

JOURNAL OF THE SENATE [March 9, 1978]

STATE OF WISCONSIN
Senate Journal
Eighty-Third Regular Session

THURSDAY, March 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, Krueger, Lasee, 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 Lorge -- 1.

The senate stood for the prayer which was offered by Dr. Dale E. Strong, Sr., Minister of Bashford United Methodist Church of Madison.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 724

Relating to farmland tax credit liens.

By Senators Morrison, Harnisch, Cullen and Radosevich.

To committee on Agriculture, Aging and Labor.

COMMITTEE REPORTS

The committee on Commerce reports and recommends:

Assembly Joint Resolution 82

Relating to legislative council study of recodification of the laws governing alcoholic beverages.

Concurrence:

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

Noes, 0 -- None.

Assembly Bill 1040

Relating to permitting minors to enter liquor stores.

Concurrence:

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

Noes, 1 -- Senator Goyke.

Assembly Bill 1069

Relating to the time for filing a purchase money security interest.

Concurrence:

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

Noes, 0 -- None.

Assembly Bill 1119

Relating to issuance of fermented malt beverage or intoxicating liquor licenses to corporations, and issuance, the effect and requiring the obtainment of a manager's license, and providing a penalty.

Concurrence:

Ayes, 5 -- Senators Parys, Berger, Swan, Keppler and Bidwell;

Noes, 2 -- Senators Goyke and Petri.

RONALD G. PARYS

Chairman

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The committee for Review of Administrative Rules reports and recommends:

Assembly Bill 1124

Relating to prohibiting deer hunting with either a rifle or a shotgun or both in Door County.

Concurrence:

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

Noes, 0 -- None.

DAVID G. BERGER

Chairman

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Bill 521

Relating to creating a land surveyors examining board and granting rule-making authority.

Passage:

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

Noes, 0 -- None.

Assembly Bill 349

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

Introduction and adoption of senate amendment 1:

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

Noes, 1 -- Senator Murphy.

Introduction and adoption of senate amendment 2:

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

Noes, 1 -- Senator Murphy.

Introduction and adoption of senate amendment 3:

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

Noes, 1 -- Senator Murphy.

Introduction and adoption of senate amendment 4:

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

Noes, 0 -- None.

Introduction and adoption of senate amendment 5:

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

Noes, 0 -- None.

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Concurrence as amended:

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

Noes, 0 -- None.

JAMES T. FLYNN
Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 169

A petition in the form of a resolution by the Democratic Party of Columbia County urging the legislature to equitably allocate federal sewage grants to municipalities which have initiated sewage disposal construction projects.

By Senator Bidwell.

Read and referred to committee on Natural Resources and Tourism.

Senate Petition 170

A petition by 10,544 residents of the state of Wisconsin requesting that the sales tax on electricity and heating fuels used in homes be removed.

By Senator Van Sistine.

Read and referred to joint committee on Finance.

Senate Bill 246

Relating to allowing savings and loan associations to make consumer loans.

RULING OF THE CHAIR

On Thursday, March 2, 1978, Senator Petri raised the point of order that Senate Bill 246, relating to allowing savings and loan associations to make consumer loans, was banking legislation and required a two-thirds vote to pass. The chair took the point of order under advisement.

Article XI, Section 4, of the Wisconsin Constitution provides:

The legislature shall have power to enact a general banking law for the creation of banks, and for the regulation and supervision of the banking business, provided that the vote of two-thirds of all the members

elected to each house, to be taken by yeas and nays, be in favor of the passage of such law.

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Perhaps the most concise and useful guidelines as to what is and is not banking legislation can be found in a 1961 ruling of the chair (1961 Senate Journal, page 1599) where the following points are made:

*general laws which apply to other institutions as well as banks are not banking legislation.

*bills which do not affect Wisconsin statute chapters 220-224 (which relate specifically to banking) are not banking legislation.

*Article XI, Section 4, must be strictly construed in the interest of effective legislation.

More detailed histories of the strict construction of Article XI, Section 4 can be found in the Senate Journal of April 14, 1977 (page 398) and the Assembly Journal of February 22, 1972 (page 3743).

Since Senate Bill 246 relates solely to the powers of savings and loan associations, not banks, and since there is nothing in Senate Bill 246 which purports to affect the creation, regulation or supervision of the banking business, the chair feels compelled to rule the point of order raised by Senator Petri not well taken.

FRED A. RISSER

President pro tempore

By request of Senator Bablitch, with unanimous consent, **Senate Bill 246** was placed at the foot of the calendar.

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By request of Senator Bablitch, with unanimous consent, the appointments of Carmen Hanson and John Soderberg were considered enmasse.

HANSON, CARMEN, of Beaver Dam, as a member of the Inland Lakes Protection and Rehabilitation Council, to succeed herself, to serve for the term ending July 1, 1981.

Read.

SODERBERG, JOHN, of New Richmond, as a member of the Inland Lakes Protection and Rehabilitation Council, to succeed himself, to serve for the term ending July 1, 1981.

Read.

The question was: Shall the appointments be confirmed?

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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, Krueger, Lasee, 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 Lorge -- 1.

So the appointments were confirmed.

REIVITZ, LINDA, of Madison, as Secretary of the Department of Employment Relations, to serve for the term ending at the pleasure of the Governor.

Read.

The question was: Shall the appointment be confirmed?

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, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 31.

Noes -- Senator Krueger -- 1.

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

So the appointment was confirmed.

Senate Bill 49

Relating to protective headgear for operators of motor-driven cycles and headlamp requirements for motor-driven cycles.

Read.

The question was: Shall the bill pass notwithstanding the objections of the Governor?

Senator Kleczka in the chair.

9:25 A.M.

The question was: Shall the bill pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 24; noes, 8; absent or not voting, 1; as follows:

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Ayes -- Senators Bidwell, Braun, Chilsen, Cullen, Dorman, Frank, Goyke, Harnisch, Keppler, Krueger, Lasee, McCallum, McKenna, Maurer, Murphy, Offner, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 24.

Noes -- Senators Adelman, Bablitch, Berger, Flynn, Kleczka, Morrison, Radosevich and Risser -- 8.

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

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

By request of Senator Bablitch, with unanimous consent, **Senate Bill 49** was ordered immediately messaged.

President pro tempore in the chair.

9:55 A.M.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

Assembly Joint Resolution 88

Assembly Joint Resolution 93

Assembly Joint Resolution 99

Passed and asks concurrence in:

Assembly Bill 697

Assembly Bill 786

Assembly Bill 1118

Assembly Bill 1127

Assembly Bill 1148

Assembly Bill 143

Assembly Bill 427

Assembly Bill 1152

Assembly Bill 796

Concurred in:

Senate Joint Resolution 52

Senate Bill 608

Senate Joint Resolution 44

Senate Bill 528

Assembly Bill 321, senate amendments 1, 2 and 22

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Amended and concurred in as amended:

Senate Joint Resolution 51, assembly amendment 1 to assembly substitute amendment 1 adopted; assembly substitute amendment 1 adopted.)

Senate Bill 55, assembly amendments 1 and 2 adopted

Senate Bill 159, assembly amendment 1 to assembly substitute amendment 1 adopted: Assembly substitute amendment 1 adopted

Senate Bill 294, assembly amendment 1 adopted

Senate Bill 451, assembly substitute amendment 1 adopted

Adheres to its position on:

Senate Bill 199, requests a Committee of Conference and appoints Representatives Rogers, Plewa and Thompson as conferees on its part.

Adopted and asks concurrence in:

MOTIONS UNDER JOINT RULE 7

A joint certificate of commendation by Representatives Roberts and Medinger; cosponsored by Senator Offner for MYRTLE CARLSON on her retirement.

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 88

Relating to legislative redistricting after the decennial statewide census of population (first consideration).

By Representatives Kedrowski, Hauke and Hasenohrl.

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

Assembly Joint Resolution 93

Approving under section 13.565 (1) of the statutes, Wis. Adm. Code chap. SWCD 10.

By Committee on Agriculture.

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

Assembly Joint Resolution 99

Relating to the life and public service of Judge Boyd Clark.

By Representatives Goodrich, Thompson and Schneider, co-sponsored by Senator Bablitch.

Read.

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Considered as privileged and taken up.

Adopted by unanimous rising vote.

Assembly Bill 697

Relating to payment of interest on security deposits paid by renters of certain residential property.

By Representatives Kirby, Flintrop, Tuczynski, Loftus, Coggs, Wahner, Clarenbach and Leopold, co-sponsored by Senator Berger.

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

Assembly Bill 786

Relating to maintenance liens.

By Representative Schmidt, co-sponsored by Senator Chilsen.

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

Assembly Bill 1118

Relating to holding certain agreements to limit or eliminate tort liability void.

By Representative Hauke.

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

Assembly Bill 1127

Relating to authorizing municipalities and counties to enact ordinances concerning bicycles.

By Representative Ellis.

Read first time and referred to committee on Commerce.

Assembly Bill 1148

Relating to the applicability of provisions relating to public depositories to the housing finance authority.

By Representative Barczak, co-sponsored by Senator Frank.

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

Assembly Bill 143

Relating to a tax exemption for property of humane societies.

By Representatives Lallensack, Vanderperren, Potter, Dandeneau, Swoboda, Menos, Wood, Conradt, Behnke, Mohn, Rogers, Murray, Flintrop and Metz, co-sponsored by Senator Martin.

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

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Assembly Bill 427

Relating to registration for picketing and demonstrations in state fair park and providing a penalty.

By Joint Committee for Review of Administrative Rules, co-sponsored by Senator Berger, by request of Representative Rogers.

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

Assembly Bill 1152

Relating to mortgage foreclosure sales.

By Representative Hanson, by request of The Savings League of Wisconsin.

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

Assembly Bill 796

Relating to exempting cleansing and beautifying work on the face from the definition of cosmetology.

By Representatives Norquist, Ausman and Lewis.

Read first time and referred to committee on Human Services.

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Senate Bill 292

Relating to changing the register of deeds fees.

Read.

The question was: Concurrence in assembly substitute amendment 1?

Senator Sensenbrenner moved non-concurrence of assembly substitute amendment 1.

The question was: Non-concurrence in assembly substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Berger, Bidwell, Chilsen, Cullen, Harnisch, Krueger, Lasee, McCallum, Murphy, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno and Thompson -- 18.

Noes -- Senators Adelman, Bablitch, Braun, Dorman, Flynn, Frank, Goyke, Keppler, Kleczka, McKenna, Maurer, Morrison, Offner and Van Sistine -- 14.

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

So the amendment was non-concurred in.

Assembly Bill 468

Relating to authorizing the issuance of senior citizen recreation cards permitting free fishing, small game hunting and admission to state parks.

Read.

The question was: Shall the senate adhere to its position on senate amendment 1?

The senate adheres to its position.

Senator Berger asked unanimous consent that the chair appoint a Committee of Conference on **Assembly Bill 468**.

The chair informed the senate that it is his intention to appoint a Committee of Conference on **Assembly Bill 468** later in today's session.

Assembly Bill 523

Relating to state purchasing requirements and creating a council on small and minority business opportunities.

Read.

The question was: Shall the senate adhere to its position on senate amendment 1?

Senator Kleczka moved that the senate recede from its position on senate amendment 1.

The question was: Shall the senate recede from its position on senate amendment 1?

The senate recedes from its position.

MESSAGE FROM THE ASSEMBLY CONSIDERED

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.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 199** was placed at the foot of the calendar.

MOTIONS

Senator Cullen asked unanimous consent that **Senate Bill 705** be withdrawn from the committee on Agriculture, Aging and Labor and referred to committee on Senate Organization.

Senator Goyke objected.

By request of Senator Goyke, with unanimous consent, he removed his objection.

Senator Sensenbrenner objected.

Senator Cullen moved that **Senate Bill 705** be withdrawn from the committee on Agriculture, Aging and Labor and referred to committee on Senate Organization.

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

By request of Senator Cullen, with unanimous consent, **Senate Bill 705** was withdrawn from the committee on Agriculture, Aging and Labor and referred to joint committee on Finance.

By request of Senator Parys, with unanimous consent, the appointment of Russell J. DeMille was withdrawn from the committee on Commerce and referred to committee on Governmental and Veterans' Affairs.

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Senate Joint Resolution 49

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

Read a second time.

By request of Senator Murphy, with unanimous consent, **Senate Joint Resolution 49** was placed after **Assembly Joint Resolution 68**.

Senate Joint Resolution 65

Relating to the life and public service of A. Matt. Werner, former member of the board of regents.

Read.

Adopted by unanimous rising vote.

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Senate Bill 123

Relating to filing annual statements of indebtedness with the state treasurer.

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 123

Read a third time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 123** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 123** 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.

Senate Bill 123

Read a third time.

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

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

Noes -- None.

Absent or not voting -- None.

So the bill passed.

Senate Bill 188

Relating to the teaching of civics in high school.

Read a second time.

Senate substitute amendment 1 to **Senate Bill 188** offered by Senator Offner.

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Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 188** offered by Senator Murphy.

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

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

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

Senator Flynn asked unanimous consent to refer **Senate Bill 188** to committee on Education and Revenue.

Senator Berger objected.

Senator Flynn moved that **Senate Bill 188** be referred to committee on Education and Revenue.

The question was: Shall **Senate Bill 188** be referred to committee on Education and Revenue.

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

Ayes -- Senators Adelman, Bidwell, Braun, Dorman, Flynn, Frank, Goyke, Lasee, McCallum, Maurer, Morrison, Murphy, Offner, Petri, Radosevich, Risser and Thompson -- 17.

Noes -- Senators Berger, Chilsen, Cullen, Harnisch, Keppler, Kleczka, Krueger, Lorge, McKenna, Parys, Peloquin, Sensenbrenner, Swan, Theno, Van Sistine -- 16.

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

So the motion prevailed.

Senate Bill 245

Relating to revision of boating laws to conform to applicable federal regulations affecting boat numbering, equipment and accident reporting and granting rule-making authority.

Read a second time.

Ordered to a third reading.

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

Senate Bill 245

Read a third time.

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By request of Senator Dorman, with unanimous consent, **Senate Bill 245** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 245** 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 Kleczka, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 245

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, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

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

So the bill passed.

Senate Bill 401

Relating to gift tax on interspousal transfers of property.

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 401

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich,

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Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the bill passed.

By request of Senator Flynn, with unanimous consent he was recorded as voting aye on the previous roll call, **Senate Bill 245**.

Senate Bill 488

Relating to changing election procedures of town supervisors.

Read a second time.

Senator McKenna asked unanimous consent that **Senate Bill 488** be referred to committee on Governmental and Veterans' Affairs.

Senator Chilsen objected.

By request of Senator Chilsen, with unanimous consent, he withdrew his objection and **Senate Bill 488** was referred to committee on Governmental and Veterans' Affairs.

Senate Bill 530

Relating to authorization for registration of electors between the close of registration and election day.

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 530

Read a third time and passed.

Senate Bill 542

Relating to sheriff's deputies residing in a city located partially outside of sheriff's county.

Read a second time.

Senate amendment 1 offered by Senator McCallum.

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 542

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Read a third time and passed.

Senate Bill 620

Relating to permitting automobiles and station wagons to be registered for a 3-year period at a reduced fee.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Senate Bill 620

Read a third time.

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

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

Noes -- Senators Bidwell, Chilsen, Krueger, McCallum, Murphy, Risser, Sensenbrenner, Swan and Theno -- 9.

Absent or not voting -- None.

So the bill passed.

Senate Bill 627

Relating to fraudulent tapping of electricity, gas or water and providing a penalty.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Senate Bill 627

Read a third time and passed.

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Senate Bill 639

Relating to exception to the automatic sprinkler system requirement for open parking structures.

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 639

Read a third time and passed.

Senate Bill 659

Relating to appeals from boards of review.

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 659

Read a third time and passed.

Senate Bill 683

Relating to expanding the coverage of the prohibition against age discrimination.

Read a second time.

Senate substitute amendment 1 offered by Senator Offner.

By request of Senator Offner, with unanimous consent, **Senate Bill 683** was referred to joint committee on Finance.

Senate Bill 694

Relating to fire department "supervisors" in small municipalities.

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 694

Read a third time and passed.

Assembly Joint Resolution 68

Relating to primaries in recall elections (first consideration).

Read a second time.

Senate amendment 1 offered by Senator Berger.

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Senator Flynn moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

Senator Petri moved non-concurrence in **Assembly Joint Resolution 68**.

The question was: Non-concurrence in **Assembly Joint Resolution 68**?

The joint resolution was non-concurred in.

Senate Joint Resolution 49

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

Read a second time.

By request of Senator Berger, with unanimous consent, **Senate Joint Resolution 49** was referred to committee on Governmental and Veterans' Affairs.

Senator Braun moved reconsideration of the vote by which **Assembly Joint Resolution 68** was non-concurred in.

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, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Keppler, Lorge, McKenna, Morrison, Peloquin, Risser, Thompson and Van Sistine -- 16.

Noes -- Senators Berger, Bidwell, Chilsen, Dorman, Kleczka, Krueger, Lasee, McCallum, Maurer, Murphy, Offner, Parys, Petri, Radosevich, Sensenbrenner and Theno -- 16.

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

So the motion did not prevail.

Assembly Bill 24

Relating to copies of birth certificates of children born out of wedlock.

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 24

Read a third time and concurred in.

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 substitute amendment 2 offered by Senator Berger.

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

By request of Senator Berger, with unanimous consent, senate substitute amendment 2 was returned to the author.

Ordered to a third reading.

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

Assembly Bill 300

Read a third time and concurred in as amended.

Assembly Bill 713

Relating to defining and regulating mopeds, placing mopeds for certain purposes under the laws regulating bicycles instead of motor-driven cycles, and providing penalties.

Read a second time.

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

Adopted.

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

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 Van Sistine.

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

Assembly Bill 713

Read a third time and concurred in as amended.

Assembly Bill 779

Relating to fence construction on boundaries of town subdivisions.

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 779

Read a third time and concurred in.

Senate Bill 246

Relating to allowing savings and loan associations to make consumer loans.

Read.

The question was: Shall the bill pass?

Senator Bidwell moved that **Senate Bill 246** be laid on the table.

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

Ayes -- Senators Adelman, Bidwell, Braun, Chilsen, Flynn, Frank, Goyke, Keppler, Kleczka, Lasec, McCallum, Morrison, Offner, Radosevich, Sensenbrenner and Theno -- 16.

Noes -- Senators Bablitch, Berger, Cullen, Dorman, Harnisch, Krueger, Lorge, McKenna, Maurer, Murphy, Parys, Peloquin, Petri, Risser, Swan, Thompson and Van Sistine -- 17.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Shall the bill pass?

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

Ayes -- Senators Bablitch, Berger, Braun, Chilsen, Dorman, Harnisch, Kleczka, Krueger, Lorge, McKenna, Maurer, Murphy, Parys, Peloquin, Petri, Thompson and Van Sistine -- 17.

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Noes -- Senators Adelman, Bidwell, Cullen, Flynn, Frank, Goyke, Keppler, Lasec, McCallum, Morrison, Offner, Radosevich, Risser, Sensenbrenner, Swan and Theno -- 16.

Absent or not voting -- None.

So the bill passed.

Senate Bill 199

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

Senator Bablitch asked unanimous consent that the chair appoint a Committee of Conference on **Senate Bill 199**.

The chair appointed Senators Berger, Radosevich and Petri to the Committee of Conference on **Senate Bill 199**.

Senator Bablitch moved that the appointments to the Committee of Conference on **Senate Bill 199** be confirmed.

The question was: Shall the appointments to the Committee on Conference on **Senate Bill 199** be confirmed?

Confirmed.

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 **Senate Bill 246** was ordered immediately messaged.

Senator Bablitch moved that the rules be suspended and that **Senate Bill 246** be ordered immediately messaged.

The question was: Shall the rules be suspended and **Senate Bill 246** be ordered immediately messaged?

The ayes and noes were required and the vote was: ayes, 29; noes, 4; absent or not voting, 0; as follows:

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

Noes -- Senators Bidwell, Chilsen, McCallum and Petri -- 4.

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Absent or not voting -- None.

More than two-thirds having voted in the affirmative, the rules were suspended and **Senate Bill 246** was ordered immediately messaged.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 725

An act to appropriate \$21,505.07 from the transportation fund for payment of a claim made by the Lakeside Bridge and Steel Company against the state.

By Senator Murphy.

Read first time and referred to committee on Senate Organization.

Senator Bablitch asked unanimous consent that the chair appoint a Committee of Conference on **Assembly Bill 468**.

The chair appointed Senators Cullen, Harnisch and Chilsen to the Committee of Conference on **Assembly Bill 468**.

Senator Bablitch moved that the appointments to the Committee of Conference on **Assembly Bill 468** be confirmed.

The question was: Shall the appointments to the Committee of Conference on **Assembly Bill 468** be confirmed?

Confirmed.

By request of Senator Bablitch, with unanimous consent, the action on the Committee of Conference on **Assembly Bill 468** was ordered immediately messaged.

Senator Bablitch asked unanimous consent that the senate stand recessed until 4:00 P.M.

Senator Parys objected.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 188** by Senator Murphy.

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Senate amendment 2 to senate substitute amendment 1 **Senate Bill 188** by Senator Theno.

Senate amendment 1 to **Senate Bill 720** by Senator Theno.

Senate amendment 2 to **Senate Bill 720** by Senators Berger, Bidwell and Frank, by request of Representatives Thompson and Hauke.

Senate amendment 3 to **Senate Bill 720** by Senator Thompson, by request of Joint Survey Committee on Retirement Systems.

Senator Bablitch asked unanimous consent that the senate stand adjourned until 10:00 A.M. Tuesday, March 14.

Senator Dorman objected.

Senator Bablitch moved that the senate stand adjourned until 10:00 A.M. Tuesday, March 14.

The question was: Shall the senate stand adjourned until 10:00 A.M. Tuesday, March 14?

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

Ayes -- Senators Adelman, Berger, Bidwell, Braun, Chilsen, Cullen, Goyke, Harnisch, Keppler, Krueger, Lasec, McCallum, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Petri, Swan, Theno and Van Sistine -- 22.

Noes -- Senators Bablitch, Dorman, Flynn, Frank, Kleczka, Lorge, Murphy, Radosevich, Risser, Sensenbrenner and Thompson -- 11.

Absent or not voting -- None.

So the senate adjourned until 10:00 A.M. Tuesday, March 14.

12:20 P.M.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 543

Correctly enrolled and presented to the Governor on March 8, 1978.