

JOURNAL OF THE SENATE [February 11, 1982]

STATE OF WISCONSIN

Senate Journal

Eighty-Fifth Regular Session

THURSDAY, February 11, 1982.

9:00 A.M.

The senate met.

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

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

Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

The senate stood for the prayer which was offered by Pastor Richard McDowell of the First Assembly of God Church, Madison.

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 767

Relating to court-related fees and costs and judicial administrative districts.

By Legislative Council.

To committee on Judiciary and Consumer Affairs.

Senate Bill 768

Relating to offers of judgment or settlement.

JOURNAL OF THE SENATE [February 11, 1982]

By Legislative Council.

To committee on Judiciary and Consumer Affairs.

Senate Bill 769

Relating to circuit judges.

By Legislative Council.

To committee on Judiciary and Consumer Affairs.

Senate Bill 770

Relating to adjustment of the date of the presidential preference primary, and the dates of the spring primary and election and dates for related events for years in which a presidential preference primary is held.

By Senators Bablitch, Johnston, George, Flynn, Chilsen, Moody, Hanaway, Berger and Kleczka; cosponsored by Representative Helbach.

To committee on State and Local Affairs and Taxation.

Senate Bill 771

Relating to senate and assembly districts.

By Senator Krueger.

To special committee on Reapportionment.

Senate Bill 772

Relating to the duties and changing the name of the funeral directors and embalmers examining board, and the licensing of funeral directors and embalmers.

By Senators Bablitch, Thompson and Chilsen; cosponsored by Representative Shoemaker.

To committee on Human Services.

Senate Bill 773

Relating to labeling requirements for nondairy food products and granting rule-making authority.

By Senators Chilsen, Krueger, McCallum, Offner, Harsdorf, Opitz, Lorman and Lasee; cosponsored by Representatives Everson, Knox, Smith, Plous, Fischer, Jaronitzky, Shoemaker, Porter, Lewison, Roberts, Thompson, Luckhardt and Ladwig.

To committee on Agriculture and Natural Resources.

COMMITTEE REPORTS

The joint committee on Employment Relations reports and recommends for introduction:

Senate Bill 774

Relating to the compensation plan for nonrepresented classified state employes.

Introduction:

Ayes, 7 -- Senators Risser, Bablitch, Kleczka and Chilsen, Representatives Jackamonis, Loftus and Norquist;

Noes, 1 -- Representative Shabaz.

Read first time and referred to committee on Senate Organization.

FRED A. RISSER

Co-Chair

ED JACKAMONIS

Co-Chair

The joint committee on Finance reports and recommends:

Senate Bill 222

Relating to drug paraphernalia citations and disposition for certain juvenile offenses, making appropriations and providing penalties.

Introduction and adoption of senate amendment 2 to senate substitute amendment 1:

Ayes, 12 -- Senators Kleczka, Maurer, Flynn, Offner, Braun and Roshell, Representatives Norquist, Otte, Roberts, Kirby, Metz and Wood;

Noes, 0 -- None.

Adoption of senate substitute amendment 1:

Ayes, 12 -- Senators Kleczka, Maurer, Flynn, Offner, Braun and Roshell, Representatives Norquist, Otte, Roberts, Kirby, Metz and Wood;

Noes, 0 -- None.

Passage:

Ayes, 12 -- Senators Kleczka, Maurer, Flynn, Offner, Braun and Roshell, Representatives Norquist, Otte, Roberts, Kirby, Metz and Wood;

JOURNAL OF THE SENATE [February 11, 1982]

Noes, 0 -- None.

GERALD D. KLECZKA
Senate Chair

The committee on State and Local Affairs and Taxation reports and recommends:

NISBET, THOMAS K., of Madison, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to succeed Garrett Pauers, to serve for the term ending July 1, 1983.

Confirmation:

Ayes, 6 -- Senators Adelman, Berger, Hanaway, Lasee, Moody and Van Sistine;

Noes, 0 -- None.

Assembly Joint Resolution 35

Relating to removal of obsolete provisions regarding transitions from territory to statehood, transitions in offices, legislative districting and elections, the school fund and masculine and feminine gender terminology (2nd consideration).

Concurrence:

Ayes, 6 -- Senators Adelman, Berger, Hanaway, Lasee, Moody and Van Sistine;

Noes, 0 -- None.

Assembly Bill 70

Relating to prohibiting discrimination based upon sexual orientation.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Adelman, Berger, Hanaway, Lasee and Moody;

Noes, 1 -- Senator Van Sistine.

Concurrence:

Ayes, 4 -- Senators Adelman, Berger, Hanaway and Moody;

Noes, 2 -- Senators Lasee and Van Sistine.

Senate Bill 122

Relating to municipal and county levies, the home improvement tax credit, excise tax investigators and administration of the property tax (suggested as remedial legislation by the department of revenue).

Passage:

Ayes, 5 -- Senators Adelman, Hanaway, Lasee, Moody and Van Sistine;

Noes, 1 -- Senator Berger.

Senate Bill 132

Relating to a state income tax credit for home improvements and making an appropriation.

Passage:

Ayes, 5 -- Senators Adelman, Berger, Lasee, Moody and Van Sistine;

Noes, 1 -- Senator Hanaway.

Assembly Bill 173

Relating to marriage licenses and duties of county clerks.

Concurrence:

Ayes, 6 -- Senators Adelman, Berger, Hanaway, Lasee, Moody and Van Sistine;

Noes, 0 -- None.

Assembly Bill 354

Relating to tax sales, tax certificates and tax foreclosures of real property.

Concurrence:

Ayes, 6 -- Senators Adelman, Berger, Hanaway, Lasee, Moody and Van Sistine;

Noes, 0 -- None.

Senate Bill 478

Relating to the deadlines for filing claims for the homestead tax credit.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Berger, Hanaway, Lasee, Moody and Van Sistine;

Noes, 0 -- None.

Passage:

Ayes, 5 -- Senators Berger, Hanaway, Lasee, Moody and Van Sistine;

Noes, 0 -- None.

JAMES P. MOODY

Chair

The committee on Energy reports and recommends:

Senate Resolution 20

Relating to requesting the attorney general to appear on behalf of this state in certain actions and proceedings related to the Alaska natural gas pipeline.

Adoption:

Ayes, 4 -- Senators Strohl, Harnisch, Berger and Lorman;

JOURNAL OF THE SENATE [February 11, 1982]

Noes, 0 -- None.

JOE STROHL
Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Bill 570

Relating to the definition of sexual contact.

Introduction and adoption of senate substitute amendment 1:

Ayes, 3 -- Senators Braun, George and Johnston;

Noes, 1 -- Senator Adelman.

Passage:

Ayes, 4 -- Senators Adelman, Braun, George and Johnston;

Noes, 0 -- None.

Senate Bill 677

Relating to the survival of a power of attorney after the death or incapacity of the principal.

Passage:

Ayes, 4 -- Senators Adelman, Braun, George and Johnston;

Noes, 0 -- None.

Assembly Bill 444

Relating to the penalty for failure of local public officials to disclose economic interests (suggested as remedial legislation by the ethics board).

Concurrence:

Ayes, 4 -- Senators Adelman, Braun, George and Johnston;

Noes, 0 -- None.

Assembly Bill 737

Relating to proceedings before the court of appeals.

Concurrence:

Ayes, 4 -- Senators Adelman, Braun, George and Johnston;

Noes, 0 -- None.

LYNN S. ADELMAN
Chair

The committee on Human Services reports and recommends:

DURKIN, ROBERT, of Madison, as a member of the Health Facilities Authority, to succeed Donald Percy, to serve for the term ending June 30, 1987.

Confirmation:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

JOURNAL OF THE SENATE [February 11, 1982]

Noes, 0 -- None.

KIPNES, BARI S., of Bayside, as a member of the Hearing Aid Dealers and Fitters Examining Board, to succeed Marilyn Mullarky, to serve for the term ending July 1, 1983.

Confirmation:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

BEHRENS, DR. SUSAN F., of Beloit, as a member of the Medical Examining Board, to succeed Dr. W. Dudley Johnson, to serve for the term ending May 1, 1985.

Confirmation:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

DEROZIER, DR. DONALD B., of Oshkosh, as a member of the Psychology Examining Board, to succeed Dr. Gordon Polder, to serve for the term ending July 1, 1983.

Confirmation:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

SCHMIDTKE, DR. GERALD., of Scandinavia, as a member of the Dentistry Examining Board, to succeed William Wong, D.D.S., to serve for the term ending July 1, 1986.

Confirmation:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

PLOETZ, PAMELA A., of Madison, as a member of the Pharmacy Examining Board, to succeed D. Jack Myers, to serve for the term ending July 1, 1986.

Confirmation:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

BOGENSCHNEIDER, KAREN P., of Spring Green, as a member of the Nursing Home Administrators Examining Board, to succeed Liesl Blockstein, to serve for the term ending July 1, 1984.

Confirmation:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

JOURNAL OF THE SENATE [February 11, 1982]

MOFFAT, DR. NELSON A., of Marshfield, as a member of the Medical Examining Board, to succeed himself, to serve for the term ending May 1, 1984.

Confirmation:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

Senate Bill 578

Relating to requiring the department of health and social services to carry out an immunization program to eliminate mumps (suggested as remedial legislation by the department of health and social services).

Passage:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

Senate Bill 548

Relating to CS devices, making appropriations and providing penalties.

Introduction and adoption of senate amendment 1:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

Passage:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

Senate Bill 437

Relating to revision of the statutes governing the pharmacy examining board, granting rule-making authority and providing penalties.

Adoption of senate substitute amendment 1:

Ayes, 2 -- Senators Thompson and Strohl;

Noes, 0 -- None.

Passage:

Ayes, 2 -- Senators Thompson and Strohl;

Noes, 0 -- None.

Senate Bill 632

Relating to referrals to hospitals by chiropractors for outpatient services.

Passage:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

Assembly Bill 249

Relating to miscellaneous dog regulation and rabies control program changes and changing and creating a penalty.

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

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

Adoption of senate substitute amendment 1:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

Concurrence:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

Assembly Bill 350

Relating to various changes in the statutes concerning the veterinary examining board.

Concurrence:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

PIERCE, PATRICIA L., of Menasha, as a member of the Optometry Examining Board, to serve for the term ending July 1, 1986.

Confirmation:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

Senate Bill 579

Relating to farms at schools for the visually handicapped and deaf (suggested as remedial legislation by the department of health and social services).

Passage:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

CARL W. THOMPSON

Chair

JOURNAL OF THE SENATE [February 11, 1982]

REPORT OF JOINT SURVEY COMMITTEE ON
TAX EXEMPTIONS

Appendix to **Senate Bill 140**

Public Policy Involved

This bill is good public policy.

GARY R. GOYKE
Co-Chair

PATRICIA S. SMITH
Co-Chair

Read and referred to committee on Agriculture and Natural Resources.

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of Public Instruction

February 3, 1982

To the Honorable the Senate:

Enclosed is a copy of the 1981 Wisconsin Pupil Assessment Program Report summarizing the results of the most recent assessment of pupil performance by Wisconsin public school students.

Legislation passed in 1971 requires the State Superintendent to measure the performance of public school students in fundamental course areas. As in previous years, representative statewide samples of public school students were tested using a sampling procedure designed to provide valid and reliable information.

In 1981, representative samples of students were tested in writing in grades 5, 8 and 11 using tests developed by Wisconsin educators. In addition, samples of students in grades 4, 8 and 11 were given the Comprehensive Tests of Basic Skills, a commercially developed test designed to show national comparison.

I hope you find the report interesting and valuable. If you need more information or additional copies, you may contact:

Wisconsin Pupil Assessment Program
Department of Public Instruction
125 South Webster Street
P.O. Box 7841

JOURNAL OF THE SENATE [February 11, 1982]

**Madison, Wisconsin 53707
(608) 266-3126**

**Sincerely,
HERBERT J. GROVER
State Superintendent**

**State of Wisconsin
Senator Paul Offner**

February 10, 1982

To the Honorable the Senate:

The purpose of this letter is to follow up on an earlier notification to Senator Thompson and confirm my resignation from the Senate Human Services Committee effective January 6, 1982.

**Sincerely,
PAUL OFFNER
State Senator**

SENATE CLEARINGHOUSE ORDERS

The committee on Labor, Government, Veterans Affairs and Tourism reports and recommends:

Clearinghouse Rule 81-170

AN ORDER to repeal and recreate ETF 7.06 (5), relating to corrections to Wisconsin retirement system maximum benefit annuity computations.

No action taken.

**JEROME VAN SISTINE
Chair**

MESSAGE FROM THE ASSEMBLY

By David R. Kedrowski, chief clerk.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in:

**Assembly Bill 141
Assembly Bill 322
Assembly Bill 464
Assembly Bill 466**

JOURNAL OF THE SENATE [February 11, 1982]

Assembly Bill 707
Assembly Bill 739
Assembly Bill 758
Assembly Bill 805
Assembly Bill 820
Assembly Bill 850
Assembly Bill 857
Assembly Bill 988
Assembly Bill 1029

Concurred in:

Senate Bill 351
Senate Bill 356
Senate Bill 539

Concurred in as amended:

Senate Bill 189, assembly amendment 1
Senate Bill 332, assembly amendments 1 and 3

Nonconcurrent in:

Senate Bill 67

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 141

Relating to nonresident alien and business ownership of land, creating reporting requirements and creating and clarifying penalties.

By Representatives Vanderperren, Bradley, Swoboda, Dorff, Conradt, Byers, Everson, Harer and Berndt, co-sponsored by Senators Van Sistine, Thompson, Chilsen and Kreul.

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

Assembly Bill 322

Relating to public employe occupational safety and health and granting rule-making authority.

By Legislative Council.

Read first time and referred to committee on Labor, Government, Veterans Affairs and Tourism.

Assembly Bill 464

Relating to outside occupations of commissioners.

JOURNAL OF THE SENATE [February 11, 1982]

By Representatives Schneider, Loftus, Thompson, Plewa, Johnson, Miller, Kirby, Roberts, Panzer and R. Travis, co-sponsored by Senators Risser, Goyke, Flynn and Chilsen.

Read first time and referred to committee on State and Local Affairs and Taxation.

By request of Senator Kleczka, with unanimous consent, **Assembly Bill 464** was withdrawn from committee on State and Local Affairs and Taxation and referred to joint committee on Finance.

Assembly Bill 466

Relating to operation of motor vehicles in the navigable waters of the state and creating a penalty.

By Representatives Nelsen, R. Travis, Knox, Thompson, Byers, Lewison, Fischer, Crawford, Radtke and Dilweg, co-sponsored by Senators Harnisch, Kreul and Bidwell.

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

Assembly Bill 707

Relating to the costs of reviews of municipal assessment practices.

By Committee on Revenue, by request of League of Municipalities and Wisconsin Towns Association.

Read first time and referred to committee on State and Local Affairs and Taxation.

Assembly Bill 739

Relating to transplantation of fish.

By Representatives Neubauer, Rooney and Ladwig, co-sponsored by Senator Strohl, by request of Ron Anton.

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

Assembly Bill 758

Relating to civil damages for violations of certain laws governing motor vehicle transactions and penalties for violation of certain laws governing motor vehicle transactions.

By Representatives Leopold and Thompson, co-sponsored by Senators Goyke and Braun.

To committee on Aging, Business and Financial Institutions and Transportation.

Assembly Bill 805

Relating to permitting counties and cities to establish urban homestead programs.

By Representatives Coggs, Becker and Leopold, co-sponsored by Senators Braun, Berger and Moody.

Read first time and referred to committee on State and Local Affairs and Taxation.

Assembly Bill 820

Relating to temporary operator's licenses for bartenders.

By Representative Behnke, by request of city of Milwaukee.

Read first time and referred to committee on Aging, Business and Financial Institutions and Transportation.

Assembly Bill 850

Relating to preservation of records by city housing and redevelopment authorities.

By Representatives Kunicki, Czarnezki, Robinson, Plous, Crawford, Holschbach, Lee, Tuczynski, Kirby, Fischer, Becker, Rooney, Jackamonis, Neubauer and Ulichny, co-sponsored by Senators Kleczka, George and Moody.

Read first time and referred to committee on State and Local Affairs and Taxation.

Assembly Bill 857

Relating to counties paying to municipalities federal payments in lieu of taxes on national forest lands.

By Representatives Kincaid, Smith, Matty, Donoghue and Schmidt, co-sponsored by Senators Krueger and Theno.

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

Assembly Bill 988

Relating to identification cards, restrictions on the wholesale sale of alcohol beverages to university of Wisconsin system campuses, permitting brewers and wholesalers of fermented malt beverages to contribute money and other items of value to, or purchase advertising from, private colleges and universities, permitting counties to adopt ordinances regulating the possession or procurement of alcohol beverages by minors and furnishing alcohol beverages to minors, alcohol beverage licenses for vessels and permitting minors to enter premises licensed to sell alcohol beverages to march or drill.

By Representative Dorff, co-sponsored by Senator Cullen.

Read first time and referred to committee on Aging, Business and Financial Institutions and Transportation.

Assembly Bill 1029

Relating to the compensation plan for nonrepresented classified state employees.

By Joint Committee on Employment Relations.

Read first time and referred to committee on Senate Organization.

CALENDAR OF FEBRUARY 11

Senate Bill 68

Relating to notification of the loss of hospital staff privileges and license suspension by the medical examining board.

Read.

By request of Senator Lasee, with unanimous consent, the senate recessed until 9:50 A.M.

9:24 A.M.

RECESS

9:50 A.M.

The senate reconvened.

LEAVE OF ABSENCE

By request of Senator Krueger, with unanimous consent, he was granted a leave of absence at 11:00 A.M. for the balance of today's session.

Senate Bill 68

Relating to notification of the loss of hospital staff privileges and license suspension by the medical examining board.

Read.

The question was: Concurrence in assembly amendment 1?
Concurred in.

The question was: Concurrence in assembly amendment 2?
Concurred in.

The question was: Concurrence in assembly amendment 4?
Concurred in.

The question was: Concurrence in assembly amendment 5?
Concurred in.

The question was: Concurrence in assembly amendment 6?
Concurred in.

The question was: Concurrence in assembly amendment 7?

Concurred in.

The question was: Concurrence in assembly amendment 8?
Concurred in.

The question was: Concurrence in assembly amendment 9?
Concurred in.

By request of Senator Bablitch, with unanimous consent, the rules were suspended and **Senate Resolution 20** was considered at this time.

Senate Resolution 20

Relating to requesting the attorney general to appear on behalf of this state in certain actions and proceedings related to the Alaska natural gas pipeline.

Read.

Adopted.

Senate Joint Resolution 4

To amend section 10 of article V of the constitution, relating to the governor's authority to veto appropriation bills in part (2nd consideration).

Read a second time.

By request of Senator Hanaway, with unanimous consent, **Senate Joint Resolution 4** was placed at the foot of the calendar.

Senate Bill 331

Relating to state aid to school districts which pay tuition for pupils enrolled outside the school district.

Read a second time.

The question was: Adoption of senate amendment 1?

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

The question was: Adoption of senate substitute amendment 1?

By request of Senator Kleczka, with unanimous consent, **Senate Bill 331** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 331** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

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

JOURNAL OF THE SENATE [February 11, 1982]

Ordered to a third reading.

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

Senate Bill 331

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

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

So the bill passed.

Senate Bill 555

Relating to creating a council on and establishing staff training programs for gifted and talented pupils, making appropriations and granting rule-making authority.

Read a second time.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 555** was referred to committee on Education and State Institutions.

Senate Bill 602

Relating to the employment of school district administrators, school district business managers and school principals.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Goyke, with unanimous consent, **Senate Bill 602** was referred to committee on Education and State Institutions.

Senate Bill 659

Relating to miscellaneous changes to the municipal industrial revenue bonding law.

Read a second time.

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

JOURNAL OF THE SENATE [February 11, 1982]

Senator Berger moved rejection of senate amendment 1 to senate substitute amendment 1.

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

The motion prevailed.

Senate amendment 2 to senate substitute amendment 1 offered by Senator George.

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

By request of Senator George, with unanimous consent, senate amendment 2 to senate substitute amendment 1 was returned to the author.

Senate amendment 3 to senate substitute amendment 1 offered by Senator George.

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

Adopted.

Senate amendment 4 to senate substitute amendment 1 offered by Senator George.

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

Adopted.

Senate amendment 5 to senate substitute amendment 1 offered by Senator Cullen.

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

Adopted.

Senate amendment 6 to senate substitute amendment 1 offered by Senator Cullen.

The question was: Adoption of senate amendment 6 to senate substitute amendment 1?

Adopted.

Senate amendment 7 to senate substitute amendment 1 offered by Senator Cullen.

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

JOURNAL OF THE SENATE [February 11, 1982]

Senator George moved rejection of senate amendment 7 to senate substitute amendment 1?

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

The motion prevailed.

Senate amendment 8 to senate substitute amendment 1 offered by Senators Cullen, Berger and Chilsen.

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

Senator Lorge moved reconsideration of the vote by which senate amendment 1 to senate substitute amendment 1 to **Senate Bill 659** was rejected.

The question was: Reconsideration of the vote by which senate amendment 1 to senate substitute amendment 1 to **Senate Bill 659** was rejected?

By request of Senator McCallum, with unanimous consent, he was excused from voting on the bill because of a conflict of interest.

The question was: Reconsideration of the vote by which senate amendment 1 to senate substitute amendment 1 to **Senate Bill 659** was rejected?

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

Ayes -- Senators Bidwell, Chilsen, Goyke, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, Opitz and Theno -- 13.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Frank, George, Harnisch, Kleczka, Maurer, Moody, Offner, Risser, Roshell, Strohl, Thompson and Van Sistine -- 18.

Absent or not voting -- Senators Engeleiter and McCallum -- 2.

So the motion did not prevail.

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

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 659

Read a third time and passed.

Senate Bill 713

Relating to senate and assembly districts.

Read a second time.

The question was: Adoption of senate amendment 1?

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

Ayes -- Senators Bidwell, Chilsen, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 14.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Frank, George, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Risser, Roshell, Strohl, Thompson and Van Sistine -- 19.

Absent or not voting -- None.

So the amendment was not adopted.

Senator Bablitch moved indefinite postponement of **Senate Bill 713**.

The question was: Shall the bill be indefinitely postponed?

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Frank, George, Goyke, Harnisch, Kleczka, Krueger, Lorge, Maurer, Moody, Offner, Risser, Roshell, Strohl, Thompson and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorman, McCallum, Opitz and Theno -- 12.

Absent or not voting -- None.

So the bill was indefinitely postponed.

Assembly Bill 239

Relating to requiring automatic sprinkler systems in all newly constructed places of employment and public buildings.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Adoption of senate amendment 2?

JOURNAL OF THE SENATE [February 11, 1982]

Adopted.

The question was: Adoption of senate amendment 3?

Senator Opitz moved rejection of senate amendment 3?

The question was: Rejection of senate amendment 3?

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

Ayes -- Senators Bidwell, Chilsen, Engeleiter, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Opitz, Roshell and Theno -- 14.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Frank, George, Hanaway, Harnisch, Kleczka, Maurer, Moody, Offner, Risser, Strohl, Thompson and Van Sistine -- 18.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 3?

Adopted.

Senate amendment 4 offered by Senator Berger.

The question was: Adoption of senate amendment 4?

The amendment was not adopted.

Ordered to a third reading.

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

Assembly Bill 239

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 23; noes, 9; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Cullen, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Kleczka, Kreul, Maurer, Moody, Offner, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 23.

Noes -- Senators Bidwell, Engeleiter, Harsdorf, Johnston, Lasee, Lorge, Lorman, McCallum and Opitz -- 9.

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

So the bill was concurred in as amended.

Assembly Bill 253

Relating to utilization of unemployment compensation and employment training benefits received by county jail prisoners.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Braun, with unanimous consent, **Assembly Bill 253** was placed at the foot of the calendar.

Assembly Bill 295

Relating to obtaining criminal identification data.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Assembly Bill 295

Read a third time and concurred in as amended.

Assembly Bill 298

Relating to deferred compensation plans for public employes, granting rule-making authority and making an appropriation.

Read a second time.

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

Assembly Bill 298

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

JOURNAL OF THE SENATE [February 11, 1982]

Noes -- None.

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

So the bill was concurred in as amended.

Assembly Bill 364

Relating to prohibiting investment of public funds in stocks and obligations of labor law violators.

Read a second time.

Senate amendment 1 offered by Senator Opitz.

The question was: Adoption of senate amendment 1?

Senator Van Sistine 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, 18; noes, 13; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Frank, George, Goyke, Kleczka, Maurer, Moody, Offner, Risser, Roshell, Strohl, Thompson and Van Sistine -- 18.

Noes -- Senators Bidwell, Chilsen, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 13.

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

So the motion prevailed.

Ordered to a third reading.

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

Assembly Bill 364

Read a third time and concurred in.

Assembly Bill 373

Relating to the procedure for legislative approval of state employe collective bargaining agreements.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 373

Read a third time and concurred in.

Assembly Bill 374

Relating to action by the joint committee on employment relations on position assignments to the executive salary groups.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 374

Read a third time and concurred in.

Senator Lasee moved reconsideration of the vote by which **Assembly Bill 374** was concurred in.

The question was: Reconsideration of the vote by which **Assembly Bill 374** was concurred in?

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

Ayes -- Senators Bidwell, Chilsen, Engeleiter, Hanaway, Harsdorf, Johnston, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 12.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Frank, George, Goyke, Harnisch, Kleczka, Kreul, Maurer, Moody, Offner, Risser, Roshell, Strohl, Thompson and Van Sistine -- 20.

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

So the motion did not prevail.

Assembly Bill 384

Relating to the method of selecting school board members in city school districts.

Read a second time.

Senator Lorge moved indefinite postponement.

The question was: Shall the bill be indefinitely postponed?

By request of Senator Lorge, with unanimous consent, he withdrew his motion for indefinite postponement of **Assembly Bill 384**.

Ordered to a third reading.

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

Assembly Bill 384

Read a third time and concurred in.

Assembly Bill 541

Relating to the minimum base pay for national guard members on active duty.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 541

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

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

So the bill was concurred in.

Senate Joint Resolution 4

To amend section 10 of article V of the constitution, relating to the governor's authority to veto appropriation bills in part (2nd consideration).

Read a second time.

Senate substitute amendment 1 offered by Senator Hanaway.

The question was: Adoption of senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 10; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Engeleiter, Flynn, Frank, George, Hanaway, Harnisch, Harsdorf, Johnston, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Opitz, Risser and Roshell -- 22.

Noes -- Senators Berger, Braun, Cullen, Goyke, Kleczka, Offner, Strohl, Theno, Thompson and Van Sistine -- 10.

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

So the amendment was adopted.

Senate substitute amendment 2 offered by Senator Hanaway.

The question was: Adoption of senate substitute amendment 2?

JOURNAL OF THE SENATE [February 11, 1982]

By request of Senator Hanaway, with unanimous consent, senate substitute amendment 2 was returned to the author.

Ordered to a third reading.

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

Senate Joint Resolution 4

Read a third time.

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

Ayes -- Senators Berger, Bidwell, Chilsen, Cullen, Frank, Goyke, Hanaway, Johnston, Kleczka, Maurer, Offner, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 17.

Noes -- Senators Adelman, Bablitch, Braun, Engeleiter, Flynn, George, Harnisch, Harsdorf, Kreul, Lasee, Lorge, Lorman, McCallum, Moody and Opitz -- 15.

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

So the resolution was adopted.

Assembly Bill 253

Relating to utilization of unemployment compensation and employment training benefits received by county jail prisoners.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Assembly Bill 253

Read a third time and concurred in as amended.

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

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Assembly Bill 248** by Senator Goyke.

Senate amendment 1 to **Senate Bill 503** by Senator Johnston.

Senate amendments 2 and 3 to **Senate Bill 602** by Senator Offner.

JOURNAL OF THE SENATE [February 11, 1982]

**Upon motion of Senator Flynn the senate adjourned until 10:00
A.M. Tuesday, February 16.**

12:10 P.M.