

JOURNAL OF THE SENATE [February 16, 1982]

STATE OF WISCONSIN

Senate Journal

Eighty-Fifth Regular Session

TUESDAY, February 16, 1982.

10:00 A.M.

The senate met.

The senate was called to order by the president of the senate.

The roll was called and the following senators answered to their names:

Senators Adelman, Bablitch, 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 Engeleiter led the senate in the pledge of allegiance to the flag of the United States of America.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 21

To memorialize the President and Congress of the United States to negotiate a mutual nuclear weapons moratorium with the Soviet Union.

By Senators Risser, Moody, Braun, George, Krueger, Strohl, Theno, Chilsen, Thompson, Johnston and Offner.

Read and referred to committee on Energy.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 775

Relating to regulating PCBs and creating financial responsibility requirements.

By Senators Chilsen and Opitz; cosponsored by Representatives Schmidt, Donoghue, McEwen, Merkt and Matty.

To committee on Agriculture and Natural Resources.

Senate Bill 776

Relating to authorizing the higher educational aids board to enter into a student reciprocity agreement with the appropriate body representing the state of Illinois.

By Senator Cullen.

To committee on Education and State Institutions.

Senate Bill 777

Relating to increasing the amount of the homestead exemption.

By Senators Risser, Van Sistine, Braun and Krueger; cosponsored by Representatives Andrea, Wagner, Vanderperren, Williams, Metz, Coggs, Menos and Miller.

To committee on State and Local Affairs and Taxation.

Senate Bill 778

Relating to an excess profits tax on integrated oil companies, to individual income tax credits for home heating costs and energy conservation costs and granting rule-making authority.

By Senators Braun, Moody, Berger and George; cosponsored by Representatives Becker, Metz and Kunicki.

To committee on State and Local Affairs and Taxation.

Senate Bill 779

Relating to motor-driven cycle parking.

By Senator Braun; cosponsored by Representatives Becker and Kunicki.

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

COMMITTEE REPORTS

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

Senate Joint Resolution 57

Relating to depositing the proceeds of nursing home fines and forfeitures as provided by law (first consideration).

Introduction:

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

Noes, 0 -- None.

Read first time and referred to committee on Human Services.

DAVID G. BERGER

Co-Chair

WILLIAM J. ROGERS

Co-Chair

The committee on Human Services reports and recommends for introduction:

Senate Bill 780

Relating to application requirements for a license to practice cosmetology.

Introduction:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

Read first time and referred to committee on Human Services.

Senate Bill 781

Relating to the exemption of masseurs from the licensing and regulation provisions of the cosmetology law.

Introduction:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

Read first time and referred to committee on Human Services.

Senate Bill 782

Relating to establishing continuing education requirements for cosmetologists and allowing cosmetologists to practice under a temporary permit.

Introduction:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

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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:

AYRES, OWEN, of Eau Claire, as Secretary for the Department of Transportation, to succeed Lowell Jackson, to serve for the term ending at the pleasure of the Governor.

Confirmation:

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

Noes, 0 -- None.

Senate Bill 210

Relating to increasing the maximum length of vehicles and providing a penalty.

Passage:

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

Noes, 0 -- None.

Senate Bill 700

Relating to authorizing banks to establish branches under certain circumstances and to acquire real estate used for remote paying and receiving facilities.

Introduction and adoption of senate amendment 1:

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

Noes, 2 -- Senators Roshell and Goyke.

Introduction and adoption of senate amendment 2:

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

Noes, 0 -- None.

Passage:

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

Noes, 1 -- Senator Bidwell.

Senate Bill 600

Relating to miscellaneous trade practices changes.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Roshell, Moody, Goyke, Engeleiter and Cullen;

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Noes, 2 -- Senators Maurer and Bidwell.

Passage:

Ayes, 5 -- Senators Roshell, Moody, Goyke, Engeleiter and Cullen;

Noes, 2 -- Senators Maurer and Bidwell.

Senate Bill 554

Relating to handicapped parking in private parking lots and creating a penalty.

Adoption of senate substitute amendment 1:

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

Noes, 0 -- None.

Passage:

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

Noes, 0 -- None.

TIM CULLEN

Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

February 8, 1982

To the Honorable, the Senate:

I have the honor to transmit to you the following information pursuant to s. 13.695(8):

Yours very truly,
VEL PHILLIPS
Secretary of State

Lobbyist's name, address, telephone number; principal's name, address, telephone number.

Spiegel, James A., Olde Towne Office Park, 6333 Odana Rd., Madison, WI 53719 (608) 273-1003; Carriers Affiliated to Preserve Effective Regulation, P.O. Box 5086, Madison, WI 53705-0086; 23.

Tobin, Tom D., 422 Main St., Winner, S.D. 53580 (605) 842-2500; Town of Hobart, WI, c/o Al Gerrits, Town of Hobart, Acorn Dr., Oneida, WI 54155; 4-6.

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Registration Amendments:

Change name of: Wisconsin Association for Retarded Citizens; also change address to: 5522 University Ave., Madison, WI 53705. Change phone no. to: (608) 231-3335.

Kurth Merlen: Change address and phone no. to 5522 University Ave., Madison, WI 53705, (608) 231-3335.

Lobbyist Terminations:

Buffo, William J., for Taxpayers United to Control Government Spending, Inc., effective February 3, 1982.

Hough, James E., for Taxpayers United to Control Government Spending, Inc., effective February 3, 1982.

Larkin, Peter J., for the Tobacco Institute, Inc., effective February 3, 1982.

Sharpless, Andrew, for Citizens Utility Board, effective February 1, 1982.

Tolkan, Howard B., for Badger State Automobile Dealers Assn., Inc., effective February 4, 1982, license expired December 31, 1980.

Wahner, James W., for Citizens Utility Board, effective February 1, 1982.

CALENDAR OF FEBRUARY 16

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

BEHRENS, DR. SUSAN F., of Beloit, as a member of the Medical Examining Board, to succeed Dr. W. Dudley Johnson, to serve for the term ending May 1, 1985.

Read.

BOGENSCHNEIDER, KAREN P., of Spring Green, as a member of the Nursing Home Administrators Examining Board, to succeed Liesl Blockstein, to serve for the term ending July 1, 1984.

Read.

DEROZIER, DR. DONALD B., of Oshkosh, as a member of the Psychology Examining Board, to succeed Dr. Gordon Polder, to serve for the term ending July 1, 1983.

Read.

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DURKIN, ROBERT, of Madison, as a member of the Health Facilities Authority, to succeed Donald Percy, to serve for the term ending June 30, 1987.

Read.

KIPNES, BARI S., of Bayside, as a member of the Hearing Aid Dealers and Fitters Examining Board, to succeed Marilyn Mullarky, to serve for the term ending July 1, 1983.

Read.

MOFFAT, DR. NELSON A., of Marshfield, as a member of the Medical Examining Board, to succeed himself, to serve for the term ending May 1, 1984.

Read.

NISBET, THOMAS K., of Madison, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to succeed Garrett Pauers, to serve for the term ending July 1, 1983.

Read.

PIERCE, PATRICIA L., of Menasha, as a member of the Optometry Examining Board, to serve for the term ending July 1, 1986.

Read.

PLOETZ, PAMELA A., of Madison, as a member of the Pharmacy Examining Board, to succeed D. Jack Myers, to serve for the term ending July 1, 1986.

Read.

SCHMIDTKE, DR. GERALD., of Scandinavia, as a member of the Dentistry Examining Board, to succeed William Wong, D.D.S., to serve for the term ending July 1, 1986.

Read.

The question was: Shall the appointments be confirmed?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, 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.

Noes -- None.

Absent or not voting -- None.

So the appointments were confirmed.

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 81-142

AN ORDER to renumber Accy 1.401 (2) (e); and to amend Accy 1.401 (2) (d), 1.404 (2) (intro.) and (a), 1.405 (3) (a), 2.03 (2), 2.04 (1), 2.05 (4) and 6.01, relating to rules of conduct, access to public records and good moral character.

Submitted by Department of Regulation and Licensing.

Report received from agency, February 11, 1982.

Referred to committee on Human Services, February 16, 1982.

Clearinghouse Rule 81-217

AN ORDER to create ch. Trans 54, relating to the advance land acquisition loan program for airports.

Submitted by Department of Transportation.

Report received from agency, February 12, 1982.

Referred to committee on Aging, Business and Financial Institutions and Transportation, February 16, 1982.

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

Clearinghouse Rule 81-199

AN ORDER to repeal and recreate ch. S-L 22, relating to real estate investments by state-chartered savings and loan associations.

No action taken.

Clearinghouse Rule 81-201

AN ORDER to renumber S-L 9.02 (1) to (9); to amend S-L 9.02 (5) and (6), as renumbered, and S-L 9.04 (1) and (2) (intro.); and to create S-L 9.02 (1), relating to prohibiting certain loans by state-chartered savings and loan associations.

No action taken.

Clearinghouse Rule 81-202

AN ORDER to repeal S-L 18.06, 18.08, 18.11, 18.17 to 18.21 and 18.25 to 18.29; to renumber S-L 18.14, 18.15, 18.23, 18.31 and 18.33; to amend S-L 18.03 (2) and (3) and 18.11 (1) (intro.) and (2) (a) and 18.17 (1) (c), as renumbered; to repeal and recreate S-L 18.01, 18.05, 18.07 and 18.09; and to create 18.13, relating to mortgage lending by savings and loan associations.

No action taken.

Clearinghouse Rule 81-203

AN ORDER to create S-L 8.03 (2) (d), relating to notice of interest rate adjustments by savings and loan associations.

No action taken.

Clearinghouse Rule 81-221

AN ORDER to create ch. S-L 30, relating to granting state chartered savings and loan associations parity with federally chartered savings and loan associations with respect to certain powers.

No action taken.

TIM CULLEN

Chair

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

Clearinghouse Rule 81-222

AN ORDER to amend Tax 12.04 (4), relating to increasing the levy limits guaranteed base adjustment to .75 mills.

No action taken.

JAMES P. MOODY

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 170
Assembly Bill 290
Assembly Bill 407
Assembly Bill 556
Assembly Bill 757
Assembly Bill 776
Assembly Bill 780
Assembly Bill 849
Assembly Bill 752
Assembly Bill 816
Assembly Bill 38

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Concurred in:

Senate Joint Resolution 54
Senate Bill 77

Nonconcurrent in:

Senate Bill 63

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 170

Relating to various accounting examining board revisions and providing penalties.

By Representatives Otte, Plewa, Vanderperren, Behnke, Roberts, Byers, Johnson, Thompson, Norquist, DeLong, Kirby, Porter and Knox, co-sponsored by Senators Berger, George, Chilsen, Frank, Engleiter, Braun and Bidwell.

Read first time and referred to committee on Human Services.

Assembly Bill 290

Relating to immediately effective wage assignments in orders for support or maintenance.

By Representatives Ellis, Luckhardt, Shabaz and Crawford, co-sponsored by Senators Opitz, Johnston and Goyke.

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

Assembly Bill 407

Relating to specific information signs on highways and granting rule-making authority.

By Representatives Kincaid, Vanderperren, Jackamonis, Smith, Helbach, Matty, Jaronitzky, Panzer, Wood, Flintrop, Neubauer, Porter and Donoghue, co-sponsored by Senator Theno.

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

Assembly Bill 556

Relating to walks and railings on railroad bridges and providing a penalty.

By Representatives Everson, Vanderperren, Smith, Shoemaker, McEssy, Looby, Murray, Schmidt, Bradley and Byers, co-sponsored by Senators Theno, Roshell and Frank.

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

Assembly Bill 757

Relating to the right to privacy in regard to cable television and 2-way communication devices.

By Representative Schneider.

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

Assembly Bill 776

Relating to the exchange of submerged lands by cities and counties, bonds required for county clerks, bait dealer reports, taking homing pigeons, permits for structures and deposits in navigable waters, zoning for lake bed removals, fees for placing riprap in navigable waters and the notice required under the forest crop law (suggested as remedial legislation by the department of natural resources).

By Law Revision Committee.

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

Assembly Bill 780

Relating to renumbering statutes relating to the responsibilities of the board of commissioners of public lands (suggested as remedial legislation by the board of commissioners of public lands).

By Law Revision Committee.

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

Assembly Bill 849

Relating to placement of the identification number and registration sticker or decal on a sailboat.

By Representatives Helbach and Rooney, co-sponsored by Senator Strohl.

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

Assembly Bill 752

Relating to deferred prosecution agreements.

By Legislative Council.

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

Assembly Bill 816

Relating to the establishment or relocation of motor vehicle dealerships and providing a penalty.

By Representatives Vanderperren, Hasenohrl, Hauke, Menos, Smith and Holschbach, co-sponsored by Senator Goyke.

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

Assembly Bill 38

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

By Representative Broydrick.

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

CALENDAR OF FEBRUARY 16

Senate Bill 683

Relating to congressional districts.

By request of Senator Flynn, with unanimous consent, **Senate Bill 683** was placed at the foot of the calendar.

Senate Resolution 17

Relating to requesting the Wisconsin delegation to prepare, introduce and support legislation authorizing the collection of tolls on the national interstate system of highways.

Read.

Senator Lorge moved rejection of **Senate Resolution 17**.

The question was: Rejection of **Senate Resolution 17**?

The motion did not prevail.

The question was: Shall the resolution be adopted?

Adopted.

Senate Resolution 19

Relating to a continuing increase in the membership of the senate committee on insurance and utilities.

Read.

The question was: Adoption of **Senate Resolution 19**?

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

Ayes -- Senators Adelman, Bablitch, 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 -- 31.

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Noes -- Senators Berger and Bidwell -- 2.

Absent or not voting -- None.

So the resolution was adopted.

Senate Bill 202

Relating to transient merchant licenses and providing a mechanism for the revocation of such licenses.

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.

Senate Bill 202

Read a third time and passed.

Senate Bill 381

Relating to disability insurance policy coverage of health care services provided outside this state.

Read a second time.

Ordered to a third reading.

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

Senate Bill 381

Read a third time and passed.

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.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

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

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

Adopted.

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

Adopted.

Senate amendment 1 to senate amendment 3 to senate substitute amendment 2 offered by Senator Berger.

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The question was: Adoption of senate amendment 1 to senate amendment 3 to senate substitute amendment 2?

Adopted.

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

Adopted.

The question was: Adoption of senate amendment 4 to senate substitute amendment 2?

Adopted.

The question was: Adoption of senate amendment 5 to senate substitute amendment 2?

Adopted.

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

Ordered to a third reading.

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

Senate Bill 417

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, 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.

Noes -- None.

Absent or not voting -- None.

So the bill passed.

Senate Bill 437

Relating to revision of the statutes governing the pharmacy examining board, granting rule-making authority and providing penalties.

Read a second time.

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

Adopted.

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

Adopted.

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

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

Adopted.

Senate amendment 4 to senate substitute amendment 1 offered by Senator Berger.

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

Senator Goyke moved rejection of senate amendment 4 to senate substitute amendment 1.

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

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

Ayes -- Senators Bidwell, Chilsen, Engeleiter, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kreul, Krueger, Lorge, Lorman, McCallum, Opitz, Roshell, Theno, Thompson and Van Sistine -- 18.

Noes -- Senators Adelman, Berger, Braun, Cullen, Flynn, Frank, George, Kleczka, Lasee, Maurer, Moody, Offner, Risser and Strohl -
- 14.

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

So the motion prevailed.

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

Ordered to a third reading.

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

Senate Bill 437

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway,

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Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the bill passed.

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.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

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

Senate amendment 1 to senate substitute amendment 2 offered by Senators Offner and Hanaway.

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

Senator Moody moved rejection of senate amendment 1 to senate substitute amendment 2.

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

The ayes and noes were demanded and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Harnisch, Kleczka, Lasee, Lorman, McCallum, Moody, Opitz, Risser, Strohl, Theno and Thompson -- 21.

Noes -- Senators Bidwell, Chilsen, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lorge, Maurer, Offner, Roshell and Van Sistine -- 12.

Absent or not voting -- None.

So the motion prevailed.

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

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

LEAVE OF ABSENCE

By request of Senator Lorge, with unanimous consent, he was granted a leave of absence at 3:00 P.M. for the balance of today's session.

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

11:55 A.M.

RECESS

3:00 P.M.

The senate reconvened.

QUORUM CALL

Senator Flynn called the attention of the chair to the possible lack of a quorum.

The roll was called and the following senators answered to their names:

Senators Adelman, Berger, Bidwell, Braun, Cullen, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Kleczka, Kreul, Lasee, Lorman, McCallum, Maurer, Moody, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 26.

Absent -- Senators Bablitch, Chilsen, Engeleiter, Johnston, Krueger and Offner -- 6.

Absent with leave -- Senator Lorge -- 1.

The question was: Adoption of senate amendment 2 to senate substitute amendment 2 to **Senate Bill 551**?

By request of Senator Moody, with unanimous consent, senate amendment 2 to senate substitute amendment 2 was placed after senate amendment 4 to senate substitute amendment 2.

Senate amendment 3 to senate substitute amendment 2 offered by Senator Moody.

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

By request of Senator Moody, with unanimous consent, senate amendment 3 to senate substitute amendment 2 was placed after senate amendment 2 to senate substitute amendment 2.

Senate amendment 4 to senate substitute amendment 2 offered by Senator Thompson.

The question was: Adoption of senate amendment 4 to senate substitute amendment 2?

Senator Moody moved rejection of senate amendment 4 to senate substitute amendment 2.

The question was: Rejection of senate amendment 4 to senate substitute amendment 2?

Senator Berger moved indefinite postponement of **Senate Bill 551**.

The question was: Shall the bill be indefinitely postponed?

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

Ayes -- Senators Berger, Bidwell, Chilsen, Engeleiter, Frank, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorman, McCallum, Offner, Opitz, Roshell, Theno and Van Sistine -- 18.

Noes -- Senators Adelman, Bablitch, Braun, Cullen, Flynn, George, Goyke, Harnisch, Kleczka, Maurer, Moody, Risser, Strohl and Thompson -- 14.

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

So the bill was indefinitely postponed.

Senate Bill 579

Relating to farms at schools for the visually handicapped and deaf (suggested as remedial legislation by the department of health and social services).

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.

Senate Bill 579

Read a third time and passed.

Senate Bill 693

Relating to the tax on liquor manufactured in this state by pollution control facilities from brewing wastes.

Read a second time.

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

Ordered to a third reading.

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

Senate Bill 693

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

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

So the bill passed.

Senate Bill 711

Relating to exempting rail property held by the state from special assessments and the filing requirement for tax exemption status.

Read a second time.

Senate amendment 1 offered by Senator Cullen.

The question was: Adoption of senate amendment 1?

By request of Senator Cullen, with unanimous consent, **Senate Bill 711** was referred to Joint Survey committee on Tax Exemptions.

Senate Bill 732

Relating to staggering the terms of members of the board on aging and long-term care.

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.

Senate Bill 732

Read a third time and passed.

Senate Bill 741

Relating to miscellaneous corrections and revisions to the laws relating to operating a motor vehicle while under the influence of an intoxicant or a controlled substance, or a combination thereof, or while having a blood alcohol concentration of 0.1 % or more.

Read a second time.

Senate amendment 1 offered by Senator Adelman.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Senate Bill 741

Read a third time and passed.

Assembly Bill 70

Relating to prohibiting discrimination based upon sexual orientation.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Assembly Bill 70

Read a third time.

Senator Opitz moved non-concurrence in **Assembly Bill 70**.

The question was: Non-concurrence?

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

Ayes -- Senators Bidwell, Chilsen, Frank, Hanaway, Harsdorf, Kreul, Krueger, Lasee, Maurer, Opitz, Roshell, Theno and Van Sistine -- 13.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Engeleiter, Flynn, George, Goyke, Harnisch, Johnston, Kleczka, Lorman, McCallum, Moody, Offner, Risser, Strohl and Thompson -- 19.

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

So the motion did not prevail.

The question was: Concurrence of **Assembly Bill 70**?

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Concurred in as amended.

Assembly Bill 249

Relating to miscellaneous dog regulation and rabies control program changes and changing and creating a penalty.

Read a second time.

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

Adopted.

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

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

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

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

Ordered to a third reading.

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

Assembly Bill 249

Read a third time and concurred in as amended.

Assembly Bill 350

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

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 350

Read a third time and concurred in.

Assembly Bill 442

Relating to allowing telephone cooperatives to elect to be excepted from rate regulation.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 442

Read a third time and concurred in.

Assembly Bill 527

Relating to free lunches and free malt beverages and liquor.

Read a second time.

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

Ordered to a third reading.

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

Assembly Bill 527

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 27; noes, 5; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Berger, Bidwell, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Lasee, Lorman, McCallum, Maurer, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 27.

Noes -- Senators Bablitch, Braun, Chilsen, Krueger and Moody -- 5.

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

So the bill was concurred in as amended.

Assembly Bill 561

Relating to issuance of temporary operation plates for motor vehicles.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Cullen 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, 15; noes, 14; absent or not voting, 4; as follows:

Ayes -- Senators Adelman, Berger, Bidwell, Cullen, Flynn, Frank, George, Goyke, Harnisch, Kleczka, Maurer, Moody, Risser, Strohl and Van Sistine -- 15.

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Noes -- Senators Braun, Chilsen, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorman, McCallum, Offner, Opitz, Roshell and Theno -- 14.

Absent or not voting -- Senators Bablitch, Engeleiter, Lorge and Thompson -- 4.

So the motion prevailed.

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

Ordered to a third reading.

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

Assembly Bill 561

Read a third time and concurred in as amended.

Assembly Bill 562

Relating to certificate of title transfers by motor vehicle dealers.
Read a second time.

Ordered to a third reading.

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

Assembly Bill 562

Read a third time and concurred in.

Senate Bill 683

Relating to congressional districts.
Read a second time.

The question was: Adoption of senate substitute amendment 2?

By request of Senator Bablitch, with unanimous consent, **Senate Bill 683** was laid on the table.

Senator Hanaway moved reconsideration of the vote by which **Assembly Bill 527** was concurred in.

Senator Hanaway asked unanimous consent that the motion to reconsider the vote by which **Assembly Bill 527** was concurred in be laid on the table.

Senator Cullen objected.

By request of Senator Hanaway, with unanimous consent, the motion to reconsider the vote by which **Assembly Bill 527** was concurred in was laid on the table.

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

AMENDMENTS OFFERED

Senate amendment 1 to **Assembly Bill 590** by Senator Braun.
Senate amendment 1 to **Senate Bill 736** by Senator Bablitch.
Senate amendment 1 to **Senate Bill 709** by Senator Berger.

Upon motion of Senator Bablitch the senate adjourned until 9:00
A.M. Thursday, February 18.

4:05 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 68

In enrolling, the following correction was made:

1. Page 1, line 6: substitute "SECTION 4." for "SECTION 6."

Senate Bill 713

1. Page 24, line 4: after "a)" insert: "the towns of Beaver Dam, Burnett, Chester, Fox Lake, Herman, Hubbard, LeRoy, Oak Grove, Theresa, Trenton and Williamstown; b)".
2. Page 24, line 5: substitute "c)" for "b)".
3. Page 24, line 6: substitute "d)" for "c)".
4. Page 30, line 10: after the colon insert: "a) the village of Shorewood Hills; and b)".

NOTE: Assembly District 54 failed to show the Dodge County towns. Assembly District 77 failed to show the village of Shoewood Hills. The maps and statistical analysis correctly reflect the contents of Assembly Districts 54 and 77. The changes made by this chief clerk's correction conform the statute text in the bill body to the maps and statistical analysis displayed at the end of the bill.