

JOURNAL OF THE SENATE [March 29, 1978]

STATE OF WISCONSIN
Senate Journal
Eighty-Third Regular Session

WEDNESDAY, March 29, 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, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno and Van Sistine -- 31.

Absent -- None.

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

The senate stood for the prayer which was offered by Reverend Richard E. Larson, Associate Pastor of Bethel Lutheran Church, Madison.

The senate remained standing and Senator Krueger 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 742

Relating to product liability actions.

By Senator Sensenbrenner.

To committee on Commerce.

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Senate Bill 743

Relating to pricing of consumer commodities, granting rule-making authority and creating a penalty.

By Senators Petri, Berger, McCallum, Adelman, Braun, Keppler, Thompson and Radosevich.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends:

Assembly Bill 1152

Relating to mortgage foreclosure sales.

Concurrence:

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

Noes, 0 -- None.

Assembly Bill 1240

Relating to revising municipal court procedure.

Concurrence:

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

Noes, 0 -- None.

JAMES T. FLYNN

Chairman

The committee on Natural Resources and Tourism reports and recommends:

HEMP, RICHARD A., of Mosinee, as a member of the Natural Resources Board, to succeed Lawrence Dahl, to serve for the term ending May 1, 1983.

Confirmation:

Ayes, 4 -- Senators Harnisch, Van Sistine, Radosevich and Theno;

Noes, 0 -- None.

THOMAS W. HARNISCH

Chairman

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The committee on Commerce reports and recommends:

Assembly Bill 850

Relating to special plates and registration fees for vehicles owned by Indian tribes or bands.

Concurrence:

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

Noes, 1 -- Senator Parys.

RONALD G. PARYS

Chairman

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

GRATZ, MARSHALL, of Milwaukee, as a member of the Employment Relations Commission, to succeed Charles Hoonstra, to serve for the term ending March 1, 1979.

Confirmation:

Ayes, 7 -- Senators Cullen, Radosevich, Harnisch, Morrison, Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

Assembly Bill 1159

Relating to mandatory leave from employment for persons serving as election officials.

Concurrence:

Ayes, 6 -- Senators Cullen, Radosevich, Harnisch, Morrison, Van Sistine and Chilsen;

Noes, 1 -- Senator McCallum.

Assembly Joint Resolution 83

Relating to memorializing congress to appropriate funds to establish schools of veterinary medicine.

Concurrence:

Ayes, 7 -- Senators Cullen, Radosevich, Harnisch, Morrison, Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

TIMOTHY F. CULLEN

Chairman

The joint committee on Finance reports and recommends:

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Senate Bill 726

An act to appropriate \$86,743.24 from the general fund for payment of 7 claims made by various claimants against the state relating to the state employees' strike.

Passage:

Ayes, 13 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin, and Chilsen; Representatives Johnson, Otte, Roberts, Lingren, Kirby and Quackenbush.

Noes, 0 -- None.

Senate Bill 728

An act to appropriate \$2,252.07 from the general fund for payment of a claim made by Sheboygan county against the state.

Passage:

Ayes, 13 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin, and Chilsen; Representatives Johnson, Otte, Roberts, Lingren, Kirby and Quackenbush.

Noes, 0 -- None.

Assembly Bill 1260

Relating to revisions in the metalliferous mineral mining tax and granting rule-making authority.

Concurrence:

Ayes, 12 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin, and Chilsen; Representatives Johnson, Roberts, Lingren, Kirby and Quackenbush.

Noes, 0 -- None.

HENRY DORMAN

Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 175

A petition by 120 residents of the 25th Senate District in support of Senate Bill 629, relating to registration of certain trailers and semitrailers.

By Senator Theno.

Read and referred to joint committee on Finance.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

I am directed to inform you that the assembly has concurred in:

Senate amendments 1 and 2 to **Assembly Bill 576**

Senate substitute amendment 1 to **Assembly Bill 610**

Senate amendments 1, 2, 3 and 4 to **Assembly Bill 898**

Senate amendments 1, 2, 4 and 5 to **Assembly Bill 1075**

Senate substitute amendment 1 to **Assembly Bill 300**

Senate Bill 688

Agrees to a Committee of Conference on:

Assembly Bill 353 and appoints Representatives Munts, Brist and Lee as conferees on its part.

Assembly Bill 713 and appoints Representatives Vanderperren, Kirby and Klicka as conferees on its part.

Assembly Bill 967 and appoints Representatives Hanson, Andrea and Thompson as conferees on its part.

Amended and concurred in as amended:

Senate Bill 322, assembly amendment 5 adopted; assembly amendment 1 to assembly amendment 7 adopted; assembly amendment 7 adopted.

CALENDAR OF MARCH 29

Assembly Joint Resolution 79

Relating to directing the legislative council to study the concept of definite term sentencing of criminals.

Read.

The question was: Concurrence?

Concurred in.

Assembly Bill 394

Relating to enactment of annexation ordinances.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Adoption of senate amendment 2?

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Senator Offner moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

Senator Offner raised the point of order that senate amendment 2 was not germane.

The chair took the point of order under advisement.

Assembly Bill 606

Relating to direct grants of state funds to Indian tribal councils.

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 606

Read a third time.

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

Ayes -- Senators Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Kleczka, Krueger, Lasee, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine -- 28.

Noes -- Senators Keppler, Lorge and Sensenbrenner -- 3.

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

So the bill was concurred in.

Assembly Bill 612

Relating to medical assistance for children adopted through subsidized adoption programs.

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 612

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,

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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 was concurred in.

By request of Senator Adelman, with unanimous consent, he was recorded as voting with the majority on **Assembly Bill 606**.

By request of Senator Harnisch, with unanimous consent, he was recorded as voting with the majority on **Assembly Bill 606**.

Assembly Bill 714

Relating to confidentiality of motor and special fuel, cigarette and intoxicating beverage tax information, procedures in demanding tax reports from motor and special fuel nonfilers, cigarette tax enforcement, transferring oleomargarine regulation from the department of revenue to the department of agriculture and providing penalties.

Read a second time.

Senate amendment 1 offered by Senator Parys.

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 714

Read a third time.

The ayes and noes were required and the vote was: ayes, 23; noes, 10; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Berger, Braun, Cullen, Dorman, Flynn, Frank, Harnisch, Keppler, Kleczka, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Swan, Theno and Van Sistine -- 23.

Noes -- Senators Bablitch, Bidwell, Chilsen, Goyke, Krueger, Murphy, Petri, Risser, Sensenbrenner and Thompson -- 10.

Absent or not voting -- None.

So the bill was concurred in as amended.

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Assembly Bill 722

Relating to revising an appropriation to allow land improvements at correctional institutions.

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 722

Read a third time and concurred in.

Assembly Bill 814

Relating to restrictions on volume discounts to retailers from wholesalers of malt beverages and liquors and providing a penalty.

Read a second time.

Senator Berger moved reconsideration of the vote by which senate substitute amendment 1 was adopted.

The question was: Shall the vote by which senate substitute amendment 1 was adopted be reconsidered?

The motion prevailed.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Berger, with unanimous consent, senate substitute amendment 1 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.

Assembly Bill 814

Read a third time and concurred in.

Assembly Bill 881

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

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Radosevich moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

Senator Van Sistine moved non-concurrence in **Assembly Bill 881**.

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The question was: Non-concurrence in **Assembly Bill 881?**

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

Ayes -- Senators Bidwell, Chilsen, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, Maurer, Murphy, Parys, Swan and Van Sistine -- 13.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, McKenna, Morrison, Offner, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Theno and Thompson -- 20.

Absent or not voting -- None.

So the motion did not prevail.

Senator Bablitch called the chair's attention to the special order of business at 10:00 A.M.

Assembly Bill 1044

Relating to regulating water withdrawal for purposes of metallic mineral mining.

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 1044

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 was concurred in.

Assembly Bill 1045

Relating to revising the metallic mining reclamation act, granting rule-making authority and providing penalties.

Read a second time.

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The question was: Adoption of senate amendment 1?

Senator Dorman moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

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

Ayes -- Senators Adelman, Berger, Braun, Cullen, Dorman, Flynn, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Offner, Peloquin, Petri, Risser, Swan and Van Sistine -- 20.

Noes -- Senators Bablitch, Bidwell, Chilsen, Frank, Goyke, Harnisch, Morrison, Murphy, Parys, Radosevich, Sensenbrenner, Theno and Thompson -- 13.

Absent or not voting -- None.

So the amendment was rejected.

Senate amendment 2 to **Assembly Bill 1045** offered by Senator Berger.

The question was: Adoption of senate amendment 2?

Adopted.

Senate amendment 3 to **Assembly Bill 1045** offered by Senator Parys.

The question was: Adoption of senate amendment 3?

Senator Radosevich raised the point of order that senate amendment 3 was not germane.

The point of order was not well taken.

The question was: Adoption of senate amendment 3?

Senator Radosevich moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

QUORUM CALL

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

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

Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka,

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Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

The question was: Rejection of senate amendment 3?

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Harnisch, Keppler, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Radosevich, Risser, Sensenbrenner and Thompson -- 22.

Noes -- Senators Bidwell, Chilsen, Frank, Goyke, Kleczka, Parys, Peloquin, Petri, Swan, Theno and Van Sistine -- 11.

Absent or not voting -- None.

So the amendment was rejected.

Ordered to a third reading.

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

Assembly Bill 1045

Read a third time.

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

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

Noes -- Senator Harnisch -- 1.

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

So the bill was concurred in as amended.

By request of Senator Bablitch, with unanimous consent, all action on **Assembly Bill 1044** and **Assembly Bill 1045** was ordered immediately messaged.

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

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MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

Assembly Joint Resolution 106

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 106

Relating to the life and public service of Harvey L. Dueholm.

By The Entire Membership of the Assembly, co-sponsored by The Entire Membership of the Senate.

Read.

Considered as privileged and taken up.

Concurred in by unanimous rising vote.

By request of Senator Parys, with unanimous consent, the senate recessed until 12:01 P.M.

11:15 A.M.

RECESS

12:01 P.M.

The senate reconvened.

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

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

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MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

Assembly Bill 658
Assembly Bill 719
Assembly Bill 1016
Assembly Bill 1079
Assembly Bill 1117
Assembly Bill 1122
Assembly Bill 1123
Assembly Bill 1147
Assembly Bill 1156
Assembly Bill 1158
Assembly Bill 1161
Assembly Bill 1164
Assembly Bill 1233
Assembly Bill 1274
Assembly Bill 1277

Adheres to its position on:

Assembly amendments 1, 2, 3 and 4 to Senate substitute amendment 1 to **Assembly Bill 860**, requests a committee of conference and appoints Representatives Plewa, Kedrowski and Gunderson as conferees on its part.

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 658

Relating to permitting parents or guardians to contract with school districts for pupil transportation.

By Representative Dandeneau.

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

Assembly Bill 719

Relating to restricting ownership of electric weapons and providing a penalty.

By Representatives Johnston, Elconin and Tesmer, co-sponsored by Senator Berger.

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

Assembly Bill 1016

Relating to state debt management and creating a joint survey committee on debt management.

By Representatives Jackamonis, Wahner, Kedrowski, Hanson, Elconin, Lingren, Ferrall, Barry, Rooney, McClain, Johnson, Loftus and Brist, co-sponsored by Senators Risser, Dorman and Kleczka, by request of Governor Martin J. Schreiber.

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

Assembly Bill 1079

Relating to tax status of property rented by tax-exempt organizations.

By Representatives Rutkowski, Schneider and Leopold, co-sponsored by Senator Risser.

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

Assembly Bill 1117

Relating to provision of construction equipment and services for disaster relief during states of emergency.

By Representatives Barczak and Plewa.

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

By request of Senator Swan, with unanimous consent, **Assembly Bill 1117** was withdrawn from committee on Governmental and Veterans' Affairs and referred to committee on Senate Organization.

Assembly Bill 1122

Relating to the penalty for violating a restriction on an operator's license.

By Representative McClain.

Read first time and referred to committee on Commerce.

Assembly Bill 1123

Relating to permitting school districts to enter into contracts with other school districts to provide educational services.

By Representatives Flintrop, Thompson and DeLong, by request of Wisconsin Association of School Boards.

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

Assembly Bill 1147

Relating to geological information for mineral exploration, making an appropriation and providing a penalty.

By Representatives Munts, Dueholm, Kedrowski, Brist, Vanderperren, Soucie, Hasenohrl, Tuczynski, Leopold, Litscher, Everson, Dandeneau, Norquist, Miller, Loftus, Bear, Wahner, Schricker, Rutkowski, Hanson, Becker, Medinger, Kincaid, Mohn, Rogers, Lee and Johnson, co-sponsored by Senators Dorman, Berger, McKenna, Radosevich and Braun.

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

By request of Senator Goyke, with unanimous consent, **Assembly Bill 1016** was withdrawn from committee on Education and Revenue and referred to committee on Senate Organization.

Assembly Bill 1156

Relating to definition of bicycle way and to rules of the road relating to right-of-way when leaving a bicycle way.

By Representatives Vanderperren, Lallensack and Wood, co-sponsored by Senator Van Sistine.

Read first time and referred to committee on Commerce.

Assembly Bill 1158

Relating to refinancing indebtedness of veterans.

By Representatives Schneider and Dueholm.

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

Assembly Bill 1161

Relating to exempting veterans from peddler license fees.

By Representatives Behnke and Lallensack.

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

Assembly Bill 1164

Relating to speed limits on highways being constructed, reconstructed, maintained or repaired.

By Representatives Bradley, Vanderperren, Lallensack, Lewison, Byers, Conradt, McEssy, Murray and Everson.

Read first time and referred to committee on Commerce.

Assembly Bill 1233

Relating to the exemption of household furnishings of a value up to \$5,000 from inheritance taxes.

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By Representatives Munts and Thompson, co-sponsored by Senators Berger and Murphy, by request of Special Committee on Inheritance Taxation.

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

Assembly Bill 1274

Relating to use of equipment for coverage of meetings of governmental bodies held in open session.

By Representative Jackamonis.

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

Assembly Bill 1277

An act granting certain lands, partly submerged in Lake Michigan, to the city of Port Washington for navigational and other public purpose.

By Representatives Opitz and Day, co-sponsored by Senator Keppler.

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

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 1147** was withdrawn from the committee on Natural Resources and Tourism and referred to committee on Senate Organization.

By request of Senator Swan, with unanimous consent, **Assembly Bill 1161** and **Assembly Bill 1274** were withdrawn from the committee on Governmental and Veterans' Affairs and referred to committee on Senate Organization.

Assembly Bill 860

Relating to regulation of raffles, granting rule-making authority, making an appropriation and providing penalties.

Read.

Senator Bablitch asked unanimous consent that the chair appoint a Committee of Conference.

The chair will appoint a Committee of Conference later today.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 1277** was withdrawn from the committee on Natural Resources and Tourism and referred to the committee on Senate Organization.

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By request of Senator Bablitch, with unanimous consent, the senate recessed until 2:00 P.M.

12:15 P.M.

RECESS

2:00 P.M.

The senate reconvened.

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Assembly Bill 881

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

The question was: Rejection of senate amendment 1?

QUORUM CALL

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

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

Senators Bablitch, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno and Van Sistine -- 28.

Absent -- None.

Absent with leave -- Senators Adelman, Berger, Harnisch, Morrison and Thompson -- 5.

The question was: Rejection of senate amendment 1?

LEAVE OF ABSENCE

By request of Senator Krueger, with unanimous consent, he was granted a leave of absence beginning at 2:30 P.M. for the balance of today's session.

The question was: Rejection of senate amendment 1?

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The ayes and noes were demanded and the vote was: ayes, 9; noes, 23; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Dorman, Frank, Offner, Petri and Radosevich -- 9.

Noes -- Senators Bidwell, Chilsen, Cullen, Flynn, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Parys, Peloquin, Risser, Sensenbrenner, Swan, Theno and Van Sistine -- 23.

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

So the amendment was not rejected.

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

The question was: Adoption of senate amendment 2?

Senator Radosevich moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, McCallum, McKenna, Morrison, Offner, Petri, Radosevich, Sensenbrenner and Thompson -
- 18.

Noes -- Senators Bidwell, Chilsen, Keppler, Kleczka, Krueger, Lasee, Lorge, Maurer, Murphy, Parys, Peloquin, Risser, Swan, Theno and Van Sistine -- 15.

Absent or not voting -- None.

So the amendment was rejected.

Senate amendment 3 to **Assembly Bill 881** offered by Senator Van Sistine.

The question was: Adoption of senate amendment 3?

By request of Senator Van Sistine, with unanimous consent, senate amendment 3 was returned to the author.

Senate amendment 4 to **Assembly Bill 881** offered by Senator Van Sistine.

The question was: Adoption of senate amendment 4?

Senator Radosevich moved rejection of senate amendment 4.

The question was: Rejection of senate amendment 4?

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The amendment was not rejected.

The question was: Adoption of senate amendment 4?

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

Ayes -- Senators Keppler, Kleczka, Murphy, Parys, Peloquin, Risser, Swan and Van Sistine -- 8.

Noes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Offner, Petri, Radosevich, Sensenbrenner and Theno -- 24.

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

So the amendment was not adopted.

Senator Sensenbrenner moved reconsideration of the vote by which senate amendment 2 was rejected.

The question was: Shall the vote by which senate amendment 2 was rejected be reconsidered?

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

Ayes -- Senators Bidwell, Chilsen, Frank, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, Maurer, Murphy, Parys, Peloquin, Risser, Sensenbrenner, Swan, Theno and Van Sistine -- 18.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Goyke, Harnisch, McKenna, Morrison, Offner, Petri and Radosevich -- 14.

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

So the motion prevailed.

The question was: Rejection of senate amendment 2?

The amendment was not rejected.

The question was: Adoption of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:

Ayes -- Senators Bidwell, Chilsen, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, Maurer, Murphy, Parys, Sensenbrenner, Swan, Theno and Van Sistine -- 15.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, McKenna, Morrison, Offner, Peloquin, Petri, Radosevich, Risser and Thompson -- 18.

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Absent or not voting -- None.

So the amendment was not adopted.

Ordered to a third reading.

Senator Kleczka asked unanimous consent that the rules be suspended and the bill be given a third reading.

Senator Maurer objected.

Senator Kleczka moved that the rules be suspended and the bill be given a third reading.

The question was: Shall the rules be suspended and the bill be given a third reading?

The ayes and noes were required and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, McCallum, McKenna, Morrison, Offner, Petri, Radosevich, Risser, Theno and Thompson -- 19.

Noes -- Senators Bidwell, Chilsen, Keppler, Kleczka, Krueger, Lasee, Lorge, Maurer, Murphy, Parys, Peloquin, Sensenbrenner, Swan and Van Sistine -- 14.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative the rules were not suspended.

Assembly Bill 394

Relating to enactment of annexation ordinances.

Read.

The chair ruled the point of order concerning the germaneness of senate amendment 2 well taken.

Senator Berger moved reconsideration of the vote by which senate amendment 1 was adopted.

The question was: Shall the vote by which senate amendment 1 was adopted be reconsidered?

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, Berger, Braun, Dorman, Flynn, Frank, Goyke, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Risser, Swan and Thompson -- 18.

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Noes -- Senators Bidwell, Chilsen, Cullen, Harnisch, Keppler, Kleczka, Lasee, McCallum, Murphy, Petri, Sensenbrenner, Theno and Van Sistine -- 13.

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

So the motion prevailed.

The question was: Adoption of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 16; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Chilsen, Cullen, Goyke, Harnisch, Keppler, Kleczka, Lasee, McCallum, Murphy, Petri, Risser, Sensenbrenner, Swan and Theno -- 15.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Dorman, Flynn, Frank, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Radosevich, Thompson and Van Sistine -- 16.

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

So the amendment was not 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 394

Read a third time and concurred in.

Assembly Bill 899

Relating to state income tax deduction for adoption fees, court costs and legal fees incurred in adopting a child.

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 899

Read a third time.

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

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

Noes -- None.

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

So the bill was concurred in.

Assembly Bill 900

Relating to state assessment of recyclers of waste paper, fibers or plastics.

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 900

Read a third time and concurred in.

Assembly Bill 940

Relating to age of admission to kindergarten and first grade.

Read a second time.

Senate amendment 1 offered by Senator Murphy.

By request of Senator Murphy, with unanimous consent, senate amendment 1 was returned to the author.

Senate amendment 2 offered by Senators Goyke, Adelman, Bidwell and Offner.

By request of Senator Murphy, with unanimous consent, he was added as a co-author of senate amendment 2.

The question was: Adoption of senate amendment 2?

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 940

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 26; noes, 5; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Frank, Goyke, Harnisch, Keppler, Kleczka, Lorge, McCallum, Maurer, Morrison, Murphy, Offner, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno and Van Sistine -- 26.

Noes -- Senators Flynn, Lasee, McKenna, Peloquin and Thompson -- 5.

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

So the bill was concurred in.

Assembly Bill 966

Relating to adverse claims to depositors' accounts with financial institutions.

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 966

Read a third time.

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

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

Noes -- None.

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

So the bill was concurred in.

Assembly Bill 984

Relating to prepaid maintenance liens and providing a penalty.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Frank, with unanimous consent, senate amendment 1 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 984

Read a third time and concurred in.

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

Senator Lorge objected.

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By request of Senator Bablitch, with unanimous consent, all action with the exception of **Assembly Bill 394** was ordered immediately messaged.

Assembly Bill 995

Relating to legislative approval of proposed administrative rules.
Read a second time.

By request of Senator Berger, with unanimous consent, **Assembly Bill 995** was laid on the table.

Assembly Bill 1019

Relating to tax credits and deductions for alternative energy systems and granting rule-making authority.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Berger, with unanimous consent, senate amendment 1 was returned to the author.

Senate amendment 2 to **Assembly Bill 1019** offered by Senator Berger.

The question was: Adoption of senate amendment 2?
Adopted.

Senate amendment 3 to **Assembly Bill 1019** offered by Senator Offner.

The question was: Adoption of senate amendment 3?

By request of Senator Parys, with unanimous consent, he was recorded as voting with the majority on **Assembly Bill 940**.

LEAVE OF ABSENCE

By request of Senator Bablitch, with unanimous consent, he was granted a leave of absence for 10 minutes.

The question was: Adoption of senate amendment 3 to **Assembly Bill 1019**?

Senator Harnisch moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

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

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Ayes -- Senators Bablitch, Berger, Braun, Chilsen, Cullen, Dorman, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, Lorge, McKenna, Maurer, Murphy, Parys, Peloquin, Radosevich, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 24.

Noes -- Senators Adelman, Bidwell, Flynn, McCallum, Morrison, Offner, Petri and Risser -- 8.

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

So the amendment was rejected.

LEAVE OF ABSENCE

By request of Senator Adelman, with unanimous consent, he was granted a leave of absence for 10 minutes.

By request of Senator Swan, with unanimous consent, he was granted a leave of absence for 10 minutes.

Assembly Bill 1019

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 1019

Read a third time.

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

Ayes -- Senators Bablitch, Berger, Braun, Chilsen, Cullen, Dorman, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, Lorge, McKenna, Maurer, Murphy, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 25.

Noes -- Senators Bidwell, Flynn, McCallum, Morrison and Offner -- 5.

Absent or not voting -- Senators Adelman, Krueger and Swan -- 3.

So the bill was concurred in.

Assembly Bill 1039

Relating to expanding the membership of county boards of health and county health commissions to include registered nurses experienced in county health functions.

Read a second time.

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 1039

Read a third time and concurred in.

Assembly Bill 1056

Relating to proof of possession with intent to transfer a gambling device.

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 1056

Read a third time.

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

Ayes -- Senators Bablitch, Berger, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Radosevich, Theno, Thompson and Van Sistine -- 25.

Noes -- Senators Bidwell, Kleczka, Petri, Risser and Sensenbrenner -- 5.

Absent or not voting -- Senators Adelman, Krueger and Swan -- 3.

So the bill was concurred in.

Assembly Bill 1092

Relating to the use of electronic devices in telephone solicitation and providing a penalty.

Read a second time.

Senator Murphy moved non-concurrence in **Assembly Bill 1092**.

The question was: Non-concurrence in **Assembly Bill 1092**?

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.

Assembly Bill 1092

Read a third time.

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The ayes and noes were required and the vote was: ayes, 26; noes, 5; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Braun, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, McCallum, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 26.

Noes -- Senators Berger, Bidwell, Chilsen, Lorge and Murphy -- 5.

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

So the bill was concurred in.

Assembly Bill 1112

Relating to duties of a motor vehicle operator upon approaching a pedestrian using a dog guide and providing a penalty.

Read a second time.

By request of Senator Adelman, with unanimous consent, the record shows that if he had been present he would have voted with the majority on **Assembly Bill 1019** and **Assembly Bill 1056**.

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 1112

Read a third time and concurred in.

Assembly Bill 1118

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

Read a second time.

Senate amendment 1 to **Assembly Bill 1118** offered by Senator Flynn.

The question was: Adoption of senate amendment 1?

Adopted.

Senate amendment 2 to **Assembly Bill 1118** offered by Senator Flynn.

The question was: Adoption of senate amendment 2?

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 1118

Read a third time and concurred in as amended.

Assembly Bill 1133

Relating to pay of officers of certain circuit courts.

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 1133

Read a third time and concurred in.

Assembly Bill 1141

Relating to clarifying penalties for food stamp fraud.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 1141

Read a third time and concurred in.

Assembly Bill 1146

Relating to the income taxation of gains or losses on the disposition of property acquired from a decedent.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 1146

Read a third time.

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

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

Noes -- None.

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

So the bill was concurred in.

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Assembly Bill 1148

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

Read a second time.

Senate amendment 1 offered by Senator Goyke.

The question was: Adoption of senate amendment 1?

Senator Frank moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 26; noes, 5; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Harnisch, Kleczka, Lasee, Lorge, McKenna, Morrison, Murphy, Offner, Parys, Peloquin, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 26.

Noes -- Senators Goyke, Keppler, McCallum, Maurer and Petri - - 5.

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

So the amendment was rejected.

Ordered to a third reading.

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

Assembly Bill 1148

Read a third time and concurred in.

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

Assembly Bill 860

Relating to regulation of raffles, granting rule-making authority, making an appropriation and providing penalties.

Read.

The chair appointed Senators Parys, Van Sistine and Keppler to the Committee of Conference on **Assembly Bill 860**.

By request of Senator Bablitch, with unanimous consent, the appointments were confirmed.

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AMENDMENTS OFFERED

Senate amendment 1 to **Senate Joint Resolution 61** by Senator Braun.

Senate substitute amendment 1 to **Senate Bill 457** by Senator Murphy.

Senate substitute amendment 1 to **Assembly Joint Resolution 88** by Senator Sensenbrenner.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M., Thursday, March 30.

4:30 P.M.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 50

Senate Bill 85

Senate Bill 94

Senate Bill 118

Senate Bill 281

Senate Bill 340

Senate Bill 356

Senate Bill 393

Senate Bill 397

Senate Bill 469

Senate Bill 544

Senate Bill 601

Correctly enrolled and presented to the Governor on March 28, 1978.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to:

Senate Bill 286, assembly amendment 18.

Wherever in the following places, the word "department" appears, substitute "secretary of state" (in accordance with typing instructions shown in the drafting record): Page 1, lines 10, 12, 14 and 16; page 2, lines 19, 20 and 24; page 3, lines 7, 11, 14 and 21; and page 4, lines 3, 7 and 15.

Relating to:

Senate Bill 359, senate substitute amendment 1.

1. On page 2, line 6, substitute "adaption" for "adoption".

Relating to:

Senate Bill 422, assembly amendment 2.

1. On line 4, substitute "charges" for "changes".