

JOURNAL OF THE SENATE [March 28, 1980]

STATE OF WISCONSIN

# Senate Journal

**Eighty-Fourth Regular Session**

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FRIDAY, March 28, 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, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 32.

Absent -- None.

Absent with leave -- None.

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

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## INTRODUCTION OF BILLS

Read first time and referred:

### **Senate Bill 616**

Relating to collection of public utility bills.

By Senator Johnston.

To committee on Insurance and Utilities.

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COMMITTEE REPORTS

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

**Assembly Bill 673**

Relating to competitive bidding requirement for harbor construction, repair and maintenance and related materials, supplies and equipment.

Concurrence:

Ayes, 5 -- Senators Van Sistine, Thompson, Swan, Kreul and Hanaway;

Noes, 0 -- None.

JEROME VAN SISTINE

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

**Assembly Bill 1168**

Relating to miscellaneous changes in the children's code and other laws affecting children, increasing appropriations, granting rule-making authority and providing a penalty.

Concurrence:

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

Noes, 0 -- None.

LYNN S. ADELMAN

Chair

The committee on Insurance and Utilities reports and recommends:

WAHNER, JAMES, of Milwaukee, as a member of the Interim Directors for the Citizens Utility Board, to serve until the Board of Directors are elected and qualified pursuant to s. 199.12.

Confirmation:

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

Noes, 0 -- None.

KURT A. FRANK

Chair

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COMMITTEE OF CONFERENCE

on

**Assembly Bill 783**

The members of the Committee of Conference on **Assembly Bill 783** report and recommend:

1. Both houses recede from their respective positions on senate substitute amendment 1.

2. The Senate and Assembly, respectively, pass and concur in **Assembly Bill 783**, as originally introduced.

Senator Van Sistine                      Representative Helbach

Senator Bablitch                         Representative Wagner

Senator Lasee                              Representative Prosser

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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 nonconcurred in:

**Senate Bill 552**

Concurred in:

**Assembly Bill 482**, senate amendment 1

**Senate Bill 115**

**Senate Bill 382**

**Senate Bill 597**

**Assembly Bill 913**, senate amendments 5, 7, 9, 10 and 12, senate amendment 6 amended and concurred in as amended, assembly amendments 7, 11 and Item 1 of assembly amendment 8 to senate amendment 6, assembly amendment 1 to senate amendment 11, senate amendment 11 amended and concurred in as amended non-concurred in senate amendment 2

Amended and concurred in as amended:

**Senate Bill 97**, assembly substitute amendment 1

Adopted and asks concurrence in:

**Assembly Joint Resolution 125**

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Recedes from its position on:

**Assembly Bill 883**, assembly amendment 1 to senate amendment  
2

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Joint Resolution 125**

Relating to revising the right to bail (first consideration).

By Legislative Council.

Read and referred to committee on Human Services.

By request of Senator Bablitch, with unanimous consent, the senate recessed until 9:16 A.M.

9:09 A.M.

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RECESS

9:16 A.M.

The senate reconvened.

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MOTIONS

By request of Senator Bablitch, with unanimous consent, **Senate Bill 576** was withdrawn from the committee on Senate Organization and referred to the committee on Judiciary and Consumer Affairs.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 674** was withdrawn from the committee on Senate Organization and referred to the committee on Judiciary and Consumer Affairs.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 1173** was withdrawn from the committee on Senate Organization and referred to the committee on Judiciary and Consumer Affairs.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 1280** was withdrawn from the committee on Senate Organization and referred to the committee on Agriculture, Labor and Local Affairs.

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By request of Senator Bablitch, with unanimous consent, **Senate Bill 615** was laid on the table.

By request of Senator Bablitch, with unanimous consent, the rules were suspended and **Assembly Bill 1180** was taken up at this time.

### **Assembly Bill 1180**

Relating to state finances and appropriations, constituting the 1980 budget review bill and making appropriations.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Flynn asked unanimous consent that senate amendment 1 be placed after senate amendment 73.

Senator Krueger objected.

By request of Senator Flynn, with unanimous consent, senate amendment 1 was placed after senate amendment 10.

The question was: Adoption of senate amendment 2?

Senator Bablitch moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 13; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Cullen, Flynn, Frank, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl and Van Sistine -- 18.

Noes -- Senators Bear, Bidwell, Goyke, Hanaway, Johnston, Kreul, Krueger, Lasee, McCallum, Opitz, Swan, Theno and Thompson -- 13.

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

So the motion prevailed.

The question was: Adoption of senate amendment 3?

By request of Senator Moody, with unanimous consent, senate amendment 3 was placed after senate amendment 8.

The question was: Adoption of senate amendment 4?

By request of Senators Bablitch and Krueger, with unanimous consent, limits on debate were established pursuant to Senate Rule 76. Senators are to speak only twice on each question, not to exceed five minutes per speech.

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Senator Bablitch moved a

CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

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

Absent -- Senator Lorge -- 1.

Absent with leave -- None.

By request of Senator Bablitch, with unanimous consent, the call was raised.

The question was: Adoption of senate amendment 4?

Senator Bablitch moved rejection of senate amendment 4.

The question was: Rejection of senate amendment 4?

The motion prevailed.

The question was: Adoption of senate amendment 5?

Senator Bablitch 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, 14; noes, 18; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bear, Berger, Braun, Cullen, Flynn, Frank, Kleczka, Maurer, Moody, Offner, Risser, Strohl and Swan -- 14.

Noes -- Senators Bablitch, Bidwell, Chilsen, Goyke, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz, Radosevich, Roshell, Theno, Thompson and Van Sistine -- 18.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 5?

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By request of Senator Bablitch, with unanimous consent, senate amendment 5 was laid on the table.

The question was: Adoption of senate amendment 6?

Senator Bablitch moved rejection of senate amendment 6.

The question was: Rejection of senate amendment 6?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 12; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Braun, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan and Van Sistine -- 18.

Noes -- Senators Berger, Bidwell, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz, Theno and Thompson -- 12.

Absent or not voting -- Senators Chilsen and Cullen -- 2.

So the motion prevailed.

The question was: Adoption of senate amendment 7?

By request of Senator Strohl, with unanimous consent, senate amendment 7 was returned to the author.

The question was: Adoption of senate amendment 8?

Senator Bablitch moved rejection of senate amendment 8.

The question was: Rejection of senate amendment 8?

By request of Senator Thompson, with unanimous consent, senate amendment 8 was returned to the author.

The question was: Adoption of senate amendment 3?

Senator Bablitch moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

By request of Senator Bidwell, with unanimous consent, senate amendment 3 was placed after senate amendment 20.

The question was: Adoption of senate amendment 9?

Senator Flynn moved rejection of senate amendment 9.

The question was: Rejection of senate amendment 9?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 0; as follows:

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Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Strohl, Swan, Thompson and Van Sistine -- 19.

Noes -- Senators Bidwell, Chilsen, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz, Roshell and Theno -- 13.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 10?

Senator Bablitch 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, 18; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Strohl, Thompson and Van Sistine -- 18.

Noes -- Senators Bidwell, Chilsen, Goyke, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz, Roshell, Swan and Theno -- 14.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 1?

Senator Bablitch 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, 11; noes, 20; absent or not voting, 1, as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Cullen, Flynn, Harnisch, Kleczka, Maurer, Offner, Strohl and Swan -- 11.

Noes -- Senators Bear, Bidwell, Braun, Chilsen, Frank, Goyke, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Moody, Opitz, Risser, Roshell, Theno, Thompson and Van Sistine -- 20.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 1?



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

**The question was: Adoption of senate amendment 11?**

**Senator Bablitch moved rejection of senate amendment 11.**

**The question was: Rejection of senate amendment 11?**

**The motion prevailed.**

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

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

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

**By request of Senator Adelman, with unanimous consent, senate amendment 12 was returned to the author.**

**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 motion prevailed.**

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

**By request of Senator Kreul, with unanimous consent, senate amendment 14 was placed after senate amendment 40.**

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

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

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

**The motion prevailed.**

**The question was: Adoption of senate amendment 16?**

**Senator Flynn moved rejection of senate amendment 16.**

**The question was: Rejection of senate amendment 16?**

**By request of Senator Thompson, with unanimous consent, senate amendment 16 was returned to the author.**

**The question was: Adoption of senate amendment 17?**

**By request of Senator Strohl, with unanimous consent, senate amendments 17, 18 and 19 were returned to the author.**

**The question was: Adoption of senate amendment 20?**

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Senator Bablitch moved rejection of senate amendment 20.

The question was: Rejection of senate amendment 20?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 11; absent or not voting, 1; as follows:

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

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Lasee, Lorge, McCallum, Opitz, Swan and Theno -- 11.

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

So the motion prevailed.

The question was: Rejection of senate amendment 3?

The motion prevailed.

The question was: Adoption of senate amendment 21?

Senator Bablitch moved rejection of senate amendment 21.

The question was: Rejection of senate amendment 21?

The motion prevailed.

The question was: Adoption of senate amendment 22?

Senator Flynn moved rejection of senate amendment 22.

The question was: Rejection of senate amendment 22?

The motion prevailed.

The question was: Adoption of senate amendment 23?

Senator Flynn moved rejection of senate amendment 23.

The question was: Rejection of senate amendment 23?

The motion prevailed.

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AMENDMENTS OFFERED

Senate amendments 75, 76 and 77 to **Assembly Bill 1180** by Senator Lorge.

Senate amendment 78 to **Assembly Bill 1180** by Senators Cullen, Bablitch, Van Sistine, Thompson, Krueger, Radosevich, Goyke, Roshell, Bidwell and Harnisch.

Senate amendments 79 and 80 to **Assembly Bill 1180** by Senator Harnisch.

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Senate amendment 81 to **Assembly Bill 1180** by Senators Chilsen, Bidwell, Krueger, Kreul, Lorge, Lasee, McCallum, Theno, Opitz and Hanaway.

Senate amendment 82 to **Assembly Bill 1180** by Senator Frank.

Senate amendment 83 to **Assembly Bill 1180** by Senators Goyke, Bear, Chilsen and Johnston.

Senate amendment 84 to **Assembly Bill 1180** by Senator Chilsen.

Senate amendment 85 to **Assembly Bill 1180** by Senators Chilsen and McCallum.

Senate amendment 86 to **Assembly Bill 1180** by Senator McCallum.

Senate amendment 87 to **Assembly Bill 1180** by Senator Lasee.

Senate amendment 88 to **Assembly Bill 1180** by Senators Krueger, Chilsen, Lorge, Bidwell and Kreul.

By request of Senator Lasee, with unanimous consent, the senate recessed until 11:28 A.M.

11:02 A.M.

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### RECESS

11:28 A.M.

The senate reconvened.

Senate amendment 1 to senate amendment 24 offered by Senator Hanaway.

The question was: Adoption of senate amendment 1 to senate amendment 24?

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

Absent -- Senator Moody -- 1.

Absent with leave -- None.

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The question was: Adoption of senate amendment 1 to senate amendment 24?

Senator Flynn moved rejection of senate amendment 1 to senate amendment 24.

The question was: Rejection of senate amendment 1 to senate amendment 24?

Senator Flynn moved rejection of senate amendment 24.

The question was: Rejection of senate amendment 24?

Senator Bear asked unanimous consent that senate amendment 24 be placed after senate amendment 42.

Senator Berger objected.

Senator Bear moved that senate amendment 24 be placed after senate amendment 42.

The question was: Shall senate amendment 24 be placed after senate amendment 42?

By request of Senator Bear, with unanimous consent, he withdrew his motion to place senate amendment 24 after senate amendment 42.

The question was: Rejection of senate amendment 24 to **Assembly Bill 1180**?

The ayes and noes were demanded and the vote was: ayes, 8; noes, 24; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Braun, Chilsen, Frank, Kleczka, Krueger, Maurer and Offner -- 8.

Noes -- Senators Bablitch, Bear, Berger, Bidwell, Cullen, Flynn, Goyke, Hanaway, Harnisch, Johnston, Kreul, Lasee, Lorge, McCallum, Moody, Opitz, Radosevich, Risser, Roshell, Strohm, Swan, Theno, Thompson and Van Sistine -- 24.

Absent or not voting -- None.

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 24 was laid on the table.

The question was: Adoption of senate amendment 25?

Senator Bablitch moved rejection of senate amendment 25.

The question was: Rejection of senate amendment 25?

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By request of Senator Strohl, with unanimous consent, senate amendment 25 was returned to the author.

The question was: Adoption of senate amendment 26?

Senator Bablitch moved rejection of senate amendment 26.

The question was: Rejection of senate amendment 26?

By request of Senator Kleczka, with unanimous consent, senate amendment 26 was placed after senate amendment 33.

The question was: Adoption of senate amendment 27?

Senator Flynn moved rejection of senate amendment 27.

The question was: Rejection of senate amendment 27?

By request of Senator Johnston, with unanimous consent, senate amendment 27 was returned to the author.

The question was: Adoption of senate amendment 28?

Senator Flynn moved rejection of senate amendment 28.

The question was: Rejection of senate amendment 28?

The motion prevailed.

The question was: Adoption of senate amendment 29?

Senator Flynn moved rejection of senate amendment 29.

The question was: Rejection of senate amendment 29?

The motion prevailed.

The question was: Adoption of senate amendment 30?

Senator Flynn moved rejection of senate amendment 30.

The question was: Rejection of senate amendment 30?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 12; absent or not voting, 0; as follows:

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

Noes -- Senators Adelman, Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasec, Lorge, McCallum, Opitz and Theno -- 12.

Absent or not voting -- None.

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So the motion prevailed.

The question was: Adoption of senate amendment 31?

By request of Senator Bablitch, with unanimous consent, senate amendment 31 was laid on the table.

The question was: Adoption of senate amendment 32?

Senator Flynn moved rejection of senate amendment 32.

The question was: Rejection of senate amendment 32?

So the motion prevailed.

The question was: Adoption of senate amendment 33?

Senator Flynn moved rejection of senate amendment 33.

The question was: Rejection of senate amendment 33?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 12; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bear, Berger, Braun, Cullen, Frank, Goyke, Kleczka, Krueger, Lorge, Moody, Offner, Opitz, Radosovich, Strohl, Swan, Theno, Thompson and Van Sistine -- 19.

Noes -- Senators Bablitch, Bidwell, Chilsen, Flynn, Hanaway, Harnisch, Johnston, Kreul, Lasee, McCallum, Risser and Roshell -- 12.

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

So the motion prevailed.

The question was: Rejection of senate amendment 26?

Senator Flynn in the chair.

1:15 P.M.

The question was: Rejection of senate amendment 26?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Chilsen, Cullen, Flynn, Frank, Harnisch, Kleczka, Maurer, Moody, Offner, Radosovich, Risser, Strohl, Swan, Thompson and Van Sistine -- 20.

Noes -- Senators Bidwell, Goyke, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz, Roshell and Theno -- 12.

Absent or not voting -- None.

So the motion prevailed.

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The question was: Adoption of senate amendment 34?

Senator Bablitch moved rejection of senate amendment 34.

The question was: Rejection of senate amendment 34?

So the motion prevailed.

The question was: Adoption of senate amendment 35?

Senator Bablitch moved rejection of senate amendment 35.

The question was: Rejection of senate amendment 35?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 14; absent or not voting, 2; as follows:

Ayes -- Senators Bear, Berger, Bidwell, Frank, Goyke, Harnisch, Kleczka, Maurer, Offner, Opitz, Radosevich, Roshell, Strohl, Swan, Theno and Van Sistine -- 16.

Noes -- Senators Adelman, Bablitch, Braun, Chilsen, Cullen, Flynn, Hanaway, Johnston, Kreul, Lasee, Lorge, McCallum, Moody and Risser -- 14.

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

So the motion prevailed.

The question was: Adoption of senate amendment 36?

Senator Bablitch moved rejection of senate amendment 36.

The question was: Rejection of senate amendment 36?

By request of Senator Johnston, with unanimous consent, senate amendment 36 was returned to the author.

The question was: Adoption of senate amendment 37?

Senator Bablitch moved rejection of senate amendment 37.

The question was: Rejection of senate amendment 37?

By request of Senator McCallum, with unanimous consent, he was made a co-author of senate amendment 37.

The question was: Rejection of senate amendment 37?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 13; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Frank, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan and Van Sistine -- 17.

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Noes -- Senators Bidwell, Chilsen, Flynn, Goyke, Hanaway, Harnisch, Johnston, Kreul, Lasee, Lorge, McCallum, Opitz and Theno -- 13.

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

So the motion prevailed.

The question was: Adoption of senate amendment 38?

Senator Kleczka moved rejection of senate amendment 38.

The question was: Rejection of senate amendment 38?

The motion prevailed.

The question was: Adoption of senate amendment 39?

Senator Bablitch moved rejection of senate amendment 39.

The question was: Rejection of senate amendment 39?

By request of Senator Kreul, with unanimous consent, senate amendment 39 was returned to the author.

The question was: Adoption of senate amendment 40?

Senator Bablitch moved rejection of senate amendment 40.

The question was: Rejection of senate amendment 40?

### QUORUM CALL

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

Absent -- None.

Absent with leave -- Senators Bear, Krueger and Thompson -- 3.

The question was: Rejection of senate amendment 40?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 13; absent or not voting, 1; as follows:



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Ayes -- Senators Bablitch, Berger, Braun, Cullen, Flynn, Frank, Goyke, Kleczka, Lorge, McCallum, Maurer, Moody, Offner, Radosevich, Risser, Swan, Thompson and Van Sistine -- 18.

Noes -- Senators Adelman, Bear, Bidwell, Chilsen, Hanaway, Harnisch, Johnston, Kreul, Lasee, Opitz, Roshell, Strohl and Theno -- 13.

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

So the motion prevailed.

The question was: Adoption of senate amendment 14?

Senator Bablitch moved rejection of senate amendment 14.

The question was: Rejection of senate amendment 14?

The motion prevailed.

The question was: Adoption of senate amendment 41?

Senator Bablitch moved rejection of senate amendment 41.

The question was: Rejection of senate amendment 41?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Bear, Berger, Braun, Cullen, Flynn, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 19.

Noes -- Senators Adelman, Bidwell, Chilsen, Frank, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz and Theno -- 13.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 42?

Senator Bablitch moved rejection of senate amendment 42.

The question was: Rejection of senate amendment 42?

The motion prevailed.

Senate amendment 1 to senate amendment 43 offered by Senators Hanaway and Bear.

The question was: Adoption of senate amendment 1 to senate amendment 43?

Senator Bablitch moved rejection of senate amendment 43.

The question was: Rejection of senate amendment 43?

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The ayes and noes were demanded and the vote was: ayes, 9; noes, 21; absent or not voting, 2; as follows:

Ayes -- Senators Berger, Braun, Cullen, Frank, Kleczka, Offner, Strohl, Swan and Van Sistine -- 9.

Noes -- Senators Adelman, Bablitch, Bear, Bidwell, Chilsen, Flynn, Goyke, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz, Radosevich, Risser, Roshell, Theno and Thompson -- 21.

Absent or not voting -- Senators Maurer and Moody -- 2.

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 43 was laid on the table.

The question was: Adoption of senate amendment 44?

Senator Bablitch moved rejection of senate amendment 44.

The question was: Rejection of senate amendment 44?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 15; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Kleczka, Moody, Offner, Risser, Roshell, Strohl, Swan and Thompson -- 16.

Noes -- Senators Bidwell, Chilsen, Goyke, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz, Radosevich, Theno and Van Sistine -- 15.

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

So the motion prevailed.

The question was: Adoption of senate amendment 45?

Senator Bablitch moved rejection of senate amendment 45.

The question was: Rejection of senate amendment 45?

The ayes and noes were demanded and the vote was: ayes, 18 noes, 13; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Kleczka, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 18.

Noes -- Senators Bidwell, Chilsen, Goyke, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz and Theno -- 13.

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

So the motion prevailed.

The question was: Adoption of senate amendment 46?

Senātor Bablitch moved rejection of senate amendment 46.

The question was: Rejection of senate amendment 46?

The president of the senate in the chair.

2:20 P.M.

The question was: Rejection of senate amendment 46?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 16; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Braun, Flynn, Goyke, Harnisch, Kleczka, Moody, Offner, Radosевич, Risser, Strohl, Swan, Thompson and Van Sistine -- 15.

Noes -- Senators Adelman, Bear, Bidwell, Chilsen, Cullen, Frank, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz, Roshell and Theno -- 16.

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

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, senate amendment 46 was laid on the table.

The question was: Adoption of senate amendment 47?

Senator Flynn moved rejection of senate amendment 47.

The question was: Rejection of senate amendment 47?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 12; absent or not voting, 4; as follows:

Ayes -- Senators Adelman, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Offner, Radosевич, Risser, Roshell, Strohl, Thompson and Van Sistine -- 16.

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

Absent or not voting -- Senators Bablitch, Bear, Maurer and Moody -- 4.

So the motion prevailed.

The question was: Adoption of senate amendment 48?

Senator Flynn moved rejection of senate amendment 48.

The question was: Rejection of senate amendment 48?

The motion did not prevail.

By request of Senator Flynn, with unanimous consent, senate amendment 48 was laid on the table.

The question was: Adoption of senate amendment 49 to **Assembly Bill 1180?**

Senator Flynn moved rejection of senate amendment 49.

The question was: Rejection of senate amendment 49?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 12; absent or not voting, 5; as follows:

Ayes -- Senators Bablitch, Berger, Braun, Flynn, Goyke, Kleczka, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 15.

Noes -- Senators Adelman, Bidwell, Frank, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz and Theno -- 12.

Absent or not voting -- Senators Bear, Chilsen, Cullen, Harnisch and Maurer -- 5.

So the motion prevailed.

The question was: Adoption of senate amendment 50?

Senator Flynn moved rejection of senate amendment 50.

The question was: Rejection of senate amendment 50?

By request of Senator Moody, with unanimous consent, the journal showed he would have voted with the majority on rejection of senate amendment 43.

By request of Senator Thompson, with unanimous consent, the journal showed he would have voted with the majority on rejection of senate amendments 35 and 37.

The question was: Rejection of senate amendment 50?

The motion prevailed.

The question was: Adoption of senate amendment 51?

Senator Flynn moved rejection of senate amendment 51.

The question was: Rejection of senate amendment 51?

The motion prevailed.

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**The question was: Adoption of senate amendment 52?**

**Senator Flynn moved rejection of senate amendment 52.**

**The question was: Rejection of senate amendment 52?**

**The ayes and noes were demanded and the vote was: ayes, 20; noes, 11; absent or not voting, 1; as follows:**

**Ayes -- Senators Bablitch, Bear, Berger, Braun, Cullen, Goyke, Harnisch, Kleczka, Krueger, Lasee, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 20.**

**Noes -- Senators Adelman, Bidwell, Chilsen, Flynn, Frank, Hanaway, Johnston, Kreul, Lorge, McCallum and Opitz -- 11.**

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

**So the motion prevailed.**

**The question was: Adoption of senate amendment 53?**

**By request of Senator Adelman, with unanimous consent, senate amendments 53 and 54 were returned to the author.**

**The question was: Adoption of senate amendment 55?**

**Senator Flynn moved rejection of senate amendment 55.**

**The question was: Rejection of senate amendment 55?**

**The motion prevailed.**

**The question was: Adoption of senate amendment 56?**

**Senator Flynn moved rejection of senate amendment 56.**

**The question was: Rejection of senate amendment 56?**

**By request of Senator Theno, with unanimous consent, senate amendments 56 and 57 were placed after senate amendment 91.**

**The question was: Adoption of senate amendment 58?**

**Senator Flynn moved rejection of senate amendment 58.**

**The question was: Rejection of senate amendment 58?**

**The ayes and noes were demanded and the vote was: ayes, 19; noes, 11; absent or not voting, 2; as follows:**

**Ayes -- Senators Adelman, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 19.**

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

Absent or not voting -- Senators Bablitch and Maurer -- 2.

So the motion prevailed.

The question was: Adoption of senate amendment 59?

By request of Senator Flynn, with unanimous consent, he was made a co-author of senate amendment 59 to **Assembly Bill 1180**.

Senator Flynn moved rejection of senate amendment 59.

The question was: Rejection of senate amendment 59?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 16; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Bear, Berger, Braun, Cullen, Kleczka, Moody, Offner, Radosevich, Risser, Strohl, Swan, Thompson and Van Sistine -- 14.

Noes -- Senators Adelman, Bidwell, Chilsen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kreul, Lasee, Lorge, McCallum, Opitz, Roshell and Theno -- 16.

Absent or not voting -- Senators Krueger and Maurer -- 2.

So the motion did not prevail.

By request of Senator Flynn, with unanimous consent, senate amendment 59 was laid on the table.

The question was: Adoption of senate amendment 60?

By request of Senator McCallum, with unanimous consent, he was made a co-author of senate amendment 60.

By request of Senator Goyke, with unanimous consent, senate amendment 60 was returned to the author.

The question was: Adoption of senate amendment 61?

Senator Bablitch moved rejection of senate amendment 61.

The question was: Rejection of senate amendment 61?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 13; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Flynn, Goyke, Harnisch, Kleczka, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan and Van Sistine -- 17.

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Noes -- Senators Bidwell, Chilsen, Cullen, Frank, Hanaway, Johnston, Krcul, Lasee, Lorge, McCallum, Opitz, Theno and Thompson -- 13.

Absent or not voting -- Senators Krueger and Maurer -- 2.

So the motion prevailed.

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### SENATE CLEARINGHOUSE RULES

The committee on Natural Resources and Tourism reports and recommends:

#### **Clearinghouse Rule 79-33**

A rule to create NR 65.07(2), 65.08(4) and 65.09, relating to motorcycle recreation program.

Submitted by Department of Natural Resources.

No action taken.

#### **Clearinghouse Rule 79-34**

A rule to amend NR 50.04(4)(e) and 50.05(11); repeal and recreate NR 50.05(14)(m), 50.09, 50.10 and 50.11; and to create NR 50.02(7) and (8), 50.15 and 50.15, relating to administration of outdoor recreation program grants.

Submitted by Department of Natural Resources.

No action taken.

#### **Clearinghouse Rule 80-40**

A rule to create Ch. NR 129, relating to flood plain and shoreland mapping assistance program.

Submitted by Department of Natural Resources.

No action taken.

THOMAS W. HARNISCH

Chair

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### AMENDMENTS OFFERED

Senate amendment 89 to **Assembly Bill 1180** by Senator Adelman, by request of the Revisor of Statutes.

Senate amendment 90 to **Assembly Bill 1180** by Senators Thompson, Kleczka and Krueger.

Senate amendment 91 to **Assembly Bill 1180** by Senators Theno and Frank.

Senate amendment 92 to **Assembly Bill 1180** by Senator Chilsen.

Senate amendment 93 to **Assembly Bill 1180** by Senator Theno.

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Senate amendment 94 to **Assembly Bill 1180** by Senators Cullen, Bidwell, Krueger, Risser, Bear and Thompson.

Senate amendment 95 to **Assembly Bill 1180** by Senators Risser, Flynn, Bablitch and Kleczka.

Senate amendment 96 to **Assembly Bill 1180** by Senators Risser, Bablitch, Flynn and Kleczka.

Senate amendment 1 to senate amendment 72 to **Assembly Bill 1180** by Senator Bear.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Saturday, March 29.

3:05 P.M.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Bill 535**

1. On page 53, line 18, delete "economic".

**Senate Bill 535**, senate substitute amendment 1

1. On page 52, line 5, delete "economic".

**Assembly Bill 1180**, assembly amendment 260 to assembly substitute amendment 1

1. On page 39, line 18, after "July 1", insert ", 1980,".
2. On page 55, line 2, delete "and SECTION" and substitute "section".
3. On page 55, line 3, substitute "by" for "of".