

JOURNAL OF THE SENATE [December 11]

STATE OF WISCONSIN

Senate Journal

1975 Special Session

THURSDAY, December 11.

9:00 A.M.

The senate met.

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

Prayer was offered by Brigadier L. E. Geer of the Salvation Army.

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

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

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

Absent -- None.

Absent with leave -- None.

By request of Senator Theno, with unanimous consent, the senate recessed for 25 minutes.

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9:15 A.M.

RECESS

9:40 A.M.

The senate reconvened.

SPECIAL ORDERS

Assembly Bill 8, special session

Relating to overlap periods for department secretaries appointed by the governor, to the creation of a temporary position of special assistant in the department of natural resources, and to increasing an appropriation.

Read a second time.

The question was: Adoption of senate amendment 1?

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

The chair ruled the point of order not well taken.

Senate amendment 1 adopted.

Senate amendment 2 to **Assembly Bill 8, special session** offered by Senator Kleczka.

Senator Bablitch moved rejection.

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Chilsen, Devitt, Dorman, Flynn, Harnisch, Keppler, Knowles, Knutson, Krueger, Lorge, McKenna, Martin, Morrison, Peloquin, Risser, Thompson and Whittow -- 18.

Noes -- Senators Berger, Bidwell, Cullen, Frank, Goyke, Hollander, Kleczka, LaFave, Maurer, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno -- 15.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 3 to **Assembly Bill 8, special session** offered by Senator Swan.

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Senate amendment 3 adopted.

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

Senate amendment 4 to **Assembly Bill 8**, special session offered by Senator Sensenbrenner.

Senator Bablitch moved rejection.

The motion did not prevail.

Senate amendment 4 adopted.

Senate amendment 5 to **Assembly Bill 8**, special session offered by Senator Swan.

Senate amendment 5 adopted.

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 8, special session

Read a third time.

Senator Kleczka moved nonconcurrency.

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, Cullen, Frank, Goyke, Kleczka, Knutson, LaFave, Maurer, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno -- 15.

Noes -- Senators Bablitch, Devitt, Dorman, Flynn, Harnisch, Hollander, Keppler, Knowles, Krueger, Lorge, McKenna, Martin, Morrison, Peloquin, Risser, Thompson and Whittow -- 17.

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

So the motion did not prevail.

The question was: Concurrence?

The ayes and noes were required and the vote was: ayes, 20; noes, 13; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Berger, Chilsen, Devitt, Dorman, Flynn, Harnisch, Hollander, Keppler, Knowles, Knutson, Krueger,

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Lorge, McKenna, Martin, Morrison, Peloquin, Risser, Thompson and Whittow -- 20.

Noes -- Senators Bidwell, Cullen, Frank, Goyke, Kleczka, LaFave, Maurer, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno -- 13.

Absent or not voting -- None.

So the bill was concurred in as amended.

Ordered immediately messaged.

Assembly Bill 7, special session

Relating to power of vocational, technical and adult education school districts to condemn property.

Read a second time.

Senate amendment 1 to **Assembly Bill 7**, special session offered by Senators Harnisch and McKenna.

Senate amendment 1 adopted.

Senator Bablitch in the chair.

10:50 A.M.

Senate amendment 2 to **Assembly Bill 7**, special session offered by Senator LaFave.

Senator Risser raised the point of order that senate amendment 2 was not germane.

The chair ruled the point of order not well taken.

Senator Risser moved rejection of senate amendment 2.

The motion prevailed.

By request of Senator Berger, with unanimous consent, the journal showed that had he been present he would have voted "No" on nonconcurrence in **Assembly Bill 8**, special session.

Senator Sensenbrenner moved nonconcurrence in **Assembly Bill 7**, special session.

The ayes and noes were demanded and the vote was: ayes, 12; noes, 21; absent or not voting, 0; as follows:

Ayes -- Senators Bidwell, Chilsen, Hollander, Keppler, Knowles, Knutson, Krueger, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 12.

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

Absent or not voting -- None.

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 7, special session

Read a third time.

The ayes and noes were required and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

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

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

Absent or not voting -- None.

So the bill was concurred in as amended.

Ordered immediately messaged.

President pro tempore of the senate in the chair.

11:25 A.M.

Senate Bill 4, Special Session

Relating to conduct of the presidential primary and, selection of delegates to national presidential conventions.

Read a second time.

Senator Sensenbrenner moved that **Senate Bill 4**, special session be laid on the table.

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, Dorman, Flynn, Frank, Goyke, Hollander, Keppler, Kleczka, Knowles, Knutson, Krueger, LaFave, Lorge, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 31.

Absent -- Senators Harnisch and McKenna -- 2.

Absent with leave -- None.

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

By request of Senator Sensenbrenner his motion to lay on the table was withdrawn.

Senator Knowles asked unanimous consent for a leave of absence at 2:30 P.M. for the balance of the week.

Senator Krueger objected.

By request of Senator Parys, with unanimous consent, the senate recessed for 45 minutes.

11:45 A.M.

RECESS

12:30 P.M.

The senate reconvened.

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

12:31 P.M.

RECESS

2:00 P.M.

The senate reconvened.

Senator Theno moved indefinite postponement of **Senate Bill 4**, special session.

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Senator Whittow moved a

CALL OF THE SENATE

Which motion was supported.

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

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

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

Absent -- None.

Absent with leave -- None.

By request of Senator Dorman, with unanimous consent, **Senate Bill 4**, special session was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 4**, special session was withdrawn from joint committee on Finance and considered for action at this time.

Senate Bill 4, special session

Read a second time.

Senator Swan asked unanimous consent that **Senate Bill 4**, special session be referred to committee on Governmental and Veterans' Affairs.

Senator Dorman objected.

By request of Senator Whittow, with unanimous consent, the senate recessed for 15 minutes.

3:15 P.M.

RECESS

3:30 P.M.

The senate reconvened.

The question was: Indefinite postponement of **Senate Bill 4**, special session?

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The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes -- Senators Bidwell, Chilsen, Devitt, Flynn, Frank, Hollander, Keppler, Kleczka, Knowles, Knutson, Krueger, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 17.

Noes -- Senators Bablitch, Berger, Cullen, Dorman, Goyke, Harnisch, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 16.

Absent or not voting -- None.

So the motion prevailed.

Senator Chilsen moved reconsideration of the vote by which Senate Bill 4, special session was indefinitely postponed.

The ayes and noes were demanded and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Goyke, Harnisch, McKenna, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 15.

Noes -- Senators Bidwell, Chilsen, Devitt, Flynn, Frank, Hollander, Keppler, Kleczka, Knowles, Knutson, Krueger, LaFave, Lorge, Martin, Murphy, Petri, Sensenbrenner and Theno -- 18.

Absent or not voting -- None.

So the motion did not prevail.

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

By request of Senator Whittow, with unanimous consent, the senate stood informal subject to the call of the chair.

3:45 P.M.

4:15 P.M.

The senate reconvened.

LEAVE OF ABSENCE

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

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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 amended and concurred in as amended:

Senate Bill 2, special session (Assembly amendment 1 adopted)

By request of Senator Parys, with unanimous consent, the senate recessed until 4:30 P.M.

3:46 P.M.

RECESS

4:30 P.M.

The senate reconvened.

The question was: Concurrence in assembly amendment 1 to **Senate Bill 2, special session?**

Senator McKenna moved nonconcurrence.

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

Ayes -- Senators Bablitch, Berger, Cullen, Flynn, Frank, Harnisch, McKenna, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan and Thompson -- 17.

Noes -- Senators Bidwell, Chilsen, Devitt, Dorman, Goyke, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Theno and Whittow -- 15.

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

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So the motion prevailed.
Ordered immediately messaged.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

I am directed to inform you that the assembly has concurred in:

Assembly Bill 7, special session, senate amendment 1

Amended and concurred in as amended:

Assembly Bill 8, special session, senate amendment 5
(Assembly amendment 1 adopted)

and

Nonconcurred in:

Assembly Bill 8, special session, senate amendment 1, 3 and 4

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 8

Relating to the definition of "veteran" for the veteran's housing loan program.

The question was: Concurrence in assembly amendment 1?

Senator Kleczka moved nonconcurrence.

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

Ayes -- Senators Berger, Cullen, Frank, Goyke, Kleczka, LaFave, Maurer, Murphy, Parys, Peloquin, Petri, Sensenbrenner and Swan -- 13.

Noes -- Senators Bablitch, Bidwell, Chilsen, Devitt, Dorman, Flynn, Harnisch, Hollander, Keppler, Knowles, Krueger, Lorge, McKenna, Martin, Morrison, Risser, Theno, Thompson and Whittow -- 19.

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

So the motion did not prevail.

By request of Senator Kleczka, with unanimous consent, the question of concurrence in assembly amendment 1 was laid aside until action was completed on senate amendments 1, 3 and 4.

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The question was: Shall the senate adhere to its position on senate amendment 1?

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

Ayes -- Senators Berger, Chilsen, Cullen, Dorman, Goyke, Keppler, Kleczka, Knowles, LaFave, Maurer, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan and Theno -- 17.

Noes -- Senators Bablitch, Bidwell, Devitt, Flynn, Frank, Harnisch, Krueger, Lorge, McKenna, Martin, Morrison, Risser, Thompson and Whittow -- 14.

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

So the senate adhered to its position.

The question was: Shall the senate adhere to its position on senate amendment 3?

By request of Senator Sensenbrenner, with unanimous consent, senate amendment 3 was placed after consideration of assembly amendment 1.

Senator Chilsen moved reconsideration of the vote by which the senate adhered to its position on senate amendment 1.

Senator Whittow moved that the motion for reconsideration be laid on the table.

The motion prevailed.

The question was: Shall the senate adhere to its position on senate amendment 4?

The senate adhered to its position.

The question was: Concurrence in assembly amendment 1 to senate amendment 5 to **Assembly Bill 8**, special session.

Senator Whittow moved nonconcurrence.

The motion prevailed.

The question was: Shall the senate adhere to its position on senate amendment 3?

The senate adhered to its position.

Ordered immediately messaged.

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By request of Senator Whittow, with unanimous consent, the senate stood informal for 35 minutes.

5:35 P.M.

6:10 P.M.

The senate reconvened.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

I am directed to inform you that the assembly adheres to its position on:

Assembly Bill 8, special session, assembly amendment 1 to senate amendment 5 and senate amendments 1, 3 and 4, and requests a Committee of Conference and appoints Representatives Willkom, Wahner and Day as conferees on its part.

Receded from its position on:

Senate Bill 2, special session, assembly amendment 1

By request of Senator Parys, with unanimous consent, the senate recessed until 6:35 P.M.

6:15 P.M.

RECESS

6:35 P.M.

The senate reconvened.

Senator Whittow moved that the senate appoint a Committee of Conference on **Assembly Bill 8**, special session, and that the chair be directed to appoint members to that committee.

The motion prevailed.

The chair appointed Senators Swan, Kleczka and Parys as conferees on its part.

The question was: Confirmation of the conferees?

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So the conferees were confirmed.

By request of Senator Whittow, with unanimous consent, the conferees were directed to report to the senate by 7:00 P.M.

Upon motion of Senator Whittow the senate recessed until 7:00 P.M.

6:40 P.M.

RECESS

7:00 P.M.

The senate reconvened.

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

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends for introduction:

Senate Joint Resolution 1, Special Session

Relating to the adjournment sine die of the 1975 special session.
Introduction; Ayes, 5; Noes, 0.

FRED A. RISSER
Chairman

Read and adopted.

Ordered immediately messaged.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

I am directed to inform you that the assembly has Concurred in:

Senate Joint Resolution 1, special session

Upon motion of Senator Whittow the senate adjourned pursuant to **Senate Joint Resolution 1, special session.**

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Assembly Bill 8, special session

On page 2, line 11, delete the comma before "shall".

GUESTS

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

Students of Schenk Middle School, guests of Senator Risser.

Tom Mueller and students of the Political Science Class at Oregon High School, guests of Senator Thompson.

Gordon Lewison and students of the Political Science Class at Wisconsin Dells High School, guests of Senator Bidwell.

Mary O'Keefe, Mary McFarland, Linda Lucchesi, and Laurie Neubauer of Edgewood College, guests of Senator Risser.

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TUESDAY, January 6, 1976

The chief clerk makes the following entries under the above date.

PETITIONS AND COMMUNICATIONS

The following bills failed to pass pursuant to **Senate Joint Resolution 1**, special session:

Senate Bill 1, special session

Senate Bill 3, special session

Senate Bill 4, special session

The following bill failed to be concurred in pursuant to **Senate Joint Resolution 1**, special session:

Assembly Bill 8, special session.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

December 24, 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:

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Senate Bill Chapter No. Date Approved
2ss ----- 147----- December 24, 1975

Sincerely,
PATRICK J. LUCEY
Governor

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to **Senate Bill 1**, special session:

1. On page 1, line 3, substitute "(9) (u)" for "(9) (a)".
2. On page 1, line 5, after "86.31," insert "86.33, 86.331,".
3. On page 1, line 9, after "(f)" insert ", 341.34".
4. On page 1, line 26, after "103.37 (2)," insert "110.06 (1),".
5. On page 1, line 31, after "195.38," insert "196.01 (1), 196.02 (3),".
6. On page 1, line 33, delete "341.05 (3),".
7. On page 2, after line 1, insert "341.35 (3), 341.51 (1) and (2), 342.14 (2), 343.16 (1) (am), 344.19 (2), 344.52 (2), 345.09 (1),".
8. On page 2, line 4, before "85.05" insert "84.01 (title),".
9. On page 2, line 9, substitute "and" for the last comma.
10. On page 2, line 11, delete "86.33, 86.331,".
11. On page 2, delete the material beginning with "341.25" in line 16 and ending with "345.09 (1)" in line 18, and substitute "341.05 (3), 341.25 (1) (gd), 341.405 and 341.43".
12. On page 12, line 21, substitute "program" for "qrogram".
13. On page 39, delete line 26.
14. On page 46, line 2, substitute "340.01" for "34.01".
15. On page 55, line 30, substitute "commission" for "commisison".

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16. On page 91, line 18, substitute "repealed and recreated" for "created".
17. On page 91, delete line 37.
18. On page 101, line 29, substitute "(gd)" for "(qd)".
19. On page 106, line 11, insert a comma after "(intro.)".
20. On page 108, line 13, substitute "196.44" for "195.07".
21. On page 109, line 39, substitute "2" for "12" and substitute "1975-76" for "1976-77".
22. On page 110, line 14, insert a comma after "committees".
23. On page 110, line 24, delete "341.45 (2) and (3)" and substitute "341.145 (2) and (3)". The additional tax imposed on motor fuel applies to all motor fuel received and in possession of every licensed wholesaler on February 1, 1976".

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 2, special session

Correctly enrolled and presented to the Governor on December 24, 1975.