

JOURNAL OF THE SENATE (February 12, 1974)

STATE OF WISCONSIN
Senate Journal
Eighty-First Regular Session

TUESDAY, February 12, 1974.

10:00 A.M.

The senate met.

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

Prayer was offered by Father George Kovecec, Associate Pastor of Blessed Sacrament Catholic Church, Madison.

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

LEAVE OF ABSENCE

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

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

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

Absent -- Senator Flynn -- 1.

Absent with leave -- Senators Johnson, Kendziorski and Murphy -- 3.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 106

Memorializing congress to restore to Wisconsin the gasoline and energy supplies needed by it.

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By Senators McKenna, LaFollette, Thompson, Bablitch, Bidwell, Devitt, Dorman, Flynn, Frank, Hollander, Johnson, Kasten, Kendziorski, Keppler, Knowles, Knutson, Krueger, LaFave, Martin, Lorge, Murphy, Peloquin, Petri, Risser, Roseleip, Schuele, M. Swan, Theno and Whittow, cosponsored by Representative Ferrall.

Read.

By request of Senator McKenna, with unanimous consent, the joint resolution was laid aside.

Senate Joint Resolution 107

Requesting the public service commission to adopt emergency and nonemergency rules prohibiting termination of utility service during periods of cold weather.

By Senators Bablitch, McKenna and LaFollette.

Read.

Senator Bablitch asked unanimous consent that the joint resolution be considered for action at this time.

Senator Steinhilber objected.

Senator Risser moved that **Senate Joint Resolution 107** be considered for action at this time.

Senator Risser asked unanimous consent that Senator Flynn be granted a leave of absence for the balance of the day's session.

Senator LaFave objected.

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, Frank, Hollander, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 28.

Absent -- Senators Flynn and Martin -- 2.

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Absent with leave -- Senators Johnson, Kendziorski and Murphy -- 3.

LEAVE OF ABSENCE

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

Senator McKenna asked unanimous consent that **Senate Joint Resoluition 106** be considered for action at this time.

Senator Parys objected.

Senator McKenna moved that **Senate Joint Resolution 106** be considered for action at this time.

Senator Chilsen 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, Frank, Hollander, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 29.

Absent -- None.

Absent with leave -- Senators Flynn, Johnson, Kendziorski and Murphy -- 4.

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

Ayes -- Senators Bablitch, Devitt, Dorman, Frank, Hollander, Keppler, Krueger, LaFollette, Lorge, McKenna, Martin, Peloquin, Petri, Risser, Schuele, Swan, M., Theno, Thompson and Whittow -- 19.

Noes -- Senators Bidwell, Chilsen, Kasten, Knowles, Knutson, LaFave, Parys, Roseleip, Steinhilber and Swan, J.D. -- 10.

Absent or not voting -- Senators Flynn, Johnson, Kendziorski and Murphy -- 4.

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

The question on which the call of the senate was put having been decided the call on **Senate Joint Resolution 106** was raised.

Senate Joint Resolution 106

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

The question was: Shall **Senate Joint Resolution 107** be considered for action at this time?

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

Ayes -- Senators Bablitch, Chilsen, Dorman, Frank, LaFollette, Lorge, McKenna, Martin, Peloquin, Petri, Risser, Roseleip, Swan, M., Theno, Thompson and Whittow -- 16.

Noes -- Senators Bidwell, Devitt, Hollander, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, Parys, Schuele, Steinhilber and Swan, J.D. -- 13.

Absent or not voting -- Senators Flynn, Johnson, Kendziorski and Murphy -- 4.

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

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

Senate Joint Resolution 107

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

By request of Senator Knowles, with unanimous consent, **Assembly Joint Resolution 126** was considered for action at this time.

Assembly Joint Resolution 126

Relating to the life and public service of Thomas Nelson.
Read.

By request of Senator Devitt, with unanimous consent, the entire membership of the senate was added as cosponsors.

Concurred in by unanimous rising vote.

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BILLS INTRODUCED

Read first time and referred:

Senate Bill 866

Relating to the regulation of bingo, exempting certain organizations from licensing, reporting and expenditure requirements.

By Senator Keppler.

To committee on Governmental and Veterans' Affairs.

Senate Bill 867

Relating to premises which may be licensed to conduct bingo.

By Senator Keppler.

To committee on Governmental and Veterans' Affairs.

Senate Bill 868

Relating to disconnection of utility services and granting rule-making authority.

By Senators Bablitch, Roseleip, LaFollette, McKenna, Peloquin, Hollander, Thompson Risser, Martin, M. Swan and Krueger.

To committee on Governmental and Veterans' Affairs.

COMMITTEE REPORTS

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

Senate Joint Resolution 65

To amend section 1 of article IV; and to create section 13 or article XIII of the constitution, relating to initiative and referendum (1st consideration).

Adoption; Ayes, 4; Noes, 0.

Senate Bill 511

Relating to membership of the pharmacy examining board in the department of regulation and licensing.

Adoption of senate amendment 1; Ayes, 3; Noes, 1.

Passage as amended; Ayes, 3; Noes, 1.

GORDON W. ROSELEIP
Chairman

By request of Senator Steinhilber, with unanimous consent, the above bills on the committee report were laid on the table.

PETITIONS AND COMMUNICATIONS

Senate Petition 196

A petition by 106 residents of the State of Wisconsin in opposition to 65-foot double bottom trucks in Wisconsin.

By Senator Knutson.

Read and referred to the committee on Transportation.

Senate Petition 197

A petition in the form of a resolution by the Door-Kewaunee Bar Association opposing that part of the presently pending Court Reorganization Legislation which would result in the loss of election of judges on a local or county basis.

By Senator Martin.

Read and referred to the committee on Judiciary and Insurance.

State of Wisconsin
Department of State

February 12, 1974.

To the Honorable, the Senate

Gentlemen:

I have the honor to transmit to you pursuant to s. 13.67 (2), the names of the registered lobbyists for the period beginning on February 5, 1974, and ending on February 12, 1974.

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.

Delbert L. Beno, Exec. Director, 222 S. Hamilton St., Madison -- Wisconsin Chiropractic Association, 222 S. Hamilton St., Madison -- Health Care -- February 5, 1974

Myron P. Lotto, Farmer, Route 3, Green Bay -- Green Bay Area Visitor and Convention Bureau, Inc., P.O. Box 3278, Green Bay -- Tourism and Recreation -- February 5, 1974

Michael Robl, 105 S. Stoughton Rd., Madison -- Self -- Handicapped (Physical and Mental) -- February 5, 1974

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Elmer Nitschke, Insurance and Real Estate, 215 N. Spring St., Beaver Dam -- Wisconsin County Boards Association, Madison, Wisconsin -- County Boards and Legislation in General -- February 6, 1974

Floyd Johnson, Sr., Carpenter, 2201 Forest Ave., Beloit -- Wisconsin State Council of Carpenters, 115 W. Main St., Madison -- Labor -- February 5, 1974

Helmuth F. Prael, Contractor, 12424 N. Wasaukee Rd., 124 W., Mequon -- Associated Builders and Contractors of Wisconsin, Inc., 705 Hickory Farm Lane, Appleton -- Construction and Labor -- February 11, 1974

Robert J. Kay, Attorney, 433 W. Washington Ave., Madison -- National Electrical Contractors Association, 517 N. Segoe Rd., Madison -- Senate Bill 814 and Assembly Bill 1358 -- February 11, 1974

Robert J. Kay, Attorney, 433 W. Washington Ave., Madison -- Charles W. Voight, dba Charles Voight Marine, Gills Rock, Ellison Bay -- Common carriers of passengers and property by water -- February 11, 1974

CANCELLATION:

Delbert L. Beno, Exec. Director, 222 S. Hamilton St., Madison -- Democratic Party of Wisconsin, 406 W. Wilson St., Madison -- Effective February 1, 1974

Patrick J. Murphy, 5515 N. Hollywood Ave., Milwaukee -- Marquette University, 615 N. Hollywood Ave., Milwaukee -- Effective February 11, 1974

MOTIONS UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, H. Roy Tongen of Portage, Wisconsin, Columbia County Clerk for 46 years prior to his retirement in 1960, passed away on February 6; and

Whereas, Mr. Tongen deservedly earned the respect and admiration of all Columbia County residents throughout his long and faithful service as County Clerk for his efficient administration of that office; and

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Whereas, Mr. Tongen also served his community as a director of the First National Bank of Portage and in many other capacities; and

Whereas, the loss of such a dedicated public servant is always an occasion for great regret; now, therefore, The Members of the Wisconsin Legislature, on the motion of Senator Bidwell and Representative Thompson, under Joint Rule 26, do hereby express their condolences to E. Natalie Sampson, Howard Sampson, and Mrs. Muriel Lomas on the death of their uncle, former Columbia County Clerk H. Roy Tongen, one of the most dedicated and revered public servants in the county's history.

Read and adopted.

MOTIONS

Senator Schuele asked unanimous consent for a fifteen minute recess.

Senator Keppler objected.

Senator Parys moved that all assembly bills presently on senate calendars be laid on the table.

Senator Risser asked for a division of the question.

Senator Parys raised the point of order that since his motion required a suspension of the rules, a request for a division of the question was out of order.

The chair took the point of order under advisement and recessed the senate until 11:35 A.M.

11:02 A.M.

RECESS

11:35 A.M.

The senate reconvened.

By request of Senator Steinhilber, with unanimous consent, the senate returned to the second order of business.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 108

Directing a study by the legislative council of the means of perpetuating the Canada Goose flock in Wisconsin.

By Senators Hollander, Bidwell, Steinhilber and McKenna, cosponsored by Representatives Luckhardt, Lewis, Bruhy, McEssy, Kincaid and O'Malley.

Read and referred to the committee on Natural Resources.

Senate Joint Resolution 109

Requesting the public service commission to adopt emergency rules requiring notice to county departments of public welfare when residential gas or electric service used for heating is shut off.

By Senators LaFave, Devitt, Krueger, Chilsen, Roseleip, Petri, Knutson, Steinhilber, Knowles and Hollander, cosponsored by Representative Matty.

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

MOTIONS

By request of Senator Parys, with unanimous consent, his motion to lay all assembly bills on the table was withdrawn.

By request of Senator LaFave, with unanimous consent, **Senate Bill 844** was withdrawn from the committee on Transportation and referred to the committee on Industry, Labor, Taxation and Banking.

By request of Senator Krueger, with unanimous consent, **Senate Bill 767** was taken from the calendar and rereferred to the committee on Natural Resources.

Senator Petri asked unanimous consent that **Assembly Bill 959** be withdrawn from the committee on Senator Organization and placed on the calendar.

Senator Keppler objected.

LEAVE OF ABSENCE

By request of Senator Bablitch, with unanimous consent, he was granted a leave of absence at 3:30 P.M. Wednesday, February 13.

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Senator Chilsen asked unanimous consent that **Senate Bill 764** be rereferred to the committee on Health, Education and Welfare.

Senator Steinhilber objected.

Senator Knutson asked unanimous consent that the journal show had he been present he would have voted in the majority to override the Governor's veto on **Senate Bill 512** on January 29.

Senator Risser objected.

CALENDAR OF OCTOBER 16

Senate Bill 599

Relating to providing a penalty for misuse of public assistance allowances.

The question was: Reconsideration of the vote by which **Senate Bill 599** passed?

The ayes and noes were demanded and the vote was: ayes, 9; noes, 19; absent or not voting, 5; as follows:

Ayes -- Senators Bablitch, Dorman, Knutson, Lorge, McKenna, Peloquin, Risser, Swan, M. and Thompson -- 9.

Noes -- Senators Bidwell, Chilsen, Devitt, Frank, Hollander, Kasten, Keppler, Knowles, Krueger, LaFave, Martin, Parys, Petri, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno and Whittow -- 19.

Absent or not voting -- Senators Flynn, Johnson, Kendziorski, LaFollette and Murphy -- 5.

The motion did not prevail.

Senate Bill 713

Relating to attachment of territory to counties operating handicapped children's education programs.

Read a second time.

By request of Senator Hollander, with unanimous consent, **Senate Bill 713** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 713** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

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 713

Read a third time.

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

Ayes -- Senators Bidwell, Devitt, Frank, Hollander, Kasten, Keppler, Knowles, LaFave, Lorge, Martin, Parys, Petri, Risser, Schuele, Steinhilber and Whittow -- 16.

Noes -- Senators Bablitch, Chilsen, Dorman, Knutson, Krueger, LaFollette, McKenna, Peloquin, Roseleip, Swan, J.D., Swan, M., Theno and Thompson -- 13.

Absent or not voting -- Senators Flynn, Johnson, Kendziorski and Murphy -- 4.

So the bill passed.

Senator LaFollette asked unanimous consent to be recorded as voting aye on the question of reconsideration on **Senate Bill 599**.

Senator Parys objected.

Senator LaFollette moved that he be recorded as voting aye on reconsideration on **Senate Bill 599**.

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

Ayes -- Senators Chilsen, Devitt, Keppler, Knutson, LaFave, LaFollette, Lorge, Roseleip, Steinhilber, Swan, M. and Thompson - - 11.

Noes -- Senators Bablitch, Bidwell, Dorman, Frank, Hollander, Kasten, Knowles, Krueger, McKenna, Martin, Parys, Peloquin, Petri, Risser, Schuele, Swan, J.D., Theno and Whittow -- 18.

Absent or not voting -- Senators Flynn, Johnson, Kendziorski and Murphy -- 4.

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

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

12:40 P.M.

RECESS

2:00 P.M.

The senate reconvened.

By request of Senator McKenna, with unanimous consent, the journal showed that had Senator Knutson been present on January 29 he would have voted with the majority in overriding the Governor's veto on **Senate Bill 512**; with unanimous consent the journal also showed that had Senator LaFollette been present earlier, he would have voted "aye" on the question of reconsideration of **Senate Bill 599**.

Senate Bill 726

Relating to state assistance for cystic fibrosis care, granting rule-making authority and making an appropriation.

Read a second time.

By request of Senator Hollander, with unanimous consent, **Senate Bill 726** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 726** 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 726

Read a third time.

By request of Senator Dorman, with unanimous consent, the vote by which **Senate Bill 726** was given its third reading was reconsidered.

Senate amendment 1 to **Senate Bill 726** offered by Senator Dorman.

Senate amendment 1 adopted.

Ordered to a third reading.

LEAVE OF ABSENCE

By request of Senator Steinhilber, with unanimous consent, Senator Kreuger was granted a leave of absence for the balance of the day.

By request of Senator Knowles, with unanimous consent, he was granted a leave of absence at 12:00 noon on Wednesday, February 13, for the balance of the week to attend the Advisory Commission on Intergovernmental Relations in Washington D. C.

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

Senate Bill 726

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 0; absent or not voting, 7; as follows:

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

Noes -- None.

Absent or not voting -- Senators Devitt, Flynn, Johnson, Kendziorski, Krueger and LaFave -- 6.

So the bill passed.

Ordered immediately messaged.

By request of Senator Knutson, with unanimous consent, senate rule 3 (3) as it relates to the wearing of coats was dispensed with.

Assembly Joint Resolution 31

Requesting the congress to propose for ratification by the states an amendment to the U.S. constitution providing that the U.S. constitution shall not prohibit the states from protecting the lives of unborn children beginning with the time of conception.

Read.

Senator Risser moved rejection.

By request of Senator Roseleip, with unanimous consent, he was added as a cosponsored of **Assembly Joint Resoluition 31**.

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By request of Senators Steinhilber and Risser, with unanimous consent, senate rule 76 was invoked to limit debate on each question before the senate to five minutes.

The question was: **Rejection of Assembly Joint Resolution 31?**

The motion did not prevail.

The question was: **Concurrence in Assembly Joint Resolution 31?**

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

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Frank, Hollander, Kasten, Keppler, Knutson, LaFave, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno and Whittow -- 24.

Noes -- Senators Dorman, Knowles, Risser and Thompson -- 4.

Absent or not voting -- Senators Flynn, Johnson, Kendziorski, Krueger and LaFollette -- 5.

So the joint resolution was concurred in.

Senator Lorge moved that **Assembly Joint Resolution 31** be ordered immediately messaged.

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, Frank, Hollander, Kasten, Keppler, Knowles, Knutson, LaFave, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 28.

Absent -- Senator LaFollette -- 1.

Absent with leave -- Senators Flynn, Johnson, Kendziorski and Krueger -- 4.

Senator Parys asked unanimous consent that Senator LaFollette be granted a leave of absence for the balance of the day's session.

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Senator Risser objected.

Senator Parys moved that Senator LaFollette be granted a leave of absence for the balance of the day's session.

The motion prevailed.

The question was: Shall **Assembly Joint Resolution 31** be ordered immediately messaged?

The ayes and noes were required and the vote was: ayes, 27; noes, 1; absent or not voting, 5; as follows:

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

Noes -- Senator Risser -- 1.

Absent or not voting -- Senators Flynn, Johnson, Kendziorski, Krueger and LaFollette -- 5.

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

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

Assembly Bill 589

Relating to establishment of a program for prevention and control of alcoholism, granting rule-making authority, making an appropriation and providing a penalty.

Read a second time.

Senator Murphy asked unanimous consent that **Assembly Bill 589** be placed at the foot of the calendar of October 19.

Senator Parys objected.

Senator Murphy moved that **Assembly Bill 589** be placed at the foot of the calendar of October 19.

The motion did not prevail.

The question was: Adoption of senate amendment 1?

Senator McKenna moved rejection.

The motion prevailed.

The question was: Adoption of senate amendment 2?

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Senator Kasten moved rejection.

The motion prevailed.

The question was: Adoption of senate amendment 3?

Senator McKenna moved rejection.

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, Dorman, Hollander, Kasten, Keppler, Knowles, Krueger, Lorge, McKenna, Martin, Parys, Peloquin, Risser, Roseleip, Steinhilber, Swan, J.D., Swan, M., theno and Thompson -- 22.

Noes -- Senators Frank, Knutson, Murphy, Petri, Schuele and Whittow -- 6.

Absent or not voting -- Senators Flynn, Johnson, Kendziorski, LaFave and LaFollette -- 5.

So the motion prevailed.

Senate amendment 4 to Assembly Bill 589 offered by Senator Murphy.

Senator McKenna moved rejection.

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

Ayes -- Senators Bablitch, Chilsen, Devitt, Dorman, Frank, Hollander, Kasten, Keppler, Knowles, Krueger, LaFollette, Lorge, McKenna, Martin, Parys, Peloquin, Risser, Roseleip, Schuele, Swan, M., Theno, Thompson and Whittow -- 23.

Noes -- Senators Knutson, Murphy, Petri, Steinhilber and Swan, J.D. -- 5.

Absent or not voting -- Senators Bidwell, Flynn, Johnson, Kendziorski and LaFave -- 5.

So the motion prevailed.

Vice-president of the senate in the chair.

3:55 P.M.

Senator J. D. Swan moved noncurrence in Assembly Bill 589.

The motion did not prevail.

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.

Assembly Bill 589

Read a third time.

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

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Frank, Hollander, Kasten, Keppler, Knowles, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Parys, Peloquin, Risser, Roseleip, Schuele, Swan, M., Theno, Thompson and Whittow -- 25.

Noes -- Senators Knutson, Murphy, Petri, Steinhilber and Swan, J.D. -- 5.

Absent or not voting -- Senators Flynn, Johnson and Kendziorski -- 3.

So the bill was concurred in.

Ordered immediately messaged.

LEAVE OF ABSENCE

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

Assembly Bill 787

Relating to use of school property by religious organizations.

Read a second time.

By request of Senator Hollander, with unanimous consent, **Assembly Bill 787** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Assembly Bill 787** 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.

Assembly Bill 787

Read a third time.

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

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Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, 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 -- 30.

Noes -- None.

Absent or not voting -- Senators Flynn, Johnson and Kendziorski -- 3.

So the bill was concurred in.

Ordered immediately messaged.

Senator Whittow asked unanimous consent that **Assembly Bill 878** be laid on the table.

Senator Lorge objected.

Senator Whittow asked unanimous consent that **Assembly Bill 878** be placed at the foot of the calendar of October 17.

Senator Roseleip objected.

By request of Senator Thompson, with unanimous consent, **Assembly Bill 878** was placed at the foot of the calendar of October 16.

By request of Senator LaFave, with unanimous consent, **Assembly Bill 892** was laid on the table.

Senate Joint Resolution 44

To amend article XIII, section 12 of the constitution, relating to recall of elective officers (1st consideration).

Read a third time.

Senator McKenna moved rejection.

The ayes and noes were demanded and the vote was: ayes, 13; noes, 17; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Chilsen, Dorman, Frank, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Theno, Thompson and Whittow -- 13.

Noes -- Senators Bidwell, Devitt, Hollander, Kasten, Keppler, Knowles, Knutson, Krueger, LaFave, LaFollette, Lorge, Murphy, Petri, Roseleip, Steinhilber, Swan, J.D. and Swan, M. -- 17.

Absent or not voting -- Senators Flynn, Johnson and Kendziorski -- 3.

So the motion did not prevail.

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The question was: Adoption?

The ayes and noes were required and the vote was: ayes, 16; noes, 14; absent or not voting, 3; as follows:

Ayes -- Senators Bidwell, Devitt, Hollander, Kasten, Keppler, Knutson, Krueger, LaFave, LaFollette, Lorge, Murphy, Petri, Roseleip, Steinhilber, Swan, J.D. and Swan, M. -- 16.

Noes -- Senators Bablitch, Chilsen, Dorman, Frank, Knowles, McKenna, Martin, Parys, Peloquin, Risser, Schuele, Theno, Thompson and Whittow -- 14.

Absent or not voting -- Senators Flynn, Johnson and Kendziorski -- 3.

Less than 17 members having voted in the affirmative the joint resolution was not adopted.

Senate Bill 155

Relating to security for costs, suit tax, service and clerk's fees for indigents represented by federally funded organizations.

Read a third time.

Senator Bablitch moved indefinite postponement.

The motion did not prevail.

The question was: Passage?

The ayes and noes were required and the vote was: ayes, 17; noes, 11; absent or not voting, 5; as follows:

Ayes -- Senators Bidwell, Devitt, Hollander, Kasten, Keppler, Knowles, Knutson, LaFave, Lorge, Murphy, Parys, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno and Whittow -- 17.

Noes -- Senators Bablitch, Chilsen, Dorman, Frank, Krueger, Martin, Peloquin, Petri, Risser, Swan, M. and Thompson -- 11.

Absent or not voting -- Senators Flynn, Johnson, Kendziorski, LaFollette and McKenna -- 5.

So the bill passed.

By request of Senator Steinhilber, with unanimous consent, all actions were ordered immediately messaged, except Senate Bills 713 and 599.

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AMENDMENTS OFFERED

Senate amendment 2 to **Assembly Bill 459** by the committee on Industry, Labor, Taxation and Banking.

Senate amendment 1 to **Assembly Bill 814** by Senator Bablitch.

Senate amendment 2 to **Assembly Bill 814** by Senator Bablitch.

Senate amendment 6 to **Senate Bill 451** by Senator Hollander.

Senate amendment 1 to **Senate Bill 534** by Senator Keppler.

Senate amendment 1 to **Senate Bill 668** by Senator McKenna.

Upon motion of Senator Steinhilber the senate adjourned until 10:00 A.M. Wednesday, February 13.

5:20 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Assembly substitute amendment 5 to **Assembly Bill 814**

On page 3, line 11, before "limited" insert "a".

INTRODUCTION OF GUESTS

Senator Bidwell introduced Jon Chilsen, son of Senator Walter John Chilsen, and Joe Duskey of Wausau, Wisconsin.

Senator Bidwell introduced Kathy Murphy, a teacher, from Prairie du Sac, Wisconsin.

Senator Lorge introduced Gil Bower, Youth Director, Appleton WMCA, Youth in Government Club and its members: Lisa Coburn, Sarah McCann, Don Slavik, Jon Slavik, Tom Hale, Tim Hanna, Mike Melby, Tom Sponberg, and Don Brewster of Appleton, Wisconsin.

The president of the senate, Martin J. Schreiber, introduced Lei Kihoi of Honolulu, Hawaii and Barbara Bethea of North Carolina.