

STATE OF WISCONSIN

Senate Journal

Eighty-Fifth Regular Session

WEDNESDAY, March 24, 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 John Carlson of Hilldale Assembly of God Church, Madison.

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 63

Requesting the legislative council to study mental commitment procedures.

By Senator Johnston.

Read and referred to committee on Human Services.

Senate Joint Resolution 64

Relating to decennial redistricting of the legislature by a citizen committee appointed by the supreme court (first consideration).

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By Senators Harsdorf, Harnisch, Engleiter, Johnston, Strohl, Lorman and Chilsen; cosponsored by Representatives Paulson, Berndt, Radtke, Knox, Alberts, Lewison, Harer and Panzer.

Read first time and referred to special committee on Reapportionment.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 831

Relating to acquisition of a financial institution by another type of financial institution.

By Senator Cullen.

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

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends:

Assembly Joint Resolution 94

Relating to the accomplishments of KIDS 4, Sun Prairie Children's Cable Television Channel.

Concurrence:

Ayes, 5 -- Senators Risser, Bablitch, Flynn, Chilsen and Hanaway;

Noes, 0 -- None.

FRED A. RISSER
Chair

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

Assembly Bill 162

Relating to reimbursement for costs of notice of tax sales.

Concurrence:

Ayes, 4 -- Senators Hanaway, Lasee, Moody and Van Sistine;
Noes, 1 -- Senator Berger.

Assembly Bill 254

Relating to the disciplinary procedure for fire fighters and police officers in 1st class cities.

Concurrence:

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

Noes, 0 -- None.

JIM MOODY
Chair

The committee on Agriculture and Natural Resources reports
and recommends:

LOY, BEVERLY, of Stitzer, as a member of the Conservation Work
Projects Board, to serve for the term ending May 1, 1986.

Confirmation:

Ayes, 5 -- Senators Harnisch, Strohl, Thompson, Krueger and
Opitz;

Noes, 0 -- None.

THOMAS W. HARNISCH
Chair

The committee on Aging, Business and Financial Institutions and
Transportation reports and recommends:

Assembly Bill 497

Relating to permits for transporting vehicles by the drive-away
method in saddle-mount combination.

Concurrence:

Ayes, 6 -- Senators Roshell, Moody, Maurer, Goyke,
Engleiter and Cullen;

Noes, 1 -- Senator Bidwell.

Assembly Bill 511

Relating to use of rustic roads.

Concurrence:

Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell,
Engleiter and Cullen;

Noes, 0 -- None.

Assembly Bill 672

Relating to emergency towing operations.

Concurrence:

Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell,
Engleiter and Cullen;

Noes, 0 -- None.

Assembly Bill 869

Relating to review of denial of access to a state trunk highway.

Concurrence:

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Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell,
Engeleiter and Cullen;

Noes, 0 -- None.

Assembly Bill 960

Relating to county aids for town bridges and culverts.

Concurrence:

Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell,
Engeleiter and Cullen;

Noes, 0 -- None.

TIM CULLEN

Chair

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 80-203

A RULE to renumber Ch. MVD 24; to amend Trans 139.01 to 139.06, as renumbered; and to create Trans 139.07, relating to motor vehicle trade practices.

Submitted by Department of Transportation.

Report received from agency, March 23, 1982.

Referred to committee on Aging, Business and Financial Institutions and Transportation, March 24, 1982.

Clearinghouse Rule 81-244

AN ORDER to create Tax 15.06, relating to which real estate transfer returns may be open for inspection in a condemnation proceeding or an appeal from an assessment of real property under s. 77.23 (2), Stats.

Submitted by Department of Revenue.

Report received from agency, March 23, 1982.

Referred to committee on State and Local Affairs and Taxation, March 24, 1982.

The committee on Human Services reports and recommends:

Clearinghouse Rule 81-243

AN ORDER to create ch. HSS 67, relating to defining low income for purposes of allocating state funds to nutrition projects serving older persons and to certain senior companion and retired senior volunteer projects.

No action taken.

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Clearinghouse Rule 81-225

AN ORDER to repeal H 53.01 (5) and H 53.06; to renumber ch. H 53 and HSS 153.01 (6) to (12); and to amend HSS 153.01 (1), relating to home care of hemophilia.

No action taken.

CARL W. THOMPSON
Chair

The committee on Aging, Business and Financial Institutions and Transportation reports and recommends:

Clearinghouse Rule 82-23

AN ORDER to amend Trans 311.03 (11), (16), (17) and (18), 311.04 (1) (a) and (5) (b), 311.05 (3) (intro.) and (c) and (4), 311.08 (1) and 311.09 (1) (b); and to create Trans 311.12, relating to breath alcohol testing, approval and permit program.

Review period waived.

TIM CULLEN
Chair

LEAVE OF ABSENCE

By request of Senator Lorge, with unanimous consent, he was granted a leave of absence at 12:00 noon for the balance of today's session.

By request of Senator Maurer, with unanimous consent, he was granted a leave of absence at 5:00 P.M. for the balance of today's session.

CALENDAR OF MARCH 24

Assembly Bill 62

Relating to renewable energy resources and increasing an appropriation.

Read.

The question was: Shall the senate adhere to its position on senate amendment 3?

The senate adhered to its position.

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By request of Senator Bablitch, with unanimous consent, the senate adhered to its position on senate amendment 3 and asked for a Committee of Conference on **Assembly Bill 62**.

The chair appointed as conferees on its part Senators Strohl, Berger and Lorman.

The question was: Shall the conferees be confirmed?
Confirmed.

Senator Flynn in the chair.

9:15 A.M.

Senate Resolution 21

To memorialize the President and Congress of the United States to negotiate a mutual nuclear weapons moratorium with the Soviet Union.

Read.

By request of Senators Bablitch, Maurer and Hanaway, with unanimous consent, they were made co-authors of **Senate Resolution 21**.

Senate amendment 1 offered by Senator Opitz.

The question was: Adoption of senate amendment 1?

Senator Risser moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

By request of Senator Risser, with unanimous consent, he withdrew his motion for rejection of senate amendment 1.

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

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, 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 -- 32.

Noes -- None.

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

So the resolution was adopted.

Senate Joint Resolution 43

Relating to the deregulation of natural gas prices.

Read.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Adoption of **Senate Joint Resolution 43**?

Adopted.

Senate Bill 186

Relating to forfeitures imposed on nursing homes and waiver of rules regarding nursing homes.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 186** was referred to joint committee on Finance.

Senate Bill 317

Relating to relinquishing interests reserved by the state in certain lands.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Kleczka, with unanimous consent, **Senate Bill 317** was referred to joint committee on Finance.

Senate Bill 383

Relating to including as an authorized emergency vehicle privately owned vehicles used by paramedics or ambulance attendants.

Read a second time.

The question was: Shall the bill be indefinitely postponed?

The bill was indefinitely postponed.

The president of the senate in the chair.

9:25 A.M.

Senate Bill 699

Relating to campground reservation.

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.

Senate Bill 699

Read a third time and passed.

Senate Bill 769

Relating to circuit judges.
Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Kleczka, with unanimous consent, **Senate Bill 769** was referred to joint committee on Finance.

Senate Bill 773

Relating to labeling requirements for nondairy food products and granting rule-making authority.
Read a second time.

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.

By request of Senator Berger, with unanimous consent, the bill was referred to a second reading.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senator Berger.

The question was: Adoption of senate amendment 1 to 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.

Senate Bill 773

Read a third time and passed.

Senate Bill 775

Relating to regulating PCBs and creating financial responsibility requirements.
Read a second time.

By request of Senator Opitz, with unanimous consent, **Senate Bill 775** was placed after the Special Orders of Business.

Senate Bill 789

Relating to return of a public utility's interest in property taken for an abandoned project.

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Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Strohl, with unanimous consent, senate amendment 1 was laid on the table.

Senate amendment 2 offered by Senators Strohl, Harsdorf, Harnisch and Berger.

The question was: Adoption of senate amendment 2?

Senator Chilsen asked unanimous consent that **Senate Bill 789** be referred to committee on Aging, Business and Financial Institutions and Transportation.

Senator Strohl objected.

Senator Chilsen moved that **Senate Bill 789** be referred to committee on Aging, Business and Financial Institutions and Transportation.

The question was: Shall **Senate Bill 789** be referred to committee on Aging, Business and Financial Institutions and Transportation?

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

Ayes -- Senators Chilsen, Engeleiter, Frank, Goyke, Hanaway, Harnisch, Kleczka, Kreul, Lorge, Lorman, McCallum, Maurer, Moody, Opitz, Risser, Roshell, Theno and Van Sistine -- 18.

Noes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Cullen, Flynn, George, Harsdorf, Johnston, Krueger, Lasee, Offner, Strohl and Thompson -- 15.

Absent or not voting -- None.

So the motion prevailed.

Senate Bill 790

An act to repeal, renumber, renumber and amend, amend, reenact, create and revise various provisions of the statutes and session laws for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of departments, officers and institutions, correcting references, renumbering for better location and arrangement, eliminating duplications and unnecessary provisions, reconciling conflicts and repelling unintended repeals. (Revisor's Correction Bill)

Read a second time.

Ordered to a third reading.

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

Senate Bill 790

Read a third time and passed.

Assembly Joint Resolution 83

Relating to creating a legislative council special study committee on state contractual service procurement.

Read.

By request of Senator Bablitch, with unanimous consent, **Assembly Joint Resolution 83** was laid on the table.

Assembly Bill 141

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

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Senator Lorge moved non-concurrence of **Assembly Bill 141**.

The question was: Shall the bill be non-concurred in?

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

Ayes -- Senators Lorge and Opitz -- 2.

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

Absent or not voting -- None.

So the motion did not prevail.

Senate amendment 2 offered by Senator Chilsen.

The question was: Adoption of senate amendment 2?

Senator Goyke moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

The motion prevailed.

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Senator Lorge moved reconsideration of the vote by which senate amendment 2 was rejected.

The question was: Reconsideration of the vote by which senate amendment 2 was rejected?

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

Ayes -- Senators Bidwell, Chilsen, Engeleiter, Hanaway, Harsdorf, Johnston, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum, Opitz, Theno and Thompson -- 15.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Frank, George, Goyke, Harnisch, Maurer, Moody, Offner, Risser, Roshell, Strohl and Van Sistine -- 17.

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

So the motion did not prevail.

Senate amendment 3 offered by Senator Lorge.

The question was: Adoption of senate amendment 3?

Senator Van Sistine 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, 19; noes, 14; absent or not voting, 0; as follows:

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

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

Absent or not voting -- None.

So the motion prevailed.

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 141

Read a third time.

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

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

Noes -- Senators Bablitch, Bidwell, Chilsen, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 15.

Absent or not voting -- None.

So the bill was concurred in as amended.

Assembly Bill 238

Relating to creating a dairy promotion council; creating a dairy promotion program and a commodity promotion program, granting rule-making authority and making appropriations.

Read a second time.

Senate amendment 1 offered by Senator Opitz.

By request of Senator Kleczka, with unanimous consent, **Assembly Bill 238** was referred to joint committee on Finance.

Assembly Bill 290

Relating to immediately effective wage assignments in orders for support or maintenance.

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 290

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 5; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Flynn, Frank, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 28.

Noes -- Senators Berger, Braun, Cullen, Engeleiter and George -- 5.

Absent or not voting -- None.

So the bill was concurred in.

Assembly Bill 388

Relating to fingerprinting, the issuance of citations and summonses for misdemeanors and pretrial inquiries, reports and other services and creating an appropriation.

Read a second time.

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By request of Senator Kleczka, with unanimous consent, **Assembly Bill 388** was referred to the joint committee on Finance.

Assembly Bill 466

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

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 466

Read a third time and concurred in.

Assembly Bill 711

Relating to revising the laws concerning local health agencies and communicable diseases and granting rule-making authority .

Read a second time.

Senate amendment 1 offered by Senators Roshell and Harsdorf.

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 711

Read a third time and concurred in as amended.

Assembly Bill 736

Relating to stays of execution of a sentence of imprisonment.

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 736

Read a third time and concurred in.

Assembly Bill 739

Relating to transplantation of fish.

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 739

Read a third time and concurred in.

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Assembly Bill 744

Relating to crimes in respect to computers and providing penalties.

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 744

Read a third time and concurred in.

Assembly Bill 752

Relating to deferred prosecution agreements.

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 752

Read a third time and concurred in as amended.

Assembly Bill 769

Relating to amending a complaint or citation in municipal court.

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 769

Read a third time and concurred in.

Assembly Bill 777

Relating to wearing military uniforms (suggested as remedial legislation by the department of military affairs).

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 777

Read a third time.

By request of Senator Berger, with unanimous consent **Assembly Bill 777** was laid on the table.

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Assembly Bill 780

Relating to renumbering statutes relating to the responsibilities of the board of commissioners of public lands (suggested as remedial legislation by the board of commissioners of public lands).

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 780

Read a third time and concurred in.

Assembly Bill 782

Relating to granting immunity to persons removing and storing vehicles.

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 782

Read a third time and concurred in.

Assembly Bill 785

Relating to preventing persons from receiving property by will or by intestacy from persons they have intentionally and feloniously killed.

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 785

Read a third time and concurred in.

Assembly Bill 871

Relating to removing the Park East Freeway and Lake Freeway North in Milwaukee county from the state trunk highway system, disposing of the lands and property and making an appropriation.

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 871

Read a third time and concurred in.

Assembly Bill 902

Relating to county, city, village and town enforcement of unpaid forfeitures.

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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 902

Read a third time and concurred in.

Assembly Bill 911

Relating to members of the board of veterans affairs.

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 911

Read a third time and concurred in.

Assembly Bill 942

Relating to abolishing certain councils, commissions and boards.

Read a second time.

By request of Senator Cullen, with unanimous consent **Assembly Bill 942** was laid on the table.

Assembly Bill 989

Relating to consent adoptions.

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 989

Read a third time and concurred in.

Assembly Bill 1054

Relating to authorizing the sale or exchange of certain land in northern highland state forest.

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 1054

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway,

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Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Noes -- Senator Berger -- 1.

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

So the bill was concurred in.

Senator Cullen moved reconsideration of the vote by which **Assembly Bill 141** was concurred in.

By request of Senator Cullen, with unanimous consent, the motion for reconsideration of the vote by which **Assembly Bill 141** was concurred in was laid on the table.

By request of Senator Flynn, with unanimous consent, the rules were suspended and the Special Order of Business at 2:01 P.M. was considered at this time.

SPECIAL ORDERS

Senate Bill 787

Relating to popular election of the public service commission.

Read a second time.

QUORUM CALL

Senator Chilsen called the attention of the chair to the possible lack of a quorum.

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 question was: Adoption of senate amendment 1?

Adopted.

Senator Chilsen moved reconsideration of the vote by which senate amendment 1 was adopted.

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By request of Senator Chilsen, with unanimous consent, the motion for reconsideration of the vote by which senate amendment 1 was adopted was considered at this time.

The question was: Reconsideration of the vote by which senate amendment 1 was adopted?

Senator Lorge moved indefinite postponement of **Senate Bill 787**.

The question was: Shall the bill be indefinitely postponed?

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

Ayes -- Senators Bidwell, Engeleiter, George, Hanaway, Harnisch, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Offner, Opitz, Roshell, Theno and Van Sistine - - 18.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Kleczka, Maurer, Moody, Risser, Strohl and Thompson -- 15.

Absent or not voting -- None.

So the motion prevailed.

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

11:59 A.M.

RECESS

2:00 P.M.

The senate reconvened.

QUORUM CALL

Senator Bablitch called the attention of the chair to the possible lack of a quorum.

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,

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Lorman, McCallum, Maurer, Opitz, Risser, Roshell, Strohl, Thompson and Van Sistine -- 29.

Absent -- Senators Moody, Offner and Theno -- 3.

Absent with leave -- Senator Lorge -- 1.

SPECIAL ORDERS

Assembly Bill 370

Relating to establishing a system of marital property shared by husband and wife and providing penalties.

Read a second time.

Senate amendment 1 offered by Senators Hanaway, Frank, Engleiter, Berger, Offner and Harsdorf.

The question was: Adoption of senate substitute amendment 1?

Senator Berger moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

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

Ayes -- Senators Berger, Bidwell, Chilsen, Engleiter, Frank, Hanaway, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, McCallum, Maurer and Opitz -- 15.

Noes -- Senators Adelman, Bablitch, Braun, Cullen, Flynn, George, Goyke, Harnisch, Lorman, Moody, Offner, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 17.

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

So the motion did not prevail.

Senate amendment 1 to senate substitute amendment 1 offered by Senator Offner.

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

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

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

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By request of Senator Flynn, with unanimous consent, he withdrew his motion for rejection of senate amendment 1 to senate substitute amendment 1.

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

Adopted.

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

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

Adopted.

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

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

Senator Offner moved reconsideration of the vote by which senate amendment 2 to senate substitute amendment 1 was adopted.

The question was: Reconsideration of the vote by which senate amendment 2 to senate substitute amendment 1 was adopted?

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

Ayes -- Senators Adelman, Bablitch, Braun, Cullen, Flynn, Goyke, Harnisch, Moody, Offner, Risser, Strohl, Thompson and Van Sistine -- 13.

Noes -- Senators Berger, Bidwell, Chilsen, Engeleiter, Frank, George, Hanaway, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorman, McCallum, Maurer, Opitz, Roshell and Theno -- 19.

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

So the motion did not prevail.

Senator Berger moved that senate substitute amendment 1 to Assembly Bill 370 be laid on the table.

The question was: Shall senate substitute amendment 1 be laid on the table?

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

Ayes -- Senators Berger, Bidwell, Chilsen, Engeleiter, Frank, George, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, McCallum, Maurer, Opitz and Roshell -- 18.

Noes -- Senators Adelman, Bablitch, Braun, Cullen, Flynn, Goyke, Lorman, Moody, Offner, Risser, Strohl, Theno, Thompson and Van Sistine -- 14.

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

So the motion prevailed.

The question was: Adoption of senate amendment 1?

Senator Flynn asked unanimous consent that **Assembly Bill 370** be laid on the table.

Senator Kleczka objected.

Senator Flynn moved that **Assembly Bill 370** be referred to committee on Senate Organization

The question was: Shall the bill be referred to committee on Senate Organization?

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, Berger, Braun, Cullen, Flynn, George, Harnisch, Lasee, Lorman, Maurer, Moody, Opitz, Risser, Roshell, Strohl, Thompson and Van Sistine -- 18.

Noes -- Senators Bidwell, Chilsen, Engeleiter, Frank, Goyke, Hanaway, Harsdorf, Johnston, Kleczka, Kreul, Krueger, McCallum, Offner and Theno -- 14.

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

So the motion prevailed.

Senate Bill 775

Relating to regulating PCBs and creating financial responsibility requirements.

Read a second time.

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

By request of Senator Kleczka, with unanimous consent, **Senate Bill 775** was referred to the joint committee on Finance.

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By request of Senator Kleczka, with unanimous consent, **Senate Bill 775** 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 amendment 1 to senate substitute amendment 1?

Adopted.

The question was: Adoption of senate amendment 2 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 Bablitch, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 775

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 1; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasec, Lorman, McCallum, Moody, Offner, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Noes -- Senator Opitz -- 1.

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

So the bill passed.

Senator Moody moved reconsideration of the vote by which **Senate Bill 789** was referred to committee on Aging, Business and Financial Institutions and Transportation.

Senator Kleczka raised the point of order that the reconsideration motion was not properly before the senate.

The chair took the Point of Order under advisement.

Senator Cullen moved reconsideration of the vote by which **Senate Bill 383** was indefinitely postponed.

The question was: Reconsideration of the vote by which **Senate Bill 383** was indefinitely postponed?

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The motion did not prevail.

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

AMENDMENTS OFFERED

Senate amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 to **Assembly Bill 615** by Senator Opitz.

Senate amendment 13 to **Assembly Bill 615** by Senator Kreul.

Senate amendment 14 to **Assembly Bill 615** by Senator Opitz.

Senate amendment 1 to senate substitute amendment 1 to **Assembly Bill 266** by Senator Flynn.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Thursday, March 25.

4:42 P.M.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 68

Senate Bill 107

Senate Bill 163

Senate Bill 189

Senate Bill 290

Senate Bill 356

Senate Bill 683

Correctly enrolled and presented to the Governor on March 24, 1982.