

STATE OF WISCONSIN

Senate Journal

Eighty-Eighth Regular Session

10:00 A.M.

THURSDAY, February 11, 1988

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 Pastor Don R. Van Deraa of Blackhawk Evangelical Free Church of Madison.

The senate remained standing and Senator Adelman 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, Buettner, Chilsen, Chvala, Cowles Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Harsdorf, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, Moen, Norquist, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 33.

Absent — None.

Absent with leave — None.

INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 512**

Relating to eligibility for urban mass transit operating assistance.

By Senator Moen.

To committee on Transportation, Tourism and Conservation.

**Senate Bill 513**

An act relating to funding for a tourist information center in the city of Marinette and making an appropriation.

By Senators Van Sistine, Kincaid, Cowles and Kreul; cosponsored by Representatives Gard, Volk, Van Dreel, Vergeront, Lepak, Rosenzweig, Ladwig, Bolle, Carpenter, Welch, Junkermann, Brandemuehl, Tregoning, Ourada, Prosser, Schober, Schultz, Underheim and Zeuske.

To committee on Transportation, Tourism and Conservation.

**Senate Bill 514**

Relating to information required on an application for a driver's license or identification card.

By Senators Kincaid, Roshell, Moen, Kreul, Ulichny and Rude; cosponsored by Representatives Holschbach,

Barrett, Goetsch, Becker, Young, Musser, and Van Dreel.

To committee on Transportation, Tourism and Conservation.

**Senate Bill 515**

Relating to providing a penalty for a foreign corporation which transacts business without a certificate of authority.

By Senators Adelman and Rude; cosponsored by Representatives Neubauer and Musser, by request of Secretary of State Douglas La Follette.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 516**

Relating to juvenile restitution and community service work projects and making an appropriation.

By Senator Adelman.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 517**

Relating to directing the department of natural resources to approve sewer and water connections for the railroad depot and the Dousman hotel and occupancy of the Dousman hotel on St. Feriole island in the city of Prairie du Chien.

By Senators Rude, Strohl, Cowles and Lee; cosponsored by Representatives Johnsrud, Black, Berndt, Rosenzweig and Zeuske.

To committee on Urban Affairs, Energy, Environmental Resources and Elections.

COMMITTEE REPORTS

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

**Senate Bill 123**

Relating to permitting a minor accompanied by a grandparent to play bingo.

Passage:

Ayes, 6 -- Senators Van Sistine, Kincaid, Plewa, Te Winkle, Chilsen and Kreul;

Noes, 2 -- Senators Roshell and Leean.

**Senate Bill 214**

Relating to the insurance security fund.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid, Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

Passage as amended:

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Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid,  
Plewa, Te Winkle, Chilsen, Kreul and Leean;  
Noes, 0 -- None.

Noes, 0 -- None.

Lloyd Kincaid  
Chair

**Senate Bill 320**

Relating to exclusive sales of fermented malt beverages by wholesalers.

Introduction and adoption of Senate amendment 1:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid,  
Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

Passage as amended:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid,  
Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

**Assembly Bill 361**

Relating to collective bargaining units consisting of supervisors.

Concurrence:

Ayes, 5 -- Senators Van Sistine, Kincaid, Plewa, Te  
Winkle and Chilsen;

Noes, 3 -- Senators Roshell, Kreul and Leean.

**Senate Bill 455**

Relating to discrimination against employes who enforce or cooperate in the enforcement of certain employment laws.

Introduction and adoption of Senate amendment 1:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid,  
Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

Passage as amended:

Ayes, 8 -- Senators Van Sistine, Roshell, Kincaid,  
Plewa, Te Winkle, Chilsen, Kreul and Leean;

Noes, 0 -- None.

**Senate Bill 484**

Relating to establishing a minimum wage for certain employes.

Passage:

Ayes, 7 -- Senators Van Sistine, Roshell, Kincaid,  
Plewa, Te Winkle, Chilsen and Kreul;

Noes, 1 -- Senator Leean.

Jerome Van Sistine  
Chair

The committee on Transportation, Tourism and Conservation reports and recommends:

**Assembly Bill 567**

Relating to special registration fees for certain vehicles.

Concurrence:

Ayes, 7 -- Senators Kincaid, Moen, Roshell,  
Andrea, Kreul, Rude and Weeden;

Noes, 0 -- None.

**Assembly Bill 585**

Relating to motor vehicle emissions inspections.

Concurrence:

Ayes, 7 -- Senators Kincaid, Moen, Roshell,  
Andrea, Kreul, Rude and Weeden;

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

**Senate Bill 496**

An act relating to authorizing payment for services provided in a facility in Racine county.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 7 -- Senators Moen, Jauch, Feingold, Te  
Winkle, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Moen, Jauch, Feingold, Te  
Winkle, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Rodney C. Moen  
Chair

The committee on Aging, Banking, Commercial Credit and Taxation reports and recommends:

**Senate Joint Resolution 51**

Relating to nonuniform taxation of real property classified as primary personal residence or as improvements to agricultural land (first consideration).

Adoption:

Ayes, 8 -- Senators Feingold, Plewa, Czarnezki,  
Kincaid, Jauch, Kreul, Buettner and Weeden;

Noes, 0 -- None.

**Senate Bill 483**

Relating to the retailers required to collect the use tax.

Passage:

Ayes, 8 -- Senators Feingold, Plewa, Czarnezki,  
Kincaid, Jauch, Kreul, Buettner and Weeden;

Noes, 0 -- None.

Russell D. Feingold  
Chair

CALENDAR OF FEBRUARY 11, 1988

By request of Senator Strohl, with unanimous consent, the reading of the appointments was dispensed with and the appointments were taken up en masse.

DOUGHTY LUCKHARDT, ESTHER, of Horicon, as a member of the University of Wisconsin Board of Regents, to serve for the interim term ending May 1, 1991.

LUBER, ANNE, of Milwaukee, as a member of the Prison Industries Board, to serve for the term ending May 1, 1988.

MERKEL, KENNETH, of Brookfield, as a member of the Health Facilities Siting Authority, to serve for the term ending June 30, 1994.

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MEYER, FRANK, of Shawano, as a member of the Judicial Commission, to serve for the term ending August 1, 1990.

O'CONNELL, MIKE, SR., of Madison, as a member of the Prison Industries Board, to serve for the term ending May 1, 1990.

STOLPMAN, KATHLEEN of Brookfield, as a member of the Domestic Abuse Council, to serve for the interim term ending July 1, 1988.

YOST, CHARLES, of Menomonee, as a member of the Prison Industries Board, to serve for the term ending May 1, 1990.

The question was: Shall the appointments be confirmed?

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

Ayes — Senators Adelman, Andrea, Buettner, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Harsdorf, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, Moen, Norquist, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 33.

Noes — None.

Absent or not voting — None.

So the appointments were confirmed.

**Assembly Bill 752**

**Assembly Bill 642**

**Assembly Bill 657**

**Assembly Bill 692**

**Assembly Bill 201**

**Assembly Bill 563**

**Assembly Bill 638**

Adopted and asks concurrence in:

**Assembly Joint Resolution 74**

Concurred in:

**Senate Bill 273**

**Senate Bill 90**

**Senate Bill 211**

**Senate Bill 406**

**Assembly Bill 154**, Senate amendment 1

**Assembly Bill 205**, Senate amendments 1 and 2

Amended and concurred in as amended:

**Senate Bill 4**, Assembly amendments 1 and 3

**Senate Bill 387**, Assembly amendments 1 and 2

**Assembly Bill 449**, Assembly amendment 1 to Senate amendment 1

Nonconcurred in:

**Assembly Bill 205**, Senate amendment 3

SENATE CLEARINGHOUSE ORDERS

**Senate Clearinghouse Rule 87-146**

Relating to the specialized transportation assistance program for counties.

Submitted by Department of Transportation.

Report received from agency, February 9, 1988.

Referred to committee on Transportation, Tourism and Conservation, February 11, 1988.

**Senate Clearinghouse Rule 87-161**

Relating to fees for air pollution control permits, permit requirements for indirect sources and incremental growth provisions for direct and indirect sources requiring permits.

Submitted by Department of Natural Resources.

Report received from agency, February 9, 1988.

Referred to committee on Urban Affairs, Energy, Environmental Resources and Elections, February 11, 1988.

MESSAGE FROM THE ASSEMBLY  
CONSIDERED

**Assembly Bill 307**

Relating to designating the cranberry muffin as the state muffin.

By Representative Ourada, cosponsored by Senator Kincaid, by request of Second Grade Classes of Washington Elementary School in Merrill.

Read first time and referred to committee on Housing, Government Operations and Cultural Affairs.

**Assembly Bill 577**

Relating to conditions of probation.

By Representatives Medinger, Mark Lewis, Nelsen, Holperin, Bell, Robson, Carpenter, Notestein, Panzer, Porter, Schmidt, Huelsman, Brandemuehl, Barca, Ladwig, Paulson, Hasenohrl, Ott, Gruszynski, Becker, Volk, Magnuson, Schober and Musser, cosponsored by Senators Moen, Van Sistine, Buettner, Rude, Roshell and Harsdorf.

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

**Assembly Bill 752**

Relating to the publication of credit union annual reports.

By Representatives Potter and Looby, cosponsored by Senators Roshell and Andrea.

Read first time and referred to committee on Economic Development, Financial Institutions and Fiscal Policies.

MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

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

**Assembly Bill 307**

**Assembly Bill 577**

**Assembly Bill 642**

Relating to controlled substances and providing penalties.

By Representatives Barca, Medinger, Musser, Linton, Hubler, Barrett, Ladwig, Grobschmidt, Krusick, Van Dreel, Gronemus, Shoemaker, Roberts, Welch, Holschbach, Tregoning, Brancel, Ourada, Lepak, Robson, Brandemuehl, Radtke, Fergus, Magnuson, Porter, Huelsman, Farrow, Hamilton, Schneiders, Rosenzweig, Zweck, Merkt, Tesmer, Zeuske, Boyle, Margaret Lewis, Van Gorden, Underheim, Wimmer, Schmidt and Volk, cosponsored by Senators Roshell, Risser, Buettner, Lee, Andrea, Lasee, Weeden, Davis, Kincaid and Harsdorf, by request of Attorney General Don Hanaway.

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

**Assembly Bill 657**

Relating to use of videotaped statements of children at preliminary examinations.

By Representatives Fergus, Grobschmidt, Bell, Barca, Shoemaker, Magnuson, Krug, Robson, Hamilton, Radtke, Schmidt, Van Gorden, Musser, McEssy, Brandemuehl, Walling, Bolle, Volk and Boyle, cosponsored by Senators Ulichny, Roshell, Chilsen and Buettner.

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

**Assembly Bill 692**

Relating to prepayment of witness fees.

By Representatives Rutkowski, Van Dreel, Barrett, Young, Schober, Huelsman, Wimmer and Schmidt, cosponsored by Senators Adelman, Chvala, Feingold, Lee, Lorman, Buettner and Stitt, by request of Attorney General Don Hanaway.

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

**Assembly Bill 201**

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

By Representatives Coleman, Bolle, Radtke, Gronemus, Panzer, Boyle, Porter, Schneiders, Weeden, Tregoning, Goetsch, Huelsman, Ladwig, Vergeront, Van Gorden, Musser, Buettner and Berndt, cosponsored by Senators Harsdorf and Lorman.

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

**Assembly Bill 563**

Relating to membership of the county community programs board.

By Representatives Swoboda, Van Dreel, Goetsch, Volk, Boyle and Robson, cosponsored by Senator Buettner.

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

**Assembly Bill 638**

Relating to establishing a volunteer advocate project for residents of nursing homes, granting rule-making authority and making an appropriation.

By Representatives Krusick and Robinson, cosponsored by Senators Strohl, Buettner and Feingold.

Read first time and referred to committee on Aging, Banking, Commercial Credit and Taxation.

By request of Senator Moen, with unanimous consent, **Assembly Bill 638** was withdrawn from the committee on Aging, Banking, Commercial Credit and Taxation and referred to the committee on Agriculture, Health and Human Services.

**Assembly Joint Resolution 74**

Relating to urging Congress to pass S. 1353.

By Representatives Deininger, Gronemus, Johnsrud, Hubler, Goetsch, Bolle, Brancel, Brandemuehl, Van Gorden, Turba, Tregoning and Zeuske.

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

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**Senate Bill 137**

Relating to permitting vending facilities operated by or for the benefit of visually impaired persons to be located on property of a controlled-access highway.

The question was: Concurrence in assembly amendment 1?

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

10:21 A.M.

RECESS

12:05 P.M.

The senate reconvened.

MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

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

**Assembly Bill 916**

MESSAGE FROM THE ASSEMBLY  
CONSIDERED

**Assembly Bill 916**

Relating to exceptions to the fair employment law concerning discrimination on the basis of creed.

By committee on Labor.

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

CALENDAR OF FEBRUARY 11, 1988

**Senate Bill 137**

Relating to permitting vending facilities operated by or for the benefit of visually impaired persons to be located on property of a controlled-access highway.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 137** was referred to the joint committee on Finance.

By request of Senator George, with unanimous consent, **Senate Bill 137** was withdrawn from the joint committee on Finance and considered for action at this time.

The question was: Shall assembly amendment 1 be concurred in?

Concurred in.

**Senate Bill 332**

Relating to day care in schools.

Read a second time.

The question was: Shall assembly amendment 1 be concurred in?

Concurred in.

The question was: Shall assembly amendment 5 be concurred in?

Concurred in.

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**Senate Bill 31**

Relating to obscenity and defining obscene material and obscene performance.

Read a second time.

Senate amendment 1 offered by Senator Chvala.

The question was: Adoption of senate amendment 1?

Senator George asked unanimous consent that **Senate Bill 31** be referred to joint committee on Finance. Senator Chilsen objected.

Senator George moved that **Senate Bill 31** be referred to joint committee on Finance.

By request of Senators Buettner, Weeden and Ellis, with unanimous consent, they were listed as coauthors of **Senate Bill 31**.

The question was: Shall **Senate Bill 31** be referred to joint committee on Finance?

By request of Senator Roshell, with unanimous consent, the senate recessed until 1:23 P.M.

12:49 P.M.

RECESS

1:23 P.M.

The senate reconvened.

The question was: Shall **Senate Bill 31** be referred to joint committee on Finance?

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, Czarnezki, Feingold, George, Helbach, Jauch, Kincaid, Lee, Moen, Norquist, Plewa, Risser, Roshell, Strohl, Te Winkle, Ulichny and Van Sistine — 19.

Noes — Senators Buettner, Chilsen, Cowles, Davis, Ellis, Engeleiter, Harsdorf, Kreul, Lasee, Lecan, Lorman, Rude, Stitt and Weeden — 14.

Absent or not voting — None.

So the motion prevailed.

Senator Chilsen asked unanimous consent that **Senate Bill 31** be withdrawn from joint committee on Finance and referred to committee on Senate Rules.

Senator Strohl objected.

**Senate Bill 60**

Relating to directing school boards to provide an instructional program designed to give pupils an understanding of the causes of conflict between nations.

Read a second time.

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

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

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

Senator Czarnezki 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, 19; noes, 14; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Chvala, Czarnezki, Feingold, George, Helbach, Jauch, Kincaid, Lee, Moen, Norquist, Plewa, Risser, Roshell, Strohl, Te Winkle, Ulichny and Van Sistine — 19.

Noes — Senators Buettner, Chilsen, Cowles, Davis, Ellis, Engeleiter, Harsdorf, Kreul, Lasee, Lecan, Lorman, Rude, Stitt and Weeden — 14.

Absent or not voting — None.

So the motion prevailed.

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

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

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

Rejected.

Senate amendments 3 and 4 to senate substitute amendment 1 offered by Senator Stitt.

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

Senator Czarnezki 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 indefinite postponement of **Senate Bill 60**.

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

Ayes — Senators Adelman, Buettner, Chilsen, Cowles, Davis, Ellis, Engeleiter, Harsdorf, Kincaid, Kreul, Lasee, Lekan, Lorman, Roshell, Rude, Stitt and Weeden — 17.

Noes — Senators Andrea, Chvala, Czarnezki, Feingold, George, Helbach, Jauch, Lee, Moen, Norquist, Plewa, Risser, Strohl, Te Winkle, Ulichny and Van Sistine — 16.

Absent or not voting — None.

So the motion prevailed.

#### **Senate Bill 149**

Relating to insurance intermediaries, policies and group certificates, the state life insurance fund and miscellaneous insurance regulations.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senator Van Sistine.

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

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

Adopted.

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

#### **Senate Bill 149**

Read a third time and passed.

#### **Senate Bill 244**

Relating to collective bargaining of school class size and the number and length of teacher preparation periods in 1st class city school districts.

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 244**

Read a third time.

Senator Harsdorf asked unanimous consent to place **Senate Bill 244** and the foot of the calendar.

Senator Czarnezki objected.

By request of Senator Chilsen, with unanimous consent, the bill was referred to a second reading.

Read a second time.

Senate amendment 1 offered by Senator Chilsen.

The question was: Adoption of senate amendment 1?

Senator Czarnezki raised the point of order that senate amendment 1 is not germane.

The Chair ruled the point of order well taken.

Ordered to a third reading.

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

#### **Senate Bill 244**

Read a third time.

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

Ayes — Senators Andrea, Chvala, Czarnezki, Feingold, George, Helbach, Jauch, Moen, Norquist, Plewa, Risser, Roshell, Strohl, Te Winkle, Ulichny and Van Sistine — 16.

Noes — Senators Adelman, Buettner, Chilsen, Cowles, Davis, Ellis, Engeleiter, Harsdorf, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, Rude, Stitt and Weeden — 17.

Absent or not voting — None.

So the bill did not pass.

#### **Senate Bill 290**

Relating to proof of financial responsibility by fitness centers, employe staffing requirements for fitness centers, granting rule-making authority and providing a penalty.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 290** was referred to the joint committee on Finance.

By request of Senator George, with unanimous consent, **Senate Bill 290** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

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

Senate amendment 3 to senate substitute amendment 1 offered by Senator Rude.

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

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

Senator Lee 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, 15; noes, 18; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Chilsen, Chvala, Helbach, Jauch, Lee, Leean, Moen, Plewa, Risser, Roshell, Rude, Strohl, Ulichny and Van Sistine — 15.

Noes — Senators Adelman, Buettner, Cowles, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Harsdorf, Kincaid, Kreul, Lasee, Lorman, Norquist, Stitt, Te Winkle and Weeden — 18.

Absent or not voting — None.

So the motion did not prevail.

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

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

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

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

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

Ordered to a third reading.

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

**Senate Bill 290**

Read a third time and passed.

**Senate Bill 314**

Relating to the duplication of will records.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 314**

Read a third time and passed.

**Senate Bill 358**

Relating to the coverage and enforcement of the clean indoor air act, granting rule-making authority and providing a penalty.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Risser, with unanimous consent, **Senate Bill 358** was placed on the table.

**Senate Bill 383**

Relating to the amount designated by individuals for the Wisconsin election campaign fund.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 383** was referred to joint committee on Finance.

**Senate Bill 390**

Relating to the regulation of the operation of weights and measures and imposing a penalty.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 390**

Read a third time and passed.

**Senate Bill 425**

Relating to eligibility for membership on the Milwaukee school board.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 425**

Read a third time and passed.

**Senate Bill 434**

Relating to authorizing the department of natural resources to order or cause the abatement of certain nonpoint source water pollution.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 434** was referred to joint committee on Finance.

**Assembly Bill 242**

Relating to witnesses who fail to appear in court and providing a penalty.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 242**

Read a third time and concurred in.

**Assembly Bill 299**

Relating to various changes in the campaign finance law.

Read a second time.

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

Senate amendment 2 offered by Senators Strohl and Engeleiter.

Senate amendment 3 offered by Senator Czarnezki.

Senate amendment 4 offered by Senator Stitt.

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

The question was: Adoption of senate amendment 3?

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

Ayes — Senators Adelman, Cowles, Czarnezki, Feingold, George, Helbach, Jauch, Lee, Moen, Norquist, Plewa, Risser, Roshell, Strohl, Te Winkle and Ulichny — 16.

Noes — Senators Andrea, Buettner, Chilsen, Chvala, Davis, Ellis, Engeleiter, Harsdorf, Kincaid, Kreul, Lasee, Leean, Lorman, Rude, Stitt, Van Sistine and Weeden — 17.

Absent or not voting — None.

So the amendment failed to be adopted.

The question was: Adoption of senate amendment 4?  
Adopted.

Senator Kincaid moved reconsideration of the vote by which senate amendment 3 failed to be adopted.

Senate amendment 5 offered by Senator Davis.

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

Senate amendment 6 offered by Senator Stitt.

The question was: Adoption of senate amendment 6?

Senator Chvala moved rejection of senate amendment 6.

The question was: Rejection of senate amendment 6?

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, Czarnezki, Feingold, George, Helbach, Jauch, Kincaid, Lee, Moen, Norquist, Plewa, Risser, Roshell, Strohl, Te Winkle, Ulichny and Van Sistine — 19.

Noes — Senators Buettner, Chilsen, Cowles, Davis, Ellis, Engeleiter, Harsdorf, Kreul, Lasee, Leean, Lorman, Rude, Stitt and Weeden — 14.

Absent or not voting — None.

So the motion prevailed.

The question was: Shall the senate reconsider the vote by which senate amendment 3 failed to be adopted?

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

Ayes — Senators Adelman, Chvala, Cowles, Czarnezki, Feingold, George, Helbach, Jauch, Kincaid, Lee, Moen, Norquist, Plewa, Risser, Roshell, Strohl, Te Winkle and Ulichny — 18.

Noes — Senators Andrea, Buettner, Chilsen, Davis, Ellis, Engeleiter, Harsdorf, Kreul, Lasee, Leean, Lorman, Rude, Stitt, Van Sistine and Weeden — 15.

Absent or not voting — None.

So the motion prevailed.

The question was: Adoption of senate amendment 3?  
Adopted.

Senator Adelman moved reconsideration of the vote by which senate amendment 4 was adopted.

The question was: Shall the senate reconsider the vote by which it adopted senate amendment 4?

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

Ayes — Senators Adelman, Andrea, Czarnezki, Feingold, George, Jauch, Kincaid, Lee, Moen, Norquist, Plewa, Risser, Roshell, Strohl, Te Winkle and Van Sistine — 16.

Noes — Senators Buettner, Chilsen, Chvala, Cowles, Davis, Ellis, Engeleiter, Harsdorf, Helbach, Kreul, Lasee, Leean, Lorman, Rude, Stitt, Ulichny and Weeden — 17.

Absent or not voting — None.

So the motion did not prevail.

Ordered to a third reading.

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

**Assembly Bill 299**

Read a third time.

Senator Chilsen asked unanimous consent that **Senate Bill 299** be referred to joint committee on Finance.

Senator Strohl objected.

The question was: Shall the bill be concurred in?

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, Cowles, Czarnezki, Feingold, George, Helbach, Jauch, Lee, Moen, Norquist, Plewa, Risser, Roshell, Strohl, Te Winkle, Ulichny and Van Sistine — 19.

Noes — Senators Buettner, Chilsen, Davis, Ellis, Engeleiter, Harsdorf, Kincaid, Kreul, Lasee, Leean, Lorman, Rude, Stitt and Weeden — 14.

Absent or not voting — None.

So the bill was concurred in as amended.

**Assembly Bill 444**

Relating to salaries for reserve judges.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 444**

Read a third time and concurred in.

**Assembly Bill 453**

Relating to annual fees of clerks of court for receiving and disbursing maintenance and support payments.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 453**

Read a third time and concurred in.

**Assembly Bill 513**

Relating to school age parent program reporting requirements.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 513**

Read a third time and concurred in.

**Assembly Bill 514**

Relating to state superintendent of public instruction approval of continuing education programs for persons licensed by the state superintendent and granting rule-making authority.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 514**

Read a third time and concurred in.

**Assembly Bill 517**

Relating to procedure for county payment of certain court fees.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 517**

Read a third time and concurred in.

**Assembly Bill 529**

Relating to bilingual-bicultural education programs.

Read a second time.

By request of Senator Lee, with unanimous consent, he was added as a cosponsor of **Assembly Bill 529**.

Ordered to a third reading.

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

**Assembly Bill 529**

Read a third time and concurred in.

**Assembly Bill 530**

Relating to liability of pupil services personnel for referring a pupil to law enforcement authorities.

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 530**

Read a third time and concurred in.

**Assembly Bill 648**

Relating to state purchasing specifications, state purchasing of products made from recycled materials, a wastepaper recycling program for state agencies and use of recycled and recovered materials in state construction projects.

Read a second time.

By request of Senator Chvala, with unanimous consent, he was listed as a cosponsor of **Assembly Bill 648**.

Ordered to a third reading.

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

**Assembly Bill 648**

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, Buettner, Chilsen, Chvala, Cowles Czarnecki, Davis, Ellis, Engleiter, Feingold, George, Harsdorf, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, Moen, Norquist, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 33.

Noes — None.

Absent or not voting — None.

So the bill was concurred in.

**Assembly Bill 650**

Relating to labeling requirements for plastic containers, providing a penalty and granting rule-making authority.

Read a second time.

By request of Senator Chvala, with unanimous consent, he was listed as a cosponsor of **Assembly Bill 650**.

The question was: Adoption of senate amendment 1?

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By request of Senator George, with unanimous consent, **Assembly Bill 650** was referred to joint committee on Finance.

By request of Senator Strohl, with unanimous consent, the senate recessed until 3:27 P.M.

3:25 P.M.

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RECESS

3:27 P.M.

The senate reconvened.

By request of Senator Strohl, with unanimous consent, the Supplemental Calendar was taken up at this time.

**Senate Bill 59**

Relating to various procedures concerning lakebed grants.

Read a second time.

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

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

**Senate Bill 59**

Read a third time and passed.

**Senate Bill 483**

Relating to the retailers required to collect the use tax.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 483** was referred to joint committee on Finance.

**Senate Bill 484**

Relating to establishing a minimum wage for certain employees.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 484** was referred to joint committee on Finance.

**Senate Bill 496**

An act relating to authorizing payment for services provided in a facility in Racine county.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 496** was referred to joint committee on Finance.

By request of the Chair, with unanimous consent, the Senate returned to the fourth order of business.

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COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends:

**Assembly Bill 916**

Relating to exceptions to the fair employment law concerning discrimination on the basis of creed.

Concurrence:

Ayes, 6 -- Senators Adelman, Feingold, Chvala, Lorman, Stitt and Buettner;

Noes, 0 -- None.

LYNN ADELMAN

Chair

**Assembly Bill 916**

Relating to exceptions to the fair employment law concerning discrimination on the basis of creed.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 916**

Read a third time and concurred in.

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

By request of the Chair, with unanimous consent, the Senate returned to the fourth order of business.

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COMMITTEE REPORTS

The committee on Audit reports and recommends for introduction:

**Senate Bill 518**

Relating to creating a peoples' utility counsel in the department of justice.

Introduction:

Ayes, 3 -- Senators Lee, Czarnezki and George;

Noes, 2 -- Senators Lasee and Leean.

MORDECAI LEE

Chair

Read first time and referred to joint committee on Audit.

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MOTIONS

Senator Chilsen moved that **Senate Bill 31** be withdrawn from joint committee on Finance and referred to committee on Senate Rules.

The question was: Shall **Senate Bill 31** be withdrawn from joint committee on Finance and referred to committee on Senate Rules?

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

Ayes — Senators Buettner, Chilsen, Cowles, Davis, Ellis, Engeleiter, Harsdorf, Kreul, Lasee, Llean, Lorman, Rude, Stitt and Weeden — 14.

Noes — Senators Adelman, Andrea, Chvala, Czarnecki, Feingold, George, Helbach, Jauch, Kincaid, Lee, Moen, Norquist, Plewa, Risser, Roshell, Strohl, Te Winkle, Ulichny and Van Sistine — 19.

Absent or not voting — None.

So the motion did not prevail.

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AMENDMENTS OFFERED

Senate amendment 1 to **Assembly Bill 189** by Senator Kreul.

Senate amendment 2 to **Senate Bill 358** by Senators Lorman and Stitt.

Senate amendment 3 to **Senate Bill 358** by Senator Lorman.

Senate amendment 4 to **Senate Bill 358** by Senator Stitt.

Senate amendments 1 and 2 to **Senate Bill 383** by Senator Adelman.

Senate amendment 3 to **Senate Bill 383** by Senator Stitt.

Senate amendment 2 to **Assembly Bill 650** by Senators Weeden and Lee.

Upon motion of Senator Strohl the senate adjourned until 10:00 A.M. Tuesday, February 16.

3:42 P.M.