

JOURNAL OF THE SENATE [January 3, 1977]

STATE OF WISCONSIN

Senate Journal

Eighty-Third Regular Session

MONDAY, January 3, 1977.

2:00 P.M.

The senate met.

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

Prayer was offered by Reverend Elmer A. Neitzel, Pastor of Mount Calvary Lutheran Church, Milwaukee.

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

United States of America
State of Wisconsin
Elections Board

To All To Whom These Presents Shall Come:

I Gerald J. Ferwerda, Executive Secretary of the State Election Board of the State of Wisconsin, do hereby certify that at a General Election held on the Second day of November, A.D., 1976, the following State Senators were elected, for the term of four years, ending on the first Monday of January, 1981, as appears from the official certificates of the Board of State Canvassers, on file in this office.

IN TESTIMONY WHEREOF, I
have hereunto set my hand and
affixed the official seal. Done in
the City of Madison, this 21st day
of December, A.D., 1976.

GERALD J. FERWERDA
Executive Secretary

We do, therefore, hereby determine and certify that the following candidates, having each received the greatest number of votes in their respective senatorial districts, comprised of the

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counties hereinbefore specified, are duly elected State Senators, to-wit:

<i>Senatorial District</i>	<i>Elected</i>
2	Thomas E. Petri
4	F. James Sensenbrenner, Jr.
6	Monroe Swan
8	James T. Flynn
10	Michele G. Radosevich
12	Clifford W. Krueger
14	Gerald D. Lorge
16	Carl W. Thompson
18	Scott McCallum
20	Ernest C. Keppler
22	John J. Maurer
24	William A. Bablitch
26	Fred A. Risser
28	Lynn S. Adelman
30	Jerome Van Sistine
32	Paul Offner

IN TESTIMONY WHEREOF, we have hereunto set our hands. Done in the City of Madison, this 1st day of December, A.D., 1976.

DAVID ADAMANY
Chairman, State
Elections Board

CHARLES P. SMITH
State Treasurer

BRONSON C. LA FOLLETTE
Attorney General

Upon the calling of the newly elected Senators on Monday, January 3, 1977, the following appeared before the bar of the senate, took and subscribed the oath of office which was administered by the President:

Thomas E. Petri, F. James Sensenbrenner, Jr., Monroe Swan, James T. Flynn, Michele Radosevich, Clifford W. Krueger, Gerald D. Lorge, Carl W. Thompson, Scott McCallum, Ernest C. Keppler, John J. Maurer, William A. Bablitch, Fred A. Risser, Lynn S. Adelman, Jerome Van Sistine and Paul Offner.

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

Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lorge, McCallum, McKenna, Martin, Maurer, Morrison, Murphy, Offner, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 32.

Absent -- Senator Peloquin -- 1.

Absent with leave -- None.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 1

Relating to organizing the 1977 Wisconsin senate.

By Senators Risser, Bablitch, Kleczka, Krueger and Sensenbrenner.

Read.

Considered as privileged.

The question was: Adoption?

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lorge, McCallum, McKenna, Martin, Maurer, Morrison, Murphy, Offner, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

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

So the resolution was adopted.

The President Pro Tempore, Fred A. Risser, the Chief Clerk, Don Schneider, and the Sergeant-at-Arms, Robert Thompson appeared together before the bar of the senate, took and subscribed the oath of office which was administered by the President.

Senate Resolution 2

Relating to adopting the rules of the senate in effect at the conclusion of the 1975 regular session of the senate, with the modifications shown in this resolution, as the rules of the 1977 senate.

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By Senators Risser, Bablitch, Kleczka, Krueger and Sensenbrenner.

Read.

Considered as privileged.

The question was: Adoption?

The ayes and noes were required and the vote was: ayes, 25; noes, 7; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Cullen, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lorge, McKenna, Martin, Maurer, Morrison, Offner, Parys, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 25.

Noes -- Senators Chilsen, Dorman, Flynn, McCallum, Murphy, Petri and Swan -- 7.

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

So the resolution was adopted.

Senate Resolution 3

Relating to congratulations for Senator LaFave.

By the Entire Membership of the Senate.

Read.

Considered as privileged.

The question was: Adoption?

Adopted.

Senate Resolution 4

Relating to congratulations for Senator Knowles.

By the Entire Membership of the Senate.

Read.

Considered as privileged.

The question was: Adoption?

Adopted.

Senate Resolution 5

Relating to congratulations for Senator Hollander.

By the Entire Membership of the Senate.

Read.

Considered as privileged.

The question was: Adoption?

Adopted.

Senate Joint Resolution 1

To amend section 15 of article IV of the constitution so as in effect to repeal said section, relating to legislative immunity from arrest and civil process (first consideration).

By Senator Kleczka.

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

Senate Joint Resolution 2

Relating to the life and public service of Kenneth S. White.

By Senator Radosevich; cosponsored by Representative Early.

Read.

Considered as privileged.

The question was: Adoption?

Adopted by unanimous rising vote.

Ordered immediately messaged.

Senator Swan asked unanimous consent that **Senate Joint Resolution 1** be withdrawn from the committee on Judiciary & Consumer Affairs and referred to the committee on Governmental and Veterans' Affairs.

Senator Kleczka objected.

Senator Swan moved that **Senate Joint Resolution 1** be withdrawn from the committee on Judiciary & Consumer Affairs and referred to the committee on Governmental and Veterans' Affairs.

Senator Bablitch moved that the motion to withdraw **Senate Joint Resolution 1** from committee be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 24; noes, 7; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Braun, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lorge, McKenna, Martin, Maurer, Morrison, Offner, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 24.

Noes -- Senators Berger, Chilsen, McCallum, Murphy, Parys, Petri and Swan -- 7.

Absent or not voting -- Senators Frank and Peloquin -- 2.

So the motion prevailed.

Senate Joint Resolution 3

Establishing a special joint committee to study the state civil service system.

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By Senators Krueger, Chilsen, McCallum, Petri, Keppler, Sensenbrenner, Theno, Murphy, Lorge and Bidwell; cosponsored by Representatives Shabaz, Thompson, DeLong, Schricker, Gower, Schmidt, Byers, Porter, Gunderson, Ausman, Opitz, Donoghue and Matty.

Read and referred to committee on Senate Organization.

Senator Chilsen asked unanimous consent that **Senate Joint Resolution 3** be considered for action at this time.

Senator Bablitch objected.

Senator Chilsen moved that the rules be suspended and **Senate Joint Resolution 3** be considered for action at this time.

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

Ayes -- Senators Bidwell, Chilsen, Keppler, Krueger, Lorge, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 10.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Offner, Parys, Radosevich, Risser, Swan, Thompson and Van Sistine -- 22.

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

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

Senate Joint Resolution 4

To amend article IV, section 24, of the constitution, relating to authorizing state-operated lotteries (2nd consideration).

By Senators Parys, Goyke, Theno and Berger; cosponsored by Representatives Hauke, Plewa, Kincaid, Bradley, Donoghue, Pabst, Behnke, Menos, Groshek, Fischer, Murray, Roberts, Rooney, Leopold, Moody, Coggs, Bear, Ward, Barczak, Rogers, Tuczynski, Vanderperren, Gerlach, Porter, DeLong and Gower.

Read first time and referred to committee on Commerce.

Senate Joint Resolution 5

To amend section 24 of article IV of the constitution, permitting the legislature to authorize certain nonprofit organizations to conduct raffle games as regulated by law (2nd consideration).

By Senators Parys and Keppler; cosponsored by Representative Gunderson.

Read first time and referred to committee on Commerce.

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Senate Joint Resolution 6

Memorializing congress to explore statutory and constitutional means to reverse the U.S. supreme court's ban on prayer in the public schools.

By Senator Swan, by request of Bishop Enoch Johnson.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 1

Relating to free small game licenses for residents over 65 years of age.

By Senators Kleczka, Petri, Maurer, Van Sistine, Cullen, Keppler, Theno and Chilsen; cosponsored by Representatives Dorff, Day and Kincaid.

To committee on Natural Resources.

Senate Bill 2

Relating to reconstruction of certain private shoreland facilities.

By Senators Kleczka, Keppler, Goyke and Van Sistine; cosponsored by Representative Day.

To committee on Natural Resources.

Senate Bill 3

Relating to authorization for electors to vote in the primary of more than one political party.

By Senators Kleczka and Keppler.

To committee on Governmental and Veterans' Affairs.

Senate Bill 4

Relating to allowing coupons to be redeemed by other manufacturers.

By Senators Petri, Berger and Sensenbrenner.

To committee on Commerce.

Senate Bill 5

Relating to tax exemptions for divorced persons with minor children.

By Senators Petri and Berger.

To Joint Survey committee on Tax Exemptions.

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Senate Bill 6

Relating to free admission to state parks and forests for residents 65 years of age or older.

By Senators Petri, Berger, Keppler and Chilsen.

To committee on Natural Resources.

Senate Bill 7

Relating to free small game licenses for residents over 65 years of age.

By Senators Petri, Berger, Keppler and Chilsen.

To committee on Natural Resources.

Senate Bill 8

Relating to state income tax deduction for adoption fees, court costs and legal fees incurred in adopting a child.

By Senator Petri.

To Joint Survey committee on Tax Exemptions.

Senate Bill 9

Relating to protective headgear for operators of motor-driven cycles.

By Senator Petri.

To committee on Commerce.

Senate Bill 10

Relating to notice to creditors and examination and adjustment of claims by probate registrars.

By Senator Berger.

To committee on Judiciary and Consumer Affairs.

Senate Bill 11

Relating to residency of school board officers and employes and other public employes in cities of the 1st class.

By Senators Swan and Cullen.

To committee on Education and Revenue.

Senate Bill 12

Relating to registration fees for motor busses used exclusively for transporting musical marching groups.

By Senators Berger, Frank, Parys, Dorman, Maurer, Flynn and Keppler cosponsored by Representatives Lingren, Rooney, Behnke, Wahner, Clarenbach, Kirby, Otte, Wood, Lee, Ferrall, Tuczynski and Looby.

To committee on Commerce.

Senate Bill 13

Relating to free admission to state parks and forests for residents 65 years of age or older.

By Senators Kepler, Parys, Chilsen and Lorge; cosponsored by Representatives Otte, Potter, Opitz, Murray, Donoghue, Early, Kedrowski and Schricker.

To committee on Natural Resources.

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:

Agriculture, Aging and Labor

Senator Cullen, Chair

Senator Radosevich, Vice-Chair

Senator Harnisch

Senator Van Sistine

Senator McCallum

Natural Resources

Senator Harnisch, Chair

Senator Van Sistine, Vice-Chair

Senator Radosevich

Senator Murphy

Governmental and Veterans' Affairs

Senator Swan, Chair

Senator Adelman, Vice-Chair

Senator Braun

Senator Offner

Senator Petri

Tourism

Senator Martin, Chair

Senator Cullen, Vice-Chair

Senator Theno

Commerce

Senator Parys, Chair

Senator Martin, Vice-Chair

Senator Swan

Senator Berger

Senator Goyke

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**Senator Keppler
Senator Bidwell**

Human Services

**Senator Thompson, Chair
Senator Offner, Vice-Chair
Senator Braun
Senator Van Sistine
Senator Petri**

Audit

**Senator McKenna, Chair
Senator Flynn, Vice-Chair
Senator Lorge
Senator McCallum**

Urban Affairs

**Senator Frank, Chair
Senator Maurer, Vice-Chair
Senator Kleczka
Senator Sensenbrenner**

Judiciary and Consumer Affairs

**Senator Flynn, Chair
Senator Frank, Vice-Chair
Senator Harnisch
Senator Adelman
Senator Murphy**

Education and Revenue

**Senator Goyke, Chair
Senator Braun, Vice-Chair
Senator Berger
Senator Cullen
Senator Sensenbrenner**

and further recommends under Senate rule 20 (3) the following nominations:

Senate Committee on Finance

**Senator Dorman, Chair
Senator Kleczka
Senator Peloquin
Senator Morrison
Senator Maurer
Senator Chilsen**

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Senate Committee for Review of Administrative Rules
Senator Berger, Chair
Senator Swan
Senator Offner, to replace Senator Morrison

Committee on Senate Organization
Senator Risser, Chair
Senator Bablitch
Senator Kleczka
Senator Krueger
Senator Sensenbrenner

FRED A. RISSER
Chairman

The question was: Adoption of the committee report?
Adopted.

PETITIONS AND COMMUNICATIONS

Unites States of America
State of Wisconsin

Office of the Secretary of State

To All To Whom These Presents Shall Come, Greetings:

I, Douglas LaFollette, Secretary of State of the State of Wisconsin, do hereby certify that the following proposed amendments to the Constitution of the state of Wisconsin have been approved by the Legislature of 1973, and duly published, as required by Section 1 of Article XII of the Constitution, and are hereby referred for further approval to the Legislature of 1977.

Assembly Joint Resolution 11 (enrolled no. 13)

Assembly Joint Resolution 22 (enrolled no. 15)

Assembly Joint Resolution 43 (enrolled no. 19)

Senate Joint Resolution 15 (enrolled no. 20)

IN TESTIMONY WHEREOF, I
have hereunto set my hand and
official seal, at the Capitol, in the
City of Madison, this 29th day of
December, A.D. 1976.

DOUGLAS LAFOLLETTE
Secretary of State

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

December 15, 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 D. Jack Myers, of Madison, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 1981.

Sincerely,

PATRICK J. LUCEY

Governor

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

Upon motion of Senator Bablitch the senate adjourned until 2:00 P.M. Tuesday, January 11.

3:38 P.M.

GUESTS

During today's session, the following visitors honored the senate with their presence:

Cheryl Warren of Brown Deer, fiance of Senator Sensenbrenner and Mrs. Robert W. Warren of Mequon, guests of Senator Sensenbrenner.