

JOURNAL OF THE SENATE [June 21, 1977]

STATE OF WISCONSIN

# Senate Journal

Eighty-Third Regular Session

---

TUESDAY, June 21, 1977.

10:00 A.M.

The senate met.

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

The senate stood for a moment of silent prayer.

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

---

## LEAVE OF ABSENCE

By request of Senator Bablitch, with unanimous consent, Senator Flynn was granted a leave of absence until 11:30 A.M.

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

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

Absent -- None.

Absent with leave -- Senator Flynn -- 1.

---

BILLS INTRODUCED

Read first time and referred:

**Senate Bill 460**

Relating to changing penalties concerning bomb scares.

By Senators Chilsen, Bidwell, Krueger, Petri, Theno, Sensenbrenner, Cullen and Parys; cosponsored by Representative Donoghue.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 461**

Relating to payment of interest on advance payments in connection with mortgages and on security deposits and providing a penalty.

By Senators Berger, Cullen and Braun.

To committee on Judiciary and Consumer Affairs.

---

COMMITTEE REPORTS

The committee on Agriculture, Aging and Labor reports and recommends for introduction:

**Senate Bill 462**

Relating to the term of collective bargaining agreements under the municipal employment relations act.

By request of Commission on State-Local Relations and Financing Policy.

Introduction:

Ayes, 6 -- Senators Cullen, Radosevich, Harnisch, Morrison, Chilsen and McCallum;

Noes, 1 -- Senator Van Sistine.

Read first time and referred to committee on Agriculture, Aging and Labor.

**Senate Bill 463**

Relating to renewal of teacher contracts.

By request of Wisconsin Education Association Council.

Introduction:

Ayes, 7 -- Senators Cullen, Radosevich, Harnisch, Morrison, Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

Read first time and referred to committee on Agriculture, Aging and Labor.

JOURNAL OF THE SENATE [June 21, 1977]

And further recommends:

**Assembly Bill 150**

Relating to exempting producers of honey from food processing regulation.

Introduction and adoption of senate substitute amendment 1:

Ayes, 7 -- Senators Cullen, Radosevich, Harnisch, Morrison,  
Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 7 -- Senators Cullen, Radosevich, Harnisch, Morrison,  
Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

TIM CULLEN  
Chairman

The committee on Judiciary and Consumer Affairs reports and recommends for introduction:

**Senate Bill 464**

Relating to the precedence and effect of liens upon the property of employers for wage claims and deficiencies.

By request of State Bar of Wisconsin.

Introduction:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and  
Murphy;

Noes, 0 -- None.

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

**Senate Bill 465**

Relating to consideration of the child's wishes in determinations of legal custody.

Introduction:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and  
Murphy;

Noes, 0 -- None.

Read first time and referred to committee on Human Services.

**Senate Bill 466**

Relating to increasing property damage liability requirements under the motor vehicle financial responsibility law.

Introduction:

## JOURNAL OF THE SENATE [June 21, 1977]

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and  
Murphy;

Noes, 0 -- None.

Read first time and referred to committee on Commerce.

### Senate Bill 467

Relating to the powers of judicial court commissioners in populous counties and changes in procedures of small claims type actions.

Introduction:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and  
Murphy;

Noes, 0 -- None.

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

And further recommends:

KATZ, WILBUR, of Whitewater, as a member of the Ethics Board, to succeed Naseby Rhinehart, Jr., to serve for the term ending May 1, 1983.

Confirmation:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and  
Murphy;

Noes, 0 -- None.

### Senate Bill 293

Relating to selection of attorneys to represent corporate personal representatives of estates.

Passage:

Ayes, 3 -- Senators Flynn, Frank and Adelman;

Noes, 2 -- Senators Harnisch and Murphy;

### Senate Bill 364

Relating to a limitation on parental liability for a child's negligence in operating a motor vehicle.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and  
Murphy;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and  
Murphy;

Noes, 0 -- None.

JOURNAL OF THE SENATE [June 21, 1977]

**Assembly Bill 96**

Relating to a general "good Samaritan" law.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and  
Murphy;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and  
Murphy;

Noes, 0 -- None.

**Assembly Bill 254**

Relating to permitting irrevocable burial trusts.

Concurrence:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and  
Murphy;

Noes, 0 -- None.

JAMES T. FLYNN

Chairman

The joint committee on Finance reports and recommends:

**Senate Bill 15**

Relating to revision of municipal employment collective bargaining impasse resolution procedures, providing for final and binding arbitration, authorizing a limited right to strike, granting rule-making authority and providing penalties.

Introduction of senate substitute amendment 6:

Ayes, 14 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen; Representatives Johnson, Otte, Roberts, Tropman, Lingren, Norquist and Quackenbush;

Noes, 0 -- None.

Introduction of senate amendments 1, 2, 3 and 4 to senate substitute amendment 6:

Ayes, 14 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen; Representatives Johnson, Otte, Roberts, Tropman, Lingren, Norquist and Quackenbush;

Noes, 0 -- None.

**JOURNAL OF THE SENATE [June 21, 1977]**

**Adoption of senate amendment 1 to senate substitute amendment 6:**

**Ayes, 14 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen; Representatives Johnson, Otte, Roberts, Tropman, Lingren, Norquist and Quackenbush;**

**Noes, 0 -- None.**

**Adoption of senate amendment 2, Lines 1 - 10, to senate substitute amendment 6:**

**Ayes, 14 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen; Representatives Johnson, Otte, Roberts, Tropman, Lingren, Norquist and Quackenbush;**

**Noes, 0 -- None.**

**Adoption of senate amendment 2, Lines 11 - 16, to senate substitute amendment 6:**

**Ayes, 8 -- Senators Dorman, McKenna, Morrison, Maurer and Peloquin; Representatives Otte, Roberts and lingren;**

**Noes, 6 -- Senators Kleczka and Chilsen; Representatives Johnson, Tropman, Norquist and Quackenbush.**

**Adoption of senate amendment 3 to senate substitute amendment 6:**

**Ayes, 13 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen; Representatives Johnson, Otte, Roberts, Tropman, Lingren and Quackenbush;**

**Noes, 0 -- None.**

**Adoption of senate amendment 4 to senate substitute amendment 6:**

**Ayes, 9 -- Senators Dorman, Kleczka, McKenna, Peloquin and Chilsen; Representatives Johnson, Roberts, Tropman and Lingren;**

**Noes, 5 -- Senators Morrison and Maurer; Representatives Otte, Norquist and Quackenbush.**

**Adoption of senate substitute amendment 6 as amended:**

**Ayes, 14 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen; Representatives Johnson, Otte, Roberts, Tropman, Lingren, Norquist and Quackenbush;**

**Noes, 0 -- None.**

**JOURNAL OF THE SENATE [June 21, 1977]**

**Passage as amended with emergency statement attached:**

**Ayes, 13 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen; Representatives Johnson, Otte, Roberts, Tropman, Lingren and Norquist;**

**Noes, 1 --**

**Representative Quackenbush.**

**HENRY DORMAN**

**Senate Chairman**

**The committee on Governmental and Veteran Affairs reports and recommends:**

**WIMMER, MARY ALICE, of Madison, as a member of the Arts Board, to serve for the term ending May 1, 1980.**

**Confirmation:**

**Ayes, 5 -- Senators Swan, Offner, Lasse, Braun and Adelman;**

**Noes, 0 -- None.**

**SAXER, LYNN, of Janesville, as a member of the Arts Board, to serve for the term ending May 1, 1980.**

**Confirmation:**

**Ayes, 5 -- Senators Swan, Offner, Lasee, Braun and Adelman;**

**Noes, 0 -- None.**

**Senate Bill 224**

**Relating to powers of the chief of police in cities of the 1st class.**

**Passage:**

**Ayes, 5 -- Senators Swan, Offner, Lasee, Braun and Adelman;**

**Noes, 0 -- None.**

**MONROE SWAN**

**Chairman**

**The committee on Human Services reports and recommends:**

**Senate Bill 233**

**Relating to monitoring and receivership of nursing homes and residential care facilities.**

**Introduction of senate substitute amendment 1:**

**Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;**

**Noes, 0 -- None.**

**Introduction and adoption of senate amendment 1 to senate substitute amendment 1:**

**JOURNAL OF THE SENATE [June 21, 1977]**

**Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;**

**Noes, 0 -- None.**

**Adoption of senate substitute amendment 1 as amended:**

**Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;**

**Noes, 0 -- None.**

**Passage as amended:**

**Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;**

**Noes, 0 -- None.**

**Assembly Bill 71**

**Relating to enabling legislation allowing municipalities and counties to license cats.**

**Concurrence:**

**Ayes, 3 -- Senators Braun, Offner and Van Sistine;**

**Noes, 2 -- Senators Thompson and Petri.**

**Assembly Bill 435**

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

**Concurrence:**

**Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;**

**Noes, 0 -- None.**

**Assembly Bill 440**

**Relating to requiring counties and cities to provide a teletypewriter for the emergency needs of hearing and speech impaired persons.**

**Concurrence:**

**Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;**

**Noes, 0 -- None.**



JOURNAL OF THE SENATE [June 21, 1977]

**Assembly Bill 538**

Relating to interference with the custody of a child and providing penalties.

Concurrence:

Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;

Noes, 0 -- None.

CARL W. THOMPSON  
Chairman

---

PETITIONS AND COMMUNICATIONS

**Senate Petition 82**

A petition by 41 residents of Wisconsin in support of the state's Constitutional ban on state-operated lotteries.

By Senator Thompson.

Read and referred to committee on Commerce.

**Senate Petition 83**

A petition by 32 citizens of Wisconsin urging that the training, examinations, licensing, and inspections for barbers and barber shops be retained.

By Senator Peloquin.

Read and referred to committee on Human Services.

**Senate Petition 84**

A petition by 71 residents of Wisconsin in support of Senate Bill 68 and Assembly Bill 87, "prohibiting the shooting of bear near a garbage dump", and Senate Bill 69 and Assembly Bill 88, "prohibiting the baiting of bear and using dogs to hunt bear".

By Senator Harnisch.

Read and referred to the committee on Natural Resources and Tourism.

**Senate Petition 85**

A petition by 674 Wisconsin residents urging the legislature to reject the NorquistMaurer amendments to the general property tax relief formula.

By Senator Sensenbrenner.

Read and referred to the joint committee on Finance.

**JOURNAL OF THE SENATE [June 21, 1977]**

**State of Wisconsin  
Department of State**

**June 20, 1977.**

**To the Honorable, the Senate**

**Senators:**

**I have the honor to transmit to you pursuant to s. 13.67, a list of the following lobbyists who have cancelled their registration for the duration of the 1977-78 legislative session:**

**Woodrow M. Allen; Disabled American Veterans Department of Wisconsin, as of June 8, 1977.**

**James Van De Loo; Disabled American Veterans Department of Wisconsin, as of June 14, 1977.**

**Frank M. Tuerkheimer; Natural Resources Defense Council, Incorporated, as of May 31, 1977.**

**Susan M. Huntley; Legal Action of Wisconsin, Incorporated (formerly Milwaukee Legal Services, Incorporated), as of May 31, 1977.**

**Yours very truly,  
DOUGLAS LAFOLLETTE  
Secretary of State**

**State of Wisconsin  
Department of State**

**June 20, 1977.**

**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 1, 1977, and ending on June 19, 1977.**

**Yours very truly,  
DOUGLAS LAFOLLETTE  
Secretary of State**

JOURNAL OF THE SENATE [June 21, 1977]

*Name, Address and Occupation of Lobbyist -- Name and Address of Employer -- Subject of Legislation Code Number -- Date of Employment.*

Eagon, James B., 1930 Monroe Street, Madison, Wisconsin 53711 -- United Council of University of Wisconsin Student Governments, Incorporated, 1930 Monroe Street, Room 305, Madison, Wisconsin 53711 -- 08, 18, 19, 21, 31 -- June 7, 1977.

LaFave, Reuben, Route #1, Box 89A, Oconto, Wisconsin 54153 -- ITT Life Insurance Corporation, Post Office Box E, Thorp, Wisconsin 54771 -- 06, 17, 20, 23 -- June 16, 1977.

Martin, David O., North Lake Street, Neenah, Wisconsin 54956 -- Kimberly-Clark Corporation, 1730 Pennsylvania Avenue, North West, Suite 1100, Washington, D. C. 20006 -- 01, 06, 07, 09, 11, 17, 21, 25, 26, 28, 29 -- June 15, 1977.

Meyer, Daniel P., Post Office Box 50, Wisconsin Rapids, Wisconsin 54494 -- Consolidated Papers, Incorporated, Post Office Box 50, 231 1st Avenue North, Wisconsin Rapids, Wisconsin 54494 -- 07, 11, 26, 28, 29, 30 -- June 6, 1977.

Pickarski, Ronald J., Jr., 1003 Capitol Street, Wisconsin Dells, Wisconsin 53965 -- Young Democrats of Wisconsin, 1191 High Avenue, Apartment A-101, Oshkosh, Wisconsin 54901 -- 01, 02, 07, 08, 10, 18, 26, 09 -- June 15, 1977.

---

Legislative Subject Identification

Code	Subject
01	<i>Agriculture, horticulture, farming &amp; livestock</i>
02	<i>Amusements, games, athletics and sports</i>
03	<i>Banking, finance, credit and investments</i>
04	<i>Children, minors, youth &amp; senior citizens</i>
05	<i>Church &amp; Religion</i>
06	<i>Consumer Affairs</i>
07	<i>Ecology, environment, pollution, conservation, zoning, land &amp; water use</i>
08	<i>Education</i>
09	<i>Elections, campaigns, voting &amp; political parties</i>
10	<i>Equal rights, civil rights &amp; minority affairs</i>
11	<i>Government, financing, taxation, revenue, budget, appropriations, bids, fees &amp; funds</i>
12	<i>Government, county</i>

JOURNAL OF THE SENATE [June 21, 1977]

- 13 *Government, federal*
- 14 *Government, municipal*
- 15 *Government, special districts*
- 16 *Government, state*
- 17 *Health services, medicine, drugs and controlled substances, health insurance & hospitals*
- 18 *Higher education*
- 19 *Housing, construction & codes*
- 20 *Insurance (excluding health insurance)*
- 21 *Labor, salaries and wages, collective bargaining*
- 22 *Law enforcement, courts, judges, crimes & prisons*
- 23 *Licenses & permits*
- 24 *Liquor*
- 25 *Manufacturing, distribution & services*
- 26 *Natural resources, forests and forest products, fisheries, mining & mineral products*
- 27 *Public lands, parks & recreation*
- 28 *Social insurance, unemployment insurance, public assistance & workmen's compensation*
- 29 *Transportation, highways, streets & roads*
- 30 *Utilities, communications, television, radio, newspapers, power, CATV, & gas*
- 31 *Other*

State of Wisconsin  
Ethics Board  
Madison

June 21, 1977

Senator F. James Sensenbrenner  
410 South Capitol  
Madison, Wisconsin 53702

Dear Senator Sensenbrenner:

By letter dated 15 June 1977 you requested an advisory opinion from the State of Wisconsin Ethics Board. The Ethics Board will next meet to consider requests for advisory opinions on 14 July 1977. Nevertheless, I have reviewed your inquiry with members of the Ethics Board including Annrita Lardy, Vice Chair of the Ethics Board, and with her advice and consent I respond to your inquiry in this manner:

*FACTS*

This opinion is based upon these understandings:

A. You are a legislator and a state public official identified under section 20.923(2)(a)5, Wisconsin Statutes.

B. You own 208 shares of common stock of Exxon Corporation and 900 shares of the common stock of Inland Steel Company.

C. You have identified your ownership of these interests in Exxon Corporation and Inland Steel Company on each of the Statements of Economic Interests that you have filed with the Ethics Board.

D. You are neither an officer nor a director of either of these businesses, and you take no part in the management of either firm.

E. 1977 Senate Bill 111 relates to the taxation of metalliferous mineral mining, creates an investment and local impact fund board in the Department of Revenue, makes appropriations, and grants rule-making authority.

F. Exxon Company, U.S.A. is a wholly owned subsidiary of Exxon Corporation. The Jackson County Iron Company is a wholly owned subsidiary of the Inland Steel Company.

G. Lobbyists for the Exxon Company, U.S.A. and the Jackson County Iron Company have taken an active part in the legislative discussions of Senate Bill 111 and matters related thereto.

*QUESTION*

The Ethics Board understands your question to be:

What impediment, if any, does Wisconsin's Code of Ethics for Public Officials pose to your participation in debate, deliberations, and votes on 1977 Senate Bill 111 and amendments thereto?

*DISCUSSION*

Wisconsin's legislature recognizes that in a representative democracy the representatives are drawn from society and should not be without all personal and economic interests in the decisions and policies of government. Citizens who serve as state public officials retain their rights as citizens to interests of a personal or economic nature. Standards of ethical conduct for state public officials need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society and

**JOURNAL OF THE SENATE [June 21, 1977]**

those conflicts which are substantial and material. Moreover, the legislature recognizes that state public officials may need to maintain investments which do not conflict with the specific provisions of the Code of Ethics for Public Officials.

One provision of the Code (section 19.45(2), Wisconsin Statutes) provides:

No state public official may use his public position or office to obtain financial gain for himself or his immediate family, or for any business with which he is associated.

Because of your ownership interests in the parent companies of Exxon Company, U.S.A. and Jackson County Iron Company are so minute when compared to those companies' outstanding shares of stock, the Ethics Board believes it is unlikely that you will share substantially in any benefits that might flow to the parent companies as a result of your participation in the debate, deliberations, and votes on 1977 Senate Bill 111. To the best of our knowledge the possibility that your actions in connection with Senate Bill 111 will result in your financial gain are too speculative to cause section 19.45, Wisconsin Statutes, to bar your participation in the Senate's actions on this matter.

Because we do not believe your action is prohibited by the Code or would result in any conflict between your personal interests and your public responsibilities that could be characterized as substantial and material, we do not believe you are obliged to withdraw from participating in the debate or voting on the proposed mineral tax.

Although your stockholdings in Exxon Corporation and Inland Steel Company are a matter of public record through the Statements of Economic Interests you have filed with the Ethics Board, we think, in the interest of full disclosure to your Senate colleagues, that you should consider filing a copy of this advice with the presiding officer of the Senate. Whether or not you share this advice with your colleagues in the Senate, we reiterate our opinion that the facts do not indicate any need for you to be excused from participating in the debate or voting on the proposed mineral tax.

**JOURNAL OF THE SENATE [June 21, 1977]**

**ADVICE**

The State of Wisconsin Ethics Board advises you:

Wisconsin's Code of Ethics for Public Officials does not prohibit your participation in the debate, deliberations, or votes on 1977 Senate Bill 111.

Sincerely,  
**R. ROTH JUDD**  
Executive Director

---

**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

June 16, 1977.

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
93 .....	27 .....	June 16, 1977

Sincerely,  
**MARTIN J. SCHREIBER**  
Acting Governor

---

**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 43**

Passed and asks concurrence in:

**Assembly Bill 599**  
**Assembly Bill 642**  
**Assembly Bill 666**

JOURNAL OF THE SENATE [June 21, 1977]

Concurred in:

**Senate Bill 98**

Amended and concurred in as amended:

**Senate Bill 102** (Assembly substitute amendment 1 adopted)

---

MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Joint Resolution 43**

Directing the legislative council to establish a special committee to study the laws relating to school busses.

By Representatives Kirby, Wahner, Plewa, Gerlach, Early and Rutkowski, cosponsored by Senator Berger.

Read and referred to the committee on Commerce.

**Assembly Bill 599**

Relating to county bicycle registration.

By Representatives Roberts and Kedrowski, cosponsored by Senator Offner, by request of Pedestrian and Bicycle Safety Technical Committee of Highway Safety Coordination.

Read first time and referred to committee on Commerce.

**Assembly Bill 642**

Relating to regulation of securities (suggested as remedial legislation by the office of the commissioner of securities).

By Committee on Remedial Legislation.

Read first time and referred to committee on Commerce.

**Assembly Bill 666**

Relating to making the 55 mile per hour speed limit and certain other energy conservation measures permanent and relating to suspending a person's operating privilege upon the person's conviction by a court of exceeding the 55 mile per hour limit by 25 miles per hour or more.

By Representatives Vanderperren, Lallensack, Potter, Otte and Groshek, cosponsored Senators Parys, VanSistine, Maurer, Adelman and Radosevich.

Read first time and referred to committee on Commerce.



---

CALENDAR OF JUNE 21

**Senate Bill 111**

Relating to taxation of metalliferous mineral mining, creating an investment and local impact fund board in the department of revenue, making appropriations and granting rule-making authority.

Read a second time.

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

Adopted.

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

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

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

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

The question was: Adoption of senate amendment 4 to senate substitute amendment 1?

By request of Senator Dorman, with unanimous consent, senate amendment 4 was laid on the table.

The question was: Adoption of senate amendment 5 to senate substitute amendment 1?

Adopted.

Senator Dorman moved rejection of senate amendment 6 to senate substitute amendment 1?

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Cullen, Dorman, Goyke, Harnisch, Keppler, Kleczka, McKenna, Lorge, McCallum, Maurer, Morrison, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Swan, Thompson and Van Sistine -- 25.

Noes -- Senators Chilsen, Frank, Krueger, Lasee, Murphy, Sensenbrenner and Theno -- 7.

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

## JOURNAL OF THE SENATE [June 21, 1977]

So the motion prevailed.

The question was: Rejection of senate amendment 7 to senate substitute amendment 1?

Senator Chilsen asked unanimous consent that senate amendment 7 be laid on the table.

Senator Dorman objected.

The question was: Rejection of senate amendment 7?

The ayes and noes were demanded and the vote was: ayes, 28; noes, 4; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Cullen, Dorman, Frank, Goyke, Harnisch, Keppler, Kleczka, McKenna, Lasee, Lorge, McCallum, Maurer, Morrison, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Thompson and Van Sistine -- 28.

Noes -- Senators Chilsen, Krueger, Murphy and Theno -- 4.

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

So the motion prevailed.

Senate amendment 8 to senate substitute amendment 1 to Senate Bill 111 offered by Senator Harnisch.

Senator Dorman moved rejection.

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Cullen, Dorman, Flynn, Kleczka, Krueger, McKenna, Lorge, Maurer, Radosevich, Risser and Thompson -- 15.

Noes -- Senators Braun, Chilsen, Frank, Goyke, Harnisch, Keppler, Lasee, McCallum, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno and Van Sistine -- 18.

Absent or not voting -- None.

So the motion did not prevail.

---

### STATEMENT OF POSITION

By request of Senator Flynn, pursuant to senate rule 74, the journal showed that had he been present he would have voted as follows on the amendments to senate substitute amendment 1 to Senate Bill 111:

JOURNAL OF THE SENATE [June 21, 1977]

Rejection of senate amendment 6 -- Aye.

Rejection of senate amendment 7 -- Aye.

Upon motion of Senator Bablitch the senate recessed until 2:00 P.M.

12:01 P.M.

---

RECESS

2:00 P.M.

The senate reconvened.

Senator Bablitch moved a

CALL OF THE SENATE

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

Absent -- Senator Swan -- 1.

Absent with leave -- None.

By request of Senator Bablitch, with unanimous consent, the call was raised.

The question was: Adoption of senate amendment 8 to senate substitute amendment 1?

Senator Dorman asked unanimous consent that senate amendment 8 be placed after senate amendment 10.

Senator Goyke objected.

Senate amendment 1 to senate amendment 8 to senate substitute amendment 1 to Senate Bill 111 offered by Senators Dorman and Berger.

The amendment was not adopted.

JOURNAL OF THE SENATE [June 21, 1977]

The question was: Adoption of senate amendment 8?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 19; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Braun, Frank, Goyke, Harnisch, Lorge, Morrison, Offner, Parys, Petri, Swan, Theno, Thompson and Van Sistine -- 14.

Noes -- Senators Adelman, Berger, Bidwell, Chilsen, Cullen, Dorman, Flynn, Keppler, Kleczka, Krueger, McKenna, Lasec, McCallum, Maurer, Murphy, Peloquin, Radosevich, Risser and Sensenbrenner -- 19.

Absent or not voting -- None.

So the amendment was not adopted.

Senate amendment 9 to senate substitute amendment 1 to **Senate Bill 111** offered by Senator Harnisch.

Senator Dorman moved rejection.

The ayes and noes were demanded and the vote was: ayes, 25; noes, 8; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Cullen, Dorman, Flynn, Kleczka, Krueger, McKenna, Lorge, McCallum, Maurer, Morrison, Murphy, Offner, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno and Thompson -- 25.

Noes -- Senators Chilsen, Frank, Goyke, Harnisch, Keppler, Lasec, Parys and Van Sistine -- 8.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 10 to senate substitute amendment 1 to **Senate Bill 111** offered by Senators Lasec and Krueger.

Senate amendment 11 to senate substitute amendment 1 to **Senate Bill 111** offered by Senator Theno.

By request of Senator Morrison, with unanimous consent, senate amendment 10 was placed after senate amendment 11.

Senate amendment 11 to senate substitute amendment 1 adopted.

Senate amendment 1 to senate amendment 10 to senate substitute amendment 1 to **Senate Bill 111** offered by Senators Morrison and Lasec.

**JOURNAL OF THE SENATE [June 21, 1977]**

**Senate amendment 1 to senate amendment 10 adopted.**

**Senate amendment 10 adopted.**

**The question was: Adoption of senate substitute amendment 1?**

**Senator Parys moved that Senate Bill III be referred to the committee on Commerce.**

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

**Ayes -- Senators Chilsen, Frank, Goyke, Harnisch, Keppler, Krueger, Lasee, Murphy, Parys, Swan, Theno and Van Sistine -- 12.**

**Noes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Cullen, Dorman, Flynn, Kleczka, McKenna, Lorge, McCallum, Maurer, Morrison, Offner, Peloquin, Petri, Radosevich, Risser, Sensenbrenner and Thompson -- 21.**

**Absent or not voting -- None.**

**So the motion did not prevail.**

**By request of Senator Parys, with unanimous consent, the senate recessed until 4:15 P.M.**

**3:50 P.M.**

---

**RECESS**

**4:15 P.M.**

**The senate reconvened.**

**The question was: Adoption of senate substitute amendment 1 to Senate Bill 111?**

**Senator Bablitch moved a**

**CALL OF THE SENATE**

**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:**

JOURNAL OF THE SENATE [June 21, 1977]

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

Absent -- None.

Absent with leave -- None.

Senator Peloquin moved reconsideration of the vote by which senate amendment 8 to senate substitute amendment 1 was refused adoption.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Berger, Braun, Cullen, Dorman, Frank, Goyke, Harnisch, Kleczka, McCallum, Morrison, Offner, Peloquin, Petri, Radosevich, Risser, Theno, Thompson and Van Sistine -- 19.

Noes -- Senators Adelman, Bidwell, Chilsen, Flynn, Keppler, Krueger, McKenna, Lasee, Lorge, Maurer, Murphy, Parys, Sensenbrenner and Swan -- 14.

Absent or not voting -- None.

So the motion prevailed.

Senator Kleczka moved reconsideration of the vote by which senate amendment 1 to senate amendment 8 to senate substitute amendment 1 was refused adoption.

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

Ayes -- Senators Adelman, Berger, Braun, Cullen, Dorman, Kleczka, McKenna, Maurer, Radosevich, Risser and Thompson -- 11.

Noes -- Senators Bablitch, Bidwell, Chilsen, Flynn, Frank, Goyke, Harnisch, Keppler, Krueger, Lasee, Lorge, McCallum, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno and Van Sistine -- 22.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 8 to senate substitute amendment 1?

JOURNAL OF THE SENATE [June 21, 1977]

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, Braun, Frank, Goyke, Harnisch, Kleczka, Krueger, McCallum, Morrison, Offner, Peloquin, Petri, Radosevich, Swan, Theno and Van Sistine -- 17.

Noes -- Senators Adelman, Bidwell, Chilsen, Cullen, Dorman, Flynn, Keppler, McKenna, Lasee, Lorge, Maurer, Murphy, Parys, Risser, Sensenbrenner and Thompson -- 16.

Absent or not voting -- None.

So the amendment was adopted.

Senator Chilsen moved that **Senate Bill 111** be referred to the committee on Commerce.

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

Ayes -- Senators Chilsen, Frank, Goyke, Keppler, Krueger, Lasee, Murphy, Swan, Theno and Van Sistine -- 10.

Noes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Cullen, Dorman, Flynn, Harnisch, Kleczka, McKenna, Lorge, McCallum, Maurer, Morrison, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner and Thompson -- 23.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate substitute amendment 1?  
Adopted.

The question on which the call of the senate was put having been decided the call was raised.

Ordered to a third reading.

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

**Senate Bill 111**

Read a third time.

The ayes and noes were required and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Cullen, Dorman, Flynn, Harnisch, Kleczka, McKenna, McCallum,

**JOURNAL OF THE SENATE [June 21, 1977]**

**Maurer, Offner, Peloquin, Petri, Radosevich, Risser and Thompson -- 19.**

**Noes -- Senators Chilsen, Frank, Goyke, Keppler, Krueger, Lasee, Lorge, Morrison, Murphy, Parys, Sensenbrenner, Swan, Theno and Van Sistine -- 14.**

**Absent or not voting -- None.**

**So the bill passed.**

**Ordered immediately messaged.**

**By request of Senator Bablitch, with unanimous consent, the Senate returned to the second, fourth and seventh orders of business.**

---

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution 9**

**Relating to permitting the reference of proposals to the joint legislative audit committee.**

**By Senator McKenna.**

**Read and referred to committee on Senate Organization.**

---

**COMMITTEE REPORTS**

**The committee on Senate Organization reports and recommends:**

**Senate Bill 456**

**Relating to extending the expiration date of the 55 mile per hour speed limit.**

**Passage:**

**Ayes, 3 -- Senators Risser, Kleczka and Sensenbrenner;**

**Noes, 2 -- Senators Bablitch and Krueger.**

**FRED A. RISSER**

**Chairman**



JOURNAL OF THE SENATE [June 21, 1977]

The committee on Education and Revenue reports and recommends for introduction:

**Senate Bill 468**

Relating to creating a child development board and making an appropriation.

Introduction:

Ayes, 4 -- Senators Goyke, Braun, Berger and Cullen;

Noes, 1 -- Senator Sensenbrenner.

Read first time and referred to committee on Education and Revenue.

GARY R. GOYKE

Chairman

The committee on Urban Affairs reports and recommends:

**Senate Bill 396**

Relating to the limit on the amount of outstanding bonds and notes of the Wisconsin housing finance authority.

Introduction and adoption of senate amendment 1:

Ayes, 4 -- Senators Frank, Kleczka, Maurer and Sensenbrenner;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Frank, Kleczka, Maurer and Sensenbrenner;

Noes, 0 -- None.

KURT A. FRANK

Chairman

---

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 446**

**Assembly Bill 702**

**Assembly Bill 710**

**Assembly Bill 724**

**Assembly Bill 726**

JOURNAL OF THE SENATE [June 21, 1977]

**Assembly Bill 738**

---

MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 446**

Relating to intestate succession where husband and wife die as a result of a common accident.

By Representatives Dueholm, Mohn, Plewa, Soucie, Barry, Fischer and Rogers.

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

**Assembly Bill 702**

Relating to special license plates for holders of amateur radio station licenses.

By Representatives Loftus and Ausman, by request of Russell R. Fleming.

Read first time and referred to committee on Commerce.

**Assembly Bill 710**

Relating to registration of vehicle combinations comprised of truck tractors and semitrailers, or trailers used exclusively under permits issued by the highway commission.

By Representatives Vanderperren and Groshek, by request of Department of Transportation.

Read first time and referred to committee on Commerce.

**Assembly Bill 724**

Relating to permitting banks located on land surrounded by outlying waters to establish bank stations within 3 miles of other banks or branches across the outlying waters but within the same municipality.

By Representative Swoboda, by request of James Ebbeson.

Read first time and referred to committee on Commerce.

**Assembly Bill 726**

Relating to fermented malt beverage and intoxicating liquor licenses for curling clubs.

By Representatives Dorff and Conradt, cosponsored by Senator Lorge.

Read first time and referred to committee on Commerce.

**Assembly Bill 738**

Relating to permits for vehicles transporting loads of pole length and pulpwood exceeding statutory length and weight limitations.

By Representatives Matty and Kincaid.

Read first time and referred to committee on Commerce.

---

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 426** by Senator Flynn.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Wednesday, June 22.

4:36 P.M.

---

GUESTS

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

Mr. Joe Pickard, Ingersoll-Rand Co., Manila, Philippines, guest of Senator Cullen.

---

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to: **Senate Bill 426**

On page 38, line 17, substitute "or" for "of".

Relating to: **Senate Bill 77**

In enrolling, the following changes were made in 1977 **Senate Bill 77**, as shown by senate substitute amendment 2:

1. On page 199, line 33, "—," was inserted after the "~~of aircraft~~" which was there inserted by Item 119 of assembly amendment 262, to conform to page 198, lines 32 and 33 and 199, lines 30 and 31.

2. On page 214, line 24, delete the underscored comma after "pool parking areas", as inserted by engrossed assembly amendment 262.

JOURNAL OF THE SENATE [June 21, 1977]

3. On page 226, line 14, as affected by assembly amendment 262, substitute "subds." for "subd."

4. On page 353, line 2, "plate" was changed to "plates" to conform Item 221 of AA-262 to the change made by Item 217 on page 352, line 46.

5. On page 360, line 12, "owners" was corrected to read "owner's".

6. On page 432, lines 32 to 34 were deleted as required by Item 289 of assembly amendment 262 and, consequently, Item 290 of AA-262 (requiring deletion of ", 71.04 (12) (f)" on page 432, line 32) became a nullity. The amendment of section 71.04 (12) (f) of the statutes, proposed in SB-77 as introduced, was not contained in S.Sub. 2.

---

CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Bill 93**

Correctly enrolled and presented to the Governor on June 16, 1977.