

JOURNAL OF THE SENATE [February 9, 1978]

STATE OF WISCONSIN

# Senate Journal

Eighty-Third Regular Session

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THURSDAY, February 9, 1978.

9:00 A.M.

The senate met.

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

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

Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 32.

Absent -- None.

Absent with leave -- Senator Krueger -- 1.

The senate stood for the prayer which was offered by Father Robert Reardon, Associate Pastor of St. Patrick's Catholic Church, Madison.

The senate remained standing and Senator Berger led the senate in the pledge of allegiance to the flag of the United States of America.

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## COMMITTEE REPORTS

The committee on Governmental and Veteran's Affairs reports and recommends:

### **Senate Bill 484**

Relating to classification and certification procedure to county civil service systems.

Introduction of senate substitute amendment 1:

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

Noes, 1 -- Senator Adelman.

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Adoption of senate substitute amendment 1:

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

Noes, 1 -- Senator Adelman.

Passage as amended:

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

Noes, 1 -- Senator Adelman.

MONROE SWAN  
Chairman

REPORT OF JOINT SURVEY COMMITTEE ON  
RETIREMENT SYSTEMS

Appendix to **Senate Bill 619**

Recommendation

Senate Bill 619 would permit active WRF participants who served a qualifying period not presently credited under the fund to receive credit for such periods if they have never received a separation benefit and if they pay the full present value of the additional benefits received from the qualifying periods so credited. This bill could benefit WRF participants who may be required to terminate service shortly before earning 20 years of regular service under the fund, and hence, not qualify for military service credit under s. 41.09 (3) (c) of the statutes. The Joint Survey Committee on Retirement Systems finds that this legislation would provide greater equity for WRF participants who are hired before January 1, 1973. Therefore, this committee finds that Senate Bill 619 is in the public interest and recommends its passage.

CARL W. THOMPSON  
Co-chairman

ED MCCLAIN  
Co-chairman

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

PETITIONS AND COMMUNICATIONS

**Senate Petition 152**

A petition by 141 residents of the State of Wisconsin objecting to the increases of licenses on recreational vehicles, namely: Motor homes, travel trailers, snowmobile trailers, boat and utility trailers, and petitioning the State Legislature to repeal this increase in fees for recreational vehicles.

By Senator Lorge

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Read and referred to committee on Commerce.

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MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

**Assembly Bill 678**

**Assembly Bill 720**

**Assembly Bill 792**

**Assembly Bill 936**

**Assembly Bill 1075**

Adopted and asks concurrence in:

MOTION UNDER JOINT RULE 7:

A joint certificate of condolence by Representatives Ferrall, Dandeneau and Rooney; co-sponsored by Senator Dorman for the family of LOREN E. NORMAN on his death.

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 678**

Relating to filling vacancies in the office of county executive in counties having a population of less than 500,000.

By Representatives Barczak, McClain and Gerlach.

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

**Assembly Bill 720**

Relating to appointment of town assessors.

By Representatives Shabaz, Day, Conradt, Bradley, Lewison, Quackenbush, Byers, Schricker, Hasenohrl, Mohn, Opitz and Kincaid, co-sponsored by Senator Murphy.

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

**Assembly Bill 792**

Relating to the composition of municipal boards of canvassers for municipal elections and allegations necessary to obtain a recount.

By Representatives Clarenbach, Kedrowski, and Schmidt.

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

**Assembly Bill 936**

Relating to sale of motor fuel by metric measure and providing a penalty.

By Committee on Commerce and Consumer Affairs, by request of The Department of Agriculture, Trade and Consumer Protection.

Read first time and referred to committee on Commerce.

**Assembly Bill 1075**

Relating to juries and providing penalties.

By Representatives Rutkowski, Lingren, Plewa, Munts, Tuczynski, Elconin, Pabst, McClain, Hauke, Becker, Bear, Kirby, Roberts, Gerlach, Ferrall, Lato, Kedrowski, Wahner, Schmidt, Moody and Barczak, co-sponsored by Senators Adelman, Risser, Radosevich, McKenna and Flynn.

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

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MOTIONS

By request of Senator Bablitch, with unanimous consent, the motion to reconsider the vote by which **Assembly Bill 663** was concurred in was removed from the table and the bill was placed in the committee on Senate Organization.

By request of Senator Bablitch, with unanimous consent, the motion to reconsider the vote by which **Assembly Bill 523** was refused a third reading was removed from the table and the bill was placed in the committee on Senate Organization.

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CALENDAR OF FEBRUARY 9

**Senate Joint Resolution 21**

To amend section 1 of article VIII of the constitution, relating to allowing the legislature to provide relief for the tax imposed for school purposes on the homestead of any person aged 65 or older (1st consideration).

Read a second time.

By request of Senator Cullen, with unanimous consent, **Senate Joint Resolution 21** was placed at the foot of the calendar.

**Senate Joint Resolution 53**

Memorializing Congress to investigate the grain market and grain monopolies and to guarantee small family farms an honest return.

Read and adopted.

**Senate Bill 24**

Relating to automatic termination of state regulatory agencies and administrative rules.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 24** was referred to joint committee on Finance.

**Senate Bill 107**

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

Read a second time.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 107** was referred to committee on Senate Organization.

**Senate Bill 122**

Relating to requiring an autopsy on victims of sudden infant death syndrome and providing information and counseling.

Read a second time.

By request of Senator McKenna, with unanimous consent, senate substitute amendment 1 and senate amendments 1, 2 and 3 to senate substitute amendment 1 were placed on the table.

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

Adopted.

The question was: Adoption of senate substitute amendment 2?

Adopted.

Senator Parys moved indefinite postponement.

By request of Senator Parys, with unanimous consent, he withdrew his motion for indefinite postponement.

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 122**

Read a third time.

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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, Berger, 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 -- 31.

Noes -- Senator McCallum -- 1.

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

So the bill passed.

**Senate Bill 210**

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

Read a second time.

The question was: Adoption of senate substitute amendment 1.

By request of Senator Keppler, with unanimous consent, senate substitute amendment 3 was considered for action at this time.

The question was: Adoption of senate amendment 1 to senate substitute amendment 3?

Adopted.

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

Adopted.

Senate amendment 3 to senate substitute amendment 3 to **Senate Bill 210** offered by Senator Kleczka.

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

The chair appointed Senators Dorman and Chilsen to escort the Governor to the Assembly Chambers.

By request of Senator Bablitch, with unanimous consent, the senate recessed until 10 minutes following the Governor's "Budget Review Message".

10:00 A.M.

IN ASSEMBLY CHAMBERS  
IN JOINT CONVENTION

Speaker Jackamonis...President Pro Tem Risser...members of the Senate and Assembly...distinguished guests, and friends...

I'm pleased to be here today to talk with you about how we intend to use the people's tax dollars.

In previous years, we have faced the unwelcome prospect of increasing taxes to meet state expenses. The budget I am proposing today reduces the level of spending approved last summer.

In other times, we have had to increase state government employment. This budget will reduce the positions authorized for 1979--I am recommending a reduction in authorized positions for the coming year.

In the past, our problems arose from a shortage of funds. Today because of a strong economy and corresponding decline in the need for government services, we have a different situation. Today, our fiscal challenge is not a deficit, but a surplus.

I see this challenge as an opportunity.

To make the most of it will require statesmanship, clear thinking, and planning.

We have a unique opportunity to invest this money in Wisconsin's future.

Seldom in Wisconsin history have a Legislature and a Governor shared such an opportunity.

A chance like this doesn't come often. We should take full advantage of it to strengthen our state's financial position.

Our surplus is a bonus that should be prudently invested in Wisconsin...in the kind of state we want Wisconsin to be...a state where unmatched natural resources are preserved...a state with a healthy, growing economy...a state with a strong tradition of progressive government.

In brief, we must reject impulsive "spend it now" proposals. We now have a chance for thoughtful fiscal planning, not just for the next few months, but for coming generations.

This budget:

- \* Reduces the level of general purpose spending authorized last summer by almost \$10 million.
- \* Reduces the number of authorized positions in state government by 167.
- \* Renews our commitment to clean water and unspoiled land.
- \* Expands our support for a healthy, balanced economy.

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- \* Strengthens our transportation network--both in rural and urban Wisconsin.
- \* Takes an important step in promoting good health by making "wellness" a major part of our public health services.
- \* Reaffirms our commitment to help finance local education and address the problems caused by declining enrollments.
- \* Assists local governments in their efforts to control pollution, conserve existing housing and preserve neighborhoods.

It takes a cautious and responsible approach to spending. It lays the groundwork for much needed tax reform in 1979.

It reduces welfare costs. It provides constructive work opportunities for welfare recipients.

### **The Surplus**

I submit this budget in the full knowledge and understanding that the overriding challenge you face in the next 50 days is how to deal intelligently and prudently with the surplus revenue expected in this biennium.

We cannot count on a surplus of this kind every biennium. To begin with, it was generated by a tax structure that has not changed significantly since 1971. In fact, three years ago at budget time, it was not clear that this same tax structure would yield enough revenue to pay for state services. The difference between then and now has been the surprising strength of our economy.

But there are no money-back guarantees about economics. And if there's a slow-down next year, the biggest mistake we could make would be to start new programs we would not be able to pay for out of current income.

I have a proposal which deals responsibly with the surplus. But before I describe it, I want to explain the basic guidelines I followed in developing it.

I urge you to keep those guidelines in mind. They are important to the budget review bill you send to my desk.

First, we should set aside a portion of the surplus to create a budget stabilization fund which will pay for the higher costs in the next biennium of programs enacted in this session...programs like nutrition services for the elderly, the home improvement and farm preservation tax credits and increased machinery and equipment reimbursements.

The budget stabilization fund should be a permanent part of the state fiscal structure, because it will always focus attention on the true cost of expanding programs. It will remind us--and our successors--to hold off on new programs until they are within our means.



Next, we should set aside money now so that the tax reform in the next biennium will include a permanent tax reduction.

For the first time in twenty years, a comprehensive study of our tax system is underway. Last month, I appointed a bi-partisan commission to recommend reforms for the 1979 legislative session.

Piece-meal, patch-work tax changes have no place in this budget. Tax reform must be treated in a comprehensive manner in the next legislative session-following the report of the commission.

Third, we should return money to the taxpayers who have taken a financial beating from inflation.

My proposal directs the greatest share of the refund to families in the middle income brackets. They are the ones who have been hurt most by the impact of inflation on the tax system. And yet, they have not been included in previous tax relief measures.

"Taxflation" adds about \$40 million a year to the individual income tax burden.

We have a chance to offset that burden now, while we prepare for permanent tax reform next year. I've proposed a cash rebate amounting to \$80 for a family of four. That's a twelve percent income tax cut for the average Wisconsin family.

That is direct tax relief. I strongly urge such action.

Finally, we should use a portion of the surplus to reduce our need to borrow funds. While it is not unwise to borrow for long-term capital projects, we certainly should take advantage of the chance to match some of the one-time revenues in this surplus against one-time capital expenditures.

In summary, then, those are the guidelines I consider important to any responsible plan for allocating the surplus. And with those guidelines in mind, I propose the following.

Sixty-two and one-half million dollars should be used, through the Wisconsin Fund, for resource preservation. Beyond that, no major, new state spending should be started with the surplus.

Fifty-nine million dollars should be used to create the budget stabilization fund.

Seventy and one-half million dollars should be targeted for reducing currently authorized debt, thus saving thirty-five million dollars in interest charges.

Eighty million dollars should be designated for permanent tax reform in 1979.

Finally, eighty million dollars should be used to soften the impact of inflation on taxpayers in this biennium.

This program is the most tangible step we can take for the future economic health and fiscal stability of our state.

There are other specific measures included in the Annual Review Budget to strengthen our economic position.

Many of these proposals do not require a large contribution from the public treasury. Rather, they are examples of things that state government can do to encourage local initiative and individual responsibility.

State government can and should provide the leadership on these issues. But the solutions are in the hands of the citizens of Wisconsin.

### **Economic Development**

Let's look at economic development. Last year, the Department of Business Development received a 36 percent increase in inquiries from companies interested in our state. To capitalize on this renewed interest in Wisconsin as a good place to do business, I am recommending a 50 percent addition to our industrial promotion budget. I am also proposing an increase in coastal zone management funds to promote use of Wisconsin's ports.

The budget also creates a \$200,000 revolving loan fund to help local communities construct commercial buildings that can be used as an incentive to attract light industry.

This budget includes resources to help counties harvest overmature trees which could provide as much as 10 percent of the raw material used each year by Wisconsin's paper industry. Harvesting these trees would produce \$2 million for counties and towns and would add millions of dollars to the personal income of Wisconsin citizens.

Tourism contributes \$4 billion a year to our state's economy, but we have not yet taken full advantage of its potential, especially in winter.

I am proposing a \$100,000 annual increase in our tourism advertising budget. These new dollars will match funds from regional tourism councils to promote increased recreational activities.

I also am asking your support for a toll-free telephone service so that residents of Wisconsin and nearby states can have easy access to the information they need for planning a trip in Wisconsin.

### **Small Business**

Tourism and industry will continue to be mainstays of our non-farm economy, but we should focus attention on small businesses as well.

Wisconsin's small businesses are the economic heart of many rural towns and urban neighborhoods.

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I am actively working to have the University of Wisconsin designated by the federal government as a small business development center. Such a center would adapt the established concept of the county agent to the needs of small businessmen and women for practical assistance in running their firms. Such help can make a difference in whether a small company flourishes or fails.

And while we are taking these steps to strengthen our existing economic base, we should seek suitable ways to expand it. I have directed the Secretary of the Department of Business Development to work actively with the University to capitalize on the enormous potential the University community offers for attracting new research and development enterprises to Wisconsin.

### **Transportation**

As we promote economic development, we should not forget that one of the requirements of a growing economy is a good transportation system. The budget adopted last July included the most significant transportation reforms of this generation.

That budget made a major investment in maintaining our existing network of roads and bridges. This year alone, more than nine hundred miles of the state trunk highway system will be resurfaced.

But more resources are needed if our highway system is to adequately serve the needs of industry, agriculture and commerce.

Accordingly, I am proposing the expenditure of an additional \$16.5 million to rebuild roads, to complete major gaps in the existing road network and to rebuild and replace dangerous bridges.

These investments should and can be financed in a way that does not require gasoline tax or fee increases in the near future. This budget proposes to retain in the transportation fund \$16.5 million in highway user fees which are now transferred to the general fund.

In addition to that revenue adjustment, I am asking you to repeal the unworkable and unfair trailer fees adopted in the biennial budget.

I also am asking that you set aside \$2.4 million to purchase certain abandoned railroad rights-of-way. Rail lines that are losing money today may become economic necessities if the energy crisis deepens in future years. Now is the time to prepare for that possibility.

### **Social Services**

Our investment in Wisconsin's economic system and its transportation network must be matched by a commitment to human needs and responsibilities.

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It is the responsibility of a compassionate and progressive government to help and care for the needy and the afflicted. But just as surely, we should encourage people to take responsibility for their own lives.

Public assistance and medical care are two of the largest costs of our society. These costs can be reduced as we improve our management of such programs and as we give more emphasis to individual responsibility and wellness.

There are already signs of progress in this biennium. For the first time in several years, we are seeing some stability in the number of public assistance recipients. This year, there will be about 5,000 fewer recipients than were predicted. That will mean a savings of \$36 million in state and federal funds during the biennium.

In addition, the Division of Health is cracking down on excessive medicaid costs and is working actively with our new fiscal agent to bring this program under control.

My budget proposes that we improve this record.

To begin with, I am asking that you invest one million dollars to finance a program of wellness in Wisconsin.

The resources in the budget will permit a new Commission on Wellness and the Department of Health and Social Services to begin community, regional and statewide prevention programs...programs which will pay for themselves many times over in reduced cost and personal anguish...programs which will promote a basic change in how our society approaches health and health care.

I am confident that the effort I am proposing in the Annual Review Budget will serve as a catalyst for efforts by local governments and private enterprise.

Working to prevent problems and promotion of self-reliance can help us in other areas as well.

We must begin work now to address the problems of our welfare system. Wisconsin should not wait for national action to begin reform.

The best way to cut public assistance costs is to keep people out of the system in the first place. Those who are able to work should have a responsibility to take a job if one is available.

I realize that the majority of welfare recipients aren't able to work...because they are children...or because they are too old...because they may be handicapped...or because they are responsible for the care of pre-school children.

But those who can work should be expected to.

My budget establishes 110 new public service jobs in state government. By using these positions as a training ground, we can

help the poor and the unskilled lift themselves out of the cycle of unemployment and public assistance.

I also have directed the Department of Industry, Labor and Human Relations to use one million dollars of federal funds to help welfare recipients find and keep jobs in private business.

In addition, Wisconsin has been selected by the federal government as one of four states to test new methods of finding jobs for recipients. This pilot project will be in operation in the near future in Racine and Dane counties.

The Annual Review Budget also includes specific program changes that will reduce welfare costs by more than \$800,000. These include improved procedures to verify eligibility, a uniform vehicle ownership policy and a requirement that working recipients secure medical insurance through private carriers or group employee plans.

Looking beyond this year, I have directed the Secretary of Revenue and the Secretary of the Department of Health and Social Services to determine if business tax incentives can be used to make more jobs available for public assistance recipients and others who are unemployed.

You are all aware of other concerns over how the state helps those in need. The uniform foster care rates enacted last summer caused an immediate outcry. These rates have since been suspended, which means that the old system, with all its inequities and drawbacks, is still in existence.

The Annual Review Budget includes a new rate system. It addresses the major problems of the current law and at the same time, responds to legitimate concerns about the alternative adopted last year.

This proposal includes uniform-statewide payments which increase with the age of the child. There is no reduction for families who accept more than one child, and there are supplemental rates to reflect children with emotional or developmental problems.

The effect of this proposal is to rectify the inequities in the current law without creating disincentives for families to accept older children, or more than two children.

### **Elementary and Secondary Education**

The largest investment of public resources at the state or local level is for the education of our children. To reaffirm the state's commitment, I am proposing several changes in the program of aid to local schools.

First, it is necessary to increase the guaranteed level of support per pupil to maintain our 40 percent share of local school costs.

Second, to provide special help for districts with declining enrollment, we should allow the use of prior year attendance figures for computing aid.

We should also recognize and reward cooperative efforts to transfer students from districts with increasing enrollments to those with decreasing enrollments. This cooperation promotes more economic use of schools--it can be encouraged by allowing students attending schools outside their home districts to be counted for state aid purposes.

And to emphasize our support for locally developed integration plans, we should provide funds that will allow students attending district-wide schools to be counted under this special transfer aid program.

Finally, I am proposing a \$200,000 increase in library aids to ensure that systems receive their full 80 percent entitlement.

### **Higher Education**

The University of Wisconsin System faces a major challenge as it seeks to meet the needs of those who cannot attend traditional four-year programs.

I am proposing new resources for an innovative program that will allow these potential students, some of whom are working full-time, to earn a college diploma.

This extended degree program will be implemented on a pilot basis at Superior, Green Bay and Platteville. It will add a new dimension to higher education in Wisconsin, and it will reaffirm the Wisconsin Idea--the true borders of the campus are the borders of the state.

Two other modifications to the higher education budget merit your support.

For the last four years, the University has been limited in its ability to attract disadvantaged and minority students from other states. This has occurred because of a fixed dollar ceiling on out-of-state tuition remissions. To take into account the reality of rising costs, I am proposing that this fixed dollar limit be allowed to grow in proportion to future tuition increases.

Up until the last biennium, our University was one of the few major institutions of higher education without a teaching sabbatical program. I am proposing to alter the plan you enacted at that time. First, the ceiling on those eligible for these sabbaticals should include only those who have taught full-time at the University for six years. At the same time, financing restrictions should be modified so the University can effectively use its already budgeted resources to replace faculty members who are on sabbatical.

**Wisconsin Fund and Housing Conservation**

There are two major programs which I have not discussed in detail here because I spoke of them at length in the State-of-the-St Address last week.

They are the Wisconsin Fund, a permanent commitment to the preservation of Wisconsin's clean air, clean water and unspoiled land, and the Housing Conservation Program.

The Wisconsin Fund includes sixty million dollars in fiscal 1979 to help local governments build sewers and sewage treatment plants. It includes one and a half million dollars to being a long-term fight against pollution from rural and urban run-off and erosion. And it includes a million dollars of technical assistance to help local governments develop solid waste disposal sites.

The Housing Conservation Program will dedicate thirty-five million dollars to helping homeowners preserve older houses and neighborhoods.

Like the Wisconsin Fund and the other programs in this budget, the Housing Conservation Program will depend on the cooperation and commitment of citizens, businesses and local governments. We cannot force people to repair their homes, but we can provide them with the means to do the job if they want to.

The proposals I have outlined today cover a wide range of topics and meet what I believe to be the critical needs facing our state.

First among these is the need to continue our record of fiscal responsibility.

Much of the surplus which is predicted for the end of this biennium is a one-time windfall. It offers us an opportunity to make an investment in our future prosperity, an investment that will continue to pay dividends for years to come.

When historians of the future look back to our time, they will ask what use we made of that opportunity. They will ask whether we used it wisely to continue Wisconsin's progressive traditions, or whether we wasted it.

I hope they will write that we began the most concerted effort in our state's history to protect our natural resource heritage--the Wisconsin Fund.

I hope they will write that Wisconsin met the challenge of our communities with a Housing Conservation Program that relied on the cooperation of homeowners, lenders and local governments to halt the decay of our older houses and neighborhoods.

I hope they will write that we used this opportunity to provide tax relief to the middle income families of Wisconsin and tax reform for future generations.

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And I hope they will write that we used this chance to encourage all our citizens to take increased responsibility for their lives, by offering them opportunities to solve their own problems.

The budget and the surplus you will consider in the next few weeks are both a challenge and an opportunity. Let us make the most of them.

10:55 A.M.

The senate reconvened.

### QUORUM CALL

Senator Harnisch 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, Cullen, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Parys, Petri, Radosevich, Risser, Sensenbrenner, Theno and Van Sistine -- 24.

Absent -- Senators Chilsen, Dorman, Flynn, Maurer, Offner, Peloquin, Swan and Thompson -- 8.

Absent with leave -- Senator Krueger -- 1.

The question was: Adoption of senate amendment 3 to senate substitute amendment 3 to **Senate Bill 210**?

Senator Harnisch moved rejection.

The question was: Rejection of senate amendment 3 to senate substitute amendment 3 to **Senate Bill 210**?

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

Ayes -- Senators Chilsen, Frank, Goyke, Harnisch, Keppler, Lasee, Lorge, McCallum, McKenna, Petri Sensenbrenner and Van Sistine --12

Noes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Cullen, Dorman, Flynn, Kleczka, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Radosevich, Risser, Swan, Theno and Thompson -- 20

Absent with leave -- Senator Krueger -- 1

So the motion did not prevail.



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

Adopted.

The question was: Adoption of senate substitute amendment 3?  
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 210**

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

Noes -- Senator Harnisch -- 1.

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

So the bill passed.

### **Senate Bill 289**

Relating to employment relations in higher education, granting rule-making authority and making appropriations.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Bablitch, with unanimous consent, **Senate Bill 289**, **Senate Bill 335** and **Senate Bill 363** were taken from today's calendar and referred to the committee on Education and Revenue.

### **Senate Bill 326**

Relating to collective bargaining units consisting of police supervisors in cities of the 1st class and providing a penalty.

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.

By request of Senator Dorman, with unanimous consent, **Senate Bill 326** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 326** was withdrawn from the joint committee on Finance and considered for action at this 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 326**

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 3; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine -- 29.

Noes -- Senators Braun, Chilsen and Sensenbrenner -- 3.

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

So the bill passed.

**Senate Bill 594**

Relating to requiring the establishment of a school of veterinary medicine and satellite food animal clinical building facility and revising appropriations.

Read a second time.

Senator Cullen asked unanimous consent that **Senate Bill 594** be referred to committee on Agriculture, Aging and Labor.

Senator Sensenbrenner objected.

Senator Bablitch moved that **Senate Bill 594** be referred to committee on Agriculture, Aging and Labor.

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, Berger, Bidwell, Braun, Cullen, Dorman, Flynn, Goyke, Harnisch, Kleczka, Lorge, McKenna, Maurer, Morrison, Offner, Parys, Radosevich, Risser, Thompson and Van Sistine -- 21.

Noes -- Senators Chilsen, Frank, Keppler, Lasee, McCallum, Murphy, Peloquin, Petri, Sensenbrenner, Swan and Theno -- 11.

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

So the motion prevailed.

**Senate Bill 603**

An act to appropriate \$8,974.96 from the transportation fund for payment of a claim made of Wisconsin Marine Bank against the state.

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 603**

Read a third time.

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

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

Noes -- Senators Berger, Chilsen, Murphy and Swan -- 4.

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

So the bill passed.

**Senate Bill 652**

Prohibiting the department of natural resources from promulgating rules relating to hunting across public gravel roads for one year.

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 652**

Read a third time and passed.

**Senate Bill 655**

Relating to administrative rules and granting rule-making authority.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 655** was referred to joint committee on Finance.

**Assembly Bill 426**

Relating to creating a council on hemophilia and related blood disorders, establishing a program of financial assistance for victims of hemophilia and other similar blood disorders, granting rule-making authority and making an appropriation.

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 426**

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, Berger, 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 -- 31.

Noes -- Senator McCallum -- 1.

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

So the bill was concurred in.

**Assembly Bill 486**

Relating to establishing an employment program for the developmentally disabled, granting rule-making authority and increasing an appropriation.

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 486**

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

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

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So the bill was concurred in.

**Assembly Bill 589**

Relating to miscellaneous changes in the laws relating to cooperative educational service 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 589**

Read a third time and concurred in.

**Assembly Bill 753**

Relating to certified public accountants being independent of any enterprise on which they offer financial opinions.

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 753**

Read a third time and concurred in.

**Senate Joint Resolution 21**

To amend section 1 of article VIII of the constitution, relating to allowing the legislature to provide relief for the tax imposed for school purposes on the homestead of any person aged 65 or older (1st consideration).

By request of Senator Bablitch, with unanimous consent, **Senate Joint Resolution 21** was referred to the joint committee on Finance.

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

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

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**BILLS INTRODUCED**

Read first time and referred:

**Senate Bill 692**

Relating to creating an office of the commissioner of hearing examiners, transferring supervision of hearing examiners to the office of the commissioner of hearing examiners, making limited changes regarding hearings in the administrative and municipal procedure acts, granting rule-making authority and making an appropriation.

By Senators Offner, Adelman, Goyke and Van Sistine; cosponsored by Representative Hasenhorl.

To committee on Governmental and Veterans' Affairs.

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MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

**Assembly Bill 851**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 851**

Relating to county auditor positions.

By Representatives Gower, Rogers, Snyder, Klicka, Kincaid and DeLong, co-sponsored by Senators Van Sistine, Lasee and Petri.

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

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AMENDMENTS OFFERED

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 197** by Senator Offner.

Senate substitute amendment 2 to **Senate Bill 301** by Senators Murphy and Parys.

Senate substitute amendment 1 to **Senate Bill 488** by Senators Lasee and Adelman.

Senate substitute amendment 1 to **Senate Bill 646** by Senator Murphy.

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Upon motion of Senator Bablitch the senate adjourned until  
10:00A.M. Tuesday, February 14.

12:05 P.M.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to:

**Senate Bill 547**

1. On page 1, line 4, substitute a comma for the first 'and'; and after "(2)" insert "and 349.23 (1) (intro.)".

2. On page 1, line 6, after "(7)," insert "346.54 (1) (e),".

Relating to:

**Senate Bill 664**

1. On page 31, line 23, before "(5)", insert "440.01".

Relating to:

**Senate Bill 664**

1. On page 32, line 26, after "certification" insert "to any applicant who possesses an equivalent license, permit or certificate" (as correctly shown in the manuscript draft contained in the LRB drafting record).