

JOURNAL OF THE SENATE [April 15, 1975]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

TUESDAY, April 15, 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 Paul A. Graf, Pastor of Lakeview Moravian Community Church, Madison.

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

LEAVE OF ABSENCE

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

By request of Senator Knutson, with unanimous consent, he was granted a leave of absence at 11:30 A.M. 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, Knutson, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 32.

Absent -- None.

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Absent with leave -- Senator Krueger -- 1.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 33

To amend article IV, section 24 of the constitution, relating to excepting participation in national sweepstakes contests from the prohibition against legislative authorization of lotteries (1st consideration).

By Senator Parys, by request of Milwaukee County.

Read first time and referred to committee on Commerce.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 316

Relating to mandatory insurance coverage for newborns.

By Senators Cullen, Harnsich, Morrison, Devitt, Bablitch, Goyke, Parys, Frank, Flynn, Berger and Swan.

To committee on Commerce.

Senate Bill 317

Relating to the unfair sales act.

By Senator Berger.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

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

Senate Bill 98

Relating to the power of the board of Milwaukee county to build, furnish and rent housing.

Adoption of senate amendment 1; Ayes, 5; Noes, 0.

Passage as amended; Ayes, 4; Noes, 1.

Senate Bill 103

Relating to the residency requirement under the definition of "veteran".

Passage; Ayes, 4; Noes, 0.

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Senate Bill 121

Relating to application for absentee ballots by sick or hospitalized persons.

Passage; Ayes, 4; Noes, 0.

Senate Bill 122

Relating to membership of board of election commissioners in populous cities.

Passage; Ayes, 4; Noes, 0.

Senate Bill 124

Relating to procedures for voting when a name does not appear on registry lists.

Passage; Ayes, 4; Noes, 0.

Senate Bill 154

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

Passage; Ayes, 5; Noes, 0.

Senate Bill 215

Relating to filling vacancies in the Milwaukee city service.

Passage; Ayes, 4; Noes, 0.

Senate Bill 226

Relating to municipal bonds for street lighting.

Passage; Ayes, 4; Noes, 0.

Senate Bill 262

Requiring blue lights on police vehicles.

Passage; Ayes, 4; Noes, 1.

Senate Bill 266

Relating to an investment board loan for department of veterans affairs economic assistance loans to veterans and making an appropriation.

Passage; Ayes, 5; Noes, 0.

DEAN, SARAH, of Madison, as Secretary of the Department of Regulation and Licensing, to succeed Virginia Hart, to serve for the remainder of the term ending March 1, 1979.

Confirmation; Ayes, 3; Noes, 0.

Senate Bill 120

Relating to party nominations by write-in vote for general elections.

Passage; Ayes, 3; Noes, 0.

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Senate Bill 125

Relating to requiring sanitary districts to levy taxes based on equalized full value and making the ceiling on sanitary district taxes contingent upon equalized full value rather than assessed value.

Passage; Ayes, 3; Noes, 0.

MONROE SWAN
Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 33

A petition containing signatures of 158 students of the Medical College of Wisconsin urging equalization of tuition at the University of Wisconsin Medical School and the Medical College of Wisconsin.

By Senator Dorman.

Read and referred to joint committee on Finance.

Senate Petition 34

A petition containing 37 signatures, supporting Senate Bill 126, which is also known as the bilingual-bicultural bill.

By Senator Dorman.

Read and referred to committee on Education.

State of Wisconsin
Department of State

April 14, 1975.

To the Honorable, the Senate

Senators:

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 April 7, 1975, and ending on April 11, 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.

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Brody, James P., 777 E. Wisconsin Ave., Milwaukee, Wisc.,
Attorney -- Newspapers, Inc., 333 W. State St., Milwaukee -- 30
-- April 1, 1975.

Wimmer, James W. Jr., 131 W. Wilson St., Madison, Public
Relations & Information -- Wisc. Council for Transportation
Information, Inc., P.O. Box 1482, Madison, Wisc. -- 01, 07, 09,
11, 12, 13, 14, 16, 21, 22, 25, 26, 27, 29 -- April 1, 1975.

Wimmer, James W. Jr., 131 W. Wilson St., Madison, Wisc.,
Public Relations & Information -- Blue Cross of Wisc., c/o Gene
Edwards, 4115 N. Teutonia Ave., Milwaukee, Wisc. -- 04, 06, 11,
16, 17, 20, 28 -- April 1, 1975.

Wimmer, James W. Jr., 131 W. Wilson St., Madison, Wisc.,
Public Relations & Information -- Surgical Care Blue Shield, c/o
Bradley Wilson, 756 N. Milwaukee St., Milwaukee, Wisc. -- 04,
06, 11, 16, 17, 20, 28 -- April 1, 1975.

McDonough, John C., 1314 Catlin Ave., Superior, Wisc.,
Railway Conductor -- United Transportation, c/o Gerald A.
Hagen, 735 Division St., Altoona, Wisc. -- 20, 21, 29, 31-
Railroads -- Jan. 23, 1975.

Jirikowic, Ralph A., 1012 N. Third St., Rm 308, Milwaukee,
Wisc., Vice President -- Milwaukee County Labor Council AFL-
CIO, 1012 N. Third St., Rm 308, Milwaukee, Wisc. -- 06, 08, 09,
11, 16, 17, 18, 21, 28, 29 -- April 9, 1975.

Anderson, Robert J., 211 W. Kilbourn Ave., Milwaukee, Wisc.,
Attorney -- Milwaukee Legal Services Inc., 211 W. Kilbourn
Ave., Milwaukee, Wisc. -- 04, 06, 08, 10, 16, 17, 19, 22, 28 --
April 7, 1975.

Lawton, John A., 110 E. Main St., Madison, Wisc., Attorney --
Wisc. Education Assoc. Council, 222 W. Washington Ave.,
Madison, Wisc. -- All coded subjects -- March 31, 1975.

Silberg, Robert, 1630 Woodduck, Apt. 1B, Wheeling, Ill.,
Coordinator -- Merck & Co., Inc., Merck Sharp & Dohme
Division, West Point, Pa. -- 06, 17 -- March 19, 1975.

Besaw, Dan, 55 Sherburne Ave., St. Paul, Minn., Lobbyist --
Motor Vehicle Manufacturers Assn., 320 New Center Building,
Detroit, Mich. -- 06, 07, 11, 25, 29, 31-Highway safety -- April
2, 1975.

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Whitelaw, George N., 307 E. McCarty St., Indianapolis, Indiana, Manager Public Affairs -- Eli Lilly and Co., 307 E. McCarty St., Indianapolis, Indiana -- 01, 17, 25 -- March 18, 1975.

Gerth, Henry S., 1421 Hooker Ave., Madison, Wisc., Labor Rep. -- Brotherhood of Railroad Signalmen, 601 W. Golf Rd., Mt. Prospect, Ill. -- 21, 31-Railroad legislature -- Feb. 12, 1975.

Thurber, Raymond J., 3838 Monona Dr., Madison, Wisc., Liquor Store -- Wisc. Beer & Liquor Retailers Assn., 110 E. Main St. Suite 423, Madison, Wisc. -- 23, 24 -- April 7, 1975.

Cash, Terry L., P.O. Box 08517, Milwaukee, Wisc., Student -- Family Service of Milwaukee, 2819 W. Highland Blvd., Milwaukee, Wisc. -- 04, 17, 23 -- March 25, 1975.

McCormick, Kenneth T. Jr., 131 W. Wilson St., Madison, Wisc., Attorney -- Am. Reciprocal Ins. Assoc., Clyde J. Rayburn, 1728 Commerce Tower, P.O.Box 13165, Kansas City, Missouri -- 31-Insurance(Except life) -- March 31, 1975.

Hahn, Paul A., 131 W. Wilson St., Madison, Wisc., Attorney -- Am. Reciprocal Ins. Assoc., Clyde J. Rayburn, 1728 Commerce Tower, P.O.Box 13165, Kansas City, Missouri -- 31-Insurance(Except life) -- March 31, 1975.

Martin, David O., N. Lake St., Neenah, Wisc., Manager Governmental Relations -- Kimberly-Clark Corp., Neenah, Wisc. -- 03, 06, 07, 09, 10, 11, 17, 21, 23, 25, 26, 28, 30 -- April 2, 1975.

Fritschler, John C. Jr., 222 S. Hamilton St., Madison, Wisc., Attorney -- Outdoor Advertising Assoc. of Wisc., Hwy 51, Box 307, Janesville, Wisc. -- All coded subjects -- Jan. 30, 1975.

Regenberg, Celesta, 5118 Lake Mendota Dr., Madison, Wisc., Treasurer & Ass't to Gen Mgr -- Madison Advertising Club,

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P.O.Box 222, Madison, Wisc. -- 06, 09, 10, 11, 30 -- April 11, 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>
23	<i>Licenses & permits</i>
24	<i>Liquor</i>
25	<i>Manufacturing, distribution & services</i>
26	<i>Natural resources, forests and forest products, fisheries, mining & mineral products</i>
27	<i>Public lands, parks & recreation</i>
28	<i>Social insurance, unemployment insurance, public assistance & workmen's compensation</i>
29	<i>Transportation, highways, streets & roads</i>
30	<i>Utilities, communications, television, radio, newspapers, power, CATV, & gas</i>
31	<i>Other</i>

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State of Wisconsin Office of Emergency Energy Assistance

April 9, 1975.

To the Honorable, the Senate:

In accordance with Chapter 157 of the Laws of 1973, I submit the following report covering the operation of the Office of Emergency Energy Assistance and the status of the Energy situation in Wisconsin.

The State Set Aside: Volumetrically the State Set Aside Program continued to operate well during the first quarter of 1975. 8,751,054 gallons of petroleum products were ordered delivered to 273 successful applicants for product. There were 52 rejected applications for hardship allocations. The allocated quantities, in gallons, were as follows: Propane, 295,014; Motor Gasoline, 6,608,796; Kerosine, 133,000; Home Heating Oil, 1,301,264; Diesel Fuel, 363,980; Other Middle Distillates, 49,000.

Fuel Supplies: The following estimate of our fuel supplies are predicted on the assumption that there will be no drastic changes to either the supply or demand of energy in the State. Another oil embargo or a resumption of our previous driving patterns are examples of occurrences which would upset these estimates:

1. Coal: No problems are foreseen at present. Possible some problems in the fall if inventories depleted during last year's coal strike are not replenished to comfortable levels for the next winter.
2. Electricity: No serious problems are indicated at present, there has been some reduction in plant expansion and our office is aiding the Public Service Commission in pricing reform.
3. Residual (Heavy Oils): Supplies in the State are adequate.
4. #2 Heating Oil: There is adequate product available to meet the needs of the citizens of Wisconsin.
5. Gasoline: Wisconsin has a slight surplus of gasoline.
6. Propane: Current supply of LPG almost equal to May 1, 1974 supplies. (Down 4,000 gallons). No problem evident at this time.

The Federal Energy Administration's Allocation Programs, which were established during a severe energy shortage are causing severe price inequities for the small businessmen in Wisconsin and elsewhere in the nation. The 5c to 10c differences in the price of gasoline are strong evidence of this problem. After inquiries with FEA, I have been given two explanation. First, the present administration may be planning to eliminate our current petroleum

surplus by artificially restricting the flow of oil. This will force people to conserve and the allocation programs must stay in place even if they currently are driving small fuel and gasoline dealers out of business and preventing fuel price reduction from being passed along to the consumer. Second, I am told that the President wants to return to the free market and an elimination of the allocation programs, which would then be placed on a standby basis. However, the Congress and the President have not resolved this issue, so FEA advises us to sit tight and ignore the price inequities. In order to bring you up to date on these matters, I shall excerpt from my recent critical speech concerning FEA's current bureaucratic "scizophrenia".

The Mandatory Crude Allocation Program requires some refiners to sell crude oil to other refiners who are found to be crude deficient by FEA. This program increases costs, reduces refinery output, leaves distribution facilities under-utilized, and distorts the mix of refinery products. But it does even more harm on the crude oil exploration side of the market. Refiners, who are mandated to sell, have little incentive to explore and/or produce additional oil that they may be mandated to sell to a "competing" refiner. For sellers the choice is to cut production or increase imports. But isn't out national goal to reduce imports? Buyers of crude have even less incentive for finding and producing new supplies of crude: FEA has done that for them at a bargain price.

Can you imagine the effect such a program has on the commitment to build sorely needed new refinery capacity in the U.S. . .

The final slap in the face to the forced seller of crude oil is that the price charged the buyer must be a weighted average of crude oil costs. Some low priced old oil (about 65% of the total domestic crude sells at \$5.25 vs. \$11.00 per barrel for "new" crude) is being used by the selling refiner, but they are forced to sell crude oil at an average price which is well below the incremental "new" or foreign costs they must pay to replace that crude oil. Since selling refiners are then required to "compete" using a cost pass-through price against that same buying refiner, is there any wonder that with out current short-term surplus that prices exhibit such wide variance in the market place?

The Old Crude Oil Entitlement Program was created by FEA to address the above mentioned price inequities of the crude oil allocation program. But it has some serious shortcomings of its own. Under the "entitlement" program crude oil does not exchange hands between refiners. Instead, those refiners, who have less than

what FEA considers to be a fair share of "old" crude selling at \$5.25 per barrel vs. "new", "released", stripper and/or imported crude at about \$11.00 per barrel, will be awarded an entitlement. Each month GEA established a price that must then be paid by those who have more "old" oil to those refiners that have less. Again let me emphasize crude oil does not change hands.

Under this program "inland" refiners, who in the past developed domestic crude production are being forced to subsidize those refiners, who develop "new" domestic sources or increase imports. The latter incentive, and its glaring inconsistency with stated national policy, is beyond further description. Also, note that if a crude producer is mandated to sell crude oil under the allocation program, the weak incentive to expand secondary recovery production under the entitlement program is more than counterbalanced. Drops in domestic production of crude oil and postponements in refinery expansions are, in my mind, unquestionably related to these very foolish FEA practices. . .

The Mandatory Allocation Program for finished products is FEA's current extension of interference with market forces for petroleum products that enter the marketing and distribution systems around the nation. All principal petroleum products are price controlled on a cost pass-through basis. The disruption in prices and volumes in the crude oil end of the petroleum system is carried forward and magnified via the product price control procedures.

Additionally, the surplus products in the market are not available to all marketeers or wholesale customers. Requirements to remain with the supplier of record in 1972 are difficult to change and FEA does not look favorably on such action. It further requires the high priced supplier to agree to any switch in supplier for base allocations. In Wisconsin our State Set-Aside is being used by those suppliers that under the cost pass-throughs have lower prices, but when the opposite is the case, the State Set-Aside generally goes unused.

New entrants in the product market can buy the cheaper product in the "free market" part of the system and in this way undercut firms who are locked into a higher priced supplier and are not selling their 1972 base period volume. Even if 1972 volumes are exceeded, the weighted average of the cost differences puts the existing dealers at a significant competitive disadvantage and competitive pricing comes out the marketeer's pocket.

I have construed my job in light of this FEA policy to be a spokesman for the Wisconsin farmer, consumer and industry. I am

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well aware that with economic recovery, our present oil surplus will be absorbed. However, I do not believe FEA policy should simultaneously block economic recovery by preventing employers from getting long term fuel contracts, and feed inflation by preventing consumers from having lower cost products made available to them.

Natural Gas is a major area of new concern. The Congress and the administration are seeking a compromise, that could reduce, but not entirely eliminate, the magnitude of the problems I am about to describe. First, the pipelines that supply natural gas to the state have recommended curtailments of 7.51 percent per year. The FPC must approve these curtailments and without the above mentioned compromise they may have little choice. Second, a new interstate pipeline pricing policy has been proposed by the FPC. We are investigating this matter with the PSC staff. It could mean that Wisconsin industry would pay more for natural gas in order to drop the price of natural gas for residential customers in neighboring states. Note my use of the subjunctive. We are still investigating the actual impact of the proposed rule over time. In addition, we are planning to file comments on the proposed rule. Finally, I have begun to contact other neighboring states in order to seek a regional agreement to minimize interstate friction and inequity if the FPC adopts this rule.

Institutional: The above should make it clear that despite optimistic comments about the current supply of energy, Wisconsin and the nation are presently caught up in the short term policy controversies. Although transitional in nature, these will have profound long term effects on the state and I believe a highly visible "lightning rod" type agency is necessary to advise the Legislature and the Governor and to speak out in favor of Wisconsin's interest.

Such an agency should also help to coordinate energy conservation legislature proposals in order to advise both the Legislature and the Governor in such matters. With economic recovery, such legislation is essential for Wisconsin as a non-energy producer. The energy office should remain small and lean.

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When I assumed the office as Director, the Governor asked me to consider the broader energy related institutional questions. In my next quarterly report I shall submit my recommendations. For the present I shall indicate using my first impressions, that I disagree with the last recommendation of my predecessor, who recommended a Cabinet level department. Instead, I think the energy office under present circumstances should be small but fiercely independent.

CHARLES J. CICHETTI
Director

MOTIONS

By request of Senator Theno, with unanimous consent, **Senate Bill 187** was withdrawn from the committee on Governmental and Veterans' Affairs and returned to the author.

By request of Senator Dorman, with unanimous consent, **Senate Bill 174** was withdrawn from the joint committee on Finance and referred to committee on Senate Organization.

CALENDAR OF APRIL 15

Senate Bill 69

Relating to the use of crossbows by physically disabled, resident archers.

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 69

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 2; absent or not voting, 1; as follows:

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

Noes -- Senators Dorman and Risser -- 2.

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

So the bill passed.

Senate Bill 97

Relating to examining local uniform traffic accident reports.
Read a second time.

The question was: Adoption of senate amendment 1?

Senate amendment 1 adopted.

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 97

Read a third time and passed.

By request of Senator Dorman, with unanimous consent, **Senate Bill 102** was referred to the joint committee on Finance.

Senator Lorge asked unanimous consent, that **Senate Bill 102** be withdrawn from the joint committee on Finance and considered for action at this time.

Senator Dorman objected.

By request of Senator Dorman, with unanimous consent, **Senate Bill 108** was referred to the joint committee on Finance.

Senate Bill 109

Relating to civil damages for persons discriminated against in the granting of credit.
Read a second time.

Senator Parys asked unanimous consent, that **Senate Bill 109** be referred to the committee on Commerce.

Senator Flynn objected.

Senator Parys moved that **Senate Bill 109** be referred to the committee on Commerce.

By request of Senator Whittow, with unanimous consent, the senate recessed until 11:10 A.M.

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10:40 A.M.

RECESS

11:10 A.M.

The senate reconvened.

Senator Whittow asked unanimous consent that **Senate Bills 108 and 109** be referred to committee on Senate Organization.

Senator LaFave objected.

By request of Senator Whittow, with unanimous consent, **Senate Bill 109** was placed at the foot of the calendar.

Senator Dorman asked unanimous consent that **Senate Bill 108** be withdrawn from the joint committee on Finance and referred to committee on Senate Organization.

Senator Parys objected.

By request of Senator Whittow, with unanimous consent, **Senate Bill 108** was withdrawn from the joint committee on Finance and placed at the foot of the calendar before **Senate Bill 109**.

Senate Bill 128

Relating to medical examiner and coroner access to confidential medical records of deceased persons.

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 128

Read a third time.

By request of Senator Swan, with unanimous consent, **Senate Bill 128** was placed at the foot of the calendar prior to **Senate Bill 109**.

By request of Senator Dorman, with unanimous consent, **Senate Bill 139** was referred to joint committee on Finance.

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Senate Bill 147

Relating to certain vehicles required to stop at railroad crossings.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 147** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 147** was withdrawn from joint committee on Finance and considered for action at this time.

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 147

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Hollander, Keppler, Kleczka, Knowles, Knutson, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 32.

Noes -- Senator Harnisch -- 1.

Absent or not voting -- None.

So the bill passed.

President of the senate in the chair.

11:25 A.M.

Senate Bill 148

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

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 148

Read a third time and passed.

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Senate Bill 149

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

Read a second time.

Senator Dorman asked unanimous consent that **Senate Bill 149** be referred to joint committee on Finance.

Senator Chilsen objected.

Senate amendment 1 to **Senate Bill 149** offered by Senators Sensenbrenner and Chilsen.

Senate amendment 1 adopted.

By request of Senator Dorman, with unanimous consent, **Senate Bill 149** was referred to joint committee on Finance.

Senate Bill 150

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

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 150** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 150** was withdrawn from the joint committee on Finance and considered for action at this time.

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 510

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 31.

Noes -- None.

Absent or not voting -- Senators Knutson and Krueger -- 2.

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So the bill passed.

RULING OF THE CHAIR

On April 8, 1975, Senator Robert Knowles raised the point of order that Senate Resolution 9 (relating to a change in the Senate Rules) was privileged and pursuant to the rules has laid over the required one week, therefore, the resolution should be before the Senate body.

The chair took the point of order under advisement.

The Senator from the 10th apparently is viewing Senate Rule 69 entitled "Privileged Question" as the basis for his point of order. This rule states that "any motion or resolution relating to the organization or procedure of the senate ... shall be privileged and need not lie over for consideration."

Even to casual reviewer of the Senate Rules it is clear that Senate Rule 69 under the heading of "General Procedure - order in debate" does not stand alone as an entity unto itself when involving the matter of rules. The Senate body in its wisdom adopted a specific Chapter (Chapter 10) entitled Rules to deal with the matter of creating, amending or repealing rules, suspending rules and publishing of senate rule.

Senate Rule 90 of Chapter 10 states that ... "After the rules have been established at the commencement of the legislative biennium, any resolution to change the rules shall lay over one week."

Neither under Senate Rule 90 or 69 is there any requirement that a resolution pertaining to "Rules" or "Privileged Question" be acted upon within a specific time frame.

Senate Rule 69 states the motion or resolution "need not lie over" but does not require action by any specified time.

Senate Rule 90 states the rules "shall lie over one week" but does not require action by any specified time.

Once the required lay over period has passed, the Senate body may, pursuant to the rules, take the necessary action to bring the matter before the Senate body should the Senate so desire.

The point of order that the rules must automatically come before the Senate body because the required lay over time has elapsed is not well taken pursuant to Senate Rule 90.

Respectfully submitted,
MARTIN J. SCHREIBER
Lieutenant Governor

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Senate Bill 180

Relating to compensation of library board members.
Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 180** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 180** was withdrawn from the joint committee on Finance and considered for action at this time.

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.

President pro tempore of the senate in the chair.

11:55 A.M.

Senate Bill 180

Read a third time.

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

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Martin, Peloquin, Petri, Risser, Sensenbrenner, Theno and Thompson -- 17.

Noes -- Senators Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Morrison, Murphy, Parys, Swan and Whittow -- 14.

Absent or not voting -- Senators Knutson and McKenna -- 2.

So the bill passed.

Senator Keppler appealed the ruling of the chair on **Senate Resolution 9**.

By request of Senator Knowles, with unanimous consent, the appeal was laid aside until the president of the senate could assume the chair.

Senator Bablitch moved reconsideration of the vote by which **Senate Bill 180** passed.

Senator Bablitch asked unanimous consent, that the motion for reconsideration be laid on the table.

Senator Chilsen objected.

Senator Bablitch moved that the motion for reconsideration of **Senate Bill 180** be laid on the table.

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

9 Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Hollander, Kleczka, Maurer, Morrison, Murphy, Parys, Risser, Swan, Thompson and Whittow -- 17.

Noes -- Senators Bidwell, Chilsen, Harnisch, Keppler, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Peloquin, Petri, Sensenbrenner and Theno -- 14.

Absent or not voting-- Senators Devitt and Knutson -- 2.

So the motion prevailed.

Assembly Joint Resolution 35

Granting the use of the senate and assembly chambers to Wisconsin American Legion Auxiliary Badger Girls State in 1975 and 1976, for the purpose of holding a practice legislative session.

Read and concurred in.

Senate Bill 128

Read a third time and passed.

Senator Whittow asked unanimous consent that **Senate Bills 108** and **109** be made special orders of business at 10:10 A.M. and 10:02 respectively on Wednesday, April 16.

Senator Chilsen objected.

Senate Bill 108

Relating to enforcement of credit anti-discrimination law and granting rule-making authority.

Read a second time.

Senator Parys asked unanimous consent that **Senate Bill 108** be referred to the committee on Commerce.

Senator Flynn objected.

Senator Parys moved that **Senate Bill 108** be referred to committee on Commerce.

The ayes and noes were demanded and the vote was: ayes, 14; noes, 18; absent or not voting, 1; as follows:

Ayes -- Senators Bidwell, Devitt, Hollander, Keppler, Knowles, LaFave, Lorge, Martin, Maurer, Murphy, Parys, Swan, Theno and Whittow -- 14.

Noes -- Senators Bablitch, Berger, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Krueger, McKenna,

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Morrison, Peloquin, Petri, Risser, Sensenbrenner and Thompson -- 18.

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

So the motion did not prevail.

Senator Parys moved indefinite postponement of **Senate Bill 108**.

Senator Whittow asked unanimous consent that **Senate Bill 108** be made a special order of business at 10:01 A.M. Wednesday, April 16.

Senator Chilsen objected.

Senator Whittow moved that **Senate Bill 108** be made a special order of business at 10:01 A.M. Wednesday, April 16.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 10; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Devitt, Dorman, Flynn, Frank, Goyke, Hollander, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 22.

Noes -- Senators Chilsen, Cullen, Harnisch, Keppler, Kleczka, Knowles, Krueger, Petri, Sensenbrenner and Theno -- 10.

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

So the motion prevailed.

By request of Senator Whittow, with unanimous consent, **Senate Bill 109** was made a special order of business at 10:02 A.M. Wednesday, April 16.

By request of Senator Whittow, with unanimous consent, **Senate Bill 38** was withdrawn from the committee on Senate Organization and referred to the committee on Governmental and Veterans' Affairs.

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

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Resolution 9** by Senator Keppler.

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By request of Senator Keppler, with unanimous consent, the senate adjourned in honor of Senator and Mrs. Gerald Lorge on their 17th wedding anniversary.

By request of Senator Martin, with unanimous consent, the senate adjourned in honor of Girl and Boy Scouts of Wisconsin who were visiting the Capitol today.

Upon motion of Senator Whittow the senate adjourned until 10:00 A.M. Wednesday, April 16.

12:29 P.M.

INTRODUCTION OF GUESTS

Senator Martin introduced Fran Timberlake, Joan Hawley, Lisa Emme, Lori Rex, Anne Heckel, Lisa Herbert, Sue Bursek, Karin Helgeson, Melinda Nelson, Connie Helgeson, Kay Vits, Kathy Helgeson, Sarah Schuette, Mr. and Mrs. Don Helgeson, Mr. and Mrs. Wm. Holmes and Barb Schuette of Manitowoc.

Senator Theno introduced 48 Girl Scouts and their advisors of Park Falls.

Senator Morrison introduced 8th grade students of Shellsburg Public School.

Senator Flynn introduced 4th and 5th grade students of Madison Elementary School, West Allis.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate substitute amendment 1 to **Senate Bill 255**
On page 1, line 12, substitute "204.327" for "204.27".