

JOURNAL OF THE SENATE [June 15]

STATE OF WISCONSIN

Senate Journal

1978 Special Session

THURSDAY, June 15, 1978.

10:00 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, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno and Van Sistine -- 32.

Absent -- None.

Absent with leave -- Senator Thompson -- 1.

The senate stood for the prayer which was offered by Father Thomas Coyle of St. Paul's Catholic Church, University of Wisconsin Catholic Center Chapel of Madison.

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

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends for introduction:

JOURNAL OF THE SENATE [June 15]

Senate Joint Resolution 3, Special Session

Relating to the life of Carl A. Zielke, former manager of the Wisconsin Press Association.

Introduction:

Ayes, 5 -- Senators Risser, Bablitch, Kleczka, 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 3, Special Session** was taken up at this time.

Senate Joint Resolution 3, Special Session

Relating to the life of Carl A. Zielke, former manager of the Wisconsin Press Association.

Read.

The question was: Adoption of **Senate Joint Resolution 3, Special Session**?

Adopted.

By request of Senator Bablitch, with unanimous consent, the resolution was ordered immediately messaged.

CALENDAR OF JUNE 14

Senate Bill 1, Special Session

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

Read.

The question was: Rejection of senate amendment 11 to **Senate Bill 1, Special Session**?

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

Ayes -- Senators Adelman, Bablitch, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, McKenna, Maurer, Morrison, Murphy, Offner, Peloquin, Radosevich, Risser and Van Sistine -- 19.

Noes -- Senators Berger, Bidwell, Chilsen, Kleczka, Krueger, Lasee, Lorge, McCallum, Parys, Petri, Sensenbrenner, Swan and Theno -- 13.

JOURNAL OF THE SENATE [June 15]

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

So the amendment was rejected.

The question was: Adoption of senate amendment 12?

By request of Senator Bablitch and Senator Krueger, with unanimous consent, time limits for debate were imposed pursuant to Senate Rule 76.

Senator Flynn moved rejection of senate amendment 12.

The question was: Rejection of senate amendment 12?

By request of Senator Offner, with unanimous consent, senate amendment 12 was placed after senate amendment 20.

The question was: Adoption of senate amendment 13?

Senator Cullen moved rejection of senate amendment 13.

The question was: Rejection of senate amendment 13?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, McKenna, Maurer, Morrison, Murphy, Offner, Peloquin, Radosevich, Risser and Van Sistine -- 18.

Noes -- Senators Berger, Bidwell, Chilsen, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, Parys, Petri, Sensenbrenner, Swan and Theno -- 14.

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

So the amendment was rejected.

The question was: Adoption of senate amendment 14?

Senator Flynn moved rejection of senate amendment 14.

The question was: Rejection of senate amendment 14?

By request of Senator Flynn, with unanimous consent, he withdrew the motion to reject senate amendment 14.

The question was: Adoption of senate amendment 14?

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

The question was: Adoption of senate amendment 1 to senate amendment 14?

JOURNAL OF THE SENATE [June 15]

Senator Flynn asked unanimous consent that senate amendment 14 be placed after senate amendment 21.

Senator Petri objected.

By request of Senator Flynn, with unanimous consent, senate amendment 14 was placed after senate amendment 21.

The question was: Adoption of senate amendment 15?

Senator Flynn moved rejection of senate amendment 15.

The question was: Rejection of senate amendment 15?

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, Braun, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Krueger, Lasee, McCallum, McKenna, Maurer, Murphy, Offner, Peloquin, Petri, Radosevich, Sensenbrenner and Van Sistine -- 21.

Noes -- Senators Berger, Bidwell, Chilsen, Cullen, Keppler, Lorge, Morrison, Parys, Risser, Swan and Theno -- 11.

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

So the amendment was rejected.

LEAVE OF ABSENCE

By request of Senator Krueger, with unanimous consent, he was granted a leave of absence until 12:30 P.M..

The question was: Adoption of senate amendment 16?

Senator Flynn moved rejection of senate amendment 16.

The question was: Rejection of senate amendment 16?

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

Ayes -- Senators Adelman, Bablitch, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, McKenna, Maurer, Morrison, Offner, Peloquin, Radosevich, Risser and Van Sistine -- 16.

Noes -- Senators Berger, Bidwell, Braun, Chilsen, Keppler, Kleczka, Lasee, Lorge, McCallum, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno -- 15.

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

So the amendment was rejected.

JOURNAL OF THE SENATE [June 15]

The question was: Adoption of senate amendment 17?

Senator Flynn moved rejection of senate amendment 17.

The question was: Rejection of senate amendment 17?

The ayes and noes were demanded and the vote was: ayes, 23; noes, 8; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Keppler, Kleczka, Lasee, McKenna, Maurer, Morrison, Murphy, Offner, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Theno and Van Sistine -- 23.

Noes -- Senators Berger, Bidwell, Chilsen, Harnisch, Lorge, McCallum, Parys and Swan -- 8.

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

So the amendment was rejected.

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

The question was: Adoption of senate amendment 1 to senate amendment 18?

Adopted.

The question was: Adoption of senate amendment 18?

Senator Flynn moved rejection of senate amendment 18.

The question was: Rejection of senate amendment 18?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 19; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Braun, Dorman, Flynn, Frank, Keppler, McKenna, Maurer, Murphy, Petri, Radosevich and Risser - - 12.

Noes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Goyke, Harnisch, Kleczka, Lasee, Lorge, McCallum, Morrison, Offner, Parys, Peloquin, Sensenbrenner, Swan, Theno and Van Sistine -- 19.

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

So the amendment was not rejected.

The question was: Adoption of senate amendment 18?

Adopted.

Senate amendment 19 to **Senate Bill 1**, Special Session offered by Senator Theno.

JOURNAL OF THE SENATE [June 15]

The question was: Adoption of senate amendment 19?

Senator Flynn moved rejection of senate amendment 19.

The question was: Rejection of senate amendment 19?

By request of Senator Keppler, with unanimous consent, he was excused from voting on senate amendment 19 pursuant to Senate Rule 73 (1).

The ayes and noes were demanded and the vote was: ayes, 24; noes, 6; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan and Van Sistine -- 24.

Noes -- Senators Berger, Bidwell, Lasee, Lorge, McCallum and Theno -- 6.

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

So the amendment was rejected.

Senate amendment 20 to Senate Bill 1, Special Session offered by Senators Berger and Parys.

The question was: Adoption of senate amendment 20?

Senator Flynn moved rejection of senate amendment 20.

The question was: Rejection of senate amendment 20?

By request of Senator Keppler, with unanimous consent, he was excused from voting on senate amendment 20 pursuant to Senate Rule 73 (1).

The ayes and noes were demanded and the vote was: ayes, 18; noes, 12; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Dorman, Flynn, Frank, Goyke, Harnisch, McKenna, Maurer, Morrison, Murphy, Offner, Peloquin, Radosevich, Risser, Sensenbrenner, Theno and Van Sistine -- 18.

Noes -- Senators Berger, Bidwell, Braun, Chilsen, Cullen, Kleczka, Lasee, Lorge, McCallum, Parys, Petri and Swan -- 12.

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

So the amendment was rejected.

The question was: Rejection of senate amendment 12?

JOURNAL OF THE SENATE [June 15]

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, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Pelouquin, Petri, Radosevich, Risser, Sensenbrenner and Van Sistine - - 24.

Noes -- Senators Berger, Bidwell, Chilsen, Lasee, Parys, Swan and Theno -- 7.

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

So the amendment was rejected.

Senate amendment 21 to **Senate Bill 1, Special Session** offered by Senator Harnisch.

The question was: Adoption of senate amendment 21?

Senator Flynn moved rejection of senate amendment 21.

The question was: Rejection of senate amendment 21?

By request of Senator Harnisch, with unanimous consent, senate amendment 21 was returned to the author.

The question was: Adoption of senate amendment 1 to senate amendment 14?

By request of Senator Flynn, with unanimous consent, senate amendment 1 to senate amendment 14 was returned to the author.

Senate amendment 2 to senate amendment 14 to **Senate Bill 1, Special Session** offered by Senators Flynn, Radosevich, Parys and Petri.

The question was: Adoption of senate amendment 2 to senate amendment 14?

Adopted.

The question was: Adoption of senate amendment 14?

Adopted.

Senate amendment 22 to **Senate Bill 1, Special Session** offered by Senator Flynn.

The question was: Adoption of senate amendment 22?

By request of Senator Berger, with unanimous consent, senate amendment 22 was placed after senate amendment 24.

JOURNAL OF THE SENATE [June 15]

Senate amendment 23 to **Senate Bill 1**, Special Session offered by Senator Theno.

The question was: Adoption of senate amendment 23?

Senator Flynn moved rejection of senate amendment 23.

The question was: Rejection of senate amendment 23?

By request of Senator Sensenbrenner, with unanimous consent, senate amendment 23 was placed after senate amendment 22.

Senate amendment 24 to **Senate Bill 1**, Special Session offered by Senator Harnisch.

The question was: Adoption of senate amendment 24?

Senator Flynn moved rejection of senate amendment 24.

The question was: Rejection of senate amendment 24?

By request of Senator Keppler, with unanimous consent, he was excused from voting on senate amendment 24 pursuant to Senate Rule 73 (1).

The ayes and noes were demanded and the vote was: ayes, 21; noes, 10; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Kleczka, Krueger, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Radosevich, Risser, Sensenbrenner and Van Sistine -- 21.

Noes -- Senators Berger, Bidwell, Chilsen, Harnisch, Lasee, Parys, Peloquin, Petri, Swan and Theno -- 10.

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

So the amendment was rejected.

The question was: Adoption of senate amendment 22?

Senator Berger moved rejection of senate amendment 22.

The question was: Rejection of senate amendment 22?

The ayes and noes were demanded and the vote was: ayes, 8; noes, 24; absent or not voting, 1; as follows:

Ayes -- Senators Berger, Bidwell, Lasee, Lorge, McCallum, Parys, Petri and Swan -- 8.

Noes -- Senators Adelman, Bablitch, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka,

JOURNAL OF THE SENATE [June 15]

Krueger, McKenna, Maurer, Morrison, Murphy, Offner, Peloquin, Radosevich, Risser, Sensenbrenner, Theno and Van Sistine -- 24.

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

So the amendment was not rejected.

The question was: Adoption of senate amendment 22?

Adopted.

Senator Flynn raised the point of order that senate amendment 23 was not germane.

The chair ruled the point of order not well taken.

The question was: Rejection of senate amendment 23?

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, Lorge, Maurer, Morrison, Murphy, Peloquin, Petri, Radosevich, Risser, Sensenbrenner and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Keppler, Krueger, Lasee, McCallum, McKenna, Offner, Parys, Swan and Theno -- 11.

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

So the amendment was rejected.

Senate amendment 25 to **Senate Bill 1**, Special Session offered by Senator Kleczka.

The question was: Adoption of senate amendment 25?

Senator Flynn moved rejection of senate amendment 25.

The question was: Rejection of senate amendment 25?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Braun, Cullen, Dorman, Flynn, Frank, Keppler, McKenna, Maurer, Morrison, Murphy, Offner, Petri, Radosevich, Risser and Van Sistine -- 17.

Noes -- Senators Berger, Bidwell, Chilsen, Goyke, Harnisch, Kleczka, Krueger, Lasee, Lorge, McCallum, Parys, Peloquin, Sensenbrenner, Swan and Theno -- 15.

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

So the amendment was rejected.

Senate amendment 26 to **Senate Bill 1**, Special Session offered by Senator Parys.

The question was: Adoption of senate amendment 26?

JOURNAL OF THE SENATE [June 15]

Senator Flynn moved rejection of senate amendment 26.

The question was: Rejection of senate amendment 26?

By request of Senator Keppler, with unanimous consent, he was excused from voting on senate amendment 26 pursuant to Senate Rule 73 (1).

The ayes and noes were demanded and the vote was: ayes, 23; noes, 7; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Theno and Van Sistine -- 23.

Noes -- Senators Berger, Bidwell, Chilsen, Harnisch, Kleczka, Parys and Swan -- 7.

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

So the amendment was rejected.

The question was: Shall the bill be ordered to a third reading?

By request of Senator Keppler, with unanimous consent, he was excused from voting on ordering the bill to a third reading and from voting on final passage pursuant to Senate Rule 73 (1).

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 1, Special Session

Read a third time.

The ayes and noes were required and the vote was: ayes, 26; noes, 5; absent or not voting, 1; as follows:

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

Noes -- Senators Berger, Bidwell, Parys, Swan and Theno -- 5.

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

So the bill passed as amended.

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

JOURNAL OF THE SENATE [June 15]

By request of Senator Bablitch, with unanimous consent, the senate recessed until 3:00 P.M.

1:35 P.M.

RECESS

3:00 P.M.

The senate reconvened.

CALENDAR OF JUNE 15

Assembly Bill 1, June 1978 Special Session

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

Read a second time.

Senator Dorman in the chair.

4:33 P.M.

Ordered to a third reading.

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

Assembly Bill 1, Special Session

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 1; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Petri, Radosovich, Sensenbrenner, Swan, Theno and Van Sistine -- 29.

Noes -- Senator Risser -- 1.

Absent or not voting -- Senators Flynn, Peloquin and Thompson -
- 3.

So the bill was concurred in.

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

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

JOURNAL OF THE SENATE [June 15]

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 3, Special Session

By request of Senator Bablitch, with unanimous consent, the senate recessed until 6:15 P.M.

5:15 P.M.

RECESS

6:15 P.M.

The senate reconvened.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

I am directed to inform you that the assembly has amended and concurred in as amended:

Senate Bill 1, Special Session, assembly amendments 10, 12, 16, 17 and 18

By request of Senator Bablitch, with unanimous consent, the rules were suspended and the Assembly message was taken up at this time.

JOURNAL OF THE SENATE [June 15]

Senate Bill 1, Special Session

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

The question was: Concurrence in assembly amendment 10?

Concurred in.

The question was: Concurrence in assembly amendment 12?

Concurred in.

The question was: Concurrence in assembly amendment 16?

Concurred in.

The question was: Concurrence in assembly amendment 17?

Concurred in.

The question was: Concurrence in assembly amendment 18?

Concurred in.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 1, Special Session** was 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 reports and recommends for introduction:

Senate Joint Resolution 4, Special Session

Relating to adjournment sine die of the June 1978 special session.

Introduction:

Ayes, 5 -- Senators Risser, Bablitch, Kleczka, 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 4, Special Session** was taken up at this time.

JOURNAL OF THE SENATE [June 15]

Senate Joint Resolution 4, Special Session

Relating to adjournment sine die of the June 1978 special session.

Read.

The question was: Adoption of **Senate Joint Resolution 4, Special Session?**

Adopted.

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

Senator Bablitch moved that the senate stand adjourned *sine die* pursuant to **Senate Joint Resolution 4, Special Session**.

6:35 P.M.