

STATE OF WISCONSIN

Senate Journal

Eighty-Sixth Regular Session

TUESDAY, MAY 3, 1983

10:00 A.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

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

Present -- Senators Adelman, Bablitch, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Opitz, Otte, 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 Kincaid 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 255

Relating to motor vehicle rustproofing, granting rule-making authority and providing a penalty.

By Senators Adelman, Hanaway, Van Sistine, Thompson, Chilsen, Johnston and Otte; cosponsored by Plous, Gronemus, Young, D. Travis, S. Coggs, Rosenzweig and Holschbach, by request of Attorney General Bronson C. LaFollette.

To committee on Transportation.

COMMITTEE REPORTS

The committee on Health, Education, Corrections and Human Services reports and recommends for introduction:

Senate Bill 256

Relating to a revision of the obscenity law and the penalty for its violation.

By request of Wisconsin Periodical Distributors Association.

Introduction:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis, Moen;

Noes, 0 -- None.

Read first time and referred to committee on Health, Education, Corrections and Human Services.

CARL W. THOMPSON
Chair

PETITIONS AND COMMUNICATIONS

Senate Petition 15

A petition by 88 residents of the state of Wisconsin in support of Senate Bill 250, relating to instructing or training persons to use weapons or techniques to cause civil disorders and providing a penalty.

By Senator Lee.

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

Senate Petition 16

A petition by 241 residents of the state of Wisconsin in opposition to Assembly Bill 250, relating to sexual activity between consenting adults.

By Senator McCallum.

Read first time and referred to committee on Health, Education, Corrections and Human Services.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 27, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Thadis Patterson of Milwaukee to the Board on Aging and Long Term Care pursuant to the statute governing, to serve a term to expire May 1, 1986.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Aging, Financial Institutions and State Institutions.

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State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 27, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Joyce G. Poulsen of Oshkosh to the Board on Aging and Long Term Care pursuant to the statute governing, to serve a term to expire May 1, 1984.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Aging, Financial Institutions and State Institutions.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 27, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Florence Mineau of West Bend to the Board on Aging and Long Term Care pursuant to the statute governing, to serve a term to expire May 1, 1985.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Aging, Financial Institutions and State Institutions.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 27, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Faye LaPorte of Wausau to the Board on Aging and Long Term Care pursuant to the statute governing, to serve a term to expire May 1, 1987.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Aging, Financial Institutions and State Institutions.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 27, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Edith Allen of

Menomonie to the Board on Aging and Long Term Care pursuant to the statute governing, to serve a term to expire May 1, 1987.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Aging, Financial Institutions and State Institutions.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 27, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Alfred Hirsch of Brookfield to the Board on Aging and Long Term Care pursuant to the statute governing, to serve a term to expire May 1, 1988.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Aging, Financial Institutions and State Institutions.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 27, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint James M. Kellerman of Green Bay to the Board on Aging and Long Term Care pursuant to the statute governing, to serve a term to expire May 1, 1987.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Aging, Financial Institutions and State Institutions.

CALENDAR OF MAY 3

By request of Senator Cullen, with unanimous consent, the appointments were considered enmasse with the exception of Lowell Jackson.

ALBERT, FRITZ, of Madison, to the Educational Communications Board, to serve a term to expire May 1, 1984.
Read.

GUNDERSON, RACHEL, of La Crosse, to the Educational Communications Board, to serve a term to expire May 1, 1987.
Read.

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HOLDEN, JOAN, of Wisconsin Rapids, to the Educational Communications Board, to serve a term to expire May 1, 1985.

Read.

IBARRA, DAGOBERTO, of Milwaukee, to the Public Defender Board to serve a term to expire May 1, 1986.

Read.

JACKSON, ROBERT, of Milwaukee, to the Public Defender Board to serve a term to expire May 1, 1986.

Read.

JACOBSON, THOMAS, of Milwaukee, to the Public Defender Board to serve a term to expire May 1, 1986.

Read.

KOCHER, DOUGLAS, of Green Bay, to the Educational Communications Board, to serve a term to expire May 1, 1987.

Read.

ROSENBERG, DONALD, of Wausau, to the Educational Communications Board, to serve a term to expire May 1, 1986.

Read.

RYDZEWSKI, SISTER MARY CHARLES, of Merrill to the Wisconsin Health Facilities Authority to serve a term to expire July 1, 1990.

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, Chilsen, Cullen, Czarnetzki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the appointments were confirmed.

JACKSON, LOWELL, of Madison, as Secretary of the Department of Transportation, to succeed Owen Ayres, to serve at the pleasure of the Governor.

Read.

The question was: Shall the appointment be confirmed?

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, Chilsen, Cullen, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Moen, Offner, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Noes -- Senators Czarnetzki, Lee and Norquist -- 3.

Absent or not voting -- None.

So the appointment was confirmed.

SENATE CLEARINGHOUSE ORDERS

The committee on Agriculture and Rural Affairs reports and recommends:

Clearinghouse Rule 82-204

AN ORDER to create ch. Ag 144, relating to a milk marketing order for the levy and payment of assessments for the purposes of financing market research and development; industrial research and educational programs, and the creation of a marketing board for administration of the marketing order.

No action taken.

Clearinghouse Rule 82-231

AN ORDER to amend Ag 10.02 (1) and (2) (intro.), relating to requiring a statement on interstate health certificates concerning absence of exposure to paratuberculosis for imported bovine animals.

No action taken.

RODNEY C. MOEN

Chair

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State of Wisconsin
Revisor of Statutes Bureau
Madison, Wisconsin

May 1, 1983

Donald J. Schneider
Senate Chief Clerk
State Capitol
Madison, Wisconsin

Dear Mr. Schneider:

The following rules have been published and are effective:

Clearinghouse Rule 81-184 effective May 1, 1983.
Clearinghouse Rule 82- 28 effective May 1, 1983.
Clearinghouse Rule 82- 99 effective May 1, 1983.
Clearinghouse Rule 82-151 effective May 1, 1983.
Clearinghouse Rule 82-156 effective May 1, 1983.
Clearinghouse Rule 82-177 effective May 1, 1983.
Clearinghouse Rule 82-180 effective May 1, 1983.
Clearinghouse Rule 82-181 effective May 1, 1983.
Clearinghouse Rule 82-182 effective May 1, 1983.
Clearinghouse Rule 82-186 effective May 1, 1983.
Clearinghouse Rule 82-192 effective May 1, 1983.
Clearinghouse Rule 82-197 effective May 1, 1983.
Clearinghouse Rule 82-199 effective May 1, 1983.
Clearinghouse Rule 82-203 effective May 1, 1983.
Clearinghouse Rule 82-211 effective May 1, 1983.
Clearinghouse Rule 82-214 effective May 1, 1983.
Clearinghouse Rule 82-217 effective May 1, 1983.
Clearinghouse Rule 82-218 effective May 1, 1983.
Clearinghouse Rule 82-221 effective May 1, 1983.
Clearinghouse Rule 82-227 effective May 1, 1983.
Clearinghouse Rule 82-230 effective May 1, 1983.
Clearinghouse Rule 82-236 effective May 1, 1983.
Clearinghouse Rule 82-237 effective May 1, 1983.

Sincerely,
GARY L. POULSON
Assistant Revisor

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

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

Assembly Joint Resolution 47

Passed and asks concurrence in:

Assembly Bill 138

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Joint Resolution 47

Relating to proclaiming May 13, 14 and 15, 1983,
Syttende Mai Weekend.

By Representatives Loftus, Johnson, Ulichny, T. Thompson, Rude, Chvala, Gilson, Van Gorden, Cowles, Huelsman, Larson, Radtke, Stewart, Moyer, Manske, Stower and Kasten, co-sponsored by Senators Thompson, Risser and Moen.

Read and referred to committee on Senate Organization.

By request of Senator Cullen, with unanimous consent, the rules were suspended and **Assembly Joint Resolution 47** was withdrawn from committee on Senate Organization and considered at this time.

Assembly Joint Resolution 47

Relating to proclaiming May 13, 14 and 15, 1983,
Syttende Mai Weekend.

Read.

Concurred in.

Assembly Bill 138

Relating to restrictions of the sale of certain products containing phosphates and creating a penalty.

By Representatives Neubauer, Nelsen, Czarnecki, Jaronitzky, Bell, Jauch, M. Coggs, Stower, Bolle, Gilson, Moyer, Chvala, Miller, Schultz, Antaramian, Medinger, Walling, Brist, Rogers, Seery, Munts, Rooney, Johnson, Potter, Roberts, Loftus, Turba, Plous, Metz, Helbach, S. Coggs, Gerlach, Kunicki, Gronemus, Becker, Holperin, Meaux, Crawford, Sell, D. Travis, Wineke, Clarenbach, Looby, Rutkowski, Ulichny, Hasenohrl, Tesmer and Rude, co-sponsored by Senators Strohl, Lorman, Engeleiter, Adelman, Lee, Feingold, Moen, Risser, Davis, Norquist, George, Otte, Ellis, Bablitch and Johnston.

Read first time and referred to committee on Energy and Environmental Resources.

CALENDAR OF MAY 3

Senate Resolution 8

Relating to authorizing the attorney general to take appropriate and necessary action concerning certain provisions of the Surface Transportation Assistance Act of 1982.

Read.

Adopted.

Senate Joint Resolution 11

Relating to abolishing the constitutional offices of secretary of state and state treasurer (first consideration).

Read a second time.

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

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the joint resolution was considered for final action at this time.

Senate Joint Resolution 11

Read a third time.

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

Ayes -- Senators Adelman, Chilsen, Czarnezki, Davis, Engeleiter, Feingold, Hanaway, Harsdorf, Johnston, Kleczka, Lasee, Lee, Lorman, Maurer, Moen, Norquist, Offner and Risser -- 18.

Noes -- Senators Bablitch, Cullen, Ellis, George, Kincaid, Kreul, Lorge, McCallum, Opitz, Otte, Roshell, Strohl, Theno, Thompson and Van Sistine -- 15.

Absent or not voting -- None.

So the joint resolution was adopted.

Senate Bill 91

Relating to animal fighting and providing penalties.
Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senators Otte and Risser.

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

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

The chair ruled the point of order well taken.

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

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 Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 91

Read a third time and passed.

Assembly Bill 141

Relating to the medium security correctional institution in Milwaukee and making appropriations.
Read a second time.

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

The question was: Adoption of senate amendment 3?

The ayes and noes were demanded and the vote was: ayes, 26; noes, 7; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Chilsen, Cullen, Czarnezki, Feingold, George, Hanaway, Johnston, Kincaid, Kleczka, Kreul, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Opitz, Otte, Risser, Strohl, Theno, Thompson and Van Sistine -- 26.

Noes -- Senators Adelman, Davis, Ellis, Engeleiter, Harsdorf, Lasee and Roshell -- 7.

Absent or not voting -- None.

So the amendment was adopted.

The question was: Adoption of senate amendment 5?
Adopted.

The question was: Adoption of senate amendment 6?
Adopted.

Senate amendment 7 offered by Senator Roshell.

The question was: Adoption of senate amendment 7?

Senator George moved rejection of senate amendment 7.

The question was: Rejection of senate amendment 7?

The ayes and noes were demanded and the vote was: ayes, 26; noes, 7; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Chilsen, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Johnston, Kincaid, Kleczka, Lee, Lorge, Lorman, McCallum, Maurer, Norquist, Offner, Otte, Risser, Strohl, Theno, Thompson and Van Sistine -- 26.

Noes -- Senators Ellis, Harsdorf, Kreul, Lasee, Moen, Opitz and Roshell -- 7.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 8 offered by Senator Opitz.

The question was: Adoption of senate amendment 8?

Senator Feingold moved rejection of senate amendment 8.

The question was: Rejection of senate amendment 8?

Senator Thompson raised the point of order that senate amendment 8 was not germane.

The chair ruled the point of order well taken.

Senator Opitz appealed the ruling of the chair.

The question was: Shall the decision of the chair stand as the judgment of the senate?

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, Cullen, Czarnezki, Feingold, George, Johnston, Kincaid, Kleczka, Kreul, Lee, Maurer, Moen, Norquist, Offner, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 21.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 12.

Absent or not voting -- None.

So the decision of the chair shall stand as the judgment of the senate.

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The question was: Shall the bill be ordered to a third reading?

Ordered to a third reading.

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

Assembly Bill 141

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, Hanaway, Harsdorf, Kincaid, Kleczka, Kreul, Lasee, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Opitz, Otte, Risser, Strohl, Theno, Thompson and Van Sistine - 28.

Noes -- Senators George, Johnston, Lee, Lorge and Roshell -- 5.

Absent or not voting -- None.

So the bill was concurred in as amended.

Assembly Bill 250

Relating to sexual activity between consenting adults.
Read a second time.

Senate amendment 1 offered by Senator Opitz.

The question was: Adoption of senate amendment 1?

Senator Offner moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

Senator Opitz moved that **Assembly Bill 250** be laid on the table.

The question was: Shall **Assembly Bill 250** be laid on the table?

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

Ayes -- Senators Chilsen, Ellis, Harsdorf, Johnston, Kincaid, Kleczka, Kreul, Lasee, McCallum, Maurer, Opitz, Otte, Roshell and Van Sistine -- 14.

Noes -- Senators Adelman, Bablitch, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Lee, Lorge, Lorman, Moen, Norquist, Offner, Risser, Strohl, Theno and Thompson -- 19.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Rejection of senate 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 Adelman, Bablitch, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Johnston, Lee, Lorman, Maurer, Moen, Norquist, Offner, Risser, Strohl, Theno and Thompson - 20.

Noes -- Senators Chilsen, Ellis, Harsdorf, Kincaid, Kleczka, Kreul, Lasee, Lorge, McCallum, Opitz, Otte, Roshell and Van Sistine -- 13.

Absent or not voting -- None.

So the motion prevailed.

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

Senate amendment 2 offered by Senator Opitz.

The question was: Adoption of senate amendment 2?

Senator Offner moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?
The motion prevailed.

Senate amendment 3 offered by Senator Opitz.

Senator Offner 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, 20; noes, 13; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Cullen, Czarnezki, Davis, Feingold, George, Hanaway, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Risser, Strohl, Theno and Thompson -- 20.

Noes -- Senators Chilsen, Ellis, Engeleiter, Harsdorf, Johnston, Kincaid, Kleczka, Kreul, Lasee, Opitz, Otte, Roshell and Van Sistine -- 13.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 4 offered by Senator Hanaway.

The question was: Adoption of senate amendment 4?

Senator Offner raised the point of order that senate amendment 4 was not germane.

The chair ruled the point of order well taken.

Senate amendment 5 offered by Senator Hanaway.

The question was: Adoption of senate amendment 5?

Senator Offner moved rejection of senate amendment 5.

The question was: Rejection of senate amendment 5?

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

Ayes -- Senators Adelman, Bablitch, Cullen, Czarnezki, Feingold, George, Kleczka, Lee, Moen, Norquist, Offner, Risser, Strohl and Thompson -- 14.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kincaid, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Opitz, Otte, Roshell, Theno and Van Sistine -- 19.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 5?
Adopted.

Senator Opitz moved non-concurrence of **Assembly Bill 250**.

The question was: Shall **Assembly Bill 250** be non-concurred in?

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

Ayes -- Senators Chilsen, Ellis, Harsdorf, Kincaid, Kleczka, Kreul, Lasee, McCallum, Maurer, Opitz, Otte, Roshell and Van Sistine -- 13.

Noes -- Senators Adelman, Bablitch, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Johnston, Lee, Lorge, Lorman, Moen, Norquist, Offner, Risser, Strohl, Theno and Thompson - 20.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Shall the bill be ordered to a third reading?

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

Ayes -- Senators Adelman, Bablitch, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Johnston, Lee, Lorge, Lorman, Moen, Norquist, Offner, Risser, Strohl, Theno and Thompson - 20.

Noes -- Senators Chilsen, Ellis, Harsdorf, Kincaid, Kleczka, Kreul, Lasee, McCallum, Maurer, Opitz, Otte, Roshell and Van Sistine -- 13.

Absent or not voting -- None.

So the bill was ordered to a third reading.

Senator Cullen asked unanimous consent that the bill be considered for final action at this time.

Senator Opitz objected.

Senator Cullen moved **Assembly Bill 250** be considered for final action at this time.

The question was: Shall **Assembly Bill 250** be considered for final action at this time?

The ayes and noes were required and the vote was: ayes, 22; noes, 11; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Cullen, Czarnezki, Davis, Feingold, George, Hanaway, Kleczka, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Risser, Strohl, Theno, Thompson and Van Sistine -- 22.

Noes -- Senators Chilsen, Ellis, Engeleiter, Harsdorf, Johnston, Kincaid, Kreul, Lasee, Opitz, Otte and Roshell -- 11.

Absent or not voting -- None.

Two-thirds having voted in the affirmative, the motion prevailed.

Assembly Bill 250

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Johnston, Lee, Lorge, Lorman, Moen, Norquist, Offner, Risser, Strohl, Theno and Thompson - 20.

Noes -- Senators Chilsen, Ellis, Harsdorf, Kincaid, Kleczka, Kreul, Lasee, McCallum, Maurer, Opitz, Otte, Roshell and Van Sistine -- 13.

Absent or not voting -- None.

So the bill was concurred in as amended.

Senator Cullen asked unanimous consent all action be ordered immediately messaged.

Senator Opitz objected.

Senator Cullen moved reconsideration of the vote by which **Assembly Bill 250** was concurred in.

Senator Opitz asked unanimous consent that the motion for reconsideration of the vote by which **Assembly Bill 250** was concurred in be laid on the table.

Senator Cullen objected.

Senator Opitz moved that the motion for reconsideration of the vote by which **Assembly Bill 250** was concurred in be laid on the table.

The question was: Shall the motion for reconsideration of the vote by which **Assembly Bill 250** was concurred in be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 7; noes, 26; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Ellis, Harsdorf, Kreul, Lasee, Opitz and Roshell -- 7.

Noes -- Senators Adelman, Bablitch, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Johnston, Kincaid, Kleczka, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Otte, Risser, Strohl, Theno, Thompson and Van Sistine - 26.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Shall the vote by which **Assembly Bill 250** was concurred in be reconsidered?

The motion did not prevail.

By request of Senator Cullen, with unanimous consent, the Senate returned to the second, third, and fifth orders of business.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 28

Requesting the legislative council to study the present law restricting public access to court proceedings involving juveniles.

By Senator Adelman.

Read and referred to committee on Judiciary and Consumer Affairs.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 257

Relating to wrongful death actions.

By Senators Adelman and Maurer; cosponsored by Representative Rutkowski.

To committee on Judiciary and Consumer Affairs.

PETITIONS AND COMMUNICATIONS

Office of the Majority Leader
Wisconsin State Senate

May 3, 1983

To the Honorable the Senate:

In accordance with sections 8.50(4)(e) and 17.01 of the Wisconsin State Statutes, I herewith submit this, my irrevocable resignation as State Senator of the 24th District, effective at 2:00 p.m. on August 1, 1983.

Sincerely,
WILLIAM A. BABLITCH
Justice-Elect

MOTIONS

By request of Senator Thompson, with unanimous consent, **Senate Bills 55, 174 and 208** were withdrawn from committee on Health, Education, Corrections and Human Services and referred to committee on Higher Education and Economic Development.

By request of Senator Cullen, with unanimous consent, **Senate Bills 121, 182 and 229** were withdrawn from committee on Labor, Business, Veterans Affairs and Insurance and referred to committee on Aging, Financial Institutions and State Institutions.

AMENDMENTS OFFERED

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 79** by Senator Roshell.

Senate amendment 1 to **Assembly Bill 31** by Senator Davis.

CITATIONS

MOTIONS UNDER SENATE RULE 98

A Certificate of Congratulations by Senator Adelman for the NATIONAL AVENUE SENIOR CITIZENS ASSOCIATION on the occasion of their 10th anniversary;

A Certificate of Congratulations by Senator Theno cosponsored by Representative Jaronitzky for TONY WISE, of Telemark Lodge, on the occasion of his designation as the Wisconsin Restaurant Association's 1982-83 Outstanding Restaurateur from the Vacationland Chapter;

A Certificate of Commendation by Senator McCallum for WILLMER HERMAN on the occasion of serving as Chief of the Kohlsville Fire Department for 29 years;

A Certificate of Commendation by Senator McCallum for WALT SINISI on the occasion of receiving the Wisconsin Restaurant Association's Golden Knife and Fork Award;

A Certificate of Commendation by Senators Davis and Engeleiter cosponsored by Representatives Schneiders and Huelsman for RUTH VAN TOOR on the occasion of her retirement;

A Certificate of Commendation by Senators Kleczka, Van Sistine, Kreul, Risser and Lasee cosponsored by Representatives Gerlach, Donoghue, D. Travis, Shoemaker and Schneiders for JOHN SHORT on the occasion of his retirement;

A Certificate of Commendation by Senator Lasee cosponsored by Representative Bolle for WILLIAM J. EBERT on the occasion of his retirement;

A Certificate of Congratulations by Senator Cullen for FRED SUCHY on the occasion of his retirement;

A Certificate of Congratulations by Senator Cullen for WILLIAM R. DREW on the occasion of his retirement;

A Certificate of Commendation by Senator George for the MILWAUKEE REALTIST ASSOCIATION on the occasion of the Seventh Annual Installation;

A Certificate of Commendation by Senator Davis for the AMERICAN HOME ECONOMICS ASSOCIATION on the occasion of its Annual Meeting and Exposition;

A Certificate of Congratulations by Senator McCallum for the OSHKOSH WEST HIGH SCHOOL GIRLS BASKETBALL TEAM on the occasion of competing in the basketball finals in Madison;

A Certificate of Congratulations by Senator McCallum for the OSHKOSH NORTH HIGH SCHOOL BOYS BASKETBALL TEAM on the occasion of competing in the basketball finals in Madison;

A Certificate of Commendation by Senator McCallum for DANIEL BERNDT on the occasion of rescuing Bradley Schubert from the Rock River;

A Certificate of Congratulations by Senator Harsdorf for MARY LAMPHERE on the occasion of her 100th birthday;

A Certificate of Congratulations by Senator Harsdorf for RALPH and EDNA ABBOTT on the occasion of their 59th Wedding Anniversary;

A Certificate of Congratulations by Senator Cullen for MR. and MRS. ARTHUR P. STEARNS on the occasion of their 25th Wedding Anniversary;

A Certificate of Commendation by Senator Lasee for DISTRICT 27B-1 GOVERNOR VERNON F. PAUTZ on the occasion of an honor night in recognition of his services;

A Certificate of Commendation by Senator Harsdorf for KOREY KNOTT on the occasion of receiving the Eagle Scout Award;

A Certificate of Congratulations by Senator Harsdorf for FATHER EDWIN L. KNAUF on the occasion of the 50th Anniversary of his ordination;

MOTIONS UNDER JOINT RULE 7

A Certificate of Commendation by Senator Davis cosponsored by Representative Foti for KENNETH LEQUE on the occasion of his retirement;

A Certificate of Congratulations by Senator Thompson cosponsored by Representative Wineke for MARY and ALBERT HAAG, Mount Horeb, on the occasion of their 75th Wedding Anniversary;

A Certificate of Commendation by Senator Van Sistine cosponsored by Representatives Metz and Vanderperren for DAN and TERRI HOEHNE and CHILI JOHN'S RESTAURANT on the occasion of receiving the Wisconsin Restaurant Association's Golden Knife and Fork Award;

A Certificate of Congratulations by Senators Czarnezki and Kleczka cosponsored by Representative Plewa for CHARLES SEAKS III on the occasion of receiving the Eagle Scout Award;

A Certificate of Congratulations by Senator Maurer cosponsored by Representatives Antaramian and Andrea for LOU CHINSKE on the occasion of his retirement as Executive Secretary to the Kenosha Board of Realtors;

A Certificate of Commendation by Senator Kleczka cosponsored by Representative Gerlach for TRINITY MEMORIAL HOSPITAL on the occasion of its 25th Anniversary;

A Certificate of Congratulations by Senators Feingold, Risser and Otte cosponsored by Representatives Clarenbach, Miller, Munts and Chvala

for BILLY FEITLINGER on the occasion of his election as President of the Madison City Council;

A Certificate of Commendation by Senator Theno cosponsored by Representative Smith for JOHN PORTER on the occasion of his recognition as the 1983 Wildlife Manager of the Year;

A Certificate of Commendation by Senator Theno cosponsored by Representative Jaronitzky for ELIZABETH MORGANDO on the occasion of her retirement as Montreal City Clerk and Treasurer;

A Certificate of Congratulations by Senator McCallum cosponsored by Representative Luckhardt for the CITY OF HARTFORD on the occasion of its Centennial Celebration;

A Certificate of Condolence by Senator Theno cosponsored by Representative Smith for THE FAMILY OF MAYOR SANFORD AARDAPPEL on the occasion of the passing of Sanford Aardappel;

A Certificate of Commendation by Representative Wineke cosponsored by Senator Thompson for MR. LEO LACY on the occasion of his many years of dedication and service;

A Certificate of Congratulations by Representative Byers cosponsored by Senator Lorge for DANIEL G. WILSON on the occasion of receiving the Eagle Scout Award.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Thursday, May 5.

1:32 P.M.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 7

Senate Bill 8

Senate Bill 15

Senate Bill 82

Senate Bill 102

Correctly enrolled and presented to the Governor on May 3, 1983.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Resolution 8

1. Page 1, line 5: substitute "on" for "an".