

JOURNAL OF THE SENATE [March 18, 1976]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

THURSDAY, March 18, 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 Paul A. Graf, Pastor of Lakeview Moravian Community Church, Madison.

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

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

Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 31.

Absent -- None.

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

COMMITTEE REPORTS

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

Senate Bill 836

Relating to licensing camping trailers.

Introduction; Ayes, 9; Noes, 0.

Read first time and referred to committee on Commerce.

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Senate Bill 837

Relating to nursing home regulation, granting rule-making authority and imposing a penalty.

Introduction; Ayes, 9; Noes, 0.

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

By request of Lieutenant Governor Martin J. Schreiber.

Senate Bill 838

Relating to per diem pay to federated public library system board members.

Introduction; Ayes, 9; Noes, 0.

Read first time and referred to committee on Education.

Senate Joint Resolution 69

To amend section 5 of article X of the constitution, relating to the ages of children included in the school census (first consideration).

Introduction; Ayes, 8; Noes, 1.

Read first time and referred to committee on Education.

and further recommends:

Senate Joint Resolution 67

Relating to recognition of American agriculture day.

Adoption; Ayes, 9; Noes, 0.

Senate Bill 813

Relating to licensing youth camps, creating a youth camp advisory council, granting rule-making authority and imposing a penalty.

Passage; Ayes, 8; Noes, 1.

Assembly Bill 95

Relating to a tax exemption for property of humane societies.

Concurrence; Ayes, 9; Noes, 0.

Assembly Bill 755

Relating to increasing state aids to owners of cattle condemned as infected with tuberculosis and increasing an appropriation.

Concurrence; Ayes, 9; Noes, 0.

Assembly Bill 1244

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

Concurrence; Ayes, 7; Noes, 1.

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Assembly Bill 1246

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

Concurrence; Ayes, 8; Noes, 1.

Assembly Bill 1259

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

Concurrence; Ayes, 8; Noes, 1.

Assembly Bill 1356

Relating to adoption of minors from foreign countries.

Concurrence; Ayes, 9; Noes, 0.

Senate Bill 804

Relating to exempting producers of honey from food processing regulation.

Adoption of senate amendment 1; Ayes, 7; Noes, 2.

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

Assembly Bill 1067

Relating to the licensing of medical practitioners, creating a council on physicians' assistants, granting rule-making authority and providing a penalty.

Adoption of senate amendment 1; Ayes, 7; Noes, 2.

Concurrence as amendment; Ayes, 7; Noes, 2.

CARBALLO, MANUEL, as Secretary of the Department of Health and Social Services to succeed Wilbur Schmidt, effective November 17, 1975, to serve at the pleasure of the Governor.

Confirmation; Ayes, 9; Noes, 0.

CARL W. THOMPSON

Chairman

The committee on Judiciary and Consumer Affairs reports and recommends:

Assembly Bill 817

Relating to requiring city or village approval of certain amendments to county zoning ordinances affecting lands located within the extraterritorial zoning jurisdiction of such cities or villages.

Concurrence; Ayes, 4; Noes, 0.

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Assembly Bill 878

Relating to publication of probate court notices.

Concurrence; Ayes, 4; Noes, 0.

JAMES T. FLYNN

Chairman

The joint committee on Finance reports and recommends:

Senate Bill 824

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

Passage; Ayes, 11; Noes, 2.

HENRY DORMAN

Chairman

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

March 17, 1976.

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Chapter No.	Date Approved
142 -----	171 -----	March 17, 1976
154 -----	172 -----	March 17, 1976
320 -----	173 -----	March 17, 1976
321 -----	174 -----	March 17, 1976
322 -----	175 -----	March 17, 1976
323 -----	176 -----	March 17, 1976

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324 ----- 177 ----- March 17, 1976
588 ----- 178 ----- March 17, 1976

Sincerely,
PATRICK J. LUCEY
Governor

MOTIONS

By request of Senator Martin, with unanimous consent, **Assembly Bill 604** was withdrawn from the committee on Natural Resources and referred to joint committee on Finance.

CALENDAR OF MARCH 18

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.

Read and concurred in.

Assembly Bill 1

Relating to civil rights for the physically disabled.

Read a second time.

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

The question was: Adoption of senate amendment 2?

Senator Berger moved rejection.

By request of Senator Berger, with unanimous consent senate amendment 1 was taken from the table and considered for action at this time.

Senator Berger moved rejection of senate amendment 1.

The motion did not prevail.

The question was: Adoption of senate amendment 1?

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

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Ayes -- Senators Bablitch, Chilsen, Dorman, Frank, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Murphy, Parys, Petri, Sensenbrenner and Theno -- 17.

Noes -- Senators Berger, Bidwell, Cullen, Devitt, Flynn, Goyke, Harnisch, Keppler, Morrison, Peloquin, Swan, Thompson and Whittow -- 13.

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

So the amendment was adopted.

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

The question was: Adoption of senate amendment 3?

Senator McKenna moved rejection.

The ayes and noes were demanded and the vote was: ayes, 26; noes, 4; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, LaFave, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 26.

Noes -- Senators Chilsen, Knowles, Lorge and Murphy -- 4.

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

So the motion prevailed.

Senate amendment 4 to **Assembly Bill 1** offered by Senator Goyke.

Senate amendment 4 was not adopted.

Senator Kleczka moved reconsideration of the vote by which senate amendment 1 was adopted.

LEAVE OF ABSENCE

By request of Senator Peloquin, with unanimous consent, he was granted a leave of absence at 4:00 P.M. for the balance of the week.

Upon motion of Senator Whittow, the senate recessed until 1:30 P.M.

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9:57 A.M.

RECESS

1:30 P.M.

The senate reconvened.

The clerk of the senate in the chair.

By request of Senator Whittow, with unanimous consent, Senator Goyke was selected as presiding officer.

Senator Whittow moved a

CALL OF THE SENATE

on the calendar of March 18

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 Berger, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, McKenna, Martin, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno and Whittow -- 26.

Absent -- Senators Bablitch, Cullen, Lorge, Maurer and Thompson -- 5.

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

By request of Senator Whittow, with unanimous consent, the senate proceeded under call.

The question was: Reconsideration of the vote by which senate amendment 1 to **Assembly Bill 1** was adopted.

The motion prevailed.

Senate amendment 1 to senate amendment 1 to **Assembly Bill 1** offered by Senators Berger and Petri.

Senate amendment 1 to senate amendment 1 adopted.

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Senate amendment 1 adopted.

Ordered to a third reading.

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

Assembly Bill 1

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, Devitt, Dorman, Flynn, Frank, 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 Cullen, Knutson and Risser -- 3.

So the bill was concurred in as amended.

Ordered immediately messaged.

LEAVE OF ABSENCE

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

President of the senate in the chair.

1:50 P.M.

Assembly Bill 92

Relating to rights of witnesses and secrecy at grand juries.

Read a second time.

Senator Petri moved nonconcurrence.

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

Ayes -- Senators Bablitch, Bidwell, Chilsen, Hollander, Knowles, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 10.

Noes -- Senators Berger, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, LaFave, McKenna, Martin,

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

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

So the motion did not prevail.

By request of Senator Krueger, with unanimous consent, **Assembly Bill 92** was placed at the foot of the calendar.

Assembly Bill 105

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

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.

Assembly Bill 105

Read a third time.

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

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, 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 Cullen, Knutson and Risser -- 3.

So the bill was concurred in.

Assembly Bill 188

Relating to coroner's compensation, appointment of deputy coroners and coroner approval of autopsies in cases of unusual circumstances.

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.

Assembly Bill 188

Read a third time and concurred in.

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Assembly Bill 219

Relating to certification by the clerk of circuit court of county judges' salaries in counties having a population of 500,000 or more.

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.

Assembly Bill 219

Read a third time and concurred in.

Assembly Bill 282

Relating to municipal administrative procedure and review.

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.

Assembly Bill 282

Read a third time and concurred in.

Assembly Bill 339

Relating to a general "good Samaritan" law.

Read a second time.

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

Senate substitute amendment 1 to **Assembly Bill 339** offered by Senator Sensenbrenner.

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

The chair took the point of order under advisement.

Assembly Bill 341

Relating to alteration of the council on drug abuse.

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.

Assembly Bill 341

Read a third time.

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

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Devitt, Dorman, Flynn, Frank, 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 Cullen, Knutson and Kissner -- 3.

So the bill was concurred in.

LEAVE OF ABSENCE

By request of Senator Bablitch, with unanimous consent, he was granted a leave of absence until 3:15 P.M.

By request of Senator Frank, with unanimous consent, he was granted a leave of absence until 3:15 P.M.

By request of Senator Maurer, with unanimous consent, he was granted a leave of absence at 2:30 for one half hour.

Assembly Bill 358

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

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.

Assembly Bill 358

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 Berger, Bidwell, Chilsen, 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 -- 28.

Noes -- None.

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

So the bil was concurred in. .

Assembly Bill 384

Relating to leaving unguarded ice holes and providing a penalty.

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.

Assembly Bill 384

Read a third time and concurred in.

Assembly Bill 415

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

Read a second time.

Senator LaFave asked unanimous consent that **Assembly Bill 415** be rereferred to committee on Agriculture, Human Services, Labor and Taxation.

Senator Berger objected.

By request of Senator Berger, with unanimous consent, **Assembly Bill 415** was referred to committee on Senate Organization.

Assembly Bill 506

Relating to threats against persons or property and providing penalties.

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.

Assembly Bill 506

Read a third time and concurred in.

Assembly Bill 568

Relating to awarding of costs and fees if an action, special proceeding, cross complaint or counterclaim is determined to be frivolous.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 568

Read a third time and concurred in.

By request of Senator Harnisch, with unanimous consent, Assembly Bill 573 was placed at the foot of the calendar.

Assembly Bill 585

Relating to a penalty for locking toilets.

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.

Assembly Bill 585

Read a third time and concurred in.

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.

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.

Assembly Bill 594

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 0; absent or not voting, 6; as follows:

Ayes -- Senators Berger, Bidwell, Chilsen, Devitt, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 27.

Noes -- None.

Absent or not voting -- Senators Bablitch, Cullen, Frank, Knutson, Maurer and Risser -- 6.

So the bill was concurred in.

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Senator Lorge moved reconsideration of the vote by which **Assembly Bill 585** was concurred in.

The ayes and noes were demanded and the vote was: ayes, 11; noes, 16; absent or not voting, 6; as follows:

Ayes -- Senators Chilsen, Devitt, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Murphy, Parys and Whittow -- 11.

Noes -- Senators Berger, Bidwell, Dorman, Flynn, Goyke, Harnisch, Kleczka, McKenna, Martin, Morrison, Peloquin, Petri, Sensenbrenner, Swan, Theno and Thompson -- 16.

Absent or not voting -- Senators Bablitch, Cullen, Frank, Knutson, Maurer and Risser -- 6.

So the motion did not prevail.

Assembly Bill 595

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

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.

Assembly Bill 595

Read a third time.

The ayes and noes were required and the vote was: ayes, 20; noes, 7; absent or not voting, 6; as follows:

Ayes -- Senators Berger, Chilsen, Devitt, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Krueger, LaFave, Lorge, McKenna, Martin, Morrison, Parys, Peloquin, Swan, Thompson and Whittow -- 20.

Noes -- Senators Bidwell, Hollander, Knowles, Murphy, Petri, Sensenbrenner and Theno -- 7.

Absent or not voting -- Senators Bablitch, Cullen, Frank, Knutson, Maurer and Risser -- 6.

So the bill was concurred in.

Assembly Bill 616

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

Read a second time.

Ordered to a third reading.

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

Assembly Bill 616

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 Berger, Bidwell, Devitt, Dorman, Flynn, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 26.

Noes -- Senator Chilsen -- 1.

Absent or not voting -- Senators Bablitch, Cullen, Frank, Knutson, Maurer and Risser -- 6.

So the bill was concurred in.

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.

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.

Assembly Bill 629

Read a third time and concurred in.

Assembly Bill 668

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

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.

Assembly Bill 668

Read a third time and concurred in.

Assembly Bill 673

Relating to children's court center in counties having a population of 500,000 or more.

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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.

Assembly Bill 673

Read a third time.

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

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

Noes -- Senator Sensenbrenner -- 1.

Absent or not voting -- Senators Bablitch, Cullen, Frank, Knutson, Maurer and Risser -- 6.

So the bill was concurred in.

Assembly Bill 678

Relating to deleting the limitation on the amount a town may raise for establishing and operating a recreation department.

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.

Assembly Bill 678

Read a third time and concurred in.

Senator Knowles in the chair.

2:45 P.M.

Assembly Bill 688

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

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

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Assembly Bill 688

Read a third time and concurred in as amended.

Assembly Bill 724

Relating to analyses of legislation prepared by the legislative reference bureau.

Read a second time.

Senate amendment 1 to **Assembly Bill 724** offered by Senator Whittow.

Senator Whittow moved nonconcurrence.

The motion prevailed.

Assembly Bill 727

Relating to permitting a public employe to designate a testamentary trust as beneficiary of the employe's interest in the retirement and public employe trust funds.

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.

Assembly Bill 727

Read a third time and concurred in.

Assembly Bill 764

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

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.

Assembly Bill 764

Read a third time and concurred in.

President of the senate in the chair.

2:55 P.M.

Senator Whittow moved reconsideration of the vote by which **Assembly Bill 724** was nonconcurred in.

The motion prevailed.

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By request of Senator Whittow, with unanimous consent, **Assembly Bill 724** was referred to committee on Senate Organization.

Assembly Bill 765

Relating to use of the terms parent, guardian or spouse in the retail purchasing of alcoholic beverages, changes in the application procedure for licenses and the sale of intoxicating liquors in restaurants (suggested as remedial legislation by the department of justice).

Read a second time.

Senator Sensenbrenner moved nonconcurrency.

The motion prevailed.

Assembly Bill 794

Relating to the revision of civil and criminal contempt procedures and providing penalties.

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.

Assembly Bill 794

Read a third time and concurred in.

Assembly Bill 858

Relating to maximum contract amount for municipal soil conservation work.

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.

Assembly Bill 858

Read a third time and concurred in.

Senator Martin in the chair.

3:00 P.M.

Assembly Bill 988

Relating to issuance of commercial fishing licenses to nonresidents.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 988

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

Noes -- None.

Absent or not voting -- Senators Bablitch, Frank, Knutson, Maurer and Risser -- 5.

So the bill was concurred in.

Senator McKenna in the chair.

3:05 P.M.

Assembly Bill 1183

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

Read a second time.

By request of Senator Dorman, with unanimous consent, **Assembly Bill 1183** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Assembly Bill 1183** 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 Whittow, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 1183

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 2; absent or not voting, 3; as follows:

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

Noes -- Senators Petri and Sensenbrenner -- 2.

Absent or not voting -- Senators Knutson, Maurer and Risser --

3.

So the bill was concurred in.

Assembly Bill 1194

Relating to increasing penalties for acting in restraint of trade.
Read a second time.

Senate amendment 1 to **Assembly Bill 1194** offered by Senator Cullen.

Senate amendment 1 adopted.

Ordered to a third reading.

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

Assembly Bill 1194

Read a third time and concurred in as amended.

LEAVE OF ABSENCE

By request of Senator Martin, with unanimous consent, he was granted a leave of absence 15 minutes.

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

Assembly Bill 1243

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

By request of Senator Kleczka, with unanimous consent, **Assembly Bill 1243** was referred to joint committee on Finance.

President of the senate in the chair.

3:15 P.M.

Assembly Bill 92

Relating to rights of witnesses and secrecy at grand juries.

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Read a second time.

The question was: Adoption of senate amendment 1?

Senator McKenna moved rejection.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 14; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Berger, Devitt, Flynn, Keppler, Kleczka, LaFave, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Swan, Thompson and Whittow -- 16.

Noes -- Senators Bidwell, Chilsen, Cullen, Dorman, Frank, Goyke, Harnisch, Hollander, Knowles, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 14.

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

So the motion prevailed.

The question was: Adoption of senate amendment 2?

Senator Flynn moved rejection.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 8; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Swan, Thompson and Whittow -- 22.

Noes -- Senators Bidwell, Chilsen, Hollander, Knowles, Murphy, Petri, Sensenbrenner and Theno -- 8.

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

So the motion prevailed.

Senate amendment 3 to Assembly Bill 92 offered by Senator McKenna.

Senator Flynn moved rejection.

By request of Senator McKenna, with unanimous consent, senate amendment 3 was laid on the table.

Senate amendment 4 to Assembly Bill 92 offered by Senator Murphy.

Senator Flynn moved rejection.

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By request of Senator Murphy, with unanimous consent, senate amendment 4 was withdrawn and returned to the author.

Senate amendment 5 to **Assembly Bill 92** offered by Senator Harnisch.

Senate amendment 5 adopted.

LEAVE OF ABSENCE

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

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

Senate amendment 6 to **Assembly Bill 92** offered by Senator McKenna.

Senate amendment 6 adopted.

Senate amendment 7 to **Assembly Bill 92** offered by Senator Bablitch.

Senate amendment 7 adopted.

Senator Petri moved nonconcurrency in **Assembly Bill 92**.

The ayes and noes were demanded and the vote was: ayes, 8; noes, 19; absent or not voting, 6; as follows:

Ayes -- Senators Bidwell, Chilsen, Cullen, Hollander, Knowles, Murphy, Petri and Sensenbrenner -- 8.

Noes -- Senators Bablitch, Berger, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Parys, Thompson and Whittow -- 19.

Absent or not voting -- Senators Knutson, Krueger, Peloquin, Risser, Swan and Theno -- 6.

So the motion did not prevail.

Senate amendment 8 to **Assembly Bill 92** offered by Senator Murphy.

Senator McKenna moved rejection.

The motion prevailed.

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Senator Bablitch in the chair.

4:05 P.M.

Ordered to a third reading.

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

Assembly Bill 92

Read a third time and concurred in as amended.

Assembly Bill 573

Relating to protective services and various changes in guardianship laws, and making appropriations.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Assembly Bill 573

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 0; absent or not voting, 6; as follows:

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

Noes -- None.

Absent or not voting -- Senators Knutson, Krueger, Peloquin, Risser, Swan and Theno -- 6.

So the bill was concurred in as amended.

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

Senator Whittow moved reconsideration of the vote by which **Assembly Bill 765** was nonconcurrent in.

The motion prevailed.

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By request of Senator Whittow, with unanimous consent, **Assembly Bill 765** was referred to committee on Senate Organization.

President of the senate in the chair.

4:15 P.M.

Senator Whittow moved reconsideration of the vote by which **Assembly Bill 1412** was ordered to a third reading.

The ayes and noes were demanded and the vote was: ayes, 11; noes, 16; absent or not voting, 6; as follows:

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

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

Absent or not voting -- Senators Knutson, Krueger, Peloquin, Risser, Swan and Theno -- 6.

So the motion did not prevail.

By request of Senator Whittow, with unanimous consent, the senate returned to the second, third, fourth, sixth and seventh orders of business.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 70

A joint resolution in memory of Elizabeth Anderson Risser, wife of the senate's president pro tempore.

By the Entire Membership of the Senate.

Read.

Considered as privileged.

Adopted by unanimous rising vote.

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Ordered immediately messaged.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 839

Relating to zoning of group foster homes, out-of-home placement of children, creation of community child welfare services boards, increasing appropriations and granting rule-making authority.

By Senators Harnisch, McKenna and Goyke.

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

COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

Senate Bill 381

Relating to the licensing and regulation of social workers, creating a social workers examining board in the department of regulation and licensing, granting rule-making authority, making an appropriation and providing penalties.

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

Rejection of senate amendment 1; Ayes, 10; Noes, 3.

Adoption of senate amendment 2; Ayes, 13; Noes, 0.

Adoption of senate amendment 3; Ayes, 12; Noes, 1.

Passage as amended; Ayes, 7; Noes, 6.

HENRY DORMAN

Chairman

The committee on Education reports and recommends:

Senate Bill 745

Relating to polling places for special referenda conducted by a school district.

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

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

Assembly Bill 442

Authorizing state aid for school bussing in areas of unusual hazard.

Concurrence; Ayes, 4; Noes, 1.

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Assembly Bill 972

Relating to truancy enforcement.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 1040

Relating to the creation of transfer programs between certain schools and school districts and making an appropriation.

Concurrence; Ayes, 4; Noes, 1.

BRUCE S. PELOQUIN

Chairman

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

March 17, 1976.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint Ruth E. Paynter, of Madison, a member of the Nursing Home Administrator Examining Board, to succeed William Blockstein whose term has expired, to serve for the term ending March 1, 1978.

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 18, 1976.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint James P. Coughlin, of Winneconne, a member of the Solid Waste

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Recycling Authority, to succeed James Lynn, whose term has expired, to serve for the term ending January 1, 1982.

**Sincerely,
PATRICK J. LUCEY
Governor**

Read and referred to committee on Natural Resources.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

March 18, 1976.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint Joseph M. Bernstein, of Milwaukee, a member of the Solid Waste Recycling Authority, to succeed Bettie Harriman, whose term expired, to serve for the term ending January 1, 1982.

**Sincerely,
PATRICK J. LUCEY
Governor**

Read and referred to committee on Natural Resources.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

March 17, 1976.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint Jonathan Taylor, of Waukesha, a member of the Nursing Home Administrator Examining Board, to succeed Orrin Learman, resigned, to serve for the term ending July 1, 1977.

**Sincerely,
PATRICK J. LUCEY
Governor**

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

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 90, and appoints Representatives Conta, Wahner and Schneider as conferees on its part.

Amended and concurred in as amended:

Senate Bill 422 (Assembly amendment 1 adopted)

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 90

Relating to creating a conference committee to propose a compromise on 1975 Senate Bill 755 (budget review bill).

Read.

Considered ad privileged.

Concurred in.

Pursuant to **Assembly Joint Resolution 90**, the chair appointed Senators Flynn, Berger and Morrison as conferees on its part.

By request of Senator Whittow, with unanimous consent, **Senate Joint Resolution 67** was taken from the calendar of March 23 and considered for action at this time.

Senate Joint Resolution 67

Relating to recognition of American agriculture day.

Read and adopted.

Ordered immediately messaged.

Senator Whittow moved that the rules be suspended and **Assembly Bill 1412** be considered for final action at this time.

The ayes and noes were required and the vote was: ayes, 17; noes, 11; absent or not voting, 5; as follows:

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

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Keppler, Knowles, LaFave, Lorge, Murphy, Petri and Sensenbrenner -- 11.

Absent or not voting -- Senators Knutson, Krueger, Peloquin, Risser and Theno -- 5.

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

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 745** by Senator Peloquin.

Senate amendment 2 to **Assembly Bill 339** by Senator Petri.

Senate amendment 1 to **Assembly Bill 455** by Senator Murphy.

Senate amendment 1 to **Assembly Bill 1040** by Senators Maurer and Cullen.

Upon motion of Senator Whittow the senate adjourned until 10:11 A.M., March 23.

4:33 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to: **Senate Bill 336** assembly amendment 1

In enrolling, the mathematical formula shown in lines 6 and 7 of the amendment was verbalized to read "W equals 500 multiplied by (LN/N-1 plus 12N plus 36)" to eliminate symbols not available

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in typesetting, and the equal signs (=) in lines 8, 9 and 10 were replaced by the word "equals".

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 226

Senate Bill 647

Correctly enrolled and presented to the Governor on March 18, 1976.