

JOURNAL OF THE SENATE [June 17, 1976]

Eighty-Second Regular Session

9:07 P.M.

The senate reconvened.
President of the senate in the chair.

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:

Motions Under Joint Rule 26:

A Joint Certificate of Congratulations by Representative Dueholm; cosponsored by Senator Knowles for the DESCENDANTS OF TOSTEN AND JOHANNA JOHNSON on the 108th anniversary OF THE Johnson Family farm.

A Joint Certificate of Commendation by Representatives Otte and Potter; cosponsored by Senator Keppler for JAMES V. LARSON on his retirement.

A Joint Certificate of Commendation and Congratulations by Representative Barbee; cosponsored by Senator Berger for MARILYN HORNE on her vocal and artistic accomplishments;

A Joint Certificate of Commendation by Representative Barbee; cosponsored by Senator Berger for SHIRLEY VERRETT on scaling new vocal heights.

A Joint Certificate of Commendation by Representative Ward; cosponsored by Senator Thompson for MARTIN E. SCHREIBER on his retirement.

A Joint Certificate of Congratulations by Representative Munts; cosponsored by Senator Risser for RITA AND EUGENE HARRINGTON on the birth of a daughter.

A joint certificate of gratitude by the entire membership of the Assembly; cosponsored by the entire membership of the Senate for FREDERICK C. SCHROEDER, on his retirement from the legislature.

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A Joint Certificate of gratitude by the entire membership of the Assembly; cosponsored by the entire membership of the Senate for BYRON F. WACKETT, on his retirement from the legislature.

MESSAGE FROM THE ASSEMBLY CONSIDERED

A Joint Certificate of Congratulations by Representative Dueholm; cosponsored by Senator Knowles for the DESCENDANTS OF TOSTEN AND JOHANNA JOHNSON on the 108th anniversary OF THE Johnson Family farm.

A Joint Certificate of Commendation by Representatives Otte and Potter; cosponsored by Senator Kepler for JAMES V. LARSON on his retirement.

A Joint Certificate of Commendation and Congratulations by Representative Barbee; cosponsored by Senator Berger for MARILYN HORNE on her vocal and artistic accomplishments;

A Joint Certificate of Commendation by Representative Barbee; cosponsored by Senator Berger for SHIRLEY VERRETT on scaling new vocal heights.

A Joint Certificate of Commendation by Representative Ward; cosponsored by Senator Thompson for MARTIN E. SCHREIBER on his retirement.

A Joint Certificate of Congratulations by Representative Munts; cosponsored by Senator Risser for RITA AND EUGENE HARRINGTON on the birth of a daughter.

A joint certificate of gratitude by the entire membership of the Assembly; cosponsored by the entire membership of the Senate for FREDERICK C. SCHROEDER, on his retirement from the legislature.

A Joint Certificate of gratitude by the entire membership of the Assembly; cosponsored by the entire membership of the Senate for BYRON F. WACKETT, on his retirement from the legislature.

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The above motions under joint rule 26 were read and concurred in enmasse.

MOTIONS UNDER JOINT RULE 26

A joint certificate of commendation by Senator Bablitch; cosponsored by Representative Groshek for the SISTERS OF ST. JOSEPH, THIRD ORDER OF ST. FRANCIS on the occasion of their 75 anniversary.

A joint certificate of commendation by the entire membership of the senate; cosponsored by the entire membership of the assembly, for REPRESENTATIVE DAVID O'MALLEY, on the occasion of his retirement from the legislature.

A joint certificate of commendation by the entire membership of the senate; cosponsored by the entire membership of the Assembly for GEORGE MOLINARO, on the occasion of his retirement.

Upon motion of Senator Bablitch the senate adjourned pursuant to Assembly Joint Resolution 14.

9:08 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to: **Senate Bill 844**

On page 26, line substitute "the clerk" for "him".

Relating to **Senate Bill 845**

On page 3, line 4, after "(1)" insert "(g) 1".

Relating to: **Senate Bill 845**

1. On page 23, line 1, substitute "215.02" for "215.05".
2. On page 24, line 4, after "SECTION", insert "182m."
3. On page 32, line 7, after "SECTION", insert "247m."

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FRIDAY, June 25, 1976.

The chief clerk makes the following entries under the above date.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 844

Senate Bill 845

Senate Bill 846

Correctly enrolled and presented to the Governor on June 21, 1976.

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

June 18, 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 June 14, 1976, and ending on June 18, 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.

Ebbott, John F., 1006 S. 16th St., Milwaukee, Wisconsin -- Latin American Union for Civil Rights, Inc. 805 S. 5th Street, Milwaukee, Wisconsin -- 21 -- June 16, 1976.

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Please Note the Following Cancellation:

Jerry Brown, Jerry Brown, as of June 11, 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>
28	<i>Social insurance, unemployment insurance, public assistance & workmen's compensation</i>

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- 29 *Transportation, highways, streets & roads*
- 30 *Utilities, communications, television, radio, newspapers, power, CATV, & gas*
- 31 *Other*

State of Wisconsin
Department of Justice
Madison

June 22, 1976

Glenn E. Bultman
Senate Chief Clerk
State Capitol
Madison, Wisconsin

Dear Mr. Bultman:

1975 Senate Resolution 11, adopted June 26, 1975, asks my opinion as to the validity of any action taken by the joint committee on finance while all representatives of the Senate are absent from committee proceedings.

Section 13.09, Stats., since has been amended to provide that the joint finance committee shall consist of equal numbers from the Senate and from the Assembly. Ch. 224, sec. 1c, Laws of 1975. Since Sec. 13.45 (5), Stats., requires a majority of a committee as a quorum to do business, it now is clear that the joint finance committee cannot validly take any action in the absence of all Senate representatives from the committee proceedings.

It is my belief that the above amendment effectively resolves and renders moot the question posed by 1975 Senate Resolution 11. For much the same reason that the Supreme Court advances similar cases, this office historically and consistently has declined to treat moot issues. Therefore, I must respectfully decline to respond to Senate Resolution 11.

sincerely yours,
BRONSON C. LA FOLLETTE
Attorney General

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State of Wisconsin
Department of Justice
Madison

June 22, 1976

Glenn E. Bultman
Senate Chief Clerk
State Capitol
Madison, Wisconsin

Dear Mr. Bultman:

1975 Senate Resolution 12 requests my opinion on the constitutionality of 1975 Senate Bills 348 and 477.

Senate Bills 348 and 477, having failed to pass, are no longer viable legislative proposals. This makes the question of their constitutionality moot.

For much the same reason as the Supreme Court advances in similar cases, this office historically and consistently has declined to treat moot issues. Therefore, I must respectfully decline to respond to Senate Resolution 12.

Sincerely yours,
BRONSON C. LA FOLLETTE
Attorney General

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

June 22, 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:

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Senate Bill	Chapter No.	Date Approved
844 -----	420-----	June 22, 1976
845 -----	421-----	June 22, 1976
846 -----	422-----	June 22, 1976

Sincerely,

PATRICK J. LUCEY

Governor

MOTIONS UNDER SENATE RULE 96

A Certificate of Congratulations by Senator Risser for FATHER THOMAS M. HAUSER, on the occasion of his ordination.

A Certificate of Congratulations by Senator Bablitch for ST. PETER'S CHURCH AND PARISH on the occasion of their 100th anniversary.

A Certificate of Commendation by Senator Murphy for REVEREND EDWARD NUSS on the occasion of the 60th anniversary of his ordination.

The above motions under Senate Rule 96 were read and adopted enmasse.