

JOURNAL OF THE SENATE [May 19, 1977]

STATE OF WISCONSIN

Senate Journal

Eighty-Third Regular Session

THURSDAY, May 19, 1977.

9:00 A.M.

The senate met.

The senate was called to order by Senator Risser, president pro tempore of the senate.

The senate stood for the prayer which was offered by Reverend H. William Jordan, Pastor of Mount Olive Lutheran Church, Madison.

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

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

Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 406

Relating to the amount of capital required of trust company banks and permitting trust company banks and certain state and national banks to establish trust service offices at the location of other banks.

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By Senators Frank, Cullen Goyke, Petri, Parys, Krueger and Sensenbrenner; cosponsored by Representatives Hauke, Lallensack, Byers, Schmidt and Thompson.

To committee on Commerce.

Senate Bill 407

Relating to issuance of probationary drivers' licenses.

By Senator Lorge.

To committee on Commerce.

Senate Bill 408

Relating to establishing multipurpose centers for displaced homemakers, granting rule-making authority and making an appropriation.

By Senator Thompson.

To committee on Human Service.

PETITIONS AND COMMUNICATIONS

Senate Petition 67

A petition by 340 Wisconsin citizens urging the Wisconsin Legislature to reject the Norquist-Maurer amendments to the general property tax relief formula.

By Senator Sensenbrenner.

Read and referred to joint committee on Finance.

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 300

Assembly Bill 453

Assembly Bill 485

Assembly Bill 488

Adopted and asks concurrence in:

Assembly Joint Resolution 9

Amended and concurred in as amended:

Senate Joint Resolution 16 (Assembly amendment 1 adopted)

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 300

Relating to service on statutory bodies by members of the legislature, and reimbursement of legislators for actual and necessary expenses.

By Representatives Jackamonis and Wahner.

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

Assembly Bill 453

Relating to petition for rehearing before an administrative agency (suggested as remedial legislation by the public service commission).

By Committee on Remedial Legislation.

Read first time and referred to committee on Commerce.

Assembly Bill 485

Relating to permitting actions for replevin of collateral or leased goods to be brought in circuit court.

By Representatives Thompson, DeLong and Rutkowski.

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

Assembly Bill 488

Relating to exempting municipalities from the requirement of obtaining permits from the department of natural resources for constructing certain bridges, arches and culverts.

By Representatives Day, Hasenohrl, Lallensack, Vanderperren, Litscher, Barry, Dandeneau, Porter, Fischer, Lorman, Bradley and Kincaid, cosponsored by Senator Chilsen.

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

Assembly Joint Resolution 9

Relating to directing the legislative council to study the feasibility of repealing all state agency rule-making authority.

By Representatives Dorff, Tesmer, Thompson and Andrea, by request of Mr. Russell Mott.

Read and referred to committee for Review of Administrative Rules.

By request of Senator Peloquin, with unanimous consent, the legislative staff in the chambers were allowed to remove their coats if desired for the balance of the budget debates.

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By request of Senator Bablitch, with unanimous consent, the clerk was directed to accept no more amendments to senate substitute amendment 1 to **Senate Bill 77** after 11:00 A.M. today.

Senator Bablitch called the chair's attention to **Senate Bill 77** which was a special order.

Senate Bill 77

Relating to state finances and appropriations, constituting the executive budget bill of the 1977 legislature, and making appropriations.

Read a second time.

The question was: Adoption of senate amendment 1 to senate amendment 103 to senate substitute amendment 1?

Senator Sensenbrenner raised the point of order that senate amendment 1 to senate amendment 103 was not germane.

The chair took the point of order under advisement.

The question was: Adoption of senate amendment 43 to senate substitute amendment 1?

Senator Bablitch moved rejection.

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

Ayes -- Senators Berger, Braun, Cullen, Dorman, Frank, Harnisch, Kleczka, McKenna, Maurer, Morrison, Parys, Peloquin, Swan and Van Sistine -- 14.

Noes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Flynn, Goyke, Keppler, Krueger, Lasee, Lorge, McCallum, Murphy, Offner, Petri, Radosevich, Risser, Sensenbrenner, Theno and Thompson -- 19.

Absent or not voting -- None.

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 43 was laid on the table.

The question was: Adoption of senate amendment 104 to senate substitute amendment 1?

Senator Bablitch moved rejection.

By request of Senator Van Sistine, with unanimous consent, he was added as a coauthor of senate amendment 104.

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The question was: Rejection?

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

Ayes -- Senators Berger, Flynn, Frank, Keppler, Kleczka and Parys -- 6.

Noes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Cullen, Dorman, Goyke, Harnisch, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 27.

Absent or not voting -- None.

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 104 was laid on the table.

The question was: Adoption of senate amendment 105 to senate substitute amendment 1?

Senator Bablitch moved rejection.

The motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 105 was laid on the table.

By request of Senator Bablitch, with unanimous consent, senate amendment 106 was placed after senate amendment 110.

By request of Senator Bablitch, with unanimous consent, senate amendment 90 was placed after senate amendment 186.

The question was: Adoption of senate amendment 86 to senate substitute amendment 1?

Senator Bablitch moved rejection.

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

Ayes -- Senators Adelman, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, McCallum, Maurer, Offner, Parys, Radosevich, Risser and Van Sistine -- 18.

Noes -- Senators Bablitch, Bidwell, Chilsen, Krueger, Lasee, Lorge, McKenna, Morrison, Murphy, Peloquin, Petri, Sensenbrenner, Swan and Theno -- 14.

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

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So the motion prevailed.

By request of Senator Bablitch, with unanimous consent, senate amendments 107, 108 and 109 were placed after senate amendment 201.

By request of Senator Bablitch, with unanimous consent, senate amendment 110 was placed after senate amendment 112.

By request of Senator Bablitch, with unanimous consent, senate amendment 106 was withdrawn and returned to the author.

The question was: Adoption of senate amendment 2 to senate amendment 98 to senate substitute amendment 1?

Senate amendment 2 adopted.

The question was: Adoption of senate amendment 98 to senate substitute amendment 1?

Senator Bablitch moved rejection.

The motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 98 was laid on the table.

By request of Senator Bablitch, with unanimous consent, senate amendment 111 was placed after senate amendment 112.

The question was: Adoption of senate amendment 112 to senate substitute amendment 1?

Senator Bablitch moved rejection.

Senator Berger raised the point of order that senate amendment 112 was identical to senate amendment 20 and therefore was not germane.

The chair ruled that, pursuant to senate rule 50(6), the point of order was well taken.

Senator Bablitch moved reconsideration of the vote by which senate amendment 20 was rejected.

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

Ayes -- Senators Bidwell, Chilsen, Cullen, Flynn, Frank, Keppler, Krueger, Lasee, Lorge, Murphy, Peloquin, Petri, Sensenbrenner and Theno -- 14.

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Noes -- Senators Adelman, Bablitch, Berger, Braun, Dorman, Goyke, Harnisch, Kleczka, McCallum, McKenna, Maurer, Morrison, Offner, Parys, Radosevich, Risser, Swan, Thompson and Van Sistine -- 19.

Absent or not voting -- None.

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 112 was withdrawn and returned to the author.

The question was: Adoption of senate amendment 111 to senate substitute amendment 1?

Senator Bablitch moved rejection.

The ayes and noes were demanded and the vote was: ayes, 23; noes, 10; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Goyke, Kleczka, McCallum, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 23.

Noes -- Senators Bidwell, Chilsen, Flynn, Frank, Harnisch, Keppler, Krueger, Lasee, Lorge and Murphy -- 10.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 1 to senate amendment 110 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 8; noes, 25; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Berger, Braun, Dorman, Flynn, Kleczka, Offner and Radosevich -- 8.

Noes -- Senators Adelman, Bidwell, Chilsen, Cullen, Frank, Goyke, Harnisch, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 25.

Absent or not voting -- None.

So the amendment was not adopted.

The question was: Adoption of senate amendment 110 to senate substitute amendment 1?

Senator Bablitch moved rejection.

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

Ayes -- Senator Peloquin -- 1.

Noes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 32.

Absent or not voting -- None.

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 110 was laid on the table.

The question was: Adoption of senate amendment 113 to senate substitute amendment 1?

Senator Bablitch moved rejection.

The motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 113 was laid on the table.

The question was: Adoption of senate amendment 114 to senate substitute amendment 1?

Senator Bablitch moved rejection.

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Keppler, Kleczka, Lasee, McKenna, Maurer, Morrison, Murphy, Parys, Risser, Sensenbrenner, Swan and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Harnisch, Krueger, Lorge, McCallum, Offner, Peloquin, Petri, Radosevich, Theno and Thompson -- 12.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 115 to senate substitute amendment 1?

Senator Bablitch moved rejection.

The motion did not prevail.

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By request of Senator Bablitch, with unanimous consent, senate amendment 115 was laid on the table.

The question was: Adoption of senate amendment 116 to senate substitute amendment 1?

Senator Bablitch moved rejection.

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

Ayes -- Senators Adelman, Bablitch, Chilsen, Cullen, Dorman, Frank, Goyke, Kleczka, McCallum, Morrison, Offner, Radosevich, Risser and Theno -- 14.

Noes -- Senators Berger, Bidwell, Braun, Flynn, Harnisch, Keppler, Krueger, Lasee, Lorge, McKenna, Maurer, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan, Thompson and Van Sistine -- 19.

Absent or not voting -- None.

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 116 was laid on the table.

By request of Senator Bablitch, with unanimous consent, senate amendment 1 was placed after senate amendment 130.

By request of Senator Cullen, with unanimous consent, senate amendment 117 was placed after senate amendment 153.

By request of Senator Bablitch, with unanimous consent, senate amendment 118 was placed after senate amendment 219.

The question was: Adoption of senate amendment 119 to senate substitute amendment 1?

Senator Bablitch moved rejection.

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

Ayes -- Senators Berger, Braun, Dorman, Frank, Harnisch, Kleczka, Morrison, Offner, Risser and Thompson -- 10.

Noes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Flynn, Goyke, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Murphy, Parys, Peloquin, Petri, Radosevich, Sensenbrenner, Swan, Theno and Van Sistine -- 22.

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

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So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 119 was laid on the table.

Upon motion of Senator Bablitch the senate recessed until 1:30 P.M.

11:27 A.M.

RECESS

1:30 P.M.

The senate reconvened.

AMENDMENTS OFFERED

Senate amendment 190 to senate substitute amendment 1 to **Senate Bill 77** by Senator Sensenbrenner.

Senate amendment 191 to senate substitute amendment 1 to **Senate Bill 77** by Senators Adelman, Flynn and Sensenbrenner.

Senate amendment 192 to senate substitute amendment 1 to **Senate Bill 77** by Senator Adelman.

Senate amendment 193 to senate substitute amendment 1 to **Senate Bill 77** by Senator Maurer.

Senate amendment 194 to senate substitute amendment 1 to **Senate Bill 77** by Senators Bablitch, Chilsen, Krueger and Bidwell.

Senate amendment 195 to senate substitute amendment 1 to **Senate Bill 77** by Senator Thompson.

Senate amendment 196 to senate substitute amendment 1 to **Senate Bill 77** by Senator Swan.

Senate amendment 197 to senate substitute amendment 1 to **Senate Bill 77** by Senator Peloquin.

Senate amendment 198 to senate substitute amendment 1 to **Senate Bill 77** by Senator Peloquin.

Senate amendment 199 to senate substitute amendment 1 to **Senate Bill 77** by Senators Van Sistine, Goyke, McCallum,

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Maurer, Braun, Lasee, Cullen, Thompson, Berger, Swan, Parys, Krueger, Chilsen, Bidwell, Peloquin, Theno and Flynn.

Senate amendment 200 to senate substitute amendment 1 to **Senate Bill 77** by Senator Peloquin.

Senate amendment 201 to senate substitute amendment 1 to **Senate Bill 77** by Senator Krueger.

Senate amendment 202 to senate substitute amendment 1 to **Senate Bill 77** by Senators Sensenbrenner, Swan and Murphy.

Senate amendment 203 to senate substitute amendment 1 to **Senate Bill 77** by Senators Braun and Maurer.

Senate amendment 204 to senate substitute amendment 1 to **Senate Bill 77** by Senators Harnisch and Petri.

Senate amendment 205 to senate substitute amendment 1 to **Senate Bill 77** by Senator Cullen.

Senate amendment 206 to senate substitute amendment 1 to **Senate Bill 77** by Senator Kleczka.

Senate amendment 207 to senate substitute amendment 1 to **Senate Bill 77** by Senator Theno.

Senate amendment 208 to senate substitute amendment 1 to **Senate Bill 77** by Senator Berger.

Senate amendment 209 to senate substitute amendment 1 to **Senate Bill 77** by Senators Swan and Goyke.

Senate amendment 210 to senate substitute amendment 1 to **Senate Bill 77** by Senator Goyke.

Senate amendment 211 to senate substitute amendment 1 to **Senate Bill 77** by Senator Goyke.

Senate amendment 212 to senate substitute amendment 1 to **Senate Bill 77** by Senator Swan.

Senate amendment 213 to senate substitute amendment 1 to **Senate Bill 77** by Senator Risser.

Senate amendment 214 to senate substitute amendment 1 to **Senate Bill 77** by Senator Murphy.

Senate amendment 215 to senate substitute amendment 1 to **Senate Bill 77** by Senator Keppler.

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Senate amendment 216 to senate substitute amendment 1 to Senate Bill 77 by Senator Keppler.

Senate amendment 217 to senate substitute amendment 1 to Senate Bill 77 by Senator Keppler.

Senate amendment 218 to senate substitute amendment 1 to Senate Bill 77 by Senator Bablitch.

Senate amendment 219 to senate substitute amendment 1 to Senate Bill 77 by Senator Thompson.

Senate amendment 2 to senate amendment 40 to senate substitute amendment 1 to Senate Bill 77 by Senator Parys.

Senate amendment 1 to senate amendment 132 to senate substitute amendment 1 to Senate Bill 77 by Senator Flynn.

Senate amendment 1 to senate amendment 135 to senate substitute amendment 1 to Senate Bill 77 by Senator Van Sistine.

Senate amendment 1 to senate amendment 155 to senate substitute amendment 1 to Senate Bill 77 by Senator McKenna.

By request of Senator Bablitch, with unanimous consent, senate amendment 180 to senate substitute amendment 1 was considered for action at this time.

The question was: Adoption of senate amendment 180 to senate substitute amendment 1?

Senator Bablitch moved rejection.

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Dorman, Frank, Harnisch, Kleczka, Maurer, Morrison, Offner, Radosevich, Rissers, Thompson and Van Sistine -- 15.

Noes -- Senators Bidwell, Chilsen, Cullen, Flynn, Goyke, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan and Theno -- 18.

Absent or not voting -- None.

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 180 was laid on the table.

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By request of Senator Bablitch, with unanimous consent, senate amendment 164 to senate substitute amendment 1 was considered for action at this time.

The question was: Adoption of senate amendment 164 to senate substitute amendment 1?

Senator Bablitch moved rejection.

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Krueger, McCallum, McKenna, Maurer, Offner, Peloquin, Radosevich, Risser, Thompson and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Keppler, Lasee, Lorge, Morrison, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno - - 12.

Absent or not voting -- None.

So the motion prevailed.

Senator Radosevich moved reconsideration of the vote by which senate amendment 86 was rejected.

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

Ayes -- Senators Adelman, Bablitch, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 31.

Noes -- Senators Berger and Bidwell -- 2.

Absent or not voting -- None.

So the motion prevailed.

The question was: Rejection of senate amendment 86 to senate substitute amendment 1?

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

Ayes -- Senators Berger, Bidwell, Braun, Cullen, Dorman, Flynn, Frank, Kleczka, Krueger, Lasee, McCallum, Offner and Risser -- 13.

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Noes -- Senators Adelman, Bablitch, Chilsen, Goyke, Harnisch, Keppler, Lorge, McKenna, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Radosevich, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 20.

Absent or not voting -- None.

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 86 was laid on the table.

By request of Senator Chilsen, with unanimous consent, the Journal showed that he intended to vote "Aye" on senate amendment 111 to senate substitute amendment 1 to ~~Senate~~ **Bill 77 instead of "No" as recorded in the journal.**

The question was: Adoption of senate amendment 120 to senate substitute amendment 1?

Senator Bablitch moved rejection.

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, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McCallum, McKenna, Maurer, Offner, Radosevich, Risser, Thompson and Van Sistine -- 20.

Noes -- Senators Chilsen, Keppler, Krueger, Lasee, Lorge, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan and Theno -- 13.

Absent or not voting -- None.

So the motion prevailed.

By request of Senator Bablitch, with unanimous consent, senate amendment 121 was laid on the table.

The question was: Adoption of senate amendment 27 to senate substitute amendment 1?

Senator Bablitch moved rejection.

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, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Morrison, Offner, Radosevich, Risser, Thompson and Van Sistine -
- 18.**

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Noes -- Senators Bidwell, Chilsen, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan and Theno -- 15.

Absent or not voting -- None.

So the motion prevailed.

By request of Senator Goyke, with unanimous consent, senate amendment 122 was withdrawn and returned to the author.

The question was: Adoption of senate amendment 123 to senate substitute amendment 1?

Senator Bablitch moved rejection.

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

Ayes -- Senators Adelman, Bablitch, Chilsen, Cullen, Dorman, Frank, Harnisch, Kleczka, Krueger, Maurer, Morrison, Offner, Radosevich and Sensenbrenner -- 14.

Noes -- Senators Berger, Bidwell, Braun, Flynn, Goyke, Keppler, Lasee, Lorge, McCallum, McKenna, Murphy, Parys, Peloquin, Petri, Risser, Swan, Theno, Thompson and Van Sistine -- 19.

Absent or not voting -- None.

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 123 was laid on the table.

By request of Senator Bablitch, with unanimous consent, senate amendment 124 was placed after senate amendment 150.

By request of Senator Bablitch, with unanimous consent, senate amendment 125 was withdrawn and returned to the author.

By request of Senator Bablitch, with unanimous consent, senate amendment 126 was placed after senate amendment 219.

The question was: Adoption of senate amendment 127 to senate substitute amendment 1?

Senator Bablitch moved rejection.

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, Dorman, Flynn, Frank, Goyke, Kleczka, McKenna, Maurer,

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**Morrison, Offner, Radosevich, Risser, Thompson and Van Sistine -
- 18.**

**Noes -- Senators Bidwell, Chilsen, Harnisch, Keppler, Krueger,
Lasee, Lorge, McCallum, Murphy, Parys, Peloquin, Petri,
Sensenbrenner, Swan and Theno -- 15.**

Absent or not voting -- None.

So the motion prevailed.

**By request of Senator Bablitch, with unanimous consent, senate
amendment 165 was considered for action at this time.**

**The question was: Adoption of senate amendment 165 to senate
substitute amendment 1?**

Senator Bablitch moved rejection.

Senator Kleczka in the chair.

4:00 P.M.

The question was: Rejection?

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

**Ayes -- Senators Berger, Braun, Dorman, Kleczka, Maurer,
Risser and Thompson -- 7.**

**Noes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Cullen,
Flynn, Frank, Goyke, Harnisch, Keppler, Krueger, Lasee, Lorge,
McCallum, McKenna, Morrison, Murphy, Offner, Parys, Peloquin,
Petri, Radosevich, Sensenbrenner, Swan, Theno and Van Sistine --
26.**

Absent or not voting -- None.

So the motion did not prevail.

**By request of Senator Bablitch, with unanimous consent, senate
amendment 165 was laid on the table.**

**The question was: Adoption of senate amendment 128 to senate
substitute amendment 1?**

Senator Bablitch moved rejection.

**The ayes and noes were demanded and the vote was: ayes, 25;
noes, 8; absent or not voting, 0; as follows:**

**Ayes -- Senators Adelman, Berger, Bidwell, Chilsen, Cullen,
Dorman, Flynn, Frank, Kleczka, Krueger, Lasee, Lorge,
McCallum, McKenna, Maurer, Morrison, Murphy, Parys, Petri,**

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Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 25.

Noes -- Senators Bablitch, Braun, Goyke, Harnisch, Keppler, Offner, Peloquin and Radosevich -- 8.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 129 to senate substitute amendment 1?

Senator Bablitch moved rejection.

The motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 129 was laid on the table.

By request of Senator Bablitch with unanimous consent, senate amendment 130 was placed after senate amendment 219.

By request of Senator Bablitch, with unanimous consent, senate amendment 163 was considered for action at this time.

President pro tempore of the senate in the chair.

4:28 P.M.

AMENDMENTS OFFERED

Senate amendment 1 to senate amendment 163 to senate substitute amendment 1 to Senate Bill 77 by Senator Petri.

Senate amendment 2 to senate amendment 163 to senate substitute amendment 1 to Senate Bill 77 by Senator Sensenbrenner.

Senate amendment 3 to senate amendment 163 to senate substitute amendment 1 to Senate Bill 77 by Senator Sensenbrenner.

Senate amendment 4 to senate amendment 163 to senate substitute amendment 1 to Senate Bill 77 by Senator Sensenbrenner.

Senate amendment 5 to senate amendment 163 to senate substitute amendment 1 to Senate Bill 77 by Senator Sensenbrenner.

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Senate amendment 6 to senate amendment 163 to senate substitute amendment 1 to **Senate Bill 77** by Senator Sensenbrenner.

Senate amendment 7 to senate amendment 163 to senate substitute amendment 1 to **Senate Bill 77** by Senator Petri.

Senate amendment 8 to senate amendment 163 to senate substitute amendment 1 to **Senate Bill 77** by Senator Petri.

Senate amendment 9 to senate amendment 163 to senate substitute amendment 1 to **Senate Bill 77** by Senator Lasee.

Senate amendment 10 to senate amendment 163 to senate substitute amendment 1 to **Senate Bill 77** by Senator Lasee.

The question was: Adoption of senate amendment 1 to senate amendment 163 to senate substitute amendment 1?

Senator Radosevich moved rejection.

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 26.

Noes -- Senators Keppler, Krueger, Lasee, Lorge, McCallum, Murphy and Petri -- 7.

Absent or not voting -- None.

So the motion prevailed.

Senator Sensenbrenner moved reconsideration of the vote by which senate amendment 1 to senate amendment 163 was rejected.

By request of Senator Bablitch, with unanimous consent, the motion for reconsideration of senate amendment 1 to senate amendment 163 was laid on the table.

Senator Bablitch moved rejection of senate amendment 163 to senate substitute amendment 1.

By request of Senator Theno, with unanimous consent, the senate recessed until 5:50 P.M.

5:29 P.M.

RECESS

5:50 P.M.

The senate reconvened.

Senator Chilsen asked unanimous consent that senate amendment 1 to senate amendment 163 be considered for action at this time.

Senator Bablitch objected.

Senator Chilsen moved that the rules be suspended and senate amendment 1 to senate amendment 163 be considered for action at this time.

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

Ayes -- Senators Chilsen, Keppler, Krueger, Lasee, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 9.

Noes -- Senators Adelman, Bablitch, Berger, Bidwell, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Lorge, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Thompson and Van Sistine -- 23.

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

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

Senator Sensenbrenner moved that senate amendment 163 be laid on the table.

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

Ayes -- Senators Bidwell, Keppler, Krueger, Lasee, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 9.

Noes -- Senators Adelman, Bablitch, Berger, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Lorge, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Thompson and Van Sistine -- 23.

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

So the motion did not prevail.

The question was: Rejection of senate amendment 163 to senate substitute amendment 1?

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

Ayes -- Senators Bidwell, Chilsen, Keppler, Krueger, Lasee, Lorge, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 11.

Noes -- Senators Adelman, Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Thompson and Van Sistine -- 21.

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

So the motion did not prevail.

LEAVE OF ABSENCE

By request of Senator Bidwell, with unanimous consent, he was granted a leave of absence for the balance of today's session.

By request of Senator Parys, with unanimous consent, the senate recessed until 7:15 P.M.

6:45 P.M.

RECESS

7:15 P.M.

The senate reconvened.

Senator Sensenbrenner moved a

CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

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

Senators Adelman, Bablitch, Berger, Chilsen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 29.

Absent -- Senators Cullen and Lorge -- 2.

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Absent with leave -- Senators Bidwell and Braun -- 2.

By request of Senator Bablitch, with unanimous consent, the call was raised.

AMENDMENTS OFFERED

Senate amendment 11 to senate amendment 163 to senate substitute amendment 1 to **Senate Bill 77** by Senator Chilsen.

Senate amendment 12 to senate amendment 163 to senate substitute amendment 1 to **Senate Bill 77** by Senator Petri.

By request of Senator Bablitch, with unanimous consent, the motion for reconsideration of the vote by which senate amendment 1 to senate amendment 163 was rejected was taken from the table and considered for action at this time.

The question was: Reconsideration of the vote by which senate amendment 1 to senate amendment 163 was rejected?

The ayes and noes were demanded and the vote was: ayes, 9; noes, 21; absent or not voting, 3; as follows:

Ayes -- Senators Chilsen, Keppler, Krueger, Lasee, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 9.

Noes -- Senators Adelman, Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Thompson and Van Sistine -- 21.

Absent or not voting -- Senators Bidwell, Braun and Lorge -- 3.

So the motion did not prevail.

The question was: Adoption of senate amendment 2 to senate amendment 163 to senate substitute amendment 1?

Senator Morrison moved rejection.

By request of Senator Lasee, with unanimous consent, he was added as a coauthor of senate amendment 2 to senate amendment 163 to senate substitute amendment 1.

The question was: Rejection?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 9; absent or not voting, 3; as follows:

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Ayes -- Senators Adelman, Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Chilsen, Keppler, Krueger, Lasee, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 9.

Absent or not voting -- Senators Bidwell, Braun and Lorge -- 3.

So the motion prevailed.

Senator Dorman asked unanimous consent to introduce an amendment to **Senate Bill 77.**

Senator Sensenbrenner objected.

The question was: Adoption of senate amendment 3 to senate amendment 163 to senate substitute amendment 1?

Senator Radosevich moved rejection.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 10; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Thompson and Van Sistine -- 20.

Noes -- Senators Chilsen, Keppler, Krueger, Lasee, McCallum, Murphy, Petri, Sensenbrenner, Swan and Theno -- 10.

Absent or not voting -- Senators Bidwell, Braun and Lorge -- 3.

So the motion prevailed.

The question was: Adoption of senate amendment 4 to senate amendment 163 to senate substitute amendment 1?

Senator Morrison moved rejection.

The ayes and noes were demanded and the vote was: ayes, 21; noes, 8; absent or not voting, 4; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, McKenna, Maurer, Morrison, Offner, Peloquin, Radosevich, Risser, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Chilsen, Krueger, Lasee, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 8.

Absent or not voting -- Senators Bidwell, Braun, Lorge and Parys -- 4.

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So the motion prevailed.

The question was: Adoption of senate amendment 5 to senate amendment 163 to senate substitute amendment 1?

Senator Radosevich moved rejection.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 9; absent or not voting, 4; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Peloquin, Radosevich, Risser, Swan, Thompson and Van Sistine -- 20.

Noes -- Senators Chilsen, Keppler, Krueger, Lasee, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 9.

Absent or not voting -- Senators Bidwell, Braun, Lorge and Parys -- 4.

So the motion prevailed.

The question was: Adoption of senate amendment 6 to senate amendment 163 to senate substitute amendment 1?

Senator Morrison moved rejection.

By request of Senator Theno, with unanimous consent, the senate recessed for ten minutes.

8:25 P.M.

RECESS

8:35 P.M.

The senate reconvened.

By request of Senator Lasee, with unanimous consent, he was added as a coauthor of senate amendment 6 to senate amendment 163 to senate substitute amendment 1.

The question was: Rejection?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 9; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer,

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Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Chilsen, Keppler, Krueger, Lasee, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 9.

Absent or not voting -- Senators Bidwell, Braun and Lorge -- 3.

So the motion prevailed.

The question was: Adoption of senate amendment 7 to senate amendment 163 to senate substitute amendment 1?

Senator Radosevich moved rejection.

The motion prevailed.

The question was: Adoption of senate amendment 8 to senate amendment 163 to senate substitute amendment 1?

Senator Morrison moved rejection.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 9; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine -- 22.

Noes -- Senators Chilsen, Keppler, Krueger, Lasee, Lorge, McCallum, Murphy, Petri and Sensenbrenner -- 9.

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

So the motion prevailed.

The question was: Adoption of senate amendment 9 to senate amendment 163 to senate substitute amendment 1?

Senator Radosevich 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 Adelman, Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Chilsen, Keppler, Krueger, Lasee, Lorge, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 10.

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

So the motion prevailed.

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The question was: Adoption of senate amendment 10 to senate amendment 163 to senate substitute amendment 1?

Senator Morrison 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 Adelman, Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Chilsen, Keppler, Krueger, Lasee, Lorge, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 10.

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

So the motion prevailed.

The question was: Adoption of senate amendment 11 to senate amendment 163 to senate substitute amendment 1?

Senator Radosevich 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 Adelman, Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Chilsen, Keppler, Krueger, Lasee, Lorge, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 10.

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

So the motion prevailed.

The question was: Adoption of senate amendment 12 to senate amendment 163 to senate substitute amendment 1?

Senator Morrison 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 Adelman, Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Chilsen, Keppler, Krueger, Lasee, Lorge, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 10.

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

So the motion prevailed.

The question was: Adoption of senate amendment 163 to senate substitute amendment 1?

Senator Bablitch asked unanimous consent that senate amendment 163 be laid on the table.

Senator Petri objected.

Senator Bablitch moved that senate amendment 163 be laid on the table.

The motion prevailed.

Senator Bablitch moved reconsideration of the vote by which senate amendment 163 was laid on the table.

The motion did not prevail.

Senator Bablitch asked unanimous consent to introduce 2 amendments to senate substitute amendment 1 to **Senate Bill 77.**

Senator Petri objected.

Senator Bablitch moved that 2 amendments be allowed to be introduced to senate substitute amendment 1 to **Senate Bill 77.**

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

Ayes -- Senators Adelman, Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Chilsen, Keppler, Krueger, Lasee, Lorge, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 10.

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

So the motion prevailed.

By request of Senator Thompson, with unanimous consent, the senate recessed for ten minutes.

9:00 P.M.

RECESS

9:10 P.M.

The senate reconvened.

By request of Senator Parys, with unanimous consent, **Assembly Bill 198** was withdrawn from the committee on Commerce and referred to the committee on Human Services.

AMENDMENTS OFFERED

Senate amendment 3 to senate amendment 64 to senate substitute amendment 1 to **Senate Bill 77** by Senators Berger and Petri.

Senate amendment 2 to senate amendment 64 to senate substitute amendment 1 to **Senate Bill 77** by Senators Berger and Petri.

Senate amendment 1 to senate amendment 204 to senate substitute amendment 1 to **Senate Bill 77** by Senator Petri.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Friday, May 20th.

9:11 P.M.

GUESTS

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

Students from the Peace Lutheran School, Green Lake, guests of Senator Bablitch.

Students from the Student Exchange Program from Dublin, California and Stoughton, Wisconsin, guests of Senator Thompson.

Fifth grade students from Roosevelt School, Janesville, guests of Senator Cullen.