

STATE OF WISCONSIN

Senate Journal

Eighty-Fifth Regular Session

THURSDAY, October 22, 1981.

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, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

The senate stood for a moment of silent prayer.

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 629

Relating to special death benefits for law enforcement and correctional officers, fire fighters and rescue squad members, and making an appropriation.

By Senators Opitz and McCallum; cosponsored by Representatives Porter, Matty, Donoghue and Panzer.

To committee on Labor, Government, Veterans Affairs and Tourism.

Senate Bill 630

Relating to the definition of sexual intercourse.

By Legislative Council.

To committee on Judiciary and Consumer Affairs.

Senate Bill 631

Relating to awarding costs to business entities sued by state agencies.

By Senators Opitz, Kreul, Johnston, Harsdorf, Lasee, Chilsen, Goyke, Engeleiter, Theno, McCallum, Krueger, Bidwell, Hanaway and Lorman; cosponsored by Representatives Thompson, Hopkins, Luckhardt, Ellis, Jaronitzky, Young, Lewison, Medinger, Porter, Donoghue, Ladwig, Duren, Robertson, Stitt, Matty, Harer, Merkt, Bradley, Dilweg, Berndt, Alberts, Tregoning, Schneiders, Goodrich, **Nelsen** De Long, Shabaz, McEwen, Quackenbush and Schmidt, by request of Governor's Conference on Small Business.

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

COMMITTEE REPORTS

The committee on Human Services reports and recommends for introduction:

Senate Bill 632

Relating to referrals to hospitals by chiropractors for outpatient services.

Introduction:

Ayes, 4 -- Senators Thompson, Strohl, Offner and Theno;

Noes, 0 -- None.

Read first time and referred to committee on Human Services.

CARL W. THOMPSON

Chair

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

Senate Bill 633

Relating to revising the weight limits for vehicles, establishing fees for certain single trip permits, permitting backhaul permits and creating a penalty.

By request of the Department of Transportation.

Introduction:

Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell, Engeleiter and Cullen;

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Noes, 0 -- None.

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

TIM CULLEN
Chair

The special committee on Reapportionment reports and recommends:

Assembly Bill 616

Relating to congressional districts.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Bablitch, Berger, Thompson, Chilsen and Engeleiter;

Noes, 1 -- Senator Theno.

Introduction and adoption of senate amendment 2:

Ayes, 6 -- Senators Bablitch, Berger, Thompson, Chilsen, Theno and Engeleiter;

Noes, 0 -- None.

Adoption of senate substitute amendment 1:

Ayes, 3 -- Senators Chilsen, Theno and Engeleiter;

Noes, 3 -- Senators Bablitch, Berger and Thompson.

Without Recommendation.

Concurrence as amended:

Ayes, 3 -- Senators Bablitch, Berger and Thompson;

Noes, 3 -- Senators Chilsen, Theno and Engeleiter.

Without Recommendation.

WILLIAM A. BABLITCH
Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Bill 556

Relating to limiting when a person can kill a dog as a restraining action, revising liability for damage caused by a dog, allowing money to be paid to specified organizations from the dog license fund and revising penalties.

Introduction and adoption of senate substitute amendment 1:

Ayes, 4 -- Senators Adelman, Braun, George and Johnston;

Noes, 0 -- None.

Passage as amended:

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Ayes, 4 -- Senators Adelman, Braun, George and Johnston;
Noes, 0 -- None.

Assembly Bill 93

Relating to the accumulation of interest in irrevocable burial trusts.

Concurrence:

Ayes, 4 -- Senators Adelman, Braun, George and Johnston;
Noes, 0 -- None.

LYNN S. ADELMAN
Chair

The committee on Energy reports and recommends:

Assembly Joint Resolution 70

Memorializing Congress and the President to seek the dismissal of the Secretary of the Interior, James G. Watt.

Concurrence:

Ayes, 4 -- Senators Strohl, Harnisch, Berger and Lorman;
Noes, 0 -- None.

JOE STROHL
Chair

The committee on Human Services reports and recommends:

Senate Bill 281

Relating to exempting from cosmetology statutes services performed without compensation.

Passage:

Ayes, 2 -- Senators Theno and Offner;
Noes, 1 -- Senator Strohl.

Assembly Bill 111

Relating to authorizing the dentistry examining board to sanction a dentist or dental hygienist for incompetence, negligence or overbilling and increasing staff assigned to the dentistry examining board.

Concurrence:

Ayes, 4 -- Senators Thompson, Strohl, Offner, Theno;
Noes, 0 -- None.

CARL W. THOMPSON
Chair

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The committee on State and Local Affairs and Taxation reports and recommends:

Senate Bill 581

Relating to various matters concerning the preservation and restoration of historic buildings and properties, creating a historic building code council and granting rule-making authority.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Adelman, Berger, Hanaway, Lasee and Moody;

Noes, 1 -- Senator Van Sistine.

Passage as amended:

Ayes, 5 -- Senators Adelman, Berger, Hanaway, Lasee and Moody;

Noes, 1 -- Senator Van Sistine.

JAMES P. MOODY

Chair

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

Senate Bill 150

Relating to changes in the regulation of motor carriers and granting rule-making authority.

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

Ayes, 6 -- Senators Roshell, Moody, Maurer, Bidwell, Engeleiter and Cullen;

Noes, 1 -- Senator Goyke.

Adoption of senate substitute amendment 1 as amended:

Ayes, 4 -- Senators Roshell, Moody, Maurer and Engeleiter;

Noes, 3 -- Senators Goyke, Bidwell and Cullen.

Passage as amended:

Ayes, 4 -- Senator Roshell, Moody, Maurer and Engeleiter;

Noes, 3 -- Senators Goyke, Bidwell and Cullen.

Senate Bill 314

Relating to filing and recording corporate and cooperative documents.

Introduction and adoption of senate amendment 1:

Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell, Engeleiter and Cullen;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell, Engeleiter and Cullen;

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Noes, 0 -- None.

Senate Bill 374

Relating to authorization to relocate a bank's principal office and to continue to operate the former principal office as a branch under certain circumstances.

Passage:

Ayes, 5 -- Senators Roshell, Moody, Maurer, Bidwell and Cullen;

Noes, 2 -- Senators Goyke and Engeleiter.

Senate Bill 533

Relating to raising the legal age to 19 for drinking and obtaining retail beer and liquor licenses and providing a penalty.

Passage:

Ayes, 5 -- Senators Roshell, Maurer, Bidwell, Engeleiter and Cullen;

Noes, 2 -- Senators Goyke and Moody.

Senate Bill 551

Relating to notice and local regulation of condominium conversions, protection of older and handicapped persons affected by condominium conversions, notice to condominium unit purchasers and condominium construction warranties.

Introduction and adoption of senate amendment 1:

Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell, Engeleiter and Cullen;

Noes, 0 -- None.

Introduction and adoption of senate amendment 2:

Ayes, 6 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell and Cullen;

Noes, 1 -- Senator Engeleiter.

Passage as amended:

Ayes, 6 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell and Cullen;

Noes, 1 -- Senator Engeleiter.

Senate Bill 588

Relating to authorizing licensed sellers of checks to use 'bank', 'savings bank' or 'banker' on checks sold in this state.

Introduction and adoption of senate substitute amendment 1:

Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell, Engeleiter and Cullen;

Noes, 0 -- None.

Passage as amended:

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Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell,
Engeleiter and Cullen;

Noes, 0 -- None.

Assembly Bill 166

Relating to cutting, removing and transporting firewood and
revising penalties.

Concurrence:

Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell,
Engeleiter and Cullen;

Noes, 0 -- None.

Assembly Bill 368

Relating to failure to stop at the scene of an accident and revising
the penalties.

Concurrence:

Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell,
Engeleiter and Cullen;

Noes, 0 -- None.

Assembly Bill 570

Relating to permitting persons over 70 years of age to obtain a
school bus operators license.

Concurrence:

Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell,
Engeleiter and Cullen;

Noes, 0 -- None.

TIM CULLEN

Chair

The committee on Labor, Government, Veterans Affairs and
Tourism reports and recommends:

Senate Bill 269

Relating to increasing general obligation, reducing revenue
obligation and eliminating convertible obligation bonding
authorization for veterans' housing loans.

Passage:

Ayes, 4 -- Senators Van Sistine, Cullen, Frank and Kreul;

Noes, 0 -- None.

Senate Bill 204

Relating to employment discrimination.

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

Ayes, 4 -- Senators Van Sistine, Cullen, Frank and Kreul;

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Noes, 0 -- None.

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

Ayes, 4 -- Senators Van Sistine, Cullen, Frank and Kreul;

Noes, 0 -- None.

Adoption of senate substitute amendment 1 as amended:

Ayes, 2 -- Senators Cullen and Frank;

Noes, 2 -- Senators Van Sistine and Kreul.

Without recommendation.

Passage as amended:

Ayes, 2 -- Senators Cullen and Frank;

Noes, 2 -- Senators Van Sistine and Kreul.

Without recommendation.

Senate Bill 625

Relating to revising the worker's compensation laws and making an appropriation.

Introduction and adoption of senate amendment 1:

Ayes, 4 -- Senators Van Sistine, Cullen, Frank and Kreul;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Van Sistine, Cullen, Frank and Kreul;

Noes, 0 -- None.

JEROME VAN SISTINE

Chair

The joint committee for Review of Administrative Rules reports and recommends:

Senate Bill 66

Relating to awarding attorneys fees in employment discrimination hearings before the personnel commission.

Adoption of senate amendment 1 to senate substitute amendment 1:

Ayes, 10 -- Senators Berger, Goyke, Harnisch, George and Kreul, Representatives Rogers, Wagner, Helbach, Crawford and Thompson;

Noes, 0 -- None.

Adoption of senate substitute amendment 1 as amended:

Ayes, 10 -- Senators Berger, Goyke, Harnisch, George and Kreul, Representatives Rogers, Wagner, Helbach, Crawford and Thompson;

Noes, 0 -- None.

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Passage as amended:

Ayes, 10 -- Senators Berger, Goyke, Harnisch, George and Kreul, Representatives Rogers, Wagner, Helbach, Crawford and Thompson;

Noes, 0 -- None.

Senate Bill 417

Relating to abolishing the public records board, creating a forms control and records management board, granting rule-making authority and making an appropriation.

Introduction of senate substitute amendment 2:

Ayes, 8 -- Senators Berger, Goyke, Harnisch and Kreul, Representatives Rogers, Wagner, Helbach and Thompson;

Noes, 2 -- Senator George and Representative Crawford.

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

Ayes, 8 -- Senators Berger, Goyke, Harnisch and Kreul, Representatives Rogers, Wagner, Helbach and Thompson;

Noes, 2 -- Senator George and Representative Crawford.

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

Ayes, 8 -- Senators Berger, Goyke, Harnisch and Kreul, Representatives Rogers, Wagner, Helbach and Thompson;

Noes, 2 -- Senator George and Representative Crawford.

Adoption of senate substitute amendment 2 as amended:

Ayes, 8 -- Senators Berger, Goyke, Harnisch and Kreul, Representatives Rogers, Wagner, Helbach and Thompson;

Noes, 2 -- Senator George and Representative Crawford.

Passage as amended:

Ayes, 8 -- Senators Berger, Goyke, Harnisch and Kreul, Representatives Rogers, Wagner, Helbach and Thompson;

Noes, 2 -- Senator George and Representative Crawford.

Senate Bill 523

Relating to special consideration for individuals, small businesses and small organizations in agency rule making, and granting rule-making authority.

Introduction and adoption of senate amendment 1:

Ayes, 7 -- Senators Berger, Goyke, George and Kreul, Representatives Rogers, Wagner and Thompson;

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Noes, 1 -- Representative Crawford.

Introduction and adoption of senate amendment 2:

Ayes, 8 -- Senators Berger, Goyke, George and Kreul,
Representatives Rogers, Wagner, Crawford and
Thompson;

Noes, 0 -- None.

Introduction and adoption of senate amendment 3:

Ayes, 6 -- Senators Berger, Harnisch and George,
Representatives Rogers, Helbach and Crawford;

Noes, 4 -- Senators Goyke and Kreul, Representatives Wagner
and Thompson.

Introduction and adoption of senate amendment 4:

Ayes, 8 -- Senators Berger, Harnisch, George and Kreul,
Representatives Rogers, Wagner, Helbach and Crawford;

Noes, 2 -- Senator Goyke and Representative Thompson.

Passage as amended:

Ayes, 8 -- Senators Berger, Harnisch and George,
Representatives Rogers, Wagner, Helbach, Crawford and
Thompson;

Noes, 2 -- Senators George and Kreul.

Senate Bill 524

Relating to requiring employe disclosure of improper activities in governmental units and prohibiting retaliation because of such disclosure, granting rule-making authority and making an appropriation.

Introduction of senate substitute amendment 1:

Ayes, 10 -- Senators Berger, Goyke, Harnisch, George and
Kreul, Representatives Rogers, Wagner, Helbach,
Crawford and Thompson;

Noes, 0 -- None.

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

Ayes, 10 -- Senators Berger, Goyke, Harnisch, George and
Kreul, Representatives Rogers, Wagner, Helbach,
Crawford and Thompson;

Noes, 0 -- None.

Adoption of senate substitute amendment 1 as amended:

Ayes, 10 -- Senators Berger, Goyke, Harnisch, George and
Kreul, Representatives Rogers, Wagner, Helbach,
Crawford and Thompson;

Noes, 0 -- None.

Passage as amended:

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Ayes, 10 -- Senators Berger, Goyke, Harnisch, George and Kreul, Representatives Rogers, Wagner, Helbach, Crawford and Thompson;

Noes, 0 -- None.

Senate Bill 525

Relating to creation of the governor's budget office.

Adoption of senate substitute amendment 1:

Ayes, 9 -- Senators Berger, Goyke, Harnisch, George and Kreul, Representatives Rogers, Wagner, Helbach and Crawford;

Noes, 1 -- Representative Thompson.

Passage as amended:

Ayes, 9 -- Senators Berger, Goyke, Harnisch, George and Kreul, Representatives Rogers, Wagner, Helbach and Crawford;

Noes, 1 -- Representative Thompson.

DAVID G. BERGER
Co-Chair

WILLIAM J. ROGERS
Co-Chair

MESSAGE FROM THE ASSEMBLY

By David R. Kedrowski, chief clerk.

Mr. President:

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

Assembly Bill 22
Assembly Bill 45
Assembly Bill 246
Assembly Bill 248
Assembly Bill 350
Assembly Bill 363
Assembly Bill 364
Assembly Bill 459
Assembly Bill 573
Assembly Bill 680
Assembly Bill 668

Adopted and asks concurrence in:

Assembly Joint Resolution 67
Assembly Joint Resolution 78

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Concurred in:

Senate Bill 282

Senate Bill 358

Assembly Joint Resolution 8, senate amendment 1

Assembly Joint Resolution 61, senate amendments 1 and 2

Assembly Bill 17, senate substitute amendment 1

Assembly Bill 85, senate amendments 1 and 2

Assembly Bill 300, senate amendments 2, 3 and 4

Concurred in as amended:

Senate Bill 185, assembly amendments 1, 6 and 7

Senate Bill 411, assembly amendment 1

Senate Bill 567, assembly amendment 1

Assembly Bill 324, assembly amendments 1, 2 and 3 to senate amendment 1

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 67

Relating to proclaiming October 31, 1981, UNICEF Day.

By Representatives Coggs, Leopold, Miller, Neubauer, Crawford, Wagner, Lee, Metz, Ulichny, Munts, Czarnecki, Flintrop, Nelsen, Kirby, Williams, Norquist, Gerlach, Schneiders, Becker and Tesmer, co-sponsored by Senators George, Frank, McCallum, Offner, Flynn, Berger, Braun, Moody, Lorman, Goyke, Van Sistine and Risser.

Read and referred to committee on Labor, Government, Veterans Affairs and Tourism.

Assembly Bill 364

Relating to prohibiting investment of public funds in stocks and obligations of labor law violators.

By Representatives Plewa, Becker, Behnke, Otte, Robinson, Norquist, Kunicki, Wagner, Smith, Clarenbach, Lee, Crawford, Rutkowski and Gerlach.

Read first time and referred to committee on Labor, Government, Veterans Affairs and Tourism.

Assembly Bill 246

Relating to disclosure of information related to parents whose rights have been terminated and granting rule-making authority.

By Representatives Leopold, DeLong, Becker, Thompson, Plous, Medinger, Ladwig, Johnson, Rutkowski, Luckhardt, Behnke,

Gerlach, Flintrop and Jackamonis, co-sponsored by Senator Adelman.

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

Assembly Bill 350

Relating to various changes in the statutes concerning the veterinary examining board.

By Representatives Everson, Laatsch, Paulson, Crawford, Dilweg and Broydrick, co-sponsored by Senator Thompson.

Read first time and referred to committee on Human Services.

Assembly Bill 573

Relating to assessment for private sewage system maintenance.

By Representatives Munts, Rooney and McEwen, co-sponsored by Senators Maurer and Thompson.

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

Assembly Bill 248

Relating to a school board's obligation to provide transportation for pupils attending private school.

By Representatives Wagner, Kincaid, Rogers, Plewa, Tuczynski, Vanderperren, Schmidt, Behnke, Byers, Helbach, Otte and Gerlach, co-sponsored by Senators Cullen and Maurer.

Read first time and referred to committee on Education and State Institutions.

Assembly Bill 363

Relating to motor vehicles used by public or nonpublic schools for driver's education and creating a penalty.

By Representatives Plewa, Norquist, Kunicki, Wagner, Smith and Gerlach.

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

Assembly Bill 459

Relating to special identification cards for organizations that transport disabled persons.

By Representatives Helbach, Behnke, Shoemaker, Duren, Plous, Crawford, Williams, Otte, Metz, Miller, Smith, Ulichny, Gerlach, Norquist, Jackamonis, Prosser, Coggs, Leopold, Donoghue, R. Travis, McEwen and Lee, co-sponsored by Senators Braun, Cullen, Harnisch, Roshell, Chilsen, Frank, Van Sistine and Bablitch.

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

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Assembly Bill 680

Relating to the penalty for operating a motor vehicle while the operator's license is revoked under the habitual traffic offenders law.

By Representatives Vanderperren, Swoboda, Andrea and Smith.

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

Assembly Bill 22

Relating to agricultural statistics.

By Representatives Potter, Vanderperren, Hasenohrl and Andrea.

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

Assembly Bill 45

Relating to exempting interspousal transfers from inheritance taxes.

By Representatives Swoboda, Andrea, Vanderperren, Menos, Hauke, Porter, Duren, Tesmer, Hasenohrl, Conradt, Schneider, Tregoning, Byers, Everson, Murray, Helbach, Rogers, Smith, Donoghue, Merkt, Laatsch, Ladwig, Lewison, Bradley, Harer, Klicka, R. Travis, Larson, Thompson and Wagner, co-sponsored by Senator Van Sistine.

Read first time and referred to committee on State and Local Affairs and Taxation.

Assembly Bill 668

Relating to beer and liquor wholesalers' interest in retail premises.

By Representatives Bradley, Dorff, Conradt, Byers and Paulson.

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

Assembly Joint Resolution 78

Relating to Louis V. Mato.

By Representatives Robertson, Shoemaker, Larson and Looby, co-sponsored by Senators Harnisch and Roshell.

Read and referred to committee on Senate Organization.

By request of Senator Lasee, with unanimous consent, the senate recessed until 10:29 A.M.

9:20 A.M.

RECESS

10:29 A.M.

The senate reconvened.

Senator Flynn in the chair.

CALENDAR OF OCTOBER 22

Senate Bill 128

Relating to changes in statutes regulating franchises and the offer or sale of franchises and granting rule-making authority.

Read.

Senate amendment 1 to assembly amendment 1 offered by Senator Adelman, by request of Commissioner of Securities.

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

Adopted.

The question was: Shall the amendment be concurred in?

Concurred in as amended.

Senate Joint Resolution 23

Relating to urging the President of the United States and the members of the U.S. Congress to halt United States military aid to the government of El Salvador.

Read.

Adopted.

Senate Bill 297

Relating to discrimination by insurers issuing or renewing motor vehicle liability policies.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Goyke moved indefinite postponement of the bill.

The question was: Shall **Senate Bill 297** be indefinitely postponed?

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

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Ayes -- Senators Bablitch, Bidwell, Chilsen, Engeleiter, Frank, Goyke, Hanaway, Harsdorf, Johnston, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum, Opitz, Roshell, Theno and Van Sistine -- 19.

Noes -- Senators Adelman, Berger, Braun, Cullen, Flynn, George, Maurer, Moody, Offner, Risser, Strohl and Thompson -- 12.

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

So the motion prevailed.

Senate Bill 300

Relating to regulation of fireworks and changing penalties.

Read a second time.

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

Senator Goyke moved that the bill be indefinitely postponed.

The question was: Shall **Senate Bill 300** be indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Cullen, Engeleiter, Frank, Goyke, Hanaway, Harsdorf, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz, Roshell, Theno, Thompson and Van Sistine -- 17.

Noes -- Senators Adelman, Berger, Bidwell, Braun, Chilsen, Flynn, George, Johnston, Kleczka, Lorman, Maurer, Moody, Offner, Risser and Strohl -- 15.

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

So the motion prevailed.

Senator Lorge moved reconsideration of the vote by which **Senate Bill 300** was indefinitely postponed.

The question was: Reconsideration of the vote by which **Senate Bill 300** was indefinitely postponed?

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

Ayes -- Senators Adelman, Berger, Bidwell, Braun, Chilsen, Flynn, George, Hanaway, Johnston, Kleczka, Lorman, Maurer, Moody, Offner, Risser, Strohl and Thompson -- 17.

Noes -- Senators Bablitch, Cullen, Engeleiter, Frank, Goyke, Harnisch, Harsdorf, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz, Roshell, Theno and Van Sistine -- 16.

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Absent or not voting -- None.

So the motion prevailed.

By request of Senator Goyke, with unanimous consent, **Senate Bill 300** was placed at the foot of the calendar.

By request of Senator Bablitch, with unanimous consent, the senate recessed until 3:00 P.M.

12:19 P.M.

RECESS

3:00 P.M.

The senate reconvened.

The president of the senate in the chair.

QUORUM CALL

Senator Berger 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, Flynn, Frank, George, Goyke, Harnisch, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Moody, Opitz, Risser, Roshell, Strohl, Theno and Van Sistine -- 26.

Absent -- Senators Cullen, Engeleiter, Hanaway, Kleczka, Maurer, Offner and Thompson -- 7.

Absent with leave -- None.

Senate Bill 501

Relating to creating a metropolitan sewerage commission, increasing the financing powers of the commission and providing for the appointment of commissioners.

Read a second time.

By request of Senator Chilsen, with unanimous consent, Senator Hanaway was granted a leave of absence until 4:00 P.M.

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

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By request of Senator Flynn, with unanimous consent, senate amendment 1 to senate substitute amendment 1 was placed after senate amendment 13 to senate substitute amendment 1.

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

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

By request of Senator Moody, with unanimous consent, senate amendment 2 to senate substitute amendment 1 was placed after senate amendment 9 to senate substitute amendment 1.

Senate amendment 3 to senate substitute amendment 1 offered by Senator Moody.

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

Adopted.

Senate amendments 4 and 5 to senate substitute amendment 1 offered by Senator Moody.

By request of Senator Moody, with unanimous consent, senate amendments 4 and 5 to senate substitute amendments 1 were placed after senate amendment 6 to senate substitute amendment 1.

Senate amendment 6 to senate substitute amendment 1 offered by Senator Moody.

Senate amendment 7 to senate substitute amendment 1 offered by Senator Braun, by request of Milwaukee County.

Senate amendment 1 to senate amendment 7 to senate substitute amendment 1 to **Senate Bill 501** offered by Senator Adelman.

By request of Senator Adelman, with unanimous consent, senate amendments 6, 5, 4 and 7 to senate substitute amendment 1 were placed after senate amendment 1 to senate substitute amendment 1.

Senate amendment 8 to senate substitute amendment 1 offered by Senator Moody.

The question was: Adoption of senate amendment 8 to senate substitute amendment 1?

Adopted.

Senate amendment 9 to senate substitute amendment 1 offered by Senator Moody.

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The question was: Adoption of senate amendment 9 to senate substitute amendment 1?

Senator Flynn moved rejection of senate amendment 9 to senate substitute amendment 1.

The question was: Rejection of senate amendment 9 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 13; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Berger, Braun, Cullen, Engeleiter, Flynn, Frank, Goyke, Harnisch, Harsdorf, Kleczka, Lorman, Maurer, Offner, Risser, Roshell, Theno and Thompson -- 18.

Noes -- Senators Bidwell, Chilsen, George, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Moody, Opitz, Strohl and Van Sistine -- 13.

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

So the motion prevailed.

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

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

Senate amendment 10 to senate substitute amendment 1 offered by Senators Adelman and Engeleiter.

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

Senator Moody moved rejection of senate amendment 10 to senate substitute amendment 1.

The question was: Rejection of senate amendment 10 to senate substitute amendment 1?

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

Ayes -- Senators Bablitch, Berger, Braun, Frank, George, Hanaway, Harnisch, Kleczka, Lorge, Lorman, Maurer, Moody, Offner, Risser, Roshell, Thompson and Van Sistine -- 17.

Noes -- Senators Adelman, Bidwell, Chilsen, Engeleiter, Flynn, Harsdorf, Johnston, Kreul, Krueger, Lasee, McCallum, Opitz, Strohl and Theno -- 14.

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

So the motion prevailed.

Senate amendment 11 to senate substitute amendment 1 offered by Senator Adelman.

The question was: Adoption of senate amendment 11 to senate substitute amendment 1?

Adopted.

Senate amendment 12 to senate substitute amendment 1 offered by Senator Adelman.

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

By request of Senator Moody, with unanimous consent, senate amendment 12 to senate substitute amendment 1 was placed after senate amendment 18 to senate substitute amendment 1.

Senate amendment 13 to senate substitute amendment 1 offered by Senators Flynn, Adelman and Engeleiter.

The question was: Adoption of senate amendment 13 to senate substitute amendment 1?

Senator Kleczka moved rejection of senate amendment 13 to senate substitute amendment 1.

The question was: Rejection of senate amendment 13 to senate substitute amendment 1?

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

Ayes -- Senators Bablitch, Berger, Bidwell, Braun, Cullen, George, Goyke, Hanaway, Johnston, Kleczka, Krueger, Lasee, Lorge, Lorman, McCallum, Moody, Risser, Strohl, Theno and Thompson -- 20.

Noes -- Senators Adelman, Chilsen, Engeleiter, Flynn, Frank, Harnisch, Harsdorf, Kreul, Maurer, Offner, Opitz, Roshell and Van Sistine -- 13.

Absent or not voting -- None.

So the motion prevailed.

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

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

The question was: Adoption of senate amendment 6 to senate substitute amendment 1?

Senator Adelman moved rejection of senate amendment 6 to senate substitute amendment 1.

The question was: Rejection of senate amendment 6 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 10; noes, 22; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bidwell, Engeleiter, Harsdorf, Kreul, Lorman, Maurer, Opitz, Strohl and Theno -- 10.

Noes -- Senators Bablitch, Berger, Braun, Chilsen, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Krueger, Lasee, Lorge, McCallum, Moody, Offner, Risser, Roshell, Thompson and Van Sistine -- 22.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 6 to senate substitute amendment 1?

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

Ayes -- Senators Bablitch, Berger, Cullen, Flynn, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Lorge, Maurer, Moody, Offner, Risser and Van Sistine -- 15.

Noes -- Senators Adelman, Bidwell, Braun, Chilsen, Engeleiter, Frank, George, Harsdorf, Kreul, Krueger, Lasee, Lorman, McCallum, Opitz, Roshell, Strohl, Theno and Thompson -- 18.

Absent or not voting -- None.

So the amendment was not adopted.

The question was: Adoption of senate amendment 5 to senate substitute amendment 1?

Senator Adelman moved rejection of senate amendment 5 to senate substitute amendment 1.

The question was: Rejection of senate amendment 5 to senate substitute amendment 1?

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The ayes and noes were demanded and the vote was: ayes, 15; noes, 17; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bidwell, Braun, Chilsen, Engeleiter, Flynn, George, Harsdorf, Kreul, Krueger, Lasee, Lorman, Opitz, Roshell and Theno -- 15.

Noes -- Senators Berger, Cullen, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Lorge, McCallum, Maurer, Moody, Offner, Risser, Strohl, Thompson and Van Sistine -- 17.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 5 to senate substitute amendment 1?

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

Ayes -- Senators Berger, Cullen, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Lorge, McCallum, Maurer, Moody, Offner, Risser, Strohl, Thompson and Van Sistine -- 19.

Noes -- Senators Adelman, Bidwell, Braun, Chilsen, Engeleiter, Harsdorf, Kreul, Krueger, Lasee, Lorman, Opitz, Roshell and Theno -- 13.

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

So the amendment was adopted.

The question was: Adoption of senate amendment 4 to senate substitute amendment 1?

By request of Senator Moody, with unanimous consent, senate amendment 4 to senate substitute amendment 1 was returned to the author.

The question was: Adoption of senate amendment 1 to senate amendment 7 to senate substitute amendment 1?

By request of Senator Braun, with unanimous consent, senate amendment 7 to senate substitute amendment 1 was returned to the author.

Senate amendment 14 to senate substitute amendment 1 to **Senate Bill 501** offered by Senator Berger, by request of Milwaukee County.

The question was: Adoption of senate amendment 14 to senate substitute amendment 1?

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Senator Moody moved rejection of senate amendment 14 to senate substitute amendment 1.

The question was: Rejection of senate amendment 14 to senate substitute amendment 1?

The motion prevailed.

Senate amendment 15 to senate substitute amendment 1 offered by Senator Opitz.

The question was: Adoption of senate amendment 15 to senate substitute amendment 1?

By request of Senator Opitz, with unanimous consent, senate amendment 15 to senate substitute amendment 1 was returned to the author.

Senate amendment 16 to senate substitute amendment 1 offered by Senator Opitz.

The question was: Adoption of senate amendment 16 to senate substitute amendment 1?

Senator Moody moved rejection of senate amendment 16 to senate substitute amendment 1.

The question was: Rejection of senate amendment 16 to senate substitute amendment 1?

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

Ayes -- Senators Bablitch, Berger, Braun, Cullen, Flynn, Frank, George, Hanaway, Harnisch, Kleczka, Lorge, Moody, Offner, Risser, Thompson and Van Sistine -- 16.

Noes -- Senators Adelman, Bidwell, Chilsen, Engeleiter, Goyke, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorman, McCallum, Maurer, Opitz, Roshell, Strohl and Theno -- 17.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 16 to senate substitute amendment 1?

By request of Senator Kleczka, with unanimous consent, senate amendment 16 to senate substitute amendment 1 was placed after senate amendment 12 to senate substitute amendment 1.

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Senate amendment 17 to senate substitute amendment 1 offered by Senator Opitz.

Senator Flynn moved reconsideration of the vote by which senate amendment 14 to senate substitute amendment 1 was rejected.

The question was: Adoption of senate amendment 17 to senate substitute amendment 1?

Senator Moody moved rejection of senate amendment 17 to senate substitute amendment 1.

The question was: Rejection of senate amendment 17 to senate substitute amendment 1?

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

Ayes -- Senators Bablitch, Berger, Braun, Frank, George, Hanaway, Kleczka, Lorge, Moody, Offner, Risser, Thompson and Van Sistine -- 13.

Noes -- Senators Adelman, Bidwell, Chilsen, Engeleiter, Flynn, Goyke, Harnisch, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorman, McCallum, Maurer, Opitz, Roshell, Strohl and Theno -- 19.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 17 to senate substitute amendment 1?

By request of Senator Opitz, with unanimous consent, senate amendment 17 to senate substitute amendment 1 was placed after senate amendment 19 to senate substitute amendment 1 to **Senate Bill 501**.

Senate amendment 18 to senate substitute amendment 1 offered by Senator Moody.

The question was: Adoption of senate amendment 18 to senate substitute amendment 1?

Adopted.

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

Adopted.

The question was: Adoption of senate amendment 16 to senate substitute amendment 1?

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By request of Senator Kleczka, with unanimous consent, senate amendment 16 to senate substitute amendment 1 was placed after senate amendment 19 to senate substitute amendment 1.

Senate amendment 19 to senate substitute amendment 1 offered by Senator Kleczka.

The question was: Adoption of senate amendment 19 to senate substitute amendment 1?

By request of Senator Kleczka, with unanimous consent, senate amendment 19 to senate substitute amendment 1 was returned to the author.

The question was: Adoption of senate 16 to senate substitute amendment 1?

By request of Senator Berger, with unanimous consent, senate amendment 16 to senate substitute amendment 1 was laid on the table.

The question was: Adoption of senate amendment 17 to senate substitute amendment 1?

By request of Senator Moody, with unanimous consent, senate amendment 17 to senate substitute amendment 1 was laid on the table.

Senate amendment 20 to senate substitute amendment 1 offered by Senators Opitz and Berger.

The question was: Adoption of senate amendment 20 to senate substitute amendment 1?

Adopted.

The question was: Reconsideration of the vote by which senate amendment 14 to senate substitute amendment 1 was rejected?

By request of Senator Flynn, with unanimous consent, he withdrew his motion for reconsideration of the vote by which senate amendment 14 to senate substitute amendment 1 was rejected.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Opitz, with unanimous consent, senate amendment 16 to senate substitute amendment 1 was taken from the table.

The question was: Adoption of senate amendment 16 to senate substitute amendment 1?

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

Ayes -- Senators Bidwell, Engeleiter, Harnisch, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorman, McCallum, Maurer, Opitz, Roshell and Theno -- 14.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Cullen, Flynn, Frank, George, Goyke, Hanaway, Kleczka, Lorge, Moody, Offner, Risser, Strohl, Thompson and Van Sistine -- 19.

Absent or not voting -- None.

So the amendment was not adopted.

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

The question was: Adoption of senate substitute amendment 2?

By request of Senator Flynn, with unanimous consent, senate substitute amendment 2 was 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 501

Read a third time.

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

Ayes -- Senators Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 28.

Noes -- Senators Adelman, Engeleiter, Kreul, Krueger and Opitz -- 5.

Absent or not voting -- None.

So the bill passed.

Senate Bill 300

Relating to regulation of fireworks and changing penalties.

Read.

By request of Senator Goyke, with unanimous consent, **Senate Bill 300** was referred to joint committee on Finance.

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

MOTIONS

Senator Bablitch asked unanimous consent that **Senate Bill 305** be withdrawn from committee on Senate Organization and referred to committee on Judiciary and Consumer Affairs.

Senator Engeleiter objected.

By request of Senator Lasee, with unanimous consent, he was made a co-author of **Assembly Bill 45**.

Senator Lasee asked unanimous consent that **Assembly Bill 45** be withdrawn from committee on State and Local Affairs and Taxation and referred to committee on Senate Organization.

Senator Bablitch objected.

Senator Lasee moved that **Assembly Bill 45** be withdrawn from committee on State and Local Affairs and Taxation and referred to committee on Senate Organization.

The question was: Shall **Assembly Bill 45** be withdrawn from committee on State and Local Affairs and Taxation and referred to committee on Senate Organization?

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

Ayes -- Senators Chilsen, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Opitz, Theno and Van Sistine -- 14.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Frank, George, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Risser, Roshell, Strohl and Thompson -- 18.

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

So the motion did not prevail.

By request of Senator Adelman, with unanimous consent, the motion for reconsideration of the vote by which **Senate Bill 163** passed was taken from the table.

The question was: Reconsideration of the vote by which **Senate Bill 163** passed?

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By request of Senator Kleczka, with unanimous consent, he removed his motion for reconsideration of the vote by which **Senate Bill 163** passed.

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

STATEMENT OF POSITION

Pursuant to Senate Rule 75, Senator Hanaway wished to be recorded as voting aye for rejection of senate amendment 9 to senate substitute amendment 1 to **Senate Bill 501**.

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 379** by Senator Kreul.

Senate amendment 1 to **Senate Bill 604** by Senator Kleczka.

Senate amendment 3 to **Assembly Bill 616** by Senator Van Sistine.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 300** by Senators Risser and Kleczka.

Senate amendment 2 to senate substitute amendment 1 to **Senate Bill 300** by Senator Goyke.

Senate amendment 1 to senate amendment 2 to senate substitute amendment 1 to **Senate Bill 300** by Senator Risser.

By request of Senator Opitz, with unanimous consent, the senate adjourned in honor of Senator Bidwell's birthday.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Friday, October 23.

6:50 P.M.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 268

Correctly enrolled and presented to the Governor on October 20, 1981.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Assembly Bill 616, senate substitute amendment 1

1. Page 2, line 1: delete lines 1 and 2.