

JOURNAL OF THE SENATE [February 28, 1978]

STATE OF WISCONSIN

# Senate Journal

Eighty-Third Regular Session

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TUESDAY, February 28, 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 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 -- Senator Krueger -- 1.

Absent with leave -- None.

The senate stood for the prayer which was offered by Father Daryl Furlong, Director of the Office of Marriage and Family Life of the Diocese of Madison.

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

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## LEAVE OF ABSENCE

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

By request of Senator Berger, with unanimous consent, he was granted a leave of absence at 4:30 P.M. for the balance of the week's session.

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INTRODUCTION OF RESOLUTIONS

**Senate Resolution 14**

Relating to voting on certain judiciary bills by senators who are attorneys.

By Senator Parys.

Read and referred to committee on Senate Organization.

**Senate Joint Resolution 63**

Relating to legislators liability for words spoken in debate.

By Senator Flynn.

Read and referred to committee on Judiciary and Consumer Affairs.

**Senate Joint Resolution 64**

Relating to directing the legislative council to study problems concerning contributions and arrangements between photographers and merchants and schools.

By Senator Flynn.

Read and referred to committee on Judiciary and Consumer Affairs.

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COMMITTEE REPORTS

The Joint Committee for Review of Administrative Rules reports and recommends for introduction:

**Senate Bill 714**

Relating to applying licensing revisions to all licensees.

Introduction:

Ayes, 10 -- Senators Berger, Swan, Offner, Radosevich and Sensenbrenner, Representatives Rogers, Clarenbach; McClain, Brist and Thompson.

Noes, 0 -- None.

Read first time and referred to Joint Committee for Review of Administrative Rules.

DAVID G. BERGER

Co-chairman

WILLIAM ROGERS

Co-chairman

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The committee on Commerce reports and recommends for introduction:

**Senate Bill 715**

Relating to excepting grocery businesses from the unfair sales act.

Introduction:

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

Noes, 0 -- None.

Read first time and referred to committee on Commerce.

And further recommends:

**Senate Joint Resolution 4**

To amend article IV, section 24, of the constitution, relating to authorizing state-operated lotteries (2nd consideration).

Adoption of senate substitute amendment 1:

Ayes, 4 -- Senators Parys, Berger, Goyke and Keppler;

Noes, 3 -- Senators Swan, Bidwell and Petri.

Adoption as amended:

Ayes, 4 -- Senators Parys, Berger, Goyke and Keppler;

Noes, 3 -- Senators Swan, Bidwell and Petri.

**Assembly Bill 661**

Relating to public account deposits and withdrawals.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 866**

Relating to increasing property damage liability requirements under the motor vehicle financial responsibility law.

Concurrence:

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

Noes, 1 -- Senator Keppler.

**Assembly Bill 887**

Relating to extending the deadlines for transmitting and publishing reports of resources and liabilities required by the commissioner of banking.

Concurrence:

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

Noes, 0 -- None.

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**Assembly Bill 967**

Relating to various banking changes and granting rule-making authority.

Concurrence:

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

Noes, 0 -- None.

RONALD G. PARYS

Chairman

The committee for Review of Administrative Rules reports and recommends:

**Assembly Bill 1100**

Relating to residency requirements for real estate branch office supervisors.

Concurrence:

Ayes, 5 -- Senators Berger, Swan, Offner, Radosevich and Sensenbrenner;

Noes, 0 -- None.

DAVID G. BERGER

Chairman

The committee on Senate Organization reports and recommends:

**Senate Bill 710**

Relating to personalized printing for members and officers of the legislature.

Passage:

Ayes, 3 -- Senators Risser, Bablitch and Sensenbrenner;

Noes, 0 -- None.

FRED A. RISSER

Chairman

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

**Assembly Bill 811**

Relating to establishing a statewide emergency services telephone number system, creating an emergency number systems board, granting rule-making authority and imposing a penalty.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 353**

Relating to establishing a natural gas conservation program including prohibiting pilot lights, requiring utility-sponsored consumer education programs and prohibiting nonessential uses of natural gas under the public service commission, granting rule-making authority and providing a penalty.

Adoption of senate amendment 1:

Ayes, 3 -- Senators Swan, Cullen and Lasee;

Noes, 2 -- Senators Adelman and Braun.

Introduction and adoption of senate amendment 2:

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

Noes, 0 -- None.

Concurrence as amended:

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

Noes, 0 -- None.

**Assembly Bill 1111**

Relating to placing chapter 608 (except section 15), laws of 1913, as amended, in the statutes, sewerage commissions, in cities of the 1st class and metropolitan sewerage districts.

Introduction and adoption of senate amendment 1:

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

Noes, 0 -- None.

Concurrence as amended:

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

Noes, 0 -- None.

**Senate Bill 202**

Relating to a law enforcement officers' bill of rights and providing a penalty.

Rejection of senate substitute amendment 1:

Ayes, 3 -- Senators Swan, Cullen and Lasee;

Noes, 1 -- Senator Braun.

Passage:

Ayes, 3 -- Senators Swan, Cullen and Lasee;

Noes, 1 -- Senator Braun.

**Senate Joint Resolution 46**

To amend section 10 of article V of the constitution, relating to the governor's authority to veto appropriation bills in part (first consideration).

Adoption:

Ayes, 5 -- Senators Swan, Adelman, Braun, Cullen and Lasee;  
Noes, 0 -- None.

**MONROE SWAN**

Chairman

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**PETITIONS AND COMMUNICATIONS**

State of Wisconsin  
Claims Board

February 23, 1978.

Don Schneider  
Senate Chief Clerk  
State Capitol  
Madison, Wisconsin 53702

Dear Mr. Schneider:

Enclosed is the report of the State Claims Board covering claims heard on February 6, 1978.

The amounts recommended for payment under \$1000 on claims included in this report have, under the provisions of s. 16.007, Wisconsin Statutes, been paid directly by the Board.

The Board is preparing the bill(s) on the recommended award(s) over \$1,000, and will submit such to the Joint Finance Committee for legislative introduction.

This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the Journal to inform the members of the Legislature.

Sincerely,

**EDWARD D. MAIN**

Secretary

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BEFORE THE  
CLAIMS BOARD OF WISCONSIN

The Claims Board conducted hearings at the State Capitol Building, Madison, Wisconsin, on February 6, 1978, upon the following claims:

| <i>CLAIMANT</i>   | <i>AMOUNT</i> |
|---|---------------|
| 1. Patricia A. Kramer   | \$ 703.00     |
| 2. Duffek Sand & Gravel, Inc.   | 27,967.76     |
| 3. James T. Chizek  | 9,885.43      |
|   | 890.21        |
| 4. Clifford and Ruth Wittig   | 3,232.25      |
| 5. Marian Scheibe, Personal<br>Representative for the Estate<br>of Edward Scheibe | 725.54        |
| 6. Fred A. Scales   | 18,750.64     |

In addition, the following claims were considered and decided without a hearing:

|   |             |
|---|-------------|
| 7. City of Waupun                           | 989.71      |
| 8. Lincoln County                           | 917.04      |
| 9. (a) City of Waupun                       | \$17,761.15 |
| (b) Dane County                             | 7,162.88    |
| (c) Town of Fitchburg                       | 1,781.99    |
| (d) City of Madison                         | 21,212.00   |
| (e) Sheboygan County                        | 11,348.79   |
| (f) Waupaca County                          | 8,294.76    |
| (g) Dodge County                            | 19,181.67   |
| 10. Dodge County                            | 4,104.07    |
|   | 13,914.26   |
| 11. Sheboygan County                        | 2,252.07    |
| 12. Carl A. Boyke                           | 1,747.69    |
| 13. Lillian Flock                           | 221.75      |
| 14. Elwood B. Bacon                         | 138.00      |
| 15. Philip H. Vaughn for Phyllis<br>Vaughn  | 98.00       |
| 16. Lee E. Eiring                           | 25.00       |
| 17. Patricia B. Laufenberg                  | 21.32       |
| 18. Wisconsin Telephone<br>Company          | 3,398.74    |
| 19. Pete Cornell                            | 123.53      |
| 20. Donald C. Jordi for Deborah<br>A. Jordi | 92.20       |

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|   |          |
|---|----------|
| 21. Gertrude Grams                        | 69.00    |
| 22. John L. Winkelman                     | 35.00    |
| 23. Jenny Kosmowski                       | 13.00    |
| 24. George W. Burns for Brian J.<br>Burns | 1,973.69 |
| 25. Edna Appelt                           | 884.00   |

### THE BOARD FINDS:

#### 1. *Patricia A. Kramer*

Patricia A. Kramer, Madison, Wisconsin, claims \$703.00 for legal fees and disbursements during the period of February 10, 1977, to March 4, 1977, resulting from the performance of her duties and functions for the period of May, 1975, through February 3, 1976, as personnel officer for the State Personnel Board in its recruitment and examination activities for a Director, State Bureau of Personnel. Although convinced of her innocence, claimant believed she was in jeopardy of prosecution under sec. 946.12(2), Stats., as a result of her activities in state employment, and obtained legal counsel. After reviewing information forwarded to him from the Governor's office, and after intensely interrogating the claimant, the Dane County district attorney declined to prosecute claimant. The legal fees for which the claimant became personally liable were based on an hourly rate of \$50.00 per hour. The Board concludes the claim in the reduced amount of \$646.50, which amount is based upon a rate of \$45 per hour and which is consistent with recent fees paid by the state for legal services, should be paid on equitable principles. (Member Main did not participate.)

#### 2. *Duffek Sand & Gravel, Inc.*

Duffek Sand & Gravel, Inc., Antigo, Wisconsin, claims \$27,967.76 for additional expenses incurred by its bid of October 19, 1976, in relation to State Highway Project 1172-7-70 in Vilas County on U.S. 51. Prior to bidding a portion of the project which required the furnishing of gravel, claimant negotiated with a state employe in the area for the purchase of gravel for state-owned forest land, subject to approval by his superiors. The negotiations were never completed because the Madison office of the Department of Natural Resources concluded it did not have authority to make such a contract. However, claimant's October 19, 1976, bid on the portion of the project was based upon the erroneous assumption that the sale of gravel from state land would be approved. Claimant incurred additional expenses when it was unable to obtain gravel as it originally anticipated. Claimant and the state never entered into a written contract. Section 402.201, Stats., provides that a contract for



the sale of goods for the price of \$500 or more is not enforceable unless in writing. The Board concludes the claim is not one for which the state is legally liable nor one which the state should assume and pay on equitable principles. (Representative Roberts dissents.)

3. *James T. Chizek*

James T. Chizek, Lodi, Wisconsin claims \$9,885.43 for medical expenses resulting from an accident on November 1, 1968, in Price County, and \$890.21 for attorney services at an inquest following the accident. Claimant was a state employe on state business at the time of the accident. Claimant's medical expenses were paid out of a third party settlement, and his attorney fees were paid by his union. Claimant suffered no out of pocket medical or legal expenses. Claimant has been receiving a life time annuity of \$502.25 since November 1, 1972, in addition to full wages pursuant to sec. 16.31, Stats., during the time he was absent from his work due to the accident. Total medical expenses to date have amounted to \$13,942.60, of which \$9,885.43 was paid by the third-party cushion, and the balance was paid from the workmen's compensation fund. Claimant also received \$4,942.72 in cash from the third-party settlement. Claimant contends the reimbursements to his employer of the \$9,885.43 in medical expenses, although required by law, is not fair to him. The medical and legal expenses related to the accident have been paid either by the state, the thirdparty settlement, or the employe's union, and the Board concludes the claim is not one for which the state is legally liable nor one which the state should assume and pay on equitable principles. (Member Main did not participate)

4. *Clifford and Ruth Wittig*

Clifford and Ruth Wittig, Boulder Junction, Wisconsin, claim \$3,232.25 for legal fees incurred when the Department of Natural Resources claimed title to property owned by them in Vilas County. The Board finds that a good faith cause of action existed in support of the state's claim, in the absence of clear and convincing evidence sufficient in a court of law to establish claimant's adverse possession. Claimant's failed to timely respond to the state's interrogatories concerning their claims on adverse possession and other matters, and chose to bring on a series of motions which were denied. Subsequently, a settlement was negotiated resolving the controversy. The Board concludes the claim is not one for which the state is legally liable, nor one which the state should assume and pay on equitable principles.

5. *Marian Scheibe*

Marian Scheibe, Personal Representative for the Estate of Edward Scheibe, Wauwatosa, Wisconsin, claims \$725.54 for reimbursement of inheritance taxes paid to the State of Wisconsin. Claimant contends the real estate in said estate originally was overvalued resulting in an overpayment of taxes. The federal estate tax auditors recognized an adjustment in the value of the real estate from \$101,250 to \$94,730.35. The Department of Revenue was without statutory authority to grant the refund sought by the claimant in view of the limitations of sec. 72.30(4), Stats. More important, the Department of Revenue was not about to accept the federal adjustment as to value, even if timely application had been made. This is not a case of simple mistake, but a case where there is a difference in judgement as to what should be the proper value of the property. The Board commends claimant's attorney for the brief he prepared and filed and the manner in which he presented the claim to the Board, but concludes that the claim is not one for which the state is legally liable, nor one which the state should assume and pay on equitable principles.

6. *Fred A. Scales*

Fred A. Scales, Milwaukee, Wisconsin, claims \$18,750.64 for medical expenses, wage loss, pain, suffering and disability relating to an accident on May 15, 1977, at 24th and Locust in Milwaukee, Wisconsin. A member of the national guard took a jeep without authority and was not on active duty nor within the scope of his duties as a soldier at the time of the accident with the jeep, nor was he a licensed driver of military vehicles. The Board concludes the claim is not one for which the state is legally liable, nor one which the state should assume and pay on equitable principles.

7. *City of Waupun*

City of Waupun claims \$989.71 for reimbursement for use of two city-owned station wagons and the services of a public works crew to set up barricades at Wisconsin State Prison and at the entrance to Central State Hospital on July 3-17, 1977, during the strike of state employees. The services were provided to maintain peace and order. The Board concludes the claim should be paid on equitable principles.

8. *Lincoln County*

Lincoln County claims \$917.04 for expenses incurred for special services rendered on July 3-17, 1977, at the Lincoln Hills School during the strike of state employees. The Board concludes the claim should be paid on equitable principles.

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9. *Special Services*

The following claimants claim the following amounts, all related to expenses incurred for special services rendered to the state on July 3-17, 1977, at state facilities during the strike of state employes:

|                       |              |
|-----------------------|--------------|
| (a) City of Waupun    | \$ 17,761.15 |
| (b) Dane County       | 7,162.88     |
| (c) Town of Fitchburg | 1,781.99     |
| (d) City of Madison   | 21,212.00    |
| (e) Sheboygan County  | 11,348.79    |
| (f) Waupaca County    | 8,294.76     |
| (g) Dodge County      | 19,181.67    |

The claims have been investigated and reviewed by the Department of Administration with its firm recommendation for payment. The Board recommends the claims should be paid on equitable principles.

10. *Dodge County*

Dodge County claims \$4,104.07 for various investigative services rendered to the State of Wisconsin from January 1, 1977, to September 30, 1977, at the request of the Division of Corrections; and \$13,914.26 for extra assistance requested by the state to quell a disturbance at the Fox Lake Correctional Institution off June 13, 1977. The claims have been investigated and reviewed by the Department of Administration with its firm recommendation for payment. The Board recommends the claims should be paid on equitable principles.

11. *Sheboygan County*

Sheboygan County claims \$2,252.07 for expenses incurred from May 19, 1977, to September 30, 1977, relating to the investigation and prosecution of the sexual assault on an inmate at Kettle Moraine Correctional Institute on May 18, 1977. The claim has been investigated and reviewed by the Department of Administration with its firm recommendation for payment. The Board recommends the claim should be paid on equitable principles.

12. *Carl A. Boyke*

Carl A. Boyke, Lomira, Wisconsin, claims \$1,747.69 for damages to his truck tires on July 3, 1977, the lost wages of his wife on July 4, 1977, and damages to his house, garage and truck on July 26, 1977, when unknown persons sprayed his property with paint. Claimant states he was the only officer to work at Central State Hospital during the strike of state employes in July, 1977. Similar claims of other employes have been honored only when the damages occurred

on either state or neutral property. Consistent with that policy, the Board concludes the claim is not one for which the state is legally liable nor one which the state should assume and pay on equitable principles.

13. *Lillian Flock*

Lillian Flock, Cadott, Wisconsin, claims \$221.75 for damages to her car on October 29, 1977, caused by residents at Northern Wisconsin Center who threw rocks at her car while parked in front of the building. All but \$100 was paid by claimant's insurance carrier. The Board concludes the unpaid claim in the amount of \$100 should be paid on equitable principles.

14. *Elwood B. Bacon*

Elwood B. Bacon, De Pere, Wisconsin, claims \$138.00 for cash and his personal motor vehicle and house keys stolen from him by an inmate who was on escape status, and for the expense of changing his house locks when the stolen keys were not recovered while the inmate remained on escape status. The prisoner had escaped on August 2, 1977, two days prior to the incident, returned to the Oneida Farm from which he escaped, caused the claimant and others to be engaged in a harrowing experience, and escaped from the Oneida Farm again. Claimant was an employe on duty at the Oneida Farm Bunkhouse who handled the ordeal well. However, consistent with a longstanding policy of this Board not to recommend the payment of personal damages caused by prisoners while on escape while on escape status when the escape is not due to the negligence of officers, agents or employes of the state, the Board concludes the claim is denied.

15. *Philip H. Vaughn*

Philip H. Vaughn for Phyllis Vaughn, Milwaukee, Wisconsin, claims \$98.00 for missing parts for his daughter's wheelchair which had been purchased and designed for her specific needs as a resident at Southern Wisconsin Center for the Developmentally Disabled. Sometime just prior to March 16, 1977, the parts were discovered missing from the chair and could not be located by state employes. Although there is no evidence of negligence by state employes, the Board concludes the claim should be paid on equitable principles.

16. *Lee E. Eiring*

Lee E. Eiring, Winnebago, Wisconsin, claims \$25 for the cost of replacing microphones which disappeared on August 13, 1977, from the craft room. State employes were negligent in storing the claimant's personal belongings under such conditions, and the Board concludes the claim should be paid.

17. *Patricia B. Laufenberg*

Patricia B. Laufenberg, Chippewa Falls, Wisconsin, claims \$21.32 to replace a broken antenna damaged by a resident at Northern Center on September 24, 1977, while her car was parked in front of the education center. The Board concludes the claim should be paid on equitable principles.

18. *Wisconsin Telephone Company*

Wisconsin Telephone Company, Milwaukee, Wisconsin claims \$3,398.74 for damages incurred on January 30, 1976, at 2929 North Mayfair Road, Wauwatosa, Wisconsin, when a state highway crew damaged its underground cable. The Board finds the state is liable for the damages claimed, and recommends payment of the claim in full.

19. *Pete Cornell*

Pete Cornell, Plymouth, Wisconsin, claims \$123.53 for medical expenses and damaged clothing relating to an incident on December 16, 1976, at U.W. Stout. Claimant was starting to use a plastic injection mold machine during lab hours with an instructor present. The previous user of the machine had left it on, causing the plastic to become overheated and to ooze out of the mold, burning the claimant's right hand. The Board concludes the claim should be paid on equitable principles.

20. *Donald C. Jordi*

Donald C. Jordi for Deborah A. Jordi, Sheboygan, Wisconsin, claims \$92.20 for medical expenses related to a fall on February 11, 1977, at the parking lot at U.W. Center in Sheboygan. The \$18.00 charge by Sheboygan Orthopaedic Associates (Dr. Stewart) was paid by claimant's insurance carrier. The \$74.20 charge by St. Nicholas Hospital was paid personally by the claimant. The Board concludes \$74.20 should be paid to claimant on equitable principles, but that portion of the claim covered by insurance is denied.

21. *Gertrude Grams*

Gertrude Grams, Watertown, Wisconsin, claims \$69.00 for medical expenses related to a fall on August 24, 1977, at GEF #1 in the office of the Department of Employee Trust Funds. Claimant's fall occurred in an area with removable square panels which are carpeted and secured with a vinyl molding. The Board concludes the claim should be paid on equitable principles.

22. *John L. Winkelman*

John L. Winkelman, Verona, Wisconsin, claims \$35.00 for damage to his eyeglasses on or about August 26, 1977. Claimant's

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safety glasses broke in the middle of a welding project at the Capitol heat and power plant where he is employed by the state, and he continued with the project using his personal glasses. The Board concludes the claim should be paid on equitable principles.

23. *Jenny Kosmowski*

Jenny Kosmowski, Milwaukee, Wisconsin, claims \$13.00 for medical expenses related to a fall at the Governor's mansion on September 22, 1977. Claimant was not injured. The Board concludes the claim should be paid on equitable principles.

24. *George W. Burns*

George W. Burns for Brian J. Burns, Shullsburg, Wisconsin, claims a total of \$1,973.69 consisting of medical expenses of \$473.69, plus \$1,500.00 for possible dental and future medical expenses, pain and suffering. The \$473.69 medical expenses have been paid in full under workmen's compensation. The claim arises from injuries sustained in an automobile accident on June 28, 1976, while a passenger in a motor vehicle owned by the state and employed by the state at the Kettle Moraine Youth Camp. The Board concludes there is no basis to extend the liability of the state beyond that provided under the workmen's compensation law, and denies the claim.

25. *Edna Appelt*

Edna Appelt, Milwaukee, Wisconsin, claims \$134.00 for medical expenses plus \$750.00 for pain and suffering arising from a fall on April 1, 1977, at State Fair Park. Claimant's physician indicates there will be no residual disability. Claimant's unpaid medical expenses not covered by insurance total \$126.00. There is insufficient evidence to establish a finding of negligence on the part of the state, its officers, agents or employees. However, the Board concludes the claim in the reduced amount of \$126.00 should be paid on equitable principles.

THE BOARD CONCLUDES:

1. The claims of the following named claimants should be denied:

Duffek Sand & Gravel, Inc.  
James T. Chizek  
Clifford and Ruth Wittig  
Marian Scheibe, Personal Representative for the Estate of  
Edward Scheibe  
Fred A. Scales  
Carl A. Boyke  
Elwood B. Bacon

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George W. Burns for Brian J. Burns

2. Payment of the following amounts to the following claimants is justified under sec. 16.007, Stats:

|                                      |           |
|--------------------------------------|-----------|
| Patricia A. Kramer                   | \$ 646.50 |
| City of Waupun                       | 989.71    |
| Lincoln County                       | 917.04    |
| Lillian Flock                        | 100.00    |
| Philip H. Vaughn for Phyllis Vaughn  | 98.00     |
| Lee E. Eiring                        | 25.00     |
| Patricia B. Laufenberg               | 21.32     |
| Pete Cornell                         | 123.53    |
| Donald C. Jordi for Deborah A. Jordi | 74.20     |
| Gertrude Grams                       | 69.00     |
| John L. Winkelman                    | 35.00     |
| Jenny Kosmowski                      | 13.00     |
| Edna Appelt                          | 126.00    |

THE BOARD RECOMMENDS:

1. That payment be made to the following municipalities and counties to reimburse them for expenses incurred for special services rendered to the State of Wisconsin during the period of July 3-17, 1977, at various state facilities during the strike of state employees:

|                       |              |
|-----------------------|--------------|
| (a) City of Waupun    | \$ 17,761.15 |
| (b) Dane County       | 7,162.88     |
| (c) Town of Fitchburg | 1,781.99     |
| (d) City of Madison   | 21,212.00    |
| (e) Sheboygan County  | 11,348.79    |
| (f) Waupaca County    | 8,294.76     |
| (g) Dodge County      | 19,181.67    |

2. That payment be made to Dodge County for \$4,104.07 for various investigative services rendered to the State of Wisconsin during the period of January 1, 1977, through September 30, 1977, at the request of the Division of Corrections; and for \$13,914.26 for extra assistance requested by the State of Wisconsin to quell a disturbance at the Fox Lake Correctional Institution on June 13, 1977.

3. That payment be made to Sheboygan County for \$2,252.07 for expenses incurred from May 19, 1977, to September 30, 1977, relating to the investigation and prosecution of the sexual assault on

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an inmate at the Kettle Moraine Correctional Institute on May 18, 1977.

4. That payment be made to the Wisconsin Telephone Company, Milwaukee, Wisconsin, for \$3,398.74 for damages incurred on January 30, 1976, at 2929 North Mayfair Road, Wauwatosa, Wisconsin, when a state highway crew damaged its underground cable.

Dated at Madison, Wisconsin, this 23rd day of February, 1978.

**GERALD D. KLECZKA**

**Senate Finance Committee**

**VIRGIL D. ROBERTS**

**Assembly Finance Committee**

**THOMAS P. FOX**

**Representative of Governor**

**EDWARD D. MAIN**

**Representative of Secretary of  
Administration**

**ALLAN P. HUBBARD**

**Representative of Attorney  
General**

**State of Wisconsin  
Department of State**

**February 22, 1978.**

**To the Honorable, the Senate**

**Senators:**

I have the honor to transmit to you pursuant to s. 13.67 (2), the names of the registered lobbyists for the period beginning on January 30, 1978, and ending on February 17, 1978.

**Yours very truly,**

**DOUGLAS LAFOLLETTE**

**Secretary of State**



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

Anderson, Norman C., 25 West Main Street, Madison, Wisconsin 53703, (608) 255-7277 -- Wisconsin Power and Light Company, 222 West Washington Avenue, P.O. Box 192, Madison, Wisconsin 53701, (608) 252-3125 -- 30 -- February 10, 1978

Carter II, Morgan D., MDSE. Mart Station, P.O. Box 3787, Chicago, Illinois 60654, (312) 351-6966 -- People Involved in Economics, Consortium, MDSE. Mart Station, P.O. Box 3787, Chicago, Illinois 60654, (312) 651-6966 -- 03, 04, 06, 08, 09, 10, 11, 12, 13, 14, 16, 17, 18, 21, 30 -- February 16, 1978.

Chaffee, Sheila M., 107 North Roby Road, Madison, Wisconsin 53705, (608) 233-0091 -- Wisconsin Early Childhood Education Association, 227 Lowell Hall, 610 Langdon Street, Madison, Wisconsin 53706, (608) 262-0504 -- 04 -- February 8, 1978.

Christianson, Peter Coe, 660 E. Mason Street, Milwaukee, Wisconsin 53202, (414) 271-5900 -- Wisconsin Optometric Association, 5721 Odana Road, Madison, Wisconsin 53719, (608) 274-4322 -- 04, 06, 08, 11, 12, 13, 14, 16, 17, 18, 20, 23, 28, 29 -- January 24, 1978.

Conway, Robert M., Holcombe, Wisconsin 54745, (715) 595-4856 -- I.T.T. Thorp Corporation, Shelard Tower, Suite 1000, 600 South County Road 18, Minneapolis, Minnesota 55426, (612) 540-0804 -- 01, 03, 06 -- February 6, 1978.

Derouin, James G., 121 South Pickney Street, Madison, Wisconsin 53703, (608) 255-8891 -- Wisconsin Paper Council, 4321 West College Avenue, Appleton, Wisconsin 54911, (414) 731-0551 -- 07, 11, 16, 21, 25, 26, 27, 28, 29, 30, 31 -- February 2, 1978.

Erchul II, Fred, 740 North Plankinton Avenue, Milwaukee, Wisconsin 53203, (414) 276-6116 -- Kindy Optical, 500 West College Avenue, York, Pennsylvania 17404, (717) 845-7511 -- 31 -- February 1, 1978.

Gasser, John R., 825 Water Street, Sauk City, Wisconsin 53583, (608) 643-3341 -- Wisconsin National Farmers Organization, Route #2, Mason, Wisconsin 54856, (715) 746-2558 -- 01, 07, 25, 26 -- January 31, 1978.

Glaman, Richard W., Courthouse, Room 302, 901 North Ninth Street, Milwaukee, Wisconsin 53233, (414) 278-4351 -- Milwaukee

**JOURNAL OF THE SENATE [February 28, 1978]**

County, Office of the County Executive, Courthouse, Room 306, 901 North Ninth Street, Milwaukee, Wisconsin 53233, (414) 278-4211 - 04, 07, 09, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 26, 27, 28, 29, 30 -- February 16, 1978.

Hendee, Kirby, 111 South Fairchild Street, P.O. Box 2626, Madison, Wisconsin 53701, (608) 257-0257 -- Wisconsin Minerals Development Association, P.O. Box 2626, Madison, Wisconsin 53701, (608) 263-7521 -- 07, 26 -- February 10, 1978.

Hisgen, Linda, 1215 Garfield Street, Madison, Wisconsin 53711, (608) 256-3489 -- Wisconsin Council of Voluntary Family and Children's Agencies, 2059 Atwood Avenue, Room 18, Madison, Wisconsin 53704, (608) 249-6654 -- 04, 12, 16, 17, 22, 23, 28 -- February 16, 1978.

Kinney, Don R., Vice-President, Coca-Cola Bottling Company of Wisconsin, 2727 West Silver Spring, Milwaukee, Wisconsin 53209, (414) 527-0700 -- Coca Cola Bottling Company of Chicago/Wisconsin, 7400 North Oak Park Avenue, Chicago, Illinois, 60648 (312) 775-0900 -- 01, 07, 11, 21, 23, 25, 28, 29 and 17 -- February 8, 1978.

Mallas, James H. 3525 Bradee Road, Brookfield, Wisconsin 53005, (414) 781-3309 -- Veterans Education of Wisconsin, Inc., P.O. Box 225, Mercer, Wisconsin (715) 476-3536 -- 31 -- February 16, 1978.

McDowell, C.M., 2138 Park Avenue, LaCrosse, Wisconsin 54601, (608) 782-7647 -- Brotherhood of Railway Clerks, Wisconsin State Legislative Committee, 6300 River Road, Rosemont, Illinois, 60018, (312) 692-7711 -- 21, 29, 17, 06 -- February 2, 1978.

Morgan, James W. P.O. Box 4184, Madison, Wisconsin 53711, (608) 271-5252 -- Wisconsin Barber and Beauty Culture Association, 6819-39th Avenue, Kenosha, Wisconsin 53140, (414) 654-9715 -- 06, 08, 10, 11, 14, 16, 17, 23 -- January 30, & 11978.

Varda, John P., 121 South Pickney Street, Box 2235, Madison, Wisconsin 53701, (608) 255-8891 -- Michigan-Wisconsin Timber Producers Association P.O. Box 316, Tomahawk, Wisconsin 54487, (715) 453-5159 -- 11, 16, 29 -- February 2, 1978.

Waydick, Shari, 444 West Main Street, Madison, Wisconsin, 53703, (608) 257-4994 -- John Muir Chapter, Sierra Club, 444 West Main Street, Madison, Wisconsin 53703 -- (608) 257-4994 -- 01, 07, 11, 19, 23, 26, 27, 29, 30 -- February 6, 1978.

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Legislative Subject Identification

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

**JOURNAL OF THE SENATE [February 28, 1978]**

**State of Wisconsin  
Department of State**

**February 22, 1978.**

**To the Honorable, the Senate**

**Senators:**

**I have the honor to transmit to you pursuant to s. 13.67 (2), the following lobbyists have cancelled their registration for the duration of the 1977-78 legislative session.**

**Yours very truly,**

**DOUGLAS LAFOLLETTE**

**Secretary of State**

**DeGreef, Marjorie W.; Disabled American Veterans Auxiliary,  
Department of Wisconsin; as of December 31, 1977.**

**Springman, Susan; Central Madison Council; as of January 1,  
1978.**

**Stevens, Robert A.; The United Council of UW Student  
Governments; as of January 31, 1978.**

**Wimmer, James W. Jr.; Transportation Development  
Association of Wisconsin; as of February 15, 1978.**

**Wininger, Leo D.; Milwaukee County Labor Council AFL-CIO;  
as of January 5, 1978.**

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**EXECUTIVE COMMUNICATIONS**

**State of Wisconsin  
Office of the Governor  
Madison, Wisconsin**

**February 22, 1978.**

**To the Honorable, the Senate:**

**Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Kathleen Lazar, of Sun Prairie, as a member of the Cosmetology**

**JOURNAL OF THE SENATE [February 28, 1978]**

**Examining Board, to succeed Vernice Marousek, whose term has expired, to serve for the term ending July 1, 1980.**

Sincerely,  
**MARTIN J. SCHREIBER**  
Governor

**Read and referred to committee on Human Services.**

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

**February 22, 1978.**

**To the Honorable, the Senate:**

Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Ferdinand W. Schultz, of Waukesha, as a member of the Cosmetology Examining Board, to succeed Mary Schmeider, whose term has expired, to serve for the term ending July 1, 1980.

Sincerely,  
**MARTIN J. SCHREIBER**  
Governor

**Read and referred to committee on Human Services.**

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**CALENDAR OF FEBRUARY 28**

**Senate Bill 199**

Relating to authorizing the examining board of architects, professional engineers, designers and land surveyors to adopt rules for maintaining professional competence.

Read.

The question was: Concurrence in assembly amendment 2?  
Concurred in.

The question was: Adoption of assembly amendment 3?

Senator Berger moved non-concurrence of assembly amendment  
3.

The question was: Non-concurrence of assembly amendment 3?  
The motion prevailed.

JOURNAL OF THE SENATE [February 28, 1978]

**Senate Bill 393**

Relating to various changes in awards to victims of crimes.  
Read.

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MOTIONS

By request of Senator Bablitch, with unanimous consent, **Senate Bill 393** was placed at the foot of the calendar.

Senator Bablitch moved reconsideration of the vote by which **Senate Bill 646** was indefinitely postponed.

The question was: Reconsideration of the vote by which **Senate Bill 646** was indefinitely postponed?

The motion prevailed.

By request of Senator Bablitch, with unanimous consent, the motion to reconsider the vote by which **Senate Bill 646** was indefinitely postponed was laid on the table.

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CALENDAR OF FEBRUARY 28

**Senate Joint Resolution 55**

Directing the legislative council to establish an interim study committee on regional government.

Read.

The question was: Adoption of **Senate Joint Resolution 55**?

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

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasec, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno and Van Sistine -- 27.

Noes -- Senators Adelman, Braun, Dorman, Flynn and Thompson -- 5.

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

So the joint resolution was adopted.

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**Senate Bill 320**

Relating to creating a wetlands protection board, establishing a wetlands protection program, granting rule-making authority, making an appropriation and providing a penalty.

Read a second time.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 320** was placed at the foot of the calendar.

**Senate Bill 362**

Relating to aircraft registration and providing a penalty.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Adoption of senate amendment 2?

Adopted.

Senator Kleczka in the chair.

10:30 A.M.

The question was: Adoption of senate amendment 3?

Adopted.

Ordered to a third reading.

Senator Bablitch asked unanimous consent that the bill be given a third reading.

Senator Goyke objected.

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

**Senate Bill 362**

Read a third time.

The question was: Shall the bill pass?

Senator Chilsen moved indefinite postponement of **Senate Bill 362**.

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

Ayes -- Senators Bablitch, Bidwell, Braun, Chilsen, Cullen, Goyke, Harnisch, Keppler, Lasee, Maurer, Sensenbrenner and Swan -- 12.

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Noes -- Senators Adelman, Berger, Dorman, Flynn, Frank, Kleczka, Lorge, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Theno, Thompson and Van Sistine -- 20.

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

So the motion did not prevail.

The question was: Shall the bill pass?

Passed.

**Senate Bill 455**

Relating to membership of the state capitol and executive residence board.

Read a second time.

Senate amendment 1 to **Senate Bill 455** offered by Senator Berger.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

**Senate Bill 455**

Read a third time and passed.

**Senate Bill 568**

Relating to exploration leases and conveyances of mineral interests.

Read a second time.

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

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

Adopted.

Senate amendment 2 to senate substitute amendment 1 offered by Senators Murphy and Frank.

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

Senator Dorman moved rejection of senate amendment 2 to senate substitute amendment 1.



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

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 1; as follows:

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

Noes -- Senators Chilsen, Frank, Goyke, Keppler, Kleczka, Lasee, Lorge, McCallum, Murphy, Parys, Petri, Sensenbrenner and Swan -- 13.

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

So the amendment was rejected.

Senate amendment 3 to senate substitute amendment 1 offered by Senators Murphy and Frank.

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

Senator Radosevich moved rejection of senate amendment 3 to senate substitute amendment 1.

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

Rejected.

Senate amendment 4 to senate substitute amendment 1 offered by Senators Murphy and Frank.

The question was: Adoption of senate amendment 4 to senate substitute amendment 1?

Senator Dorman moved rejection of senate amendment 4 to senate substitute amendment 1.

The question was: Rejection of senate amendment 4 to senate substitute amendment 1?

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Harnisch, McKenna, Maurer, Morrison, Offner, Peloquin, Radosevich, Risser, Thompson and Van Sistine -- 17.

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Noes -- Senators Bidwell, Chilsen, Frank, Goyke, Keppler, Kleczka, Lasee, Lorge, McCallum, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno -- 15.

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

So the amendment was rejected.

Senate amendment 5 to senate substitute amendment 1 offered by Senators Murphy and Frank.

The question was: Adoption of senate amendment 5 to senate substitute amendment 1?

Senator Dorman moved rejection of senate amendment 5 to senate substitute amendment 1.

The question was: Rejection of senate amendment 5 to senate substitute amendment 1?

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, McKenna, Maurer, Morrison, Offner, Peloquin, Radosevich, Risser, Thompson and Van Sistine -- 16.

Noes -- Senators Bidwell, Chilsen, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, Lorge, McCallum, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno -- 16.

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

So the amendment was not rejected.

Senator Risser moved reconsideration of the vote by which **Senate Joint Resolution 55** was adopted.

Senator Risser asked unanimous consent that the motion to reconsider the vote by which **Senate Joint Resolution 55** was adopted be laid on the table.

Senator Swan objected.

Senator Bablitch moved that the senate recess until 4:00 P.M.

Senator Risser raised the point of order as to the precedence of the motions made.

The chair took the point of order under advisement.

Upon the motion of Senator Bablitch the senate recessed until 4:00 P.M.

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12:15 P.M.

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RECESS

4:00 P.M.

The senate reconvened.

The chair stated that because a motion to stand recessed for the noon hour prevailed, a point of order regarding the precedence of a motion to table the motion for reconsideration was no longer under advisement of the chair and the question was reconsideration of the vote by which the senate adopted **Senate Joint Resolution 55**.

The question was: Reconsideration of the vote by which **Senate Joint Resolution 55** was adopted?

Senator Bablitch moved that the motion to reconsider the vote by which **Senate Joint Resolution 55** was adopted be laid on the table.

By request of Senator Bablitch, with unanimous consent, he withdrew his motion.

By request of Senator Parys, with unanimous consent, the senate recessed until 4:20 P.M.

4:10 P.M.

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RECESS

4:20 P.M.

The senate reconvened.

The question was: Reconsideration of the vote by which **Senate Joint Resolution 55** was adopted?

The ayes and noes were demanded and the vote was: ayes, 6; noes, 25; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Braun, Dorman, Flynn, Risser and Thompson -- 6.

Noes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin,

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Petri, Radosevich, Sensenbrenner, Swan, Theno and Van Sistine -- 25.

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

So the motion did not prevail.

Senator Bablitch asked unanimous consent that **Senate Joint Resolution 55** be ordered immediately messaged.

Senator Risser objected.

Senator Bablitch moved that the rules be suspended and **Senate Joint Resolution 55** be ordered immediately messaged.

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, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 30.

Noes -- Senator Risser -- 1.

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

More than two-thirds having voted in the affirmative the rules were suspended and **Senate Joint Resolution 55** was ordered immediately messaged.

**Senate Bill 568**

Relating to exploration leases and conveyances of mineral interests.

The question was: Adoption of senate amendment 5 to senate substitute amendment 1?

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

Ayes -- Senators Bidwell, Frank, Kleczka, Lasee, Lorge, McCallum, Murphy, Parys, Petri, Sensenbrenner, Swan, Theno and Van Sistine -- 13.

Noes -- Senators Adelman, Bablitch, Braun, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, McKenna, Maurer, Morrison, Offner, Peloquin, Radosevich, Risser and Thompson -- 18.

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

So the amendment was not adopted.

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**Senate amendment 6 to senate substitute amendment 1 offered by Senators Murphy and Frank.**

**The question was: Adoption of senate amendment 6 to senate substitute amendment 1?**

**Senator Dorman moved rejection of senate amendment 6 to senate substitute amendment 1.**

**The question was: Rejection of senate amendment 6 to senate substitute amendment 1?**

**The ayes and noes were demanded and the vote was: ayes, 22; noes, 8; absent or not voting, 3; as follows:**

**Ayes -- Senators Adelman, Bablitch, Bidwell, Braun, Dorman, Flynn, Goyke, Harnisch, Kleczka, Lorge, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 22.**

**Noes -- Senators Chilsen, Frank, Keppler, Lasee, McCallum, Murphy, Petri and Swan -- 8.**

**Absent or not voting -- Senators Berger, Cullen and Krueger -- 3.**

**So the amendment was rejected.**

**Senate amendment 7 to senate substitute amendment 1 offered by Senators Murphy and Goyke.**

**The question was: Adoption of senate amendment 7 to senate substitute amendment 1?**

**By request of Senator Goyke, with unanimous consent, senate amendment 7 to senate substitute amendment 1 was returned to the authors.**

**Senate amendment 8 to senate substitute amendment 1 offered by Senators Murphy and Goyke.**

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

**By request of Senator Goyke, with unanimous consent, senate amendment 8 to senate substitute amendment 1 was returned to the authors.**

**Senate amendment 9 to senate substitute amendment 1 offered by Senator Murphy.**

**The question was: Adoption of senate amendment 9 to senate substitute amendment 1?**

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**Senator Dorman moved rejection of senate amendment 9 to senate substitute amendment 1.**

**The question was: Rejection of senate amendment 9 to senate substitute amendment 1?**

**Rejected.**

**Senate amendment 10 to senate substitute amendment 1 offered by Senator Radosevich.**

**The question was: Adoption of senate amendment 10 to senate substitute amendment 1?**

**Adopted.**

**Senate amendment 11 to senate substitute amendment 1 offered by Senator Harnisch.**

**The question was: Adoption of senate amendment 11 to senate substitute amendment 1?**

**By request of Senator Harnisch, with unanimous consent, senate amendment 11 to senate substitute amendment 1 was returned to the author.**

**Senate amendment 12 to senate substitute amendment 1 offered by Senator Harnisch.**

**The question was: Adoption of senate amendment 12 to senate substitute amendment 1?**

**Adopted.**

**Senate amendment 13 to senate substitute amendment 1 offered by Senators Murphy and Goyke.**

**The question was: Adoption of senate amendment 13 to senate substitute amendment 1?**

**By request of Senator Murphy, with unanimous consent, senate amendment 13 to senate substitute amendment 1 was returned to the authors.**

**Senate amendment 14 to senate substitute amendment 1 offered by Senator Dorman.**

**The question was: Adoption of senate amendment 14 to senate substitute amendment 1?**

**Adopted.**

**Senate amendment 15 to senate substitute amendment 1 offered by Senators Goyke and Dorman.**

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The question was: Adoption of senate amendment 15 to 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 568**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 23; noes, 9; absent or not voting, 2; as follows:

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

Noes -- Senators Chilsen, Frank, Lasee, McCallum, Murphy, Parys, Petri, Sensenbrenner and Swan -- 9.

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

So the bill passed.

**Senate Bill 642**

Relating to increasing a county treasurer's fees for copies of records.

Read a second time.

Senator Thompson asked unanimous consent that Senator Parys be allowed to be recorded as voting "aye" on the vote by which **Senate Bill 568** was passed.

Senator Bablitch objected.

Senator Thompson moved reconsideration of the vote by which **Senate Bill 568** was passed.

The question was: Reconsideration of the vote by which **Senate Bill 568** was passed?

The motion prevailed.

The question was: Shall **Senate Bill 568** pass?

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

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

Noes -- Senators Chilsen, Frank, Lasee, McCallum, Murphy, Petri, Sensenbrenner and Swan -- 8.

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

So the bill passed.

**Senate Bill 642**

Relating to increasing a county treasurer's fees for copies of records.

Read a second time.

The question was: Adoption of senate amendment 1 to **Senate Bill 642**?

Senator Sensenbrenner moved indefinite postponement of **Senate Bill 642**.

By request of Senator Braun with unanimous consent, **Senate Bill 642** was referred to committee on Governmental and Veterans' Affairs.

**Senate Bill 650**

Relating to leaves for qualified prison inmates and granting rule-making authority.

Read a second time.

Senator Petri moved indefinite postponement of **Senate Bill 650**.

The question was: Indefinite postponement of **Senate Bill 650**?

The motion did not prevail.

Ordered to a third reading.

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

**Senate Bill 650**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 9; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Braun, Chilsen, Dorman, Flynn, Frank, Goyke, Kleczka, Lorge, McKenna, Maurer, Morrison, Murphy, Offner, Peloquin, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine -- 22.



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Noes -- Senators Bidwell, Cullen, Harnisch, Keppler, Lasec, McCallum, Parys, Petri and Sensenbrenner -- 9.

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

So the bill passed.

**Senate Bill 688**

Relating to the authority of municipalities to finance industrial projects.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 688** was referred to joint committee on Finance.

Senator Dorman asked unanimous consent that **Senate Bill 688** be withdrawn from the joint committee on Finance and taken up at this time.

President pro tempore of the senate in the chair.

6:00 P.M.

Senator Sensenbrenner objected.

Senator Sensenbrenner removed his objection and **Senate Bill 688** was withdrawn from the joint committee on Finance and taken up at this time.

**Senate Bill 688**

Relating to the authority of municipalities to finance industrial projects.

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 688**

Read a third time and passed.

**Assembly Bill 98**

Relating to party nominations by write-in vote.

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 98**

Read a third time and concurred in.

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**Assembly Bill 262**

Relating to optional office of town constable.

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 262**

Read a third time and concurred in as amended.

**Assembly Bill 272**

Relating to the time and place and notice requirements for budget hearings.

Read a second time.

Senator Sensenbrenner moved non-concurrence.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 272** was referred to committee on Senate Organization.

**Assembly Bill 300**

Relating to service on statutory bodies by members of the legislature, and reimbursement of legislators for actual and necessary expenses.

Read a second time.

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

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 300** was referred to committee on Senate Organization.

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**Assembly Bill 355**

Relating to utilities and utility contractor installation of sewer or water lines from mains to buildings and granting rule-making authority.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Assembly Bill 355** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Assembly Bill 355** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 355**

Read a third time.

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

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

Noes -- Senators Keppler and Van Sistine -- 2.

Absent or not voting -- Senators Berger, Cullen and Krueger -- 3.

So the bill was concurred in.

**Assembly Bill 543**

Relating to educational qualifications for accountants.

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 543**

Read a third time and concurred in.

**Assembly Bill 820**

Relating to designating the 3rd week in September as "Wonderful Wisconsin Week" and directing the governor to issue a suitable proclamation.

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 820**

Read a third time and refused concurrence.

Senator Keppler moved reconsideration of the vote by which **Assembly Bill 820** was refused concurrence.

Senator Kleczka asked unanimous consent that the motion for reconsideration be laid on the table.

Senator Keppler objected.

Senator Kleczka moved the motion for reconsideration be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 9; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Dorman, Frank, Goyke, Harnisch, Kleczka, Lasee, Lorge, McCallum, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Swan and Van Sistine -- 22.

Noes -- Senators Adelman, Braun, Flynn, Keppler, McKenna, Maurer, Sensenbrenner, Theno and Thompson -- 9.

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

So the motion prevailed.

**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.

Read a second time.

Senate amendment 1 offered by Senator Berger.

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

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

Senator Parys moved rejection of senate amendment 1 to senate substitute amendment 1.

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

Rejected.

Senate amendment 2 to senate substitute amendment 1 offered by Senator Kleczka.

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

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

The question was: Reconsideration of the vote by which senate amendment 1 to senate substitute amendment 1 was rejected?

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

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

Noes -- Senators Bidwell, Chilsen, Frank, Harnisch, Keppler, Lasee, Lorge, Murphy, Parys, Sensenbrenner, Swan and Theno -- 12.

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

So the motion prevailed.

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

Senator Parys moved non-concurrence of **Assembly Bill 868**.

The question was: Non-concurrence of **Assembly Bill 868**?

The motion did not prevail.

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

The motion did not prevail.

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

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Adopted.

Senate amendment 2 to senate substitute amendment 1 offered by Senator Berger.

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

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

Ayes -- Senators Adelman, Bablitch, Braun, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Peloquin, Radosevich, Risser, Thompson and Van Sistine -- 18.

Noes -- Senators Bidwell, Chilsen, Cullen, Keppler, Lasee, Lorge, McCallum, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno -- 13.

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

So the amendment was 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 868**

Read a third time.

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

Ayes -- Senators Adelman, Braun, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Lasee, McKenna, Maurer, Morrison, Offner, Peloquin, Radosevich, Risser, Thompson and Van Sistine -- 18.

Noes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Keppler, Lorge, McCallum, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno -- 13.

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

So the bill was concurred in as amended.

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**Senate Bill 393**

Relating to various changes in awards to victims of crimes.

Read.

The question was: Concurrence in assembly substitute amendment 1?

Concurred in.

**Senate Bill 320**

Relating to creating a wetlands protection board, establishing a wetlands protection program, granting rule-making authority, making an appropriation and providing a penalty.

Read a second time.

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

Adopted.

Senate amendment 1 to senate amendment 2 to senate substitute amendment 1 offered by Senator Harnisch.

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

Adopted.

Senator Theno moved that senate substitute amendment 1 be laid on the table.

The question was: Shall senate substitute amendment 1 be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 17; absent or not voting, 4; as follows:

Ayes -- Senators Bidwell, Chilsen, Keppler, Lasee, Lorge, McCallum, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno -  
- 12.

Noes -- Senators Adelman, Bablitch, Braun, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Morrison, Offner, Peloquin, Radosevich, Risser, Thompson and Van Sistine -- 17.

Absent or not voting -- Senators Berger, Cullen, Krueger and McKenna -- 4.

So the motion did not prevail.

Senate amendment 2 to senate amendment 2 to senate substitute amendment 1 offered by Senator Goyke.

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

Adopted.

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

Adopted.

Senate amendment 3 to senate substitute amendment 1 offered by Senator Sensenbrenner.

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

Senator Harnisch moved rejection of senate amendment 3 to senate substitute amendment 1.

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

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

Ayes -- Senators Adelman, Bablitch, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, McKenna, Offner, Peloquin, Radosevich, Risser, Thompson and Van Sistine -- 18.

Noes -- Senators Bidwell, Chilsen, Lasee, Lorge, McCallum, Maurer, Morrison, Murphy, Parys, Petri, Sensenbrenner, Swan and Theno -- 13.

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

So the amendment was rejected.

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

Senate substitute amendment 2 to Assembly Bill 320 offered by Senator Theno.

The question was: Adoption of senate substitute amendment 2?

By request of Senator Bablitch, with unanimous consent, senate substitute amendment 2 was laid on the table.

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 320**



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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, Braun, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lorge, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 23.

**Noes** -- Senators Bidwell, Chilsen, Cullen, Lasee, McCallum, Murphy, Petri and Swan -- 8.

**Absent or not voting** -- Senators Berger and Krueger -- 2.

So the bill passed.

Senator Bablitch asked unanimous consent that all action be ordered immediately messaged.

Senator Petri objected.

By request of Senator Bablitch, with unanimous consent, all action with the exception of **Assembly Bill 868** was ordered immediately messaged.

Senator Bablitch asked unanimous consent that **Senate Bill 695** be withdrawn from the committee on Senate Organization and referred to committee on Judiciary and Consumer Affairs.

Senator Swan objected.

Senator Bablitch withdrew his request to withdraw **Senate Bill 695** from the committee on Senate Organization and refer it to committee on Judiciary and Consumer Affairs.

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AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 637** by Senator Sensenbrenner.

Senate substitute amendment 1 to **Assembly Bill 1188** by Senator Sensenbrenner.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M., Thursday, March 2.

7:35 P.M.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to:

**Senate Bill 664**

On page 35, lines 15 and 16, strike through "in writing".

Relating to:

**Senate Bill 686**

1. On page 1, line 8, substitute "or" for the first "of".

Relating to:

**Assembly Bill 281**

On page 2, line 4, substitute "or" for "to".

Relating to:

**Assembly Bill 300**, senate substitute amendment 1

On page 8, line 21, substitute "5" for "5".

Relating to:

**Assembly Bill 557**, assembly amendment 3 to assembly substitute amendment 1

On line 2, before the period, insert "; and delete "be".