

JOURNAL OF THE SENATE [September 8, 1977]

STATE OF WISCONSIN

# Senate Journal

**Eighty-Third Regular Session**

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THURSDAY, September 8, 1977.

9:00 A.M.

The senate met.

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

The senate stood for the prayer which was offered by Reverend William Koehler, Senior Minister of Lake Edge United Church of Christ, Madison.

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

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## LEAVE OF ABSENCE

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

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 -- 32.

Absent -- None.

Absent with leave -- Senator Lorge -- 1.

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INTRODUCTION OF RESOLUTIONS

**Senate Joint Resolution 47**

Relating to the life and public service of Walter E. Terry, former state legislator.

By the Entire membership of the Senate; cosponsored by the Entire Membership of the Assembly.

Read.

Considered as privileged.

Adopted by unanimous rising vote.

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BILLS INTRODUCED

Read first time and referred:

**Senate Bill 530**

Relating to authorization for registration of electors between the close of registration and election day.

By Senators Risser and Flynn; cosponsored by Representatives Munts and Kedrowski.

To committee on Governmental and Veterans' Affairs.

**Senate Bill 531**

Relating to prohibition of requests by the state for duplicate information from persons.

By Senator Lorge.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 532**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employes Union, AFSCME, council 24, and its appropriate affiliated locals, AFL-CIO, covering employes in the clerical and related bargaining unit, and authorizing an expenditure of funds.

By Senator Risser, by request of the Joint Committee on Employment Relations.

To committee on Senate Organization.

**Senate Bill 533**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employes Union, AFSCME, council 24, and its appropriate affiliated locals, AFL-CIO, covering employes in the blue collar and nonbuilding trades bargaining unit, and authorizing an expenditure of funds.

By Senator Risser, by request of the Joint Committee on Employment Relations.

To committee on Senate Organization.

**Senate Bill 534**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employes Union, AFSCME, council 24, and its appropriate affiliated locals, AFL-CIO, covering employes in the technical bargaining unit, and authorizing an expenditure of funds.

By Senator Risser, by request of the Joint Committee on Employment Relations.

To committee on Senate Organization.

**Senate Bill 535**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employes Union, AFSCME, council 24, and its appropriate affiliated locals, AFL-CIO, covering employes in the security and public safety bargaining unit, and authorizing an expenditure of funds.

By Senator Risser, by request of the Joint Committee on Employment Relations.

To committee on Senate Organization.

**Senate Bill 536**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employes Union, AFSCME, council 24, and its appropriate affiliated locals, AFL-CIO, covering employes in the professional research, statistics and analysis bargaining unit, and authorizing an expenditure of funds.

By Senator Risser, by request of the Joint Committee on Employment Relations.

To committee on Senate Organization.

**Senate Bill 537**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employes Union, AFSCME, council 24, and its appropriate affiliated locals, AFL-CIO, covering employes in the professional social services bargaining unit, and authorizing an expenditure of funds.

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By Senator Risser, by request of the Joint Committee on Employment Relations.

To committee on Senate Organization.

**Senate Bill 538**

Relating to a "good Samaritan" law for volunteer emergency medical technicians.

By Senators Krueger, Bablitch, Chilsen and Risser.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 539**

Relating to the definition of practitioner in the uniform controlled substances act.

By Senators Krueger, Bablitch, Chilsen and Risser.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 540**

Relating to revising the implied consent law and changing penalties.

By Senators Goyke, Chilsen, Thompson, Morrison, Van Sistine and Adelman; cosponsored by Representatives Leopold, Plewa, Lee, Elconin, Wahner and Schmidt, by request of Alcohol, Drug Abuse/Highway and Public Safety Task Force; Council on Alcohol and Other Drug Abuse; Wisconsin Association on Alcoholism and Other Drug Abuse; Dane County Chemical Dependencies Consortium; State Advisory Council on Alcoholism; Citizens Advisory Council on Alcohol and Other Drug Abuse and Wisconsin Department of Health and Social Services.

To committee on Human Services.

**Senate Bill 541**

Relating to the use of boats, motor vehicles and snowmobiles while under the influence of alcohol or a controlled substance and creating and changing penalties.

By Senators Goyke, Chilsen, Thompson, Morrison, Van Sistine and Adelman; cosponsored by Representatives Leopold, Plewa, Lee, Elconin, Wahner, Schmidt and Klicka, by request of Alcohol, Drug Abuse/Highway and Public Safety Task Force; Council on Alcohol and Other Drug Abuse; Wisconsin Association on Alcoholism and Other Drug Abuse; Dane County Chemical Dependencies Consortium; State Advisory Council on Alcoholism; Citizens Advisory Council on Alcohol and Other Drug Abuse and Wisconsin Department of Health and Social Services.

To committee on Human Services.

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**Senate Bill 542**

Relating to sheriff's deputies residing in a city located partially outside of sheriff's county.

By Senator McCallum; cosponsored by Representative McEssy, by request of Fond du Lac County Sheriff's Department.

To committee on Governmental and Veterans' Affairs.

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COMMITTEE REPORTS

The joint committee on Revisions, Repeals and Uniform Laws reports and recommends for introduction:

**Senate Bill 543**

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

Introduction:

Ayes, 5 -- Senators Flynn and Keppler and Representatives Swoboda, Tuczynski and Roth;

Noes, 0 -- None.

Read first time and referred to Joint Committee on Revisions, Repeals and Uniform Laws.

JAMES T. FLYNN

Chairman

LARY J. SWOBODA

Chairman

The committee on Commerce reports and recommends:

**Senate Bill 4**

Relating to allowing coupons to be redeemed by other manufacturers.

Adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Parys, Berger, Swan, Goyke and Keppler;

Noes, 2 -- Senators Bidwell and Petri.

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**Passage as amended:**

**Ayes, 5 -- Senators Parys, Berger, Swan, Goyke and Keppler;  
Noes, 2 -- Senators Bidwell and Petri.**

**RONALD G. PARYS**  
Chairman

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**EXECUTIVE COMMUNICATIONS**

**State of Wisconsin  
Office of the Governor  
Madison, Wisconsin**

**September 7, 1977.**

**To the Honorable, the Senate:**

**Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint William Coffey, of Milwaukee, as a member of the Public Defender Board, to serve for the term ending May 1, 1979.**

**Sincerely,  
MARTIN J. SCHREIBER**  
Governor

**Read and referred to committee on Judiciary and Consumer Affairs.**

**State of Wisconsin  
Office of the Governor  
Madison, Wisconsin**

**September 7, 1977.**

**To the Honorable, the Senate:**

**Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Patricia Heim, of La Crosse, as a member of the Public Defender Board, to serve for the term ending May 1, 1978.**

**Sincerely,  
MARTIN J. SCHREIBER**  
Governor

**Read and referred to committee on Judiciary and Consumer Affairs.**

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**State of Wisconsin  
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Madison, Wisconsin**

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**To the Honorable, the Senate:**

**Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Anita Herrera, of Racine, as a member of the Public Defender Board, to serve for the term ending May 1, 1978.**

**Sincerely,  
MARTIN J. SCHREIBER  
Governor**

**Read and referred to committee on Judiciary and Consumer Affairs.**

**State of Wisconsin  
Office of the Governor  
Madison, Wisconsin**

**September 7, 1977.**

**To the Honorable, the Senate:**

**Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Donald Sykes, of Milwaukee, as a member of the Public Defender Board, to serve for the term ending May 1, 1980.**

**Sincerely,  
MARTIN J. SCHREIBER  
Governor**

**Read and referred to committee on Judiciary and Consumer Affairs.**

**State of Wisconsin  
Office of the Governor  
Madison, Wisconsin**

**September 7, 1977.**

**To the Honorable, the Senate:**

**Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Gloria Downing, of Milwaukee, as a member of the Educational**

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**Communications Board, to succeed Doris Ullich, whose term has expired, to serve for the term ending May 1, 1981.**

**Sincerely,  
MARTIN J. SCHREIBER  
Governor**

**Read and referred to committee on Education and Revenue.**

**State of Wisconsin  
Office of the Governor  
Madison, Wisconsin**

**September 7, 1977.**

**To the Honorable, the Senate:**

**Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Dale G. Wolf, of Highbridge, as a member of the Educational Communications Board, to succeed George Reedy, resigned, to serve for the term ending May 1, 1980.**

**Sincerely,  
MARTIN J. SCHREIBER  
Governor**

**Read and referred to committee on Education and Revenue.**

**State of Wisconsin  
Office of the Governor  
Madison, Wisconsin**

**September 7, 1977.**

**To the Honorable, the Senate:**

**Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Catherine Gosse, of Superior, as a member of the Conservation Work Projects Board, to serve for the term ending May 1, 1981.**

**Sincerely,  
MARTIN J. SCHREIBER  
Governor**

**Read and referred to committee on Natural Resources and Tourism.**



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State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

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To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Carl Nisen, of Union Grove, as a member of the Conservation Work Projects Board, to serve for the term ending May 1, 1978.

Sincerely,  
MARTIN J. SCHREIBER  
Governor

Read and referred to committee on Natural Resources and Tourism.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

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To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Joanna Rody, of Waukesha, as a member of the Conservation Work Projects Board, to serve for the term ending May 1, 1982.

Sincerely,  
MARTIN J. SCHREIBER  
Governor

Read and referred to committee on Natural Resources and Tourism.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

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To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint

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**Mario Ventura, Sr., of Kenosha, as a member of the Conservation Work Projects Board, to serve for the term ending May 1, 1980.**

**Sincerely,  
MARTIN J. SCHREIBER  
Governor**

**Read and referred to committee on Natural Resources and Tourism.**

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**CALENDAR OF SEPTEMBER 8**

**CATTANACH, DALE, of Madison, as Secretary of the Department of Transportation, to succeed Zel S. Rice, to serve for the term ending at the pleasure of the Governor.  
Read.**

**GEHRMANN, DON, of Madison, as Highway Safety Coordinator, to succeed John Radcliffe, to serve for the term ending at the pleasure of the Governor.  
Read.**

**HAYON, JOHN R., of Sheboygan, as a member of the Labor and Industry Review Commission, to serve for the term ending March 1, 1981.  
Read.**

**SCULLION, RICHARD M., of Highland, as a member of the Agricultural Lands Preservation Board, to serve for the term ending July 1, 1981.  
Read.**

**SMITH, GALEN L., of Augusta, as a member of the Agricultural Lands Preservation Board, to serve for the term ending July 1, 1981.  
Read.**

**By request of Senator Bablitch, with unanimous consent, the preceding appointments were considered enmasse.**

**The question was: Confirmation of the appointments?**

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

**Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, McCallum, McKenna, Maurer.**

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Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 31.

Noes -- None.

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

So the appointments were confirmed.

RICE, ZEL S., II, of Sparta, as Secretary of the Department of Industry, Labor and Human Relations, to serve for the term ending at the pleasure of the Governor.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 26; noes, 6; absent or not voting, 1; as follows:

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

Noes -- Senators Chilsen, Keppler, Lasee, McCallum, Petri and Sensenbrenner -- 6.

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

So the appointment was confirmed.

By request of Senator Bablitch, with unanimous consent, pursuant to senate rule 17(4), Senator Theno was allowed to introduce a special guest.

Senator Theno introduced Karen Nelson, the current Alice in Dairyland, and, with unanimous consent, she was asked to address a few remarks to the senate.

Senator Theno escorted Karen to the podium where she addressed her remarks to the senate.

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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 139**  
**Assembly Bill 502**  
**Assembly Bill 803**  
**Assembly Bill 463**  
**Assembly Bill 576**  
**Assembly Bill 640**  
**Assembly Bill 850**  
**Assembly Bill 214**  
**Assembly Bill 819**

Concurred in:

**Senate Bill 261**  
**Senate Bill 233**

and

Amended and concurred in as amended:

**Senate Bill 234 (Assembly amendment 1 adopted)**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 139**

Relating to prohibiting possession of a dangerous weapon by a convicted felon and providing a penalty.

By Representatives Lewis, Klicka, Merkt, Gower, Lewison, Schmidt, Thompson and Hauke.

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

**Assembly Bill 502**

Relating to applications for court orders to wiretap in multibranch circuit courts.

By Representatives Elconin, Tesmer and Rutkowski, by request of Milwaukee County.

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

**Assembly Bill 803**

Relating to certain restrictions on the amount of liquor that may be sold for off-premise consumption.

By Representatives Dorff and Behnke.

Read first time and referred to committee on Commerce.

**Assembly Bill 463**

Relating to revising certain flood plain zoning requirements.

By Legislative Council.

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

**Assembly Bill 576**

Relating to permitting wardens to operate department vehicles without headlights at night for law enforcement.

By Representatives Schmidt, Day, Schricker, Matty, Vanderperren, Quackenbush, Lallensack, Groshek, Bradley, Hanson, Hauke, Rogers, Merkt, Lewis, Roth and Elconin.

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

**Assembly Bill 640**

Relating to making various language changes and revising deadlines for action by the department of natural resources (suggested as remedial legislation by the department of natural resources).

By Committee on Remedial Legislation.

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

**Assembly Bill 850**

Relating to special plates and registration fees for vehicles owned by Indian tribes or bands.

By Legislative Council.

Read first time and referred to committee on Commerce.

**Assembly Bill 214**

Relating to establishing minimum safety, health and comfort requirements for railroad engines and providing a penalty.

By Representatives Schricker, Kedrowski, McEssy, Byers, Vanderperren, Schmidt, Murray, Ward, Thompson, Hasenohrl, Looby, Dueholm, Mohn and Groshek, cosponsored by Senators Martin, McKenna and Theno.

Read first time and referred to committee on Commerce.

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**Assembly Bill 819**

Relating to sexual abuse and exploitation of minors and possession of recordings or photographs of sexual abuse and providing a penalty.

By Representatives Elconin, Czerwinski, Lingren, Metz, Lee, Tropman, Flintrop, McClain, Kedrowski, Behnke, Andrea, Hauke, Dandeneau, Loftus, Munts, Schneider, Moody, Potter, Kirby, Lato, Rutkowski, Leopold, Norquist, Dorff, Lewis, Gerlach and Kincaid.

Read first time and referred to committee on Human Services.

By request of Senator Parys, with unanimous consent, the senate recessed until 10:30 A.M.

9:55 A.M.

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RECESS

10:30 A.M.

The senate reconvened.

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MOTIONS UNDER SENATE RULE 97

A certificate of congratulations by Senator Berger and Representative Behnke for MR. AND MRS. WALTER J. ARNDT on the occasion of their 60th wedding anniversary.

A certificate of congratulations by Senator Berger and Representative Jackamonis for THOMAS AND SUSAN BOYKOFF on the occasion of the birth of their daughter Molly.

A certificate of congratulations by Senator Risser for DANIEL W. KOBUSSEN on the occasion of his retirement.

A certificate of congratulations by Senator Keppler and Representatives Otte and Potter for L. N. "BUD" MATHIEU on the occasion of his retirement.

A certificate of commendation by Senator Dorman and Representatives Rooney, Ferrall and Dandeneau for RUSSELL C. ANDERSON on the occasion of his retirement from the fire service.

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The above motions under senate rule 97 were read and adopted enmasse.

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CALENDAR OF SEPTEMBER 8

**Senate Joint Resolution 45**

Relating to the life and public service of Bill B. Bruhy.

Read.

Adopted by unanimous rising vote.

**Senate Bill 72**

Relating to the powers and duties of court commissioners and changing certain fees.

Read a second time.

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

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

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

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

Ayes -- Senators Bidwell, Braun, Chilsen, Dorman, Flynn, Frank, Harnisch, McKenna, Maurer, Morrison, Offner, Peloquin and Thompson -- 13.

Noes -- Senators Adelman, Bablitch, Berger, Goyke, Keppler, Kleczka, Krueger, Lasee, McCallum, Murphy, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno and Van Sistine - - 18.

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

So the amendment was not rejected.

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

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

Ayes -- Senators Adelman, Bablitch, Berger, Cullen, Goyke, Keppler, Kleczka, Krueger, Lasee, McCallum, Maurer, Morrison,

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Murphy, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno and Van Sistine -- 21.

Noes -- Senators Bidwell, Braun, Chilsen, Dorman, Flynn, Frank, Harnisch, McKenna, Offner, Peloquin and Thompson -- 11.

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

So the amendment was adopted.

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

By request of Senator Murphy, with unanimous consent, senate amendment 3 to senate substitute amendment 1 was laid on the table.

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

Adopted.

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

Adopted.

Senate amendment 6 to senate substitute amendment 1 to **Senate Bill 72** offered by Senator Flynn.

Senate amendment 6 adopted.

Senate amendment 7 to senate substitute amendment 1 to **Senate Bill 72** offered by Senator Sensenbrenner.

Senator Adelman moved rejection.

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

Ayes -- Senators Adelman, Bablitch, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Lasee, McCallum, McKenna, Maurer, Morrison, Offner, Peloquin, Radosevich, Thompson and Van Sistine -- 19.

Noes -- Senators Berger, Bidwell, Braun, Chilsen, Kleczka, Krueger, Murphy, Parys, Petri, Risser, Sensenbrenner, Swan and Theno -- 13.

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

So the motion prevailed.

Senate amendment 8 to senate substitute amendment 1 to **Senate Bill 72** offered by Senator Sensenbrenner.



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Senator Adelman moved rejection.

By request of Senator Sensenbrenner, with unanimous consent, senate amendment 8 was withdrawn and returned to the author.

Senate amendment 9 to senate substitute amendment 1 to **Senate Bill 72** offered by Senator Sensenbrenner.

Senate amendment 9 adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

### **Senate Bill 72**

Read a third time.

The ayes and noes were required and the vote was: ayes, 25; noes, 7; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Kleczka, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine -- 25.

Noes -- Senators Bidwell, Chilsen, Harnisch, Keppler, Krueger, Lasee and Sensenbrenner -- 7.

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

So the bill passed.

### **Senate Bill 94**

Relating to exempting political subdivisions operating transportation systems in contiguous or cornering counties from certain permit fees.

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 94**

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:

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Ayes -- 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 -- 32.

Noes -- None.

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

So the bill passed.

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LEAVE OF ABSENCE

By request of Senator Braun, with unanimous consent, he was granted a leave of absence at 12:15 P.M. for the balance of the day.

**Senate Bill 119**

Relating to authorizing creation of municipal electric companies.

Read a second time.

By request of Senator Goyke, with unanimous consent, **Senate Bill 119** was referred to the Joint Survey Committee on Tax Exemptions.

**Senate Bill 139**

Relating to tax counseling at senior citizen centers.

Read a second time.

The question was: Indefinite postponement?

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

Ayes -- Senators Adelman, Berger, Braun, Dorman, Flynn, Frank, Harnisch, Keppler, Kleczka, McCallum, Murphy, Offner, Risser and Sensenbrenner -- 14.

Noes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Goyke, Krueger, Lasee, McKenna, Maurer, Morrison, Parys, Peloquin, Petri, Radosevich, Swan, Theno, Thompson and Van Sistine -- 18.

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

So the bill was not indefinitely postponed.

Senator Kleczka in the chair.

12:12 P.M.

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Senate amendment 1 to **Senate Bill 139** offered by Senator Harnisch.

Senator Cullen moved rejection.

The motion prevailed.

Senator Risser raised the point of order that the fiscal estimate was not accurate on **Senate Bill 139**.

The chair ruled the point of order not well taken pursuant to joint rule 49 which only requires the bill to *have* a fiscal note which it does.

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 139**

Read a third time.

The ayes and noes were required and the vote was: ayes, 17; noes, 14; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Goyke, Krueger, Lasee, McKenna, Maurer, Parys, Peloquin, Petri, Radosevich, Swan, Theno, Thompson and Van Sistine -- 17.

Noes -- Senators Adelman, Berger, Dorman, Flynn, Frank, Harnisch, Keppler, Kleczka, McCallum, Morrison, Murphy, Offner, Risser and Sensenbrenner -- 14.

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

So the bill passed.

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

Upon motion of Senator Bablitch the senate recessed until 2:00 P.M.

12:37 P.M.

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RECESS

2:00 P.M.

The senate reconvened.

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President pro tempore of the senate in the chair.

Senator Bablitch 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, Bidwell, Chilsen, Dorman, Flynn, Frank, Goyke, Keppler, Kleczka, Krueger, Lasee, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 28.

Absent -- Senators Cullen, Harnisch and Maurer -- 3.

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

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

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LEAVE OF ABSENCE

By request of Senator Theno, with unanimous consent, he was granted a leave of absence at 4:30 P.M. for the balance of the day.

**Senate Bill 159**

Relating to the computation of criminal sentences 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?

Senator Flynn moved rejection.

The motion did not prevail.

Senate amendment 2 adopted.

Senate amendment 3 to **Senate Bill 159** offered by Senators McKenna and Swan.

Senator Flynn moved rejection.

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

Ayes -- Senators Adelman, Bablitch, Berger, Dorman, Flynn, Frank, Keppler, McCallum, Maurer, Morrison, Murphy, Offner, Parys, Petri, Radosevich, Sensenbrenner, Theno, Thompson and Van Sistine -- 19.

Noes -- Senators Bidwell, Chilsen, Cullen, Goyke, Harnisch, Kleczka, Krueger, Lasee, McKenna, Peloquin, Risser and Swan -- 12.

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

So the motion prevailed.

Ordered to a third reading.

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

**Senate Bill 159**

Read a third time and passed.

**Senate Bill 258**

Relating to miscellaneous insurance code revisions.

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 258**

Read a third time and passed.

**Senate Bill 317**

Relating to the state fire marshal obtaining fire loss information from insurers.

Read a second time.

Senate amendment 1 to **Senate Bill 317** offered by Senator Murphy.

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.

**Senate Bill 317**

Read a third time and passed.

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**Senate Bill 383**

Relating to condominium ownership and regulation.  
Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 383** was referred to to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 383** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

The question was: Rejection of senate amendment 1?

Senate amendment 1 rejected.

The question was: Adoption of senate amendment 2?

Adopted.

Ordered to a third reading.

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

**Senate Bill 383**

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, 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 -- 31.

Noes -- None.

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

So the bill passed.

**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.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

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Adopted.

Senator Bidwell moved indefinite postponement.

The motion did not prevail.

QUORUM CALL

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

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

Senators Adelman, Bablitch, Berger, Bidwell, 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 -- 31.

Absent -- None.

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

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 406**

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 Adelman, Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Keppler, Kleczka, Krueger, Lasee, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 28.

Noes -- Senators Bidwell, Chilsen and Harnisch -- 3.

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

More than 22 members having voted in the affirmative, the bill passed.

**Senate Bill 451**

Relating to sexual exploitation of children and providing a penalty.

Read a second time.

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By request of Senator Dorman, with unanimous consent, **Senate Bill 451** was referred to the joint committee on Finance.

**Senate Bill 470**

Relating to liability insurance for the state and municipalities.  
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 470**

Read a third time and passed.

**Senate Bill 476**

Relating to measurement of loss for property insurance.  
Read a second time.

Senate substitute amendment 1 to **Senate Bill 476** offered by Senators Sensenbrenner and Flynn.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 476** offered by Senator Flynn.

Senate amendment 1 adopted.

By request of Senator Flynn, with unanimous consent, **Senate Bill 476** was placed at the foot of the calendar.

**Assembly Bill 232**

Relating to the penalty for driving after license revocation or suspension.

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 232**

Read a third time and concurred in as amended.



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LEAVE OF ABSENCE

By request of Senator Van Sistine, with unanimous consent, he was granted a leave of absence at 4:00 P.M. for the balance of the day.

**Assembly Bill 265**

Relating to removing shopping carts without consent and providing a penalty.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Adoption of senate amendment 2?

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 265**

Read a third time and concurred in as amended.

**Assembly Bill 293**

Relating to license fees for Class "A" retail beer licenses.

Read a second time.

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 293**

Read a third time.

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

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

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Noes -- None.

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

So the bill was concurred in as amended.

**Assembly Bill 377**

Relating to authorizing mandatory risk-sharing plans for municipal liability insurance.

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 585**

Relating to requiring on a purchase money mortgage only the signature of that spouse who is the owner of record.

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 585**

Read a third time and concurred in as amended.

**Assembly Bill 618**

Relating to administrative coordination of the activities of the departments of transportation and natural resources in connection with state highway bridge construction and maintenance.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 618**

Read a third time and concurred in.

**Assembly Bill 637**

Relating to various changes in the motor vehicle laws (suggested as remedial legislation by the office of highway safety).

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 637**

Read a third time and concurred in.

**Assembly Bill 655**

Relating to the size of waysides along highways.

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 655**

Read a third time and concurred in.

**Assembly Bill 657**

Relating to school bus registration fees.

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 657**

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 Adelman, Bablitch, Berger, Bidwell, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 30.

Noes -- None.

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

So the bill was concurred in.

**Assembly Bill 702**

Relating to special license plates for holders of amateur radio station licenses.

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 702**

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 1; absent or not voting, 3; as follows:

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

Noes -- Senator Risser -- 1.

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

So the bill was concurred in as amended.

**Assembly Bill 726**

Relating to fermented malt beverage and intoxicating liquor licenses for curling clubs.

Read a second time.

Senate amendment 1 to **Assembly Bill 726** offered by Senator Braun.

Senate amendment 1 adopted.

Senator Offner moved nonconcurrence in **Assembly Bill 726**.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 726** was referred to the committee on Senate Organization.

**Senate Bill 476**

Relating to measurement of loss for property insurance.

Read a second time.

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

Senate substitute amendment 2 to **Senate Bill 476** offered by Senators Sensenbrenner and Flynn.

Senate substitute amendment 2 adopted.

Ordered to a third reading.

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

**Senate Bill 476**

Read a third time and passed.

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

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AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 438** by Senator Berger.

Senate substitute amendment 1 to **Assembly Bill 100** by Senators Frank and Murphy, by request of Wisconsin Task Force to Save the Family Code.

Senate amendment 1 to senate substitute amendment 1 to **Assembly Bill 495** by Senator Parys.

Senate substitute amendment 1 to **Assembly Bill 509** by Senators Petri and Chilsen, by request of Representative Hephner.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Tuesday, September 13.

4:17 P.M.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to assembly amendment 1 to **Assembly Bill 704**:

In line 2, substitute "50.33" for "50.34".