

JOURNAL OF THE SENATE (October 18, 1973)

STATE OF WISCONSIN

# Senate Journal

**Eighty-First Regular Session**

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THURSDAY, October 18, 1973.

10:00 A.M.

The senate met.

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

By request of Senator Whittow, with unanimous consent, the roll was called before the prayer and pledge were given.

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, LaFave, LaFollette, Lorge, McKenna, Martin, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno, Thompson and Whittow -- 30.

Absent -- Senator Swan, M. -- 1.

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

Prayer was offered by Reverend Norman Krutzik of St. Patrick Parish, Menasha, 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.

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## LEAVE OF ABSENCE

By request of Senator Knutson, with unanimous consent, he was granted a leave of absence at 11:40 A.M.

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INTRODUCTION OF RESOLUTIONS

**Senate Joint Resolution 84**

Commending Mrs. Ruth B. Doyle for her lifelong dedication to public service and the advancement of human rights.

By Senator Risser, McKenna, Bablitch and Petri, cosponsored by Representative Ward.

Read and referred to the committee on Health, Education and Welfare.

**Senate Joint Resolution 85**

Directing a legislative council study of the feasibility of incorporation of town governments.

By Senators Murphy, McKenna and Petri, cosponsored by Representatives Olson and Day, by request of Wisconsin Towns' Association.

Read and referred to the joint committee on Finance.

**Senate Joint Resolution 86**

To amend article IV, section 23, and article XI, section 3, of the constitution, relating to home rule for towns (first consideration).

By Senators McKenna, Knutson, Murphy and Hollander, cosponsored by Representatives Olson and Day, by request of Wisconsin Towns' Association.

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

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BILLS INTRODUCED

Read first time and referred:

**Senate Bill 778**

Relating to ratification of collective bargaining agreements by nonmembers of labor organizations in state employment.

By Senators Steinhilber, J. D. Swan, Murphy and Knutson, cosponsored by Representatives Giese, Tregoning, Cyrak, Klicka and DeLong.

To committee on Industry, Labor, Taxation and Banking.

**Senate Bill 779**

Relating to state employment bargaining in health insurance and retirement.

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By Senators Steinhilber, J. D. Swan, Murphy, Knutson and Risser, cosponsored by Representatives Giese, Tregoning, Cyrak and Klicka.

To committee on Industry, Labor, Taxation and Banking.

### Senate Bill 780

Relating to authorizing the employment relations commission to determine employes' fair-share contributions.

By Senators Steinhilber, J.D. Swan, Murphy and Knutson, cosponsored by Representatives Giese, Tregoning, Cyrak, Klicka and DeLong.

To committee on Industry, Labor, Taxation and Banking.

### Senate Bill 781

Relating to referendum procedure for ratification of fair-share agreements in state employment.

By Senators Steinhilber, J. D. Swan, Murphy and Knutson, cosponsored by Representatives Giese, Tregoning, Cyrak and Klicka.

To committee on Industry, Labor, Taxation and Banking.

## COMMITTEE REPORTS

The committee on Senate Organization reports and recommends:

**BOILEAU, JUDGE GERALD J.**, of Wausau, as a member of the Ethics Board, to serve for the term ending May 1, 1976.

Confirmation; Ayes, 5; Noes, 0.

**LARDY, MRS. ANN RITA**, of Madison, as a member of the Ethics Board, to serve for the term ending May 1, 1979.

Confirmation; Ayes, 5; Noes, 0.

**McCAMY, JAMES L.**, of Madison, as a member of the Ethics Board, to serve for the term ending May 1, 1975.

Confirmation; Ayes, 5; Noes, 0.

**McDONALD, SISTER GRACE**, of LaCrosse, as a member of the Ethics Board, to serve for the term ending May 1, 1978.

Confirmation; Ayes, 5; Noes, 0.

**RHINEHART, NASEBY JR.**, of Wilwaukee, as a member of the Ethics Board, to serve for the term ending May 1, 1977.

Confirmation; Ayes, 5; Noes, 0.

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SMITH, THOMAS S., of Appleton, as a member of the Ethics Board, to serve for the term ending May 1, 1980.

Confirmation; Ayes, 5; Noes, 0.

ERNEST C. KEPPLER

Chairman

By request of Senator Keppler, with unanimous consent, the appointments on the above report were laid on the table.

Senator LaFave reported no progress on the Committee of Conference on **Assembly Bill 720** and, with unanimous consent, the senate members were recalled and the chair directed to appoint new members.

The committee on Judiciary and Insurance reports and recommends:

**Senate Bill 93**

Relating to the witnesses rights to have an attorney present.

Passage; Ayes, 5; Noes, 0.

**Senate Bill 700**

Relating to admission to practice law upon completion of apprenticeship.

Indefinite postponement; Ayes, 4; Noes, 1.

**Assembly Bill 599**

Relating to permitting hospitals to refuse to admit patients for the performance of abortions and to permit doctors and other persons to refuse to participate in certain medical procedures.

Concurrence; Ayes, 5; Noes, 0.

GERALD D. LORGE

Chairman

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

**Appendix to Senate Bill 46**

**Public Policy Involved**

Many agency camps operate largely on funds received from multiple sources: Federal, state and local governments and a variety of religious, charitable and educational organizations. All of these entities are tax exempt. Yet, under present law, the state in effect taxes contributions from these sources by taxing the campers' meals. Because it would remove this inconsistency, this bill is desirable as public policy.

**JOINT SURVEY COMMITTEE ON TAX EXEMPTIONS**

Read and referred to the joint committee on Finance.

**REPORT OF JOINT SURVEY COMMITTEE ON  
RETIREMENT SYSTEMS**

**Appendix to senate substitute amendment 1 to Senate Bill 528**

**Public Policy Involved**

**Recommendation:**

It is the recommendation of this committee that senate substitute amendment 1 be adopted. With the adoption of such substitute amendment it is the further recommendation of this committee that the bill be reported out without recommendation on a tie vote.

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"This committee finds that **Senate Bill 528** in its original form does not reflect good public policy. The Committee, therefore, recommends against the passage of **Senate Bill 528** in its original form."

Respectfully submitted,

JOINT SURVEY COMMIT-  
TEE ON RETIREMENT  
SYSTEMS

REUBEN LAFAVE  
Chairman

ALVIN BALDUS  
Vice-chairman

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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:

**Assembly Joint Resolution 5**

Passed and asks concurrence in:

**Assembly Bill 309**  
**Assembly Bill 652**  
**Assembly Bill 865**  
**Assembly Bill 1042**  
**Assembly Bill 1045**  
**Assembly Bill 1076**  
**Assembly Bill 1312**

Non-concurred in:

Senate amendments 1 and 2 to **Assembly Bill 356**

Concurred in:

**Senate Bill 449**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Joint Resolution 5**

Relating to alterations in the court structure (1st consideration).

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By LEGISLATIVE COUNCIL.

Read first time and referred to committee on Judiciary and Insurance.

**Assembly Bill 309**

Relating to arrest powers of state traffic patrol officers.

By Representatives THOMPSON, TREGONING, WILCOX, MIELKE, OTTE, MATTY, BRADLEY, MITTNESS, JOHNSON, ROBERTS, DUREN, SCHRICKER and GIESE: co-sponsored by Senators ROSELEIP and BIDWELL.

Read first time and referred to committee on Judiciary and Insurance.

**Assembly Bill 652**

Relating to the time for commencing actions to recover damages for injuries arising from medical, surgical or dental treatment.

By Representatives ANDERSON, THOMPSON, WILCOX and EARL.

Read first time and referred to committee on Judiciary and Insurance.

**Assembly Bill 865**

Relating to cognovit judgments.

By Representatives CONRADT, ALBERTS and EARL; co-sponsored by Senator THOMPSON.

Read first time and referred to committee on Judiciary and Insurance.

**Assembly Bill 1042**

Relating to definition of "customer" and "loan" in the new first lien real estate loan law.

By Representatives EARL and SHABAZ; co-sponsored by Senators KASTEN, MC KENNA, BABLITCH, THOMPSON, STEINHILBER and PETRI.

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

**Assembly Bill 1045**

Relating to establishment of a program for nutritional improvement for the elderly, granting rule-making authority and making an appropriation.

By Representatives PLEWA and RUTKOWSKI, by request of Stanley Rutkowski and Stanley Jankowski.

Read first time and referred to committee on Health, Education and Welfare.

**Assembly Bill 1076**

Relating to county court jurisdiction of actions for certiorari and probation and parole revocation review.

By COMMITTEE ON JUDICIARY, by request of Judicial Council.

Read first time and referred to committee on Judiciary and Insurance.

**Assembly Bill 1312**

Relating to restoring the department of transportation's authority to regulate dealers and salesmen of mobile homes less than 45 feet in length.

By Representatives OESTREICHER, VANDERPERREN, BYERS, TROPMAN and EARL; co-sponsored by Senators CHILSEN and LA FAVE.

Read first time and referred to committee on Transportation.

**Assembly Bill 356**

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

Senator Whittow moved that the senate recede from its position on senate amendment 1.

The motion prevailed.

Senator Whittow moved that the senate recede from its position on senate amendment 2.

The motion prevailed.

Senator Roseleip asked unanimous consent that **Senate Joint Resolution 70** be withdrawn from the Joint Survey Committee on Tax Exemptions and placed on the calendar.

Senator Schuele objected.

Senator Roseleip raised the point of order that **Senate Joint Resolution 70** had been improperly referred to the Joint Survey Committee on Tax Exemptions.

The chair took the point of order under advisement.

By request of Senator Johnson, with unanimous consent, the senate advanced to the eleventh order of business.



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CALENDAR OF MAY 18

**Senate Bill 465**

Relating to preservation of otter and providing a penalty.  
Read a second time.

President of the senate in the chair.

10:35 A.M.

The question was: Adoption of senate amendment 2?

Senate amendment 2 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 465**

Read a third time and passed.

Ordered immediately messaged.

**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).

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.

**Senate Bill 470**

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 3; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Bidwell, Devitt, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno, Thompson and Whittow -- 27.

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Noes -- Senators Chilsen, Dorman and LaFollette -- 3.

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

So the bill passed.

By request of Senator Risser, with unanimous consent, **Senate Bill 497** was rereferred to the committee on Natural Resources.

By request of Senator Krueger, with unanimous consent, **Senate Bill 498** was rereferred to the committee on Natural Resources.

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**CALENDAR OF MAY 31**

By request of Senator Chilsen, with unanimous consent, **Senate Bill 76** was placed at the foot of the calendar of June 5.

**Senate Bill 429**

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

Read a second time.

Senator Risser moved indefinite postponement.

By request of Senator Johnson, with unanimous consent, **Senate Bill 429** was referred to the foot of the calendar of January 30.

By request of Senator Hollander, with unanimous consent, **Senate Bill 442** was referred to the joint committee on Finance.

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**CALENDAR OF JUNE 5**

By request of Senator Steinhilber, with unanimous consent, **Senate Bills 520 and 78** were placed at the foot of the calendar of January 30, 1974.

By request of Senator Chilsen, with unanimous consent, **Senate Bill 76** was referred to the foot of the calendar of June 8.

By request of Senator Schuele, with unanimous consent, **Senate Bill 136** was referred to the foot of the calendar of January 30, 1974.

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CALENDAR OF JUNE 8

**Senate Bill 334**

Relating to prohibiting newspaper and magazine fee collections by minors.

Read a second time.

The question was: Indefinite postponement?

By request of Senator Parys, with unanimous consent, senate amendment I was considered for adoption notwithstanding the question being indefinite postponement.

Senate amendment I adopted.

The question was: Indefinite postponement?

The ayes and noes were demanded 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, Knutson, Krueger, Lorge, McKenna, Martin, Murphy, Peloquin, Petri, Roseleip, Steinhilber, Swan, J.D. and Whittow -- 22.

Noes -- Senators Bablitch, Keppler, LaFollette, Parys, Risser, Schuele, Swan, M., Theno and Thompson -- 9.

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

So the bill was indefinitely postponed.

Senator Steinhilber moved reconsideration of the vote by which **Senate Bill 334** was indefinitely postponed.

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

**Assembly Bill 170**

Relating to permitting a person who is not an elector of the town to hold the office of town assessor.

Read a second time.

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

So the bill was not ordered to a third reading.

By request of Senator Chilsen, with unanimous consent, **Senate Bill 76** was placed at the foot of the calendar of June 29.

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CALENDAR OF JUNE 18

**Senate Bill 435**

Relating to obtaining telecommunications service by fraud, and providing a penalty.

Read a second time.

The question was: Adoption of senate amendment 1?

Senate amendment 1 adopted.

Senate amendment 2 offered by Senator Bablitch.

Senator LaFave moved rejection.

The motion did not prevail.

The question was: Adoption of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 11; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Chilsen, Dorman, Flynn, Frank, Kasten, Keppler, Krueger, LaFollette, McKenna, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Swan, J.D., Swan, M., Theno and Thompson -- 20.

Noes -- Senators Bidwell, Devitt, Hollander, Johnson, Knowles, LaFave, Lorge, Martin, Murphy, Steinhilber and Whittow -- 11.

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

So the amendment was adopted.

Senator Thompson moved reconsideration of the vote by which **Assembly Bill 170** failed to be ordered to a third reading.

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

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INTRODUCTION OF RESOLUTIONS

**Senate Joint Resolution 87**

Designating the month of November as "Wisconsin Family Month" and authorizing sponsorship of a Wisconsin Family Forum.

By Senators Johnons, Bablitch, Hollander, Murphy, Frank, Roseleip, Whittow, Martin, Petri, McKenna, Knutson and M. Swan, by request of Wisconsin Federation of Women's Clubs and Wisconsin Family Life Association, Inc.

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

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### MOTIONS

Senator LaFave asked unanimous consent that **Assembly Bill 309** be withdrawn from the committee on Judiciary and Insurance and referred to the committee on Transportation.

Senator McKenna objected.

By request of Senator Lorge, with unanimous consent, **Senate Bill 706** was withdrawn from the committee on Judiciary and Insurance and referred to the committee on Agriculture and Rural Development.

By request of Senator Lorge, with unanimous consent, **Senate Bill 680** was withdrawn from the committee on Judiciary and Insurance and referred to the committee on Agriculture and Rural Development.

By request of Senator Lorge, with unanimous consent, **Assembly Bill 309** was withdrawn from the committee on Judiciary and Insurance and referred to the committee on Transportation.

By request of Senator Kasten, with unanimous consent, **Senate Bill 763** was withdrawn from the Joint Survey Committee on Tax Exemptions and referred to the calendar.

By request of Senator Chilsen, with unanimous consent, **Senate Bill 702** was withdrawn from the committee on Industry, Labor, Taxation and Banking and referred to the committee on Agriculture and Rural Development.

By request of Senator LaFollette, with unanimous consent, **Senate Bills 703 and 705** were withdrawn from the committee on Health, Education and Welfare and referred to the committee on Agriculture and Rural Development.

By request of Senator LaFollette, with unanimous consent, **Senate Bill 704** was withdrawn from the committee on Industry, Labor, Taxation and Banking and referred to the committee on Agriculture and Rural Development.

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

12:15 P.M.

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RECESS

2:00 P.M.

The senate reconvened.

Clerk of the senate in the chair.

By request of Senator Johnson, with unanimous consent, Senator Knutson was selected as presiding officer.

By request of Senator Parys, with unanimous consent, the motion for reconsideration of the vote by which Assembly Bill 170 failed to be ordered to a third reading was laid on the table.

By request of Senator Petri, with unanimous consent, Senate Bill 435 was placed at the foot of the calendar of June 29.

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CALENDAR OF JUNE 29

By request of Senator Risser, with unanimous consent, the appointment of Robert C. Weber was placed at the foot of the calendar.

By request of Senator Johnson, with unanimous consent, Senate Bill 40 was placed on the calendar of January 30, 1974.

**Senate Bill 45**

Relating to 16-year-old maximum for compulsory school attendance.

Read a second time.

The question was: Adoption of senate amendment 1?

Senate amendment 1 adopted.

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LEAVE OF ABSENCE

By request of Senator Roseleip, with unanimous consent, he was granted a leave of absence at 4:00 P.M.

The question was: Adoption of senate amendment 2?

Senate amendment 2 adopted.

The bill was ordered to a third reading.

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

### **Senate Bill 45**

Read a third time.

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

**Ayes** -- Senators Bablitch, Bidwell, Chilsen, Devitt, Flynn, Frank, Hollander, Johnson, Keppler, Knutson, Krueger, LaFave, LaFollette, Martin, Parys, Peloquin, Petri, Steinhilber, Swan, J. D., Swan, M., Thompson and Whittow -- 22.

**Noes** -- Senators Lorge, McKenna, Murphy, Risser, Roseleip, Schuele and Theno -- 7.

**Absent or not voting** -- Senators Dorman, Kasten, Kendziorski and Knowles -- 4.

So the bill passed.

### **Senate Bill 142**

Relating to indecent articles and family planning, and providing a penalty.

Read a second time.

The question was: Indefinite postponement?

Senator Devitt asked unanimous consent to place **Senate Bill 142** on the calendar of January 30, 1974.

Senator Risser objected.

President of the senate in the chair.

2:45 P.M.

Senator Devitt moved that **Senate Bill 142** be placed on the calendar of January 30, 1974.

Senator Dorman in the chair.

2:50 P.M.

Senator Risser moved a

## CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

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

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Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 32.

Absent -- None.

Absent with leave -- Senator Kendziorski -- 1.

The ayes and noes were demanded and the vote was: ayes, 13; noes, 19; absent or not voting, 1; as follows:

Ayes -- Senators Chilsen, Devitt, Frank, Hollander, Johnson, Kasten, Keppler, Krueger, LaFave, Lorge, Murphy, Petri and Roseleip -- 13.

Noes -- Senators Bablitch, Bidwell, Dorman, Flynn, Knowles, Knutson, LaFollette, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 19.

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

So the motion did not prevail.

The question on which the call of the senate was put having been decided the call was raised.

The question was: Indefinite postponement?

So the bill was not indefinitely postponed.

Senator Roseleip moved reconsideration of the vote by which **Senate Bill 142** failed indefinite postponement.

The ayes and noes were demanded and the vote was: ayes, 14; noes, 18; absent or not voting, 1; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Frank, Hollander, Johnson, Keppler, Krueger, LaFave, Lorge, Martin, Murphy, Petri and Roseleip -- 14.

Noes -- Senators Bablitch, Dorman, Flynn, Kasten, Knowles, Knutson, LaFollette, McKenna, Parys, Peloquin, Risser, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 18.

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

The motion did not prevail.

The question was: Adoption of senate substitute amendment 1?

Senator Risser moved rejection.



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The ayes and noes were demanded and the vote was: ayes, 15; noes, 17; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Chilsen, Dorman, Flynn, Knowles, LaFollette, McKenna, Peloquin, Petri, Risser, Schuele, Swan, M., Theno, Thompson and Whittow -- 15.

Noes -- Senators Bidwell, Devitt, Frank, Hollander, Johnson, Kasten, Keppler, Knutson, Krueger, LaFave, Lorge, Martin, Murphy, Parys, Roseleip, Steinhilber and Swan, J.D. -- 17.

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

So the amendment was not rejected.

The question was: Adoption of senate substitute amendment 1?

Senator Risser moved a

### CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

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, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 32.

Absent -- None.

Absent with leave -- Senator Kendziorski -- 1.

The ayes and noes were demanded and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

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

Noes -- Senators Bablitch, Chilsen, Dorman, Flynn, Knowles, LaFollette, McKenna, Peloquin, Risser, Schuele, Swan, M., Theno, Thompson and Whittow -- 14.

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

Substitute amendment 1 adopted.

President of the senate in the chair.

3:40 P.M.

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The question on which the call of the senate was put having been decided the call was raised.

Senate amendment 1 to senate substitute amendment 1 offered by Senator Risser.

Senator LaFollette moved a

### CALL OF THE SENATE .

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

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

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

Absent -- Senator Johnson -- 1.

Absent with leave -- Senator Kendziorski -- 1.

By request of Senator Hollander, with unanimous consent, **Senate Bill 228** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 228** was withdrawn from the joint committee on Finance and considered for action at this time.

### **Senate Bill 228**

Relating to free-small game licenses for residents over 65 years of age.

Read a second time.

The question was: Adoption of senate substitute amendment 1.

Senator Petri moved rejection.

The motion prevailed.

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 228**

Read a third time.

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

**Ayes --** Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Theno, Thompson and Whittow -- 28.

**Noes --** Senators Knowles, Martin, Swan, J.D. and Swan, M. -- 4.

**Absent or not voting --** Senator Kendziorski -- 1.

So the bill passed.

Ordered immediately messaged.

Senator Schuele directed the chair's attention to the fact that all members being present the question was: Adoption of senate amendment 1 to senate substitute amendment 1 to **Senate Bill 142?**

Senate amendment 1 to senate amendment 1 to senate substitute amendment 1 offered by Senator Chilsen.

Senator Devitt raised the point of order that senate amendment 1 to senate substitute amendment 1 was not germane.

The chair ruled the point of order not well taken.

Senator Devitt appealed the ruling of the chair.

The question was: Shall the ruling of the chair stand as the decision of the senate?

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

**Ayes --** Senators Bablitch, Bidwell, Chilsen, Dorman, Flynn, Kasten, Keppler, Knowles, Krueger, LaFollette, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 22.

**Noes --** Senators Devitt, Frank, Hollander, Johnson, Knutson, LaFave, Lorge, Murphy, Petri and Roseleip -- 10.

**Absent or not voting --** Senator Kendziorski -- 1.

So the ruling of the chair was sustained.

The question was: Adoption of senate amendment 1 to senate amendment 1 to senate substitute amendment 1.

The amendment was adopted.

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The question on which the call of the senate was put having been decided the call was raised.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

The amendment was adopted.

Senate amendment 2 to senate substitute amendment 1 offered by Senator LaFollette.

Senator Frank moved rejection.

The ayes and noes were demanded and the vote was: ayes, 8; noes, 21; absent or not voting, 4; as follows:

Ayes -- Senators Devitt, Frank, Hollander, Johnson, Keppler, Lorge, Parys and Petri -- 8.

Noes -- Senators Bablitch, Bidwell, Chilsen, Flynn, Kasten, Knowles, Knutson, Krueger, LaFollette, McKenna, Martin, Murphy, Peloquin, Risser, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 21.

Absent or not voting -- Senators Dorman, Kendziorski, LaFave and Roseleip -- 4.

The motion did not prevail.

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 142

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 9; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Chilsen, Flynn, Johnson, Kasten, Keppler, Knowles, LaFollette, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 20.

Noes -- Senators Bidwell, Devitt, Frank, Hollander, Knutson, Krueger, Lorge, Murphy and Petri -- 9.

Absent or not voting -- Senators Dorman, Kendziorski, LaFave and Roseleip -- 4.

So the bill passed.

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Senator Risser asked unanimous consent that **Senate Bill 142** be ordered immediately messaged.

Senator Lorge objected.

Senator Risser moved that the rules be suspended and **Senate Bill 142** be ordered immediately messaged.

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

Ayes -- Senators Bablitch, Flynn, Frank, Hollander, Johnson, Kasten, Keppler, Knowles, Krueger, LaFollette, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 22.

Noes -- Senators Bidwell, Chilsen, Devitt, Knutson, Lorge, Murphy and Petri -- 7.

Absent or not voting -- Senators Dorman, Kendziorski, LaFave and Roseleip -- 4.

More than two-thirds having voted in the affirmative the bill was ordered immediately messaged.

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### LEAVE OF ABSENCE

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

#### **Senate Bill 250**

Relating to authorizing physicians to treat minors for venereal disease without parental consent.

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 250**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 6; absent or not voting, 5; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Flynn, Frank, Johnson, Kasten, Knowles, Krueger, LaFollette, Lorge, McKenna, Martin, Parys, Peloquin, Petri, Risser, Schuele, Swan, M., Thompson and Whittow -- 22.

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Noes -- Senators Hollander, Keppler, Knutson, Murphy, Steinhilber and Swan, J.D. -- 6.

Absent or not voting -- Senators Dorman, Kendziorski, LaFave, Roseleip and Theno -- 5.

So the bill passed.

Ordered immediately messaged.

**Senate Bill 459**

Relating to removal of children from foster homes.

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 459**

Read a third time and passed.

Ordered immediately messaged.

**Senate Bill 555**

Relating to commencement and length of school terms.

Read a second time.

Senator Knowles moved indefinite postponement.

By request of Senator Whittow, with unanimous consent, **Senate Bill 555** was laid on the table.

Senator McKenna asked unanimous consent to take up **Assembly Bill 178** at this time.

Senator Chilsen objected.

Senator McKenna raised the point of order that **Assembly Bill 178** should have been inserted at this point on the calendar.

The chair took the point of order under advisement.

**Assembly Bill 219**

Relating to indecent articles and family planning, and providing a penalty.

Read a second time.

Senator Devitt moved that **Assembly Bill 219** be laid on the table.

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The ayes and noes were demanded and the vote was: ayes, 13; noes, 14; absent or not voting, 6; as follows:

**Ayes** -- Senators Bidwell, Devitt, Frank, Hollander, Johnson, Kasten, Keppler, Knutson, Krueger, Lorge, Murphy, Petri and Swan, J.D. -- 13.

**Noes** -- Senators Bablitch, Chilsen, Flynn, Knowles, LaFollette, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Swan, M., Thompson and Whittow -- 14.

**Absent or not voting** -- Senators Dorman, Kendziorski, LaFave, Roseleip, Steinhilber and Theno -- 6.

So the motion did not prevail.

Senator Thompson asked unanimous consent that all of the amendments on **Assembly Bill 219** be laid on the table.

Senator Frank objected.

Senator Thompson moved that all of the amendments on **Assembly Bill 219** be laid on the table.

Senator Devitt moved a division of the question.

Senator Johnson moved that **Assembly Bill 219** be laid on the table.

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### RULING OF THE CHAIR

The chair ruled that **Assembly Bill 178** should have been on the calendar before **Assembly Bill 219** and therefore the point of order was well taken and the bill was before the senate.

#### **Assembly Bill 178**

Relating to released time for religious education.

Read a third time.

The question was: Concurrence?

Senator Murphy moved nonconcurrence.

By request of Senator Flynn, with unanimous consent, **Assembly Bill 178** was placed at the foot of the calendar of July 10.

By request of Senator Thompson, with unanimous consent, the motion for reconsideration on **Assembly Bill 170** was placed at the foot of the calendar of July 10.

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**LEAVE OF ABSENCE**

By request of Senator Kasten, with unanimous consent, he was granted a leave of absence for the morning of October 23.

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**AMENDMENTS OFFERED**

Senate substitute amendment 1 to **Senate Bill 76** by Senator Chilsen.

Senate substitute amendment 1 to **Senate Bill 435** by Senator Petri.

Senate amendment 1 to **Senate Bill 730** by Senator Parys.

Upon motion of Senator Johnson the senate adjourned until 9:00 A.M. Friday, October 19.

5:05 P.M.

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**INTRODUCTION OF GUESTS**

Senator Schuele introduced 28 students and chaperones of the Browning School, Milwaukee, Wisconsin.

Senator Thompson introduced 47 students, Al Hamacher and Sister Marie Clare of St. Williams School, Janesville, Wisconsin.

Senator Hollander introduced Mr. Allen Groh of West Bend, Wisconsin.

Senator Risser introduced students of the 4th and 5th grades, Mrs. Pierce and Mrs. Pearsons from the Sherman Elementary School, Madison, Wisconsin.

Senator LaFollette introduced his parents, Mr. and Mrs. Joseph LaFollette, of Kenosha, Wisconsin.

Senators J. D. Swan and Thompson introduced 90 students and chaperones of the Edison Junior High School, Janesville, Wisconsin.

Senator Risser introduced Mrs. Joyce Wisnewski, wife of the Senate Caucus Director, Daniel Wisnewski of Madison, Wisconsin.



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Senator J. D. Swan introduced Mr. Arthur Zabienek of Lake Geneva, Wisconsin and Mr. Arthur Leppert of Geneva, Illinois.

Senator Keppler introduced 100 fifth and sixth grade students from the Mapledale Elementary School and their teachers, Mrs. Leys, Mrs. Chapman, Mr. Guske and Mr. Primasing and parents Mrs. Yahr, Mrs. Kuhlow, Mrs. Fisher, Mrs. Whitson and Mrs. Sokolowski of Sheboygan, Wisconsin.

Senator Knutson introduced his wife Mrs. Milo Knutson and Mrs. Charles Roverud and daughter Rebecca of Spring Grove, Minnesota.

Senator Theno introduced Mayor Landry of Mellen, Wis. , Mayor Hansen of Ashland and Wallace Randley of Ashland.

Senator Thompson introduced 45 students from the Edison Junior High School in Janesville, Wisconsin.