

JOURNAL OF THE SENATE [March 25, 1982]

STATE OF WISCONSIN

# Senate Journal

Eighty-Fifth Regular Session

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THURSDAY, March 25, 1982.

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, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Absent -- Senator Krueger -- 1.

Absent with leave -- None.

The senate stood for a moment of silent prayer.

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

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## INTRODUCTION OF RESOLUTIONS

### Senate Resolution 23

Relating to observing the week of April 18 to 24, 1982, as Victims Rights Week.

By Senator Flynn.

Read and referred to committee on Senate Organization.

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INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 832**

Relating to creating a Wisconsin waterways council and authorizing a study.

By Senators Goyke, Van Sistine, Hanaway, Lorge, McCallum, Lasee, George, Kleczka, Bablitch, Flynn, Strohl, Harnisch, Cullen, Berger, Kreul, Braun, Maurer, Opitz, Frank and Roshell; cosponsored by Representatives Ellis, Flintrop, Vanderperren, Bradley, Hephner, Metz, Rogers, Neubauer, Holschbach, Robinson, Fischer, Otte, Kunicki, Andrea, Prosser and Dilweg.

To committee on Agriculture and Natural Resources.

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COMMITTEE REPORTS

The committee on Agriculture and Natural Resources reports and recommends:

**Assembly Bill 839**

Relating to wetland protection, duration of permits relating to navigable waters, permit requirements for certain activities conducted near navigable waters, removal of materials from certain waterways and granting rule-making authority.

Concurrence:

Ayes, 4 -- Senators Harnisch, Strohl, Thompson and Krueger;  
Noes, 1 -- Senator Opitz.

THOMAS W. HARNISCH  
Chair

The committee on Human Services reports and recommends:

**Assembly Bill 759**

Relating to creating a penalty for violation of the statutory provisions and administrative rules concerning hearing aid dealers and fitters and granting rule-making authority.

Concurrence:

Ayes, 2 -- Senators Thompson and Strohl;  
Noes, 0 -- None.

**Assembly Bill 938**

Relating to state funding of shelter care facilities that previously received federal funds.

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Concurrence:

Ayes, 2 -- Senators Thompson and Strohl;

Noes, 0 -- None.

**Assembly Bill 941**

Relating to requiring physicians to inform their patients of alternate modes of treatment, granting rule-making authority and creating a penalty.

Concurrence:

Ayes, 2 -- Senators Thompson and Strohl;

Noes, 0 -- None.

**BAKKE, MEREDITH HUGHES, D.C.**, of DeForest, as a member of the Chiropractic Examining Board, to succeed Kenneth Luedtke, D.C., to serve for the term ending July 1, 1987.

Confirmation:

Ayes, 2 -- Senators Thompson and Strohl;

Noes, 0 -- None.

**Assembly Bill 1016**

Relating to protective placement and guardianship.

Concurrence:

Ayes, 2 -- Senators Thompson and Strohl;

Noes, 0 -- None.

**Assembly Bill 1086**

Relating to covering equipment and supplies for treatment of diabetes under the state health insurance plan.

Concurrence:

Ayes, 2 -- Senators Thompson and Strohl;

Noes, 0 -- None.

**CARL W. THOMPSON**  
Chair

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

**Senate Bill 227**

Relating to requests for absentee ballots by armed forces and merchant marine personnel, federal overseas employes and spouses and dependents of such persons.

Adoption of senate amendment 1:

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

Noes, 0 -- None.

Adoption of senate amendment 2:

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

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Noes, 0 -- None.

Passage:

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

Noes, 0 -- None.

**Assembly Bill 210**

Relating to regulation of blasting by the department of industry, labor and human relations, providing a penalty, granting rule-making authority and making an appropriation.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 542**

Relating to authorizing a special death benefit under worker's compensation for national guard members performing official duty and increasing the amount of the special death benefit.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 615**

Relating to employes' right to know regarding toxic substances and infectious agents, providing a penalty and making an appropriation.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 968**

Relating to extending the sunset provision on the employer's power to elect to provide for early retirement for teachers under the state teachers retirement system.

Concurrence:

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

Noes, 0 -- None.

JEROME VAN SISTINE

Chair

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

**Assembly Bill 858**

Relating to creating the community development finance authority and making an appropriation.

Introduction and adoption of senate amendment 1:

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

Noes, 0 -- None.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 1122**

Relating to state bank reserve requirements.

Concurrence:

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

Noes, 1 -- Senator Moody.

TIM CULLEN

Chair

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SENATE CLEARINGHOUSE ORDERS

The committee on Human Services reports and recommends:

**Clearinghouse Rule 81-205**

AN ORDER to amend Ind 14.01 (1) (b), 14.03 (1), (2), (3), (4) (intro.) and (c) and (10) (a); and to create Ind 14.03 (1) (a) and (b), relating to formaldehyde ambient air standards for mobile homes.

No action taken.

CARL W. THOMPSON

Chair

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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 507**

Adopted and asks concurrence in:

**Assembly Joint Resolution 93**

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Concurred in:

**Assembly Bill 1133, senate amendment 1**

Amended and concurred in as amended:

**Senate Bill 554, assembly amendment 2**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 507**

Relating to prohibiting certain school staff members from disclosing communications made to them in the course of counseling pupils.

By Representatives Leopold, Flintrop, Barczak and Quackenbush, co-sponsored by Senators Moody and Cullen.

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

**Assembly Joint Resolution 93**

Requesting the legislative council to study the use of pesticides and herbicides and their effects on people and other living things and on the natural resources of the state including soil, surface water and groundwater, and to study related agricultural practices, such as integrated pest management.

By Representatives Everson, Vanderperren, Crawford, Robinson, Lee and D. Travis, co-sponsored by Senator Harnisch.

Read and referred to committee on Agriculture and Natural Resources.

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CALENDAR OF MARCH 25

**Senate Bill 308**

Relating to highway jurisdiction transfer agreements between the state and local units of government.

Read.

The question was: Concurrence of assembly amendment 1?

Concurred in.

**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.

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The question was: Concurrence of assembly substitute amendment 1.

By request of Senator Adelman, with unanimous consent, **Senate Bill 417** was placed after **Senate Bill 823**.

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### LEAVE OF ABSENCE

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

#### **Senate Bill 520**

Relating to modifications of the standard nonforfeiture and valuation requirements for life insurance and annuity contracts and granting rule-making authority.

Read.

The question was: Concurrence of assembly amendment 2?  
Concurred in.

The question was: Concurrence of assembly amendment 3?  
Concurred in.

#### **Senate Bill 158**

Relating to private consensual sex acts between married persons.

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 158**

Read a third time and passed.

#### **Senate Bill 627**

Relating to attaching pamphlets about fetal alcohol syndrome to marriage licenses and making an appropriation.

Read a second time.

The question was: Shall the bill be indefinitely postponed?

The bill was indefinitely postponed.

#### **Senate Bill 656**

Relating to technical revisions affecting public utility regulation.

Read a second time.

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

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

Adopted.

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 656**

Read a third time and passed.

**Senate Bill 697**

Relating to waterfowl blind regulation and providing for and revising penalties.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

**Senate Bill 697**

Read a third time and passed.

**Senate Bill 740**

Relating to application of collective bargaining agreements concerning disciplinary procedure to employes of certain counties and 1st class cities.

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 740**

Read a third time and passed.

**Senate Bill 793**

Relating to ownership of agricultural land by corporations.

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 793**

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Noes -- None.

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

So the bill passed.

### **Senate Bill 798**

Relating to the size of statute and session law volumes.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Senator Frank in the chair.

9:24 A.M.

By request of Senator Flynn, with unanimous consent, **Senate Bill 798** was referred to the joint committee on Finance.

### **Senate Bill 814**

Relating to negotiation and arbitration in the siting of certain solid and hazardous waste sites and facilities.

Read a second time.

By request of Senator Hanaway, with unanimous consent, **Senate Bill 814** was placed at the foot of the calendar.

### **Senate Bill 817**

Relating to liability for recreational use of property, and changing penalties.

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 817**

Read a third time and passed.

### **Senate Bill 821**

Relating to regulating and limiting wild turkey hunting, creating penalties and increasing an appropriation.

Read a second time.

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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 821**

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 1; absent or not voting, 4; as follows:

Ayes -- Senators Adelman, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno and Thompson -- 28.

Noes -- Senator Van Sistine -- 1.

Absent or not voting -- Senators Bablitch, Johnston, Krueger and Maurer -- 4.

So the bill passed.

**Senate Bill 823**

Relating to awarding costs for frivolous appeals.

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 823**

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.

The question was: Concurrence of assembly substitute amendment 1?

By request of Senator Adelman, with unanimous consent, **Senate Bill 417** was placed after the Special Order of Business, **Senate Bill 738**.

**Assembly Joint Resolution 32**

Directing the legislative council to study the interrelationship of urban programs and agricultural land use.

Read.

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Senator Opitz moved non-concurrence of **Assembly Joint Resolution 32**.

The question was: Non-concurrence of **Assembly Joint Resolution 32**?

The ayes and noes were demanded and the vote was: ayes, 5; noes, 26; absent or not voting, 2; as follows:

Ayes -- Senators Engeleiter, Kreul, Lasee, Lorge and Opitz -- 5.

Noes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Lorman, McCallum, Moody, Offner, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 26.

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

So the motion did not prevail.

The question was: Concurrence of **Assembly Joint Resolution 32**?  
Concurred in.

**Assembly Joint Resolution 62**

Requesting the legislative council to study mobile home taxation.  
Read.

Senator Opitz moved non-concurrence of **Assembly Joint Resolution 62**.

The question was: Non-concurrence of **Assembly Joint Resolution 62**?

By request of Senator Opitz, with unanimous consent **Assembly Joint Resolution 62** was placed after **Assembly Bill 657**.

**Assembly Joint Resolution 69**

Relating to reparations for the internment of the Japanese.

Read.

Concurred in.

**Assembly Bill 38**

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

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 38**

Read a third time and concurred in.

**Assembly Bill 266**

Relating to duties of and remedies for maintenance of residential premises and retaliatory conduct and defenses to eviction in residential tenancies.

Read a second time.

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

Adopted.

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 266**

Read a third time and concurred in as amended.

**Assembly Bill 358**

Relating to placing in the statutes laws related to sewerage commissions in 1st class cities and metropolitan sewerage districts.

Read a second time.

Senate amendment 1 offered by Senators Moody and Hanaway.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

**Assembly Bill 358**

Read a third time and concurred in as amended.

**Assembly Bill 365**

Relating to membership of bodies that set hospital rates.

Read a second time.

By request of Senator Bidwell, with unanimous consent **Assembly Bill 365** was placed at the foot of the calendar.

**Assembly Bill 482**

Relating to amending the powers and duties of 1st class cities to conform to the powers and duties of other cities.

Read a second time.

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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 482**

Read a third time and concurred in.

**Assembly Bill 578**

Relating to unclassified appointments by the county executive in populous counties.

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 578**

Read a third time and concurred in.

**Assembly Bill 606**

Relating to forfeiture of property derived from or associated with crime.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Moody, with unanimous consent **Assembly Bill 606** was placed after **Senate Bill 417**.

**Assembly Bill 652**

Relating to destruction of certain taped recordings of local public meetings.

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 652**

Read a third time and concurred in.

**Assembly Bill 657**

Relating to taxation of mobile homes.

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 657**

Read a third time.

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

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**Ayes** -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

**Noes** -- None.

**Absent or not voting** -- Senators Cullen and Krueger -- 2.

So the bill was concurred in.

### **Assembly Joint Resolution 62**

Requesting the legislative council to study mobile home taxation.  
Read.

The question was: **Non-concurrence of Assembly Joint Resolution 62?**

The ayes and noes were demanded and the vote was: ayes, 7; noes, 25; absent or not voting, 1; as follows:

**Ayes** -- Senators Chilsen, Engeleiter, Lasee, Lorman, McCallum, Opitz and Roshell -- 7.

**Noes** -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Cullen, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Lorge, Maurer, Moody, Offner, Risser, Strohl, Theno, Thompson and Van Sistine -- 25.

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

So the motion did not prevail.

The question was: **Concurrence of Assembly Joint Resolution 62?**  
Concurred in.

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## SPECIAL ORDERS

### **Senate Bill 738**

Relating to bail and pretrial release and detention.

Read a second time.

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

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 Hanaway.

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

Adopted.

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 738**

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Roshell, Strohl, Theno, and Van Sistine -- 30.

Noes -- Senators George, Risser and Thompson -- 3.

Absent or not voting -- None.

So the bill 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.

The question was: Concurrence of assembly substitute amendment 1?

Concurred in.

### **Assembly Bill 606**

Relating to forfeiture of property derived from or associated with crime.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Kleczka moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

By request of Senator Adelman, with unanimous consent, **Assembly Bill 606** was placed at the foot of the calendar.

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**Assembly Bill 696**

Relating to consumer reporting agency access to savings and loan association records.

Read a second time.

The president of the senate in the chair.

10:55 A.M.

By request of Senator Flynn, with unanimous consent, **Assembly Bill 696** was placed at the foot of the calendar.

**Assembly Bill 709**

Relating to the size and term of personal obligation loans by mutual savings banks.

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 709**

Read a third time and concurred in.

**Assembly Bill 753**

Relating to appointment of a deputy town clerk and deputy town treasurer.

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 753**

Read a third time and concurred in.

**Assembly Bill 756**

Relating to various changes in the code of ethics for state public officials.

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 756**

Read a third time and concurred in as amended.

**Assembly Bill 758**

Relating to civil damages for violations of certain laws governing motor vehicle transactions and penalties for violation of certain laws governing motor vehicle transactions.

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 758**

Read a third time and concurred in as amended.

**Assembly Bill 805**

Relating to permitting counties and cities to establish urban homestead programs.

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 805**

Read a third time and concurred in.

**Assembly Bill 816**

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

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 816**

Read a third time and concurred in.

**Assembly Bill 829**

Relating to the definition of the term "municipality" for the purposes of the statutes pertaining to library services.

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 829**

Read a third time and concurred in.

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**Assembly Bill 850**

Relating to preservation of records by city housing and redevelopment authorities.

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 850**

Read a third time and concurred in as amended.

**Assembly Bill 884**

Relating to removing the Lake Freeway South in Milwaukee county from the state trunk highway system, disposing of the lands and property and making an appropriation.

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 884**

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, 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 -- 32.

Noes -- None.

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

So the bill was concurred in.

**Assembly Bill 921**

Relating to allowing any village to provide police or fire protective services by creating its own protective services department, by contracting for protective services or by creating a joint department with another municipality and allowing the village to govern the department with a separate or a joint board of commissioners.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 921**

Read a third time and concurred in.

**Assembly Bill 930**

Relating to requiring the controlled substances board to enter into agreements with state and federal agencies to control the diversion of controlled substances and requiring the board to report on the diversion of controlled substances.

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 930**

Read a third time and concurred in.

**Assembly Bill 943**

Relating to including renovation of a pheasant propagation facility in the authorized state building program.

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 943**

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, 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 -- 32.

Noes -- Senator Berger -- 1.

Absent or not voting -- None.

So the bill was concurred in.

**Assembly Bill 986**

Relating to increasing the maximum amount of monthly annuity receivable for eligibility for a lump sum option under the Wisconsin retirement system.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 986**

Read a third time and concurred in.

**Assembly Bill 1013**

Relating to financing of harbor improvements.

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 1013**

Read a third time and concurred in.

**Assembly Bill 1100**

Relating to the legislative council's native American study committee.

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 1100**

Read a third time and concurred in.

**Senate Bill 814**

Relating to negotiation and arbitration in the siting of certain solid and hazardous waste sites and facilities.

Read a second time.

By request of Senator Harnisch, with unanimous consent, **Senate Bill 814** was laid on the table.

**Assembly Bill 365**

Relating to membership of bodies that set hospital rates.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

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

Senate amendment 1 offered by Senator Opitz.

The question was: Adoption of senate amendment 1?

Senator Adelman moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The motion prevailed.

JOURNAL OF THE SENATE [March 25, 1982]

Senate amendment 2 offered by Senator Bidwell.

The question was: Adoption of senate amendment 2?

Senator Berger moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

The motion prevailed.

Ordered to a third reading.

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

**Assembly Bill 365**

Read a third time.

The ayes and noes were required and the vote was: ayes, 23; noes, 10; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Johnston, Kleczka, Lorman, McCallum, Maurer, Moody, Offner, Risser, Strohl, Theno and Thompson -- 23.

Noes -- Senators Bidwell, Harnisch, Harsdorf, Kreul, Krueger, Lasee, Lorge, Opitz, Roshell and Van Sistine -- 10.

Absent or not voting -- None.

So the bill was concurred in.

**Assembly Bill 606**

Relating to forfeiture of property derived from or associated with crime.

Read a second time.

The question was: Rejection of senate amendment 1?

By request of Senator Lasee, with unanimous consent, the senate recessed until 12:05 P.M.

11:50 A.M.

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RECESS

12:05 P.M.

The senate reconvened.

The question was: Rejection of senate amendment 1?

The motion prevailed.

Senate amendment 2 offered by Senator Adelman.

The question was: Adoption of senate amendment 2?

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LEAVE OF ABSENCE

By request of Senator Kreul, with unanimous consent, he was granted a leave of absence for the balance of today's session.

Senator Kleczka moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

The motion prevailed.

Senate amendment 3 offered by Senator Adelman.

The question was: Adoption of senate amendment 3?

Senator Moody moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

The ayes and noes were demanded and the vote was: ayes, 25; noes, 6; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Engeleiter, Flynn, Frank, Goyke, Hanaway, Harsdorf, Johnston, Kleczka, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Roshell, Theno and Van Sistine -- 25.

Noes -- Senators Adelman, Braun, George, Risser, Strohl and Thompson -- 6.

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

So the motion prevailed.

Ordered to a third reading.

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

**Assembly Bill 606**

Read a third time and concurred in.

**Assembly Bill 696**

Relating to consumer reporting agency access to savings and loan association records.

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.

JOURNAL OF THE SENATE [March 25, 1982]

**Assembly Bill 696**

Read a third time and concurred in.

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

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CALENDAR OF MARCH 25

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

LOY, BEVERLY, of Stitzer, as a member of the Conservation Work Projects Board, to serve for the term ending May 1, 1986.

Read.

ROGERS, J. JEAN, of Merrill, as a member of the Air Resources Allocation Council, to serve for the term ending July 1, 1983.

Read.

The question was: Shall the appointments be confirmed?

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harsdorf, Johnston, Kleczka, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Noes -- None.

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

So the appointments were confirmed.

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

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PETITIONS AND COMMUNICATIONS

**Senate Bill 789**

Relating to return of a public utility's interest in property taken for an abandoned project.

Read.

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RULING OF THE CHAIR

On Wednesday, March 24, 1982 the Senator from the 3rd, Senator Kleczka, raised the point of order that the motion to reconsider the vote by which Senate Bill 789 was referred to the committee on Aging, Business and Financial Institutions and Transportation made by the Senator from the 9th, Senator Moody, was not proper.

On page 991, Journal of the Senate June 25, 1975, the chair ruled that a motion to withdraw a matter from committee was not subject to reconsideration.

Section 390, paragraph 2, Mason's Manual reads: The motion to refer to committee may not be reconsidered but the matter referred to committee may be withdrawn.

Section 456 of Mason's Manual reads in part: Under the rules of parliamentary law, the procedural motions, such as to recess, to lay on the table and to refer to committee are not subject to reconsideration.

Therefore, it is the opinion of the chair that the motion is not proper and the point of order raised by the Senator from the 3rd, Senator Kleczka, is well taken.

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MOTIONS

By request of Senator Braun, with unanimous consent, the motion for reconsideration of the vote by which **Senate Bill 622** was indefinitely postponed was considered at this time.

**Senate Bill 622**

Relating to presentence investigations.

Read.

The question was: Reconsideration of the vote by which **Senate Bill 622** was indefinitely postponed?

The motion prevailed.

The question was: Shall the bill be indefinitely postponed?

The motion did not prevail.

Senate amendment 2 to senate substitute amendment 1 offered by Senators Braun and Frank.

The question was: Adoption of senate amendment 2 to 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 622**

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harsdorf, Johnston, Kleczka, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Noes -- None.

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

So the bill passed.

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

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#### AMENDMENTS OFFERED

Senate amendments 15, 16 and 17 to **Assembly Bill 615** by Senator Opitz.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Tuesday, March 30.

12:40 P.M.

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#### CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Bill 501**, assembly substitute amendment 1

1. Page 18, line 11: substitute "3," for "2,".

**Assembly Bill 615**, assembly amendment 2 to assembly substitute amendment 1

1. Page 1, line 12: before "workplace" insert "a".