STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

FRIDAY, September 26, 1975.

9:00 A.M.

The senate met.

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

Prayer was offered by Reverend Richard E. Pritchard, Pastor of Heritage Congreational Church, Madison.

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

LEAVE OF ABSENCE

By request of Senator Whittow, with unanimous consent, Senator Cullen was granted a leave of absence until 10:15 P.M.

By request of Senator Krueger, 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, 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 -- 31.

Absent -- None.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 650

Relating to requiring additional fire detection, prevention or suppression devices and granting rule-making authority.

By Senator Murphy.

To committee on Governmental and Veterans' Affairs.

Senate Bill 651

Relating to regulating the recycling of oil, making appropriations, granting rule-making authority and providing a penalty.

By Senators Murphy, Hollander, Krueger, Chilsen, Thompson, Parys and Martin, cosponsored by Representatives Dorff, Mittness, Lingren, Bradley, Conradt, Pabst, Azim, Lewison, Quackenbush and Opitz.

To committee on Commerce.

COMMITTEE REPORTS

The committee on Natural Resources reports and recommends for introduction:

Senate Bill 652

Relating to revising penalties and procedures regarding natural resources' Laws.

By request of the Department of Natural Resources.

Introduction; Ayes, 5; Noes, 0.

Read first time and referred to committee on Natural Resources.

JEROME A. MARTIN
Chairman

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

Senate Bill 653

Relating to adjustment and imposition of various fees for services performed by clerks of court, and making appropriations.

Introduction; Ayes, 9; Noes, 0.

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

CARL W. THOMPSON Chairman

The committee on Senate Organization acting under Senate Rule 20 (1) reports and recommends the following nominations to committee for appointment by the Senate:

(a) To the Malpractice Committee pursuant to Chapter 37, Laws of 1975, (1) (a) Senators Morrison, Cullen and Murphy.

FRED A. RISSER Chairman

Senator Whittow moved adoption of the committee report.

The motion prevailed.

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

Assembly Bill 109

Relating to sales and use tax exemption for insulin injection equipment sold to consumers.

Concurrence; Ayes, 9; Noes, 0.

CARL W. THOMPSON Chairman

The joint committee on Finance reports and recommends:

Senate Bill 628

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

Passage; Ayes, 10; Noes, 2.

HENRY DORMAN Chairman

The committee on Commerce reports and recommends:

Assembly Bill 540

Relating to monthly parking permit fees for mobile homes. Concurrence; Ayes, 6; Noes, 2.

Assembly Bill 636

Relating to permitting redistribution of truck weights among the various axles of a vehicle or combination of vehicles, subject to existing overall gross weight limitations.

Concurrence; Ayes, 8; Noes, 0.

Assembly Bill 653

Relating to the location of signs for special weight limitations on bridges or culverts and granting rule-making authority.

Concurrence; Ayes, 8; Noes, 0.

RONALD G. PARYS Chairman

The committee on Senate Organization reports and recommends:

Senate Resolution 18

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

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

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

Assembly Joint Resolution 66

Relating to authorizing the chief clerks to receive new legislation after the final recess of floorperiod III.

Concurrence; Ayes, 5; Noes, 0.

FRED A. RISSER Chairman

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

Senate Bill 243

Relating to per diem for authorized delegates to national conventions of the national guard.

Passage; Ayes, 3; Noes, 2.

Assembly Bill 22

Relating to holidays on the day of the assassination of Dr. Martin Luther King, Jr. and the birthdate of Malcolm X.

Concurrence; Ayes, 5; Noes, 0.

MONROE SWAN
Chairman

The committee on Judiciary and Consumer Affairs reports and recommends:

Assembly Joint Resolution 11

Relating to a revised structure of the judicial branch (1st consideration).

Nonconcurrence; Ayes, 5; Noes, 0.

Assembly Bill 277

Relating to grounds for divorce and legal separation, change of name and granting of alimony.

Concurrence; Ayes, 3; Noes, 2.

Assembly Bill 354

Providing for public members on certain examining boards and examining councils.

Concurrence; Ayes, 4; Noes, 1.

JAMES T. FLYNN Chairman

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

September 25, 1975.

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

		Date Approved
623	69	September 25, 1975
	70	
	 71	
	72	
627	73	September 25, 1975

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin Office of the Governor Madison, Wisconsin

September 26, 1975.

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Sincerely,
PATRICK J. LUCEY
Governor

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 1032 Assembly Bill 297 Assembly Bill 1016

and

Concurred in:

Senate Bill 145 Senate Bill 462 Senate Bill 606 Senate Bill 132

Amended and concurred in as amended:

Senate Bill 420, assembly amendments 2 and 4 adopted

Nonconcurred in:

Assembly Bill 321, senate amendment 1

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 1032

Relating to risk management by the state, and making appropriations.

By Representative Schneider.

Read first time and referred to committee on Commerce.

Assembly Bill 297

Relating to excluding delayed payment charges of electrical cooperatives from the Wisconsin consumer act.

By Representatives Schneider, Early, Mohn, Roberts, Thompson, Schricker, Willkom, Vanderperren, Swoboda, Kincaid, Lewison, Klicka, Hanson, Byers, Quackenbush, Dorff, Jackamonis, Otte, Johnson, Bradley, Conradt, Looby, Groshek, O'Malley, Pabst, Matty, Giese, Dueholm, Duren, Donoghue, Opitz, Gunderson, Munts, Rogers, Mittness, Lato, Schroeder, McEssy, Azim, Kedrowski, Day, McClain, Barczak, Roth, L.F. Anderson, Ausman, Wahner, Gower, Lallensack, Hephner, Conta, Tropman, Hasenohrl and Ferrall; co-sponsored by Senators McKenna, Harnisch, Krueger, Thompson, Dorman, Hollander, Chilsen, Peloquin, Bidwell, Knutson, Theno, Whittow, Keppler, Morrison, Martin, Parys, Frank, Bablitch, Petri and Knowles.

Read first time and referred to committee on Commerce.

Assembly Bill 1016

Relating to various changes in the workmen's compensation law and making appropriations.

By Representatives Looby, McClain, Pabst, Menos and Willkom; co-sponsored by Senator Parys.

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

Senate Bill 420

Referred to committee on Senate Organization.

Assembly Bill 321

Referred to committee on Senate Organization.

By request of Senator Parys, with unanimous consent, Assembly Bills 297 and 1032 were withdrawn from the committee on Commerce and referred to committee on Senate Organization.

By request of Senator Thompson, with unanimous consent, Assembly Bill 1016 was withdrawn from committee on Agriculture, Human Services, Labor and Taxation and referred to committee on Senate Organization.

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, 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 -- 30.

Absent -- None.

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

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.

LEAVE OF ABSENCE

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

CALENDAR OF SEPTEMBER 26

Assembly Bill 725

Relating to provisions of professional liability insurance policies for health care providers.

The question was: Shall the vetoed part of the bill (Section 619.04 (5) a, b and c) pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Bablitch, Berger, 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, Theno and Thompson -- 30.

Noes -- Senator Whittow -- 1.

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

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 (Section 655.015) pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Bablitch, Berger, 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, Theno and Thompson -- 30.

Noes -- Senator Whittow -- 1.

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

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

Senate Resolution 18

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

Read.

Senator Flynn moved that Senate Resolution 18 be referred to committee on Judiciary and Consumer Affairs.

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

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

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

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

So the motion prevailed.

Assembly Joint Resolution 66

Relating to authorizing the chief clerks to receive new legislation after the final recess of floorperiod III.

Read and concurred in.

Senate Bill 104

Relating to "Class C" liquor licenses permitting the sale of wine in restaurants.

1

Read a second time.

By request of Senator Dorman, with unanimous consent, Senate Bill 104 was referred to joint committee on Finance.

Senate Bill 243

Relating to per diem for authorized delegates to national conventions of the national guard.

Read a second time.

By request of Senator Dorman, with unanimous consent, Senate Bill 243 was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, Senate Bill 243 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.

Senate Bill 243

Read a third time.

Senator Kleczka moved that the bill be rereferred to committee on Governmental and Veterans' Affairs.

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

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Dorman, Flynn, Frank, Harnisch, Kleczka, Knowles, McKenna, Morrison, Murphy, Peloquin, Risser, Sensenbrenner and Whittow -- 18.

Noes -- Senators Devitt, Goyke, Hollander, Keppler, Krueger, LaFave, Lorge, Martin, Maurer, Parys, Petri, Swan, Theno and Thompson -- 14.

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

So the motion prevailed.

Senator Dorman in the chair.

9:40 A.M.

Senate Bill 561

Relating to transferring appropriations for continuing education programs of the University of Wisconsin.

Read a second time.

By request of Senator Dorman, with unanimous consent, Senate Bill 561 was referred to joint committee on Finance.

President pro tempore of the senate in the chair.

10:00 A.M.

President of the senate in the chair.

10:05 A.M.

Senate Bill 565

Relating to eliminating municipal and county levy limitations. Read a second time.

Senate amendment 1 to Senate Bill 565 offered by Senator Berger.

Senator McKenna moved rejection.

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

Ayes -- Senators Bidwell, Chilsen, Cullen, Devitt, Dorman, Frank, Hollander, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Peloquin, Risser, Theno and Whittow -- 20.

Noes -- Senators Bablitch, Berger, Flynn, Goyke, Harnisch, Keppler, Kleczka, Parys, Petri, Sensenbrenner, Swan and Thompson -- 12.

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

So the motion prevailed.

Senator Berger moved that Senate Bill 565 be referred to committee on Governmental and Veterans' Affairs.

The motion did not prevail.

Ordered to a third reading.

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

Senate Bill 565

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, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Thompson -- 29.

Noes -- Senators Berger, Kleczka and Whittow -- 3. Absent or not voting -- Senator Knutson -- 1.

So the bill passed.

LEAVE OF ABSENCE

By request of Senator Peloquin, with unanimous consent, he was granted a leave of absence for 20 minutes.

Assembly Joint Resolution 11

Relating to a revised structure of the judicial branch (1st consideration).

Read a second time.

The question was: Nonconcurrence?

Upon motion of Senator Whittow the recommendation for nonconcurrence was laid on the table.

The question was: Adoption of senate substitute amendment 1?

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

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Harnisch, Hollander, Keppler, Kleczka, LaFave, Lorge, Martin, Maurer, Morrison, Murphy, Parys, Petri, Swan, Theno and Whittow -- 24.

Noes -- Senators Goyke, Knowles, Krueger, McKenna, Risser, Sensenbrenner and Thompson -- 7.

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

So the amendment was adopted.

Ordered to a third reading.

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

Assembly Joint Resolution 11

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 3; absent or not voting, 2; as follows:

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

Noes -- Senators Lorge, McKenna and Thompson -- 3.
Absent or not voting -- Senators Knutson and Peloquin -- 2.

More than two-thirds having voted in the affirmative the resolution was concurred in as amended.

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

Assembly Bill 7

Relating to the methods for expanding or changing unit ownership interest in condominiums.

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 7

Read a third time and concurred in.

Assembly Bill 22

Relating to holidays on the day of the assassination of Dr. Martin Luther King, Jr. and the birthdate of Malcolm X.

Read a second time.

By request of Senator Dorman, with unanimous consent, Assembly Bill 22 was referred to joint committee on Finance.

By request of Senator Risser, with unanimous consent, Assembly Bill 277 was placed after Assembly Bill 354.

Assembly Bill 354

Providing for public members on certain examining boards and examining councils.

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 354

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, Berger, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 26.

Noes -- Senators Bidwell, Chilsen, Hollander, Knowles, Krueger and Murphy -- 6.

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

So the bill was concurred in.

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

By request of Senator Krueger, with unanimous consent, the senate recessed until 11:20 A.M.

10:43 A.M.

RECESS

11:20 A.M.

The senate reconvened.

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, 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 -- 31.

Absent -- Senator Cullen -- 1.

Absent with leave -- Senator Knutson -- 1.

By request of Senator Devitt, with unanimous consent, he was granted a leave of absence until 12:15 P.M.

All members were now present.

Assembly Bill 277

Relating to grounds for divorce and legal separation, change of name and granting of alimony.

Read a second time.

Senator Sensenbrenner moved nonconcurrence.

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

Ayes -- Senators Bidwell, Chilsen, Cullen, Frank, Goyke, Hollander, Keppler, Krueger, Lorge, Martin, Morrison, Murphy, Peloquin, Sensenbrenner and Theno -- 15.

Noes -- Senators Bablitch, Berger, Dorman, Flynn, Harnisch, Kleczka, Knowles, LaFave, McKenna, Maurer, Parys, Petri, Risser, Swan, Thompson and Whittow -- 16.

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

So the motion did not prevail.

Senate amendment 1 to Assembly Bill 277 offered by Senator Kleczka.

Senator McKenna moved rejection.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 12; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Frank, Goyke, Harnisch, Hollander, Knowles, LaFave, Lorge, McKenna, Martin, Morrison, Murphy, Parys, Peloquin, Sensenbrenner and Theno -- 19.

Noes -- Senators Cullen, Dorman, Flynn, Keppler, Kleczka, Krueger, Maurer, Petri, Risser, Swan, Thompson and Whittow -- 12.

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

So the motion prevailed.

The chair introduced Senator James Clark of Maryland who was observing the operation of the Wisconsin Legislature.

Senate substitute amendment 1 to Assembly Bill 277 offered by Senators Thompson, Morrison and Goyke.

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

The chair ruled the amendment was very substantial and, in order not to delay action by further consideration, put the question to the members.

The question was: Is senate substitute amendment 1 germane?

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

Ayes -- Senators Cullen, Goyke, Keppler, Morrison, Peloquin and Thompson -- 6.

Noes -- Senators Bablitch, Berger, Bidwell, Chilsen, Dorman, Flynn, Frank, Harnisch, Hollander, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Murphy, Parys, Petri, Risser, Sensenbrenner, Swan, Theno and Whittow -- 25.

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

So the amendment was not germane.

Senator Kleckza moved nonconcurrence in Assembly Bill 277.

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

Ayes -- Senators Bidwell, Chilsen, Frank, Goyke, Hollander, Keppler, Kleczka, Krueger, Lorge, Martin, Morrison, Murphy, Sensenbrenner, Theno and Thompson -- 15.

Noes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Harnisch, Knowles, LaFave, McKenna, Maurer, Parys, Peloquin, Petri, Risser, Swan and Whittow -- 16.

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

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 Kleczka 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, 22; noes, 9; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Knowles, LaFave, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Swan, Theno, Thompson and Whittow -- 22.

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

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

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

Assembly Bill 277

Read a third time.

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

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Harnisch, Knowles, LaFave, McKenna, Maurer, Parys, Peloquin, Risser and Whittow -- 14.

Noes -- Senators Bidwell, Chilsen, Frank, Goyke, Hollander, Keppler, Kleczka, Krueger, Lorge, Martin, Morrison, Murphy, Petri, Sensenbrenner, Swan, Theno and Thompson -- 17.

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

So the bill was not concurred in.

Senator Kleczka moved reconsideration of the vote by which Assembly Bill 277 was refused concurrence.

Senator Risser moved that the motion for reconsideration be placed 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, Berger, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Knowles, LaFave, McKenna, Maurer, Morrison, Parys, Risser, Swan, Thompson and Whittow -- 18.

Noes -- Senators Bidwell, Chilsen, Frank, Hollander, Keppler, Kleczka, Krueger, Lorge, Martin, Murphy, Peloquin, Petri, Sensenbrenner and Theno -- 14.

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

So the motion prevailed.

By request of Senator Krueger, with unanimous consent, he was granted a leave of absence at 4:00 P.M.

By request of Senator Whittow, with unanimous consent, Senate Bills 628 and Assembly Bills 109, 297, 540, 653, 1016 and 1032 were placed on the calendar for the afternoon's consideration.

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

Senator McKenna objected.

Senator Berger asked unanimous consent for a leave of absence until 1:30 P.M.

Senator Bablitch objected.

Senator Whittow moved that Senate Bill 420 be placed on the calendar for the afternoon's consideration.

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

Ayes -- Senators Berger, Bidwell, Chilsen, Cuffen, Devitt, Frank, Goyke, Hollander, Keppler, Kleczka, Knowles, LaFave, Lorge, McKenna, Martin, Maurer, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Whittow -- 25.

Noes -- Senators Bablitch, Dorman, Flynn, Harnisch, Krueger, Morrison and Thompson -- 7.

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

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

Senator Whittow moved that Assembly Bill 321 be placed on the calendar for the afternoon's consideration.

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

Ayes -- Senators Bablitch, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Hollander, Keppler, Kleczka, Krueger, LaFave, Lorge, McKenna, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Swan, Theno, Thompson and Whittow -- 25.

Noes -- Senators Berger, Bidwell, Harnisch, Knowles, Martin, Murphy and Sensenbrenner -- 7.

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

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

Senator Whittow moved that **Assembly Bill 636** be placed on the calendar for the afternoon's consideration.

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

Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Devitt, Dorman, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Swan, Theno, Thompson and Whittow -- 25.

Noes -- Senators Berger, Flynn, Frank, Goyke, Kleczka, Murphy and Sensenbrenner -- 7.

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

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

Senator Whittow moved that Assembly Bill 481 be placed on the calendar for the afternoon's consideration.

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

Ayes -- Senators Bablitch, Berger, Chilsen, Devitt, Dorman, Goyke, Kleczka, LaFave, Lorge, McKenna, Risser, Swan, Thompson and Whittow -- 14.

Noes -- Senators Bidwell, Cullen, Flynn, Frank, Harnisch, Hollander, Keppler, Knowles, Krueger, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner and Theno -- 18.

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

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

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

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

12:38 P.M.

RECESS

2:00 P.M.

The senate reconvened.

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, Bidwell, Chilsen, Devitt, Dorman, Goyke, Harnisch, Hollander, Keppler, Kleczka, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 24.

Absent -- Senators Berger, Cullen, Flynn, Frank, Knowles, Krueger, Murphy and Petri -- 8.

Absent with leave -- Senator Knutson -- 1.

Senate Bill 420

Relating to authorizing cities and villages to use tax incremental financing in connection with certain public improvement projects.

The question was: Concurrence in assembly amendment 2?

Senator Bablitch moved that Senate Bill 420 be referred to joint committee on Finance.

Senator Hollander raised the point of order that the bill could not be referred to joint committee on Finance.

The chair ruled the point of order well taken pursuant to senate rule 41 (2).

Senate amendments 1 and 2 to assembly amendment 2 to Senate Bill 429 offered by Senator Bablitch.

Senator Hollander raised the point of order that the assembly amendments could not be amended.

The chair took the point of order under advisement.

Senate Bill 628

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

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 628

Read a third time and passed.

Ordered immediately messaged.

Senator Dorman in the chair.

2:40 P.M.

Assembly Bill 109

Relating to sales and use tax exemption for insulin injection equipment sold to consumers.

Read a second time.

Senator Whittow moved concurrence in the bill.

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 109

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 3; absent or not voting, 2; as follows:

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

Noes -- Senators Berger, Flynn and Petri -- 3.

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

So the bill was concurred in.

Assembly Bill 297

Relating to excluding delayed payment charges of electrical cooperatives from the Wisconsin consumer act.

Read a second time.

Senator Whittow moved concurrence in the bill.

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 297

Read a third time and concurred in.

Assembly Bill 321

Relating to collective bargaining for police and firemen.

Senator Maurer moved that the senate recede from its postition on senate amendment 1.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 12; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Keppler, Krueger, LaFave, McKenna, Martin, Maurer, Parys, Peloquin, Risser, Swan, Theno and Thompson -- 19.

Noes -- Senators Berger, Bidwell, Chilsen, Harnisch, Hollander, Kleczka, Lorge, Morrison, Murphy, Petri, Sensenbrenner and Whittow -- 12.

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

So the motion prevailed.

By request of Senator Whittow, with unanimous consent, all actions were ordered immediately messaged except Senate Bill 321.

Assembly Bill 540

Relating to monthly parking permit fees for mobile homes. Read a second time.

By request of Senator Dorman, with unanimous consent, Assembly Bill 540 was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, Assembly Bill 540 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 540

Read a third time and concurred in.

LEAVE OF ABSENCE

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

Assembly Bill 636

Relating to permitting redistribution of truck weights among the various axles of a vehicle or combination of vehicles, subject to existing overall gross weight limitations.

Read a second time.

Senator Kleczka moved nonconcurrence.

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

Ayes -- Senators Bablitch, Berger, Bidwell, Dorman, Flynn, Frank, Goyke, Kleczka, McKenna, Morrison, Risser, Sensenbrenner, Thompson and Whittow -- 14.

Noes -- Senators Chilsen, Devitt, Harnisch, Hollander, Keppler, Krueger, LaFave, Lorge, Martin, Maurer, Murphy, Parys, Peloquin, Petri, Swan and Theno -- 16.

Absent or not voting -- Senators Cullen, 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 636

Read a third time and concurred in.

Assembly Bill 653

Relating to the location of signs for special weight limitations on bridges or culverts and granting rule-making authority.

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 653

Read a third time.

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

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

Noes -- Senator Thompson -- 1.

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

So the bill was concurred in.

Senator Maurer moved that Assembly Bill 321 be ordered immediately messaged.

The ayes and noes were required and the vote was: ayes, 28; noes, 3; absent or not voting, 2; as follows:

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

Noes -- Senators Bidwell, Murphy and Sensenbrenner -- 3.

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

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

Assembly Bill 1016

Relating to various changes in the workmen's compensation law and making appropriations.

Read a second time.

Senator Whittow moved concurrence in the bill.

Senate amendment 1 to Assembly Bill 1016 offered by Senators McKenna, Berger, Flynn, Parys and Murphy.

Senator Chilsen 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 Bidwell, Chilsen, Cullen, Devitt, Dorman, Frank, Hollander, Keppler, Krueger, LaFave, Lorge, Martin, Morrison, Petri, Theno and Whittow -- 16.

Noes -- Senators Bablitch, Berger, Flynn, Goyke, Harnisch, Kleczka, McKenna, Maurer, Murphy, Parys, Peloquin, Risser, Sensenbrenner, Swan and Thompson -- 15.

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

So the motion prevailed.

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, 20; noes, 11; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Chilsen, Cullen, Devitt, Dorman, Frank, Hollander, Keppler, Krueger, LaFave, Lorge, Martin, Parys, Peloquin, Petri, Risser, Swan, Theno, Thompson and Whittow -- 20.

Noes -- Senators Bablitch, Berger, Flynn, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Murphy and Sensenbrenner -- 11.

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

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

Senator Flynn asked unanimous consent that Assembly Bill 1016 be rereferred to committee on Agriculture, Human Services, Labor and Taxation.

Senator Chilsen objected.

Senator McKenna moved that Assembly Bill 1016 be rereferred to committee on Agriculture, Human Services, Labor and Taxation.

The motion prevailed.

Assembly Bill 1032

Relating to risk management by the state, and making appropriations.

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 1032

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

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

Noes -- None.

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

So the bill was concurred in.

LEAVE OF ABSENCE

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

Assembly Bill 1101

Relating to child support collection, paternity determination, assignment of support rights, and making an appropriation.

Read a second time.

Senator Swan moved that Assembly Bill 1101 be laid on the table.

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 1101

Read a third time.

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

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Petri, Risser, Sensenbrenner, Theno, Thompson and Whittow -- 28.

Noes -- Senator Swan -- 1.

Absent or not voting -- Senators Knowles, Knutson, Krueger and Peloquin -- 4.

So the bill was concurred in.

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

Senator Risser moved that Assembly Bill 481 be placed on the calendar and considered for action at this time.

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

Ayes -- Senators Berger, Chilsen, Devitt, Frank, Harnisch, Hollander, Keppler, Kleczka, LaFave, Lorge, Morrison, Petri, Risser and Theno -- 14.

Noes -- Senators Bablitch, Bidwell, Cullen, Dorman, Flynn, Goyke, McKenna, Martin, Maurer, Murphy, Parys, Sensenbrenner, Swan, Thompson and Whittow -- 15.

Absent or not voting -- Senators Knowles, Knutson, Krueger and Peloquin -- 4.

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

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

COMMITTEE REPORTS

The committee on Senate Organization, acting under Senate Rule 20 (1), reports and recommends the following nominations to committees for appointments by the Senate:

(a) To the Joint Survey Committee on Tax Exemptions pursuant to Section 13.52 (1), Senator Goyke as Chairman.

FRED A. RISSER Chairman

Senator Whittow moved adoption of the committee report.

The motion prevailed.

MOTIONS UNDER JOINT RULE 26

A Joint Certificate of Congratulations by Senators Krueger and Harnisch; cosponsored by Representative Gunderson for the THORP FINANCE CORPORATION on their 50th anniversary.

A Joint Ce₁tificate of Congratulations by Senator Kleczka; cosponsored by Representative Tuczynski for EDMUND J. KRAWCZYK for being honored as an outstanding American of Polish descent.

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

MOTIONS UNDER SENATE RULE 96

A Certificate of Congratulations by Senator LaFave for MR. AND MRS DUFFY BELONGIA on their 50th wedding anniversary.

Read and adopted.

RULING OF THE CHAIR

As it relates to the point of order raised on Senate Bill 420, the chair ruled that assembly amendments could be amended in this house, and therefore, the point of order was not well taken.

By request of Senator Parys, with unanimous consent, the senate recessed until 4:35 P.M.

4:18 P.M.

RECESS

4:35 P.M.

The senate reconvened.

Senate Bill 420

By request of Senator Bablitch, with unanimous consent, senate amendment 2 to assembly amendment 2 was withdrawn and returned to the author.

The question was: Adoption of senate amendment 1 to assembly amendment 2?

Senator Swan moved that senate amendment 1 to assembly amendment 2 be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 11; absent or not voting, 6; as follows:

Ayes -- Senators Berger, Chilsen, Cullen, Devitt, Frank, Goyke, Hollander, Keppler, LaFave, Lorge, McKenna, Martin, Parys, Risser, Sensenbrenner and Swan -- 16.

Noes -- Senators Bablitch, Dorman, Flynn, Harnisch, Kleczka, Maurer, Morrison, Murphy, Petri, Thompson and Whittow -- 11.

Absent or not voting -- Senators Bidwell, Knowles, Knutson, Krueger, Peloquin and Theno -- 6.

So the motion prevailed.

The question was: Concurrence in assembly amendment 2 to Senate Bill 420?

Concurred in.

The question was: Concurrence in assembly amendment 4 to Senate Bill 420?

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

Ayes -- Senators Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Parys, Petri, Risser, Sensenbrenner, Swan, Thompson and Whittow -- 23.

Noes -- Senators Bablitch, Berger, Kleczka and Murphy -- 4.

Absent or not voting -- Senators Bidwell, Knowles, Knutson, Krueger, Peloquin and Theno -- 6.

So the amendment was concurred in.

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

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 596 Assembly Bill 889 Assembly Bill 909

Concurred in:

Senate Bill 69 Senate Bill 183 Senate Bill 597

Amended and concurred in as amended:

Senate Bill 456, assembly substitute amendment 1 adopted

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 596

Relating to perpetuation of Canada geese in this state through depradation payments, highway assistance, disease control and hunting regulations, and granting rule-making authority.

By Legislative Council.

Read first time and referred to committee on Natural Resources.

Assembly Bill 889

Relating to the numbering of highway signs, the unauthorized possession of such signs, increasing the penalties for the injury, defacement, removal or possession of such signs, and requiring a notice of the penalties to be affixed thereto.

By Representatives Vanderperren, Lallensack, Groshek, Matty, Mohn, Harly, Hanson and O'Malley; co-sponsored by Senators Martin and Bidwell.

Read first and referred to committee on Commerce

Assembly Bill 909

An act to cede rights of the state to certain lands in the city of Delavan to the city of Delavan for park and recreational purposes.

By Representative DeLong; co-sponsored by Senator Cullen.

Read first time and referred to committee on Natural Resources.

By request of Senator Whittow, with unanimous consent, the chair was directed to appoint members for a committee of Conference on Assembly Joint Resolution 11 in the event the assembly called for one.

The chair appointed Senators Flynn, Cullen and Murphy as conferees on its part.

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

By request of Senator Krueger, with unanimous consent, the senate adjourned in honor of the birthday of Senator LaFave.

By request of Senator Goyke, with unanimous consent, the senate also adjourned in honor of the good leadership of Senator Whittow.

AMENDMENTS OFFERED

Senate amendment 2 to Senate Bill 399 by Senator Parys, by request of Milwaukee County.

Senate amendment 2 to Assemby Bill 22 by Senators Kleczka, Parys and Goyke.

Senate amendment 1 to senate amendment 2 to Assembly Bill 22 by Senator Berger.

Senate amendment 2 to senate amendment 2 to Assembly Bill 22 by Senator Cullen.

Senate amendment 2 to Assembly Bill 481 by Senator Berger.

Upon motion of Senator Whittow the senate adjourned pursuant to Assembly Joint Resolution 14.

4:45 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 597, senate substitute amendment 1

On page 5, lines 14 and 15, substitute "Chapter 37" for "chapter 39".