

JOURNAL OF THE SENATE [September 8, 1976]

STATE OF WISCONSIN

Senate Journal

September 1976 Special Session

WEDNESDAY, September 8, 1976.

2:00 P.M.

The senate met.

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

The chief clerk read the proclamation by the Governor.

United States of America

The State of Wisconsin

Executive Department

A Proclamation

I, Patrick J. Lucey, Governor of the State of Wisconsin, pursuant to Section 11 of Article IV of the Constitution of Wisconsin, do hereby require the convening of a special session of the Legislature of the State, said special session to take place at the Capitol in Madison, on the eighth day of September, A.D., 1976, at two o'clock p.m., solely for the purpose of considering and acting upon the following specific subject of legislative business, to-wit:

To provide for ratification of an agreement negotiated between the State of Wisconsin and clerical members of the Wisconsin State Employees Union.

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**IN TESTIMONY WHEREOF, I
have hereunto set my hand and
caused the Great Seal of the State
of Wisconsin to be affixed. Done
at the Capitol in the City of
Madison, this first day of
September in the year of our Lord
one thousand nine hundred and
seventy-six.**

PATRICK J. LUCEY

Governor

By the Governor:

DOUGLAS LA FOLLETTE

Secretary of State

United States of America

The State of Wisconsin

Executive Department

A Proclamation

I, Patrick J. Lucey, Governor of the State of Wisconsin, under and by virtue of Section 11 of Article IV of the Constitution of Wisconsin, which provides that the Governor shall have the power to convene the Legislature on extraordinary occasions, do issue this, my proclamation expanding the purpose for which the Legislature of the State shall convene at the seat of government at Madison, on the eighth day of September, A.D., 1976, at two o'clock p.m., to include, along with the consideration of the legislative business specified by my proclamation of the first day of September, A.D., 1976, the following subject of legislative business, to wit:

To provide for the suspension of certain requirements for water diversion permits for agricultural purposes.

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**IN TESTIMONY WHEREOF, I
have hereunto set my hand and
caused the Great Seal of the State
of Wisconsin to be affixed. Done
at the Capitol in the City of
Madison, this seventh day of
September in the year of our Lord
one thousand nine hundred and
seventy-six.**

PATRICK J. LUCEY

Governor

By the Governor:

DOUGLAS LA FOLLETTE

Secretary of State

**Prayer was offered by Father George Kovacec from Blessed
Sacrament Catholic Church, Madison.**

**The senate remained standing and Senator Bablitch 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,
Klecicka, Knowles, Knutson, Krueger, LaFave, Lorge, McKenna,
Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser,
Sensenbrenner, Swan, Theno and Thompson -- 32.**

Absent -- None.

Absent with leave -- None.

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends for introduction:

Senate Resolution 1, Special Session

Relating to the organization of the senate for the September 1976 special session.

Introduction; Ayes, 5; Noes, 0.

FRED A. RISSER
Chairman

Senate Resolution 1, Special Session

Read and adopted.

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

BARON, ROSE MARIE, of Milwaukee, as a member of the Optometry Examining Board, to serve for the term ending July 1, 1981.

Confirmation; Ayes, 7; Noes, 1.

REDDIN, MARY, of Milwaukee, as a member of the Medical Examining Board, to serve for the term ending May 1, 1980.

Confirmation; Ayes, 7; Noes, 1.

CARL W. THOMPSON
Chairman

The committee on Judiciary and Consumer Affairs reports and recommends:

IMMELL, ROBERT, of Middleton, as a member of the Hearing Aid Dealers and Fitters Examining Board, to serve for the term ending July 1, 1982.

Confirmation; Ayes, 4; Noes, 0.

MOORE, HENRY H., of Milwaukee, as a member of the Barber Examining Board, to succeed Rudy Petrovsky, to serve for the term ending July 1, 1979.

Confirmation; Ayes, 4; Noes, 0.

JAMES T. FLYNN
Chairman

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The committee on Natural Resources reports and recommends:

KIRN, DONALD, of Willard, as a member of the Snowmobile Recreational Council, to succeed Bob Matteson, resigned, to serve for the term ending May 1, 1977.
Confirmation; Ayes, 5; Noes, 0.

JEROME A. MARTIN
Chairman

The committee on Education reports and recommends:

WIEGNER, EDWARD A., of Madison, as a member of the Medical College of Wisconsin Board of Trustees, to serve for the term ending May 1, 1982.
Confirmation; Ayes, 5; Noes, 0.

RICE, JACK, of Racine, as a member of the Vocational, Technical and Adult Education Board, to succeed Wayne Wood, to serve for the term ending May 1, 1981.
Confirmation; Ayes, 5; Noes, 0.

BRUCE S. PELOQUIN
Chairman

MOORE, HENRY H., of Milwaukee, as a member of the Barber Examining Board, to succeed Rudy Petrovsky, to serve for the term ending July 1, 1979.
Read.

IMMELL, ROBERT, of Middleton, as a member of the Hearing Aid Dealers and Fitters Examining Board, to serve for the term ending July 1, 1982.
Read.

KIRN, DONALD, of Willard, as a member of the Snowmobile Recreational Council, to succeed Bob Matteson, resigned, to serve for the term ending May 1, 1977.
Read.

WIEGNER, EDWARD A., of Madison, as a member of the Medical College of Wisconsin Board of Trustees, to serve for the term ending May 1, 1982.
Read.

RICE, JACK, of Racine, as a member of the Vocational, Technical and Adult Education Board, to succeed Wayne Wood, to serve for the term ending May 1, 1981.
Read.

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

The question was: Confirmation of the appointments?

The ayes and noes were required and the vote was: ayes, 30; noes, 1; absent or not voting, 1; as follows:

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

Noes -- Senator Berger -- 1.

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

So the appointments were confirmed.

REDDIN, MARY, of Milwaukee, as a member of the Medical Examining Board, to serve for the term ending May 1, 1980.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 30; noes, 2; absent or not voting, 0; as follows:

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

Noes -- Senators Murphy and Parys -- 2.

Absent or not voting -- None.

So the appointment was confirmed.

BARON, ROSE MARIE, of Milwaukee, as a member of the Optometry Examining Board, to serve for the term ending July 1, 1981.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 0; as follows:

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

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McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Thompson -- 31.

Noes -- Senator Murphy -- 1.

Absent or not voting -- None.

So the appointment was confirmed.

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends:

Senate Bill 1, Special Session

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin state employe union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, covering employes in the clerical and related bargaining unit and authorizing an expenditure of funds.

By request of the Joint Committee on Employment Relations.

Introduction; Ayes, 5; Noes, 0.

Read a first time.

FRED A. RISSER

Chairman

Senate bill 1, Special Session

Read a second time.

Ordered to a third reading.

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

Senator Murphy objected.

Senator Bablitch moved that the bill be considered for final action at this time.

The ayes and noes were required and the vote was: ayes, 21; noes, 11; absent or not voting, 0; as follows:

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

Noes -- Senators Berger, Bidwell, Chilsen, Hollander, Knowles, Krueger, Lorge, Murphy, Parys, Petri and Sensenbrenner -- 11.

Absent or not voting -- None.

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So the motion prevailed.

Senate Bill 1, Special Session

Read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 21; noes, 11; absent or not voting, 0; as follows:

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

Noes -- Senators Berger, Bidwell, Chilsen, Hollander, Knowles, Krueger, Lorge, Murphy, Parys, Petri and Sensenbrenner -- 11.

Absent or not voting -- None.

So the bill passed.

Ordered immediately messaged.

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends:

Senate Bill 2, Special Session

Relating to suspension of certain requirements for water diversion permits for agricultural purposes.

Introduction; Ayes, 4; Noes, 1.

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

FRED A. RISSER
Chairman

By request of Senator Thompson, with unanimous consent, **Senate Bill 2, Special Session**, was withdrawn from the committee on Agriculture, Human Services, Labor and Taxation and considered for action at this time.

Senate Bill 2, Special Session

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 2, Special Session**, was referred to the joint committee on Finance.

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By request of Senator Dorman, with unanimous consent, **Senate Bill 2**, was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Senate amendment 1 to **Senate Bill 2**, Special Session, offered by Senator Dorman.

Senator Sensenbrenner moved rejection.

The motion prevailed.

Upon motion of Senator Bablitch, the senate recessed until 3:20 P.M.

3:05 P.M.

RECESS

3:20 P.M.

The senate reconvened.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 2**, Special Session was laid on the table.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

Assembly Bill 1, Special Session

Assembly Bill 2, Special Session

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 1, Special Session

AN Act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin state employe union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, covering employes in the clerical and related bargaining unit and authorizing and expenditure of funds.

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Read first time and referred to committee on Senate Organization.

Assembly Bill 2, Special Session

Relating to suspension of certain requirements for water diversion permits for agricultural purposes.

Read first time and referred to committee on Senate Organization.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 1, Special Session** was withdrawn from the committee on Senate Organization and considered for action at this time.

Assembly Bill 1, Special Session

Read a second time.

By request of Senator Dorman, with unanimous consent, **Assembly Bill 1, Special Session** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Assembly Bill 1, Special Session** 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.

Assembly Bill 1, Special Session

Read a third time.

The question was: Concurrence?

The ayes and noes were required and the vote was: ayes, 20; noes, 11; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, LaFave, McKenna, Martin, Maurer, Morrison, Peloquin, Risser, Swan, Theno and Thompson -- 20.

Noes -- Senators Berger, Bidwell, Chilsen, Hollander, Knowles, Krueger, Lorge, Murphy, Parys, Petri and Sensenbrenner -- 11.

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

So the bill was concurred in.

Ordered immediately messaged.

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By request of Senator Bablitch, with unanimous consent, **Assembly Bill 2, Special Session** was withdrawn from the committee on Senate Organization and considered for action at this time.

Assembly Bill 2, Special Session

Relating to suspension of certain requirements for water diversion permits for agricultural purposes.

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.

Assembly Bill 2, Special Session

Read a third time.

The question was: Concurrence?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 1; as follows:

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

Noes -- None.

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

So the bill was concurred in.

Ordered immediately messaged.

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

COMMITTEE REPORTS

The committee on Senate Organization (acting under Senate Rule 20 (1)) reports and recommends the following nominations to committee for appointment by the Senate:

1. To the Joint Survey Committee on Tax Exemptions pursuant to Chapter 215, Laws of 1975, Senator Thomas Petri.

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2. To the "Special Committee on Inheritance Taxation" created by section 5, Chapter 222, Laws of 1975 Senators Berger and LaFave.

FRED A. RISSER
Chairman

The question was: Adoption of the committee report?

The report was adopted.

The committee on Senate Organization reports and recommends for introduction:

Senate Joint Resolution 1, Special Session

Relating to the adjournment sine die of the September 1976 special session.

Introduction; Ayes, 5; Noes, 0.

FRED A. RISSER
Chairman

Senate Joint Resolution 1, Special Session

Read and adopted.

Ordered immediately messaged.

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::

Motion Under Joint Rule 26:

A Joint Certificate of Commendation by Representative Donoghue; cosponsored by Senator Krueger for AL DIETZ on his years of service to his community.

A Joint Certificate of Congratulations by Representative Matty; cosponsored by Senator LaFave for MR. & MRS. PAUL F. MATYKOWSKI on their 65th wedding anniversary.

Concurred in:

Senate Joint Resolution 1, Special Session

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MESSAGE FROM THE ASSEMBLY CONSIDERED

Motion Under Joint Rule 26:

A Joint Certificate of Commendation by Representative Donoghue; co-sponsored by Senator Krueger for AL DIETZ on his years of service to his community.

A Joint Certificate of Congratulations by Representative Matty; co-sponsored by Senator LaFave for MR. & MRS. PAUL F. MATYKOWSKI on their 65th wedding anniversary.

The above motions under Joint Rule 26 were read and concurred in enmasse.

MOTIONS UNDER JOINT RULE 26

A Joint Certificate of Commendation by Senators Murphy and Devitt co-sponsored by Representatives Shabaz, Snyder, and Shannon for LESLIE P. ROCKTEACHER on the occasion of his retirement.

A certificate of commendation by Senator Risser and cosponsored by Representative Norman Anderson for SENATOR JACK SCHRADE on the occasion of his contributions and invaluable guidance to the 3rd Annual N.L.S.S.A. Conference.

The above motions under Joint Rule 26 were read and adopted enmasse.

By request of Senator LaFave, with unanimous consent, the senate adjourned in honor of the 65th wedding anniversary of Mr. & Mrs. Paul F. Matykowski.

By request of Senator Martin with unanimous consent, the senate also adjourned in honor of the 65th wedding anniversary of Mr. & Mrs. George Feit of Manitowoc.

By request of Senator Kleczka with unanimous consent, the senate also adjourned in honor of the birthday of Senator Hollander.

Upon motion of Senator Bablitch the senate adjourned pursuant to Senate Joint Resolution 1, Special Session.

3:40 P.M.