

STATE OF WISCONSIN

Senate Journal

Eighty-Fifth Regular Session

TUESDAY, May 19, 1981.

10:00 A.M.

The senate met.

The senate was called to order by the president of the senate.

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

Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

The senate stood for the prayer which was offered by Pastor Harvey W. Scheppe of Monona United Methodist Church, Monona.

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

COMMITTEE REPORTS

The joint committee on Audit reports and recommends:

Senate Bill 198

Relating to tax incremental financing.

Introduction and adoption of senate substitute amendment 1:

Ayes, 7 -- Senators George, Berger and Hanaway,
Representatives Tuczynski, Gerlach, Quackenbush and
Nelsen;

Noes, 0 -- None.

JOURNAL OF THE SENATE [May 19, 1981]

Passage as amended:

Ayes, 7 -- Senators George, Berger and Hanaway,
Representatives Tuczynski, Gerlach, Quackenbush and
Nelsen;

Noes, 0 -- None.

GARY R. GEORGE
Co-Chair

PHILLIP J. TUCZYNSKI
Co-Chair

The committee on Human Services reports and recommends:

Senate Bill 298

Relating to clarifying and making uniform various provisions,
and changing provisions concerning the requirement of references
and the definition of handicap, in state and local fair housing laws.

Introduction and adoption of senate amendments 1 and 2:

Ayes, 4 -- Senators Thompson, Strohl, Theno and Offner;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Thompson, Strohl, Theno and Offner;

Noes, 0 -- None.

CARL W. THOMPSON
Chair

The committee on Labor, Government, Veterans Affairs and
Tourism reports and recommends:

Assembly Bill 320

Relating to eliminating the expiration date for collective
bargaining impasse resolution procedures for local government
employees other than law enforcement and fire fighting personnel.

Concurrence:

Ayes, 3 -- Senators Van Sistine, Cullen and Frank;

Noes, 1 -- Senator Kreul.

JEROME VAN SISTINE
Chair

The committee on Aging, Business and Financial Institutions and
Transportation reports and recommends:

Assembly Bill 21

Relating to increasing the excess width limitations for vehicles
transporting loads of hay.

JOURNAL OF THE SENATE [May 19, 1981]

Concurrence:

Ayes, 6 -- Senators Roshell, Moody, Goyke, Bidwell, Engeleiter and Cullen;

Noes, 0 -- None.

Assembly Bill 17

Relating to the sale of fermented malt beverages and intoxicating liquor on interstate vessels carrying passengers.

Concurrence:

Ayes, 5 -- Senators Roshell, Moody, Bidwell, Engeleiter and Cullen;

Noes, 1 -- Senator Goyke.

Assembly Bill 86

Relating to allowing municipalities to issue either annual or biennial bartenders' licenses.

Concurrence:

Ayes, 4 -- Senators Moody, Bidwell, Engeleiter and Cullen;

Noes, 2 -- Senators Roshell and Goyke.

TIM CULLEN

Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin

Joint Survey Committee on Debt Management

May 14, 1981

To the Honorable the Senate:

We are pleased to transmit to you the Joint Survey Committee on Debt Management State Debt Policies, a report that was adopted unanimously by the Committee.

The Committee is directed by s.13.49 (5)(h), Stats., to "prepare such long-term financial plans relating to state debt, revenue obligations and other indirect debt as the committee determines may be in the best interest of the state."

This report relates to state debt (general obligations). We anticipate that a report relating to revenue obligations will be adopted in the near future.

We would appreciate your including this letter and the report in the Journal for the information of the membership. Additional copies of this report will be sent to the members of the Legislature.

JOURNAL OF THE SENATE [May 19, 1981]

Thank you.

FRED A. RISSER
Co-Chair

JOHN D. MEDINGER
Co-Chair

State of Wisconsin
Department of State

May 11, 1981.

To the Honorable, the Senate:

I have the honor to transmit to you the following information pursuant to s. 13.695(8):

Yours very truly,
VEL PHILLIPS
Secretary of State

Budelman, M. Kay, 3405 W. Lisbon Ave., Milwaukee, WI 53208 (414) 344-8400; Midtown State Bank, 3405 W. Lisbon Ave., Milwaukee, WI 53208 (414) 344-8400; 2; 113-115.

Connolly, Gerald E., Minahan & Peterson, S.C., 815 E. Mason St., Ste. #1500, Milwaukee, WI 53202 (414) 276-1400; Gateway Foods, Inc., 1637 Saint James St., P.O. Box #1957, La Crosse, WI 54601 (608) 785-1330; 4, 13, 21; 116, 142.

Heidenway, Carol E., 210 Monona Ave., Rm. #313 D, Madison, WI 53709 (608) 266-4788; Dane County, 210 Monona Ave., Madison, WI 53709 (608) 266-4355; 1-26; 101-186.

Mitchell, Brian L., Rm. #701-F, City Hall, 200 E. Wells St., Milwaukee, WI 53202; City of Milwaukee, Rm. #205, City Hall, 200 E. Wells St., Milwaukee, WI 53202 (414) 278-2221; 4, 17, 26; 101, 116, 119, 121, 129, 138, 140, 141, 142, 144, 148, 149, 170, 176, 186.

Ostby, Bryon C., 25 W. Main St., Ste. #509, Madison, WI 53703 (608) 257-0411; Wisconsin Railroad Assn., 25 W. Main St., Ste. #509, Madison, WI 53703 (608) 257-0411; 13, 17, 20, 21, 22, 23; 101, 116, 136, 170, 176, 178.

Reinhart, D. B., 1637 Saint James St., P.O. Box #1957, La Crosse, WI 54601 (608) 785-1330; Gateway Foods, Inc., 1637 Saint James St., P.O. Box #1957, La Crosse, WI 54601 (608) 785-1330; 4, 13, 21; 116, 142.

Vaughan, Michael R., P.O. Box #2038, Madison, WI 53701 (608) 257-7181; Wisconsin Railroad Assn., 25 W. Main St., Ste.

JOURNAL OF THE SENATE [May 19, 1981]

#509, Madison, WI 53703 (608) 257-0411; 13, 17, 20, 21, 22, 23; 101, 116, 136, 170, 176, 178.

Wood, Stephen C., Minahan & Peterson, S.C., 815 E. Mason St., Ste. #1500, Milwaukee, WI 53202 (414) 276-1400; Gateway Foods, Inc., 1637 Saint James St., P.O. Box #1957, La Crosse, WI 54601 (608) 785-1330; 4, 13, 21; 116, 142.

State of Wisconsin
Legislative Council

May 13, 1981

To the Honorable the Senate:

I am pleased to transmit to you the following report to the 1981 Legislature on legislation introduced by the Legislative Council:

RL 81-10-- Legislation Relating to Environmental Health (AB 322)

RL 81-12 -- Legislation Relating to Privacy of Personal Records (AB 403)

RL 81-14 -- Legislation Relating to Environmental Health (AB 323)

RL 81-16 -- Legislation Relating to School Bus Laws (AB 387)

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.

Cordially
BONNIE REESE
Executive Secretary

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 81-81

AN ORDER to repeal LAD 2.03 (1) (d) and (2) (d) and (e); to renumber ch. LAD 2; and to create DOD 2.02 (3) and 2.03 (3) and (4), relating to the plat review fee schedule.

Submitted by Department of Development.

Report received from agency, May 15, 1981.

Referred to committee on Aging, Business and Financial Institutions and Transportation, May 19, 1981.

JOURNAL OF THE SENATE [May 19, 1981]

Clearinghouse Rule 81-84

AN ORDER to create Ind 80.50, relating to worker's compensation insurance policies.

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, May 15, 1981.

Referred to committee on Labor, Government, Veterans Affairs and Tourism, May 19, 1981.

The committee on Aging, Business and Financial Institutions and Transportation reports and recommends:

Clearinghouse Rule 80-186

A RULE to renumber Ch. MVD 13; to repeal and recreate Trans 138.01; to amend Trans 138.02, as renumbered, 138.03, as renumbered, and 138.04, as renumbered; and to create Trans 138.05 and 138.06, relating to facilities and records required to be maintained by licensed motor vehicle, motorcycle and mobile home dealers, motor vehicle wholesalers and motor vehicle auction dealers.

Review period waived.

Clearinghouse Rule 81-44

AN ORDER to amend Trans 1.02 (3), 1.06 (2) and (3) and 4.07 (2); to repeal and recreate Trans 6.09 (2) and (3); and to create Trans 4.07 (5) and (6), relating to application of deadline dates and principles of aid allocation under the elderly and handicapped transportation assistance program for counties, the urban mass transit operating assistance program and the federal rural and small urban area public transportation assistance program.

No action taken.

TIM CULLEN
Chair

The committee on Human Services reports and recommends:

Clearinghouse Rule 81-36

AN ORDER to create HSS 103.12, relating to disposal of property at less than fair market value in order to qualify for medical assistance.

Adoption:

Ayes, 4 -- Senators Thompson, Strohl, Theno and Offner;

Noes, 0 -- None.

CARL W. THOMPSON
Chair

CALENDAR OF MAY 19

Senate Bill 78

Relating to correcting errors and making minor substantive changes in various mining statutes.

Read a second time.

Ordered to a third reading.

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

Senate Bill 78

Read a third time and passed.

Senate Bill 124

Relating to clarifying the permit and licensing requirement for contract motor carriers, correcting a reference to a section of the interstate commerce act which has been renumbered, waiver of fees of \$2 or less due under the international registration plan, exemption from state motor vehicle operator's license requirements for residents of certain foreign countries, the removal of an inaccurate reference, the renewal fee for an operator's license after discharge from the armed services, and removing a reference to a date in a section relating to reflectors at the entrance to a private road or driveway (suggested as remedial legislation by the department of transportation).

Read a second time.

Ordered to a third reading.

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

Senate Bill 124

Read a third time and passed.

Senate Bill 206

Relating to removing restrictions on advertising venereal disease treatment services.

Read a second time.

By request of Senator Chilsen, with unanimous consent, **Senate Bill 206** was referred to committee on Human Services.

Senate Bill 218

Relating to acceptance of certifications of disability by insurers.

Read a second time.

Ordered to a third reading.

JOURNAL OF THE SENATE [May 19, 1981]

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

Senate Bill 218

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 30; noes, 3; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorman, McCallum, Maurer, Moody, Offner, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Noes -- Senators Lorge, Opitz and Risser -- 3.

Absent or not voting -- None.

So the bill passed.

Senate Bill 223

Relating to the definition of sexual contact.

Read a second time.

Ordered to a third reading.

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

Senate Bill 223

Read a third time and passed.

Senate Bill 268

Relating to the term of appointment of the adjutant general, the titles and tenure of the deputy and assistant adjutants general and creation of the positions of chief surgeon for army and chief surgeon for air.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Senate Bill 268

Read a third time and passed.

Senate Bill 408

Relating to the fiscal year to which tax receipts are credited and to the date of the transfer of moneys from the general fund into the shared revenue account.

Read a second time.

JOURNAL OF THE SENATE [May 19, 1981]

Ordered to a third reading.

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

Senate Bill 408

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Lorge, Lorman, McCallum, Maurer, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 28.

Noes -- Senators Bidwell, Kreul, Krueger, Lasee and Moody -- 5.
Absent or not voting -- None.

So the bill passed.

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 411

Relating to extending the existence of the fertilizer research council.

By Senators Harnisch and Chilsen; cosponsored by Representatives Hephner and Everson.

To committee on Agriculture and Natural Resources.

COMMITTEE REPORTS

The committee on Energy reports and recommends for introduction:

Senate Bill 412

Relating to the long-term disposal of high-level radioactive waste and transuranic waste, creating a radioactive waste review board, creating a radioactive waste policy council, creating a radioactive waste technical council and making appropriations.

Introduction:

Ayes, 4 -- Senators Strohl, Berger, Harnisch and Lorman;

JOURNAL OF THE SENATE [May 19, 1981]

Noes, 0 -- None.

Read first time and referred to committee on Energy.

JOE STROHL

Chair

By request of Senator Bablitch, with unanimous consent, **Senate Bill 412** was withdrawn from committee on Energy and referred to committee on Senate Organization.

MOTIONS

By request of Senator Cullen, with unanimous consent, **Senate Bill 383** was withdrawn from committee on Aging, Business and Financial Institutions and Transportation and referred to committee on Human Services.

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

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Thursday, May 21.

10:52 A.M.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Joint Resolution 11

Report correctly enrolled and deposited in the office of the Secretary of State on May 11, 1981.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 360

1. Page 1, line 2: substitute "(cm)" for "(c)".
2. Page 4, lines 8, 9, 10 and 15: substitute "(cm)" for "(c)".
3. Page 13, line 8: substitute "(cm)" for "(c)".