

JOURNAL OF THE SENATE [March 16, 1976]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

TUESDAY, March 16, 1976.

10:00 A.M.

The senate met.

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

Prayer was offered by Miss Leah Papachristou of Brookfield.

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

LEAVE OF ABSENCE

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

By request of Senator Whittow, with unanimous consent, Senator Risser was granted a leave of absence for the balance of the week.

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

By request of Senator Lorge, with unanimous consent, he was granted a leave of absence for the afternoon's session.

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

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

Absent -- None.

JOURNAL OF THE SENATE [March 16, 1976]

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution 22

Authorizing the chairperson of the senate committee on commerce to appoint a committee to study methods used by the public service commission and various energy questions.

By Senators Keppler, LaFave, Lorge, Murphy, Krueger, Chilsen, Martin, Devitt, Swan, Berger, Parys and Maurer.

Read and referred to committee on Senate Organization.

Senate Resolution 23

Relating to miscellaneous changes in the senate rules so as to reflect the practice of the 1975 senate.

By Senators Whittow and Bablitch.

Read and referred to committee on Senate Organization.

Senate Joint Resolution 67

Relating to recognition of American agriculture day.

By Senators Thompson, Morrison, Bablitch, Harnisch, Hollander, Chilsen, Martin, McKenna Krueger, Cullen, and Maurer, cosponsored by Representatives O'Malley, Litscher, Vanderperren, Hephner, Everson, Conradt, Bradley, Lallensack, Anderson, L., Ausman, Schroeder, and Hanson.

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

Senate Joint Resolution 68

Granting the use of the legislature chambers on Friday and Saturday October 22 and 23, 1976, for the Wisconsin High School Conference on Foreign Affairs.

By Senator Risser cosponsored by Representative Anderson, N.C.

Read and referred to committee on Senate Organization.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 831

Relating to establishing a cold water fish hatchery and making an appropriation.

JOURNAL OF THE SENATE [March 16, 1976]

By Senators Keppler, LaFave, Martin, and Sensenbrenner, cosponsored by Representatives Potter, Lallensack, and Schroeder, by request of Karl Dix, James Kloppenburg, Dave Kovacic, William T. Schiller, and Lynn Robinson.

To committee on Natural Resources.

Senate Bill 832

Relating to the definition of electrologists.

By Senators Goyke, and Hollander.

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

COMMITTEE REPORTS

The committee on Natural Resources reports and recommends for introduction:

Senate Bill 833

Prohibiting the baiting of bear and using dogs to hunt bear and providing a penalty.

By request of Gary Simon.

Introduction; Ayes, 5; Noes, 0.

Read first time and referred to committee on Natural Resources.

JEROME A. MARTIN

Chairman

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

Senate Bill 834

Relating to the award of veterans preference points in state and local civil service examinations.

Introduction; Ayes, 6; Noes, 3.

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

and further recommends:

Senate Bill 819

Relating to granting a permanent license to practice medicine to Dr. Zoran Ivanovic.

Passage; Ayes, 9; Noes, 0.

Assembly Bill 1

Relating to civil rights for the physically disabled.

Adoption of senate amendment 2; Ayes, 9; Noes, 0.

JOURNAL OF THE SENATE [March 16, 1976]

Concurrence as amended; Ayes, 9; Noes, 0.

Assembly Bill 105

Relating to vision screening to detect childhood vision problems, making an appropriation and providing rule-making authority.

Concurrence; Ayes, 9; Noes, 0.

Assembly Bill 341

Relating to alteration of the council on drug abuse.

Concurrence; Ayes, 9; Noes, 0.

Assembly Bill 415

Relating to establishment of a requirement for females to submit to rubella tests before marriage.

Concurrence; Ayes, 7; Noes, 2.

Assembly Bill 595

Relating to wage claims, payments, collections and severance pay and providing penalties.

Concurrence; Ayes, 8; Noes, 1.

Assembly Bill 668

Relating to conduct of certain police and fire arbitrations while a prohibited practice complaint is pending.

Concurrence; Ayes, 9; Noes, 0.

Assembly Bill 688

Relating to authorization for nurses to perform certain acts under the direction of a dentist.

Concurrence; Ayes, 7; Noes, 2.

Assembly Bill 764

Relating to remedial legislation requested by the department of health and social services.

Concurrence; Ayes, 9; Noes, 0.

Assembly Bill 833

Relating to the recruitment of strikebreakers for employment, and providing a penalty.

Indefinite Postponement; Ayes, 5; Noes, 4.

Assembly Bill 872

Relating to exempting religious order nursing homes from nursing home licensing and regulation requirements.

Concurrence; Ayes, 7; Noes, 2.

Assembly Bill 925

Relating to revisions of certain laws affecting the plant industry.

JOURNAL OF THE SENATE [March 16, 1976]

Concurrence; Ayes, 9; Noes, 0.

Assembly Bill 1229

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

Concurrence; Ayes, 9; Noes, 0.

Senate Bill 830

Relating to the creation of a council on rural development.

Passage; Ayes, 9; Noes, 0.

Assembly Bill 575

Relating to residential facilities for the severely physically disabled.

Concurrence; Ayes, 9; Noes, 0.

Assembly Bill 766

Relating to revising certain agricultural laws (suggested as remedial legislation by the department of agriculture).

Concurrence; Ayes, 9; Noes, 0.

Assembly Bill 767

Relating to licensing of veterinarians and certification of animal technicians.

Concurrence; Ayes, 9; Noes, 0.

Assembly Bill 810

Relating to labeling of meat products of buffalo-cattle breeding.

Concurrence; Ayes, 8; Noes, 1.

Senate Bill 113

Relating to the application of the inheritance tax to a surviving spouse for property held in joint tenancy with deceased spouse.

Adoption of senate substitute amendment 1; Ayes, 9; Noes, 0.

Passage as amended; Ayes, 9; Noes, 0.

Senate Bill 779

Relating to income continuation insurance for local employes and granting rule-making authority.

Passage; Ayes, 9; Noes, 0.

CARL W. THOMPSON
Chairman

JOURNAL OF THE SENATE [March 16, 1976]

The committee on Education reports and recommends:

LAWTON, DR. BEN R., of Marshfield, as a member of the Board of Regents of the University of Wisconsin System, to succeed Mary Williams, resigned, to serve for the term ending May 1, 1977.

Confirmation; Ayes, 5; Noes, 0.

Senate Bill 765

Relating to state tuition payments for children of parents employed at and residing on the grounds of state forests, parks, refuges and reserves.

Passage; Ayes, 5; Noes, 0.

Senate Bill 771

An act to increase the appropriation to the department of public instruction for vocational training in the Lakeland Union High School District.

Passage; Ayes, 5; Noes, 0.

Assembly Bill 1095

Relating to single-payment withdrawal limits under the Milwaukee teachers retirement fund.

Concurrence; Ayes, 5; Noes, 0.

BRUCE S. PELOQUIN

Chairman

The joint committee on Finance reports and recommends:

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, 4.

HENRY DORMAN

Chairman

The committee on Commerce reports and recommends:

Assembly Bill 156

Relating to authority of the commissioner of savings and loan to issue supervisory orders and providing a forfeiture.

Adoption of senate amendment 1; Ayes, 9; Noes, 0.

Concurrence as amended; Ayes, 9; Noes, 0.

JOURNAL OF THE SENATE [March 16, 1976]

Assembly Bill 443

Relating to temporary operation permits, acceptable vehicle registration applications, delivering of titles and applications to the division of motor vehicles and providing a penalty.

Concurrence; Ayes, 9; Noes, 0.

Assembly Bill 530

Relating to various changes in motor vehicle laws (suggested as remedial legislation by the department of transportation).

Concurrence; Ayes, 8; Noes, 1.

Assembly Bill 617

Relating to regulation of parking during snow emergencies.

Concurrence; Ayes, 9; Noes, 0.

Assembly Bill 663

Relating to permissible length of trailers and semitrailers.

Concurrence; Ayes, 7; Noes, 2.

Assembly Bill 700

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

Concurrence; Ayes, 5; Noes, 4.

Assembly Bill 710

Relating to maintenance of traffic accident record systems, assignment of names to roads under town board jurisdiction and required reporting of traffic accidents to county and local agencies.

Concurrence; Ayes, 6; Noes, 2.

Assembly Bill 714

Relating to requiring loading procedures to prevent load spillage onto highways and providing a penalty.

Concurrence; Ayes, 7; Noes, 1.

Assembly Bill 854

Relating to operators' licenses for epileptics.

Concurrence; Ayes, 9; Noes, 0.

Assembly Bill 870

Relating to bank investments in agricultural credit corporations.

Concurrence; Ayes, 9; Noes, 0.

Assembly Bill 912

Relating to beer sales in municipal liquor stores.

Concurrence; Ayes, 8; Noes, 1.

JOURNAL OF THE SENATE [March 16, 1976]

Assembly Bill 933

Relating to curtains and lighting requirements for retail liquor stores.

Concurrence; Ayes, 9; Noes, 0.

Assembly Bill 1277

Relating to establishing a priority system for removal of nonconforming outdoor advertising and granting rule-making authority.

Concurrence; Ayes, 8; Noes, 0.

Assembly Bill 1102

Relating to issuance of special license plates for collectors.

Concurrence; Ayes, 8; Noes, 0.

Assembly Bill 1105

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

Concurrence; Ayes, 8; Noes, 0.

Assembly Bill 1106

Relating to certificates of title for previously junked automobiles not to be operated on the public highway.

Concurrence; Ayes, 8; Noes, 0.

Assembly Bill 1215

Relating to the registration of reconstructed and homemade motor vehicles.

Concurrence; Ayes, 8; Noes, 0.

RONALD G. PARYS

Chairman

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

AKERS, PAUL H. of Superior, as a member of the Housing Finance Authority, to succeed himself, to serve for the term ending January 1, 1979.

Confirmation; Ayes, 5; Noes, 0.

Assembly Bill 128

Relating to safety glazing in hazardous locations and providing a penalty.

Adoption of senate substitute amendment 2; Ayes, 5; Noes, 0.

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

JOURNAL OF THE SENATE [March 16, 1976]

Assembly Bill 4

Relating to appointment of the police chief in cities of the 1st class.

Concurrence; Ayes, 4; Noes, 1.

Senate Bill 780

Relating to use of private facilities by state departments and agencies.

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

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

Assembly Bill 789

Relating to temporary appointments into new local elective offices.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 675

Relating to empowering municipalities to adopt certain provisions to aid in enforcement of building codes.

Concurrence; Ayes, 5; Noes, 0.

Senate Bill 815

Relating to abolishing the position of secretary of regulation and licensing, transferring the functions, personnel and appropriation of the department of regulation and licensing to the office of the secretary of state and granting rule-making authority.

Passage; Ayes, 4; Noes, 1.

Senate Bill 816

Relating to eliminating the department of revenue, creating a division of revenue of the office of the state treasurer and granting rule-making authority.

Passage; Ayes, 3; Noes, 2.

Assembly Bill 495

Relating to prescribing the methods by which cities of the 1st class may establish or improve pedestrian malls in business districts.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 1167

Relating to optional office of town constable.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 1239

Relating to furnishing highway paint to local authorities.

Concurrence; Ayes, 5; Noes, 0.

JOURNAL OF THE SENATE [March 16, 1976]

Assembly Bill 1093

Relating to the computation of interest on death benefits payable under the Milwaukee teachers retirement fund.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 1373

Relating to permitting county boards to establish the fiscal year of the county.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 1035

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

Concurrence; Ayes, 5; Noes, 0.

Assembly Joint Resolution 43

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

Concurrence; Ayes, 5; Noes, 0.

Senate Bill 487

Relating to location of rule-making hearings conducted by state agencies.

Passage; Ayes, 4; Noes, 1.

Assembly Bill 510

Providing benefit supplements to members of the old state employes retirement system and incorporating that system into the Wisconsin retirement system.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 536

Relating to eliminating the registration exemption for professional engineers, designers and land surveyors employed by public service corporations.

Concurrence; Ayes, 3; Noes, 2.

Senate Bill 486

Relating to definition of a lottery.

Passage; Ayes, 3; Noes, 2.

Senate Bill 464

Relating to unlisted telephone service.

Passage; Ayes, 3; Noes, 2.

JOURNAL OF THE SENATE [March 16, 1976]

Senate Bill 684

Relating to local authority to require all-purpose chimneys.

Passage; Ayes, 5; Noes, 0.

Senate Joint Resolution 47

To amend section 10 of article V of the constitution, relating to authorizing the legislature to overrule partial vetoes by simple majority (first consideration).

Adoption; Ayes, 4; Noes, 1.

Senate Bill 723

Relating to duties of county clerks and county treasurers.

Passage; Ayes, 5; Noes, 0.

Assembly Bill 609

Relating to permitting the common council of a city to override a mayoral veto by a two-thirds vote.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 895

Relating to alteration in town sanitary district jurisdiction in certain cases of municipal annexation.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 911

Relating to allowing assessments for sidewalk work to be paid in up to 10 annual instalments.

Concurrence; Ayes, 4; Noes, 1.

Assembly Bill 965

Relating to designating a member of the council on veterans programs.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 819

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

Concurrence; Ayes, 5; Noes, 0.

Assembly Joint Resolution 25

Relating to gubernatorial succession (1st consideration).

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 119

Relating to county bicycle registration.

Concurrence; Ayes, 4; Noes, 1.

JOURNAL OF THE SENATE [March 16, 1976]

Assembly Bill 250

Relating to compensation of party committeemen.
Nonconcurrence; Ayes, 4; Noes, 1.

Assembly Bill 561

Relating to the limitation on the number of days per year for which a county board supervisor in a county with a population of more than 100,000 but less than 500,000 may receive compensation.

Concurrence; Ayes, 5; Noes, 0.

Senate Bill 249

Relating to retirement pay for national guardsmen and making an appropriation.

Passage; Ayes, 3; Noes, 2.

Senate Bill 535

Relating to reducing the cost of certified copies of official documents.

Passage; Ayes, 5; Noes, 0.

Senate Bill 577

Relating to permitting unaccompanied minors to be present in billiard rooms where intoxicating liquor is sold.

Indefinite postponement; Ayes, 3; Noes, 2.

Senate Bill 580

Relating to the state flag.

Passage; Ayes, 5; Noes, 0.

Senate Bill 656

Relating to members of the veterans' home.

Passage; Ayes, 5; Noes, 0.

Assembly Bill 1094

Relating to excluding termination payments in benefit calculations under the Wisconsin retirement fund.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 1157

Relating to the time for appointment of election officials by municipal governing bodies.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 1227

Relating to authorizing the department of administration to purchase materials for local governmental units.

Concurrence; Ayes, 5; Noes, 0.

JOURNAL OF THE SENATE [March 16, 1976]

Assembly Bill 295

Relating to auction sales by cities, villages and counties.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 981

Relating to procedures for the repeal or repeal and reenactment of zoning regulations by cities.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 689

Relating to appointment of U.S. senator-elect for balance of unexpired term.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 155

Relating to expanding accessibility of buildings to the physically disabled, granting rule-making authority and providing penalties.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 1148

Relating to a special observation day on the birthdate of Robert M. La Follette, Sr.

Concurrence; Ayes, 4; Noes, 1.

Assembly Bill 199

Relating to department of revenue revaluation of assessments.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 152

Relating to parking privileges for disabled veterans.

Concurrence; Ayes, 5; Noes, 0.

Senate Bill 648

Relating to reports by the state treasurer.

Passage; Ayes, 5; Noes, 0.

Senate Bill 301

Relating to changing the property tax assessment date to January 1.

Passage; Ayes, 3; Noes, 0.

MONROE SWAN

Chairman

JOURNAL OF THE SENATE [March 16, 1976]

The committee on Judiciary and Consumer Affairs reports and recommends:

Assembly Bill 709

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

Concurrence; Ayes, 4; Noes, 0.

Assembly Bill 885

Relating to criminal damage to railroads and providing a penalty.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 984

Deleting references to "assessors of incomes" (suggested as remedial legislation by the department of revenue).

Concurrence; Ayes, 3; Noes, 2.

Assembly Bill 1299

Relating to duties of county clerks and county treasurers.

Concurrence; Ayes, 5; Noes, 0.

JAMES T. FLYNN

Chairman

REPORT OF JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

Appendix to **Senate Bill 649**

Senate Substitute Amendment 1

Public Policy Involved

There can be little question as to the valuable service performed by the 25,000 volunteer firemen within the state. The community and property owners involved clearly have an interest in maintaining the 764 present volunteer fire departments. In consideration of this bill, however, the following areas of concern should be reviewed:

Retirement Research Committee. This bill would create a major new statewide retirement fund. The concept of such a fund has not been studied by the RRC. Perhaps this statutory retirement committee should study the policies involved in such a plan before enactment by the legislature. Also, review of this plan by an actuary would seem essential.

Precedent In Other States. Volunteer fire service is not generally recognized in other states for retirement benefit purposes

JOURNAL OF THE SENATE [March 16, 1976]

except for a few states, notably Minnesota, Washington, North Carolina, and Georgia.

Precedent For Volunteer Service. This plan could set a precedent as to the recognition for retirement purposes of service which is secondary in nature, voluntary, and normally without salary. There are many such voluntary functions other than firemen. To date, the Wisconsin legislature has not acted favorable on bills which would provide retirement benefits for volunteer service including the volunteer firemen's bill of 1973, the state fire warden's bill of a few sessions past, and the National Guard retirement bill of this session.

Volunteer Recruitment. The presumed purpose of this bill is to maintain and strengthen the system of volunteer fire departments within the state. A sampling of the volunteer fire departments indicates that there apparently is a problem in the recruitment of volunteers at younger ages. The age profile from the sample reflects that there is a weakness in the under age 35 group. However, it may be questioned whether a merit award program payable after 15 years of service and at age 55 would in fact be an aid in the recruitment of volunteers in their teen's and 20's. This age group may be more interested in cash payments during their working years than at retirement.

Volunteer Retentions. Presumably this bill also purports to aid in the retention of trained and skilled volunteers. However, the survey of such volunteer fire departments indicates that 12% of all volunteers are currently age 55 or over. Hence, there may currently be excessive retention of this particular age group. In addition, it should be noted that this bill would provide deferred status rights as early as age 33 and such provisions might actually encourage the early retirement of middle age groups instead of encouraging their retention.

Administration. This bill would create an extensive new retirement program with both a board and a council assuming administrative and advisory functions. This plan would require record-keeping for approximately 25,000 active volunteer firemen accounts plus an unknown number of accounts that may be on a lengthy deferred status. The administrative costs of this program may be out of proportion to the benefits provided from the funds available.

Program Costs. As written, this bill does not require new sources of revenue from the state or municipalities. Rather, this bill would divert fire department dues which are currently being returned to some 764 municipalities. Because approximately \$1 million would be so diverted to the merit award program, the

JOURNAL OF THE SENATE [March 16, 1976]

affected municipalities would either have to curtail budgets to reflect this loss or increase taxes to replace the lost income. It may be difficult to replace such loss because of existing levy limit laws.

Taxation Policy. This bill would establish a precedent that retirement benefits would not be subject to local and state income taxation. It should be noted that this would be a departure from existing policies governing the taxation of retirement benefits.

Recommendation

The Joint Survey Committee on Retirement Systems recommends the adoption of Senate Substitute Amendment 1 to Senate Bill 649. The Committee finds that this senate substitute amendment represents good public policy.

Respectfully submitted
JOINT SURVEY COMMITTEE
ON RETIREMENT SYSTEMS
CARL W. THOMPSON
Chairman

Read and referred to joint committee on Finance.

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

March 15, 1976.

To the Honorable, the Senate

Senators:

I have the honor to transmit to you pursuant to s. 13.67 (2), the names of the registered lobbyists for the period beginning on February 23, 1976, and ending on March 12, 1976.

Yours very truly,
DOUGLAS LAFOLLETTE
Secretary of State

Name, Address and Occupation of Lobbyist -- Name and Address of Employer -- Subject of Legislation Code Number -- Date of Employment.

Ames Leaman, 5411 S. Ridgewood Ct., Chicago, Ill. 60615 -
The Upjohn Company, 7000 Portage Rd., Kalamazoo, Michigan -
17 -February 11, 1976.

JOURNAL OF THE SENATE [March 16, 1976]

Armagost, Carolyn B., Wisconsin Education Association Council, 2601 W. College Ave. Appleton, Wisconsin 54911 - Wisconsin Education Association Council, 222 W. Washington, Madison, Wisconsin 53703 -08,21,18 -March 9, 1976.

Bach, Donald L, 121 South Pinckney Street, Madison, Wisconsin 53703 -Chemical Specialties Manufacturers Association, Inc., Suite 1120, 1001 Connecticut Avenue, N.W., Washington, D.C. 20036 -7, 31 -February 27, 1976.

Buckley, James P., 815 W. College Ave., Waukesha, Wisconsin 53186 -Family Social & Psychological Services Inc., 2110 West National Avenue, Milwaukee, Wisconsin 53204 -17 -February 23, 1976.

Bunyard, Mrs. Robert L. (Sylvia), 802 Drake Street, Madison, Wisconsin 53715 -American Legion Auxiliary, Department of Wisconsin, 812 E. State Street, Milwaukee, Wisconsin 53202 -31 Legislation pertaining to veterans affairs and veterans -March 4, 1976.

Burdick, Frank E., R.R. 5, Box 244 CA, Menomonie, Wisconsin 54751 -Wisconsin Education Association Council, 222 West Washington Avenue, Madison, Wisconsin 53703 -08, 18, 21 - March 9, 1976.

Derouin, James G., 121 South Pinckney Street, Madison, Wisconsin 53703 -Chemical Specialties Manufacturers Association, Inc., Suite 1120, 1001 Connecticut Avenue, N.W., Washington, D.C. 20036 -07, 31 -February 27, 1976.

Fundingsland, Donald W., Waukesha Memorial Hospital, 725 American Ave., Waukesha, Wisconsin 53186 -Waukesha Memorial Hospital, 725 American Avenue, Waukesha, Wisconsin 53186 -17 - February 25, 1976.

Hayon, John, 3333 N. Mayfair Road, Room 305, Milwaukee, Wisconsin 53222 -Wisconsin State UAW CAP Council, 3333 N. Mayfair Road, Room 305, Milwaukee, Wisconsin 53222 -21, 31 - March 9, 1976.

Jackson, Ruby, 222 West Washington, Madison, Wisconsin - Wisconsin Education Association Council, 222 W. Washington Avenue, Madison, Wisconsin -08, 18, 21 -March 9, 1976.

Koenig, Ralph W., 3333 N. Mayfair Road, Room 305, Milwaukee, Wisconsin 53222 -International Union UAW - Region

JOURNAL OF THE SENATE [March 16, 1976]

10, 3333 N. Mayfair Road, Room 305, Milwaukee, Wisconsin 53222 -21, 31, -March 9, 1976.

Kuehn, Ronald W., 121 South Pinckney Street, Madison, Wisconsin 53703 -Chemical Specialties Manufacturers Association, Inc., Suite 1120, 1001 Connecticut Avenue, N.W., Washington, D.C. 20036 -07, 31 -February 27, 1976.

Mestre, Louis J., 1006 South 16th Street, Milwaukee, Wisconsin -Milwaukee Tenant's Union, 1000 South Sixteenth Street, Milwaukee, Wisconsin -19 -March 3, 1976.

Moore, Thomas P., 121 South Pinckney Street, Madison, Wisconsin 53703 -Chemical Specialties Manufacturers Association, Inc., Suite 1120, 1001 Connecticut Avenue, N.W., Washington, D.C. 20036 -07, 31 -February 27, 1976.

Smith, Robert A., 939 South 2nd Street, Milwaukee, Wisconsin 53204 -United Electrical, Radio and Machine Workers of America, UE Local 1111, 939 South 2nd Street, Milwaukee, Wisconsin 53204 -21 -March 5, 1976.

Troestler, William J., 3333 N. Mayfair Road, Room 305, Milwaukee, Wisconsin 53222 -International Union UWA - Region 10, 3333 N. Mayfair Road, Room 305, Milwaukee, Wisconsin 53222 -21, 31 -March 9, 1976.

Vaughan, Michael R., 2 East Gilman Street, Madison, Wisconsin 53703 -Wisconsin Council of Voluntary Family and Children's Agencies, 2059 Atwood Avenue, Madison, Wisconsin 53704 -All coded subjects as they relate to social services -February 6, 1976.

Vitello, Daniel J., 201 Tabor Road, Morris Plains, New Jersey - Warner/Chilcott, 201 Tabor Road, Morris Plains, New Jersey 07950 -06, 17, 16, 25 -March 4, 1976.

Williams, George W., 10201 West Lincoln Avenue, West Allis, Wisconsin 53227 -Wisconsin Education Association Council, 222 W. Washington, Madison, Wisconsin 53703 -08, 18, 21 -March 9, 1976.

JOURNAL OF THE SENATE [March 16, 1976]

Note the following cancellations:

William E. Kuenzi, Jr., Wisconsin National Farmers Organization, as of January 1, 1976.

Richard L. Ring, Retail Credit Company, as of February 27, 1976.

Legislative Subject Identification

Code	Subject
01	<i>Agriculture, horticulture, farming & livestock</i>
02	<i>Amusements, games, athletics and sports</i>
03	<i>Banking, finance, credit and investments</i>
04	<i>Children, minors, youth & senior citizens</i>
05	<i>Church & Religion</i>
06	<i>Consumer Affairs</i>
07	<i>Ecology, environment, pollution, conservation, zoning, land & water use</i>
08	<i>Education</i>
09	<i>Elections, campaigns, voting & political parties</i>
10	<i>Equal rights, civil rights & minority affairs</i>
11	<i>Government, financing, taxation, revenue, budget, appropriations, bids, fees & funds</i>
12	<i>Government, county</i>
13	<i>Government, federal</i>
14	<i>Government, municipal</i>
15	<i>Government, special districts</i>
16	<i>Government, state</i>
17	<i>Health services, medicine, drugs and controlled substances, health insurance & hospitals</i>
18	<i>Higher education</i>
19	<i>Housing, construction & codes</i>
20	<i>Insurance (excluding health insurance)</i>
21	<i>Labor, salaries and wages, collective bargaining</i>
22	<i>Law enforcement, courts, judges, crimes & prisons</i>
23	<i>Licenses & permits</i>
24	<i>Liquor</i>
25	<i>Manufacturing, distribution & services</i>
26	<i>Natural resources, forests and forest products, fisheries, mining & mineral products</i>
27	<i>Public lands, parks & recreation</i>

JOURNAL OF THE SENATE [March 16, 1976]

- 28 *Social insurance, unemployment insurance, public assistance & workmen's compensation*
- 29 *Transportation, highways, streets & roads*
- 30 *Utilities, communications, television, radio, newspapers, power, CATV, & gas*
- 31 *Other*

EXECUTIVE COMMUNICATIONS

MOONEY, RICHARD F., of Whitefish Bay, as a member of the Ethics Board, to succeed himself, to serve for the term ending May 1, 1981.

Read.

VISTE, MARION C., of Wausau, as a member of the Ethics Board, to succeed Judge Gerald Boileau, resigned, to serve for the balance of the unexpired term ending May 1, 1976, and to serve for a full term ending May 1, 1982.

Read.

AKERS, PAUL H. of Superior, as a member of the Housing Finance Authority, to succeed himself, to serve for the term ending January 1, 1979.

Read.

By request of Senator Whittow, with unanimous consent, the above appointments were considered enmasse.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

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

Noes -- None.

Absent or not voting -- Senators Frank, Knutson and Risser -- 3.

JOURNAL OF THE SENATE [March 16, 1976]

So the appointments were confirmed.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

Assembly Joint Resolution 89

MESSAGE FROM THE ASSEMBLY CONSIDERED

Senate Joint Resolution 61

Adopting, renumbered into a topical sequence and with the modifications shown, the joint rules observed at the conclusion of the 1973 regular session as the joint rules of the 1975 legislature.

Senator Martin.

Read.

Considered as privileged.

Adopted by unanimous rising vote.

CALENDAR OF MARCH 16

Assembly Joint Resolution 61

Relating to repealing the governor's item veto power (first consideration).

The question was: Concurrence in assembly amendment 1?

Senator Dorman moved nonconcurrence.

The motion prevailed.

The question was: Concurrence in assembly amendment 2?

Senator Dorman moved nonconcurrence.

The motion prevailed.

Senate Bill 204

Relating to making various changes in the fish and game laws.

The question was: Concurrence in assembly amendment 1?

JOURNAL OF THE SENATE [March 16, 1976]

Concurred in.

Senate Bill 306

Relating to performance standards for new programs or agencies.

The question was: Concurrence in assembly substitute amendment 1?

Concurred in.

Senate Bill 336

Relating to truck weight tolerances on the national interstate and defense highway system.

The question was: Concurrence in assembly amendment 1?

Concurred in.

Senate Bill 354

Relating to the succession to an automobile dealership under the existing franchise agreement by a family member of a deceased or incapacitated dealer.

The question was: Concurrence in assembly amendment 4?

Concurred in.

The question was: Concurrence in assembly amendment 5?

Concurred in.

Senate Bill 521

Relating to miscellaneous changes in the laws pertaining to motor vehicle dealers, salesmen and sales finance companies.

The question was: Concurrence in assembly amendment 1?

Concurred in.

The question was: Concurrence in assembly amendment 2?

Concurred in.

By request of Senator Swan, with unanimous consent, **Senate Bill 693** was withdrawn from the committee on Governmental and Veterans' Affairs and referred to joint committee on Finance.

Senate Resolution 20

Relating to removing from the senate rules unnecessary distinctions based on sex.

JOURNAL OF THE SENATE [March 16, 1976]

Read and adopted.

Senate Joint Resolution 47

To amend section 10 of article V of the constitution, relating to authorizing the legislature to overrule partial vetoes by simple majority (first consideration).

Read a second time.

Senator Whittow moved rejection of Senate Joint Resolution 47.

The ayes and noes were demanded and the vote was: ayes, 10; noes, 20; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Berger, Dorman, Kleczka, Lorge, McKenna, Morrison, Peloquin, Thompson and Whittow -- 10.

Noes -- Senators Bidwell, Chilsen, Cullen, Devitt, Flynn, Goyke, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Martin, Maurer, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno -- 20.

Absent or not voting -- Senators Frank, Knutson and Risser -- 3.

So the motion did not prevail.

The question was: Shall the resolution be order to a third reading?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 10; absent or not voting, 4; as follows:

Ayes -- Senators Bidwell, Chilsen, Cullen, Flynn, Goyke, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Martin, Maurer, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno -- 19.

Noes -- Senators Bablitch, Berger, Dorman, Kleczka, Lorge, McKenna, Morrison, Peloquin, Thompson and Whittow -- 10.

Absent or not voting -- Senators Devitt, Frank, Knutson and Risser -- 4.

So the resolution was 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, 6; absent or not voting, 4; as follows:

JOURNAL OF THE SENATE [March 16, 1976]

Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Flynn, Goyke, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, McKenna, Martin, Maurer, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno and Whittow -- 23.

Noes -- Senators Berger, Dorman, Kleczka, Lorge, Morrison and Thompson -- 6.

Absent or not voting -- Senators Devitt, Frank, Knutson and Risser -- 4.

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

Senate Joint Resolution 47

Read a third time.

The ayes and noes were required and the vote was: ayes, 20; noes, 9; absent or not voting, 4; as follows:

Ayes -- Senators Bidwell, Chilsen, Cullen, Flynn, Goyke, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Martin, Maurer, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan and Theno -- 20.

Noes -- Senators Bablitch, Berger, Dorman, Kleczka, Lorge, McKenna, Morrison, Thompson and Whittow -- 9.

Absent or not voting -- Senators Devitt, Frank, Knutson and Risser -- 4.

More than 17 members having voted in the affirmative the resolution was adopted.

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

Senate Bill 247

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

Read a second time.

Ordered to a third reading.

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

Senate Bill 247

Read a third time.

JOURNAL OF THE SENATE [March 16, 1976]

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

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

Noes -- None.

Absent or not voting -- Senators Frank, Knutson and Risser -- 3.

So the bill passed.

Senate Bill 249

Relating to retirement pay for national guardsmen and making an appropriation.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 249** was referred to joint committee on Finance.

By request of Senator Swan, with unanimous consent, **Senate Bill 301** was placed at the foot of the calendar.

Senate Bill 486

Relating to definition of a lottery.

Read a second time.

Senator Sensenbrenner moved indefinite postponement.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 13; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Cullen, Dorman, Goyke, Harnisch, Hollander, McKenna, Maurer, Morrison, Parys, Peloquin, Petri, Sensenbrenner, Thompson and Whittow -- 17.

Noes -- Senators Chilsen, Devitt, Flynn, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Murphy, Swan and Theno -- 13.

Absent or not voting -- Senators Frank, Knutson and Risser -- 3.

So the motion prevailed.

Senate Bill 487

Relating to location of rule-making hearings conducted by state agencies.

Read a second time.

JOURNAL OF THE SENATE [March 16, 1976]

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 487

Read a third time and passed.

Senate Bill 535

Relating to reducing the cost of certified copies of official documents.

Read a second time.

Ordered to a third reading.

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

Senate Bill 535

Read a third time.

The ayes and noes were required and the vote was: ayes, 24; noes, 6; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Berger, Chilsen, Devitt, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, McKenna, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan, Thompson and Whittow -- 24.

Noes -- Senators Bidwell, Cullen, Kleczka, Martin, Maurer and Theno -- 6.

Absent or not voting -- Senators Frank, Knutson and Risser -- 3.

So the bill passed.

By request of Senator Whittow, with unanimous consent, **Senate Bill 577** was referred to committee on Senate Organization.

Senate Bill 580

Relating to the state flag.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 580** was referred to joint committee on Finance.

Senate Bill 591

Relating to allowing county sheriffs to contract for service of process.

Read a second time.

JOURNAL OF THE SENATE [March 16, 1976]

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 591

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

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

Noes -- None.

Absent or not voting -- Senators Frank, Knutson and Risser -- 3.

So the bill passed.

Senate Bill 648

Relating to reports by the state treasurer.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 648** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 648** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Ordered to a third reading.

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

Senate Bill 648

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin,

JOURNAL OF THE SENATE [March 16, 1976]

Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 30.

Noes -- None.

Absent or not voting -- Senators Frank, Knutson and Risser -- 3.

So the bill passed.

Senate Bill 651

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

Read a second time.

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

Adopted.

Senate amendment 2 to senate substitute amendment 1 to **Senate Bill 651** offered by Senator Murphy.

Senate amendment 2 adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

By request of Senator Dorman, with unanimous consent, **Senate Bill 651** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 651** was withdrawn from joint committee on Finance and considered for action at this time.

Read a second time.

Ordered to a third reading.

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

Senate Bill 651

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler,

JOURNAL OF THE SENATE [March 16, 1976]

Kleccka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 30.

Noes -- None.

Absent or not voting -- Senators Frank, Knutson and Risser -- 3.

So the bill passed.

Senate Bill 655

Relating to the establishment of model schools by private colleges and the board of regents of the university of Wisconsin system.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 655** was referred to joint committee on Finance.

By request of Senator Whittow, with unanimous consent, the senate recessed until 2:30 P.M.

11:35 A.M.

RECESS

2:30 P.M.

The senate reconvened.

Upon motion of Senator Whittow, the senate recessed until 2:50 P.M.

2:35 P.M.

RECESS

2:50 P.M.

The senate reconvened.

JOURNAL OF THE SENATE [March 16, 1976]

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

COMMITTEE REPORTS

The committee on Commerce reports and recommends for introduction:

Senate Bill 835

Relating to increasing certain vehicle registration fees, increasing the motor fuel tax, creating a tax exemption for motor fuel for taxicabs, eliminating the tax exemption for motor fuel purchased for aircraft, providing wholesalers may receive administrative expenses for collecting motor fuel taxes, increasing the number of officers in the state traffic patrol, providing for an international registration plan for certain vehicles and making an appropriation.

Introduction; Ayes, 8; Noes, 0.

Read first time and referred to committee on Commerce.

RONALD G. PARYS

Chairman

CALENDAR OF MARCH 16

Senate Bill 656

Relating to members of the veterans' home.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 656** was referred to joint committee on Finance.

Senate Bill 684

Relating to local authority to require all-purpose chimneys.

Read a second time.

Senate amendment 1 to **Senate Bill 684** offered by Senator Hollander.

By request of Senator LaFave, with unanimous consent, he was added as a coauthor of senate amendment 1.

Senate amendment 1 adopted.

Ordered to a third reading.

JOURNAL OF THE SENATE [March 16, 1976]

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

Senate Bill 684

Read a third time and passed.

By request of Senator Harnisch, with unanimous consent, **Senate Bill 723** was placed at the foot of the calendar.

Senate Bill 756

Relating to permitting school vehicles to use studded tires.
Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 756** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 756** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Theno moved rejection.

Senator Parys asked unanimous consent that **Senate Bill 756** be rereferred to committee on Commerce.

Senator Theno objected.

Senator Parys moved that **Senate Bill 756** be rereferred to committee on Commerce.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 9; absent or not voting, 8; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Dorman, Flynn, Goyke, Harnisch, LaFave, McKenna, Martin, Morrison, Parys, Peloquin, Sensenbrenner, Swan and Thompson -- 16.

Noes -- Senators Chilsen, Devitt, Hollander, Keppler, Knowles, Krueger, Murphy, Petri and Theno -- 9.

Absent or not voting -- Senators Cullen, Frank, Kleczka, Knutson, Lorge, Maurer, Risser and Whittow -- 8.

So the motion prevailed.

Senate Bill 777

Relating to authorizing towns to receive county forest road aid.
Read a second time.

JOURNAL OF THE SENATE [March 16, 1976]

By request of Senator Dorman, with unanimous consent, **Senate Bill 777** was referred to joint committee on Finance.

Senate Bill 778

Relating to increasing the amount of county forest timber sales that may be made without sealed bid or public auction.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 778** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 778** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Ordered to a third reading.

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

Senate Bill 778

Read a third time.

The ayes and noes were required and the vote was: ayes, 26; noes, 1; absent or not voting, 6; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Swan, Theno and Thompson -- 26.

Noes -- Senator Sensenbrenner -- 1.

Absent or not voting -- Senators Frank, Kleczka, Knutson, Lorge, Risser and Whittow -- 6.

So the bill passed.

Senate Bill 779

Relating to income continuation insurance for local employes and granting rule-making authority.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 779** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 779** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

JOURNAL OF THE SENATE [March 16, 1976]

Ordered to a third reading.

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

Senate Bill 779

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 0; absent or not voting, 5; as follows:

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

Noes -- None.

Absent or not voting -- Senators Frank, Knutson, Lorge, Risser and Whittow -- 5.

So the bill passed.

Senate Bill 786

Relating to permitting certain retired judges to perform marriages.

Read a second time.

Ordered to a third reading.

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

Senate Bill 786

Read a third time and passed.

Senate Bill 791

Relating to selection of juries and witness fees.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 791** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 791** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

The question was: Adoption of senate amendment 1?

JOURNAL OF THE SENATE [March 16, 1976]

Senator Bablitch moved rejection.

The motion prevailed.

Senator Sensenbrenner moved indefinite postponement of
Senate Bill 791.

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

Ayes -- Senators Bidwell, Dorman, Goyke, Kleczka, McKenna,
Martin, Maurer, Morrison, Murphy, Peloquin, Petri and
Sensenbrenner -- 12.

Noes -- Senators Bablitch, Chilsen, Cullen, Devitt, Flynn,
Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Parys,
Swan, Theno, Thompson and Whittow -- 16.

Absent or not voting -- Senators Berger, Frank, Knutson, Lorge
and Risser -- 5.

So the motion did not prevail.

Ordered to a third reading.

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

Senate Bill 791

Read a third time.

The ayes and noes were required and the vote was: ayes, 22;
noes, 6; absent or not voting, 5; as follows:

Ayes -- Senators Bablitch, Chilsen, Devitt, Dorman, Flynn,
Goyke, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave,
McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Swan,
Theno, Thompson and Whittow -- 22.

Noes -- Senators Berger, Bidwell, Kleczka, Murphy, Petri and
Sensenbrenner -- 6.

Absent or not voting -- Senators Cullen, Frank, Knutson, Lorge
and Risser -- 5.

So the bill passed.

Senate Bill 811

Relating to trust funds of contractors and subcontractors and
fiduciary duties in connection with trust funds.

Read a second time.

Ordered to a third reading.

JOURNAL OF THE SENATE [March 16, 1976]

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

Senate Bill 811

Read a third time and passed.

Senate Bill 819

Relating to granting a permanent license to practice medicine to Dr. Zoran Ivanovic.

Read a second time.

Senator Petri moved indefinite postponement of **Senate Bill 819**.

The ayes and noes were demanded and the vote was: ayes, 9; noes, 20; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Berger, Goyke, Kleczka, Parys, Peloquin, Petri, Sensenbrenner and Whittow -- 9.

Noes -- Senators Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, McKenna, Martin, Maurer, Morrison, Murphy, Swan, Theno and Thompson -- 20.

Absent or not voting -- Senators Frank, Knutson, Lorge and Risser -- 4.

So the motion did not prevail.

Senate amendment 1 to **Senate Bill 819** offered by Senators Berger and Kleczka.

Senate amendment 1 adopted.

Ordered to a third reading.

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

Senate Bill 819

Read a third time.

Senator Kleczka asked unanimous consent that **Senate Bill 819** be laid on the table.

Senator Devitt objected.

Senator Kleczka moved that **Senate Bill 819** be laid on the table.

JOURNAL OF THE SENATE [March 16, 1976]

The ayes and noes were demanded and the vote was: ayes, 18; noes, 10; absent or not voting, 5; as follows:

Ayes -- Senators Bablitch, Berger: Cullen, Dorman, Flynn, Goyke, Kleczka, Knowles, McKenna, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan and Theno -- 18.

Noes -- Senators Bidwell, Chilsen, Devitt, Harnisch, Hollander, Keppler, Krueger, LaFave, Martin and Thompson -- 10.

Absent or not voting -- Senators Frank, Knutson, Lorge, Risser and Whittow -- 5.

So the motion prevailed.

Senate Bill 828

Relating to bank communications devices and savings and loan association remote service units.

Read a second time.

Senator Bidwell moved indefinite postponement of **Senate Bill 828**.

The motion did not prevail.

Ordered to a third reading.

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

Senate Bill 828

Read a third time.

Senator Biswell raised the point of order that **Senate Bill 828** was banking legislation and therefore required 22 affirmative votes to pass.

The chair ruled the point of order well taken.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 26; noes, 2; absent or not voting, 5; as follows:

Ayes -- Senators Bablitch, Chilsen, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno and Thompson -- 26.

Noes -- Senators Berger and Bidwell -- 2.

JOURNAL OF THE SENATE [March 16, 1976]

Absent or not voting -- Senators Frank, Knutson, Lorge, Risser and Whittow -- 5.

More than 22 members having voted in the affirmative the bill passed.

Senate Bill 830

Relating to the creation of a council on rural development.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 830** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 830** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Ordered to a third reading.

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

Senate Bill 830

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 0; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 29.

Noes -- None.

Absent or not voting -- Senators Frank, Knutson, Lorge and Risser -- 4.

So the bill passed.

Senate Bill 301

Relating to changing the property tax assessment date to January 1.

Read a second time.

Senator Sensenbrenner raised the point of order that the bill was not properly before the senate as the committee report was not accurate.

JOURNAL OF THE SENATE [March 16, 1976]

The chair ruled the point of order not well taken.

Senator Sensenbrenner asked unanimous consent that **Senate Bill 301** be referred to committee on Senate Organization.

Senator Theno objected.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Adoption of senate amendment 2?

Adopted.

Senate amendment 3 to **Senate Bill 301** offered by Senator Swan.

Senator Chilsen raised the point of order that 3 was not germane.

The chair took the point of order under advisement.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 723** was referred to committee on Senate Organization.

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

By request of Senator Thompson, with unanimous consent, **Senate Bills 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 575, 604, 705, 797 and 824** were withdrawn from the committee on Agriculture, Human Services, Labor and Taxation and referred to the joint committee on Finance.

Upon motion of Senator Dorman, with unanimous consent, the senate returned to the fourth and seventh orders of business.

COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends:

RYBARCZYK, ROBERT L., of Schofield, as a member of the Real Estate Examining Board, to serve for the term ending July 1, 1979.

Confirmation; Ayes, 4; Noes, 0.

JOURNAL OF THE SENATE [March 16, 1976]

Assembly Bill 163

Relating to a revision of procedure concerning contested cases under the administrative procedure act.

Introduction of senate amendment 10; Ayes, 4; Noes, 0.

Adoption of senate amendment 10; Ayes, 4; Noes, 0.

Introduction of senate amendment 11; Ayes, 4; Noes, 0.

Adoption of senate amendment 11; Ayes, 4; Noes, 0.

Introduction of senate amendment 12; Ayes, 4; Noes, 0.

Adoption of senate amendment 12; Ayes, 4; Noes, 0.

Introduction of senate amendment 13; Ayes, 4; Noes, 0.

Adoption of senate amendment 13; Ayes, 4; Noes, 0.

Adoption of senate amendment 2; Ayes, 4; Noes, 0.

Adoption of senate amendment 3; Ayes, 4; Noes, 0.

Adoption of senate amendment 4; Ayes, 4; Noes, 0.

Rejection of senate amendment 5; Ayes, 4; Noes, 0.

Rejection of senate amendment 6; Ayes, 4; Noes, 0.

Rejection of senate amendment 7; Ayes, 4; Noes, 0.

Rejection of senate amendment 8; Ayes, 4; Noes, 0.

Adoption of senate amendment 9; Ayes, 4; Noes, 0.

Concurrence as amended; Ayes, 4; Noes, 0.

JAMES T. FLYNN

Chairman

The joint committee on Finance reports and recommends:

Senate Bill 796

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

Introduction of senate amendment 3; Ayes, 14; Noes, 0.

Introduction of senate amendment 4; Ayes, 14; Noes, 0.

Introduction of senate amendment 5; Ayes, 12; Noes, 0.

Introduction of senate amendment 6; Ayes, 11; Noes, 0.

JOURNAL OF THE SENATE [March 16, 1976]

Introduction of senate amendment 7; Ayes, 13; Noes, 0.

Introduction of senate amendment 8; Ayes, 13; Noes, 0.

Introduction of senate amendment 9; Ayes, 12; Noes, 0.

Introduction of senate amendment 10; Ayes, 12; Noes, 0.

Adoption of senate amendment 1; Ayes, 11; Noes, 0.

Adoption of senate amendment 2; Ayes, 11; Noes, 0.

Adoption of senate amendment 3; Ayes, 11; Noes, 0.

Adoption of senate amendment 5; Ayes, 11; Noes, 0.

Adoption of senate amendment 8; Ayes, 13; Noes, 0.

Adoption of senate amendment 4; Ayes, 13; Noes, 0.

Adoption of senate amendment 7; Ayes, 13; Noes, 0.

Adoption of senate amendment 10; Ayes, 12; Noes, 0.

Adoption of senate amendment 9; Ayes, 12; Noes, 0.

Adoption of senate amendment 6; Ayes, 11; Noes, 1.

Passage as amended; Ayes, 11; Noes, 1.

HENRY DORMAN

Chairman

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

Senate Bill 423, (senate amendment 1 to assembly substitute amendment 1)

and

JOURNAL OF THE SENATE [March 16, 1976]

Adheres to its position on:

Senate Bill 614, (assembly amendment 1)

MESSAGE FROM THE ASSEMBLY CONSIDERED

Senate Bill 614

Relating to the "organization of Wisconsin state government" preprint from the biennial Blue Book.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 614** was laid on the table.

AMENDMENTS OFFERED

Senate amendment 3 to **Senate Bill 399** by Senators Chilsen, Bablitch and Cullen.

Senate substitute amendment 1 to **Senate Bill 649** by Senators Devitt and LaFave.

Senate amendments 1 and 2 to senate substitute amendment 2 to **Senate Bill 709** by Senator Sensenbrenner.

Senate substitute amendment 1 to **Senate Bill 800** by Senator McKenna.

Senate amendment 3 to **Assembly Bill 1** by Senator Murphy.

Senate amendment 1 to **Assembly Bill 560** by Senator Murphy.

Senate amendment 1 to **Assembly Bill 688** by Senator Thompson.

Senate amendment 1 to **Assembly Bill 885** by Senator Murphy.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Wednesday, March 17.

4:45 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to: **Senate Bill 196**, assembly amendment 2

In line 2, as correctly shown in the handwritten version of the amendment, substitute "uor" for "nor".

JOURNAL OF THE SENATE [March 16, 1976]

Relating to: **Senate Resolution 20**

On page 7, line 15, substitute "CALENDAR" for "CLAENDAR".

Relating to: **Assembly Bill 1118**, assembly substitute amendment 1

1. On lines 6 and 7, delete "chapter — (Senate Bill 363)" and substitute "chapter 144".

2. On line 13, before "~~shall~~" insert "~~it~~".