

JOURNAL OF THE SENATE [September 18, 1975]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

THURSDAY, September 18, 1975.

10:00 A.M.

The senate met.

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

Prayer was offered by Reverend Paul A. Graf, Pastor of Lakeview Moravian Community Church, Madison.

The senate remained standing and Senator Chilsen 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, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Knutson, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Whittow -- 30.

Absent -- Senators Parys and Thompson -- 2.

Absent with leave -- Senator Frank -- 1.

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By request of Senators Whittow and Krueger, pursuant to senate rule 76, a 3 minute limit was placed on debate for each member on each question for the balance of the day.

COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends for introduction:

Senate Bill 620

Relating to public access to certain reports of foreign corporations.

Introduction; Ayes, 3; Noes, 0.

Read first time and referred to committee on Judiciary and Consumer Affairs.

JAMES T. FLYNN

Chairman

The committee on Education reports and recommends:

Assembly Bill 115

Relating to supervision of school nurses and granting rule-making authority.

Concurrence; Ayes, 5; Noes, 0.

BRUCE S. PELOQUIN

Chairman

The committee on Commerce reports and recommends:

Senate Bill 423

Relating to solid waster disposal and motor vehicle salvage dealers, imposing fees, granting rule-making authority and providing penalties.

Adoption of senate substitute amendment 1; Ayes, 9; Noes, 0.

Passage as amended; Ayes, 9; Noes, 0.

Senate Bill 490

Relating to expanding the size and powers of airport commissions.

Adoption of senate amendment 1; Ayes, 9; Noes, 0.

Passage as amended; Ayes, 9; Noes, 0.

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Senate Bill 571

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

Passage; Ayes, 5; Noes, 2.

Senate Bill 585

Relating to various changes in the credit union laws.

Passage; Ayes, 5; Noes, 2.

Senate Bill 415

Relating to placement of bank communication devices and granting rule-making authority.

Introduction of senate substitute amendment 1; Ayes, 6; Noes, 3.

Adoption of senate substitute amendment 1; Ayes, 6; Noes, 3.

Introduction of senate amendment 1 to senate substitute amendment 1; Ayes, 5; Noes, 4.

Adoption of senate amendment 1 to senate substitute amendment 1; Ayes, 5; Noes, 4.

Passage as amended; Ayes, 6; Noes, 3.

Senate Bill 431

Relating to barbers sharing a waiting room with other commercial establishments.

Introduction of senate amendment 1; Ayes, 9; Noes, 0.

Adoption of senate amendment 1; Ayes, 9; Noes, 0.

Passage as amended; Ayes, 9; Noes, 0.

Senate Bill 488

Relating to the release of funds to public works and building contractors.

Introduction of senate amendment 1; Ayes, 8; Noes, 0.

Adoption of senate amendment 1; Ayes, 8; Noes, 0.

Passage as amended; Ayes, 8; Noes, 0.

Senate Bill 489

Relating to state and sponsor's share of building project costs on airports.

Passage; Ayes, 9; Noes, 0.

Senate Bill 521

Relating to miscellaneous changes in the laws pertaining to motor vehicle dealers, salesmen and sales finance companies.

Passage; Ayes, 8; Noes, 0.

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Senate Bill 527

Relating to instalment loans and forbearances by licensees under the precomputed loan law.

Passage; Ayes, 6; Noes, 1.

Assembly Bill 517

Relating to odometer readings, mounting of clearance lamps and school bus colors and providing a penalty.

Concurrence; Ayes, 7; Noes, 0.

RONALD G. PARYS

Chairman

The joint committee on Finance reports and recommends:

Senate Bill 606

Relating to various changes in levy limitations on municipalities and counties and school district shared cost limitations and granting rule-making authority.

Adoption of senate amendment 1; Ayes, 12; Noes, 0.

Passage as amended; Ayes, 13; Noes, 0.

Senate Bill 139

Relating to compensating victims of crimes, granting rule-making authority, making an appropriation and providing a penalty.

Adoption of senate amendment 1; Ayes, 11; Noes, 0.

Rejection of senate amendment 2; Ayes, 10; Noes, 2.

Passage as amended; Ayes, 10; Noes, 2.

Senate Bill 573

Relating to length of service payments for state employes and granting rule-making authority.

Passage; Ayes, 5; Noes, 8.

Senate Bill 581

An act to appropriate \$916.85 from the general fund for payment of a claim made by Pearl Cutsforth against the state.

Passage; Ayes, 11; Noes, 1.

Senate Bill 582

An act to appropriate \$1,060.41 from the general fund for payment of a claim made by Goerge Douglas Bogue against the state.

Passage; Ayes, 12; Noes, 0.

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Senate Bill 99

To appropriate \$2,366.28 from the conservation fund for payment of a claim by the Sheboygan County Sheriff's Department against the state.

Passage; Ayes, 12; Noes, 0.

HENRY DORMAN

Chairman

The committee on Senate Organization reports and recommends:

Senate Bill 610

Relating to review of vetoes.

Passage; Ayes, 5; Noes, 0.

Senate Bill 614

Relating to the 'organization of Wisconsin state government' preprint from the biennial Blue Book.

Passage; Ayes, 5; Noes, 0.

Senate Bill 615

Relating to publication of laws by the legislative reference bureau.

Passage; Ayes, 5; Noes, 0.

FRED A. RISSER

Chairman

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

Senate Bill 611

Relating to waiving internship requirements for granting a temporary license to practice medicine to Dr. Neil L. Griswold.

Passage; Ayes, 9; Noes, 0.

CARL W. THOMPSON
Chairman

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

I am directed to inform you that the assembly has passed, notwithstanding the objections of the Governor, the following item vetoes to **Assembly Bill 222**:

Sections 435, 439, 441, 442 and 457 relating to court orders and settlements.

Sections 435, 439, 441, 442 and 457 relating to natural disasters.

Sections 435, 439, 441, 442 and 457 relating to pollution abatement.

Section 471-P relating to intangible income taxation.

Section 374-P relating to Health and Social Services.

Part 1 of Section 417 L starting with '50% of' and ending with 'expended for the 38th' on page 105 of the bill relating to State Aids for 51.42/437 Boards.

Part 2 of section 417 L 'chronically mentally ill patients' on page 105 of the bill relating to State Aids for 51.42/437 Boards.

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 222

Relating to state finances and appropriations constituting the executive budget bill of the 1975 legislature, and making appropriations.

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Referred to committee on Senate Organization.

MOTIONS

Senator Sensenbrenner asked unanimous consent that **Senate Bill 235** be withdrawn from joint committee on Finance and referred to committee on Senate Organization.

Senator Bablitch objected.

By request of Senator Swan, with unanimous consent, **Senate Bill 617** was withdrawn from committee on Governmental and Veterans' Affairs and referred to committee on Natural Resources.

Senator Sensenbrenner moved that **Senate Bill 235** be withdrawn from joint committee on Finance and referred to committee on Senate Organization.

Senator Whittow moved that the motion to withdraw **Senate Bill 235** from committee be laid on the table.

Senator Hollander 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, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Knutson, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Whittow -- 30.

Absent -- Senators Parys and Thompson -- 2.

Absent with leave -- Senator Frank -- 1.

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

The question was: Shall the motion to withdraw **Senate Bill 235** from committee be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 15; absent or not voting, 2; as follows:

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Ayes -- Senators Bablitch, Berger, Dorman, Flynn, Harnisch, Kleczka, Knowles, McKenna, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 16.

Noes -- Senators Bidwell, Chilsen, Cullen, Devitt, Goyke, Hollander, Keppler, Knutson, Krueger, Lorge, Martin, Murphy, Petri, Sensenbrenner and Theno -- 15.

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

So the motion prevailed.

By request of Senator Parys, with unanimous consent, the senate recessed for 1 hour.

10:20 A.M.

RECESS

11:20 A.M.

The senate reconvened.

LEAVE OF ABSENCE

By request of Senator Knowles, with unanimous consent, he was granted a leave of absence at 2:30 P.M. for the balance of the day.

By request of Senator Theno, with unanimous consent, he was granted a leave of absence at 4:00 P.M. for the balance of the day.

Senator Whittow called the chair's attention to **Assembly Bill 463 which was a special order of business.**

CALENDAR OF SEPTEMBER 18

Assembly Bill 463

Relating to long-range planning for and approval of electric generating facilities and high-voltage transmission lines, establishing additional prerequisites to the exercise of condemnation power by certain public utilities and granting rule-making authority.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Parys moved rejection.

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

Ayes -- Senators Bidwell, Chilsen, Flynn, Goyke, Hollander, Keppler, Knowles, Krueger, Lorge, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Risser, Sensenbrenner, Swan, Theno and Whittow -- 20.

Noes -- Senators Bablitch, Berger, Cullen, Devitt, Harnisch, Kleczka, McKenna, Petri and Thompson -- 9.

Absent or not voting -- Senators Dorman, Frank, Knutson and LaFave -- 4.

So the motion prevailed.

LEAVE OF ABSENCE

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

Senator Whittow moved a

CALL OF THE SENATE

on Assembly Bill 463

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, 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 -- None.

Absent with leave -- Senators Frank and Knutson -- 2.

The question was: Adoption of senate amendment 2?

Senator Parys moved rejection.

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, Dorman, Flynn, Goyke, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Whittow -- 22.

Noes -- Senators Bablitch, Berger, Cullen, Devitt, Harnisch, Kleczka, McKenna, Murphy and Thompson -- 9.

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

So the motion prevailed.

The question was: Adoption of senate amendment 3?

Senator Parys moved rejection.

President pro tempore of the senate in the chair.

11:55 A.M.

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

Ayes -- Senators Bidwell, Devitt, Dorman, Flynn, Goyke, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Whittow -- 24.

Noes -- Senators Bablitch, Berger, Chilsen, Cullen, Harnisch, McKenna and Thompson -- 7.

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

So the motion prevailed.

By request of Senator McKenna, with unanimous consent, senate amendment 4 was laid aside.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 621

Relating to providing an appropriation increase renovation of the field house at the University of Wisconsin-Madison.

By Senators Cullen and Chilsen.

To joint committee on Finance.

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Senate Bill 622

Relating to establishing three programs to serve older citizens, granting rule-making authority and making an appropriation.

By Senators Cullen, Chilsen, Hollander, Devitt, Thompson, Flynn, Goyke, Kleczka and Krueger.

To committee on Agriculture, Human Services, Labor and Taxation.

COMMITTEE REPORTS

The joint committee on Employment Relations reports and recommends for introduction:

Senate Bill 623

An act to ratify the agreement negotiated between the state of Wisconsin and the (professional research, statistics and analysis) Wisconsin state employes union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, and authorizing an expenditure of funds.

Introduction; Ayes, 7; Noes, 1.

Read first time and referred to committee on Senate Organization.

Senate Bill 624

An act to ratify the agreement negotiated between the state of Wisconsin and the (professional social services) Wisconsin state employes union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, and authorizing an expenditure of funds.

Introduction; Ayes, 7; Noes, 1.

Read first time and referred to committee on Senate Organization.

Senate Bill 625

An act to ratify the agreement negotiated between the state of Wisconsin and the (security and public safety) Wisconsin state employes union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, and authorizing an expenditure of funds.

Introduction; Ayes, 7; Noes, 1.

Read first time and referred to committee on Senate Organization.

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Senate Bill 626

An act to ratify the agreement negotiated between the state of Wisconsin and the (blue collar and nonbuilding trades) Wisconsin state employes union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, and authorizing an expenditure of funds.

Introduction; Ayes, 7; Noes, 1.

Read first time and referred to committee on Senate Organization.

Senate Bill 627

An act to ratify the agreement negotiated between the state of Wisconsin and the (technical) Wisconsin state employes union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, and authorizing an expenditure of funds.

Introduction; Ayes, 7; Noes, 1.

Read first time and referred to committee on Senate Organization.

NORMAN C. ANDERSON

Chairman

Senator Cullen asked unanimous consent that **Senate Bill 621** be withdrawn from joint committee on Finance and referred to committee on Agriculture, Human Services, Labor and Taxation.

Senator Dorman objected.

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

Upon motion of Senator Whittow the senate recessed until 1:30 P.M.

12:03 P.M.

RECESS

1:30 P.M.

The senate reconvened.

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Senator Whittow moved a

CALL OF THE SENATE

on Assembly Bill 463

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, Flynn, Goyke, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, McKenna, Martin, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Theno, Thompson and Whittow -- 26.

Absent -- Senators Dorman, Kleczka, Lorge, Maurer and Swan -- 5.

Absent with leave -- Senators Frank and Knutson -- 2.

By request of Senator Whittow, with unanimous consent, the senate continued actions on Assembly Bill 463 notwithstanding the fact that five members were absent on the call.

The question was: Adoption of senate amendment 5 to Assembly Bill 463?

Senator Parys moved rejection.

The ayes and noes were demanded and the vote was: ayes, 23; noes, 6; absent or not voting, 4; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Flynn, Goyke, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Whittow -- 23.

Noes -- Senators Bablitch, Berger, Cullen, Harnisch, McKenna and Thompson -- 6.

Absent or not voting -- Senators Dorman, Frank, Knutson and Lorge -- 4.

So the motion prevailed.

The question was: Adoption of senate amendment 6?

Senator Parys moved rejection.

The ayes and noes were demanded and the vote was: ayes, 25; noes, 6; absent or not voting, 2; as follows:

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Ayes -- Senators Bidwell, Chilsen, Devitt, Dorman, Flynn, Goyke, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Whittow -- 25.

Noes -- Senators Bablitch, Berger, Cullen, Harnisch, McKenna and Thompson -- 6.

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

So the motion prevailed.

The question was: Adoption of senate amendment 7?

Senator Parys moved rejection.

The ayes and noes were demanded and the vote was: ayes, 26; noes, 5; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Goyke, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Whittow - - 26.

Noes -- Senators Berger, Cullen, Harnisch, McKenna and Thompson -- 5.

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

So the motion prevailed.

Senate amendment 8 to Assembly Bill 463 offered by Senators McKenna, Cullen and Thompson.

Senator Parys moved rejection.

The ayes and noes were demanded and the vote was: ayes, 23; noes, 8; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Dorman, Flynn, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Maurer, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Whittow -- 23.

Noes -- Senators Bablitch, Berger, Cullen, Goyke, Harnisch, McKenna, Morrison and Thompson -- 8.

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

So the motion prevailed.

By request of Senator McKenna, with unanimous consent, senate amendment 4 was withdrawn and returned to the author.

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Senate amendment 9 to **Assembly Bill 463** offered by Senator Harnisch.

Senator Parys moved rejection.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 15; absent or not voting, 2; as follows:

Ayes -- Senators Berger, Bidwell, Devitt, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Parys, Peloquin, Risser, Theno and Whittow -- 16.

Noes -- Senators Bablitch, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, McKenna, Maurer, Morrison, Murphy, Petri, Sensenbrenner, Swan and Thompson -- 15.

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

So the motion prevailed.

Senator Berger moved reconsideration of the vote by which senate amendment 9 was rejected.

Senator Parys asked unanimous consent that the motion for reconsideration of senate amendment 9 be laid on the table.

Senator Bablitch objected.

Senator Parys moved that the motion for reconsideration of senate amendment 9 be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 14; noes, 17; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Devitt, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Martin, Parys, Risser, Swan, Theno and Whittow -- 14.

Noes -- Senators Bablitch, Berger, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Lorge, McKenna, Maurer, Morrison, Murphy, Peloquin, Petri, Sensenbrenner and Thompson -- 17.

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

So the motion did not prevail.

The question was: Reconsideration of the vote by which senate amendment 9 was rejected?

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

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Ayes -- Senators Bablitch, Chilsen, Cullen, Dorman, Goyke, Harnisch, McKenna, Morrison, Peloquin, Petri, Sensenbrenner, Swan and Thompson -- 13.

Noes -- Senators Berger, Bidwell, Devitt, Flynn, Hollander, Keppler, Kleczka, Krueger, LaFave, Lorge, Martin, Maurer, Murphy, Parys, Risser, Theno and Whittow -- 17.

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

So the motion did not prevail.

Ordered to a third reading.

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

Assembly Bill 463

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:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler, Kleczka, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 30.

Noes -- None.

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

So the bill was concurred in.

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

Ordered immediately messaged.

Senate Bill 62

Relating to permitting the shipment of branches and boughs outside a county without a Christmas tree dealer license.

Read a second time.

Senator Dorman moved passage.

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

Ordered to a third reading.

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

Senate Bill 62

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:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler, Kleczka, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 30.

Noes -- None.

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

So the bill passed.

Senate Bill 126

Relating to the establishment of bilingual-bicultural educational programs in certain school districts, granting rule-making authority and making appropriations.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 126** was referred to joint committee on Finance.

Senator Dorman asked unanimous consent that **Senate Bill 126** be withdrawn from joint committee on Finance and considered for action at this time.

Senator Hollander objected.

Senator Dorman moved that **Senate Bill 126** be withdrawn from joint committee on Finance and considered for action at this time.

Senator Whittow moved a

CALL OF THE SENATE

on the calendar of September 18

Which motion was supported.

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

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

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Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler, Kleczka, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 30.

Absent -- None.

Absent with leave -- Senators Frank, Knowles and Knutson -- 3.

The ayes and noes were required and the vote was: ayes, 21; noes, 9; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, LaFave, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Swan, Theno, Thompson and Whittow -- 21.

Noes -- Senators Bidwell, Chilsen, Hollander, Keppler, Kleczka, Krueger, Lorge, Murphy and Sensenbrenner -- 9.

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

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

Senate Bill 126

Read a second time.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 126** offered by Senator Dorman.

Senate amendment 1 adopted.

Senate amendment 2 to senate substitute amendment 1 to **Senate Bill 126** offered by Senator Kleczka.

Senator Peloquin moved rejection.

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, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, McKenna, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Swan and Thompson -- 17.

Noes -- Senators Bidwell, Chilsen, Hollander, Keppler, Kleczka, Krueger, LaFave, Lorge, Martin, Murphy, Sensenbrenner, Theno and Whittow -- 13.

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

So the motion prevailed.

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The question was: Adoption of senate substitute amendment 1?

Adopted.

By request of Senator Dorman, with unanimous consent, senate substitute amendment 2 was laid on the table.

Ordered to a third reading.

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

Senate Bill 126

Read a third time.

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

Ayes -- Senators Bablitch, Berger, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, McKenna, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Swan, Thompson and Whittow -- 20.

Noes -- Senators Bidwell, Chilsen, Hollander, Krueger, LaFave, Lorge, Martin, Murphy, Sensenbrenner and Theno -- 10.

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

So the bill passed.

LEAVE OF ABSENCE

By request of Senator LaFave, with unanimous consent, he was granted a leave of absence at 3:55 P.M. for the balance of the day.

By request of Senator Whittow, with unanimous consent, **Senate Bill 139** was placed after **Assembly Bill 615**.

Senate Bill 415

Relating to placement of bank communication devices and granting rule-making authority.

Read a second time.

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

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

The chair took the point of order under advisement.

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Senate Bill 431

Relating to barbers sharing a waiting room with other commercial establishments.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Senate Bill 431

Read a third time and passed.

Senate Bill 488

Relating to the release of funds to public works and building contractors.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 488** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 488** was withdrawn from joint committee on Finance and considered for action at this time.

Read a second time.

By request of Senator Parys, with unanimous consent, **Senate Bill 488** was placed after **Senate Bill 139**.

Senator Dorman in the chair.

3:35 P.M.

Senate Bill 489

Relating to state and sponsor's share of building project costs on airports.

Read a second time.

By request of Senator Parys, with unanimous consent, **Senate Bill 489** was referred to joint committee on Finance.

By request of Senator Parys, with unanimous consent, **Senate Bill 489** was withdrawn from joint committee on Finance and considered for action at this time.

Read a second time.

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President pro tempore of the senate in the chair.

3:40 P.M.

Ordered to a third reading.

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

Senate Bill 489

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:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler, Kleczka, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 30.

Noes -- None.

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

So the bill passed.

LEAVE OF ABSENCE

By request of Senator Lorge, with unanimous consent, he was granted a leave of absence at 4:30 P.M.

Senate Bill 521

Relating to miscellaneous changes in the laws pertaining to motor vehicle dealers, salesmen and sales finance companies.

Read a second time.

Ordered to a third reading.

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

Senate Bill 521

Read a third time and passed.

Senate Bill 527

Relating to instalment loans and forbearances by licensees under the precomputed loan law.

Read a second time.

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Senator Berger raised the point of order that the bill is a banking bill and therefore requires a two-thirds vote.

The chair ruled the bill was not a banking measure pursuant to 27 Atty. Gen. 839 and therefore the point of order was not well taken.

Senator Berger moved indefinite postponement.

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

Ayes -- Senators Berger, Cullen, Dorman, Flynn, McKenna, Petri, Risser, Sensenbrenner, Theno and Thompson -- 10.

Noes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Goyke, Harnisch, Hollander, Keppler, Kleczka, Krueger, LaFave, Lorge, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Swan and Whittow -- 20.

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

So the motion did not prevail.

Ordered to a third reading.

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

Senator Berger objected.

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

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

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Flynn, Goyke, Harnisch, Hollander, Keppler, Kleczka, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 27.

Noes -- Senators Berger, Cullen and Dorman -- 3.

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

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

Senate Bill 527

Read a third time.

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The ayes and noes were demanded and the vote was: ayes, 19; noes, 11; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Goyke, Harnisch, Hollander, Keppler, Kleczka, Krueger, LaFave, Lorge, Martin, Maurer, Morrison, Murphy, Parys, Pelóquin and Whittow -- 19.

Noes -- Senators Berger, Cullen, Dorman, Flynn, McKenna, Petri, Risser, Sensenbrenner, Swan, Theno and Thompson -- 11.

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

So the bill passed.

Senate Bill 573

Relating to length of service payments for state employes and granting rule-making authority.

Read a second time.

Senator Dorman in the chair.

4:11 P.M.

Senate amendment 1 to **Senate Bill 573** offered by Senator Hollander.

Senate amendment 2 to **Senate Bill 573** offered by Senator Bablitch.

Senator Kleczka moved indefinite postponement.

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

Ayes -- Senators Berger, Bidwell, Chilsen, Cullen, Harnisch, Hollander, Keppler, Kleczka, Krueger, Lorge, Martin, Maurer, Morrison, Murphy, Parys, Petri, Sensenbrenner, Swan and Whittow -- 19.

Noes -- Senators Bablitch, Devitt, Dorman, Flynn, Goyke, McKenna, Pelóquin, Risser, Theno and Thompson -- 10.

Absent or not voting -- Senators Frank, Knowles, Knutson and LaFave -- 4.

So the motion prevailed.

Senate Bill 581

An act to appropriate \$916.85 from the general fund for payment of a claim made by Pearl Cutsforth against the state.

Read a second time.

Ordered to a third reading.

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

Senate Bill 581

Read a third time.

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

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

Noes -- None.

Absent or not voting -- Senators Frank, Knowles, Knutson and LaFave -- 4.

So the bill passed.

Senate Bill 582

An act to appropriate \$1,060.41 from the general fund for payment of a claim made by Goerge Douglas Bogue against the state.

Read a second time.

Ordered to a third reading.

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

Senate Bill 582

Read a third time.

The ayes and noes were required and the vote was: ayes, 26; noes, 2; absent or not voting, 5; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler, Kleczka, Krueger, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Swan, Thompson and Whittow -- 26.

Noes -- Senators Berger and Sensenbrenner -- 2.

Absent or not voting -- Senators Frank, Knowles, Knutson, LaFave and Theno -- 5.

So the bill passed.

President pro tempore of the senate in the chair.

4:35 P.M.

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Senate Bill 610

Relating to review of vetoes.

Read a second time.

Ordered to a third reading.

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

Senate Bill 610

Read a third time and passed.

Senate Bill 611

Relating to waiving internship requirements for granting a temporary license to practice medicine to Dr. Neil L. Griswold.

Read a second time.

Ordered to a third reading.

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

Senate Bill 611

Read a third time and passed.

Senate Bill 614

Relating to the 'organization of Wisconsin state government' preprint from the biennial Blue Book.

Read a second time.

Senate amendment 1 to **Senate Bill 614** offered by Senator Kleczka.

Senate amendment 1 adopted.

Ordered to a third reading.

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

Senate Bill 614

Read a third time and passed.

LEAVE OF ABSENCE

By request of Senator Bablitch, with unanimous consent, he was granted a leave of absence for 15 minutes.

Senator Whittow asked unanimous consent that **Senate Bill 615** be referred to committee on Judiciary and Consumer Affairs.

Senator Swan objected.

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By request of Senator Whittow, with unanimous consent, **Senate Bill 615** was placed at the foot of the calendar prior to **Assembly Bill 517**.

By request of Senator Whittow, with unanimous consent, **Senate Bill 488** was considered for action at this time.

Senate Bill 488

Relating to the release of funds to public works and building contractors.

Read a second time.

Senate substitute amendment 1 to **Senate Bill 488** offered by Senators Parys and Devitt.

Senate substitute amendment 1 adopted.

Ordered to a third reading.

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

Senate Bill 488

Read a third time and passed.

Senate Bill 139

Relating to compensating victims of crimes, granting rule-making authority, making an appropriation and providing a penalty.

Read a second time.

Senator Murphy moved indefinite postponement.

The ayes and noes were demanded and the vote was: ayes, 4; noes, 23; absent or not voting, 6; as follows:

Ayes -- Senators Bidwell, Hollander, Lorge and Murphy -- 4.

Noes -- Senators Berger, Chilsen, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Krueger, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Senzenbrenner, Swan, Thompson and Whittow -- 23.

Absent or not voting -- Senators Bablitch, Frank, Knowles, Knutson, LaFave and Theno -- 6.

So the motion did not prevail.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Rejection of senate amendment 2?

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Senate amendment 2 rejected.

Senate amendment 3 to **Senate Bill 139** offered by Senator Flynn and Bablitch.

Senate amendment 3 adopted.

Ordered to a third reading.

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

Senate Bill 139

Read a third time.

The ayes and noes were required and the vote was: ayes, 26; noes, 2; absent or not voting, 5; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler, Kleczka, Krueger, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Thompson and Whittow -- 26.

Noes -- Senators Lorge and Murphy -- 2.

Absent or not voting -- Senators Frank, Knowles, Knutson, LaFave and Theno -- 5.

So the bill passed.

LEAVE OF ABSENCE

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

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

By request of Senator Whittow, with unanimous consent, **Senate Bill 615** was referred to committee on Governmental and Veterans' Affairs.

Assembly Bill 517

Relating to odometer readings, mounting of clearance lamps and school bus colors and providing a penalty.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Assembly Bill 517** was referred to joint committee on Finance.

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By request of Senator Dorman, with unanimous consent, **Assembly Bill 517** was withdrawn from joint committee on Finance and considered for action at this time.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 517

Read a third time.

The ayes and noes were required and the vote was: ayes, 25; noes, 1; absent or not voting, 7; as follows:

Ayes -- Senators Berger, Bidwell, Chilsen, Devitt, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler, Kleczka, Krueger, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Thompson and Whittow -- 25.

Noes -- Senator Cullen -- 1.

Absent or not voting -- Senators Bablitch, Frank, Knowles, Knutson, LaFave, Lorge and Theno -- 7.

So the bill was concurred in.

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

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution 18

Relating to requesting the Supreme Court of Wisconsin to rescind its Supreme Court Order of June 30, 1975.

Whereas, the Wisconsin Supreme Court has, by Supreme Court Order of June 30, 1975, adopted rules which restructure the state's trial court system, by altering and combining the state's judicial circuits to create 14 administrative districts for the state's trial courts, and which provide for a chief judge in each district; and

Whereas, such action is in violation of article VII, sections 5 and 6 of the Wisconsin Constitution, which expressly grant to the legislature the power to alter the limits of or otherwise change the judicial circuits; and

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Whereas, such action by the Supreme Court far exceeds any general superintending power over inferior courts as recognized by article VII, section 3 of the Wisconsin Constitution; and

Whereas, such action, which may bring about significantly increased state expenditures and threatens to invade the prerogatives of the legislature in whom lies the power to appropriate state funds; and

Whereas, such rules for the Supreme Court conferring special powers upon certain judges appears to violate article IV, section 4 of the United State Constitution ('the United States shall guarantee to every state in this union a republican form of government...'); and

Whereas, the definition of 'fellow judges' under rule 251.235, sub. (2) of these rules placing county judges in a co-equal status with circuit judges in the election of a chief judge violates article VII, section 8 of the Wisconsin Constitution ('the circuit courts shall have ... appellate jurisdiction from all inferior courts and tribunals and a supervisory control over the same ...'); and

Whereas, the legislature is presently considering a proposal of court reform embodying many of the changes attempted by the above rules; now, therefore, be it

Resolved by the senate, That it does formally call upon the Supreme Court of Wisconsin to reconsider and rescind the adoption of the above rules and protect the public interest through preserving separation of powers between the three branches of government; and, be it further

Resolved, That the Wisconsin Supreme Court is invited to submit for consideration by the Wisconsin state legislature any proposals, constitutional or statutory changes, designed to improve operation of the state's courts.

By Senators Martin, Hollander, Petri and Krueger, by request of Miss Gladys Walsh.

Read and referred to committee on Senate Organization.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 628

Relating to authorizing counties to provide for medical education facilities in conjunction with hospitals.

By Senators Kleczka, Sensenbrenner, Whittow, Berger, Frank, Lorge, Parys, Devitt, Swan and Flynn, cosponsored by Representatives Czerwinski, Barbee, Barczak, Ward, Klicka,

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Hauke, Johnston, Conta, Wahner, Norquist, Sanasarian, Kirby, Tropman, Plewa, Behnke, Soucie, Pabst, Sicula, Byers and McEssy, by request of Milwaukee County.

To committee on Education.

Senate Bill 629

Relating to debt increase for the medical college of Wisconsin.

By Senators Kleczka and Whittow, cosponsored by Representative Czerwinski.

To joint committee on Finance.

Senate Bill 630

Relating to open meetings of governmental bodies and providing a penalty.

By Senators Bablitch and Chilsen, cosponsored by Representatives Clarenbach, Hanson, Flintrop, Swoboda, Ward, Murray and Pabst, by request of the Attorney General.

To committee on Governmental and Veterans' Affairs.

By request of Senator Thompson, with unanimous consent, **Senate Bill 500** was withdrawn from committee on Agriculture, Human Services, Labor and Taxation and referred to joint committee on Finance.

By request of Senator Harnisch, with unanimous consent, **Senate Bill 21** was withdrawn from committee on Agriculture, Human Services, Labor and Taxation and referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Assembly Bill 330** was withdrawn from joint committee on Finance and referred to committee on Senate Organization.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 628** was withdrawn from committee on Education and referred to joint committee on Finance.

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

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 435** by Senator LaFave.

Senate amendment 2 to **Senate Bill 502** by Senator LaFave.

Senate substitute amendment 1 to **Senate Bill 597** by Senator Morrison.

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**Upon motion of Senator Whittow the senate adjourned until
10:00 A.M. Tuesday, September 23.**

5:30 P.M.

GUESTS

**During today's session, the following visitors honored the senate
with their presence:**

YWCA Travelers of Green Bay, guests of Senator Petri.