

STATE OF WISCONSIN
Senate Journal
Eighty-Second Regular Session

TUESDAY, September 23, 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 Donald Iliff, Pastor of Divine Savior Methodist Church, Madison.

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

LEAVE OF ABSENCE

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

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.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 631

Relating to placing issuers of gift annuities under insurance regulations and granting rule-making authority.

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By Legislative Council.

To committee on Judiciary and Consumer Affairs.

Senate Bill 632

Relating to insurance underwriting restrictions and granting rule-making authority.

By Legislative Council.

To committee on Commerce.

Senate Bill 633

Relating to authorizing the department of natural resources to issue uniform natural resource citations and complaints, granting rule-making authority and providing a penalty.

By Senators Theno, Krueger, Harnisch, Hollander, Maurer, Bablitch and Martin, cosponsored by Representatives Mittness, Everson, Dandeneau, Bradley, Hasenohrl and Lallensack.

To committee on Natural Resources.

COMMITTEE REPORTS

The committee on Commerce reports and recommends:

Senate Bill 449

Relating to registration and equipment requirements for wrecker tow trucks, denial of licenses or permits for contract motor carriers by the public service commission, providing a penalty and granting rule-making authority.

Introduction of senate substitute amendment 1; Ayes, 7; Noes, 1.

Adoption of senate substitute amendment 1; Ayes, 7; Noes, 1.

Passage as amended; Ayes, 7; Noes, 1.

Senate Bill 528

Relating to various changes in the Wisconsin consumer act, rates of interest and related transactions.

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 514

Relating to transferring responsibility for custody of security deposited under the motor vehicle financial responsibility law from the state treasurer to the administrator of the division of motor vehicles.

Passage; Ayes, 6; Noes, 1.

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Senate Bill 522

Relating to the issuance of credit unemployment insurance.
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.

Assembly Bill 417

Authorizing the use of savings and loan associations as public depositories.
Introduction of senate amendment 2; Ayes, 5; Noes, 2.
Adoption of senate amendment 2; Ayes, 5; Noes, 2.
Concurrence as amended; Ayes, 5; Noes, 2.

RONALD G. PARYS
Chairman

The committee on Education reports and recommends:

Senate Bill 519

Relating to postponement of the requirement to make negative aid payments of school aids to the state.
Passage; Ayes, 4; Noes, 1.

BRUCE S. PELOQUIN
Chairman

The joint committee on Finance reports and recommends:

Senate Bill 252

Relating to miscellaneous changes in the corporate income tax.
Passage; Ayes, 12; Noes, 0.

Senate Bill 346

Relating to corporate income and franchise taxes.
Passage; Ayes, 11; Noes, 0.

Senate Bill 379

Relating to sales and use taxes and providing a penalty.
Passage; Ayes, 12; Noes, 0.

Senate Bill 324

An act to appropriate \$2,567.70 from the general fund for payment of a claim made by Mathilde T. Brands against the state.
Passage; Ayes, 12; Noes, 0.

Senate Bill 142

An act to appropriate \$20,000 from the general fund for payment of a claim made by Charles Creighbaum against the state.

Passage; Ayes, 11; Noes, 0.

HENRY DORMAN

Chairman

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Joint Resolution 22

To amend sections 5 to 9, 11, 12 and 14 to 24 of article VII so as in effect to repeal said sections; to amend section 21 of article I, sections 17 and 26 of Article IV and sections 2, 10 and 13 of article VII; and to create section 16 of article XIV of the constitution, relating to providing for all inferior courts by law (first consideration).

Adoption of senate substitute amendment 1; Ayes, 3; Noes, 0.

Adoption as amended; Ayes, 3; Noes, 0.

Senate Bill 196

Permitting collectors to sell their unique liquor bottles.

Introduction of senate amendment 1; Ayes, 4; Noes, 0.

Adoption of senate amendment 1; Ayes, 4; Noes, 0.

Passage as amended; Ayes, 4; Noes, 0.

Senate Bill 399

Relating to a plan for compensation of persons injured in motor vehicle accidents irrespective of fault.

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

Passage as amended; Ayes, 4; Noes, 1.

Senate Bill 406

Relating to criminal trespass to buildings other than dwellings and providing a penalty.

Introduction of senate amendment 1; Ayes, 4; Noes, 0.

Adoption of senate amendment 1; Ayes, 4; Noes, 0.

Passage as amended; Ayes, 4; Noes, 0.

Senate Bill 438

Relating to smoking in public places, granting rule-making authority and providing a penalty.

Adoption of senate amendment 1; Ayes, 2; Noes, 2, and without recommendation.

Passage; Ayes, 3; Noes, 1.

Senate Bill 459

Relating to filling temporary vacancies in the offices of circuit or county judge, and granting rule-making power.

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

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

Senate Bill 494

Relating to destruction of canceled bonds and coupons by municipals fiscal or paying agents.

Passage; Ayes, 3; Noes, 1.

JAMES T. FLYNN

Chairman

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

Senate Bill 304

Relating to publication of executive orders.

Passage; Ayes, 3; Noes, 0.

Senate Bill 572

An Act to repeal, renumber, renumber and amend, amend, reenact and create various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting and clarifying references, renumbering for better location and arrangement, eliminating unnecessary and obsolete provisions and reconciling conflicts (Revisor's Correction Bill).

Passage; Ayes, 3; Noes, 0.

JAMES T. FLYNN

Chairman

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

Senate Bill 483

Relating to examinations for registration as an architect or professional engineer.

Passage; Ayes, 4; Noes, 1.

Assembly Bill 252

Relating to the oath of office for county board supervisors.

Concurrence; Ayes, 5; Noes, 0.

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Senate Bill 391

Relating to creating a division of migrant and seasonal farm labor and a council on migrant and seasonal farm labor, granting rule-making authority and providing a penalty.

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

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

Passage; Ayes, 4; Noes, 1.

MONROE SWAN

Chairman

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

September 17, 1975.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint Joseph F. Heil of Milwaukee, as a member of the Medical College of Wisconsin Board to succeed himself, to serve for the term ending May 1, 1981.

Sincerely,
PATRICK J. LUCEY
Governor

Read and referred to committee on Education.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

September 17, 1975.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint Burt Zien of Whitefish Bay, as a member of the Vocational,

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Technical and Adult Education Board, to succeed himself, to serve for the term ending May 1, 1981.

Sincerely,
PATRICK J. LUCEY
Governor

Read and referred to committee on Education.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

September 17, 1975.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint Wayne W. Wood of Janesville, as a member of the Vocational, Technical and Adult Education Board, to succeed Roy Lane, to serve for the term ending May 1, 1981.

Sincerely,
PATRICK J. LUCEY
Governor

Read and referred to committee on Education.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

September 17, 1975.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint Rose De Ruyter of West DePere, as a member of the Vocational, Technical and Adult Education Board, to succeed Peter Senn, to serve for the term ending May 1, 1981.

Sincerely,
PATRICK J. LUCEY
Governor

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Read and referred to committee on Education.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

Assembly Bill 693

Passed notwithstanding the objections of the Governor:

Assembly Bill 363

Concurred in:

Senate Joint Resolution 48

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 693

Relating to various changes in the elections code, granting rule-making authority and providing penalties.

By the Committee on Elections, by request of the Elections Board.

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

Assembly Bill 363

Relating to open burning of solid waste.

Referred to committee on Senate Organization.

MOTIONS UNDER SENATE RULE 96

A Certificate of Commendation by Senator Bidwell for DR. CLEMENT R. CHELI on his retirement as selective service examiner;

A Certificate of Commendation by Senator Bidwell for RAYMOND J. SCHWARZ on his retirement as Village Trustee;

A Certificate of Commendation by the Entire Membership of the Wisconsin State Senate for MR. WILLIAM P. NUGENT on his retirement after 35 years.

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The above motions under Senate Rule 96 were read and adopted enmasse.

By request of Senator Parys, with unanimous consent, the senate recessed until 11:35 A.M.

10:12 A.M.

RECESS

11:35 A.M.

The senate reconvened.

President pro tempore of the senate in the chair.

Senator Whittow called the chair's attention to the special order of business.

Senate Bill 623

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

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 623

Read a third time.

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

Ayes -- Senators Bablitch, 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 -- 27.

Noes -- Senators Berger, Bidwell, Murphy, Petri and Sensenbrenner -- 5.

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

So the bill passed.

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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.

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 624

Read a third time.

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

Ayes -- Senators Bablitch, 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 -- 27.

Noes -- Senators Berger, Bidwell, Murphy, Petri and Sensenbrenner -- 5.

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

So the bill passed.

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.

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 625

Read a third time.

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

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Ayes -- Senators Bablitch, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Swan, Theno, Thompson and Whittow -- 28.

Noes -- Senators Berger, Bidwell, Murphy and Sensenbrenner -- 4.

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

So the bill passed.

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.

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 626

Read a third time.

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

Ayes -- Senators Bablitch, 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 -- 27.

Noes -- Senators Berger, Bidwell, Murphy, Petri and Sensenbrenner -- 5.

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

So the bill passed.

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.

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 627

Read a third time.

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

Ayes -- Senators Bablitch, Chilsen, 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 -- 26.

Noes -- Senators Berger, Bidwell, Cullen, Murphy, Petri and Sensenbrenner -- 6.

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

So the bill passed.

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

Senator Whittow asked unanimous consent that **Senate Resolution 18** be withdrawn from the committee on Senate Organization and referred to committee on Judiciary and Consumer Affairs.

Senator Sensenbrenner objected.

By request of Senator Whittow, with unanimous consent, **Senate Bill 399** was withdrawn from committee on Senate Organization and referred to committee on Commerce.

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

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 634

Relating to establishing a mandatory motor vehicle inspection program, granting rule-making authority and providing a penalty.

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By Senator Kleczka, by request of the Advisory Council on Highway Safety.

To committee on Commerce.

Senate Bill 635

Relating to limiting the unemployment compensation solvency rate for employers with low contribution rates.

By Senators Morrison, Harnisch, Cullen and Bablitch.

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

Senate Bill 636

Relating to nutritional improvement programs for the elderly in private schools.

By Senators Morrison, Harnisch and Cullen.

To committee on Education.

Senate Bill 637

Relating to creditable prior service to public employes retirement fund.

By Senators LaFave, Devitt, Keppler, Thompson, Parys, Maurer, Martin, Krueger, Hollander, Petri, Lorge and Whittow, cosponsored by Representatives Molinaro, Vanderperren, Wackett, Kincaid, Schmidt, Opitz, Rogers, Conradt, Bradley, Lewison, Looby, Dorff, Pabst, Mittness and Sanasarian.

To Joint Survey Committee on Retirement Systems.

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

12:15 P.M.

RECESS

2:00 P.M.

The senate reconvened.

President of the senate in the chair.

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.

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

Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Frank, Goyke, Harnisch, Hollander, Keppler, Knowles, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Theno, Thompson and Whittow -- 26.

Absent -- Senators Dorman, Flynn, Kleczka, Krueger, Risser and Swan -- 6.

Absent with leave -- Senator Knutson -- 1.

By request of Senator Whittow, with unanimous consent, **Assembly Bill 222** was considered for action at this time.

Assembly Bill 222

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

The question was: Shall the vetoed part of the bill relating to court orders and settlements (Sections 435, 439, 441 442 and 457) pass notwithstanding the objections of the Governor?

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

Senators Bablitch, 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, Theno and Thompson -- 29.

Absent -- Senators Berger, Swan and Whittow -- 3.

Absent with leave -- Senator Knutson -- 1.

More than two-thirds having voted in the affirmative, the vetoed part of the bill passed notwithstanding the objections of the Governor?

The question was: Shall the vetoed part of the bill relating to natural disasters, (Sections 435, 439, 441, 442 and 457) pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 30; noes, 2; absent or not voting, 1; as follows:

Senators Bablitch, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka,

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Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Thompson -- 30.

Absent -- Senators Berger and Whittow -- 2.

Absent with leave -- Senator Knutson -- 1.

More than two-thirds having voted in the affirmative, the vetoed part of the bill passed notwithstanding the objections of the Governor?

The question was: Shall the vetoed part of the bill relating to pollution abatement (Sections 435, 439, 441, 442 and 457) pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 30; noes, 2; absent or not voting, 1; as follows:

Senators Bablitch, 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 and Thompson -- 30.

Absent -- Senators Berger and Whittow -- 2.

Absent with leave -- Senator Knutson -- 1.

More than two-thirds having voted in the affirmative, the vetoed part of the bill passed notwithstanding the objections of the Governor?

The question was: Shall the vetoed part of the bill relating to intangible income taxation (Section 471-P) pass notwithstanding the objections of the Governor?

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

Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan and Theno -- 28.

Absent -- Senators Berger, Cullen, Thompson and Whittow -- 4.

Absent with leave -- Senator Knutson -- 1.

More than two-thirds having voted in the affirmative, the vetoed part of the bill passed notwithstanding the objections of the Governor?

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The question was: Shall the vetoed part of the bill relating to Health and Social Services (Section 374-P) pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Chilsen, Devitt, Frank, Keppler, Knowles, Krueger, LaFave, Lorge, Maurer, Murphy, Parys, Petri, Sensenbrenner and Theno -- 14.

Noes -- Senators Bablitch, Berger, Bidwell, Cullen, Dorman, Flynn, Goyke, Harnisch, Hollander, Kleczka, McKenna, Martin, Morrison, Peloquin, Risser, Swan, Thompson and Whittow -- 18.

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

Less than two-thirds having voted in the affirmative the vetoed part of the bill was sustained.

The question was: Shall the vetoed part of the bill relating to State Aids for 51.42/437 Boards (Part 1 of Section 417-L) pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Berger, Devitt, Dorman, Frank, Keppler, Kleczka, Knowles, LaFave, McKenna, Martin, Parys, Peloquin and Swan -- 13.

Noes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Flynn, Goyke, Harnisch, Hollander, Krueger, Lorge, Maurer, Morrison, Murphy, Petri, Risser, Sensenbrenner, Theno, Thompson and Whittow -- 19.

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

Less than two-thirds having voted in the affirmative the vetoed part of the bill was sustained.

The question was: Shall the vetoed part of the bill "chronically mentally ill patients" (Part 2 of section 417-L) relating to State Aids for 51.42/437 Boards pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Bablitch, Bidwell, Devitt, Dorman, Flynn, Frank, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger,

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LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Swan and Theno -- 22.

Noes -- Senators Berger, Chilsen, Cullen, Goyke, Murphy, Petri, Risser, Sensenbrenner, Thompson and Whittow -- 10.

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

More than two-thirds having voted in the affirmative, the vetoed part of the bill passed notwithstanding the objections of the Governor?

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

MOTIONS

Senator Devitt moved that **Senate Bill 235** be withdrawn from the 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.

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

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

Noes -- Senators Bidwell, Chilsen, Devitt, Keppler, Knowles, Krueger, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 12.

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

So the motion prevailed.

Senator Chilsen moved that **Senate Bill 279** be withdrawn from joint committee on Finance and referred to committee on Senate Organization.

Senator Whittow moved that the motion to withdraw **Senate Bill 279** from committee be laid on the table.

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

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer,

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Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -
- 19.

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Keppler,
Knowles, Krueger, LaFave, Lorge, Murphy, Petri, Sensenbrenner
and Theno -- 13.

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

So the motion prevailed.

President pro tempore of the senate in the chair.

3:25 P.M.

CALENDAR OF SEPTEMBER 23

Senate Joint Resolution 22

To amend sections 5 to 9, 11, 12 and 14 to 24 of article VII so
as in effect to repeal said sections; to amend section 21 of article I,
sections 17 and 26 of Article IV and sections 2, 10 and 13 of article
VII; and to create section 16 of article XIV of the constitution,
relating to providing for all inferior courts by law (first
consideration).

Read a second time.

Senate amendment 1 to senate substitute amendment 1 to
Senate Joint Resolution 22 offered by Senator Berger.

Senator McKenna moved rejection of **Senate Joint Resolution
22**.

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

Ayes -- Senators Frank, Goyke, Krueger, McKenna, Thompson
and Whittow -- 6.

Noes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen,
Devitt, Dorman, Flynn, Harnisch, Hollander, Keppler, Kleczka,
Knowles, LaFave, Lorge, Martin, Maurer, Morrison, Murphy,
Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan and Theno --
26.

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

So the motion did not prevail.

Senator Flynn moved rejection of senate amendment 1 to senate
substitute amendment 1.

The motion prevailed.

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Senate amendment 2 to senate substitute amendment 1 to **Senate Joint Resolution 22** offered by Senator Parys.

Senator Flynn moved rejection.

The ayes and noes were demanded and the vote was: ayes, 11; noes, 21; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Dorman, Flynn, Frank, Goyke, Knowles, Maurer, Murphy, Risser and Thompson -- 11.

Noes -- Senators Bidwell, Chilsen, Cullen, Devitt, Harnisch, Hollander, Keppler, Kleczka, Krueger, LaFave, Lorge, McKenna, Martin, Morrison, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno and Whittow -- 21.

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

So the motion did not prevail.

Senate amendment 2 adopted.

Senate amendment 3 to senate substitute amendment 1 to **Senate Joint Resolution 22** offered by Senator Kleczka.

Senator Sensenbrenner moved rejection.

The motion prevailed.

Senate amendment 4 to senate substitute amendment 1 to **Senate Joint Resolution 22** offered by Senator Parys.

Senator Kleckza moved rejection.

The motion prevailed.

LEAVE OF ABSENCE

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

Senate amendment 5 to senate substitute amendment 1 to **Senate Joint Resolution 22** offered by Senator Parys.

Senator Murphy moved rejection.

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

Ayes -- Senators Berger, Dorman, Flynn, Goyke, Hollander, Knowles, Krueger, Martin, Maurer, Morrison, Murphy, Petri, Risser, Sensenbrenner and Thompson -- 15.

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Noes -- Senators Bidwell, Chilsen, Cullen, Devitt, Frank, Harnisch, Keppler, Kleczka, LaFave, Lorge, McKenna, Parys, Peloquin, Swan, Theno and Whittow -- 16.

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

So the motion did not prevail.

The question was: Adoption?

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

Ayes -- Senators Bidwell, Chilsen, Devitt, Frank, Harnisch, Keppler, Kleczka, Krueger, LaFave, Lorge, McKenna, Martin, Parys, Peloquin, Sensenbrenner, Swan, Theno and Whittow -- 18.

Noes -- Senators Berger, Cullen, Dorman, Flynn, Goyke, Hollander, Knowles, Maurer, Morrison, Murphy, Petri, Risser and Thompson -- 13.

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

So the amendment was adopted.

Senate substitute amendment 1 adopted.

Ordered to a third reading.

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

Senate Joint Resolution 22

Read a third time.

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

Ayes -- Senators Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Maurer, Morrison, Murphy, Parys, Swan and Theno -- 22.

Noes -- Senators Frank, Goyke, McKenna, Peloquin, Petri, Risser, Sensenbrenner, Thompson and Whittow -- 9.

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

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There being more than 17 affirmative votes the resolution was adopted.

LEAVE OF ABSENCE

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

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.

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 99

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 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 -- 30.

Noes -- None.

Absent or not voting -- Senators Bablitch, Berger and Knutson -
- 3.

So the bill passed.

Senate Bill 196

Permitting collectors to sell their unique liquor bottles.

Read a second time.

Senator Harnisch asked unanimous consent that **Senate Bill 196** be referred to committee on Commerce.

Senator Flynn objected.

Senator Harnisch moved indefinite postponement of **Senate Bill 196**.

The motion did not prevail.

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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 196

Read a third time.

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

Ayes -- Senators Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys and Theno -- 23.

Noes -- Senators Harnisch, Peloquin, Petri, Risser, Sensenbrenner, Swan, Thompson and Whittow -- 8.

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

So the bill passed.

Senator Whittow asked unanimous consent that **Senate Bill 391** be placed after **Senate Bill 606** on the calendar.

Senator Dorman objected.

By request of Senator Dorman, with unanimous consent, **Senate Bill 391** was referred to joint committee on Finance.

Senate Bill 406

Relating to criminal trespass to buildings other than dwellings and providing a penalty.

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 406

Read a third time and passed.

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By request of Senator Dorman, with unanimous consent, **Senate Bill 423** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 449** was referred to joint committee on Finance.

Senate Bill 459

Relating to filling temporary vacancies in the offices of circuit or county judge, and granting rule-making power.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 459** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 459** was withdrawn from joint committee on Finance and considered for action at this time.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Senator Sensenbrenner moved indefinite postponement.

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.

Senate Bill 459

Read a third time.

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, Flynn, Frank, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Swan, Theno, Thompson and Whittow -- 29.

Noes -- Senators Dorman, Goyke and Sensenbrenner -- 3.

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

So the bill passed.

Senator Dorman in the chair.

5:22 P.M.

Senate Bill 483

Relating to examinations for registration as an architect or professional engineer.

Read a second time.

Senate amendment 1 to **Senate Bill 483** offered by Senator Risser.

Senator Berger moved rejection.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 16; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Devitt, Flynn, Goyke, Keppler, Kleczka, LaFave, Maurer, Morrison, Parys, Swan, Theno, Thompson and Whittow -- 16.

Noes -- Senators Bidwell, Chilsen, Dorman, Frank, Harnisch, Hollander, Knowles, Krueger, Lorge, McKenna, Martin, Murphy, Peloquin, Petri, Risser and Sensenbrenner -- 16.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 1?

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

Ayes -- Senators Bidwell, Chilsen, Dorman, Frank, Harnisch, Hollander, Knowles, Lorge, McKenna, Martin, Murphy, Peloquin, Petri, Risser and Sensenbrenner -- 15.

Noes -- Senators Bablitch, Berger, Cullen, Devitt, Flynn, Goyke, Keppler, Kleczka, Krueger, LaFave, Maurer, Morrison, Parys, Swan, Theno, Thompson and Whittow -- 17.

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

So the amendment was not adopted.

Ordered to a third reading.

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

Senator Murphy objected.

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

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

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Ayes -- Senators Bablitch, Berger, Bidwell, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Theno, Thompson and Whittow -- 27.

Noes -- Senators Chilsen, Lorge, Murphy, Petri and Sensenbrenner -- 5.

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

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

Senate Bill 483

Read a third time.

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

Ayes -- Senators Bablitch, Berger, Cullen, Devitt, Flynn, Goyke, Keppler, Kleczka, Knowles, Krueger, LaFave, McKenna, Maurer, Morrison, Parys, Peloquin, Swan, Theno, Thompson and Whittow -- 20.

Noes -- Senators Bidwell, Chilsen, Dorman, Frank, Harnisch, Hollander, Lorge, Martin, Murphy, Petri, Risser and Sensenbrenner -- 12.

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

So the bill passed.

President pro tempore of the senate in the chair.

5:45 P.M.

By request of Senator Dorman, with unanimous consent, **Senate Bill 423** was withdrawn from joint committee on Finance and considered for action at this time.

Senate Bill 423

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

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

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 423

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; 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, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 32.

Noes -- None.

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

So the bill passed.

Senator Dorman asked unanimous consent that **Senate Bill 449** be withdrawn from joint committee on Finance and considered for action at this time.

Senator Sensenbrenner objected.

Senator Dorman moved that **Senate Bill 449** be withdrawn from joint committee on Finance and considered for action at this time.

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

Ayes -- Senators Bablitch, Berger, Chilsen, Cullen, Devitt, Dorman, Flynn, Harnisch, Hollander, Keppler, Kleczka, Krueger, LaFave, Lorge, Martin, Maurer, Morrison, Parys, Peloquin, Theno, Thompson and Whittow -- 22.

Noes -- Senators Bidwell, Frank, Goyke, Knowles, McKenna, Murphy, Petri, Risser, Sensenbrenner and Swan -- 10.

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

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

Senate Bill 449

Relating to registration and equipment requirements for wrecker tow trucks, denial of licenses or permits for contract motor carriers by the public service commission, providing a penalty and granting rule-making authority.

Read a second time.

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Senate amendment 1 senate substitute amendment 1 to **Senate Bill 449** offered by Senators Knutson, Murphy, Risser and McKenna.

Senator Parys moved rejection.

The ayes and noes were demanded and the vote was: ayes, 11; noes, 21; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Devitt, Keppler, Kleczka, Krueger, LaFave, Maurer, Parys, Theno and Whittow -- 11.

Noes -- Senators Bidwell, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Knowles, Lorge, McKenna, Martin, Morrison, Murphy, Peloquin, Petri, Risser, Sensenbrenner, Swan and Thompson -- 21.

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

So the motion did not prevail.

By request of Senator Whittow, with unanimous consent, **Senate Bill 449** was rereferred to committee on Commerce.

By request of Senator Whittow, with unanimous consent, all actions were ordered immediately messaged, except **Senate Bill 459**.

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 161** by Senator Berger.

Senate amendment 1 to senate amendment 1 to senate substitute amendment 1 to **Senate Bill 391** by Senator Hollander.

Senate amendments 1 and 2 to senate substitute amendment 1 to **Senate Bill 391** by Senators Hollander, Bidwell and Martin.

Senate amendment 1 to senate amendment 3 to senate substitute amendment 1 to **Senate Bill 391** by Senator Hollander.

Senate amendment 3 to senate substitute amendment 1 to **Senate Bill 391** by Senators Hollander, Bidwell and Martin.

Senate amendment 1 to **Senate Bill 399** by Senators Chilsen, Cullen, Lorge and Flynn.

Senate substitute amendment 1 to **Senate Bill 399** by Senator Berger.

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Senate amendment 2 to **Senate Bill 438** by Senators Hollander, Goyke and Martin.

Senate amendment 2 to **Senate Bill 490** by Senators Chilsen and Bablitch.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 503** by Senator Harnisch.

Senate amendment 2 to **Senate Bill 528** by Senator Berger.

Senate amendments 1, 2 and 3 to **Senate Bill 571** by Senator Bablitch.

Senate amendments 1, 2 and 3 to **Senate Bill 585** by Senator Martin.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 597** by Senator Whittow.

Senate amendment 1 to senate amendment 2 to **Assembly Bill 75** by Senators Harnisch and Morrison.

Senate amendment 1 to senate amendment 1 to **Assembly Bill 417** by Senator Berger.

Senate amendments 2 and 3 to **Assembly Bill 431** by Senators Sensenbrenner and Swan.

Senate amendments 4 and 5 to **Assembly Bill 431** by Senator Murphy.

Upon motion of Senator Whittow the senate adjourned until 9:00 A.M. Wednesday, September 24.

6:18 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Joint Resolution 22, senate substitute amendment 1
On page 11, line 13, substitute "otherwise" for "othrwise".

Senate Bill 606, senate amendment 1

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On line 10, substitute "121.93" for "121.92".

GUESTS

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

Mrs. Hazelyn McComas and Mrs. Marian Hansen, guests of Senator Sensenbrenner.