

JOURNAL OF THE SENATE [February 12, 1975]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

WEDNESDAY, February 12, 1975.

10:00 A.M.

The senate met.

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

Prayer was offered by Father Thomas McInnis from Edgewood College, Madison.

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.

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.

Absent with leave -- Senator Knutson -- 1.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 18

To repeal and recreate joint rule 2, as last adopted in 1967, relating to committees of conference.

By Senator Berger.

JOURNAL OF THE SENATE [February 12, 1975]

Read and referred to committee on Senate Organization.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 153

Relating to eligibility of state employes for length of service payments.

By Senator Bablitch.

To joint committee on Finance.

Senate Bill 154

Relating to notice requirements for sidewalk repairs, performing minor sidewalk repairs and the duties of city engineers.

By Senators McKenna, Peloquin, Risser, Whittow and Dorman, cosponsored by Representative Munts.

To committee on Governmental and Veterans' Affairs.

Senate Bill 155

Relating to public construction work contracts which are required to be open to public bids by counties, villages, vocational, technical and adult education districts, cities and city school districts.

By Senators Martin, Hollander, Keppler and Bablitch, cosponsored by Representatives Rooney, Schricker, Azim, Quackenbush and Munts, by request of League of Wisconsin Municipalities, Wisconsin County Boards Association, and Wisconsin Association of School Board.

To committee on Agriculture, Human Services, Labor and Taxation.

Senate Bill 156

Relating to half fare bus transportation for passengers over 65 and granting rule-making authority to the public service commission.

By Senator Berger.

To committee on Agriculture, Human Services, Labor and Taxation.

Senate Bill 157

Relating to statewide property assessment.

By Senator Berger.

To committee on Governmental and Veterans' Affairs.

JOURNAL OF THE SENATE [February 12, 1975]

Senate Bill 158

Relating to income tax withholding exemptions, inheritance tax on joint property, Levalley formula, exemptions from inheritance tax, inheritance and gift tax rates, gift tax annual exclusion and granting rule-making authority.

By Senator Berger.

To Joint Survey Committee on Tax Exemptions.

Senate Bill 159

Relating to income tax exemption for senior citizens.

By Senator Berger, cosponsored by Representatives Wahner and Kirby.

To committee on Agriculture, Human Services, Labor and Taxation.

Senate Bill 160

Relating to homestead tax credits.

By Senator Berger, cosponsored by Representatives Wahner and Kirby.

To joint committee on Finance.

Senate Bill 161

Relating to a no fault plan of compensating automobile accident victims, authorizing rule-making authority and providing penalties.

By Senator Berger.

To committee on Judiciary and Consumer Affairs.

Senate Bill 162

Relating to requiring the retail price of burial caskets to be clearly marked and an itemized statement of funeral costs furnished, prohibiting requiring of a casket for cremations and providing a penalty.

By Senator Berger, cosponsored by Representative Kirby.

To committee on Judiciary and Consumer Affairs.

Senate Bill 163

Relating to maximum finance charge for open-end credit plans.

By Senator Berger.

To committee on Judiciary and Consumer Affairs.

Senate Bill 164

Establishing a requirement that all territory in this state be in school districts operating both elementary and high school grades by July 1, 1979.

By Senator Berger.

To committee on Education.

JOURNAL OF THE SENATE [February 12, 1975]

Senate Bill 165

Replacing the board of state bar commissioners with an office of the state bar commissioner and a state bar advisory board, and providing an appropriation.

By Senator Berger.

To committee on Judiciary and Consumer Affairs.

Senate Bill 166

Relating to statute of limitations in professional health care malpractice actions.

By Senator Berger.

To committee on Judiciary and Consumer Affairs.

Senate Bill 167

Relating to interest on money held in escrow for security deposits on rentals.

By Senator Berger.

To committee on Judiciary and Consumer Affairs.

Senate Bill 168

Relating to payment of interest on advance payments in connection with mortgages and on security deposits and providing a penalty.

By Senators Berger, Cullen and Goyke.

To committee on Commerce.

Senate Bill 169

Relating to maximum interest rate for consumer credit transactions.

By Senator Berger.

To committee on Commerce.

Senate Bill 170

Relating to merging the office of register in probate into the office of probate registrar and providing for the election of probate registrar in each county.

By Senator Berger.

To committee on Judiciary and Consumer Affairs.

Senate Bill 171

Prohibiting the use of colored light to artificially enhance the appearance of food offered for sale and providing a penalty.

By Senator Berger.

To committee on Judiciary and Consumer Affairs.

JOURNAL OF THE SENATE [February 12, 1975]

Senate Bill 172

Relating to eliminating the boards of agriculture, natural resources and veterans affairs and placing full control with the secretaries of those departments, and creating councils.

By Senator Berger.

To joint committee on Finance.

Senate Bill 173

Relating to granting creditable service under the Wisconsin retirement fund for certain probationary employment periods.

By Senators LaFave and Devitt, by request of Joint Survey Committee on Retirement Systems.

To Joint Survey Committee on Retirement Systems.

Senate Bill 174

Relating to postponement of bargaining of certain retirement benef's by the state, and providing for a special study committee.

By Senators LaFave and Devitt, by request of Retirement Research Council.

To Joint Survey Committee on Retirement Systems.

Senate Bill 175

Relating to probate court commissioners in counties having a population of less than 500,000.

By Senators Risser, Murphy, Martin, Lorge, Theno, McKenna, Bablitch, Thompson, Peloquin, Dorman and Keppler, cosponsored by Representatives Dorff, Everson, Hanson, McEssy, Vanderperren, Schricker, Bradley, Ward, O'Malley, Munts, Looby, Porter, L. Anderson, Schroeder, Lewison, Conradt, N. Anderson, Miller, Jackamonis, Groshek, Ferrall and Clarenbach.

To committee on Judiciary and Consumer Affairs.

Senate Bill 176

Relating to authorization of all-union agreements.

By Senators Bablitch, Dorman, McKenna, Goyke, Harnisch, Peloquin, Cullen, Parys, Devitt, LaFave, Krueger, Flynn, Frank, Whittow, Berger, Swan and Thompson, cosponsored by Representatives Looby, Behnke, Dorff, Roberts, Otte, Schneider, Tropman, Mittness, Plewa, Groshek, Willkom and Pabst.

JOURNAL OF THE SENATE [February 12, 1975]

To committee on Agriculture, Human Services, Labor and Taxation.

COMMITTEE REPORTS

The Committee on Senate Organization, acting under Senate Rule 20(1), reports and recommends the following nominations to committees for appointments by the Senate:

(a) To the Joint Committee for Review of Administrative Rules pursuant to section 13.56, Senators Berger, Morrison, Flynn and LaFave.

(b) To the Joint Committee on Revisions, Repeals and Uniform Laws pursuant to Joint Senate and Assembly Rule 5a, Senators Flynn and Knowles.

(c) To the Education Commission of the States pursuant to section 39.76(1), Senator Peloquin.

(d) To the Education Communications Board pursuant to section 15.57, Senators Berger and Chilsen.

(e) To the Council on Emergency Government pursuant to section 15.287(3), Senator Swan.

(f) To the Board on Government Operations pursuant to section 13.58(1), Senators Dorman, Thompson and Hollander.

(g) To the Council on Highway Safety pursuant to section 14.017(1)(c), Senators Kleczka and LaFave.

(h) To the Legislative Council pursuant to section 13.81, Senators Risser, Whittow, Bablitch, Krueger, Chilsen, Dorman, Thompson and Hollander.

(i) To the Legislative State Supported Programs Study and Advisory Committee pursuant section 13.47, Senators Goyke, Swan, Cullen, Harnisch and Bidwell.

(j) To the Legislative Advisory Committee to the Minnesota-Wisconsin Boundary Area Commission pursuant to section 14.82(1) Senators Harnisch, Peloquin, Morrison and Knowles.

JOURNAL OF THE SENATE [February 12, 1975]

(k) To the State Capitol and Executive Residence Board pursuant to section 15.105(5) and 16.83, Senators Kleczka and Murphy.

(l) To the American Revolutionary Bicentennial Committee, Senators Cullen and Keppler.

FRED A. RISSER
Chairman

Senator Whittow moved adoption of the committee report.

The motion prevailed.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

Assembly Bill 59

and

Concurred in:

Senate Amendment 1 to Assembly Joint Resolution 14

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 59

Relating to annual reports by health professional liability insurers to the commissioner of insurance and granting rule-making authority.

By Legislative Council.

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

MOTIONS

By request of Senator Flynn, with unanimous consent, **Senate Joint Resolution 12** was withdrawn from the committee on Judiciary and Consumer Affairs and referred to committee on Agriculture, Human Services, Labor and Taxation.

JOURNAL OF THE SENATE [February 12, 1975]

By request of Senator Dorman, with unanimous consent, **Senate Bill 7** was withdrawn from the joint committee on Finance and referred to committee on Commerce.

CALENDAR OF FEBRUARY 12

Senate Bill 40

Relating to mailings on days in which the U.S. postal service is not in normal operation.

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 40

Read a third time and passed.

Senate Bill 60

Relating to imposing a time limit for approval or disapproval of county solid waste management plans by the department of natural resources.

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 60

Read a third time and passed.

By request of Senator Whittow, with unanimous consent, **Senate Bills 62 and 69** were referred to the joint committee on Finance.

Senate Bill 29

Relating to purchase of museums by counties having a population of 500,000 or more.

Read a second time.

Senator Flynn moved indefinite postponement.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 11; absent or not voting, 1; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Flynn, Frank, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge,

JOURNAL OF THE SENATE [February 12, 1975]

Martin, Morrison, Murphy, Peloquin, Petri, Theno and Whittow -- 19.

Noes -- Senators Bablitch, Berger, Cullen, Dorman, Goyke, Harnisch, McKenna, Parys, Risser, Swan and Thompson -- 11.

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

So the motion prevailed.

Senator Petri moved reconsideration of the vote by which **Senate Bill 29** was indefinitely postponed.

Senator Whittow moved that the motion for reconsideration of **Senate Bill 29** be placed at the foot of the calendar of Thursday, February 13.

By request of Senator Parys, with unanimous consent, the senate recessed until 11:00 A.M.

10:40 A.M.

RECESS

11:00 A.M.

The senate reconvened.

The question was: Shall the motion for reconsideration of **Senate Bill 29** be placed at the foot of the calendar of Thursday, February 13?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 13; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 17.

Noes -- Senators Bidwell, Chilsen, Devitt, Flynn, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Murphy, Petri and Theno -- 13.

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

So the motion prevailed.

Assembly Joint Resolution 2

Relating to internal improvements for transportation facilities (2nd consideration).

Read a second time.

JOURNAL OF THE SENATE [February 12, 1975]

Ordered to a third reading.

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

Assembly Joint Resolution 2

Read a third time.

The ayes and noes were required and the vote was: ayes, 22; noes, 8; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, McKenna, Martin, Morrison, Murphy, Parys, Peloquin, Risser, Swan, Theno, Thompson and Whittow -- 22.

Noes -- Senators Bidwell, Chilsen, Hollander, Knowles, Krueger, LaFave, Lorge and Petri -- 8.

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

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

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

By request of Senator Thompson, with unanimous consent, the senate returned to the seventh order of business.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

Assembly Bill 58

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 58

Relating to creation of mandatory risk-sharing plans for health care liability insurance.

By Legislative Council.

Read first time and referred to committee on Agriculture, Human Services, Labor and Taxation.

JOURNAL OF THE SENATE [February 12, 1975]

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 19

Relating to recognition of American Agriculture Day.

By Senators Chilsen, Thompson, Krueger, Theno, Hollander, Bablitch, Harnisch, McKenna, Peloquin and Martin.

Read and referred to committee on Agriculture, Human Services, Labor and Taxation.

Senate Joint Resolution 20

Memorializing congress to adopt the metric system of weights and measures.

By Senator Risser, cosponsored by Representative Clarenbach.

Read and referred to committee on Commerce.

Senate Joint Resolution 21

To amend article VI, section 4 of the constitution, relating to selection of county officers (1st consideration).

By Senators Risser, Whittow and Knowles, cosponsored by Representatives Clarenbach, Plewa, Tropman and Early.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 177

Relating to requiring persons to report to law enforcement authorities gunshot wounds of a suspicious nature, creating an exception to the physician-patient privilege and providing a penalty.

By Senators Murphy, Keppler, Hollander and LaFave.

To committee on Judiciary and Consumer Affairs.

Senate Bill 178

Relating to revealing the identity of witnesses at grand jury and John Doe hearings.

By Senators Murphy and Knutson.

To committee on Judiciary and Consumer Affairs.

JOURNAL OF THE SENATE [February 12, 1975]

Senate Bill 179

Relating to settlements and advance payments of claims for damages.

By Senators Murphy and Lorge.

To committee on Judiciary and Consumer Affairs.

Senate Bill 180

Relating to compensation of library board members.

By Senator Chilsen.

To committee on Education.

Senate Bill 181

Relating to alimony and property division on divorce.

By Senator Risser, cosponsored by Representative Clarenbach.

To committee on Judiciary and Consumer Affairs.

Senate Bill 182

Relating to right turns at intersections and left turns at certain intersections after stopping and yielding the right-of-way.

By Senators Risser, Keppler and Knutson, cosponsored by Representatives Munts and Clarenbach.

To committee on Commerce.

By request of Senator Knowles, with unanimous consent, the senate adjourned in honor of the first Republican president, Abraham Lincoln.

By request of Senator Kleczka, with unanimous consent, the senate adjourned in honor of the Polish Patriot General Tadeusz Kosciuszko who helped bring the hope of freedom to a new country and in recognition of the tragic anniversary of the Yalta Conference which resulted in Soviet domination of Poland.

By request of Senator McKenna, with unanimous consent, the senate adjourned in honor of the birthday of suffragette Susan B. Anthony.

President pro tempore of the senate in the chair.

11:20 A.M.

JOURNAL OF THE SENATE [February 12, 1975]

Upon motion of Senator Whittow the senate adjourned until
10:00 A.M. Thursday, February 13.

11:36 A.M.

INTRODUCTION OF GUESTS

Senator Chilsen introduced students from D. C. Everest High School, Schofield.

Senator Harnisch introduced Mr. Glen Voightschild, Mr. & Mrs. Frank Sullivan, Mrs. JoAnn and Mary Garvin and students of the 8th grade class of Wilton School, Wilton.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 130

On page 2, line 11, substitute "contract" for "contact".