

STATE OF WISCONSIN  
**Senate Journal**  
Eighty-Seventh Regular Session

WEDNESDAY, March 19, 1986

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 William F. Koehler of Lake Edge United Church of Christ, Madison.

The senate remained standing and Senator Norquist 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, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Lekan, 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 BILLS

Read first time and referred:

**Senate Bill 636**

Relating to food stamp fraud, granting rule-making authority and creating a penalty.

By Senator Davis.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 637**

An act to authorize and direct expenditure of \$25,000 from the general fund for payment of a claim against the state made by Robert L. Borum.

By Senator George; cosponsored by Representative Schneider.

To joint committee on Finance.

**Senate Bill 638**

Relating to prohibiting damages in anti-trust suits against counties, towns, cities, villages and other local governmental units.

By Senator Lee, by request of the League of Wisconsin Municipalities, Wisconsin Towns Association and Wisconsin Counties Association.

To committee on Urban Affairs, Utilities and Elections.

**Senate Bill 639**

Relating to authorizing persons to transfer land from the woodland tax law to managed forest land.

By Senator Ellis, by request of Norbert Rich of Winneconne.

To committee on Energy and Environmental Resources.

By request of Senator Cullen, with unanimous consent **Senate Bill 638** was withdrawn from committee on Urban Affairs, Utilities and Election and referred to committee on Senate Organization.

COMMITTEE REPORTS

The committee on Energy and Environmental Resources reports and recommends:

**Assembly Bill 436**

Relating to banning the sale and use of aldicarb in Wisconsin, and making an appropriation.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 507**

Relating to the preservation of human burial sites, creating a burial sites preservation board attached to the historical society, granting a tax exemption, imposing a penalty and making an appropriation.

Concurrence:

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

Noes, 0 -- None.

JOE STROHL  
Chair

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

**Senate Joint Resolution 79**

Relating to honoring and supporting the efforts to establish a Wisconsin Vietnam Veterans Memorial Park.

Adoption:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Lekan;

Noes, 0 -- None.

**Assembly Bill 629**

Relating to miscellaneous changes in collective bargaining impasse resolution procedures for local government employees other than law enforcement and fire fighting personnel, eliminating the expiration date for these procedures, providing for a study and creating a council on municipal collective bargaining.

Concurrence:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

**Assembly Bill 662**

Relating to underage persons on licensed premises during certain times.

Concurrence:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

JEROME VAN SISTINE  
Chair

The committee on Transportation reports and recommends:

**Senate Bill 598**

Relating to physical standards for school bus operators.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Otte, Roshell, Andrea, Kreul and Theno;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Otte, Roshell, Andrea and Theno;

Noes, 1 -- Senator Kreul.

CARL OTTE  
Chair

The committee on Energy and Environmental Resources reports and recommends:

**Senate Bill 500**

Relating to private nuisance actions concerning industrial uses and practices.

Introduction of senate substitute amendment 1:

Ayes, 4 -- Senators Strohl, Lee, Chvala and Norquist;

Noes, 3 -- Senators Ellis, Hanaway and Theno.

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

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

Noes, 0 -- None.

Introduction and adoption of senate amendment 2 to senate substitute amendment 1:

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

Noes, 0 -- None.

Adoption of senate substitute amendment 1 as amended:

Ayes, 4 -- Senators Strohl, Lee, Chvala and Norquist;

Noes, 3 -- Senators Ellis, Hanaway and Theno.

Passage as amended:

Ayes, 4 -- Senators Strohl, Lee, Chvala and Ellis;

Noes, 3 -- Senators Norquist, Hanaway and Theno.

**Assembly Bill 601**

Relating to payments for monitoring solid or hazardous waste disposal facilities and sites.

Introduction and adoption of senate amendment 1:

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

Noes, 0 -- None.

Concurrence as amended:

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

Noes, 0 -- None.

**Assembly Bill 697**

Relating to revising the penalties for illegally selling or serving certain fish and game.

Introduction and adoption of senate amendment 1:

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

Noes, 0 -- None.

Concurrence as amended:

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

Noes, 0 -- None.

JOE STROHL  
Chair

The committee on Conference on **Assembly Bill 159** reports and recommends:

1. Prior assembly action. The assembly adheres to its position on senate amendment 1.

2. Prior senate action. The senate recedes from its position on senate amendment 1.

JOSEPH ANDREA  
Senate Chair

SPENCER COGGS  
Assembly Chair

JOHN PLEWA

REBECCA YOUNG

JOHN MANSKE

DONALD STITT  
Did not sign.

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PETITIONS AND COMMUNICATIONS

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RULING OF THE CHAIR

**Assembly Bill 425**

Relating to videotape statements and depositions by children.

Read.

On Thursday, March 13, 1986, the senator from the 28th, Senator Adelman, raised the point of order that senate amendment 1 to senate substitute amendment 1 to Assembly Bill 425 was not germane. The chair took the point of order under advisement.

Assembly Bill 425 and senate substitute amendment 1 thereto relate to videotaped statements and depositions by children. Senate amendment 1 to senate substitute amendment 1 would add new language to the bill relating to the prosecution of cases of sexual assault involving a young child. The bill itself speaks only to videotaped statements and depositions and the rights of the defendants in regards to use of such testimony. The chair is unable to find any language which would relate to the prosecution of sexual assault cases involving young children. The amendment in fact amends the relating clause of the bill to add such language.

Therefore, it is the opinion of the chair that senate amendment 1 would expand the scope of the bill and in accordance with Senate Rule 50, the amendment is not germane and the point of order raised by the senator from the 28th is well taken.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Feingold, with unanimous consent, **Assembly Bill 425** was placed at the foot of the calendar.

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RULING OF THE CHAIR

**Assembly Bill 9**

Relating to town disapproval of proposed county zoning changes.

Read.

On Thursday, March 13, 1986, the senator from the 5th, Senator Lee, raised the point of order that senate amendment 1 to Assembly Bill 9 was not germane. The chair took the point of order under advisement.

Assembly Bill 9 would amend current law to change from 10 days to 30 days the amount of time a town has to file with a county proposing to amend the county zoning law the town's resolution disapproving the proposed amendment.

Senate amendment 1 would create new law to allow a town to rescind its approval of a county zoning ordinance. The chair will quote Section 402(2) of Mason's Manual of Legislative Procedure: "To determine whether an amendment is germane, the question to be answered is whether the question is relevant, appropriate, and in a natural and logical sequence to the subject matter of the original proposal."

The introduction of the new language of senate amendment 1 does not appear to answer the above criteria. To add language permitting total withdrawal from county zoning to a bill which merely extends the

review of a town board for proposed changes would be greatly expanding the scope of the original proposal.

Therefore, it is the opinion of the chair that senate amendment 1 to Assembly Bill 9 is not germane and the point of order raised by the senator from the 5th is well taken.

By request of the president of the senate, with unanimous consent, **Assembly Bill 9** was placed at the foot of the calendar.

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RULING OF THE CHAIR

**Assembly Bill 407**

Relating to state records and forms management and reporting, standards for photographic reproduction of public records, preservation of essential public records, availability of services provided by the microfilm laboratory of the department of health and social services and printing by prison industries.

Read.

On Tuesday, March 18, 1986, the senator from the 28th, Senator Adelman, raised the point of order that senate amendment 2 to Assembly Bill 407 was not germane. Assembly Bill 407 relates to a number of issues dealing with public records at the state and local unit of government level. The bill deals with reproduction of records, preservation of essential records, the DHSS microfilm laboratory and state forms management.

Senate amendment 2 would outline the procedures used by a city of the 1st class to charge for reproduction of records and defines what may be included in "actual costs".

The bill itself does have language in it dealing with reproduction of records; however, this language only deals with a custodian making a photographic reproduction to be maintained in place of the original. Nowhere does the bill relate to providing copies of public documents to the public, nor the process for establishing a fee for such service. Therefore, it is the opinion of the chair that the amendment is not germane and the point of order raised by the senator from the 28th is well taken.

By request of the president of the senate, with unanimous consent, **Assembly Bill 407** was placed at the foot of the calendar.

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SENATE CLEARINGHOUSE ORDERS

**Clearinghouse Rule 81-143**

AN ORDER to create ch. Ag 150, relating to procedures for the implementation of the Wisconsin environmental policy act by the Department of Agriculture, Trade and Consumer Protection.

Submitted by Department of Agriculture, Trade & Consumer Protection.

Rule withdrawn by agency, March 17, 1986.

**Clearinghouse Rule 84-114**

AN ORDER to create ch. GETO 1, relating to administrative entity programs.

Submitted by Governor's Employment and Training Office.

Rule withdrawn by agency, March 17, 1986.

**Clearinghouse Rule 85-164**

AN ORDER to repeal ILHR 21.05 (3) and (4); to renumber ILHR 21.05 (5); to amend ILHR 22.04; to repeal and recreate ILHR 22.05 (1) and (3), 22.06 and 22.07; and to create ILHR 21.05 (3), 22.03 (4m), (7m) and (9m) and 22.035, relating to energy conservation in one- and 2-family dwellings.

Submitted by Department of Industry, Labor & Human Relations.

Report received from agency, March 18, 1986.

Referred to committee on Labor, Business, Veterans Affairs and Insurance, March 19, 1986.

**Clearinghouse Rule 85-210**

AN ORDER to create chapter ILHR 71, relating to solar energy systems.

Submitted by Department of Industry, Labor & Human Relations.

Report received from agency, March 18, 1986.

Referred to committee on Energy and Environmental Resources, March 19, 1986.

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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 215**

**Assembly Bill 762**

**Assembly Bill 772**

**Assembly Bill 778**

**Assembly Bill 816**

**Assembly Bill 622**

**Assembly Bill 723**

**Assembly Bill 889**

Concurred in:

**Senate Bill 223**

**Senate Bill 456**

**Senate Bill 488**

**Assembly Bill 100**, committee of conference report

**Assembly Bill 84**, senate amendment 1

**Assembly Bill 386**, senate amendment 1

Amended and concurred in as amended:

**Senate Bill 307**, assembly amendment 2

**Senate Bill 352**, assembly amendment 1

**Senate Bill 174**, assembly amendments 1 (with assembly amendment 1), 2, 4, 6 (with assembly amendments 1 and 2), 7 (with assembly amendment 1), 9 (with assembly amendments 1 and 2), 10, 12 with assembly amendment 1), 15, 16 and 18

**Senate Bill 318**, assembly substitute amendment 1 with assembly amendments 2, 3, 5, 6, 8, 9 and 12

Recedes from its position on **Senate Bill 94**, assembly amendment 1

Non-concurred in:

**Assembly Bill 386**, senate amendment 2

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MESSAGE FROM THE ASSEMBLY  
CONSIDERED

**Assembly Bill 215**

Relating to bridle trails, bridle tags, fees, bridle trail aids and making appropriations.

By Representatives Hephner, McEssy, Merkt, Neubauer, Bradley, Swoboda, Walling, Panzer, Gruszynski and Hubler, cosponsored by Senators Risser, Van Sistine, Moen, Lasec, Rude, Otte, Ellis, Hanaway and Lekan.

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

**Assembly Bill 386**

Relating to labeling requirements for used oil, liens for petroleum product inspection fees and regulation and inspection of amusement rides and ski lifts (suggested as remedial legislation by the department of industry, labor and human relations).

By Law Revision Committee.

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

**Assembly Bill 762**

Relating to requiring the department of transportation to maintain a record of potential anatomical donors.

By Representatives Prosser, Vanderperren, Rosenzweig, Hubler, Zeuske, Mark Lewis, Huelsman, Holperin, Goetsch, R. Young, Nelsen, Barrett, Schober, Krug, Schneiders, Ourada, Neubauer, Tregoning, Carpenter, Manske, Plizka, Magnuson, Ladwig, Black and Buettner, cosponsored by Senators Adelman, Rude, Van Sistine, Davis, Chilsen, Plewa, Andrea, Otte, Lorman, Engeleiter and Risser.

Read first time and referred to committee on Transportation.

**Assembly Bill 772**

Relating to aids to counties for snowmobile purposes and various changes in the statutes governing snowmobile registration.

By Representatives Holperin, Swoboda, R. Thompson, Volk, McEssy, Prosser, Ourada, Plizka, Ladwig, Mark Lewis and Potter, cosponsored by Senators Roshell, Kincaid, Andrea and McCallum.

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

**Assembly Bill 778**

Relating to certain identification cards.

By Representative Krusick, cosponsored by Senator Otte.

Read first time and referred to committee on Transportation.

**Assembly Bill 816**

Relating to creating a tortiure for violation of various food regulation provisions administered by the department of agriculture, trade and consumer protection.

By Representative Swoboda, by request of Department of Agriculture, Trade and Consumer Protection.

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

**Assembly Bill 622**

Relating to interpreters for persons with disabilities.

By Representatives Antaramian, Barca, Grobschmidt, Magnuson, Hubler, Rosenzweig, Buettner, Notestein, R. Young, Plizka, Krug, Black, Seery, M. Coggs and Neubauer, cosponsored by Senators Otte, Andrea, Czarnezki and Lorman, by request of Director of State Courts.

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

**Assembly Bill 723**

Relating to traffic law enforcement by a police officer, sheriff or deputy sheriff on certain highways.

By Representative Vanderperren, cosponsored by Senator Van Sistine, by request of Wisconsin County Police Association Ltd.

Read first time and referred to committee on Transportation.

**Assembly Bill 889**

Relating to various changes in human services and county laws.

By Representatives R. Young and M. Coggs, cosponsored by Senators Chvala and Strohl.

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

CALENDAR OF MARCH 19

**Assembly Bill 219**

Relating to sales by certain cigarette dealers.  
Read.

Senate amendment 1 to assembly amendment 1 to senate substitute amendment 1 offered by Senators Norquist and Davis.

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

Senator Ulichny moved rejection of senate amendment 1 to assembly amendment 1 to senate substitute amendment 1.

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

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

Ayes -- Senators Andrea, Chilsen, George, Hanaway, Helbach, Kincaid, Kreul, Llean, Moen, Plewa, Roshell, Strohl, Theno, Ulichny and Van Sistine -- 15.

Noes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, Harsdorf, Lasec, Lee, Lorman, McCallum, Norquist, Otte, Risser, Rude and Stitt -- 18.

Absent or not voting -- None.

So the motion did not prevail.

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

The ayes and noes were demanded and the vote was ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, Harsdorf, Lasec, Lee, Lorman, McCallum, Norquist, Otte, Risser and Stitt -- 17.

Noes -- Senators Andrea, Chilsen, George, Hanaway, Helbach, Kincaid, Kreul, Llean, Moen, Plewa, Roshell, Rude, Strohl, Theno, Ulichny and Van Sistine -- 16.

Absent or not voting -- None.

So the amendment was adopted.

Senate amendment 2 to assembly amendment 1 to senate substitute amendment 1 offered by Senator Norquist.

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

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

Senate amendment 3 to assembly amendment 1 to senate substitute amendment 1 offered by Senators Norquist and Cullen.

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

Senator Ulichny moved rejection of senate amendment 3 to assembly amendment 1 to senate substitute amendment 1.

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

The ayes and noes were demanded and the vote was ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Chilsen, Feingold, George, Hanaway, Helbach, Kincaid, Kreul, Lcean, Moen, Plewa, Roshell, Strohl, Theno, Ulichny and Van Sistine - 16.

Noes -- Senators Adelman, Chvala, Cullen, Czarnetzki, Davis, Ellis, Engeleiter, Harsdorf, Lasee, Lee, Lorman, McCallum, Norquist, Otte, Risser, Rude and Stitt -- 17.

Absent or not voting -- None.

So the motion did not prevail.

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

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chvala, Cullen, Czarnetzki, Davis, Ellis, Engeleiter, Lasee, Lee, Lorman, McCallum, Norquist, Otte, Risser, Rude and Stitt -- 16.

Noes -- Senators Andrea, Chilsen, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lcean, Moen, Plewa, Roshell, Strohl, Theno, Ulichny and Van Sistine -- 17.

Absent or not voting -- None.

So the amendment failed to be adopted.

Senate amendment 4 to assembly amendment 1 to senate substitute amendment 1 offered by Senators Ulichny and Lcean.

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

Adopted.

The question was: Concurrence of assembly amendment 1 to senate substitute amendment 1?

Concurred in as amended.

#### **Senate Bill 328**

Relating to revisions in the laws governing the patients compensation fund and panels, medical malpractice and health care provider professional discipline, providing for a study and making appropriations.

Read a second time.

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

By request of Senator Adelman, with unanimous consent, **Senate Bill 328** was placed after **Senate Bill 618**.

#### **Senate Bill 541**

Relating to the entry of a plea by a defendant in a criminal action.

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 541**

Read a third time and passed.

#### **Senate Bill 572**

Relating to excepting overweight vehicles transporting livestock on certain highways from a reloading or unloading requirement.

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.

#### **Senate Bill 572**

Read a third time and passed.

#### **Senate Bill 573**

Relating to allowing certain trailers to be drawn by a motor truck without a permit.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 573** was referred to joint committee on Finance.

#### **Senate Bill 587**

Relating to creating an exception to the child abuse and neglect reporting requirements.

Read a second time.

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

Senate amendment 2 offered by Senators Chvala and Moen.

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.

#### **Senate Bill 587**

Read a third time.

By request of Senator Chvala, with unanimous consent, **Senate Bill 587** was placed after **Senate Bill 618**.

#### **Senate Bill 588**

Relating to various changes in human services and county laws.

Read a second time.

By request of Senator Cullen, with unanimous consent, the rules were suspended and **Assembly Bill 889** was withdrawn from committee on Agriculture, Health and Human Services and taken up at this time.

#### **Assembly Bill 889**

Relating to various changes in human services and county 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.

**Assembly Bill 889**

Read a third time and concurred in.

By request of Senator Cullen with unanimous consent, **Senate Bill 583** was referred to committee on Senate Organization.

**Senate Bill 601**

Relating to uses of certain lands, partly submerged in Lake Michigan, to the city of Milwaukee.

Read a second time.

By request of Senator Adelman, with unanimous consent, **Senate Bill 601** was placed after **Assembly Bill 729**.

**Senate Bill 618**

Relating to the regulation and licensing of commercial clamming, granting rule-making authority and providing penalties.

Read a second time.

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

Senate amendment 2 offered by Senators Rude and Strohl.

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

Ordered to a third reading.

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

**Senate Bill 618**

Read a third time and passed.

**Senate Bill 587**

Relating to creating an exception to the child abuse and neglect reporting requirements.

Read a third time.

The question was: Shall the bill pass?

Senator Kincaid moved that **Senate Bill 587** be laid on the table.

The question was: Shall **Senate Bill 587** 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 Andrea, Kincaid, Lasee, Leean, Roshell, Stitt and Van Sistine -- 7.

Noes -- Senators Adelman, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kreul, Lee, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Rude, Strohl, Theno and Ulichny -- 26.

Absent or not voting -- None.

So the motion did not prevail.

Senator Harsdorf moved that **Senate Bill 587** be referred to committee on Agriculture, Health and Human Services.

The question was: Shall **Senate Bill 587** be referred to committee on Agriculture, Health and Human Services?

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

Ayes -- Senators Andrea, Chilsen, Engeleiter, Hanaway, Harsdorf, Kincaid, Kreul, Lasee, Leean, Roshell, Rude, Stitt and Theno -- 13.

Noes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Ellis, Feingold, George, Helbach, Lee, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Strohl, Ulichny and Van Sistine -- 20.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Shall the bill pass?

Passed.

**Senate Bill 328**

Relating to revisions in the laws governing the patients compensation fund and panels, medical malpractice and health care provider professional discipline, providing for a study and making appropriations.

Read a second time.

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

Senator Adelman asked unanimous consent that **Senate Bill 328** be referred to committee on Judiciary and Consumer Affairs.

Senator Van Sistine objected.

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

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

Senator Engeleiter asked unanimous consent that senate substitute amendment 1 be placed after senate substitute amendment 2.

Senator Van Sistine objected.

Senator Adelman moved that **Senate Bill 328** be referred to committee on Judiciary and Consumer Affairs.

The question was: Shall **Senate Bill 328** be referred to committee on Judiciary and Consumer Affairs?

The ayes and noes were demanded and the vote was: ayes, 6; noes, 27; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chvala, Feingold, Norquist, Risser and Ulichny -- 6.

Noes -- Senators Andrea, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Otte, Plewa, Roshell, Rude, Stitt, Strohl, Theno and Van Sistine -- 27.

Absent or not voting -- None.

So the motion did not prevail.

JOURNAL OF THE SENATE [March 19, 1986]

By request of Senator Cullen, with unanimous consent, the senate recessed until 1:48 P.M.

12:10 PM.

RECESS

1:48 P.M.

The senate reconvened.

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

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

By request of Senator Van Sistine, with unanimous consent, senate amendment 1 to senate substitute amendment 2 was placed after senate amendment 10 to senate substitute amendment 2.

Senate amendment 2 to senate substitute amendment 2 offered by Senators Chvala and Norquist.

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

Senator Van Sistine moved rejection of senate amendment 2 to senate substitute amendment 2.

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

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

Ayes -- Senators Andrea, Chilsen, Ellis, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Otte, Plewa, Roshell, Rude, Stitt, Strohl and Van Sistine -- 19.

Noes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Norquist, Risser and Ulichny -- 13.

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

So the motion prevailed.

Senate amendment 3 to senate substitute amendment 2 offered by Senators Norquist, Davis, Chvala and George.

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

Senator Van Sistine moved rejection of senate amendment 3 to senate substitute amendment 2.

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

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

Ayes -- Senators Andrea, Chilsen, Ellis, Engeleiter, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee,

Lee, Leean, Lorman, McCallum, Moen, Otte, Plewa, Roshell, Rude, Stitt, Strohl, Theno and Van Sistine -- 23.

Noes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Feingold, George, Norquist, Risser and Ulichny -- 10.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 4 to senate substitute amendment 2 offered by Senators Norquist, Chvala and George.

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

By request of Senator Chvala, with unanimous consent, senate amendment 4 to senate substitute amendment 2 was returned to the author.

Senate amendment 5 to senate substitute amendment 2 offered by Senator Czarnezki.

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

Adopted.

Senate amendments 6 and 7 to senate substitute amendment 2 offered by Senator Chvala.

The question was: Adoption of senate amendment 6 to senate substitute amendment 2?

By request of Senator Chvala, with unanimous consent, senate amendments 6 and 7 were returned to the author.

Senate amendments 8, 9 and 10 to senate substitute amendment 2 offered by Senator Adelman.

The question was: Adoption of senate amendment 8 to senate substitute amendment 2?

Adopted.

The question was: Adoption of senate amendment 9 to senate substitute amendment 2?

Adopted.

The question was: Adoption of senate amendment 10 to senate substitute amendment 2?

Senator Van Sistine moved rejection of senate amendment 10 to senate substitute amendment 2.

The question was: Rejection of senate amendment 10 to senate substitute amendment 2?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 12; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Cullen, Ellis, Engeleiter, George, Hanaway, Helbach, Kincaid, Kreul, Lasee, Leean, Lorman, McCallum, Moen, Otte, Roshell, Rude, Stitt, Theno and Van Sistine -- 20.

Noes -- Senators Adelman, Chilsen, Chvala, Czarnezki, Davis, Feingold, Lee, Norquist, Plewa, Risser, Strohl and Ulichny -- 12.

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



So the motion prevailed.

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

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

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

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

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

Ayes -- Senators Adelman, Chvala, Cullen, Czarnecki, Feingold, George, Lee, Moen, Norquist, Otte, Risser, Stitt, Strohl and Ulichny -- 14.

Noes -- Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Leraan, Lorman, McCallum, Plewa, Roshell, Rude, Theno and Van Sistine -- 19.

Absent or not voting -- None.

So the motion did not prevail.

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

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

Ayes -- Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Leraan, Lorman, McCallum, Plewa, Roshell, Rude, Theno and Van Sistine -- 19.

Noes -- Senators Adelman, Chvala, Cullen, Czarnecki, Feingold, George, Lee, Moen, Norquist, Otte, Risser, Stitt, Strohl and Ulichny -- 14.

Absent or not voting -- None.

So the amendment was adopted.

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

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

Ayes -- Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leraan, Lorman, McCallum, Moen, Otte, Plewa, Roshell, Rude, Theno and Van Sistine -- 22.

Noes -- Senators Adelman, Chvala, Cullen, Czarnecki, Feingold, George, Norquist, Risser, Stitt, Strohl and Ulichny -- 11.

Absent or not voting -- None.

So the amendment was adopted.

Senate amendment 11 to senate substitute amendment 2 offered by Senator Chvala.

The question was: Adoption of senate amendment 11 to senate substitute amendment 2?

By request of Senator Chvala, with unanimous consent, senate amendment 11 to senate substitute amendment 2 was placed after senate amendment 17 to senate substitute amendment 2.

Senate, amendment 12 to senate substitute amendment 2 offered by Senators Harsdorf and Lasee.

The question was: Adoption of senate amendment 12 to senate substitute amendment 2?

Senator Adelman raised the point of order that senate amendment 12 to senate substitute amendment 2 was not germane.

By request of Senator Harsdorf, with unanimous consent, senate amendment 12 to senate substitute amendment 2 was returned to the author.

Senate amendment 13 to senate substitute amendment 2 offered by Senators Lasee and Harsdorf.

The question was: Adoption of senate amendment 13 to senate substitute amendment 2?

Senator Chvala moved rejection of senate amendment 13 to senate substitute amendment 2.

The question was: Rejection of senate amendment 13 to senate substitute amendment 2?

Senator Adelman raised the point of order that senate amendment 13 to senate substitute amendment 2 was not germane.

The chair ruled the point of order not well taken.

The question was: Rejection of senate amendment 13 to senate substitute amendment 2?

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

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnecki, Davis, Feingold, George, Hanaway, Helbach, Kincaid, Moen, Norquist, Plewa, Risser, Stitt, Strohl and Ulichny -- 18.

Noes -- Senators Chilsen, Ellis, Engeleiter, Harsdorf, Kreul, Lasee, Lee, Leraan, Lorman, McCallum, Otte, Roshell, Rude, Theno and Van Sistine -- 15.

Absent or not voting -- None.

So the motion prevailed.

Senate amendments 14, 15 and 16 to senate substitute amendment 2 offered by Senators Hanaway and Engeleiter.

The question was: Adoption of senate amendment 14 to senate substitute amendment 2?

Adopted.

The question was: Adoption of senate amendment 15 to senate substitute amendment 2?

By request of Senator Hanaway, with unanimous consent, senate amendment 15 to senate substitute amendment 2 was returned to the author.

The question was: Adoption of senate amendment 16 to senate substitute amendment 2?

Senator Van Sistine moved rejection of senate amendment 16 to senate substitute amendment 2.

The question was: Rejection of senate amendment 16 to senate substitute amendment 2?

The motion prevailed.

Senate amendment 17 to senate substitute amendment 2 offered by Senators Chvala and Norquist.

Senator Van Sistine moved rejection of senate amendment 17 to senate substitute amendment 2.

The question was: Rejection of senate amendment 17 to senate substitute amendment 2?

The motion prevailed.

The question was: Adoption of senate amendment 11 to senate substitute amendment 2?

By request of Senator Chvala, with unanimous consent, senate amendment 11 to senate substitute amendment 2 was returned to the author.

Senate amendment 18 to senate substitute amendment 2 offered by Senator Chvala.

The question was: Adoption of senate amendment 18 to senate substitute amendment 2?

Adopted.

The question was: Adoption of senate substitute amendment 2?

Adopted.

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

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

Ordered to a third reading.

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

Senator Chvala objected.

Senator Cullen moved that the rules be suspended and the bill be considered for final action at this time.

The question was: Shall the rules be suspended and the bill be considered for final action at this time?

The ayes and noes were required and the vote was: ayes, 24; noes, 8; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Chilsen, Czarnezki, Ellis, Engeleiter, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Otte, Plewa, Risser, Roshell, Rude, Theno and Van Sistine -- 24.

Noes -- Senators Adelman, Chvala, Cullen, Davis, Feingold, Norquist, Stitt and Ulichny -- 8.

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

More than two-thirds having voted in the affirmative, the motion prevailed.

### Senate Bill 328

Read a third time.

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

Ayes -- Senators Andrea, Chilsen, Czarnezki, Davis, Ellis, Engeleiter, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno and Van Sistine -- 26.

Noes -- Senators Adelman, Chvala, Cullen, Feingold, Norquist, Otte and Ulichny -- 7.

Absent or not voting -- None.

So the bill passed.

### Assembly Bill 315

Relating to assessments of cemetery lots for care of lots and improvements of cemeteries.

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 315

Read a third time and concurred in as amended.

### Assembly Bill 381

Relating to motor vehicle registration, operating privileges, size and weight limitations and permits, titles and security interests, vehicle identification numbers, mileage disclosures, motor carrier leases, use of state-owned gravel pits and making an appropriation (suggested as remedial legislation by the department of transportation).

Read a second time.

Senate amendment 1 offered by Senator Rude.

The question was: Adoption of senate amendment 1?

By request of Senator George, with unanimous consent, **Assembly Bill 381** was referred to the joint committee on Finance.

By request of Senator George, with unanimous consent, **Assembly Bill 381** was withdrawn from the joint committee on Finance and considered for action at this time.

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

Senate amendment 2 offered by Senator Harsdorf.

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 381**

Read a third time.

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

Ayes -- Senators Adelman, Andrea, 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, Stiitt, Strohl, Theno, Ulichny and Van Sistine -- 32.

Noes -- Senator Chilsen -- 1.

Absent or not voting -- None.

So the bill was concurred in as amended.

**Assembly Bill 383**

Relating to reporting of governmental payments by state public officials (suggested as remedial legislation by the ethics 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 383**

Read a third time and concurred in as amended.

**Assembly Bill 394**

Relating to revising the penalty for the illegal hunting or possession of bear.

Read a second time.

By request of Senator George, with unanimous consent, **Assembly Bill 394** was referred to joint committee on Finance.

**Assembly Bill 535**

Relating to questioning and challenging potential jurors.

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 535**

Read a third time and concurred in.

**Assembly Bill 594**

Relating to conversion of mutual life insurance companies to stock life insurance companies.

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 594**

Read a third time and concurred in.

**Assembly Bill 610**

Relating to underage persons on premises of curling clubs with alcohol beverages licenses or permits and operating hours of curling clubs with alcohol beverages licenses or permits.

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 610**

Read a third time and concurred in.

**Assembly Bill 710**

Relating to school board elections and reconciling the statutes pertaining to elementary and secondary schools with the elimination of city school districts.

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 710**

Read a third time and concurred in as amended.

**Assembly Bill 729**

Relating to purchase of client care and services by the department of health and social services and county departments that provide social and mental health services and granting rule-making authority.

Read a second time.

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

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

Senate amendment 3 offered by Senators Leean, Andrea, Plewa, Roshell and Rude.

The question was: Adoption of senate amendment 3?

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

-The chair took the point of order under advisement.

**Senate Bill 601**

Relating to uses of certain lands, partly submerged in Lake Michigan, to the city of Milwaukee.

Read a second time.

Senate substitute amendment 1 offered by Senator Adelman.

The question was: Adoption of senate substitute amendment 1?

Senator Plewa moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

Senator Engeleiter asked unanimous consent that **Senate Bill 601** be laid on the table.

Senator Lee objected.

Senator Adelman asked unanimous consent that **Senate Bill 601** be made a Special Order of Business at 11:00 A.M., March 20.

Senator Plewa objected.

Senator Adelman moved that **Senate Bill 601** be laid on the table.

The question was: Shall **Senate Bill 601** be laid on the table?

The motion did not prevail.

The question was: Rejection of senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 24; noes, 9; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Chvala, Cullen, Czarnezki, George, Hanaway, Helbach, Kincaid, Kreul, Lasee, Lee, Lekan, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Strohl, Theno, Ulichny and Van Sistine -- 24.

Noes -- Senators Adelman, Chilsen, Davis, Ellis, Engeleiter, Feingold, Harsdorf, Lorman and Stitt -- 9.

Absent or not voting -- None.

So the motion prevailed.

Ordered to a third reading.

By request of Senator Engeleiter, with unanimous consent, the senate recessed until 5:29 P.M.

5:15 P.M.

RECESS

5:29 P.M.

The senate reconvened.

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

Senator Adelman objected.

Senator Cullen moved that the rules be suspended and the bill be considered for final action at this time.

The question was: Shall the rules be suspended and **Senate Bill 601** be considered for final action at this time?

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

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

Noes -- Senators Adelman, Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Lekan, Lorman, McCallum, Rude, Stitt and Theno -- 15.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the motion did not prevail.

### **Assembly Bill 425**

Relating to videotape statements and depositions by children.

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 425**

Read a third time and concurred in as amended.

### **Assembly Bill 9**

Relating to town disapproval of proposed county zoning changes.

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 9**

Read a third time and concurred in.

### **Assembly Bill 407**

Relating to state records and forms management and reporting, standards for photographic reproduction of public records, preservation of essential public records, availability of services provided by the microfilm laboratory of the department of health and social services and printing by prison industries.

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 407**

Read a third time and concurred in as amended.

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MOTIONS

By request of Senator Cullen, with unanimous consent, **Senate Bill 638** was withdrawn from committee on Senate Organization and referred to committee on Urban Affairs, Utilities and Elections.

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

Upon motion of Senator Cullen the senate adjourned until 9:00 A.M. Thursday, March 20.

5:44 P.M.

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LEAVE OF ABSENCE

By request of Senator Theno, with unanimous consent, he was granted a leave of absence for Tuesday, March 25.

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

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Assembly Bill 629**

1. Page 1, line 7: substitute "to" for the 2nd "and".
2. Page 12, line 2: substitute "to" for "and".