

JOURNAL OF THE SENATE October 10, 1973

STATE OF WISCONSIN

Senate Journal

Eighty-First Regular Session

WENDESDAY, October 10, 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 Reverend Benjamin F. Hartman, minister of the Portage-Baraboo district Seventh-Day Adventist Churches, Portage, Wisconsin.

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

LEAVE OF ABSENCE

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

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

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

Absent -- None.

Absent with leave -- Senators Bablitch, Kendziorski, Petri and Steinhilber -- 4.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 81

Requesting the department of natural resources to study the suitability of the surface waters of this state for body contact and domestic consumption, and the fitness of fish and fowl taken from state waters for human consumption.

By Senators Devitt, LaFave, Flynn and Krueger.

Read and referred to the joint committee on Finance.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 761

Relating to eligibility of certain persons as group D participants under the Wisconsin retirement fund.

By Senators Hollander, Devitt and LaFave.

To Joint Survey Committee on Retirement Systems.

Senate Bill 762

Relating to requiring 2 firemen on duty at all times at the Grand Army home at King and increasing an appropriation.

By Senator Schuele, cosponsored by Representative Byers, by request of the Joint Committee to Visit State Properties.

To committee on Governmental and Veterans' Affairs.

COMMITTEE REPORTS

REPORT OF JOINT SURVEY COMMITTEE ON
TAX EXEMPTIONS

Appendix to **Senate Bill 368** and senate amendment 1

Public Policy Involved

1. Extending the filing deadline for corporate taxpayers from 30 to 90 days would conform Wisconsin practice with federal provisions. Since most firms file federal and state returns together, this change would facilitate taxpayer compliance, as well as state review.

2. Restriction of deductions for repurchases of corporate bonds to the reasonable call premium in excess of the issue price would conform to present federal law on the subject.

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3. The present practice of amortizing taxes paid by the predecessor corporation over the lifetime of the predecessor's assets is an unnecessarily complicated and extended procedure. Immediate deduction would be far less cumbersome.

4. This provision would preclude public utilities from double deducting certain losses.

For these reasons, this bill is desirable as public policy.

Respectfully submitted,

**JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS**

HARVEY DUEHOLM
Vice Chairman

Read and referred to joint committee on Finance.

**REPORT OF JOINT SURVEY COMMITTEE ON
TAX EXEMPTIONS**

Appendix to Senate Bill 393

Public Policy Involved

This bill is desirable as public policy for the following reasons:

1. Since the standard deduction is a set percentage of Wisconsin adjusted income, it, in effect, is already prorated.

2. Under present law, an individual may trade a Wisconsin property for one located in another state and thus avoid Wisconsin tax liability for any appreciation in the original property's value.

3. Wisconsin should not allow an income tax adjustment for moving expenses incurred in moving out of the state.

4. Reorganization of the department of revenue created a separate appeals bureau. Reflecting this change, certain appeal procedures would be initially filed with this bureau, rather than the current practice of commencing legal action with the tax appeals commission. This will provide aggrieved taxpayers with a more direct and immediate recourse, as well as ease the case load for the commission.

5.--These sections would align Wisconsin treatment of supplemental unemployment and minimal cash tips with the federal treatment. This would ease the employer's record keeping.

Respectfully submitted,

JOINT SURVEY COMMITTEE ON TAX EXEMPTIONS

HARVEY DUEHOLM
Vice Chairman

Read and referred to the joint committee on Finance.

REPORT OF JOINT SURVEY COMMITTEE ON
TAX EXEMPTIONS

Appendix to **Senate Bill 525**

Public Policy Involved

Vehicles used by other types of business are subject to the sales tax. Because it would re-establish similar tax treatment for common carriers and other businesses, this bill is desirable as public policy.

Respectfully submitted,

JOINT SURVEY COMMITTEE ON TAX EXEMPTIONS

HARVEY DUEHOLM
Vice Chairman

Read and referred to the committee on Transportation.

By request of Senator Murphy, with unanimous consent, he was added as a coauthor of **Senate Bill 525**.

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

Senate Bill 569

Authorizing beer licensees to use the word "saloon".

Passage; Ayes, 5; Noes, 0.

Senate Bill 710

Relating to excluding discounts in determining minimum retail prices for sales of malt beverages and liquor.

Passage; Ayes, 5; Noes, 0.

Senate Bill 729

Relating to repeal of tax levy limitations.

Passage; Ayes, 5; Noes, 0.

GORDON W. ROSELEIP

Chairman

The committee on Judiciary and Insurance reports and recommends:

Senate Bill 174

Relating to insurance accounting, valuation and reserves.

Rejection of senate amendment 1; Ayes, 5; Noes, 0.

Adoption of senate amendment 2; Ayes, 5; Noes, 0.

Passage as amended by senate amendment 2; Ayes, 5; Noes, 0.

Senate Bill 378

Relating to an habitual offender's law for certain convictions in the motor vehicle code, revocation of licenses, and creating penalties.

Passage; Ayes, 5; Noes, 0.

GERALD D. LORGE

Chairman

The committee on Natural Resources reports and recommends:

Senate Joint Resolution 64

Relating to a legislative council study of the recreation industry.

Adoption of senate amendment 1; Ayes, 5; Noes, 0.

Adoption as amended; Ayes, 5; Noes, 0.

Senate Bill 37

Relating to establishing a program for inland lake rehabilitation and rehabilitation districts, and making appropriations.

Passage; Ayes, 5; Noes, 0.

Senate Bill 328

Relating to land purchases by the department of natural resources.

Passage; Ayes, 5; Noes, 0.

Senate Bill 346

Relating to free admission to state parks and forests for residents 65 years of age or older.

Passage; Ayes, 5; Noes, 0.

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Senate Bill 544

Prohibiting the baiting of bear.

Passage; Ayes, 5; Noes, 0.

Senate Bill 558

Relating to county forests.

Passage; Ayes, 5; Noes, 0.

Senate Bill 563

Relating to woodland tax law and trust lands.

Passage; Ayes, 5; Noes, 0.

CLIFFORD W. KRUEGER

Chairman

The committee on Health, Education and Welfare reports and recommends:

Assembly Bill 538

Relating to the provision of emergency medical services by hospitals, the licensing of ambulance service managers and ambulance attendants, creating an examining council and making an appropriation.

Adoption of senate substitute amendment 1; Ayes, 6; Noes, 0.

Concurrence; Ayes, 6; Noes, 0.

Senate Bill 732

Relating to certificates of need to construct or modify facilities or to expand services at health care institutions, providing a moratorium on such construction and expansion, granting rule making authority and providing a penalty.

Passage; Ayes, 5; Noes, 1.

JAMES C. DEVITT

Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 162

A petition by 282 residents of the 25th Senatorial District opposing Senate Bill 673; Assembly Bills 670, 1181 and 1206, relating to the state regulation of the petroleum industry.

By Senator Theno.

Read and referred to the committee on Industry, Labor, Taxation and Banking.

Senate Petition 163

A resolution passed by the Council of the City of Two Rivers on October 1, 1973 authorizing and directing legislation be proposed to abolish state fiscal control of local municipalities.

By Senator Martin.

Read and referred to the joint committee on Finance.

Senate Petition 164

A resolution by the Denmark Village Board requesting legislation to abolish state fiscal control of local municipalities.

By Senator Martin.

Read and referred to the joint committee on Finance.

State of Wisconsin
Department of State

October 9, 1973.

To The Honorable The Senate

Gentlemen:

I have the honor to transmit to you pursuant to s.13.67 (2), a list of the registered lobbyists for the period beginning on October 2, 1973, and ending on October 9, 1973.

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.

Robert M. Hesslink, Jr., Assistant Dane County Corp. Counsel, 1678 Capital Ave., Madison--Dane County City-County Building, Madison--County and Municipalities--October 2, 1973

Ames M. Harrington, Cosmetology School Owner, 2405 W. Dean Rd., Milwaukee--IBA Accredited, Inc., Suite 5000, 161 W. Wis. Ave., Milwaukee--Cosmetology--October 2, 1973

NOTE: Registration of Ed Hughes, representing the Department of Wisconsin, Disabled American Veterans has been terminated as of October 0, 1973, by Commander Boaz.

MESSAGE FROM THE ASSEMBLY

By Thomas S. Hanson, chief clerk.

Mr. President:

I am directed to inform you that the assembly has Adopted and asks concurrence in:

Motions Under Joint Rule 26:

A Joint Certificate of Congratulations by Representatives Gibson and Roberts; cosponsored by Senator Knutson for RICHARD W. BEGGS, SR. on his being named 1973-74 Oktoberfest Festmaster; and

A Joint Certificate of Condolence by Representative Thompson; cosponsored by Senator Steinhilber for THE FAMILY OF JOHN S. SENSENBRENNER on his family.

MESSAGE FROM THE ASSEMBLY CONSIDERED

Motions Under Joint Rule 26:

A Joint Certificate of Congratulations by Representatives Gibson and Roberts; cosponsored by Senator Knutson for RICHARD W. BEGGS, SR. on his being named 1973-74 Oktoberfest Festmaster; and

A Joint Certificate of Condolence by Representative Thompson cosponsored by Senator Steinhilber for THE FAMILY OF JOHN S. SENSENBRENNER on his death.

The above motions under Joint Rule 26 were read and concurred in enmasse.

MOTIONS

Senator Risser asked unanimous consent that **Assembly Bill 23** be withdrawn from the committee on Governmental and Veterans' Affairs and rereferred to the committee on Health, Education and Welfare.

Senator J. D. Swan objected.

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Senator Devitt moved that **Assembly Bill 23** be withdrawn from the committee on Governmental and Veterans' Affairs and rereferred to the committee on Health, Education and Welfare.

Senator Johnson moved that the motion to withdraw and rerefer be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 13; absent or not voting, 4; as follows:

Ayes -- Senators Bidwell, Chilsen, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, Lorge, Martin, Murphy, Roseleip, Swan, J.D., Swan, M. and Theno -- 16.

Noes -- Senators Devitt, Dorman, Flynn, Frank, LaFave, LaFollette, McKenna, Parys, Peloquin, Risser, Schuele, Thompson and Whittow -- 13.

Absent or not voting -- Senators Bablitch, Kendziorski, Petri and Steinhilber -- 4.

So the motion prevailed.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, the Rice Lake High School Band, on September 16, 1973 entertained during the half-time festivities in the Twin City area at the football game between the Minnesota Vikings and the Oakland Raiders; and

Whereas, the Rice Lake High School band members and their director demonstrated their high degree of training and skill while representing Northern Wisconsin; and

Whereas, the performance of the Rice Lake High School Band made the citizens of Rice Lake, of Barron County and of the entire state justly proud; now, therefore, The members of the Wisconsin Legislature, on the motion of Senator Theno and Representative Schrickler, under Joint Rule 26, extend their heartiest congratulations to the members and director of the Rice Lake High School Band for their fine performance.

Read and adopted.

CALENDAR OF OCTOBER 5

Senate Bill 557

Relating to establishment of guidelines for the management and use of investments held by eleemosynary institutions and funds.

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 557

Read a third time and passed.

Senate Bill 727

Relating to the regulation of bingo, creating the bingo control board, providing rule-making authority, providing penalties and making an appropriation.

Read a second time.

By request of Senator Hollander, with unanimous consent, **Senate Bill 727** was referred to the joint committee on Finance.

Senator Hollander asked unanimous consent to withdraw **Senate Bill 727** from the joint committee on Finance and consider it for action at this time.

Senator Bidwell objected.

Senator Parys moved that **Senate Bill 727** be withdrawn from the joint committee on Finance and considered for action at this time.

The ayes and noes were required and the vote was: ayes, 13; noes, 15; absent or not voting, 5; as follows:

Ayes -- Senators Devitt, Frank, Hollander, Knowles, LaFollette, Lorge, Martin, Parys, Roseleip, Schuele, Swan, M., Theno and Whittow -- 13.

Noes -- Senators Bidwell, Chilsen, Dorman, Flynn, Johnson, Kasten, Keppler, Knutson, Krueger, McKenna, Murphy, Peloquin, Risser, Swan, J.D. and Thompson -- 15.

Absent or not voting -- Senators Bablitch, Kendziorski, LaFave, Petri and Steinhilber -- 5.

Less than two-thirds having voted in the affirmative the motion did not prevail.

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By request of Senator Johnson, with unanimous consent, the senate recessed until 11:15 A.M.

10:50 A.M.

RECESS

11:15 A.M.

The senate reconvened.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 763

Relating to expanding the definition of income for homestead tax credit purposes.

By Senators Hollander and Johnson, cosponsored by Representatives Earl and Conta, by request of the Department of Revenue.

To joint committee on Finance.

Senator Krueger moved that **Senate Bill 727** be withdrawn from the joint committee on Finance and placed on the calendar.

By request of Senator Johnson, with unanimous consent, the motion was laid on the table.

CALENDAR OF APRIL 11

Senate Bill 49

Relating to use of the Wisconsin school for girls at Oregon.

Read a second time.

Senator Johnson asked unanimous consent that **Senate Bill 49** be rereferred to the joint committee on Health, Education and Welfare.

Senator McKenna objected.

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Senator Johnson moved that **Senate Bill 49** be rereferred to the committee on Health, Education and Welfare.

The ayes and noes were demanded and the vote was: ayes, 18; noes, 11; absent or not voting, 4; as follows:

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

Noes -- Senators Dorman, Flynn, Frank, LaFollette, McKenna, Peloquin, Risser, Schuele, Swan, M., Thompson and Whittow -- 11.

Absent or not voting -- Senators Bablitch, Kendziorski, Petri and Steinhilber -- 4.

So the motion prevailed.

Senate Bill 405

Relating to probate court commissioner in Dane County.

The question was: Reconsideration of the vote by which **Senate Bill 405** was indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 13; absent or not voting, 4; as follows:

Ayes -- Senators Dorman, Flynn, Frank, Hollander, Knowles, Knutson, LaFollette, Lorge, McKenna, Martin, Risser, Roseleip, Schuele, Swan, J.D., Thompson and Whittow -- 16.

Noes -- Senators Bidwell, Chilsen, Devitt, Johnson, Kasten, Keppler, Krueger, LaFave, Murphy, Parys, Peloquin, Swan, M. and Theno -- 13.

Absent or not voting -- Senators Bablitch, Kendziorski, Petri and Steinhilber -- 4.

The motion prevailed.

Senator Dorman asked unanimous consent that **Senate Bill 405** be rereferred to the committee on Judiciary and Insurance.

Senator J. D. Swan objected.

Senator Dorman moved that **Senate Bill 405** be rereferred to the committee on Judiciary and Insurance.

The motion prevailed.

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

12:00 Noon

RECESS

2:00 P.M.

The senate reconvened.

By request of Senator LaFave, with unanimous consent, the following bills were taken from the table and placed on the calendar:

Senate Bill 359

Senate Bill 483

Assembly Bill 403

Assembly Bill 574

Assembly Bill 756

Assembly Bill 833

Assembly Bill 838

Assembly Bill 850

Assembly Bill 876

Assembly Bill 926

Assembly Bill 932

Assembly Bill 938

Assembly Bill 942

Assembly Bill 973

By request of Senator Knutson, with unanimous consent, that portion of senate rule 3 as it relates to the wearing of coats on the senate floor was suspended.

By request of Senator Keppler, with unanimous consent, **Senate Bill 461** was taken from the committee on Senate Organization and referred to the committee on Judiciary and Insurance.

RULING OF THE CHAIR

Ruling of the Chair on a point of order raised by Senator McKenna that **Senate Bill 528** was not properly before the Senate since it did not comply with Section 13.50 of the statutes inasmuch as Section 13.50 (6a) provides in part that no bill or amendment thereto creating or modifying any system for, or making any provision for, the retirement of or payment of pensions for public officers or employees, shall be acted upon by the legislature until it has been referred to the Joint Survey Committee on Retirement Systems and such committee has submitted a written report on the proposed bill. The chair finds the point of order well taken.

The record of **Senate Bill 528** indicates that the bill was referred to the Joint Committee on Retirement Systems and that a report was received with senate substitute amendment 1 recommended for adoption, and the bill reported without recommendation. Substitute amendment 2 and 3 were pending, but there was no indication that the amendments had been considered by the Joint Survey Committee on Retirement Systems. While the statute is clear that the Joint Survey Committee on Retirement Systems must make a report on a bill before being acted upon by the legislature, the statutes are silent on the need for a report by the committee on an amendment. However, it is clear that the amendment must be submitted to the committee.

Section 13.50 (5) of the statutes states that all actions of the committee shall require the approval of a majority of all the members. The committee report shows that the vote by the committee was Ayes 3, Noes 3, and reported without recommendation. It is clear, therefore, that the committee report did not comply with Section 13.50 (5) of the statutes.

Therefore, the Chair concludes that (1) a committee report must be received on the original bill with approval of a majority of all of the members of the committee, and (2) that amendments must be referred to the committee but that there is no requirement for a report by the committee on amendments.

CALENDAR OF APRIL 11

By request of Senator Johnson, with unanimous consent, the calendar of April 11 was placed immediately after the calendar of April 27.

CALENDAR OF APRIL 27

By request of Senator Risser, with unanimous consent, **Senate Bill 280** was placed at the foot of the calendar of April 11.

Senate Bill 380

Relating to report requirements for nursing homes.
Read a second time.

The question was: Adoption of senate amendment 1?

Senate amendment 1 adopted.

Ordered to a third reading.

Senator Lorge asked unanimous consent to consider **Senate Bill 280** for action at this time.

Senator Risser objected.

By request of Senator Johnson, with unanimous consent, **Senate Bill 380** was considered for final action at this time.

Senate Bill 380

Read a third time.

Senator Murphy moved indefinite postponement.

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

Ayes -- Senators Bidwell, Chilsen, Hollander, Johnson, Kasten, Knowles, Knutson, LaFave, Lorge, Murphy, Roseleip and Swan, J.D. -- 12.

Noes -- Senators Devitt, Dorman, Flynn, Frank, Keppler, Krueger, LaFollette, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Swan, M., theno, Thompson and Whittow -- 17.

Absent or not voting -- Senators Bablitch, Kendziorski, Petri and Steinhilber -- 4.

So the motion did not prevail.

Senator Johnson raised the point of order that the fiscal note on the bill was erroneous.

The chair ruled that the point of order was not a proper point of order for the chair to rule on. The chair could not determine by a simple ruling whether or not a fiscal note had been properly compiled.

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Senator Devitt asked unanimous consent to rerefer **Senate Bill 380** to the committee on Health, Education and Welfare.

Senator Whittow objected.

Senator Devitt moved that **Senate Bill 380** be rereferred to the committee on Health, Education and Welfare.

Vice-president of the senate in the chair.

2:30 P.M.

Senator Whittow asked unanimous consent to lay **Senate Bill 380** on the table.

Senator Devitt objected.

The question was: Shall **Senate Bill 380** be rereferred to the committee on Health, Education and Welfare?

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

Ayes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Martin, Murphy, Roseleip, Swan, J.D. and Theno -- 17.

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

Absent or not voting -- Senators Bablitch, Kendziorski, Petri and Steinhilber -- 4.

So the motion prevailed.

Senate Bill 400

Relating to establishing and maintaining prescription drug profile record systems, limiting the time for refilling of prescriptions, and granting rule-making power.

Read.

The question was: Reconsideration of the vote by which **Senate Bill 400** passed?

By request of Seantor Knutson, with unanimous consent, he withdrew his motion for reconsideration.

Ordered immediately messaged.

Assembly Bill 487

Relating to medical assistance by means of prepaid health care plans.

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Read a second time.

The question was: Reconsideration of the vote by which senate amendment 2 was adopted?

By request of Senator LaFollette, with unanimous consent, he withdrew his motion for reconsideration.

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 487

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 0; absent or not voting, 5; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Risser, Roseleip, Schuele, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 28.

Noes -- None.

Absent or not voting -- Senators Bablitch, Kendziorski, Peloquin, Petri and Steinhilber -- 5.

So the bill was concurred in as amended.

CALENDAR OF APRIL 11

By request of Senator Roseleip, with unanimous consent, **Senate Joint Resolutions 47 and 48** were referred to the foot of the calendar of January 30, 1974.

Senator Risser asked unanimous consent that **Senate Bill 280** be referred to the foot of the calendar of January 30, 1974.

Senator Devitt objected.

Senate Bill 280

Relating to requiring death certificates showing cause of deaths from abortion.

Read a second time.

Senate amendment 6 offered by Senator Risser.

Senator Lorge moved rejection.

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The ayes and noes were demanded and the vote was: ayes, 24; noes, 4; absent or not voting, 5; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Roseleip, Swan, M., Theno and Whittow -- 24.

Noes -- Senators Risser, Schuele, Swan, J.D. and Thompson -- 4.

Absent or not voting -- Senators Bablitch, Kasten, Kendziorski, Petri and Steinhilber -- 5.

So the amendment was rejected.

Senator M. Swan moved indefinite postponement of **Senate Bill 280**.

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

Ayes -- Senators Dorman, Flynn, Kasten, Knowles, LaFollette, Parys, Peloquin, Risser, Swan, J.D., Swan, M., Thompson and Whittow -- 12.

Noes -- Senators Bidwell, Chilsen, Devitt, Frank, Hollander, Johnson, Keppler, Knutson, Krueger, LaFave, Lorge, McKenna, Martin, Murphy, Roseleip, Schuele and Theno -- 17.

Absent or not voting -- Senators Bablitch, Kendziorski, Petri and Steinhilber -- 4.

The motion did not prevail.

Senator Risser moved that **Senate Bill 280** be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 11; noes, 18; absent or not voting, 4; as follows:

Ayes -- Senators Dorman, Flynn, Kasten, Knowles, LaFollette, Parys, Risser, Schuele, Swan, J.D., Swan, M. and Thompson -- 11.

Noes -- Senators Bidwell, Chilsen, Devitt, Frank, Hollander, Johnson, Keppler, Knutson, Krueger, LaFave, Lorge, McKenna, Martin, Murphy, Peloquin, Roseleip, Theno and Whittow -- 18.

Absent or not voting -- Senators Bablitch, Kendziorski, Petri and Steinhilber -- 4.

The motion did not prevail.

President of the senate in the chair.

3:20 P.M.

Senate amendment 7 to **Senate Bill 280** offered by Senator Whittow.

Senator Devitt moved rejection.

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

The chair took the point of order under advisement.

CALENDAR OF MAY 1

Senate Bill 226

Relating to religious exemption to unionization.

Read a second time.

The question was: Adoption of senate amendment 1 to **Senate Bill 226**?

Senator J. D. Swan moved rejection.

The motion prevailed.

The question was: Adoption of senate amendment 2 to **Senate Bill 226**?

Senator J. D. Swan moved rejection.

The ayes and noes were demanded and the vote was: ayes, 23; noes, 5; absent or not voting, 5; as follows:

9 Ayes -- Senators Bidwell, Devitt, Dorman, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, LaFollette, McKenna, Martin, Murphy, Peloquin, Risser, Roseleip, Schuele, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 23.

Noes -- Senators Chilsen, Flynn, Krueger, Lorge and Parys -- 5.

Absent or not voting -- Senators Bablitch, Kendzioriski, LaFave, Petri and Steinhilber -- 5.

So the motion prevailed.

Senate amendment 3 to **Senate Bill 226** offered by Senator McKenna.

Senator J. D. Swan moved rejection.

The motion prevailed.

Senator Knutson moved reconsideration of the vote by which senate amendment 2 to **Senate Bill 226** was rejected.

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The motion prevailed.

The question was: Rejection of senate amendment 2?

Senate amendment 2 was not rejected.

The question was: Adoption of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 14; absent or not voting, 4; as follows:

Ayes -- Senators Bidwell, Chilsen, Flynn, Johnson, Kasten, Keppler, Knowles, Knutson, Lorge, Murphy, Parys, Risser, Swan, J.D., thompson and Whittow -- 15.

Noes -- Senators Devitt, Dorman, Frank, Hollander, Krueger, LaFave, LaFollette, McKenna, Martin, Peloquin, Roseleip, Schuele, Swan, M. and Theno -- 14.

Absent or not voting -- Senators Bablitch, Kendziorski, Petri and Steinhilber -- 4.

So the amendment was adopted.

Senator Flynn moved reconsideration of the vote by which senate amendment 1 to **Senate Bill 226** was rejected.

LEAVE OF ABSENCE

By request of Senator Peloquin, with unanimous consent, he was granted a leave of absence at 4:30 P.M. for the balance of the day's session.

By request of Senator M. Swan, with unanimous consent, he was granted a leave of absence at 5:00 P.M. for the balance of the day's session.

Senator Schuele moved indefinite postponement of **Senate Bill 226**.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 13; absent or not voting, 4; as follows:

Ayes -- Senators Devitt, Dorman, Frank, Krueger, LaFave, LaFollette, McKenna, Martin, Parys, Peloquin, Risser, Roseleip, Schuele, Theno, Thompson and Whittow -- 16.

Noes -- Senators Bidwell, Chilsen, Flynn, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Lorge, Murphy, Swan, J.D. and Swan, M. -- 13.

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Absent or not voting -- Senators Bablitch, Kendziorski, Petri and Steinhilber -- 4.

So the motion prevailed.

CALENDAR OF MAY 2

Senate Bill 128

Relating to state payment of excess county health costs in small counties, and making an appropriation.

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 128

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 0; absent or not voting, 6; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Risser, Roseleip, Schuele, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 27.

Noes -- None.

Absent or not voting -- Senators Bablitch, Kendziorski, Parys, Peloquin, Petri and Steinhilber -- 6.

So the bill passed.

Ordered immediately messaged.

President pro tempore of the senate in the chair.

4:30 P.M.

Senate Bill 129

Relating to administration and financing of relief to needy Indian persons.

Read a second time.

The question was: Adoption of senate substitute amendment 1 to **Senate Bill 129**?

Senate substitute amendment 1 adopted.

Ordered to a third reading.

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

Senate Bill 129

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 0; absent or not voting, 5; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Risser, Roseleip, Schuele, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 28.

Noes -- None.

Absent or not voting -- Senators Bablitch, Kendziorski, Peloquin, Petri and Steinhilber -- 5.

So the bill passed.

Ordered immediately messaged.

By request of Senator Whittow, with unanimous consent, **Assembly Bill 5** was laid on the table.

CALENDAR OF MAY 3

Senate Joint Resolution 55

To amend article XI, section 3 of the constitution, relating to municipal debt limits (2nd consideration).

Read a second time.

Ordered to a third reading.

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

Senate Joint Resolution 55

Read a third time.

The ayes and noes were required and the vote was: ayes, 24; noes, 4; absent or not voting, 5; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Parys, Risser, Roseleip, Schuele, Swan, M., Theno, Thompson and Whittow -- 24.

Noes -- Senators Knutson, LaFollette, Murphy and Swan, J.D. -
- 4.

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Absent or not voting -- Senators Bablitch, Kendziorski, Peloquin, Petri and Steinhilber -- 5.

More than a majority of the elected members having voted in the affirmative the joint resolution was adopted.

By request of Senator Hollander, with unanimous consent, **Senate Bill 37** was withdrawn from the calendar and referred to the joint committee on Finance.

CALENDAR OF MAY 4

By request of Senator Chilsen, with unanimous consent, **Senate Bill 96** was placed at the foot of the calendar of May 4.

LEAVE OF ABSENCE

By request of Senator M. Swan, with unanimous consent, he was granted a leave of absence for Thursday, October 11.

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

Senate Bill 205

Relating to denial of licenses or permits for contract motor carriers by the public service commission.

Read a second time.

Senator J. D. Swan moved indefinite postponement.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 10; absent or not voting, 7; as follows:

Ayes -- Senators Bidwell, Chilsen, Dorman, Flynn, Hollander, Kasten, LaFollette, Lorge, McKenna, Martin, Murphy, Risser, Roseleip, Swan, J.D., Thompson and Whittow -- 16.

Noes -- Senators Devitt, Johnson, Keppler, Knowles, Knutson, Krueger, LaFave, Parys, Schuele and Theno -- 10.

Absent or not voting -- Senators Bablitch, Frank, Kendziorski, Peloquin, Petri, Steinhilber and Swan, M. -- 7.

The motion prevailed.

Senate Bill 234

Relating to time limitations on common motor carrier rate adjustment proceedings before the public service commission.

Read a second time.

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The question was: Rejection of senate amendment 1?

Senator Risser moved indefinite postponement of **Senate Bill 234**.

By request of Senator LaFave, with unanimous consent, **Senate Bill 234** was laid on the table.

Senate Bill 311

Relating to light switches on tractor-semitrailer combinations.

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 311

Read a third time and passed.

Senate Bill 357

Relating to license fees for semitrailers hauled by motor trucks.

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 357

Read a third time.

The ayes and noes were required and the vote was: ayes, 22; noes, 4; absent or not voting, 7; as follows:

Ayes -- Senators Chilsen, Devitt, Dorman, Flynn, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, Lorge, Martin, Murphy, Parys, Roseleip, Schuele, Swan, J.D., Theno, Thompson and Whittow -- 22.

Noes -- Senators Bidwell, LaFollette, McKenna and Risser -- 4.

Absent or not voting -- Senators Bablitch, Frank, Kendziorski, Peloquin, Petri, Steinhilber and Swan, M. -- 7.

So the bill passed.

Senate Bill 358

Relating to priority of liens on motor vehicles for towing and storage.

Read a second time.

Ordered to a third reading.

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

Senate Bill 358

Read a third time and passed.

Senate Bill 412

Relating to the definition of motor truck.

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 412

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 10; absent or not voting, 6; as follows:

Ayes -- Senators Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knowles, Krueger, LaFave, McKenna, Martin, Parys, Roseleip, Schuele, Theno, Thompson and Whittow -- 17.

Noes -- Senators Bidwell, Dorman, Flynn, Knutson, LaFollette, Lorge, Murphy, Risser, Steinhilber and Swan, J.D. -- 10.

Absent or not voting -- Senators Bablitch, Frank, Kendziorski, Peloquin, Petri and Swan, M. -- 6.

So the bill passed.

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 82

Designating October 17 as a day of prayer throughout the state.

By Senators Johnson, Lorge, Frank, Martin, Krueger, McKenna, Chilsen, Schuele, Roseleip, Devitt, M. Swan, Whittow, Keppler, Kasten, Parys, Thompson, Knutson, Hollander and Risser.

Read.

By request of Senator Johnson, with unanimous consent, **Senate Joint Resolution 82** was considered for action at this time.

Senate Joint Resolution 82

Read and adopted.

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

COMMITTEE REPORTS

The committee on Natural Resources reports and recommends for introduction:

Senate Bill 764

Relating to sportsmen's licenses and nonresident fishing licenses.

Introduction; Ayes, 5; Noes, 0.

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

CLIFFORD W. KRUEGER
Chairman

AMENDMENTS OFFERED

Senate amendment 4 to **Senate Bill 522** by Senator Murphy.

Senate amendment 3 to **Senate Bill 727** by Senator Keppler.

Senate amendment 1 to **Senate Bill 743** by Senator Bidwell.

Upon motion of Senator Johnson the senate adjourned until 10:00 A.M. Thursday, October 11.

5:45 P.M.

INTRODUCTION OF GUESTS

Senator Risser introduced the 7th, 8th and 9th grades of the Seventh Ave. School, Junior Academy, Madison, Wisconsin.

Senator Bidwell introduced Mr. Bob Knutson, Principal of the Wisconsin Academy, Columbus, Wisconsin.

Senator Chilsen introduced 34 sixth grade students and their chaperons of Cecil, Wisconsin.

Senator LaFollette introduced Mr. Joseph Andrea, County Supervisor, Chairman Legislative Committee, of Kenosha, Wisconsin.

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Senator Knutson introduced his wife Jan, daughter Heidi and son Peter of LaCrosse, Wisconsin.

Senator Keppler introduced Mr. and Mrs. Helmuth Fuchs of Frankfurt, Germany accompanied by Mr. Henry Prange of Sheboygan County.

Senator Schuele introduced Ms. Laura Bouffiou, Park Motor Inn, Madison, Wisconsin.