

JOURNAL OF THE SENATE [April 23, 1975]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

WEDNESDAY, April 23, 1975.

9:30 A.M.

The senate met.

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

Prayer was offered by Pastor Vern J. Denham of Madison East Bible Church, IFCA.

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, Knowles, Knutson, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 31.

Absent -- Senator Kleczka -- 1.

Absent with leave -- Senator Morrison -- 1.

The chair appointed Senators Parys, Peloquin, LaFave, Keppler and Martin as members of the committee to await upon the Governor.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 34

To amend section 3 of article VII of the constitution, relating to rules of pleading, practice and procedure promulgated by the supreme court (1st consideration).

By Senator Sensenbrenner.

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

COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Bill 22

Relating to grounds for divorce and legal separation.
Indefinite postponement; Ayes, 3; Noes, 2.

JAMES T. FLYNN
Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 41

A petition from 90 residents of the 4th Senate District opposing the stated objectives of Assembly Bill 572 relating to a merger of the Shorewood and Whitefish Bay school districts with all or part of the City of Milwaukee.

By Senator Sensenbrenner.

Read and referred to committee on Education.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 22, 1975.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint Frieda Schurch, of Kenosha, as a member of the Board of Veterans' Affairs, to succeed Adjutant General James J. Lison, Jr., to serve for the term ending May 1, 1981.

Sincerely,
PATRICK J. LUCEY
Governor

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

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 53

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 53

Relating to arbitration of medical malpractice claims.

By Legislative Council.

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

MOTIONS

By request of Senator Flynn, with unanimous consent, **Senate Bill 308** was withdrawn from committee on Judiciary and Consumer Affairs and referred to joint committee on Finance.

CALENDAR OF APRIL 23

Senate Joint Resolution 15

To amend article IV, section 24 of the constitution, relating to authorizing state-operated lotteries (1st consideration).

Read a second time.

By request of Senators Whittow and Krueger, pursuant to senate rule 76, a 3 minute limit was placed on debate for each Senator on each question. A limit of 1 minute was imposed on members addressing the same question a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

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Senator Hollander moved rejection of **Senate Joint Resolution 15**.

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

Ayes -- Senators Bidwell, Dorman, Hollander, Knowles, Knutson, McKenna, Murphy, Peloquin, Risser, Sensenbrenner, Swan and Thompson -- 12.

Noes -- Senators Bablitch, Berger, Chilsen, Cullen, Devitt, Flynn, Frank, Goyke, Harnisch, Keppler, Krueger, LaFave, Lorge, Martin, Maurer, Parys, Petri, Theno and Whittow -- 19.

Absent or not voting -- Senators Kleczka and Morrison -- 2.

So the motion did not prevail.

The question was: Shall **Senate Joint Resolution 15** be ordered to a third reading?

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

Ayes -- Senators Bablitch, Berger, Chilsen, Cullen, Devitt, Flynn, Frank, Goyke, Harnisch, Keppler, Krueger, LaFave, Lorge, Martin, Maurer, Parys, Petri, Theno and Whittow -- 19.

Noes -- Senators Bidwell, Dorman, Hollander, Knowles, Knutson, McKenna, Murphy, Peloquin, Risser, Sensenbrenner, Swan and Thompson -- 12.

Absent or not voting -- Senators Kleczka and Morrison -- 2.

So the bill was ordered to a third reading.

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

Senate Joint Resolution 15

Read a third time.

The ayes and noes were required and the vote was: ayes, 20; noes, 11; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Chilsen, Cullen, Devitt, Flynn, Frank, Goyke, Harnisch, Keppler, Krueger, LaFave, Lorge, Martin, Maurer, Murphy, Parys, Petri, Theno and Whittow -- 20.

Noes -- Senators Bidwell, Dorman, Hollander, Knowles, Knutson, McKenna, Peloquin, Risser, Sensenbrenner, Swan and Thompson -- 11.

Absent or not voting -- Senators Kleczka and Morrison -- 2.

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So the joint resolution was adopted.

By request of Senator Parys, with unanimous consent, **Senate Joint Resolution 16** was rereferred to committee on Commerce.

By request of Senator Whittow, with unanimous consent, the senate recessed until 10 minutes after the conclusion of the Governor's address.

9:57 A.M.

The senate proceeded in a body to the Assembly Chamber to meet in Joint Convention to receive the Governor's message.

IN ASSEMBLY CHAMBER
IN JOINT CONVENTION

The Lieutenant Governor in the chair.

The committee to await upon the Governor appeared with his excellency, the Governor, who delivered his message as follows:

The day to stop pretending is passed.

We can no longer pretend that rural Wisconsin's Farm-to-Market roads are not linked to urban streets and buses. We can no longer pretend there is enough energy to fuel gas-guzzling cars while agriculture is denied adequate and reasonably-priced petroleum products.

We can no longer pretend this State's and this nation's economy is viable and our environment safe with our present energy wastrel policies.

We can no longer pretend the responsibility lies elsewhere... in Washington... in the Mid-east... in multi-national corporate board rooms... when we, as public officials, fail to provide essential leadership in transportation reform.

It is that blunt... that simple.

We have delayed too long-- I have delayed too long -- in reaching this day. I had once planned this message for January, 1974. But then the oil embargo in the fall of 1973 descended upon us, and we were forced to address emergency needs first, long-range goals second.

But now our long-range transportation and energy goals are fast becoming emergency needs. They are goals and needs not peculiar to Wisconsin... goals and needs the Congress and the

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Administration should have addressed... and should be addressing... on a national level.

But we have waited... and waited... and waited in vain... for Washington to act. And the unfortunate fact is that all that has really changed since the 1973 embargo is that today we are more dependent on foreign oil than we were then. There might be a partial explanation for the Washington delay. The capital was preoccupied with Watergate and could hardly have been expected to deal with the problem. But Mr. Ford failed to act for more than five months and then finally offered a plan that one editorial cartoonist characterized as throwing an anchor instead of a life preserver to a drowning man.

The Democratic Congressional leadership has been no better. For weeks, it seemed incapable of offering an alternative to the Ford proposal and more recently Democrats have offered no less than six different energy proposals. It may be months before the Congress can reach agreement on a plan, to say nothing of the tougher problem of obtaining White House approval of that plan. But I believe there is cause for hope, not in our nation's capital, but in our state capitals.

One reason our Federal system has survived two centuries is its flexibility. Often when one level of government fails to act, another level will fill the void. A generation ago, when states' rights all too often meant the right to do nothing, the Federal government acted.

Now it is again our time, the states' turn, to fill a leadership vacuum. It is time again to prove, as we did in December of 1973, that Wisconsin is a progressive state and Wisconsin government is a responsive government. And if there is any doubt that a response is necessary, here are some illustrations: Even the most basic components of our transportation system are falling into dangerous disrepair.

More than 80 bridges have been declared unsafe for some types of vehicles.

There are rail separations, like this one in Wisconsin Rapids, that need shoring up even to take reduced loads.

Or on some structures, like this bridge over the Yellow River in Barron County, shoring up would not make much difference.

Even when funds are there for repairs, the cost is great, like here in Eau Claire. But the cost is greater to replace an entire structure, such as this, all timber, 1930-vintage bridge north of Hudson.

Our highways aren't much better in many parts of the state. Even Farm-to-Market roads, essential to farm and small-town economies are in disrepair.

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Costly, annual spring breakups, such as on Highway 54 in Wood County, could be avoided through improved design and construction now hindered by lack of funds.

In the North, vital tourist related roads, like Highway 77 near Mellen, are in need of repair. Here's another example, this one from Iron County where State Highway 169 near Gurney hardly looks like a state highway at all. Even concrete roads, poured in the 1940's are deteriorating. And some of our newer highways have suffered from intensive use by studded tires during winter months. This scene is on State Highway 21 and 73 in Waukesha County. In some cases, natural elements cause severe damage to roads and shoulders that need improved design or new materials to minimize losses. Shoulder damage, a safety hazard, is one problem along State Highway 140 near the Illinois border in Rock County. These examples of deteriorating transportation facilities can be duplicated in any. Sometimes the entire roadway washes out, such as this example on highway 51, also in Rock County. Wisconsin county. But there is more to our dilemma than this.

The fact of the matter is there is not enough to keep pace with the need to replace unsafe bridges. There is not enough money to maintain our roads, even the ones critical to commerce and rural economies. There is not enough money to even begin an effort to promote an integrated transportation system for rural and urban Wisconsin.

But this has not happened overnight.

We have been moving toward this day of reckoning since 1911, when the first state highway commission was organized; since 1925, when the first aids-distribution was formulated; and since 1967, when the Wisconsin Department of Transportation was activated in its present format.

And so today I am proposing a legislative program to integrate Wisconsin Transportation. It is a single bill because the factors are so interrelated that this action should not be taken piecemeal. This program identifies our most pressing needs, generates new funds, distributes state aids more equitably to local government, enhances home rule, and completes the organization of the State Transportation Department. Adoption of this legislation will help create jobs and stimulate our economy. It will help us preserve our inheritance by saving existing roads, rails, ferries, and public transit systems. It will make a serious start in conserving energy. And it will improve governmental efficiency.

Program Needs -- Revenue Outlook

To achieve these goals, there must be revenues sufficient for the task. But we just don't have them now. Traditional revenue sources have leveled off. Normally, before the energy crisis, we could have expected \$374.6 million in gas tax revenue for this biennium. But we will fall nearly \$59 million short of that, with the recession cutting deeper every day.

At the same time, the demands increase.

Debt service, one of the major demands, will total \$35 million in fiscal 1976, and will continue until 1980 at \$22 to \$23 million a year.

Inflation has increased the costs of the most commonly used construction materials and services. In the last year alone, costs increased by 38.8 per cent. In addition, costs are included for relocation assistance, more public involvement in planning, environmental study, billboard-junkyard controls and safety programs. Local aids also come from the receding revenue, as does funding for traffic regulation, research, some tourism promotion and driver education.

The result is shocking. Revenues available to the Department of Transportation for statewide highway improvements have declined from \$40.4 million in fiscal '73 to a mere \$5.8 million in fiscal '75. Next year's projection is even worse: \$4.6 million.

Other modes of transportation are neglected or deteriorating. Rail passenger service is little more than a memory. And now freight service and vital rights of way are threatened. Cross-lake ferry service, like that provided to Manitowoc and Kewaunee, is in peril, jeopardizing rail lines like the Green Bay and Western, which serves East Central and Central Wisconsin. And Wisconsin's ports have long been neglected as components of our transportation system.

For the first time in years, though, Wisconsin's urban bus systems are experiencing increased ridership. Our rear-guard action of the 1973-75 session is successful. But we must improve this effort by providing significant substance in order to use increasing Federal aids and to assure continuing progress in a climate of optimism.

But even as we must recognize the shortfall of transportation funds, so, too, we recognize, that the means by which we have allocated those funds is obsolete and inequitable.

Thus, I am proposing a \$71 million package that provides funding for diverse, though interrelated transportation components. I am also proposing a method of transportation funding that will

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free us from the shackles of the past through a flexible means of meeting any type of transportation challenge.

The program I offer maintains the segregated status of the gasoline tax and vehicle fees, but it makes the important distinction of identifying that revenue for all transportation modes. This reform is in the best economic, energy and environmental interest of the state, and I consider it essential to this package.

The additional funds will be allocated as follows:

\$18 million for reconditioning state trunk highways. Funds will help us match Federal aids, draft advance highway plans and designs and allow us to prepare for release of Federally impounded funds.

\$12 million for replacing unsafe bridges. State dollars also will match local funds now available for major structures in Wisconsin Rapids and Appleton.

\$6 million so the state may assume full responsibility for state highways in cities and villages.

\$1 million to comply with federal outdoor advertising and junk yard requirements.

\$13 million to provide transit aids. Funds will help urban bus systems provide better service with lower fares that all people can afford. A uniform 25-cent fare for all intra-city bus service, for example, might well be both a desirable and realistic goal.

\$6 million to institute "Transportation Aids for Greater Wisconsin". These funds for rural Wisconsin could be used to maintain or restore rail freight or passenger service, save threatened ferry lines, develop neglected ports or promote inter-city buses. A major high priority objective of this program would be restoration of rail passenger service to Green Bay and the Fox Valley.

\$15 million to finance a phased conversion of local aids to a revised and reformed formula.

Aids formula distribution

Although this \$15 million is less than a fifth of the fiscal package, its significance as a key to transportation reform and importance in strengthening local government cannot be overemphasized. This revision is essential because the state has clearly outgrown the assumptions that were valid when the formula was first adopted in 1925. During the '30's and '40's various supplemental aids were added and the program digressed from its original concept. In fact, the complex nature of today's aids program is understood by few and defies logic.

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The formula I propose is designed to distribute aids to local government in a logical manner that recognizes diversity in function, costs and location. There are three basic elements:

One-Functional Classification of all roads in the state based upon the purposes they serve;

Two -- Assignment of measured, documentable costs to the various road categories;

Three -- Assignment of a state-versus-local fiscal responsibility factor to those various road categories.

Functional classification complies with current, federal directions. It was recommended by the Tarr Task Force but would not be implemented because state-wide preparations were incomplete. All roads should be categorized according to the purposes they serve, such as: Arterials-roads which basically provide mobility from one municipality to another; Collectors which provide mobility and access to adjacent property; and Local Roads which provide access to property.

Costs, are the second major element of the formula and reflect variations based upon present data and future needs.

State-versus-local responsibility is the third formula element which provides greater State support for roads which emphasize mobility, while local government would provide greater support for roads which emphasize access.

Local Administration

According to a Wisconsin County Board Association survey, Wisconsin counties this year expect property tax levies used for highways to be more than twice the amount they anticipate from the State Highway Fund. Property taxpayers carry a substantial burden in financing roads and highways. But in spite of this cost -- transportation and highways needs remain unmet.

All too often, local governments find that the money they get from the State, from the Federal government or from their own revenue sources isn't there at the right time and in the right quantity

For a Town government that might mean costly delay for a much-needed bridge.

For County government it might mean untold frustration as the need for public transportation or coordinated highway planning increases, but political boundaries block meaningful action.

The legislation I propose will give local governments the chance to meet those types of problems and meet them in a timely fashion. Counties will have the option of forming a County Transportation

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Commission -- a C-T-C. This strictly voluntary effort will help local government meet its own transportation problems in its own grassroots way.

With County Board approval, the C-T-C could take the lead in meeting urban or rural transportation problems. It could operate an airport or waterport... or it could, perhaps, with other counties, maintain a rail freight line. In a resort area, a C-T-C could develop transportation tailored to vacationer's needs. Or, of course, the C-T-C could and would plan and fund necessary bridges and roads.

Counties will have an incentive to vote for creation of a C-T-C but they will not be penalized if they don't. In total, C-T-C Counties will get up to 20 percent more in State transportation aids than they would under current formula. But again, I emphasize, if the County chose to keep the status quo, it would be held harmless at the 1975-76 aids level. Municipal government would be guaranteed a role in County decision making and would still have local road responsibilities. But the bigger action, undeniably, would be at the County level, where the seven-member commission of County Board members and citizens could look at the broader transportation picture and authorize the funding to do something about it.

State transportation organization

Similar responsibility and opportunity to respond to people is needed at the State level of transportation organization. I propose that the Secretary of Transportation have the authority to work with the people of our state, their elected officials, and business leaders to promote and provide an effective Integrated Transportation Program. Strange though it seems, the Secretary does not have that authority now. Under the Kellett Reorganization Act of 1967, the Secretary had responsibility for all-mode state transportation planning and development. But the authority to implement those plans through highway and motor vehicle functions and funding was not his. It remained with the three members of the Highway Commission and the Motor Vehicle Administrator.

At the same time, the Public Service Commission continued as the State's transportation regulatory agency. It was an agency, however, that had neither benefit of pertinent data nor the opportunity to be a part of the State's transportation planning effort.

The PSC presently lacks adequate information about transportation and has been forced to concentrate on utility regulation and energy development. The PSC should concentrate

on utilities, and DOT should concentrate on transportation. Objective studies have recommended integration of transportation planning and regulation. And so I propose that the Secretary of Transportation continue to be responsible for State transportation planning and development, but that he also assume responsibility for administering all of the Department's programs and staff. He will have sufficient authority for fulfilling his total assignment as we transfer transportation regulation from the PSC to a newly constituted, three-person Transportation Commission, appointed by the Governor, and confirmed by the Senate. The Commission will hear appeals from administrative and hearing examiner decisions, will conduct informational hearings, advise and comment on plans developed by the Department, review the Department's annual highway improvement program, review maintenance agreements negotiated by the Department, and review or conduct Aeronautics and Motor Vehicle hearings.

Finally, to complete the reorganization started in 1967, I further propose that the statutory designation of the Highway, Aeronautics, and Motor Vehicle division be abolished, as would appointment by the Governor of an Administrator of the Motor Vehicle Division.

REVENUE

The transportation improvements I propose today are ambitious in scope. These improvements challenge the entrenched policies of the past... policies which distinguish themselves today only by their inadequacy and inefficiency. And these improvements seek to give relief to Wisconsin businesses, industries, farmers and homeowners who, each day, pay the price for our transportation antiquity.

To turn around the past, and plan for a more promising future, I am proposing some adjustments and increases in our transportation revenue policies. They are increases that will be borne by transportation users and adjustments that will encourage transportation and energy efficiency.

I propose:

One - A weight-based automobile registration fee.

Registration will be on a flat rate applied in five specific weight classes ranging from

\$25 minimum to \$75 maximum. Vehicles five years or older will pay 25 percent less in each weight class.

These fees are structured to encourage use of lighter, energy-conserving vehicles in preference to the heavier, "gas-guzzling monsters".

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The imposition of a higher registration fee, together with continued property tax exemption of the automobile, will mean that Wisconsin car owners will still pay only about one-half the national average of registration taxes and fees.

Two - A Mileage Efficiency Tax (MET)

This will promote the purchase of new vehicles that are more energy-efficient. It will be imposed, on a one-time only basis, as an excise fee on new vehicles sold in Wisconsin or purchased new, out of state, for licensing in Wisconsin. The most energy-efficient vehicles will be assessed \$10 at the time of registration or sale, while the least efficient will be assessed \$100. There will be appropriate divisions in between.

Three - An increase in truck registration fees.

Traditionally, increases in automobile registration fees in Wisconsin have been matched on a 50-50 basis by increases in truck registration fees. My proposal continues that tradition, modified to avoid a competitive disadvantage between Wisconsin truck companies and those with vehicles registered in other states.

I propose to reduce licensing categories from the present 38 to 14, ranging from 5,000 pounds gross weight to the 73,000-pound maximum permitted on Wisconsin highways. Needless to say, rates within these categories will be increased.

Four - Additional, Miscellaneous Revenue.

This source involves motor dealer license plates, special mobile equipment, mobile homes, motor homes, trailers, semi-trailers and similar vehicles.

In addition to generating income, these proposed assessments will provide such benefits as saving administrative steps, facilitating enforcement, filling existing gaps in the current schedule, recovering costs of certain special services, licensing some vehicles which are not now licensed in Wisconsin but are licensed in virtually all other states, closing some loopholes, and balancing more fairly the share all users pay for the privileges of the road.

Heavy farm trucks, used by big agri-businesses, require commercial-type roads and bridges. And so they should pay their fair share, just like any other commercial venture. Under the guise of protecting small farmers, such trucks have enjoyed a reduced fee. But no longer. Small farmers will still be protected, however, by claiming authorized tax credits.

I believe we have closed every gaping loophole and corrected every outrageous inequity. If we have missed any, appropriate amendments will be welcomed.

These four classifications will generate the following revenues:

Auto registration fees: \$28 million

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Mileage efficiency tax: \$10 million

Truck registration fees: \$22 million

Miscellaneous revenues: \$11 million

The total of these new revenues will be \$71 million.

In conclusion, I cannot overemphasize the urgency for enacting legislation creating an Integrated Transportation Program during this session.

Thousands of jobs depend upon expeditious and comprehensive action. Our entire transportation future hangs in the balance. Without aggressive action, Wisconsin will suffer lost economic opportunity. Many miles of essential rails and vital public transportation may be lost, never to be restored.

Although of longer-range interest, we must start now to improve energy conservation. Without this action, our future will be fraught with such dire consequences that generations to come will have reason to hold us in contempt as they struggle through environmental and energy resource miseries.

It is traditional that a legislative package of this complexity and scope should have "something for everyone" to encourage favorable votes. This package does have something for everyone, but not in the usual sense.

It has some of the traditional factors, to be sure: facilities and services for construction and improvement in every corner of the state. It also includes some sacrifices in the form of increased user fees. But, most importantly, it contributes significantly to realizing economic, social, and environmental potentials.

Last January 21, in the "State of the State", I said that Wisconsin has gained national recognition in responding to crises and needs. And I said our challenge of "dealing creatively with adversity" was never greater.

It is obvious that the same opportunity for creativity within adversity is present on Washington. But Washington has not yet responded.

So let the nation look to Wisconsin. Let the nation see that Wisconsin's reputation of progressiveism... Wisconsin's commitment to reform... Wisconsin's dedication to a better future for its citizens and environment is alive, and well, in 1975.

And let the nation find courage... courage in our faith... courage in our motto of Forward... Forward in this time of national crisis... Forward as one of 50 states that is capable of leading 49 others toward a more perfect union and a coping with these issues that are linked to our very survival.

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10:50 A.M.

The senate reconvened.

President pro tempore of the senate in the chair.

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Senate Bill 118

Relating to mirrors required on the front of school busses as a condition of registration and providing a penalty.

Read a second time.

Senator Whittow 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, Berger, Bidwell, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Knowles, LaFave, Lorge, McKenna, Martin, Maurer, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 28.

Absent -- Senators Devitt, Kleczka, Knutson and Krueger -- 4.

Absent with leave -- Senator Morrison -- 1.

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

By request of Senator Dorman, with unanimous consent, **Senate Bill 118** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 118** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

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Senate amendment 2 to **Senate Bill 118** offered by Senator Berger.

Senate amendment 2 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 118

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 0; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Knowles, LaFave, Lorge, McKenna, Martin, Maurer, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 29.

Noes -- None.

Absent or not voting -- Senators Kleczka, Knutson, Krueger and Morrison -- 4.

So the bill passed.

Senate Bill 119

Relating to right turning at intersections after stopping and yielding the right-of-way.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 119** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 119** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Senator Bablitch asked unanimous consent that **Senate Bill 119** be referred to the committee on Senate Organization.

Senator Berger objected.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

Senate Bill 119

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, Dorman, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Knutson, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 30.

Noes -- Senators Flynn and Murphy -- 2.

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

So the bill passed.

Senate Bill 146

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

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 146** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 146** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

The question was: Adoption of 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 146

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, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Knutson, Krueger, LaFave, McKenna, Martin,

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Maurer, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 30.

Noes -- Senators Chilsen and Lorge -- 2.

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

So the bill passed.

By request of Senator Dorman, with unanimous consent, **Senate Bill 191** was referred to joint committee on Finance.

Senate Bill 255

Relating to mandatory coverage of chiropractic services in health, accident, sickness and casualty insurance policies, and providing a penalty.

Read a second time.

By request of Senator Parys, with unanimous consent, senate substitute amendment 2 was considered for action at this time.

Senate amendment 1 to senate substitute amendment 2 to **Senate Bill 255** offered by Senator Harnisch.

Senator McKenna moved rejection.

The ayes and noes were demanded and the vote was: ayes, 24; noes, 8; absent or not voting, 1; as follows:

Ayes -- Senators Berger, Bidwell, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Knowles, Knutson, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Parys, Peloquin, Swan, Theno, Thompson and Whittow -- 24.

Noes -- Senators Bablitch, Chilsen, Hollander, Keppler, Murphy, Petri, Risser and Sensenbrenner -- 8.

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

So the motion prevailed.

Senator Chilsen raised the point of order that **Senate Bill 255** required a fiscal note and would have to be referred to joint committee on Finance.

The chair ruled the point of order not well taken.

Senate substitute amendment 2 adopted.

Senator Parys asked unanimous consent that senate substitute amendment 1 be laid on the table.

Senator Chilsen objected.

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

The ayes and noes were demanded and the vote was: ayes, 21; noes, 11; absent or not voting, 1; as follows:

9 Ayes -- Senators Berger, Bidwell, Cullen, Devitt, Dorman, Frank, Goyke, Keppler, Kleczka, Knutson, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Parys, Peloquin, Swan, Theno and Thompson -- 21.

Noes -- Senators Bablitch, Chilsen, Flynn, Harnisch, Hollander, Knowles, Murphy, Petri, Risser, Sensenbrenner and Whittow -- 11.

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

So the motion prevailed.

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 255

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 24; noes, 8; absent or not voting, 1; as follows:

Ayes -- Senators Berger, Bidwell, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Knowles, Knutson, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Parys, Peloquin, Swan, Theno and Thompson -- 24.

Noes -- Senators Bablitch, Chilsen, Hollander, Murphy, Petri, Risser, Sensenbrenner and Whittow -- 8.

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

So the bill passed.

Ordered immediately messaged.

Assembly Bill 30

Relating to authorizing savings and loan associations to make certain investments and loans, removing residency requirements for eligibility for directors of mutual and capital stock associations and granting rule-making authority.

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.

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Assembly Bill 30

Read a third time and concurred in.

Assembly Bill 157

Relating to the dividend rate on stock of cooperatives.

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.

Assembly Bill 157

Read a third time and concurred in.

Assembly Bill 158

Relating to discontinuance of thoroughfares in certain cities.

Read a second time.

Senator Sensenbrenner moved nonconcurrence.

The motion did not prevail.

Ordered to a third reading.

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

Assembly Bill 158

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 24; noes, 7; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Knowles, Lorge, McKenna, Martin, Maurer, Murphy, Parys, Peloquin, Risser, Swan, Theno, Thompson and Whittow -- 24.

Noes -- Senators Chilsen, Hollander, Keppler, Krueger, LaFave, Petri and Sensenbrenner -- 7.

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

So the bill was concurred in.

By request of Senator Kleczka, with unanimous consent, the journal showed that had he been present he would have voted "aye" for adoption of **Senate Joint Resolution 15**.

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

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Senator Bablitch in the chair.

11:55 A.M.

Senator Harnisch moved reconsideration of the vote by which **Senate Bill 124** was refused passage.

Senator Petri raised the point of order that the fourteenth order of business was not the proper place for moving reconsideration.

The chair ruled that pursuant to senate rule 67 (3), the point of order was not well taken.

By request of Senator Whittow, with unanimous consent, the motion for reconsideration of **Senate Bill 124** was made a special order of business at 10:05 A.M. on Thursday, April 24.

Senator Berger moved reconsideration of the vote by which **Senate Bill 220** was refused to be ordered to a third reading.

By request of Senator Whittow, with unanimous consent, the motion for reconsideration of **Senate Bill 220** was made a special order of business at 10:06 A.M. Thursday, April 24.

AMENDMENTS OFFERED

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 101** by Senator Flynn.

Senate amendment 4 to **Assembly Bill 35** by Senator Murphy.

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Upon motion of Senator Whittow the senate adjourned until
9:00 A.M. Thursday, April 24.

12:16 A.M.

GUESTS

During today's session, the following visitors honored the senate
by their presence:

Senator Whittow introduced students of the 6th grade at
Neeshara School, Milwaukee.

CHIEF CLERK'S CORRECTION

Directed by the Senate

Senate amendment 1 to **Senate Bill 118**

In line 11, delete "7 1/2 inches" and substitute "7 inches".