

JOURNAL OF THE SENATE [May 20, 1975]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

TUESDAY, May 20, 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 Donald Iliff, Pastor of Divine Savior Methodist Church, Madison.

The senate remained standing and Senator Harnisch 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 Peloquin was granted a leave of absence for the balance of the day.

By request of Senator Krueger, with unanimous consent, Senator Theno 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, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Knutson, Krueger, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Petri, Risser, Sensenbrenner, Swan, Thompson and Whittow -- 30.

Absent -- None.

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Absent with leave -- Senators LaFave, Peloquin and Theno -- 3.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 406

Relating to criminal trespass to buildings other than dwellings and providing a penalty.

By Senators Krueger, Murphy, Bidwell and Chilsen, cosponsored by Representatives Kincaid, Byers, Donoghue, L. Anderson and Gunderson.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends for introduction:

Senate Bill 407

Relating to permitting the attorney general to use the remedy of injunction to enforce optometry laws.

By request of the Optometry Examining Board.

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

Senate Bill 408

Relating to register of deeds' fees for filing certain documents.

By request of Milwaukee County.

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

and further recommends:

Senate Bill 132

Relating to retirement benefits of circuit court reporters.

Adoption of senate substitute amendment 1; Ayes, 2; Noes, 1.

Passage as amended; Ayes, 2; Noes, 1.

Senate Bill 319

Relating to detention of county jail inmates in the Milwaukee County house of correction and transfer of prisoners possessing Huber law privileges.

Passage; Ayes, 3; Noes, 0.

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Senate Bill 359

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

Passage; Ayes, 3; Noes, 0.

Assembly Bill 64

Relating to labeling of prescription drugs with date of loss of effectiveness, granting rule-making authority and providing a penalty.

Concurrence; Ayes, 3; Noes, 0.

Assembly Bill 93

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

Concurrence; Ayes, 3; Noes, 0.

JAMES T. FLYNN

Chairman

The Committee on Senate Organization, acting under Senate Rule 20 (1), reports and recommends the following nominations to Committee for appointment by the Senate:

(a) To the Retirement Research Committee pursuant to section 13.51 (2) Senators Thompson, (Chairman), Whittow and LaFave.

(b) To the Joint Survey Committee on Retirement Systems pursuant to section 13.50 (a), (b), (c) and (d) Senators Thompson, (Chairman), and LaFave.

(c) To the Workmen's Compensation Advisory Council pursuant to section 15.227 (4), Senator Maurer.

FRED A. RISSER

Chairman

Senator Whittow moved adoption of the committee report.

The motion prevailed.

PETITIONS AND COMMUNICATIONS

Senate Petition 59

A petition signed by 272 residents of the 32nd Senate District in opposition to the auto surcharge and auto license fee increases as proposed by Governor Lucey.

By Senator Knutson.

Read and referred to joint committee on Finance.

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Senate Petition 60

A resolution by 158 residents of Waukesha County in support of Senate Bill 268 and Assembly Bill 620.

By Senator Devitt.

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

Senate Petition 61

These 142 persons oppose the closing of our institutions and recommend more funding, better care, and better staffing in the area of health care and corrections.

By Senator McKenna.

Read and referred to senate committee on Finance.

The following is a list of lobbyists as submitted by the Secretary of State:

Name, Address and Occupation of Lobbyist -- Name and Address of Employer -- Subject of Legislation Code Number -- Date of Employment.

Anderson, Charles G., 148 E. Johnson St., Madison, Wisc., Representative -- AFSCME Council 24 Wisconsin State Employes Union, 148 E. Johnson St., Madison, Wisc. -- Unascertainable -- Dec. 23, 1974.

Brandt, Romain C., 33 N. Dickson, Madison, Wisc., Manager - Wisc. Press Assoc. -- Wisconsin Press Association, 33 N. Dickson, Madison, Wisc. -- Unascertainable -- Jan. 10, 1975.

Consigny, Thomas L., 222 W. Washington Ave., Madison, Wisc., Ass. to the President - Public Affairs -- Wisconsin Power & Light Co., 222 W. Washington Ave., Madison, Wisc. -- Unascertainable -- Dec. 23, 1974.

Cuene, Donald, 1015 Rockdale St., Green Bay, Wisc., Police Officer -- Wisconsin Professional Policemens Assn., 2643 S. 88th St., West Allis, Wisc. -- Unascertainable -- Jan. 10, 1975.

Durkin, William A., 110 E. Main St., Madison, Wisc., Legislative Counsel -- Wisconsin Insurance Alliance, 110 E. Main St., Madison, Wisc. -- Unascertainable -- Dec. 20, 1974.

Elliott, Charles W., 25 W. Main St., Madison, Wisc., Exec. Director -- Wisconsin Petroleum Council - Div. of API, 25 W. Main St., Madison, Wisc. -- Unascertainable -- Jan. 10, 1975.

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Elliott, Fred M., 1028 Seminole Hwy., Madison, Wisc., lobbyist -- Commercial Airlines serving the State of Wisc., St. Paul International Airport, St. Paul, Minn. -- Unascertainable -- Dec. 4, 1974.

Grennier, Lawrence, 148 E. Johnson St., Madison, Wisc., President -- AFSCME Council 24 Wisconsin State Employees Union, 148 E. Johnson St., Madison, Wisc. -- Unascertainable -- Jan. 10, 1975.

Gruenisen, Allan, 3099 E. Washington Ave., Box 471, Madison, Wisc., Legal Sec.-Vice President -- American Family Insurance Group, 3099 E. Washington Ave., Box 471, Madison, Wisc. -- Unascertainable -- Jan. 13, 1975.

Guerin, William, 2643 S. 88th St., West Allis, Wisc., Police Officer -- Wisconsin Professional Policemans Assn., 2643 S. 88th St., West Allis, Wisc. -- Unascertainable -- Jan. 10, 1975.

Hacker, Karl E., 148 E. Johnson St., Madison, Wisc., Ass. Director -- AFSCME Council 24 Wisconsin State Employees Union, 148 E. Johnson St., Madison, Wisc. -- Unascertainable -- Dec. 23, 1974.

Halverson, H.E., 2825 N. Mayfair Rd., Milwaukee, Wisc., Association Manager -- Catrala of Wisconsin Inc., 2825 N. Mayfair Rd., Milwaukee, Wisc. -- Unascertainable -- Dec. 27, 1974.

Halverson, H.E., 2825 N. Mayfair Rd., Milwaukee, Wisc., Association Manager -- Wisconsin Music Merchants Assoc., 2825 N. Mayfair Rd., Milwaukee, Wisc. -- Unascertainable -- Dec. 27, 1974.

Halverson, H.E., 2825 N. Mayfair Rd., Milwaukee, Wisc., Association Manager -- Wisconsin Manufactured Housing Assoc., 2825 N. Mayfair Rd., Milwaukee, Wisc. -- Unascertainable -- Dec. 27, 1974.

Halverson, H.E., 2825 N. Mayfair Rd., Milwaukee, Wisc., Association Manager -- Wisconsin Jewelers Assoc., 2825 N. Mayfair Rd., Milwaukee, Wisc. -- Unascertainable -- Dec. 27, 1974.

Jesinski, James, 6200 W. Bluemound Rd., Milwaukee, Wisc., Sec.-Treas. -- Wisconsin Teamsters Joint Council No. 39, P.O. Box 2073, Milwaukee, Wisc. -- Unascertainable -- Dec. 30, 1974.

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Johnson, Harold, 3545 Concord Ave., Madison, Wisc., Police Officer -- Wisconsin Professional Policemens Assn., 2643 S. 88th St., West Allis, Wisc. -- Unascertainable -- Jan. 10, 1975.

Kay, Robert J., 433 W. Washington Ave., Madison, Wisc., Attorney -- Association of Wisconsin Snowmobile Clubs, P.O.Box 1029, Neenah, Wisc. -- Unascertainable -- Jan. 10, 1975.

Kay, Robert J., 433 W. Washington Ave., Madison, Wisc., Attorney -- National Electrical Contractors Assoc., Wisc. Chapter, 517 N. Segoe Rd., Madison, Wisc. -- Unascertainable -- Jan. 10, 1975.

Kay, Robert J., 433 W. Washington Ave., Madison, Wisc., Attorney -- National Electrical Contractors Assoc., Milwaukee Chapter, 710 N. Plankinton Ave., Milwaukee, Wisc. -- Unascertainable -- Jan. 10, 1975

Kay, Robert J., 433 W. Washington Ave., Madison, Wisc., Attorney -- Associated Credit Bureaus of Wisc., 828 N. Broadway, P.O. Box 1996, Milwaukee, Wisc. -- Unascertainable -- Jan. 10, 1975.

King, Tom, 148 E. Johnson St., Madison, Wisc., Exec. Director -- AFSCME Council 24 Wisconsin State Employees Union, 148 E. Johnson St., Madison, Wisc. -- Unascertainable -- Dec. 23, 1974.

Knebel, Clarence W., Box 246, Belmont, Wisc., Meat Plant Operator -- Wisconsin Assoc. of Meat Processors, 208 N. Prospect St., Merrill, Wisc. -- Unascertainable -- Jan. 10, 1975.

Kubista, Roy E., 46 Frey St., Madison, Wisc., Legislative Director -- AFSCME, AFL-CIO Wisc. Office, 1625 L. St., N.W., Washington D.C. -- Unascertainable -- Jan. 10, 1975.

Lawton, John A., 110 E. Main St., Madison, Wisc., Attorney -- Wisconsin Council of County & Municipal Employees, 4646 Freye St., Madison, Wisc. -- Unascertainable -- Jan. 10, 1975.

Lawton, John A., 110 E. Main St., Madison, Wisc., Attorney -- Wisconsin Professional Policemens Assn., c/o William Guerin, 2634 S. 88th St., West Allis, Wisc. -- Unascertainable -- Jan. 10, 1975.

Lawton, John A., 110 E. Main St., Madison, Wisc., Attorney -- Wisconsin State Employees Union, 148 E. Johnson St., Madison, Wisc. -- Unascertainable -- Jan. 10, 1975.

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Lawton, John A., 110 E. Main St., Madison, Wisc., Attorney -- Wisconsin County Police Assoc., c/o Charles Louis, 400 S. Cherry Ave., Marshfield, Wisc. -- Unascertainable -- Jan. 10, 1975.

Lawton, John A., 110 E. Main St., Madison, Wisc., Attorney -- Madison Building Trades Council, 1602 S. Park St., Madison, Wisc. -- Unascertainable -- Jan. 10, 1975.

Lawton, John A., 110 E. Main St., Madison, Wisc., Attorney -- Milwaukee District Council 48, 3427 W. St. Paul Ave., Milwaukee, Wisc. -- Unascertainable -- Jan. 10, 1975.

Mast, Paul H., 7427 Hubbard Ave., Middleton, Wisc., Trade Assoc. Exec. -- Independent Insurance Agents of Wisc., Box 96, Middleton, Wisc. -- Unascertainable -- Jan. 13, 1975.

Mickleson, Donald, 3010 Oakridge Ave., Madison, Wisc., Police Officer -- Wisconsin Professional Policemans Assn., 2643 S. 88th St., West Allis, Wisc. -- Unascertainable -- Jan. 10, 1975.

Miedema, Harry Jr., P.O. Box 179, 321 S. Division St., Stoughton, Wisc., Newspaper Publisher -- Wisconsin Press Assoc., 33 N. Dickenson, Madison, Wisc. -- Unascertainable -- Jan. 10, 1975.

Miller, Grant L. III, 2000 Westwood Dr., Wausau, Wisc., -- Employers Mutual Liability Insurance Co. of Wisc., 2000 Westwood Dr., Wausau, Wisc. -- Unascertainable -- Jan. 13, 1975.

Mulcahy, T.L., 765 N. Van Buren St., Milwaukee, Wisc., Public Affairs Surrogate -- N.N. Corp., 731 N. Jackson St., Milwaukee, Wisc. -- Unascertainable -- Jan. 13, 1975.

Phillips, Joe, 2120 W. Clybourn St., Milwaukee, Wisc., Advertising, Public Relations & Legislative Counsellor -- Wisconsin Advertising Assoc., Inc., 418 North 27th St., Milwaukee, Wisc. -- Unascertainable -- Dec. 23, 1974.

Raspiller, Gerald G., RR 2, Lyndon Station, Wisc., Farmer -- Raspiller, Gerald G., RR 2, Lyndon Station, Wisc. -- Unascertainable -- Dec. 30, 1974.

Rice, George E., 901 North 9th St., Suite 303-A, Courthouse, Milwaukee, Wisc., Deputy County Corp. Counsel -- Milwaukee County, 901 North 9th St., Courthouse, Milwaukee, Wisc. -- Unascertainable -- Jan. 10, 1975.

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Rohner, Henry, 4906 S. Green Bay Rd., Racine, Wisc., Town Chairman -- Wisconsin Suburban League, Town of Pleasant Prairie, 9915 - 39th Ave., Kenosha, Wisc. -- Unascertainable -- Jan. 10, 1975.

O'Rourke, Wm. J., 540 W. Washington Ave., Madison, Wisc., Veterinarian -- Wisconsin Veterinary Medical Assoc., 411 S. Bridge St., Box 249, Manawa, Wisc. -- Unascertainable -- Jan. 10, 1975.

Ryan, Theodore T., 2685 Milwaukee St., Madison, Wisc., Fire Fighter -- Professional Fire Fighters Wisc., 2432 Johnson RD., Kenosha, Wisc. -- Unascertainable -- Jan. 10, 1975.

Wendorff, Roland J., 2000 Westwood Dr., Wausau, Wisc., Attorney -- Employers Mutual Liability Insurance Co. of Wisc., 2000 Westwood Dr., Wausau, Wisc. -- Unascertainable -- Jan. 13, 1975.

Wimmer, James W. Jr., Suite 815, 122 W. Washington Ave., Madison, Wisc., Public Relations -- League of Suburban Municipalities, 10701 W. National, West Allis, Wisc. -- Unascertainable -- Jan. 10, 1975.

Wimmer, James W. Jr., Suite 815, 122 W. Washington Ave., Madison, Wisc., Public Relations -- Associated General Contractors of America, Inc., Wisc. Ch., 4814 E. Broadway, Madison, Wisc. -- Unascertainable -- Jan. 10, 1975.

Wimmer, James W. Jr., Suite 815, 122 W. Washington Ave., Madison, Wisc., Public Relations -- Wisconsin Railroad Assoc., 25 W. Main St., Madison, Wis. -- Unascertainable -- Jan. 10, 1975.

Wimmer, James W. Jr., Suite 815, 122 W. Washington Ave., Madison, Wisc., Public Relations -- DeHart & Broide, 1505 22nd St. N.W., Washington, D.C. -- Unascertainable -- Jan. 10, 1975.

Wimmer, James W. Jr., Suite 815, 122 W. Washington Ave., Madison, Wisc., Public Relations -- Northwestern Mutual Life Insurance Co., 720 E. Wisc. Ave., Milwaukee, Wisc. -- Unascertainable -- Jan. 10, 1975.

Wimmer, James W. Jr., Suite 815, 122 W. Washington Ave., Madison, Wisc., Public Relations -- Pharmaceutical Manufacturers Assoc., 1155 Fifteenth St. N.W., Washington, D.C. -- Unascertainable -- Jan. 10, 1975.

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Woodside, Howard B., 1421 Strongs Ave., Stevens Point, Wisc.,
Ass. General Counsel & Ass. Secretary -- Sentry Insurance, 1421
Strongs Ave., Stevens Point, Wisc. -- Unascertainable -- Jan. 13,
1975.

MOTIONS

Senator Petri moved that the senate resolve itself into a committee of the whole at 1:30 P.M.

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

Ayes -- Senators Chilsen, Knowles, Krueger, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 8.

Noes -- Senators Bablitch, Berger, Bidwell, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knutson, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 24.

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

So the motion did not prevail.

By request of Senator Whittow, with unanimous consent, he withdrew his point of order on **Senate Joint Resolution 27** which was raised on May 14.

By request of Senator Whittow, with unanimous consent, **Senate Joint Resolution 27** was referred to committee on Senate Organization.

Senator Kleczka asked unanimous consent that senate rule 3 (3) as it relates to the wearing of coats be dispensed with.

Senator Whittow objected.

Senator Kleczka moved that senate rule 3 (3) as it relates to the wearing of coats be dispensed with.

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

Ayes -- Senators Berger, Cullen, Flynn, Frank, Harnisch, Keppler, Kleczka, Knowles, Lorge, Morrison, Murphy, Parys, Peloquin and Theno -- 14.

Noes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Goyke, Hollander, Knutson, Krueger, Martin, Maurer, Petri, Risser, Sensenbrenner, Swan, Thompson and Whittow -- 17.

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

Less than two-thirds having voted in the affirmative the motion did not prevail.

CALENDAR OF MAY 20

Senate Bill 336

Relating to truck weight tolerances on the national interstate and defense highway system.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 336** was referred to joint committee on Finance.

Senator Dorman asked unanimous consent that **Senate Bill 336** be withdrawn from the joint committee on Finance and considered for action at this time.

Senator Berger objected.

Senator Dorman moved that **Senate Bill 336** be withdrawn from the joint committee on Finance and considered for action at this time.

The ayes and noes were required and the vote was: ayes, 16; noes, 16; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Chilsen, Devitt, Dorman, Frank, Harnisch, Knowles, Knutson, Krueger, Lorge, Martin, Maurer, Parys, Swan, Theno and Whittow -- 16.

Noes -- Senators Berger, Bidwell, Cullen, Flynn, Goyke, Hollander, Keppler, Kleczka, McKenna, Morrison, Murphy, Peloquin, Petri, Risser, Sensenbrenner and Thompson -- 16.

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

Less than two-thirds having voted in the affirmative the motion did not prevail.

By request of Senator Dorman, with unanimous consent, **Senate Bill 336** was withdrawn from the joint committee on Finance and referred to senate committee on Finance.

Senate Bill 356

Relating to permitting a lessor in a consumer lease to take a security interest in money.

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 356

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Read a third time and passed.

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.

Senate Bill 369

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

Read a second time.

The question was: Shall the bill be ordered to a third reading?

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

Ayes -- Senators Bablitch, Berger, Cullen, Devitt, Dorman, Flynn, Frank, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Theno, Thompson and Whittow -- 18.

Noes -- Senators Bidwell, Chilsen, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Knutson, Krueger, Lorge, Murphy, Petri and Sensenbrenner -- 14.

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

So the bill was ordered to a third reading.

Senator Whittow asked unanimous consent that **Senate Bill 369** be considered for final action at this time.

Senator Chilsen objected.

Senator Whittow moved that the bill be considered for final action at this time.

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

Ayes -- Senators Bablitch, Berger, Cullen, Devitt, Dorman, Flynn, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Theno, Thompson and Whittow -- 17.

Noes -- Senators Bidwell, Chilsen, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Knutson, Krueger, Lorge, Murphy, Petri and Sensenbrenner -- 15.

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

Less than two-thirds having voted in the affirmative the motion did not prevail.

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By request of Senator Whittow, with unanimous consent, **Assembly Bill 426** was made a special order of business at 8:35 A.M. Thursday, May 22.

Assembly Bill 726

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

Read a second time.

By request of Senator Murphy, with unanimous consent, he was added as a cosponsored of **Assembly Bill 726**.

Senate amendment 1 to **Assembly Bill 726** offered by Senator Petri.

Senator Murphy moved rejection.

Senator Kleczka raised the point of order that the amendment was not germane.

The chair ruled the point of order well taken.

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 726

Read a third time and concurred in.

By request of Senator Dorman, with unanimous consent, **Senate Bill 136** was withdrawn from the joint committee on Finance and referred to the senate committee on Finance.

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

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 4** by Senator Frank.

Senate amendment 1 to **Senate Bill 161** by Senator Frank.

Senate amendment 1 to **Assembly Bill 426** by Senator Kleczka.

Senate amendment 2 to **Assembly Bill 426** by Senator Kleczka.

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Upon motion of Senator Whittow the senate adjourned until
8:45 A.M. Wednesday, May 21.

11:50 A.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 399

On page 9, line 8, substitute "benefit or" for "benefit of".