

JOURNAL OF THE SENATE [May 20, 1977]

STATE OF WISCONSIN

Senate Journal

Eighty-Third Regular Session

FRIDAY, May 20, 1977.

9:00 A.M.

The senate met.

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

The senate stood for the prayer which was offered by Reverend Harvey W. Schweppe, Pastor of Monona United Church, Madison.

The senate remained standing and Senator Parys 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 Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

COMMITTEE REPORTS

LAWTON, BEN R., of Marshfield, as a member of the University of Wisconsin System Board of Regents, to succeed himself, to serve for the term ending May 1, 1984.

Confirmation:

Ayes, 2 -- Senators Cullen and Goyke;

Noes, 0 -- None.

GARY GOYKE
Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 68

By 432 citizens of Wisconsin in opposition to the Norquist-Maurer amendments to the general property tax relief formula.

By Senator Sensenbrenner.

Read and referred to joint committee on Finance.

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 385

Assembly Bill 496

Assembly Bill 509

Assembly Bill 526

Assembly Bill 537

Assembly Bill 543

Concurred in:

Senate Bill 140

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 385

Relating to the liability of landowners who allow their land to be used for certain outdoor recreational activities.

By Representatives Hephner, Day, Potter, Mohn, Swoboda, Vanderperren, McEssy, Hasenohrl, Matty, Ausman, Kedrowski, Menos, Behnke, Donoghue, Travis, Byers, Snyder, Fischer, Roth, Brist, Medinger, Litscher, Barry, Dandeneau, Murray, Duren, Groshek, Early, Loftus, McClain, Lewis, Merkt, Schmidt and Quackenbush, cosponsored by Senators McKenna, Theno, Krueger, Chilsen and Goyke.

Read first time and referred to committee on Natural Resources and Tourism.

Assembly Bill 496

Relating to the authority of municipalities to finance industrial projects.

By Representatives Murray and Lallensack, cosponsored by Senator VanSistine.

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

Assembly Bill 509

Relating to permitting certain vehicles transporting water to be registered on a monthly basis.

By Representatives Hephner, Vanderperren, Mohn, Rogers, Hanson, Tregoning, Klicka, Luckhardt, Day, Fischer, Duren and Litscher.

Read first time and referred to committee on Commerce.

Assembly Bill 526

Relating to removing the bounty for certain animals.

By Representatives Loftus, Wahner, Soucie and Dandeneau.

Read first time and referred to committee on Natural Resources and Tourism.

Assembly Bill 537

Relating to revising the procedure by which a town may create a public inland lake protection and rehabilitation district.

By Representatives Schricker, Schmidt, Byers, Kedrowski, Ausman, Lewison, McEssy and Murray.

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Read first time and referred to committee on Natural Resources and Tourism.

Assembly Bill 543

Relating to educational qualifications for accountants.

By Representatives Otte, Roberts, McClain and Byers, cosponsored by Senator Morrison.

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

Senator Bablitch called the chair's attention to **Senate Bill 77** which was a special order of business.

Senate Bill 77

Relating to state finances and appropriations, constituting the executive budget bill of the 1977 legislature, and making appropriations.

Read a second time.

Senate amendment 220 to senate substitute amendment 1 to **Senate Bill 77** offered by Senators Dorman, Kleczka and Bablitch.

Senator Bablitch asked unanimous consent that all remaining amendments except senate amendments 134, 136, 144, 166, 168, 172, 181, 187 and 196 to senate substitute amendment 1 be laid on the table.

Senator Sensenbrenner objected.

By request of Senator Theno, with unanimous consent, the senate recessed until 10:00 A.M.

9:25 A.M.

RECESS

10:00 A.M.

The senate reconvened.

RULING OF THE CHAIR

As it relates to senate amendment 1 to senate amendment 103 to senate substitute amendment 1 to **Senate Bill 77**, the chair ruled the amendment was germane.

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Senator Bablitch moved that all amendments to senate substitute amendment 1 to **Senate Bill 77** be laid on the table except senate amendments 134, 136, 144, 166, 168, 172, 181, 187, 196 and 103 to senate substitute amendment 1.

The ayes and noes were demanded and the vote was: ayes, 21; noes, 11; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Keppler, Krueger, Lasee, Lorge, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 11.

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

So the motion prevailed.

The question was: Adoption of senate amendment 134 to senate substitute amendment 1?

Senator Bablitch moved rejection.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 16; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Kleczka, McKenna, Maurer, Morrison, Offner, Peloquin, Risser, Sensenbrenner and Thompson -- 16.

Noes -- Senators Bablitch, Flynn, Frank, Goyke, Harnisch, Keppler, Krueger, Lasee, Lorge, McCallum, Murphy, Parys, Petri, Swan, Theno and Van Sistine -- 16.

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

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 134 was laid on the table.

The question was: Adoption of senate amendment 136 to senate substitute amendment 1?

Senator Bablitch moved rejection.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Braun, Chilsen, Dorman, Frank, Goyke, Harnisch, Lasee, McKenna, Maurer, Murphy, Peloquin, Radosevich, Risser and Thompson -- 17.

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Noes -- Senators Adelman, Cullen, Flynn, Keppler, Kleczka, Krueger, Lorge, McCallum, Morrison, Offner, Parys, Petri, Sensenbrenner, Swan, Theno and Van Sistine -- 16.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 144 to senate substitute amendment 1?

Senator Bablitch moved rejection.

By request of Senator Krueger, with unanimous consent, he was added as a coauthor of senate amendment 144 to senate substitute amendment 1.

The question was: Rejection?

The ayes and noes were demanded and the vote was: ayes, 11; noes, 20; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bidwell, Chilsen, Dorman, Goyke, Maurer, Morrison, Offner, Risser, Thompson and Van Sistine -- 11.

Noes -- Senators Berger, Braun, Cullen, Flynn, Frank, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Murphy, Parys, Peloquin, Petri, Radosevich, Sensenbrenner, Swan and Theno -- 20.

Absent or not voting -- Senators Bablitch and Harnisch -- 2.

So the motion did not prevail.

Senator Kleczka asked unanimous consent that senate amendment 144 be laid on the table.

Senator Murphy objected.

Senator Kleczka moved that senate amendment 144 be laid on the table.

The motion prevailed.

The question was: Adoption of senate amendment 166 to senate substitute amendment 1?

Senator Kleczka moved rejection.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 11; absent or not voting, 0; as follows:

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Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Goyke, Harnisch, Kleczka, McCallum, Maurer, Morrison, Offner, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 22.

Noes -- Senators Bidwell, Chilsen, Frank, Keppler, Krueger, Lasee, Lorge, McKenna, Murphy, Parys and Swan -- 11.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 168 to senate substitute amendment 1?

Senator Bablitch moved rejection.

The motion did not prevail.

Senator Maurer moved reconsideration of the vote by which senate amendment 168 was refused rejection.

The ayes and noes were demanded and the vote was: ayes, 12; noes, 20; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Berger, Flynn, Frank, Kleczka, Maurer, Morrison, Parys, Radosevich, Risser, Swan and Van Sistine -- 12.

Noes -- Senators Bablitch, Bidwell, Braun, Chilsen, Cullen, Goyke, Harnisch, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Murphy, Offner, Peloquin, Petri, Sensenbrenner, Theno and Thompson -- 20.

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

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 168 was laid on the table.

By request of Senator Bablitch, with unanimous consent, senate amendment 172 was placed after senate amendment 181.

The question was: Adoption of senate amendment 181 to senate substitute amendment 1?

Senator Bablitch moved rejection.

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

Ayes -- Senators Braun, Keppler, Lasee, Lorge and McKenna -- 5.

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Noes -- Senators Adelman, Bablitch, Berger, Bidwell, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Krueger, McCallum, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 28.

Absent or not voting -- None.

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 181 was laid on the table.

Senator Maurer moved reconsideration of the vote by which senate amendment 136 was rejected.

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Bidwell, Braun, Cullen, Flynn, Harnisch, Keppler, Kleczka, Lorge, McCallum, McKenna, Maurer, Morrison, Parys, Petri, Radosevich, Theno and Van Sistine -- 18.

Noes -- Senators Adelman, Berger, Chilsen, Dorman, Frank, Goyke, Krueger, Lasee, Murphy, Offner, Peloquin, Risser, Sensenbrenner, Swan and Thompson -- 15.

Absent or not voting -- None.

So the motion prevailed.

The question was: Rejection of senate amendment 136 to senate substitute amendment 1?

The motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 136 was laid on the table.

By request of Senator Bablitch, with unanimous consent, senate amendment 172 was placed after senate amendment 187.

The question was: Adoption of senate amendment 187 to senate substitute amendment 1?

Senator Bablitch moved rejection.

The ayes and noes were demanded and the vote was: ayes, 7; noes, 26; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Frank, Morrison, Offner, Peloquin, Petri and Risser -- 7.

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Noes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Murphy, Parys, Radosevich, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 26.

Absent or not voting -- None.

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 187 was laid on the table.

By request of Senator Bablitch, with unanimous consent, senate amendments 196 and 103 to senate substitute amendment 1 were laid on the table.

The question was: Adoption of senate amendment 172 to senate substitute amendment 1?

Senate amendment 1 to senate amendment 172 to senate substitute amendment 1 to **Senate Bill 77** offered by Senator Goyke.

Senate amendment 2 to senate amendment 172 to senate substitute amendment 1 to **Senate Bill 77** offered by Senator Thompson.

Senate amendment 3 to senate amendment 172 to senate substitute amendment 1 to **Senate Bill 77** offered by Senator Goyke.

Senator Kleczka in the chair.

12:00 Noon

Senator Bablitch moved rejection of senate amendment 172.

By request of Senator McCallum, with unanimous consent, he was added as a coauthor of senate amendment 172 to senate substitute amendment 1.

The question was: Rejection?

The motion did not prevail.

By request of Senator Goyke, with unanimous consent, senate amendment 1 to senate amendment 172 was withdrawn and returned to the author.

The question was: Adoption of senate amendment 2 to senate amendment 172 to senate substitute amendment 1?

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Senator Petri moved rejection.

The ayes and noes were demanded and the vote was: ayes, 10; noes, 23; absent or not voting, 0; as follows:

Ayes -- Senators Berger, Bidwell, Chilsen, Keppler, Kleczka, Lorge, McCallum, Murphy, Petri and Sensenbrenner -- 10.

Noes -- Senators Adelman, Bablitch, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Krueger, Lasee, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine -- 23.

Absent or not voting -- None.

So the motion did not prevail.

Senate amendment 2 to senate amendment 172 adopted.

The question was: Adoption of senate amendment 3 to senate amendment 172 to senate substitute amendment 1?

Senator Morrison moved rejection.

The ayes and noes were demanded and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Berger, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Keppler, Kleczka, Lasee, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Sensenbrenner, Swan and Thompson -- 21.

Noes -- Senators Adelman, Bidwell, Goyke, Harnisch, Krueger, Lorge, McCallum, McKenna, Maurer, Risser, Theno and Van Sistine -- 12.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 172 to senate substitute amendment 1?

By request of Senator Bablitch, with unanimous consent, senate amendment 172 was laid on the table.

By request of Senator Offner, with unanimous consent, the journal showed that senate amendment 168 to senate substitute amendment 1 was introduced at the request of Representative McClain.

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AMENDMENTS OFFERED

Senate amendment 1 to senate amendment 156 to senate substitute amendment 1 to **Senate Bill 77** by Senator Adelman.

Senate amendment 2 to senate amendment 156 to senate substitute amendment 1 to **Senate Bill 77** by Senator Adelman.

Senate amendment 1 to senate amendment 182 to senate substitute amendment 1 to **Senate Bill 77** by Senator Harnisch.

Senate amendment 2 to senate amendment 182 to senate substitute amendment 1 to **Senate Bill 77** by Senator Harnisch.

Senate amendment 3 to senate amendment 156 to senate substitute amendment 1 to **Senate Bill 77** by Senator Harnisch.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Tuesday, May 24.

1:10 P.M.