

JOURNAL OF THE SENATE [June 14]

STATE OF WISCONSIN
Senate Journal

1978 Special Session

WEDNESDAY, June 14, 1978.

10:30 A.M.

The senate met.

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

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

Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno and Van Sistine -- 31.

Absent -- Senator Frank -- 1.

Absent with leave -- Senator Thompson -- 1.

AMENDMENTS OFFERED

Senate amendment 8 to **Senate Bill 1**, Special Session offered by Senator Berger.

COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

Senate Bill 1, Special Session

Relating to making various changes concerning courts, making appropriations and granting rule-making authority.

Adoption of senate amendment 5:

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

Noes, 0 -- None.

Introduction and adoption of senate amendment 9:

Ayes, 11 -- Senators Dorman, Kleczka, Morrison, Maurer, and Peloquin; Representatives Johnson, Otte, Roberts, Lingren, Norquist and Kirby;

Noes, 2 -- Senator Chilsen and Representative Quackenbush.

Passage as amended:

Ayes, 12 -- Senators Dorman, Kleczka, Morrison, Maurer, Peloquin and Chilsen; Representatives Johnson, Itte, Roberts, Lingren, Norquist and Kirby;

Noes, 1 -- Representative Quackenbush.

HENRY DORMAN

Chairman

By request of Senator Theno, with unanimous consent, the senate recessed until 10:45 A.M.

10:30 A.M.

RECESS

10:45 A.M.

The senate reconvened.

The committee on Senate Organization reports and recommends:

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Senate Joint Resolution 2, Special Session

Granting the use of the legislative chambers on Friday, October 6, 1978, for the conference of local bar association officers sponsored by the state bar of Wisconsin.

Introduction:

Ayes, 4 -- Senators Risser, Bablitch, Krueger and Sensenbrenner;

Noes, 0 -- None.

FRED A. RISSER

Chairman

By request of Senator Bablitch, with unanimous consent, the rules were suspended and **Senate Joint Resolution 2, Special Session** was taken up.

Senate Joint Resolution 2, Special Session

Granting the use of the legislative chambers on Friday, October 6, 1978, for the conference of local bar association officers sponsored by the state bar of Wisconsin.

Read.

The question was: Adoption of **Senate Joint Resolution 2, Special Session**?

Senator Berger moved rejection.

The question was: Rejection of **Senate Joint Resolution 2, Special Session**?

The motion did not prevail.

The question was: Adoption of **Senate Joint Resolution 2, Special Session**?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 8; absent or not voting, 6; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lorge, McKenna, Murphy, Peloquin, Petri, Risser, Sensenbrenner and Theno -- 19.

Noes -- Senators Berger, Braun, Cullen, Lasee, McCallum, Maurer, Parys and Van Sistine -- 8.

Absent or not voting -- Senators Adelman, Morrison, Offner, Radosevich, Swan and Thompson -- 6.

So the joint resolution was adopted.

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MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

I am directed to inform you that the assembly has Concurred in:

Senate Joint Resolution 1, Special Session

By request of Senator Bablitch, with unanimous consent, the rules were suspended and the calendar for the June Special Session was taken up.

CALENDAR OF JUNE 14

Senate Bill 1, Special Session

Relating to making various changes concerning courts, making appropriations and granting rule-making authority.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Parys moved indefinite postponement of **Senate Bill 1, Special Session**.

The question was: Indefinite postponement of **Senate Bill 1, Special Session**.

By request of Senator Bablitch, with unanimous consent, all action was ordered immediately messaged.

By request of Senator Bablitch, with unanimous consent, the senate recessed until 2:00 P.M.

12:15 P.M.

RECESS

2:00 P.M.

The senate reconvened.

The question was: Indefinite postponement of **Senate Bill 1, Special Session**.

The ayes and noes were demanded and the vote was: ayes, 6; noes, 26; absent or not voting, 2; as follows:

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Ayes -- Senators Berger, Bidwell, Krueger, Parys, Swan and Theno -- 6.

Noes -- Senators Adelman, Bablitch, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Peloquin, Petri, Radosevich, Risser, Sensenbrenner and Van Sistine -- 26.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 1?

Senator Frank moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 19; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Braun, Cullen, Dorman, Flynn, Kleczka, Maurer, Morrison, Murphy, Offner, Petri, Radosevich and Risser -- 13.

Noes -- Senators Bablitch, Berger, Bidwell, Chilsen, Frank, Goyke, Harnisch, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Parys, Peloquin, Sensenbrenner, Swan, Theno and Van Sistine -- 19.

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

So the amendment was not rejected.

LEAVE OF ABSENCE

By request of Senator Chilsen, with unanimous consent, he was granted a leave of absence at 3:30 P.M. for the balance of today's session.

The question was: Adoption of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 18; absent or not voting, 2; as follows:

Ayes -- Senators Berger, Bidwell, Frank, Goyke, Harnisch, Krueger, Lorge, McKenna, Parys, Peloquin, Sensenbrenner, Swan and Theno -- 13.

Noes -- Senators Adelman, Bablitch, Braun, Cullen, Dorman, Flynn, Keppler, Kleczka, Lasee, McCallum, Maurer, Morrison, Murphy, Offner, Petri, Radosevich, Risser and Van Sistine -- 18.

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Absent or not voting -- Senators Chilsen and Thompson -- 2.

So the amendment was not adopted.

The question was: Adoption of senate amendment 2?

Senator Flynn moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 16; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Braun, Cullen, Dorman, Flynn, Kleczka, Lasee, McCallum, Maurer, Morrison, Murphy, Offner, Petri, Radosevich and Risser -- 15.

Noes -- Senators Bablitch, Berger, Bidwell, Frank, Goyke, Harnisch, Keppler, Krueger, Lorge, McKenna, Parys, Peloquin, Sensenbrenner, Swan, Theno and Van Sistine -- 16.

Absent or not voting -- Senators Chilsen and Thompson -- 2.

So the amendment was not rejected.

The question was: Adoption of senate amendment 2?

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

Ayes -- Senators Bablitch, Berger, Bidwell, Frank, Harnisch, Keppler, Krueger, McKenna, Parys, Peloquin and Sensenbrenner -- 11.

Noes -- Senators Adelman, Braun, Cullen, Dorman, Flynn, Goyke, Kleczka, Lasee, Lorge, McCallum, Maurer, Morrison, Murphy, Offner, Petri, Radosevich, Risser, Swan, Theno and Van Sistine -- 20.

Absent or not voting -- Senators Chilsen and Thompson -- 2.

So the amendment was not adopted.

By request of Senator Bablitch, with unanimous consent, the proceedings were temporarily suspended to allow Senator Keppler to make remarks under special privilege upon the occasion of his retirement.

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**State of Wisconsin
Executive Department
A Proclamation**

WHEREAS, State Senator Ernest C. Keppler has, since he was first elected to represent the 20th Senate District in 1960, shown himself to be a man of high moral character, integrity, courage and good humor; and

WHEREAS, State Senator Ernest C. Keppler has served well his constituents and the State of Wisconsin, and has won the high regard and personal affection of all his fellow legislators; and

WHEREAS, through his dedication to progressive ideals, his common sense approach and his willingness to do battle for a cause in which he believed, Ernest C. Keppler has earned the respect and admiration of people throughout the state; and

WHEREAS, State Senator Ernest C. Keppler served for over 11 years in government in the City of Sheboygan and for 2 years as a Representative from the 58th Assembly District before his election to the State Senate; and

WHEREAS, State Senator Ernest C. Keppler will retire at the end of the 1977 legislative session, having run for public office on 10 different occasions, serving his constituents for over 30 years; and

WHEREAS, it is just, fitting and proper that we honor State Senator Ernest C. Keppler on his retirement from the Wisconsin State Senate to be sworn in as a Sheboygan County judge;

NOW, THEREFORE, I, Martin J. Schreiber, Acting Governor of the State of Wisconsin, do hereby proclaim June 14, 1978, as

ERNEST C. KEPPLER DAY

in the State of Wisconsin, and urge all citizens of the state to join with me and his many friends and fellow legislators in saluting with deep affection and appreciation Ernest C. Keppler in recognition of his outstanding example and dedicated service to the State of Wisconsin.

(seal)

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 thirteenth day of June in the year of our Lord one thousand nine hundred and seventy-eight.

**MARTIN J. SCHREIBER
Governor**

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By request of Senator Parys, with unanimous consent, the senate recessed until 4:30 P.M.

4:15 P.M.

RECESS

4:30 P.M.

The senate reconvened.

The question was: Adoption of senate amendment 3 to **Senate Bill 1, Special Session?**

By request of Senator Bablitch, with unanimous consent, the amendment was returned to the author.

The question was: Adoption of senate amendment 4?

Senator Flynn moved rejection of senate amendment 4.

The question was: Rejection of senate amendment 4?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 15; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Braun, Cullen, Dorman, Flynn, Keppler, Kleczka, McCallum, Maurer, Morrison, Murphy, Petri, Radosevich, Risser and Van Sistine -- 16.

Noes -- Senators Berger, Bidwell, Frank, Goyke, Harnisch, Krueger, Lasee, Lorge, McKenna, Offner, Parys, Peloquin, Sensenbrenner, Swan and Theno -- 15.

Absent or not voting -- Senators Chilsen and Thompson -- 2.

So the amendment was rejected.

Senator McCallum moved reconsideration of the vote by which senate amendment 4 was rejected.

The question was: Reconsideration of the vote by which senate amendment 4 was rejected?

The ayes and noes were required and the vote was: ayes, 14; noes, 17; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Frank, Krueger, Lasee, Lorge, McCallum, McKenna, Offner, Parys, Peloquin, Petri, Sensenbrenner, Swan and Theno -- 14.

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Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Maurer, Morrison, Murphy, Radosevich, Risser and Van Sistine -- 17.

Absent or not voting -- Senators Chilsen and Thompson -- 2.

So the motion did not prevail.

Senate amendment 1 to senate amendment 5 to **Senate Bill 1, Special Session** offered by Senator Flynn.

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

Adopted.

The question was: Adoption of senate amendment 5?

Adopted.

The question was: Adoption of senate amendment 6?

Senator Flynn moved rejection of senate amendment 6.

The question was: Rejection of senate amendment 6?

Rejected.

The question was: Adoption of senate amendment 7?

By request of Senator Berger, with unanimous consent, senate amendment 7 was placed on the table.

The question was: Adoption of senate amendment 8?

Senator Flynn moved rejection of senate amendment 8.

The question was: Rejection of senate amendment 8?

The ayes and noes were demanded and the vote was: ayes, 26; noes, 4; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Peloquin, Petri, Radosevich, Risser, Sensenbrenner and Van Sistine -- 26.

Noes -- Senators Berger, Bidwell, Parys and Swan -- 4.

Absent or not voting -- Senators Chilsen, Theno and Thompson -- 3.

So the amendment was rejected.

The question was: Adoption of senate amendment 9?

Adopted.

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Senate amendment 10 to **Senate Bill 1**, Special Session offered by Senators Berger and Parys.

The question was: Adoption of senate amendment 10?

Senator Sensenbrenner moved rejection of senate amendment 10.

The question was: Rejection of senate amendment 10?

The ayes and noes were required and the vote was: ayes, 20; noes, 10; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Braun, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Krueger, Maurer, Morrison, Murphy, Offner, Peloquin, Petri, Radosevich, Risser, Sensenbrenner and Van Sistine -- 20.

Noes -- Senators Berger, Bidwell, Cullen, Keppler, Lasee, Lorge, McCallum, Parys, Swan and Theno -- 10.

Absent or not voting -- Senators Chilsen, McKenna and Thompson -- 3.

So the amendment was rejected.

Senate amendment 11 to **Senate Bill 1**, Special Session offered by Senator Bidwell.

The question was: Adoption of senate amendment 11?

Senator Flynn moved rejection of senate amendment 11.

The question was: Rejection of senate amendment 11?

By request of Senator Bablitch, with unanimous consent, the Senate returned to the seventh order of business.

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

Concurred in:

Senate Joint Resolution 2, Special Session

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MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 1, June 1978 Special Session

Relating to housing value limitations from the veterans home loan program.

By Committee on Assembly Organization.

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

By request of Senator Swan, with unanimous consent, **Assembly Bill 1, Special Session** was withdrawn from the committee on Governmental and Veterans' Affairs and referred to committee on Senate Organization.

AMENDMENTS OFFERED

Senate amendment 12 to **Senate Bill 1, Special Session** offered by Senator Berger.

Senate amendment 13 to **Senate Bill 1, Special Session** offered by Senator Lorge.

Senate amendment 14 to **Senate Bill 1, Special Session** offered by Senator Parys.

Senate amendment 15 to **Senate Bill 1, Special Session** offered by Senator Parys.

Senate amendment 16 to **Senate Bill 1, Special Session** offered by Senator Parys.

Senate amendment 17 to **Senate Bill 1, Special Session** offered by Senator Parys.

Senate amendment 18 to **Senate Bill 1, Special Session** offered by Senator Kleczka.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Thursday, June 15.

6:00 P.M.

GUESTS

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

Guests of Senator Keppler were Mrs. Ernest C. Keppler, Mr. and Mrs. E. Michael Keppler, Miss Abigail Keppler, Mr. E. Carl Keppler, Miss Sarah Keppler, Miss Rebecca Keppler, Miss Donna Mickelson, Mr. James Baumgart and Miss Carol Hartlaub.