

JOURNAL OF THE SENATE [April 24, 1975]

STATE OF WISCONSIN

**Senate Journal**

**Eighty-Second Regular Session**

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THURSDAY, April 24, 1975.

9:00 A.M.

The senate met.

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

Prayer was offered by Reverend Frank R. Gaylord of Bethany United Methodist Church, Madison.

The senate remained standing and Senator Sensenbrenner 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, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Knutson, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 32.

Absent -- None.

Absent with leave -- Senator Dorman -- 1.

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**BILLS INTRODUCED**

Read first time and referred:

**Senate Bill 359**

Relating to an extension of the application of crimes against sexual morality to males and females.

By Senators Flynn, Sensenbrenner, Morrison and Frank, cosponsored by Representative Ferrall, by request of Judge Terence Evans, Milwaukee County.

To committee on Judiciary and Consumer Affairs.

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**Senate Bill 360**

Relating to court permission to marry when children receive public assistance.

By Senator Lorge, by request of Gerald K. Anderson, Manawa.

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

**Senate Bill 361**

Relating to a sales and use tax exemption for electricity, natural gas, propane, coal and oil for use in a private dwelling.

By Senator Lorge, cosponsored by Representative Schroeder.

To Joint Survey Committee on Tax Exemptions.

**Senate Bill 362**

Relating to mandatory automobile, motorcycle and small motor truck inspection, increasing automobile, motorcycle and small motor truck registration fees, granting rule-making authority and providing penalties.

By Senators Flynn, Kleczka, Bablitch and Dorman, cosponsored by Representatives Flintrop, Sanasarian, Plewa and Norquist.

To committee on Commerce.

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PETITIONS AND COMMUNICATIONS

**Senate Petition 42**

A resolution by the Manitowoc-Two Rivers Chamber of Commerce Board of Directors opposing Budget recommendations related to utility tax distribution and urging the adoption of Senate Bill 231.

By Senator Martin.

Read and referred to joint committee on Finance.

**Senate Petition 43**

A resolution by the Manitowoc County Board of Supervisors requesting the Joint Legislative Council study, submit, and make recommendations on various aspects of public health.

By Senator Martin.

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

**Senate Petition 44**

A resolution by the Manitowoc County Board of Supervisors opposing changes in the tuberculosis free care law and deletion of state aids to Wisconsin counties for care of out-of-state tuberculosis patients.

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By Senator Martin.

Read and referred to joint committee on Finance.

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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 56**

**Assembly Bill 93**

and

Concurred in:

**Senate Bill 149**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 56**

Relating to civil immunity for persons evaluating health care providers and facilities and confidentiality of information acquired in such review.

By Legislative Council.

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

**Assembly Bill 93**

Relating to extending the time period for notice of alibi and repeal of certain other requirements.

By Representative Sicula.

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

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MOTION UNDER JOINT RULE 26

The State of Wisconsin \* \* \* Citation by the Legislature

Know you by these presents:

Whereas, Gould E. Morrison, 70, of Madison, father of Senator Kathryn Morrison, passed away on April 19; and

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Whereas, Mr. Morrison served as supervisor of the trade and industry department of Madison Area Technical College and had served longer than any other teacher on his retirement in 1967; and

Whereas, he was a native of Grand Rapids, Minnesota and a graduate of Stout College, where he was captain of the football team; and

Whereas, his other activities included membership in the Wisconsin State Bow Hunters Association, where he served as an officer, and in the Carpenters and Joiners Local 314, the Madison East Side Businessmen's Association and the Kiwanis Club; now, therefore, the members of the Wisconsin Legislature, on the motion of the entire membership of the Senate and Representative Anderson, under Joint Rule 26, extend their sincere condolences to Senator Morrison and to all members of the family.

Read and adopted.

Senator Chilsen moved that **Senate Resolution 9** be withdrawn from the committee on Senate Organization and referred to the calendar.

By request of Senator Whittow, with unanimous consent, the motion to withdraw was made a special order of business at 10:07 A.M.

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### CALENDAR OF APRIL 24

#### **Assembly Bill 234**

Relating to wage deductions to a credit union without the signature of or notice to the spouse.

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 234**

Read a third time and concurred in.

#### **Assembly Bill 235**

Relating to authorization to create a United States share deposit insurance corporation.

Read a second time.

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.

**Assembly Bill 235**

Read a third time.

Senator Bidwell raised the point of order that **Assembly Bill 235** affected the banking laws and therefore required a two-thirds vote for concurrence.

The chair ruled that **Assembly Bill 235** did not fit the confines of Article XI, section 4, of the constitution which relates to banking and therefore, the point of order was not well taken.

The question was: Concurrence in **Assembly Bill 235**?

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

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

Noes -- Senator Murphy -- 1.

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

So the bill was concurred in.

**Assembly Bill 236**

Relating to increasing the dollar limit for guarantees on credit union share holdings.

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 236**

Read a third time.

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

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

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Noes -- None.

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

So the bill was concurred in.

**Assembly Bill 237**

Relating to changing the name of the Wisconsin credit union share insurance corporation.

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 237**

Read a third time and concurred in.

**Assembly Bill 238**

Relating to assessments levied by the Wisconsin credit union insurance corporation on member credit unions and credit union savings in a central credit union.

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 238**

Read a third time.

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

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Flynn, Frank, Goyke, Harnisch, 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 -- None.

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

So the bill was concurred in.

**Assembly Bill 289**

Relating to transfer of registration plates from automobiles which are no longer being used on the highways.

Read a second time.

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.

### **Assembly Bill 289**

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

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

Noes -- Senator Lorge -- 1.

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

So the bill was concurred in.

### **Assembly Bill 309**

Relating to vehicles stopping for school busses loading or unloading children.

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 309**

Read a third time and concurred in.

### **Assembly Bill 330**

Relating to protecting grade crossings.

Read a second time.

By request of Senator LaFave, with unanimous consent, **Assembly Bill 330** was referred to the joint committee on Finance.

### **Assembly Bill 333**

Relating to grounds for refusal to register a vehicle and to short-term vehicle registration permits for nonresidents.

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 333**

Read a third time.

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

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Flynn, Frank, Goyke, Harnisch, 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 -- None.

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

So the bill was concurred in.

**Assembly Bill 429**

Relating to licensing requirements for school bus operators who are residents of other states.

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 429**

Read a third time and concurred in.

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

By request of Senator Whittow, with unanimous consent, the special orders of business were considered for action at this time.

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SPECIAL ORDERS

**Senate Bill 124**

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

The question was: Reconsideration of the vote by which **Senate Bill 124** was refused passage?

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

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



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Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Martin, Murphy, Petri, Sensenbrenner and Theno -- 15.

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

So the motion prevailed.

Senator Bablitch in the chair.

9:50 A.M.

By request of Senator Berger, with unanimous consent, **Senate Bill 124** was rereferred to committee on Governmental and Veterans' Affairs.

**Senate Bill 220**

Relating to advertisement, display and sale of "indecent articles".

The question was: Reconsideration of the vote by which **Senate Bill 220** was refused to be ordered to a third reading?

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

Senator Murphy objected.

Senator Risser moved that the motion for reconsideration be laid on the table.

The motion did not prevail.

The question was: Reconsideration?

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

Ayes -- Senators Bablitch, Cullen, Goyke, Harnisch, Knowles, Maurer, Morrison, Peloquin, Risser, Swan, Theno and Thompson -- 12.

Noes -- Senators Berger, Bidwell, Chilsen, Devitt, Flynn, Frank, Hollander, Keppler, Kleczka, Knutson, Krueger, LaFave, Lorge, Martin, Murphy, Parys, Petri, Sensenbrenner and Whittow -- 19.

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

So the motion did not prevail.

Senator LaFave asked unanimous consent that **Assembly Bill 330** be withdrawn from the joint committee on Finance and considered for action at this time.

Senator Bablitch objected.

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President pro tempore of the senate in the chair.

10:10 A.M.

**Senate Resolution 9**

Relating to members representing the senate on committees.

The question was: Shall **Senate Resolution 9** be withdrawn from the joint committee on Finance and placed on the calendar?

Upon the sounding of the alarm, the senate recessed so that the building could be evacuated.

10:20 A.M.

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11:03 A.M.

The senate reconvened.

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, Bidwell, Chilsen, Cullen, Devitt, Goyke, Harnisch, Hollander, Keppler, Knowles, LaFave, Lorge, McKenna, Maurer, Morrison, Murphy, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 24.

Absent -- Senators Berger, Flynn, Frank, Kleczka, Knutson, Krueger, Martin and Parys -- 8.

Absent with leave -- Senator Dorman -- 1.

By request of Senator Chilsen, with unanimous consent, he addressed himself to the question on **Senate Resolution 9**.

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LEAVE OF ABSENCE

By request of Senator Bidwell, with unanimous consent, he was granted a leave of absence at 11:30 A.M.

By request of Senator Berger, with unanimous consent, he was granted a leave of absence at 12:00 Noon.

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By request of Senator Whittow the sergeant-at-arms gave his report.

Senator Whittow moved that the motion to withdraw **Senate Resoluituion 9** from committee be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 13; noes, 16; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Berger, Flynn, Kleczka, McKenna, Martin, Maurer, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 13.

Noes -- Senators Chilsen, Cullen, Devitt, Frank, Goyke, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Morrison, Murphy, Petri, Sensenbrenner and Theno -- 16.

Absent or not voting -- Senators Bidwell, Dorman, Knutson and Lorge -- 4.

So the motion did not prevail.

By request of Senator Whittow, with unanimous consent, the senate recessed until 12:50 P.M.

12:02 P.M.

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RECESS

12:50 P.M.

The senate reconvened.

Senator Whittow moved that the senate stand adjourned.

The ayes and noes were demanded and the vote was: ayes, 2; noes, 27; absent or not voting, 4; as follows:

Ayes -- Senators Parys and Swan -- 2.

Noes -- Senators Bablitch, Chilsen, Cullen, Devitt, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Peloquin, Petri, Risser, Sensenbrenner, Theno, Thompson and Whittow -- 27.

Absent or not voting -- Senators Berger, Bidwell, Dorman and Knutson -- 4.

So the motion did not prevail.

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Senator Whittow moved that the motion to withdraw **Senate Resolution 9** from committee be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 15; noes, 14; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Cullen, Flynn, Frank, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 15.

Noes -- Senators Chilsen, Devitt, Goyke, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 14.

Absent or not voting -- Senators Berger, Bidwell, Dorman and Knutson -- 4.

So the motion prevailed.

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### LEAVE OF ABSENCE

By request of Senator Knowles, with unanimous consent, he was granted a leave of absence for the balance of the day's session.

By request of Senator Hollander, with unanimous consent, he was granted a leave of absence for the balance of the day's session.

Senator Lorge asked unanimous consent to be recorded as voting "no" on the motion to lay on the table the motion to withdraw **Senate Resolution 9** from committee which was made before recess.

Senator Bablitch objected.

Senator Devitt moved that Senator Lorge be allowed to be recorded on **Senate Resolution 9**.

Senator Peloquin raised the point of order that motions were out of order under the fourteenth order of business.

The chair ruled the point of order well taken.

Senator Devitt appealed the ruling of the chair.

The question was: Shall the ruling of the chair stand as the decision of the senate?

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The ayes and noes were demanded and the vote was: ayes, 15; noes, 9; absent or not voting, 9; as follows:

Ayes -- Senators Bablitch, Cullen, Flynn, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Thompson and Whittow -- 15.

Noes -- Senators Chilsen, Devitt, Keppler, Krueger, LaFave, Lorge, Petri, Sensenbrenner and Theno -- 9.

Absent or not voting -- Senators Berger, Bidwell, Dorman, Frank, Hollander, Knowles, Knutson, Murphy and Swan -- 9.

So the ruling of the chair was sustained.

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### LEAVE OF ABSENCE

By request of Senator LaFave, with unanimous consent, he was granted a leave of absence for the balance of the day's session.

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

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### BILLS INTRODUCED

Read first time and referred:

#### **Senate Bill 363**

Relating to senate review of gubernatorial nominations for appointment.

By Senators Swan, Goyke, Cullen, Kleczka, Keppler, Devitt, Parys, Bablitch, Harnisch, Maurer, Sensenbrenner, Murphy, Krueger, Martin, LaFave, McKenna, Chilsen and Frank.

To committee on Governmental and Veterans' Affairs.

#### **Senate Bill 364**

Relating to salary of legislators and prohibiting legislators from engaging in any employment conflicting with that of legislator.

By Senator Swan.

To committee on Governmental and Veterans' Affairs.

COMMITTEE REPORTS

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

**Senate Bill 365**

Relating to notices, circulation dates and filing of nomination papers by candidates in the spring primary and election, and abolishing certain declinations by candidates.

By request of Milwaukee County.

Introduction; Ayes, 4; Noes, 1.

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

MONROE SWAN

Chairman

The committee on Commerce reports and recommends for introduction:

**Senate Bill 366**

Relating to special fuel tax collection and reporting.

Introduction; Ayes, 9; Noes, 0.

Read first time and referred to committee on Commerce.

**Senate Bill 367**

Relating to commercial promotion by nonprofit corporations and providing a penalty.

Introduction; Ayes, 9; Noes, 0.

Read first time and referred to committee on Commerce.

RONALD G. PARYS

Chairman

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AMENDMENTS OFFERED

Senate amendment 2 to **Senate Bill 223** by Senator Murphy.

Upon motion of Senator Whittow the senate adjourned until 9:00 A.M. Friday, April 25.

1:39 P.M.

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GUESTS

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

Senator Thompson introduced students of the 7th grade at Kromrey Middle School, Middleton.

Senator Lorge introduced Miss Ghastin, Mr. Horan, Mrs. Fetcham and students of Huntley School, Appleton, Wisconsin.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Bill 344**

On page 59, line 25, before "(a) to (g)" insert "(1)".