

JOURNAL OF THE SENATE [January 28, 1976]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

WEDNESDAY, January 28, 1976.

10:00 A.M.

The senate met.

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

Prayer was offered by Reverend Elmer A. Neitzel, Pastor of Mount Calvary Lutheran Church, Milwaukee.

The senate remained standing and Senator Hollander 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 until 12:00 noon.

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, 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.

Absent -- None.

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Absent with leave -- Senators Frank and Knutson -- 2.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 53

Providing for an advisory referendum on the question of public employe strikes.

By Senators Murphy, Knutson, Keppler and Lorge, cosponsored by Representatives Delong, Tregoning, Schroeder, Conradt, Opitz, Johnston, Lewison and Luckhardt.

Read and referred to committee on Agriculture, Human Services, Labor and Taxation.

Senate Joint Resolution 54

To amend section 5 of article VIII of the constitution, relating to limiting budget increases to the percentage of population change plus 12% (1st consideration).

By Senator Keppler.

Read first time and referred to joint committee on Finance.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 749

Relating to extending the city initiative to include counties, villages and towns.

By Senators Murphy, Sensenbrenner, Petri, Lorge and Keppler.

To committee on Governmental and Veterans' Affairs.

Senate Bill 750

Relating to open meetings of public employe labor negotiations.

By Senator Keppler.

To committee on Governmental and Veterans' Affairs.

Senate Bill 751

Relating to directing the department of transportation and the highway commission to upgrade to expressway standards a portion of highway 57 and to construct an expressway standard highway from the intersection of highways 57 and 32 to Green Bay.

By Senator Keppler.

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To committee on Commerce.

COMMITTEE REPORTS

The committee on Commerce reports and recommends for introduction:

Senate Bill 752

Relating to cosmetology licensing.
Introduction; Ayes, 9; Noes, 0.

Read first time and referred to committee on Commerce.

Senate Bill 753

Relating to expanding regulation of outdoor advertising and regulation of junkyards in areas adjacent to interstate and primary highways, granting rule-making authority and increasing an appropriation.

By request of the Department of Transportation.
Introduction; Ayes, 9; Noes, 0.

Read first time and referred to committee on Commerce.

and further recommends:

Senate Bill 415

Relating to placement of bank communication devices and granting rule-making authority.

Introduction of senate substitute amendment 2; Ayes, 7; Noes, 1.

Adoption of senate substitute amendment 2; Ayes, 7; Noes, 1.
Passage as amended; Ayes, 7; Noes, 1.

Senate Bill 492

Relating to airport zoning.
Passage; Ayes, 7; Noes, 1.

RONALD G. PARYS
Chairman

The joint committee on Finance reports and recommends:

Senate Bill 296

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

Adoption of senate amendment 1 to senate substitute amendment 1; Ayes, 13; Noes, 0.

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Adoption of senate substitute amendment 1 as amended; Ayes, 14; Noes, 0.

Passage; Ayes, 12; Noes, 2.

Senate Bill 115

Relating to creating a drug quality review board in the department of health and social services, permitting prescriptions to be filled with approved drug product equivalents, prohibiting certain unfair drug pricing practices, making an appropriation, providing penalties and granting rule-making authority.

Adoption of senate substitute amendment 2; Ayes, 12; Noes, 2.

Passage; Ayes, 12; Noes, 2.

HENRY DORMAN
Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 116

A petition by 9 citizens of the state of Wisconsin in opposition to Assembly Bill 940 relating to fair-share agreements for county and municipal employes, and Assembly Bill 605 relating to revision of municipal employment collective bargaining impasse resolution procedures, providing for final and binding arbitration, authorizing a limited right to strike, granting rule-making authority and providing penalties.

By Senator Thompson.

Read and referred to committee on Agriculture, Human Services, Labor and Taxation.

Senate Petition 117

A petition by residents of the 12th Senatorial District in opposition to Senate Bill 649, which relates to a volunteer fire fighters merit award plan.

By Senator Krueger.

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

Senate Petition 118

A petition by 12 citizens of the state of Wisconsin in opposition to Assembly Bill 940 and Assembly Bill 605 relating to fair-share agreements for county and municipal employes and to revision of municipal employment collective bargaining impasse resolution procedures, etc., respectively.

By Senator Thompson.

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Read and referred to committee on Agriculture, Human Services, Labor and Taxation.

EXECUTIVE COMMUNICATIONS

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

January 26, 1976.

**Mr. Glenn Bultman
Senate Chief Clerk
State Capitol
Madison, Wisconsin**

Dear Mr. Bultman:

I respectfully request permission to address a joint session of the State Legislature on Thursday, January 29, 1976, at 10:00 A.M. for the purpose of delivering a "State of the State" address.

**Sincerely,
PATRICK J. LUCEY
Governor**

Senator Whittow moved that the Governor's request be granted and an appropriate escort be appointed.

The motion prevailed.

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

January 14, 1976.

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 Paul H. Akers, of Superior, a member of the Housing Finance Authority, to succeed himself, to serve for the term ending January 1, 1979.

**Sincerely,
PATRICK J. LUCEY
Governor**

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

CALENDAR OF JANUARY 28

By request of Senator Whittow, with unanimous consent, the following appointments were considered enmasse.

CLAUSEN, J. JOHANNA, of Rhinelander, as a member of the Inland Lakes Protection and Rehabilitation Council, to succeed herself, to serve for the term ending July 1, 1979.

TRACEY, REVEREND MELVIN, of St. Nazianz, as a member of the Inland Lakes Protection and Rehabilitation Council, to succeed himself, to serve for the term ending July 1, 1979.

SCHURCH, FRIEDA, of Kenosha, as a member of the Board of Veterans' Affairs, to succeed Adjutant General James J. Lison, Jr., to serve for the term ending May 1, 1981.

SKORNICKA, JOEL, of Madison, as a member of the Wisconsin Arts Board, to succeed David Previant, to serve for the term ending May 1, 1976.

HAMILTON, VELMA, of Madison, as a member of the Wisconsin Arts Board, to succeed herself, to serve for the term ending May 1, 1978.

CARROLL, WILLIAM, of Eau Claire, as a member of the Wisconsin Arts Board, to succeed himself, to serve for the term ending May 1, 1978.

SUPPAN, ADOLPH, of Milwaukee, as a member of the Wisconsin Arts Board, to succeed himself, to serve for the term ending May 1, 1978.

UTECH, SANDRA, of Oshkosh, as a member of the Wisconsin Arts Board, to succeed herself, to serve for the term ending May 1, 1978.

HILL, ROY C., of Milwaukee, as a member of the Athletic Examining Board, to succeed himself, to serve for the term ending July 1, 1978.

ELLIS, ROBERT, of Madison, as a member of the Real Estate Examining Board, to succeed Robert Keller, to serve for the term ending July 1, 1981.

EDISON, KERMIT, of Oshkosh, as a member of the Funeral Directors and Embalmers Examining Board, to serve for the term ending July 1, 1977.

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DOWNS, WILLIAM J., JR., of Superior, as a member of the Funeral Directors and Embalmers Examining Board, to serve for the term ending July 1, 1976.

NOVITZKE, CLARENCE, of Park Falls, as a member of the Funeral Directors Embalmers Examining Board, to serve for the term ending July 1, 1978.

GOTZION, DAVID, of Madison, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1976.

HETZER, BESSIE, of Antigo, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1976.

CHILDS, LUVENIA VERLINE, of Milwaukee, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1976.

ALBEE, EUGENE D., of Burlington, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1976.

BISCIGLIA, JOSEPH T., of Kenosha, as a member of the Barbers Examining Board, to serve for the term ending July 1, 1976.

PETROVSKY, RUDY, of Sussex, as a member of the Barbers Examining Board, to serve for the term ending July 1, 1977.

WOLFF, WILLIAM, of Whitefish Bay, as a member of the Barbers Examining Board, to serve for the term ending July 1, 1978.

HAVLIK, RICHARD D., of Montfort, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1977.

SCHMIEDER, MARY CONNIE, of Milwaukee, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1978.

MAROUSEK, VERNICE E., of Madison, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1977.

DEARBORN, GERALDINE J., of Prairie du Chien, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1977.

The question was: Confirmation?

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The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; 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 and Whittow -- 30.

Noes -- None.

Absent or not voting -- Senators Frank, Knutson and Thompson -- 3.

So the appointments were confirmed.

Senate Bill 456

Relating to processing of legislative documents.

The question was: Concurrence in assembly substitute amendment 1?

Concurred in.

MOTIONS

By request of Senator Parys, with unanimous consent, **Senate Bill 138** was withdrawn from committee on Commerce and referred to joint committee on Finance.

By request of Senator Swan, with unanimous consent, **Senate Bill 503** was withdrawn from committee on Governmental and Veterans' Affairs and referred to committee on Senate Organization.

By request of Senator Parys, with unanimous consent, **Senate Bill 697** was withdrawn from committee on Commerce and referred to Joint Survey Committee on Tax Exemptions.

MOTIONS UNDER SENATE RULE 96

A Certificate of Congratulations by Senator Krueger and Representative Donoghue for SUZI HOUSTON on winning the WIAA State Girl's Cross County Championship.

A Certificate of Commendation by Senator Krueger and Representative Donoghue for Trinity Lutheran Church on its 90th anniversary.

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A Certificate of Condolence by Senators Lorge and Chilsen and Representatives Schmidt, Conradt, and Byers for the family of JUDGE ORVILLE S. LUCKENBACH on his death.

A Certificate of Congratulations by Senator Keppler and Representatives Opitz and Potter for RANDOM LAKE HIGH SCHOOL GIRLS VOLLEYBALL TEAM on winning the WIAA Class B State Championship.

A Certificate of Congratulations by Senator Dorman and Representatives Rooney, Ferrall and Dandaneau for TIMOTHY PETERSEN on his graduation from U.W.-Parkside.

A Certificate of Commendation by Senator Parys for JOYCE LAABS on her retirement as Executive Director of Mitchell Center Advancement Corp.

A Certificate of Congratulations by Senator Devitt and Representative Snyder for ROBERT BERTRAM on his retirement as Chief of the Town of Delafield Fire Department.

The above motions under Senate Rule 96 were read and adopted enmasse.

Senate Bill 16

Relating to insurance marketing regulation, granting rule-making authority and providing penalties.

Read a second time.

The question was: Adoption of senate amendment 8?

Adopted.

The question was: Adoption of senate amendment 9?

Adopted.

By request of Senator Parys, with unanimous consent, senate amendments 10 and 11 were withdrawn and returned to the author.

The question was: Adoption of senate amendment 12?

Adopted.

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 16

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 passed.

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

By request of Senator Flynn, with unanimous consent, **Senate Bill 575** was withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Agriculture, Human Services, Labor and Taxation.

By request of Senator Flynn, with unanimous consent, **Senate Bills 640** and **653** were withdrawn from committee on Judiciary and Consumer Affairs and referred to joint committee on Finance.

By request of Senator Flynn, with unanimous consent, **Senate Bills 161** and **4** were withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Commerce.

By request of Senator Petri, with unanimous consent, the senate returned to the second order of business.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 55

Granting the Y.M.C.A. Youth in Governmental Committee the use of the legislative chambers on April 2 and 3, 1976.

By Senator Petri, cosponsored by Representatives Offner and McClain.

Read and referred to committee on Senate Organization.

Senator Krueger asked unanimous consent that **Senate Bills 537** through **555** be withdrawn from the committee on Agriculture,

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Human Services, Labor and Taxation and referred to committee on Senate Organization.

Senator Whittow objected.

LEAVE OF ABSENCE

By request of Senator Peloquin, with unanimous consent, he was granted a leave of absence for Thursday, January 29.

AMENDMENTS OFFERED

Senate substitute amendment 1 to Senate Bill 133 by Senator Murphy.

Senate substitute amendment 1 to Senate Bill 651 by Senators Murphy and Martin.

Senate amendment 1 to Senate Bill 676 by Senator Keppler.

Senate amendment 1 to Senate Bill 712 by Senator Murphy.

Upon motion of Senator Whittow the senate adjourned until 9:00 A.M. Thursday, January 29.

11:25 A.M.