

JOURNAL OF THE SENATE [May 6, 1975]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

TUESDAY, May 6, 1975.

10:00 A.M.

The senate met.

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

Prayer was offered by Pastor James A. Knuth of Calvary Lutheran Chapel, Missouri Synod, Madison.

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

LEAVE OF ABSENCE

By request of Senator Knutson, with unanimous consent, he was granted a leave of absence at 11:30 A.M. each day 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, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 33.

Absent -- None.

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Absent with leave -- None.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 386

Relating to exemption of certain candidates from registration and reporting requirements under the campaign finance law.

By Senator Petri.

To committee on Governmental and Veterans' Affairs.

Senate Bill 387

Relating to a duty to contact owner of a dog injured by vehicle and providing a penalty.

By Senator Cullen.

To committee on Judiciary and Consumer Affairs.

Senate Bill 388

Relating to the probate of estates, inheritance and gift taxes and powers of attorney.

By Senators Berger, Flynn, Petri, Goyke, Sensenbrenner, Harnisch, Maurer, Cullen, Morrison, Parys, Martin, Swan, Thompson and Frank, cosponsored by Representatives Barbee, Muntz, Jackamonis, Wahner, Soucie, Flintrop, Sanasarian, Clarenbach, Norquist, Schroeder, Tropman and Kirby, by request of the Real Property Section, State Bar of Wisconsin.

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To Joint Survey Committee on Tax Exemptions.

COMMITTEE REPORTS

The committee on Commerce reports and recommends for introduction:

Senate Bill 389

Relating to condemnation of railroad property by the state and municipalities, granting rule-making authority, and providing a penalty.

Introduction; Ayes, 9; Noes, 0.

Read first time and referred to committee on Commerce.

RONALD G. PARYS
Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 48

A petition containing 2590 signatures, opposing Governor Lucey's proposed use of MORP funds.

By Senator Dorman.

Read and referred to joint committee on Finance.

Senate Petition 49

A petition signed by 216 students at the University of Wisconsin-Madison Medical School opposing the tuition increase proposed for the UW Medical School, and enumerating the reasons for their opposition.

By Senator Dorman.

Read and referred to joint committee on Finance.

Senate Petition 50

A petition signed by 142 people supporting Senate Bill 126 and urging its passage.

By Senator Dorman.

Read and referred to joint committee on Finance.

Senate Petition 51

A petition by 350 residents of Southwest Wisconsin in support of a requirement for 170 days of school instead of the present 180 days of school for grades K-12, relating to Senate Bill 296.

By Senator Morrison.

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Read and referred to committee on Education.

Senate Petition 52

A petition by residents of Oconto County urging the passage of Assembly Bill 179, which relates to retail liquor licensing.

By Senator Krueger.

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

Senate Petition 53

A petition by 32 residents of Oconto County opposing Assembly Bill 347, banning phenoxy herbicides.

By Senator Krueger.

Read and referred to committee on Natural Resources.

Senate Petition 54

A petition signed by 1,304 residents of the State of Wisconsin opposing the state sales tax on electricity, oil, coal, gas and all fuels used to heat private dwellings.

By Senator Theno.

Read and referred to Joint Survey Committee on Tax Exemptions.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 1, 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 Joyce Erdman, of Madison, as a member of the University of Wisconsin Board of Regents, to succeed Walter Renk, to serve for the term ending May 1, 1982.

Sincerely,
PATRICK J. LUCEY
Governor

Read and referred to committee on Education.

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**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

May 1, 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 M. William Gerrard, of LaCrosse, as a member of the University of Wisconsin Board of Regents, to succeed John Dixon, to serve for the term ending May 1, 1982.

**Sincerely,
PATRICK J. LUCEY
Governor**

Read and referred to committee on Education.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

May 1, 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 John H. Kelly, of Whitefish Bay, as a member of the Board of Trustees of the Medical College of Wisconsin, to succeed Mrs. Jean Reed, to serve for the term ending May 1, 1979.

**Sincerely,
PATRICK J. LUCEY
Governor**

Read and referred to committee on Education.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

May 1, 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 Mowry Smith, of Neenah, as a member of the State Investment

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Board, to succeed himself, to serve for the term ending March 1, 1981.

Sincerely,
PATRICK J. LUCEY
Governor

Read and referred to committee on Commerce.

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 257
Assembly Bill 258
Assembly Bill 259
Assembly Bill 260
Assembly Bill 261
Assembly Bill 263
Assembly Bill 312
Assembly Bill 547

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 257

Relating to proceedings to determine a criminal defendant's competency to stand trial.

By Legislative Council.

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

Assembly Bill 258

Relating to clarifying language on the elements of aggravated battery.

By Legislative Council.

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

Assembly Bill 259

Relating to the right to jury determination of the need for specialized treatment in sex crimes cases.

By Legislative Council.

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

Assembly Bill 260

Relating to parole eligibility and minimum sentences.

By Legislative Council.

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

Assembly Bill 261

Relating to the imposition of probation in criminal proceedings.

By Legislative Council.

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

Assembly Bill 263

Relating to providing notice, a hearing and right to counsel under the Uniform Detainer Act.

By Legislative Council.

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

Assembly Bill 312

Relating to application for absentee ballots by certain incapacitated persons.

By Representatives Roberts, Schneider, Dorff, Offner, Rogers and Johnson.

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

Assembly Bill 547

Relating to operating a failing bank as a branch bank.

By Representative Sicula; co-sponsored by Senator Parys.

Read first time and referred to committee on Commerce.

MOTIONS

By request of Senator Martin, with unanimous consent, **Senate Bills 246** and **250** were withdrawn from the committee on Natural Resources and referred to the joint committee on Finance.

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By request of Senator Devitt, with unanimous consent, his name was withdrawn as a coauthor of **Senate Bill 292**.

CALENDAR OF MAY 6

By request of Senator Parys, with unanimous consent, **Senate Bill 17** was placed at the foot of Wednesday's calendar.

By request of Senator Dorman, with unanimous consent, **Senate Bill 75** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 173** was referred to joint committee on Finance.

Senate Bill 192

Relating to the cut-off date for granting creditable service under the Wisconsin retirement fund to elected officials.

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 192

Read a third time and passed.

By request of Senator Dorman, with unanimous consent, **Senate Bill 245** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 247** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 248** was referred to joint committee on Finance.

Senate Bill 385

Relating to membership on the joint committee on Finance.

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 385

Read a third time.

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

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

Noes -- Senator Knutson -- 1.

Absent or not voting -- None.

So the bill passed.

AMENDMENTS OFFERED

Senate amendment 8 to **Senate Bill 17** by Senator Berger.

Senate substitute amendment 1 to **Senate Bill 116** by Senator Berger.

Senate amendment 1 to **Senate Bill 303** by Senator Thompson.

Senate substitute amendment 1 to **Senate Bill 316** by Senator Cullen.

Upon motion of Senator Whittow the senate adjourned until 10:00 A.M. Wednesday, May 7.

10:47 A.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 351

On page 5, line 6, substitute "(a)" for "(u)".