

JOURNAL OF THE SENATE [April 1, 1982]

STATE OF WISCONSIN

# Senate Journal

Eighty-Fifth Regular Session

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THURSDAY, April 1, 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 Rabbi Kenneth Roseman of Beth El Temple, Madison.

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

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## COMMITTEE REPORTS

The committee on Senate Organization reports and recommends:

### **Assembly Joint Resolution 101**

Relating to observing the week of April 18 to 24, 1982, as Victims Rights Week.

Concurrence:

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

JOURNAL OF THE SENATE [April 1, 1982]

Noes, 0 -- None.

FRED A. RISSER  
Chair

Report of  
Committee of Conference  
on  
Assembly Bill 62

The members of the Committee of Conference on Assembly Bill 62 report and recommend, That, by the adoption of this report:

1. Senate amendment 3. The senate recedes from its position on senate amendment 3.

2. Conference amendment. The senate and the assembly adopt and concur in conference amendment 1 (LRBa5006/2), which is attached to and made a part of this report.

Senator Joseph Strohl

Representative Daniel Fischer

Senator David Berger

Representative Sharon Metz

Senator Barbara Lorman

Representative David Hopkins

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PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Department of State

March 30, 1982

To the Honorable, the Senate:

I have the honor to transmit to you the following information pursuant to s. 13.695(8):

Yours very truly,  
VEL PHILLIPS  
Secretary of State

*Lobbyist's name, address, telephone number; principal's name, address, telephone number.*

Hough, James E., 44 E. Mifflin St., Ste. 402, Madison, WI 53703; Marathon Oil Company, 539 S. Main St., Findlay, OH 45840 (419) 422-2121; 22; United States Steel Corp., 208 S. La Salle St., Chicago, IL 60690 (312) 329-2244; 22.

## JOURNAL OF THE SENATE [April 1, 1982]

### Lobbyist Termination:

Earl, Anthony S., for Care Cabs, Inc., effective March 29, 1982.

Earl, Anthony S., for Foley & Lardner, effective March 29, 1982.

Earl, Anthony S., for Wisconsin Public Service Corp., effective March 29, 1982.

Jensen, Brian H., for State Medical Society of Wisconsin, effective March 29, 1982.

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### SENATE CLEARINGHOUSE ORDERS

#### **Clearinghouse Rule 81-230**

AN ORDER to amend NR 180.15 (3) (D) and (4) (a) 1 and (b) 1 and 181.42 (10) (c) 4 and (d) 1 a and 2 a, relating to financial responsibility for closure of solid and hazardous waste facilities.

Submitted by Department of Natural Resources.

Report received from agency, March 31, 1982.

Referred to committee on Agriculture and Natural Resources, April 1, 1982.

The committee on Human Services reports and recommends:

#### **Clearinghouse Rule 81-213**

AN ORDER to create HSS 127.142, 127.212, 127.332, 127.342, 127.345 and 127.442, relating to the Wisconsin drug formulary.

No action taken.

CARL W. THOMPSON  
Chair

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### 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 1030**

**Assembly Bill 1055**

**Assembly Bill 997**

Adopted and asks concurrence in:

**Assembly Joint Resolution 99**

**Assembly Joint Resolution 105**

## JOURNAL OF THE SENATE [April 1, 1982]

Concurred in:

**Senate Bill 569**  
**Senate Bill 578**  
**Senate Bill 677**  
**Senate Bill 681**  
**Senate Bill 738**  
**Senate Bill 123**

Amended and concurred in as amended:

**Senate Bill 118**, assembly substitute amendment 1  
**Senate Bill 600**, assembly substitute amendment 2  
**Senate Bill 633**, assembly amendments 2, 4 and 7  
**Senate Bill 414**, assembly amendments 1 and 2  
**Senate Bill 204**, assembly amendments 1, 2, 3, 4, 5 and 7

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### MESSAGE FROM THE ASSEMBLY CONSIDERED

#### **Assembly Bill 1030**

Relating to authorizing regulation and registration of bicycles by towns and counties.

By Representatives Schneider, Larson, Conradt and Helbach, co-sponsored by Senator Harnisch.

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

#### **Assembly Bill 1055**

Relating to lengthening the maximum term of contracts entered into by school boards to provide pupil transportation.

By Representatives Munts and Miller, co-sponsored by Senators Risser and Lorman.

Read first time and referred to committee on Education and State Institutions.

#### **Assembly Bill 997**

Relating to abolishing offices of jury commissioner if automated jury selection system is used.

By Representative Neubauer, co-sponsored by Senator Strohl, by request of Larry Flynn, Racine County Clerk of Courts.

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

JOURNAL OF THE SENATE [April 1, 1982]

**Assembly Joint Resolution 99**

Relating to an advisory referendum requesting the president and the congress of the United States to negotiate with the Soviet Union and other nations a mutual nuclear weapons moratorium with appropriate verification.

By Representatives Miller and Knox, co-sponsored by Senators Risser and Chilsen.

Read and referred to committee on Energy.

**Assembly Joint Resolution 105**

Relating to proclaiming October 13, 1982, Lutfisk Day.

By Representatives Larson, Loftus, Paulson, Porter, Robertson, Byers, Ulichny, Lewison, Everson, Harer, Bradley, Ellis, Matty, Laatsch, Merkt, Schmidt, Norquist, Johnson, Schneider, Donoghue, Becker, Jaronitzky, Luckhardt, Lee, Kunicki, McEwen, Schneiders, Prosser, Alberts, Ladwig, McEssy, Panzer, Nelsen, R. Travis and Thompson, co-sponsored by Senators Thompson, Harsdorf, Lorman, Engeleiter, Goyke and Offner.

Read and referred to committee on Senate Organization.

Senator Strohl asked unanimous consent that **Assembly Joint Resolution 99** be withdrawn from committee on Energy and referred to committee on Senate Organization.

Senator Opitz objected.

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CALENDAR OF APRIL 1

**Senate Joint Resolution 42**

Relating to directing the legislative council to study the need for noise pollution legislation.

Read.

The question was: Concurrence of assembly amendment 1?

Concurred in.

**Senate Bill 462**

Relating to permits to remove materials from waters of the state.

Read.

The question was: Concurrence of assembly substitute amendment 1?

By request of Senator Bablitch, with unanimous consent, **Senate Bill 462** was placed after **Assembly Bill 839**.

**Senate Bill 581**

Relating to various matters concerning the preservation and restoration of historic buildings and properties, creating a historic building code council and granting rule-making authority.

Read.

The question was: Concurrence of assembly substitute amendment 1?

Concurred in.

**Assembly Bill 1005**

Relating to allowing the department of health and social services to authorize bonding by the health facilities authority for the financing of residential facilities for the elderly and the chronically disabled and affecting an appropriation.

Read.

The question was: Shall the senate adhere to its position on senate amendment 1?

Senator Adelman moved that the senate recede from its position on senate amendment 1.

The question was: Shall the senate recede from its position on senate amendment 1?

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

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

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

Absent or not voting -- None.

So the motion prevailed.

**Senate Resolution 23**

Relating to observing the week of April 18 to 24, 1982, as Victims Rights Week.

Read.

Adopted.

By request of Senator Bablitch, with unanimous consent, the rules were suspended and **Assembly Joint Resolution 101** was withdrawn from committee on Senate Organization and taken up at this time.

**Assembly Joint Resolution 101**

Relating to observing the week of April 18 to 24, 1982, as Victims Rights Week.

Read.

Concurred in.

**Senate Bill 140**

Relating to a personal property tax exemption for logging equipment.

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 140**

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, Engeleiter, Flynn, Frank, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 28.

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

Absent or not voting -- None.

So the bill passed.

**Assembly Joint Resolution 66**

Requesting the legislative council to study the laws relating to pets, pet licensing and humane societies.

Read.

Concurred in.

**Assembly Bill 162**

Relating to reimbursement for costs of notice of tax sales.

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 162**

Read a third time and concurred in.

**Assembly Bill 212**

Relating to the authorization of savings and loan associations and credit unions to maintain trust accounts for attorneys and real estate brokers and to provide certain services to members regarding pension savings and deferred income accounts.

Read a second time.

Senate amendment 1 offered by Senator Opitz.

The question was: Adoption of senate amendment 1?

Senator Berger 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, 15; absent or not voting, 0; as follows:

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

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

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 2 offered by Senator Opitz.

The question was: Adoption of senate amendment 2?

Senator Berger moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, George, Harnisch, Kleczka, Krueger, Lorge, McCallum, Maurer, Moody, Offner, Strohl, Theno, Thompson and Van Sistine - - 19.

Noes -- Senators Bidwell, Chilsen, Engeleiter, Frank, Goyke, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorman, Opitz, Risser and Roshell -- 14.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 3 offered by Senator Opitz.



## JOURNAL OF THE SENATE [April 1, 1982]

The question was: Adoption of senate amendment 3?

Senator Berger moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

By request of Senator Opitz, with unanimous consent, senate amendment 3 was laid on the table.

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 212**

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, George, Goyke, Harnisch, Kleczka, Lorge, McCallum, Maurer, Moody, Offner, Strohl, Thompson and Van Sistine -- 18.

Noes -- Senators Bidwell, Chilsen, Engeleiter, Frank, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorman, Opitz, Risser, Roshell and Theno -- 15.

Absent or not voting -- None.

So the bill was concurred in.

### **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 substitute amendment 1 offered by Senator Kleczka.

The question was: Adoption of senate substitute amendment 1?

Senator Harnisch moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

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

The question was: Rejection of senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 27; noes, 6; absent or not voting, 0; as follows:

## JOURNAL OF THE SENATE [April 1, 1982]

Ayes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Offner, Roshell, Strohl, Theno, Thompson and Van Sistine -- 27.

Noes -- Senators Berger, Braun, Kleczka, Moody, Opitz and Risser -- 6.

Absent or not voting -- None.

So the motion prevailed.

Ordered to a third reading.

Senator Bablitch asked unanimous consent that the bill be considered for final action at this time.

Senator Kleczka objected.

Senator Bablitch moved the rules be suspended and the bill be considered for final action at this time.

The question was: Shall the rules be suspended and the bill be considered for final action at this time?

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

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

Noes -- Senators Berger and Kleczka -- 2.

Absent or not voting -- None.

More than two-thirds having voted in the affirmative, the motion prevailed.

### **Assembly Bill 238**

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, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Offner, Roshell, Strohl, Theno, Thompson and Van Sistine -- 28.

Noes -- Senators Berger, Kleczka, Moody, Opitz and Risser -- 5.

JOURNAL OF THE SENATE [April 1, 1982]

Absent or not voting -- None.

So the bill was concurred in.

**Assembly Bill 254**

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

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 254**

Read a third time and concurred in.

**Assembly Bill 286**

Relating to special elections, ballots, nominations, canvassing, election officials, recall, referenda, prohibited election practices, registration and voting procedure, qualifications for office, vacancies, notices and administration of elections and providing a penalty.

Read a second time.

By request of Senator Adelman, with unanimous consent, **Assembly Bill 286** was placed at the foot of the calendar.

**Assembly Bill 371**

Relating to reducing payments to hospitals that engage persons to defeat the organization of a collective bargaining unit by hospital employes.

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 371**

Read a third time and concurred in.

**Assembly Bill 377**

Relating to permitting minors to be present on the licensed premises of private tennis clubs.

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 377**

Read a third time and concurred in.

**Assembly Bill 407**

Relating to specific information signs on highways and granting rule-making authority.

Read a second time.

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

The question was: Adoption of senate amendment 2?  
Adopted.

The question was: Adoption of senate amendment 3?  
Adopted.

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 407**

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 3; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Noes -- Senators Flynn, Kleczka and Risser -- 3.

Absent or not voting -- None.

So the bill was concurred in as amended.

**Assembly Bill 497**

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

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 497**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 28; noes, 2; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf,

JOURNAL OF THE SENATE [April 1, 1982]

Johnston, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Roshell, Strohl, Theno, Thompson and Van Sistine -- 28.

Noes -- Senators Bidwell and Risser -- 2.

Absent or not voting -- Senators Chilsen, Engeleiter and Krueger -- 3.

So the bill was concurred in.

**Assembly Bill 542**

Relating to authorizing a special death benefit under worker's compensation for national guard members performing official duty and increasing the amount of the special death benefit.

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 542**

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.

**Assembly Bill 668**

Relating to beer and liquor wholesalers' interest in retail premises.

Read a second time.

Senator Cullen moved indefinite postponement of **Assembly Bill 668**.

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

Non-concurred in.

**Assembly Bill 672**

Relating to emergency towing operations.

Read a second time.

Ordered to a third reading.

JOURNAL OF THE SENATE [April 1, 1982]

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

**Assembly Bill 672**

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.

**Assembly Bill 707**

Relating to the costs of reviews of municipal assessment practices.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Assembly Bill 707** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Assembly Bill 707** was withdrawn from the joint committee on Finance and considered for action at this time.

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 707**

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Noes -- Senators Berger and George -- 2.

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

So the bill was concurred in.

JOURNAL OF THE SENATE [April 1, 1982]

**Assembly Bill 765**

Relating to competency to proceed in a criminal case and criminal responsibility.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Adelman, with unanimous consent, **Assembly Bill 765** was placed after **Assembly Bill 1122**.

**Assembly Bill 776**

Relating to the exchange of submerged lands by cities and counties, bonds required for county clerks, bait dealer reports, taking homing pigeons, permits for structures and deposits in navigable waters, zoning for lake bed removals, fees for placing riprap in navigable waters and the notice required under the forest crop law (suggested as remedial legislation by the department of natural resources).

Read a second time.

By request of Senator Offner, with unanimous consent, **Assembly Bill 776** was placed at the foot of the calendar.

**Assembly Bill 839**

Relating to wetland protection, duration of permits relating to navigable waters, permit requirements for certain activities conducted near navigable waters, removal of materials from certain waterways and granting rule-making authority.

Read a second time.

Senate amendments 1, 2 and 3 offered by Senator Opitz.

Senate substitute amendment 1 offered by Senators Hanaway and McCallum.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Lasee, with unanimous consent, the senate recessed until 11:26 A.M.

10:57 A.M.

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RECESS

11:26 A.M.

The senate reconvened.

JOURNAL OF THE SENATE [April 1, 1982]

QUORUM CALL

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, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Absent -- Senator Lorge -- 1.

Absent with leave -- None.

The question was: Adoption of senate substitute amendment 1?

Senator Strohl 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, 18; noes, 15; absent or not voting, 0; as follows:

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

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

Absent or not voting -- None.

So the motion prevailed.

By request of Senator Krueger, with unanimous consent, the journal showed that he would have voted "aye" for concurrence of **Assembly Bills 497, 542, 672 and 707.**

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

12:10 P.M.

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RECESS

2:00 P.M.

The senate reconvened.



JOURNAL OF THE SENATE [April 1, 1982]

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 Bablitch, Berger, Bidwell, Braun, Flynn, Frank, George, Goyke, Kreul, Lasee, Lorge, Lorman, Maurer, Offner, Opitz, Risser, Roshell, Strohl, Theno and Van Sistine -- 20.

Absent -- Senators Adelman, Chilsen, Cullen, Engeleiter, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Krueger, McCallum, Moody and Thompson -- 13.

Absent with leave -- None.

The question was: Adoption of senate amendment 1 to **Assembly Bill 839?**

Senator Strohl 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, Harnisch, Lorman, Maurer, Moody, Risser, Roshell, Strohl, Thompson and Van Sistine -- 18.

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 2?

Senator Strohl moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

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

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

JOURNAL OF THE SENATE [April 1, 1982]

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

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

So the motion prevailed.

The question was: Adoption of senate amendment 3?

Senate amendment 1 to senate amendment 3 offered by Senator Opitz.

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

Senator Strohl 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, 24; noes, 8; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Lasee, Lorman, McCallum, Maurer, Moody, Offner, Risser, Roshell, Strohl, Thompson and Van Sistine -- 24.

Noes -- Senators Bidwell, Harsdorf, Johnston, Kreul, Krueger, Lorge, Opitz and Theno -- 8.

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

So the motion prevailed.

Ordered to a third reading.

Senator Bablitch asked unanimous consent that the bill be considered for final action at this time.

Senator Opitz objected.

Senator Bablitch moved the rules be suspended and the bill be considered for final action at this time.

The question was: Shall the rules be suspended and the bill be considered for final action at this time?

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

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

## JOURNAL OF THE SENATE [April 1, 1982]

Noes -- Senators Bidwell, Chilsen, Engeleiter, Harsdorf, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz and Theno -- 11.

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

Less than two-thirds having voted in the affirmative, the motion did not prevail.

### **Senate Bill 462**

Relating to permits to remove materials from waters of the state.  
Read.

The question was: Adoption of assembly substitute amendment 1?

Senator Strohl moved that **Senate Bill 462** be laid on the table.

The question was: Shall **Senate Bill 462** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, George, Goyke, Harnisch, Kleczka, Maurer, Risser, Roshell, Strohl, Thompson and Van Sistine -- 16.

Noes -- Senators Bidwell, Chilsen, Engeleiter, Frank, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Moody, Offner, Opitz and Theno -- 17.

Absent or not voting -- None.

So the motion did not prevail.

Senator Bablitch moved non-concurrence of assembly substitute amendment 1.

The question was: Non-concurrence of assembly substitute amendment 1?

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## SPECIAL ORDERS

### **Assembly Bill 936**

Relating to solid and hazardous waste management, imposing and revising fees, granting rule-making authority, creating a waste facility siting board, providing for a study and making appropriations.

Read a second time.

By request of Senator Lasee, with unanimous consent, the senate recessed until 3:20 P.M.

2:33 P.M.

---

RECESS

3:20 P.M.

The senate reconvened.

Senate amendment 1 offered by Senator Krueger.

The question was: Adoption of senate amendment 1?

QUORUM CALL

Senator Flynn 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, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Opitz, Risser, Roshell, Strohl, Theno and Van Sistine -- 28.

Absent -- Senators Bablitch, Engeleiter, Moody, Offner and Thompson -- 5.

Absent with leave -- None.

The question was: Adoption of senate amendment 1?

Senator Harnisch 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, 22; noes, 11; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Braun, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Lorge, Lorman, McCallum, Moody, Offner, Risser, Roshell, Strohl, Theno and Van Sistine -- 22.

Noes -- Senators Berger, Bidwell, Chilsen, Engeleiter, George, Kreul, Krueger, Lasee, Maurer, Opitz and Thompson -- 11.

Absent or not voting -- None.

So the motion prevailed.

**JOURNAL OF THE SENATE [April 1, 1982]**

**Senate amendment 2 offered by Senators Harnisch and Hanaway.**

**The question was: Adoption of senate amendment 2?**

**Adopted.**

**Senate amendment 3 offered by Senator Bidwell.**

**The question was: Adoption of senate amendment 3?**

**Senator Harnisch 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, 22; noes, 11; absent or not voting, 0; as follows:**

**Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Kleczka, Lorge, Lorman, Moody, Offner, Opitz, Risser, Strohl, Thompson and Van Sistine -- 22.**

**Noes -- Senators Bidwell, Chilsen, Harsdorf, Johnston, Kreul, Krueger, Lasee, McCallum, Maurer, Roshell and Theno -- 11.**

**Absent or not voting -- None.**

**So the motion prevailed.**

**Ordered to a third reading.**

**Senator Bablitch asked unanimous consent that the rules be suspended and the bill be considered for final action at this time.**

**Senator Maurer objected.**

**Senator Bablitch moved that the rules be suspended and the bill be considered for final action at this time.**

**The question was: Shall the rules be suspended and the bill be considered for final action at this time?**

**The ayes and noes were required and the vote was: ayes, 29; noes, 4; absent or not voting, 0; as follows:**

**Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Moody, Offner, Opitz, Risser, Strohl, Theno, Thompson and Van Sistine -- 29.**

**Noes -- Senators Bidwell, Chilsen, Maurer and Roshell -- 4.**

**Absent or not voting -- None.**

## JOURNAL OF THE SENATE [April 1, 1982]

More than two-thirds having voted in the affirmative, the motion prevailed.

### **Assembly Bill 936**

Read a third time.

The ayes and noes were required and the vote was: ayes, 26; noes, 7; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Lorge, Lorman, McCallum, Moody, Offner, Opitz, Risser, Strohl, Theno, Thompson and Van Sistine -- 26.

Noes -- Senators Bidwell, Chilsen, Kreul, Krueger, Lasee, Maurer and Roshell -- 7.

Absent or not voting -- None.

So the bill was concurred in as amended.

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

### **Senate Bill 462**

Relating to permits to remove materials from waters of the state.  
Read.

The question was: Non-concurrence of assembly substitute amendment 1?

Senator Bablitch moved that **Senate Bill 462** be laid on the table.

The question was: Shall **Senate Bill 462** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 13; absent or not voting, 0; as follows:

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

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

Absent or not voting -- None.

So the motion prevailed.

**Assembly Bill 858**

Relating to creating the community development finance authority and making an appropriation.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Senate amendment 2 offered by Senator Opitz.

The question was: Adoption of senate amendment 2?

By request of Senator Opitz, with unanimous consent, senate amendment 2 was laid on the table.

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 858**

Read a third time.

By request of Senator George, with unanimous consent, the journal showed he was made a co-author of **Assembly Bill 858**.

The question was: Shall the bill be concurred in?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; 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, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the bill was concurred in as amended.

**Assembly Bill 864**

Relating to authorizing the department of transportation to provide additional grant money for Lake Michigan rail car ferry services.

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 864**

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, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Harnisch, Harsdorf, Johnston, Kleczka, Krueger, Lorge, McCallum, Maurer, Moody, Offner, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 28.

Noes -- Senators Hanaway, Kreul, Lasee, Lorman and Opitz -- 5.  
Absent or not voting -- None.

So the bill was concurred in.

**Assembly Bill 885**

Relating to revising the agricultural marketing act.

Read a second time.

Senate amendment 1 offered by Senator Opitz.

The question was: Adoption of senate amendment 1?

Senator Goyke moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

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 885**

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, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Offner, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Noes -- Senator Opitz -- 1.

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

So the bill was concurred in.



JOURNAL OF THE SENATE [April 1, 1982]

**Assembly Bill 886**

Relating to permitting a municipality to transfer a retail beer or liquor license to the spouse of a retired or disabled licensee.

Read a second time.

The question was: Adoption of senate 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.

**Assembly Bill 886**

Read a third time and concurred in as amended.

**Assembly Bill 887**

Relating to consideration for small businesses in state agency rule making.

Read a second time.

Senator Kleczka asked unanimous consent that **Assembly Bill 887** be referred to joint committee on Finance.

Senator Opitz objected.

Senator Kleczka moved that **Assembly Bill 887** be referred to joint committee on Finance.

Senator Bablitch raised the point of order that **Assembly Bill 887** does not have to be referred to joint committee on Finance.

The chair took the point of order under advisement.

**Assembly Bill 890**

Relating to snowmobile regulation and the snowmobile aid program.

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 890**

Read a third time and concurred in.

**Assembly Bill 895**

Relating to penalties for molesting or taking animal traps or their contents.

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 895**

Read a third time and concurred in.

**Assembly Bill 908**

Relating to the reporting of accidents involving pupils in physical education classes.

Read a second time.

Senate amendment 1 offered by Senators Thompson, George and Harsdorf.

Senate amendment 2 offered by Senators Roshell and Harsdorf.

The question was: Adoption of senate amendment 1?

By request of Senator Berger, with unanimous consent, senate amendment 2 was considered before senate amendment 1.

The question was: Adoption of senate amendment 2?

Adopted.

The question was: Adoption of senate amendment 1?

Senator Berger 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, 15; noes, 17; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Lorman, Maurer, Moody, Theno and Van Sistine -- 15.

Noes -- Senators Bidwell, Chilsen, Engeleiter, George, Hanaway, Harsdorf, Kreul, Krueger, Lasee, Lorge, McCallum, Offner, Opitz, Risser, Roshell, Strohl and Thompson -- 17.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 1?

Senator Theno moved non-concurrence of **Assembly Bill 908**.

The question was: Non-concurrence of **Assembly Bill 908**?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 18; absent or not voting, 3; as follows:

Ayes -- Senators Bidwell, Engeleiter, Frank, Hanaway, Harsdorf, Kreul, Lasee, Lorman, Offner, Opitz, Roshell and Theno -- 12.

JOURNAL OF THE SENATE [April 1, 1982]

Noes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Flynn, George, Goyke, Harnisch, Kleczka, Krueger, Lorge, McCallum, Maurer, Moody, Risser, Strohl and Thompson -- 18.

Absent or not voting -- Senators Cullen, Johnston and Van Sistine -- 3.

So the motion did not prevail.

The question was: Adoption of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes -- Senators Bidwell, Chilsen, Engeleiter, George, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Opitz, Theno and Thompson -- 16.

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

Absent or not voting -- None.

So the amendment was not adopted.

Senate amendment 3 offered by Senator Harsdorf.

The question was: Adoption of senate amendment 3?

Senator Berger 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, 13; noes, 20; absent or not voting, 0; as follows:

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

Noes -- Senators Bidwell, Chilsen, Cullen, Engeleiter, Frank, George, Hanaway, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Offner, Opitz, Roshell and Theno -- 20.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 3?

Adopted.

Ordered to a third reading.

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

JOURNAL OF THE SENATE [April 1, 1982]

**Assembly Bill 908**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 11; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Cullen, Flynn, George, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Krueger, Lorge, Maurer, Moody, Offner, Risser, Strohl, Thompson and Van Sistine -- 22.

Noes -- Senators Bidwell, Engeleiter, Frank, Harsdorf, Kreul, Lasee, Lorman, McCallum, Opitz, Roshell and Theno -- 11.

Absent or not voting -- None.

So the bill was concurred in as amended.

**Assembly Bill 938**

Relating to state funding of shelter care facilities that previously received federal funds.

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 938**

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, Bidwell, Braun, 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 -- 31.

Noes -- None.

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

So the bill was concurred in.

**Assembly Bill 960**

Relating to county aids for town bridges and culverts.

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 960**

Read a third time and concurred in.

JOURNAL OF THE SENATE [April 1, 1982]

**Assembly Bill 977**

Relating to election ballot formats and voting procedure.

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 977**

Read a third time and concurred in.

**Assembly Bill 990**

Relating to strip searches.

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 990**

Read a third time and concurred in.

**Assembly Bill 1018**

Relating to exempting imported vehicles from equipment requirements.

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 1018**

Read a third time and concurred in.

**Assembly Bill 1023**

Relating to permitting vehicle trains consisting of empty liquid fertilizer tanks and providing 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 1023**

Read a third time and concurred in.

**Assembly Bill 1024**

Relating to eliminating the flagging requirement for trains of agricultural vehicles crossing highway intersections.

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.

JOURNAL OF THE SENATE [April 1, 1982]

**Assembly Bill 1024**

Read a third time and concurred in.

**Assembly Bill 1122**

Relating to state bank reserve requirements.

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 1122**

Read a third time and concurred in.

**Assembly Bill 765**

Relating to competency to proceed in a criminal case and criminal responsibility.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Kleczka, with unanimous consent, **Assembly Bill 765** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Assembly Bill 765** 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.

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 765**

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; 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, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the bill was concurred in as amended.

**Assembly Bill 615**

Relating to employes' right to know regarding toxic substances and infectious agents, providing a penalty and making an appropriation.

Read.

The question was: Shall the bill be concurred in?

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

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

Noes -- Senators Bidwell, Engeleiter, Lorman, McCallum and Opitz -- 5.

Absent or not voting -- None.

So the bill was concurred in.

**Assembly Bill 286**

Relating to special elections, ballots, nominations, canvassing, election officials, recall, referenda, prohibited election practices, registration and voting procedure, qualifications for office, vacancies, notices and administration of elections and providing a penalty.

Read a second time.

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

Senate amendment 2 offered by Senator Kleczka.

The question was: Adoption of senate amendment 2?  
Adopted.

Senate amendment 3 offered by Senator Johnston.

The question was: Adoption of senate amendment 3?  
Adopted.

Senate amendment 4 offered by Senator Johnston.

The question was: Adoption of senate amendment 4?

Senator Adelman moved rejection of senate amendment 4.

The question was: Rejection of senate amendment 4?

## JOURNAL OF THE SENATE [April 1, 1982]

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

Ayes -- Senators Adelman, Bablitch, Cullen, Engeleiter, Flynn, George, Goyke, Harnisch, Harsdorf, Kleczka, Lorge, McCallum, Moody, Offner, Opitz, Risser, Strohl, Thompson and Van Sistine -- 19.

Noes -- Senators Berger, Bidwell, Braun, Chilsen, Frank, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorman, Maurer, Roshell and Theno -- 14.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 5 offered by Senators Braun, Berger, Strohl, Cullen, Flynn, George, Bablitch, Goyke, Van Sistine, Harnisch, Maurer, Moody, Risser, Thompson, Frank, Kleczka, Offner and Adelman.

The question was: Adoption of senate amendment 5?

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, Berger, Braun, Cullen, Flynn, Frank, George, Goyke, Harnisch, Kleczka, Moody, Offner, Risser, Strohl, Thompson and Van Sistine -- 17.

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

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

So the amendment was adopted.

Senate amendment 6 offered by Senator Braun.

The question was: Adoption of senate amendment 6?

Adopted.

Senate amendment 7 offered by Senator Braun.

The question was: Adoption of senate amendment 7?

Senator Berger moved rejection of senate amendment 7.

The question was: Rejection of senate amendment 7?

By request of Senator Braun, with unanimous consent, **Assembly Bill 286** was placed after **Assembly Bill 776**.



**Assembly Bill 776**

Relating to the exchange of submerged lands by cities and counties, bonds required for county clerks, bait dealer reports, taking homing pigeons, permits for structures and deposits in navigable waters, zoning for lake bed removals, fees for placing riprap in navigable waters and the notice required under the forest crop law (suggested as remedial legislation by the department of natural resources).

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 776**

Read a third time and concurred in.

**Assembly Bill 286**

Relating to special elections, ballots, nominations, canvassing, election officials, recall, referenda, prohibited election practices, registration and voting procedure, qualifications for office, vacancies, notices and administration of elections and providing a penalty.

Read a second time.

The question was: Rejection of senate amendment 7?

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 286** was placed at the foot of the calendar.

Senator George moved reconsideration of the vote by which **Assembly Bill 990** was concurred in.

The question was: Reconsideration of the vote by which **Assembly Bill 990** was concurred in?

The ayes and noes were demanded and the vote was: ayes, 5; noes, 25; absent or not voting, 3; as follows:

Ayes -- Senators Braun, Chilsen, George, Risser and Strohl -- 5.

Noes -- Senators Adelman, Bablitch, Berger, Engeleiter, Flynn, Frank, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Roshell, Theno, Thompson and Van Sistine -- 25.

Absent or not voting -- Senators Bidwell, Cullen and Krueger -- 3.

So the motion did not prevail.

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MOTIONS

Senator Van Sistine asked unanimous consent that the motion to reconsider the vote by which **Assembly Joint Resolution 29** failed to be concurred in be taken from the table.

Senator Lorge objected.

By request of Senator Bablitch, with unanimous consent, the motion to reconsider the vote by which **Assembly Bill 141** was concurred in was taken from the table and considered at this time.

The question was: Reconsideration of the vote by which **Assembly Bill 141** was concurred in?

The motion prevailed.

**Assembly Bill 141**

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

Read.

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

Read a second time.

Senate substitute amendment 1 offered by Senators Bablitch and Lorge.

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.

**Assembly Bill 141**

Read a third time and concurred in as amended.

Senator Hanaway asked unanimous consent that **Senate Bill 617** be withdrawn from committee on Judiciary and Consumer Affairs.

Senator Bablitch objected.

Senator Hanaway moved that **Senate Bill 617** be withdrawn from committee on Judiciary and Consumer Affairs.

Senator Bablitch moved that the motion to withdraw **Senate Bill 617** from committee on Judiciary and Consumer Affairs be laid on the table.

JOURNAL OF THE SENATE [April 1, 1982]

The question was: Shall the motion to withdraw **Senate Bill 617** from committee on Judiciary and Consumer Affairs be laid on the table?

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

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

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

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

So the motion prevailed.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 830** was withdrawn from joint committee on Finance and referred to committee on Senate Organization.

Senator Hanaway asked unanimous consent that **Senate Bill 305** be withdrawn from committee on Judiciary and Consumer Affairs. Senator Bablitch objected.

Senator Hanaway moved that **Senate Bill 305** be withdrawn from committee on Judiciary and Consumer Affairs.

Senator Bablitch moved that the motion to withdraw **Senate Bill 305** from committee on Judiciary and Consumer Affairs be laid on the table.

The question was: Shall the motion to withdraw **Senate Bill 305** from committee on Judiciary and Consumer Affairs be laid on the table?

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, Harnisch, Kleczka, Maurer, Moody, Offner, Risser, Strohl, Thompson and Van Sistine -- 18.

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

Absent or not voting -- Senators Bidwell and Roshell -- 2.

So the motion prevailed.

JOURNAL OF THE SENATE [April 1, 1982]

Senator Van Sistine moved that the motion to reconsider the vote by which **Assembly Joint Resolution 29** failed to be concurred in be taken from the table.

The question was: Shall the motion to reconsider the vote by which **Assembly Joint Resolution 29** failed to be concurred in be taken from the table?

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

Ayes -- Senators Adelman, Berger, Braun, Harnisch, Harsdorf, Johnston, Lorman, Moody, Offner, Risser, Thompson and Van Sistine -- 12.

Noes -- Senators Bablitch, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Opitz, Strohl and Theno -- 19.

Absent or not voting -- Senators Bidwell and Roshell -- 2.

So the motion did not prevail.

Senator Hanaway moved that **Senate Bill 13** be withdrawn from committee on Senate Organization.

Senator Bablitch moved that the motion to withdraw **Senate Bill 13** from committee on Senate Organization be laid on the table.

The question was: Shall the motion to withdraw **Senate Bill 13** from committee on Senate Organization be laid on the table?

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, Harnisch, Kleczka, Maurer, Moody, Offner, Risser, Strohl, Thompson and Van Sistine -- 18.

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

Absent or not voting -- Senators Bidwell and Roshell -- 2.

So the motion prevailed.

Senator Chilsen moved that **Senate Bill 533** be withdrawn from joint committee on Finance and referred to committee on Senate Organization.

## JOURNAL OF THE SENATE [April 1, 1982]

Senator Bablitch moved to amend the motion of Senator Chilsen to refer **Senate Bill 533** to committee on Aging, Business and Financial Institutions and Transportation.

Senator Flynn raised the point of order that the senator from the 29th's motion is not amendable.

The chair took the point of order under advisement.

Senator Harsdorf moved that **Senate Bill 815** be withdrawn from committee on Agriculture and Natural Resources.

Senator Bablitch moved that the motion to withdraw **Senate Bill 815** from committee on Agriculture and Natural Resources be laid on the table.

The question was: Shall the motion to withdraw **Senate Bill 815** from committee on Agriculture and Natural Resources be laid on the table?

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, Harnisch, Kleczka, Maurer, Moody, Offner, Risser, Strohl, Thompson and Van Sistine -- 18.

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

Absent or not voting -- Senators Bidwell and Roshell -- 2.

So the motion prevailed.

By request of Senator Bablitch, with unanimous consent, all action except **Assembly Bill 615** was ordered immediately messaged.

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### AMENDMENTS OFFERED

Senate amendment 8 to **Assembly Bill 286** by Senator Engeleiter.

Senate amendment 9 to **Assembly Bill 286** by Senators Braun and Harnisch.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Friday, April 2.

6:43 P.M.

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CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Bill 109**

**Senate Bill 121**

**Senate Bill 174**

**Senate Bill 332**

**Senate Bill 744**

Correctly enrolled and presented to the Governor on March 31, 1982.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Assembly Bill 936**

1. Page 6, line 20: delete "by" and substitute "by".

**Senate Bill 501**, assembly substitute amendment 1

In enrolling the following corrections were made to correct improper cross-references:

1. Page 68, line 8: substitute "(b)" for "(a)".

2. Page 68, line 9: substitute "section 66.882 (2)(c) of the statutes" for "this paragraph".

**Assembly Bill 1139**

1. Page 2, line 2: after "one" insert "priority".