

JOURNAL OF THE SENATE [February 17, 1976]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

TUESDAY, February 17, 1976.

10:00 A.M.

The senate met.

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

Prayer was offered by Reverend Paul A. Kehle, Pastor of Plymouth Congregational Church of Madison.

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

LEAVE OF ABSENCE

By request of Senator Whittow, with unanimous consent, Senator Goyke was granted a leave of absence until 11:00 P.M.

By request of Senator Krueger, with unanimous consent, Senator Knutson was granted a leave of absence for the balance of the week.

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

Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 31

Absent -- None.

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Absent with leave -- Senators Goyke and Knutson -- 2.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 63

Memorializing congress to establish a National Consumer Cooperative Bank.

By Senators Thompson, Krueger, Goyke, Harnisch, Chilsen, McKenna and Peloquin, cosponsored by Representatives Anderson, Vanderperren, O'Malley and Day.

Read and referred to committee on Commerce.

Senate Joint Resolution 64

To amend sections 1 and 7 of article V; to amend sections 1m and 1n of article V so as in effect to repeal said sections; and to create section 1p of article V and section 16 of article XIV of the constitution, relating to a 2-term limit for gubernatorial succession (first consideration).

By Senators Keppler, LaFave and Sensenbrenner, cosponsored by Representatives Schroeder and Clarenbach.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 792

Relating to various changes in nursing regulations.

By Senators Devitt and Thompson, by request of the State of Wisconsin Board of Nursing.

To committee on Agriculture, Human Services, Labor and Taxation.

Senate Bill 793

Relating to exempting equipment used in the production of maple syrup from the sales and use tax.

By Senator Chilsen, cosponsored by Representative Schmidt, by request of Wisconsin Maple Syrup Producers Council.

To Joint Survey Committee on Tax Exemptions.

Senate Bill 794

Relating to increasing the number of county judges in Marathon county.

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By Senator Chilsen and Day.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

The committee on Agriculture, Human Services, Labor and Taxation reports and recommends for introduction:

Senate Bill 795

Relating to the community mental health, mental retardation, alcoholism and drug abuse services board and developmental disabilities services board in counties having a population of 500,000 or more.

Introduction; Ayes, 9; Noes, 0.

Read first time and referred to committee on Agriculture, Human Services, Labor and Taxation.

CARL W. THOMPSON

Chairman

The joint committee on Finance reports and recommends:

Senate Bill 590

Relating to relocation payments for mobile home owners.

Passage; Ayes, 13; Noes, 0.

Senate Bill 788

Relating to state treasury cash flow management, establishing a local government pooled-investment fund and a local government trust-investment fund and granting rule-making authority.

Rejection of senate substitute amendment 1; Ayes, 11; Noes, 3.

Adoption of senate amendment 1; Ayes, 14; Noes, 0.

Passage as amended; Ayes, 9; Noes, 5.

HENRY DORMAN

Chairman

The committee on Audit reports and recommends:

Senate Bill 725

Relating to creating a joint audit committee of the legislature.

Introduction and adoption of senate amendment 1; Ayes, 5; Noes, 0.

Introduction and adoption of senate amendment 2; Ayes, 5; Noes, 0.

Passage as amended; Ayes, 5; Noes, 0.

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Senate Bill 726

Relating to legislative postauditing.

Introduction and adoption of senate amendment 1; Ayes, 5; Noes, 0.

Introduction and adoption of senate amendment 2; Ayes, 5; Noes, 0.

Introduction and adoption of senate amendment 3; Ayes, 5; Noes, 0.

Passage as amended; Ayes, 5; Noes, 0.

DALE T. MCKENNA

Chairman

EXECUTIVE COMMUNICATIONS

OESTREICHER, JOHN C., of Marshfield, as a member of the Public Service Commission, effective January 9, 1976, to succeed Richard D. Cudahy, resigned, to serve for the term ending March 1, 1979.

CARBONNEAU, RICHARD J., of Racine, as a member of the Veterans' Affairs Board, effective November 10, 1975, to serve for the term ending May 1, 1979.

DEWITT, LAURENE, of Marinette, as a member of the Personnel Board, to succeed William Ahrens, to serve for the term ending May 1, 1979.

LARSEN, DR. RICHARD L., of Weyauwega, as a member of the Veterinary Examining Board, to succeed Dr. Clyde Lyle, to serve for the term ending July 1, 1979.

JAMRON, KENNETH, of Milwaukee, as a member of the Board on Nursing, to succeed himself, to serve for the term ending May 1, 1979.

WHITMORE, BARBARA J., of Milwaukee, as a member of the Board of Nursing, to succeed herself, to serve for the term ending May 1, 1979.

PROCK, VALENCIA, of Madison, as a member of the Board of Nursing, to succeed herself, to serve for the term ending May 1, 1979.

VERVOREN, THORA M., of Milwaukee, as a member of the Pharmacy Examining Board, to succeed herself, to serve for the term ending July 1, 1980.

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AGREDA, SISTER MARY, of Fond du Lac, as a member of the Board of Nursing, to succeed herself, to serve for the term ending May 1, 1979.

SYVERUD, S.C., D.C., of Mt. Horeb, as a member of the Chiropractic Examining Board, effective November 26, 1976, to succeed himself, to serve for the term ending July 1, 1981.

LUEDTKE, KENNETH L; D.C., of Madison, as a member of the Chiropractic Examining Board, effective November 26, 1975, to serve for the term ending July 1, 1981.

SCHLIMGEN, MARY, of Middleton, as a member of the Nursing Home Administrators Board, to succeed herself, effective November 12, 1975, to serve for the term ending July 1, 1978.

BROWN, PAUL L., of Madison, as a member of the Health Facilities Authority, effective October 13, 1975, to serve for the term ending June 30, 1977.

PATTERSON, ELLEN DEAN, of Madison, as a member of the Nursing Home Administrators Board, effective November 25, 1975, to succeed Sister Mary Gregory Hanson, to serve for the term ending July 1, 1978.

EBO, SISTER ANTONA, of Madison, as a member of the Health Facilities Authority, effective October 13, 1975, to serve for the term ending June 30, 1979.

MCKANNA, JAMES B., of Green Bay, as a member of the Health Facilities Authority, effective October 13, 1975, to serve for an initial term ending June 30, 1976 and a full term ending June 30, 1983.

LAIRD, STEWART W., of LaCrosse, as a member of the Health Facilities Authority, effective October 13, 1975, to serve for the term ending June 30, 1982.

MOY, JOY A., of Racine, as a member of the Health Facilities Authority, effective October 13, 1975, to serve for the term ending June 30, 1981.

ERDMAN, MARSHALL, of Madison, as a member of the Health Facilities Authority, effective October 13, 1975, to serve for the term ending June 30, 1978.

By request of Senator Thompson, with unanimous consent, the above appointments were considered enmasse.

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The question was: Confirmation?

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

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 31.

Noes -- None.

Absent or not voting -- Senators Goyke and Knutson -- 2.

So the appointments were confirmed.

DUNN, ROBERT H., of Madison, as Secretary of the Department of Administration, to succeed Anthony Earl, to serve at the pleasure of the Governor, effective December 15, 1975.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 26; noes, 5; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Devitt, Dorman, Flynn, Frank, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, McKenna, Martin, Maurer, Morrison, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 26.

Noes -- Senators Bidwell, Chilsen, Lorge, Murphy and Parys -- 5.

Absent or not voting -- Senators Goyke and Knutson -- 2.

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So the appointment was confirmed.

STATEMENT OF POSITION

Pursuant to Senate Rule 74, the journal showed that had Senator Goyke been present he would have voted "Aye" for the confirmation of the preceding appointees.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

Motions Under Joint Rule 26:

A Joint Certificate of Congratulations by Representative Pabst; cosponsored by Senator Whittow for EDMOND L. CROASDAILE on his retirement;

A Joint Certificate of Condolence by Representative Gerlach; cosponsored by Senator Frank for the FAMILY OF LOUIS J. MOSAKOWSKI on his death;

A Joint Certificate of Congratulations by Representative Gerlach; cosponsored by Senator Frank for WILLIAM SCHWOEGLER on his retirement;

A Joint Certificate of Commendation by Representatives Litscher and Duren; cosponsored by Senator Bidwell for THE RIVER VALLEY SENIOR HIGH SCHOOL BAND on being chosen to represent Wisconsin in the Bicentennial Parade of American Music;

and

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A Joint Certificate of Commendation by Representatives Schricker and Dueholm; cosponsored by Senators Theno and Knowles for HARRY VRUWINK on his retirement.

MESSAGE FROM THE ASSEMBLY CONSIDERED

Motions Under Joint Rule 26:

A Joint Certificate of Congratulations by Representative Pabst; cosponsored by Senator Whittow for EDMOND L. CROASDAILE on his retirement;

A Joint Certificate of Condolence by Representative Gerlach; cosponsored by Senator Frank for the FAMILY OF LOUIS J. MOSAKOWSKI on his death;

A Joint Certificate of Congratulations by Representative Gerlach; cosponsored by Senator Frank for WILLIAM SCHWOEGLER on his retirement;

A Joint Certificate of Commendation by Representatives Litscher and Duren; cosponsored by Senator Bidwell for THE RIVER VALLEY SENIOR HIGH SCHOOL BAND on being chosen to represent Wisconsin in the Bicentennial Parade of American Music;

and

A Joint Certificate of Commendation by Representatives Schricker and Dueholm; cosponsored by Senators Theno and Knowles for HARRY VRUWINK on his retirement.

The above motions under Joint Rule 26 were read and concurred in enmasse.

Senate Bill 34

Relating to permits for vehicles hauling pole-length forest products.

By request of Senator Dorman, with unanimous consent, **Senate Bill 34** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 34** was withdrawn from the joint committee on Finance and considered for action at this time.

The question was: Concurrence in assembly substitute amendment 1?

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The ayes and noes were demanded and the vote was: ayes, 27; noes, 4; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno, Thompson and Whittow -- 27.

Noes -- Senators Berger, Frank, Kleczka and Risser -- 4.

Ayes -- Senators Goyke and Knutson -- 2.

So the amendment was concurred in.

Senate Bill 146

Relating to motor carrier insurance and granting rule-making authority.

The question was: Concurrence in assembly amendment 1?

Concurred in.

The question was: Concurrence in assembly amendment 2?

Concurred in.

Senate Bill 185

Relating to establishing a 48-hour waiting period for the purchase of handguns and providing a penalty.

Senator Krueger moved that the rules be suspended and **Senate Bill 185** be referred to committee on Judiciary and Consumer Affairs.

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

Ayes -- Senators Chilsen, Devitt, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Murphy, Petri and Theno -- 11.

Noes -- Senators Bablitch, Berger, Bidwell, Cullen, Dorman, Flynn, Frank, Goyke, Kleczka, Lorge, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Sensenbrenner, Swan, Thompson and Whittow -- 21.

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

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

The question was: Concurrence in assembly substitute amendment 1?

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Senator Krueger moved nonconcurrency.

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

Ayes -- Senators Chilsen, Devitt, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Murphy and Theno -- 11.

Noes -- Senators Bablitch, Berger, Bidwell, Cullen, Dorman, Flynn, Frank, Goyke, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Thompson and Whittow -- 21.

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

So the motion did not prevail.

The question was: Concurrence?

Assembly substitute amendment 1 concurred in.

MOTIONS

By request of Senator Thompson, with unanimous consent, **Senate Bills 286, 341, 437, 444, 450, 495, 592 and 613** were withdrawn from committee on Agriculture, Human Services, Labor and Taxation and referred to joint committee on Finance.

By request of Senator Thompson, with unanimous consent, **Senate Bill 302** was withdrawn from committee on Agriculture, Human Services, Labor and Taxation and referred to the Joint Survey Committee on Tax Exemptions.

President pro tempore of the senate in the chair.

12:02 P.M.

By request of Senator Dorman, with unanimous consent, **Senate Bill 780** was withdrawn from joint committee on Finance and referred to committee on Governmental and Veterans' Affairs.

Senator Sensenbrenner raised the point of order that **Senate Bill 227** should be before the senate at this time.

The chair took the point of order under advisement.

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By request of Senator Cullen, with unanimous consent, he was added as a coauthor of **Senate Bill 758**.

MOTIONS UNDER JOINT RULE 26

A Joint Certificate of Congratulations by Senator Sensenbrenner; cosponsored by Representative Schroeder for PETER MUELLER on winning an Olympic Gold Medal;

A Joint Certificate of Condolence by Senator Morrison; cosponsored by Representative Duren for the FAMILY OF EDGAR L. OBAMA on his death;

A Joint Certificate of Commendation by Senator Dorman; cosponsored by Representatives Dandeneau, Rooney and Ferrall for EMIL KUESTER for his outstanding service to his community.

The above motions under Joint Rule 26 were read and adopted enmasse.

MOTIONS UNDER SENATE RULE 96

A Certificate of Commendation by Senator Risser for DANIEL IMMERFALL on winning the Bronze Medal at the 1976 Winter Olympics.

Read and adopted.

LEAVE OF ABSENCE

By request of Senator Swan, with unanimous consent, he was granted a leave of absence for the balance of the day.

By request of Senator Murphy, with unanimous consent, he was granted a leave of absence at 5:30 P.M. for the balance of the day.

Senator Chilsen asked unanimous consent that **Senate Bill 613** be withdrawn from joint committee on Finance and placed on the calendar.

Senator McKenna objected.

Upon motion of Senator Whittow the senate recessed until 3:30 P.M.

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12:10 P.M.

RECESS

3:30 P.M.

The senate reconvened.

CALENDAR OF FEBRUARY 17

Senate Bill 114

Relating to preservation of the buildings and grounds of the former Downer college at the University of Wisconsin-Milwaukee.

Read a second time.

Ordered to a third reading.

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

Senate Bill 114

Read a third time and passed.

Senate Bill 296

Relating to the required number of school days for state aid purposes.

Read a second time.

By request of Senator Peloquin, with unanimous consent, senate amendment 1 to senate substitute amendment 1 was withdrawn and returned to the author.

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

Senate amendment 2 adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Senate amendment 1 to senate substitute amendment 2 to **Senate Bill 296** offered by Senators Morrison and Bablitch.

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

Ordered to a third reading.

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

Senate Bill 296

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 Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Theno, Thompson and Whittow -- 31.

Noes -- None.

Absent or not voting -- Senators Knutson and Swan -- 2.

So the bill passed.

President of the senate in the chair.

3:40 P.M.

Senate Bill 449

Relating to registration and equipment requirements for wrecker tow trucks, denial of licenses or permits for contract motor carriers by the public service commission, providing a penalty and granting rule-making authority.

Read a second time.

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

Senate amendment 1 adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

Senate Bill 449

Read a third time.

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

Ayes -- Senators Bablitch, Berger, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler,

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Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna Martin, Maurer, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Theno, Thompson and Whittow -- 28.

Noes -- Senators Bidwell, Morrison and Risser -- 3.

Absent or not voting -- Senators Knutson and Swan -- 2.

So the bill passed.

Senate Bill 507

Relating to manually retractable lower bus step on busses used for the urban mass transportation of passengers and providing a penalty.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 507** was referred to joint committee on Finance.

Senate Bill 642

Relating to insurance contracts and granting rule-making authority.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 642** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 642** 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?

Adopted.

The question was: Adoption of senate amendment 2?

Adopted.

The question was: Adoption of senate amendment 3?

Adopted.

The question was: Adoption of senate amendment 4?

Senator Petri moved rejection.

The motion prevailed.

Ordered to a third reading.

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

Senate Bill 642

Read a third time.

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

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Theno, Thompson and Whittow -- 30.

Noes -- None.

Absent or not voting -- Senators Kleczka, Knutson and Swan -- 3.

So the bill passed.

Senate Bill 652

Relating to revising penalties and procedures regarding natural resources' Laws.

Read a second time. .

By request of Senator Dorman, with unanimous consent, **Senate Bill 652** was referred to joint committee on Finance.

Senator Dorman asked unanimous consent that **Senate Bill 652** be withdrawn from joint committee on Finance and considered for action at this time.

Senator Petri objected.

Senate Bill 668

Relating to the use of the uniform traffic citation and complaint for violations of certain laws relating to the duties of drivers and pedestrians.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Senate Bill 668

Read a third time and passed.

Senate Bill 716

Relating to a study of the effects and advantages of the utilization of methane and wood alcohol for commercial and domestic use.

Read a second time.

Senate substitute amendment 1 to **Senate Bill 716** offered by Senators Chilsen and Parys.

Senate substitute amendment 1 adopted.

By request of Senator Dorman, with unanimous consent, **Senate Bill 716** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 716** 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 Whittow, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 716

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 2; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Devitt, Dorman, Frank, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Theno, Thompson and Whittow -- 27.

Noes -- Senators Flynn and Goyke -- 2.

Absent or not voting -- Senators Cullen, Knutson, McKenna and Swan -- 4.

So the bill passed.

Senate Bill 754

Relating to publication of legal notices.

Read a second time.

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Senate amendment 1 to **Senate Bill 754** offered by Senator Krueger.

Senate amendment 1 adopted.

Ordered to a third reading.

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

Senate Bill 754

Read a third time and passed.

By request of Senator Whittow, with unanimous consent, all actions were ordered immediately messaged.

Assembly Bill 248

Relating to payment of 2 years' back taxes for persons who withdraw land from the woodland tax law status.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Senator Dorman in the chair.

4:35 P.M.

Ordered to a third reading.

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

Assembly Bill 248

Read a third time and concurred in as amended.

Assembly Bill 298

Relating to terms of employment and duties of public school administrators.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 298

Read a third time and concurred in.

Assembly Bill 481

Relating to miscellaneous changes requested by various state agencies, granting rule-making authority and providing penalties.

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Read a second time.

The question was: Reconsideration of the vote by which senate amendment 6 was adopted?

The motion prevailed.

Senate amendment 1 to senate amendment 6 to **Assembly Bill 481** offered by Senator Petri.

Senator McKenna moved rejection of senate amendment 6.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 14; absent or not voting, 3; as follows:

Ayes -- Senators Berger, Chilsen, Cullen, Flynn, Goyke, Harnisch, Krueger, McKenna, Martin, Maurer, Parys, Peloquin, Risser, Theno, Thompson and Whittow -- 16.

Noes -- Senators Bidwell, Devitt, Dorman, Frank, Hollander, Keppler, Kleczka, Knowles, LaFave, Lorge, Morrison, Murphy, Petri and Sensenbrenner -- 14.

Absent or not voting -- Senators Bablitch, Knutson and Swan -- 3.

So the motion prevailed.

President of the senate in the chair.

4:45 P.M.

The question was: Adoption of senate amendment 7?

The amendment was not adopted.

The question was: Adoption of senate amendment 8?

Adopted.

By request of Senator Petri, with unanimous consent, senate amendment 9 was withdrawn and returned to the author.

By request of Senator LaFave, with unanimous consent, senate amendment 10 was withdrawn and returned to the author.

Senator Devitt asked unanimous consent that his vote on rejection of senate amendment 6 to **Assembly Bill 481** be changed from "no" to "aye".

Senator Whittow objected.

By request of Senator Theno, with unanimous consent, the senate recessed until 5:30 P.M.

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5:01 P.M.

RECESS

5:30 P.M.

The senate reconvened.

The question was: Adoption of senate amendment 11?

Adopted.

Senate amendment 12 to **Assembly Bill 481** offered by Senator Petri.

Senator McKenna moved rejection.

The ayes and noes were demanded and the vote was: ayes, 21; noes, 10; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Chilsen, Devitt, Dorman, Glynn, Frank, Goyke, Harnisch, Keppler, Krueger, LaFave, McKenna, Martin, Maurer, Parys, Peloquin, Risser, Theno, Thompson and Whittow -- 21.

Noes -- Senators Bidwell, Cullen, Hollander, Kleczka, Knowles, Lorge, Morrison, Murphy, Petri and Sensenbrenner -- 10.

Absent or not voting -- Senators Knutson and Swan -- 2.

So the motion prevailed.

Ordered to a third reading.

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

Assembly Bill 481

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 4; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Risser, Theno, Thompson and Whittow -- 27.

Noes -- Senators Bidwell, Lorge, Petri and Sensenbrenner -- 4.

Absent or not voting -- Senators Knutson and Swan -- 2.

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So the bill was concurred in as amended.

Assembly Bill 641

Relating to creditable service for retirement benefits for elected state officials.

Read a second time.

The question was: Adoption of senate amendment 2?

Adopted.

Ordered to a third reading.

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

Assembly Bill 641

Read a third time and concurred in as amended.

Assembly Bill 1057

Relating to increasing appropriations for public library systems.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 1057

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 2; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Theno and Thompson -- 29.

Noes -- Senators Kleczka and Whittow -- 2.

Absent or not voting -- Senators Knutson and Swan -- 2.

So the bill was concurred in.

By request of Senator Whittow, with unanimous consent, all actions were ordered immediately messaged.

Senator Dorman moved that **Senate Bill 652** be taken from joint committee on Finance and considered for action at this time.

The ayes and noes were required and the vote was: ayes, 21; noes, 10; absent or not voting, 2; as follows:

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Ayes -- Senators Bablitch, Berger, Chilsen, Cullen, Dorman, Flynn, Frank, Harnisch, Hollander, Kleczka, Knowles, Krueger, McKenna, Martin, Morrison, Parys, Peloquin, Risser, Theno, Thompson and Whittow -- 21.

Noes -- Senators Bidwell, Devitt, Goyke, Keppler, LaFave, Lorge, Maurer, Murphy, Petri and Sensenbrenner -- 10.

Absent or not voting -- Senators Knutson and Swan -- 2.

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

Senate Bill 652

Relating to revising penalties and procedures regarding natural resources' Laws.

Read a second time.

President pro tempore of the senate in the chair.

5:45 P.M.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 652** offered by Senators Flynn, Martin and Theno.

Senate amendments 2, 3, 4, 5, 6 and 7 to senate substitute amendment 1 to **Senate Bill 652** offered by Senator Petri.

Senate amendment 8 to senate substitute amendment 1 to **Senate Bill 652** offered by Senator Sensenbrenner.

Senate amendment 9 to senate substitute amendment 1 to **Senate Bill 652** offered by Senator Murphy.

President of the senate in the chair.

5:50 P.M.

Senator Sensenbrenner moved indefinite postponement of **Assembly Bill 652**.

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

Ayes -- Senators Berger, Bidwell, Cullen, Devitt, Goyke, Harnisch, Hollander, Keppler, Kleczka, Krueger, LaFave, Lorge, Maurer, Morrison, Parys, Petri, Sensenbrenner and Whittow -- 18.

Noes -- Senators Bablitch, Chilsen, Dorman, Flynn, Frank, Knowles, McKenna, Martin, Murphy, Peloquin, Risser, Theno and Thompson -- 13.

Absent or not voting -- Senators Knutson and Swan -- 2.

So the motion prevailed.

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By request of Senator Whittow, with unanimous consent, the senate returned to the seventh order of business.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

Assembly Bill 455
Assembly Bill 469
Assembly Bill 673
Assembly Bill 708
Assembly Bill 714
Assembly Bill 789
Assembly Bill 585

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 455

Relating to revision of child abuse law.

By Representatives Czerwinski, Schricker, Offner, Metz, Lingren, McClain, Early, Lewis, Otte, Ferrall, Dorff, Flintrop, Clarenbach, Hauke, Lallensack, Norquist, Tropman, Kirby, Willkom, Wahner, Conta, Munts, Donoghue, Gunderson, Dandeneau, Rooney, Hanson, Tesmer and Tuczynski; co-sponsored by Senators Petri, Kleczka, Flynn, Cullen, Berger, Parys and Bablitch.

Read first time and referred to committee on Agriculture, Human Services, Labor and Taxation.

Assembly Bill 469

Relating to generic drug pricing and granting rule-making authority.

By Representatives Tropman, Czerwinski, Flintrop and Offner; co-sponsored by Senators Bablitch, Berger and Kleczka.

Read first time and referred to committee on Senate Organization.

Assembly Bill 673

Relating to children's court center in counties having a population of 500,000 or more.

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By Representatives Barbee, Sicula, Tesmer, Hauke and Rutkowski, by request of Milwaukee County.

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

Assembly Bill 708

Relating to membership on county health boards.

By Representatives Shabaz, Jackamonis, Lingren, Rutkowski, Kirby, Snyder and Shannon; co-sponsored by Senators Murphy and Berger.

Read first time and referred to committee on Agriculture, Human Services, Labor and Taxation.

Assembly Bill 714

Relating to requiring loading procedures to prevent load spillage onto highways and providing a penalty.

By Representatives Vanderperren, O'Malley, Conratt, McEssy, Matty, Schroeder and Schricker.

Read first time and referred to committee on Commerce.

Assembly Bill 789

Relating to temporary appointments into new local elective offices.

By Representative Plewa.

Read first time and referred to committee on Governmental and Veterans' Affairs.

Assembly Bill 585

Relating to a penalty for locking toilets.

By Representatives Ferrall, Conta, Barbee, Rooney, Jackamonis, Czerwinski, Early, Miller, Wahner and Sanasarian; co-sponsored by Senators Risser and Dorman.

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

AMENDMENTS OFFERED

Senate amendment 1 to senate substitute amendment 2 to **Senate Bill 115** by Senator Devitt.

Senate amendments 2 and 3 to **Senate Bill 382** by Senator Murphy.

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**Upon motion of Senator Whittow the senate adjourned until
9:00 A.M. Wednesday, February 18.**

6:05 P.M.

GUESTS

**During today's session, the following visitors honored the senate
with their presence:**

**The seventh grade classes of Greendale Intermediate School
and teachers Richard Gooding and Norene Wood, guests of
Senator Devitt.**