.

12:20 P.M.

Senator Risser moved that the motion for reconsideration of Senate Resolution 37 be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 12; noes, 17; absent or not voting, 4; as follows:

Ayes -- Senators Bidwell, Chilsen, Dorman, Hollander, Krueger, Lorge, Martin, Peloquin, Risser, Steinhilber, Thompson and Whittow -- 12.

Noes -- Senators Bablitch, Devitt, Frank, Johnson, Kasten, Keppler, Knowles, Knutson, LaFave, LaFollette, Murphy, Parys, Petri, Roseleip, Swan, J.D., Swan, M. and Theno -- 17.

Absent or not voting -- Senators Flynn, Kendziorski, McKenna and Schuele -- 4.

So the motion did not prevail.

Senators Johnson and Risser asked unanimous consent that the senate invoke rule 76 and limit debate to 5 minutes for the balance of the week.

Senator LaFave objected.

The question was: Reconsideration of the vote by which Senate Resolution 37 was adopted?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 17; absent or not voting, 4; as follows:

Ayes -- Senators Bidwell, Chilsen, Dorman, Knowles, Krueger, Martin, Peloquin, Risser, Steinhilber, Theno, Thompson and Whittow -- 12.

Noes -- Senators Bablitch, Devitt, Frank, Hollander, Johnson, Kasten, Keppler, Knutson, LaFave, LaFollette, Lorge, Murphy, Parys, Petri, Roseleip, Swan, J.D. and Swan, M. -- 17.

Absent or not voting -- Senators Flynn, Kendziorski, McKenna and Schuele -- 4.

So the motion did not prevail.

By request of Senator Johnson, with unanimous consent, the senate recessed until 2:15 P.M.

12:32 P.M.

RECESS

2:15 P.M.

The senate reconvened.

Clerk of the senate in the chair.

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

Senate Joint Resolution 113

Memorializing members of the Wisconsin congressional delegation to work with the defense department to retain the Air National Guard's 115th Fighter Intercepter Squadron in Madison.

By Senators McKenna, Kasten and Thompson, cosponsored by Representative Everson.

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

President of the senate in the chair.

2:25 P.M.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 877

Relating to transfer of liquor licenses obtained by certain beer bar operators under chapter 48, laws of 1973.

By Senators Peloquin and McKenna.

To committee on Governmental and Veterans' Affairs.

Senate Bill 878

Relating to costs of maintaining the Buffalo and Pepin county courts.

By Senator Peloquin.

To committee on Judiciary and Insurance.

Senate Bill 879

Relating to powers of the joint legistative council and the legislative council staff.

By Senators Dorman, Risser and Whittow, cosponsored by Representative Anderson.

To committee on Senate Organization.

COMMITTEE REPORTS

The committee on Urban Affairs reports and recommends:

Senate Bill 157

Relating to extending the city initiative to include villages. Adoption of senate substitute amendment 1; Ayes, 5; Noes, 0. Passage as amended; Ayes, 5; Noes, 0.

Senate Bill 403

Relating to monthly parking permit fees on unoccupied mobile homes.

Passage; Ayes, 3; Noes, 2.

Senate Bill 583

Relating to parking regulations set by local authoritities during snow emergencies.

Passage; Ayes, 5; Noes, 0.

Senate Bill 590

Relating to uniform registration of electors and other changes in the election law, and making an appropriation.

Passage; Ayes, 3; Noes, 2.

JACK D. STEINHILBER Chairman

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

PETITIONS AND COMMUNICATIONS

State of Wisconsin Department of State

February 19, 1974.

To the Honorable, the Senate

Gentlemen:

I have the honor to transmit to you pursuant to s. 13.67 (2), the names of the registered lobbyists for the period beginning on February 12, 1974, and ending on February 19, 1974.

Yours very truly, ROBERT C. ZIMMERMAN Secretary of State

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

B. D. Craig, Ex. Vice-Pres. World Dairy Expo, 3602 Cascade Rd. Madison -- World Dairy Expo, 1807 South Park, Madison --World Dairy Expo -- February 12, 1974

Otis A. Whitcomb, Audiologist, 11610 W. Parnell, Hales Corners -- Self -- Audiology and/or Hearing Aid Legislation --February 13, 1974

E. R. Steinman, Jr., Director, 7772 N. River Edge Dr., Milwaukee -- First Federal Savings and Loan Association of Wisconsin, 250 E. Wisconsin Ave,, Milwaukee -- Savings and Loan Business -- February 18, 1974

Jack C. Werner, 5075 N. Cumberland Blvd., Milwaukee -- First Federal Savings and Loan Association of Wisconsin, 250 E. Wisconsin Ave., Milwaukee -- Savings and Loan Business --February 18, 1974

Harold Buchanan, Staff Vice-Pres. & Sec., N62 W15771 Cherry Hill Dr., Menomonee Falls -- First Federal Savings and Loan Association of Wisconsin, 250 E. Wisconsin Ave., Milwaukee -- Savings and Loan Business -- February 18, 1974

Richard P. Ross, Director of Marketing, Vice-Pres., 3508 N. Summit Ave., Milwaukee -- First Federal Savings and Loan

Association of Wisconsin, 250 E. Wisconsin Ave., Milwaukee --Saving and Loan Business --February 18, 1974

John S. Goodland, Associate General Counsel, 2490 Whipple Tree Lane, Brookfield -- First Federal Savings and Loan Association of Wisconsin, 250 E. Wisconsin Ave., Milwaukee --Savings and Laon Business -- February 18, 1974

Robert S. Brown, President, 1015 W. Ravine Place, Milwaukee -- First Federal Savings and Loan Association of Wisconsin, 250 E. Wisconsin Ave., Milwaukee -- Savings and Loan Business --February 18, 1974

William E. Glassner, Jr., Attorney, 1206 Lakeshore Rd., Grafton -- Economic Consultants, Inc., 3695G N. 126th St. Brookfield -- Recording Industry -- February 18, 1974

Willaim E. Glassner, Jr., Attorney, 1206 Lakeshore Rd., Grafton -- Wisconsin Gasoline Dealers Coordinating Committee, 5822 N. 35th St., Milwaukee -- Petroleum Industry -- February 18, 1974

Robert B. Corris, Attorney, 4785 N. Lake Drive, Milwaukee --Wisconsin Gasoline Dealers Coordinating Committee, 5822 N. 35th St., Milwaukee -- Petroleum Industry -- February 18, 1974

Raymond R. Krueger, Attorney, Attorney, 2853 N. Shepard, Milwaukee -- Wisconsin Gasoline Dealers Coordinating Committee, 5822 N. 35th St., Milwaukee -- Petroleum Industry --February 18, 1974

James W. Wimmer, Jr., Lobbyist, 1030 Sherman Ave., Madison -- Wisconsin Association of Temporary Help Services, Inc., 8518 W. Capitol Dr., Milwaukee -- Temporary Help Industry --February 18, 1974

James W. Wimmer, Jr., Lobbyist, 1030 Sherman Ave., Madison -- De Hart & Broicle, Inc., 1505 22nd St., N.W., Washington, D. C. -- Book and Record Clubs --February 18, 1974

MOTIONS

Senator Parys moved that all assembly bills on the present pending calendars be laid on the table.

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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, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 29.

Absent -- Senator LaFollette -- 1.

Absent with leave -- Senators Flynn, Kendziorski and Schuele -- 3.

President pro tempore of the senate in the chair.

2:30 P.M.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Richard Vander Veen is the first Democrat to win election in his district since 1910; and

Whereas, his was an upset victory; and

Whereas, his election bodes well of Democractic opportunities in 1974; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senators Peloquin, Bablitch, Risser and Whittow, under Joint Rule 26, wish to congratulate Richard Vander Veen upon his election to Congress from the State of Michigan.

Read.

Senator Keppler moved rejection.

The motion prevailed.

President of the senate in the chair.

2:35 P.M.

By request of Senator Risser, with unanimous consent, the senate recessed until 2:55 P.M.

2:37 P.M.

RECESS

2:55 P.M.

The senate reconvened.

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

The question was: Shall all Assembly Bills on pending calendars be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 18; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Frank, Johnson, Keppler, Knutson, LaFave, LaFollette, Parys, Roseleip, Steinhilber, Swan, J.D., Swan, M. and Whittow -- 13.

Noes -- Senators Bablitch, Chilsen, Devitt, Dorman, Flynn, Hollander, Kasten, Knowles, Krueger, Lorge, McKenna, Martin, Murphy, Peloquin, Petri, Risser, Theno and Thompson -- 18.

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

So the motion did not prevail.

Senate Bill 632

Relating to public employes deferred compensation plan.

Read a second time.

The question was: Shall the ruling of the chair stand as the decision of the senate?

The ayes and noes were required and the vote was: ayes, 11; noes, 19; absent or not voting, 3; as follows:

Ayes -- Senators Devitt, Flynn, Johnson, Keppler, Knutson, Krueger, LaFave, Martin, Parys, Petri and Whittow -- 11.

Noes -- Senators Bablitch, Bidwell, Chilsen, Dorman, Frank, Hollander, Kasten, Knowles, LaFollette, McKenna, Murphy, Peloquin, Risser, Roseleip, Steinhilber, Swan, J.D., Swan, M., Theno and Thompson -- 19.

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

So the ruling of the chair was not sustained.

The question was: Adoption of senate amendment 1?

Senator LaFave moved rejection.

The ayes and noes were demanded and the vote was: ayes, 9; noes, 22; absent or not voting, 2; as follows:

Ayes -- Senators Devitt, Flynn, Frank, Keppler, Knutson, Krueger, LaFave, Parys and Petri -- 9.

Noes -- Senators Bablitch, Bidwell, Chilsen, Dorman, Hollander, Johnson, Kasten, Knowles, LaFollette, Lorge, McKenna, Martin, Murphy, Peloquin, Risser, Roseleip, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 22.

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

So the motion did not prevail.

Senate amendment 1 adopted.

The question was: Adoption of senate amendment 2?

Senate amendment 2 adopted.

Senator Devitt asked unanimous consent that Senate Bill 632 be referred to the joint committee on Finance.

Senator Risser objected.

Senator Devitt moved that Senate Bill 632 be referred to the joint committee on Finance.

The ayes and noes were demanded and the vote was: ayes, 12; noes, 19; absent or not voting, 2; as follows:

Ayes -- Senators Devitt, Flynn, Frank, Keppler, Knowles, Knutson, Krueger, LaFave, Martin, Parys, Peloquin and Petri -- 12.

Noes -- Senators Bablitch, Bidwell, Chilsen, Dorman, Hollander, Johnson, Kasten, LaFollette, Lorge, McKenna, Murphy, Risser, Roseleip, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 19.

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

So 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 632

Read a third time.

The ayes and noes were required and the vote was: ayes, 22; noes, 9; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Dorman, Hollander, Johnson, Kasten, Knowles, LaFollette, Lorge, McKenna, Murphy, Parys, Peloquin, Risser, Roseleip, Steinhilber, Swan, J.D., Swan, M., theno, Thompson and Whittow -- 22.

Noes -- Senators Devitt, Flynn, Frank, Keppler, Knutson, Krueger, LaFave, Martin and Petri -- 9.

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

So the bill passed.

Ordered immediately messaged.

Senate Bill 518

Relating to establishment of a correctional program for youthful offenders.

Read a second time.

Senator Johnson asked unanimous consent that senate substitute amendment 2 be considered for action at this time.

Senator Dorman objected.

The question was: Adoption of senate substitute amendment 1?

Senator Steinhilber moved that senate substitute amendment 1 be laid on the table.

LEAVE OF ABSENCE

By request of Senator Roseleip, with unanimous consent, he was granted a leave of absence for the balance of the afternoon.

By request of Senator Murphy, with unanimous consent, Senate Bill 518 was made a special order of business at 10:00 A.M. on Wednesday.

Senate Bill 671

Relating to the use of the term "ex officio". 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 671

Read a third time and passed.

Assembly Bill 314

Relating to notice of municipal budget hearings. 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.

Assembly Bill 314

Read a third time and concurred in.

Assembly Bill 370

Relating to revision of the registry of electors in cities of the 1st class.

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.

Assembly Bill 370

Read a third time.

The ayes and noes were required and the vote was: ayes, 25; noes, 5; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Chilsen, Devitt, Dorman, Frank, Johnson, Kasten, Keppler, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Parys, Peloquin, Petri, Risser, Steinhilber, Swan, J.D., swan, M., Theno, Thompson and Whittow -- 25.

Noes -- Senators Bidwell, Flynn, Hollander, Knowles and Murphy -- 5.

Absent or not voting -- Senators Kendziorski, Roseleip and Schuele -- 3.

So the bill was concurred in.

Senator Kasten moved reconsideration of the vote by which Assembly Bill 370 was concurred in, and, with unanimous consent, the motion for reconsideration was made a special order of business on Wednesday immediately following Senate Bill 518.

Assembly Bill 681

Relating to closing of elector registration. 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.

Assembly Bill 681

Read a third time and concurred in.

Assembly Bill 981

Relating to special registration of driver education vehicles, requiring insurance coverage for such vehicles and granting rulemaking authority.

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.

Assembly Bill 981

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, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 30.

Noes -- None.

Absent or not voting -- Senators Kendziorski, Roseleip and Schuele -- 3.

So the bill was concurred in.

AMENDMENTS OFFERED

Senate amendment 1 to senate amendment 1 to Senate Bill 451 by Senator Whittow, by request of Milwaukee County.

Senate substitute amendment 4 to Senate Bill 528 by Senators LaFave and Devitt.

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

Senate amendment 2 to Senate Bill 668 by Senator McKenna.

Senate amendment 1 to Senate Bill 771 by Senator Peloquin.

Senate amendment 2 to senate substitute amendment 1 to Assembly Bill 357 by Senator Devitt.

Senate amendment 1 to Assembly Bill 886 by Senator Hollander.

Senate substitute amendment 1 to Senate Bill 755 by Senator Flynn, by request of Legislative Committee of Milwaukee County.

Upon motion of Senator Johnson the senate adjourned until 10:00 A.M. Wednesday, February 20.

5:04 P.M.

INTRODUCTION OF GUESTS

Senator Martin introduced Mr. Larry Lundell and daughters Lori and Wendy of Sister Bay, Wisconsin.

Senator Thompson introduced John L. Counter, Edgerton and Mike O'Brien of Janesville, Wisconsin.