

STATE OF WISCONSIN

Senate Journal

Eighty-Fourth Regular Session

THURSDAY, October 4, 1979.

10:00 A.M.

The senate met.

The senate was called to order by the president of the senate.

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

Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

The senate stood for the prayer which was offered by Reverend Roger Ganzel of the Peace Lutheran Church of Waunakee.

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 363

Relating to the refund of watchmaker registration fees.

By Senators Bear, Berger, Flynn, Offner, Goyke, Kleczka, Frank, Risser, Roshell and Theno; cosponsored by Representatives D. Travis, Wagner, Rogers, Jackamonis, McClain, Barry, Flintrop, Lingren, Norquist, Everson, Gerlach, Miller, Vanderperren, Matty, Lorman, Smith, Medinger, Shoemaker, Ladwig, Hopkins and Laatsch, by request of the Department of Regulation and Licensing.

To joint committee for Review of Administrative Rules.

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Senator Swan asked unanimous consent that **Senate Bill 363** be withdrawn from the joint committee for Review of Administrative Rules and be referred to committee on Governmental and Veterans Affairs.

Senator Berger objected.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 363** was withdrawn from committee for Review of Administrative Rules and referred to committee on Senate Organization.

Senate Bill 364

Relating to appointment of guardians and legal custodians.

By Senators Bear, Van Sistine, Roshell and Lasee; cosponsored by Representatives Matty, Vanderperren, Luckhardt and Ladwig.

To committee on Judiciary and Consumer Affairs.

Senate Bill 365

Relating to authorizing county boards to delegate authority concerning claims, demands and causes of action.

By Senators Adelman and Braun; cosponsored by Representatives Rutkowski and Ulichny, by request of Milwaukee County.

To committee on Governmental and Veterans Affairs.

Senate Bill 366

Relating to permitting employes to inspect their personnel records.

By Senators Chilsen, Maurer, Krueger and Van Sistine; cosponsored by Representatives Helbach and Donoghue.

To committee on Agriculture, Labor and Local Affairs.

Senate Bill 367

Relating to making federal disability insurance benefit payments exempt from execution.

By Senator Johnston.

To committee on Judiciary and Consumer Affairs.

Senate Bill 368

Relating to the reciprocal inheritance tax exemption for nonresident decedents.

By Senator Johnston.

To Joint Survey committee on Tax Exemptions.

Senate Bill 369

Relating to the inheritance taxation of transfers of property located outside the jurisdiction of this state.

By Senator Johnston.

To Joint Survey committee on Tax Exemptions.

Senate Bill 370

Relating to waiver of juvenile court jurisdiction.

By Senator Johnston.

To committee on Judiciary and Consumer Affairs.

Senate Bill 371

An act to appropriate \$60,000 from the general fund for payment of a claim made by Sarah Fabio against the state.

By Senator Kleczka; cosponsored by Representative Roberts.

To joint committee on Finance.

Senate Bill 372

Relating to authorization for electors to vote in the primary of more than one political party.

By Senator Goyke.

To committee on Governmental and Veterans Affairs.

Senate Bill 373

Relating to licensure of nurse-midwives by the board of nursing and granting rule-making authority.

By Senators Offner, Moody, Thompson, Risser and Radosevich; cosponsored by Representatives Medinger, Leopold, Ulichny and Roberts.

To committee on Human Services.

Senate Bill 374

Relating to storing and dispensing petroleum products.

By Senators Kreul and Roshell; cosponsored by Representatives Hopkins, Dorff, Vanderperren, Shoemaker, Byers, Conradt, Larson, Ellis, Ferrall, Ward, Bradley, Porter, Lewison, Lewis and Omernick.

To committee on Agriculture, Labor and Local Affairs.

COMMITTEE REPORTS

The committee on Education and Revenue reports and recommends:

HOMBURG, ELMER, of Madison, as a member of the Investment Board, to succeed Kurt Wendt, to serve for the term ending May 1, 1983.

Confirmation:

Ayes, 4 -- Senators Goyke, Offner, Bear and McCallum;

Noes, 0 -- None.

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McESSY, CHARLOTTE, of Fond du Lac, as a member of the Educational Communications Board, to succeed Vernon Pinkowski, to serve for the term ending July 1, 1983.

Confirmation:

Ayes, 4 -- Senators Goyke, Offner, Bear and McCallum;

Noes, 0 -- None.

O'HARROW, RUSSELL J., of Oconto Falls, as a member of the University of Wisconsin Board of Regents, to succeed Edward Hales, to serve for the term ending May 1, 1986.

Confirmation:

Ayes, 4 -- Senators Goyke, Offner, Bear and McCallum;

Noes, 0 -- None.

VENEMAN, GERALD E., of Port Edwards, as a member of the University of Wisconsin Board of Regents, to succeed John Levine, to serve for the term ending May 1, 1986.

Confirmation:

Ayes, 4 -- Senators Goyke, Offner, Bear and McCallum;

Noes, 0 -- None.

Senate Bill 59

Relating to referenda concerning school district reorganizations.

Adoption of senate amendment 1:

Ayes, 5 -- Senators Goyke, Moody, Offner, Bear and McCallum;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Goyke, Moody, Offner, Bear and McCallum;

Noes, 0 -- None.

Senate Bill 149

Relating to contracts for student spaces in colleges of optometry and optometric medicine, tuition remissions, granting rule-making authority, and making an appropriation.

Introduction of senate substitute amendment 1:

Ayes, 5 -- Senators Goyke, Moody, Offner, Bear and McCallum;

Noes, 0 -- None.

Assembly Bill 3

Relating to use of a foreign language for instruction in elementary schools.

Concurrence:

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Ayes, 5 -- Senators Goyke, Moody, Offner, Bear and
McCallum;
Noes, 0 -- None.

Assembly Bill 557

Relating to remedial legislation relating to university of
Wisconsin archives (suggested as remedial legislation by the
university of Wisconsin).

Concurrence:

Ayes, 5 -- Senators Goyke, Moody, Offner, Bear and
McCallum;
Noes, 0 -- None.

GARY R. GOYKE
Chair

The joint committee on Finance reports and recommends:

Senate Bill 121

Relating to employment relations in higher education and making
appropriations.

Introduction of senate substitute amendment 1:

Ayes, 13 -- Senators Kleczka, Maurer, Flynn, Offner,
Radosevich, Chilsen and Representatives Johnson, Otte,
Roberts, Lingren, Norquist, Kirby and Ellis.

Noes, 0 -- None.

Introduction and adoption of senate amendment 1 to senate
substitute amendment 1:

Ayes, 13 -- Senators Kleczka, Maurer, Flynn, Offner,
Radosevich, Chilsen and Representatives Johnson, Otte,
Roberts, Lingren, Norquist, Kirby and Ellis.

Noes, 0 -- None.

Introduction and adoption of senate amendment 2 to senate
substitute amendment 1:

Ayes, 13 -- Senators Kleczka, Maurer, Flynn, Offner,
Radosevich, Chilsen and Representatives Johnson, Otte,
Roberts, Lingren, Norquist, Kirby and Ellis.

Noes, 0 -- None.

Adoption of senate substitute amendment 1:

Ayes, 12 -- Senators Kleczka, Maurer, Flynn, Offner,
Radosevich, Chilsen and Representatives Johnson, Otte,
Roberts, Norquist, Kirby and Ellis.

Noes, 1 -- Representative Lingren.

Passage as amended:

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Ayes, 11 -- Senators Kleczka, Maurer, Flynn, Offner, Radosevich and Representatives Johnson, Otte, Roberts, Norquist, Kirby and Ellis.

Noes, 2 -- Senator Chilsen and Representative Lingren.

GERALD D. KLECZKA
Chair

The committee on Aging, Business and Financial Institutions and Transportation reports and recommends:

Assembly Bill 208

Relating to warning lights on emergency vehicles.

Concurrence:

Ayes, 5 -- Senators Thompson, Moody, Roshell, Bidwell and Cullen;

Noes, 0 -- None.

Assembly Bill 273

Relating to revision of the existing credit union investment requirements.

Concurrence:

Ayes, 5 -- Senators Thompson, Moody, Roshell, Bidwell and Cullen;

Noes, 0 -- None.

Assembly Bill 338

Relating to deletion of the requirement that mortgages accepted by savings and loan associations be first mortgages (suggested as remedial legislation by the commissioner of savings and loan).

Concurrence:

Ayes, 5 -- Senators Thompson, Moody, Roshell, Bidwell and Cullen;

Noes, 0 -- None.

Assembly Bill 463

Relating to exceptions to stopping and parking restrictions.

Concurrence:

Ayes, 5 -- Senators Thompson, Moody, Roshell, Bidwell and Cullen;

Noes, 0 -- None.

Assembly Bill 522

Relating to designation of rustic roads and jurisdiction over such roads.

Introduction and adoption of senate amendment 1:

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Ayes, 5 -- Senators Thompson, Moody, Roshell, Bidwell and Cullen;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Thompson, Moody, Roshell, Bidwell and Cullen;

Noes, 0 -- None.

TIM CULLEN

Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

September 25, 1979.

To the Honorable, the Senate

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 September 12, 1979, and ending on September 25, 1979.

Yours very truly,

VEL PHILLIPS

Secretary of State

Lobbyist's name, address, telephone number; principal's name, address, telephone number; the code numbers indicating areas of Legislative action; the code numbers indicating areas of administrative action.

Anderson, Norman C., 25 W. Main St., Madison, WI 53703 (no phone given); Principal, John A. Leske, d/b/a Leske's Liquor Locker, c/o Norman C. Anderson, 25 W. Main St., Madison, WI 53703 (no phone given); 5, 6, 10, 11.

Bach, Mary M., 520 University Ave., Madison, WI 53703 (608) 251-4008; Center for Public Representation, Inc., 520 University Ave., Madison, WI 53703 (608) 251-4008; 11, 14, 19, 26; 108, 129, 136, 138, 142, 186.

Froemming, Roy W., 520 University Ave., Madison, WI 53703 (608) 251-4008; Center for Public Representation, Inc., 520 University Ave., Madison, WI 53703 (608) 251-4008; 11, 19, 26; 108, 129, 136, 138, 142, 186, 176.

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Wimmer, James W., Jr., P.O. Box 1482, Madison, WI 53701 (608) 256-5223; Flambeau Mining Corp., P.O. Box 194, Ladysmith. WI 54848 (715) 532-3341; 4, 5, 13, 15-18, 20-23; 116, 136, 140, 142, 144, 170, 176.

NOTE: Terminations

Gaynor, James M., -- Wisconsin Telephone Co., effective September 25, 1979.

Wimmer, James, Jr., -- National Apartment Assn. of Wis. Ltd., effective September 13, 1979.

NOTE: Registration Amendments

North Central Airlines, name changed to REPUBLIC AIRLINES, INC., new address: 7500 Airline Dr., Minneapolis. MN 55450.

Wallace, Harry L., lobbyist for First Wisconsin Trust Co., address addendum: add "c/o Foley & Lardner" to existing address of 777 E. Wisconsin Ave., Milwaukee, WI 53202.

The chart of code numbers can be found on pages 99 and 100 of the Senate Journal of February 6, 1979.

State of Wisconsin
Department of State

September 27, 1979.

To the Honorable, the Senate

I have the honor to transmit to you pursuant to s. 13.685(7), the names of officers and employes of agencies filed under s. 13.695, with the names of the agencies whom they represent and their general areas of legislative action:

Yours very truly,
VEL PHILLIPS
Secretary of State

Board of Regents of the University of Wisconsin System:

Breuscher, Harvey, 7.
Cassell, Frank, 7.
Lemon, Wallace, 7.
Peterson, Harry, 7.

Department of Administration:

Eisenberg, L., 22, 26, other -- revenue, medicaid.
Howard, K., 26, other -- budget enactment.
Lindner, K., 20, 26, other -- budget.

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Department of Agriculture, Trade and Consumer Protection:

Rohde, Gary E., 1, 3, 10, 21.

Department of Industry, Labor and Human Relations:

Byrnes, John R., 26 -- DILHR -- related area.

Noll, Joseph N., 26 -- DILHR -- related area.

Pearson, David, 26 -- Unemployment Compensation.

Sheedy, Amanda, 26 -- DILHR -- related area.

Department of Health and Social Services:

Durkin, Bob, 11, 14.

Handrich, Steve, 4, 5, 6, 9, 11, 19, 20.

Kronzer, Steve, 6.

Levin, Owen, 11, 14.

Percy, Donald, 4, 5, 6, 9, 11, 19, 20.

Stanchfield, Eric, 4, 5, 6, 9, 11, 19, 20.

Tropman, Peter, 4, 5, 6, 9, 11, 19, 20.

Willkom, Terry, 4, 5, 6, 9, 11, 19, 20.

Department of Justice:

Derene, Steven, 2, 3, 4, 5, 6, 8, 17, 18, 20, 21.

Hanson, David, 3, 6, 8, 11, 16, 17, 18, 20.

Koop, Howard, 3, 6, 8, 11, 16, 17, 18, 20.

Department of Local Affairs and Development:

Fay, Dennis, 4, 20, 26 -- DLAD -- related areas.

Department of Natural Resources:

Braun, Bruce B., 26 -- Natural Resources.

Earl, Anthony S., 26 -- Natural Resources.

Visser, Kristen R., 26 -- Natural Resources.

Department of Public Instruction:

Heinzen, Raymond, 7.

Department of Regulation and Licensing:

Haney, Ann J., 18.

Department of Revenue:

Berry, Todd, 22.

Musolf, Mark, 22.

Solberg, Tom, 22.

Department of Transportation:

Buglass, William J., 23.

Gosling, James J., 23.

Jackson, Lowell B., 23.

Thiel, James S., 23.

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Educational Communications Board:

Moe, Anton J., 7.
Norton, Paul M., 7.
Tobie, Ted., 7.

Elections Board:

Ferwerda, Gerald, 8.
Kennedy, Kevin, 8.

Judicial Commission:

Smith, Natalie, 26 -- Administrative Rules and budget for JC

Office of the Commissioner of Insurance:

Hefty, Thomas R., 14.
Mitchell, Susan, 14.

Office of the Governor:

Barry, Mike, 1-26.
Engeleiter, Sue, 1-26.
Kraus, Bill, 1-26.
LaFleur, Joe, 1-26.
Lewis, Margaret, 1-26.
McCallum, Lauri, 1-26.
Murphy, Todd, 1-26.
Popovich, Mark, 1-26.
Rice, Joe, 1-26.
Swain, Paul, 1-26.
Williams, Mary M., 1-26.

Office of the Secretary of State:

Ehlenfeldt, Richard, 2, 15, 20.
Halverson, David, 20.
Waitrovich, Terrence, 2, 15, 20.

Public Defender Board:

Banouli, Arlene F., 5, 6.
Braunhut, Mark B., 5, 6.

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**State of Wisconsin
Legislative Council**

September 28, 1979

**Donald J. Schneider
Senate Chief Clerk
State Capitol
Madison, Wisconsin**

To the Honorable, the Senate

I am pleased to transmit to you the following Reports to the 1979 Legislature on legislation introduced by the Legislative Council:

- 1. RL 79-22 -- Legislation Relating to Care of the Mentally Ill (AB 873)**
- 2. RL 79-23 -- Legislation Relating to Juvenile Corrections (AB 881, AB 882 and AB 883)**

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of these Reports are available, on request, in the Legislative Council offices, Room 147 North, State Capitol.

**Cordially,
BONNIE REESE
Secretary**

CALENDAR OF OCTOBER 4

By request of Senator Bablitch, with unanimous consent, the following appointments were considered enmasse.

AUSMAN, LAVERNE G., of Elk Mound, as Commissioner of the Labor and Industry Review Commission, to serve for the term ending March 1, 1985.

Read.

CHAMBERLAIN, JOHN O., M.D., of Milwaukee, as a member of the Medical College of Wisconsin, to succeed Dennis Conta, to serve for the term ending May 1, 1985.

Read.

COVELLI, GARY L., of Kenosha, as Commissioner of the Employment Relations Commission, to succeed Marshall Gratz, to serve for the term ending March 1, 1985.

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Read.

DALEY, GEORGE M., of Milwaukee, as a member of the Medical Examining Board, to succeed Albert L. Freedman, to serve for the term ending May 1, 1983.

Read.

FLANAGAN, MARGARET, of Milwaukee, as a member of the Medical College of Wisconsin, to succeed John H. Kelly, to serve for the term ending May 1, 1985.

Read.

HOLLOWAY, FLOYD R., of Union Grove, as a member of the Board of Agriculture, to succeed Kermit Veum, to serve for the term ending May 1, 1985.

Read.

JONES, JERREL, of Brown Deer, as a member of the Medical College of Wisconsin, to succeed David Carley, to serve for the term ending May 1, 1980.

Read.

STURM, ARTHUR L., of Manawa, as a member of the Board of Agriculture, to succeed Kenneth Schmidt, to serve for the term ending May 1, 1985.

Read.

The question was: Shall the appointments be confirmed?

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, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the appointments were confirmed.

MESSAGE FROM THE ASSEMBLY

By Marcel Dandeneau, chief clerk.

Mr. President:

I am directed to inform you that the assembly has Concurred in as amended:

Senate Bill 61, assembly amendment 1

Concurred in:

Senate Bill 20

Senate Bill 99

Passed and asks concurrence in:

Assembly Bill 561

Assembly Bill 271

Assembly Bill 312

Assembly Bill 30

Assembly Bill 385

Assembly Bill 456

Adopted and asks concurrence in:

Assembly Joint Resolution 69

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 561

Relating to remedial legislation for the department of natural resources (suggested as remedial legislation by the department of natural resources).

By Committee on Remedial Legislation.

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

Assembly Bill 271

Relating to miscellaneous changes in the credit union statutes.

By Representatives Otte, Andrea, McClain, Munts, Pabst, Dorff, Ward, Rogers, Conradt, Ferrall, Behnke and Kedrowski, co-sponsored by Senators Berger, Van Sistine, Krueger and Goyke.

Read first time and referred to committee on Aging, Business and Financial Institutions and Transportation.

Assembly Bill 312

Relating to multicounty mosquito control districts.

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By Representatives Medinger, Roberts, Schneider, Cogs. Leopold, Ladwig, Becker and Conradt, co-sponsored by Senators Offner, Berger and Radosevich.

Read first time and referred to committee on Agriculture, Labor and Local Affairs.

Assembly Bill 30

Relating to issuance of an occupational license if operating privileges are suspended.

By Representatives Potter, Andrea, Kirby and Wood, co-sponsored by Senator Flynn.

Read first time and referred to committee on Aging, Business and Financial Institutions and Transportation.

Assembly Bill 385

Relating to confidentiality of inheritance and estate tax information and providing penalties.

By Representatives Schneider, R. Travis, Plewa, Shoemaker, Ulichny, Helbach, Hopkins, Donoghue and Bradley, co-sponsored by Senators Bear and Moody.

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

Assembly Bill 456

Relating to authorization of the department of industry, labor and human relations to make inspections regarding gasohol.

By Legislative Council.

Read first time and referred to committee on Aging, Business and Financial Institutions and Transportation.

Assembly Joint Resolution 69

Commending Dr. John J. Czajka for being named the 1979 recipient of Sertoma International's Service to Mankind Award.

By Representatives Barczak and Rutkowski, co-sponsored by Senator Adelman.

Read and referred to committee on Human Services.

MOTIONS

By request of Senator Cullen, with unanimous consent, **Senate Bill 355** was withdrawn from committee on Aging, Business and Financial Institutions and Transportation and referred to joint committee on Finance.

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Senator Bablitch asked unanimous consent that **Senate Joint Resolution 12** be withdrawn from committee on Senate Organization and be referred to committee on Education and Revenue.

Senator Swan objected.

By request of Senator Bablitch, with unanimous consent, the senate recessed until 10:52 A.M.

10:25 A.M.

RECESS

10:52 A.M.

The senate reconvened.

By request of Senator Bablitch, with unanimous consent, **Senate Joint Resolution 12** was withdrawn from committee on Senate Organization and referred to committee on Education and Revenue.

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Senate Bill 31

Relating to optional additional group life insurance coverage for certain local government employes.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Senator Hanaway moved indefinite postponement.

The question was: Shall **Senate Bill 31** be indefinitely postponed?

The motion prevailed.

Senate Bill 62

Relating to adding 2 dental hygienists to the dentistry examining board.

Read a second time.

Senate amendment 1 to senate amendment 4 offered by Senator Berger.

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

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Senator Johnston moved rejection of senate amendment 1 to senate amendment 4.

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

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

Ayes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Frank, Goyke, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lasee, Lorge, Maurer, Murphy, Opitz, Roshell, Swan, Theno and Van Sistine -- 20.

Noes -- Senators Bear, Berger, Braun, Cullen, Flynn, Kleczka, McCallum, Moody, Offner, Radosevich, Risser, Strohl and Thompson -- 13.

Absent with leave -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 4?

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 62

Read a third time and passed.

Senator Harnisch moved reconsideration of the vote by which **Senate Bill 31** was indefinitely postponed.

The question was: Reconsideration of the vote by which **Senate Bill 31** was indefinitely postponed?

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

Senator Hanaway objected.

Senator Harnisch moved that the reconsideration motion be laid on the table.

The question was: Shall the reconsideration motion be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 11; absent or not voting, 1; as follows:

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Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasec, Lorge, McCallum, Murphy and Opitz -- 11.

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

So the motion prevailed.

Senate Bill 163

Relating to providing medical treatment and school counseling to minors for abuse of alcohol and drugs on their own consent, and limiting the liability of physicians and health care facilities.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 163** was referred to joint committee on Finance.

Senate Bill 211

Relating to fleet rate reimbursement payments and increasing an appropriation.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 211** was referred to joint committee on Finance.

Senate Bill 258

Relating to unemployment compensation and the unemployment reserve fund.

Read a second time.

Senate amendment 1 offered by Senator Opitz, Goyke and Roshell.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 258** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 258** was withdrawn from the joint committee on Finance and considered for action at this time.

Senator Van Sistine moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

By request of Senator Flynn, with unanimous consent, **Senate Bill 258** was referred to committee on Senate Organization.

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Senate Bill 259

Relating to review and automatic termination of state regulatory agencies and administrative rules and making an appropriation.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 259** was referred to joint committee on Finance.

Senate Bill 270

Relating to prohibiting any utility rate increase except by administrative rule and granting rule-making power.

Read a second time.

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

By request of Senator Kleczka, with unanimous consent, **Senate Bill 270** was referred to joint committee on Finance.

Senate Bill 288

An act to appropriate \$2,500 from the general fund for payment of a claim by Sawyer County against the state.

Read a second time.

Ordered to a third reading.

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

Senate Bill 288

Read a third time.

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, Bear, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Kleczka, Krueger, Lasee, McCallum, Maurer, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 29.

Noes -- Senators Berger, Johnston, Kreul and Lorge -- 4.

Absent or not voting -- None.

So the bill passed.

Senate Bill 289

An act to appropriate \$3,022 from the general fund for payment for a claim made by Roman and Santina Worzalla against the state.

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.

Senate Bill 289

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Krueger, Lasee, Lorge, McCallum, Maurer, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 27.

Noes -- Senators Hanaway, Johnston, Kreul, Murphy and Opitz -
- 5.

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

So the bill passed.

LEAVE OF ABSENCE

By request of Senator Theno, with unanimous consent, he was granted a leave of absence for the balance of the day.

Senate Bill 290

An act to appropriate \$17,270 from the general fund for payment of a claim made by Robert Graham against the state.

Read a second time.

Ordered to a third reading.

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

Senate Bill 290

Read a third time.

The ayes and noes were required and the vote was: ayes, 25; noes, 7; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Kleczka, Krueger, McCallum, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 25.

Noes -- Senators Bidwell, Johnston, Kreul, Lasee, Lorge, Murphy and Opitz -- 7.

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

So the bill passed.

Senate Bill 301

Relating to inspection of electrical construction by the department of industry, labor and human relations, granting rule-making authority, making an appropriation and imposing a penalty.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 301** was referred to joint committee on Finance.

Assembly Bill 28

Relating to composition of local property tax 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.

Assembly Bill 28

Read a third time and concurred in.

Assembly Bill 187

Relating to separation of hospital indemnity insurance coverage from required skilled nursing care coverage.

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 187

Read a third time and concurred in.

Assembly Bill 190

Relating to a mandatory risk sharing plan for foster homes.

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 190

Read a third time and concurred in.

Assembly Bill 224

Relating to a mandatory risk sharing plan for group homes.

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 224

Read a third time and concurred in.

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Assembly Bill 330

Relating to limiting the authority of the governor to direct the legislative audit bureau to perform audits.

Read a second time.

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

Ordered to a third reading.

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

Assembly Bill 330

Read a third time and concurred in as amended.

Assembly Bill 512

Relating to exempting amusement devices which grant nonredeemable free replays from criminal gambling prohibitions.

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 512

Read a third time.

Senator Kleczka asked unanimous consent **Assembly Bill 512** be referred to joint committee on Finance.

Senator Goyke objected.

Senator Kleczka moved that **Assembly Bill 512** be referred to joint committee on Finance.

The question was: Shall the bill be referred to joint committee on Finance?

The motion prevailed.

Assembly Bill 558

Relating to repeal of the reporting requirement regarding suitability of new structures as fallout shelters (suggested as remedial legislation by the department of industry, labor and human relations).

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 558

Read a third time and concurred in.

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Senate Bill 171

Relating to establishment of branch banks on sites previously occupied by branch banks.

Senator Moody asked unanimous consent that the bill be laid on the table.

Senator Chilsen objected.

Senator Moody moved that **Senate Bill 171** be laid on the table.

The question was: Shall **Senate Bill 171** be laid on the table.?

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Johnston, Kleczka, Lasee, McCallum, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 24.

Noes -- Senators Bidwell, Chilsen, Hanaway, Kreul, Krueger, Lorge, Murphy and Opitz -- 8.

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

So the motion prevailed.

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

STATEMENT OF POSITION

Pursuant to Senate Rule 74, the journal showed that had Senator Flynn been present he would have voted as follows on the measures enumerated below:

Senate Bill 171 - the question of indefinite postponement - no.

Senate Bill 171 - the question of suspending the rules and considering the bill for action - no.

Assembly Bills 84, 239, 258, 361 - the question of concurrence - aye.

AMENDMENTS OFFERED

Senate amendment 3 to senate substitute amendment 1 to **Senate Bill 80** by Senator Opitz.

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Senate substitute amendment 1 to **Senate Bill 355** by Senators Cullen, Thompson, Moody and Roshell.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Tuesday, October 9.

12:45 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

In preparing Chapter 34, Laws of 1979, for publication in the Session Laws volume, the Legislative Reference Bureau made the following additional typographical, structural or layout corrections in the text of Chapter 34, Laws of 1979, as published in slip-law form on July 28, 1979:

(1) In s. 15.08 (1a) (d) [line 2], insert a period after "office" at the end of the first sentence.

(2) The text of s. 20.115 (3) (g) is to be shown as one continuous, unbroken paragraph.

(3) In s. 20.395 (9) (aq) [line 8], "estimate revenues" should read "estimated revenues".

(4) In s. 20.395 (9) (td) [line 3], insert a comma between "(cq)" and "(dq)".

(5) In s. 20.435 (2) (b) [line 6], the reference to the U.S. code was corrected to read "42 USC 1397".

(6) In s. 20.435 (2) (df) [line 2], underscore the word "the" after the underscored "to".

(7) In s. 20.435 (2) (bb) [line 9], as renumbered from (4) (df), the reference to the U.S. code was corrected to read "42 USC 1397".

(8) In s. 20.865 (1) (vo) [line 3], "cost increased approved" should read "cost increases approved".

(9) In s. 29.595 (2) (a), "damages is excess" should read "damages in excess".

(10) In s. 29.643, the numbering of the subsections should be numeric; *i.e.* (1), (2) and (3).

(11) In s. 36.25 (20) [line 5], "intership" should read "internship".

(12) In s. 39.325 (1) [line 7], "specialities" should read "specialties".

(13) In s. 39.38 (2) [line 5], underscore "or she".

(14) In the title of s. 46.26 (3), hyphenate "Grants-in-aid".

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(15) In s. 85.08 (6) (b) 1 [line 2], the reference to the U.S. code was corrected to read "49 USC 1612 (b) (2)".

(16) In s. 103.35 [line 7], "shall by notified" was corrected to read "shall be notified".

(17) In s. 145.10 (1) (c), insert a period at the end of the sentence.

(18) In s. 176.05 (1a) [line 1], and in the law's action phrase preceding that statute, insert "(intro.)" following "(1a)".

(19) In the title of s. 227.019, the word "estimates" should not start with a capital letter.

(20) The signature lines in s. 227.024 (1) (a) should be shown typeset, rather than typewritten.

(21) In SECTION 1135m of the law [line 7], the word "sho" should read "who".

(22) In SECTION 2020 (14) of the law [line 3], the reference to the U.S. code was corrected to read "42 USC 1396 to 1397f".