

JOURNAL OF THE SENATE [July 1, 1975]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

TUESDAY, July 1, 1975.

1:00 P.M.

The senate met.

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

The senate stood for a moment of silent prayer.

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

LEAVE OF ABSENCE

By request of Senator Krueger, with unanimous consent, Senator Knutson 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, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 32.

Absent -- None.

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Absent with leave -- Senator Knutson -- 1.

COMMITTEE REPORTS

The committee on Natural Resources reports and recommends for introduction:

Senate Bill 461

Relating to annual state payments to counties establishing and maintaining county forest lands for recreation and other forestry purposes and making an appropriation.

Introduction; Ayes, 5; Noes, 0.

Read first time and referred to committee on Natural Resources.

JEROME A. MARTIN
Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 88

A petition signed by 42 people residing in Wood County in opposition to Senate Bill 397.

By Senator Harnisch.

Read and referred to committee on Judiciary and Consumer Affairs.

State of Wisconsin
Department of State

June 30, 1975.

To the Honorable, the Senate

Senators:

I have the honor to transmit to you pursuant to s. 13.67 (2), the names of the registered lobbyists for the period beginning on June 23, 1975, and ending on June 30, 1975.

Yours very truly,
DOUGLAS LAFOLLETTE
Secretary of State

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

Berquist, Henry J., Route 3, Rhinelander, Wisc. -- NRTA/AARP Wisconsin Joint State Legislative Committee, 1909 K Street, N.W., Washington, D.C. -- Unknown -- March 24, 1975.

Peterson, Richard E., 202 East Union Street, Waupaca, Wisc. - Kindy Optical, 500 W. College Ave., York, P.A. -- 31 - price advertising in relation to optical business including SB 377 -- June 16, 1975.

Wimmer, James W. Jr., 131 W. Wilson St., Suite 1201, Madison, Wisc. -- Committee on State Taxation, 1028 Connecticut Ave., Suite 1018, Washington, D.C. -- 11, 16 -- June 11, 1975.

Wimmer, James W. Jr., 131 W. Wilson St., Suite 1201, Madison, Wisc. -- Milwaukee Redevelopment Corp., 735 N. Water St., Milwaukee, Wisc. -- 03, 11, 12, 14, 15, 16, 19, 29 -- June 10, 1975.

Cancellation:

Gessl, Ron, WIAA as of July 2, 1975.

Legislative Subject Identification

Code	Subject
01	<i>Agriculture, horticulture, farming & livestock</i>
02	<i>Amusements, games, athletics and sports</i>
03	<i>Banking, finance, credit and investments</i>
04	<i>Children, minors, youth & senior citizens</i>
05	<i>Church & Religion</i>
06	<i>Consumer Affairs</i>
07	<i>Ecology, environment, pollution, conservation, zoning, land & water use</i>
08	<i>Education</i>
09	<i>Elections, campaigns, voting & political parties</i>
10	<i>Equal rights, civil rights & minority affairs</i>
11	<i>Government, financing, taxation, revenue, budget, appropriations, bids, fees & funds</i>
12	<i>Government, county</i>
13	<i>Government, federal</i>

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- 14 *Government, municipal*
- 15 *Government, special districts*
- 16 *Government, state*
- 17 *Health services, medicine, drugs and controlled substances, health insurance & hospitals*
- 18 *Higher education*
- 19 *Housing, construction & codes*
- 20 *Insurance (excluding health insurance)*
- 21 *Labor, salaries and wages, collective bargaining*
- 22 *Law enforcement, courts, judges, crimes & prisons*
- 23 *Licenses & permits*
- 24 *Liquor*
- 25 *Manufacturing, distribution & services*
- 26 *Natural resources, forests and forest products, fisheries, mining & mineral products*
- 27 *Public lands, parks & recreation*
- 28 *Social insurance, unemployment insurance, public assistance & workmen's compensation*
- 29 *Transportation, highways, streets & roads*
- 30 *Utilities, communications, television, radio, newspapers, power, CATV, & gas*
- 31 *Other*

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

June 27, 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 Sheldon Lubar, of Milwaukee, as a member of the State Investment Board, to succeed Carl Schmitt, to serve for the term ending May 1, 1979.

Sincerely,
PATRICK J. LUCEY
Governor

Read and referred to committee on Commerce.

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

June 27, 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 Marilyn R. Mullarky, of Hubertus, as a member of the Hearing Aid Dealers and Fitters Examining Board, to succeed Frederic A. Tyszka, to serve for the term ending July 1, 1977.

**Sincerely,
PATRICK J. LUCEY
Governor**

Read and referred to committee on Judiciary and Consumer Affairs.

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

June 27, 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 William Zuehlke, Jr., of Appleton as a member of the State Investment Board, to succeed John Naber, to serve for the term ending May 1, 1981.

**Sincerely,
PATRICK J. LUCEY
Governor**

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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 agreed to a Committee of Conference:

on **Assembly Bill 725** and appoints Representatives Sicula, Thompson and Hanson as conferees on its part.

and

Passed and asks concurrence in:

Assembly Bill 705
Assembly Bill 706
Assembly Bill 707
Assembly Bill 937

and

Concurred in:

Senate Joint Resolution 42
Assembly Bill 902, senate amendments 1 and 2

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 705

Relating to eliminating the prohibition against fiduciaries engaging in certain activities in connection with speculative investments.

By Representatives Luckhardt, Olson, Tregoning and Sicula.

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

Assembly Bill 706

Relating to licensing requirements for nonresident insurance agent applicants.

By Representatives Luckhardt, Tregoning, Olson and Sicula.

Read first time and referred to committee on Commerce.

Assembly Bill 707

Relating to a prohibition against cancellation or nonrenewal of automobile liability policies on the basis of marital status.

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By Representatives Luckhardt, Tregoning and Sicula.
Read first time and referred to committee on Commerce.

Assembly Bill 937

Relating to limiting salary increases for statutory salary of elected officials to 5% in FY 1975-76 and 4% in FY 1976-77.

By Representatives N.C. Anderson, McClain, Tuczynski, Jackamonis, Day, Duren, Miller, Munts, Early, Dueholm, Wahner, Hasenohrl, Lato, Czerwinski, Offner, Sicula, Mittness, Dorff, O'Malley, Murray, Behnke, Plewa, Norquist, Looby, Rutkowski, Dandeneau, Tropman, Soucie, Kedrowski, Roberts, Otte, Elconin and Rooney.

Read first time and referred to joint committee on Finance.

MOTIONS

Senator Sensenbrenner asked unanimous consent, that **Assembly Bill 937** be withdrawn from joint committee on Finance and referred to committee on Senate Organization.

Senator Whittow objected.

Senator Sensenbrenner moved that **Assembly Bill 937** be withdrawn from joint committee on Finance and referred to committee on Senate Organization.

Senator Whittow moved that the motion be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 21; noes, 10; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Knowles, Krueger, McKenna, Martin, Maurer, Morrison, Parys, Risser, Swan, Thompson and Whittow -- 21.

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 10.

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

So the motion prevailed.

LEAVE OF ABSENCE

By request of Senator Frank, with unanimous consent, he was granted a leave of absence until 2:30 P.M.

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Senator Whittow asked unanimous consent that **Senate Bill 460** and **Assembly Bill 839** be considered for action at this time.

Senator Petri objected.

Senator Whittow moved that **Senate Bill 460** and **Assembly Bill 839** be considered for action at this 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, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Theno, Thompson and Whittow -- 25.

Noes -- Senators Bidwell, Chilsen, Hollander, Murphy, Petri and Sensenbrenner -- 6.

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

More than two-thirds having voted in the affirmative the motion prevailed.

By request of Senator Parys, with unanimous consent, the senate recessed until 2:25 P.M.

1:30 P.M.

RECESS

2:25 P.M.

The senate reconvened.

President pro tempore of the senate in the chair.

By request of Senator Parys, with unanimous consent, **Assembly Bill 409** was withdrawn from the committee on Commerce and referred to committee on Senate Organization.

By request of Senator Whittow, with unanimous consent, the senate recessed until 2:45 P.M.

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2:30 P.M.

RECESS

2:45 P.M.

The senate reconvened.

Senator Whittow asked unanimous consent that **Assembly Bill 409** be considered for action.

Senator Sensenbrenner objected.

Senator Whittow moved that **Assembly Bill 409** be considered for action.

The ayes and noes were required and the vote was: ayes, 25; noes, 7; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Lorge, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Theno, Thompson and Whittow -- 25.

Noes -- Senators Chilsen, Krueger, LaFave, Murphy, Petri, Sensenbrenner and Swan -- 7.

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

More than two-thirds having voted in the affirmative the motion prevailed.

Senate Bill 460

Relating to extending the 55 mile per hour speed limit until July 1, 1977.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 460** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 460** was withdrawn from 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.

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Senate Bill 460

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, 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 -- None.

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

So the bill passed.

Ordered immediately messaged.

Assembly Bill 839

Relating to the state as employer under the fair employment statute.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Assembly Bill 839** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Assembly Bill 839** was withdrawn from 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.

Assembly Bill 839

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, 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 -- None.

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

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So the bill was concurred in.

President of the senate in the chair.

3:05 P.M.

Assembly Bill 409

Relating to the effective expiration date of chapter 157, laws of 1973.

Read a second time.

Senator Parys moved nonconcurrence.

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

3:30 P.M.

RECESS

4:00 P.M.

The senate reconvened.

Senator Chilsen raised the point of order that s. 157 could no longer be amended as the statute had expired.

The chair ruled the point of order not well taken.

The question was: Nonconcurrence in **Assembly Bill 409**?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 20; absent or not voting, 1; as follows:

Ayes -- Senators Bidwell, Chilsen, Cullen, Knowles, Krueger, LaFave, Lorge, Murphy, Parys, Petri, Sensenbrenner and Theno -- 12.

Noes -- Senators Bablitch, Berger, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, McKenna, Martin, Maurer, Morrison, Peloquin, Risser, Swan, Thompson and Whittow -- 20.

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

So the motion did not prevail.

The question was: Adoption of senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 19; absent or not voting, 1; as follows:

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Ayes -- Senators Bidwell, Chilsen, Devitt, Knowles, Krueger, LaFave, Lorge, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno -- 13.

Noes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, McKenna, Martin, Maurer, Morrison, Peloquin, Risser, Thompson and Whittow -- 19.

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

So the amendment was not adopted.

Senate amendment 1 to **Assembly Bill 409** offered by Senators Sensenbrenner and Murphy.

Senator Berger moved rejection.

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, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, McKenna, Martin, Maurer, Morrison, Peloquin, Risser, Thompson and Whittow -- 17.

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Kleczka, Knowles, Krueger, LaFave, Lorge, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno -- 15.

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

So the motion prevailed.

Senate amendment 2 to **Assembly Bill 409** offered by Senators Devitt and Murphy.

Senator Berger moved rejection.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, McKenna, Martin, Maurer, Morrison, Peloquin, Risser, Swan, Thompson and Whittow -- 19.

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Knowles, Krueger, LaFave, Lorge, Murphy, Parys, Petri, Sensenbrenner and Theno -- 13.

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

So the motion prevailed.

Ordered to a third reading.

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Senator Bablitch asked unanimous consent that the bill be considered for final action at this time.

Senator Bidwell objected.

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

The ayes and noes were required and the vote was: ayes, 22; noes, 10; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, McKenna, Martin, Maurer, Morrison, Peloquin, Risser, Swan, Thompson and Whittow -- 22.

Noes -- Senators Bidwell, Chilsen, Cullen, LaFave, Lorge, Murphy, Parys, Petri, Sensenbrenner and Theno -- 10.

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

More than two-thirds having voted in the affirmative the motion prevailed.

Assembly Bill 409

Read a third time.

The ayes and noes were required and the vote was: ayes, 21; noes, 11; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 21.

Noes -- Senators Bidwell, Chilsen, Cullen, Knowles, Krueger, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 11.

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

So the bill was concurred in.

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

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Assembly Bill 937** by Senators Sensenbrenner and Bidwell.

Senate amendment 1 to **Assembly Bill 937** by Senators Sensenbrenner and Bidwell.

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**Upon motion of Senator Whittow the senate adjourned until
10:00 A.M. Thursday, July 3.**

4:45 P.M.