

JOURNAL OF THE SENATE [February 18, 1976]

STATE OF WISCONSIN

# Senate Journal

**Eighty-Second Regular Session**

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WEDNESDAY, February 18, 1976.

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 Bishop Val Mitchell of the Church of Jesus Christ of Latter Day Saints, Madison.

The senate remained standing and Senator Hollander 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, 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.

Absent -- Senators Cullen and Devitt -- 2.

Absent with leave -- Senator Knutson -- 1.

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## COMMITTEE REPORTS

The joint committee on Finance reports and recommends for introduction:

### **Senate Bill 796**

Relating to miscellaneous changes requested by various state agencies, granting rule-making authority, making appropriations and altering penalties.

Introduction; Ayes, 14; Noes, 0.

Read first time and referred to joint committee on Finance.

JOURNAL OF THE SENATE [February 18, 1976]

and further recommends:

**Senate Bill 523**

Relating to issuing trout stamps for trout habitat improvement, and making an appropriation.

By Senators Harnisch, Berger and Cullen.

Adoption of senate amendment 1; Ayes, 13; Noes, 0.

Passage as amended; Ayes, 10; Noes, 3.

**Senate Bill 616**

Relating to providing life insurance fund coverage for nonstandard risks and making an appropriation.

Passage; Ayes, 12; Noes, 1.

**Senate Bill 313**

Relating to the providing of medical psychotherapy.

Adoption of senate substitute amendment 3; Ayes, 7; Noes, 3.

Passage as amended; Ayes, 5; Noes, 3.

HENRY DORMAN

Chairman

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

**Assembly Bill 69**

Relating to fee for adoption services.

Concurrence; Ayes, 6; Noes, 1.

**Assembly Bill 855**

Relating to merger of the Wisconsin retirement fund, the state teachers retirement system and the Milwaukee teachers retirement fund, and granting rule-making authority.

Concurrence; Ayes, 9; Noes, 0.

CARL W. THOMPSON

Chairman

JOURNAL OF THE SENATE [February 18, 1976]

The committee on Commerce reports and recommends:

**Senate Bill 752**

Relating to cosmetology licensing.

Passage; Ayes, 8; Noes, 0.

RONALD G. PARYS  
Chairman

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MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

**Assembly Bill 700**

**Assembly Bill 813**

**Assembly Bill 854**

**Assembly Bill 912**

and

Concurred in:

**Senate Bill 27**

**Senate Bill 67**

**Senate Bill 81**

**Senate Bill 287**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 700**

Permitting the public service commission to establish new standards for railroad track clearances, granting rule-making authority and providing a penalty.

By Committee on Commerce and Consumer Affairs, by request of the Public Service Commission.

Read first time and referred to committee on Commerce.

**Assembly Bill 813**

Relating to making the monarch butterfly the state insect.

By Representative DeLong, by request of John Casucci.

Read first time and referred to committee on Governmental and Veterans' Affairs.

JOURNAL OF THE SENATE [February 18, 1976]

**Assembly Bill 854**

Relating to operators' licenses for epileptics.

By Representatives Giese, Ausman, Munts and Wahner.

Read first time and referred to committee on Commerce.

**Assembly Bill 912**

Relating to beer sales in municipal liquor stores.

By Representatives Conradt, L.F. Anderson, Lewison and Schricker; co-sponsored by Senator Thompson.

Read first time and referred to committee on Commerce.

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MOTIONS

Senator Whittow moved reconsideration of the vote by which **Senate Bill 652** was indefinitely postponed.

By request of Senator Whittow, with unanimous consent, the motion for reconsideration was laid on the table.

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CALENDAR OF FEBRUARY 18

**Senate Bill 223**

Relating to leave for qualified prison inmates and granting rule-making authority.

Read a second time.

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

Adopted.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Adoption of senate amendment 2?

Adopted.

The question was: Adoption of senate amendment 3?

Adopted.

The question was: Adoption of senate amendment 4?

Adopted.

Ordered to a third reading.

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

## JOURNAL OF THE SENATE [February 18, 1976]

Senator Parys 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, 8; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Berger, Chilsen, Dorman, Flynn, Frank, Harnisch, Keppler, Knowles, Krueger, LaFave, McKenna, Martin, Maurer, Morrison, Murphy, Peloquin, Risser, Swan, Theno, Thompson and Whittow -- 22.

Noes -- Senators Bidwell, Goyke, Hollander, Kleczka, Lorge, Parys, Petri and Sensenbrenner -- 8.

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

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

### **Senate Bill 223**

Read a third time.

Senator Parys moved indefinite postponement.

The motion did not prevail.

The question was: Passage?

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, McKenna, Maurer, Morrison, Murphy, Peloquin, Risser, Swan and Thompson -- 14.

Noes -- Senators Bidwell, Chilsen, Frank, Goyke, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Parys, Petri, Sensenbrenner, Theno and Whittow -- 17.

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

So the bill did not pass.

### **Senate Bill 360**

Relating to court permission to marry when children receive public assistance.

Read a second time.

The question was: Rejection of senate amendment 1?

The amendment was not rejected.

JOURNAL OF THE SENATE [February 18, 1976]

The question was: Adoption?

Senate amendment 1 adopted.

By request of Senator Dorman, with unanimous consent, **Senate Bill 360** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 360** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Senator Murphy moved indefinite postponement.

The ayes and noes were demanded and the vote was: ayes, 9; noes, 23; absent or not voting, 1; as follows:

Ayes -- Senators Bidwell, Goyke, Hollander, Kleczka, Knowles, Martin, Murphy, Petri and Sensenbrenner -- 9.

Noes -- Senators Bablitch, Berger, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Harnisch, Keppler, Krueger, LaFave, Lorge, McKenna, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Theno, Thompson and Whittow -- 23.

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

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.

**Senate Bill 360**

Read a third 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, Frank, Harnisch, Krueger, LaFave, Lorge, McKenna, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Theno, Thompson and Whittow -- 22.

Noes -- Senators Bidwell, Goyke, Hollander, Keppler, Kleczka, Knowles, Martin, Murphy, Petri and Sensenbrenner -- 10.

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

So the bill passed.

By request of Senator Theno, with unanimous consent, the senate recessed until 11:50 P.M.

JOURNAL OF THE SENATE [February 18, 1976]

10:15 A.M.

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RECESS

11:50 A.M.

The senate reconvened.

Upon motion of Senator Whittow the senate recessed until 3:30 P.M.

11:51 A.M.

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RECESS

3:30 P.M.

The senate reconvened.

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

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SPECIAL ORDERS

**Senate Bill 788**

Relating to state treasury cash flow management, establishing a local government pooled-investment fund and a local government trust-investment fund and granting rule-making authority.

Read a second time.

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, Knowles, Krueger, LaFave, Lorge, McKenna, Maurer, Morrison,

**JOURNAL OF THE SENATE [February 18, 1976]**

**Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 30.**

**Absent -- Senators Kleczka and Martin -- 2.**

**Absent with leave -- Senator Knutson -- 1.**

**By request of Senator Whittow, with unanimous consent, the senate proceeded on **Senate Bill 788** under call.**

**By request of Senator Berger, with unanimous consent, senate substitute amendment 1 was laid on the table.**

**The question was: Adoption of senate amendment 1?**

**Adopted.**

**Senate amendment 2 to **Senate Bill 788** offered by Senator McKenna.**

**Senate amendment 2 adopted.**

**Senate amendment 3 to **Senate Bill 788** offered by Senator Berger.**

**Senator Bablitch moved rejection.**

**Senator Bablitch in the chair.**

**3:55 P.M.**

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

**The question was: Rejection?**

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

**Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler, Kleczka, Krueger, McKenna, Martin, Maurer, Morrison, Peloquin, Petri, Risser, Sensenbrenner and Thompson -- 21.**

**Noes -- Senators Berger, Devitt, Frank, Knowles, LaFave, Lorge, Murphy, Parys, Swan, Theno and Whittow -- 11.**

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

**So the motion prevailed.**

**President of the senate in the chair.**

**5:00 P.M.**



**JOURNAL OF THE SENATE [February 18, 1976]**

**Senate amendment 4 to Senate Bill 788 offered by Senator Hollander.**

**Senator Risser moved rejection.**

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

**Ayes -- Senators Bablitch, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, McKenna, Maurer, Morrison, Peloquin, Petri, Risser and Thompson -- 17.**

**Noes -- Senators Berger, Bidwell, Devitt, Hollander, Knowles, Krueger, LaFave, Lorge, Martin, Murphy, Parys, Sensenbrenner, Swan, Theno and Whittow -- 15.**

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

**So the motion prevailed.**

**Senator Krueger moved reconsideration of the vote by which senate amendment 3 was rejected.**

**The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 1; as follows:**

**Ayes -- Senators Berger, Bidwell, Devitt, Frank, Hollander, Knowles, Krueger, LaFave, Lorge, Martin, Murphy, Parys, Sensenbrenner, Swan, Theno and Whittow -- 16.**

**Noes -- Senators Bablitch, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, McKenna, Maurer, Morrison, Peloquin, Petri, Risser, Thompson and Mr. President -- 17.**

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

**So the motion did not prevail.**

**Senate amendment 5 to Senate Bill 788 offered by Senator Knowles.**

**Senator Risser moved rejection.**

**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, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Peloquin, Petri, Risser and Thompson -- 17.**

**Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Murphy, Parys, Sensenbrenner, Swan, Theno and Whittow -- 15.**

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

JOURNAL OF THE SENATE [February 18, 1976]

So the motion prevailed.

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 788**

Read a third time.

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

Ayes -- Senators Bablitch, Berger, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, LaFave, McKenna, Maurer, Morrison, Peloquin, Petri, Risser, Swan and Thompson -- 19.

Noes -- Senators Bidwell, Chilsen, Frank, Hollander, Knowles, Krueger, Lorge, Martin, Murphy, Parys, Sensenbrenner, Theno and Whittow -- 13.

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.

By request of Senator Whittow, with unanimous consent, the senate adjourned in honor of all past Senators of Wisconsin present in the chamber for a reunion.

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AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 692** by Senator Cullen.

Senate amendment 1 to **Senate Bill 746** by Senator Cullen.

Senate amendment 1 to senate amendment 1 to senate substitute amendment 1 to **Senate Bill 388** by Senator Berger.

Senate amendment 4 to senate substitute amendment 1 to **Senate Bill 388** by Senator Whittow.

**JOURNAL OF THE SENATE [February 18, 1976]**

Upon motion of Senator Whittow the senate adjourned until 9:00 A.M. Thursday, February 19.

5:30 P.M.

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**GUESTS**

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

Diane Holbus, Mike Maxwell, John Gates, Joan Hunt, Tom Wiggert, Daryle Block, Dale Medeen, Randy Plate, Barbara Brzezinski, Wendy M. Suda, Ann M. Dimmick, Cynthia M. Ward, Howie Horning, Jr., David Dorn, Kim Richardson, Sherry Carpenter, Jeff Coffman, Richard Nell, Dan Rains, Jean Bollinger, Jenny Stenner, Robert Chorinard, Jerry Weigand, Douglas Vaade, Rod Schilleman, Earl Watkins, Jr., Bette Rosenthal, Deborah Kamoski, The Wisconsin School for the Deaf, Delavan, guests of Senator Tim Cullen.