

JOURNAL OF THE SENATE [March 4, 1976]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

THURSDAY, March 4, 1976.

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 Congregational Church, Madison.

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, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Peloquin, Risser, Sensenbrenner, Theno and Whittow -- 25.

Absent -- Senators Cullen, Morrison, Murphy, Parys, Petri and Swan -- 6.

Absent with leave -- Senators Knutson and Thompson -- 2. t 1

INTRODUCTION OF RESOLUTIONS

Senate Resolution 21

Relating to senate committee procedures.

By Senators Risser, Whittow, Bablitch, Krueger, Chilsen, Flynn, Knowles, Goyke and Bidwell.

JOURNAL OF THE SENATE [March 4, 1976]

Read and referred to committee on Senate Organization.

COMMITTEE REPORTS

The committee on Natural Resources reports and recommends:

Assembly Bill 1175

Relating to making changes in public inland lake protection and rehabilitation districts and providing a penalty.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 628

Relating to determinations of the department of natural resources as to the sufficiency of local flood plain zoning regulations.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 635

Relating to exempting lands adjacent to certain farm drainage ditches from flood plain zoning jurisdiction.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 1127

Relating to authorizing the department of natural resources to issue deer proof fencing contracts.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 674

Relating to the time within which snowmobile certificate applications must be submitted to the department of natural resources.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 392

Relating to dam inspections, map scales, aquatic nuisance treatment charges, mercury user reports and pollution discharge, permit requirements and procedures.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 1010

Relating to maintenance of drainage ditches.

Concurrence; Ayes, 5; Noes, 0.

Senate Bill 817

Relating to permitting counties to offer bounties for rattlesnakes.

Passage; Ayes, 5; Noes, 0.

JOURNAL OF THE SENATE [March 4, 1976]

Assembly Bill 776

Relating to claims for crop damage caused by deer and bear.
Concurrence; Ayes, 5; Noes, 0.

Assembly Joint Resolution 36

Requesting the federal government to assume responsibility commensurate with its authority over migrating Canada geese in Wisconsin.

Concurrence; Ayes, 5; Noes, 0.

Senate Bill 806

Relating to processing air contaminant project applications.
Adoption of senate substitute amendment 1; Ayes, 5; Noes, 0.
Passage as amended; Ayes, 5; Noes, 0.

JEROME A. MARTIN
Chairman

The committee on Commerce reports and recommends:

SMITH, MOWRY, of Neenah, as a member of the State Investment Board, to succeed himself, to serve for the term ending March 1, 1981.

Confirmation; Ayes, 9; Noes, 0.

Senate Bill 133

Relating to the quantity of wine which may be sold by holders of "Class B" retail licenses.

Introduction of senate substitute amendment 2; Ayes, 7; Noes, 1.

Adoption of senate substitute amendment 2; Ayes, 7; Noes, 1.
Passage as amended; Ayes, 7; Noes, 1.

Senate Bill 333

Relating to making the state, counties and municipalities responsible for the cost of constructing and maintaining streets and highways located at railroad crossings.

Passage; Ayes, 7; Noes, 2.

Senate Bill 753

Relating to expanding regulation of outdoor advertising and regulation of junkyards in areas adjacent to interstate and primary highways, granting rule-making authority and increasing an appropriation.

Passage; Ayes, 8; Noes, 1.

RONALD G. PARYS
Chairman

JOURNAL OF THE SENATE [March 4, 1976]

The committee on Education reports and recommends:

Assembly Bill 629

Relating to requiring city school districts to use the school year for their fiscal year and the veto power of a mayor concerning certain school tax resolutions of a common council.

Concurrence; Ayes, 4; Noes, 0.

Assembly Bill 908

Relating to the employment of legal counsel for the Milwaukee school board.

Concurrence; Ayes, 4; Noes, 0.

Assembly Bill 1174

Relating to authorizing school boards to lease cable television services for up to 20 years.

Concurrence; Ayes, 4; Noes, 0.

BRUCE S. PELOQUIN

Chairman

The joint committee on Finance reports and recommends:

Senate Bill 247

Relating to increasing the minimum compensation level for Wisconsin national guardsmen ordered to state active duty by the governor.

Passage; Ayes, 14; Noes, 0.

JOURNAL OF THE SENATE [March 4, 1976]

Assembly Bill 358

Relating to discrimination in public accommodations and discrimination by private groups who allow public use of their facilities.

Concurrence; Ayes, 12; Noes, 2.

HENRY DORMAN
Chairman

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

March 2, 1976.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated, and with the advice and consent of the Senate, do appoint Manuel Carballo, of Madison, a member of the Health Facilities Authority, to succeed Donald Griffin, resigned, to serve for the term ending June 30, 1980.

Sincerely,
PATRICK J. LUCEY
Governor

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

State of Wisconsin
Office of the Governor
Madison, Wisconsin

March 3, 1976.

To the Honorable, the Senate:

I am returning Senate Bill 519 without my approval.

The bill provides for a one year delay in negative aid payments from school districts with unusually high property wealth. However, as debate on this bill makes clear, a decision to delay is in fact a decision to eliminate. The real issue is whether or not to undo the farsighted school finance reform enacted by the 1973

JOURNAL OF THE SENATE [March 4, 1976]

Legislature. The immediate and the long-range results of such a decision would be contrary to the public interest.

As the statutes now read, negative aids which are received by the state are subtracted from the general school aid appropriation reducing the amount of money available for school aids. I am proposing in the annual review bill that negative aid payments be added to the school aids appropriation through a permanent statutory change. This bill is inconsistent with that proposal and would result in less aid to 416 school districts than the annual review bill provides.

My proposals in the 1975-77 biennial budget bill and the annual review bill grow directly from the 1973 legislative commitment to reform school financing in Wisconsin. An essential element of that reform was the requirement that districts with high property wealth make payments to the state for redistribution to districts with less property tax wealth. Full equalization is consistent with a variety of court rulings including the Dusantz vs. Hatfield decision filed recently in Minnesota where the court struck down a non-equalizing plan under the guise of local control, declaring that "to do so on a theory of local control would be an erratic dispersal of privilege and burden."

There is no new information required in order to understand the underlying principle of full equalization. The principle that school districts that spend at the same rate, should tax at the same rate, is not going to change even if other factors such as income or an increased level of state aid are enacted by the Legislature. Delaying negative aids would offer no new information that would be useful in a policy making sense.

Negative aid is to a great extent a result of high spending by school districts. If a local district chose to control spending, its required levy rate would also decline. In many instances, controlled spending could simply mean the elimination of excess or waste, or more efficiency in administrative operations. Delaying negative aids will not bring about controlled spending at the local level.

School districts were offered transitional aid in an effort to make the implementation of full equalization more manageable. Transitional aid has been accepted with a knowledge of the responsibility it ultimately implies. By supporting a delay in negative aids, it also follows that there would be a continued and unintended subsidy to certain districts through transitional aid.

JOURNAL OF THE SENATE [March 4, 1976]

The Wisconsin Constitution makes the Legislature responsible for establishing school districts "which shall be as nearly uniform as practicable." I do not believe the spirit of the Constitution is limited to the size or governing structure of school districts. The spirit of the Framers was to provide quality educational opportunities to all Wisconsin school children -- those from poor families and from poor communities as well as those who are economically advantaged. We do not meet our responsibility to the spirit of the Constitution by deferring action on school finance reform. We can meet our responsibility by moving promptly toward such reform. I urge you to reconsider Senate Bill 519.

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 594
Assembly Bill 616
Assembly Bill 885
Assembly Bill 1035
Assembly Bill 1038
Assembly Bill 1062
Assembly Bill 1066
Assembly Bill 1105
Assembly Bill 1118
Assembly Bill 1149
Assembly Bill 1161
Assembly Bill 1167
Assembly Bill 1183
Assembly Bill 1193
Assembly Bill 1215
Assembly Bill 1239
Assembly Bill 1243
Assembly Bill 1244
Assembly Bill 1356
Assembly Bill 715
Assembly Bill 878
Assembly Bill 1031
Assembly Bill 1259

JOURNAL OF THE SENATE [March 4, 1976]

Assembly Bill 709
Assembly Bill 856
Assembly Bill 985
Assembly Bill 1229
Assembly Bill 1246
Assembly Bill 1299

and

Adopted and asks concurrence in:

Assembly Joint Resolution 43
Assembly Joint Resolution 77
Assembly Joint Resolution 78
Assembly Joint Resolution 84

and

Concurred in:

Senate amendment 1 to Assembly Joint Resolution 22
Senate Bill 179
Senate Bill 274
Senate Bill 579
Senate Bill 590
Senate Bill 605
Senate Bill 716
Senate Bill 740
Senate Bill 754
Senate Bill 782
Senate Bill 783
Senate Bill 789
Senate amendments 2, 5, 8 and 11 to Assembly Bill 481
Senate Bill 642
Senate Bill 647

and

Amended and concurred in as amended:

Senate Bill 204 (Assembly amendment 1 adopted)
Senate Bill 336 (Assembly amendment 1 adopted)
Senate Bill 354 (Assembly amendments 4 and 5 adopted)
Senate Bill 521 (Assembly amendments 1 and 2 adopted)
Senate Bill 189 (Assembly amendment 1 adopted)
Senate Bill 356 (Assembly amendment 1 adopted)
Senate Bill 425 (Assembly amendment 1 adopted)

JOURNAL OF THE SENATE [March 4, 1976]

Senate Bill 699 (Assembly amendment 1 adopted)

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 594

Relating to notice of termination of group hospital, surgical or medical expense insurance due to cessation of business or default in payment of premiums.

By Legislative Council.

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

Assembly Bill 616

Relating to the date of evaluation and the rules governing determination of just compensation in condemnation proceedings.

By Representatives Otte and Potter.

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

Assembly Bill 885

Relating to criminal damage to railroads and providing a penalty.

By Representatives Roberts, Schricker, Lewison, Byers, Bradley, Conradt, Offner, Day, Rooney, Rogers, Early, Donoghue, Vanderperren, Gunderson, Quackenbush, Flintrop, Lallensack, Looby, O'Malley and Otte; cosponsored by Senators McKenna, Cullen and Berger.

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

Assembly Bill 1035

Relating to reciprocal licensure of certified public accountants holding out-of-state licenses.

By Representatives Otte, Roberts, Johnson and Byers.

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

Assembly Bill 1038

Relating to certified public accountants being independent of any enterprise on which they offer financial opinions.

By Representatives Otte, Roberts, Johnson and Byers.

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

JOURNAL OF THE SENATE [March 4, 1976]

Assembly Bill 1062

Relating to vehicle registration replacement credit.

By Representatives Olson, Tregoning, Porter, Schmidt, Gunderson, Donoghue, Kincaid, Opitz and Gower.

Read first time and referred to committee on Commerce.

Assembly Bill 1066

Relating to authorizing municipalities to set the per diem and mileage rates for fence viewers.

By Representatives Lewison, L.F. Anderson, Schricker, Vanderperren, DeLong, Conradt, Bradley, Gower, Lewis, Schroeder, Azim, Donoghue, Thompson and O'Malley.

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

Assembly Bill 1105

Relating to allowing optional automobile equipment not to be in operating condition.

By Representatives Vanderperren and O'Malley; cosponsored by Senator McKenna.

Read first time and referred to committee on Commerce.

Assembly Bill 1118

Relating to loans to municipalities for loss of property tax receipts caused by the lowering of assessment of manufacturing property by a district board of review and making an appropriation.

By Representative Menos.

Read first time and referred to committee on Urban Affairs.

Assembly Bill 1149

An act to appropriate \$698.25 from the general fund for payment of a claim made by the First National Bank of Kenosha against the state.

By Representative Molinaro; cosponsored by Senator Kleczka, by request of the State Claims Board.

Read first time and referred to committee on Senate Organization.

Assembly Bill 1161

Relating to separating the general provisions on savings and loan associations from those which apply solely to mutual, and those which apply solely to capital stock, savings and loan associations.

By Representative Sicula.

Read first time and referred to committee on Commerce.

JOURNAL OF THE SENATE [March 4, 1976]

Assembly Bill 1167

Relating to optional office of town constable.

By Representatives Vanderperren and Lallensack.

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

Assembly Bill 1183

Relating to shooting preserves, game farms, fur animal farms, hunting without a license in certain areas and increasing certain license fees.

By Representatives Bradley, Lewison, Schmidt and Byers.

Read first time and referred to committee on Natural Resources.

Assembly Bill 1193

Relating to income continuation insurance for local employes.

By Representatives DeLong and Porter, by request of the Walworth County Courthouse Employees and Walworth County Deputy Sheriffs' Association.

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

Assembly Bill 1215

Relating to the registration of reconstructed and homemade motor vehicles.

By Representatives Lingren, Kirby, Rutkowski, Vanderperren, Duren, Shannon and Klicka; cosponsored by Senators Parys, Murphy, Goyke and Hollander.

Read first time and referred to committee on Commerce.

Assembly Bill 1239

Relating to furnishing highway paint to local authorities.

By Representatives Jackamonis, Kirby, Rutkowski and Lingren; sponsored by Senators Berger, Devitt and Murphy, by request of Vince Demshar, Highway Commissioner, Waukesha County.

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

Assembly Bill 1243

Relating to retaining a fee for issuing fish and game licenses.

By Representatives Lallensack, Groshek, Day, Lasee, Hasenohrl, Flintrop, Potter and Wahner.

Read first time and referred to committee on Natural Resources.

JOURNAL OF THE SENATE [March 4, 1976]

Assembly Bill 1244

Relating to determination of bargaining units and representation of state employes under the state employment labor relations act.

By Committee on State Affairs.

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

Assembly Bill 1356

Relating to adoption of minors from foreign countries.

By Representatives Shabaz and Sicula; cosponsored by Senator Risser.

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

Assembly Bill 715

Relating to reimbursement for courses taken by veterans in the institutions of adjoining states.

By Representatives Early, Mittness, Matty, Schricker, Lasee, Dorff and Lallensack.

Read first time and referred to committee on Education.

Assembly Bill 878

Relating to publication of probate court notices.

By Representatives Azim, Shabaz, Thompson, Byers, Tregoning, Ward, Porter, Gunderson, Snyder, Shannon, Rutkowski, Lingren, Lewison, Wackett, Conradt, Tesmer, McClain, Quackenbush, Gower, Goodrich, Dorff, Pabst, Early, O'Malley, Hauke, Behnke, Clarenbach, Klicka, Roth, Ellis, McEssy, Opitz and DeLong.

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

Assembly Bill 1031

Relating to turning a motor vehicle into a diagonal parking place and providing a penalty.

By Representative Thompson, by request of Russ Rasmussen, Montello.

Read first time and referred to committee on Commerce.

Assembly Bill 1259

Relating to program audits of county welfare departments in populous counties.

By Representative Wahner.

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

JOURNAL OF THE SENATE [March 4, 1976]

Assembly Bill 709

Relating to apportionment of taxes upon real property after foreclosure where the mortgagee is exempt.

By Representatives Roberts, Offner and Otte.

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

Assembly Bill 856

Relating to control and supervision of probationers.

By Committee on Judiciary, by request of the Board of Criminal Court Judges.

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

Assembly Bill 985

Relating to offsetting taxes paid on grain storage and coal docks (suggested as remedial legislation by the department of revenue).

By Committee on Remedial Legislation.

Read first time and referred to joint committee on Finance.

Assembly Bill 1229

Relating to directing the department of agriculture to design an official logotype for cheese produced in this state.

By Representatives Lato, Willkom, Rogers, Mittness and McClain; cosponsored by Senators Harnisch, Thompson and Morrison.

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

Assembly Bill 1246

Relating to adopting the uniform child custody jurisdiction act and making an appropriation.

By Representative Roth, by request of U.S. Representative William Steiger.

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

Assembly Bill 1299

Relating to duties of county clerks and county treasurers.

By Representatives Potter, Otte and Bradley; cosponsored by Senator Keppler, by request of the Wisconsin County Treasurers' Association.

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

JOURNAL OF THE SENATE [March 4, 1976]

Assembly Joint Resolution 43

Permitting the legislature to authorize certain nonprofit organizations to conduct raffle games as regulated by law (first consideration).

By Representatives Gunderson, Vanderperren, Lallensack, Groshek, Olson, Murray, Porter, Everson, Day, Schricker, Shannon and Donoghue; cosponsored by Senators Theno, Devitt, Goyke, Parys, Keppler and Harnisch.

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

Assembly Joint Resolution 77

Relating to urging AMTRAK to restore rail passenger service between Milwaukee and Green Bay and urging Congress to aid in restoring and upgrading rail passenger service.

By Representatives Rogers, Clarenbach, Gerlach, Otte, Early, Jackamonis, Metz, Pabst, Schricker, Matty and Sanasarian.

Read and referred to committee on Senate Organization.

Assembly Joint Resolution 78

Memorializing congress to keep open 3rd and 4th class post offices.

By Representatives Rogers, Early, Clarenbach, Gerlach, Schricker and Roberts.

Read and referred to committee on Senate Organization.

Assembly Joint Resolution 84

Relating to a legislative council study of the criminal justice system.

By Representatives Lewison, Conradt, Tregoning, Bradley, Azim, Schroeder, Thompson, Schricker, Rooney, Day, Gunderson, Olson, L.F. Anderson, Goodrich, Donoghue, Shabaz, Johnston, Byers, Snyder, Matty, Tesmer, Schmidt, Everson, Gower and Kincaid; cosponsored by Senators Knutson, Martin, Parys, Murphy and Krueger.

JOURNAL OF THE SENATE [March 4, 1976]

Read and referred to joint committee on Finance.

LEAVE OF ABSENCE

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

MOTIONS

By request of Senator Flynn, with unanimous consent, **Senate Bill 453** was withdrawn from the committee on Judiciary and Consumer Affairs and referred to joint committee on Finance.

Senator Krueger asked unanimous consent that **Senate Bill 608** be withdrawn from the joint committee on Finance and referred to committee on Senate Organization.

Senator Bablitch objected.

Senator Krueger moved that **Senate Bill 608** be withdrawn from the joint committee on Finance 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, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, Lorge, McKenna, Martin, Maurer, Murphy, Peloquin, Risser, Sensenbrenner, Theno and Whittow -- 25.

Absent -- Senators Cullen, LaFave, Morrison, Parys, Petri and Swan -- 6.

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

By request of Senator Krueger, with unanimous consnet, the motion on **Senate Bill 608** was withdrawn.

JOURNAL OF THE SENATE [March 4, 1976]

The question on which the call of the senate was put having been disposed of the call was raised.

Senator Krueger asked unanimous consent that **Senate Bill 113** be withdrawn from the committee on Agriculture, Human Services, Labor and Taxation and referred to committee on Senate Organization.

Senator Bablitch objected.

Senator Krueger moved that **Senate Bill 113** be withdrawn from the committee on Agriculture, Human Services, Labor and Taxation and referred to committee on Senate Organization.

Senator Bablitch 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, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Peloquin, Risser, Sensenbrenner, Theno and Whittow -- 27.

Absent -- Senators Murphy, Parys, Petri and Swan -- 4.

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

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

LEAVE OF ABSENCE

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

The question was: Shall **Senate Bill 113** be withdrawn from the committee on Agriculture, Human Services, Labor and Taxation and referred to committee on Senate Organization?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 16; absent or not voting, 5; as follows:

JOURNAL OF THE SENATE [March 4, 1976]

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

Noes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Peloquin, Risser and Whittow -- 16.

Absent or not voting -- Senators Knutson, Parys, Petri, Swan and Thompson -- 5.

So the motion did not prevail.

Senator Lorge moved that **Senate Bill 361** be withdrawn from the Joint Survey committee on Tax Exemptions and placed on the calendar.

Senator Berger raised the point of order that the motion on **Senate Bill 361** was untimely.

The chair took the point of order under advisement.

Senator Chilsen called the chair's attention to the fact that the time had expired for ruling on a point of order on **Senate Bill 24** and the bill should be before the senate at this time.

Senator Whittow raised the point of order that the previous request was not timely.

The chair took the point of order under advisement.

CALENDAR OF MARCH 2

Senate Bill 755

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

Read a second time.

Senate amendment 65 to senate substitute amendment 1 to **Senate Bill 755** offered by Senators Peloquin and Devitt.

Senate amendment 66 to senate substitute amendment 1 to **Senate Bill 755** offered by Senators Peloquin and Devitt.

Senate amendment 67 to senate substitute amendment 1 to **Senate Bill 755** offered by Senator Hollander.

Senate amendment 68 to senate substitute amendment 1 to **Senate Bill 755** offered by Senators Devitt and Peloquin.

JOURNAL OF THE SENATE [March 4, 1976]

Senate amendment 69 to senate substitute amendment 1 to **Senate Bill 755** offered by Senators Peloquin, Knowles and Devitt.

Senate amendments 70, 71, and 72 to senate substitute amendment 1 to **Senate Bill 755** offered by Senator Peloquin.

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

9:40 A.M.

RECESS

11:35 A.M.

The senate reconvened.

President pro tempore of the senate in the chair.

Upon motion of Senator Whittow the senate recessed until 3:00 P.M.

11:38 A.M.

RECESS

3:00 P.M.

The senate reconvened.

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

3:09 P.M.

RECESS

4:00 P.M.

The senate reconvened.

Upon motion of Senator Whittow, the senate recessed until 5:30 P.M.

JOURNAL OF THE SENATE [March 4, 1976]

4:02 P.M.

RECESS

5:30 P.M.

The senate reconvened.

Upon motion on Senator Whittow, the senate recessed until 5:40 P.M.

5:32 P.M.

RECESS

5:40 P.M.

The senate reconvened.

President of the senate in the chair.

LEAVE OF ABSENCE

By request of Senator Harnisch, with unanimous consent, he was granted a leave of absence for one hour.

By request of Senators Whittow and Krueger, pursuant to senate rule 76, a 2 minute limit was placed on debate on each member for each question. Each member to be recognized once on each question.

Senate Bill 755

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

Read a second time.

By request of Senator Whittow, with unanimous consent, senate amendments 24, 25, 26, 27, 28, 29, 30, 31, 34, 38, 39, 42, 53, 54, 56, 63, 64, 65 and 66 to senate substitute amendment 1 were laid on the table.

JOURNAL OF THE SENATE [March 4, 1976]

Senator Whittow moved a

CALL OF THE SENATE

on Senate Bill 755

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, 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 Harnisch and Knutson -- 2.

The question was: Adoption of senate amendment 23 to senate substitute amendment 1?

Senator Whittow moved that the amendment be laid on the table.

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

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 18.

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 32 to senate substitute amendment 1?

Senator Whittow moved that the amendment be laid on the table.

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

JOURNAL OF THE SENATE [March 4, 1976]

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 18.

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

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

So the motion prevailed.

By request of Senator Chilsen, with unanimous consent, senate amendment 33 was placed after senate amendment 81.

The question was: Adoption of senate amendment 35 to senate substitute amendment 1?

Senator Whittow moved that the amendment be laid on the table.

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

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 18.

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 36 to senate substitute amendment 1?

Senator Whittow moved that the amendment be laid on the table.

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

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 18.

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

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

JOURNAL OF THE SENATE [March 4, 1976]

So the motion prevailed.

The question was: Adoption of senate amendment 37 to senate substitute amendment 1?

Senator Whittow moved that the amendment be laid on the table.

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

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 18.

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 40 to senate substitute amendment 1?

Senator Whittow moved that the amendment be laid on the table.

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

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 18.

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 41 to senate substitute amendment 1?

Senator Bablitch moved that the amendment be laid on the table.

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

JOURNAL OF THE SENATE [March 4, 1976]

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 18.

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 43 to senate substitute amendment 1?

Senator Bablitch moved that the amendment be laid on the table.

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, Kleczka, Knowles, 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 Harnisch and Knutson -- 2.

So the motion prevailed.

The question was: Adoption of senate amendment 44 to senate substitute amendment 1?

Senator Bablitch moved that the amendment be laid on the table.

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

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

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

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

So the motion prevailed.

JOURNAL OF THE SENATE [March 4, 1976]

The question was; Adoption of senate amendment 45 to senate substitute amendment 1?

Senator Bablitch moved that the amendment be laid on the table.

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

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

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 46 to senate substitute amendment 1?

Senator Whittow moved that the amendment be laid on the table.

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

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

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 47 to senate substitute amendment 1?

Senator Whittow moved that the amendment be laid on the table.

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

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

JOURNAL OF THE SENATE [March 4, 1976]

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

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

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

So the motion prevailed.

**The question was: Adoption of senate amendment 48 to senate
substitute amendment 1?**

**Senator Whittow moved that the amendment be laid on the
table.**

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

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

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

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

So the motion prevailed.

**The question was: Adoption of senate amendment 49 to senate
substitute amendment 1?**

**Senator Bablitch moved that the amendment be laid on the
table.**

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

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

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

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

So the motion prevailed.

JOURNAL OF THE SENATE [March 4, 1976]

The question was: Adoption of senate amendment 50 to senate substitute amendment 1?

Senator Whittow moved that the amendment be laid on the table.

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

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

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 51 to senate substitute amendment 1?

Senator Bablitch moved that the amendment be laid on the table.

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

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

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 52 to senate substitute amendment 1?

Senator Bablitch moved that the amendment be laid on the table.

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

JOURNAL OF THE SENATE [March 4, 1976]

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

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

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

So the motion prevailed.

The question was; Adoption of senate amendment 55 to senate substitute amendment 1?

Senator Whittow moved that the amendment be laid on the table.

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

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

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 57 to senate substitute amendment 1?

Senator Bablitch moved that the amendment be laid on the table.

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

Ayes -- Senators Bablitch, Berger, Bidwell, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Thompson and Whittow -- 27.

Noes -- Senators Chilsen, Devitt, Knowles, Krueger and Theno -- 5.

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

So the motion prevailed.

JOURNAL OF THE SENATE [March 4, 1976]

The question was: Adoption of senate amendment 58 to senate substitute amendment 1?

Senator Whittow moved that the amendment be laid on the table.

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

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

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 59 to senate substitute amendment 1?

Senator Whittow moved that the amendment be laid on the table.

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

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

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 60 to senate substitute amendment 1?

Senator Whittow moved that the amendment be laid on the table.

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

JOURNAL OF THE SENATE [March 4, 1976]

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, Knowles, Krueger, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 13.

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

So the motion prevailed.

The question was: Adoption of senate amendment 61 to senate substitute amendment 1?

Senator Bablitch moved that the amendment be laid on the table.

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

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

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 62 to senate substitute amendment 1?

By request of Senator LaFave, with unanimous consent, he was added as a coauthor of senate amendment 62.

Senator Bablitch moved that the amendment be laid on the table.

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

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

JOURNAL OF THE SENATE [March 4, 1976]

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 67 to senate substitute amendment 1?

Senator Whittow moved that the amendment be laid on the table.

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

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

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 68 to senate substitute amendment 1?

Senator Bablitch moved that the amendment be laid on the table.

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

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

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 69 to senate substitute amendment 1?

JOURNAL OF THE SENATE [March 4, 1976]

Senator Bablitch moved that the amendment be laid on the table.

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

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

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

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

So the motion prevailed.

By request of Senator Peloquin, with unanimous consent, senate amendments 70, 71 and 72 to senate substitute amendment 1 were withdrawn and returned to the author.

Senate amendment 73 to senate substitute amendment 1 offered by Senators Hollander and LaFave.

Senator Bablitch moved that the amendment be laid on the table.

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

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

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

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

So the motion prevailed.

Senate amendment 74 to senate substitute amendment 1 offered by Senator Petri, by request of Representative Rogers.

Senate amendments 75, 76, 77, 78, and 79 to senate substitute amendment 1 offered by Senator Swan.

JOURNAL OF THE SENATE [March 4, 1976]

Senate amendment 80 to senate substitute amendment 1 offered by Senators Flynn, Harnisch, Peloquin, McKenna, Devitt, Frank, Berger and Hollander.

By request of Senator Whittow, with unanimous consent, senate amendments 74, 75, 76, 77, 78, 79 and 80 to senate substitute amendment 1 were laid on the table.

Senate amendment 81 to senate substitute amendment 1 offered by Senators Harnisch and Goyke.

Senator Whittow moved that the amendment be laid on the table.

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

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

Noes -- Senators Chilsen, Devitt, Harnisch, LaFave and Petri -- 5.

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

So the motion prevailed.

The question was: Adoption of senate amendment 33 to senate substitute amendment 1?

By request of Senator Lorge, with unanimous consent, he was added as a coauthor of senate amendment 33.

Senator Whittow moved that the amendment be laid on the table.

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

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

Noes -- Senators Bidwell, Devitt, Harnisch, Hollander, Krueger, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 11.

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

JOURNAL OF THE SENATE [March 4, 1976]

So the motion prevailed.

By request of Senator Theno, with unanimous consent, the senate recessed until 7:15 P.M.

7:00 P.M.

RECESS

7:15 P.M.

The senate reconvened.

Senate amendment 82 to senate substitute amendment 1 offered by Senators Dorman, Kleczka, McKenna and Bablitch.

Senate amendment 1 to senate amendment 82 to senate substitute amendment 1 offered by Senators McKenna and Kleczka.

Senate amendment 1 to senate amendment 82 adopted.

Senate amendment 2 to senate amendment 82 to senate substitute amendment 1 offered by Senators Theno, Krueger, LaFave, Lorge, Chilsen, Bidwell, Devitt, Hollander, Petri and Sensenbrenner.

Senator Whittow moved rejection.

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

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

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

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

So the motion prevailed.

Senate amendment 3 to senate amendment 83 to senate substitute amendment 1 offered by Senators Murphy, Devitt and Chilsen.

Senator Bablitch moved rejection.

JOURNAL OF THE SENATE [March 4, 1976]

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, Kleczka, McKenna, Martin, Maurer, Morrison, Peloquin, Risser, Swan, Thompson and Whittow -- 17.

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

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

So the motion prevailed.

President pro tempore of the senate in the chair.

7:25 P.M.

Senate amendment 4 to senate amendment 82 to senate substitute amendment 1 offered by Senator Sensenbrenner.

Senator Whittow moved rejection.

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

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

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

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

So the motion prevailed.

President of the senate in the chair.

7:30 P.M.

Senate amendment 5 to senate amendment 82 to senate substitute amendment 1 offered by Senators Sensenbrenner and Devitt.

Senator Bablitch 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 Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Lorge, McKenna, Martin,

JOURNAL OF THE SENATE [March 4, 1976]

Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 20.

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

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

So the motion prevailed.

Senate amendment 6 to senate amendment 82 to senate substitute amendment 1 offered by Senators Devitt and Murphy.

Senator Bablitch 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, Cullen, Dorman, Flynn, Frank, Goyke, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 17.

Noes -- Senators Berger, Bidwell, Chilsen, Devitt, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 15.

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

So the motion prevailed.

Senate amendment 7 to senate amendment 82 to senate substitute amendment 1 offered by Senators Thompson, Hollander and Knowles.

By request of Senator Bablitch with unanimous consent, the amendment was laid on the table.

Senate amendment 8 to senate amendment 82 to senate substitute amendment 1 offered by Senator Berger.

Senator Whittow moved that the amendment be laid on the table.

The motion prevailed.

Senate amendment 9 to senate amendment 82 to senate substitute amendment 1 offered by Senator Berger.

Senator Whittow moved that the amendment be laid on the table.

The motion prevailed.

JOURNAL OF THE SENATE [March 4, 1976]

Senate amendment 10 to senate amendment 82 to senate substitute amendment 1 offered by Senators Sensenbrenner, LaFave, Keppler and Knowles.

Senator Whittow moved rejection.

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, Dorman, Flynn, Frank, Goyke, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan, Thompson and Whittow -- 18.

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

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

So the motion prevailed.

Senate amendment 11 to senate amendment 82 to senate substitute amendment 1 offered by Senators Devitt, LaFave, Krueger, Keppler, Theno, Lorge, Knowles, Sensenbrenner, Petri, Murphy, Hollander and Chilsen.

Senator Whittow moved rejection.

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

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

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

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

So the motion prevailed.

Senate amendment 12 to senate amendment 82 to senate substitute amendment 1 offered by Senator Devitt.

Senator Whittow moved rejection.

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

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

JOURNAL OF THE SENATE [March 4, 1976]

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

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

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

So the motion prevailed.

Senate amendment 13 to senate amendment 82 to senate
substitutue amendment 1 offered by Senator Hollander.

Senator Whittow moved rejection.

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

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

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

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

So the motion prevailed.

Senate amendment 14 to senate amendment 82 to senate
substitute amendment 1 offered by Senators Knowles, LaFave,
Murphy, Lorge, Sensenbrenner, Chilsen, Hollander, Theno, and
Krueger.

Senator Whittow moved rejection.

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

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

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

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

So the motion prevailed.

JOURNAL OF THE SENATE [March 4, 1976]

The question was: Adoption of senate amendment 82 to senate substitute amendment 1?

Senate amendment 82 adopted.

Senate substitute amendment 1 adopted.

Senator Chilsen moved indefinite postponement of **Senate Bill 755**.

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, Devitt, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Murphy, Parys, Petri, Sensenbrenner and Theno -- 15.

Noes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Kleczka, McKenna, Martin, Maurer, Morrison, Peloquin, Risser, Swan, Thompson and Whittow -- 17.

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

So the motion did not prevail.

Ordered to a third reading.

The question on which the call of the senate was put having been decided the call was raised.

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

Senator Murphy objected.

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

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

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

Noes -- Senators Bidwell, Chilsen, Devitt, Keppler, Krueger, LaFave, Lorge, Murphy, Petri and Sensenbrenner -- 10.

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

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

JOURNAL OF THE SENATE [March 4, 1976]

Senate Bill 755

Read a third time.

Senator Sensenbrenner raised the point of order that pursuant to 13.52(6) of the statutes, **Senate Bill 755** was required to go to the Joint Survey committee on Tax Exemptions.

The chair ruled the point of order not well taken.

Senator Sensenbrenner appealed the ruling of the chair.

The question was: Shall the ruling of the chair stand as the decision of the senate?

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

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

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

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

So the ruling of the chair was sustained.

The question was: **Passage of Senate Bill 755.**

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

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Hollander, Kleczka, McKenna, Martin, Maurer, Morrison, Peloquin, Risser, Swan, Thompson and Whittow -- 18.

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

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

So the bill passed.

Ordered immediately messaged.

JOURNAL OF THE SENATE [March 4, 1976]

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 824

Relating to revision of welfare laws, granting rule-making authority, providing a penalty and making an appropriation.

By Senators Flynn, Morrison, Harnsich, Thompson, Martin, Dorman, Risser, Berger, Bablitch, Cullen, Goyke, Kleczka, Frank, Whittow, Parys, Knowles and Devitt, cosponsored by Representatives Lingren, Kedrowski, Roberts, Schneider and Offner.

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

AMENDMENTS OFFERED

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 135** by Senators Parys and LaFave.

Senate substitute amendment 1 to **Senate Bill 430** by Senator Sensenbrenner.

Senate amendment 1 to **Assembly Bill 339** by Senator Flynn.

Upon motion of Senator Whittow, the senate adjourned until 10:00 A.M. Tuesday, March 9.

8:18 P.M.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 519

Correctly enrolled and presented to the Governor on March 3, 1976.