

JOURNAL OF THE SENATE [October 16, 1979]

STATE OF WISCONSIN

Senate Journal

Eighty-Fourth Regular Session

TUESDAY, October 16, 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, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 32.

Absent -- Senator Hanaway -- 1.

Absent with leave -- None.

The senate stood for the prayer which was offered by Father Douglas L. Dushack, Associate Pastor of St. Raphael's Cathedral, Madison.

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

LEAVE OF ABSENCE

By request of Senator Krueger, with unanimous consent, Senator Hanaway was granted a leave of absence until 11:00 A.M.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 391

Relating to prohibiting work on public construction contracts at less than full rate and providing a penalty.

By Senators Van Sistine, Frank, McCallum, Goyke, Cullen and Bablitch; cosponsored by Representatives Murray, Norquist, Andrea, Helbach, Potter, D. Travis, Dorff and Broydrick.

To committee on Agriculture, Labor and Local Affairs.

Senate Bill 392

Relating to competitive bidding in common, union and unified school districts.

By Senators Van Sistine, Frank and Cullen; cosponsored by Representatives Murray, Norquist, Potter, D. Travis, Dorff, Andrea and Broydrick.

To committee on Education and Revenue.

Senate Bill 393

Relating to the transfer of a portion of the sales and use tax into the transportation fund and making an appropriation.

By Senators Van Sistine, Goyke, Kreul and Theno; cosponsored by Representatives Vanderperren, Swoboda, Menos, Kincaid and Medinger.

To committee on Aging, Business and Financial Institutions and Transportation.

Senate Bill 394

Relating to the definition of school district controllable cost.

By Senator Van Sistine.

To committee on Education and Revenue.

Senate Bill 395

Relating to compulsory motor vehicle liability insurance and providing a penalty.

By Senator Kleczka.

To committee on Insurance and Utilities.

COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends for introduction:

Senate Bill 396

Relating to procedure in cases before the court of appeals.
By request of the Judicial Council.

Introduction:

Ayes, 3 -- Senators Adelman, Harnisch and Braun;
Noes, 0 -- None.

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

and further recommends:

Senate Bill 312

Relating to citation forms for municipal court.

Passage:

Ayes, 5 -- Senators Adelman, Bear, Harnisch, Braun and
Murphy;
Noes, 0 -- None.

LYNN S. ADELMAN
Chair

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

Senate Bill 195

Relating to increasing the income tax exemption for federal civil service retirement annuities.

Passage:

Ayes, 5 -- Senators Thompson, Moody, Roshell, Bidwell and
Cullen;
Noes, 0 -- None.

Senate Bill 241

Relating to right and left turn on red signals and providing a penalty.

Passage:

Ayes, 5 -- Senators Thompson, Moody, Roshell, Bidwell and
Cullen;
Noes, 0 -- None.

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Assembly Bill 156

Relating to equipping authorized emergency vehicles with lamps used to activate traffic control signal preemption devices and providing a penalty.

Introduction and adoption of senate amendment 1:

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.

Assembly Bill 204

Relating to the requirement to report accidents resulting in property damage and providing a penalty.

Introduction and adoption of senate amendment 1:

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

Senate Petition 14

A petition by approximately 45,000 residents of the state of Wisconsin in support of raising the drinking age to 19.

By Senators Chilsen and Cullen.

Read and referred to committee on Senate Organization.

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

Maurer

RECESS

10:10 A.M.

The senate reconvened.

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Senate Bill 19

Relating to raising the drinking age to 19 and providing a penalty.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 19** was placed after **Senate Bill 385**.

Senate Bill 87

Relating to prohibiting courts from placing persons convicted of first-degree murder on probation.

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 87

Read a third time and passed.

Senate Bill 97

Relating to authorization for the department of health and social services to approve limited use of experimental private domestic sewage treatment and disposal systems during the next 5 years.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 97** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 97** was withdrawn from the joint committee on Finance and considered for action at this time.

Ordered to a third reading.

Senator Bablitch asked unanimous consent that the rules be suspended and the bill read a third time.

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Senator Moody objected.

Senator Murphy moved that the rules be suspended and the bill be read a third time.

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Chilsen, Cullen, Flynn, Frank, Goyke, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, McCallum, Maurer, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Swan, Theno, Thompson and Van Sistine -- 28.

Noes -- Senators Braun, Lorge, Moody and Strohl -- 4.

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

More than two-thirds having voted in the affirmative, the motion prevailed.

Senate Bill 97

Read a third time.

Senator Braun asked unanimous consent that the bill be returned to the second reading.

Senator Lasee objected.

Senator Braun moved that the rules be suspended and the bill be returned to the second reading.

By request of Senator Braun, with unanimous consent, he withdrew his request to return the bill to the second reading.

Senator Moody moved that **Senate Bill 97** be referred to committee on Natural Resources and Tourism.

The question was: Shall the bill be referred to committee on Natural Resources and Tourism?

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

Ayes -- Senators Bablitch, Braun, Cullen, Flynn, Frank, Harnisch, Kleczka, Lorge, Moody, Radosevich, Strohl, Thompson and Van Sistine -- 13.

Noes -- Senators Adelman, Bear, Bidwell, Chilsen, Goyke, Hanaway, Johnston, Kreul, Krueger, Lasee, McCallum, Maurer, Murphy, Offner, Opitz, Risser, Roshell, Swan and Theno -- 19.

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

So the motion did not prevail.

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The question was: Shall the bill pass?

Senator Thompson asked unanimous consent that the bill be returned to a second reading.

Senator Lasee objected.

Senator Thompson moved reconsideration of the vote by which the bill was ordered to a third reading.

The question was: Reconsideration of the vote by which the bill was ordered to a third reading?

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

Ayes -- Senators Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Kreul, Maurer, Moody, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 22.

Noes -- Senators Adelman, Bidwell, Chilsen, Hanaway, Johnston, Krueger, Lasee, Lorge, McCallum, Murphy and Theno -- 11.

Absent or not voting -- None.

More than two-thirds having voted in the affirmative the motion prevailed.

Senate amendment 1 to senate substitute amendment 1 offered by Senators Braun, Thompson and Moody.

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

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

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

The motion did not prevail.

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

The ayes and noes were demanded and the vote was: ayes, 21; noes, 10; absent or not voting, 2; as follows:

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

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Noes -- Senators Adelman, Bidwell, Chilsen, Hanaway, Johnston, Krueger, Lasee, Lorge, Murphy and Opitz -- 10.

Absent or not voting -- Senators Flynn and Goyke -- 2.

So the amendment was adopted.

AMENDMENTS OFFERED

Senate amendment 2 to senate substitute amendment 1 to **Senate Bill 97** by Senator Moody.

Senate amendment 3 to senate substitute amendment 1 to **Senate Bill 97** by Senator Moody.

Senate amendment 5 to **Senate Bill 19** by Senator Radosevich.

Senate amendment 6 to **Senate Bill 19** by Senator Radosevich.

Senate substitute amendment 2 to **Senate Bill 19** by Senator Radosevich.

Senate substitute amendment 3 to **Senate Bill 19** by Senators Cullen, Flynn, Offner, Hanaway, Roshell, Chilsen, Maurer, Adelman, Van Sistine, Strohl, Thompson, Bidwell and Johnston.

Senate amendment 1 to senate substitute amendment 3 to **Senate Bill 19** by Senators Cullen and Offner.

Senate amendment 2 to senate substitute amendment 3 to **Senate Bill 19** by Senator Hanaway.

Senate amendment 3 to senate substitute amendment 3 to **Senate Bill 19** by Senator Cullen.

Upon motion of Senator Bablitch the senate recessed until 2:00 P.M.

12:02 P.M.

RECESS

2:00 P.M.

The senate reconvened.

Upon motion of Senator Bablitch the senate recessed until 2:30 P.M.

2:01 P.M.

RECESS

2:30 P.M.

The senate reconvened.

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, Berger, Braun, Chilsen, Flynn, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Lasee, Lorge, McCallum, Maurer, Moody, Murphy, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 26.

Absent -- Senators Adelman, Bear, Bidwell, Cullen, Frank, Krueger and Offner -- 7.

Absent with leave -- None.

By request of Senator Braun with unanimous consent, the senate returned to the second order of business.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 30

Designating October 17, 1979, as "Citizens Energy Day".

By Senators Risser, Bablitch, Flynn, Braun, Berger, Van Sistine, Swan, Goyke, Harnisch, Moody, Strohl, Maurer and Kreul.

Read and referred to committee on Senate Organization.

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Senate Bill 97

Relating to authorization for the department of health and social services to approve limited use of experimental private domestic sewage treatment and disposal systems during the next 5 years.

The question was: Adoption of senate amendment 2?

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

The question was: Adoption of senate amendment 3?

Senator Opitz moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

So the motion prevailed.

Ordered to a third reading.

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

Senate Bill 97

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 2; 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, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Swan, Theno, Thompson and Van Sistine -- 31.

Noes -- Senators Moody and Strohl -- 2.

Absent or not voting -- None.

So the bill passed.

Senate Bill 162

Relating to diversion and treatment of drug abusers charged with a crime and providing a penalty.

Read a second time.

Senator Adelman asked unanimous consent that **Senate Bill 162** be referred to the committee on Judiciary and Consumer Affairs.

Senator Goyke objected.

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

By request of Senator Adelman, with unanimous consent, **Senate Bill 162** was referred to committee on Judiciary and Consumer Affairs.

Senate Bill 166

Relating to issuing special identification cards for disabled persons, granting rule-making authority and providing a penalty.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Kleczka, with unanimous consent, **Senate Bill 166** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 166** was withdrawn from the joint committee on Finance and considered for action at this 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 action at this time.

Senate Bill 166

Read a third time and passed.

Senate Bill 178

Relating to regulation of occupational therapists by the medical examining board, creating an occupational therapists examining council and granting rule-making authority.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Kleczka, with unanimous consent, **Senate Bill 178** was referred to joint committee on Finance.

Senator Kleczka asked unanimous consent that **Senate Bill 178** be withdrawn from the joint committee on Finance.

Senator Offner objected.

Senator Kleczka moved that the rules be suspended and **Senate Bill 178** be withdrawn from the joint committee on Finance.

The question was: Shall the rules be suspended and **Senate Bill 178** be withdrawn from joint committee on Finance?

The ayes and noes were required and the vote was: ayes, 26; noes, 7; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Bear, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Moody, Murphy, Opitz, Risser, Roshell, Swan, Theno, Thompson and Van Sistine -- 26.

Noes -- Senators Adelman, Berger, McCallum, Maurer, Offner, Radosevich and Strohl -- 7.

Absent or not voting -- None.

More than two-thirds having voted in the affirmative the motion prevailed.

The question was: Adoption of senate amendment 1?

Senator Thompson moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The motion prevailed.

The question was: Adoption of senate amendment 2?

By request of Senator Berger, with unanimous consent, **Senate Bill 178** was referred to committee on Human Services.

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Senate Bill 205

Relating to clearance of railroad wrecks or derailment, restoration of damaged property 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, **Senate Bill 205** was placed at the foot of the calendar.

Senate Bill 242

Relating to payment for intake, disposition and supervision services provided by court workers for children's code proceedings and making an appropriation.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 242** was referred to joint committee on Finance.

Senate Bill 258

Relating to unemployment compensation and the unemployment reserve fund.

The question was: Rejection of senate amendment 1?

The motion prevailed.

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 action at this time.

Senate Bill 258

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, 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 bill passed.

Senate Bill 310

Relating to correcting improper cross-references concerning nursing 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.

Senate Bill 310

Read a third time and passed.

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.

Read a second time.

Senate amendment 1 offered by Senator Kleczka.

The question was: Adoption of senate amendment 1?

Senator Goyke 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, 5; noes, 28; absent or not voting, 0; as follows:

Ayes -- Senators Braun, Goyke, Risser, Swan and Thompson -- 5.

Noes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Chilsen, Cullen, Flynn, Frank, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Murphy, Offner, Opitz, Radosevich, Roshell, Strohl, Theno and Van Sistine -- 28.

Absent or not voting -- None.

So the motion did not prevail.

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 action at this time.

Senate Bill 371

Read a third time.

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

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Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 32.

Noes -- Senator Goyke -- 1.

Absent or not voting -- None.

So the bill passed.

Senate Bill 385

An act to ratify the agreement negotiated between the state of Wisconsin and the State Engineering Association for the 1979-81 biennium, covering employes in the professional engineering collective bargaining unit, and authorizing an expenditure of funds.

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 385

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, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

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

So the bill passed.

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Senate Bill 19

Relating to raising the drinking age to 19 and providing a penalty.
Read a second time.

The question was: Adoption of senate substitute amendment 2?

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

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

Senator Kleczka moved rejection of senate substitute amendment
3.

The question was: Rejection of senate substitute amendment 3?

The ayes and noes were demanded and the vote was: ayes, 8; noes,
25; absent or not voting, 0; as follows:

Ayes -- Senators Goyke, Kleczka, Krueger, Lorge, Moody,
Murphy, Opitz and Swan -- 8.

Noes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell,
Braun, Chilsen, Cullen, Flynn, Frank, Hanaway, Harnisch,
Johnston, Kreul, Lasee, McCallum, Maurer, Offner, Radosevich,
Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 25.

Absent or not voting -- None.

So the motion did not prevail.

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

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

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

The motion did not prevail.

The question was: Adoption of senate amendment 1 to senate
substitute 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, Bear, Berger, Braun,
Cullen, Flynn, Frank, Hanaway, Harnisch, Kleczka, Krueger,
McCallum, Moody, Murphy, Offner, Radosevich, Risser, Strohl,
Theno, Thompson and Van Sistine -- 22.

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Noes -- Senators Bidwell, Chilsen, Goyke, Johnston, Kreul, Lasee, Lorge, Maurer, Opitz, Roshell and Swan -- 11.

Absent or not voting -- None.

So the amendment was adopted.

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

Senator Cullen moved rejection of senate amendment 2 to senate substitute amendment 3.

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

The motion did not prevail.

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

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Frank, Hanaway, Harnisch, Krueger, Lasee, Moody, Murphy, Opitz, Strohl and Swan -- 15.

Noes -- Senators Bidwell, Chilsen, Cullen, Flynn, Goyke, Johnston, Kleczka, Kreul, Lorge, McCallum, Maurer, Offner, Radosevich, Risser, Roshell, Theno, Thompson and Van Sistine -- 18.

Absent or not voting -- None.

So the amendment was not adopted.

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

Adopted.

Senate amendment 4 to senate substitute amendment 3 offered by Senator Radosevich.

The question was: Adoption of senate amendment 4?

Senator Cullen moved rejection of senate amendment 4 to senate substitute amendment 3.

The question was: Rejection of senate amendment 4 to senate substitute amendment 3?

Senator Kreul raised the point of order that senate amendment 4 to senate substitute amendment 3 was not germane.

The chair ruled the point of order well taken.

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Senate amendment 5 to senate substitute amendment 3 offered by Senator Offner.

The question was: Adoption of senate amendment 5 to senate substitute amendment 3?

Senator Cullen moved rejection of senate amendment 5 to senate substitute amendment 3.

The question was: Rejection of senate amendment 5 to senate substitute amendment 3?

By request of Senator Offner, with unanimous consent, senate amendment 5 to senate substitute amendment 3 was placed after senate amendment 16 to senate substitute amendment 3 to **Senate Bill 19**.

Senate amendment 6 to senate substitute amendment 3 offered by Senator Offner.

The question was: Adoption of senate amendment 6 to senate substitute amendment 3?

Adopted.

Senate amendment 7 to senate substitute amendment 3 offered by Senator Offner.

The question was: Adoption of senate amendment 7 to senate substitute amendment 3?

Senator Cullen moved rejection of senate amendment 7 to senate substitute amendment 3.

The question was: Rejection of senate amendment 7 to senate substitute amendment 3?

Senator Cullen raised the point of order that senate amendment 7 to senate substitute amendment 3 was not germane.

The chair ruled the point of order well taken.

Senator Goyke appealed the ruling of the chair.

The question was: Shall the ruling of the chair stand as judgment of the Senate?

The ayes and noes were required and the vote was: ayes, 28; noes, 5; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Chilsen, Cullen, Flynn, Frank, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Maurer, Murphy, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 28.

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Noes -- Senators Braun, Goyke, McCallum, Moody and Offner -- 5.

Absent or not voting -- None.

So the decision of the chair shall stand as the judgment of the Senate.

Senate amendment 8 to senate substitute amendment 3 offered by Senator Johnston.

The question was: Adoption of senate amendment 8 to senate substitute amendment 3?

Senator Cullen moved rejection of senate amendment 8 to senate substitute amendment 3.

The question was: Rejection of senate amendment 8 to senate substitute amendment 3?

Senator Kleczka raised the point of order that senate amendment 8 to senate substitute amendment 3 was not germane.

The chair ruled the point of order not well taken.

Senator Kleczka appealed the ruling of the chair.

The question was: Shall the ruling of the chair stand as the judgment of the Senate?

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, Berger, Bidwell, Braun, Chilsen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 29.

Noes -- Senators Cullen, Kleczka, Moody and Murphy -- 4.

Absent or not voting -- None.

So the decision of the chair shall stand as the judgment of the Senate.

The question was: Rejection of senate amendment 8 to senate substitute amendment 3 to **Senate Bill 19**?

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Goyke, Hanaway, Harnisch, Kleczka, Kreul,

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Krueger, Lorge, McCallum, Murphy, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 25.

Noes -- Senators Bidwell, Chilsen, Frank, Johnston, Lasec, Moody and Opitz -- 7.

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

So the motion prevailed.

Senate amendment 9 to senate substitute amendment 3 offered by Senator Offner.

The question was: Adoption of senate amendment 9 to senate substitute amendment 3?

Senator Cullen moved rejection of senate amendment 9 to senate substitute amendment 3.

The question was: Rejection of senate amendment 9 to senate substitute amendment 3?

Senator Chilsen raised the point of order that senate amendment 9 to senate substitute amendment 3 was not germane.

The chair ruled the point of order not well taken.

Senator Chilsen appealed the ruling of the chair.

The question was: Shall the ruling of the chair stand as the judgment of the Senate?

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Kreul, Moody, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 23.

Noes -- Senators Chilsen, Johnston, Krueger, Lasec, Lorge, McCallum, Maurer, Murphy and Theno -- 9.

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

So the decision of the chair shall stand as the judgment of the Senate.

The question was: Rejection of senate amendment 9 to senate substitute amendment 3?

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

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Ayes -- Senators Chilsen, Cullen, Flynn, Frank, Hanaway, Johnston, Kleczka, McCallum, Maurer, Opitz, Radosevich, Roshell, Strohl, Theno and Van Sistine -- 15.

Noes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Goyke, Harnisch, Kreul, Krueger, Lasee, Lorge, Moody, Murphy, Offner, Risser, Swan and Thompson -- 18.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 9 to senate substitute amendment 3?

By request of Senator Offner, with unanimous consent, senate amendment 9 to senate substitute amendment 3 was placed after senate amendment 16 to senate substitute amendment 3.

Senate amendment 10 to senate substitute amendment 3 offered by Senator Radosevich.

Senator Cullen raised the point of order that senate amendment 10 to senate substitute amendment 3 was not germane.

The chair ruled the point of order well taken.

Senate amendment 11 to senate substitute amendment 3 to **Senate Bill 19** offered by Senator Berger.

By request of Senator Berger, with unanimous consent, senate amendment 11 to senate substitute amendment 3 was returned to the author.

Senate amendment 12 to senate substitute amendment 3 offered by Senator Berger.

The question was: Adoption of senate amendment 12 to senate substitute amendment 3?

Senator Cullen moved rejection of senate amendment 12 to senate substitute amendment 3.

The question was: Rejection of senate amendment 12 to senate substitute amendment 3?

The motion did not prevail.

The question was: Adoption of senate amendment 12 to senate substitute amendment 3?

Adopted.

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Senate amendment 13 to senate substitute amendment 3 offered by Senator Harnisch.

The question was: Adoption of senate amendment 13 to senate substitute amendment 3?

By request of Senator Harnisch, with unanimous consent, senate amendment 13 to senate substitute amendment 3 was placed after senate amendment 5 to senate substitute amendment 3.

Senate amendment 14 to senate substitute amendment 3 offered by Senator Radosevich.

The question was: Adoption of senate amendment 14 to senate substitute amendment 3?

Senator Cullen moved rejection of senate amendment 14 to senate substitute amendment 3.

The question was: Rejection of senate amendment 14 to senate substitute amendment 3?

The ayes and noes were demanded and the vote was: ayes, 27; noes, 6; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bear, Bidwell, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 27.

Noes -- Senators Bablitch, Berger, Braun, Kreul, Murphy and Radosevich -- 6.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 15 to senate substitute amendment 3 offered by Senators Harnisch, Berger and Hanaway.

The question was: Adoption of senate amendment 15 to senate substitute amendment 3?

Senator Cullen moved rejection of senate amendment 15 to senate substitute amendment 3.

The question was: Rejection of senate amendment 15 to senate substitute amendment 3?

The motion prevailed.

Senate amendment 16 to senate substitute amendment 3 offered by Senators Goyke, Bear, Moody, Braun and Berger.

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The question was: Adoption of senate amendment 16 to senate substitute amendment 3?

Senator Cullen moved rejection of senate amendment 16 to senate substitute amendment 3.

The question was: Rejection of senate amendment 16 to senate substitute amendment 3?

The motion prevailed.

The question was: Adoption of senate amendment 9 to senate substitute amendment 3?

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Goyske, Harnisch, Kreul, Moody, Murphy, Offner, Risser and Swan - - 13.

Noes -- Senators Bidwell, Chilsen, Cullen, Flynn, Frank, Hanaway, Johnston, Kleczka, Krueger, Lasee, Lorge, McCallum, Maurer, Opitz, Radosevich, Roshell, Strohl, Theno, Thompson and Van Sistine -- 20.

Absent or not voting -- None.

So the amendment was not adopted.

The question was: Rejection of senate amendment 5 to senate substitute amendment 3?

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

Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Flynn, Kleczka, Lorge, Maurer, Murphy, Strohl, Swan, Theno and Van Sistine -- 13.

Noes -- Senators Adelman, Bear, Berger, Braun, Frank, Goyske, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lasee, McCallum, Moody, Offner, Opitz, Radosevich, Risser, Roshell and Thompson -- 20.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 5 to senate substitute amendment 3?

Adopted.

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The question was: Adoption of senate amendment 13 to senate substitute amendment 3?

Adopted.

Senator Harnisch moved reconsideration of the vote by which senate amendment 15 to senate substitute amendment 3 was rejected.

The question was: Reconsideration of the vote by which senate amendment 15 to senate substitute amendment 3 was rejected?

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

Ayes -- Senators Adelman, Berger, Bidwell, Braun, Frank, Goyke, Hanaway, Harnisch, Johnston, Kreul, Lasee, Moody, Murphy, Offner, Opitz, Swan, Thompson and Van Sistine -- 18.

Noes -- Senators Bablitch, Bear, Chilsen, Cullen, Flynn, Kleczka, Krueger, Lorge, McCallum, Maurer, Radosevich, Risser, Roshell, Strohl and Theno -- 15.

Absent or not voting -- None.

So the motion prevailed.

The question was: Rejection of senate amendment 15 to senate substitute amendment 3?

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

Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Flynn, Frank, Kleczka, Lorge, McCallum, Maurer, Radosevich, Risser, Strohl and Theno -- 14.

Noes -- Senators Adelman, Bear, Berger, Braun, Goyke, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lasee, Moody, Murphy, Offner, Opitz, Roshell, Swan, Thompson and Van Sistine -- 19.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 15 to senate substitute amendment 3?

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, Bear, Berger, Braun, Goyke, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lasee,

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Moody, Murphy, Offner, Opitz, Radosevich, Roshell, Swan and Van Sistine -- 20.

Noes -- Senators Bidwell, Chilsen, Cullen, Flynn, Frank, Kleczka, Lorge, McCallum, Maurer, Risser, Strohl, Theno and Thompson -- 13.

Absent or not voting -- None.

So the amendment was adopted.

Senator Lorge moved reconsideration of the vote by which senate amendment 13 to senate substitute amendment 3 was adopted.

The question was: Reconsideration of the vote by which senate amendment 13 to senate substitute amendment 3 was adopted?

Senator Chilsen asked unanimous consent that the record on senate amendment 13 to senate substitute amendment 3 be expunged.

Senator Berger objected.

The question was: Reconsideration of the vote by which senate amendment 13 to senate substitute amendment 3 was adopted?

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

Ayes -- Senators Bablitch, Chilsen, Flynn, Frank, Harnisch, Johnston, Kleczka, Kreul, Lorge, McCallum, Murphy, Offner, Opitz, Risser, Theno and Van Sistine -- 16.

Noes -- Senators Adelman, Bear, Berger, Bidwell, Braun, Cullen, Goyke, Hanaway, Krueger, Lasee, Maurer, Moody, Radosevich, Roshell, Strohl, Swan and Thompson -- 17.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate substitute amendment 3 to **Senate Bill 19**?

The ayes and noes were demanded and the vote was: ayes, 28; noes, 5; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, McCallum, Maurer, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 28.

Noes -- Senators Goyke, Lorge, Moody, Murphy and Swan -- 5.

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Absent or not voting -- None.

So senate substitute amendment 3 was adopted.

Ordered to a third reading.

Senator Bablitch asked unanimous consent that the rules be suspended and **Senate Bill 19** be considered for final action.

Senator Berger objected.

Senator Bablitch moved that the rules be suspended and **Senate Bill 19** be considered for final action.

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, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 29.

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

Absent or not voting -- None.

More than two-thirds having voted in the affirmative the rules were suspended and the bill was considered for final action.

Senate Bill 19

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, Bidwell, Chilsen, Cullen, Flynn, Frank, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Lasee, Lorge, McCallum, Maurer, Offner, Opitz, Radosevich, Roshell, Strohl, Theno, Thompson and Van Sistine -- 23.

Noes -- Senators Bablitch, Bear, Berger, Braun, Goyke, Krueger, Moody, Murphy, Risser and Swan -- 10.

Absent or not voting -- None.

So the bill passed.

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

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By request of Senator Bablitch, with unanimous consent, the senate stood informal.

9:40 P.M.

9:41 P.M.

The senate reconvened.

By request of Senator Bablitch, with unanimous consent, the rules were suspended and **Senate Joint Resolution 30** was taken up at this time.

Senate Joint Resolution 30

Designating October 17, 1979, as "Citizens Energy Day".

Read.

Adopted.

Assembly Joint Resolution 84

Relating to the life and public service of Elmer A. Weiland.

Read.

Concurred in.

Assembly Bill 158

Relating to consignment of works of fine art, rights of creditors of art dealers and providing a penalty.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Adoption of senate amendment 2?

Adopted.

Ordered to a third reading.

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

Assembly Bill 158

Read a third time and concurred in as amended.

Assembly Bill 214

Relating to the authority to designate no-passing zones.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

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Ordered to a third reading.

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

Assembly Bill 214

Read a third time and concurred in as amended.

Assembly Bill 275

Relating to authorization of Wisconsin credit unions to do business in other states and of foreign credit unions to do business in Wisconsin, and granting rule-making authority.

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 275

Read a third time and concurred in.

Assembly Bill 334

Relating to requiring one blue light and one red light on police vehicles, prohibiting the use of flashing, oscillating or rotating blue lights along a highway and providing a penalty.

Read a second time.

Ordered to a third reading.

By request of Senator Flynn, with unanimous consent, **Assembly Bill 334** was laid on the table.

Assembly Bill 512

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

Read a second time.

Senator Berger asked unanimous consent that **Assembly Bill 512** be laid on the table.

Senator Kleczka objected.

Ordered to a third reading.

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

Assembly Bill 512

Read a third time and concurred in.

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Senate Bill 205

Relating to clearance of railroad wrecks or derailment, restoration of damaged property and providing a penalty.

Read.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 205** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 205** was withdrawn from the joint committee on Finance and considered for action at this time.

Ordered to a third reading.

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

Senate Bill 205

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, 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 bill passed.

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

By request of Senator Berger, with unanimous consent, the senate adjourned in honor of Senator Murphy's birthday October 17.

By request of Senator Cullen, with unanimous consent, the senate adjourned in honor of Elizabeth Betka and Ron Skalansky for their work on **Senate Bill 19**.

AMENDMENTS OFFERED

Senate substitute amendment 2 to **Senate Bill 122** by Senator Braun.

Senate amendment 1 to **Senate Bill 131** by Senator Berger.

Senate amendment 3 to **Senate Bill 178** by Senator Offner.

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Senate amendment 2 to **Senate Bill 220** by Senator McCallum.

Upon motion of Senator Bablitch the senate adjourned until
10:00 A.M. Thursday, October 18.

9:55 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 376

1. On page 1, line 4, substitute "person" for "perosn".
2. On page 1, line 5, substitute "snowmobile" for "snowmoble".