

JOURNAL OF THE SENATE [September 20, 1977]

STATE OF WISCONSIN

# Senate Journal

**Eighty-Third Regular Session**

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TUESDAY, September 20, 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 Wilfred Schuster, Pastor of St. Maria Goretti Catholic Church, Madison.

The senate remained standing and Senator Dorman 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 Krueger was granted a leave of absence until 11:00 A.M.

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, Lasee, Lorge, 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 Krueger -- 1.

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INTRODUCTION OF RESOLUTIONS

**Senate Joint Resolution 52**

To create section 7 (2) (a) 3 of article VIII of the constitution, relating to farmers' loans for the acquisition of land, equipment and livestock (first consideration).

By Senators Cullen, Morrison, Harnisch, Thompson, Radosevich, Bablitch, Maurer, Chilsen, Van Sistine, Peloquin, Krueger, Bidwell and Goyke; cosponsored by Representatives Barry, Mohn, Day, Loftus, Litscher, Swoboda, Fischer and Porter.

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

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BILLS INTRODUCED

Read first time and referred:

**Senate Bill 566**

Relating to the definition of "psychiatrist".

By Senator Goyke.

To committee on Human Services.

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COMMITTEE REPORTS

The committee on Commerce reports and recommends for introduction:

**Senate Bill 567**

Relating to powers of county boards to modify county supplemental compensation paid to judges.

By request of Waupaca County Board of Supervisors.

Introduction:

Ayes, 7 -- Senators Parys, Berger, Swan, Goyke, Keppler, Bidwell and Petri;

Noes, 0 -- None.

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

RONALD G. PARYS  
Chairman

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

### **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).

Passage:

Ayes, 4 -- Senators Flynn and Keppler and Representatives Swoboda and Tuczynski;

Noes, 0 -- None.

JAMES T. FLYNN  
CoChairman

LARY J. SWOBODA  
CoChairman

The committee on Governmental and Veterans' Affairs reports and recommends:

### **Senate Bill 424**

Relating to appointment and removal of the secretary of veterans affairs.

Adoption of senate amendment 1:

Ayes, 5 -- Senators Swan, Braun, Lasee, Offner and Adelman;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Swan, Braun, Lasee and Offner;

Noes, 1 -- Senator Adelman.

MONROE SWAN  
Chairman

The committee on Natural Resources and Tourism reports and recommends:

### **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.

Concurrence:

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Ayes, 4 -- Senators Harnisch, Van Sistine, Radosevich and  
Theno;  
Noes, 0 -- None.

THOMAS W. HARNISCH  
Chairman

The committee on Commerce reports and recommends:

**Senate Bill 248**

Relating to permitting an increase in operator's license fees.

Adoption of senate amendment 1:

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

Noes, 1 -- Senator Swan.

Passage as amended:

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

Noes, 1 -- Senator Swan.

**Senate Bill 271**

Relating to sleeping or camping on the highway right-of-way  
and adjacent public lands and providing a penalty.

Passage:

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

Noes, 1 -- Senator Keppler.

**Senate Bill 278**

Relating to airport approval, establishment and enforcement of  
airport standards and granting rule-making authority.

Passage:

Ayes, 7 -- Senators Parys, Berger, Swan, Goyke, Keppler,  
Bidwell and Petri;

Noes, 0 -- None.

**Senate Bill 362**

Relating to aircraft registration and providing a penalty.

Passage:

Ayes, 7 -- Senators Parys, Berger, Swan, Goyke, Keppler,  
Bidwell and Petri;

Noes, 0 -- None.

**Senate Bill 486**

Relating to jurisdiction over children who violate certain liquor laws.

Passage:

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

Noes, 1 -- Senator Swan.

RONALD G. PARYS  
Chairman

The committee on Human Services reports and recommends:

**Senate Bill 328**

Relating to the establishment and operation of a foster grandparent program under the department of health and social services, granting rule-making authority and making an appropriation.

Passage:

Ayes, 3 -- Senators Thompson, Braun and Van Sistine;

Noes, 2 -- Senators Offner and Petri.

**Senate Bill 397**

Relating to permits to sell drugs and medicines.

Adoption of senate substitute amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

**Assembly Bill 198**

Relating to training requirements for barber apprentice permit applicants.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 238**

Relating to detention of county jail inmates in a house of correction and transfer and commitment of prisoners possessing Huber law privileges.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 299**

Relating to testing infants for metabolic disorders and creating a council on infant health screening.

Concurrence:

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

Noes, 0 -- None.

CARL W. THOMPSON

Chairman

The committee on Judiciary and Consumer Affairs reports and recommends:

**Senate Bill 353**

Relating to probate registrars' services to the public.

Introduction and adoption of senate amendment 1:

Ayes, 3 -- Senators Flynn, Frank and Adelman;

Noes, 1 -- Senator Murphy.

Passage as amended:

Ayes, 2 -- Senators Flynn and Adelman;

Noes, 1 -- Senator Murphy.

**Senate Bill 355**

Relating to indigent persons' right to counsel in paternity actions.

Introduction and adoption of senate substitute amendment 1:

Ayes, 3 -- Senators Flynn, Adelman and Murphy;

Noes, 0 -- None.

Passage as amended:

Ayes, 3 -- Senators Flynn, Adelman and Murphy;

Noes, 0 -- None.

**Assembly Bill 219**

Relating to discrimination in employment and licensing on the basis of arrest and conviction records.

Concurrence:

Ayes, 2 -- Senators Flynn and Adelman;

Noes, 1 -- Senator Murphy.

**Assembly Bill 310**

Relating to private interests in public contracts.

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Concurrence:

Ayes, 2 -- Senators Flynn and Murphy;

Noes, 1 -- Senator Adelman.

JAMES T. FLYNN

Chairman

The committee on Education and Revenue reports and recommends:

**Assembly Bill 639**

Relating to administration of the tax laws (suggested as remedial legislation by the department of revenue).

Concurrence:

Ayes, 5 -- Senators Goyke, Braun, Berger, Cullen and Sensenbrenner;

Noes, 0 -- None.

**Assembly Bill 641**

Deleting references to "assessors of incomes" (suggested as remedial legislation by the department of revenue).

Concurrence:

Ayes, 5 -- Senators Goyke, Braun, Berger, Cullen and Sensenbrenner;

Noes, 0 -- None.

GARY R. GOYKE

Chairman

Committee of Conference Report

on

**Assembly Bill 96**

The members of the Committee of Conference on 1977 **Assembly Bill 96** report and recommend:

1. That the Senate recede from its position on SECTION 3 as shown in senate substitute amendment 1 and, by the adoption of this report, adopt conference amendment 1 to senate substitute amendment 1 which is attached to and made a part of this report.

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2. That the Assembly recede from its position on senate substitute amendment 1 and, by the adoption of this report, concur in senate substitute amendment 1 as affected by conference amendment 1 thereto.

JAMES F. ROONEY  
Assembly Chairman

JAMES T. FLYNN  
Senate Chairman

THOMAS S. HANSON  
Representative

DAVID BERGER  
Senator

JAMES A. RUTKOWSKI  
Representative

ROGER P. MURPHY  
Senator

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PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Department of State

September 14, 1977.

To the Honorable, the Senate

Senators:

I have the honor to transmit to you pursuant to s. 13.67 (2), the names of the registered lobbyists for the period beginning on August 24, 1977, and ending on September 12, 1977.

Yours very truly,  
DOUGLAS LAFOLLETTE  
Secretary of State

*Name and Address of Lobbyist -- Name and Address of Employer -- Subject of Legislation Code Number -- Telephone Number of Lobbyist -- Date of Employment.*

Gaines, Lois M., 122 West Washington Avenue, Madison, Wisconsin 53703 -- Wisconsin Restaurant Association, 122 West Washington Avenue, Madison, Wisconsin 53703 -- 01, 06, 17, 21, 23, 24, 28 -- 608-251-3663 -- September 6, 1977.

Herbst, Richard, 720 East Capitol Drive, Milwaukee, Wisconsin 53201 -- Wisconsin Broadcasters Association, P. O. Box 11725, Shorewood, Wisconsin 53211 -- 30 -- 414-332-8270 -- September 1, 1977.

Huber, George P., Bascom Hall, UW-Madison, Madison, Wisconsin 53706 -- Public Representation Organization of the



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**Faculty Senate, 157 Bascom Hall, UW-Madison, Madison, Wisconsin 53706 -- 08, 11, 16, 17, 18, 20, 21, 22 -- 608-262-0892 -- September 6, 1977.**

**Luedtke, D. C., 1930 Monroe St., Madison, Wisconsin 53711 -- (SELF) -- 01, 05, 06, 07, 08, 11, 17, 18, 23, 26, 28 -- 608-257-3974 -- September 8, 1977.**

**Maier, Norman R., 324 South Hamilton Street, Madison, Wisconsin 53703 -- Wisconsin Dairy Products Association, Inc., 324 South Hamilton Street, Madison, Wisconsin 53703 -- 01, 06, 07, 11, 12, 13, 14, 15, 16, 21, 23, 25, 26, 28, 29, 30 -- 608-256-1111 -- September 12, 1977.**

**Potter, John M., 211 West Grand Avenue, P. O. Box 1117, Wisconsin Rapids, Wisconsin 54494 -- Wisconsin Cranberry Growers Association, 5014 Marathon Drive, Madison, Wisconsin 53705 -- 01, 07, 23 -- 608-233-0780 -- September 6, 1977.**

**Pritchard, Michael G., CPR, 520 University Avenue, Madison, Wisconsin 53703 -- Center for Public Representation, Incorporated, CPR, 520 University Avenue, Madison, Wisconsin 53703 -- 06, 07, 11, 12, 13, 14, 15, 16, 19, 26, 29, 30 -- 608-251-4008 -- March 10, 1977.**

**Sapiro, Jeffrey D., Geisler and Kay, S. C., 433 West Washington Avenue, Madison, Wisconsin 53703 -- Wisconsin Construction Employers Council, Incorporated, 133 South Butler Street, Madison, Wisconsin 53703 -- 19, 21, 23, 28 -- 608-256-6886 -- September 12, 1977.**

**Sapiro, Jeffrey D., Geisler and Kay, S. C., 433 West Washington Avenue, Madison, Wisconsin 53703 -- Wisconsin Chapter, National Electrical Contractors Association, 2801 West Beltline Highway, Madison, Wisconsin 53713 -- 11, 19, 23 -- 608-271-1912 -- September 12, 1977.**

**Washington, Paul C., 2 West Wilson Street, Madison, Wisconsin 43709 -- Disabled American Veteran, Department of**

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Wisconsin, 2821 North 70th Street, Milwaukee, Wisconsin 53210 -  
- 16, 31 -- 414-258-2531 -- September 9, 1977.

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Legislative Subject Identification

Code	Subject
01	<i>Agriculture, horticulture, farming &amp; livestock</i>
02	<i>Amusements, games, athletics and sports</i>
03	<i>Banking, finance, credit and investments</i>
04	<i>Children, minors, youth &amp; senior citizens</i>
05	<i>Church &amp; Religion</i>
06	<i>Consumer Affairs</i>
07	<i>Ecology, environment, pollution, conservation, zoning, land &amp; water use</i>
08	<i>Education</i>
09	<i>Elections, campaigns, voting &amp; political parties</i>
10	<i>Equal rights, civil rights &amp; minority affairs</i>
11	<i>Government, financing, taxation, revenue, budget, appropriations, bids, fees &amp; funds</i>
12	<i>Government, county</i>
13	<i>Government, federal</i>
14	<i>Government, municipal</i>
15	<i>Government, special districts</i>
16	<i>Government, state</i>
17	<i>Health services, medicine, drugs and controlled substances, health insurance &amp; hospitals</i>
18	<i>Higher education</i>
19	<i>Housing, construction &amp; codes</i>
20	<i>Insurance (excluding health insurance)</i>
21	<i>Labor, salaries and wages, collective bargaining</i>
22	<i>Law enforcement, courts, judges, crimes &amp; prisons</i>
23	<i>Licenses &amp; permits</i>
24	<i>Liquor</i>
25	<i>Manufacturing, distribution &amp; services</i>
26	<i>Natural resources, forests and forest products, fisheries, mining &amp; mineral products</i>
27	<i>Public lands, parks &amp; recreation</i>
28	<i>Social insurance, unemployment insurance, public assistance &amp; workmen's compensation</i>
29	<i>Transportation, highways, streets &amp; roads</i>
30	<i>Utilities, communications, television, radio, newspapers, power, CATV, &amp; gas</i>
31	<i>Other</i>

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**State of Wisconsin  
Department of State**

**September 16, 1977.**

**To the Honorable, the Senate**

**Senators:**

**I have the honor to transmit to you, pursuant to s. 13.67, a list of the following lobbyists who have cancelled their registration for the duration of the 1977-78 legislative session:**

**Harold W. Fager; Wisconsin Honey Producers Association, Inc., as of August 8, 1977.**

**Stephen P. Hurley; Wisconsin Chapter of National Electric Contractors Association, Inc.; Electrical Contractors Association, Milwaukee Chapter; Corrugated Steel Pipe Association, Inc.; Wisconsin Association of Osteopathic Physicians and Surgeons; Association of Wisconsin Snowmobile Clubs, Inc.; Wisconsin Construction Employers Council, Inc., as of September 6, 1977.**

**Mary Lehman; Equal Rights Council, as of August 24, 1977.**

**The following association has changed its name from the Wisconsin Independent Mutual Agents, Inc. to Professional Insurance Agents of Wisconsin, Inc., as of August 3, 1977.**

**The following are address changes: John Bonitt has moved his office to 1620 Eye St., NW, Suite 700, Washington D.C. 20006**

**Robert L. Gast of the Wisconsin Retail Hardware Association, Inc. has moved their address from 2801 Dixon Street, Stevens Point, Wisconsin 43381, to 1421 Strongs Avenue, Stevens Point, Wisconsin 54481.**

**Sincerely,  
DOUGLAS LAFOLLETTE  
Secretary of State**

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EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

September 16, 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 Frank Remington, of Madison, 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 16, 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 Walter Kelly, of Milwaukee, 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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MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

**Assembly Joint Resolution 72**

Passed and asks concurrence in:

**Assembly Bill 303**  
**Assembly Bill 693**  
**Assembly Bill 713**  
**Assembly Bill 707**

Amended and concurred in as amended:

**Senate Bill 15** (assembly substitute amendment 2 adopted)  
Senate amendment 1 to **Assembly Bill 702** (assembly amendment 1 to senate amendment 1 adopted)

Concurred in:

Senate amendment 1 to **Assembly Bill 232**  
Senate amendments 1 and 2 to **Assembly Bill 265**  
Senate substitute amendment 1 to **Assembly Bill 293**  
Senate amendment 1 to **Assembly Bill 585**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Joint Resolution 72**

Relating to the life and public service of Lawrence J. Kafka, former representative to the assembly.

By Representatives Shabaz, McEssy, Thompson, Klicka, Gower, Vanderperren, Lewison, Bradley, Conradt, Olson, Otte, Rogers, Groshek, Luckhardt and Ducholm, cosponsored by Senators Berger and Krueger.

Read.

Considered as privileged.

Concurred in by unanimous rising vote.

**Assembly Bill 303**

Relating to civil actions for damages for unlawful taking, destruction or possession of certain wild animals, birds and fish.

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By Committee on Natural Resources, by request of Department of Natural Resources.

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

### **Assembly Bill 693**

Relating to revising the power of the department of agriculture to slaughter diseased animals.

By Representatives Hephner, Mohn, Litscher, Swoboda, Hanson, Byers, Olson, Tregoning, Everson, Fischer, Hasenohrl, Travis, Vanderperren, Bradley, Rogers, Conradt, Lewis, Luckhardt, Lato, Schricker, Barry, Merkt, Gunderson and Potter, cosponsored by Senator Cullen.

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

### **Assembly Bill 713**

Relating to defining and regulating mopeds, placing mopeds for certain purposes under the laws regulating bicycles instead of motor-driven cycles, and providing penalties.

By Committee on Highways.

Read first time and referred to committee on Commerce.

### **Assembly Bill 707**

Relating to labeling quality cheese.

By Representatives Lato, Kedrowski, Hephner, Mohn, Loftus and Hasenohrl.

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

### **Senate Bill 15**

Referred to committee on Agriculture, Aging and Labor.

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## CALENDAR OF SEPTEMBER 20

### **Senate Bill 234**

Relating to limitations on weight, length and number of vehicles in emergency towing operations.

The question was: Concurrence in assembly amendment 1?

Concurred in.

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LEAVE OF ABSENCE

By request of Senator Bablitch, with unanimous consent, Senators Risser, Flynn and Theno were granted a leave of absence for 45 minutes to attend a meeting of the Building Commission.

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MOTIONS UNDER JOINT RULE 7

A joint certificate of commendation by Senators Murphy and Adelman; cosponsored by Representatives Jackamonis, Snyder, Engeleiter, Shabaz and Lingren for WILLIAM E. GRAMLING on the occasion of 25 years of service to his community.

Read and adopted.

Senator Bablitch called the chair's attention to the special order of business at 10:00 A.M.

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SPECIAL ORDERS

**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.

Read a second time.

By request of Senator Theno, with unanimous consent, the senate recessed until 11:00 A.M.

10:25 A.M.

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RECESS

11:00 A.M.

The senate reconvened.

The clerk of the senate in the chair.

By request of Senator Bablitch, with unanimous consent, Senator Kleczka was selected as presiding officer.

Senator Kleczka in the chair.

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By request of Senator Dorman, with unanimous consent, **Senate Bill 559** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 559** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

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

Senate amendment 2 to **Senate Bill 559** offered by Senator Harnisch.

Senate amendment 2 adopted.

President pro tempore of the senate in the chair

11:08 A.M.

Senate amendment 3 to **Senate Bill 559** offered by Senator Harnisch.

Senator Radosevich moved rejection.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Goyke, Maurer, Morrison, Offner, Parys, Radosevich, Risser, Swan, Thompson and Van Sistine -- 17.

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

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

So the motion prevailed.

Senate amendment 4 to **Senate Bill 559** offered by Senators Chilsen, Lasee, Murphy and Sensenbrenner.

Senator Radosevich moved rejection.

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

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



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Noes -- Senators Bidwell, Chilsen, Keppler, Krueger, Lasee, Lorge, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 11.  
Absent or not voting -- None.

So the motion prevailed.

Senate amendment 5 to **Senate Bill 559** offered by Senators Chilsen, Murphy and Sensenbrenner.

Senator Radosevich moved rejection.  
The motion prevailed.

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LEAVE OF ABSENCE

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

Senate amendment 6 to **Senate Bill 559** offered by Senators Lasee, Sensenbrenner, McCallum and Murphy.

Senator Radosevich moved rejection.  
The motion prevailed.

Senate amendment 7 to **Senate Bill 559** offered by Senators Lasee, Sensenbrenner, Chilsen, McCallum and Murphy.

Senator Radosevich moved rejection.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 11; absent or not voting, 2; as follows:

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

Noes -- Senators Bidwell, Chilsen, Keppler, Krueger, Lasee, Lorge, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 11.  
Absent or not voting -- Senators Bablitch and Parys -- 2.

So the motion prevailed.

Senate amendment 8 to **Senate Bill 559** offered by Senators Lasee, Petri, Sensenbrenner and Murphy.

Senator Radosevich moved rejection.

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

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

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

**Absent or not voting -- Senator Bablitch -- 1.**

**So the motion prevailed.**

**Senate amendment 9 to Senate Bill 559 offered by Senators Lasee, Murphy and McCallum.**

**Senator Radosevich moved rejection.**

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

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

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

**Absent or not voting -- Senator Bablitch -- 1.**

**So the motion prevailed.**

**Ordered to a third reading.**

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

**Senator Krueger objected.**

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

**Upon motion of Senator Kleczka the senate recessed until 3:15 P.M.**

**12:02 P.M**

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**RECESS**

**3:15 P.M.**

**The senate reconvened.**

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LEAVE OF ABSENCE

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

QUORUM CALL

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

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

Senators Adelman, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 27.

Absent -- Senators Dorman, Goyke, McKenna, Offner and Swan -- 5.

Absent with leave -- Senator Bablitch -- 1.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 559** was considered for final action at this time.

**Senate Bill 559**

Read a third time.

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LEAVE OF ABSENCE

By request of Senator Kleczka, with unanimous consent, Senator Swan was granted a leave of absence until 4:30 P.M.

By request of Senator Kleczka, with unanimous consent, Senator Offner was granted a leave of absence until 4:30 P.M.

By request of Senator Braun, with unanimous consent, he was granted a leave of absence until 4:30 P.M.

Senator Murphy moved that **Senate Bill 559** be referred to the committee on Agriculture, Aging and Labor.

The ayes and noes were demanded and the vote was: ayes, 11; noes, 19; absent or not voting, 3; as follows:

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

Noes -- Senators Adelman, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Parys, Peloquin, Radosevich, Risser, Thompson and Van Sistine -- 19.

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

So the motion did not prevail.

The question was: **Passage of Senate Bill 559?**

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

Ayes -- Senators Adelman, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Parys, Peloquin, Petri, Radosevich, Risser, Theno, Thompson and Van Sistine -- 28.

Noes -- Senators Murphy and Sensenbrenner -- 2.

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

So the bill passed.

Ordered immediately messaged.

**Assembly Bill 556**

Relating to certifying applicators of restricted-use pesticides, licensing manufacturers and labelers of pesticides, granting rule-making authority and providing a penalty.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 556**

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, Berger, Bidwell, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison,

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Murphy, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 29.

Noes -- None.

Absent or not voting -- Senators Bablitch, Braun, Offner and Swan -- 4.

So the bill was concurred in.

**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.

Read and adopted.

**Senate Bill 4**

Relating to allowing coupons to be redeemed by other manufacturers.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Senator Bidwell moved rejection.

Senator Peloquin raised the point of order that senate substitute amendment 1 was not germane.

The chair took the point of order under advisement.

**Senate Bill 130**

Relating to retirement benefits for protective service employes.

Read a second time.

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

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

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

Senator Dorman asked unanimous consent that **Senate Bill 130** be referred to the joint committee on Finance.

Senator Offner objected.

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Senator Thompson raised the point of order that **Senate Bill 130** was required by statute to be referred to the joint committee on Finance.

The chair ruled the point of order well taken pursuant to section 13.10 of the state statutes.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 130** was referred to the joint committee on Finance.

### **Senate Bill 204**

Relating to application forms for drivers' licenses.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 204** was referred to the joint committee on Finance.

### **Senate Bill 210**

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

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 210** was referred to the joint committee on Finance.

### **Senate Bill 247**

Relating to requiring completion of a hunter safety course before issuance of a hunting license.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

### **Senate Bill 247**

Read a third time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 247** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 247** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 247**

Read a third time.

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

Ayes -- Senators Adelman, Berger, Bidwell, Chilsen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 28.

Noes -- Senators Cullen and McCallum -- 2.

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

So the bill passed.

**Senate Bill 292**

Relating to changing the register of deeds fees.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 292**

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 3; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Berger, Bidwell, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Radosevich, Risser, Theno, Thompson and Van Sistine -- 27.

Noes -- Senators McCallum, Petri and Sensenbrenner -- 3.

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

So the bill passed.

**Senate Bill 393**

Relating to various changes in awards to victims of crimes.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 393**

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, 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, Theno, Thompson and Van Sistine -- 29.

Noes -- Senator Lorge -- 1.

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

So the bill passed.

**Senate Bill 417**

Relating to using school busses to provide transportation for the elderly.

Read a second time.

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

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

The question was: Rejection of senate amendment 3?  
Rejected.

Ordered to a third reading.

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

**Senate Bill 417**

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

Noes -- None.



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

So the bill passed.

**Senate Bill 428**

Relating to an appropriation for general public liability claims against the Wisconsin state agencies building corporation and the Wisconsin state public building corporation.

Read a second time.

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

Ordered to a third reading.

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

**Senate Bill 428**

Read a third time and passed.

**Senate Bill 469**

Relating to authorizing and directing the department of natural resources to sell or exchange certain lands in Oneida county for the benefit of the state.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 469** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 469** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 469**

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, Berger, Bidwell, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison,

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Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 30.

Noes -- None.

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

So the bill passed.

**Senate Bill 477**

Relating to terminating the state life insurance fund program.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 477** was referred to the joint committee on Finance.

**Senate Bill 490**

Relating to regulating waterfowl hunting blinds on state property, granting rule-making authority and providing a penalty.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

By request of Senator Dorman, with unanimous consent, **Senate Bill 490** was referred to the joint committee on Finance.

**Assembly Bill 186**

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

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 186**

Read a third time and concurred in.

**Assembly Bill 462**

Relating to sanitary permits for installation of private domestic sewage treatment and disposal systems and providing a penalty.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 462**

Read a third time and concurred in.

**Assembly Bill 464**

Relating to structures constructed without a permit on navigable waters.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 to **Assembly Bill 464** offered by Senator Harnisch.

Senate amendment 1 to senate substitute amendment 1 adopted.

Senate substitute amendment 1 adopted.

Ordered to a third reading.

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

**Assembly Bill 464**

Read a third time and concurred in as amended.

**Assembly Bill 495**

Relating to personalized license plates.

Read a second time.

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

Senate amendment 1 adopted.

Senator Kleczka moved nonconcurrence in **Assembly Bill 495**.

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

Ayes -- Senators Adelman, Bidwell, Kleczka, Krueger, Lorge, McCallum, Maurer, Murphy, Petri, Risser, Sensenbrenner, Theno and Thompson -- 13.

Noes -- Senators Berger, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Lasee, McKenna, Morrison, Offner, Parys, Peloquin, Radosevich and Van Sistine -- 18.

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

So the motion did not prevail.

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

Ordered to a third reading.

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

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Senator Bidwell objected.

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

The ayes and noes were required and the vote was: ayes, 23; noes, 8; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Berger, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Thompson and Van Sistine -- 23.

Noes -- Senators Bidwell, Krueger, Lorge, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 8.

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

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

**Assembly Bill 495**

Read a third time.

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

Ayes -- Senators Berger, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Lasee, McKenna, Morrison, Offner, Parys, Peloquin, Radosevich and Van Sistine -- 18.

Noes -- Senators Adelman, Bidwell, Kleczka, Krueger, Lorge, McCallum, Maurer, Murphy, Petri, Risser, Sensenbrenner, Theno and Thompson -- 13.

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

So the bill was concurred in as amended.

**Assembly Bill 526**

Relating to removing the bounty for certain animals.

Read a second time.

The question was: Nonconcurrency?

The bill was nonconcurrent in.

**Assembly Bill 537**

Relating to revising the procedure by which a town may create a public inland lake protection and rehabilitation district.

Read a second time.

Ordered to a third reading.

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

### **Assembly Bill 537**

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

Noes -- None.

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

So the bill was concurred in.

### **Assembly Bill 704**

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

Read a second time.

Ordered to a third reading.

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

### **Assembly Bill 704**

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

Noes -- None.

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

So the bill was concurred in.

### **Assembly Bill 726**

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

Read a second time.

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Senator Offner moved nonconcurrency.

Senator Thompson moved that **Assembly Bill 726** be laid on the table.

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

Ayes -- Senators Berger, Braun, Chilsen, Flynn, Goyke, Krueger, McCallum, Offner, Risser and Theno -- 10.

Noes -- Senators Adelman, Bidwell, Cullen, Dorman, Frank, Harnisch, Keppler, Kleczka, Lasee, Lorge, McKenna, Morrison, Murphy, Parys, Peloquin, Petri, Radosevich, Sensenbrenner, Swan, Thompson and Van Sistine -- 21.

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

So the motion did not prevail.

The question was: Nonconcurrency?

The motion did not prevail.

Ordered to a third reading.

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

**Assembly Bill 726**

Read a third time.

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

Ayes -- Senators Bidwell, Cullen, Harnisch, Keppler, Kleczka, Lasee, Lorge, McKenna, Maurer, Morrison, Murphy, Parys, Petri, Radosevich, Sensenbrenner, Swan, Thompson and Van Sistine -- 18.

Noes -- Senators Adelman, Berger, Braun, Chilsen, Dorman, Flynn, Frank, Goyke, Krueger, McCallum, Offner, Peloquin, Risser and Theno -- 14.

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

So the bill was concurred in as amended.

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

By request of Senator Kleczka, with unanimous consent, the Senate returned to the fourth and seventh orders of business.

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COMMITTEE REPORTS

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

**Senate Bill 15**

Relating to revision of municipal employment collective bargaining impasse resolution procedures, providing for final and binding arbitration, authorizing a limited right to strike, granting rule-making authority and providing penalties.

Concurrence in assembly substitute amendment 2:

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

Noes, 0 -- None.

TIM CULLEN  
Chairman

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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 concurred in:

Senate amendments 4, 9 and 10 to **Assembly Bill 216**

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AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 127** by Senator Morrison.

Senate substitute amendment 1 to **Senate Bill 202** by Senator Berger.

Senate amendment 1 to **Senate Bill 287** by Senator Kleczka.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 370** by Senators Flynn and Adelman.

Senate substitute amendment 1 to **Senate Bill 504** by Senator Theno.

Senate substitute amendment 2 to **Senate Bill 516** by Senator Offner.

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Senate amendment 2 to **Senate Bill 525** by Senators Petri, McCallum, Sensenbrenner and Keppler, by request of Representatives Hephner, Lewis, Merkt, Shabaz, Opitz and Luckhardt.

By request of Senator Bidwell, with unanimous consent, the senate adjourned in honor of Senator and Mrs. Chilsen's 25th wedding anniversary.

Upon motion of Senator Kleczka the senate adjourned until 9:00 A.M. Wednesday, September 21.

5:50 P.M.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to **Senate Bill 559**:

1. On page 5, line 6, before "3. a" insert "(b)".
2. On page 5, line 7, substitute "has" for "as".

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CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Bill 73**  
**Senate Bill 290**, and  
**Senate Bill 133**

Correctly enrolled and presented to the Governor on September 20, 1977.