

STATE OF WISCONSIN
Senate Journal
Eighty-Fourth Regular Session

TUESDAY, February 12, 1980.

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 and Van Sistine -- 32.

Absent -- Senator Thompson -- 1.

Absent with leave -- None.

The senate stood for the prayer which was offered by Reverend Julius Stagner, pastor of Midvale Baptist Church in Madison.

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

LEAVE OF ABSENCE

By request of Senator Bablitch, with unanimous consent, Senator Thompson was granted a leave of absence for today's session.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 550

An act directing a statewide advisory referendum concerning length of service for certain elected state officials.

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By Senator Johnston.

To committee on Governmental and Veterans' Affairs.

COMMITTEE REPORTS

The committee on Insurance and Utilities reports and recommends for introduction:

Senate Bill 551

Relating to insurance investments.

By request of the Wisconsin Housing Finance Authority.

Introduction:

Ayes, 5 -- Senators Frank, Strohl, Berger, Lorge and Moody;

Noes, 0 -- None.

Read first time and referred to committee on Insurance and Utilities.

KURT A. FRANK

Chair

The committee on Human Services reports and recommends for introduction:

Senate Bill 552

Relating to sexual activity between consenting adults and revising penalties.

By request of the Wisconsin Housing Finance Authority.

Introduction:

Ayes, 4 -- Senators Thompson, Strohl, Radosevich and Cullen;

Noes, 0 -- None.

Read first time and referred to committee on Human Services.

CARL W. THOMPSON

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Bill 280

Relating to property exempt from execution.

Passage:

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

Noes, 1 -- Senator Murphy.

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Senate Bill 367

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

Passage:

Ayes, 4 -- Senators Adelman, Bear, Braun and Murphy;

Noes, 0 -- None.

Senate Bill 476

Relating to reports to law enforcement officials concerning certain injuries and providing a penalty.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Adelman, Bear, Harnisch, Braun and Murphy;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Adelman, Bear, Harnisch, Braun and Murphy;

Noes, 0 -- None.

LYNN S. ADELMAN

Chair

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

Senate Bill 189

Relating to collective bargaining units consisting of supervisors and providing a penalty.

Adoption of senate amendment 1 to senate substitute amendment 1:

Ayes, 3 -- Senators Van Sistine, Thompson and Swan;

Noes, 3 -- Senators Roshell, Kreul and Hanaway.

Without Recommendation.

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

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

Noes, 0 -- None.

Introduction and adoption of senate amendment 3 to senate substitute amendment 1:

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

Noes, 0 -- None.

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Adoption of senate substitute amendment 1 as amended:

Ayes, 3 -- Senators Van Sistine, Thompson and Swan;

Noes, 3 -- Senators Roshell, Kreul and Hanaway.

Without Recommendation.

Passage as amended:

Ayes, 3 -- Senators Van Sistine, Thompson and Swan;

Noes, 3 -- Senators Roshell, Kreul and Hanaway.

Without Recommendation.

JEROME VAN SISTINE

Chair

The committee on Governmental and Veterans' Affairs reports and recommends:

Senate Bill 432

Relating to preference for American-made materials in state purchasing.

Introduction and adoption of senate amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

MONROE SWAN

Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Affirmative Action Council

February 4, 1980

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

Dear Mr. Schneider:

As required by State Statutes (Chapter 230.46), the Annual Report of the State Council on Affirmative Action is hereby submitted.

Additional copies may be obtained from the State Affirmative Action Office, 149 E. Wilson St., Room 105, Madison, Wisconsin, 53702, telephone 266-8888.

Sincerely,
JAMES DELORME
Chair

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

January 30, 1980

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Helen Notari as a member of the Interim Directors for the Citizen Utility Board as President of the Senate Designees pursuant to the statutes governing, to serve until the Board of Directors are elected and qualified as required under statute 199.12.

Sincerely,
LEE SHERMAN DREYFUS
Governor

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Read and referred to committee on Insurance and Utilities.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

January 30, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Tom King as a member of the Interim Directors for the Citizen Utility Board as President of the Senate Designees pursuant to the statutes governing, to serve until the Board of Directors are elected and qualified as required under statutes 199.12.

Sincerely,

LEE SHERMAN DREYFUS

Governor

Read and referred to committee on Insurance and Utilities.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

January 30, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint David Carley as a member of the Interim Directors for the Citizen Utility Board as Majority Leader of the Assembly Designee pursuant to the statutes governing, to serve until the Board of Directors are elected and qualified as required under statutes 199.12.

Sincerely,

LEE SHERMAN DREYFUS

Governor

Read and referred to committee on Insurance and Utilities.

JOURNAL OF THE SENATE [February 12, 1980]

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

January 30, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Paul du Vair as a member of the Interim Directors for the Citizen Utility Board as Speaker of the Assembly Designees pursuant to the statutes governing, to serve until the Board of Directors are elected and qualified as required under statute 199.12.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

Read and referred to committee on Insurance and Utilities.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

January 30, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Bill Troestler as a member of the Interim Directors for the Citizen Utility Board as Speaker of the Assembly Designee pursuant to the statutes governing, to serve until the Board of Directors are elected and qualified as required under statutes 199.12.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

Read and referred to committee on Insurance and Utilities.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

January 30, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Hector de la Mora as a member of the Interim

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Directors for the Citizen Utility Board as the Governor's Designee pursuant to the statutes governing, to serve until the Board of Directors are elected and qualified as required under statute 199.12.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

Read and referred to committee on Insurance and Utilities.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

January 30, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Marian Christopherson as a member of the Interim Directors for the Citizen Utility Board as Majority Leader of the Senate Designee pursuant to the statutes governing, to serve until the Board of Directors are elected and qualified as required under statute 199.12.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

Read and referred to committee on Insurance and Utilities.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

January 30, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Jack B. Steinhilber as a member of the Interim Directors for the Citizen Utility Board as Minority Leader of the Assembly Designee pursuant to the statutes governing, to serve until the Board of Directors are elected and qualified as required under statute 199.12.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

JOURNAL OF THE SENATE [February 12, 1980]

Read and referred to committee on Insurance and Utilities.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

January 30, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint William Osborne Hart as a member of the Interim Directors for the Citizen Utility Board as the Minority Leader of the Senate Designee pursuant to the statutes governing, to serve until the Board of Directors are elected and qualified as required under statute 199.12.

Sincerely,

LEE SHERMAN DREYFUS

Governor

Read and referred to committee on Insurance and Utilities.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

January 31, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Mary Moravec of Dickeyville, as a member of the Wisconsin Waterways Commission, to succeed Annabelle Zabolio of Genoa, who resigned and whose term expires on March 1, 1984, pursuant to the statutes governing, to serve out the unexpired term of Ms. Zabolio which will expire on March 1, 1984.

Sincerely,

LEE SHERMAN DREYFUS

Governor

Read and referred to committee on Natural Resources and Tourism.

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**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

February 7, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Elmer Timm of Stevens Point, as a member of the Accounting Examining Board, to succeed Abe Alk of Green Bay whose term expired on July 1, 1976, pursuant to the statutes governing, to serve a five year term to expire on July 1, 1981.

Sincerely,

LEE SHERMAN DREYFUS

Governor

Read and referred to committee on Education and Revenue.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

January 31, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Carolyn Meyers of Merrill, as a member of the Accounting Examining Board, serving as the Citizen Member, to succeed Judith Metcalf of Wisconsin Rapids who resigned and whose term expires on July 1, 1980, pursuant to the statutes governing, to serve out the unexpired term of Ms. Metcalf which will expire on July 1, 1980 and for a subsequent term of five years which will expire on July 1, 1985.

Sincerely,

LEE SHERMAN DREYFUS

Governor

Read and referred to committee on Education and Revenue.

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**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

February 7, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Donald R. Murphy of Madison, as a member of the Personnel Commission at a salary of \$38,100 annually, to succeed Edward Durkin of Madison who resigned, pursuant to the statutes governing, to serve out the expired five year term of Mr. Durkin which will expire on March 1, 1981.

Sincerely,

LEE SHERMAN DREYFUS

Governor

Read and referred to committee on Governmental and Veterans Affairs.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

February 7, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Gordon Herbert Brehm of West Allis as a member of the Personnel Commission with a starting salary of \$38,100 per year with increases to \$39,340 effective March 1, 1981, \$40,580 effective March 1, 1982 and \$41,820 effective March 1, 1983, to succeed Joseph Wiley of Madison whose term expired on March 1, 1979, pursuant to the statutes governing, to serve a five year term to expire on March 1, 1984.

Sincerely,

LEE SHERMAN DREYFUS

Governor

Read and referred to committee on Governmental and Veterans Affairs.

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**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

January 30, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint John W. Ullrich of Wausau as a member of the Housing Finance Authority to succeed James A. Graaskamp of Madison pursuant to the statutes governing, to serve a four year term to expire on January 1, 1983.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

Read and referred to committee on Human Services.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

January 30, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Walter Hollander of Rosendale as a member of the Housing Finance Authority to succeed Paul H. Akers of Superior pursuant to the statutes governing, to serve a four year term to expire on January 1, 1983.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

Read and referred to committee on Human Services.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

January 30, 1980.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Clarence Bleser of Shawano as a member of the Housing Finance Authority representing the Investment Board to

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succeed Jean C. Broeren of Thorp pursuant to the statutes governing, to serve a four year term to expire on January 1, 1984.

Sincerely,
LEE SHERMAN DREYFUS
Governor

Read and referred to committee on Human Services.

CALENDAR OF FEBRUARY 12

TRAINER, DR. DANIEL, of Stevens Point, as a member of the Natural Resources Board, to succeed Catherine Conroy, to serve for the term ending May 1, 1985.

Read.

The question was: Confirmation of the appointment?

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

Ayes -- Senators Adelman, Ablitch, 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 and Van Sistine -- 32.

Noes -- None.

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

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 adopted:

Senate Bill 345, Committee of Conference Report

Passed notwithstanding the objections of the Governor:

Assembly Bill 275

Passed and asks concurrence in:

Assembly Bill 5

Assembly Bill 246

Assembly Bill 1025

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 5

Relating to allowing capital gain deferment on the purchase of residences outside this state by Wisconsin residents who are members of the U.S. armed forces.

By Representative Everson.

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

Assembly Bill 246

Relating to instructing ambulance attendants on treatment for insect stings resulting in anaphylactic shock.

By Representative Loftus, co-sponsored by Senator Thompson, by request of Daniel A. Milan.

Read first time and referred to committee on Human Services.

Assembly Bill 1025

Relating to permitting local authorities to reduce speed limits.

By Representatives Lallensack, Murray, Vanderperren, Conradt, Menos, Hasenohrl, Swoboda, Hauke, Potter, Shoemaker, Gerlach, Lewison and Smith.

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

MOTIONS

By request of Senator Adelman, with unanimous consent, **Senate Bill 479** was withdrawn from committee on Judiciary and Consumer Affairs and referred to joint committee on Finance.

By request of Senator Adelman, with unanimous consent, **Senate Bill 482** was withdrawn from the committee on Judiciary and Consumer Affairs and referred to joint committee on Finance.

Senator Krueger asked unanimous consent that **Senate Bill 464** be withdrawn from the joint committee for Review of Administrative Rules and referred to the committee on Senate Organization.

Senator Bablitch objected.

Senator Krueger moved that **Senate Bill 464** be withdrawn from joint committee for Review of Administrative Rules and referred to the committee on Senate Organization.

By request of Senator Lasee, with unanimous consent, he was made a co-author of **Senate Bill 464**.

The question was: Shall **Senate Bill 464** be withdrawn from joint committee for Review of Administrative Rules and referred to Senate Organization?

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

Ayes -- Senators Bidwell, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz and Theno -- 11.

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

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

So the motion did not prevail.

Senator Krueger asked unanimous consent that **Senate Bill 132** be withdrawn from the committee on Agriculture, Labor and Local Affairs and referred to the committee on Senate Organization.

Senator Van Sistine objected.

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Senator Krueger moved that **Senate Bill 132** be withdrawn from the committee on Agriculture, Labor and Local Affairs and referred to committee on Senate Organization.

The question was: Shall **Senate Bill 132** be withdrawn from committee on Agriculture, Labor and Local Affairs and referred to committee on Senate Organization?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 20; absent or not voting, 1; as follows:

Ayes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz and Theno -- 12.

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

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

So the motion did not prevail.

Senator Berger asked unanimous consent that **Senate Bill 107** be withdrawn from the committee on Governmental and Veterans' Affairs and referred to joint committee on Finance.

Senator Bablitch objected.

Senator Lorge asked unanimous consent that **Senate Joint Resolution 10** be withdrawn from the committee on Human Services and referred to the committee on Senate Organization.

Senator Bablitch objected.

By request of Senator Maurer, with unanimous consent, the Senate recessed until 12:13 P.M.

10:43 A.M.

RECESS

12:13 P.M.

The senate reconvened.

By request of Senator Bablitch, with unanimous consent, the Senate recessed until 4:00 P.M.

12:14 P.M.

RECESS

4:00 P.M.

The senate reconvened.

QUORUM CALL

The chair's attention was called to a possible lack of a quorum.

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 and Van Sistine -- 32.

Absent -- None.

Absent with leave -- Senator Thompson -- 1.

CALENDAR OF FEBRUARY 12

Senate Joint Resolution 6

To create section 7(2)(a) 3 of article VIII of the constitution, relating to loans to farmers for the acquisition of farmland and farm buildings (second consideration).

Read a second time.

Senate substitute amendment 1 offered by Senator Flynn.

Senate amendment 1 to senate substitute amendment 1 offered by Senator Risser.

By request of Senator Bablitch, with unanimous consent, **Senate Joint Resolution 6** was placed at the foot of the calendar.

Senate Bill 115

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

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Senate amendment 2 offered by Senator Berger.

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

By request of Senator Kleczka, with unanimous consent, **Senate Bill 115** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 115** was withdrawn from the joint committee on Finance and considered for action at this time.

Senate amendment 3 offered by Senator Berger.

The question was: Adoption of senate amendment 3?

Senator Harnisch moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?
The motion prevailed.

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 115

Read a third time and passed.

Senate Bill 306

Relating to school and community forests.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 306** was referred to joint committee on Finance.

Senator Kleczka asked unanimous consent to withdraw **Senate Bill 306** from joint committee on Finance.

Senator Bidwell objected.

Senate Bill 323

Relating to minimum expenditures for fine arts in state buildings.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 323** was referred to joint committee on Finance.

Senate Bill 335

Relating to authorizing banks to establish and maintain check and transit item facilities.

Read a second time.

Ordered to a third reading.

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

Senate Bill 335

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, McCallum, Maurer, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno and Van Sistine -- 31.

Noes -- None.

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

So the bill passed.

Senate Bill 351

Relating to mortgage certificates to finance municipal improvements in public utilities.

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 351

Read a third time and passed.

Senate Bill 352

Relating to requiring completion of a hunter safety education course before issuance of a hunting license.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senator Adelman.

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Harnisch, with unanimous consent, **Senate Bill 352** was placed at the foot of the calendar.

Senate Bill 359

Relating to review of decisions on hearings under the state fair employment act.

Read a second time.

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By request of Senator Kleczka, with unanimous consent, **Senate Bill 359** was referred to joint committee on Finance.

Senate Bill 360

Relating to shining animals, granting rule-making authority and creating a penalty.

Read a second time.

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

Senate amendment 2 offered by Senator Lorge.

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

Senate amendment 3 offered by Senator Harnisch.

The question was: Adoption of senate amendment 3?
Adopted.

LEAVE OF ABSENCE

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

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 360

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 26; noes, 3; absent or not voting, 4; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Lasee, Lorge, Moody, Murphy, Offner, Radosevich, Risser, Roshell, Strohl, Theno and Van Sistine -- 26.

Noes -- Senators Goyke, Krueger and McCallum -- 3.

Absent or not voting -- Senators Maurer, Opitz, Swan and Thompson -- 4.

So the bill passed.

Senate Bill 376

Relating to the registration of antique snowmobiles.

Read a second time.

The question was: Adoption of senate amendment 1?

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Adopted.

The question was: Adoption of senate amendment 2?

Adopted.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 376** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 376** was withdrawn from the joint committee on Finance and considered for action at this time.

Senator Kleczka moved indefinite postponement of **Senate Bill 376**.

The question was: Shall **Senate Bill 376** be indefinitely postponed?

The motion prevailed.

Senate Bill 391

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

Read a second time.

By request of Senator Adelman, with unanimous consent, **Senate Bill 391** was referred to committee on Judiciary and Consumer Affairs.

Senate Bill 418

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

Read a second time.

Senator Flynn in the chair.

4:43 P.M.

Senator Risser moved indefinite postponement of **Senate Bill 418**.

The question was: Shall **Senate Bill 418** be indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 19; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Harnisch, Lorge, Moody, Offner, Risser and Strohl -- 12.

Noes -- Senators Bear, Bidwell, Chilsen, Frank, Goyke, Hanaway, Johnston, Kleczka, Kreul, Krueger, Lasee, McCallum, Maurer, Murphy, Radosevich, Roshell, Swan, Theno and Van Sistine -- 19.

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Absent or not voting -- Senators Opitz and Thompson -- 2.

So the motion did not prevail.

Senator Harnisch asked unanimous consent that **Senate Bill 418** be referred to committee on Natural Resources and Tourism.

Senator Bidwell objected.

Senator Harnisch moved that **Senate Bill 418** be referred to committee on Natural Resources and Tourism.

The question was: Shall **Senate Bill 418** be referred to committee on Natural Resources and Tourism?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 17; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Goyke, Harnisch, McCallum, Moody, Offner, Radosevich, Risser and Strohl -- 14.

Noes -- Senators Bear, Bidwell, Chilsen, Frank, Hanaway, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Maurer, Murphy, Roshell, Swan, Theno and Van Sistine -- 17.

Absent or not voting -- Senators Opitz and Thompson -- 2.

So the motion did not prevail.

Ordered to a third reading.

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

Senate Bill 418

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 12; absent or not voting, 2; as follows:

Ayes -- Senators Bear, Bidwell, Chilsen, Cullen, Frank, Goyke, Hanaway, Johnston, Kleczka, Kreul, Krueger, Lasee, Maurer, Murphy, Radosevich, Roshell, Swan, Theno and Van Sistine -- 19.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Flynn, Harnisch, Lorge, McCallum, Moody, Offner, Risser and Strohl -- 12.

Absent or not voting -- Senators Opitz and Thompson -- 2.

So the bill passed.

LEAVE OF ABSENCE

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

Senate Bill 422

Relating to municipal industrial revenue bonding for cable television facilities.

Read a second time.

The president of the senate in the chair.

5:28 P.M.

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 422

Senator Theno moved indefinite postponement of **Senate Bill 422**.

The question was: Shall **Senate Bill 422** be indefinitely postponed?

By request of Senator Offner, with unanimous consent, **Senate Bill 422** was referred to joint committee on Finance.

Senate Bill 472

Relating to revising the worker's compensation laws.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Senate amendment 2 offered by Senators Moody, Thompson, Braun, Bear and Swan.

The question was: Adoption of senate amendment 2?

Adopted.

Senate amendment 3 offered by Senators Moody, Thompson, Braun, Bear and Swan.

The question was: Adoption of senate amendment 3?

Senator Van Sistine moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 12; absent or not voting, 4; as follows:

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Ayes -- Senators Bablitch, Bidwell, Chilsen, Frank, Hanaway, Johnston, Kleczka, Kreul, Lasee, Lorge, McCallum, Murphy, Offner, Radosevich, Roshell, Theno and Van Sistine -- 17.

Noes -- Senators Adelman, Bear, Berger, Braun, Flynn, Goyke, Harnisch, Maurer, Moody, Risser, Strohl and Swan -- 12.

Absent or not voting -- Senators Cullen, Krueger, Opitz and Thompson -- 4.

So the motion prevailed.

Senate amendment 4 offered by Senators Moody, Thompson, Braun, Bear and Swan.

The question was: Adoption of senate amendment 4?

Senator Van Sistine moved rejection of senate amendment 4.

The question was: Rejection of senate amendment 4?

The ayes and noes were demanded and the vote was: ayes, 11; noes, 19; absent or not voting, 3; as follows:

Ayes -- Senators Bidwell, Chilsen, Johnston, Kreul, Lasee, Lorge, McCallum, Murphy, Roshell, Theno and Van Sistine -- 11.

Noes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Strohl and Swan -- 19.

Absent or not voting -- Senators Krueger, Opitz and Thompson -- 3.

So the motion did not prevail.

The question was: Adoption of senate amendment 4?

Adopted.

Senate amendment 5 offered by Senators Moody, Thompson, Bear and Swan.

The question was: Adoption of senate amendment 5?

Senator Van Sistine moved rejection of senate amendment 5.

The question was: Rejection of senate amendment 5?

The motion prevailed.

Senate amendment 6 offered by Senators Moody, Braun, Thompson and Swan.

The question was: Adoption of senate amendment 6?

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By request of Senator Moody, with unanimous consent, senate amendment 6 was placed after senate amendment 7.

Senate amendment 7 offered by Senators Moody, Thompson, Braun, Bear and Swan.

The question was: Adoption of senate amendment 7?

Senator Van Sistine moved rejection of senate amendment 7.

The question was: Rejection of senate amendment 7?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 8; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Cullen, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Lasee, Lorge, McCallum, Maurer, Murphy, Offner, Radosevich, Risser, Roshell, Theno and Van Sistine -- 22.

Noes -- Senators Bear, Berger, Braun, Flynn, Frank, Moody, Strohl and Swan -- 8.

Absent or not voting -- Senators Krueger, Opitz and Thompson -- 3.

So the motion prevailed.

The question was: Adoption of senate amendment 6?

Senator Van Sistine moved rejection of senate amendment 6.

The question was: Rejection of senate amendment 6?

The motion prevailed.

Senate amendment 8 offered by Senators Moody, Thompson, Braun, Bear and Swan.

The question was: Adoption of senate amendment 8?

Senator Van Sistine moved rejection of senate amendment 8.

The question was: Rejection of senate amendment 8?

Senator Goyke asked unanimous consent that **Senate Bill 472** be referred to committee on Senate Organization.

Senator Van Sistine objected.

The question was: Rejection of senate amendment 8?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 8; absent or not voting, 3; as follows:

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Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Chilsen, Cullen, Frank, Goyke, Hanaway, Harnisch, Johnston, Kreul, Lasee, Lorge, McCallum, Maurer, Murphy, Offner, Radosevich, Roshell, Theno and Van Sistine -- 22.

Noes -- Senators Bear, Braun, Flynn, Kleczka, Moody, Risser, Strohl and Swan -- 8.

Absent or not voting -- Senators Krueger, Opitz and Thompson -- 3.

So the motion prevailed.

Senate amendment 9 to **Senate Bill 472** offered by Senators Moody, Thompson, Braun, Bear and Swan.

The question was: Adoption of senate amendment 9?

Senator Van Sistine moved rejection of senate amendment 9.

The question was: Rejection of senate amendment 9?

The motion prevailed.

Senate amendment 10 offered by Senators Moody, Thompson, Braun and Bear.

The question was: Adoption of senate amendment 10?

Senator Van Sistine moved rejection of senate amendment 10.

The question was: Rejection of senate amendment 10?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 12; absent or not voting, 4; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Goyke, Hanaway, Johnston, Kreul, Lasee, Lorge, McCallum, Murphy, Offner, Radosevich, Roshell, Theno and Van Sistine -- 17.

Noes -- Senators Bear, Berger, Braun, Cullen, Flynn, Frank, Harnisch, Kleczka, Moody, Risser, Strohl and Swan -- 12.

Absent or not voting -- Senators Krueger, Maurer, Opitz and Thompson -- 4.

So the motion prevailed.

Senate amendment 11 offered by Senators Moody, Thompson, Braun, Bear and Swan.

The question was: Adoption of senate amendment 11?

Senator Van Sistine moved rejection of senate amendment 11.

The question was: Rejection of senate amendment 11?

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The ayes and noes were demanded and the vote was: ayes, 19; noes, 11; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Goyke, Hanaway, Johnston, Kleczka, Kreul, Lasee, Lorge, McCallum, Maurer, Murphy, Offner, Radosevich, Roshell, Theno and Van Sistine -- 19.

Noes -- Senators Bear, Berger, Braun, Cullen, Flynn, Frank, Harnisch, Moody, Risser, Strohi and Swan -- 11.

Absent or not voting -- Senators Krueger, Opitz and Thompson -- 3.

So the motion prevailed.

Senate amendment 12 offered by Senators Moody, Thompson, Braun, Bear and Swan.

The question was: Adoption of senate amendment 12?

Senator Van Sistine moved rejection of senate amendment 12.

The question was: Rejection of senate amendment 12?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 10; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Cullen, Goyke, Hanaway, Johnston, Kreul, Lasee, Lorge, McCallum, Maurer, Murphy, Offner, Radosevich, Risser, Roshell, Theno and Van Sistine -- 20.

Noes -- Senators Bear, Berger, Braun, Flynn, Frank, Harnisch, Kleczka, Moody, Strohl and Swan -- 10.

Absent or not voting -- Senators Krueger, Opitz and Thompson -- 3.

So the motion prevailed.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 472** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 472** 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 final action at this time.

Senate Bill 472

Read a third time.

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The ayes and noes were required and the vote was: ayes, 29; noes, 1, absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Johnston, Kleczka, Kreul, Lasee, Lorge, McCallum, Maurer, Moody, Murphy, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Theno and Van Sistine -- 29.

Noes -- Senator Harnisch -- 1.

Absent or not voting -- Senators Krueger, Opitz and Thompson -- 3.

So the bill passed.

Senate Bill 484

Relating to procedures used in natural resource and snowmobile violation cases.

Read a second time.

By request of Senator Adelman, with unanimous consent, **Senate Bill 484** was referred to committee on Judiciary and Consumer Affairs.

Senate Bill 485

Relating to arrest powers for conservation wardens.

Read a second time.

By request of Senator Adelman, with unanimous consent, **Senate Bill 485** was referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 108

Relating to regulating the harvest of wild ginseng, granting rule-making authority and providing a penalty.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Assembly Bill 108

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 1, absent or not voting, 3; as follows:

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Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Lasee, Lorge, McCallum, Maurer, Moody, Murphy, Offner, Radosevich, Roshell, Strohl, Swan, Theno and Van Sistine -- 29.

Noes -- Senator Risser -- 1.

Absent or not voting -- Senators Krueger, Opitz and Thompson -- 3.

So the bill was concurred in as amended.

Senator Bablitch moved reconsideration of the vote by which **Assembly Bill 108** was concurred in.

By request of Senator Bablitch, with unanimous consent, the motion for reconsideration was laid on the table.

Assembly Bill 174

Relating to compensation of town officers.

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 174

Read a third time and concurred in.

Assembly Bill 209

Relating to membership and responsibilities of the radiation protection council.

Read a second time.

Senate amendments 1 and 2 offered by Senators Chilsen and Frank.

The question was: Adoption of senate amendment 1?

Adopted.

Senate amendment 1 to senate amendment 2 offered by Senator Chilsen.

The question was: Adoption of senate amendment 1 to senate amendment 2?

Adopted.

The question was: Adoption of senate amendment 2?

Adopted.

Ordered to a third reading.

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

Assembly Bill 209

Read a third time.

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

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

Noes -- None.

Absent or not voting -- Senators Krueger, Opitz and Thompson --

So the bill was concurred in as amended.

By request of Senator Harnisch, with unanimous consent, the motion for reconsideration of the vote by which **Assembly Bill 108** was concurred in was removed from the table and taken up at this time.

Assembly Bill 108

Relating to regulating the harvest of wild ginseng, granting rule-making authority and providing a penalty.

The question was: Reconsideration of the vote by which **Assembly Bill 108** was concurred in?

The motion did not prevail.

Assembly Bill 499

Relating to licensure of mobile home parks by local government.

Read a second time.

Senate amendment 1 offered by Senator Berger.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Assembly Bill 499

Read a third time and concurred in as amended.

Assembly Bill 502

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

Read a second time.

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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 502

Read a third time and concurred in.

Assembly Bill 561

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

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 561

Read a third time and concurred in.

Assembly Bill 597

Relating to authorization of minors 12 and 13 years of age to work in the business, trade or profession of the minor's parent or guardian.

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 597

Read a third time.

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

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

Noes -- None.

Absent or not voting -- Senators Krueger, Opitz and Thompson -- 3.

So the bill was concurred in.

Assembly Bill 717

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

Read a second time.

Ordered to a third reading.

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

Assembly Bill 717

Read a third time and concurred in.

Assembly Bill 738

Relating to revision of the definition of "owner" under the uniform one- and 2-family dwelling code.

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 738

Read a third time and concurred in.

Assembly Bill 972

Relating to shielding a strobe light on a school bus.

Read a third time.

The question was: Concurrence?

Concurred in.

By request of Senator Bablitch, with unanimous consent, **Senate Joint Resolution 6** was laid on the table.

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

Senate Bill 352

Relating to requiring completion of a hunter safety education course before issuance of a hunting license.

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.

Senate Bill 352

Read a third time and passed.

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

SENATE CLEARINGHOUSE RULES

Clearinghouse Rule 79-23

A rule to amend N 4.02(3)(c), relating to licensure of foreign nurse graduates.

Submitted by Board of Nursing.

Report received from Agency, February 6, 1980.

Referred to committee on Human Services, February 12, 1980.

Clearinghouse Rule 80-24

A rule to repeal Ind 41.93, 42.03, 42.04, 42.11, 42.14 and 42.37(2); to amend Ind 41.02 (1a), 41.02 (15), 41.13, 41.26 (2) (b), 41.27 (1) and (2), 42.06 and 42.28; to repeal and recreate Ind 41.08, 42.01, 42.05, 42.06, 42.07, 42.08, 42.09, 42.10, 42.13, 42.15, 42.16, 42.17, 42.18, 42.19, 42.20, 42.21, 42.22 and 42.31; and to create Ind 41.02 (9a), (11k) and (11n) and 41.04 (2) (a), relating to boiler and pressure vessel code.

Submitted by Department of Industry, Labor and Human Relations.

Report received from Agency, February 7, 1980.

Referred to committee on Agriculture, Labor and Local Affairs, February 12, 1980.

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

Clearinghouse Rule 79-21

A rule to amend VE 2.08(3)(b), 2.09 and 6.01(1), relating to examination and licensure of veterinarians; certification of animal technicians.

Submitted by Veterinary Examining Board.

No action taken.

JEROME VAN SISTINE
Chair

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 482** by Senator Berger.

By request of Senator Chilsen, with unanimous consent, the senate adjourned in honor of the 171st birthday of Abraham Lincoln.

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Upon motion of Senator Bablitch the senate adjourned until 9:00
A.M. Thursday, February 14.

7:55 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 535

i. On page 40, line 9, delete “, laws of 1979,”.

Assembly Bill 322, assembly substitute amendment 1

i. On page 5, line 17, substitute “determined” for “detemined”.