

JOURNAL OF THE SENATE [April 12, 1977]

STATE OF WISCONSIN

# Senate Journal

**Eighty-Third Regular Session**

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TUESDAY, April 12, 1977.

10:00 A.M.

The senate met.

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

The senate stood for the prayer which was offered by Reverend Benjamin F. Elger, Pastor of St. Luke's Lutheran Church, Waukesha.

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 Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 32.

Absent -- None.

Absent with leave -- None.

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## BILLS INTRODUCED

Read first time and referred:

### **Senate Bill 306**

Relating to priority for claims for compensation of crime victims.

By Senator Parys, by request of Paul Reinelt, Milwaukee.

To committee on Judiciary and Consumer Affairs.

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**Senate Bill 307**

Relating to liquor licenses for veterans organizations.

By Senator McKenna; cosponsored by Representative Bear, by request of Veterans of Foreign Wars, Truax -- Longmire Post.

To committee on Governmental and Veterans' Affairs.

**Senate Bill 308**

Relating to hazardous duty pay for correctional guards injured while engaged in authorized training programs.

By Senator McCallum; cosponsored by Representative Lewis.

To the joint committee on Finance.

**Senate Bill 309**

Relating to the level of state supplemental payments for SSI recipients.

By Senators Cullen, Morrison, Van Sistine and Parys.

To committee on Human Services.

By request of Senator Cullen, with unanimous consent, **Senate Bill 309** was withdrawn from the committee on Human Services and referred to the committee on Agriculture, Aging and Labor.

**Senate Bill 310**

Relating to state reimbursement for municipal costs incurred as the result of state action, and making an appropriation.

By Senators Swan, Parys, Cullen, Sensenbrenner, Berger, Murphy, Van Sistine, Chilsen, Goyke, Bidwell and Maurer; cosponsored by Representatives Barczak, Elconin and Day.

To committee on Governmental and Veterans' Affairs.

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COMMITTEE REPORTS

The committee on Governmental and Veterans' Affairs reports and recommends for introduction:

**Senate Joint Resolution 33**

To amend section 5 of article VIII of the constitution, relating to limiting the total biennial appropriation which the legislature may enact to the growth rate of adjusted gross personal income (1st consideration).

Introduction; Ayes, 5; Noes, 0.

Read first time and referred to the committee on Governmental and Veterans' Affairs.

MONROE SWAN  
Chairman

## JOURNAL OF THE SENATE [April 12, 1977]

The committee on Commerce reports and recommends for introduction:

### **Senate Bill 311**

Relating to establishing a mandatory motor vehicle inspection program, granting rule-making authority and providing a penalty.

Introduction; Ayes, 6; Noes, 0.

Read first time and referred to the committee on Commerce.

### **Senate Bill 312**

Relating to the motorcycle recreation program, making an appropriation and granting rule-making authority.

Introduction; Ayes, 6; Noes, 0.

Read first time and referred to the committee on Commerce.

### **Senate Bill 313**

Relating to reactivation of the public deposit insurance fund, creating a public deposit insurance board, granting rule-making authority and making appropriations.

By request of the League of Wisconsin Municipalities.

Introduction; Ayes, 6; Noes, 0.

Read first time and referred to the committee on Commerce.

**RONALD G. PARYS**

Chairman

The committee on Governmental and Veterans' Affairs reports and recommends:

### **Assembly Bill 42**

Relating to appointment of the police chief and chief engineer of the fire department in cities of the 1st class.

Concurrence; Ayes, 3; Noes, 0.

**MONROE SWAN**

Chairman

The committee on Commerce reports and recommends:

### **Senate Bill 66**

Relating to opening vehicle doors on the street side and providing a penalty.

Introduction of senate amendment 1; Ayes, 6; Noes, 0.

**RONALD G. PARYS**

Chairman

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The committee on Judiciary and Consumer Affairs reports and recommends:

### **Senate Bill 10**

Relating to notice to creditors and examination and adjustment of claims by probate registrars.

Introduction and adoption of senate substitute amendment 1; Ayes, 4; Noes, 0.

Passage as amended; Ayes, 4; Noes, 0.

### **Senate Bill 26**

Relating to the handgun waiting period for law enforcement agencies and officers.

Passage; Ayes, 4; Noes, 0.

### **Senate Bill 73**

Relating to the time limit for circulation of direct legislation petitions.

Passage; Ayes, 4; Noes, 0.

### **Senate Bill 75**

Relating to reduction of the time limitation period for commencement of actions for contribution based on tort.

Passage; Ayes, 4; Noes, 0.

### **Senate Bill 147**

Relating to allowing jury trials on primary and general election days.

Passage; Ayes, 4; Noes, 0.

### **Assembly Bill 94**

Relating to marriage of first cousins with proof of sterility.

Adoption of senate amendment 1; Ayes, 4; Noes, 0.

Concurrence as amended; Ayes, 4; Noes, 0.

JAMES T. FLYNN

Chairman

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## PETITIONS AND COMMUNICATIONS

### **Senate Petition 47**

A petition signed by 28 residents of the 29th Senate District in support of Senate Bill 126, relating to raising the drinking age to 19.

By Senator Chilsen.

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

**Senate Petition 48**

A petition signed by 44 citizens of the Mosinee area opposing Senate Bill 137, relating to banning the steel leghold trap.

By Senator Chilsen.

Read and referred to committee on Natural Resources and Tourism.

**Senate Petition 49**

A petition signed by 212 residents of the Antigo area in opposition to Senate Bill 137, relating to regulation of trapping devices.

By Senator Chilsen.

Read and referred to committee on Natural Resources and Tourism.

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**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

April 6, 1977.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Luvenia V. Childs, of Milwaukee, as a member of the Cosmetology Examining Board, to succeed herself, to serve for the term ending July 1, 1978.

Sincerely,  
PATRICK J. LUCEY  
Governor

Read and referred to the committee on Human Services.

President pro tempore of the senate in the chair.

10:20 A.M.

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CALENDAR OF APRIL 12

**Senate Bill 3**

Relating to authorization for electors to vote in the primary of more than one political party.

Read a second time.

Senator Sensenbrenner moved indefinite postponement.

The ayes and noes were demanded and the vote was: ayes, 18; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Dorman, Flynn, Frank, Krueger, Lorge, McKenna, Maurer, Murphy, Offner, Peloquin, Radosevich, Sensenbrenner, Thompson and Van Sistine -- 18.

Noes -- Senators Bidwell, Chilsen, Cullen, Goyke, Harnisch, Keppler, Kleczka, McCallum, Morrison, Parys, Petri, Risser, Swan and Theno -- 14.

Absent or not voting -- None.

So the motion prevailed.

**Senate Bill 22**

Relating to setting a term for police and fire chiefs in cities of the 1st class.

Read a second time.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 22** was laid on the table.

**Senate Bill 49**

Relating to protective headgear for operators of motor-driven cycles and headlamp requirements for motor-driven cycles.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 49** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 49** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

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The question was: Adoption of senate amendment 2?

Senator Parys moved rejection.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 16; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bidwell, Dorman, Frank, Goyke, Keppler, Krueger, Lorge, Maurer, Offner, Parys, Radosevich, Swan, Theno, Thompson and Van Sistine -- 16.

Noes -- Senators Bablitch, Berger, Braun, Chilsen, Cullen, Flynn, Harnisch, Kleczka, McCallum, McKenna, Morrison, Murphy, Peloquin, Petri, Risser and Sensenbrenner -- 16.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 10; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Dorman, Flynn, Harnisch, Kleczka, Krueger, McCallum, McKenna, Maurer, Morrison, Murphy, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Thompson and Van Sistine -- 22.

Noes -- Senators Bidwell, Cullen, Frank, Goyke, Keppler, Lorge, Offner, Parys, Swan and Theno -- 10.

Absent or not voting -- None.

So the amendment was adopted.

Senator Bablitch introduced Senator McParland, former representative of the 7th senatorial district, and with unanimous consent, he addressed the senate.

Senator McParland approached the rostrum where he addressed a few remarks to the senate.

Senator Parys raised the point of order that senate amendment 2 to **Senate Bill 49** was not germane.

The chair ruled the point of order not well taken.

Senator Krueger moved reconsideration of the vote by which senate amendment 2 to **Senate Bill 49** was adopted.

The ayes and noes were demanded and the vote was: ayes, 11; noes, 21; absent or not voting, 0; as follows:

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**Ayes** -- Senators Bidwell, Cullen, Frank, Goyke, Keppler, Krueger, Lorge, Offner, Parys, Swan and Theno -- 11.

**Noes** -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Dorman, Flynn, Harnisch, Kleczka, McCallum, McKenna, Maurer, Morrison, Murphy, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Thompson and Van Sistine -- 21.

**Absent or not voting** -- None.

So the motion did not prevail.

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 49**

Read a third time.

The ayes and noes were required and the vote was: ayes, 26; noes, 6; absent or not voting, 0; as follows:

**Ayes** -- Senators Bidwell, Braun, Chilsen, Cullen, Dorman, Frank, Goyke, Harnisch, Keppler, Krueger, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 26.

**Noes** -- Senators Adelman, Bablitch, Berger, Flynn, Kleczka and Risser -- 6.

**Absent or not voting** -- None.

So the bill passed.

### **Senate Bill 105**

Relating to rules and policy review of police and fire departments in cities of the 1st class.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

### **Senate Bill 105**

Read a third time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 105** was referred to the joint committee on Finance.



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By request of Senator Dorman, with unanimous consent, **Senate Bill 105** 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 Bablitch, with unanimous consent, the bill was considered for final action at this time.

### **Senate Bill 105**

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 5; absent or not voting, 0; as follows:

**Ayes** -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine -- 27.

**Noes** -- Senators Frank, Krueger, Lorge, Petri and Sensenbrenner -- 5.

Absent or not voting -- None.

So the bill passed.

### **Assembly Bill 42**

Relating to appointment of the police chief and chief engineer of the fire department in cities of the 1st class.

Read a second time.

Senator Sensenbrenner moved nonconcurrency.

The motion did not prevail.

Ordered to a third reading.

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

### **Assembly Bill 42**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 25; noes, 6; absent or not voting, 1; as follows:

**Ayes** -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Lorge, McCallum, McKenna, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine -- 25.

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Noes -- Senators Chilsen, Frank, Krueger, Murphy, Petri and Sensenbrenner -- 6.

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

So the bill was concurred in.

**Assembly Bill 147**

Relating to allowing the unloading of petroleum shipments prior to inspection.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

**Assembly Bill 147**

Read a third time and concurred in as amended.

By request of Senator Bablitch, with unanimous consent, the senate returned to the third and fourth orders of business.

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BILLS INTRODUCED

Read first time and referred:

**Senate Bill 314**

Relating to closing hours for Class "B" and "Class B" establishments.

By Senators Murphy, Swan, Theno and Cullen; cosponsored by Representatives Snyder, Roth, Olson, Lewis, Opitz, Johnston, Engeleiter, Behnke, Coggs and Kincaid.

To committee on Governmental and Veterans' Affairs.

**Senate Bill 315**

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

By Senators Murphy, Keppler, McCallum, Lorge, Petri, Swan, Sensenbrenner and McKenna; cosponsored by Representatives Thompson, Lewison, Travis and Kincaid.

To committee on Governmental and Veterans' Affairs.

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### **Senate Bill 316**

Relating to a temporary sales and use tax exemption for electricity, natural gas, propane, coal and oil for use in a private dwelling.

By Senators Murphy, Keppler, Chilsen, Lorge, Petri, Sensenbrenner and Cullen; cosponsored by Representatives Lewison, Travis, Matty, Porter and Kincaid.

To Joint Survey committee on Tax Exemptions.

### **Senate Bill 317**

Relating to the state fire marshal obtaining fire loss information from insurers.

By Senators Murphy, Keppler, Chilsen, Lorge, Swan, Sensenbrenner and McKenna; cosponsored by Representative Lewison.

To committee on Commerce.

### **Senate Bill 318**

Relating to prohibiting telephone companies from charging subscribers for certain directory assistance calls.

By Senators Cullen, Swan, Morrison, Radosevich, Thompson and Maurer.

To committee on Commerce.

### **Senate Bill 319**

Relating to modifying income taxes to reflect changes in the consumer price index.

By Senators Offner, Petri and McCallum.

To Joint Survey committee on Tax Exemptions.

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## COMMITTEE REPORTS

The committee on Natural Resources and Tourism reports and recommends for introduction:

### **Senate Bill 320**

Relating to creating a wetlands protection board, establishing a wetlands protection program, granting rule-making authority, making an appropriation and providing a penalty.

Introduction; Ayes, 4; Noes, 0.

Read first time and referred to committee on Natural Resources and Tourism.

**TOM HARNISCH**  
Chairman

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

By request of Senator Kleczka, with unanimous consent, the senate returned to the third order of business.

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### BILLS INTRODUCED

Read first time and referred:

#### **Senate Bill 321**

Relating to credit union officers, corporate titles, removal of employes, consolidation of credit unions and segregation of credit union accounts.

By Senators Parys, Berger, Keppler, Lorge, Goyke, Kleczka, Peloquin, Risser, Petri, Krueger, Swan, Cullen, Thompson, Frank, McKenna, Maurer and Dorman; cosponsored by Representatives McClain, Kincaid, Vanderperren, Hauke, Potter, Dorff, Matty, Lewis, Fischer, Pabst, Otte, Conradt, Behnke, Murry, Swoboda, Gerlach, Looby, Munts, Miller, Andrea, Tesmer, Ferrall, Rogers, Ellis, Ward and Rooney.

To committee on Commerce.

#### **Senate Bill 322**

Relating to permitting credit unions to levy maintenance charges on dormant accounts.

By Senators Parys, Berger, Keppler, Lorge, Goyke, Kleczka, Peloquin, Krueger, Swan, Cullen, Thompson, Petri, Frank, McKenna, Maurer and Dorman; cosponsored by Representatives McClain, Kincaid, Hauke, Potter, Dorff, Looby, Vanderperren, Lewis, Fischer, Pabst, Otte, Conradt, Behnke, Murray, Swoboda, Gerlach, Munts, Andrea, Ferrall, Barczak, Rogers, Olson, Matty, Ellis, Ward and Rooney.

To committee on Commerce.

#### **Senate Bill 323**

Relating to credit union remote terminals and granting rule-making authority.

By Senators Parys, Berger, Keppler, Lorge, Goyke, Kleczka, Peloquin, Risser, Petri, Krueger, Swan, Cullen, Thompson, Frank, McKenna, Maurer and Dorman; cosponsored by Representatives McClain, Hauke, Vanderperren, Potter, Dorff, Looby, Lewis, Fischer, Pabst, Otte, Conradt, Behnke, Murray, Swoboda, Gerlach, Munts, Andrea, Tesmer, Ferrall, Rogers, Olson, Matty, Ellis, Ward and Rooney.

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To committee on Commerce.

**Senate Bill 324**

Relating to authorizing credit unions as public depositories.

By Senators Parys, Berger, Keppler, Peloquin, Swan, Cullen, Thompson, Krueger, McKenna and Maurer; cosponsored by Representatives McClain, Hauke, Dorff, Potter, Looby, Lewis, Pabst, Otte, Behnke, Gerlach, Munts, Miller, Andrea, Ferrall and Ellis.

To committee on Commerce.

**Senate Bill 325**

Relating to establishing subsidiary offices to provide credit union services.

By Senators Parys, Berger, Peloquin, Risser, Swan, Cullen, Thompson, Krueger, McKenna and Maurer; cosponsored by Representatives McClain, Hauke, Potter, Dorff, Lewis, Fischer, Behnke, Munts, Miller, Andrea and Ferrall.

To committee on Commerce.

Upon motion of Senator Kleczka the senate adjourned until 10:00 A.M. Thursday, April 14.

12:15 P.M.

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GUESTS

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

John E. Barajas, member of ABATE of Wisconsin; guest of Senator McCallum.

Richard Smith of Madison, president of Better Biker Association, Inc.; guest of Senator Parys.

Tony Sanfelipo of Milwaukee, State coordinator of ABATE; guest of Senator Parys.

Students from Weissenberg, West Germany; Joerg Raab, Joachim Ernst, Ina Stiegler, Dietmar Thomas, Ingrid Lederkeil, Christoph Kuhn, Marion Geyer, Sigrum Wieler, Michael Koepfel, Rainer Mathias, Anita Koehler, Oliver Loy, Georg Geyer, Ottmar Schmidt, Kristen Soboeider and Suzanne Hirschmann accompanied by teacher Adam Martin; guests of Senator Sensenbrenner.