

JOURNAL OF THE SENATE [September 28, 1977]

STATE OF WISCONSIN

Senate Journal

Eighty-Third Regular Session

WEDNESDAY, September 28, 1977.

9:00 A.M.

The senate met.

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

By request of Senator Bablitch, with unanimous consent, the senate stood informal for 30 minutes.

9:05 A.M.

9:35 A.M.

The senate reconvened.

The senate stood for the prayer which was offered by Reverend John Sheild of Lake Edge United Church of Christ, Madison.

The senate remained standing and Senator Peloquin 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.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 579

Relating to sales and use tax exemption for film, colored separations and art work used in commercial printing.

By Senator Goyke.

To Joint Survey Committee on Tax Exemptions.

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 187

Assembly Bill 539

Assembly Bill 624

Assembly Bill 865

Assembly Bill 287

Assembly Bill 479

Concurred in:

Senate Bill 104

Senate Bill 186

Senate Bill 209

Amended and concurred as amended:

Senate Bill 74 (Assembly amendment 1 adopted)

Senate Bill 75 (Assembly amendment 1 adopted)

Senate Bill 114 (Assembly amendment 1 adopted)

Senate Bill 192 (Assembly amendment 1 adopted)

Senate Bill 360 (Assembly amendment 1 adopted)

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 187

Relating to rules of the road for bicycles.

By Representatives Munts, Groshek, Vanderperren and Clarenbach, cosponsored by Senator Risser.

Read first time and referred to committee on Commerce.

Assembly Bill 539

Relating to operators' licenses for persons having epilepsy.

By Representatives Munts, Wahner, Ausman, Thompson, Groshek and Vanderperren, cosponsored by Senator Berger.

Read first time and referred to committee on Human Services.

Assembly Bill 624

Relating to the refusal or delay of emergency hospital services and creating a penalty.

By Representatives Lorman, Czerwinski, Loftus, Plewa, Coggs, Moody, Tesmer, Schricker, Byers, Schmidt, Leopold, Medinger, Metz, Gunderson, Ausman, Engeleiter, Goodrich, DeLong, Hanson, Soucie, Lewis, Thompson, Jackamonis, Wahner, Donoghue and Flintrop, cosponsored by Senators Flynn, Kleczka, Braun, Sensenbrenner, Dorman, VanSistine, Krueger, McCallum, Murphy, Petri, McKenna, Thompson and Cullen.

Read first time and referred to committee on Human Services.

Assembly Bill 865

Relating to distributions to counties and certain municipalities from the investment and local impact fund.

By Representatives Quackenbush and Schneider, cosponsored by Senator Harnisch.

Read first time and referred to committee on Education and Revenue.

Assembly Bill 287

Relating to authorizing creation of municipal electric companies.

By Representatives Lallensack, Everson, Hasenohrl, Rogers, Schricker, Lewison, Hanson, Mohn, Byers, Munts, Opitz, Roberts, Early, Dueholm, Quackenbush, Kincaid, Goodrich, Luckhardt, Litscher, Loftus, Barry, Miller, Swoboda, Clarenbach, Fischer, Travis, Thompson, Brist, Lewis, Ellis, Potter and Matty, cosponsored by Senators Martin, Berger, Krueger, Bidwell Thompson, Cullen, Theno, Lorge, Radosevich, Adelman, Goyke, Harnisch, Keppler, Risser, Chilsen and VanSistine.

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

Assembly Bill 479

Relating to the payment of jury commissioners fees and increasing travel expense payments.

By Representative Hanson.

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

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By request of Senator Swan, with unanimous consent **Assembly Bill 287** was withdrawn from the committee on Governmental and Veterans' Affairs and referred to the committee on Senate Organization.

CALENDAR OF SEPTEMBER 28

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.

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

Senator Cullen moved rejection.

The ayes and noes were demanded and the vote was: ayes, 24; noes, 9; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Krueger, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine -- 24.

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

Absent or not voting -- None.

So the motion prevailed.

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

Senator Cullen moved rejection.

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

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

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

Absent or not voting -- None.

So the motion prevailed.

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The question was: Adoption of senate amendment 3 to assembly substitute amendment 2?

Senator Cullen moved rejection.

The ayes and noes were demanded and the vote was: ayes, 24; noes, 9; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Krueger, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine -- 24.

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

Absent or not voting -- None.

So the motion prevailed.

The question was: Concurrence in assembly substitute amendment 2?

The ayes and noes were demanded and the vote was: ayes, 24; noes, 9; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Berger, Chilsen, Cullen, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, McCallum, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine -- 24.

Noes -- Senators Adelman, Bidwell, Braun, Dorman, Lasee, Lorge, Murphy, Petri and Sensenbrenner -- 9.

Absent or not voting -- None.

So the amendment was concurred in.

SPECIAL ORDERS

Assembly Bill 664

Relating to campaign financing, creating a clean election campaign fund, granting rule-making authority, making appropriations and providing penalties.

Read a third time.

Senator Sensenbrenner raised the point of order that pursuant to senate rule 18(2) there was insufficient notice given and **Assembly Bill 664** was not properly before the senate.

The chair took the point of order under advisement.

LEAVE OF ABSENCE

By request of Senator Krueger, with unanimous consent, he was granted a leave of absence until 11:30 A.M.

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

Senate Joint Resolution 17

To amend section 3 of article VII of the constitution, relating to the practice of law (first consideration).

Read a second time.

The question was: Rejection?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 16; absent or not voting, 1; as follows:

Ayes -- Senators Bidwell, Chilsen, Dorman, Frank, Harnisch, Keppler, Lasee, Lorge, McCallum, McKenna, Murphy, Peloquin, Petri, Risser, Sensenbrenner and Theno -- 16.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Goyke, Kleczka, Maurer, Morrison, Offner, Parys, Radosevich, Swan, Thompson and Van Sistine -- 16.

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

So the resolution was not rejected.

Senate amendment 1 to senate substitute amendment 1 to **Senate Joint Resolution 17** offered by Senator Berger.

Senator Flynn moved rejection.

The motion prevailed.

Senator Berger moved reconsideration of the vote by which senate amendment 1 to senate substitute amendment 1 was rejected.

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

Ayes -- Senators Berger, Keppler, Kleczka, Maurer, Parys and Swan -- 6.

Noes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Offner, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 26.

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

So the motion did not prevail.

The question was: Adoption of senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 4; noes, 28; absent or not voting, 1; as follows:

Ayes -- Senators Berger, Kleczka, Parys and Swan -- 4.

Noes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Petri, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 28.

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

So the amendment was not adopted.

The question was: Shall **Senate Joint Resolution 17** be ordered to a third reading?

The ayes and noes were demanded and the vote was: ayes, 4; noes, 28; absent or not voting, 1; as follows:

Ayes -- Senators Berger, Kleczka, Parys and Swan -- 4.

Noes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Petri, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 28.

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

So the joint resolution was not ordered to a third reading.

Senate Bill 47

Relating to discounting tips from employer minimum wage obligations and granting rule-making authority.

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 47

Read a third time and passed.

Senate Bill 118

Relating to the required frequency of wage payments to certain employes.

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 118

Read a third time and passed.

Senate Bill 222

Relating to removal of certain local elective officers by recall election.

Read a second time.

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

The question was: Adoption of senate amendment 2?

Senate amendment 1 to senate amendment 2 to **Senate Bill 222** offered by Senators Chilsen, Thompson, Bidwell and McKenna.

Senator Braun moved rejection.

The ayes and noes were demanded and the vote was: ayes, 12; noes, 20; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Braun, Frank, Goyke, Keppler, Lasee, Maurer, Morrison, Murphy, Offner, Radosevich and Sensenbrenner -- 12.

Noes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Dorman, Flynn, Harnisch, Kleczka, Krueger, Lorge, McCallum, McKenna, Parys, Peloquin, Petri, Risser, Theno, Thompson and Van Sistine -- 20.

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

So the motion did not prevail.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 580

Relating to compensation for service by retired justices and judges.

By Senators McKenna, Thompson and Risser.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

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

Assembly Joint Resolution 20

Relating to town government (2nd consideration).

Concurrence:

Ayes, 3 -- Senators Swan, Offner and Adelman;

Noes, 2 -- Senators Lasee and Braun.

MONROE SWAN
Chairman

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 518

Assembly Bill 864

Assembly Bill 765

Adopted and asks concurrence in:

Assembly Joint Resolution 56

Adheres to its position on:

Assembly amendment 1 to senate amendment 1 to **Assembly Bill 702**, requests a committee of Conference and appoints Representatives Loftus, Ausman and Kirby as conferees on its part.

Concurred in:

Committee of Conference Report on **Assembly Bill 96**

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 518

Relating to requiring smoke detectors in residential buildings and dwellings and providing a penalty.

By Representatives Rooney, Hanson, Brist, Hasenohrl, Johnson, Metz, Ferrall, Kedrowski, Medinger and Duren.

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

Assembly Bill 864

An act to appropriate \$120,869.26 from the general fund for payment of a claim made by Shawano county against the state.

By Representatives Roberts, Schmidt, Hephner, Day, Vanderperren, Conradt, Rogers, Potter, Byers, Matty, Schricker, Metz, Donoghue, Quackenbush, Roth, Lewis, Bradley, Lewison, Lallensack, Ferrall, McEssy, Tregoning, Clarenbach, Kirby, Everson, Thompson, Otte, Groshek, Hanson, Ausman, Porter, Travis, Merkt, Hasenohrl, Fischer, Kedrowski, Swoboda, Ellis, Olson, Goodrich, Johnston, Gower, Opitz, Gunderson, Flintrop, Johnson, Murray, Norquist, Plewa, McClain and Elconin, cosponsored by Senators Kleczka and Chilsen, by request of State Claims Board.

Read first time and referred to committee on Senate Organization.

Assembly Bill 765

Relating to permitting opticians and optometrists to advertise the cost of eyeglasses and contact lenses.

By Representatives Norquist and McClain, cosponsored by Senator Flynn.

Read first time and referred to committee on Commerce.

Senator Flynn asked unanimous consent that **Assembly Bill 765** be withdrawn from the committee on Commerce and referred to the committee on Judiciary and Consumer Affairs.

Senator Parys objected.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 765** was withdrawn from the committee on Commerce and referred to the committee on Senate Organization.

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Assembly Joint Resolution 56

Relating to directing the joint legislative council to study forest fires.

By Representatives Thompson, Schneider, Groshek, Day and Quackenbush, cosponsored by Senators Bidwell and Harnisch.

Read and referred to committee on Natural Resources and Tourism.

Assembly Bill 702

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

Senator Bablitch moved that the senate agree to a committee of conference on **Assembly Bill 702**.

The motion prevailed.

The chair appointed Senators Parys, Berger and Bidwell as conferees on its part.

The question was: Confirmation of the appointments?

The appointments were confirmed.

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

12:03 P.M.

RECESS

2:00 P.M.

The senate reconvened.

The question was: Adoption of senate amendment 1 to senate amendment 2 to **Senate Bill 222**?

Kleczka in the chair.

2:24 P.M.

The question was: Adoption?

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, Bidwell, Chilsen, Dorman, Frank, Goyke, Harnisch, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Murphy, Parys, Peloquin, Petri, Theno and Van Sistine -- 21.

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Noes -- Senators Braun, Cullen, Flynn, Keppler, Maurer, Morrison, Offner, Radosevich, Risser, Sensenbrenner, Swan and Thompson -- 12.

Absent or not voting -- None.

So the amendment was adopted.

Senate amendment 2 to senate amendment 2 to **Senate Bill 222** offered by Senator Braun.

Senate amendment 2 to senate amendment 2 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.

Senate Bill 222

Read a third time and passed.

Senate Bill 305

Relating to highway signs.

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.

Senate Bill 305

Read a third time and passed.

Senate Bill 353

Relating to probate registrars' services to the public.

Read a second time.

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

By request of Senator Bablitch, with unanimous consent, he was added as a coauthor of **Senate Bill 353**.

Senate amendment 2 to **Senate Bill 353** offered by Senator Harnisch.

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Senate amendment 2 adopted.

Senate amendment 3 to **Senate Bill 353** offered by Senator Harnisch.

By request of Senator Harnisch, with unanimous consent, senate amendment 3 was withdrawn and returned to the author.

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 353

Read a third time.

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

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

Noes -- Senators Chilsen, Keppler, Lorge, Murphy, Petri, Risser and Sensenbrenner -- 7.

Absent or not voting -- None.

So the bill passed.

Senate Bill 368

Relating to membership on the council on unemployment compensation.

Read a second time.

By request of Senators Bablitch and Krueger, pursuant to senate rule 76, a five minute limit was placed on debate for each member on each question.

Senator Cullen asked unanimous consent that **Senate Bill 368** be referred to the committee on Agriculture, Aging and Labor.

Senator Harnisch objected.

Senate amendment 1 to **Senate Bill 368** offered by Senator Harnisch.

Senate amendment 1 adopted.

Senate amendment 2 to **Senate Bill 368** offered by Senators Harnisch and Offner.

Senate amendment 2 adopted.

Senate amendment 3 to **Senate Bill 368** offered by Senator Murphy.

Senator Radosevich moved rejection.
The motion prevailed.

Senate amendment 4 to **Senate Bill 368** offered by Senator Cullen.

Senator Harnisch moved rejection.
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 368

Read a third time and passed.

Senate Bill 375

Relating to requiring signs indicating brands sold from automatic liquor dispensers and providing a penalty.

Read a second time.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 375** was placed at the foot of the calendar.

Senate Bill 405

Relating to strobe lights on school busses and granting rule-making authority.

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 405

Read a third time and passed.

Senate Bill 409

Relating to revising sport trolling and commercial fishing laws, granting rule-making authority and providing a penalty.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 409** was referred to the joint committee on Finance.

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Senator Bablitch moved that **Senate Bill 409** be withdrawn from the joint committee on Finance and referred to the committee on Senate Organization.

Senator Risser asked unanimous consent that Senator Van Sistine be allowed to address his remarks on **Senate Bill 409** for five minutes.

Senator Bablitch objected.

Senator Sensenbrenner raised the point of order that the motion to withdraw from committee was not proper under the eleventh order of business and should be made under the eighth order of business.

The chair ruled the point of order well taken.

By request of Senator Dorman, with unanimous consent, **Senate Bill 409** 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 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 409

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 5; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Theno and Van Sistine -- 27.

Noes -- Senators Berger, Cullen, Dorman, Swan and Thompson -- 5.

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

So the bill passed.

Senate Bill 414

Relating to reporting of child abuse, mental injury or neglect and providing a penalty.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 414** was referred to the joint committee on Finance.

Senate Bill 424

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

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.

Senate Bill 424

Read a third time.

Senator Adelman moved indefinite postponement of **Senate Bill 424**.

Senator Thompson moved reconsideration of the vote by which **Senate Bill 424** was ordered to a third reading.

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, Bidwell, Braun, Dorman, Flynn, Keppler, Kleczka, Lorge, McCallum, Maurer, Parys, Radosevich, Risser, Thompson and Van Sistine -- 17.

Noes -- Senators Chilsen, Cullen, Frank, Goyke, Harnisch, Krueger, Lasec, McKenna, Morrison, Murphy, Offner, Peloquin, Petri, Sensenbrenner, Swan and Theno -- 16.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 2 to **Senate Bill 424** offered by Senator Thompson.

Senator Sensenbrenner moved rejection.

Senator Adelman moved indefinite postponement of **Senate Bill 424**.

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

Ayes -- Senators Adelman, Bablitch, Dorman, Flynn, Kleczka, Maurer, Peloquin, Radosevich, Risser, Thompson and Van Sistine - - 11.

Noes -- Senators Berger, Bidwell, Braun, Chilsen, Cullen, Frank, Goyke, Harnisch, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Petri, Sensenbrenner, Swan and Theno -- 22.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Rejection of senate amendment 2?

By request of Senator Braun, with unanimous consent, **Senate Bill 424** was referred to the committee on Governmental and Veterans' Affairs.

Senate Bill 429

Relating to recodification of the code of ethics for state public officials, granting rule-making authority, making an appropriation and providing penalties.

Read a second time.

The question was: Adoption of senate amendment 1?

The amendment was not adopted.

Senator Sensenbrenner asked unanimous consent that **Senate Bill 429** be referred to the committee on Governmental and Veterans' Affairs.

Senator Adelman objected.

The question was: Adoption of senate amendment 2?

The amendment was not adopted.

Senator Adelman moved reconsideration of the vote by which senate amendment 2 was refused adoption.

The ayes and noes were demanded and the vote was: ayes, 24; noes, 9; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Swan, Thompson and Van Sistine -- 24.

Noes -- Senators Bidwell, Chilsen, Krueger, Lasee, Lorge, McCallum, Murphy, Sensenbrenner and Theno -- 9.

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Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 2?

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Thompson and Van Sistine -- 23.

Noes -- Senators Bidwell, Chilsen, Cullen, Krueger, Lorge, Sensenbrenner, Swan and Theno -- 8.

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

So the amendment was adopted.

Senator Adelman moved reconsideration of the vote by which senate amendment 1 was refused adoption.

The ayes and noes were demanded and the vote was: ayes, 28; noes, 4; absent or not voting, 1; as follows:

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

Noes -- Senators Bidwell, Chilsen, Krueger and Lorge -- 4.

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

So the motion prevailed.

The question was: Adoption of senate amendment 1?

Adopted.

Senate amendment 3 to **Senate bill 429** offered by Senator Petri.

Senate amendment 3 adopted.

Senate amendment 4 to **Senate Bill 429** offered by Senator Petri.

Senator Adelman moved rejection.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 16; absent or not voting, 1; as follows:

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Ayes -- Senators Adelman, Bablitch, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, McKenna, Maurer, Morrison, Offner, Peloquin, Radosevich, Thompson and Van Sistine -- 16.

Noes -- Senators Bidwell, Chilsen, Dorman, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, Murphy, Parys, Petri, Risser, Sensenbrenner, Swan and Theno -- 16.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 4?

Senator Swan moved that **Senate Bill 429** be referred to the committee on Governmental and Veterans' Affairs.

Senator Bablitch asked unanimous consent that **Senate Bill 429** be referred to the committee on Judiciary and Consumer Affairs.

Senator Adelman objected.

By request of Senator Adelman, with unanimous consent, **Senate Bill 429** was referred to the joint committee on Finance.

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

President pro tempore of the senate in the chair.

5:45 P.M.

Senate Bill 528

Relating to various regulations affecting loans made by certain licensees and oral requests for information under the uniform commercial code.

Read a second time.

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

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

The question was: Adoption of senate amendment 3?

Senator Parys moved rejection.

The motion prevailed.

Senator Berger moved reconsideration of the vote by which senate amendment 3 was rejected.

The motion did not prevail.

Ordered to a third reading.

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

Senate Bill 528

Read a third time and passed.

Senator Berger moved reconsideration of the vote by which **Senate Bill 528** passed.

The ayes and noes were demanded and the vote was: ayes, 2; noes, 30; absent or not voting, 1; as follows:

Ayes -- Senators Berger and McKenna -- 2.

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

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

So the motion did not prevail.

Senate Bill 544

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

Read a second time.

Senate amendment 1 to **Senate Bill 544** offered by Senator Harnisch.

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 544

Read a third time and passed.

Assembly Bill 198

Relating to training requirements for barber apprentice permit applicants.

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 198

Read a third time and concurred in.

Assembly Bill 219

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

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Flynn moved rejection.

The motion prevailed.

Senator Murphy moved reconsideration of the vote by which senate amendment 1 was rejected.

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

Ayes -- Senators Bidwell, Chilsen, Keppler, Lasee, Lorge, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 10.

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

Absent or not voting -- Senators Kleczka and Krueger -- 2.

So the motion did not prevail.

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 219

Read a third time.

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

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

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

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

So the bill was concurred in.

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.

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 238

Read a third time and concurred in.

Assembly Bill 310

Relating to private interests in public contracts.

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 310

Read a third time and concurred in.

Assembly Bill 513

Relating to restitution if a child is adjudged delinquent.

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 513

Read a third time and concurred in.

Assembly Bill 576

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

Read a second time.

Senator Kleczka moved nonconcurrence in **Assembly Bill 576**.

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

Ayes -- Senators Adelman, Berger, Cullen, Kleczka, Krueger, Lasee, Lorge, Morrison, Murphy, Offner, Parys, Risser, Sensenbrenner and Swan -- 14.

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Noes -- Senators Bablitch, Bidwell, Braun, Chilsen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, McCallum, McKenna, Maurer, Peloquin, Petri, Radosevich, Theno, Thompson and Van Sistine -- 19.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Shall the bill be ordered to a third reading?

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

Ayes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Harnisch, Keppler, McCallum, McKenna, Maurer, Peloquin, Petri, Radosevich, Theno, Thompson and Van Sistine -- 19.

Noes -- Senators Berger, Dorman, Goyke, Kleczka, Krueger, Lasee, Lorge, Morrison, Murphy, Offner, Parys, Risser, Sensenbrenner and Swan -- 14.

Absent or not voting -- None.

So the bill was 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 576

Read a third time.

Senator Kleczka moved nonconcurrency.

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Goyke, Kleczka, Krueger, Lasee, Lorge, Maurer, Morrison, Murphy, Offner, Parys, Risser, Sensenbrenner and Swan -- 20.

Noes -- Senators Bidwell, Chilsen, Frank, Harnisch, Keppler, McCallum, McKenna, Peloquin, Petri, Radosevich, Theno, Thompson and Van Sistine -- 13.

Absent or not voting -- None.

So the motion prevailed.

Senator Bablitch moved reconsideration of the vote by which **Assembly Bill 576** was nonconcurrent in.

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By request of Senator Bablitch, with unanimous consent, the motion for reconsideration was laid on the table.

By request of Senator Bablitch, with unanimous consent, **Assembly Bills 693, 707 and 724** were taken from the calendar and referred to the committee on Senate Organization.

Assembly Bill 803

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

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 803

Read a third time and concurred in.

Assembly Bill 938

Relating to unemployment compensation and the unemployment reserve fund.

Read a second time.

Senate amendment 1 to **Assembly Bill 938** offered by Senators McKenna, Van Sistine, Dorman, Goyke, Flynn, Braun and Frank.

Senator Offner moved rejection.

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

Ayes -- Senators Adelman, Bidwell, Chilsen, Flynn, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, Maurer, Morrison, Murphy, Offner, Peloquin, Petri, Risser, Sensenbrenner, Theno and Thompson -- 21.

Noes -- Senators Bablitch, Berger, Braun, Cullen, Dorman, Frank, Goyke, McKenna, Parys, Radosevich, Swan and Van Sistine -- 12.

Absent or not voting -- None.

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.

Assembly Bill 938

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes -- 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.

Noes -- None.

Absent or not voting -- None.

So the bill was concurred in.

Senate Bill 375

Relating to requiring signs indicating brands sold from automatic liquor dispensers and providing a penalty.

Read a second time.

Senator Berger moved indefinite postponement.

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

Ayes -- Senators Berger, Chilsen, McCallum, Morrison, Murphy, Petri, Radosevich and Risser -- 8.

Noes -- Senators Adelman, Bablitch, Bidwell, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McKenna, Offner, Parys, Peloquin, Sensenbrenner, Theno, Thompson and Van Sistine -- 23.

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

So the motion did not prevail.

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 375

Read a third time and passed.

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

RULING OF THE CHAIR

Earlier today the Senator from the 4th, Senator Sensenbrenner, raised the point of order that **Assembly Bill 664** was not properly before the Senate. He argued that placing **Assembly Bill 664** under the 9th order on the calendar of September 28 for final reading was in violation of senate rule 18(2). He claimed that the senate organization committee was required by senate rule 18(2) to provide at least 18 hours notice of matters to be taken up by the Senate and that such notice had not been provided in this case.

Senate rule 18(1) makes it clear that the scheduling authority of the senate organization committee extends to many matters. Senate organization's scheduling authority does not extend, however, to bills, resolutions or other business which senate rules or precedent clearly provide shall be handled in another manner.

Although current senate rules do not address the present question directly, old senate rules are explicit on the subject and at least one recent ruling of the chair reaffirms the well-known rule that legislation ordered to a third reading but not considered for final action on that day will be placed on the next calendar.

A good example of the old senate rule can be found in the 1957 senate manual. Senate rule 38 reads in part:

"Each bill or resolution ordered engrossed and read a third time shall be delivered...to the chief clerk, who shall...place it upon the next calendar 'ready for third reading'."

This language was dropped from the rules after 1965.

The most recent and direct ruling on the subject can be found in the Senate Journal of April 22, 1975 on page 547 where the chair correctly ruled that in order to be consistent with the language and intent of the rules, a measure ordered to a third reading is automatically placed on the next calendar to be printed.

There are other instances where the senate rules dictate what must happen to legislation. Senate rule 18(4), for example, requires that unfinished calendars be carried over and taken up between the 9th and 10th order on the next calendar. Senate rule 17(3) provides that special orders once established shall continue to be special orders, and when laid over under the rules shall be special orders on their proper calendar. These matters are clearly not within the scheduling authority of Senate Organization.

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Since Senate rules have always required bills ready for third reading to be placed on the next calendar, Senate Rules do not require special notice of such placement. Therefore no Senate Rules have been violated and the point of order raised by the Senator from the 4th is not well taken.

FRED A. RISSER

President pro tempore

Assembly Bill 664

Relating to campaign financing, creating a clean election campaign fund, granting rule-making authority, making appropriations and providing penalties.

Read a third time.

The question was: Concurrence?

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Lasee, McCallum, McKenna, Morrison, Offner, Peloquin, Petri, Radosevich, Risser, Theno, Thompson and Van Sistine -- 22.

Noes -- Senators Bidwell, Chilsen, Keppler, Kleczka, Krueger, Lorge, Murphy, Parys, Sensenbrenner and Swan -- 10.

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

So the bill was concurred in.

Ordered immediately messaged.

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 152** by Senator Dorman, by request of Wisconsin Education Association and Wisconsin School Boards Association.

Senate amendment 4 to **Senate Bill 414** by Senator McKenna.

Senate amendment 5 to **Senate Bill 414** by Senator Murphy.

Senate amendments 5, 6, 7, and 8 to **Senate Bill 429** by Senator Petri.

Senate amendment 9 to **Senate Bill 429** by Senator Adelman.

Senate amendments 10, 11, 12 and 13 to **Senate Bill 429** by Senator Sensenbrenner.

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Senate amendment 1 to Assembly Bill 447 by Senators Maurer and Bidwell.

Senate substitute amendment 1 to Assembly Bill 991 by Senator Sensenbrenner.

Senate substitute amendments 2, 3, 4, 5, 6, 7 and 8 to Assembly Bill 991 by Senator McCallum.

Senate amendment 1 to senate substitute amendment 8 to Assembly 991 by Senator McCallum.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Thursday September 29.

7:37 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to senate substitute amendment 1 to Senate Bill 516:

1. On page 1, line 4, substitute "(1)" for "(lm)".
2. On page 1, line 10, substitute "16.04 (1) (d)" for "16.04 (1)".

Relating to Senate Bill 547:

1. On page 4, line 12, substitute "certificate" for "certficate".

Relating to Senate Bill 562:

1. On page 35, after line 5, insert:
"SECTION 50. 299.16 (4) (a) and (b) of the statutes are amended to read:".

2. On page 35, line 6, delete "FORMS."

Relating to Assembly Bill 991:

1. On page 2, line 16, substitute "(2)" for "(1)".