

JOURNAL OF THE SENATE [February 11, 1975]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

TUESDAY, February 11, 1975.

10:00 A.M.

The senate met.

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

Prayer was offered by Reverend Joseph E. Dawson, Pastor of Mt. Zion Baptist Church, Madison.

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

LEAVE OF ABSENCE

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

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

Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Swan, Theno, Thompson and Whittow -- 30.

Absent -- None.

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Absent with leave -- Senator Knutson -- 1.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 142

An act to appropriate \$20,000 from the general fund for payment of a claim made by Charles Creighbaum against the state.

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

To joint committee on Finance.

Senate Bill 143

Relating to requiring 6-person juries in civil cases and traffic cases.

By Senators Frank, Kleczka, Parys, Whittow and Berger, cosponsored by Representatives Barbee and Pabst, by request of Milwaukee County.

To committee on Judiciary and Consumer Affairs.

Senate Bill 144

Relating to the composition of school boards in cities of the 1st class.

By Senators Kleczka, Swan, Berger, Frank and Parys, cosponsored by Representatives Norquist, Tuczynski, Czerwinski, Sanasarian, Tropman, Ward, Behnke, Soucie, Elconin, Conta, Kirby and Pabst.

To committee on Education.

Senate Bill 145

Relating to certification of native American language teachers.

By Senators LaFave, Devitt, Krueger, Petri, Theno, Chilsen, Keppler, Swan, Parys, Babiitch, Cullen, Morrison, Thompson, McKenna, Peloquin and Dorman, cosponsored by Representatives Plewa, Tropman, Norquist, Rutkowski, Clarenbach, Donoghue, Matty, Kincaid, Conradt, Conta and Rogers, by request of Great Lakes Inter-Tribal Council, Education Committee.

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To committee on Education.

COMMITTEE REPORTS

The committee on Commerce reports and recommends for introduction:

Senate Bill 146

Relating to motor carrier insurance and granting rule-making authority.

By request of Wisconsin Department of Transportation.

Introduction; Ayes, 8; Noes, 1.

Read first time and referred to committee on Commerce.

Senate Bill 147

Relating to certain vehicles required to stop at railroad crossings.

By request of Wisconsin Department of Transportation.

Introduction; Ayes, 8; Noes, 1.

Read first time and referred to committee on Commerce.

Senate Bill 148

Relating to driver's license revocation for failure to comply with actions required at the scene of an accident.

By request of Wisconsin Department of Transportation.

Introduction; Ayes, 9; Noes, 0.

Read first time and referred to committee on Commerce.

Senate Bill 149

Relating to cancellation and suspension of operators' licenses and providing a penalty.

By request of Wisconsin Department of Transportation.

Introduction; Ayes, 8; Noes, 1.

Read first time and referred to committee on Commerce.

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Senate Bill 150

Relating to issuing receipts for driving a motor vehicle pending processing of applications.

By request of Wisconsin Department of Transportation.

Introduction; Ayes, 9; Noes, 0.

Read first time and referred to committee on Commerce.

RONALD G. PARYS

Chairman

The committee on Judiciary and Consumer Affairs reports and recommends for introduction:

Senate Bill 151

Relating to the evidence of transactions with deceased or insane persons and deceased agents.

By request of the State Bar of Wisconsin.

Introduction; Ayes, 5; Noes, 0.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Senate Bill 152

Relating to miscellaneous inheritance tax changes.

By request of the Department of Revenue.

Introduction; Ayes, 5; Noes, 0.

Read first time and referred to committee on Judiciary and Consumer Affairs.

And further recommends:

Senate Bill 13

Relating to mandatory commitment for presentence examination.

Passage; Ayes, 5; Noes, 0.

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Senate Bill 14

Relating to revision of the criminal code.

Passage; Ayes, 4; Noes, 1.

JAMES T. FLYNN
Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 13

By 8 people from Milwaukee County who are opposed to the Ban of Studded Tires.

By Senator Martin.

Read and referred to committee on Commerce.

State of Wisconsin
Department of State

February 10, 1975.

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 3, 1975, and ending on February 7, 1975.

Yours very truly,
DOUGLAS LAFOLLETTE
Secretary of State

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

Tomlinson, Ray A., P.O. Box 2075, 330 E. Wilson St., Madison, Wis., Lawyer -- Wisconsin Chapter, American Institute of Architects, 788 N. Jefferson St., Milw., Wisc. -- 07, 11, 19, 23 - Jan. 28, 1975.

Englund, Eric, P.O. Box 2075, 330 E. Wilson St., Madison, Wisc., Lawyer -- Wisconsin Chapter, American Institute of Architects, 788 N. Jefferson St., Milw., Wisc. -- 07, 11, 19, 23 -- Jan. 24, 1975.

Ellingson, John H., Suite 203, 802 W. Broadway, Madison, Wisc., Exec. Sec. -- Wisc. Assoc. of Food Dealers, Suite 203, 802

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W. Broadway, Madison, Wisc. -- 01, 06, 07, 21, 23 -- Jan. 30, 1975.

Peterson, Richard E., 202 E. Union St., Waupaca, Wisc., Attorney -- National Assoc. of Theatre Owners of Wisc., 161 W. Wisconsin Ave., Milw., Wisc. -- 31 -- Feb. 3, 1975.

Boll, James C., 25 W. Main St., Madison, Wisc., Attorney -- Wisc. Chiefs of Police Assoc., Inc., N. Biron Dr., Box 157, Wisconsin Rapids, Wisc. -- 10, 12, 14, 16, 21, 22, 23, 24, 28 -- Jan. 28, 1975.

Schroeder, Robert W., 212 W. Wisconsin Ave., Milw., Wisc., Attorney -- The Kohl Corp. d/b/a/, Kohl's Food Stores, 11100 W. Burleigh St., Milw., Wisc. -- 31 -- Jan. 28, 1975.

Moerke, Ewald L., Jr., 212 W. Wisconsin Ave., Milw., Wisc., Attorney -- The Kohl Corp. d/b/a, Kohl's Food Stores, 11100 W. Burleigh St., Milw., Wisc. -- 31 -- Jan. 28, 1975.

Peterson, Richard E., 202 E. Union St., Waupaca, Wisc., Attorney -- The Tobacco Institute, Inc., 1776 K Street, NW, Washington, D.C. -- 31 -- Feb. 3, 1975.

Mittelberg, Gene, 205 Shady Lake Est., Columbia, Mo., Public Relations & Related Fields -- Wisc. Citizens for Right to Work, 354 W. Main St., Madison, Wisc. -- 09, 21 -- Feb. 5, 1975.

Foss, Karl R., 7324 South Ave., Middleton, Wisc., State of Wisc. -- Karl R. Foss, 7324 South Ave., Middleton, Wisc. -- 07, 23, 27, 29 -- Jan. 29, 1975.

Peterson, Richard E., 202 E. Union St., Waupaca, Wisc., Attorney -- Wisc. Periodical Distr. Assoc., 201 E. Badger Rd., Madison, Wisc. -- 25, 30, 31 freedom of press -- Jan. 30, 1975.

Peterson, Richard E., 202 E. Union St., Waupaca, Wisc., Attorney -- Wisc. Retail Hdwe. Assoc., 2801 Dixon St., Stevens Point, Wisc. -- 03, 06, 11, 20, 21, 23, 25, 28 -- Jan. 30, 1975.

Peterson, Richard E., 202 E. Union St., Waupaca, Wisc., Attorney -- Wisconsin Suburban League, 9915 39th Avenue, Kenosha, Wisc. -- 07, 11, 14, 20, 28, 30 -- Jan. 30, 1975.

Peterson, Richard E., 202 E. Union St., Waupaca, Wisc., Attorney -- Wisconsin Mfg. Housing Assoc., 1109 Mayfair Road, Wauwautosa, Wisc. -- 03, 06, 11, 12, 14, 15, 19, 20, 21, 23, 25, 28, 29 -- Jan. 30, 1975.

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Kennedy, Charles H., 1438 N. Stoughton Rd., Madison, Wisc., Attorney -- Wisconsin Assoc. of Town Mutual Insurance Companies, Inc., 1438 N. Stoughton Rd., Madison, Wisc. -- 01, 03, 11, 20, 22, 28 -- Jan. 29, 1975.

Kuehn, Ronald W., 121 S. Pinckney St., Madison, Wisc., Lawyer -- Wisconsin Paper Council, c/o Nekoosa Edwards Paper Co., Port Edwards, Wisc. -- 07, 11, 16, 21, 25, 26, 27, 28, 29, 30, 31 pulp and paper industry -- Jan. 24, 1975.

Derouin, James G., 121 S. Pinckney St., Madison, Wisc., Lawyer -- Wisconsin Paper Council, c/o Nekoosa Edwards Paper Co., Port Edwards, Wisc. -- 07, 11, 16, 21, 25, 26, 27, 28, 29, 30, 31 pulp and paper industry -- Jan. 24, 1975.

DeWitt, Jack R., 121 S. Pinckney St., Madison, Wisc., Lawyer -- Wisconsin Paper Council, c/o Nekoosa Edwards Paper Co., Port Edwards, Wisc. -- 07, 11, 16, 21, 25, 26, 27, 28, 29, 30, 31 pulp and paper industry -- Jan. 24, 1975.

Muzik, Edward J., 139 W. Wilson, Madison, Wisc., Exec. Sec. -- Assoc. of University of Wisconsin Faculties, Inc., 139 W. Wilson, Madison, Wisc. -- 18 -- Jan. 28, 1975.

Gurian, Robert J. RR 1 Martinsville Rd., Cross Plains, Wisc., Staff Rep. -- Wisconsin Federation of Teachers, 2266 N. Prospect Ave., Milw., Wisc. -- 04, 08, 10, 11, 18, 21, 28, Jan. 25, 1975.

Schroeder, Robert W., 212 W. Wisconsin Ave., Milw., Wisc., Attorney -- National Assoc. of Theatre Owners of Wisc., 161 W. Wisconsin Ave., Milw., Wisc. -- 31 manufacturing or viewing of movies or operation of movie theaters -- Jan. 28, 1975.

Moerke, Ewald L., Jr., 212 W. Wisconsin Ave., Milw., Wisc., Attorney -- National Assoc. of Theatre Owners of Wisc., 161 W. Wisconsin Ave., Milw., Wisc. -- 31 manufacturing or viewing of movies or operation of movie theaters -- Jan. 28, 1975.

Moerke, Ewald L., Jr., 212 W. Wisconsin Ave., Milw., Wisc., Attorney -- Metropolitan Sewerage Commission of the County of Milwaukee, P.O. Box 2079, Milw., Wisc. -- 31 sewers, sewage & pollution -- Jan. 28, 1975.

Schroeder, Robert W., 212 W. Wisconsin Ave., Milw., Wisc., Attorney -- Metropolitan Sewerage Commission of the County of Milwaukee, P.O. Box 2079, Milw., wisc. -- 31 sewers, sewage & pollution -- Jan. 28, 1975.

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Morgan, James W., 4289 W. Beltline Hwy., P.O. Box 4184, Madison, Wisc., Attorney -- Wisconsin Liquid Waste Carriers Assoc., Route 7 - Box 498, Burlington, Wisc. -- 12, 13, 14, 15, 16, 17, 31 liquid waste disposal -- Jan. 23, 1975.

Morgan, James W., 4289 W. Beltline Hwy., P.O. Box 4184, Madison, Wisc., Attorney -- Wisconsin State Fire Chiefs Assoc., 700 E. First St., Merrill, Wisc. -- 12, 13, 14, 15, 16, 17, 31 pension & other matters affecting fire service -- Jan. 23, 1975.

Morgan, James W. 4289 W. Beltline Hwy., P.O. Box 4302, Madison, Wisc., Attorney -- Wisconsin State Firemen's Assoc., Inc. of Wisc., P.O. Box 4302, Madison, Wisc. -- 12, 13, 14, 15, 16, 17, 31 Pension and matters affecting fire service -- Jan. 23, 1975.

Legislative Subject Identification

Code	Subject
01	<i>Agriculture, horticulture, farming & livestock</i>
02	<i>Amusements, games, athletics and sports</i>
03	<i>Banking, finance, credit and investments</i>
04	<i>Children, minors, youth & senior citizens</i>
05	<i>Church & Religion</i>
06	<i>Consumer Affairs</i>
07	<i>Ecology, environment, pollution, conservation, zoning, land & water use</i>
08	<i>Education</i>
09	<i>Elections, campaigns, voting & political parties</i>
10	<i>Equal rights, civil rights & minority affairs</i>
11	<i>Government, financing, taxation, revenue, budget, appropriations, bids, fees & funds</i>
12	<i>Government, county</i>
13	<i>Government, federal</i>
14	<i>Government, municipal</i>
15	<i>Government, special districts</i>
16	<i>Government, state</i>
17	<i>Health services, medicine, drugs and controlled substances, health insurance & hospitals</i>
18	<i>Higher education</i>
19	<i>Housing, construction & codes</i>
20	<i>Insurance (excluding health insurance)</i>
21	<i>Labor, salaries and wages, collective bargaining</i>
22	<i>Law enforcement, courts, judges, crimes & prisons</i>

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- 23 *Licenses & permits*
- 24 *Liquor*
- 25 *Manufacturing, distribution & services*
- 26 *Natural resources, forests and forest products, fisheries, mining & mineral products*
- 27 *Public lands, parks & recreation*
- 28 *Social insurance, unemployment insurance, public assistance & workmen's compensation*
- 29 *Transportation, highways, streets & roads*
- 30 *Utilities, communications, television, radio, newspapers, power, CATV, & gas*
- 31 *Other*

MOTION UNDER SENATE RULE 96

A Certificate of Condolence by Senator Knutson for the wife and family of WALTER R. NINNEMAN on the occasion of his death.

The above motion under Senate Rule 96 was read and adopted.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

Assembly Joint Resolution 6

Motion under Joint Rule 26:

A Joint Certificate of Congratulations by Representatives Wahner; cosponsored by Senator Berger for ROBERT E. REGENT on winning the title "World's Champion Liar of 1974";

A Joint Certificate of Commendation by Representative Barbee; cosponsored by Senator Berger for DOCTOR-PROFESSOR H. W. BUCHHOLZ on his origination of the operation for total replacement of the ankle joint.

and

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Passed and asks concurrence in:

Assembly Bill 102
Assembly Bill 51

and

Concurred in:

Senate Joint Resolution 13

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 6

To amend section 3 of article XI of the constitution so as to authorize counties, municipalities and certain school districts to become indebted up to 10% of equalized valuation (2nd consideration).

By Representatives Johnson, DeLong and Barczak, co-sponsored by Senators Martin and Hollander; by request of League of Wisconsin Municipalities, Wisconsin Town Boards Association and Wisconsin County Boards Association.

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

Motion under Joint Rule 26:

A Joint Certificate of Congratulations by Representatives Wahner; cosponsored by Senator Berger for ROBERT E. REGENT on winning the title "World's Champion Liar of 1974";

A Joint Certificate of Commendation by Representative Barbee; cosponsored by Senator Berger for DOCTOR-PROFESSOR H. W. BUCHHOLZ on his origination of the operation for total replacement of the ankle joint.

The above motions under Joint Rule 26 were read and concurred in enmasse.

Assembly Bill 102

Relating to powers of cities to undertake urban renewal, slum clearance and blight elimination projects.

By Representatives Barczak, Roth, McEssy, Johnson and Metz; co-sponsored by Senators Frank, Cullen and Chilsen, by request of the League of Wisconsin Municipalities and the Department of Local Affairs and Development.

Read first time and referred to committee on Commerce.

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Assembly Bill 51

Relating to public service commission procedures for contract motor carriers.

By Representative Sanasarian.

Read first time and referred to committee on Commerce.

CALENDAR OF FEBRUARY 11

Senate Bill 3

Relating to free small game licenses for residents over 65 years of age.

Read a second time.

Senator Whittow asked unanimous consent that **Senate Bill 3** be referred to the committee on Agriculture, Human Services, Labor and Taxation.

Senator Kleczka objected.

By request of Senator Whittow, with unanimous consent, **Senate Bill 3** was referred to joint committee on Finance.

Senate Bill 33

Relating to authorizing the department of natural resources to waive annual state inspection of certain dams which are also inspected annually by the federal power commission.

Read a second time.

By request of Senator Whittow, with unanimous consent, **Senate Bill 33** was referred to joint committee on Finance.

Senate Joint Resolution 4

To amend article XIII, section 2, so as in effect to repeal said section of the constitution, relating to disabilities arising from dueling (2nd consideration).

Read a second time.

Ordered to a third reading.

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

Senate Joint Resolution 4

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 2; absent or not voting, 1; as follows:

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Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Kleczka, Knowles, Krueger, Lorge, McKenna, Martin, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Swan, Theno, Thompson and Whittow -- 28.

Noes -- Senators Keppler and LaFave -- 2.

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

There being more than 17 affirmative votes the joint resolution was adopted.

Senate Joint Resolution 5

To amend article VIII, section 3 and section 7(2)(a), of the constitution, relating to authorizing the contracting of public debt for veterans' housing (2nd consideration).

Read a second time.

Ordered to a third reading.

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

Senate Joint Resolution 5

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Swan, Theno, Thompson and Whittow -- 30.

Noes -- None.

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

There being more than 17 affirmative votes the joint resolution was adopted.

Senate Bill 28

Relating to closing hour of certain liquor and beer bars.

Read a second time.

Ordered to a third reading.

By request of Senator Whittow, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 28

Read a third time and passed.

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Senate Bill 31

Relating to deleting statutory interest limits on county, town, sanitary district, city or village public improvement bonds.

Read a second time.

Ordered to a third reading.

By request of Senator Whittow, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 31

Read a third time and passed.

Senate Bill 34

Relating to permits for vehicles hauling pole-length forest products.

Read a second time.

Ordered to a third reading.

By request of Senator Whittow, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 34

Read a third time and passed.

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

Senator Bablitch in the chair.

10:55 A.M.

AMENDMENTS OFFERED

Senate amendment 3 to **Senate Bill 3** by Senator Berger.

Senate substitute amendment 1 to **Senate Joint Resolution 15** by Senator Parys.

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Upon motion of Senator Whittow the senate adjourned until
10:00 A.M. Wednesday, February 12.

11:15 A.M.

INTRODUCTION OF GUESTS

Senator Martin introduced members of the Republican
Women's Club of Manitowoc County.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Assembly amendment 1 to **Assembly Bill 102**

On line 5, substitute "development" for "redevelopment".