

JOURNAL OF THE SENATE [January 18, 1972]

STATE OF WISCONSIN

Senate Journal

Eightieth Session

TUESDAY, January 18, 1972.

10:00 o'clock A.M.

The senate met.

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

Prayer was offered by The Reverend Carl J. Hilmer Pastor of Christ Memorial Lutheran Church.

The senate remained standing and recited the pledge of allegiance to the flag of the United States.

LEAVE OF ABSENCE

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

The roll was called and the following senators answered to their names:

Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—32.

Absent with leave—Senator Krueger—1.

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AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 144** by Senators Soik and Steinhilber.

Senate amendment 1 to **Senate Joint Resolution 109** by Senator Lipscomb.

Senate amendment 1 to **Assembly Bill 518** by Senators Lorge and Murphy.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 112

Relating to the recall of **Assembly Bill 630** from the assembly.

By Senator Keppler.

Read and adopted.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 866

Relating to authorizing metropolitan sewerage commissions and metropolitan sewerage districts to engage in solid waste management.

By Senator Hollander.

To committee on Housing and Urban Development.

Senate Bill 867

Relating to retirement age for elected officers in populous cities.

By Senator Parys.

To committee on Housing and Urban Development.

Senate Bill 868

Relating to transferring the city of Wauwatosa from Milwaukee county to Waukesha county.

By Senator Murphy, by request of Representative Klicka.

To joint committee on Finance.

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Senate Bill 869

Relating to the definition of "motor bus".

By Senators Lipscomb, Schuele and Keppler; co-sponsored by Representative Wahner.

To committee on Transportation.

COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

Senate Bill 857

To appropriate \$21,780.53 from the general fund for payment of a claim made by the city of Milwaukee against the state.

Passage; Ayes, 13; Noes, 0.

Senate Bill 66

Relating to one additional circuit court branch in the 22nd judicial circuit and one additional county court branch in Waukesha county.

Adoption of senate substitute amendment 1; Ayes, 11; Noes, 0 and passage as amended; Ayes, 11; Noes, 0.

(No action taken on senate amendment 1 to senate substitute amendment 1)

(No action taken on senate substitute amendment 2)

Senate Bill 192

Relating to recovery of aid to families with dependent children.

Passage; Ayes, 5; Noes, 4.

Senate Bill 196

Relating to the termination of joint tenancies and liability for welfare claims against deceased joint tenants.

Passage; Ayes, 5; Noes, 4.

Senate Bill 197

Relating to recovery of alimony assignments, abandonment and nonsupport.

Passage; Ayes, 6; Noes, 5.

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Senate Bill 199

Relating to qualifications for welfare payments.
Indefinite postponement; Ayes, 7; Noes, 4.

Senate Bill 271

Relating to compulsory school attendance.
Indefinite postponement; Ayes, 9; Noes, 2.

Senate Bill 791

Relating to exempt status for Menominee Enterprises, Inc., bonds in determining welfare eligibility.
Passage; Ayes, 9; Noes, 2.

Senate Bill 792

Relating to returning to its original owners Menominee Enterprises, Inc., bonds assigned to the state.
Passage; Ayes, 9; Noes, 2.

Senate Bill 503

Relating to various changes in retirement fund laws and in retirement benefits for persons other than teachers and providing a penalty.

Adoption of senate substitute amendment 1; Ayes, 11; Noes, 0 and passage as amended; Ayes, 11; Noes, 0.

WALTER G. HOLLANDER,
Chairman.

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

Senate Joint Resolution 56

Providing for an advisory referendum on the question of a unicameral legislature.

Adoption; Ayes, 3; Noes, 2.

Senate Joint Resolution 105

Requesting congress to evaluate this country's commitment to the United Nations.

Adoption; Ayes, 4; Noes, 1.

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Senate Joint Resolution 107

Directing a legislative council study of county home rule for populous counties as proposed in 1971 Senate Joint Resolution 45.

Adoption of senate substitute amendment 1; Ayes, 5; Noes, 0 and adoption as amended; Ayes, 5; Noes, 0.

Senate Joint Resolution 109

Relating to a study comparing local government salaries to those paid in private industry.

Adoption; Ayes, 5; Noes, 0.

Senate Bill 79

Relating to annual legislative sessions and revising legislative, executive and judicial salary determinations.

Adoption of senate amendment 1; Ayes, 5; Noes, 0 and passage as amended; Ayes, 5; Noes, 0.

Senate Bill 846

Relating to instalments on special assessments in town sanitary districts.

Passage; Ayes, 5; Noes, 0.

Senate Bill 848

Relating to advertising subdivisions of the state.

Passage; Ayes, 4; Noes, 1.

Assembly Joint Resolution 84

Relating to a study of efficiency in a state service.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 129

Relating to payment by the state in connection with certain lands acquired by the state, and its proportionate share of school bond issues secured by such lands.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 329

Relating to various veterans' benefits.

Concurrence; Ayes, 5; Noes, 0.

GORDON W. ROSELEIP,
Chairman.

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PETITIONS AND COMMUNICATIONS

Senate Petition 240

A petition by 80 citizens of Wisconsin supporting the continued use of studded tires on Wisconsin highways.

By Senator Lipscomb.

Read and referred to committee on Transportation.

January 18, 1972.

To: Senate Committee on Committees
% William P. Nugent, Chief Clerk
State Senate of Wisconsin

From: Senator Ray F. Heinzen

Due to too many committee assignments, I would like to submit my resignation from the committee on Health and Social Services.

Sincerely,

RAY F. HEINZEN,
Senator, 24th District.

Read.

Senator Lorge moved that the resignation be accepted.
The motion prevailed.

By request of Senator Lorge, with unanimous consent, the senate returned to the fifth order of business.

COMMITTEE REPORT

The committee on Committees reports and recommends:

That Senator James D. Swan be appointed to the committee on Health and Social Services to succeed Senator Raymond F. Heinzen, resigned, effective January 18, 1972.

GERALD D. LORGE,
Chairman.

REUBEN LaFAVE
WALTER G. HOLLANDER

Read.

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Senator Lorge moved adoption of the committee report.
The motion prevailed.

The State of Wisconsin
Department of State
Madison 53702

January 11, 1972.

To The Honorable, The Senate

Gentlemen: I have the honor to transmit to you, pursuant to section 13.67 (2), a list of registered lobbyists for the period beginning November 8, 1971, and ending January 11, 1972.

Yours very truly,

ROBERT C. ZIMMERMAN,
Secretary of State.

Name, Address and Occupation of Lobbyist—Name and Address of Employer—Subject of Legislation—Date of Employment.

William W. Russell (Retired), 617 Gately Terrace, Madison—Wis. Assn. of Soil & Water Conservation Districts, Soils Bldg., Univ. of Wis., Madison—Soil and water conservation and related subjects—November 8, 1971.

Chauncey T. Gannon (Resort Owner), RFD #1, Lodi—Wisconsin Recreation Industries, Inc., % Watertown Area Chamber of Commerce, P.O. Box 307, Watertown—All matters relating to resorts and recreation—November 9, 1971.

Phillip W. Gross (Teacher), 3917 W. Capitol Dr., Milwaukee—Milwaukee Teachers' Education Association, 3917 W. Capitol Dr., Milwaukee—Education—November 17, 1971.

Mrs. Lillian Jero (Exec. Sec.), 4266 Omro Rd., Oshkosh—Wis. Auto & Truck Salvage Dealers Assn., 726 N. 34d St., La Crosse—Auto Salvage—November 30, 1971.

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James P. Buckley, 608 E. Broadway, Waukesha—American Society of Travel Agents, 509 W. Silver Spring Dr., Whitefish Bay—Travel Agent's Licensing—December 14, 1971.

Milton E. Neshek, The Godfrey Bldg., Elkhorn—Kikkoman Shoyu Company, Ltd., No. 11, 3-Chome, Koami-Cho, Nihonbashi, Tokyo 103, Japan—Corporate farming—December 20, 1971.

Donald S. Rush, Suite 802—Thirty on the Square, Madison—Alexian Brothers of America, Inc., 6007 N. Kenmore Ave., Chicago—Sale of land—December 22, 1971.

William D. Brouse (Exec. Vice Pres.), 312 E. Wisconsin Ave., Milwaukee—Wisconsin Savings and Loan League, 312 E. Wisconsin Ave., Milwaukee—Savings and loan legislation—December 29, 1971.

Robert O. Uehling (Attorney), 119 Monona Ave., Madison—Automatic Sprinkler Contractors of Wisconsin, 2345 S. 170th St., New Berlin—Senate Bill 181—December 17, 1971.

Ray M. Sheehy, 3410 N. Bartlett Ave., Milwaukee—Lake Carriers' Assn., 1411 Rockefeller Bldg., Cleveland, Ohio—Shipping industry—January 4, 1972.

EXECUTIVE COMMUNICATIONS

January 14, 1972.

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 Isabelle M. Kappeler, of Odanah, as a mem-

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ber of the Health and Social Services Board, to succeed Robert M. Spears, to serve for a term ending May 1, 1977.

Sincerely,

PATRICK J. LUCEY,
Governor.

Read and referred to committee on Health and Social Services.

January 12, 1972.

William Nugent, Chief Clerk
Wisconsin State Senate
Tom Fox, Chief Clerk
Wisconsin State Assembly

Dear Sirs: I respectfully request permission to address a joint session of the legislature on Wednesday, January 19, 1972, at 10 a.m. My address will deal with the annual budget review and priority legislation for this session.

Sincerely,

PATRICK J. LUCEY,
Governor.

By request of Senator Keppler, with unanimous consent, the governor's request was granted and the president was directed to appoint escorts for the governor.

To the Honorable, the Senate:

While I vetoed Senate Bill 394, I would sign similar legislation which would accomplish the intended purpose of Senate Bill 394, of establishing the examining council as the testing authority, but would remove all doubt that the funeral directing and embalming examining council continues to act under the supervision of the Department of Health and Social Services.

This could be accomplished with the re-introduction of legislation identical to Senate Bill 394 except for the addi-

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tion of the words "under the supervision of the department", or comparable language, following the word "council" in lines 10 and 26 on page 2 and line 15 on page 3.

Respectfully submitted,

PATRICK J. LUCEY,
Governor.

MOTIONS

By request of Senator Busby, with unanimous consent, Senate Bill 598 was returned to the author.

By request of Senator Keppler, with unanimous consent, the document entitled "Floor Procedure Work Period IV" was spread on the journal.

FLOOR PROCEDURE

WORK PERIOD IV

1) SESSION DATES:

The 1972 session will begin on Tuesday, January 18, 1972 at 10:00 A.M. It will end on or before Friday, March 10, 1972 on motion of adjournment pursuant to the provisions of SJR21.

2) MEETING TIMES:

For that period of 10 weeks the senate will meet on Tuesdays, Wednesdays, and Thursday of each week. There is a probability that Friday sessions would be necessary in the latter part of the period, particularly March 10—the last day. Mondays and Fridays otherwise are reserved as travel and non-session work days. Some time must be set aside to allow members of the senate to prepare themselves for floor debate, conference committee meetings, bill redrafting, amendment preparation, and the like.

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The senate will meet on this schedule every week:

Tuesday:

10:00 A.M. to 12:30 noon—2:00 P.M. to 6 P.M.

Wednesday:

9:00 A.M. to 12:30 noon—2:00 P.M. to 6 P.M.

Thursday:

9:00 A.M. to 12:30 noon—2:00 P.M. to 4:30 P.M.

Fridays—as and when necessary.

3) CAUCUSES:

DURING SESSION

Caucuses will be held only when necessary and only at 12:00 noon, except as noted below. There will be no caucuses at other times. If a senator requests a caucus on a particular piece of legislation, that piece of legislation would be set aside temporarily until after a caucus at 12:00 noon either that day or the next (if the request is made in the afternoon).

For example, if the senate were debating Assembly Bill 234 and started at 9 o'clock in the morning and at 9:15 a member of one party or the other requested a caucus, Assembly Bill 234 would be laid aside and the senate would proceed to the next bill and the caucus would be held at 12 o'clock. When the senate returned at 2:00 P.M. that afternoon the pending legislation from the morning would be finished and then Assembly Bill 234 would be immediately before the senate.

NOT DURING SESSION

Caucuses can be held at any other time—8:30 A.M., Fridays, Monday, etc. when they don't interfere with actual floor time.

4) CALENDARS

With the exception of priority bills discussed below legislation to be considered will be organized in 2 ways—a consent calendar of non-controversial legislation and a special order list composed of 33 bills—one selected by each senator.

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CONSENT CALENDAR

The consent calendar will consist of bills meeting the following criteria:

a) the legislation is on either the senate calendar of January 18th or 19th.

b) the legislation received a unanimous senate committee recommendation for passage, either 4-0 or 5-0—Absent members not being considered.

c) if a senate hearing was held, there were no appearances against the bill—(registration not a factor only personal appearance), or assembly messages: assembly amendments to senate bills.

CONSENT CALENDAR PROCEDURE

Bills meeting this criteria would be listed in the order of the schedule on the calendar of either January 18th or 19th. The Consent Calendar would consist of several Consent Calendar lists, each containing about 30 separate items. These would be acted on one list at a time. For example, Consent Calendar list A would have the first 30 items, either Bills or Resolutions, which meet the above criteria that appear on the Calendar of January 18th. Consent Calendar list B would have the next 30, Consent Calendar list C the next 30, and so forth.

Consent Calendar A would be earmarked for consideration on the first Thursday or Friday of the first week of the session. The list would be distributed the week prior, at least seven days before the date on which it would be anticipated to be acted upon. Any member who would have an objection to the Bill or would like to debate the Bill at length, would have until the following Wednesday morning at 10 o'clock to so advise his Floor Leader. The Floor Leader would then have the Bill removed from the Consent List. After 10 o'clock on that Wednesday of the week of consideration, the Consent Calendar would be frozen and those Bills remaining would be considered that week on the day scheduled. B then follows A, and then C etc.

SENATOR PRIORITY BILLS

A Senator could select any bill in the senate as his priority bill—BUT if the bill were in committee the senator wishing

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action on that bill would at his proper turn in the seniority sequence move to bring the bill before the senate—if the motion prevails the bill would then be before the senate—if the motion failed the bill would remain in committee.

Each senator would advise his caucus staff director of his priority bill choice. The caucus staffs would have the responsibility of compiling the list of bills for their respective caucuses in order of seniority. The two caucus staffs acting with the chief clerk would then compile one list on the basis of seniority of the 33 priority bills.

The bills would be made a special order in sequence. If a special order bill were layed over under the rules because of the introduction of a substitute amendment or a point of order, it would have first priority when it came back to the floor.

It is assumed that this cycle of 33 bills, plus two Consent lists would take about a week and a half. The next cycle would begin when that cycle was finished. Hopefully, we would get through five complete cycles of five bills per senator, plus ten Consent lists. The balance of any time pending between cycles would be taken up by returning to the Calendar or by unanimous consent with going to any part of the Calendar, such as assembly messages, etc.

Deadlines are critical and will be followed. It is a responsibility of the caucus staff to contact each senator who might be a little tardy to make sure that they get their bills in, or at least have the opportunity. In the event a senator does not schedule a bill or list a bill, then he will be passed over.

BUDGET REVIEW BILL—REAPPORTIONMENT

The Budget Review and the Reapportionment bill (variations or alternatives as substitutes) will be given first priority at such time as they are ready for floor action.

TIME LIMITS

If debate appears to be excessive or dilatory or if the senate falls substantially behind in its schedule time limits on debate will be considered.

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CONSENT CALENDAR

LIST "A"

Senate Bill 8

Increasing maximum interest rate on metropolitan sewerage district obligations.

Senate Bill 49

Issuing municipal public improvement bonds, secured by revenues derived from operation of public improvements and tax levies.

Senate Bill 178

Terminating county supervisors from county park commissions.

Senate Bill 437

Serving process on insurance commissioner and secretary of state.

Senate Bill 423

Physical standards for driving instructors licenses.

Senate Bill 164

Photographs on drivers' licenses, increase in fees.

Senate Bill 518

Creating \$5 per acre excise tax on iron ore deposits.

Senate Bill 525

Regulation of surface mining, and making an appropriation.

Senate Bill 646

Correction of school tax levies to reflect annexation changes.

Assembly Bill 914

Designating the dairy cow as the state domestic animal.

Senate Bill 537

Notices on cognovit notes.

Senate Bill 566

Relating to humane officers.

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Senate Joint Resolution 72

Amend constitution, county liability for acts of sheriffs.

Senate Bill 616

Criminal trespass to buildings other than dwellings.

Senate Bill 617

Loitering as a form of vagrancy.

Senate Bill 618

Proper identification of a defendant.

Senate Bill 621

Sending records of criminal convictions to U.S. Department of Justice.

Senate Bill 622

Relating to gambling.

Senate Bill 624

Increasing the penalty for loitering on a roadway.

Assembly Joint Resolution 27

Amend constitution, relating to gubernatorial succession.

Assembly Joint Resolution 66

Urging congress to adopt Senate Bill 215 providing procedures for calling constitutional conventions.

Assembly Joint Resolution 47

Disabled elderly Wisconsin veterans.

Senate Bill 467

Service of process on the insurance commission.

Senate Bill 649

Territory which may be included in regional planning commissions.

Senate Bill 660

County collection of improper public assistance.

Assembly Bill 366

Compensation intervals for city officers.

Assembly Bill 377

Abandoned property sales.

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Senate Bill 659

Penalties for theft.

Senate Bill 680

6-man jury trials in certain criminal cases.

Senator Keppler asked unanimous consent that the document entitled "Floor Procedure Work Period IV" supersede any conflicting rules of procedure in the senate.

Senator Parys objected.

Senator Keppler moved that the document entitled "Floor Procedure Work Period IV" supersede any conflicting rules of procedure in the senate.

The ayes and noes were demanded and the vote was: ayes, 30; noes, 2; absent or not voting, 1; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lipscomb, Lotto, Lourigan, McKenna, Martin, Murphy, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—30.

Noes—Senators Lorge and Parys—2.

Absent or not voting—Senator Krueger—1.

The motion prevailed.

By request of Senator Soik, with unanimous consent, Assembly Bill 74 was rereferred to joint committee on Finance.

MOTIONS UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature
Know you by these presents:

Whereas, Arthur H. Schultz, 77, of 223 Center Street, Shawano, Wisconsin, prominent retired farmer, former chairman of the Shawano county board, and a member of the Menominee Indians Study Committee, died December 18, 1971; and

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Whereas, Mr. Schultz devoted much of his life to public service not only to his church, St. Martin's church in Belle Plaine, but to his town as chairman of the town board, the county, the Shawano Community Hospital board and the Shawano City-County Library board; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator LaFave and Representative Grover, under Joint Rule 26, extend their sincere condolences to his wife, Alma, and his daughters, Mrs. Robert E. Wall, Shawano Lake, and Mrs. Larvan Steubs, Shawano, on the occasion of his passing.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature
Know you by these presents:

Whereas, the Division of Municipal Recreation and Adult Education of the Milwaukee Public Schools is observing its 60th anniversary (1912 to 1972) of dedicated recreation leadership to the citizens of Milwaukee, under enabling statutes passed by the legislature of this state; and

Whereas, the development of this program has not only served the residents of the City of Milwaukee, but has also played a significant role in the extending of life-enrichment, social philosophy and leisure time activity throughout the state and nation; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Kendziorski and Representative Czerwinski, under Joint Rule 26, extend their heartiest congratulations to the Division of Municipal Recreation and Adult Education, and commend the Division's present administration which, under the guidance of George T. Wilson, is meeting the challenge of a city in transition in its recreation needs for leisure time.

Read and adopted.

CONSENT CALENDAR A

Senate Bill 8

Relating to increasing the maximum interest rate payable on metropolitan sewerage district obligations.

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Read.

The question was: Concurrence in assembly amendment 1?
Senator Lorge moved nonconcurrence.

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

Ayes—Senators Busby, Chilsen, Dorman, Frank, Kendziorski, Knutson, Lipscomb, Lorge, Schuele and Thompson—10.

Noes—Senators Bidwell, Cirilli, Devitt, Heinzen, Hollander, Johnson, Keppler, Knowles, LaFave, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Soik, Steinhilber, Swan and Whittow—22.

Absent or not voting—Senator Krueger—1.

The motion did not prevail.

Assembly amendment 1 concurred in.

Senate Bill 49

Relating to authorizing issuance of municipal public improvement bonds, which may be secured both by allocation of revenues derived from operation of public improvements and by supplemental tax levies.

Read.

The question was: Concurrence in assembly amendment 1?

Senator Risser raised the point of order that the matter before the senate was assembly amendment 1 and not Senate Bill 49.

The chair ruled the point of order well taken.

Senator Lorge moved nonconcurrence.

The ayes and noes were demanded and the vote was:
ayes, 9; noes, 23; absent or not voting, 1; as follows:

Ayes—Senators Busby, Cirilli, Hollander, Knutson, Lipscomb, Lorge, Lourigan, Swan and Thompson—9.

Noes—Senators Bidwell, Chilsen, Devitt, Dorman, Frank, Heinzen, Johnson, Kendziorski, Keppler, Knowles, LaFave, Lotto, McKenna, Martin, Murphy, Parys, Peloquin, Risser,

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Roseleip, Schuele, Soik, Steinhilber and Whittow—23.

Absent or not voting—Senator Krueger—1.

The motion did not prevail.

Assembly amendment 1 concurred in.

Senate Bill 178

Relating to termination of county supervisor members of county park commissions.

Read.

The question was: Concurrence in assembly amendment 1?

Assembly amendment 1 concurred in.

Senate Bill 437

Relating to service of process on the insurance commissioner and secretary of state.

Read.

The question was: Concurrence in assembly substitute amendment 1?

Assembly substitute amendment 1 concurred in.

Senate Bill 423

Relating to physical standards for driving instructors' licenses.

Read a second time.

Ordered to a third reading.

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

Senate Bill 423

Read a third time and passed.

Senate Bill 164

Relating to photographs on driver's licenses and increase in license fees.

Read a second time.

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Ordered to a third reading.

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

Senate Bill 164

Read a third time.

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

Ayes—Senators Busby, Cirilli, Devitt, Dorman, Frank, Heinzen, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, McKenna, Martin, Murphy, Parys, Risser, Schuele, Soik, Steinhilber, Thompson and Whittow—22.

Noes—Senators Bidwell, Chilsen, Hollander, Lipscomb, Lorge, Lotto, Lourigan, Peloquin, Roseleip and Swan—10.

Absent or not voting—Senator Krueger—1.

So the bill passed.

Senate Bill 518

Relating to creating a \$5 per acre excise tax on iron ore deposits, and establishing penalties.

Read a second time.

By request of Senator Hollander, with unanimous consent, Senate Bill 518 was referred to joint committee on Finance.

By request of Senator Hollander, with unanimous consent, Senate Bill 518 was withdrawn from joint committee on Finance and considered for action at this time.

The question was: Adoption of senate amendment 1?

Senate amendment 1 adopted.

The question was: Adoption of senate amendment 2?

Senator Swan moved rejection.

The motion did not prevail.

Senate amendment 2 adopted.

Ordered to a third reading.

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

Senate Bill 518

Read a third time.

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

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Dorman, Frank, Heinzen, Hollander, Johnson, Kendziorski, Knowles, LaFave, Lipscomb, Lorge, Lourigan, McKenna, Martin,

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Parys, Peloquin, Risser, Schuele, Thompson and Whittow—23.

Noes—Senators Devitt, Keppler, Knutson, Lotto, Murphy, Roseleip, Steinhilber and Swan—8.

Absent or not voting—Senators Krueger and Soik—2.

So the bill passed.

Senate Bill 525

Relating to regulation of surface mining, and making an appropriation.

Read a second time.

By request of Senator Hollander, with unanimous consent, the bill was referred to joint committee on Finance.

Senator Hollander asked unanimous consent to withdraw the bill from the joint committee on Finance and consider it for action at this time.

Senator Swan objected.

Senator Hollander moved that the bill be withdrawn from the joint committee on Finance and be considered for action at this time.

The motion prevailed.

By request of Senator Cirilli, with unanimous consent, senate substitute amendment 1 was laid aside and senate substitute amendment 2 was considered for action.

By request of Senator Hollander, with unanimous consent, the bill was placed at the foot of the List A Consent Calendar.

Senator Soik asked unanimous consent to withdraw Assembly Bill 74 from the joint committee on Finance and refer it to its place on the calendar.

Senator Bidwell objected.

Senate Bill 646

Relating to correction of school tax levies to reflect annexation changes.

Read a third time.

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The question was: Shall the bill pass?

So the bill passed.

Assembly Bill 914

Relating to designating the dairy cow the state domestic animal.

Read a second time.

Senator Bidwell moved non-concurrence.

The ayes and noes were demanded and the vote was: ayes, 10; noes, 23; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Cirilli, D o r m a n , Hollander, Kendzierski, Knutson, Risser, Schuele, Steinhilber and Swan—10.

Noes—Senators Busby, Chilsen, Devitt, Frank, Heinzen, Johnson, Keppler, Knowles, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Roseleip, Soik, Thompson and Whittow—23.

Absent or not voting—None.

The motion did not prevail.

The question was: Shall the bill be ordered to a third reading?

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

Ayes—Senators Busby, Chilsen, Devitt, Frank, Heinzen, Johnson, Keppler, Knowles, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Peloquin, Roseleip, Soik and Thompson—21.

Noes—Senators Bidwell, Cirilli, D o r m a n , Hollander, Kendzierski, Knutson, Parys, Risser, Schuele, Swan and Whittow—11.

Absent or not voting—Senator Steinhilber—1.

So the bill was ordered to a third reading.

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

Assembly Bill 914

Read a third time and concurred in.

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Senate Bill 537

Relating to notice on cognovit notes.

Read a second time.

Ordered to a third reading.

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

Senate Bill 537

Read a third time and passed.

Senate Bill 566

Relating to humane officers.

Read a second time.

The question was: Rejection of senate amendment 1?
Senate amendment 1 rejected.

The question was: Adoption of senate amendment 2?
Senate amendment 2 adopted.

Ordered to a third reading.

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

Senate Bill 566

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 11; absent or not voting, 0; as follows:

Ayes—Senators Bidwell, Busby, Cirilli, Devitt, Dorman, Frank, Heinzen, Hollander, Keppler, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Roseleip, Soik, Steinhilber and Thompson—22.

Noes—Senators Chilsen, Johnson, Kendziorski, Knowles, Knutson, Krueger, Lipscomb, Risser, Schuele, Swan and Whittow—11.

Absent or not voting—None.

So the bill passed.

Senate Joint Resolution 72

To amend Article VI, Section 4 of the Constitution, re-

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moving the prohibition against county liability for the acts of sheriffs (1st consideration).

Read a second time.

Senator Lipscomb moved rejection.

The ayes and noes were demanded and the vote was: ayes, 11; noes, 22; absent or not voting, 0; as follows:

Ayes—Senators Dorman, Frank, Lipscomb, Lotto, Lourigan, Martin, Parys, Peloquin, Risser, Roseleip and Thompson—11.

Noes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, McKenna, Murphy, Schuele, Soik, Steinhilber, Swan and Whittow—22.

Absent or not voting—None.

The motion did not prevail.

Ordered to a third reading.

President pro tempore of the senate in the chair.

12:10 P.M.

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

Senate Joint Resolution 72

Read a third time.

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

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Lourigan, McKenna, Murphy, Schuele, Soik, Steinhilber and Swan—22.

Noes—Senators Dorman, Frank, Lipscomb, Lotto, Martin, Parys, Peloquin, Risser, Roseleip and Thompson—10.

Absent or not voting—Senator Whittow—1.

More than seventeen affirmative votes having been cast the resolution was adopted.

Senate Bill 616

Relating to criminal trespass to buildings other than dwellings and providing a penalty.

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Read a second time.

Ordered to a third reading.

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

Senate Bill 616

Read a third time and passed.

Senate Bill 617

Relating to loitering as a form of vagrancy.

Read a second time.

Ordered to a third reading.

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

Senate Bill 617

Read a third time and passed.

Senate Bill 618

Relating to proper identification of a defendant.

Read a second time.

Senator Lorge moved indefinite postponement.

Upon motion of Senator Keppler the senate recessed until 2:00 P.M.

12:30 P.M.

RECESS

2:00 P.M.

The senate reconvened.

By request of Senator Steinhilber, with unanimous consent, Senate Bill 618 was rereferred to committee on Judiciary.

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Senate Bill 621

Relating to sending records of criminal convictions to the U.S. Department of Justice and use of such records.

Read a second time.

Ordered to a third reading.

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

Senate Bill 621

Read a third time and passed.

Senate Bill 622

Relating to gambling.

Read a second time.

Ordered to a third reading.

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

Senate Bill 622

Read a third time and passed.

Senate Bill 624

Relating to increasing the penalty for loitering on a roadway.

Read a second time.

Ordered to a third reading.

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

Senate Bill 624

Read a third time and passed.

Assembly Joint Resolution 27

A joint resolution to amend article V, section 7; and to create article V, section 1r of the constitution, relating to gubernatorial succession (1st consideration).

Read a second time.

Ordered to a third reading.

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

Assembly Joint Resolution 27

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 3; absent or not voting, 2; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Dorman, Frank, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lorigan, McKenna, Martin, Murphy, Peloquin, Roseleip, Schuele, Soik, Steinhilber, Thompson and Whittow—28.

Noes—Senators Kendziorski, Parys and Swan—3.

Absent or not voting—Senators Devitt and Risser—2.

More than seventeen affirmative votes having been cast the resolution was concurred in.

Assembly Joint Resolution 66

A joint resolution relating to urging congress to adopt Senate Bill 215 providing procedures for calling constitutional conventions.

Read.

The question was: Concurrence?

Assembly Joint Resolution 66 concurred in.

Assembly Joint Resolution 47

Relating to care for disabled elderly Wisconsin veterans.

The question was: Concurrence?

Assembly Joint Resolution 47 concurred in.

Senate Bill 467

Relating to service of process on the insurance commission.

Read a second time.

Ordered to a third reading.

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

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Senate Bill 467

Read a third time and passed.

Senate Bill 649

Relating to territory which may be included in regional planning commissions.

Read a second time.

Ordered to a third reading.

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

Senate Bill 649

Read a third time and passed.

Senate Bill 660

Relating to county collection of improperly paid public assistance.

Read a second time.

By request of Senator Hollander, with unanimous consent, Senate Bill 660 was referred to joint committee on Finance.

By request of Senator Hollander, with unanimous consent, Senate Bill 660 was withdrawn from the joint committee on Finance and ordered to a third reading.

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

Senate Bill 660

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 Bidwell, Busby, Chilsen, Cirilli, Dorman, Frank, Heinzen, Hollander, Johnson, Kendzierski, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Pelouquin, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—31.

Noes—None.

Absent or not voting—Senators Devitt and Risser—2.

So the bill passed.

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Assembly Bill 366

Relating to compensation intervals for city officers.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 366

Read a third time and concurred in.

Assembly Bill 377

Relating to abandoned property sales.

Read a second time.

The question was: Adoption of senate amendment 1?

Senate amendment 1 adopted.

Ordered to a third reading.

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

Assembly Bill 377

Read a third time and concurred in as amended.

Senate Bill 659

Relating to penalties for theft.

Read a second time.

Ordered to a third reading.

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

Senator Lorge moved indefinite postponement of Senate Bill 659.

The motion did not prevail.

Senate Bill 659

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 21; noes, 9; absent or not voting, 3; as follows:

Ayes—Senators Bidwell, Busby, Cirilli, Dorman, Frank, Heinzen, Hollander, Johnson, Keppler, Knowles, Lipscomb,

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Lotto, Lourigan, McKenna, Martin, Murphy, Roseleip, Schuele, Steinhilber, Swan and Thompson—21.

Noes—Senators Chilsen, Kendziorski, Knutson, Krueger, LaFave, Lorge, Parys, Soik and Whittow—9.

Absent or not voting—Senators Devitt, Peloquin and Risser—3.

So the bill passed.

Senate Bill 680

Relating to 6-man jury trials in certain criminal cases.

Read a second time.

Ordered to a third reading.

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

Senate Bill 680

Read a third time and passed.

By request of Senator Bidwell, with unanimous consent, **Senate Bill 525** was made a special order of business at 4:00 P.M.

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

Senator Keppler asked unanimous consent that **Senate Resolution 42** be considered for action at this time.

Senator Whittow objected.

By request of Senator Keppler, with unanimous consent, **Senate Joint Resolution 88** was considered for action at this time.

Senate Joint Resolution 88

Relating to study of judicial administration and methods of selecting judges.

Senator Parys asked unanimous consent that **Senate Joint Resolution 88** be laid on the table.

Senator Busby objected.

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Senator Parys moved that Senate Joint Resolution 88 be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 6; noes, 24; absent or not voting, 3; as follows:

Ayes—Senators Kendziorski, Keppler, Krueger, Lipscomb, Parys and Schuele—6.

Noes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Frank, Heinzen, Hollander, Johnson, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Roseleip, Soik, Steinhilber, Swan, Thompson and Whittow—24.

Absent or not voting—Senators Dorman, Peloquin and Risser—3.

The motion did not prevail.

The question was: Adoption?

Senate Joint Resolution 88 adopted.

By request of Senator Keppler, with unanimous consent, Senate Bill 519 was considered for action at this time.

Senate Bill 519

Relating to exempting refuse trucks from highway weight limitations.

Read a second time.

The question was: Adoption of senate amendment 1?

Senate amendment 1 adopted.

LEAVE OF ABSENCE

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

Senate Bill 519

The question was: Shall Senate Bill 519 be ordered to a third reading?

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The ayes and noes were demanded and the vote was: ayes, 24; noes, 6; absent or not voting, 3; as follows:

Ayes—Senators Busby, Chilsen, Cirilli, Devitt, Frank, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, McKenna, Martin, Murphy, Parys, Roseleip, Schuele, Soik and Steinhilber—24.

Noes—Senators Bidwell, Kendziorski, Lourigan, Swan, Thompson and Whittow—6.

Absent or not voting—Senators Dorman, Peloquin and Risser—3.

So the bill was ordered to a third reading.

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

Senate Bill 519

Read a third time and passed.

By request of Senator Keppler, with unanimous consent, **Senate Resolution 39** was considered for action at this time.

Senate Resolution 39

Requesting the attorney general's opinion on the validity of the 1971 **Senate Bill 439**.

Read.

The question was: Adoption?
Senate Resolution 39 adopted.

By request of Senator Keppler, with unanimous consent, **Senate Resolution 43** was considered for action at this time.

Senate Resolution 43

Requesting an opinion of the attorney general on the interpretation of "in the public interest" as used in 1971 **Assembly Bill 859**.

Read.

Senator Hollander moved rejection.

The ayes and noes were demanded and the vote was: ayes, 4; noes, 26; absent or not voting, 3; as follows:

Ayes—Senators Heinzen, Hollander, Knowles and La-

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Fave—4.

Noes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Frank, Johnson, Kendziorski, Keppler, Knutson, Krueger, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—26.

Absent or not voting—Senators Dorman, Peloquin and Risser—3.

The motion did not prevail.

Senate Resolution 43 adopted.

By request of Senator Keppler, with unanimous consent, **Senate Resolution 44** was considered for action at this time.

Senate Resolution 44

Requesting the attorney general to investigate possible violations of the "logrolling" prohibition.

Read.

Senator Kendziorski in the chair.

3:12 P.M.

Senator Whittow moved rejection of **Senate Resolution 44.**

The ayes and noes were demanded and the vote was: ayes, 10; noes, 19; absent or not voting, 4; as follows:

Ayes—Senators Bidwell, Frank, Heinzen, Kendziorski, McKenna, Martin, Parys, Schuele, Thompson and Whittow—10.

Noes—Senators Busby, Chilsen, Cirilli, Devitt, Hollander, Johnson, Keppler, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, Murphy, Roseleip, Soik, Steinhilber and Swan—19.

Absent or not voting—Senators Dorman, Knowles, Peloquin and Risser—4.

The motion did not prevail.

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Senate amendment 1 to Senate Resolution 44 offered by Senator Lipscomb.

Senate amendment 1 adopted.

The question was: Adoption of Senate Resolution 44?
Senate Resolution 44 adopted.

By request of Senator Keppler, with unanimous consent, Senate Resolution 50 was considered for action at this time.

Senate Resolution 50

Requesting an opinion of the attorney general on matters related to Senate Bill 270.

Read.

The question was: Adoption?
Senate Resolution 50 adopted.

By request of Senator Keppler, with unanimous consent, Senate Bills 741 and 757 and Assembly Bill 787 were considered for action at this time.

Senate Bill 741

An act to appropriate \$1,317 from the general fund for payment of a claim by the city of Waupun against the state.

Read a second time.

Ordered to a third reading.

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

Senate Bill 741

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 Bidwell, Busby, Chilsen, Cirilli, Devitt, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, L o r g e , Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Rissler, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—31.

Noes—None.

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Absent or not voting—Senators Dorman and Peloquin
—2.

So the bill passed.

Senate Bill 757

An act to appropriate \$8,617.87 from the highway fund for payment of a claim made by F. F. Mengal Co. against the state.

Read a second time.

Ordered to a third reading.

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

Senate Bill 757

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 Bidwell, Busby, Chilsen, Cirilli, Devitt, Frank, Heinzen, Hollander, Johnson, Kendzierski, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—31.

Noes—None.

Absent or not voting—Senators Dorman and Peloquin
—2.

So the bill passed.

Assembly Bill 787

An act to appropriate \$2,283.48 from the general fund for payment of a claim made by Marjorie R. Sylvester, as executrix of the estate of Selmer A. Sylvester, deceased, against the state.

Read a second time.

Ordered to a third reading.

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

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Assembly Bill 787

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 Bidwell, Busby, Chilsen, Cirilli, Devitt, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—31.

Noes—None.

Absent or not voting—Senators Dorman and Peloquin—2.

So the bill was concurred in.

By request of Senator Soik, with unanimous consent, **Assembly Bill 74** was withdrawn from the joint committee on Finance and restored to the calendar.

By request of Senator Keppler, with unanimous consent, **Senate Bill 395** was considered for action on this time.

Senate Bill 395

Relating to remedial legislation suggested by the department of transportation.

Read a second time.

The question was: Adoption of senate amendment 1?
Senate amendment 1 adopted.

Ordered to a third reading.

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

Senate Bill 395

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 2; absent or not voting, 3; as follows:

Ayes—Senators Bidwell, Busby, Cirilli, Devitt, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler,

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Knowles, Knutson, Krueger, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan and Whittow—28.

Noes—Senators Chilsen and Lipscomb—2.

Absent or not voting—Senators Dorman, Peloquin and Thompson—3.

So the bill passed.

The president pro tempore in the chair.

3:35 P.M.

Senator Soik moved reconsideration of the vote by which **Senate Bill 395** passed.

Senator Soik asked unanimous consent to withdraw his motion.

Senator Chilsen objected.

The motion for reconsideration did not prevail.

Senator LaFave asked unanimous consent that **Assembly Bill 291** be considered for action at this time.

Senator Bidwell objected.

By request of Senator Keppler, with unanimous consent, **Assembly Bill 216** was considered for action at this time.

Assembly Bill 216

Relating to powers of savings and loan associations.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 216

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 Bidwell, Busby, Chilsen, Cirilli, Devitt, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler,

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Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—31.

Noes—None.

Absent or not voting—Senators Dorman and Peloquin—2.

So the bill was concurred in.

Senator Johnson asked unanimous consent that Senate Bill 458 be considered for action at this time.

Senator Soik objected.

By request of Senator Johnson, with unanimous consent, Assembly Bill 258 was considered for action at this time.

Assembly Bill 258

Relating to exempting from sales taxation those occasional events conducted by civic and other groups where professional entertainment is involved.

Read a second time.

Ordered to a third reading.

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

Senator Steinhilber objected.

Senator Lorge moved that Assembly Bill 258 be considered for final action at this time.

The ayes and noes were required and the vote was: ayes, 24; noes, 6; absent or not voting, 3; as follows:

Ayes—Senators Bidwell, Busby, Cirilli, Devitt, Frank, Hollander, Johnson, Keppler, Knutson, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Risser, Roseleip, Soik, Swan, Thompson and Whittow—24.

Noes—Senators Chilsen, Heinzen, Kendziorski, Knowles, Krueger and Steinhilber—6.

Absent or not voting—Senators Dorman, Peloquin and Schuele—3.

More than two-thirds having voted in the affirmative the bill was considered for final action at this time.

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President of the senate in the chair.

4:00 P.M.

Assembly Bill 258

Read a third time.

The ayes and noes were required and the vote was: ayes, 25; noes, 4; absent or not voting, 4; as follows:

Ayes—Senators Bidwell, Busby, Cirilli, Devitt, Frank, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Risser, Roseleip, Soik, Swan, Thompson and Whittow—25.

Noes—Senators Chilsen, Kendziorski, Krueger and Steinhilber—4.

Absent or not voting—Senators Dorman, Peloquin, Schuele and Thompson—4.

So the bill was concurred in.

Senator Keppler asked unanimous consent that Assembly Bill 1036 be considered for action at this time.

Senator Knutson objected.

Senator Bidwell brought the chair's attention to Senate Bill 525 which was a special order of business for 4:00 P.M.

Senate Bill 525

Relating to regulation of surface mining and making an appropriation.

The question was: Adoption of senate amendment 1 to senate substitute amendment 2 to Senate Bill 525?

Senator Chilsen moved rejection.

The motion did not prevail.

The ayes and noes were demanded and the vote was: ayes, 28; noes, 4; absent or not voting, 1; as follows:

Ayes—Senators Bidwell, Busby, Cirilli, Devitt, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, Martin, Murphy, Parys, Risser, Roseleip,

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Schuele, Soik, Steinhilber, Swan and Whittow—28.

Noes—Senators Chilsen, McKenna, Peloquin and Thompson—4.

Absent or not voting—Senator Dorman—1.

So senate amendment 1 to senate substitute amendment 2 was adopted.

The question was: Adoption of senate amendment 2 to senate substitute amendment 2 to Senate Bill 525?

Senate amendment 2 to senate substitute amendment 2 was adopted.

Senate amendment 3 to senate substitute amendment 2 to Senate Bill 525 offered by Senator Bidwell.

Senator Chilsen moved rejection.

The motion did not prevail.

Senate amendment 3 to senate substitute amendment 2 adopted.

Senator Swan moved indefinite postponement of Senate Bill 525.

The ayes and noes were demanded and the vote was: ayes, 6; noes, 24; absent or not voting, 3; as follows:

Ayes—Senators Knowles, Knutson, Murphy, Roseleip, Steinhilber and Swan—6.

Noes—Senators Bidwell, Busby, Chilsen, Cirilli, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Parys, Risser, Schuele, Soik, Thompson and Whittow—24.

Absent or not voting—Senators Devitt, Dorman and Peloquin—3.

The motion did not prevail.

Senator Hollander in the chair.

4:50 P.M.

The question was: Adoption of senate substitute amendment 2 to Senate Bill 525?

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

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Parys, Risser, Schuele, Soik, Thompson and Whittow—26.

Noes—Senators Knutson, Murphy, Roseleip, Steinhilber and Swan—5.

Absent or not voting—Senators Dorman and Peloquin—2.

Senate substitute amendment 2 to Senate Bill 525 adopted.

Senate Bill 525

Ordered to a third reading.

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

Senate Bill 525

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 25; noes, 5; absent or not voting, 3; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Parys, Risser, Schuele, Soik, Thompson and Whittow—25.

Noes—Senators Knutson, Murphy, Roseleip, Steinhilber and Swan—5.

Absent or not voting—Senators Devitt, Dorman and Peloquin—3.

So the bill passed.

By request of Senator Keppler, with unanimous consent, Assembly Bill 260 was considered for action at this time.

Assembly Bill 260

Relating to service credits for retirement of legislative employes.

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Read a second time.

Ordered to a third reading.

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

Assembly Bill 260

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 Bidwell, Busby, Chilsen, Cirilli, Devitt, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Lipscomb, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—31.

Noes—None.

Absent or not voting—Senators Dorman and Peloquin—2.

So the bill was concurred in.

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

LEAVES OF ABSENCE

By request of Senator Bidwell, with unanimous consent, he was granted a leave of absence at 5:15 today.

By request of Senator Frank, with unanimous consent, he was granted a leave of absence until 4:00 P.M. Wednesday, January 19.

By request of Senator Risser, with unanimous consent, Senator Dorman was granted a leave of absence for this afternoon's and tomorrow's sessions.

By request of Senator Risser, with unanimous consent, the Journal showed that had he been in his seat he would have voted: Aye on **Assembly Joint Resolution 27**, Aye on **Senate Joint Resolution 88**, Aye on **Senate Resolution 43**,

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Aye on Senate Resolution 44, Aye on Senate Bill 660, No on Senate Bill 519 and No on Senate Bill 659.

By request of Senator Devitt, with unanimous consent, the Journal showed that had he been in his seat he would have voted: No on indefinite postponement of Senate Bill 525, Aye on Senate Joint Resolution 27, Aye on Senate Bills 525, 659 and 660.

AMENDMENTS OFFERED

Senate amendment 1 to Assembly Bill 848 by Senator Heinzen.

By request of Senator Keppler, with unanimous consent, the senate adjourned in honor of the birthdays of Senators Kendziorski, Chilsen, Cirilli and Peloquin.

Upon motion of Senator Keppler the senate adjourned until 9:00 A.M., Wednesday, January 19, 1972.

5:20 P.M.

INTRODUCTION OF GUESTS

Senator Lorge introduced Mary Kramer and Joe Sousha, students attending the University of Wisconsin in Madison, Fremont, Wisconsin.

Senator Hollander introduced Mr. and Mrs. Howard Bly, chairman of the town of Metomen in Fond du Lac, Brandon, Wisconsin.

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Senator Bidwell introduced Doctor Carver Pueston, Madison, Wisconsin.

Senator Keppler introduced Larry MacDonald, Sheboygan, Wisconsin.

Senator LaFave introduced Joe Stasek, Deer Brook, Wisconsin.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate substitute amendment 2 to Senate Bill 51

On page 25, line 5, substitute "shelter" for "shelther".