

JOURNAL OF THE SENATE [May 14, 1975]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

WEDNESDAY, May 14, 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 Major Ray Tregellas of the Salvation Army, 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.

LEAVE OF ABSENCE

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

The roll was called and the following senators answered to their names:

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

Absent -- Senators Kleczka and Thompson -- 2.

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Absent with leave -- Senator Frank -- 1.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 400

Relating to sales and use tax exemption for packaging and shipping materials used by a purchaser to transfer merchandise to or for his customers.

By Senators Hollander, Goyke, LaFave and Petri, cosponsored by Representatives Molinaro, Shannon, Klicka, Shabaz, McEssy and Vanderperren.

To Joint Survey Committee on Tax Exemptions.

Senate Bill 401

Relating to the operation of motorboats by persons at least 12 but less than 16 years of age.

By Senator Murphy.

To committee on Natural Resources.

Senate Bill 402

Relating to records of time worked by all state employees.

By Senator Berger.

To committee on Governmental and Veterans' Affairs.

Senate Bill 403

Relating to extension of the statutory code of ethics to judicial and local elected officials, and making an appropriation.

By Senator Berger.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

The committee on Natural Resources reports and recommends:

Assembly Bill 426

Relating to creating a division of tourism within the department of business development and a council on tourism, transferring tourism, commercial recreation and information-related functions from the department of natural resources to the division of tourism and making and changing appropriations.

Concurrence; Ayes, 4; Noes, 0.

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Assembly Bill 726

Relating to the operation of motorboats by persons at least 12 but less than 16 years of age.

Concurrence; Ayes, 4; Noes, 0.

JEROME A. MARTIN
Chairman

EXECUTIVE COMMUNICATIONS

By request of Senator Whittow, with unanimous consent, the appointments of Daniel Flaherty and Clifford Messinger were considered enmasse.

FLAHERTY, DANIEL, of LaCrosse, as a member of the Board of Natural Resources, to succeed Richard Stearn, to serve for the term ending May 1, 1981.

MESSINGER, CLIFFORD, of Mequon, as a member of the Board of Natural Resources, to succeed Roger Minahan, to serve for the term ending May 1, 1981.

The question was: Confirmation?

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, Dorman, Flynn, 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 Frank -- 1.

So the appointments were confirmed.

BROGAN, JOHN, of Green Bay, as a member of the Board of Natural Resources, to succeed Stanton Helland, to serve for the term ending May 1, 1981.

Senator Sensenbrenner raised the point of order that, pursuant to section 15.34 of the state statutes, John Brogan was not eligible to serve on the DNR board because of his holdings in Midwest Gas Transmission Co.

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The chair ruled the point of order not well taken as section 15.34 relates to permit holders on the Natural Resources Board and Midwest Gas Transmission Co. holds no DNR permits.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 29; noes, 3; absent or not voting, 1; as follows:

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

Noes -- Senators Murphy, Sensenbrenner and Theno -- 3.

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

So the appointment was confirmed.

MOTIONS

Senator Harnisch moved reconsideration of the vote by which **Senate Bill 239** passed.

By request of Senator Harnisch, with unanimous consent, the motion for reconsideration of **Senate Bill 239** was laid on the table.

CALENDAR OF MAY 14

Senate Joint Resolution 27

Requesting the department of natural resources to study the suitability of the surface waters of this state for body contact and domestic consumption, and the fitness of fish and fowl taken from state waters for human consumption.

Read.

Senator Whittow raised the point of order that **Senate Joint Resolution 27** had a fiscal note and was required to go to the joint committee on Finance.

The chair took the point of order under advisement.

Senate Bill 241

Relating to the cost of examination of applicants for a license and reexamination of licensed persons.

Read a second time.

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By request of Senator Dorman, with unanimous consent, **Senate Bill 241** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 241** 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 241

Read a third time.

The ayes and noes were required and the vote was: ayes, 25; noes, 6; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 25.

Noes -- Senators Chilsen, Hollander, Knowles, Knutson, Krueger and LaFave -- 6.

Absent or not voting -- Senators Bidwell and Frank -- 2.

So the bill passed.

Senate Bill 242

Relating to local authorities adopting state traffic regulations incorporating by reference, amendments to the state traffic laws.

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 242

Read a third time and passed.

Senate Bill 311

Relating to safe driving practices courses and granting rule-making authority.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

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Ordered to a third reading.

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

Senate Bill 311

Read a third time and passed.

Senate Bill 342

Relating to transportation of petroleum products over frozen roads and providing a penalty.

Read a second time.

Ordered to a third reading.

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

Senate Bill 342

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 26; noes, 6; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Devitt, Dorman, Goyke, Harnisch, Hollander, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Theno, Thompson and Whittow -- 26.

Noes -- Senators Cullen, Flynn, Kleczka, Risser, Sensenbrenner and Swan -- 6.

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

So the bill passed.

Senate Bill 345

Relating to standards for outdoor advertising.

Read a second time.

Senator Berger moved indefinite postponement.

By request of Senators Whittow and Krueger, pursuant to senate rule 76, a 2 minute limit on debate was placed on each question before the senate.

The question was: Indefinite postponement?

The ayes and noes were demanded and the vote was: ayes, 8; noes, 23; absent or not voting, 2; as follows:

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Ayes -- Senators Berger, Cullen, Dorman, Flynn, McKenna, Risser, Swan and Thompson -- 8.

Noes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Theno and Whittow -- 23.

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

So 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.

Senate Bill 345

Read a third time and passed.

Senate Bill 369

Relating to requiring completion of a hunter safety course before issuance of a hunting license.

Read a second time.

Senator Petri asked unanimous consent that **Senate Bill 369** be referred to joint committee on Finance.

Senator Parys objected.

Senator Petri raised the point of order that the bill required a fiscal note.

Senator Bablitch raised the point of order that Senator Petri's point of order was out of order.

The chair ruled both points of order not well taken.

By request of Senator Krueger, with unanimous consent, **Senate Bill 369** was placed at the foot of the calendar of Thursday, May 15.

Assembly Bill 149

Relating to notice of a petition to have lands be approved as "Forest Croplands".

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 149

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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, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, 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 Frank and Knutson -- 2.

So the bill was concurred in.

Assembly Bill 388

Relating to permitted use of poison bait.

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 388

Read a third time and concurred in.

LEAVE OF ABSENCE

By request of Senator Chilsen, with unanimous consent, he was granted a leave of absence until 10:00 A.M. Thursday, May 15.

By request of Senator Whittow, with unanimous consent, all actions were ordered immediately messaged with the exception of **Senate Bill 241**.

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 173** by Senator LaFave.

Senate amendment 2 to **Senate Bill 191** by Senator Maurer.

Senate amendments 1, 2, 3, 4, 5 and 6 to **Senate Bill 344** by the committee on Judiciary and Consumer Affairs, by request of the State Elections Board.

By request of Senator Keppler, with unanimous consent, the senate adjourned in honor of National Salvation Army Week.

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Upon motion of Senator Whittow the senate adjourned until 9:00 A.M. Thursday, May 15.

12:24 P.M.

GUESTS

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

Eighth grade students of the Weyauwega-Fremont School, guests of Senator Lorge.

Senior class of Sauk-Prairie High School, guests of Senator Bidwell.

Political Science classes of Tomah, guests of Senator Harnisch.

Seventh and eighth grade classes of St. John the Baptist School, Johnsburg, guests of Senator Petri.

Ninth grade class of Waukesha North School, Waukesha, guests of Senator Murphy.

Students of Allenton Public Schools, guests of Senator Hollander.

Members of the Republican Legislative Conference, guests of Senator Krueger.

Seventh and eighth grade students of St. Mary's Elementary School, Janesville, guests of Senator Cullen.

Fourth grade students of Robinson Elementary School, Beloit, guests of Senator Cullen.

Mrs. Sue Theno, wife of Senator Theno.

Seventh and eighth grade students of Clintonville Public School, guests of Senator Lorge.