

JOURNAL OF THE SENATE [June 2, 1977]

STATE OF WISCONSIN

Senate Journal

Eighty-Third Regular Session

THURSDAY, June 2, 1977.

10:00 A.M.

The senate met.

The senate was called to order by Fred Risser, president pro tempore of the senate.

The senate stood for the prayer which was offered by Father Thomas Coyle of St. Paul's Catholic Church - University of Wisconsin Catholic Center, Madison.

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

LEAVE OF ABSENCE

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

Absent -- None.

Absent with leave -- Senator Thompson -- 1.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 418

Relating to eligibility for unemployment compensation benefits and financing of such benefits.

By Senator Offner; cosponsored by Representatives Roberts and McClain.

To committee on Agriculture, Aging and Labor.

Senate Bill 419

Relating to the appointment of more than one guardian.

By Senator Risser.

To committee on Judiciary and Consumer Affairs.

Senate Bill 420

Relating to eligibility for an occupational driver's license.

By Senator Risser.

To committee on Commerce.

Senate Bill 421

Relating to the creating of a department of environmental protection, granting rule-making authority and making appropriations.

By Senators Petri, McCallum, Keppler, Krueger and Lorge; cosponsored by Representative Quackenbush.

To committee on Governmental and Veterans' Affairs.

Senate Bill 422

Relating to authorizing limited use of user charges to recover capital costs and operating expenses by a metropolitan sewerage commission and sewerage district in a county containing a city of the 1st class and by a sewerage commission of a city of the 1st class.

By Senator Braun.

To committee on Governmental and Veterans' Affairs.

COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

Senate Bill 122

Relating to requiring an autopsy on victims of sudden infant death syndrome and providing information and counseling.

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Adoption of senate substitute amendment 1:

Ayes, 14 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen; Representatives Johnson, Otte, Roberts, Tropman, Lingren, Norquist and Quackenbush.

Noes, 0 -- None.

Passage as amended with emergency statement attached:

Ayes, 10 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen; Representatives Tropman, Lingren and Norquist;

Noes, 4 -- Representatives Johnson, Otte, Roberts and Quackenbush.

HENRY DORMAN
Senate Chairman

The committee on Commerce reports and recommends:

Assembly Bill 116

Relating to registration of aircraft more than 35 years old.

Concurrence:

Ayes, 5 -- Senators Parys, Berger, Swan, Goyke and Bidwell;

Noes, 0 -- None.

Assembly Bill 265

Relating to removing shopping carts without consent and providing a penalty.

Concurrence:

Ayes, 5 -- Senators Parys, Berger, Goyke, Keppler and Bidwell;

Noes, 1 -- Senator Swan.

Assembly Bill 292

Relating to requirements for alcoholics and persons addicted to controlled substances to meet to obtain motor vehicle operators' licenses.

Concurrence:

Ayes, 6 -- Senators Parys, Berger, Swan, Goyke, Keppler and Bidwell;

Noes, 0 -- None.

Assembly Bill 459

Relating to various changes in the highway and motor vehicle laws (suggested as remedial legislation by the department of transportation).

Concurrence:

Ayes, 4 -- Senators Parys, Berger, Goyke and Bidwell;

Noes, 1 -- Senator Swan.

Senate Bill 321

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

Introduction of senate amendment 2:

Ayes, 6 -- Senators Parys, Berger, Swan, Goyke, Keppler and Bidwell;

Noes, 0 -- None.

Senate Bill 324

Relating to authorizing credit unions as public depositories.

Introduction of senate amendment 1:

Ayes, 6 -- Senators Parys, Berger, Swan, Goyke, Keppler and Bidwell;

Noes, 0 -- None.

Assembly Joint Resolution 34

Relating to directing the legislative council to study the regulation of small businesses.

Concurrence:

Ayes, 5 -- Senators Parys, Berger, Goyke, Keppler and Bidwell;

Noes, 1 -- Senator Swan.

Assembly Bill 290

Relating to towing of disabled vehicles on expressways in counties with a population of 500,000 or more.

Concurrence:

Ayes, 6 -- Senators Parys, Berger, Swan, Goyke, Keppler and Bidwell;

Noes, 0 -- None.

RONALD G. PARYS

Chairman

The committee on Agriculture, Aging and Labor reports and recommends:

DANIELSON, WAYNE L., of Cadott, as a member of the Board of Agriculture, to succeed himself, to serve for the term ending May 1, 1983.

Confirmation:

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Ayes, 7 -- Senators Cullen, Radosevich, Harnisch, Morrison,
Van Sistine, Chilsen and McCallum;
Noes, 0 -- None.

RUNDE, JAMES C., of Cuba City, as a member of the Board of Agriculture, to succeed himself, to serve for the term ending May 1, 1983.

Confirmation:

Ayes, 7 -- Senators Cullen, Radosevich, Harnisch, Morrison,
Van Sistine, Chilsen and McCallum;
Noes, 0 -- None.

SLAVNEY, MORRIS, of Madison, as a member of the Employment Relations Commission, to succeed himself, to serve for the term ending March 1, 1983.

Confirmation:

Ayes, 7 -- Senators Cullen, Radosevich, Harnisch, Morrison,
Van Sistine, Chilsen and McCallum;
Noes, 0 -- None.

Assembly Bill 351

Relating to tax on liquor produced from whey and brewing wastes or by pollution control facilities.

Concurrence:

Ayes, 7 -- Senators Cullen, Radosevich, Harnisch, Morrison,
Van Sistine, Chilsen and McCallum;
Noes, 0 -- None.

TIM CULLEN
Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 72

A petition by 695 residents of Wisconsin in opposition to a uniform state-wide formula for the reimbursement of foster care, as proposed in Senate Bill 77.

By Senator Maurer.

Read and referred to joint committee on Finance.

Senate Petition 73

A petition by 567 residents of Wisconsin in support of Assembly Bill 87 and Senate Bill 68, prohibiting the shooting of bear near a garbage dump, and Assembly Bill 88 and Senate Bill 69, prohibiting the baiting of bear and using dogs to hunt bear.

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By Senator Harnisch.

Read and referred to committee on Natural Resources and Tourism.

Senate Petition 74

A petition by 242 residents of Polk County, Wisconsin asking that "The Korner" in the Village of Osceola, Polk County, Wisconsin, be granted a Rural Drug Permit.

By Senator Radosevich.

Read and referred to committee on Human Services.

Senate Petition 75

A petition by 1099 citizens of Wisconsin urging the Wisconsin Legislature to reject the Norquist-Maurer amendments to the general property tax relief formula.

By Senator Sensenbrenner.

Read and referred to joint committee on Finance.

State of Wisconsin
Department of State

May 31, 1977.

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 May 12, 1977, and ending on May 31, 1977.

Yours very truly,
DOUGLAS LAFOLLETTE
Secretary of State

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

Creviere, Marie S., 126 South Broadway, Box 188, DePere, Wisconsin 54115 -- Paul J. Creviere, 126 South Broadway, Box 188, DePere, Wisconsin 54115 -- 09, 14, 30 -- May 19, 1977.

Creviere, Paul J., 126 South Broadway, Box 188, DePere, Wisconsin 54115 -- Paul J. Creviere, 126 South Broadway, Box 188, DePere, Wisconsin 54115 -- 09, 14, 30 -- May 19, 1977.

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Driessen, Anthony H., 660 East Mason Street, Milwaukee, Wisconsin 53202 -- Association of Physical Fitness Centers, 5272 River Road, Suite 500, Washington, D. C. 20016 -- 23 -- May 24, 1977.

Franke, Harry F., 660 East Mason Street, Milwaukee, Wisconsin 53202 -- Association of Physical Fitness Centers, 5272 River Road, Suite 500, Washington, D. C. 20016 -- 23 -- May 24, 1977.

Hill, Harry, 333 West State Street, Milwaukee, Wisconsin 53201 -- Newspapers, Inc., 333 West State Street, Milwaukee, Wisconsin 53201 -- 30 -- May 17, 1977.

Johnston, Marshall W., 1 South Parker Drive, Janesville, Wisconsin 53545 -- The Janesville Gazette, 1 South Parker Drive, Janesville, Wisconsin 53545 -- 11, 22 -- May 23, 1977.

Julka, Michael J., P. O. Box 1704, 122 West Washington Avenue, Madison, Wisconsin 53701 -- Wisconsin Association of School Boards, Inc., P. O. Box 160, Winneconne, Wisconsin 54986 -- 02, 03, 04, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30 -- May 20, 1977.

Lauri, Carl, 2202 Aspen Road, Madison, Wisconsin 53711 -- Wisconsin Psychiatric Association, P. O. Box 1109, Madison, Wisconsin 53701 -- 06, 08, 11, 12, 13, 16, 17, 18, 28 -- May 17, 1977.

Lokken, Leroy A., Legislative Analyst's Office, City of Madison, 210 Monona Avenue, Madison, Wisconsin 53709 -- City of Madison, 210 Monona Avenue, Madison, Wisconsin 53709 -- All coded subjects -- May 24, 1977.

Mulder, Leland E., 117 West Spring Street, Chippewa Falls, Wisconsin 54729 -- Wisconsin Farmers Union, 117 West Spring Street, Chippewa Falls, Wisconsin 54729 -- 01, 06, 07, 08, 16 -- May 23, 1977.

Nelson, Robert P., 31 South Mills Street, Madison, Wisconsin 53715 -- Legal Action of Wisconsin, Inc., 211 West Kilbourn Avenue, Milwaukee, Wisconsin 53203 -- 04, 06, 08, 10, 12, 14, 16, 17, 19, 21, 22, 28, 30 -- May 24, 1977.

Ripple, Mary Anne, c/o Cook & Franke S. C., 660 East Mason Street, Milwaukee, Wisconsin 53202 -- Association of Physical Fitness Centers, 5272 River Road, Suite 500, Washington, D. C. 20016 -- 23 -- May 24, 1977.

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Schroeder, Henry W., 451 South Main Street, Box 6, Verona, Wisconsin 53593 -- Wisconsin Newspaper Association, 702 North Midvale Boulevard, Madison, Wisconsin 53705 -- 09, 10, 11, 30 -- May 24, 1977.

Stevens, Robert A., 1930 Monroe Street, Room 305, Madison, Wisconsin 53711 -- United Council of University of Wisconsin Student Governments, Inc., 1930 Monroe Street, Room 305, Madison, Wisconsin 53711 -- 06, 08, 10, 18, 19, 21 -- May 17, 1977.

Wimmer, James W., Jr., P. O. Box 1482, Madison, Wisconsin 53701 -- Village of Whitefish Bay, 5300 North Marlborough Drive, Whitefish Bay, Wisconsin 53217 -- 11, 12, 13, 14, 15, 16 -- May 17, 1977.

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>
14	<i>Government, municipal</i>
15	<i>Government, special districts</i>
16	<i>Government, state</i>
17	<i>Health services, medicine, drugs and controlled substances, health insurance & hospitals</i>
18	<i>Higher education</i>
19	<i>Housing, construction & codes</i>
20	<i>Insurance (excluding health insurance)</i>
21	<i>Labor, salaries and wages, collective bargaining</i>

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- 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*

MOTIONS

By request of Senator Parys, with unanimous consent **Senate Bill 372** was withdrawn from the committee on Commerce and referred to the committee on Education and Revenue.

By request of Senator Parys, with unanimous consent, **Senate Bill 380** was withdrawn from the committee on Commerce and referred to the committee on Judiciary and Consumer Affairs.

By request of Senator Parys, with unanimous consent, **Senate Bills 172, 175, 176, 177, 178 and 179** were withdrawn from the committee on Commerce and referred to the committee on Governmental and Veterans' Affairs.

By request of Senator Swan, with unanimous consent, **Assembly Bills 460, 559 and 560** and **Senate Bills 375 and 314** were withdrawn from the committee on Governmental and Veterans' Affairs and referred to the committee on Commerce.

CALENDAR OF JUNE 2

Senate Bill 122

Relating to requiring an autopsy on victims of sudden infant death syndrome and providing information and counseling.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator McKenna, with unanimous consent, **Senate Bill 122** was referred to the committee on Human Services.

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Assembly Bill 116

Relating to registration of aircraft more than 35 years old.
Read a second time.

Senate amendment 1 to **Assembly Bill 116** offered by Senator Kleczka.

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 116

Read a third time.

The ayes and noes were required and the vote was: ayes, 26; noes, 6; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Swan, Theno and Van Sistine -- 26.

Noes -- Senators Braun, Chilsen, Krueger, Maurer, Risser and Sensenbrenner -- 6.

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

So the bill was concurred in as amended.

Assembly Bill 265

Relating to removing shopping carts without consent and providing a penalty.

Read a second time.

Senate amendment 1 to **Assembly Bill 265** offered by Senator Bablitch.

Senator Sensenbrenner moved rejection.

Senator Cullen asked unanimous consent that **Assembly Bill 265** be referred to the committee on Commerce.

Senator Parys objected.

Senator Cullen moved that **Assembly Bill 265** be referred to the committee on Commerce.

By request of Senator Parys, with unanimous consent, **Assembly Bill 265** was referred to the committee on Judiciary and Consumer Affairs.

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Assembly Bill 292

Relating to requirements for alcoholics and persons addicted to controlled substances to meet to obtain motor vehicle operators' licenses.

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.

Assembly Bill 292

Read a third time.

Senator Petri asked unanimous consent that **Assembly BILL 292** be referred to the committee on Commerce.

Senator Goyke objected.

Senator Murphy moved that **Assembly Bill 292** be referred to the committee on Commerce.

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

Ayes -- Senators Bablitch, Cullen, Dorman, Krueger, Lorge, Murphy, Offner, Petri, Risser, Sensenbrenner and Swan -- 11.

Noes -- Senators Adelman, Berger, Bidwell, Braun, Chilsen, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, McCallum, McKenna, Maurer, Morrison, Parys, Peloquin, Radosevich, Theno and Van Sistine -- 21.

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

So the motion did not prevail.

Senator Offner moved reconsideration of the vote by which **Assembly Bill 292** was ordered to a third reading.

The motion prevailed.

Senate amendment 1 to **Assembly Bill 292** offered by Senator Offner.

Senator Chilsen moved rejection.

The motion prevailed.

Senate amendment 2 to **Assembly Bill 292** offered by Senator Petri.

Senator Chilsen moved rejection.

The motion prevailed.

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Upon motion of Senator Bablitch the senate recessed until 12:05 P.M.

11:53 A.M

RECESS

12:05 P.M.

The senate reconvened.

Senate amendment 3 to Assembly Bill 292 offered by Senator Murphy.

Senator Goyke moved rejection.

The motion prevailed.

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 292

Read a third time and concurred in.

Assembly Bill 459

Relating to various changes in the highway and motor vehicle laws (suggested as remedial legislation by the department of transportation).

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.

Assembly Bill 459

Read a third time and concurred in.

Senator Bablitch asked unanimous consent that all actions be ordered immediately messaged.

Senator Petri objected.

Senator Bablitch moved that the rules be suspended and all actions be ordered immediately messaged.

The ayes and noes were required and the vote was: ayes, 23; noes, 8; absent or not voting, 2; as follows:

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Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lorge, McKenna, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Theno and Van Sistine -- 23.

Noes -- Senators Bidwell, Chilsen, Krueger, Lasee, McCallum, Murphy, Petri and Sensenbrenner -- 8.

Absent or not voting -- Senators Maurer and Thompson -- 2.

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

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 423

Relating to eliminating 2 course requirements for teacher certification.

By Senator Flynn.

To committee on Education and Revenue.

Senate Bill 424

Relating to appointment and removal of the secretary of veterans affairs.

By Senators Swan, Parys and Cullen.

To committee on Governmental and Veterans' Affairs.

Senate Bill 425

Relating to mandatory automobile, motorcycle and small motor truck inspection, increasing automobile, motorcycle and small motor truck registration fees, granting rule-making authority and providing penalties.

By Senators Flynn, Kleczka and Dorman.

To committee on Commerce.

By request of Senator Parys, with unanimous consent, the senate recessed until 1:25 P.M.

12:35 P.M.

RECESS

1:25 P.M.

The senate reconvened.

AMENDMENTS OFFERED

Senate amendment 2 to Assembly Bill 265 by Senator Flynn.

Senate amendment 1 to Senate Bill 4 by Senators Sensenbrenner, Frank, McKenna, Kleczka, Krueger, Maurer, Berger, Parys, McCallum, Keppler, Harnisch, Radosevich, Van Sistine, Peloquin and Flynn.

By request of Senator Berger, with unanimous consent, the senate adjourned in honor of the birthday of Senator Swan.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Tuesday, June 7.

1:30 P.M.

GUESTS

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

Fourth Graders of Franklin Elementary School, Wausau, guests of Senator Chilsen.

The Eighth grade class of Wilmot Grade School, accompanied by Geraldine Hollister, guests of Senator Maurer.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to: senate substitute amendment 1 to Senate Bill 124.

On page 7, line 22, substitute "14.58" for "14.38".