

JOURNAL OF THE SENATE [April 8, 1975]

STATE OF WISCONSIN

# Senate Journal

**Eighty-Second Regular Session**

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TUESDAY, April 8, 1975.

10:00 A.M.

The senate met.

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

Prayer was offered by Father Daniel Ganshert, Associate Pastor of St. James 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.

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

Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Knutson, Krueger, LaFave, Lorge, McKenna, Martin, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Swan, Theno, Thompson and Whittow -- 31.

Absent -- None.

Absent with leave -- None.

STATE OF WISCONSIN  
State Elections Board

April 8, 1975.

To The Honorable, The Senate

Senators:

Please be advised that the following candidates were elected at the Special Election held in the 4th and 22nd senatorial districts of the state on April 1, 1975:

Fourth District - Republican

F. James Sensenbrenner, Jr., 1601 E. Lake Bluff Blvd.,  
Milwaukee

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Twenty-second District - Democratic  
John J. Maurer, 5010 76th St., Kenosha

Sincerely,  
**LEO J. FAHEY**  
Administrator of Elections

Upon the calling of the newly elected Senators on Tuesday, April 8, 1975, the following appeared before the bar of the senate, took and subscribed the oath of office which was administered by the President:

J. James Sensenbrenner, Jr. and John J. Maurer.

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### LEAVE OF ABSENCE

By request of Senator Knowles, with unanimous consent, he was granted a leave of absence for Thursday, April 10 to attend the Advisory Commission on Intergovernmental Relations in Washington D. C.

By request of Senator Lorge, with unanimous consent, he was granted a leave of absence for Thursday, April 10.

By request of Senator Knutson, with unanimous consent, he was granted a leave of absence at 11:30 A.M. each day for the balance of the week.

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### BILLS INTRODUCED

Read first time and referred:

#### **Senate Bill 300**

Relating to taxpayer designation of certain revenues for political purposes, creating a clean election campaign fund, making appropriations and providing a penalty.

By Senators Flynn, Bablitch, Knowles and Cullen.

To committee on Judiciary and Consumer Affairs.

#### **Senate Bill 301**

Relating to changing the property tax assessment date to January 1.

By Senators Chilsen, Risser, Thompson, Petri and Harnisch, cosponsored Representatives Gower, Wahner, Offner, Shannon and Porter.

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To committee on Governmental and Veterans' Affairs.

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COMMITTEE REPORTS

The committee on Agriculture, Human Services, Labor and Taxation reports and recommends for introduction:

**Senate Bill 302**

Relating to optional municipal "land taxation" of real estate.

By request of the Wisconsin Property Owners League.

Introduction; Ayes, 9; Noes, 0.

Read first time and referred to committee on Agriculture, Human Services, Labor and Taxation.

**Senate Bill 303**

Relating to applying occupational safety laws to agriculture, review of occupational safety and health programs, creating a council on occupational safety and health in the department of industry, labor and human relations and providing penalties.

By request of the Department of Industry, Labor and Human Relations.

Introduction; Ayes, 8; Noes, 0.

Read first time and referred to committee on Agriculture, Human Services, Labor and Taxation.

CARL W. THOMPSON

Chairman

The joint committee on Revisions, Repeals and Uniform Laws reports and recommends for introduction:

**Senate Bill 304**

Relating to publication of executive orders.

Introduction; Ayes, 5; Noes, 0.

Read first time and referred to joint committee on Revisions, Repeals, and Uniform Laws.

JAMES T. FLYNN

Chairman

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The committee on Senate Organization reports and recommends:

**Senate Resolution 10**

Relating to members representing the senate on committees.

Adoption; Ayes, 5; Noes, 0.

FRED A. RISSER

Chairman

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PETITIONS AND COMMUNICATIONS

**Senate Petition 27**

A petition signed by 40 residents of the 32nd Senate District in support of a 170 day school year.

By Senator Knutson.

Read and referred to committee on Education.

**Senate Petition 28**

A petition signed by 38 residents of the State of Wisconsin in favor of Senate Joint Resolution 16, concerning Pari-Mutual Race Tracks in Wisconsin.

By Senator Theno.

Read and referred to committee on Commerce.

**Senate Petition 29**

A petition signed by 41 citizens of the State of Wisconsin opposing the outlawing of the ownership of hand guns in Wisconsin, and the federal bill outlawing the sale of hand gun ammunition.

By Senator Theno.

Read and referred to committee on Judiciary and Consumer Affairs.

**Senate Petition 30**

A petition signed by 7,278 residents of the State of Wisconsin asking for the exemption of electricity, oil, gas and coal from the state sales tax.

By Senator Theno.

Read and referred to joint committee on Finance.

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State of Wisconsin  
Department of State

April 7, 1975.

To the Honorable, the Senate

Senators:

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 March 11, 1975, and ending on April 4, 1975.

Yours very truly,  
DOUGLAS LAFOLLETTE  
Secretary of State

*Name, Address and Occupation of Lobbyist -- Name and Address of Employer -- Subject of Legislation Code Number -- Date of Employment.*

Lauri, Carl E., 2202 Aspen Rd., Madison, Wisc., Lobbyist -- Wisconsin Psychiatric Assn., P.O. Box 1109, Madison, Wisc. -- 3, 15, 16, 17, 22 -- Feb. 5, 1975.

Gibson, Nolan J., Box 168, Lancaster, Wisc., State Service Officer Assoc. Member -- County Veterans Service Officers Assoc. of Wisc., Court House, Sturgeon Bay, Wisc. -- 31-veterans - March 25, 1975.

Geisler, James C., 433 West Washington Ave., Madison, Wisc., Lawyer -- Wisc. Orthotic & Prosthetic Assoc., c/o House of Bidwell Inc., 535 N. 27th St., Milwaukee, Wisc. -- 23 -- March 5, 1975.

Conway, Robert M., Box 6126, Rochester, Mn., Senior Vice President -- ITT Thorp Corp., Thorp, Wisc. -- 03 -- March 17, 1975.

Guckenberg, James T., 36 W. Stout, Rice Lake, Wisc., Union Organizer -- Northwest United Educators, 515 N. Main, Rice Lake, Wisc. -- 04, 06, 08, 09, 10, 11, 18, 21 -- March 7, 1975.

West, Robert, 515 N. Main St., Rice Lake, Wisc., Union Organizer -- Northwest United Educators, 515 N. Main St., Rice Lake, Wisc. -- 04, 06, 08, 09, 10, 11, 18, 21 -- March 7, 1975.

Kuehn, Ronald W., 121 S. Pinckney St., Madison, Wisc., Attorney -- Becker CPA Review Courses, c/o Stanford J.

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Grayson, 19027 Northeast 18th Ave., N. Miami Beach, Fla. -- 10,  
31-personal privacy legislation -- March 21, 1975.

Fritschler, John C. Jr., 222 S. Hamilton St., Madison, Wisc.,  
Attorney -- Wisc. Family Court Commissioner's Assoc., c/o  
William Giese, 5435 Lake Mendota Dr., Madison, Wisc. -- 04, 06,  
10, 11, 12, 13, 14, 15, 16, 21, 22 -- March 24, 1975.

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Legislative Subject Identification

Code	Subject
01	<i>Agriculture, horticulture, farming &amp; livestock</i>
02	<i>Amusements, games, athletics and sports</i>
03	<i>Banking, finance, credit and investments</i>
04	<i>Children, minors, youth &amp; senior citizens</i>
05	<i>Church &amp; Religion</i>
06	<i>Consumer Affairs</i>
07	<i>Ecology, environment, pollution, conservation, zoning, land &amp; water use</i>
08	<i>Education</i>
09	<i>Elections, campaigns, voting &amp; political parties</i>
10	<i>Equal rights, civil rights &amp; minority affairs</i>
11	<i>Government, financing, taxation, revenue, budget, appropriations, bids, fees &amp; funds</i>
12	<i>Government, county</i>
13	<i>Government, federal</i>
14	<i>Government, municipal</i>
15	<i>Government, special districts</i>
16	<i>Government, state</i>
17	<i>Health services, medicine, drugs and controlled substances, health insurance &amp; hospitals</i>
18	<i>Higher education</i>
19	<i>Housing, construction &amp; codes</i>
20	<i>Insurance (excluding health insurance)</i>
21	<i>Labor, salaries and wages, collective bargaining</i>
22	<i>Law enforcement, courts, judges, crimes &amp; prisons</i>
23	<i>Licenses &amp; permits</i>
24	<i>Liquor</i>
25	<i>Manufacturing, distribution &amp; services</i>
26	<i>Natural resources, forests and forest products, fisheries, mining &amp; mineral products</i>
27	<i>Public lands, parks &amp; recreation</i>

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- 28 *Social insurance, unemployment insurance, public assistance & workmen's compensation*
- 29 *Transportation, highways, streets & roads*
- 30 *Utilities, communications, television, radio, newspapers, power, CATV, & gas*
- 31 *Other*

Wisconsin Legislature  
Assembly Chamber  
Madison

April 3, 1975.

To the Honorable The Senate:

The Special Study Committee on Mineral Taxation, established by Ch. 283, Laws of 1973, is required by that action to "report its findings and recommendations to the legislature by April 1, 1975." Although Ch. 283 was published June 15, 1974, appointment of public members to the Committee did not take place until November 11, 1974. Because of this delay, the Special Committee has not completed its work. The material which follows is a report on the status of the Special Committee's study, and is being filed now to comply with the statutory reporting date.

The members of the Special Committee include: Representative Harvey Dueholm, Chairman; Senator Clifford Krueger, Vice-Chairman; Public Member John Strasma, Secretary, Senator Kathryn Morrison; Representative David Kedrowski; Walter McCanna (Department of Revenue designee); Meredith Ostrom (State Geologist); and Public Members Betty Hetzel and Alvin Weiss.

The Special Committee has met 5 times, to date, as follows:

- December 17, 1974 - Madison
- January 27, 1975 - Madison
- February 10, 1975 - Madison
- February 26- 27, 1975 - Madison
- March 17, 1975 - Madison

The December 17, 1974 meeting was devoted to organization, discussion of the Committee's assignment and general planning of the course of the study. The Committee was briefed during the January meeting on Wisconsin mineral geology, current mineral taxation laws of the state, environmental regulations pertaining to mining, prospects for future mining in Wisconsin and the current and potential economic impact of mining in the state. The

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February 10, 1975 meeting was devoted to factors applying to mining on publicly-owned lands, local tax impacts of mining and considerations applying to alternative taxation and management policies for copper mining in Wisconsin.

The Ladysmith meeting, held on February 26-27, 1975, was a public hearing for the purpose of gathering views on the local effects of, and responses to, the proposed copper mining operation in Rusk County. The March 17, 1975 meeting coincided with the "Wisconsin Conference on Regional Mining Problems", sponsored by the Upper Great Lakes Regional Commission and the Institute for Environmental Studies, UW-Madison, thus allowing Committee members to attend and participate in the Conference. A short business meeting was held during the noon break of the Conference.

The Special Committee has spent its time, to date, gaining a basic understanding of mining and mineral taxation, which is necessary in order to meet its statutory charge to "propose a comprehensive state policy regarding the taxation of minerals and mineral rights". The Special Committee has also identified other related issues which it intends to examine further, as follows:

(1) The lack of a mechanism to ensure a coordinated and consistent policy regarding mining by public sector agencies. The Committee has identified a dozen or more agencies which either regulate mining, are in a position to influence mining or own lands which could potentially be a site for mining. A means to ensure a coordinated approach by all of these agencies does not exist at present.

(2) The lack of information on state mineral resources which may be subject to mining in the future. The state does not have an inventory of potential mineral resources, and can, therefore, neither anticipate future mining activity nor be in a position to adequately bargain when approached for mining leases on publicly-owned land.

(3) The taxation of real property in potential mining areas. Disparities in the value of rural property in the vicinity of mining operations have begun to surface. Valuations rise above or fall below the value of such property for agricultural, forestry or recreational purposes. The Committee recognized that the Special Committee on Preserving Agricultural and Conservancy Lands is dealing directly with this general problem, but it may wish to make recommendations on this subject.

(4) The taxation of severed mineral rights. It appears that once mineral rights are severed, they seldom appear on the tax roll.



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Yet the rights have a value, or they would not have been severed. The result is that the surface owner may be bearing more than his fair share of local property taxes. The Committee also recognizes that recent legislation designed to identify severed mineral rights (Ch. 260, Laws of 1973) is in litigation, and that currently, the status of the subject area is uncertain.

(5) The distribution of mining tax revenues. Under the new copper mining tax, 86% of the revenues goes into the municipal shared tax account, 10% is retained by the state and the remaining 4% is apportioned locally. On the other hand, all surface mining property is subject to usual property taxation. The Committee has received testimony objecting to the tax revenue distribution formula, and intends to give this formula further consideration.

The Special Committee is charged with developing a comprehensive mineral taxation policy. The Committee's intent is to prepare recommendations for a general taxation policy, which would be applied to all existing and future mining projects.

The Special Committee is well into its work but will require additional time to complete its task. Even though the Committee was unable to commence its work in a timely fashion, it hopes to spend the necessary time on the study over the next 3 months, so that its findings, and recommendations can be submitted to the Legislature during Floorperiod II.

Respectfully submitted,

HARVEY L. DUEHOLM

Chairman

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By request of Senator Whittow, with unanimous consent, the appointments on the calendar of April 8 were made a special order of business at 10:45 A.M.

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**MESSAGE FROM THE ASSEMBLY**

By Everett E. Bolle, chief clerk.

Mr. President:

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

**Assembly Joint Resolution 35**

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**MESSAGE FROM THE ASSEMBLY CONSIDERED**

**Assembly Joint Resolution 35**

Granting the use of the senate and assembly chambers to Wisconsin American Legion Auxiliary Badger Girls State in 1975 and 1976, for the purpose of holding a practice legislative session.

By Representatives Giese, Tregoning, Donoghue, Swoboda, Gunderson, McEssy, Menos, Mittness, Quackenbush, Conradt, Bradley, Looby, Wackett, Goodrich, Ausman, Hasenohrl and Duren; co-sponsored by Senators Bidwell, Morrison, Knutson, Hollander, Cullen and Chilsen.

Read and referred to committee on Senate Organization.

By request of Senator Whittow, with unanimous consent, the senate recessed until 11:00 A.M.

10:15 A.M.

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**RECESS**

11:00 A.M.

The senate reconvened.

President pro tempore of the senate in the chair.

## JOURNAL OF THE SENATE [April 8, 1975]

Senator Whittow called the chair's attention to the appointments on the calendar of April 8 which were a special order of business.

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### CALENDAR OF APRIL 10

By request of Senator Whittow, with unanimous consent, the following appointments were considered enmasse:

AHLSTROM, DR. RANDALL, of Tomah, as a member of the Optometry Examining Board to succeed Dr. James Hasler, to serve for the term ending July 1, 1979.

BECHTEL, WILLAIM R., of Madison, as Secretary of the Department of Local Affairs and Development, to succeed Charles M. Hill, Sr., to serve at the pleasure of the Governor.

EARL, ANTHONY S., of Wausau, as Secretary of the Department of Administration, to succeed Joe E. Nusbaum, to serve at the pleasure of the Governor.

HART, VIRGINIA, of Madison, as Commissioner of the Department of Industry, Labor and Human Relations, to succeed Philip E. Lerman, to serve for the remainder of the term ending March 1, 1977.

TOROSIAN, HERMAN, of Madison, as a member of the Wisconsin Employment Relations Commission, to succeed Zel S. Rice, to serve for the remainder of the term ending March 1, 1975 and the succeeding term ending March 1, 1981.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Knutson, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 33.

Noes -- None.

Absent or not voting -- None.

So the appointments were confirmed.

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President of the senate in the chair.

11:30 A.M.

DE BARDELEBEN, ARTHUR, of Park Falls, as a member of the University of Wisconsin Board of Regents, to succeed Roland Day, to serve for the term ending May 1, 1981.

Senator Whittow 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, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 32.

Absent -- None.

Absent with leave -- Senator Knutson -- 1.

Senator Cullen moved that the appointment of DeBardleben be laid on the table.

The ayes and noes were required and the vote was: ayes, 12; noes, 20; absent or not voting, 1; as follows:

Ayes -- Senators Chilsen, Cullen, Devitt, Hollander, Kleczka, LaFave, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno -- 12.

Noes -- Senators Bablitch, Berger, Bidwell, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Knowles, Krueger, Lorge, McKenna, Martin, Maurer, Morrison, Peloquin, Risser, Thompson and Whittow -- 20.

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

So the motion did not prevail.

The question was: Confirmation?

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

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**Ayes -- Senators Bablitch, Berger, Bidwell, Dorman, Flynn, Frank, Goyke, Harnisch, Lorge, McKenna, Martin, Maurer, Morrison, Peloquin, Risser, Swan, Thompson and Whittow -- 18.**

**Noes -- Senators Chilsen, Cullen, Devitt, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Murphy, Parys, Petri, Sensenbrenner and Theno -- 14.**

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

**So the appointment was confirmed.**

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

**SAN FELIPPO, RONALD S., of Milwaukee, as Administrator of the Division of Emergency Government, to succeed James Gruentzel, to serve at the pleasure of the Governor.**

**The question was: Confirmation?**

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

**Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Theno, Thompson and Whittow -- 29.**

**Noes -- Senators Murphy, Petri and Sensenbrenner -- 3.**

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

**So the appointment was confirmed.**

**WILDE, HAROLD R., JR., of Madison as the Commissioner of Insurance to succeed Stanley DuRose, to serve for the term ending March 1, 1979.**

**The question was: Confirmation?**

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

**Ayes -- Senators Bablitch, Berger, Bidwell, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Lorge, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Swan, Thompson and Whittow -- 24.**

**Noes -- Senators Chilsen, Devitt, Knowles, LaFave, Murphy, Sensenbrenner and Theno -- 7.**

**Absent or not voting -- Senators Knutson and Krueger -- 2.**

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So the appointment was confirmed.

Statement of Position

Pursuant to senate rule 74, the journal showed that had Senator Knutson been present he would have voted "aye" for confirmation of the appointments of DeBardeleben, SanFelippo and Wilde.

**Senate Resolution 10**

Relating to members representing the senate on committees.  
Read.

Senate amendment 1 to **Senate Resolution 10** offered by Senator Keppler.

Amend the bill as follows:

1. In line 1, delete "Relating" and substitute "To renumber senate rule 23; and to create senate rule 23 (2), relating".

2. In line 3, delete "It is the sense of the senate that no" and substitute:

"SECTION 1. Senate rule 23 is renumbered senate rule 23 (1), and senate rule 23 (title) is amended to read:

Senate Rule 23. (title) **Members serving on committees.**

SECTION 2. Senate rule 23 (2) is created to read:

Senate Rule 23 (2) (a) No".

3. In line 8, delete "and" and substitute "or".

4. In line 8, delete the material beginning with "if" through the end of line 10 and substitute a period.

5. After line 10, insert the following:

"(b) No senator shall knowingly participate in any meeting of any senate or joint senate-assembly caucus from which the public has been excluded."

6. In line 11, delete "Be it further resolved, That: if" and substitute:

"(c) If"

7. In line 16, after "organization" insert "and the attorney general".

Senator Risser raised the point of order that senate amendment 1 was not germane.

The chair ruled the point of order well taken.

Senate amendment 2 to **Senate Resolution 10** offered by Senator Petri.

Amend the resolutions as follows:

On page 1, line 3, delete "it is the sense of the senate that".

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On page 1, line 8, delete "and" and substitute "or".

On page 1, line 8, delete the remainder of the line starting with "if".

On page 1, delete lines 9 and 10.

On page 1, line 16, after "senate organization" add "and attorney general".

Senator Bablitch moved that senate amendment 2 be laid on the table.

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

Ayes -- Senators Bablitch, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 18.

Noes -- Senators Berger, Bidwell, Chilsen, Devitt, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 14.

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

So the motion prevailed.

Senator Knowles asked unanimous consent that **Senate Resolution 10** be laid aside so that **Senate Resolution 9** could be considered for action.

Senator Risser objected.

Senate amendment 3 to **Senate Resolution 10** offered by Senator Keppler.

Amend the resolution as follows:

After line 10, insert the following:

"Be it further resolved, That: no senator shall knowingly participate in any meeting of any senate or joint senate-assembly caucus from which the public has been excluded; and".

Senator Whittow moved rejection.

Senator Risser moved that senate amendment 3 be laid on the table.

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

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, McKenna, Martin, Maurer, Peloquin, Risser, Swan, Thompson and Whittow -- 15.

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Noes -- Senators Bidwell, Chilsen, Devitt, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Morrison, Murphy, Parys, Petri, Sensenbrenner and Theno -- 17.

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

So the motion did not prevail.

By request of Senator Whittow, with unanimous consent, his motion for rejection of senate amendment 3 was withdrawn.

Senate amendment 1 to senate amendment 3 to **Senate Resolution 10** offered by Senator Risser.

Amend the amendment as follows:

On page 1, line 3, after "no" add "Republican".

Senator Krueger moved rejection.

Senator Knowles raised the point of order that **Senate Resolution 9** was privileged, and pursuant to the rules has laid over the required one week.

Therefore, the resolution should be before the senate body.

The chair took the point of order under advisement.

Senator Murphy asked unanimous consent for a leave of absence for the balance of the day.

Senator Bablitch objected.

Upon motion of Senator Whittow the senate recessed until 5:00 P.M.

1:05 P.M.

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RECESS

5:00 P.M.

The senate reconvened.

President pro tempore of the senate in the chair.

Senator Whittow 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, Berger, Bidwell, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 31.

Absent -- Senator Devitt -- 1.

Absent with leave -- Senator Knutson -- 1.

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### LEAVE OF ABSENCE

By request of Senator Chilsen, with unanimous consent, Senator Devitt was granted a leave of absence until 6:30 P.M.

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

By request of Senator Parys, with unanimous consent, the senate recessed until 5:55 P.M.

5:05 P.M.

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### RECESS

5:55 P.M.

The senate reconvened.

By request of Senator Whittow, with unanimous consent, senate amendment 1 to senate amendment 3 to **Senate Resolution 10** was withdrawn and returned to the author.

Senator Whittow moved rejection of senate amendment 3.

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

Ayes -- Senators Bablitch, Berger, Dorman, Flynn, Frank, Goyke, Kleczka, McKenna, Martin, Maurer, Murphy, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 17.

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Noes -- Senators Bidwell, Chilsen, Cullen, Harnisch, Hollander, Keppler, Krueger, LaFave, Lorge, Morrison, Petri, Sensenbrenner and Theno -- 13.

Absent or not voting -- Senators Devitt, Knowles and Knutson -  
- 3.

So the motion prevailed.

Senate amendment 4 to **Senate Resolution 10** offered by Senator Petri.

Amend the resolution as follows:

On page 1, line 8, strike "and" and substitute "or".

Senate amendment 4 adopted.

Senate amendment 5 to **Senate Resolution 10** offered by Senator Swan.

Amend the resolution as follows:

On page 1, line 9, delete "substantial".

Senator Berger moved rejection.

The motion did not prevail.

The question was: Adoption of senate amendment 5?

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

Ayes -- Senators Bablitch, Bidwell, Chilsen, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Krueger, LaFave, Lorge, Morrison, Parys, Peloquin, Sensenbrenner, Swan, Theno and Thompson -- 20.

Noes -- Senators Berger, Cullen, Dorman, McKenna, Martin, Maurer, Murphy, Petri, Risser and Whittow -- 10.

Absent or not voting -- Senators Devitt, Knowles and Knutson -  
- 3.

So the amendment was adopted.

Senate amendment 6 to **Senate Resolution 10** offered by Senator Theno.

Amend the resolution as follows:

On page 1, line 6, after "any" insert "formal".

On page 1, line 6, delete "whether".

On page 1, line 7, delete "formal or informal".

Senator Chilsen moved rejection.

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

Ayes -- Senators Bidwell, Chilsen, Cullen, Goyke, Harnisch, Hollander, Keppler, Krueger, Lorge, Morrison, Petri, Risser and Sensenbrenner -- 13.

Noes -- Senators Bablitch, Berger, Dorman, Flynn, Frank, Kleczka, LaFave, McKenna, Martin, Maurer, Murphy, Parys, Peloquin, Swan, Theno, Thompson and Whittow -- 17.

Absent or not voting -- Senators Devitt, Knowles and Knutson -  
- 3.

So the motion did not prevail.

The question was: Adoption of senate amendment 6?

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

Ayes -- Senators Bablitch, Berger, Flynn, Frank, Kleczka, Martin, Maurer, Murphy, Parys, Peloquin, Swan, Theno and Whittow -- 13.

Noes -- Senators Bidwell, Chilsen, Cullen, Devitt, Dorman, Goyke, Harnisch, Hollander, Keppler, Krueger, LaFave, Lorge, McKenna, Morrison, Petri, Risser, Sensenbrenner and Thompson -- 18.

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

So the amendment was not adopted.

The question was: Adoption of **Senate Resolution 10**?

Adopted.

By request of Senator Dorman, with unanimous consent, **Senate Bills 38** and **69** were withdrawn from the joint committee on Finance and referred to the committee on Senate Organization.

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### AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 93** by the committee on Agriculture, Human Services, Labor and Taxation, by request of certain employees of Highway Trailer Industries in Edgerton.

Senate amendment 1 to **Senate Bill 141** by Senator Murphy.

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Senate substitute amendment 1 to **Senate Bill 255** by the committee on Commerce, by request of Wisconsin Chiropractic Association.

By request of Senator Krueger, with unanimous consent, the senate adjourned in honor of newly elected Senators Maurer and Sensenbrenner and in honor of Senator and Mrs. Theno on the birth of their first son, Scott Patrick Theno.

By request of Senator Whittow, with unanimous consent, the senate adjourned in honor of the birthday of Lieutenant Governor Schreiber and the birthday on April 5 of Senator Keppler.

Upon motion of Senator Whittow the senate adjourned until 10:00 A.M. Wednesday, April 9.

6:42 P.M.

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### INTRODUCTION OF GUESTS

Senator Berger introduced 60 students of James Madison High School, Milwaukee.