

JOURNAL OF THE SENATE [September 13, 1977]

STATE OF WISCONSIN

# Senate Journal

**Eighty-Third Regular Session**

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TUESDAY, September 13, 1977.

10:00 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 Father Kovacec from Blessed Sacrament Catholic Church, 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.

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, Lorge, 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.

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## INTRODUCTION OF RESOLUTIONS

### **Senate Joint Resolution 48**

To amend SECTION 5 of 1977 Senate Joint Resolution 32, relating to the reporting date for the special joint committee for investigation of the conduct of the personnel board.

By Senators Flynn, Murphy, Braun and Sensenbrenner; cosponsored by Representatives Ferrall, Tesmer, Gower and Snyder.

Read and referred to committee on Senate Organization.

**Senate Joint Resolution 49**

To amend section 12 of article XIII; and to create section 12 (4) (a) and (b) of article XIII of the constitution, relating to primaries in recall elections (first consideration).

By Senators Murphy, Lasee, Bablitch, Flynn, Swan and Adelman; cosponsored by Representatives Snyder, Klicka, Travis and Donoghue.

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

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**BILLS INTRODUCED**

Read first time and referred:

**Senate Bill 544**

Relating to deer hunting by practitioners of the Winnebago religion, granting rule-making authority and providing a penalty.

By Senators Harnisch, Bablitch, Peloquin, Offner and Krueger; cosponsored by Representatives Kedrowski, Thompson, Medinger, Schneider, Gunderson, Roberts, Rogers and Quackenbush.

To committee on Natural Resources and Tourism.

**Senate Bill 545**

Relating to prohibiting littering, creating a litter control program, requiring certain business people to pay a litter assessment, creating a litter control fund, making an appropriation, granting rule-making authority and providing penalties.

By Senator Harnisch.

To committee on Natural Resources and Tourism.

**Senate Bill 546**

Relating to distribution of amounts in excess of levy limitations.

By Senators Van Sistine, McCallum, McKenna, Radosevich, Krueger, Morrison and Thompson; cosponsored by Representative Vanderperren.

To committee on Governmental and Veterans' Affairs.

**Senate Bill 547**

Relating to placing motor bicycles under the laws regulating bicycles instead of power-driven cycles, and providing penalties.

By Senators Petri, Berger, Sensenbrenner, Braun, Theno, Flynn, Van Sistine, Bablitch, Thompson, Harnisch, Peloquin, Keppler, Lasee, McCallum, Adelman, Maurer, Radosevich and Swan; cosponsored by Representatives Travis, Johnston, Bear,

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Klicka, Gower, Rogers, Hephner, Soucie, Potter, Fischer and Metz.

To committee on Commerce.

**Senate Bill 548**

Relating to state aid to municipalities containing state-owned lands.

By Senators Theno, Krueger, Lasee, Petri, Van Sistine, Peloquin, Harnisch, McKenna, Murphy, Cullen, Morrison and Radosevich; cosponsored by Representatives Schricker, Byers, Roth, Donoghue, Gunderson, Schmidt, Quackenbush, Lewis, Merkt and Kincaid.

To committee on Governmental and Veterans' Affairs.

**Senate Bill 549**

Relating to restricting trust ownership and operation of farms.

By Senators Radosevich, Morrison, Cullen, Bablitch, Harnisch, Theno and Thompson; cosponsored by Representatives Mohn, Brist, Vanderperren, Day, Litscher and Kedrowski.

To committee on Agriculture, Aging and Labor.

**Senate Bill 550**

Relating to the use of deadly force in self-defense, defense of others and defense of property.

By Senators Kleczka, Maurer, Van Sistine, Murphy, Frank, Sensenbrenner, Parys, Krueger, Bidwell, Chilsen, Berger, Keppler, Lasee, Offner and McCallum; cosponsored by Representatives Hauke, Behnke, Dorff, Norquist, Klicka, Murray, Lallensack, Mohn, Potter and Porter.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 551**

Relating to providing an inflation adjustment for taxable income of individuals.

By Senators McCallum, Offner, Van Sistine, Flynn, Braun, Petri, Adelman, Harnisch, Chilsen, Lasee, Lorge, Cullen, McKenna, Peloquin, Frank, Swan, Murphy, Keppler, Krueger, Sensenbrenner, Theno, Bidwell and Parys; cosponsored by Representatives Brist, Litscher, Byers, Ausman, Lorman, Travis, Medinger, Gower, Porter, Conradt, Bradley, Schricker, Lewison, Bear, Gunderson, Donoghue, Ellis, Johnston, DeLong, Luckhardt, Schmidt and Klicka.

To committee on Education and Revenue.

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Senator Berger asked unanimous consent, that **Senate Bill 551** be withdrawn from the committee on Education and Revenue and referred to the Joint Survey Committee on Tax Exemptions.

Senator Goyke objected.

**Senate Bill 552**

Relating to implicit price deflator adjustments to the state income tax.

By Senators McCallum, Offner, Braun, Petri, Adelman, Chilsen, Cullen, McKenna, Peloquin, Frank, Lorge, Swan, Murphy, Lasee, Keppler, Krueger, Sensenbrenner, Bidwell, Theno and Parys; cosponsored by Representatives Brist, Elconin, Litscher, Byers, Ausman, Lorman, Travis, Medinger, Gower, Porter, Conradt, Bradley, Schricker, Lewison, Bear, Gunderson, Donoghue, Ellis, Johnston, DeLong, Schmidt and Klicka.

To Joint Survey Committee on Tax Exemptions.

**Senate Bill 553**

Relating to creating an inflation credit and making an appropriation.

By Senator McCallum; cosponsored by Representatives Lorman, Travis, Gower and Porter.

To committee on Education and Revenue.

**Senate Bill 554**

Relating to using dogs to hunt bear, requiring bear hunters to wear a back tag and providing a penalty.

By Senators Murphy, Harnisch and Lasee; cosponsored by Representative Snyder.

To committee on Natural Resources and Tourism.

**Senate Bill 555**

Relating to deduction of federal income taxes from Wisconsin adjusted gross income.

By Senators Murphy, Lasee and Sensenbrenner; cosponsored by Representatives Snyder, Roth, Tregoning, Ellis, Olson, Lewis, Donoghue, Opitz, Byers and Travis.

To committee on Joint Survey Committee on Tax Exemptions.

**Senate Bill 556**

Relating to false imprisonment, kidnapping and abduction, and changing penalties for those crimes.

By Senators Murphy, McCallum, Lasee and Sensenbrenner; cosponsored by Representatives Snyder, Roth, Tregoning, Olson, Ellis, Byers and Lewis.

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To committee on Judiciary and Consumer Affairs.

**Senate Bill 557**

Relating to the cut-off date for granting creditable service under the Wisconsin retirement fund to elected officials.

By Senator Radosevich, by request of Judge William McEwen.

To Joint Survey Committee on Retirement System.

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COMMITTEE REPORTS

The committee on Commerce reports and recommends:

**Senate Bill 204**

Relating to application forms for drivers' licenses.

Passage:

Ayes, 4 -- Senators Berger, Swan, Goyke and Keppler;

Noes, 3 -- Senators Parys, Bidwell and Petri.

**Senate Bill 477**

Relating to terminating the state life insurance fund program.

Passage:

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

Noes, 2 -- Senators Berger and Bidwell.

**Senate Joint Resolution 40**

Memorializing the interstate commerce commission to postpone for 2 years its decision on whether to grant the application of the Chicago and Northwestern Railroad to abandon the rail line between Gillett, Wisconsin and Scott Lake, Michigan.

Adoption:

Ayes, 6 -- Senators Parys, Berger, Swan, Goyke, Keppler and Bidwell;

Noes, 0 -- None.

RONALD G. PARYS

Chairman

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The committee on Natural Resources and Tourism reports and recommends:

**Senate Bill 210**

Relating to establishing a cold water fish hatchery, creating a fish hatchery fund and making an appropriation.

Introduction and adoption of senate substitute amendment 3:

Ayes, 4 -- Senators Harnisch, Van Sistine, Radosevich and Theno;

Noes, 0 -- None.

Passage as amended:

Ayes, 2 -- Senators Harnisch and Van Sistine;

Noes, 2 -- Senators Radosevich and Theno;

Without Recommendation.

**Assembly Bill 186**

Relating to declaring certain farm drainage ditches to be nonnavigable waters.

Concurrence:

Ayes, 3 -- Senators Van Sistine, Radosevich and Theno;

Noes, 1 -- Senator Harnisch;

**Assembly Bill 464**

Relating to structures constructed without a permit on navigable waters.

Introduction and adoption of senate substitute amendment 1:

Ayes, 4 -- Senators Harnisch, Van Sistine, Radosevich and Theno;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 4 -- Senators Harnisch, Van Sistine, Radosevich and Theno;

Noes, 0 -- None.

TOM HARNISCH

Chairman

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The committee on Agriculture, Aging and Labor reports and recommends:

**Senate Bill 130**

Relating to retirement benefits for protective service employees.

Introduction and adoption of senate amendment 1 to senate substitute amendment 1:

Ayes, 7 -- Senators Cullen, Harnisch, Morrision, Radosevich,  
Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

Adoption of substitute amendment 1 as amended:

Ayes, 7 -- Senators Cullen, Harnisch, Morrison, Radosevich,  
Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Cullen, Harnisch, Morrision, Radosevich,  
Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

TIM CULLEN

Chairman

The committee for Review of Administrative Rules reports and recommends:

**Senate Bill 370**

Relating to licensing procedures of the psychology examining board.

Introduction and adoption of senate substitute amendment 1:

Ayes, 4 -- Senators Berger, Swan, Offner and Sensenbrenner;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Berger, Swan, Offner and Sensenbrenner;

Noes, 0 -- None.

DAVID G. BERGER

Chairman

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**The committee on Human Services reports and recommends:**

**BAKER, DR. WILLIAM, of Monroe, as a member of the Medical Examining Board, to succeed himself, to serve for the term ending April 30, 1980.**

**Confirmation:**

**Ayes, 4 -- Senators Offner, Braun, Van Sistine and Petri;**

**Noes, 0 -- None.**

**CHILDS, LUVENIA V., of Milwaukee, as a member of the Cosmetology Examining Board, to succeed herself, to serve for the term ending July 1, 1978.**

**Confirmation:**

**Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;**

**Noes, 0 -- None.**

**DONGARRA, JOAN, of Janesville, as a member of the Nursing Home Administrators Examining Board, to succeed George MacKenzie, to serve for the term ending July 1, 1979.**

**Confirmation:**

**Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;**

**Noes, 0 -- None.**

**JOHNSON, THOMASINE, of DePere, as a member of the Nursing Home Administrators Examining Board, to succeed Philip Heslin, to serve for the term ending July 1, 1979.**

**Confirmation:**

**Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;**

**Noes, 0 -- None.**

**LAUFMAN, MARK D., of Madison, as a member of the Barber Examining Board, to serve for the term ending July 1, 1980.**

**Confirmation:**

**Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;**

**Noes, 0 -- None.**



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MOFFAT, NELSON A., of Marshfield, as a member of the Medical Examining Board, to succeed Andrew E. Cyrus, Jr., to serve for the term ending May 1, 1980.

Confirmation:

Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;

Noes, 0 -- None.

POLLOCK, ROBERT, of Stevens Point, as a member of the Health Facilities Authority, to succeed Sister Antona Ebo, to serve for the term ending June 30, 1979.

Confirmation:

Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;

Noes, 0 -- None.

ROEMING, ROBERT F., of Nashotah, as a member of the Board of Nursing, to serve for the term ending May 1, 1981.

Confirmation:

Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;

Noes, 0 -- None.

PERCY, DONALD, of Madison, as Secretary of the Department of Health and Social Services, to succeed Manuel Carballo, to serve for the term ending at the pleasure of the Governor.

Confirmation:

Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;

Noes, 0 -- None.

**Assembly Bill 704**

Relating to continuing medical education, health care liability insurance, health care liability and patients compensation.

Concurrence:

Ayes, 5 -- Senators Thompson, Offner, Van Sistine, Braun and Petri;

Noes, 0 -- None.

CARL W. THOMPSON  
Chairman

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PETITIONS AND COMMUNICATIONS

**Senate Petition 100**

A petition by 224 residents of Wisconsin in support of Assembly Bill 321, relating to prohibiting and restricting state and local abortion subsidies.

By Senator Thompson.

Read and referred to committee on Human Services.

**Senate Petition 101**

A petition by 95 residents of Wisconsin in support of Assembly Bill 321, relating to prohibiting and restricting state and local abortion subsidies.

By Senator Thompson.

Read and referred to committee on Human Services.

**Senate Petition 102**

A petition by 25 citizens of the state of Wisconsin in support of Senate Bill 544, relating to deer hunting by practitioners of the Winnebago religion.

By Senator Harnisch.

Read and referred to committee on Natural Resources and Tourism.

**Senate Petition 103**

A petition by 111 members of the Wisconsin Winnebago Indian Tribe in support of Senate Bill 544, relating to deer hunting by practitioners of the Winnebago religion.

By Senator Harnisch.

Read and referred to committee on Natural Resources and Tourism.

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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

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**Martha Bablitch, of Stevens Point, 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 Eleanor Brennan, of Browntown, 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.**

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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 513  
Assembly Bill 814  
Assembly Bill 849  
Assembly Bill 685  
Assembly Bill 878**

**Concurred in:**

**Senate Joint Resolution 45  
Senate Joint Resolution 47  
Senate Bill 396**

MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 513**

Relating to restitution if a child is adjudged delinquent.

By Representatives Coggs, Clarenbach, Jackamonis, Kirby, Tuczynski, Gunderson, Flintrop, Elconin, Kedrowski, Fischer, Soucie, Byers, Ausman, Lee, Schricker, Rutkowski and Norquist.

Read first time and referred to committee on Human Services.

**Assembly Bill 814**

Relating to restrictions on volume discounts to retailers from wholesalers of malt beverages and liquors and providing a penalty.

By Representative Dorff, by request of Tavern League of Wisconsin.

Read first time and referred to committee on Commerce.

**Assembly Bill 849**

Relating to closing hours for grocery stores selling intoxicating liquor.

By Representative Dorff.

Read first time and referred to committee on Commerce.

**Assembly Bill 685**

Relating to various revisions in the law regulating trusts and monopolies and providing penalties.

By Representatives Munts, Ausman and Leopold, cosponsored by Senator Flynn.

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

**Assembly Bill 878**

Relating to the sale of liquefied petroleum gas in vapor form.

By Representatives Mohn, Brist, Early, Kincaid, Vanderperren, McClain, Lallensack, Medinger, Day, Dueholm and Hanson.

Read first time and referred to committee on Commerce.

By request of Senator Parys, with unanimous consent, the senate recessed until 10:55 A.M.

10:16 A.M.

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RECESS

10:55 A.M.

The senate reconvened.

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LEAVE OF ABSENCE

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

By request of Senator Petri, with unanimous consent, he was granted a leave of absence for Tuesday September 20th.

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MOTIONS

Senator Petri moved that **Senate Bill 4** be withdrawn from the committee on Senate Organization and referred to the committee on Commerce.

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, Harnisch, Keppler, Krueger, Lasee, Lorge, McCallum, Murphy, Petri and Theno -- 11.

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

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

So the motion did not prevail.

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CALENDAR OF SEPTEMBER 13

**Assembly Bill 216**

Relating to limitation of commencement of action, cause of action for right of privacy, damages and survival of actions.

Read a second time.

Senator Sensenbrenner moved nonconcurrence.

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By request of Senator Bablitch, with unanimous consent, the Senate returned to the second, third and fourth orders of business.

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INTRODUCTION OF RESOLUTIONS

**Senate Joint Resolution 50**

To amend section 23 of article IV of the constitution, relating to town government (2nd consideration).

By Senator Kleczka; cosponsored by Representative Dandeneau.

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

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BILLS INTRODUCED

Read first time and referred:

**Senate Bill 558**

Relating to increasing the amount paid to parents of private school pupils by school boards who contract with the parents for transportation of the pupils.

By Senator Adelman; cosponsored by Representative Rutkowski.

To committee on Education and Revenue.

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COMMITTEE REPORTS

The committee on Agriculture, Aging and Labor reports and recommends for introduction:

**Senate Bill 559**

Relating to miscellaneous changes in the tax credit, agreements, planning and zoning requirements for farmland preservation enacted by chapter 29, laws of 1977 and making an appropriation.

By request of Governor Martin J. Schreiber.

Read first time and referred to committee on Agriculture, Aging and Labor.

TIM CULLEN  
Chairman

Upon motion of Senator Bablitch the senate recessed until 3:00 P.M.

12:14 P.M.

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RECESS

3:00 P.M.

The senate reconvened.

Senator Bablitch moved a

CALL OF THE SENATE ON

**Assembly Bill 216**

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, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Keppler, Lorge, McCallum, McKenna, Murphy, Offner, Parys, Petri, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 24.

Absent -- Senators Chilsen, Dorman, Kleczka, Krueger, Lasec, Maurer, Morrison and Radosevich -- 8.

Absent with leave -- Senator Peloquin -- 1.

All members now being present, the question was: Nonconcurrence in **Assembly Bill 216**?

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

Ayes -- Senators Bidwell, Chilsen, Goyke, Keppler, Krueger, Lasec, Lorge, McCallum, Murphy, Petri, Sensenbrenner, Theno and Van Sistine -- 13.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan and Thompson -- 20.

Absent or not voting -- None.

So the motion did not prevail.

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Senate amendment 1 to senate amendment 1 to **Assembly Bill 216** offered by Senator McKenna.

Senate amendment 1 to senate amendment 2 to **Assembly Bill 216** offered by Senator Swan.

Senator Flynn moved rejection of senate amendment 1 to **Assembly Bill 216**.

Senator Flynn asked unanimous consent that senate amendment 4 be considered for action at this time.

Senator Murphy objected.

Senator Flynn moved that senate amendments 1, 2 and 3 be laid on the table.

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, Dorman, Flynn, Frank, Harnisch, Kleczka, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan and Thompson -- 18.

Noes -- Senators Bidwell, Chilsen, Cullen, Goyke, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Murphy, Petri, Sensenbrenner, Theno and Van Sistine -- 15.

Absent or not voting -- None.

So the motion prevailed.

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

Senator Flynn 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, Dorman, Flynn, Frank, Harnisch, Kleczka, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan and Thompson -- 18.

Noes -- Senators Bidwell, Chilsen, Cullen, Goyke, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Murphy, Petri, Sensenbrenner, Theno and Van Sistine -- 15.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 2 to senate amendment 4 to **Assembly Bill 216** offered by Senators Sensenbrenner, Chilsen and Petri.



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Senator Flynn raised the point of order that senate amendment 2 to senate amendment 4 was not germane.

The chair ruled the point of order not well taken pursuant to senate rule 50(4).

Senator Flynn asked unanimous consent that senate amendment 2 to senate amendment 4 be laid on the table.

Senator Sensenbrenner objected.

Senator Flynn moved that senate amendment 2 to senate amendment 4 be laid on the table.

Senator Sensenbrenner moved rejection of senate amendment 4.

The motion did not prevail.

The question was: Shall senate amendment 2 to senate amendment 4 be laid on the table?

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, Dorman, Flynn, Frank, Harnisch, Kleczka, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan and Thompson -- 18.

Noes -- Senators Bidwell, Chilsen, Cullen, Goyke, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Murphy, Petri, Sensenbrenner, Theno and Van Sistine -- 15.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 4?

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, Dorman, Flynn, Frank, Harnisch, Kleczka, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan and Thompson -- 18.

Noes -- Senators Bidwell, Chilsen, Cullen, Goyke, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Murphy, Petri, Sensenbrenner, Theno and Van Sistine -- 15.

Absent or not voting -- None.

So the amendment was adopted.

Senate amendment 5 to **Assembly Bill 216** offered by Senator Theno.

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Senator Flynn moved rejection.

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

Ayes -- Senators Adelman, Bablitch, Berger, Dorman, Flynn, Frank, Harnisch, Kleczka, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan and Thompson -- 17.

Noes -- Senators Bidwell, Braun, Chilsen, Cullen, Goyke, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Murphy, Petri, Sensenbrenner, Theno and Van Sistine -- 16.

Absent or not voting -- None.

So the motion prevailed.

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LEAVE OF ABSENCE

By request of Senator Dorman, with unanimous consent, he was granted a leave of absence for fifteen minutes.

Senate amendment 6 to Assembly Bill 216 offered by Senator Petri.

Senator Berger 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, Berger, Braun, Flynn, Frank, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Thompson and Van Sistine -- 19.

Noes -- Senators Bidwell, Chilsen, Cullen, Goyke, Keppler, Krueger, Lasee, Lorge, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 13.

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

So the motion prevailed.

Senate amendment 7 to Assembly Bill 216 offered by Senator Petri.

Senator Flynn moved rejection.

The motion prevailed.

Senate amendment 8 to Assembly Bill 216 offered by Senator Petri.

Senator Flynn moved rejection.

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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, Dorman, Flynn, Frank, Harnisch, Kleczka, McCallum, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Cullen, Goyke, Keppler, Krueger, Lasee, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 12.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 9 to Assembly Bill 216 offered by Senators Bablitch and McKenna.

Senate amendment 1 to senate amendment 9 to Assembly Bill 216 offered by Senator Bablitch.

Senate amendment 1 to senate amendment 9 adopted.

Senator Flynn moved rejection of senate amendment 9.

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

Ayes -- Senators Adelman, Berger, Braun, Dorman, Flynn, Frank, Harnisch, Kleczka, Maurer, Murphy, Offner, Parys, Peloquin, Radosevich, Swan and Thompson -- 16.

Noes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Goyke, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Morrison, Petri, Risser, Sensenbrenner, Theno and Van Sistine -- 17.

Absent or not voting -- None.

So the motion did not prevail.

The question was. Adoption of senate amendment 9?

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

Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Goyke, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Petri, Risser, Sensenbrenner, Theno and Van Sistine -- 18.

Noes -- Senators Adelman, Berger, Braun, Dorman, Flynn, Frank, Harnisch, Kleczka, Maurer, Offner, Parys, Peloquin, Radosevich, Swan and Thompson -- 15.

Absent or not voting -- None.

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So the amendment was adopted.

Senate amendment 10 to **Assembly Bill 216** offered by Senator Chilsen.

Senate amendment 10 adopted.

Ordered to a third reading.

The question on which the call of the senate was put having been decided the call was raised.

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

**Assembly Bill 216**

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Dorman, Flynn, Frank, Harnisch, Kleczka, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Swan and Thompson -- 22.

Noes -- Senators Bidwell, Chilsen, Cullen, Goyke, Keppler, Krueger, Lasee, Lorge, Sensenbrenner, Theno and Van Sistine -- 11.

Absent or not voting -- None.

So the bill was concurred in as amended.

Ordered immediately messaged.

By request of Senator Bablitch, with unanimous consent, the Senate returned to the seventh order of business.

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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 953**  
**Assembly Bill 954**  
**Assembly Bill 955**  
**Assembly Bill 956**  
**Assembly Bill 957**

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**Assembly Bill 958**

**Assembly Bill 711**

and

Concurred in:

**Senate Bill 290**

and

Amended and concurred in as amended:

**Senate Bill 91** (Assembly amendments 2 and 3 adopted)

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 953**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employees 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.

By Joint Committee on Employment Relations.

Read first time and referred to committee on Senate Organization.

**Assembly Bill 954**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employees 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 Joint Committee on Employment Relations.

Read first time and referred to committee on Senate Organization.

**Assembly Bill 955**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employees 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 Joint Committee on Employment Relations.

Read first time and referred to committee on Senate Organization.

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**Assembly Bill 956**

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 Joint Committee on Employment Relations.

Read first time and referred to committee on Senate Organization.

**Assembly Bill 957**

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 Joint Committee on Employment Relations.

Read first time and referred to committee on Senate Organization.

**Assembly Bill 958**

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 Joint Committee on Employment Relations.

Read first time and referred to committee on Senate Organization.

**Assembly Bill 711**

Relating to acquisition of controlling interest in a public utility.

By Representatives Soucie, Dandeneau, Medinger and Roberts, cosponsored by Senator Offner.

Read first time and referred to committee on Commerce.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 711** was withdrawn from the committee on Commerce and referred to the committee on Senate Organization.

By request of Senator Bablitch, with unanimous consent, **Senate Bills 532 through 537** were taken from the calendar and referred to the committee on Senate Organization.

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AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 315** by Senator Murphy.

Senate substitute amendment 1 to **Senate Bill 516** by Senator McKenna.

Senate substitute amendment 1 to **Senate Bill 422** by Senator Braun.

Senate amendment 1 to **Senate Bill 525** by Senator Keppler, by request of Judge Warren Grady.

Senate amendment 1 to **Assembly Joint Resolution 47** by Senator Bablitch.

Senate amendment 4 to **Assembly Bill 100** by Senators Frank, Sensenbrenner and Murphy.

Senate amendment 5 to **Assembly Bill 100** by Senator Murphy.

Senate amendment 1 to senate substitute amendment 1 to **Assembly Bill 100** by Senator Frank.

Senate amendment 2 to senate substitute amendment 1 to **Assembly Bill 100** by Senators Murphy and Frank.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Thursday September 15.

7:08 P.M.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to senate substitute amendment 1 to **Senate Bill 4**:

On page 3, line 23, after "issuing manufacturer" insert " and the redeeming manufacturer" as correctly shown in the manuscript draft contained in drafting record LRB-6704/1.

Relating to **Senate Bill 197**:

On page 12, line 5, after "of" insert "the".

**CHIEF CLERK'S REPORT**

The chief clerk records:

**Senate Bill 58**

**Senate Bill 87**

**Senate Bill 98, and**

**Senate Bill 129**

Correctly enrolled and presented to the Governor on September 13, 1977.