

STATE OF WISCONSIN

Senate Journal

Eighty-Fourth Regular Session

THURSDAY, October 25, 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, 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 -- 32.

Absent -- Senator Chilsen -- 1.

Absent with leave -- None.

The senate stood for the prayer which was offered by Pastor Harvey W. Schweppe of Monona United Methodist Church, Monona.

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

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends for introduction:

Senate Resolution 8

Relating to establishing a special energy committee.

Introduction:

Ayes, 5 -- Senators Risser, Bablitch, Flynn, Krueger and Murphy;

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Noes, 0 -- None.

Read and referred to committee on Senate Organization.

FRED A. RISSER

Chair

The joint committee on Employment Relations reports and recommends for introduction:

Senate Bill 411

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employees Union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, for the 1979-81 biennium, covering employes in the clerical and related collective bargaining unit, and authorizing an expenditure of funds.

Introduction:

Ayes, 7 -- Senators Risser, Bablitch, Kleczka, Krueger and Representatives Jackamonis, Johnson and Wahner;

Noes, 1 -- Representative Shabaz.

Read first time and referred to committee on Senate Organization.

Senate Bill 412

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employees Union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, for the 1979-81 biennium, covering employes in the blue collar and nonbuilding trades collective bargaining unit, and authorizing an expenditure of funds.

Introduction:

Ayes, 7 -- Senators Risser, Bablitch, Kleczka, Krueger and Representatives Jackamonis, Johnson and Wahner;

Noes, 1 -- Representative Shabaz.

Read first time and referred to committee on Senate Organization.

Senate Bill 413

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employes Union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, for the 1979-81 biennium, covering employes in the security and public safety collective bargaining unit, and authorizing an expenditure of funds.

Introduction:

Ayes, 7 -- Senators Risser, Bablitch, Kleczka, Krueger and Representatives Jackamonis, Johnson and Wahner;

Noes, 1 -- Representative Shabaz.

Read first time and referred to committee on Senate Organization.

Senate Bill 414

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employes Union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, for the 1979-81 biennium, covering employes in the technical collective bargaining unit, and authorizing an expenditure of funds.

Introduction:

Ayes, 7 -- Senators Risser, Bablitch, Kleczka, Krueger and Representatives Jackamonis, Johnson and Wahner;

Noes, 1 -- Representative Shabaz.

Read first time and referred to committee on Senate Organization.

Senate Bill 415

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employes Union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, for the 1979-81 biennium, covering employes in the professional research, statistics and analysis collective bargaining unit, and authorizing an expenditure of funds.

Introduction:

Ayes, 7 -- Senators Risser, Bablitch, Kleczka, Krueger and Representatives Jackamonis, Johnson and Wahner;

Noes, 1 -- Representative Shabaz.

Read first time and referred to committee on Senate Organization.

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Senate Bill 416

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employees Union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, for the 1979-81 biennium, covering employes in the professional social services collective bargaining unit, funding certain data processing costs, authorizing an expenditure of funds and making an appropriation.

Introduction:

Ayes, 7 -- Senators Risser, Bablitch, Kleczka, Krueger and Representatives Jackamonis, Johnson and Wahner;

Noes, 1 -- Representative Shabaz.

Read first time and referred to committee on Senate Organization.

FRED A. RISSER

Co-Chair

ED JACKAMONIS

Co-Chair

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

Senate Bill 417

Relating to the mental health commitment laws.

By request of Senators Braun and Kleczka, Milwaukee County and the Advisory Committee on Mental Commitment Standards and Procedures.

Introduction:

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

Noes, 0 -- None.

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

LYNN S. ADELMAN

Chair

The committee on Agriculture, Labor and Local Affairs reports and recommends for introduction:

Senate Bill 418

Relating to regulation of packaging and sale of milk and milk products.

Introduction:

Ayes, 6 -- Senators Van Sistine, Roshell, Thompson, Swan, Kreul and Hanaway;

Noes, 0 -- None.

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

and further recommends:

Assembly Bill 312

Relating to multicounty mosquito control districts.

Concurrence:

Ayes, 6 -- Senators Van Sistine, Roshell, Thompson, Swan, Kreul and Hanaway;

Noes, 0 -- None.

Senate Bill 255

Relating to the quarterly registration of farm trailers.

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Thompson, Swan, Kreul and Hanaway;

Noes, 0 -- None.

JEROME VAN SISTINE

Chair

The committee on Agriculture, Labor and Local Affairs reports and recommends:

Senate Bill 133

Relating to reimbursing municipalities providing ambulance service on state trunk highways.

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Thompson, Swan, Kreul and Hanaway;

Noes, 0 -- None.

Senate Bill 279

Relating to false milk testing and other violations of the weights and measures law and increasing a penalty.

Adoption of senate amendment 1:

Ayes, 6 -- Senators Van Sistine, Roshell, Thompson, Swan, Kreul and Hanaway;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Van Sistine, Roshell, Thompson, Swan, Kreul and Hanaway;

Noes, 0 -- None.

JEROME VAN SISTINE

Chair

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The committee on Governmental and Veterans Affairs reports and recommends:

TREGONING, JEANNE, of Shullsburg, as a member of the Arts Board, to succeed Marion Buamann, to serve for the term ending May 1, 1982.

Confirmation:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine, Lasee and Johnston;

Noes, 0 -- None.

TESCHNER, RICHARD R., of Milwaukee, as a member of the Arts Board, to succeed Joel Skornicka, to serve for the term ending May 1, 1982.

Confirmation:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine, Lasee and Johnston;

Noes, 0 -- None.

PETERSEN, LEONARD J., of Monona, as a member of the Bingo Board, to succeed Mary Birderner, to serve for the term ending May 1, 1983.

Confirmation:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine, Lasee and Johnston;

Noes, 0 -- None.

LOCKHART-MOSS, EUNICE J., of Milwaukee, as a member of the State Personnel Board, to succeed Doris Stacy, to serve for the term ending July 1, 1984.

Confirmation:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine, Lasee and Johnston;

Noes, 0 -- None.

MONROE SWAN

Chair

The committee on Governmental and Veterans Affairs reports and recommends:

Senate Joint Resolution 28

To amend section 3 of article XI of the constitution, relating to Milwaukee city or county indebtedness for a sewage collection or treatment system (first consideration).

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Adoption:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine,
Lasee and Johnston;

Noes, 0 -- None.

Senate Bill 238

Relating to prohibiting 1st class cities from imposing overnight parking fees upon residents who park near their residences.

Passage:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine,
Lasee and Johnston;

Noes, 0 -- None.

Senate Bill 332

Relating to eliminating the county expressway and transportation commission in counties having a population of 500,000 or more and transferring the powers and duties of the commission to the county board.

Passage:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine,
Lasee and Johnston;

Noes, 0 -- None.

Senate Bill 252

Relating to rules regulating police and fire departments in 1st class cities.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Swan, Roshell, Adelman, Van Sistine and
Lasee;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Swan, Roshell, Adelman, Van Sistine and
Lasee;

Noes, 0 -- None.

Assembly Joint Resolution 68

Relating to the International Year of the Child and the Milwaukee Links, Inc.

Concurrence:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine,
Lasee and Johnston;

Noes, 0 -- None.

Assembly Joint Resolution 36

To reaffirm the ties of friendship between the State of Wisconsin and the Republic of China.

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Concurrence:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine, Lasee and Johnston;

Noes, 0 -- None.

MONROE SWAN

Chair

The joint committee on Finance reports and recommends:

Senate Bill 195

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

Introduction and adoption of senate amendment 1:

Ayes, 14 -- Senators Kleczka, Maurer, Flynn, Offner, Braun, Radosevich, Chilsen and Representatives Johnson, Otte, Roberts, Lingren, Norquist, Kirby and Ellis;

Noes, 0 -- None.

Introduction and adoption of senate amendment 2:

Ayes, 10 -- Senators Maurer, Offner, Braun, Radosevich, Chilsen and Representatives Johnson, Roberts, Norquist, Kirby and Ellis;

Noes, 4 -- Senators Kleczka, Flynn and Representatives Otte and Lingren.

Introduction and adoption of senate amendment 3:

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

Noes, 0 -- None.

Introduction and adoption of senate amendment 4:

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

Noes, 2 -- Senator Kleczka and Representative Lingren.

Passage as amended:

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

Noes, 1 -- Senator Braun.

GERALD D. KLECZKA

Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

October 23, 1979.

To the Honorable, the Senate

Senators:

I have the honor to transmit to you pursuant to s. 13.67 (2), the names of the registered lobbyists for the period beginning on October 10, 1979, and ending on October 23, 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.

Ross, John E., 105 Agricultural Journalism, 440 Henry Mall, UW-Madison, Madison, WI 53705 (608) 262-1464; Public Representation Organization of the Faculty Senate, UW-Madison, 133 Bascom Hall, 500 Lincoln Dr., Madison, WI 53706 (608) 262-0892; 7; 121, 180.

Hendee, Kirby, P.O. Box 2626, Madison, WI 53701 (608) 257-0257; Miller Brewing Co., 3939 W. Highland Blvd., Milwaukee, WI 53208 (414) 931-2060; 3, 10, 11, 13, 18, 21-23, 26; 140, 170, 186; Wisconsin Sheriffs and Deputy Sheriffs Assn., P.O. Box 145, Chippewa Falls, WI 54729 (715) 723-7173; 6, 20, 23; 176.

Forde, John N., 1836 Martha Washington Dr., Wauwatosa, WI 53213 (414) 258-4830; Wisconsin Retail Lumbermen's Assn., Inc., 6450 W. Fond du Lac Ave., Milwaukee, WI 53218 (414) 464-7220; 1-25; 101-185.

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

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

October 23, 1979.

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Chapter No.	Date Approved
355-----	48-----	October 23, 1979

Sincerely,
LEE SHERMAN DREYFUS
Governor

CALENDAR OF OCTOBER 25

Senator Bablitch asked unanimous consent that all the appointments be considered enmasse.

Senator Berger objected.

Senator Bablitch asked unanimous consent that all the appointments with the exception of Timothy Tyre be considered enmasse.

Senator Kreul objected.

By request of Senator Bablitch, with unanimous consent, all the appointments were considered enmasse with the exception of Timothy Tyre and Donald Percy.

ECKBERG, RICHARD A., of Stevens Point, as a member of the Medical Examining Board, to succeed Thomas Henney, to serve for the term ending May 1, 1983.

Read.

ENGLISH, LEON J., D.D.S., of Arcadia, as a member of the Dentistry Examining Board, to succeed Merrill T. Cina, to serve for the term ending July 1, 1984.

Read..

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RUSCH, DAVID L., of New London, as a member of the Funeral Directors and Embalmers Examining Board, to succeed Floyd Rhiel, to serve for the term ending July 1, 1982.

Read.

SCHULTZ, JAMES, of Ladysmith, as a member of the Barbers Examining Board, to succeed Dune Clumpner, to serve for the term ending July 1, 1982.

Read.

SPRAGUE, WILLIAM R., of Thorp, as a member of the Optometry Examining Board, to serve for the term ending July 1, 1981.

Read.

LEAVE OF ABSENCE

By request of Senator Krueger, with unanimous consent, Chilsen was granted a leave of absence until 10:20 A.M.

The question was: Shall the appointments be confirmed?

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, 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 -- 32.

Noes -- None.

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

So the appointments were confirmed.

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

PERCY, DONALD E., of Madison, as Secretary of the Department of Health and Social Services, to succeed himself, to serve for the term ending at the pleasure of the Governor.

Read.

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PERCY, DONALD, of Madison, as a member of the Wisconsin Health Facilities Authority, to succeed Manuel Carballo, to serve for the term ending June 30, 1980.

Read.

The question was: Shall the appointments be confirmed?

The ayes and noes were required and the vote was: ayes, 30; noes, 3; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Kleczka, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 30.

Noes -- Senators Johnston, Kreul and Murphy -- 3.

Absent or not voting -- None.

So the appointments were confirmed.

TYRE, TIMOTHY, Ph.D., of New Berlin, as a member of the Psychology Examining Board, to succeed Richard J. Brunkan, to serve for the term ending July 1, 1981.

Read.

The question was: Shall the appointment be confirmed?

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

Noes -- Senators Bear, Berger, Murphy and Roshell -- 4.

Absent or not voting -- None.

So the appointment was confirmed.

MESSAGE FROM THE ASSEMBLY

By Marcel Dandeneau, chief clerk.

Mr. President:

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

Senate Bill 44

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Senate Bill 288

Senate Bill 289

Senate Bill 290

Senate Bill 371

Senate Bill 385

Concurred in as amended:

Assembly Bill 522, Senate amendment 1

Passed and asks concurrence in:

Assembly Bill 174

Assembly Bill 178

Assembly Bill 209

Assembly Bill 507

Assembly Bill 560

Assembly Bill 659

Assembly Bill 688

Assembly Bill 716

Assembly Bill 733

Assembly Bill 749

Assembly Bill 760

Assembly Bill 813

Assembly Bill 849

Assembly Bill 890

Assembly Bill 459

Assembly Bill 502

Assembly Bill 554

Assembly Bill 717

Assembly Bill 750

Assembly Bill 793

Assembly Bill 810

Assembly Bill 822

Assembly Bill 860

Assembly Bill 894

Passed notwithstanding the objections of the Governor:

Item 3-J, Administrative Rules

Refused to pass notwithstanding the objections of the Governor:

Item 2-A, Declining Enrollment Aid

Item 3-H, Contract Cleaning

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 174

Relating to compensation of town officers.

By Representatives Hasenohrl, Hephner, Potter, Vanderperren, Lallensack, Kincaid, Conradt, Bradley, Matty, Swoboda, Kedrowski, Duren, Porter, Lewison, Roberts, Schneider, Helbach, Fischer, Smith, Rogers, Everson, Byers, Donoghue, Larson, Gunderson, Quackenbush, Radtke, Opitz, Harsdorf, Murray, Shoemaker, Schmidt, Lorman and Harer, co-sponsored by Senators Roshell and Harnisch.

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

Assembly Bill 178

Relating to filling civil service vacancies in 1st class cities.

By Representative Lee, co-sponsored by Senator Moody.

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

Assembly Bill 209

Relating to membership and responsibilities of the radiation protection council.

By Legislative Council.

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

Assembly Bill 507

Relating to disorderly conduct.

By Representatives Gerlach, Rutkowski, Wahner, Plewa, Hauke, Metz, McClain, Shoemaker, Wagner, Gagin, Lallensack, Andrea, Omernick, Snyder, Young and Kincaid, co-sponsored by Senators Adelman, Johnston, Moody, Swan, Risser, Lorge and Bear.

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

Assembly Bill 560

Relating to remedial legislation affecting the statutes regulating various occupations (suggested as remedial legislation by the department of regulation and licensing).

By Committee on Remedial Legislation.

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

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Senator Swan asked unanimous consent that **Assembly Bill 560** be referred to the committee on Governmental and Veterans Affairs.

Senator Bablitch objected.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 560** was referred to the committee on Senate Organization.

Assembly Bill 659

Relating to records of juveniles whose legal custody has been transferred to the department of health and social services.

By Legislative Council.

Read first time and referred to committee on Human Services.

Assembly Bill 688

Relating to special inspection warrants for arson investigators.

By Committee on Criminal Justice and Public Safety, by request of Attorney General Bronson C. La Follette.

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

Assembly Bill 716

Relating to aggravated battery and providing a penalty.

By Representatives Tuczynski, D. Travis, Medinger, Ladwig, Kirby, Dilweg, Jackamonis, Metz, Thompson and Laatsch, co-sponsored by Senator Murphy.

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

Assembly Bill 733

Relating to hotel and restaurant bills and worthless checks and providing a penalty.

By Representatives Prosser, Barczak, Rutkowski, Gunderson, Flintrop, Dilweg, Hasenohrl, Andrea, Conradt, Schmidt, Matty, Lingren, Porter, Menos, Bradley, Ladwig, Goodrich, Lorman, Omernick and Laatsch, co-sponsored by Senators Van Sistine, Lorge, Kreul, Berger and Murphy.

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

Assembly Bill 749

Relating to revising conditions of bail.

By Representatives Rutkowski, Prosser, Jackamonis, Ferrall, Hauke, Menos, Leopold, Potter, Gerlach, Thompson, Flintrop, McClain, Omernick, Medinger, Wahner, Metz, Wagner, Ladwig,

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Young and Luckhardt, co-sponsored by Senators Bablitch, Radosevich and Strohl.

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

Assembly Bill 760

Relating to an habitual traffic offenders law for certain convictions in the motor vehicle code, revocation of operator's licenses and providing a penalty.

By Representatives Vanderperren, Lallensack, Porter, Menos, Lewison, Hasenohrl, Smith, Gagin, Lewis and Everson, co-sponsored by Senator Van Sistine.

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

Assembly Bill 813

Relating to revising miscellaneous statutes affecting state administrative procedures.

By Representative Rutkowski, co-sponsored by Senator Adelman, by request of Judicial Council.

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

Assembly Bill 849

Relating to permitting a brewer, bottler or wholesaler of fermented malt beverage to furnish labor costs for installation or repair of dispensing equipment to a Class "B" licensee.

By Representatives Vanderperren, Kincaid, Dorff, Roberts, Becker, Andrea, Conradt and McEssy, co-sponsored by Senators Van Sistine and Swan.

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

Assembly Bill 890

Relating to sales tax exemption certificates for sellers of fuels for residential use.

By Representatives Wood, Schneider, Helbach, Potter, Swoboda, Radtke, Goodrich, Lewis, Omernick, McEssy, Roberts, Norquist, Bradley, Young, Prosser, Becker, Larson, Hopkins, Vanderperren, Andrea, Wagner, Matty, Lallensack, Thompson, Porter, Donoghue, Schmidt, Lorman, Gerlach, Menos, Smith and Kincaid, co-sponsored by Senators Berger, Frank, Bear, Kreul, Cullen, Roshell, Lorge, Murphy, Radosevich and Opitz.

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

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Assembly Bill 459

Relating to removing latin terms from the statutes.

By Legislative Council.

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

Assembly Bill 502

Relating to town authority to combine or designate as part-time certain town offices.

By Representatives Conradt, Prosser, Vanderperren, Matty, Byers, Bradley, Dilweg, R. Travis, Fischer, Potter, Ward, Thompson, Quackenbush, Gagin, Gunderson, Larson, Lallensack, Swoboda and Rogers, co-sponsored by Senators Lorge, Murphy and Van Sistine.

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

Assembly Bill 554

Relating to boathouses and houseboats on navigable waterways, granting rule-making authority and providing a penalty.

By Representatives Donoghue, Kincaid, Lorman, Becker, Kedrowski, Everson, Shoemaker, Pabst and Smith, co-sponsored by Senator Krueger.

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

Assembly Bill 717

Relating to citizen initiative on changing town meeting location and calling a special town meeting.

By Representatives Lingren, Shabaz and Jackamonis, co-sponsored by Senators Adelman and Maurer.

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

Assembly Bill 750

Relating to allowing hearsay testimony at preliminary examinations.

By Representatives Rutkowski, Prosser, Jackamonis and Leopold, co-sponsored by Senator Bablitch.

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

Assembly Bill 793

Relating to contributing to the delinquency of a minor.

By Representative Czerwinski, co-sponsored by Senator Moody.

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

Assembly Bill 810

Relating to the inmate capacity of the state reformatory.

By Representatives Swoboda, Vanderperren, Kincaid, Rogers, Duren and Smith.

Read first time and referred to committee on Human Services.

Assembly Bill 822

Relating to theft of library material and providing penalties.

By Representatives Prosser, McClain, Dilweg, Rutkowski, Plewa, Thompson, Lewis, Donoghue, Merkt, Becker, Lee, Schmidt, Vanderperren, Omernick, Menos, Porter, Kincaid, Conradt, Rogers, McEssy, Andrea, Young, Ladwig, Laatsch, Lingren, Goodrich, Bradley and Metz, co-sponsored by Senators Adelman, Murphy, Hanaway, Lorge, Van Sistine, Kreul, McCallum and Lasee.

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

Assembly Bill 860

Relating to financing sewerage costs of a metropolitan sewerage commission and a sewerage commission of a 1st class city.

By Representatives Barczak, Rutkowski, Klicka, Kirby, Norquist, Ulichny, Plewa, Soucie, Gerlach, Behnke, Czerwinski, Tuczynski, Menos, Leopold, Broydrick, Ward, Lee, Becker, Pabst, Hauke, Tesmer, Wahner, Coggs and Nelsen, co-sponsored by Senators Braun, Johnston, Frank, Berger, Swan, Moody, Adelman, Flynn and Kleczka, by request of Milwaukee County.

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

Assembly Bill 894

Relating to privileged communications involving an interpreter for a hearing impaired person.

By Representatives Wahner, DeLong, Kirby and Rutkowski, co-sponsored by Senator Maurer.

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

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Senate Bill 91

Relating to temporary service by retired family court commissioners.

Read.

The question was: Concurrence in assembly amendment 1?

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.

The question was: Concurrence in assembly amendment 1?

Senator Berger moved non-concurrence in assembly amendment 1.

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

Senator Berger moved that the Senate request a Committee of Conference.

The question was: Shall the Senate request a Committee of Conference?

The motion prevailed.

MOTIONS

By request of Senator Bablitch, with unanimous consent, **Senate Resolution 8** was withdrawn from committee on Senate Organization and taken up at this time.

By request of Senator Krueger, with unanimous consent, the Senate recessed until 11:08 A.M.

10:45 A.M.

RECESS

11:08 A.M.

The senate reconvened.

QUORUM CALL

Senator Flynn 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, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston,

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Kleccka, Kreul, Lasee, Lorge, McCallum, Maurer, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 31.

Absent -- Senators Bablitch and Krueger -- 2.

Absent with leave -- None.

By request of Senator Flynn, with unanimous consent, the Senate proceeded to the eleventh order of business.

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Senate Bill 134

Relating to mandatory examination of candidates for state office and voluntary examination of capitol news media representatives.

Read a second time.

Senator Swan moved that **Senate Bill 134** be referred to committee on Governmental and Veterans Affairs.

The question was: Shall the bill be referred to committee on Governmental and Veterans Affairs?

The motion prevailed.

Senate Bill 142

Relating to an earned income credit, an income tax credit for the employment of displaced homemakers, an income tax credit for wages paid as the result of increasing employment and making an appropriation.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Kleczka, with unanimous consent, **Senate Bill 142** was referred to joint committee on Finance.

Senate Bill 229

Relating to approval of university of Wisconsin -- extension correspondence courses to meet real estate salespersons' initial and continuing education requirements.

Read a second time.

By request of Senator Goyke, with unanimous consent, **Senate Bill 229** was referred to the committee on Education and Revenue.

Senate Bill 282

Relating to requiring health care providers to report cases of gunshot or knife wounds.

Read a second time.

Senate amendment 1 to senate amendment 1 offered by Senator Cullen.

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

Adopted.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Senate Bill 282

Read a third time and passed.

Senate Bill 337

Relating to identification markers for vehicles in funeral processions and granting rule-making authority.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senators Kleczka, Flynn and Murphy.

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

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

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

Senator Kleczka moved indefinite postponement of **Senate Bill 337**.

The question was: Shall the bill be indefinitely postponed?

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

Ayes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Cullen, Flynn, Frank, Goyke, Harnisch, Johnston, Kleczka, Kreul, Krueger,

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Lasee, Lorge, McCallum, Maurer, Offner, Opitz, Radosevich, Roshell, Strohl, Swan and Theno -- 24.

Noes -- Senators Bear, Berger, Braun, Hanaway, Moody, Murphy, Risser, Thompson and Van Sistine -- 9.

Absent or not voting -- None.

So the motion prevailed.

Senate Bill 363

Relating to the refund of watchmaker registration fees.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 363** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 363** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Ordered to a third reading.

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

Senate Bill 363

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.

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.

By request of Senator Kleczka, with unanimous consent, **Assembly Bill 334** was referred to joint committee on Finance.

Assembly Bill 457

Relating to construction of cross references in the statutes, and eliminating short titles and references to acts, titles and codes from the statutes for the purpose of clarifying references.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 457

Read a third time and concurred in.

Assembly Bill 458

Relating to the incorporation of various laws into the statutes.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 458

Read a third time and concurred in.

By request of Senator Flynn, with unanimous consent, the Senate returned to the eighth order of business.

MOTIONS

Senate Resolution 8

Relating to establishing a special energy committee.

Read.

Senate amendment 1 offered by Senators Krueger, Murphy, Bidwell, Kreul, Johnston, Lorge, Chilsen, Lasee, McCallum, Theno, Opitz and Hanaway.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Adoption of the resolution?

Adopted.

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 419

Relating to the term of appointment for the adjutant general.

By Senators Swan and Johnston; cosponsored by Representatives R. Travis and Leopold.

To committee on Governmental and Veterans Affairs.

Senate Bill 420

Relating to the maximum speed of trains over street and highway crossings of towns and providing a penalty.

By Senator Lorge.

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

Senate Bill 421

Relating to a sales and use tax exemption for the transfer of a motor vehicle from individual ownership to ownership by a corporation solely owned by the individual.

By Senator Lorge, by request of Harold V. Froehlich of Appleton, Wisconsin.

To Joint Survey Committee on Tax Exemptions.

MOTIONS

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

Senator Bablitch objected.

Senator Krueger moved that **Senate Joint Resolution 12** be withdrawn from committee on Education and Revenue and referred to committee on Senate Organization.

The question was: Shall the resolution be withdrawn from committee on Education and Revenue and be referred to committee on Senate Organization?

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

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Ayes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz, Swan and Theno -- 13.

Noes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Thompson and Van Sistine -- 20.

Absent or not voting -- None.

So the motion did not prevail.

Senator Opitz asked unanimous consent that the Senate return to the seventh order of business.

Senator Bablitch objected.

The chair appointed Senators Berger, Harnisch and Theno as Senate members of the Committee of Conference on **Assembly Bill 330**.

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 fourth and seventh orders of business.

COMMITTEE REPORTS

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

Senate Bill 422

Relating to municipal industrial revenue bonding for cable television facilities.

Introduction:

Ayes, 4 -- Senators Thompson, Roshell, Bidwell and Cullen;

Noes, 1 -- Senator Moody.

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

TIM CULLEN

Chair

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The committee on Education and Revenue reports and recommends:

Senate Bill 26

Relating to the costs of property revaluations performed by the department of revenue.

Passage:

Ayes, 3 -- Senators Goyke, Moody and Bear;

Noes, 2 -- Senators Offner and McCallum.

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.

Adoption of senate substitute amendment 1:

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

Noes, 0 -- None.

Passage as amended:

Ayes, 3 -- Senators Goyke, Moody and Bear;

Noes, 2 -- Senators Offner and McCallum.

Senate Bill 191

Relating to fiscal estimates for bills causing fiscal impact on the private sector or an inflationary or deflationary impact on the state economy.

Passage:

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

Noes, 1 -- Senator Moody.

Senate Bill 333

Relating to the availability of real estate information used to determine property valuations.

Adoption of senate substitute 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.

GARY R. GOYKE

Chair

MESSAGE FROM THE ASSEMBLY

By Marcel Dandeneau, chief clerk.

Mr. President:

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

Assembly Bill 158, senate amendment 1 and 2

Assembly Bill 214, senate amendment 1

Passed and asks concurrence in:

Assembly Bill 277

Assembly Bill 757

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 277

Relating to juries and jurors.

By Representative Rutkowski, co-sponsored by Senator Adelman.

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

Assembly Bill 757

Relating to optional income tax rates.

By Representatives Merkt, Rogers, Behnke, Ward, Cogs, Porter, Hauke, Swoboda, Rooney, Schneider, Byers, Radtke, Vanderperren, R. Travis, Schmidt, Harsdorf, Helbach, Shoemaker, Barry, Plewa, Hopkins, Paulson, Omernick, Everson, Smith, Gerlach, Laatsch, Duren, Harer, Fischer, Thompson, Shabaz, Prosser, Donoghue, Kincaid, Potter, Medinger, Lorman, Gagin, Ladwig, Rutkowski, Murray, Miller, Jackamonis, Matty, Lingren, DeLong, Hasenohrl, Menos, Pabst, Luckhardt, Andrea, Lewison, Bradley, Gunderson, Larson, Ellis, Dilweg, Snyder, Klicka, Tregoning, McEssy, Conradt, Lewis, Quackenbush, Young, Goodrich, Wood, Barczak, Ferrall, Tesmer, Metz, Wagner and Dorff, co-sponsored by Senator Johnston.

Read first time and referred to joint committee on Finance.

Senator Bablitch asked unanimous consent that **Assembly Bill 560** be withdrawn from the committee on Senate Organization and referred to the committee on Governmental and Veterans Affairs.

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By request of Senator Radosevich, with unanimous consent, the Senate adjourned in honor of the birthdays of Senator Berger and Senator Roshell, October 30.

AMENDMENTS OFFERED

Senate amendment 1 to senate substitute amendment 2 to **Senate Bill 249** by Senator Kleczka by request of the Legislative Committee of Milwaukee County.

Senate amendment 1 to **Senate Bill 271** by Senator Berger.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Tuesday, October 30.

12:44 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Assembly Bill 603, assembly amendment 7

In engrossing, the following corrections were made to reflect the fact that ss. 10.02(3)(b) 2m and 11.50(1)(a) should be deleted from Assembly Bill 603 because of the changes made by assembly amendment 7.

In the bill:

1. On page 1, line 14, delete "10.02 (3)(b) 2m".
2. On page 2, line 2, delete "11.50(1)(a),".
3. On page 7, delete lines 13 to 24.
4. On page 54, line 26, delete "(1)(a),".
5. Delete the text beginning on page 54, line 28, with "(1)(a)" and ending with page 55, line 7.