

JOURNAL OF THE SENATE (February 14, 1974)

STATE OF WISCONSIN

Senate Journal

Eighty-First Regular Session

THURSDAY, February 14, 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 Kovocec, Associate Pastor of Blessed Sacrament Catholic Church, Madison.

God, our Father, we thank you for the land we live in, not because it is perfect, but because it is ours, ours to make of it what we will. Here we have our homes; here we share life with those we love. There can be no more compelling reason on earth for offering thanks to you. And there is no better way of showing our thanks than by sharing this gift of freedom with our fellow man. Help us, Father, to live out this belief. We ask this in the name of Jesus Christ, our brother, who has promised to remain with us all days to the end of time. Amen.

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.

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

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

Absent -- Senators Flynn and Krueger -- 2.

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution 35

To create Senate Rule 26 (2m), concerning public hearings by the joint committee on finance.

Analysis by the Legislative Reference Bureau

This proposed rule provides that notwithstanding the normal requirement that committee chairmen must file notice of hearings not later than Wednesday at 2 p.m. on the week preceding any hearings, the senate and assembly cochairmen of the joint finance committee may hold a public hearing on portions of the executive budget bill in the week following the governor's budget message without providing usual notice.

Resolved by the senate, That Senate Rule 26 (2m) is created to read:

SENATE RULE 26 (2m) Notwithstanding sub. (1), the cochairmen of the joint committee on finance may announce that the committee will hold a public hearing on appropriate portions of the executive budget bill during the week following the governor's budget message.

By Senator Hollander, by request of Special Joint Committee on the Budgetary Process created by 1973 Senate Joint Resolution 77.

Read and placed on the calendar.

Senate Joint Resolution 110

Relating to a committee on conference of the budget bill.

By Senator Hollander, by request of Special Joint Committee on the Budgetary Process created by 1973 Senate Joint Resolution 77.

Read and placed on the calendar.

Senate Joint Resolution 111

Relating to chairmen of joint committees.

By Senator Hollander, by request of Special Joint Committee on the Budgetary Process created by 1973 Senate Joint Resolution 77.

Read and placed on the calendar.

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Vice-president of the senate in the chair.

10:10 A.M.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 870

Relating to the unauthorized reproduction of recorded sounds and related offenses, and providing penalties.

By Senators Bidwell, Risser, Parys, Johnson, Whittow, Steinhilber, Bablitch, Hollander and Kasten.

To committee on Industry, Labor, Taxation and Banking.

Senate Bill 871

Relating to legislative and budgetary procedures and abolishing the joint committee for review of administrative rules.

By Senator Hollander, by request of Special Joint Committee on the Budgetary Process created by 1973 Senate Joint Resolution 77.

To committee on Senate Organization.

COMMITTEE REPORTS

The committee on Judiciary and Insurance reports and recommends:

Senate Bill 199

Relating to an increase in penalties for crimes against peace officers, firemen and public officials.

Passage; Ayes, 4; Noes, 1.

Senate Bill 519

Relating to control and supervision of probationers.

Passage; Ayes, 5; Noes, 0.

Senate Bill 604

Relating to filing of satisfactions by creditors.

Passage; Ayes, 5; Noes, 0.

Senate Bill 692

Relating to liability of state or political subdivisions in actions against officers or employees.

Passage; Ayes, 5; Noes, 0.

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Senate Joint Resolution 49

Relating to requiring 4-year terms for county officers.

Adoption; Ayes, 4; Noes, 1.

Senate Joint Resolution 71

Petitioning congress to desist from enacting "no-fault" insurance legislation.

Adoption; Ayes, 4; Noes, 1.

Senate Resolution 34

Requesting an opinion of the attorney general whether the county board of Milwaukee County may abolish the county park commission or transfer its functions to the county board.

Adoption; Ayes, 5; Noes, 0.

Senate Bill 816

Relating to authorizing creation of county councils on home life and family environment, reducing the basic marriage license fee and authorizing counties to impose a supplemental marriage license fee.

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

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

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

GERALD D. LORGE

Chairman

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

Assembly Joint Resolution 127

Requesting a release of funds to the veterans trust fund for veterans housing assistance programs.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 142

Relating to authorization for the establishment of interstate metropolitan councils.

Adoption of senate substitute amendment 1; Ayes, 3; Noes, 2.

Concurrence as amended; Ayes, 3; Noes, 2.

GORDON W. ROSELEIP

Chairman

By request of Senator Johnson, with unanimous consent, the above measures on the committee reports were laid on the table.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 872

Relating to regulation of elections and campaign contributions and expenditures, granting rule-making authority, providing penalties and making appropriations.

By Senator Lorge.

To committee on Judiciary and Insurance.

Senator Parys asked unanimous consent that **Senate Bill 872** be withdrawn from the committee on Judiciary and Insurance and referred to the committee on Governmental and Veterans' Affairs.

Senator Lorge objected.

Senator Parys moved that **Senate Bill 872** be withdrawn from the committee on Judiciary and Insurance and referred to the committee on Governmental and Veterans' Affairs.

The ayes and noes were demanded and the vote was: ayes, 12; noes, 16; absent or not voting, 5; as follows:

Ayes -- Senators Bidwell, Chilsen, Frank, Knutson, LaFave, LaFollette, Martin, Parys, Roseleip, Schuele, Swan, M. and Whittow -- 12.

Noes -- Senators Bablitch, Devitt, Dorman, Hollander, Johnson, Kasten, Keppler, Lorge, McKenna, Murphy, Peloquin, Petri, Risser, Steinhilber, Theno and Thompson -- 16.

Absent or not voting -- Senators Flynn, Kendziorski, Knowles, Krueger and Swan, J.D. -- 5.

So the motion did not prevail.

Senate Bill 873

Relating to granting hunting and fishing licenses on resident terms to nonresidents paying property taxes of \$300 or more in this state.

By Senator Lorge.

To committee on Natural Resources.

COMMITTEE REPORTS

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

Senate Bill 874

Relating to increasing the per diem of members of the cosmetology examining council.

By request of Wayne Hetzer, Antigo.

Introduction; Ayes, 7; Noes, 0.

Read first time and referred to joint committee on Finance.

DEWITT, LAURENE, of Marinette, as a member of the Health and Social Services Board, to succeed Frank Walsh to serve for a term ending May 1, 1979.

Confirmation; Ayes, 7; Noes, 0.

NIEMISTO, JOHN, of Madison, as a member of the Health and Social Services Board, to succeed Betty Vaughn, to serve for a term ending May 1, 1979.

Confirmation; Ayes, 7; Noes, 0.

BARTELL, GERALD B., of Madison, as Commissioner of Securities, to succeed Thomas Nelson, to serve for the remainder of the unexpired term ending March 1, 1973, and then to serve for a term ending March 1, 1979.

Confirmation; Ayes, 7; Noes, 0.

MRS. MARION BAUMANN, of Monroe, as a member of the Wisconsin Arts Board, to serve for the term ending May 1, 1976.

Confirmation; Ayes, 7; Noes, 0.

MR. WILLIAM CARROLL, of Ashland, as a member of the Wisconsin Arts Board, to serve for the term ending May 1, 1975.

Confirmation; Ayes, 7; Noes, 0.

MR. RUSSELL FERRAL, of Shawano, as a member of the Wisconsin Arts Board, to serve for the term ending May 1, 1976.

Confirmation; Ayes, 7; Noes, 0.

MRS. VELMA HAMILTON, of Madison, as a member of the Wisconsin Arts Board, to serve for the term ending May 1, 1975.

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Confirmation; Ayes, 7; Noes, 0.

KIDD, WILLIAM C., of Racine, as Secretary of the Department of Business Development, to serve at the pleasure of the Governor.

Confirmation; Ayes, 7; Noes, 0.

MR. LESLIE PAFFRATH, of Racine, as a member of the Wisconsin Arts Board, to serve for the term ending May 1, 1974.

Confirmation; Ayes, 7; Noes, 0.

DAVID PREVIANT, of Milwaukee, as a member of the Wisconsin Arts Board, to serve for the term ending May 1, 1976.

Confirmation; Ayes, 7; Noes, 0.

ADOLPH A. SUPPAN, of Milwaukee, as a member of the Wisconsin Arts Board, to serve for a term ending May 1, 1975.

Confirmation; Ayes, 7; Noes, 0.

MS SANDI UTECH, of Oshkosh, as a member of the Wisconsin Arts Board, to serve for the term ending May 1, 1975.

Confirmation; Ayes, 7; Noes, 0.

MRS. MARY A. WIMMER, of Madison, as a member of the Wisconsin Arts Board, to serve for the term ending May 1, 1974.

Confirmation; Ayes, 7; Noes, 0.

MRS. RUTH de YOUNG KOHLER, of Sheboygan, as a member of the Wisconsin Arts Board to serve for the term ending May 1, 1974.

Confirmation; Ayes, 7; Noes, 0.

Senate Bill 699

Relating to admission standards for veterans to institutions of higher learning.

Passage; Ayes, 6; Noes, 0.

Assembly Bill 391

Authorizing actions by county welfare officials to require support for a spouse or children who are receiving public aid.

By request of Milwaukee County.

Concurrence; Ayes, 7; Noes, 0.

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Assembly Bill 488

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

Concurrence; Ayes, 5; Noes, 1.

Assembly Bill 699

Relating to a requirement for actual inspection annually of nursing homes and staggered license renewal.

By request of Lieutenant Governor Martin J. Schreiber.

Concurrence; Ayes, 7; Noes, 0.

JAMES C. DEVITT

Chairman

By request of Senator Johnson, with unanimous consent, the above measures on the committee report, with the exception of **Senate Bill 874**, were laid on the table.

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 Commendation by Representative Johnson; cosponsored by Senator Swan for **DAVID OLSON** on being a candidate for the rank of Eagle Scout;

A Joint Certificate of Commendation by Representative Johnson; cosponsored by Senator Swan for **JAMES DAUGHTERY** on being a candidate for the rank of Eagle Scout;

A Joint Certificate of Commendation by Representative Johnson; cosponsored by Senator Swan for **DAVID FEGGESTAD** on his being a candidate for the rank of Eagle Scout.

and

Assembly Joint Resolution 51

Assembly Joint Resoluition 113

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Passed and asks concurrence in:

Assembly Bill 845
Assembly Bill 1084
Assembly Bill 1085
Assembly Bill 1188
Assembly Bill 1217
Assembly Bill 1237
Assembly Bill 245
Assembly Bill 829
Assembly Bill 55
Assembly Bill 842
Assembly Bill 1106
Assembly Bill 1214

Concurred in:

Senate Bill 129
Senate Bill 203
Senate Bill 601

MESSAGE FROM THE ASSEMBLY CONSIDERED

Motions Under Joint Rule 26:

A Joint Certificate of Commendation by Representative Johnson; cosponsored by Senator Swan for DAVID OLSON on being a candidate for the rank of Eagle Scout;

A Joint Certificate of Commendation by Representative Johnson; cosponsored by Senator Swan for JAMES DAUGHERTY on being a candidate for the rank of Eagle Scout;

and

A Joint Certificate of Commendation by Representative Johnson; cosponsored by Senator Swan for DAVID FEGGESTAD on his being a candidate for the rank of Eagle Scout.

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

Assembly Joint Resolution 51

Relating to application of water pollution fines and forfeitures to cleaning up state waters (1st consideration).

By Representatives ALBERTS, TREGONING, SHABAZ, BYERS, SCHRICKER, DAY and THOMPSON.

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Read first time and referred to committee on Natural Resources.

Assembly Joint Resolution 113

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

By Representatives SCHRICKER, ROHNER, SCHROEDER, SWOBODA, CONRADT, OLSON, HEPHNER, DAY, OBERLE, WILCOX, KEDROWSKI and DUREN; co-sponsored by Senators MC KENNA and PETRI, by request of Wisconsin Towns Association.

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

Assembly Bill 845

Relating to discrimination in employment because of physical or mental condition.

By Representatives WAHNER, JACKAMONIS, BERGER and DUREN.

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

Assembly Bill 1084

Relating to parking privileges for disabled veterans.

By Representatives SCHRICKER, SCHNEIDER, BYERS, MATTY, ROHNER, EARLY, KLICKA, PORTER, KINCAID, ATKINSON, BRADLEY, DONOGHUE, GIESE, QUACKENBUSH, TREGONING, GIBSON, THOMPSON, KEDROWSKI, GROVER, LALLENSACK, MOHN, OBERLE, WILLKOM, MURRAY, OPITZ and ROGERS.

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

Assembly Bill 1085

Relating to the filing fees charged common carriers in interstate commerce.

By Representative SANASARIAN, by request of the Public Service Commission.

Read first time and referred to committee on Transportation.

Assembly Bill 1188

Relating to deleting the 3-day minimum on granting military leave to state employes.

By Representative LEWIS, co-sponsored by Senator HOLLANDER.

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

Assembly Bill 1217

Relating to nonjudicial punishment in the Wisconsin code of military justice.

By COMMITTEE ON VETERANS AND MILITARY AFFAIRS, by request of Major General James Lison.

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

Assembly Bill 1237

Relating to authorizing possession and sale of mounted collections of wild game.

By Representative EARLY.

Read first time and referred to committee on Natural Resources.

Assembly Bill 245

Relating to confidential medical records of deceased persons.

By Representative KEEGAN, by request of Milwaukee County.

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

Assembly Bill 829

Relating to limiting the printed editions of biennial reports to not exceeding 12 pages, and prohibiting pictures in such reports.

By Representatives JACKAMONIS and ATKINSON.

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

Assembly Bill 55

Relating to terms of circuit and county judges.

By Representatives RUTKOWSKI, JACKAMONIS, WARD and LALLENSACK.

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

Assembly Bill 842

Relating to employment disqualifications of persons convicted of a crime.

By COMMITTEE ON JUDICIARY, by request of Governor Patrick J. Lucey.

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

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Assembly Bill 1106

Relating to prohibiting certain misbranding of beef products and providing a penalty.

By Representatives HEPHNER, OBERLE, DAY, O'MALLEY, MOHN, TREGONING, EVERSON, BRADLEY, GIESE, SCHROEDER, SCHRICKER, BYERS and KEEGAN.

Read first time and referred to committee on Agriculture and Rural Development.

Assembly Bill 1214

Relating to making the ceiling on sanitary district taxes contingent upon equalized full value rather than assessed value.

By Representatives BALDUS, SCHRICKER and ROHNER; co-sponsored by Senator PELOQUIN.

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

MOTIONS

By request of Senator Roseleip, with unanimous consent, **Assembly Bill 544** was taken from the table and referred to the committee on Governmental and Veterans' Affairs.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature

Know you by these presents:

Whereas, Henry de Rooze, director of operations and administrative assistant to the president of Parkway Inns, Inc., has been the manager of the Park Motor Inn of Madison; and

Whereas, Mr. de Rooze, a native of Hollander, trained in European Hotel schools and worked his way up through all phases of the hotel business; and

Whereas, Henry de Rooze is now a Maitre Rotisseur of the Confrerie de la Chaine des Rotisseurs, un ami du Chevalier du Taste de Vin, is a past president and founder of the Society of Bacchus, past board member of F.S.E.A and a past manager of the Pfister Hotel in Milwaukee, and is active in civic and community affairs; and

Whereas, Mr. de Rooze has managed the Park Motor Inn with high standards and dedication to serving his patrons; now, therefore, The Members of the Wisconsin Senate, on the motion of

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Senator Schuele, under Joint Rule 26, commend Henry de Rooze for his service as manager of the Park Motor Inn, and wish him many years of continued success in his profession.

Read and adopted.

CALENDAR OF OCOTBER 16

Senate Bill 575

Relating to counties bringing suit for arrearage on support payments where AFDC is involved.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Senate substitute amendment 1 adopted.

By request of Senator Lorge, with unanimous consent, **Senate Bill 575** was referred to the joint committee on Finance.

By request of Senator Lorge, with unanimous consent, **Senate Bill 575** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Ordered to a third reading.

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

Senate Bill 575

Read a third time.

The ayes and noes were required and the vote was: ayes, 26; noes, 1; absent or not voting, 6; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Frank, Hollander, Johnson, Kasten, Keppler, Knutson, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno, Thompson and Whittow -- 26.

Noes -- Senator Swan, M. -- 1.

Absent or not voting -- Senators Dorman, Flynn, Kendziorski, Knowles, Krueger and LaFave -- 6.

So the bill passed.

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Senate Bill 674

Relating to requiring applicants for relief to submit applications containing information necessary to determine their eligibility.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Chilsen asked unanimous consent that **Senate Bill 674** be rereferred to the committee on Health, Education and Welfare.

Senator Lorge objected.

Senator Steinhilber moved rejection of senate amendment 1.

Senator McKenna moved indefinite postponement of **Senate Bill 674**.

The ayes and noes were demanded and the vote was: ayes, 8; noes, 20; absent or not voting, 5; as follows:

Ayes -- Senators Bablitch, Chilsen, LaFollette, McKenna, Peloquin, Risser, Swan, M. and Thompson -- 8.

Noes -- Senators Bidwell, Devitt, Frank, Hollander, Johnson, Kasten, Keppler, Knutson, LaFave, Lorge, Martin, Murphy, Parys, Petri, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno and Whittow -- 20.

Absent or not voting -- Senators Dorman, Flynn, Kendziorski, Knowles and Krueger -- 5.

The motion did not prevail.

The question was: Rejection of senate amendment 1?

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

Ayes -- Senators Bidwell, Frank, Johnson, Knutson, LaFave, McKenna, Murphy, Parys, Peloquin, Roseleip, Schuele, Steinhilber and Swan, J.D. -- 13.

Noes -- Senators Bablitch, Chilsen, Devitt, Dorman, Flynn, Hollander, Kasten, Keppler, LaFollette, Lorge, Martin, Petri, Risser, Swan, M., Theno, Thompson and Whittow -- 17.

Absent or not voting -- Senators Kendziorski, Knowles and Krueger -- 3.

The motion did not prevail.

Senate amendment 1 adopted.

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Senate amendment 2 to **Senate Bill 674** offered by Senator Lorge.

Senator Steinhilber moved rejection.

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

12:14 P.M.

RECESS

2:00 P.M.

The senate reconvened.

Senator Bablitch moved indefinite postponement of **Senate Bill 674**.

The motion did not prevail.

LEAVE OF ABSENCE

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

The question was: Rejection of senate amendment 2 to **Senate Bill 674**?

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, Johnson, Kasten, Keppler, Knutson, LaFollette, Lorge, McKenna, Martin, Murphy, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno and Whittow -- 26.

Absent -- Senators Flynn, LaFave, Parys and Thompson -- 4.

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Absent with leave -- Senators Kendziorski, Knowles and Krueger -- 3.

Senator Johnson asked unanimous consent that the call be raised.

Senator M. Swan objected.

Assembly Bill 878

Relating to construction of accident and sickness insurance policies.

Read a second time.

By request of Senator Whittow, with unanimous consent, senate amendment 2 was considered for action at this time.

Senator McKenna moved rejection of senate amendment 2.

The motion prevailed.

The question was: Adoption of senate amendment 1?

Senator Lorge moved rejection.

The motion prevailed.

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 878

Read a third time and concurred in.

Ordered immediately messaged.

Senator Steinhilber called the chair's attention to the fact that all members being present, the question was: Rejection of senate amendment 2 to **Senate Bill 674**?

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

Ayes -- Senators Bidwell, Flynn, Frank, Hollander, Johnson, Kasten, Knutson, LaFave, Murphy, Parys, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno and Whittow -- 16.

Noes -- Senators Bablitch, Chilsen, Devitt, Dorman, Keppler, LaFollette, Lorge, McKenna, Martin, Peloquin, Petri, Risser, Swan, M. and Thompson -- 14.

Absent or not voting -- Senators Kendziorski, Knowles and Krueger -- 3.

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So the motion prevailed.

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

Senator Risser moved that **Senate Bill 674** be laid on the table.

The motion did not prevail.

Senate amendment 3 to **Senate Bill 674** offered by Senator M. Swan.

Senate amendment 3 adopted.

Senate amendment 4 to **Senate Bill 674** offered by Senators Frank, Lorge and McKenna.

Senator J. D. Swan 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 Bidwell, Devitt, Hollander, Johnson, Kasten, Keppler, Knutson, LaFave, Murphy, Roseleip, Steinhilber, Swan, J.D. and Whittow -- 13.

Noes -- Senators Bablitch, Chilsen, Dorman, Flynn, Frank, LaFollette, Lorge, McKenna, Martin, Parys, Peloquin, Petri, Risser, Schuele, Swan, M., theno and Thompson -- 17.

Absent or not voting -- Senators Kendziorski, Knowles and Krueger -- 3.

So the motion did not prevail.

Senate amendment 4 adopted.

Senator Dorman moved reconsideration of the vote by which senate amendment 1 to **Senate Bill 674** was adopted.

The motion prevailed.

By request of Senator Chilsen, with unanimous consent, senate amendment 1 was withdrawn and returned to the author.

Ordered to a third reading.

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

Senator M. Swan objected.

Senator Steinhilber moved that the bill be considered for final action at this time.

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

Ayes -- Senators Bidwell, Chilsen, Devitt, Frank, Hollander, Johnson, Kasten, Keppler, Knutson, LaFave, Lorge, Martin, Murphy, Parys, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno and Whittow -- 20.

Noes -- Senators Bablitch, Dorman, Flynn, LaFollette, McKenna, Pelouquin, Petri, Risser, Swan, M. and Thompson -- 10.

Absent or not voting -- Senators Kendziorski, Knowles and Krueger -- 3.

Two-thirds having voted in the affirmative the motion prevailed.

Senate Bill 674

Read a third time.

Senator M. Swan 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, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno, Thompson and Whittow -- 30.

Absent -- Senator Pelouquin -- 1.

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

All members now being present, the question was: **Passage of Senate Bill 674?**

Senator Lorge moved reconsideration of the vote by which **Senate Bill 674** was ordered to a third reading.

The motion did not prevail.

The question was: **Passage?**

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

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Ayes -- Senators Bidwell, Chilsen, Devitt, Frank, Hollander, Johnson, Kasten, Keppler, Knutson, Krueger, LaFave, Lorge, Martin, Murphy, Parys, Petri, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno and Whittow -- 22.

Noes -- Senators Bablitch, Dorman, Flynn, LaFollette, McKenna, Peloquin, Risser, Swan, M. and Thompson - 9.

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

So the bill passed.

Senator Johnson asked unanimous consent that all actions be ordered immediately messaged.

Senator M. Swan objected.

Senator Johnson moved that all actions be ordered immediately messaged.

The ayes and noes were required and the vote was: ayes, 21; noes, 10; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Devitt, Frank, Hollander, Johnson, Kasten, Keppler, Knutson, Krueger, LaFave, Lorge, Martin, Murphy, Parys, Petri, Roseleip, Schuele, Steinhilber, Swan, J.D., Theno and Whittow -- 21.

Noes -- Senators Bablitch, Chilsen, Dorman, Flynn, LaFollette, McKenna, Peloquin, Risser, Swan, M. and Thompson -- 10.

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

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.

By request of Senator Schuele, with unanimous consent, the senate recessed until 3:35 P.M.

3:07 P.M.

RECESS

3:35 P.M.

The senate reconvened.

CALENDAR OF OCTOBER 17

Senate Bill 99

Relating to a revision of juvenile court procedure and jurisdiction and providing penalties.

Read a second time.

By request of Senator Hollander, with unanimous consent, **Senate Bill 99** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 99** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

By request of Senator Johnson, with unanimous consent, **Senate Bill 99** was laid on the table.

Senate Bill 330

Relating to a requirement of restitution to crime victims as a condition for parole or probation, and granting rule-making authority.

Read a second time.

By request of Senator Hollander, with unanimous consent, **Senate Bill 330** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 330** was withdrawn from the joint committee on Finance and considered for action at this time.

Senator McKenna objected.

Senator Johnson moved that **Senate Bill 330** be withdrawn from the joint committee on Finance and placed on the calendar.

The motion prevailed.

By request of Senator Johnson, with unanimous consent, **Senate Bill 330** was taken from the calendar and laid on the table.

Senator Johnson moved that **Senate Bill 330** be taken from the table and considered for action at this time.

Senator Risser moved a

CALL OF THE SENATE

Which motion was supported.

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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, Knutson, Krueger, LaFave, LaFollette, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, M., Theno and Thompson -- 29.

Absent -- Senators Swan, J.D. and Whittow -- 2.

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

By request of Senator Johnson, with unanimous consent, the call was raised.

By request of Senator Johnson, with unanimous consent, his motion to consider **Senate Bill 330** for action at this time was withdrawn.

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 112

Commending Senator Casimir Kendziorski for his 28 years of dedicated service in the Wisconsin State legislature.

By the Entire Membership of the Senate.

Read.

By request of Senator Risser, with unanimous consent, **Senate Joint Resolution 112** was considered for action at this time.

Senate amendment 1 to **Senate Joint Resolution 112** offered by Senator Knutson.

Senate amendment 1 adopted.

Senate Joint Resolution 112

Adopted by unanimous vote.

Ordered immediately messaged.

By request of Senator Parys, with unanimous consent, **Senate Bill 347** was laid on the table.

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Senate Bill 413

Relating to motor carrier insurance and granting rule-making authority.

Read a second time.

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 413

Read a third time and passed.

Senate Bill 419

Relating to deleting statutory interest limits on city and village bonds and metropolitan sewerage district obligations.

Read a second time.

By request of Senator Hollander, with unanimous consent, **Senate Bill 419** was referred to the joint committee on Finance.

By request of Senator Hollander, with unanimous consent, **Senate Bill 419** 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 LaFave, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 419

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 2; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Hollander, Johnson, Kasten, Keppler, Krueger, LaFave, LaFollette, McKenna, Martin, Murphy, Parys, Peloquin, Petri, Risser, Roseleip, Schuele, Steinhilber, Swan, J.D., Swan, M., Theno and Thompson -- 27.

Noes -- Senators Knutson and Lorge -- 2.

Absent or not voting -- Senators Frank, Kendziorski, Knowles and Whittow -- 4.

So the bill passed.

Ordered immediately messaged.

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Senate Bill 492

Relating to minimum age for private detectives.

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 492

Read a third time and passed.

Ordered immediately messaged.

Senate Bill 506

For the purpose of deleting references to "assessors of incomes" (suggested as remedial legislation by the department of revenue).

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 506

Read a third time and passed.

By request of Senator Parys, with unanimous consent, **Senate Bill 539** was referred to the committee on Transportation.

By request of Senator Parys, with unanimous consent, **Senate Bill 347** was taken from the table and considered for action at this time.

Senate Bill 347

Relating to master tumbler for jurors in counties where the total number of branches of circuit and county courts exceeds 10.

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 347

Read a third time and passed.

LEAVE OF ABSENCE

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

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

Senate Bill 632

Relating to public employes deferred compensation plan.
Read a second time.

Senator LaFave asked unanimous consent that **Senate Bill 632** be rereferred to the Joint Survey Committee on Retirement Systems.

Senator Risser objected.

Senator LaFave raised the point of order that, pursuant to Section 13.50 (5) of the Wis. Statutes, the committee must report in the majority either favorably or unfavorably. Since the committee reported the bill with a tie vote, the measure must be rereferred to the committee.

The chair ruled the point of order well taken.

Senator Risser appealed the decision of the chair.

By request of Senator Johnson, with unanimous consent, the senate returned to the seventh order of business.

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:

Motion Under Joint Rule 26:

A Joint Certificate of Commendation by Representatives Willkom, Conradt and Day; cosponsored by Senators Theno, Bablitch and Murphy for WISCONSIN TOWNS ASSOCIATION on a quarter century of service.

and

Passed and asks concurrence in:

Assembly Bill 547

MESSAGE FROM THE ASSEMBLY CONSIDERED

Motion Under Joint Rule 26:

A Joint Certificate of Commendation by Representatives Willkom, Conradt and Day; cosponsored by Senators Tehno, Bablitch and Murphy for WISCONSIN TOWNS ASSOCIATION on a quarter century of service.

By request of Senators Kasten, Martin, Johnson, Chilsen, Lorge and Knutson, with unanimous consent, they were added as cosponsors.

Read and concurred in.

Assembly Bill 547

Relating to approval of proposed administrative rules by the appropriate standing committees of the legislature.

By Representative ATKINSON.

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

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

MOTIONS

Senator Johnson asked unanimous consent that **Assembly Bill 951** be considered for action at this time.

Senator M. Swan objected.

Senator Johnson moved that the senate adjourn until 9:00 A.M. Friday, February 15.

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

Ayes -- Senators Bidwell, Chilsen, Devitt, Hollander, Johnson, Kasten, Keppler, Knutson, Krueger, LaFave, Lorge, Petri, Steinhilber and Swan, J.D. -- 14.

Noes -- Senators Bablitch, Dorman, Flynn, Frank, LaFollette, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Swan, M. and Thompson -- 15.

Absent or not voting -- Senators Kendziorski, Knowles, Theno and Whittow -- 4.

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So the motion did not prevail.

Senator Johnson moved that **Assembly Bill 951** be considered for action at this time.

By request of Senator Knutson, with unanimous consent, the senate recessed until 5:25 P.M.

5:12 P.M.

RECESS

5:25 P.M.

The senate reconvened.

By request of Senator Johnson, with unanimous consent, his motion to consider **Assembly Bill 951** was withdrawn.

By request of Senator Thompson, with unanimous consent, **Assembly Joint Resolution 127** was taken from the table and considered for action at this time.

Assembly Joint Resolution 127

Requesting a release of funds to the veterans trust fund for veterans housing assistance programs.

Read.

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

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

Noes -- None.

Absent or not voting -- Senators Kendziorski, Knowles, Theno and Whittow -- 4.

So the joint resolution was concurred in.

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

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AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 456** by Senators LaFave, Bablitch and Flynn.

Senate amendment 2 to **Senate Bill 538** by Senator Steinhilber.

Senate amendment 1 to **Senate Bill 849** by Senator Devitt.

Senate substitute amendment 1 to **Assembly Bill 730** by Senators Keppler, Whittow, Parys, Hollander, Thompson and Roseleip, by request of Representatives Vanderperren, Schricker, Bradley, O'Malley, Conradt, Thompson, Lewison, Ellis and Bolle.

By request of Senator Roseleip, with unanimous consent, the senate adjourned in honor of Carol Wilson, secretary to Senator Roseleip.

By request of Senator Hollander, with unanimous consent, the senate also adjourned in honor of Senator Kendziorski and General Thaddeus Kosciuszko, a Polish army officer and statesman, famous for his role in the American Revolution.

Upon motion of Senator Johnson the senate adjourned until 9:00 A.M. Friday, February 15.

5:38 P.M.

INTRODUCTION OF GUESTS

Senator Theno introduced Mr. Mike Sifert of Keil, Wisconsin.

Senator Risser introduced Donald A. Sams of Madison, Wisconsin.