

JOURNAL OF THE SENATE (March 20, 1974)

STATE OF WISCONSIN
Senate Journal
Eighty-First Regular Session

WEDNESDAY, March 20, 1974.

10:00 A.M.

The senate met.

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

Prayer was offered by Reverend David Baskerville, a Lutheran missionary now attending Harvard University. David is the son-in-law of Chris Anderson, the assistant senate seargeant-at-arms.

Dear Lord and Heavenly Father, Maker of our world and all the varied peoples who inhabit it: We thank You for this new day. Nobody has ever lived today before. Nor will any of us be quite the same or have quite the same experiences again. So Lord, let us make the best of it according to Your will. Let us, and especially these our leaders, use the skills, the minds, and the talents which You have given us for the cause of justice, for the cause of freedom, for the cause of the total welfare of our citizens. Be present in our negotiations, instruct us in our law making, be in our politics and in our midst. We pray in the name of Jesus Christ, Amen.

The senate remained standing and the vice-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, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 32.

Absent -- None.

Absent with leave -- Senator Kendziorski -- 1.

JOURNAL OF THE SENATE (March 20, 1974)

President of the senate in the chair.

10:05 A.M.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 126

Granting the YMCA Youth in Government Committee the use of the legislative chambers on April 5 and 6, 1974.

By Senator Petri.

Read.

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

Adopted.

Ordered immediately messaged.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 906

Relating to creation of an environmental finance authority, granting rule-making power and making an appropriation.

By Senator Kasten.

To committee on Natural Resources.

Senate Bill 907

An act to increase the appropriation for aid to public library systems.

By Senators Dorman, Frank, Flynn and Schuele.

To joint committee on Finance.

Senate Bill 908

Relating to safe driving practices courses and granting rule-making authority.

By Senators Devitt, LaFave, Knutson, J. D. Swah, Hollander, Johnson, Krueger, Parys, Roseleip, Frank, Murphy and Bablitch.

To committee on Transportation.

JOURNAL OF THE SENATE (March 20, 1974)

COMMITTEE REPORTS

The committee on Judiciary and Insurance reports and recommends:

Senate Bill 768

Relating to interest rates chargeable on overdue insurance payments.

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

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

GERALD D. LORGE

Chairman

The committee on Transportation reports and recommends:

Assembly Bill 176

Relating to reflectors on bicycles, reflectorization of bicycles and providing a penalty.

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

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

REUBEN LAFAVE

Chairman

The committee on Health, Education and Welfare reports and recommends:

EBERL, DR. ANITA, of Milwaukee, as a member of the Optometry Examining Board, to succeed Dr. Terrence Hayes, to serve for the term ending July 1, 1977.

Confirmation; Ayes, 7; Noes, 0.

JAMES C. DEVITT

Chairman

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

ANDERSON, NORMAN E., of Hudson, as a member of the Bingo Control Board, to serve for the term ending May 1, 1980.

Confirmation; Ayes, 5; Noes, 0.

GORDON W. ROSELEIP

Chairman

JOURNAL OF THE SENATE (March 20, 1974)

Senator Risser asked unanimous consent that the appointment of Anderson and the other appointments to the bingo control board be considered for action at this time.

Senator Murphy objected.

By request of Senator Steinhilber, with unanimous consent, the foregoing measures on the committee reports were laid on the table.

Senator Steinhilber asked unanimous consent that consent calendars A and B be made a special order of business at 2:00 P.M.

Senator Bablitch objected.

Senator Steinhilber asked unanimous consent that the appointments to the bingo control board to made a special order of business at 2:00 P.M.

Senator Bablitch objected.

Senator LaFollette called the chair's attention to the special orders of business.

SPECIAL ORDERS

Senator M. Swan moved that **Assembly Bill 934** be withdrawn from the committee on Industry, Labor, Taxation and Banking and laid on the table.

Senator Knowles raised the point of order that the motion required a two-thirds vote.

The chair ruled that **Senate Bill 280** was the next order of business before the senate pursuant to senate rule 17 (3).

Senator M. Swan appealed the ruling of the chair.

By request of Senator Risser, with unanimous consent, the senate recessed until 11:55 A.M.

11:10 A.M.

RECESS

11:55 A.M.

The senate reconvened.

JOURNAL OF THE SENATE (March 20, 1974)

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, 16; noes, 16; absent or not voting, 1; as follows:

Ayes -- Senators Bidwell, Chilsen, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, Lorge, Martin, Murphy, Petri, Steinhilber, Swan, J.D. and Theno -- 16.

Noes -- Senators Bablitch, Devitt, Dorman, Flynn, Frank, LaFave, LaFollette, McKenna, Parys, Peloquin, Risser, Roseleip, Schuele, Swan, M., Thompson and Whittow -- 16.

Absent or not voting -- Senator Kendziorski -- 1.

So the ruling of the chair was not sustained.

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

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 1; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, Lorge, Murphy, Petri, Roseleip, Steinhilber, Swan, J.D. and Theno -- 17.

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

Absent or not voting -- Senator Kendziorski -- 1.

So the motion prevailed.

12:11 P.M.

RECESS

2:00 P.M.

The senate reconvened.

The question was: Does senate rule 76 take precedence over senate rule 41 and is only a majority required to withdraw Assembly Bill 934 from committee?

Senator M. Swan moved a

CALL OF THE SENATE

Which motion was supported.

JOURNAL OF THE SENATE (March 20, 1974)

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, Dorman, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, LaFollette, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 28.

Absent -- Senators Chilsen, Devitt, Flynn and Lorge -- 4.

Absent with leave -- Senator Kendziorski -- 1.

Senator Steinhilber asked unanimous consent that the call be raised.

Senator M. Swan objected.

Senator Steinhilber asked unanimous consent that the absent members be granted a leave.

Senator Dorman objected.

Senator Steinhilber moved that the call be raised.

The ayes and noes were demanded and the vote was: ayes, 23; noes, 8; absent or not voting, 2; as follows:

• Ayes -- Senators Bablitch, Devitt, Dorman, Flynn, Frank, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, LaFollette, McKenna, Parys, Peloquin, Risser, Roseleip, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 23.

Noes -- Senators Bidwell, Hollander, Kasten, Lorge, Martin, Murphy, Petri and Schuele -- 8.

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

So the motion prevailed.

The question was: Does senate rule 76 take precedence over senate rule 41 and is only a majority vote required to withdraw Assembly Bill 934 from committee?

The ayes and noes were required and the vote was: ayes, 17; noes, 16; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Devitt, Dorman, Flynn, Frank, LaFave, LaFollette, McKenna, Parys, Peloquin, Risser, Roseleip, Schuele, Swan, M., Thompson, Whittow and President -- 17.

JOURNAL OF THE SENATE (March 20, 1974)

Noes -- Senators Bidwell, Chilsen, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, Lorge, Martin, Murphy, Petri, Steinhilber, Swan, J.D. and Theno -- 16.

Absent or not voting -- Senator Kendziorski -- 1.

So senate rule 76 takes precedence and only a majority vote is required to withdraw from committee.

Senator M. Swan moved that Assembly Bill 934 be withdrawn from the committee on Industry, Labor, Taxation and Banking and laid on the table.

Senator Knowles asked for a division of the question.

The chair ruled a division of the question was not in order.

Senator Knowles appealed the ruling of the chair.

Senator Dorman in the chair.

3:25 P.M.

President of the senate in the chair.

3:26 P.M.

Senator Chilsen raised the point of order that the chair couldn't break the tie vote on the previous question, as the chair originally submitted the question to the body because it was in doubt.

The chair put the question of the previous appeal of the ruling of the chair to the senate.

As it relates to the ruling that a division of the question was not in order, 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, 17; noes, 16; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Devitt, Dorman, Flynn, Frank, LaFave, LaFollette, McKenna, Parys, Peloquin, Risser, Roseleip, Schuele, Swan, M., Thompson, Whittow and President -- 17.

Noes -- Senators Bidwell, Chilsen, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, Lorge, Martin, Murphy, Petri, Steinhilber, Swan, J.D. and Theno -- 16.

Absent or not voting -- Senator Kendziorski -- 1.

So the ruling of the chair was sustained.

JOURNAL OF THE SENATE (March 20, 1974)

The question was: Shall **Assembly Bill 934** be withdrawn from the committee on Industry, Labor, Taxation and Banking and laid on the table.

The ayes and noes were required and the vote was: ayes, 17; noes, 16; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Devitt, Dorman, Flynn, Frank, LaFave, LaFollette, McKenna, Parys, Peloquin, Risser, Roseleip, Schuele, Swan, M., Thompson, Whittow and President -- 17.

Noes -- Senators Bidwell, Chilsen, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, Lorge, Martin, Murphy, Petri, Steinhilber, Swan, J.D. and Theno -- 16.

Absent or not voting -- Senator Kendziorski -- 1.

So the motion prevailed.

Senator Steinhilber brought the chair's attention to the fact that **Senate Bill 280** was the next item before the senate.

Senate Bill 280

Relating to requiring death certificates showing cause of deaths from abortion.

Read a second time.

Senator Risser asked unanimous consent that **Senate Bill 280** be referred to the joint committee on Finance.

Senator Devitt objected.

Senator Risser moved that **Senate Bill 280** be referred to the joint committee on Finance.

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

Ayes -- Senators Bablitch, Bidwell, Chilsen, Dorman, Flynn, Kasten, Knowles, LaFollette, McKenna, Parys, Peloquin, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno and Thompson -- 18.

Noes -- Senators Devitt, Frank, Hollander, Johnson, Keppler, Knutson, Krueger, LaFave, Lorge, Martin, Murphy, Swan, M. and Whittow -- 13.

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

The motion prevailed.

Senator McKenna moved that **Senate Bill 934** be taken from the table and considered for action at this time.

JOURNAL OF THE SENATE (March 20, 1974)

Senator Johnson raised the point of order that this required a suspension of the rules.

The chair ruled the point of order not well taken.

Senator J. D. Swan appealed the ruling of the chair.

The ayes and noes were required and the vote was: ayes, 15; noes, 17; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Devitt, Dorman, Flynn, Frank, LaFave, LaFollette, McKenna, Parys, Peloquin, Risser, Schuele, Swan, M., Thompson and Whittow -- 15.

Noes -- Senators Bidwell, Chilsen, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, Lorge, Martin, Murphy, Petri, Roseleip, Steinhilber, Swan, J.D. and Theno -- 17.

Absent or not voting -- Senator Kendziorski -- 1.

So the ruling of the chair was not sustained.

Senate Bill 261

Relating to state aid for special reading programs for elementary and secondary students, and making appropriations.

Read a second time.

Ordered to a third reading.

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

Senator J. D. Swan objected.

Senator Peloquin moved that the bill be considered for final action at this time.

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

Ayes -- Senators Bablitch, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Murphy, Parys, Peloquin, Petri, Risser, Schuele, Steinhilber, Swan, M., Theno, Thompson and Whittow -- 28.

Noes -- Senators Bidwell, Roseleip and Swan, J.D. -- 3.

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

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

Senator Dorman in the chair.

4:40 P.M.

JOURNAL OF THE SENATE (March 20, 1974)

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

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

Noes -- Senators Bidwell, Hollander, Knutson, Murphy, Steinhilber and Swan, J.D. -- 6.

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

So the bill passed.

Ordered immediately messaged.

President of the senate in the chair.

4:45 P.M.

Senator M. Swan moved that **Assembly Bill 23** be placed after item 33 on the special order list.

Senator Petri 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, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 32.

Absent -- None.

Absent with leave -- Senator Kendziorski -- 1.

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

Senator Steinhilber asked unanimous consent that calendars A and B and the appointments to the bingo control board be made special orders of business at 11:00 A.M. Thursday, March 21.

Senator LaFave objected.

JOURNAL OF THE SENATE (March 20, 1974)

Senator Risser asked unanimous consent that the senate recess for 5 minutes.

Senator Steinhilber objected.

Senator Risser moved that the senate recess for 5 minutes.

Senator Risser moved a

CALL OF THE SENATE

Senator Johnson moved that the senate adjourn.

Senator Risser moved to amend the adjournment motion.

The chair ruled that the motion to adjourn was not amendable.

Senator Risser appealed the ruling of the chair.

Senator Knowles raised the point of order that pursuant to senate rule 68 the question was nondebatable.

The chair ruled the point of order well taken.

Senator Risser asked unanimous consent that the senate recess for 5 minutes.

Senator Steinhilber objected.

Senator Risser moved a

CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

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

Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 32.

Absent -- None.

Absent with leave -- Senator Kendziorski -- 1.

As it relates to the ruling that the motion to adjourn is nonamendable, the question was: Shall the ruling of the chair stand as the decision of the senate?

JOURNAL OF THE SENATE (March 20, 1974)

The ayes and noes were required and the vote was: ayes, 20; noes, 12; absent or not voting, 1; as follows:

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

Noes -- Senators Bablitch, Dorman, Frank, LaFollette, McKenna, Parys, Peloquin, Risser, Schuele, Swan, M., Thompson and Whittow -- 12.

Absent or not voting -- Senator Kendziorski -- 1.

So the ruling of the chair was sustained.

By request of Senator Johnson, with unanimous consent, the senate adjourned in honor of Senator Frank's 29th birthday.

AMENDMENTS OFFERED

Senate amendment 6 to **Assembly Joint Resolution 5** by Senator Hollander.

Senate amendment 9 to **Assembly Bill 175** by Senator Knutson.

Senate amendment 10 to **Assembly Bill 175** by Senator Murphy.

Senate amendment 1 to **Assembly Bill 678** by Senator Chilsen.

Senate amendment 2 to **Assembly Bill 678** by Senators Keppler, Kasten, Frank, McKenna and Martin.

Senate amendment 1 to senate substitute amendment 1 to **Assembly Bill 1016** by Senator McKenna.

Senate amendment 2 to senate substitute amendment 1 to **Assembly Bill 1016** by Senator McKenna.

Senate amendment 3 to senate substitute amendment 1 to **Assembly Bill 1016** by Senator McKenna.

Senate amendment 4 to senate substitute amendment 1 to **Assembly Bill 1016** by Senator McKenna.

Senate amendment 5 to senate substitute amendment 1 to **Assembly Bill 1016** by Senator McKenna.

Senate amendment 6 to senate substitute amendment 1 to **Assembly Bill 1016** by Senator McKenna.

JOURNAL OF THE SENATE (March 20, 1974)

Senate amendment 7 to senate substitute amendment 1 to **Assembly Bill 1016** by Senator McKenna.

Senate amendment 8 to senate substitute amendment 1 to **Assembly Bill 1016** by Senator McKenna.

Senate amendment 9 to senate substitute amendment 1 to **Assembly Bill 1016** by Senator McKenna.

Senate amendment 4 to **Senate Bill 876** by Senator Krueger.

Senate amendment 1 to **Senate Bill 899** by Senator LaFave.

The question was: Shall the senate stand adjourned?

Ayes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Murphy, Petri, Roseleip, Steinhilber, Swan, J.D. and Theno -- 18.

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

Absent or not voting -- Senator Kendziorski -- 1.

So the senate adjourned.

5:40 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate substitute amendment 1 to **Assembly Bill 1016**

1. Wherever in the following locations "cummulatively" appears, "cumulatively" is substituted: Page 10, lines 23 and 27; page 11, line 24; page 14, lines 16, 34 and 36; page 15, lines 3, 8 and 10; page 17, line 5; page 18, line 11; page 21, lines 21 and 40; page 22, lines 1, 10, 15 and 17; page 23, line 34; page 24, lines 23; page 25, line 34; page 26, lines 13, 15, 22, 27 and 29; page 27, line 40; and page 28, line 7.

2. Wherever in the following locations "cummulative" appears, "cumulative" is substituted: page 17, line 2; and page 23, line 30.

3. On page 13, line 38, delete "the campaign treasurer" and substitute "him".

JOURNAL OF THE SENATE (March 20, 1974)

4. On page 17, line 8, delete "contributors" and substitute "persons contributing".
5. On page 17, line 8, delete "contributors" and substitute "persons contributing".
6. On page 17, line 32, delete "statement" and substitute "statewide".
7. On page 21, line 8, delete "the campaign treasurer" and substitute "him".
8. On page 23, line 32, delete "summary" and substitute "report".
9. On page 23, line 36, delete "contributors" and substitute "persons contributing".
10. On page 28, line 10, delete "bona-fide" and substitute "bona fide".
11. On page 28, line 13, delete "CONTRIBUTIONS" and substitute "DISBURSEMENTS".
12. On page 31, line 17, after "individual" insert a coma.

INTRODUCTION OF GUESTS

Lieutenant Governor Martin J. Schreiber introduced the following members of the Special Committee on Fire Safety: Russell Anderson, Fire Chief, Racine, Ardell Braun, Fire Chief, Sheboygan, Dick Seelen, Deputy Fire Chief Instruction and Training, Milwaukee, Dick Davis, Professional Fire Fighter, Milwaukee, Dick Lipke, Professional Fire Fighter, Kenosha, Ronald Olm, Professional Fire Fighter, Beloit, LeRoy Waite, Professional Fire Fighter, Beloit, John Tappen, Fire Marshal, Madison Fire Department, Erwin A. Stoecker, Milwaukee Area Technical College, Milwaukee, and Robert McBurney, Industry Safety and Building Division, Department of Industry, Labor and Human Relations, Madison.

Senator Hollander introduced Mr. Ed Ritger and Sister Rene and 55 eighth grade students from St. Joseph's School, Fond du Lac, Wisconsin.

JOURNAL OF THE SENATE (March 20, 1974)

Senator Kasten introduced 60 students, Mr. Richar Scamfer and Mr. James Carpenter of Brown Deer High School, Brown Deer, Wisconsin.

Senator Murphy introduced Mrs. Gerald Mader, president of the League of Women Voters and 35 members, of Brookfield and Elm Grove, Wisconsin.

Senator Petri introduced Miss Finnegan, Mr. Lamal and 8th grade students of West DePere High School, DePere, Wisconsin.