

JOURNAL OF THE SENATE [June 19, 1975]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

THURSDAY, June 19, 1975.

10:00 A.M.

The senate met.

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

Prayer was offered by Reverend Harvey W. Schweppe, Pastor of Monona United Methodist Church, Monona.

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, 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 -- 32.

Absent -- None.

Absent with leave -- Senator Chilsen -- 1.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 437

Relating to increasing the funding for medical assistance to reimburse pharmacists for the total wholesale cost of drugs under the medicaid program.

By Senators Maurer, Bablitch and Harnisch.

To committee on Judiciary and Consumer Affairs.

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Senate Bill 438

Relating to smoking in public places, granting rule-making authority and providing a penalty.

By Senator Kleczka, cosponsored by Representative Gerlach, by request of Mr. Wilbert Quick.

To committee on Judiciary and Consumer Affairs.

Senate Bill 439

Relating to deferred income plans for public employes, creating a deferred income fund, granting rule-making authority and making an appropriation.

By Senators Murphy, Hollander, Lorge, LaFave, Parys, Knutson, Keppler, Devitt, Krueger, Risser, Flynn, Goyke, Morrison, Thompson, Maurer, Bablitch, Cullen and Swan, cosponsored by Representatives Conradt, Roth, Molinaro, Dorff, Tregoning, Sicula, Looby, Hanson, Johnson, Olson, Hauke, L. Anderson, Thompson and Wackett.

To Joint Survey Committee on Retirement Systems.

Senate Bill 440

Relating to state financial assistance for municipal pollution prevention and abatement facilities and exempting certain projects from the environmental impact statement requirements.

By Senator Berger, by request of City of Milwaukee.

To committee on Governmental and Veterans' Affairs.

Senate Bill 441

Relating to requiring subdividers to pay the cost of any necessary alteration of existing utilities as a condition of plat approval by a city or village.

By Senator Berger, by request of City of Milwaukee.

To committee on Governmental and Veterans' Affairs.

COMMITTEE REPORTS

The committee on Education reports and recommends:

Senate Bill 145

Relating to certification of native American language teachers.

Introduction of senate amendment 1; Ayes, 5; Noes, 0.

Adoption of senate amendment 1; Ayes, 5; Noes, 0.

Passage as amended; Ayes, 5; Noes, 0.

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Senate Bill 291

Relating to authority to control traffic on school premises.

Passage recommended; Ayes, 5; Noes, 0.

Senate Bill 296

Relating to the required number of school days for state aid purposes.

Introduction of senate substitute amendment 1; Ayes, 5; Noes, 0.

Adoption of senate substitute amendment 1; Ayes, 5; Noes, 0.

Passage as amended; Ayes, 5; Noes, 0.

BRUCE S. PELOQUIN

Chairman

The committee on Natural Resources reports and recommends:

Assembly Bill 381

Relating to ceding state jurisdiction over certain territory in the Apostle Islands, authorizing the conveyance of certain state lands to the United States in connection with the Apostle Islands national lakeshore and making an appropriation.

Adoption of senate amendment 1; Ayes, 5; Noes, 0.

Concurrence as amended; Ayes, 5; Noes, 0.

JEROME A. MARTIN

Chairman

CALENDAR OF JUNE 19

Senate Bill 299

Relating to establishing a patients compensation system for bodily injury or death caused by health care providers, requiring financial responsibility of health care providers, creating a patients compensation board in the department of regulation and licensing, granting rule-making authority, and making appropriations.

Read a second time.

By request of Senator Murphy, with unanimous consent, senate substitute amendment 1 was laid on the table.

The question was: Adoption of senate substitute amendment 2?

Senate amendment 1 to senate substitute amendment 2 to **Senate Bill 299** offered by Senator Thompson.

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By request of Senator Morrison, with unanimous consent, senate amendment 1 to senate substitute amendment 2 was laid on the table.

Senate amendment 2 to senate substitute amendment 2 to **Senate Bill 299** offered by Senator Harnisch.

By request of Senator Harnisch, with unanimous consent, senate amendment 2 to senate substitute amendment 2 was laid on the table.

Senate amendment 3 to senate substitute amendment 2 to **Senate Bill 299** offered by Senator McKenna.

By request of Senator McKenna, with unanimous consent, senate amendment 3 to senate substitute amendment 2 was laid on the table.

Senator Thompson asked unanimous consent that senate amendment 1 to senate substitute amendment 2 be taken from the table and considered for action at this time.

Senator Morrison objected.

Senate amendment 4 to senate substitute amendment 2 to **Senate Bill 299** offered by Senators Morrison and Devitt.

Senate amendment 1 to senate amendment 4 to senate substitute amendment 2 to **Senate Bill 299** offered by Senator Harnisch.

President pro tempore of the senate in the chair.

11:20 A.M.

Senator McKenna moved rejection of senate amendment 4.

The ayes and noes were demanded and the vote was: ayes, 5; noes, 26; absent or not voting, 2; as follows:

Ayes -- Senators Frank, Hollander, McKenna, Murphy and Thompson -- 5.

Noes -- Senators Bablitch, Berger, Bidwell, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Whittow - - 26.

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

So the motion did not prevail.

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By request of Senator Dorman, with unanimous consent, **Assembly Bill 168** and **Assembly Bill 202** were withdrawn from the senate committee on Finance and referred to the committee on Senate Organization.

LEAVE OF ABSENCE

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

AMENDMENTS OFFERED

Senate amendment 5 to senate substitute amendment 2 to **Senate Bill 299** by Senator Murphy.

Senate amendment 6 to senate substitute amendment 2 to **Senate Bill 299** by Senator Murphy.

Senate amendment 7 to senate substitute amendment 2 to **Senate Bill 299** by Senator Sensenbrenner.

Senate amendment 8 to senate substitute amendment 2 to **Senate Bill 299** by Senator Morrison.

Senate amendment 9 to senate substitute amendment 2 to **Senate Bill 299** by Senator Morrison.

Senate amendment 10 to senate substitute amendment 2 to **Senate Bill 299** by Senator Devitt.

Senate amendment 11 to senate substitute amendment 2 to **Senate Bill 299** by Senator Devitt.

Senate amendment 12 to senate substitute amendment 2 to **Senate Bill 299** by Senator Flynn.

Senate amendment 13 to senate substitute amendment 2 to **Senate Bill 299** by Senator Keppler, by request of the Medical Society of the State of Wisconsin.

Senate amendment 14 to senate substitute amendment 2 to **Senate Bill 299** by Senators Devitt and Thompson.

Senate amendment 1 to senate substitute amendment 3 to **Senate Bill 300** by Senator Petri.

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Senate amendment 2 to senate substitute amendment 3 to **Senate Bill 300** by Senator Petri.

Upon motion of Senator Whittow the senate recessed until 1:30 P.M.

11:58 A.M.

RECESS

1:30 P.M.

The senate reconvened.

By request of Senator Whittow, with unanimous consent, the senate returned to the seventh order of business.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

I am directed to inform you that the assembly has nonconcurred in:

Senate substitute amendment 1 to **Assembly Bill 222**, requests a Committee of Conference and appoints Representatives Willkom, Conta and Johnson as conferees on its part.

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 222

By request of Senator Whittow, with unanimous consent, the bill was laid on the table.

By request of Senator Whittow, with unanimous consent, the senate recessed until 4:00 P.M.

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1:35 P.M.

RECESS

4:00 P.M.

The senate reconvened.

The president of the senate in the chair.

By request of Senator Whittow, with unanimous consent, **Senate Bills 298, 299 and 300** were referred to the committee on Senate Organization.

By request of Senator Whittow, with unanimous consent, **Assembly Bill 222** was taken from the table and considered for action at this time.

Assembly Bill 222

Senator Whittow moved that the senate adhere to its position on senate substitute amendment 1 and the chair appoint a Committee of Conference.

The motion prevailed.

The chair appointed Senators Dorman, Bablitch and Kleczka as members of the Conference Committee on its part.

Senator Whittow moved confirmation of the conferees.

The motion prevailed.

LEAVE OF ABSENCE

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

Senator Keppler moved that any discussion or decision relating to the 1975-1977 budget at any formal or informal meeting involving two or more members of the Conference Committee shall be open to the public. Notice of the time and place of each meeting shall be posted in a conspicuous place near the entrance of each house at least one hour before each meeting. No meetings, whether formal or informal, of the conference committee shall take place outside the Capitol building.

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The ayes and noes were demanded and the vote was: ayes, 11; noes, 16; absent or not voting, 6; as follows:

Ayes -- Senators Bidwell, Cullen, Devitt, Harnisch, Hollander, Keppler, Krueger, LaFave, Lorge, Petri and Sensenbrenner -- 11.

Noes -- Senators Bablitch, Berger, Dorman, Flynn, Frank, Kleczka, Knowles, Knutson, Martin, Maurer, Morrison, Murphy, Parys, Risser, Thompson and Whittow -- 16.

Absent or not voting -- Senators Chilsen, Goyke, McKenna, Peloquin, Swan and Theno -- 6.

So the motion did not prevail.

By request of Senator Whittow, with unanimous consent, action on **Assembly Bill 222** was ordered immediately messaged.

Senator Parys asked unanimous consent to suspend senate rule 3 (3) as it relates to the wearing of coats.

Senator Whittow objected.

Senator Parys moved that senate rule 3 (3) be suspended.

AMENDMENTS OFFERED

Senate amendment 2 to senate amendment 4 to senate substitute amendment 2 to **Senate Bill 299** by Senator Bablitch.

Senate substitute amendment 4 to **Senate Bill 300** by Senators Flynn, Lorge, Petri, Bablitch, Knowles, Devitt, Goyke, Dorman, Krueger and Berger, by request of Representatives Kedrowski and Gower.

Senate amendment 9 to **Senate Bill 344** by Senators Murphy and Flynn.

Senate amendment 1 to **Assembly Bill 54** by Senators Lorge, by request of Cesar A. Garvida, M. D.

Senator Whittow moved that the senate adjourn until 9:00 A.M. Friday, June 20.

The ayes and noes were demanded and the vote was: ayes, 15; noes, 10; absent or not voting, 8; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Cullen, Dorman, Flynn, Frank, Goyke, Hollander, Kleczka, Knutson, Morrison, Risser, Thompson and Whittow -- 15.

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Noes -- Senators Devitt, Harnisch, Keppler, LaFave, Lorge, Maurer, Murphy, Parys, Petri and Sensenbrenner -- 10.

Absent or not voting -- Senators Chilsen, Knowles, Krueger, McKenna, Martin, Peloquin, Swan and Theno -- 8.

So the motion prevailed.

4:45 P.M.

GUESTS

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

Mrs. Don Miller, Stanley, guest of Senator Harnisch.