

JOURNAL OF THE SENATE [February 14, 1980]

STATE OF WISCONSIN

# Senate Journal

Eighty-Fourth Regular Session

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THURSDAY, February 14, 1980.

9:00 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, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Murphy, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Theno and Van Sistine -- 30.

Absent -- Senator Frank -- 1.

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

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 Hanaway led the senate in the pledge of allegiance to the flag of the United States of America.

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## LEAVE OF ABSENCE

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

By request of Senator Krueger, with unanimous consent, Senator Opitz was granted a leave of absence until 9:30 A.M.

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INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 553**

Relating to the appointment of members to the council on unemployment compensation.

By Legislative Council.

To committee on Agriculture, Labor and Local Affairs.

**Senate Bill 554**

Relating to deferral of increases in unemployment compensation tax rates due primarily to increases in an employer's payroll.

By Legislative Council.

To committee on Agriculture, Labor and Local Affairs.

**Senate Bill 555**

Relating to wetland protection, revising shoreland zoning, creating tax exemptions and deductions, creating a penalty and creating and revising appropriations.

By Senator Strohl.

To Joint Survey Committee on Tax Exemptions.

**Senate Bill 556**

Relating to restricting eligibility for and amount of disability annuities and death benefits provided for public employes engaged in certain hazardous occupations.

By Senators Chilsen and Johnston, by request of the League of Wisconsin Municipalities and Wisconsin Towns Association.

To Joint Survey Committee on Retirement Systems.

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COMMITTEE REPORTS

The joint committee on Revisions, Repeals and Uniform Laws reports and recommends for introduction:

**Senate Bill 557**

An act to amend various provisions of the statutes for the purpose of correcting errors, clarifying language and eliminating distinctions based upon sex as directed by section 13.93(1)(m) of the statutes (Revisor's Correction Bill).

Introduction:

Ayes, 5 -- Senators Strohl and Lorge, Representatives Andrea, Shoemaker and Harer;

Noes, 0 -- None.

Read first time and referred to joint committee on Revisions, Repeals and Uniform Laws.

**Senate Bill 558**

An act to repeal, renumber, renumber and amend, amend, reenact, create and revise various provisions of the statutes and session laws for the purpose of correcting errors, supplying omissions, clarifying references, renumbering for better location, eliminating duplications and unnecessary and obsolete provisions, reconciling conflicts and repelling unintended repeals(Revisor's Correction Bill).

Introduction:

Ayes, 5 -- Senators Strohl and Lorge, Representatives Andrea, Shoemaker and Harer;

Noes, 0 -- None.

Read first time and referred to joint committee on Revisions, Repeals and Uniform Laws.

JOE STROHL

Co-chair

JOSEPH ANDREA

Co-chair

The committee on Human Services reports and recommends:

LENSER, ELSE E., of LaCrosse, as a member of the Real Estate Examining Board, to succeed Russell DeMille, to serve for the term ending July 1, 1985.

Confirmation:

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Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;  
Noes, 0 -- None.

JANSEN, DR. RUTH KRAMER, of Milwaukee, as a member of the Nursing Home Administrator's Examining Board, to succeed herself, to serve for the term ending July 1, 1982.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;  
Noes, 0 -- None.

MAILE, ROBERT, of Wauwatosa, as a member of the Pharmacy Examining Board, to succeed himself, to serve for the term ending July 1, 1984.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;  
Noes, 0 -- None.

MACIVER, JOHN K., of Whitefish Bay, as a member of the Arts Board, to succeed Lynn Saxer, to serve for the term ending May 1, 1980.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;  
Noes, 0 -- None.

FLANARY, DR. LAWRENCE, of Milwaukee, as a member of the Hearing Aid Dealers and Fitters Examining Board, to succeed Dr. James Brandenburg, to serve for the term ending July 1, 1985.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;  
Noes, 0 -- None.

MCKINNEY, LAFAYETTE, of Milwaukee, as a member of the Psychology Examining Board, to succeed Mark Converse, to serve for the term ending July 1, 1982.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;  
Noes, 0 -- None.

DREYFUS, JOYCE, of Madison, as a member of the Arts Board, to succeed Russell Ferrall, to serve for the term ending May 1, 1982.

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Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;

Noes, 0 -- None.

**POLLOCK, ROBERT O.**, of Stevens Point, as a member of the Health Facilities Authority, to succeed himself, to serve for the term ending June 30, 1986.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;

Noes, 0 -- None.

**WELSCH, CLARENCE**, of Sheboygan, as a member of the Hearing Aid Dealers and Fitters Examining Board, to succeed Donald Schaefer, to serve for the term ending July 1, 1985.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;

Noes, 0 -- None.

**CUTTING, MARCY**, of Whiting, as a member of the Cosmetology Examining Board, to succeed Glenn Wills, to serve for the term ending July 1, 1982.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;

Noes, 0 -- None.

**GARCIA, EMIL**, of Lake Geneva, as a member of the Cosmetology Examining Board, to succeed David Gotzion, to serve for the term ending July 1, 1982.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;

Noes, 0 -- None.

**CANTWELL, CASSY**, of Shawano, as a member of the Nursing Home Administrators Examining Board, to succeed Thomasine Johnson, to serve or the term ending July 1, 1982.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;

Noes, 0 -- None.

CASSANI, VINCE, of Clintonville, as a member of the Nursing Home Administrators Examining Board, to succeed Theodore Jamison, to serve for the term ending July 1, 1981.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;

Noes, 0 -- None.

CARL W. THOMPSON

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

**Senate Bill 479**

Relating to termination of parental rights.

Introduction of senate amendment 1:

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

Noes, 0 -- None.

Introduction of senate amendment 2:

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

Noes, 0 -- None.

Introduction of senate amendment 3:

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

Noes, 1 -- Senator Murphy.

LYNN S. ADELMAN

Chair

The committee on Governmental and Veterans Affairs reports and recommends:

ROLLMAN, CHARLES W., of Green Bay, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to succeed John Fisher, to serve for the term ending July 1, 1981.

Confirmation:

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

Noes, 0 -- None.

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WENZLER, WILLIAM P, of Milwaukee, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to succeed Robert Yarbo, to serve for the term ending July 1, 1981.

Confirmation:

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

Noes, 0 -- None.

SHERMAN, RAY E., of Sturgeon Bay, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to succeed Charles Rohde, to serve for the term ending July 1, 1981.

Confirmation:

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

Noes, 0 -- None.

**Assembly Bill 164**

Relating to membership of commission or board of trustees of veterans memorial corporations.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 400**

Relating to the time for commencing ballot recounts.

Concurrence:

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

Noes, 0 -- None.

MONROE SWAN

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

**Assembly Bill 293**

Relating to miscellaneous changes in the divorce laws.

Introduction of senate substitute amendment 1:

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

Noes, 0 -- None.

LYNN S. ADELMAN

Chair

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PETITIONS AND COMMUNICATIONS

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RULING OF THE CHAIR

**Assembly Bill 813**

Relating to revising miscellaneous statutes affecting state administrative procedures.

By request of Senator Berger, with unanimous consent, the rules were suspended and the chair was permitted to rule on the point of order on **Assembly Bill 813** Tuesday, February 19.

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CALENDAR OF FEBRUARY 14

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

**CHECK, NICK**, of Stevens Point, as a member of the Bingo Control Board, to succeed Elvera Taylor, to serve for the term ending May 1, 1984.

Read.

**GILBERT, E. REID**, of Spring Green, as a member of the Arts Board, to succeed William Kidd, to serve for the term ending May 1, 1982.

Read.

**KRUESEL, MARVIN P.**, of Milwaukee, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to succeed Thomas Nehlson, to serve for the term ending July 1, 1982.

Read.

**MAGNUSON, DR. DALE**, of River Falls, as a member of the Veterinary Examining Board, to succeed Dr. Richard L. Larsen, to serve for the term ending July 1, 1984.

Read.

**MILLER, DAVID ROSS**, of Stevens Point, as a member of the Veterans Affairs Board, to succeed Val W. Ove, to serve for the term ending May 1, 1985.

Read.



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WALLING, ESTHER K., of Neenah, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to succeed Kahtan Al Yasiri, to serve for the term ending July 1, 1982.

Read.

The question was: Confirmation of the appointments?

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, Lorge, McCallum, Maurer, Moody, Murphy, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Theno and Van Sistine -- 31.

Noes -- None.

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

So the appointments were confirmed.

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MESSAGE FROM THE ASSEMBLY

By Marcel Dandeneau, chief clerk.

Mr. President:

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

**Assembly Bill 446**  
**Assembly Bill 795**  
**Assembly Bill 1072**  
**Assembly Bill 503**  
**Assembly Bill 650**  
**Assembly Bill 657**  
**Assembly Bill 699**  
**Assembly Bill 764**  
**Assembly Bill 807**

Concurred in as amended:

**Senate Bill 462**, assembly amendment 1 and assembly amendment 1 to assembly amendment 1

MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 446**

Relating to the tax status of property leased by tax-exempt organizations.

By Representative Clarenbach, co-sponsored by Senator Bear.

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

**Assembly Bill 795**

Relating to state aid for tuition payments by school districts and making an appropriation.

By Representative Kedrowski.

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

**Assembly Bill 1072**

Relating to adult sponsor's signature on driver's license applications by persons under age 18.

By Representatives Johnson, Vanderperren and Soucie, co-sponsored by Senator Cullen.

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

**Assembly Bill 503**

Relating to delinquent sales and use tax returns.

By Representative Behnke.

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

**Assembly Bill 650**

Relating to the deposit of contested tax amounts with the department of revenue.

By Representatives Fischer, Barry, Lallensack, Hasenohrl, Soucie and Matty, co-sponsored by Senators Berger, Lasee, Lorge and Bear.

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

**Assembly Bill 657**

Relating to law revision duties of the revisor of statutes, establishing a law revision committee in place of the remedial legislation and judiciary committees of the legislative council and of the joint committee on revisions, repeals and uniform laws and making an appropriation.

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By Legislative Council.

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

### **Assembly Bill 699**

Relating to state payment of funeral expenses for persons who received supplemental security income or who received medical assistance due to medical indigence, and making an appropriation.

By Representatives Shoemaker, Vanderperren, Plewa, Kincaid, Kirby, Lallensack, Hasenohrl, Helbach, Wagner, Hephner, Andrea Smith, Ferrall, Byers, Murray, Donoghue, Rooney, Gagin, Omernick, Laatsch, Quackenbush, Radtke and Conradt, co-sponsored by Senators Cullen, Bear, Van Sistine, Harnisch and Opitz.

Read first time and referred to committee on Human Services.

### **Assembly Bill 764**

Relating to the calculation of license fees for electric cooperatives selling electric energy outside Wisconsin.

By Representatives Roberts, Kedrowski, Vanderperren, Matty Thompson, R. Travis, Bradley, Kincaid, Hopkins, Medinger, Duren, Helbach, Byers, Quackenbush, Gunderson, Hasenohrl, Shoemaker, Larson, Everson, Tregoning, Lewison, Schmidt, Paulson, Harer, DeLong, Smith, Donoghue, Swoboda, Goodrich, Lallensack, Murray, Potter, Gagin, Porter, Conradt, McEissy, Laatsch, Behnke, Fischer, Harsdorf, Klicka, Merkt, Wagner, Leopold, Metz, Lorman, Ellis, Omernick, Barry, Lingren, Becker, Plewa, Otte, Rooney, Radtke, Luckhardt, Lewis, Ladwig, Shabaz, Snyder and Dilweg, co-sponsored by Senators Harnisch, Kreul, Radosevich, Krueger, Chilsen, Cullen, Theno, Roshell, Bidwell, Thompson, Strohl, Goyke and Van Sistine.

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

### **Assembly Bill 807**

Relating to establishment of American Indian language and culture education programs in schools, creating an American Indian language and culture education board, granting rule-making authority and making an appropriation.

By Representatives Metz, Rogers, Thompson, Lingren, Quackenbush, Coggs, Merkt, Duren, Medinger, Becker, Donoghue, Otte, Munts, Soucie and Helbach, co-sponsored by Senators Goyke, Krueger, Bear, McCallum and Theno.

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

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MOTIONS

Senator Lorge asked unanimous consent that **Senate Joint Resolution 9** be withdrawn from committee on Human Services and referred to committee on Senate Organization.

Senator Bablitch objected.

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

Senator Bablitch objected.

By request of Senator Swan, with unanimous consent, **Senate Bill 107** was withdrawn from committee on Governmental and Veterans Affairs and referred to joint committee on Finance.

By request of Senator Bablitch, with unanimous consent, the appointments of John Ullrich, Walter Hollander and Clarence Bleser were withdrawn from committee on Human Services and referred to committee on Agriculture, Labor and Local Affairs.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 539** was withdrawn from committee on Senate Organization and referred to committee on Education and Revenue.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 773** was withdrawn from committee on Senate Organization and referred to committee on Education and Revenue.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 973** was withdrawn from committee on Senate Organization and referred to joint committee for Review of Administrative Rules.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 1124** was withdrawn from committee on Senate Organization and referred to committee on Natural Resources and Tourism.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 544** was withdrawn from committee on Senate Organization and referred to committee on Governmental and Veterans Affairs.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 900** was withdrawn from committee on Senate

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Organization and referred to committee on Aging, Business and Financial Institutions and Transportation.

Senator Bablitch asked unanimous consent that **Assembly Bill 322** be withdrawn from committee on Senate Organization and referred to committee on Judiciary and Consumer Affairs.

Senator Swan objected.

By request of Senator Maurer, with unanimous consent, the senate recessed until 9:51 A.M.

9:31 A.M.

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RECESS

9:51 A.M.

The senate reconvened.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 322** was withdrawn from committee on Senate Organization and referred to committee on Governmental and Veterans Affairs.

By request of Senator Berger, with unanimous consent, **Assembly Bill 973** was withdrawn from joint committee for Review of Administrative Rules and be referred to committee on Senate Organization.

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CALENDAR OF FEBRUARY 14

**Senate Bill 21**

Relating to authorization of school benefit insurance plans and granting rule-making authority.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Berger, with unanimous consent, senate amendments 1 and 2 were laid on the table.

Ordered to a third reading.

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

**Senate Bill 21**

Read a third time and passed.

**Senate Bill 102**

Relating to exemption of fire fighters from program fees for certain programs in vocational, technical and adult education, and making an appropriation.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 102** was referred to joint committee on Finance.

**Senate Bill 513**

Relating to legislative procedure regarding the treatment of bills to prevent promulgation of administrative rules.

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.

**Senate Bill 513**

Read a third time and passed.

**Assembly Bill 70**

Relating to return of sales and use tax security deposits.

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 70**

Read a third time and concurred in.

**Assembly Bill 149**

Relating to timely payment of property taxes.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

**Assembly Bill 149**

Read a third time and concurred in as amended.

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**Assembly Bill 170**

Relating to raising the maximum fee which may be charged for a fermented malt beverage and intoxicating liquor "operator's license".

Read a second time.

Senate amendment 1 offered by Senator Braun.

The question was: Adoption of senate amendment 1?

Senator Murphy 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, 8; noes, 24; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Bear, Cullen, Goyke, Krueger, Lorge, Murphy and Radosevich -- 8.

Noes -- Senators Adelman, Berger, Bidwell, Braun, Chilsen, Flynn, Frank, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Lasee, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Swan, Theno and Van Sistine -- 24.

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

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 final action at this time.

**Assembly Bill 170**

Read a third time.

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

Ayes -- Senators Adelman, Bear, Berger, Bidwell, Braun, Chilsen, Flynn, Frank, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Lorge, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno and Van Sistine -- 24.

Noes -- Senators Bablitch, Cullen, Goyke, Krueger, Lasee, Murphy, Radosevich and Swan -- 8.

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

So the bill was concurred in as amended.

**Assembly Bill 182**

Relating to substituting high school equivalency for the high school graduation requirement for barber apprentice permits.

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 182**

Read a third time and concurred in as amended.

**Assembly Bill 239**

Relating to the term of appointment for the adjutant general.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Van Sistine, with unanimous consent, senate substitute amendment 1 was laid on the table.

The question was: Adoption of senate substitute amendment 2?

Senator Swan moved rejection of senate substitute amendment 2.

The question was: Rejection of senate substitute amendment 2?

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

Ayes -- Senators Hanaway, Johnston, Kreul, Lasee, Lorge, McCallum, Offner, Opitz, Radosevich, Risser and Swan -- 11.

Noes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Krueger, Maurer, Moody, Murphy, Roshell, Strohl, Theno and Van Sistine -- 21.

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

So the motion did not prevail.

Senate amendment 1 to senate substitute amendment 2 offered by Senator Kleczka.

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

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



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Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Lasee, Lorge, McCallum, Maurer, Moody, Offner, Risser, Strohl and Theno -- 23.

Noes -- Senators Frank, Goyke, Krueger, Murphy, Opitz, Radosevich, Roshell, Swan and Van Sistine -- 9.

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

So the motion prevailed.

Senate amendment 2 to senate substitute amendment 2 offered by Senators Kleczka and Offner.

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

Senate amendment 1 to senate amendment 2 to senate substitute amendment 2 offered by Senator Kleczka.

Senator Van Sistine raised the point of order that senate amendment 1 to senate amendment 2 to senate substitute amendment 2 was not germane.

The chair took the point of order under advisement.

**Assembly Bill 293**

Relating to miscellaneous changes in the divorce laws.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Adelman, with unanimous consent, **Assembly Bill 293** was placed at the foot of the calendar.

**Assembly Bill 385**

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

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 385**

Read a third time and concurred in.

**Assembly Bill 528**

Relating to notice of special school board meetings.

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 528**

Read a third time and concurred in.

**Assembly Bill 608**

Relating to the use of certified mail for certain tax notices.

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 608**

Read a third time and concurred in.

**Assembly Bill 631**

Relating to the annual meeting date of certain common school districts.

Read a second time.

Senate amendment 1 offered by Senator Johnston.

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 631**

Read a third time and concurred in as amended.

**Assembly Bill 831**

Relating to various revisions in the law regulating trusts and monopolies and providing penalties.

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 831**

Read a third time and concurred in as amended.

**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.

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Read a second time.

The question was: Adoption of senate substitute amendment 1?

Senator Berger asked unanimous consent that **Assembly Bill 849** be laid on the table.

Senator Cullen objected.

The question was: Adoption of senate substitute amendment 1?

Senator Berger asked unanimous consent that **Assembly Bill 849** be returned to committee on Senate Organization.

Senator Bablitch objected.

By request of Senator Moody, with unanimous consent, **Assembly Bill 849** was placed at the foot of the calendar.

**Assembly Bill 877**

Relating to clarifying statutory language regarding the duties of the depository selection board (suggested as remedial legislation by the state treasurer).

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 877**

Read a third time and concurred in.

**Assembly Bill 1043**

Relating to rights of victims and witnesses of crimes, providing rule-making authority, and providing a penalty and making an appropriation.

Read a second time.

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RULING OF THE CHAIR

**Assembly Bill 239**

Relating to the term of appointment for the adjutant general.

The chair was prepared to rule on the germaneness of senate amendment 1 to senate amendment 2 to senate substitute amendment 1.

By request of Senator Kleczka, with unanimous consent, senate amendment 2 to senate substitute amendment 1 was returned to the author.

The chair ruled the point of order moot.

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Senate amendment 3 to senate substitute amendment 2 offered by Senators Kleczka and Offner.

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

Senator Goyke raised the point of order that senate amendment 3 to senate substitute amendment 2 was not germane.

The chair ruled the point of order not well taken.

Senator Van Sistine moved rejection of senate amendment 3 to senate substitute amendment 2.

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

The ayes and noes were demanded and the vote was: ayes, 16; noes, 16; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Cullen, Flynn, Frank, Goyke, Harnisch, Moody, Murphy, Radosevich, Roshell, Theno and Van Sistine -- 16.

Noes -- Senators Braun, Chilsen, Hanaway, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Offner, Opitz, Risser, Strohl and Swan -- 16.

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

So the motion did not prevail.

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

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

Ayes -- Senators Braun, Chilsen, Flynn, Hanaway, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Offner, Opitz, Risser, Strohl, Swan and Van Sistine -- 18.

Noes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Cullen, Frank, Goyke, Harnisch, Moody, Murphy, Radosevich, Roshell and Theno -- 14.

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

So the motion prevailed.

The question was: Adoption of senate substitute 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 239**

Read a third time.

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

Ayes -- Senators Adelman, Bidwell, Braun, Chilsen, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Offner, Opitz, Risser, Strohl and Swan -- 20.

Noes -- Senators Bablitch, Bear, Berger, Cullen, Flynn, Frank, Goyke, Murphy, Radosevich, Roshell, Theno and Van Sistine -- 12.

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

So the bill was concurred in as amended.

**Assembly Bill 1043**

Relating to rights of victims and witnesses of crimes, providing rule-making authority, and providing a penalty and making an appropriation.

Read a second time.

By request of Senator Hanaway, with unanimous consent, his name was withdrawn as a cosponsor of **Assembly Bill 1043**.

By request of Senator Flynn, with unanimous consent, senate amendments 1, 2, 3 and 4 were laid on the table.

The question was: Adoption of senate amendment 5?

By request of Senator Flynn, with unanimous consent, senate amendment 5 was placed after senate amendment 7.

The question was: Adoption of senate amendment 6?

By request of Senator Van Sistine, with unanimous consent, the journal showed that he should have been recorded as voting "no" on adoption of senate amendment 3 to senate substitute amendment 2 to **Assembly Bill 239**.

The question was: Adoption of senate amendment 6?

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

Ayes -- Senators Adelman, Bablitch, Bear, Braun, Flynn, Frank, Goyke, Harnisch, Johnston, Kleczka, Maurer, Moody, Radosevich, Risser, Strohl, Swan and Van Sistine -- 17.

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Noes -- Senators Berger, Bidwell, Chilsen, Cullen, Hanaway, Kreul, Krueger, Lasee, McCallum, Murphy, Offner, Opitz, Roshell and Theno -- 14.

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

So the motion prevailed.

The question was: Adoption of senate amendment 7?

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, Bear, Berger, Braun, Flynn, Frank, Goyke, Maurer, Moody, Radosevich, Risser, Strohl and Swan -- 14.

Noes -- Senators Bidwell, Chilsen, Cullen, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, McCallum, Murphy, Offner, Opitz, Roshell, Theno and Van Sistine -- 17.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 5?

Senator Murphy moved rejection of senate amendment 5.

The question was: Rejection of senate amendment 5?

The ayes and noes were demanded and the vote was: ayes, 23; noes, 8; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bear, Bidwell, Braun, Goyke, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lasee, McCallum, Maurer, Moody, Murphy, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno and Van Sistine -- 23.

Noes -- Senators Bablitch, Berger, Chilsen, Cullen, Flynn, Frank, Kleczka and Offner -- 8.

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

So the motion prevailed.

The question was: Adoption of senate amendment 8?

Senator Murphy moved rejection of senate amendment 8.

The question was: Rejection of senate amendment 8?

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

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**Ayes -- Senators Bidwell, Chilsen, Goyke, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz, Radosevich, Risser, Roshell, Swan, Theno and Van Sistine -- 19.**

**Noes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Kleczka, Maurer, Moody, Offner and Strohl -- 13.**

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

**So the motion prevailed.**

**The question was: Adoption of senate amendment 9?**

**Adopted.**

**Senate amendment 1 to senate amendment 10 offered by Senator Flynn.**

**The question was: Adoption of senate amendment 1 to senate amendment 10?**

**Adopted.**

**The question was: Adoption of senate amendment 10?**

**Senator Flynn moved rejection of senate amendment 10.**

**The question was: Rejection of senate amendmnet 10?**

**The motion did not prevail.**

**The question was: Adoption of senate amendment 10?**

**Adopted.**

**Senate amendment 11 to **Assembly Bill 1043** offered by Senator Opitz.**

**By request of Senator Opitz, with unanimous consent, senate amendment 11 was returned to the author.**

**Senate amendment 12 offered by Senator Murphy.**

**The question was: Adoption of senate amendment 12?**

**Senator Flynn moved rejection of senate amendment 12.**

**The question was: Rejection of senate amendment 12?**

**The motion did not prevail.**

**The question was: Adoption of senate amendment 12?**

**Senate amendment 1 to senate amendment 12 offered by Senator Flynn.**

**The question was: Adoption of senate amendment 1 to senate amendment 12?**

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**Adopted.**

**The question was: Adoption of senate amendment 12?**

**Adopted.**

**Senate amendment 13 offered by Senator Murphy.**

**The question was: Adoption of senate amendment 13?**

**Senator Flynn moved rejection of senate amendment 13.**

**The question was: Rejection of senate amendment 13?**

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

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

**Noes -- Senators Bidwell, Chilsen, Kreul, Krueger, McCallum, Murphy, Opitz and Theno -- 8.**

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

**So the motion prevailed.**

**Senate amendment 14 offered by Senator Chilsen.**

**The question was: Adoption of senate amendment 14?**

**Senator Flynn moved rejection of senate amendment 14.**

**The question was: Rejection of senate amendment 14?**

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

**Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Johnston, Kleczka, Krueger, Lorge, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan and Van Sistine -- 23.**

**Noes -- Senators Bidwell, Chilsen, Hanaway, Kreul, Lasee, McCallum, Murphy, Opitz and Theno -- 9.**

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

**So the motion prevailed.**

**Senate amendment 15 offered by Senator Murphy.**

**The question was: Adoption of senate amendment 15?**

**Senator Flynn moved rejection of senate amendment 15.**



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The question was: Rejection of senate amendment 15?

By request of Senator Murphy, with unanimous consent, senate amendment 15 was returned to the author.

Senate amendment 16 offered by Senator Opitz.

The question was: Adoption of senate amendment 16?

Senator Flynn moved rejection of senate amendment 16.

The question was: Rejection of senate amendment 16?

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.

**Assembly Bill 1043**

Read a third time.

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, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Johnston, Kleczka, Lorge, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Theno and Van Sistine -- 23.

Noes -- Senators Bidwell, Chilsen, Hanaway, Kreul, Krueger, Lasee, McCallum, Murphy and Opitz -- 9.

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

So the bill was concurred in as amended.

**Assembly Bill 293**

Relating to miscellaneous changes in the divorce laws.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Adelman, with unanimous consent, Assembly Bill 293 was laid on the table.

**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.

Read a second time.

By request of Senator Moody, with unanimous consent, senate substitute amendment 1 was laid on the table.

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The question was: Adoption of senate amendment 1?

Senator Berger moved that **Assembly Bill 849** be laid on the table.

The question was: Shall **Assembly Bill 849** be laid on the table?

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

Ayes -- Senators Adelman, Bear, Berger, Bidwell, Braun, Chilsen, Hanaway, Harnisch, Kleczka, Kreul, Krueger, Lasee, McCallum, Murphy, Offner, Opitz, Risser, Roshell, Strohl and Theno -- 20.

Noes -- Senators Bablitch, Cullen, Flynn, Frank, Goyke, Johnston, Lorge, Maurer, Moody, Radosevich, Swan and Van Sistine -- 12.

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

So the motion prevailed.

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

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INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 559**

Relating to ceding certain submerged lands in Lake Superior, St. Louis Bay and Allouez Bay to the city of Superior.

By Senator Theno.

To committee on Natural Resources and Tourism.

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

By request of Senator Goyke, with unanimous consent, the senate adjourned in honor of former Senator Kathryn Morrison.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Tuesday, February 19.

2:23 P.M.

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AMENDMENTS OFFERED

Senate amendment 1 to **Assembly Bill 603** by Senator McCallum.

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CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Joint Resolution 40**

Correctly enrolled and deposited in the Office of the Secretary of State on February 12, 1980.

**Senate Bill 23**

Deposited in the Office of the Secretary of State on Tuesday, February 12, 1980, after passage by both houses, notwithstanding the objections of the Governor, and has been assigned Chapter No. 109.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Bill 484**

1. On page 1, line 2, substitute "(9)," for "(9,".
2. On page 2, line 5; and on page 3, line 2, substitute "ch." for "chs."
3. On page 3, line 1, substitute "s." for "ss."

**Assembly Bill 386, assembly amendment 3**

1. On page 2, line 7, after "statutes", insert a comma.
2. On page 2, line 21, after "(9)", insert "(b)".