

STATE OF WISCONSIN
Senate Journal
Eighty-Sixth Regular Session

THURSDAY, April 5, 1984

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:

Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Absent -- Senator Kleczka -- 1.

Absent with leave -- None.

The senate stood for the prayer which was offered by Reverend Larry A. Moody of Trinity United Methodist Church, Madison.

The senate remained standing and Senator Harsdorf 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 717

Relating to a property tax exemption for nonprofit organizations that engage in conservation, education and scientific research.

By Senator Helbach; cosponsored by Representative Horvath.

To Joint Survey committee on Tax Exemptions.

Senate Bill 718

Relating to worker's compensation temporary total disability benefits for law enforcement officers.

By Senator Lorge.

To committee on Labor, Business, Veterans Affairs and Insurance.

COMMITTEE REPORTS

The committee on Senate Organization, acting under Senate Rule 20(1) reports and recommends the following nominations to committee for appointment by the Senate:

Joint Committee on Finance
Senator John Maurer - Co-Chair
Senator Rod Moen

Wisconsin Housing and Economic Development Authority
Senator Carl Thompson

Transportation Projects Commission
Senator Joseph Strohl

Radiation Protection Council
Dr. John Moulder

TIMOTHY F. CULLEN
Chair

The question was: Shall the committee on Senate Organization report, with the exception of Senator Moen to the joint committee on Finance, be adopted?
Adopted.

The question was: Shall the committee on Senate Organization report appointing Senator Moen to the joint committee on Finance be adopted?

Senate amendment 1 to the committee on Senate Organization report offered by Senator McCallum.

The question was: Adoption of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 17; absent or not voting, 1; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 14.

Noes -- Senators Adelman, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Lee, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 17.

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

So the amendment failed to be adopted.

Senate amendment 2 to the committee on Senate Organization report offered by Senator McCallum.

The question was: Adoption of senate amendment 2?

Senator McCallum moved a

CALL OF THE SENATE

Which motion was supported.

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

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

Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Absent -- None.

Absent with leave -- None.

Senator Lorge asked unanimous consent that the senate proceed with the calendar.

Senator Cullen objected.

The question was: Adoption of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 18; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 14.

Noes -- Senators Adelman, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Kleczka, Lee, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 18.

Absent or not voting -- None.

So the amendment failed to be adopted.

Senate amendment 3 to the report of the committee on Senate Organization offered by Senator McCallum.

The question was: Adoption of senate amendment 3?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 18; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 14.

Noes -- Senators Adelman, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Kleczka, Lee, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 18.

Absent or not voting -- None.

So the amendment failed to be adopted.

The question was: Shall the committee on Senate Organization report appointing Senator Moen to the joint committee on Finance be adopted?

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

Ayes -- Senators Adelman, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Kleczka, Kreul, Lee, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 19.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 13.

Absent or not voting -- None.

So the committee on Senate Organization report appointing Senator Moen to the joint committee on Finance was adopted.

COMMITTEE REPORTS

The committee on Transportation reports and recommends:

Assembly Bill 327

Relating to synchronizing traffic control signals on through highways in certain municipalities.

Nonconcurrence:

Ayes, 5 -- Senators Otte, Moen, Maurer, Kreul and Ellis;

Noes, 0 -- None.

CARL OTTE
Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Assembly Bill 24

Relating to escrow accounts for the benefit of victims of crimes.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Adelman, Helbach, Feingold, Hanaway and Lorge;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Adelman, Helbach, Feingold, Hanaway and Lorge;

Noes, 0 -- None.

Assembly Bill 657

Relating to criminal damage to property in cemeteries and seizure and forfeiture of vehicles.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Adelman, Helbach, Feingold, Hanaway and Lorge;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Adelman, Helbach, Feingold, Hanaway and Lorge;

Noes, 0 -- None.

LYNN S. ADELMAN
Chair

The committee on Labor, Business, Veterans Affairs and Insurance reports and recommends:

Assembly Bill 96

Relating to purchase of advertising from alcohol beverage licensees and permittees.

Concurrence:

Ayes, 5 -- Senators Van Sistine, Otte, Thompson, Chilsen and Engeleiter;

Noes, 1 -- Senator Roshell.

Assembly Bill 174

Relating to petroleum product sales.

Concurrence:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

Assembly Joint Resolution 102

Requesting the legislative council to study the municipal employment mediation-arbitration law.

Concurrence:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

JEROME VAN SISTINE
Chair

The committee on Tourism and Revenue reports and recommends:

Assembly Bill 394

Relating to required reports on money paid to individuals for services.

Concurrence:

Ayes, 4 -- Senators Kincaid, Van Sistine, Helbach and Chilsen;

Noes, 0 -- None.

LLOYD H. KINCAID
Chair

Report of
Committee of Conference
on
Assembly Bill 706

The members of the Committee of Conference on **Assembly Bill 706** report and recommend, That, by the adoption of this report:

1. Both houses recede from their respective position.

2. The Senate and the Assembly, respectively, adopt and concur in Conference Substitute Amendment 1 (LRBs0889/1) which is attached to and made a part of this report.

Sen. Strohl	Rep. Gilson
Sen. Adelman	Rep. Neubauer (unsigned)
Sen. Engeleiter	Rep. Rude

Senator McCallum asked unanimous consent that the Call of the House be raised.

Senator Cullen objected.

Senator Lorge moved that the Call of the House be raised.

The question was: Shall the Call of the House be raised?

The motion did not prevail.

PETITIONS AND COMMUNICATIONS

State of Wisconsin
State Senate

April 4, 1984

To the Honorable the Senate:

I hereby tender my resignation from the Building Commission of the State of Wisconsin effective immediately.

New duties have been assigned that make it necessary for this action.

Sincerely,
JOHN J. MAURER
State Senator

State of Wisconsin
State Senate

April 4, 1984

To the Honorable the Senate:

Please accept my resignation, effective April 4, 1984, from the Transportation Projects Commission.

It has been a pleasure serving on the Commission during the past several months.

Sincerely,
RODNEY C. MOEN
State Senator

State of Wisconsin
Department of State

April 3, 1984

To the Honorable the Senate

I have the honor to transmit to you the following information pursuant to s. 13.685(7):

Sincerely,
DOUGLAS LAFOLLETTE
Secretary of State

Lobbyist Terminations:

Halverson, Wendell Q., for Wisconsin Assn. of Independent Colleges and Universities, effective March 30, 1984.

Hutchison, Robert, for First Bank (N.A.), effective March 31, 1984.

Randall, William L., for First Bank (N.A.), effective March 31, 1984.

Names of State Agencies, Officers, Employees and Interest Areas:

Department of Administration:

Hanson, Doris J., 20
McAvoy, Peter, 20
Sprecher, Lon, 20
Christianson, Roy, 20

JOURNAL OF THE SENATE [April 5, 1984]

- Lorang, Dick, 20
- Aging and Long Term Care, Board on:**
Potaracke, George F., 3, 11, 12, 18, 19
- Agriculture, Trade and Consumer Protection, Dept. of:**
Ausman, La Verne, 1, 3, 10, 18, 19, 20, 21
Cottingham, John, 1
Gunderson, Mary, 1, 17
- Arts Board, Wisconsin:**
Weaver, Marvin E., 26 (Arts)
- Banking, Office of Commissioner of:**
Dixon, William P., 2, 3
Zeppos, Evan, 2, 3
Patrick, Robert A., 2, 3
- Conservation Corps Board, Wisconsin:**
Brakken, William A., 20
- Dane County Regional Planning Commission:**
Montemayor, Charles, 4, 17, 20, 23, 26 (SB 526)
Favour, Thomas, 4, 23
Lane, William, 1, 4, 17
Kaemmerle, Ken, 4, 22
Freund, Adrian, 1, 4, 11, 17
McDonald, Robert, 1, 4, 17
Smiley, Thomas, 4
Tabaka, C. M., 4
Bauman, Walter, 4, 17, 20, 23, 26 (SB 526)
Salmon, Elizabeth, 4, 17, 20, 23, 26 (SB 526)
- Educational Communications Board:**
Norton, Paul M., 7, 20
Tobie, Ted, 7, 20
Moe, Anton J., 7, 20-delete
- Governor's Office**
Bartlett, Robert, all areas
Bergman, Harold, all areas
Gassman, Roberta, 7, 9, 19, 26
Schott, Donald, all areas
Weinzel, Nancy, all areas
DeMain, Paul, 5, 6, 7, 9, 11, 12, 19
Rodriguez, Francisco, 5, 6, 7, 9, 11, 12, 19
Wynn, Lauri, 5, 6, 7, 9, 11, 12, 19
Flintrop, Richard, 5, 6
- Governor's Employment and Training Office**
Zaragoza, Federico, 7, 13, 19, 26 (Econ. development-job training)
David, Joseph L., 7, 13, 19, 26 (Econ. development-job training)
- Health and Social Services, Dept. of:**
Reivitz, Linda, 4, 5, 6, 9, 11, 19, 20
Torphy, John, 4, 5, 6, 9, 11, 19, 20
Nelson, Douglas, 4, 5, 6, 9, 11, 19, 20
Graves, Virginia, 4, 5, 6, 9, 11, 19, 20
Johnson, Blue, 4, 5, 6, 9, 11, 19, 20
Tropman, Peter, 4, 5, 6, 9, 11, 19, 20
Bjornstad, Roberta, 4, 5, 6, 9, 11, 19, 20
Morrison, Kathryn, 11, 14
Stella, Davis, 11, 14
- O'Keefe, Jim, 11, 14
Dickey, Walter, 6, 19, 20
Margolies, Bob, 6, 19, 10
Kallsen, Patricia, 3, 4, 7, 9, 11, 12, 19
Russell, Jeff, 3, 4, 7, 9, 11, 12, 20
Moore, Michael, 4, 5, 9, 10, 11, 12, 19, 20, 23
Berge, Jerry, 4, 5, 9, 10, 11, 12, 19, 20, 23
Morse, Stuart, 4, 5, 9, 10, 11, 12, 19, 20, 23
- Historical Society of Wisconsin, State:**
Richard A., 7
Thomasgard, Robert B., Jr., 7
- Housing and Economic Development Authority, Wisconsin:**
Jackamonis, Ed, 26 (Housing, Bonding)
Burkert-Brist, Monica, 26 (Economic Development)
- Industry, Labor and Human Relations:**
Bellman, Howard, 20, 26 (DILHR)
Nelson, Helene, 20, 26 (DILHR)
McCosh, Toya, 12, 13, 20, 26 (DILHR)
Bernstein, Howard, 12, 13, 20, 26 (DILHR)
Murphy, Barbara, 12, 13, 20, 26 (DILHR)
Kehl, Edwin, 26 (UC-DILHR)
McClain, Edward (began 9/19/83), 26 (WC-DILHR)
Lobes, Carol, 26 (WC-DILHR)
Miller, Cliff, 26 (UC-DILHR)
Stine, Claudina (7/1-8/5/83), 26 (UC-DILHR)
- Insurance, Office of the Commissioner of:**
Fox, Thomas P., 14
Zellner, Lou T., 14
Van Cleave, M. E., 14
Anderson, Sandra, 14
Haney, Ann J., (delete)
- Judicial Commission:**
Smith, Natalie, 5, 8, 20
Lavine, Constance, 5, 8, 20
- Justice, Department of:**
Koop, Howard, 3, 6, 8, 11, 16, 17, 18, 20
Garvey, Ed, 3, 6, 8, 11, 16, 17, 18, 20
Derene, Steven, 3, 6, 8, 11, 16, 17, 18, 20, 23 (delete)
Christofferson, William, 3, 6, 8, 11, 16, 17, 18, 20, 23
Dawson, Thomas, 17
Falk, Kathleen, 17
- Land Conservation Board:**
Gunderson, Mary, 1, 17
- Lieutenant Governor, Office of the:**
Flynn, James T., 1-25 (is also Secretary of Dept. of Development and also lobbies for that department. Exact division of time between two agencies impossible to give)
McKenzie, Jennifer, 1-25
- Natural Resources, Department of:**
Besadny, C. D., 17
Lorang, Richard, 17
Heinen, Paul, 17
Witt, Michael, 17

Visser, Kristin, 17

Regents of the UW System, Board of:

Lemon, Wallace, 7
Breuscher, Harvey, 7
Peterson, Harry, 7
Mueller, H. Carl, 7
Collins, Keith, 7

Public Defender, Office of the State:

Rebholz, James, 5, 6

Public Instruction, Dept. of:

Vail, Amza C., 7
Roherty, Brian M., 7
Byars, Debra J., 7
Carmichael, Carl L., 7

Public Service Commission:

Edgar, George R., 16, 17, 18

Regulation and Licensing, Dept. of:

Nichols, Barbara, 18
Kepner, Melissa, 18
Mrazik, Bernard F., 18
Dusso, William, 18
Hansen, Cletus J., 18
Morris, Wilma, 18
Copeland, Joan, 18
Stafford, Julie, 18
Possin, Paula, 18

Revenue, Wisconsin Dept. of:

Ley, Michael, 22
Laabs, John M., 22
Mershart, Eileen D., 22

Secretary of State, Office of the:

Waitrovich, Terrence, 2, 15, 20
Manly, Donna, 2, 15, 20
DeLorme, James, 2, 15, 20
Steffel, Sherry, 2, 15, 20

Director of State Courts:

Moran, J. Denis, 5, 6, 11, 14
Gervasi, Sheryl, 5, 6, 11, 14
Ferry, John, 5, 6, 11, 14
Bissett, Bill, 5, 6, 11, 14

Transportation Commission:

Sweda, Joseph, 23
Gerrard, Mary Ann, 23

Transportation, Dept. of

Jackson, Lowell B., 23
Gosling, James J., 23
Gallagher, Sue, 23
Thiel, James S., 23

Vocational, Technical and Adult Education, Wisconsin Board of:

John R. Kroll, 7
Sorensen, Robert, 7
Davison, Glenn, 7
Chin, Ed, 7

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 4, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint FRANCIS J. CONWAY of Thorp to the Banking Review Board pursuant to the statute governing, to serve a term to expire May 1, 1989.

Respectfully,
ANTHONY S. EARL
Governor

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

SENATE CLEARINGHOUSE ORDERS

The committee on Agriculture and Rural Affairs reports and recommends:

Clearinghouse Rule 83-135

AN ORDER to amend Ag 32.06 (4) (c); and to create Ag 32.06 (4) (d) and 32.11 (4), relating to the retail sale of foods in bulk form, by means of customer self-service.

No action taken.

RODNEY C. MOEN
Chair

Senator Lorge asked unanimous consent that he be granted a leave of absence until 12:00 Noon.

Senator Cullen objected.

Senator Lorge moved that he be granted a leave of absence until 12:00 Noon.

The question was: Shall Senator Lorge be granted a leave of absence until 12:00 Noon?

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

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 13.

Noes -- Senators Adelman, Cullen, Czarnecki, Feingold, George, Helbach, Kincaid, Kleczka, Kreul, Lee, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 19.

Absent or not voting -- None.

So the motion did not prevail.

Senator Lorge moved the Call of the House be raised.

The question was: Shall the Call of the House be raised?

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

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lorge, Lorman, Opitz and Theno -- 12.

Noes -- Senators Adelman, Cullen, Czarnecki, Feingold, George, Helbach, Kincaid, Kleczka, Lasee, Lee, McCallum, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 20.

Absent or not voting -- None.

So the motion did not prevail.

Senator Chilsen raised the point of order that the senate was not under a Call of the House.

The chair ruled the point of order not well taken.

Senator Chilsen 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, 19; noes, 13; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Cullen, Czarnecki, Feingold, George, Helbach, Kincaid, Kleczka, Lee, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 19.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorge, Lorman, McCallum and Theno -- 13.

Absent or not voting -- None.

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

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 94
Assembly Joint Resolution 106
Assembly Joint Resolution 107

Passed and asks concurrence in:

Assembly Bill 1103
Assembly Bill 1052
Assembly Bill 1107
Assembly Bill 1116

Concurred in:

Senate Bill 241
Senate Bill 444
Senate Bill 485
Senate Bill 557
Senate Bill 573
Senate Bill 655
Senate Bill 691
Senate Bill 706

Assembly Bill 245, senate amendment 1
Assembly Bill 589, senate amendment 4
Assembly Bill 391, senate amendments 1 and 2
Assembly Bill 436, senate amendment 1
Assembly Bill 794, senate substitute amendment 1
Assembly Bill 891, senate substitute amendment 1

Amended and concurred in as amended:

Assembly Bill 1084, assembly amendment 1 to senate amendment 2

Senate Bill 517, assembly substitute amendment 1

Senate Bill 580, assembly amendment 1 to assembly amendment 2, and assembly amendments 1 and 2

Senate Bill 586, assembly amendment 1

Nonconcurred in:

Assembly Bill 930, senate amendment 1

Agrees to a Committee of Conference on **Assembly Bill 571** and appoints Representatives Smith, Tesmer and Nelsen as conferees on its part.

Agrees to a Committee of Conference on **Senate Bill 243** and appoints Representatives Schneider, Plewa and R. Travis as conferees on its part.

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 94

Requesting the legislative council to study the desirability and feasibility of including catastrophic health care coverage in all health care plans.

By Representatives Lewis, Hauke, Antaramian, Plewa, Menos, D. Travis, Zeuske, Robinson, Tesmer and Looby.

Read and referred to committee on Labor, Business, Veterans Affairs and Insurance.

Assembly Joint Resolution 106

Relating to requesting a legislative council study of custody arrangements in actions affecting the family.

By Representative Bell, co-sponsored by Senator Adelman.

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

Assembly Bill 1103

Relating to an appropriation to Forward Wisconsin, inc., for advertising promotion of economic development.

By Representatives Clarenbach, Ulichny, Panzer, Donoghue, R. Travis, Foti, Antaramian, Becker, Jauch, Stitt, Buettner, Wimmer, Wood, Rude and Medinger, co-sponsored by Senators Strohl, Van Sistine, Hanaway and Cullen, by request of Governor Anthony S. Earl and Lieutenant Governor James T. Flynn.

Read first time and referred to committee on Higher Education and Economic Development.

Assembly Joint Resolution 107

Relating to the life and public service of Milton McDougal.

By Representatives Matty, T. Thompson, Donoghue, Bradley, Loftus, Luckhardt, Zeuske, Coleman, McEssy, Kasten, Cowles, Schneiders, Walling, Turba, Porter, Schultz, Wimmer, Panzer, Jaronitzky, Tregoning, Young, Stitt, Prosser, Nelsen, Schober, Huelsman, Quackenbush, Goodrich, Buettner, Goetsch, Stewart, Rosenzweig, Foti, Manske, Van Gorden, R. Travis and All Members of the Assembly.

Read.

Considered as privileged and taken up.

Adopted by unanimous rising vote.

Assembly Bill 1052

Relating to the distribution of property assessment manuals and making an appropriation.

By Representatives Swoboda, Kasten, R. Travis, Van Gorden, Rude, Medinger, Schober, Schultz, Merkt, Goetsch, Manske, Buettner, Gronemus, Horvath, Antaramian, Volk, Smith, Hasenohrl and Holperin, co-sponsored by Senators Roshell, Chilsen, Kreul, Lasee, Engeleiter and Norquist.

Assembly Bill 1052

Relating to the distribution of property assessment manuals and making an appropriation.

Read first time and referred to committee on Tourism and Revenue.

By request of Senator Kincaid, with unanimous consent, **Assembly Bill 1052** was withdrawn from committee on Tourism and Revenue and referred to committee on Senate Organization.

By request of Senator Cullen, with unanimous consent, the Call of the House was raised.

Assembly Bill 1107

Relating to revising penalties for illegally taking or possessing lake sturgeon.

By Representatives Zeuske, Smith, Jaronitzky, Matty, Volk, Byers, Stower, Rosenzweig, Holperin and Horvath, co-sponsored by Senators Strohl, Kincaid, McCallum and Hanaway.

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

Assembly Bill 1116

Relating to vehicles transporting abrasives for highway winter maintenance upon frozen highways.

By Representatives Tregoning, Vanderperren, Van Gorden and Bradley, co-sponsored by Senator Kreul.

Read first time and referred to committee on Transportation.

By request of Senator Otte, with unanimous consent, **Assembly Bill 1116** was withdrawn from committee on Transportation and referred to committee on Senate Organization.

CALENDAR OF APRIL 5

Senate Bill 569

Relating to authorizing municipal court judges to perform marriages.

The question was: Adoption of senate 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 569

Read a third time and passed.

Senate Bill 701

Relating to the sale of fermented malt beverages in public parks.

Read a second time.

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 701

Read a third time and passed.

Assembly Bill 115

Relating to rights of child victims and witnesses of crimes.

Read a second time.

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

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

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

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

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

Ayes -- Senators Adelman, Cullen, Czarnecki, Davis, Ellis, Feingold, Hanaway, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lee, Lorge, Lorman, McCallum, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 24.

Noes -- Senators Chilsen, Engeleiter, George, Harsdorf, Lasee, Maurer, Opitz and Theno -- 8.

Absent or not voting -- None.

So the motion prevailed.

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.

Assembly Bill 115

Read a third time and concurred in as amended.

Assembly Bill 173

Relating to sentencing guidelines and making an appropriation.

Read a second time.

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 173

Read a third time.

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

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- None.

So the bill was concurred in.

Assembly Bill 293

Relating to videotape expenses in court actions.

Read a second time.

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 293

Read a third time and concurred in.

Assembly Bill 321

Relating to sexual intercourse or contact between a therapist and a patient and providing penalties.

Read a second time.

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 321

Read a third time and concurred in.

Assembly Bill 362

Relating to reimbursement for town fire calls on public highways.

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 bill was considered for final action at this time.

Assembly Bill 362

Read a third time and concurred in as amended.

Assembly Bill 488

Relating to priority of loans under the secondary mortgage loan program of the department of veterans affairs.

Read a second time.

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 488

Read a third time and concurred in.

Assembly Bill 515

Relating to duty to aid endangered crime victims and providing a penalty.

Read a second time.

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 515

Read a third time and concurred in.

Assembly Bill 582

Relating to school officials' liability for referring a pupil to the police for suspicion of possession, distribution or consumption of a controlled substance.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 582

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 28; noes, 3; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Johnston, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 28.

Noes -- Senators George, Kincaid and Norquist -- 3.

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

So the bill was concurred in.

Assembly Bill 648

Relating to prohibiting the use of a driver's license as security and providing a penalty.

Read a second time.

Senator Lorman asked unanimous consent that **Assembly Bill 648** be placed at the foot of the calendar.

Senator George objected.

Senate amendment 1 offered by Senator Theno.

The question was: Adoption of senate amendment 1?

Senator Norquist moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

Senator Kincaid asked unanimous consent that **Assembly Bill 648** be placed after **Assembly Bill 837**.

Senator Theno objected.

The question was: Rejection of senate amendment 1?

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

Ayes -- Senators Adelman, Cullen, Czarnecki, Feingold, George, Helbach, Kincaid, Kleczka, Lee, Maurer, Moen, Norquist, Otte, Strohl, Thompson and Van Sistine -- 16.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorge, Lorman, McCallum, Opitz, Risser, Roshell and Theno -- 16.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 18; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Harsdorf, Johnston, Kreul, Lasee, Lorge, Lorman, McCallum, Opitz, Roshell and Theno -- 14.

Noes -- Senators Adelman, Cullen, Czarnecki, Feingold, George, Hanaway, Helbach, Kincaid, Kleczka, Lee, Maurer, Moen, Norquist, Otte, Risser, Strohl, Thompson and Van Sistine -- 18.

Absent or not voting -- None.

So the amendment failed to be adopted.

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 648

Read a third time and concurred in.

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

By request of Senator Cullen, with unanimous consent, the senate recessed until 2:00 P.M.

12:14 P.M.

RECESS

2:00 P.M.

The senate reconvened.

Assembly Bill 664

Relating to inquests, investigations of deaths, autopsies, cremations and providing penalties.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 664

Read a third time and concurred in.

Assembly Bill 666

Relating to case planning and case review for children in foster homes, group homes and child care institutions.

Read a second time.

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 666

Read a third time and concurred in.

Assembly Bill 742

Relating to deregulation of rates of small telephone companies.

Read a second time.

By request of Senator Strohl, with unanimous consent, **Assembly Bill 742** was placed after **Assembly Bill 831**.

Assembly Bill 799

Relating to mental health patient rights.

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 bill was considered for final action at this time.

Assembly Bill 799

Read a third time and concurred in as amended.

Assembly Bill 825

Relating to rescinding involuntary dissolutions of cooperatives and stock corporations.

Read a second time.

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 825

Read a third time and concurred in.

Assembly Bill 831

Relating to protecting residents of community-based residential facilities against fire, training employes of these facilities in first aid and fire prevention and making an appropriation.

Read a second time.

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

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Senate amendment 2 offered by Senators Moen, Norquist, Roshell, Davis, Lorman, Thompson and Strohl.

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

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 831

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kreul, Lasee, Lee, Lorge, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Noes -- None.

Absent or not voting -- Senators Kleczka and Lorman -- 2.

So the bill was concurred in as amended.

Assembly Bill 742

Relating to deregulation of rates of small telephone companies.

Read a second time.

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

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

The chair took the point of order under advisement.

Assembly Bill 837

Relating to various changes in the regulation of lobbying, providing penalties and making appropriations.

Read a second time.

By request of Senator Hanaway, with unanimous consent, **Assembly Bill 837** was placed at the foot of the calendar.

RULING OF THE CHAIR

Earlier today the Senator from the 21st, Senator Strohl, raised the point of order that senate amendment 1 to senate substitute amendment 1 to **Assembly Bill 742** was not germane. The chair took the point under advisement.

It is the opinion of the chair that senate amendment 1 to senate substitute amendment 1 relates to a different specific subject than that of **Assembly Bill 742** and in accordance with Senate Rule 50(7), the amendment is not

germane and the point of order raised by the Senator of the 21st, Senator Strohl, is well taken.

Assembly Bill 742

Relating to deregulation of rates of small telephone companies.

Read a second time.

Senator Lorge 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, 19; noes, 12; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Cullen, Czarnecki, Davis, Feingold, George, Helbach, Kincaid, Lee, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 19.

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

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

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

The question was: Adoption of senate substitute amendment 1?

Senator Harsdorf moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 8; noes, 23; absent or not voting, 1; as follows:

Ayes -- Senators Chilsen, Harsdorf, Kincaid, Kreul, Lasee, Lorge, Opitz and Roshell -- 8.

Noes -- Senators Adelman, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Helbach, Johnston, Lee, Lorman, McCallum, Maurer, Moen, Norquist, Otte, Risser, Strohl, Theno, Thompson and Van Sistine -- 23.

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

So the motion did not prevail.

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.

Assembly Bill 742

Read a third time and concurred in as amended.

Assembly Bill 855

Relating to various changes in the forestry laws, changing penalties and making appropriations.

Read a second time.

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 855

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Noes -- None.

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

So the bill was concurred in.

Assembly Bill 895

Relating to obstructing emergency or rescue personnel and providing penalties.

Read a second time.

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 895

Read a third time and concurred in.

Assembly Bill 901

Relating to creating a council on mental health.

Read a second time.

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 901

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 25; noes, 5; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kreul, Lorge, Lorman, McCallum, Maurer, Moen, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 25.

Noes -- Senators Chilsen, Lasee, Lee, Norquist and Opitz -- 5.

Absent or not voting -- Senators Kincaid and Kleczka -- 2.

So the bill was concurred in.

Assembly Bill 914

Relating to the transportation of indigent pupils.

Read a second time.

Senator Davis moved non-concurrence of **Assembly Bill 914**.

The question was: Shall **Assembly Bill 914** be non-concurred in?

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

Ayes -- Senators Chilsen, Czarnezki, Davis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Lorge, McCallum, Maurer, Opitz, Roshell and Theno -- 14.

Noes -- Senators Adelman, Cullen, Ellis, Feingold, George, Helbach, Johnston, Kincaid, Lee, Moen, Norquist, Otte, Risser, Strohl, Thompson and Van Sistine -- 16.

Absent or not voting -- Senators Kleczka and Lorman -- 2.

So the motion did not prevail.

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 914

Read a third time.

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

Ayes -- Senators Adelman, Cullen, Czarnezki, Feingold, George, Helbach, Johnston, Kincaid, Lee, Lorman, Norquist, Otte, Risser, Strohl, Thompson and Van Sistine -- 16.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Lorge, McCallum, Maurer, Moen, Opitz, Roshell and Theno -- 15.

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

So the bill was concurred in.

Assembly Bill 922

Relating to various changes in the law governing hazardous waste facilities.

Read a second time.

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

Ordered to a third reading.

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

Assembly Bill 922

Read a third time and concurred in as amended.

Assembly Bill 971

Relating to authorizing a county board of supervisors to determine the number of members of its county handicapped children's education board.

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 bill was considered for final action at this time.

Assembly Bill 971

Read a third time and concurred in as amended.

Assembly Bill 977

Relating to compensation for victims of intoxicated drivers, crime victims and witnesses and making appropriations.

Read a second time.

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 977

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Noes -- None.

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

So the bill was concurred in.

Assembly Bill 999

Relating to regulation of utility advertising practices.

Read a second time.

Senate substitute amendment 1 offered by Senator Strohl.

The question was: Adoption of senate substitute amendment 1?

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

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 999

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 24; noes, 7; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Moen, Opitz, Otte, Roshell, Strohl, Theno and Van Sistine -- 24.

Noes -- Senators Czarnecki, Feingold, George, Lee, Norquist, Risser and Thompson -- 7.

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

So the bill was concurred in.

Assembly Bill 1009

Relating to copayment exemptions for medical assistance recipients.

Read a second time.

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 1009

Read a third time and concurred in.

Assembly Bill 1014

Relating to determining residency for purposes of imposing the individual income tax.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 1014

Read a third time and concurred in.

Assembly Bill 1016

Relating to various changes in the forestry laws.

Read a second time.

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

Ordered to a third reading.

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

Assembly Bill 1016

Read a third time and concurred in as amended.

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

Assembly Bill 1017

Relating to eligibility for relief to needy Indian persons.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 1017

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 0; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Theno, Thompson and Van Sistine -- 29.

Noes -- None.

Absent or not voting -- Senators Kleczka, Roshell and Strohl -- 3.

So the bill was concurred in.

Assembly Bill 1035

Relating to solid waste recycling and related activities, granting rule-making authority, granting an exemption from sales and use taxes and providing for the depreciation of certain property associated waste reduction or recycling facilities, and making an appropriation.

Read a second time.

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 1035

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Noes -- None.

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

So the bill was concurred in.

Assembly Bill 1056

Relating to increasing the amounts that can be spent for supportive home care and day care services and making an appropriation.

Read a second time.

Senate amendment 1 offered by Senator Maurer.

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

Senate amendment 2 offered by Senators Norquist and Chilsen.

The question was: Adoption of senate amendment 2

Senator Otte raised the point of order that senate amendment 2 was not germane.

The chair ruled the point of order well taken.

Ordered to a third reading.

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

Assembly Bill 1056

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 2; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kreul, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 29.

Noes -- Senators Lasee and Opitz -- 2.

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

So the bill was concurred in as amended.

Assembly Bill 1063

Relating to interest and penalties on income taxes due on renewable energy resource system refunds.

Read a second time.

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 1063

Read a third time and concurred in.

Assembly Bill 1080

Relating to exempting vehicles which are used to perform certain services from special or seasonal weight limitations.

Read a second time.

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 1080

Read a third time and concurred in.

Assembly Bill 1115

Relating to authorizing veterans' mortgage loans for certain refinancing purposes.

Read a second time.

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 1115

Read a third time and concurred in.

Assembly Bill 1131

Relating to revenue obligations issued to fund student health education loans administered by the higher educational aids board.

Read a second time.

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 1131

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Noes -- None.

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

So the bill was concurred in.

Assembly Bill 1139

Relating to repealing the police powers of common council members.

Read a second time.

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 1139

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 30; noes, 1; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Noes -- Senator George -- 1.

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

So the bill was concurred in.

Assembly Bill 837

Relating to various changes in the regulation of lobbying, providing penalties and making appropriations.

Read a second time.

Senate amendments 1, 2 and 3 offered by Senator McCallum.

Senate amendment 4 offered by Senator Kincaid.

Senate amendment 5 offered by Senator Otte.

Senate amendments 1, 2 and 3 to senate substitute amendment 1 offered by Senator McCallum.

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

Senate amendment 5 to senate substitute amendment 1 offered by Senator Otte.

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

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

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

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

The ayes and noes were demanded and the vote was: ayes, 5; noes, 26; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Czarnezki, Feingold, Lee and Norquist -- 5.

Noes -- Senators Chilsen, Cullen, Davis, Ellis, Engeleiter, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kreul, Lasee, Lorge, Lorman,

McCallum, Maurer, Moen, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 26.

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

So the motion did not prevail.

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

Adopted.

Senator Lorge moved non-concurrence of **Assembly Bill 837**.

The question was: Non-concurrence of **Assembly Bill 837**?

By request of Senator Lorge, with unanimous consent, he withdrew his motion for non-concurrence.

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

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

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

The ayes and noes were demanded and the vote was: ayes, 5; noes, 26; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Czarnezki, Feingold, Helbach and Lee -- 5.

Noes -- Senators Chilsen, Cullen, Davis, Ellis, Engeleiter, George, Hanaway, Harsdorf, Johnston, Kincaid, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 26.

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

So the motion did not prevail.

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

Adopted.

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

Senator Adelman moved rejection of senate amendment 3 to senate substitute amendment 1.

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

Senator Harsdorf moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

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

Ayes -- Senators Chilsen, Cullen, Ellis, Engeleiter, George, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Moen, Opitz, Roshell, Theno and Van Sistine -- 19.

Noes -- Senators Adelman, Czarnezki, Davis, Feingold, Helbach, Kincaid, Lee, Norquist, Otte, Risser, Strohl and Thompson -- 12.

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

So the motion prevailed.

By request of Senator Adelman, with unanimous consent, **Assembly Bill 837** was referred to committee on Judiciary and Consumer Affairs.

RULING OF THE CHAIR

Yesterday the Senator from the 21st, Senator Strohl, raised the point of order that senate amendment 1 to **Assembly Bill 217** was not germane. The chair took the point under advisement.

Senate amendment 1 would amend Sub Chapter III of Chapter 655 of the Statutes relating to Insurance Provisions for Health Care Liability. **Assembly Bill 217** relates to the Patients Compensation Panels and does not deal with the insurance provisions. Therefore it is the opinion of the chair that senate amendment 1 relates to a different specific subject than that of **Assembly Bill 217** and in accordance with Senate Rule 50(7), the amendment is not germane and the point of order raised by the Senator of the 21st, Senator Strohl, is well taken.

Assembly Bill 217

Relating to patients compensation panels.

Read a second time.

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 217

Read a third time and concurred in.

By request of Senator Cullen, with unanimous consent, the rules were suspended and the senate considered the supplemental calendar of Thursday, April 5.

By request of Senator Cullen, with unanimous consent, the Senate returned to the fourth and eighth orders of business.

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends:

Assembly Joint Resolution 104

Relating to proclaiming May 18, 19 and 20, 1984, Syttende Mai Weekend.

Concurrence:

Ayes, 4 -- Senators Cullen, Risser, Harsdorf and Engeleiter;

Noes, 1 -- Senator Norquist.

TIMOTHY F. CULLEN
Chair

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

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

Assembly Bill 1168

Assembly Bill 1173

Concurred in:

Senate Bill 158

Senate Bill 325

Senate Bill 686

Assembly Bill 540, senate amendments 2, 3 and 5

Assembly Bill 612, senate amendment 1

Assembly Bill 690, senate substitute amendment 1

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 1168

An act to authorize and direct expenditure of \$10,333.70 from moneys appropriated to the department of transportation for payment of a claim against the state made by Daniel Hannula.

By Representative Schneider.

Read first time and referred to committee on Senate Organization.

Assembly Bill 1173

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Attorneys Association, Inc. for the 1983-85 biennium, covering employes in the professional legal collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.

Read first time and referred to committee on Senate Organization.

CALENDAR OF APRIL 5

Senate Bill 586

Relating to limiting property owners' liability toward users of their property for recreational activities and changing penalties.

Read.

The question was: Concurrence of assembly amendment 1?

Concurred in.

Assembly Bill 930

Relating to membership of the council on unemployment compensation, a procedure for proposing changes in unemployment compensation laws, a statement of unemployment compensation financial outlook and making an appropriation.

Read.

JOURNAL OF THE SENATE [April 5, 1984]

The question was: Shall the senate adhere to its position on senate amendment 1?

The senate adheres to its position on senate amendment 1.

Assembly Joint Resolution 104

Relating to proclaiming May 18, 19 and 20, 1984, Syttende Mai Weekend.

Read.

Senator Norquist moved non-concurrence of **Assembly Joint Resolution 104**.

The question was: Non-concurrence of **Assembly Joint Resolution 104**?

The motion did not prevail.

The question was: Concurrence of **Assembly Joint Resolution 104**?

Concurred in.

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

By request of Senator Engeleiter, with unanimous consent, the senate adjourned in honor of Senator Davis' 32nd birthday.

AMENDMENTS OFFERED

Senate amendment 1 to assembly amendment 1 to senate amendment 2 to **Assembly Bill 1084** by Senators Cullen, Feingold, Kincaid and Ellis.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Friday, April 6.

4:56 P.M.