

JOURNAL OF THE SENATE [January 22]

STATE OF WISCONSIN

Senate Journal

1980 Special Session

TUESDAY, January 22, 1980.

9:30 A.M.

The senate met.

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

United States of America
The State of Wisconsin
Executive Department

A Proclamation

I, Lee Sherman Dreyfus, Governor of the State of Wisconsin, pursuant to Section 11 of Article IV and Section 4 and Article V of the Constitution, do hereby require the convening of a special session of the Legislature to take place at the Capitol in Madison on the 22nd day of January, A.D., 1980, at nine-thirty o'clock a.m., solely for the purpose of considering and acting upon the following specific pieces of legislative business, to-wit:

1. Revising penalties for committing felonies with a dangerous weapon, including establishing a mandatory minimum sentence and restricting eligibility for probation and parole.

2. Amending Section 8 of Article I of the Wisconsin Constitution to authorize the Legislature by statute to permit circuit courts to deny release on bail for a limited period to accused persons in exceptional felony cases.

3. Restricting the authority of a court to release on bail with a 10% cash deposit defendants accused of certain crimes.

4. Revising battery provisions, and establishing mandatory minimum sentences and restricting probation and parole for persons

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convicted of battery to peace officers, persons 62 and older and disabled persons.

**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 15th day of January in the year
of Our Lord, one thousand nine
hundred eighty.**

LEE SHERMAN DREYFUS

Governor

By the Governor:

VEL R. PHILLIPS

Secretary of State

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

Senators Adelman, Bablitch, Bear, Berger, Bidwell, Brun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Klecka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 32.

Absent -- Senator Johnston -- 1.

Absent with leave -- None.

The senate stood for the prayer which was offered by Reverend Wayne Antworth of the Reformed Church of Madison.

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

LEAVE OF ABSENCE

By request of Senator Krueger, with unanimous consent, Senator Johnston was granted a leave of absence for today's session.

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends for introduction:

Senate Resolution 1, Special Session

Relating to the rules of the senate for the January 1980 special session.

Introduction:

Ayes, 5 -- Senators Risser, Bablitch, Flynn, Krueger and Murphy;

Noes, 0 -- None.

FRED A. RISSER

Chair

Read.

Considered as privileged and taken up at this time.

Adopted.

The committee on Senate Organization reports and recommends for introduction:

Senate Joint Resolution 1, Special Session

To amend section 8 of article I of the Constitution, relating to revising the right to bail. (First consideration)

By request of Governor Lee S. Dreyfus.

Introduction:

Ayes, 5 -- Senators Risser, Bablitch, Flynn, Krueger and Murphy;

Noes, 0 -- None.

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

Senate Bill 1, Special Session

Relating to penalties for felonies committed with a dangerous weapon.

By request of Governor Lee S. Dreyfus.

Introduction:

Ayes, 5 -- Senators Risser, Bablitch, Flynn, Krueger and Murphy;

Noes, 0 -- None.

Read first time and referred to committee on Human Services.

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Senate Bill 2, Special Session

Relating to revising battery provisions and providing penalties.

By request of Governor Lee S. Dreyfus.

Introduction:

Ayes, 5 -- Senators Risser, Bablitch, Flynn, Krueger and
Murphy;

Noes, 0 -- None.

Read first time and referred to committee on Human Services.

Senate Bill 3, Special Session

Relating to bail for certain persons accused of crimes.

By request of Governor Lee S. Dreyfus.

Introduction:

Ayes, 5 -- Senators Risser, Bablitch, Flynn, Krueger and
Murphy;

Noes, 0 -- None.

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

FRED A. RISSER

Chair

MOTIONS

Senator Krueger asked unanimous consent that **Senate Joint Resolution 1, Special Session** be withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Senate Organization.

Senator Bablitch objected.

Senator Krueger moved that **Senate Joint Resolution 1, Special Session** be withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Senate Organization.

The question was: Shall **Senate Joint Resolution 1, Special Session** be withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Senate Organization?

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

Ayes -- Senators Bidwell, Chilsen, Hanaway, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz and Theno -- 11.

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Noes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

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

So the motion did not prevail.

Senator Krueger moved that the Senate resolve into a Committee of the Whole for consideration of Senate Joint Resolution 1, Special Session.

The question was: Shall the Senate resolve into a Committee of the Whole for consideration of Senate Joint Resolution 1, Special Session?

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

Ayes -- Senators Bidwell, Chilsen, Hanaway, Kreul, Krueger, Lasec, Lorge, McCallum, Murphy, Opitz and Theno -- 11.

Noes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

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

So the motion did not prevail.

Senator Murphy asked unanimous consent that Senate Bill 1, Special Session be withdrawn from committee on Human Services and referred to committee on Senate Organization.

The question was: Shall Senate Bill 1, Special Session be withdrawn from committee on Human Services and referred to committee on Senate Organization?

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

Ayes -- Senators Bidwell, Chilsen, Hanaway, Kreul, Krueger, Lasec, Lorge, McCallum, Murphy, Opitz and Theno -- 11.

Noes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

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

So the motion did not prevail.

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Senator Murphy moved that **Senate Bill 2, Special Session** be withdrawn from committee on Human Services and referred to committee on Senate Organization.

The question was: Shall **Senate Bill 2, Special Session** be withdrawn from committee on Human Services and referred to committee on Senate Organization?

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

Ayes -- Senators Bidwell, Chilsen, Hanaway, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz and Theno -- 11.

Noes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

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

So the motion did not prevail.

Senator Murphy moved that **Senate Bill 3, Special Session** be withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Senate Organization.

The question was: Shall **Senate Bill 3, Special Session** be withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Senate Organization?

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

Ayes -- Senators Bidwell, Chilsen, Hanaway, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz and Theno -- 11.

Noes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

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

So the motion did not prevail.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Friday, January 25.

11:18 A.M.