

JOURNAL OF THE SENATE (October 2, 1973)

STATE OF WISCONSIN
Senate Journal
Eighty-First Regular Session

TUESDAY, October 2, 1973.

10:00 A.M.

The senate met.

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

Prayer was offered by Father Benjamin J. Russell, Pastor of Belssed Sacrament Catholic Church of Madison.

PRAYER OF THE COUNCIL FATHERS

We are here before You, O Holy Spirit, conscious of our unnumerable sins, but united in a special way in Your Holy Name. Come and abide with us. Deign to penetrate our hearts.

Be the guide of our actions, indicate the path we should take, and show us what we must do so that, with your help, our work may be in all things pleasing to You.

May You be our only inspiration and the overseer of our intentions, for You alone possess a glorious name together with the Father and the Son.

May You, who are infinite justice, never permit that we be disturbers of justice, let not our ignorance induce us to evil, nor flattery sway us, nor moral and material interest corrupt us. But unite our hearts to You alone, and do it strongly, so that with the gift of Your grace, we may be one in You and may in nothing depart from the truth.

Thus, united in Your Name, may we in our every action follow the dictates of Your mercy and justice, so that today and always our judgements may not be alien to You and in eternity we may obtain the unending reward of our actions. Amen.

The senate remained standing and the president pro tempore led the senate in the pledge of allegiance to the flag of the United States of America.

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LEAVE OF ABSENCE

By request of Senator Risser, with unanimous consent, Senator Kendziorski was granted a leave of absence for the balance of the floor period.

By request of Senator Petri, with unanimous consent, he was granted a leave of absence for October 10.

By request of Senator Johnson, with unanimous consent, Senator LaFave was granted a leave of absence until October 15.

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

Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 31.

Absent -- None.

Absent with leave -- Senators Kendziorski and LaFave -- 2.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 28

Requesting the legislative council to study existing laws and problems related to noxious weed control.

Resolved by the senate, That the legislative council is requested to study existing laws and problems related to noxious weed control and submit its findings and recommendations to the 1975 legislature when it convenes.

By Senator Roseleip.

Read and referred to the senate committee on Finance.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 743

Relating to salaries for state senators and representatives to the assembly.

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By Senators Bidwell and Murphy.
To joint committee on Finance.

Senate Bill 744

Relating to permitting the filing of a grand jury indictment prior to the preliminary examination of the accused.

By Senator Murphy.

To committee on Judiciary and Insurance.

Senate Bill 745

Relating to time served on prison sentence.

By Senators Murphy, J. D. Swan, Bidwell, Kasten, Steinhilber, Chilsen, Petri and Johnson.

To committee on Judiciary and Insurance.

COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

Senate Bill 1

Relating to medical education aids, creating a medical student loan program, physicians' assistants and physicians' clerks programs, creating a council on physicians' assistants and a medical services board, granting rule-making authority and making appropriations.

Indefinite postponement; Ayes, 10; Noes, 1.

Senate Bill 561

Relating to salary supplements to family court commissioners and making an appropriation.

Adoption of senate amendment 1; Ayes, 7; Noes, 4.

Passage as amended; Ayes, 8; Noes, 3.

Senate Bill 602

Relating to permit fees for vending machines.

Passage; Ayes, 7; Noes, 4.

Senate Bill 122

Relating to state aid for salaries of certain home school coordinators for Indian students and making an appropriation.

Passage; Ayes, 8; Noes, 3.

Senate Bill 145

Relating to licensing and standards for adult group foster homes, granting rule-making powers and providing penalties.

Indefinite postponement, Ayes, 11; Noes, 3.

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Senate Bill 407

Relating to creating a council on Indian education.

Adoption of senate amendment 1; Ayes, 11; Noes, 0.

Passage as amended; Ayes, 7; Noes, 4.

Senate Bill 536

An act to appropriate \$14,183.15 from the highway fund for payment of a claim made by Wingra Enterprises against the state.

Indefinite postponement; Ayes, 7; Noes, 4.

Senate Bill 552

Relating to municipal election of inclusion of certain policemen and firemen under the Wisconsin retirement fund.

Passage; Ayes, 13; Noes, 1.

WALTER G. HOLLANDER

Chairman

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

MUNSON, VIVIAN, of LaCrosse, as a member of the Board of Veterans' Affairs, to succeed herself, to serve for a term ending May 1, 1979.

Confirmation; Ayes, 4; Noes, 0.

WOODWARD, VERNON E., of Madison, as a member of the Athletic Examining Board, to succeed himself, to serve for the term ending July 1, 1976.

Confirmation; Ayes, 4; Noes, 0.

Senate Joint Resolution 70

To amend article VIII, section 1 of the constitution, relating to providing property tax relief to surviving spouses, or divorced persons, with dependent children (1st consideration).

Adoption; Ayes, 3; Noes, 0.

Senate Bill 730

Relating to requiring wholesalers of intoxicating liquors and wine to purchase from the primary American source of supply.

Passage; Ayes, 3; Noes, 1.

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Assembly Bill 384

Relating to income tax exemption for interest on earnings of prisoners of war.

Concurrence; Ayes, 4; Noes, 0.

GORDON W. ROSELEIP
Chairman

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Office of the Lieutenant Governor
Madison

September 19, 1973

Mr. William P. Nugent
Senate Chief Clerk
243 South Capitol
Madison, Wisconsin

Dear Bill:

I hereby notify you that the Senate Conferees on Senate Bill 9 are:

Senator Fred Risser
Senator Walter Hollander
Senator Walter J. Chilsen

Yours very truly
MARTIN J. SCHREIBER
Lieutenant Governor

The question was: Confirmation of the Conferees?

So the Conferees were confirmed.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

October 1, 1973.

To the Honorable, the Senate:

At his request, I hereby withdraw the nomination of Ernest Jones of LaCrosse, as a member of the Hearing Aid Fitters and Dealers Examining Board.

Sincerely,
PATRICK J. LUCEY
Governor

Read.

Mr. Thomas Hanson
Assembly Chief Clerk
220 West Cappitol
Madison, Wisconsin

Mr. William P. Nugent
Senate Chief Clerk
243 South Capitol
Madison, Wisconsin

Dear Sirs:

I respectfully request permission to address a joint session of the State Legislature on Wednesday, October 3, 1973, at 10:30 A.M.

Sincerely,
PATRICK J. LUCEY
Governor

The chair appointed Senators Johnson and Risser as members of the committee to await upon the Governor.

MOTIONS

By request of Senator Hollander, with unanimous consent, Senate Bill 335 was rereferred to the Joint Survey Committee on Tax Exemptions.

By request of Senator Hollander, with unanimous consent, Senate Bill 656 was withdrawn from the committee on Governmental and Veterans' Affairs and returned to the author.

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By request of Senator Hollander, with unanimous consent, **Senate Bill 411** was taken from the calendar and referred to the joint committee on Finance.

MOTIONS UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Walter Harnischfeger served his community as president and chairman of the board for the Harnischfeger Corporation; and

Whereas, Mr. Harnischfeger became head of his family firm during the Depression and led it into a period of expansion that made it one of the nation's leading manufacturers of construction equipment; and

Whereas, he was active in local, state and national politics, serving as an outspoken opponent of excessive government spending; and

Whereas, he presided over the Milwaukee School of Engineering Corporation, chaired the school's Board of Regents, received an honorary bachelor of business administration degree from Spencerian College and was a good friend of education; and

Whereas, he served as a trustee of the Hoover Birthplace Foundation, formed to restore the former president's birthplace; and

Whereas, he served as a director of more than two dozen major organizations, including the Boys Clubs of America, the Milwaukee Chapter of the American Red Cross, the National Association of Manufacturers, the Wisconsin Manufactureres Association, the American Institute for Foreign Trade and the Citizens Foreign Aid Committee; and

Whereas, he chaired the Wisconsin campaign of American Overseas Aid and the United Nations Appeal for children after viewing ruins of World War II; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senators Kasten, Lorge and Devitt, cosponsored by Representative Sensenbrenner, under Joint Rule 26, commend Walter Harnischfeger posthumously for his outstanding contribution to the quality of life in Wisconsin, the nation and the world; we respectfully recognize him as one of the great builders, leaders, and philanthropists of our time; and we extend our sincere condolences to his wife and family.

Read and adopted.

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The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, since 1898, St. Norbert College in DePere has provided spiritual and educational leadership in the City of DePere, and

Whereas, St. Norbert College's growth over 75 years has been both steady and impressive, with an increase of students from one to 1500, in faculty from one to 97, and in physical plant from one classroom to sixteen buildings; and

Whereas, St. Norbert College alumni and alumnae have been major contributors to the welfare of the Fox Valley, the State of Wisconsin, and the Nation as a whole; and

Whereas, on the occasion of the seventy-fifth anniversary of the founding of the College, Dr. Neil J. Webb shall be installed as the College's fourth President to continue St. Norbert's substantial contributions into the future; now, therefore, The Members of the Wisconsin Senate, on the motion of Senators Petri and Martin, under Joint Rule 26, congratulate the students, faculty, administration, alumni, and alumnae for their seventy-five years of service, and wish that they continue to prosper for many years into the future.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Judy Hieke of Menomonee Falls, 1973's Miss Milwaukee and Miss Summerfest was also chosen Miss Wisconsin; and

Whereas, she has represented Wisconsin in the Miss America pageant and had the distinction of being first runner-up in the national pageant; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Murphy and Representative Niebler, under Joint Rule 26, congratulate Judy Hieke, not only for winning the bathing suit contest, but for her outstanding ability as a virtuoso on the flute and wish her well in the future.

Read and adopted.

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Know you by these presents:

Whereas, after 12 years of dedicated service to his community as executive secretary of the Ashland Chamber of Commerce, Mr. Lloyd Amundson is stepping down from that position; and

Whereas, during his years as executive secretary he did ably represent the City of Ashland, helping to stimulate economic development in the area by attracting new business and industry; now, therefore, The Members of the Wisconsin Senate, on the motion of Senator Theno, under Joint Rule 26, do commend Mr. Amundson for his fine efforts on behalf of his community, and offer him best wishes on the occasion of his retirement.

Read and adopted.

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Know you by these presents:

Whereas, Mrs. Elizabeth Ott has been a lifelong citizen of Jefferson; and

Whereas, she and her husband Matt made their home in that community, raising seven children who became exemplary citizens and parents in their own right; and

Whereas, Mrs. Ott will on October 25th of this year reach the venerable age of 100 years; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator McKenna and Representative Wackett, under Joint Rule 26, do extend to Mrs. Ott their sincere congratulations on the occasion of her 100th birthday. We take this opportunity to wish her many more years of life and happiness.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, on September 23rd, members and friends celebrated the 90th anniversary of the Chetek Lutheran Church; expressing their thankfulness for the many years of blessings they have enjoyed and their appreciation for the strength of the pioneers who organized and built their congregation; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Theno and Representative Schricker, under Joint Rule 26, recognize

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the 90th anniversary of the Chetek Lutheran Church and send congratulations and best wishes to its pastor and members on this event.

Read and adopted.

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, on September 2, 1973, David Larkin Knight, a 1973 graduate of the University of Wisconsin - Madison, while piloting a tour boat on the Lower Dells of the Wisconsin River, did rescue two people after their boat has overturned; exhibiting a great degree of courage and composure; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Bidwell and Representative Giese, under Joint Rule 26, commend Mr. Knight for his alert and heroic action.

Read and adopted.

By request of Senator Johnson, with unanimous consent, the senate proceeded on the calendars of bills with no negative committee report and in accordance with senate rule #76 limiting debate on each question to five minutes.

CALENDAR OF MAY 10

Senate Bill 87

Relating to mandatory imprisonment for homicide by negligent or intoxicated use of a vehicle or weapon.

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 87

Read a third time and passed.

Senate Bill 90

Relating to a limitation on parental liability for his child's negligence in operating a motor vehicle.

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 90

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Read a third time and passed.

Senate Bill 249

Relating to allowing drug treatment for minors without parental consent, and establishing for the treating physician immunity from civil liability.

Read a second time.

Ordered to a third reading.

By request of Senator Hollander, with unanimous consent, **Senate Bill 322** was referred to the joint committee on Finance.

Senate Bill 377

Relating to place of trial in actions against insurance companies growing out of negligence.

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 377

Read a third time and passed.

Senate Bill 409

Relating to establishment of a state association of family court commissioners.

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 409

Read a third time and passed.

Senate Bill 441

Relating to eliminating real estate broker apprenticeships.

By request of Senator Hollander, with unanimous consent, **Senate Bill 441** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 441** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

By request of Senator M. Swan **Senate Bill 441** was rereferred to the committee on Governmental and Veterans' Affairs.

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Senate Bill 476

Relating to reports by the retirement research committee (suggested as remedial legislation by the retirement research committee).

Read a second time.

By request of Senator Schuele, with unanimous consent, the bill was laid aside.

Assembly Bill 73

Relating to board of review proceedings and creating penalties.

By request of Senator Hollander, with unanimous consent, **Assembly Bill 73** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Assembly Bill 73** 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 Johnson, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 73

Read a third time.

The ayes and noes were required and the vote was: ayes, 22; noes, 9; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Knowles, LaFollette, McKenna, Martin, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Swan, M., Theno and Whittow -- 22.

Noes -- Senators Bablitch, Keppler, Knutson, Krueger, Lorge, Murphy, Steinhilber, Swan, J.D. and Thompson -- 9.

Absent or not voting -- Senators Kendziorski and LaFave -- 2.

So the bill was concurred in.

Senator Hollander moved reconsideration of the vote by which **Assembly Bill 73** was concurred in.

By request of Senator Hollander, with unanimous consent, the motion for reconsideration was laid on the table.

By request of Senator Risser, with unanimous consent, **Senate Bill 476** was considered for action at this time.

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The question was: Shall **Senate Bill 476** be ordered to a third reading?

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.

Senate Bill 476

Read a third time and passed.

Senator Risser moved that the motion for reconsideration of **Assembly Bill 73** be taken from the table and considered for action at this time.

The ayes and noes were demanded and the vote was: ayes, 15; noes, 16; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Dorman, Flynn, Frank, Knowles, LaFollette, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Swan, M., thompson and Whittow -- 15.

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knutson, Krueger, Lorge, Murphy, Petri, Roseleip, Steinhilber, Swan, J.D. and Theno -- 16.

Absent or not voting -- Senators Kendziorski and LaFave -- 2.

So the motion did not prevail.

CALENDAR OF MAY 11

Senate Resolution 19

To amend senate rule 7 (2), relating to the time for rendering a decision on points of order taken under advisement.

Read.

Senator Keppler raised the point of order that **Senate Resolution 19**, pursuant to senate rule 90, was not properly taken up earlier.

The chair took the point of order under advisement.

Senate Bill 16

Relating to crimes against animals and providing penalties.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

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Senate substitute amendment 1 adopted.

By request of Senator Knutson, with unanimous consent, **Senate Bill 16** was laid on the table.

CALENDAR OF MAY 15

Senate Joint Resolution 51

To amend article VII, section 13 of the constitution, relating to removal by address of county and municipal court judges (2nd consideration).

Read a second time.

Ordered to a third reading.

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

Senate Joint Resolution 51

Read a third time.

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

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 30.

Noes -- Senator Dorman -- 1.

Absent or not voting -- Senators Kendziorski and LaFave -- 2.

More than 17 members having voted in the affirmative the resolution was adopted.

Senate Bill 105

Relating to firearm safety training.

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

By request of Senator Hollander, 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 Steinhilber, 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, 31; noes, 0; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 31.

Noes -- None.

Absent or not voting -- Senators Kendziorski and LaFave -- 2.

So the bill passed.

Senate Bill 316

Prohibiting issuance of commerical fishing licenses to nonresidents.

By request of Senator Hollander, with unanimous consent, **Senate Bill 316** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 316** 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 Steinhilber, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 316

Read a third time.

The ayes and noes were required and the vote was: ayes, 19; noes, 11; absent or not voting, 3; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Knowles, Knutson, Krueger, LaFollette, McKenna, Martin, Murphy, Parys, Peloquin, Roseleip, Swan, J.D., Swan, M., Theno and Whittow -- 19.

Noes -- Senators Bablitch, Dorman, Flynn, Frank, Keppler, Lorge, Petri, Risser, Schuele, Steinhilber and Thompson -- 11.

Absent or not voting -- Senators Kasten, Kendziorski and LaFave -- 3.

So the bill passed.

CALENDAR OF MAY 17

Senate Bill 124

Relating to posting of sustained-yield forest lands.

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 124

Read a third time and passed.

Senate Bill 125

Relating to permitting entry of certain lands into sustained-yield forest land designation.

By request of Senator Hollander, with unanimous consent, **Senate Bill 125** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 125** 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 Hollander, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 125

Read a third time.

Vice-president of the senate in the chair.

11:35 A.M.

The ayes and noes were required and the vote was: ayes, 29; noes, 0; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 29.

Noes -- None.

Absent or not voting -- Senators Kasten, Kendziorski, LaFave and Steinhilber -- 4.

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So the bill passed.

Senate Bill 126

Relating to posting of land in counties having only one town.

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 126

Read a third time and passed.

Senate Bill 127

Relating to posting of sustained-yield forest lands.

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 127

Read a third time and passed.

CALENDAR OF MAY 18

Senate Bill 465

Relating to preservation of otter and providing a penalty.

Read a second time.

The question was: Adoption of senate amendment 1?

Senate amendment 1 adopted.

By request of Senator Schuele, with unanimous consent, **Senate Bill 465** was laid aside.

Senate Bill 470

Relating to the sale of abandoned vehicles on state property and fur animal farms (suggested as remedial legislation by the department of natural resources).

By request of Senator Hollander, with unanimous consent, **Senate Bill 470** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 470** was withdrawn from the joint committee on Finance and considered for action at this time.

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By request of Senator Knutson, with unanimous consent, **Senate Bill 470** was laid aside.

Senate Bill 497

Restricting the issuance of deer hunting party permits to residents.

By request of Senator Hollander, with unanimous consent, **Senate Bill 497** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 497** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Senator Theno asked unanimous consent that **Senate Bill 497** be laid on the table.

Senator J. D. Swan objected.

By request of Senator Krueger, with unanimous consent, **Senate Bills 497** and **498** were laid aside.

LEAVE OF ABSENCE

By request of Senator Murphy, with unanimous consent, he was granted a leave of absence until 11:00 A.M. Wednesday, October 3 and Thursday, October 4.

By request of Senator Johnson, with unanimous consent, the senate recessed until 2:00 P.M.

12:10 P.M.

RECESS

2:00 P.M.

The senate reconvened.

President pro tempore of the senate in the chair.

RULING OF THE CHAIR

As it relates to the point of order raised on **Senate Resolution 19**, the chair ruled that one week did indeed mean seven days and not seven legislative calendar days. As these bills must go somewhere, it is necessary that the chief clerk put the bill on a calendar, but after one week (seven days) the bill would be considered privileged and could be taken up by a majority of the members present.

Therefore, pursuant to senate rule 90, the chair ruled the point of order well taken.

By request of Senator Petri, with unanimous consent, **Senate Resolution 19** was laid on the table.

Senate Bill 500

Relating to commercial fishing licenses on the Mississippi and St. Croix rivers, and granting rule-making power.

By request of Senator Hollander, with unanimous consent, **Senate Bill 500** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 500** 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 Johnson, with unanimous consent, the bill was considered for final action at this time.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 500** was laid on the table.

CALENDAR OF MAY 24

Senate Bill 534

Relating to reconstruction of certain private shoreland facilities without prior approval.

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 534

Read a third time.

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Senator Risser asked unanimous consent that **Senate Bill 534** be rereferred to the committee on Governmental and Veterans' Affairs.

Senator Roseleip objected.

Senator Risser moved indefinite postponement.

The ayes and noes were demanded and the vote was: ayes, 18; noes, 13; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Dorman, Flynn, Frank, Keppler, LaFollette, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Schuele, Swan, M., Theno, Thompson and Whittow -- 18.

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Knowles, Knutson, Krueger, Lorge, Roseleip, Steinhilber and Swan, J.D. -- 13.

Absent or not voting -- Senators Kendziorski and LaFave -- 2.

So the motion prevailed.

Senator Keppler moved reconsideration of the vote by which **Senate Bill 534** was indefinitely postponed.

Senator Keppler asked unanimous consent that the motion for reconsideration of the vote by which **Senate Bill 534** was indefinitely postponed be laid aside.

Senator Risser objected.

By request of Senator Keppler, with unanimous consent, the motion for reconsideration of the vote by which **Senate Bill 534** was indefinitely postponed was laid on the table.

CALENDAR OF MAY 29

Assembly Bill 55

Relating to terms of circuit and county judges.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator McKenna moved rejection.

The motion did not prevail.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 12; absent or not voting, 2; as follows:

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Ayes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, Lorge, Martin, Murphy, Petri, Roseleip, Steinhilber, Swan, J.D., Swan, M. and Theno -- 19.

Noes -- Senators Bablitch, Dorman, Flynn, Frank, LaFollette, McKenna, Parys, Peloquin, Risser, Schuele, Thompson and Whittow -- 12.

Absent or not voting -- Senators Kendziorski and LaFave -- 2.

So the amendment was adopted.

Ordered to a third reading.

By request of Senator Murphy, with unanimous consent, he was added as a co-sponsor of **Assembly Bill 55**.

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

Assembly Bill 55

Read a third time and concurred in.

Senator Risser moved reconsideration of the vote by which **Assembly Bill 55** was concurred in.

Senator Risser asked unanimous consent that the motion for reconsideration be laid on the table.

Senator Murphy objected.

Senator Risser moved that the motion for reconsideration of the vote by which **Assembly Bill 55** was concurred in be laid on the table.

The motion did not prevail.

The question was: Reconsideration of the vote by which **Assembly Bill 55** was concurred in?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 18; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Dorman, Flynn, Frank, LaFollette, McKenna, Parys, Peloquin, Risser, Schuele, Swan, M., Thompson and Whittow -- 13.

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, Lorge, Martin, Murphy, Petri, Roseleip, Steinhilber, Swan, J.D. and Theno -- 18.

Absent or not voting -- Senators Kendziorski and LaFave -- 2.

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So the motion did not prevail.

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

CALENDAR OF MAY 31

By request of Senator J. D. Swan, with unanimous consent, **Senate Joint Resoluition 66** was withdrawn from the calendar and laid on the table.

Senate Bill 35

An act authorizing sale of certain lands by the department of natural resources.

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 Steinhilber, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 35

Read a third time.

Vice-president of the senate in the chair.

3:25 P.M.

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno, Thompson and Whittow -- 30.

Noes -- None.

Absent or not voting -- Senators Kendziorski, LaFave and Swan, M. -- 3.

So the bill passed.

By request of Senator M. Swan, with unanimous consent, he was granted a leave of absence at 3:30 P.M. for the balance of the day's session.

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Senate Bill 182

Relating to substitution of judges in probate matters.

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 182

Read a third time and passed.

Senate Bill 242

Relating to actions affecting marriage.

Read a second time.

Senator Risser asked unanimous consent to take up senate substitute amendment 2 at this time.

Senator Murphy objected.

The question was: Adoption of senate substitute amendment 1?

Senator Murphy moved that **Senate Bill 242** be laid aside.

The ayes and noes were demanded and the vote was: ayes, 10; noes, 20; absent or not voting, 3; as follows:

Ayes -- Senators Bidwell, Hollander, Knowles, Krueger, Martin, Murphy, Risser, Swan, J.D., Thompson and Whittow -- 10.

Noes -- Senators Bablitch, Chilsen, Devitt, Dorman, Flynn, Frank, Johnson, Kasten, Keppler, Knutson, LaFollette, Lorge, McKenna, Parys, Peloquin, Petri, Roseleip, Schuele, Steinhilber and Theno -- 20.

Absent or not voting -- Senators Kendziorski, LaFave, and Swan, M. -- 3.

The motion did not prevail.

By request of Senator Johnson, with unanimous consent, senate substitute amendment 1 was laid on the table and senate substitute amendment 2 was considered for action at this time.

Senate amendment 1 to senate substitute amendment 2 to **Senate Bill 242** offered by Senator Risser

By request of Senator Risser, with unanimous consent, senate amendment 1 to senate substitute amendment 2 was laid on the table.

Senate substitute amendment 2 adopted.

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By request of Senator Risser, with unanimous consent, **Senate Bill 242** was placed immediately after **Senate Bill 440**.

Senate Bill 271

Relating to training for fire inspectors.
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 271

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno, Thompson and Whittow -- 30.

Noes -- None.

Absent or not voting -- Senators Kendziorski, LaFave, and Swan, M. -- 3.

So the bill passed.

Senate Bill 299

Relating to payment of compensation on behalf of policemen and firemen killed in action.

Read a second time.

By request of Senator Frank, with unanimous consent, senate amendment I was returned to the author.

The question was: Adopiton of senate substitue amendment 1?

Senate substitue amendment I adopted.

Ordered to a third reading.

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

Senate Bill 299

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 1; absent or not voting, 3; as follows:

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Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno, Thompson and Whittow -- 29.

Noes -- Senator Risser -- 1.

Absent or not voting -- Senators Kendziorski, LaFave, and Swan, M. -- 3.

So the bill passed.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 429** was laid aside.

Senate Bill 439

Relating to permission to remarry.

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 439

Read a third time and passed.

Senate Bill 440

Relating to transfer of legal guardianship of children found dependent.

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 440

Read a third time and passed.

Senate Bill 242

Relating to actions affecting marriage.

Read a second time.

Senate amendment 2 to senate substitute amendment 2 offered by Senator Risser.

Senator Johnson moved rejection.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 12; absent or not voting, 4; as follows:

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Ayes -- Senators Bidwell, Chilsen, Devitt, Frank, Hollander, Johnson, Keppler, Knowles, Krueger, Lorge, Martin, Murphy, Petri, Roseleip, Steinhilber, Theno and Whittow -- 17.

Noes -- Senators Bablitch, Dorman, Flynn, Knutson, LaFollette, McKenna, Parys, Peloquin, Risser, Schuele, Swan, J.D. and Thompson -- 12.

Absent or not voting -- Senators Kasten, Kendziorski, LaFave and Swan, M. -- 4.

Senate amendment 2 to senate substitute amendment 2 rejected.

Senate amendment 3 to senate substitute amendment 2 to Senate Bill 242 offered by Senator Risser.

Senator Chilsen raised the point of order that the amendment was not germane.

The chair ruled the point of order not well tkaen.

Senator Lorge moved rejection of senate amendment 3.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 8; absent or not voting, 3; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Frank, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, Lorge, McKenna, Martin, Murphy, Peloquin, Petri, Roseleip, Steinhilber, Swan, J.D., Theno, Thompson and Whittow -- 22.

Noes -- Senators Bablitch, Dorman, Flynn, LaFollette, Parys, Risser, Schuele and Swan, M. -- 8.

Absent or not voting -- Senators Kasten, Kendziorski and LaFave -- 3.

The amendment was rejected.

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

The ayes and noes were demanded and the vote was: ayes, 25; noes, 6; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno, Thompson and Whittow -- 25.

Noes -- Senators Devitt, Dorman, Flynn, LaFollette, Risser and Swan, M. -- 6.

Absent or not voting -- Senators Kendziorski and LaFave -- 2.

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The bill was ordered to a third reading.

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

Senate Bill 242

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 24; noes, 7; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Roseleip, Schuele, Steinhilber, Theno, Thompson and Whittow -- 24.

Noes -- Senators Devitt, Dorman, Flynn, LaFollette, Risser, Swan, J.D. and Swan, M. -- 7.

Absent or not voting -- Senators Kendziorski and LaFave -- 2.

So the bill passed.

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

By request of Senator Lorge, with unanimous consent, **Assembly Bill 485** was rereferred to the committee on Judiciary and Insurance.

AMENDMENTS OFFERED

Senate amendment 3 to senate substitute amendment 1 to **Senate Bill 16** by Senator Murphy.

Senate amendment 2 to **Senate Bill 57** by Senator J. D. Swan.

Senate amendment 2 to **Senate Bill 120** by Senator Dorman:

Senate amendment 1 to **Senate Bill 368** by Senator McKenna by request of the Department of Revenue.

Senate amendment 1 to **Senate Bill 521** by Senator Chilsen.

Senate substitute amendment 1 to **Senate Bill 740** by Senator LaFave.

Senate amendment 2 to **Assembly Bill 477** by Senator J. D. Swan.

Senate amendment 1 to **Senate Bill 708** by Senator Hollander.

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Upon motion of Senator Johnson the senate adjourned until
10:00 A.M. Wednesday, October 3.

5:30 P.M.

INTRODUCTION OF GUESTS

Senator Bidwell introduced Mrs. Mary Miller of Portage, Wisconsin.

Senator Theno introduced Ronald and Corinne A. Monette of Rice Lake, Wisconsin.

Senator Johnson introduced Prosper Schank of Arcadia, Wisconsin.

Senator McKenna introduced Mr. Walter Grossman of Uberlingen, Germany, Mr. and Mrs. Joe Wergin, McFarland, Herman Wagner, Madison and Rev. Joseph Brickl of Middleton. They are all Skat players.

Senator Knowles introduced Ms. Eunice Beauvais and Dwayne Roose of Luck, Wisconsin.

Senator Knowles introduced Mr. and Mrs. Carl Friedman of West Palm Beach, Florida.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate substitute amendment 1 to **Assembly Bill 533**

On page 1, line 16, substitute "42.30" for "42.28".