

STATE OF WISCONSIN
Senate Journal
Eighty-Seventh Regular Session

TUESDAY, October 1, 1985

10:00 A.M.

The senate met.

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

The senate stood for the prayer which was offered by Reverend J. Carl Hillmer of Christ Memorial Lutheran Church, Madison.

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

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

Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarneski, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 52

Relating to the public service career of Ernest C. Keppler.

By Senators Otte and Stitt; cosponsored by Representatives Potter and Turba.

Read and referred to committee on Senate Organization.

Senate Joint Resolution 53

Directing the legislative council to study the exemption of manufacturing machinery and equipment from the property and sales taxes.

By Senator Otte; cosponsored by Representative Holschbach.

Read and referred to committee on Tourism, Revenue, Financial Institutions and Forestry.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 351

Relating to licensure of nursing homes as facilities which primarily serve the developmentally disabled.

By Legislative Council.

To committee on Agriculture, Health and Human Services.

Senate Bill 352

Relating to authorizing the disclosure of certain health care provider records in cases of child abuse or neglect.

By Senator Feingold; cosponsored by Representative R. Young.

To committee on Agriculture, Health and Human Services.

Senate Bill 353

Relating to awarding actual and punitive damages for certain violations of the state 'fair employment law'.

By Senators Feingold, Chvala, Risser and Otte; cosponsored by Representatives Crawford, Fergus and M. Coggs.

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

Senate Bill 354

Relating to creating an exemption from nonresident tuition at the university of Wisconsin system for persons transferred to this state by their employers and any person whose parent or guardian is so transferred.

By Senators Stitt, Andrea, Leean, Davis, Lorman, Engeleiter and Ulichny; cosponsored by Representatives Turba, Tregoning, Cowles, Merkt, Radtke, Robinson, Ladwig, Buettner, Rosenzweig, Nelsen, Vergeront, Plizka, Huelsman, Schober, Musser, Weeden and York.

To committee on Education and Government Operations.

Senate Bill 355

Relating to providing additional payments to certain recipients of private sewage system grants.

By Senators Stitt, McCallum, Harsdorf, Rude, Kreul, Chilsen, Engeleiter and Leean; cosponsored by Representatives Panzer, Foti, Johnsrud, Merkt, Goetsch, Plizka, Tregoning, Welch, Zeuske, Berndt, Buettner, Larson, Clements, Holperin, J. Young, Schober, York, T. Thompson, Margaret Lewis, Kasten and Schultz.

To committee on Energy and Environmental Resources.

Senate Bill 356

Relating to crime victim compensation.

By Senators Ulichny, Andrea, Czarneski, Kincaid, Harsdorf, Lorman, Lee and Rude; cosponsored by Representatives Fergus, Notestein, Vergeront, Williams, Buettner, Magnuson, Rosenzweig, Grobschmidt, Merkt.

R. Young and Plizka, by request of Crime Victim Council.

To committee on Judiciary and Consumer Affairs.

Senate Bill 357

Relating to various changes in the statutes pertaining to the veterinary examining board and the licensure of veterinarians and animal technicians and granting rule-making authority.

By Senators Moen, Feingold, Otte and Kreul.

To committee on Agriculture, Health and Human Services.

Senate Bill 358

Relating to criminal responsibility.

By Senator Adelman; cosponsored by Representatives Rutkowski and Tesmer, by request of Judicial Council and State Bar of Wisconsin.

To committee on Judiciary and Consumer Affairs.

Senate Bill 359

Relating to a property tax exemption for charter boats.

By Senator Otte; cosponsored by Representative Potter.

To Joint Survey committee on Tax Exemptions.

Senate Bill 360

Relating to highway salt use, creating a penalty, requiring a study and granting rule-making authority.

By Senators Theno, Strohl, Czarnecki, Norquist, Risser, Lee, Engeleiter, Davis, Chilsen and Harsdorf; cosponsored by Representatives Bell, Hubler, Plizka, Crawford, Zeuske, Larson, Musser, Schultz, Holperin and M. Coggs.

To committee on Transportation.

COMMITTEE REPORTS

The committee on Energy and Environmental Resources reports and recommends:

Senate Bill 301

Relating to permits to capture or destroy deer causing damage to land.

Indefinite postponement:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Adelman, Norquist, Ellis and Theno;

Noes, 1 -- Senator Hanaway.

JOE STROHL

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Bill 287

Relating to operating a motor vehicle while under the influence of an intoxicant, drugs or both, administrative revocation of operating privileges and chemical tests for intoxication and granting rule-making authority.

Introduction and adoption of senate substitute amendment 2:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Hanaway;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Hanaway;

Noes, 0 -- None.

LYNN ADELMAN

Chair

The committee on Transportation reports and recommends:

Assembly Bill 30

Relating to special registration plates issued to ex-prisoners of war.

Concurrence:

Ayes, 6 -- Senators Otte, Roshell, Moen, Andrea, Kreul and Theno;

Noes, 0 -- None.

Assembly Bill 144

Relating to special license plates for motor vehicles leased to disabled persons.

Concurrence:

Ayes, 6 -- Senators Otte, Roshell, Moen, Andrea, Kreul and Theno;

Noes, 0 -- None.

Senate Bill 288

Relating to certain county, city, village and town zoning provisions affecting airports.

Introduction and adoption of senate amendment 1:

Ayes, 6 -- Senators Otte, Roshell, Moen, Andrea, Kreul and Theno;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Otte, Roshell, Moen, Andrea, Kreul and Theno;

Noes, 0 -- None.

Senate Bill 296

Relating to the speed limit in a school zone.

Passage:

Ayes, 6 -- Senators Otte, Roshell, Moen, Andrea, Kreul and Theno;

Noes, 0 -- None.

CARL OTTE

Chair

The committee on Tourism, Revenue, Financial Institutions and Forestry reports and recommends:

Senate Bill 235

Relating to guaranteed shared revenue account payments for pipeline property and making an appropriation.

Passage:

Ayes, 4 -- Senators Kincaid, Helbach, Ulichny and Leean;

Noes, 0 -- None.

LLOYD H. KINCAID

Chair

The committee on Agriculture, Health and Human Services reports and recommends:

WARNECKE, GAIL E., of Sheboygan, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

LOHRENGEL, RITA, of Green Bay, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

MIRAN, CLAUDIA BERRY, of Madison, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

BRENNAN, KITTY, of South Milwaukee, as a member of the Health Facilities Authority, to serve for the term ending June 30, 1992.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

PERDZIAK, MICHAEL, of Hartland, as a member of the Chiropractic Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

ANFINSON, ANNE, of Platteville, as a member of the Chiropractic Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

PREISLER, WANDA, of Park Falls, as a member of the Nursing Home Administrator Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

LEVENTHAL, DR. ELAINE, of Madison, as a member of the Nursing Home Administrator Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

HEIM, VIRGINIA, of Green Bay, as a member of the Nursing Home Administrator Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

ELGUEZABAL, TERESA M., of Madison, as a member of the Board of Nursing, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

KERLEY, JANICE A., of Kenosha, as a member of the Board of Nursing, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

SASS, JAMES A., of Milwaukee, as a member of the Funeral Directors Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

WELSCH, CLARENCE J., of Sheboygan, as a member of the Hearing Aid Dealers and Fitters Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Assembly Bill 101

Relating to dogs specially trained to provide support for mobility-impaired persons.

Concurrence:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Assembly Joint Resolution 23

Memorializing congress to create a federal commission on youth suicide prevention.

Concurrence:

Ayes, 7 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf and Rude;

Noes, 1 -- Senator Lorman.

Senate Bill 14

Relating to cosmetology practices performed on a family member without compensation.

Passage:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Senate Bill 127

Relating to authorizing a county, city, village or town to establish a rabies control program, creating a council on local rabies control programs and granting rule-making authority.

Introduction and adoption of senate substitute amendment 1:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Passage as amended:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

RODNEY C. MOEN

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

SMITH, BRENT, of Onalaska, as a member of the Public Defender Board, to serve for the term ending May 1, 1988.

Confirmation:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Hanaway;

Noes, 0 -- None.

KAHN, CHARLES, Jr., of Shorewood, as a member of the Public Defender Board, to serve for the term ending May 1, 1986.

Confirmation:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Hanaway;

Noes, 0 -- None.

HART, VIRGINIA, of Madison, as a member of the Public Defender Board, to serve for the term ending May 1, 1988.

Confirmation:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Hanaway;

Noes, 0 -- None.

CARSON, CINDRA, of Eau Claire, as a member of the Public Defender Board, to serve for the term ending May 1, 1988.

Confirmation:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Hanaway;

Noes, 0 -- None.

McMAHON, PATRICIA, of Milwaukee, as a member of the Public Defender Board, to serve for the term ending May 1, 1987.

Confirmation:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Hanaway;

Noes, 0 -- None.

BRITTON, RONALD, of Milwaukee, as a member of the Public Defender Board, to serve for the term ending May 1, 1987.

Confirmation:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Hanaway;

Noes, 0 -- None.

Senate Bill 217

Relating to mobile home parks.

Introduction and adoption of senate substitute amendment 1:

Ayes, 3 -- Senators Adelman, Feingold and Chvala; Noes, 1 -- Senator Hanaway.

Passage as amended:

Ayes, 3 -- Senators Adelman, Feingold and Chvala; Noes, 1 -- Senator Hanaway.

Senate Bill 286

Relating to revocation and suspension of operating privileges and eligibility for occupational licenses upon conviction of certain traffic offenses.

Introduction and adoption of senate substitute amendment 1:

Ayes, 3 -- Senators Adelman, Feingold and Chvala; Noes, 1 -- Senator Hanaway.

Passage as amended:

Ayes, 3 -- Senators Adelman, Feingold and Chvala; Noes, 1 -- Senator Hanaway.

Senate Bill 316

Relating to housing discrimination against certain handicapped persons assisted by animals.

Passage:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Hanaway;

Noes, 0 -- None.

Senate Bill 317

Relating to law books for circuit judges.

Passage:

Ayes, 3 -- Senators Adelman, Feingold and Hanaway;

Noes, 1 -- Senator Chvala.

LYNN ADELMAN
Chair

The committee on Energy and Environmental Resources reports and recommends:

Senate Bill 298

Relating to grants to the city of Kenosha of certain submerged and filled lands lying along the shore of Lake Michigan on the eastern frontage of the city of Kenosha.

Introduction and adoption of senate amendment 1:

Ayes, 8 -- Senators Strohl, Adelman, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Strohl, Adelman, Chvala, Norquist, Ellis, Hanaway and Theno;

Noes, 1 -- Senator Lee.

Senate Bill 141

Relating to the use of lead and other types of shot for hunting waterfowl.

Adoption of substitute amendment 1:

Ayes, 8 -- Senators Strohl, Adelman, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

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

Ayes, 8 -- Senators Strohl, Adelman, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

Passage as amended:

Ayes, 8 -- Senators Strohl, Adelman, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

SORENSEN, STEPHEN, E., of Mason, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 1988.

Confirmation:

Ayes, 8 -- Senators Strohl, Adelman, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

VIERIMA, TERI, of Mount Horeb, as Commissioner of the Midwest Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor.

Confirmation:

Ayes, 8 -- Senators Strohl, Adelman, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

Senate Bill 223

Relating to registration and certificate requirements for sailboards.

Passage:

Ayes, 8 -- Senators Strohl, Adelman, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

JOE STROHL
Chair

By request of Senator Strohl, with unanimous consent, **Senate Bill 360** was withdrawn from committee on Transportation and referred to committee on Energy and Environmental Resources.

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Legislative Council

September 27, 1985

To the Honorable the Senate:

I am pleased to transmit to you the following report to the 1985 Legislature on legislation introduced by the Legislative Council:

RL 85-11 -- Legislation on Telecommunications (Senate Bill 318)

RL 85-13 -- Legislation on Custody Arrangements (Assembly Bill 474)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available, on request, in the Legislative Council offices, Room 147 North, State Capitol.

Sincerely,
BONNIE REESE
Executive Secretary

State of Wisconsin
Legislative Council

September 25, 1985

To the Honorable the Senate:

I am pleased to transmit to you the following report to the 1985 Legislature on legislation introduced by the Legislative Council:

RL 85-12 -- Legislation on Primary Prevention (Senate Bills 281, 282, 283 and 276)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available, on request, in the Legislative Council offices, Room 147 North, State Capitol.

Sincerely,
BONNIE REESE
Executive Secretary

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Ethics Board

September 27, 1985

To the Honorable, the Senate:

I am pleased to provide you with the accompanying report of the State of Wisconsin Ethics Board's activities for the year July 1984 through June 1985. This report contains both the text and a general description of Wisconsin's Ethics Code and identifies the positions to which it applies. You will also find in this volume a summary of the advisory opinions issued by the Board during the past year.

Sincerely,
R. ROTH JUDD
Executive Director

RULING OF THE CHAIR

On Tuesday, September 24, 1985, the Senator from the 28th, Senator Adelman, raised the point of order that senate substitute amendment 1 to Senate Joint Resolution 47, introduced by the Senator from the 20th, Senator Stitt, was non-germane. The Chair took the point of order under advisement.

Senate substitute amendment 1 to Senate Joint Resolution 47 adds a considerable amount of new language related to memorializing Governor Earl to retain Wisconsin's property tax and rent credits. The title of the resolution is expanded to include this language.

Senate Rule 50(1) states: No standing committee shall report any substitute amendment for any proposal originating in either house referred to such committee nor shall the Senate consider any substitute or amendment which relates to a different subject, is intended to accomplish a different purpose, would require a title essentially different or would totally alter the nature of the original proposal.

It is the opinion of the chair that senate substitute amendment 1 does not comply with the provisions of Senate Rule 50(1) and therefore, the point of order is well taken.

Senate Joint Resolution 47

Relating to memorializing Congress to retain the individual income tax deduction for state and local taxes.
Read.

By request of Senator Engeleiter, with unanimous consent, **Senate Joint Resolution 47** was placed at the foot of the calendar.

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 84-61

AN ORDER to repeal ch. H 56; and to create ch. HSS 190, relating to sanitary conditions at institutions.

Submitted by Department of Health and Social Services.

Report received from agency, September 26, 1985.

Referred to committee on Agriculture, Health and Human Services, October 1, 1985.

The committee on Agriculture, Health and Human Services reports and recommends:

Clearinghouse Rule 84-209

AN ORDER to renumber Ag 10.12 (1) (intro.) and 48.12; to amend Ag 10.02 (1) (intro.), 10.045 (1), 10.08 (intro.), 10.09 (1), 10.17, 10.26 (1), 10.27 (1) (a), 11.03 (1) (a), 14.08, 16.02 (1) (intro.), 16.03 (1) (intro.), 23.03 (2), 23.04 (2), 25.06 (2) (b), 27.02, 28.05 (3), 28.06 (1), 29.04 (3), 29.07 (3), 29.10 (3), 29.16 (7) (a), 40.02 (3), 42.03 (2), 48.11 (1), 80.04 (1), 86.03, 87.03, 88.03 (2), 107.02 (1) and 120.02 (1); and to create Ag 6.01 (4), 6.02 (4), 10.12 (1) (b), 29.06 (4), 29.08 (3) (c), 29.09 (3) and 48.12 (2), relating to time deadlines for department action on permit applications.

Submitted by Department of Agriculture, Trade and Consumer Protection.

No action taken.

RODNEY C. MOEN
Chair

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

Clearinghouse Rule 84-91

AN ORDER to repeal ch. Ind-UC 140; and to create ch. ILHR 140, relating to unemployment compensation hearings.

Submitted by Department of Industry, Labor & Human Relations.

No action taken.

Clearinghouse Rule 85-80

AN ORDER to create chapter GETO 11, relating to performance-based contracting.

Submitted by Governor's Employment and Training Office.

No action taken.

JEROME VAN SISTINE
Chair

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 48
Assembly Joint Resolution 49
Assembly Joint Resolution 50

Passed and asks concurrence in:

Assembly Bill 211
Assembly Bill 251

Concurred in:

Senate Bill 88
Senate Bill 148

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Joint Resolution 48

Urging Wisconsin residents to make donations to the International Red Cross to assist Mexico in recovering from earthquake damage.

By Representatives Krusick and Carpenter, cosponsored by Senator Plewa.

Read and referred to committee on Senate Organization.

Assembly Joint Resolution 49

Expressing sorrow over the deaths in the airplane crash near Mitchell Field in Milwaukee.

By Representative Krusick, cosponsored by Senator Plewa.

Read and referred to committee on Senate Organization.

Assembly Joint Resolution 50

Welcoming Kenneth A. Shaw to Wisconsin.

By Representatives T. Thompson, Loftus, McEssy and Schneider.

Read and referred to committee on Senate Organization.

Assembly Bill 211

Relating to the registration of snowmobiles.

By Representatives Holperin, Matty, Volk, Neubauer, Hubler and Vanderperren, cosponsored by Senators Kincaid and Lorman.

Read first time and referred to committee on Tourism, Revenue, Financial Institutions and Forestry.

Assembly Bill 251

Relating to restrictions on dealings between brewers and wholesalers and certain retailers of fermented malt beverages.

By Representatives Medinger, Mark Lewis and Clements, cosponsored by Senators Van Sistine and Rude.

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

CALENDAR OF OCTOBER 1

Senate Bill 28

Relating to prohibiting the use and sale of radar detectors and providing a penalty.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 28** was referred to joint committee on Finance.

Senate Bill 234

Relating to street and interurban railways, electric railways and trackless trolleys.

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 234

Read a third time and passed.

Senate Bill 248

Relating to coverage of nonprofit corporations operating a museum under contract with a state governmental unit under the public records and open meetings laws.

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 248

Read a third time and passed.

Senate Bill 254

Relating to the use of photographs in criminal actions and proceedings.

Read a second time.

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 254

Read a third time and passed.

Senate Bill 321

Relating to payment of unemployment compensation upon failure of an employer to question eligibility, eligibility for small amounts of partial unemployment benefits, initial unemployment compensation contribution rates for certain new employers and use of unemployment compensation interest and penalty assessment moneys.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Van Sistine moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

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

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarniezki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 19.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Leean, Lorman, McCallum, Rude, Stitt and Theno -- 14.

Absent or not voting -- None.

So the motion prevailed.

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 321

Read a third time and passed.

Assembly Joint Resolution 9

Relating to securing the inherent rights of the people (2nd consideration).

Read a second time.

Ordered to a third reading.

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

Assembly Joint Resolution 9

Read a third time.

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

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the joint resolution was concurred in.

Assembly Bill 194

Relating to venue for medical malpractice 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 194

Read a third time and concurred in.

Assembly Bill 265

Relating to appeals in habitual traffic offender cases.

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 265

Read a third time and concurred in.

Assembly Bill 266

Relating to validating a marriage solemnized sooner than 6 months after a divorce.

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 266

Read a third time and concurred in.

Assembly Bill 267

Relating to increased penalty for committing a crime with a concealed identity.

Read a second time.

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 267

Read a third time and concurred in as amended.

Assembly Bill 424

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Building Trades Negotiating Committee for the 1985-87 biennium, covering employees in the building trades crafts collective bargaining unit, and authorizing an expenditure of funds.

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 424

Read a third time.

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

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the bill was concurred in.

Senate Joint Resolution 47

Relating to memorializing Congress to retain the individual income tax deduction for state and local taxes.

Read.

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

Senator Adelman raised the point of order that senate amendment 1 was not germane.

The chair ruled the point of order well taken.

The question was: Adoption of senate amendment 2?

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Senator Adelman moved rejection of senate amendment 2.

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

The question was: Adoption of senate amendment 3?

Senator Adelman raised the point of order that senate amendment 3 was not germane.

The chair ruled the point of order not well taken.

The question was: Adoption of senate amendment 3?

Senator Adelman 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, Andrea, Chvala, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Theno, Ulichny and Van Sistine -- 20.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Leean, Lorman, McCallum, Rude and Stitt -- 13.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 4?

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

The chair ruled the point of order well taken.

Senate amendments 5 and 6 offered by Senators Stitt and Lasee.

The question was: Adoption of senate amendment 5?

Senator Adelman 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, 18; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Strohl, Ulichny and Van Sistine -- 18.

Noes -- Senators Chilsen, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Leean, Lorman, McCallum, Roshell, Rude, Stitt and Theno -- 14.

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

So the motion prevailed.

The question was: Adoption of senate amendment 6?

Senator Adelman moved rejection of senate amendment 6.

The question was: Rejection of senate amendment 6?
The motion prevailed.

Senator Chilsen asked unanimous consent that the joint resolution be approved unanimously.

Senator Cullen objected.

The question was: Adoption of **Senate Joint Resolution 47?**

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

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the joint resolution was adopted.

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

By request of Senator Engeleiter, with unanimous consent, the senate adjourned in honor of Jonathan Kyle Stitt who was born September 26, 1985.

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

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 285** offered by Senator Rude.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Thursday, October 3.

11:40 A.M.