

JOURNAL OF THE SENATE [February 4, 1976]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

WEDNESDAY, February 4, 1976.

9:30 A.M.

The senate met.

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

Prayer was offered by Reverend Joseph E. Dawson, Pastor of Mt. Zion Baptist Church, Madison.

The senate remained standing and Senator Frank 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, 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 808

Relating to the granting of intoxicating liquor licenses to premises formerly licensed only for the sale of fermented malt beverages.

By Senator Bidwell, cosponsored by Representatives Litscher, Hauke and Behnke.

To committee on Judiciary and Consumer Affairs.

Senate Bill 809

Relating to forest croplands location limitation.

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By Senators LaFave, Martin, Chilsen, Devitt, Krueger and Maurer, cosponsored by Representatives Kincaid, Hasenohrl and Schricker.

To committee on Natural Resources.

COMMITTEE REPORTS

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

Senate Bill 451

Relating to removing limitations on the owning of land by aliens.

Adoption of senate substitute amendment 1; Ayes, 6; Noes, 2.

Passage as amended; Ayes, 6; Noes, 2.

CARL W. THOMPSON
Chairman

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

Assembly Bill 295

and

Concurred in:

Senate Bill 291

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 295

Relating to auction sales by cities, villages and counties.

By Representatives Klicka, Sensenbrenner, Hauke, Snyder, Schricker, Lasee, Roth, Lewis, Gower, Ellis, Schroeder, Opitz, Luckhardt, Olson, DeLong, Wackett, Kincaid, Porter, L.F. Anderson, Matty, Gunderson and Ausman; co-sponsored by Senators Murphy, Devitt and Theno.

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

MOTIONS

Senator Krueger asked unanimous consent that **Senate Bill 248** be withdrawn from the joint committee on Finance and referred to committee on Senate Organization.

Senator Whittow objected.

Senator Krueger moved that **Senate Bill 248** be withdrawn from the joint committee on Finance and referred to the committee on Senate Organization.

The motion did not prevail.

Senator Krueger moved that the rules be suspended and **Senate Bill 248** be withdrawn from the joint committee on Finance and considered for action at this time.

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

Ayes -- Senators Bidwell, Chilsen, Devitt, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Petri and Theno -- 11.

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

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

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

Senator Theno asked unanimous consent that the motion for reconsideration of the vote by which **Senate Bill 652** was indefinitely postponed be taken from the table and considered for action at this time.

Senator LaFave objected.

Senator Theno moved that the motion for reconsideration of the vote by which **Senate Bill 652** was indefinitely postponed be taken from the table and considered for action at this time.

The motion prevailed.

The question was: Reconsideration of the vote by which **Senate Bill 652** was indefinitely postponed?

The motion prevailed.

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By request of Senator Whittow, with unanimous consent, **Senate Bill 652** was referred to committee on Senate Organization.

Senator Krueger asked unanimous consent that **Senate Bill 92** be withdrawn from the joint committee on Finance and referred to committee on Senate Organization.

Senator Dorman objected.

Senator Krueger moved that **Senate Bill 92** be withdrawn from the joint committee on Finance and referred to committee on Senate Organization.

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

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

Noes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -
- 19.

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

So the motion did not prevail.

STATEMENT OF POSITION

By request of Senator Goyke, pursuant to senate rule 74, the journal showed that had he been present Tuesday afternoon, February 24, he would have voted "aye" on the following measures:

Senate Bill 616 -- passage

Assembly Bill 777 -- concurrence

Senate Bill 752 -- indefinite postponement

CALENDAR OF FEBRUARY 25

Senate Bill 313

Relating to the providing of medical psychotherapy.

Read a second time.

By request of Senator Devitt, with unanimous consent, senate substitute amendments 1 and 2 were laid on the table.

The question was: Adoption of senate substitute amendment 3?

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Senator Berger raised the point of order that senate substitute amendment 3 was not germane.

The chair took the point of order under advisement.

By request of Senator Parys, with unanimous consent, the senate recessed until 11:00 A.M.

10:30 A.M.

RECESS

11:00 A.M.

The senate reconvened.

President pro tempore of the senate in the chair.

Upon motion of Senator Whittow the senate recessed until 4:00 P.M.

11:01 A.M.

RECESS

4:00 P.M.

The senate reconvened.

President of the senate in the chair.

RULING OF THE CHAIR

As it relates to **Senate Bill 313** the chair ruled that senate substitute amendment 3 was germane.

Senate amendment 1 to senate substitute amendment 3 to **Senate Bill 313** offered by Senators Chilsen, Bablitch and McKenna.

Senator Berger moved indefinite postponement of **Senate Bill 313**.

The ayes and noes were demanded and the vote was: ayes, 10; noes, 21; absent or not voting, 2; as follows:

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Ayes -- Senators Berger, Bidwell, Cullen, Dorman, Harnisch, Kleczka, Morrison, Risser, Swan and Thompson -- 10.

Noes -- Senators Bablitch, Chilsen, Devitt, Flynn, Frank, Goyke, Hollander, Keppler, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Theno and Whittow -- 21.

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

So the motion did not prevail.

Senator Swan moved that **Senate Bill 313** be referred to committee on Governmental and Veterans' Affairs.

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

Ayes -- Senators Berger, Bidwell, Cullen, Harnisch, Kleczka, Morrison and Swan -- 7.

Noes -- Senators Bablitch, Chilsen, Devitt, Dorman, Flynn, Frank, Goyke, Hollander, Keppler, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Theno, Thompson and Whittow -- 24.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 1 to senate substitute amendment 3?

Adopted.

By request of Senator Whittow, pursuant to senate rule 76, a 3 minute limit was placed on debate on each member for each question on **Senate Bill 313**.

Senator Peloquin moved indefinite postponement of **Senate Bill 313**.

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

Ayes -- Senators Berger, Bidwell, Cullen, Dorman, Harnisch, Kleczka, Martin, Morrison, Peloquin, Risser, Swan and Thompson -- 12.

Noes -- Senators Bablitch, Chilsen, Devitt, Flynn, Frank, Goyke, Hollander, Keppler, Krueger, LaFave, Lorge, McKenna, Maurer, Murphy, Parys, Petri, Sensenbrenner, Theno and Whittow -- 19.

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

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So the motion did not prevail.

Senate amendment 2 to senate substitute amendment 3 to **Senate Bill 313** offered by Senator Berger.

Senator McKenna moved rejection.

The motion prevailed.

Senate amendment 3 to senate substitute amendment 3 to **Senate Bill 313** offered by Senator Berger.

Senator McKenna moved rejection.

The motion prevailed.

Senator Swan moved that **Senate Bill 313** be laid on the table.

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

Ayes -- Senators Berger, Bidwell, Cullen, Dorman, Harnisch, Kleczka, Martin, Morrison, Peloquin, Risser, Sensenbrenner, Swan and Thompson -- 13.

Noes -- Senators Bablitch, Chilsen, Devitt, Flynn, Frank, Goyke, Hollander, Keppler, Krueger, LaFave, Lorge, McKenna, Maurer, Murphy, Parys, Petri, Theno and Whittow -- 18.

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

So the motion did not prevail.

The question was: Adoption of senate substitute amendment 3?

Adopted.

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 rules be suspended and the bill be considered for final action at this time.

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

Ayes -- Senators Bablitch, Chilsen, Cullen, Devitt, Flynn, Frank, Goyke, Hollander, Keppler, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Petri, Sensenbrenner, Theno, Thompson and Whittow -- 23.

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Noes -- Senators Berger, Bidwell, Dorman, Harnisch, Kleczka, Peloquin, Risser and Swan -- 8.

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

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

Senate Bill 313

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 11; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Chilsen, Devitt, Flynn, Frank, Goyke, Hollander, Keppler, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Murphy, Parys, Petri, Sensenbrenner, Theno and Whittow -- 20.

Noes -- Senators Berger, Bidwell, Cullen, Dorman, Harnisch, Kleczka, Morrison, Peloquin, Risser, Swan and Thompson -- 11.

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

So the bill passed.

Ordered immediately messaged.

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

COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

Senate Bill 755

Relating to state finances and appropriations, constituting the budget review bill and making appropriations.

Introduction of senate substitute amendment 1; Ayes, 13; Noes, 0.

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

Passage as amended; Ayes, 11; Noes, 2.

HENRY DORMAN

Chairman

By request of Senator Parys, with unanimous consent, the senate recessed until 5:35 P.M.

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5:08 P.M.

RECESS

5:35 P.M.

The senate reconvened.

President pro tempore of the senate in the chair.

Senate Bill 500

Relating to eligibility for unemployment compensation benefits.
Read a second time.

Senate amendment 2 to **Senate Bill 500** offered by Senators Petri and Berger, by request of Representative Offner.

Senate substitute amendment 1 to **Senate Bill 500** offered by Senators Whittow, Risser, Bablitch, Parys, Kleczka, Harnisch, Flynn, Maurer, Peloquin, McKenna, Goyke, Berger, Swan, Morrison, Thompson, Dorman, Cullen and Frank.

By request of Senator Krueger, with unanimous consent, the senate recessed until 6:20 P.M.

5:40 P.M.

RECESS

6:20 P.M.

The senate reconvened.

President of the senate in the chair.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 500** offered by Senator Petri, by request of Representative McClain.

Senator Sensenbrenner moved indefinite postponement of **Senate Bill 500**?

Senator Krueger asked unanimous consent that **Senate Bill 500** be made a special order of business at 10:30 A.M. Thursday.

Senator Whittow objected.

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Senator Krueger moved that **Senate Bill 500** be made a special order of business at 10:30 A.M. Thursday.

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

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

Noes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow - - 19.

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

So the motion did not prevail.

By request of Senator Parys, with unanimous consent, the senate recessed until 6:58 P.M.

6:50 P.M.

RECESS

6:58 P.M.

The senate reconvened.

The question was: Indefinite postponement of **Senate Bill 500**?

The ayes and noes were demanded and the vote was: ayes, 11; noes, 20; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Chilsen, Hollander, Keppler, Krueger, Lorge, Martin, Murphy, Petri, Sensenbrenner and Theno -- 11.

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

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

So the motion did not prevail.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1 to **Senate Bill 500**?

Senator LaFave moved that senate amendment 1 be laid on the table.

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The ayes and noes were demanded and the vote was: ayes, 21; noes, 10; absent or not voting, 2; as follows:

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

Noes -- Senators Bidwell, Chilsen, Hollander, Keppler, Krueger, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 10.

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

So the motion prevailed.

Senate amendment 2 to senate substitute amendment 1 to **Senate Bill 500** offered by Senator Petri, by request of Representative Offner.

By request of Senator Krueger, with unanimous consent, the senate recessed until 7:35 P.M.

7:15 P.M.

RECESS

7:35 P.M.

The senate reconvened.

Senator Petri moved indefinite postponement of **Senate Bill 500**.

The ayes and noes were demanded and the vote was: ayes, 11; noes, 20; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Chilsen, Hollander, Keppler, Krueger, Lorge, Martin, Murphy, Petri, Sensenbrenner and Theno -- 11.

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

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

So the motion did not prevail.

The question was: Adoption of senate amendment 2 to senate substitute amendment 1 to **Senate Bill 500**?

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

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The question was: Adoption of senate substitute amendment 1 to Senate Bill 500?

Adopted.

Ordered to a third reading.

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

Senator Chilsen objected.

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

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, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 19.

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

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

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

Senator Whittow moved reconsideration of the vote by which Senate Bill 500 was ordered to a third reading.

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

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

Noes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 19.

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

So the motion prevailed.

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

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Senator Chilsen objected.

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

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, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 19.

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

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

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

AMENDMENTS OFFERED

Senate substitute amendment 2 to **Senate Bill 652** by Senators Theno, Martin, Flynn, Bablitch and Krueger.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 755** by Senators Dorman, Maurer and McKenna.

Senate amendment 2 to senate substitute amendment 1 to **Senate Bill 755** by Senator Hollander.

Senate amendment 5 to **Assembly Bill 469** by Senator Kleczka.

Senate amendment 8 to **Assembly Bill 163** by Senator Hollander.

By request of Senator Flynn, with unanimous consent, the senate adjourned in honor of the birthdays of Senators Cullen and Knowles.

Upon motion of Senator Whittow the senate adjourned until 9:00 A.M. Thursday, February 26.

7:45 P.M.