

JOURNAL OF THE SENATE [February 7, 1978]

STATE OF WISCONSIN

Senate Journal

Eighty-Third Regular Session

TUESDAY, February 7, 1978.

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 Reverend Frank R. Gaylord, Bethany United Methodist Church, Madison.

The senate remained standing and Senator Bidwell 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, Keppler, Kleczka, Lasee, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 30.

Absent -- Senator Krueger -- 1.

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

LEAVE OF ABSENCE

By request of Senator Sensenbrenner, with unanimous consent, Senator Krueger was granted a leave of absence for the week's session.

By request of Senator Sensenbrenner, with unanimous consent, Senator Lorge was granted a leave of absence for today's session.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 687

Relating to discovery in traffic regulation violation court proceedings.

By Senator Flynn.

To committee on Judiciary and Consumer Affairs.

Senate Bill 688

Relating to the authority of municipalities to finance industrial projects.

By Senator Bablitch, cosponsored by Representative Hasenhorl

To committee on Commerce.

Senate Bill 689

An act to appropriate \$25,362.73 from the conservation fund for payment of a claim made by Juneau county against the state.

By Senator Kleczka, cosponsored by Representative Roberts

To joint committee on Finance.

COMMITTEE REPORTS

The committee on Commerce reports and recommends for introduction:

Senate Bill 690

Relating to violations of the restriction on a person's operator's license and creating a penalty.

Introduction:

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

Noes, 0 -- None.

Read first time and referred to committee on Commerce.

RONALD G. PARYS

Chairman

The committee on Education and Revenue reports and recommends:

Senate Bill 413

Relating to creating a council on and establishing a program for gifted and talented pupils, making appropriations and granting rule-making authority.

Passage:

Ayes, 3 -- Senators Goyke, Offner and Sensenbrenner;

Noes, 2 -- Senators Braun and Berger.

Senate Bill 493

Relating to requiring foster care education, creating a foster care education council, granting rule-making authority and making an appropriation.

Introduction of senate substitute amendment 1:

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

Noes, 0 -- None.

Adoption of senate substitute amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

Assembly Bill 659

Relating to transportation of pupils in areas of unusual hazard.

Introduction of senate amendment 1:

Ayes, 3 -- Senators Goyke, Offner and Sensenbrenner;

Noes, 2 -- Senators Braun and Berger.

Adoption of senate amendment 1:

Ayes, 3 -- Senators Goyke, Offner and Sensenbrenner;

Noes, 2 -- Senators Braun and Berger.

Introduction of senate amendment 2:

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

Noes, 0 -- None.

Adoption of senate amendment 2:

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

Noes, 0 -- None.

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Concurrence as amended:

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

Noes, 0 -- None.

GARY R. GOYKE

Chairman

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Joint Resolution 51

To amend sections 1m and 1n of article V so as in effect to repeal said sections; and to amend section 9 of article IV, sections 1, 7 and 8 of article V and section 10 of article XIII, relating to gubernatorial succession (1st consideration).

Adoption:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and
Murphy;

Noes, 0 -- None.

Senate Bill 142

Relating to delivering liquor or dangerous drugs to, or permitting persons of different sexes to be placed together in, a prison or house of correction.

Introduction of senate substitute amendment 1:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and
Murphy;

Noes, 0 -- None.

Adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and
Murphy;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and
Murphy;

Noes, 0 -- None.

Senate Bill 509

Relating to trusts involving minors and changes in the uniform gifts to minors act.

Introduction of senate substitute amendment 1:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and
Murphy;

Noes, 0 -- None.

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Adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and
Murphy;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and
Murphy;

Noes, 0 -- None.

Senate Bill 568

Relating to exploration leases and conveyances of mineral
interests.

Introduction of senate substitute amendment 1:

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

Noes, 2 -- Senators Frank and Murphy.

Adoption of senate substitute amendment 1:

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

Noes, 2 -- ;Senators Frank and Murphy.

Passage as amended:

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

Noes, 2 -- Senators Frank and Murphy.

Assembly Bill 115

Relating to advertising of attorneys' services.

Concurrence:

Ayes, 4 -- Senators Flynn, Frank, Harnisch and Adelman;

Noes, 1 -- Senator Murphy.

Assembly Bill 627

Relating to extension of the statutory code of ethics to justices of
the supreme court and circuit and county judges.

Introduction of senate substitute amendment 1:

Ayes, 2 -- Senators Flynn and Adelman;

Noes, 1 -- Senator Murphy.

Adoption of senate substitute amendment 1:

Ayes, 2 -- Senators Flynn and Adelman;

Noes, 1 -- Senator Murphy.

Concurrence as amended:

Ayes, 2 -- Senators Flynn and Adelman;

Noes, 1 -- Senator Murphy.

JAMES T. FLYNN
Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 149

A petition by 13 residents of the state of Wisconsin in opposition to Senate Bill 554 and Assembly Bill 1080, relating to using dogs to hunt bear, requiring bear hunters to wear a back tag and providing a penalty.

By Senator Dorman.

Read and referred to Natural Resources and Tourism.

Senate Petition 150

A petition by 427 residents of the state of Wisconsin in support of Senate Bill 629 and Assembly Bill 1049, relating to registration of certain trailers and semitrailers.

By Senator Theno.

Read and referred to joint committee on Finance.

Senate Petition 151

A petition by 776 residents of the 25th Senate District in support of Senate Bill 629, relating to registration of certain trailers and semitrailers.

By Senator Theno.

Read and referred to joint committee on Finance.

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 68

Passed and asks concurrence in:

Assembly Bill 594

Concurred in:

Senate Joint Resolution 39

Senate Bill 353

Amended and concurred in as amended:

Senate Bill 222, assembly amendments 1 and 2 adopted

Senate Bill 276, assembly amendment 1 adopted

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Adopted and asks concurrence in:

MOTION UNDER JOINT RULE 7

A joint certificate of commendation by Representative Kincaid; co-sponsored by Senator Krueger for ELWOOD "CORKY" SHIRLAND on his diligent, courteous, friendly and outstanding service at the Hiles Town Dump.

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 68

Relating to primaries in recall elections (first consideration).

By Representatives Bear, Miller, Clarenbach, Leopold, Barczak and Flintrop, co-sponsored by Senator Braun.

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

Assembly Bill 594

Relating to reimbursement of 50% of preinspection fees to local agent.

By Representatives Looby, Barczak, Matty, Thompson, Ferrall and Czerwinski, co-sponsored by Senators Peloquin and McCallum.

Read first time and referred to committee on Human Services.

MOTIONS

MOTION UNDER SENATE RULE 97

A certificate of congratulations by Senator Frank; cosponsored by Representative Tesmer for the namesakes of SIR THOMAS MORE on his 500th birthday.

CALENDAR OF FEBRUARY 7

Senate Joint Resolution 49

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

Read a second time.

By request of Senator Murphy, with unanimous consent, **Senate Joint Resolution 49** was referred to the committee on Senate Organization.

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Senate Bill 143

Relating to escapes from custody and providing penalties.
Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 143** was referred to joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 143** was withdrawn from the joint committee on Finance.

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 143

Read a third 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, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Kleczka, Lasee, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Radosevich, Theno, Thompson and Van Sistine -- 23.

Noes -- Senators Bidwell, Chilsen, Harnisch, Keppler, Petri, Risser, Sensenbrenner and Swan -- 8.

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

So the bill passed.

Senate Bill 218

Relating to raising transcript fees.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 218** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 218** was withdrawn from the joint committee on Finance and considered for action at this time.

Senator Murphy asked unanimous consent that **Senate Bill 218** be referred to the committee on Judiciary and Consumer Affairs.

Senator Harnisch objected.

Senator Murphy moved that **Senate Bill 218** be referred to the committee on Judiciary and Consumer Affairs.

The motion prevailed.

Senate Bill 251

Relating to place of trial in actions against insurance companies growing out of negligence.

Read a second time.

The question was: Adoption of senate amendment 1 to **Senate Bill 251?**

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 251

Read a third time and passed.

Senate Bill 343

Relating to increasing the amount of fees paid to witnesses.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 343** was referred to the joint committee on Finance.

Senate Bill 414

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

Read a second time.

The question was: Adoption of senate amendment 1 to **Senate Bill 414?**

Adopted.

The question was: Adoption of senate amendment 2 to **Senate Bill 414?**

Adopted.

The question was: Adoption of senate amendment 3 to **Senate Bill 414?**

Adopted.

The question was: Adoption of senate amendment 4 to **Senate Bill 414?**

Adopted.

The question was: Adoption of senate amendment 5 to **Senate Bill 414?**

Senator Bablitch moved rejection of senate amendment 5.

The question was: Rejection of senate amendment 5 to **Senate Bill 414?**

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

Ayes -- Senators Adelman, Bablitch, Berger, Cullen, Dorman, Flynn, Goyke, Harnisch, McCallum, McKenna, Maurer, Morrison, Peloquin, Petri, Radosevich, Risser, Theno, Thompson and Van Sistine -- 19.

Noes -- Senators Bidwell, Braun, Chilsen, Frank, Keppler, Kleczka, Lasee, Murphy, Offner, Parys, Sensenbrenner and Swan -- 12.

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

So the amendment was rejected.

Senate amendment 6 to **Senate Bill 414** offered by Senator Bablitch.

The question was: Adoption of senate amendment 6 to **Senate Bill 414**?

Adopted.

Senate amendment 7 to **Senate Bill 414** offered by Senators McCallum and Bablitch.

The question was: Adoption of senate amendment 7 to **Senate Bill 414**?

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 414

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

Noes -- Senator Swan -- 1.

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

So the bill passed.

Senate Bill 422

Relating to authorizing limited use of user charges to recover capital costs and operating expenses by a metropolitan sewerage commission and sewerage district in a county containing a city of the 1st class and by a sewerage commission of a city of the 1st class.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 422** was referred to the joint committee on Finance.

Senator Dorman asked unanimous consent that **Senate Bill 422** be withdrawn from the joint committee on Finance and considered for action at this time.

Senator Keppler objected.

Senator Keppler removed his objection and **Senate Bill 422** was considered for action at this time.

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

Senator Braun asked unanimous consent that senate substitute amendment 1 to **Senate Bill 422** be laid on the table.

Senator Thompson objected.

Senator Thompson removed his objection and senate substitute amendment 1 to **Senate Bill 422** was laid on the table.

The question was: Adoption of senate amendment 1 to senate substitute amendment 2 to **Senate Bill 422**?

Adopted.

The question was: Adoption of senate substitute amendment 2 to **Senate Bill 422**?

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 422

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, McCallum, McKenna, Maurer, Morrison, Murphy,

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

Noes -- None.

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

So the bill passed.

By request of Senator Keppler, with unanimous consent, he was granted a leave of absence for the balance of today's session.

By request of Senator Bablitch, with unanimous consent, the senate recessed until 4:00 P.M.

11:53 A.M.

RECESS

4:00 P.M.

The senate reconvened.

Senate Bill 454

Relating to principal and income for trusts and estates.

Read a second time.

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, Berger, Bidwell, Braun, Chilsen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Lasee, McCallum, McKenna, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 28.

Absent -- Senators Cullen and Offner -- 2.

Absent with leave -- Senators Keppler, Krueger and Lorge -- 3.

The question was: Shall **Senate Bill 454** be ordered to a third reading?

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 454

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Read a third time and passed.

Senate Bill 494

Relating to sentencing a person after a probation revocation.

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 494

Read a third time and passed.

Senate Bill 560

Relating to increasing authority of district attorneys and counties in certain civil actions and proceedings.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 560** was placed at the foot of the calendar.

Senate Bill 563

Relating to changing procedure in nonconsumer replevin actions.

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 563

Read a third time and passed.

Senate Bill 564

Relating to the procedure used by a creditor to attach property of his or her debtor.

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 564

Read a third time and passed.

Senate Bill 585

Relating to disclaimers of transfers of property or an interest in property.

Read a second time.

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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 585

Read a third time and passed.

Assembly Joint Resolution 56

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

Read.

The question was: Adoption of senate amendment 1 to **Assembly Joint Resolution 56**?

Adopted.

Concurred in as amended.

Assembly Bill 139

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

Read a second time.

The question was: Adoption of senate amendment 1 to **Assembly Bill 139**?

By request of Senator Murphy, with unanimous consent, **Assembly Bill 139** was referred to the committee on Judiciary and Consumer Affairs.

Assembly Bill 237

Relating to awarding costs and fees if an action, special proceeding, cross complaint or counterclaim is determined to be frivolous.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senator Sensenbrenner.

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

Adopted.

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

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By request of Senator Bablitch, with unanimous consent, all action was ordered immediately messaged.

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

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 237

Read a third time and concurred in as amended.

Assembly Bill 389

Relating to county consumer protection agencies.

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 389

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 24; noes, 5; absent or not voting, 4; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Dorman, Flynn, Frank, Goyke, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine -- 24.

Noes -- Senators Bidwell, Cullen, Harnisch, Lasee and Sensenbrenner -- 5.

Absent or not voting -- Senators Keppler, Kleczka, Krueger and Lorge -- 4.

So the bill was concurred in.

Assembly Bill 446

Relating to intestate succession where husband and wife die as a result of a common accident.

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 446

Read a third time and concurred in.

Assembly Bill 450

Relating to prohibiting sexual harassment in employment.

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Read a second time.

Senate amendment 1 to **Assembly Bill 450** offered by Senator Murphy.

Senator Adelman moved rejection of senate amendment 1 to **Assembly Bill 450**.

Senator Parys moved non-concurrence.

The ayes and noes were demanded and the vote was: ayes, 5; noes, 25; absent or not voting, 3; as follows:

Ayes -- Senators Berger, Bidwell, Kleczka, Murphy and Parys -- 5.

Noes -- Senators Adelman, Bablitch, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Lasee, McCallum, McKenna, Maurer, Morrison, Offner, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 25.

Absent or not voting -- Senators Keppler, Krueger and Lorge -- 3.

So the motion did not prevail.

The question was: Rejection of senate amendment 1 to **Assembly Bill 450**?

Senator Kleczka asked unanimous consent that **Assembly Bill 450** be returned to the committee on Judiciary and Consumer Affairs.

Senator Adelman objected.

Senator Kleczka moved that **Assembly Bill 450** be returned to the committee on Judiciary and Consumer Affairs.

The ayes and noes were demanded and the vote was: ayes, 6; noes, 23; absent or not voting, 4; as follows:

Ayes -- Senators Berger, Bidwell, Chilsen, Kleczka, Parys and Petri -- 6.

Noes -- Senators Adelman, Bablitch, Braun, Cullen, Dorman, Flynn, Frank, Harnisch, Lasee, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Peloquin, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 23.

Absent or not voting -- Senators Goyke, Keppler, Krueger and Lorge -- 4.

So the motion did not prevail.

The question was: Rejection of senate amendment 1 to **Assembly Bill 450**?

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

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

Noes -- Senators Berger, Bidwell, Chilsen, Harnisch, Kleczka, McCallum, Murphy, Parys, Petri, Sensenbrenner and Theno -- 11.

Absent or not voting -- Senators Keppler, Krueger and Lorge -- 3.

So the amendment was rejected.

Senate amendment 2 to **Assembly Bill 450** offered by Senator Petri.

The question was: Adoption of senate amendment 2 to **Assembly Bill 450**?

Adopted.

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

The ayes and noes were demanded and the vote was: ayes, 21; noes, 9; absent or not voting, 3; as follows:

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

Noes -- Senators Berger, Bidwell, Chilsen, Lasee, McCallum, Murphy, Parys, Petri and Theno -- 9.

Absent or not voting -- Senators Keppler, Krueger and Lorge -- 3.

The motion prevailed.

Senator Adelman moved rejection of senate amendment 2 to **Assembly Bill 450**.

The ayes and noes were demanded and the vote was: ayes, 23; noes, 7; absent or not voting, 3; as follows:

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

Noes -- Senators Berger, Bidwell, Chilsen, Kleczka, Murphy, Parys and Petri -- 7.

Absent or not voting -- Senators Keppler, Krueger and Lorge -- 3.

So the amendment was rejected.

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 450

Read a third time and concurred in.

Assembly Bill 463

Relating to revising certain flood plain zoning requirements.

Read a second time.

The question was: Adoption of senate amendment 1 to **Assembly Bill 463**?

Senator Bablitch moved rejection of senate amendment 1 to **Assembly Bill 463**?

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Harnisch, Kleczka, Lasec, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 27.

Noes -- Senators Bidwell, Goyke and McCallum -- 3.

Absent or not voting -- Senators Keppler, Krueger and Lorge -- 3.

So the amendment was rejected.

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 463

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, Bablitch, Berger, Bidwell, Braun, Chilsen, Dorman, Flynn, Frank, Harnisch, Kleczka, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 27.

Noes -- Senators Cullen, Goyke and Lasec -- 3.

Absent or not voting -- Senators Keppler, Krueger and Lorge -- 3.

So the bill was concurred in.

Assembly Bill 479

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

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 479

Read a third time and concurred in.

Assembly Bill 483

Relating to requiring creditors to file notices of satisfied liens.

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 483

Read a third time and concurred in.

Assembly Bill 632

Relating to interest rate on tax on lands withdrawn from forest croplands.

Read a second time.

Senate amendment 1 to **Assembly Bill 632** offered by Senator Petri.

Senator Berger moved rejection of senate amendment 1 to **Assembly Bill 632**.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 9; absent or not voting, 4; as follows:

Ayes -- Senator: Adelman, Bablitch, Berger, Braun, Chilsen, Dorman, Flynn, Frank, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Radosevich, Risser, Swan, Thompson and Van Sistine -- 20.

Noes -- Senators Bidwell, Cullen, Goyke, Lasee, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 9.

Absent or not voting -- Senators Keppler, Krueger, Lorge and Peloquin -- 4.

So the amendment was rejected.

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.

Assembly Bill 632

Read a third time and concurred in.

Assembly Bill 640

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

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 640

Read a third time and concurred in.

Assembly Bill 698

Relating to the board of soil and water conservation districts disapproving the plans of a district.

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 698

Read a third time and concurred in.

Assembly Bill 754

Relating to revising the inland lake protection and rehabilitation law.

Read a second time.

Senate amendment 1 to **Assembly Bill 754** offered by Senator Harnisch

The question was: Adoption of senate amendment 1 to **Assembly Bill 754**?

Adopted.

By request of Senator Dorman, with unanimous consent, **Assembly Bill 754** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Assembly Bill 754** was withdrawn from the joint committee on Finance and considered for action at this time.

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Senator Sensenbrenner raised the point of order that section 13.52 of the Wisconsin Statutes requires that **Assembly Bill 754** be referred to the Joint Survey Committee on Tax Exemptions.

The chair took the point of order under advisement.

Senate Bill 560

Read a second time.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 560** was referred to the joint committee on Finance.

By request of Senator Bablitch, with unanimous consent, all action was ordered immediately messaged.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 691

Relating to appointment of the probate registrar by the county board.

By Senator Berger.

To committee on Judiciary and Consumer Affairs.

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 281

Assembly Bill 159

Assembly Bill 881

Assembly Bill 687

Assembly Bill 961

Adopted and asks concurrence in:

Assembly Joint Resolution 80

Concurred in:

Senate Bill 428

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Senate Bill 544

Senate amendments 1 and 2 to **Assembly Bill 187**.

Senate amendments 1, 2, 3, and 4 to **Assembly Bill 432**.

Senate amendment 1 to **Assembly Bill 624**

Amended and concurred in as amended:

Senate Bill 50, assembly amendment 1 adopted and assembly amendment 1 to assembly amendment 1 adopted.

Senate Bill 72, assembly amendments 1, 2, 4 and 5 adopted

Senate Bill 281, assembly substitute amendment 1 adopted

Nonconcurrent in:

Senate amendment 1 to **Assembly Bill 539**

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 281

Relating to the definition of optometry and permitting the use of pharmaceutical agents for diagnostic purposes.

By The Committee on Health and Social Services.

Read first time and referred to committee on Human Services.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 281** was withdrawn from the committee on Human Services and referred to the committee on Senate Organization.

Assembly Bill 159

Relating to equal insurance coverage of psychologists services.

By Representatives Ferrall, Metz, Munts, Barczak, Flintrop, Cogs and Quackenbush.

Read first time and referred to committee on Human Services.

Assembly Bill 881

Relating to prohibiting the sale of cleaning agents and water conditioners with specific phosphorus concentrations and providing a penalty.

By Representatives Munts, Kedrowski, Flintrop, Day, Otte, Dandeneau, Cogs, Loftus, Metz and Lorman, co-sponsored by Senators Radosevich, Thompson, Harnisch and Braun.

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

Assembly Bill 687

Relating to verifying results of chemical analysis of breath.

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By Representatives Gunderson, Ausman, Brist, Schneider, Roberts, Schmidt, Quackenbush, Clarenbach, Bear, Donoghue, Johnston, Olson, Early and Engeleiter, co-sponsored by Senator Harnisch.

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

Assembly Bill 961

Relating to permitting counties to offer bounties for rattlesnakes.

By Representatives Medinger, Lewison, Travis, Elconin, Duren, Mohn, Day, Olson, Schricker, Conradt and Schmidt, co-sponsored by Senator Offner.

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

Assembly Joint Resolution 80

Granting the use of the senate and assembly chambers to Wisconsin Y.M.C.A. Youth in Government, Model Legislature in 1978, for the purpose of holding a practice legislative session.

By Representatives Schneider and Jackamonis, co-sponsored by Senator McCallum.

Read first time and referred to committee on Senate Organization.

MOTIONS

Senator Chilsen asked unanimous consent that **Senate Bill 126** be withdrawn from the committee on Commerce and referred to the committee on Senate Organization.

Senator Parys objected.

Senator Parys asked unanimous consent that **Senate Bill 518** be withdrawn from the committee on Commerce and referred to the committee on Human Services.

Senator Berger asked unanimous consent that senate amendment 1 to **Assembly Bill 814** be withdrawn and returned to the author.

Senator Berger asked unanimous consent that **Assembly Bill 814** be referred to the committee on Senate Organization.

Senator Swan asked unanimous consent that **Senate Bill 168** be withdrawn from the committee on Governmental and Veterans' Affairs and referred to the Joint Survey Committee on Retirement systems.

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Senator Goyke asked unanimous consent that **Senate Bill 401** be withdrawn from the committee on Education and Revenue and be referred to the committee on Senate Organization.

Senator Chilsen objected.

Senator Chilsen removed his objection and **Senate Bill 401** was withdrawn from the committee on Education and Revenue and referred to the committee on Senate Organization.

Senator Goyke asked unanimous consent that **Senate Bill 116** and **Senate Bill 513** be withdrawn from the committee on Education and Revenue and be referred to the committee on Senate Organization.

Senator Thompson asked unanimous consent that **Senate Bill 572** be withdrawn from the committee on Human Services and referred to the joint committee on Finance.

Senator Thompson asked unanimous consent that **Assembly Bill 663** be taken from the table and referred to the committee on Senate Organization.

Senator Bablitch objected.

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 425** by Senator Flynn.

Senate substitute amendment 1 to **Senate Bill 552** by Senator McCallum.

Senate substitute amendment 1 to **Senate Bill 644** by Senator Sensenbrenner.

Senate amendment 1 to **Assembly Bill 519** by Senator Sensenbrenner.

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

6:17 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to:

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Senate Bill 664

On page 64, line 6, substitute "practice" for "proactive".