

JOURNAL OF THE SENATE [September 29, 1977]

STATE OF WISCONSIN

Senate Journal

Eighty-Third Regular Session

THURSDAY, September 29, 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 a moment of silent prayer.

The senate remained standing and Senator Theno 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.

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

10:10 A.M.

RECESS

10:30 A.M.

The senate reconvened.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 581

Relating to exemption of fire fighters from program fees for certain programs in vocational, technical and adult education and increasing an appropriation.

By Senators Cullen, Theno, Sensenbrenner, Krueger, Swan, Maurer, Adelman, Morrison, Frank, Peloquin, Lasee, McKenna and Van Sistine; cosponsored by Representatives Schricker, Lewison, Byers, Everson, Donoghue, Lato, Vanderperren, Conradt, Mohn, Schmidt, Murray, Kincaid, Brist, Gunderson and McEssy.

To committee on Education and Revenue.

Senate Bill 582

Relating to separate approval of salary adjustments for certain elected state officials.

By Senators Krueger, Sensenbrenner and Lorge.

To committee on Governmental and Veterans' Affairs.

COMMITTEE REPORTS

The committee on Commerce reports and recommends:

Assembly Bill 214

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

Adoption of senate amendment 1:

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

Noes, 0 -- None.

Adoption of senate amendment 2:

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

Noes, 0 -- None.

JOURNAL OF THE SENATE [September 29, 1977]

Concurrence as amended:

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

Noes, 0 -- None.

RONALD G. PARYS

Chairman

The committee on Natural Resources and Tourism reports and recommends:

HEITING, CATHERINE of Hudson, as a member of the Minnesota-Wisconsin Boundary Area Commission, to succeed Carl Pemble, resigned, to serve for the term ending September 25, 1982.

Confirmation:

Ayes, 5 -- Senators Harnisch, Van Sistine, Radosevich,
Murphy and Theno;

Noes, 0 -- None.

GOSSE, CATHERINE, of Superior, as a member of the Conservation Work Projects Board, to serve for the term ending May 1, 1981.

Confirmation:

Ayes, 5 -- Senators Harnisch, Van Sistine, Radosevich,
Murphy and Theno;

Noes, 0 -- None.

NISEN, CARL, of Union Grove, as a member of the Conservation Work Projects Board, to serve for the term ending May 1, 1978.

Confirmation:

Ayes, 5 -- Senators Harnisch, Van Sistine, Radosevich,
Murphy and Theno;

Noes, 0 -- None.

RODY, JOANNA, of Waukesha, as a member of the Conservation Work Projects Board, to serve for the term ending May 1, 1982.

Confirmation:

Ayes, 5 -- Senators Harnisch, Van Sistine, Radosevich,
Murphy and Theno;

Noes, 0 -- None.

VENTURA, MARIO, SR., of Kenosha, as a member of the Conservation Work Projects Board, to serve for the term ending May 1, 1980.

JOURNAL OF THE SENATE [September 29, 1977]

Confirmation:

Ayes, 5 -- Senators Harnisch, Van Sistine, Radosevich,
Murphy and Theno;

Noes, 0 -- None.

TOM HARNISCH

Chairman

The committee on Education and Revenue reports and recommends:

Assembly Bill 991

Relating to the standard deduction and filing requirements under the personal income tax.

Rejection of senate substitute amendment 1:

Ayes, 4 -- Senators Goyke, Braun, Berger and Cullen;

Noes, 1 -- Senator Sensenbrenner.

Concurrence:

Ayes, 4 -- Senators Goyke, Braun, Berger and Cullen;

Noes, 1 -- Senator Sensenbrenner.

GARY R. GOYKE

Chairman

CALENDAR OF SEPTEMBER 29

By request of Senator Parys, with unanimous consent, the following appointments were considered enmasse.

BRENNAN, ELEANOR, of Browntown, as a member of the Public Defender Board, to serve for the term ending May 1, 1979.

Read.

COFFEY, WILLIAM, of Milwaukee, as a member of the Public Defender Board, to serve for the term ending May 1, 1979.

Read.

HEIM, PATRICIA, of La Crosse, as a member of the Public Defender Board, to serve for the term ending May 1, 1978.

Read.

HERRERA, ANITA, of Racine, as a member of the Public Defender Board, to serve for the term ending May 1, 1978.

JOURNAL OF THE SENATE [September 29, 1977]

Read.

KELLY, WALTER, of Milwaukee, as a member of the Public Defender Board, to serve for the term ending May 1, 1978.

Read.

REMINGTON, FRANK, of Madison, as a member of the Public Defender Board, to serve for the term ending May 1, 1979.

Read.

The question was: Confirmation of the appointments?

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 appointments were confirmed.

BABLITCH, MARTHA, of Stevens Point, as a member of the Public Defender Board, to serve for the term ending May 1, 1980.

Read.

By request of Senator Bablitch, with unanimous consent, pursuant to senate rule 73 (1), he was excused from voting on the appointment because of a conflict of interest.

The question was: Confirmation?

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

Ayes -- Senators Adelman, 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 -- 32.

Noes -- None.

JOURNAL OF THE SENATE [September 29, 1977]

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

So the appointment was confirmed.

Senate Bill 111

Relating to taxation of metalliferous mineral mining, creating an investment and local impact fund board in the department of revenue, making appropriations and granting rule-making authority.

The question was: Shall the vetoed part of the bill, item I, sections 70.375 (1) (c) and 70.395 (2) (g) 9., pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Bidwell, Chilsen, Cullen, Frank, Goyke, Harnisch, Keppler, Krueger, Lasee, Lorge, McCallum, Morrison, Murphy, Petri, Radosevich, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 20.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Dorman, Flynn, Kleczka, McKenna, Maurer, Offner, Parys, Peloquin and Risser -- 13.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall the vetoed part of the bill, item II, section 70.395 (2) (d) 3., pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Chilsen, Goyke, Harnisch, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Murphy, Peloquin, Petri, Sensenbrenner, Swan, Theno and Van Sistine -- 16.

Noes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Cullen, Dorman, Flynn, Frank, Kleczka, Maurer, Morrison, Offner, Parys, Radosevich, Risser and Thompson -- 17.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

JOURNAL OF THE SENATE [September 29, 1977]

The question was: Shall the vetoed part of the bill, item III, section 70.375 (5)(a), (b) and (c), pass notwithstanding the objections of the Governor?

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

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

Noes -- Senators Berger and Dorman -- 2.

Absent or not voting -- None.

More than two-thirds having voted in the affirmative, the vetoed part of the bill passed notwithstanding the objections of the Governor.

The question was: Shall the vetoed part of the bill, item IV, section 70.375 (3)(a), pass notwithstanding the objections of the Governor?

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

Ayes -- None.

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

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

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 868

Assembly Bill 894

Assembly Bill 740

Amended and concurred in as amended:

Senate Bill 14 (Assembly substitute amendment 1 adopted)

Senate Bill 17 (Assembly amendment 5 adopted)

Senate Bill 227 (Assembly substitute amendment 1 adopted)

Concurred in:

Senate amendments 2 and 3 to **Assembly Bill 218**

Senate amendment 1 to **Assembly Bill 487**

Senate Joint Resolution 40

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 868

Relating to requiring the use of water conserving water closets, sink faucets and showerheads in buildings, prohibiting the sale of plumbing fixtures which are not water-conserving, granting rule-making authority and providing a penalty.

By Representatives Flintrop, Munts, Dandeneau, Plewa, Metz, Fischer, Hasenohrl, Soucie, Vanderperren, Early, Otte, Roberts, Kirby, Wahner, Ferrall, Hanson, Dueholm, Barczak, Loftus, Bear, Duren, Gerlach, Lee, Leopold, Rutkowski, Lallensack, Ellis, Ausman, Bradley, Rooney, Elconin, Norquist, McClain, Medinger, Mohn, Everson, Litscher, Clarenbach, Kedrowski, Miller, Tropman and Rogers.

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

JOURNAL OF THE SENATE [September 29, 1977]

Assembly Bill 894

Relating to issuing waterfowl stamps for wetland habitat improvement and waterfowl propagation, and making an appropriation.

By Representatives Metz, Day, Fischer, Vanderperren, Brist, Barry, Litscher, Soucie, Lorman, Dandeneau, Ausman, Dueholm, Munts and Loftus, cosponsored by Senator Radosevich.

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

Assembly Bill 740

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

By Representatives Vanderperren, Groshek, Lallensack, Litscher and Murray, cosponsored by Senator VanSistine.

Read first time and referred to committee on Commerce.

CALENDAR OF SEPTEMBER 29

Senate Bill 74

Relating to substitution of judges.

The question was: Concurrence in assembly amendment 1?

Concurred in.

Senate Bill 75

Relating to reduction of the time limitation period for commencement of actions for contribution based on tort.

The question was: Concurrence in assembly amendment 1?

Concurred in.

Senate Bill 114

Relating to tax redemption.

The question was: Concurrence in assembly amendment 1?

Concurred in.

Senate Bill 192

Relating to the method of filling vacancies in the office of mayor and member of the common council in cities of the 1st class.

The question was: Concurrence in assembly amendment 1?

Concurred in.

Senate Bill 360

Relating to standard nonforfeiture and valuation requirements for life insurance and annuity contracts.

The question was: Concurrence in assembly amendment 1?
Concurred in.

MOTIONS

Senator Bablitch asked unanimous consent, that the motion for reconsideration of the vote by which **Assembly Bill 576** was nonconcurrent in be taken from the table and considered for action at this time.

Senator Kleczka objected.

Senator Bablitch moved that the motion for reconsideration of the vote by which **Assembly Bill 576** was nonconcurrent in be taken from the table and considered for action at this 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, Bidwell, Braun, Chilsen, Cullen, Flynn, Goyke, Harnisch, Keppler, Krueger, Lorge, McCallum, McKenna, Offner, Peloquin, Petri, Radosevich, Sensenbrenner, Theno, Thompson and Van Sistine -- 22.

Noes -- Senators Berger, Dorman, Frank, Kleczka, Lasee, Maurer, Morrison, Murphy, Parys, Risser and Swan -- 11.

Absent or not voting -- None.

So the motion prevailed.

LEAVE OF ABSENCE

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

By request of Senator Berger, with unanimous consent, he was granted a leave of absence at 1:00 P.M. for the balance of the day.

The question was: Reconsideration of the vote by which **Assembly Bill 576** was nonconcurrent in.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 12; absent or not voting, 0; as follows:

JOURNAL OF THE SENATE [September 29, 1977]

Ayes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Cullen, Flynn, Goyke, Harnisch, Keppler, Krueger, Lorge, McCallum, McKenna, Offner, Peloquin, Petri, Radosevich, Theno, Thompson and Van Sistine -- 20.

Noes -- Senators Berger, Braun, Dorman, Kleczka, Lasee, Maurer, Morrison, Murphy, Parys, Risser, Sensenbrenner and Swan -- 12.

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

So the motion prevailed.

The question was: Nonconcurrency in **Assembly Bill 576**?

The bill was refused nonconcurrency.

Senator Bablitch moved reconsideration of the vote by which **Assembly Bill 576** was ordered to a third reading.

The motion prevailed.

By request of Senator Senator Kleczka, with unanimous consent, **Assembly Bill 576** was referred to the committee on Natural Resources and Tourism.

By request of Senator Thompson, with unanimous consent, **Senate Bill 107** was withdrawn from the committee on Human Services and referred to the joint committee on Finance.

MOTION UNDER JOINT RULE 7

A joint certificate of congratulations by Senator Lorge; cosponsored by Representative Byers for OSCAR WIESMAN on the occasion of the 60th Ford Motor Dealer Anniversary, November 11, 1977.

Read and adopted.

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

12:08 P.M.

RECESS

2:00 P.M.

The senate reconvened.

JOURNAL OF THE SENATE [September 29, 1977]

By request of Senator Bablitch, with unanimous consent, the senate stood informal for 15 minutes.

2:02 P.M.

2:17 P.M.

The senate reconvened.

QUORUM CALL

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

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

Senators Adelman, Bablitch, 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 -- 32.

Absent -- None.

Absent with leave -- Senator Berger -- 1.

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

COMMITTEE REPORTS

Report of
Committee of Conference on
Assembly Bill 702

The members of the Committee of Conference on **Assembly Bill 702** report and recommend:

1. That both Houses recede from their respective positions on 1977 **Assembly Bill 702** as documented, respectively, by their adoption of senate amendment 1 and assembly amendment 1 to senate amendment 1; and

JOURNAL OF THE SENATE [September 29, 1977]

2. That both Houses, by their adoption of this report, adopt or concur, respectively, in conference substitute amendment 1 to **Assembly Bill 702** which is offered herewith by the Committee of Conference and made a part of this report.

THOMAS A. LOFTUS
Assembly Chairman

RONALD G. PARYS
Senate Chairman

LAVERNE G. AUSMAN
Representative

DAVID G. BERGER
Senator

MICHAEL C. KIRBY
Representative

EVERETT V. BIDWELL
Senator

CALENDAR OF SEPTEMBER 29

Assembly Joint Resolution 20

Relating to town government (2nd consideration).

Read a second time.

Ordered to a third reading.

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

Assembly Joint Resolution 20

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, 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, Swan, Theno, Thompson and Van Sistine -- 31.

Noes -- Senator Braun -- 1.

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

So the joint resolution was concurred in.

Assembly Bill 287

Relating to authorizing creation of municipal electric companies.

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 287

Read a third time.

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

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

Noes -- Senator Parys -- 1.

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

So the bill was concurred in.

Assembly Bill 447

Relating to licensure of ambulance drivers and attendants.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Assembly Bill 447

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, Chilsen, Cullen, Dorman, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Radosevich, Risser, Sensenbrenner, Swan, Theno and Thompson -- 27.

Noes -- Senators Braun, Flynn, McCallum, Petri and Van Sistine -- 5.

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

To the bill was concurred in as amended.

Ordered immediately messaged.

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.

JOURNAL OF THE SENATE [September 29, 1977]

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 864

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

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

Noes -- Senator Bidwell -- 1.

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

So the bill was concurred in.

Assembly Bill 991

Relating to the standard deduction and filing requirements under the personal income tax.

Read a second time.

Senator Kleczka in the chair.

3:13 P.M.

The question was: Rejection of senate substitute amendment 1?

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

Ayes -- Senators Adelman, Bablitch, 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 Berger -- 1.

So the amendment was rejected.

The question was: Adoption of senate substitute amendment 2?

Senator Goyke moved rejection.

The motion prevailed.

JOURNAL OF THE SENATE [September 29, 1977]

The question was: Adoption of senate substitute amendment 3?

Senator Goyke moved rejection.

The motion prevailed.

The question was: Adoption of senate substitute amendment 4?

Senator Goyke 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, Bablitch, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, 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 Berger and Radosevich -- 2.

So the motion prevailed.

The question was: Adoption of senate substitute amendment 5?

Senator Offner moved rejection.

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

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

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

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

So the motion prevailed.

The question was: Adoption of senate substitute amendment 6?

Senator Goyke moved rejection.

By request of Senator McCallum, with unanimous consent, senate substitute amendment 6 was withdrawn and returned to the author.

By request of Senator Radosevich, with unanimous consent, the journal showed that had she been present she would have voted "aye" for rejection of senate substitute amendment 4 to Assembly Bill 991.

JOURNAL OF THE SENATE [September 29, 1977]

The question was: Adoption of senate substitute amendment 7?

Senator Goyke moved rejection.

The motion prevailed.

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

Senator Goyke moved rejection of senate substitute amendment 8.

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

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

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

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

So the motion prevailed.

Senate amendment 1 to **Assembly Bill 991** offered by Senator Murphy.

Senator Goyke 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, Bablitch, 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 Berger -- 1.

So the motion prevailed.

Senate amendment 2 to **Assembly Bill 991** offered by Senator McCallum.

Senator Offner moved rejection.

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

JOURNAL OF THE SENATE [September 29, 1977]

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

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

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

So the motion prevailed.

Senate amendment 3 to **Assembly Bill 991** offered by Senator McCallum.

Senator Goyke 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.

Assembly Bill 991

Read a third time.

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

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

Noes -- Senators Krueger and McCallum -- 2.

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

So the bill was concurred in.

Ordered immediately messaged.

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 583

Relating to retail liquor licenses for restaurants of historical significance.

JOURNAL OF THE SENATE [September 29, 1977]

By Senator Theno; cosponsored by Representative Kedrowski.
To committee on Commerce.

Senate Bill 584

Relating to abolishing the right to transfer cases from municipal court to county court.

By Senator Frank; cosponsored by Representative Tesmer, by request of the city of St. Francis.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

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

Assembly Bill 337

Relating to eligibility of relatives of business owners for unemployment compensation benefits.

Concurrence:

Ayes, 4 -- Senators Radosevich, Van Sistine, Chilsen and McCallum;

Noes, 3 -- Senators Cullen, Harnisch and Morrison.

TIM CULLEN

Chairman

The committee on Education and Revenue reports and recommends:

Assembly Bill 865

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

Concurrence:

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

Noes, 0 -- None.

GARY R. GOYKE

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 736

Assembly Bill 779

Assembly Bill 626

Assembly Bill 970

Adopted and asks concurrence in:

Motion Under Joint Rule 7:

A joint certificate of commendation by Representative Plewa; cosponsored by Senator Frank for WAYNE PAUL GOTZ II on earning the Eagle Scout Award.

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 736

Relating to permitting school boards to provide transportation for public or private school pupils to extracurricular activities.

By Representatives Hephner, Litscher, Potter, Vanderperren, Groshek, Plewa, Dorff, McEssy, Tregoning, Rogers, Duren, Otte, Barczak, Tuczynski, Dandeneau, Lewis, Merkt, Roth, DeLong, Goodrich, Gower, Kincaid, Andrea, Lallensack, Murray, Matty, Ausman, Conradt, Bradley, Schricker and Pabst, cosponsored by Senators Petri, Chilsen, VanSistine, Berger and Keppler, by request of Hilbert High School Board.

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

Assembly Bill 779

Relating to fence construction on boundaries of town subdivisions.

By Representatives Barry, Schricker, Lallensack, Dandeneau, Day, Plewa, Loftus and Lingren.

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

Assembly Bill 626

Relating to retirement programs for municipal police officers and fire fighters.

JOURNAL OF THE SENATE [September 29, 1977]

By Representatives McClain, DeLong, Looby, Metz, Vanderperren, Brist, Kedrowski, Schneider, Murray, Flintrop, Roberts, Ellis, Medinger, Matty, Groshek, Andrea, Barczak, Moody, Donoghue, Wood, Soucie, Dandeneau, Hasenohrl, Potter, Munts, Rogers, McEssy, Elconin, Kincaid, Jackamonis, Hanson, Travis and Miller, cosponsored by Senator Offner.

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

Senator Cullen asked unanimous consent that **Assembly Bill 626** be withdrawn from the committee on Agriculture, Aging and Labor and referred to the committee on Senate Organization.

Senator Sensenbrenner objected.

Senator Bablitch moved that **Assembly Bill 626** be withdrawn from the committee on Agriculture, Aging and Labor and referred to the committee on Senate Organization.

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, Cullen, Dorman, Flynn, Frank, Goyke, Keppler, Kleczka, Lorge, McCallum, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Swan, Thompson and Van Sistine -- 23.

Noes -- Senators Bidwell, Braun, Chilsen, Krueger, Lasee, Murphy, Sensenbrenner and Theno -- 8.

Absent or not voting -- Senators Berger and Harnisch -- 2.

So the motion prevailed.

Assembly Bill 970

Relating to eliminating the reduction for estimated shared taxes under the county and municipal levy limitations.

By Joint Committee on Finance, by request of Acting Governor Martin Schreiber.

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

Motion Under Joint Rule 7:

A joint certificate of commendation by Representative Plewa; cosponsored by Senator Frank for WAYNE PAUL GOTZ II on earning the Eagle Scout award.

Read and concurred in.

LEAVE OF ABSENCE

By request of Senator Braun, with unanimous consent, he was granted a leave of absence for the morning of Friday, September 30.

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

AMENDMENTS OFFERED

Senate amendment 1 to **Assembly Bill 576** by Senator Bablitch.

Senate amendment 2 to **Assembly Bill 576** by Senators Kleczka, Parys, Swan, Dorman and Murphy.

By request of Senator Krueger, with unanimous consent, the senate adjourned in honor of Mrs. Janice Briggs who is retiring from work in the Republican caucus.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Friday, September 30.

4:45 P.M.