

JOURNAL OF THE SENATE

Eighty-Fifth Regular Session

WEDNESDAY, July 29, 1981.

The chief clerk makes the following entries under the above date.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 512

Relating to application of the state environmental protection act to rules and actions of the department of industry, labor and human relations.

By Senator Van Sistine.

To committee on Labor, Government, Veterans Affairs and Tourism.

Senate Bill 513

Relating to procedures used to subpoena certain documents.

By Senator Adelman, by request of Milwaukee County District Attorney, Tom Schneider.

To committee on Judiciary and Consumer Affairs.

Senate Bill 514

Relating to appointment of certain relatives of candidates as election officials.

By Senator Strohl.

To committee on Labor, Government, Veterans Affairs and Tourism.

Senate Bill 515

Relating to application of the open meetings law to local government employes having policy-making responsibility and providing a penalty.

By Senator Strohl.

To committee on Labor, Government, Veterans Affairs and Tourism.

Senate Bill 516

Relating to continuations and conversion option on termination of group health insurance coverage.

By Senators Engeleiter, Van Sistine, Johnston and Chilsen; cosponsored by Representatives Schneiders, Stitt, Alberts, Hopkins and Young.

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To committee on Insurance and Utilities.

Senate Bill 517

Relating to applying the rules of the road to all premises held out for use by motor vehicles and providing a penalty.

By Senator Van Sistine; cosponsored by Representative Vanderperren.

To committee on Aging, Business and Financial Institutions and Transportation.

Senate Bill 518

Relating to release of unclaimed dogs to the university of Wisconsin system and the medical college of Wisconsin, inc.

By Senator Engeleiter; cosponsored by Representatives Alberts and Young.

To committee on Education and State Institutions.

Senate Bill 519

Relating to the reorganization of city school districts into common or unified districts.

By Senators Engeleiter, Hanaway and Berger; cosponsored by Representatives Flintrop, Kirby and Barzcak.

To committee on Education and State Institutions.

COMMITTEE REPORTS

The committee on Insurance and Utilities reports and recommends for introduction:

Senate Joint Resolution 36

Relating to directing the legislative council to study the Wisconsin compensation rating bureau.

Introduction:

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

Noes, 0 -- None.

Read first time and referred to committee on Insurance and Utilities.

Senate Bill 520

Relating to modifications of the standard nonforfeiture and valuation requirements for life insurance and annuity contracts and granting rule-making authority.

By request of the Commissioner of Insurance.

Introduction:

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

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Noes, 0 -- None.

Read first time and referred to committee on Insurance and Utilities.

Senate Bill 521

Relating to customer liability for unbilled utility service.

Introduction:

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

Noes, 0 -- None.

Read first time and referred to committee on Insurance and Utilities.

KURT A. FRANK

Chair

The joint committee for Review of Administrative Rules reports and recommends for introduction:

Senate Bill 522

Relating to adoption of administrative rules on expenditures, purchasing and printing.

Introduction:

Ayes, 9 -- Senators Berger, Goyke, George and Kreul, Representatives Rogers, Wagner, Helbach, Crawford and Thompson;

Noes, 0 -- None.

Read first time and referred to joint committee for Review of Administrative Rules.

Senate Bill 523

Relating to special consideration for individuals, small businesses and small organizations in agency rule making, and granting rule-making authority.

Introduction:

Ayes, 9 -- Senators Berger, Goyke, George and Kreul, Representatives Rogers, Wagner, Helbach, Crawford and Thompson;

Noes, 0 -- None.

Read first time and referred to joint committee for Review of Administrative Rules.

Senate Bill 524

Relating to requiring employe disclosure of improper activities in governmental units and prohibiting retaliation because of such disclosure, granting rule-making authority and making an appropriation.

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Introduction:

Ayes, 9 -- Senators Berger, Goyke, George and Kreul,
Representatives Rogers, Wagner, Helbach, Crawford and
Thompson;

Noes, 0 -- None.

Read first time and referred to joint committee for Review of
Administrative Rules.

Senate Bill 525

Relating to creation of the governor's budget office.

Introduction:

Ayes, 7 -- Senators Berger, Goyke, and George,
Representatives Rogers, Wagner, Helbach, and
Crawford;

Noes, 2 -- Senator Kreul and Representative Thompson.

Read first time and referred to joint committee for Review of
Administrative Rules.

DAVID BERGER

Co-chair

WILLIAM ROGERS

Co-chair

The joint committee for Review of Administrative Rules reports
and recommends:

Senate Bill 328

Relating to prior approval by the legislature and governor of state
plans submitted to federal agencies for funding.

Introduction and adoption of senate substitute amendment 1:

Ayes, 8 -- Senators Berger, Goyke, George and Kreul,
Representatives Rogers, Wagner, Helbach and Crawford;

Noes, 1 -- Representative Thompson.

Passage as amended:

Ayes, 9 -- Senators Berger, Goyke, George and Kreul,
Representatives Rogers, Wagner, Helbach, Crawford and
Thompson;

Noes, 0 -- None.

DAVID BERGER

Co-chair

WILLIAM ROGERS

Co-chair

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The committee on Insurance and Utilities reports and recommends:

Senate Bill 316

Relating to allowing persons covered by health care services contracts or plans to choose freely among licensed health care professionals and providing a penalty.

Introduction of senate substitute amendment 1:

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

Noes, 0 -- None.

Adoption of senate substitute amendment 1:

Ayes, 2 -- Senators Frank and Berger;

Noes, 1 -- Senator Van Sistine.

Passage as amended:

Ayes, 2 -- Senators Frank and Berger;

Noes, 1 -- Senator Van Sistine.

KURT A. FRANK

Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Joint committee for
Review of Administrative Rules

July 24, 1981

Donald J. Schneider
Senate Chief Clerk
State Capitol
Madison, Wisconsin

Dear Mr. Schneider:

On July 22, 1981, the joint committee for Review of Administrative Rules, by a vote of seven ayes, two noes and one absent, adopted a report entitled 'report to the Joint Committee for Review of Administrative Rules on Personnel Actions in the Bureau of Migrant and Rural Services'. We enclose a copy of the report for your reference. Copies are available upon request from our offices.

At the direction of the committee we ask that this letter appear in the Daily Journal. Thank you.

DAVID BERGER

Co-chair

WILLIAM ROGERS

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Co-chair

State of Wisconsin
Department of State

July 27, 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

Lobbyist's name, address, telephone number; principal's name, address, telephone number.

Edgar, Eunice, 135 W. Wells St., Ste. #709, Milwaukee, WI 53203 (414) 272-4032; Wisconsin Civil Liberties Union, 135 W. Wells St., Ste. #709, Milwaukee, WI 53203 (414) 272-4032; 3-12, 14, 16-20, 25; 104, 108, 109, 112, 115, 118, 119, 127-130, 132, 136, 138, 140-142, 145-148, 150, 170, 180, 184.

Hough, James E., 44 E. Mifflin St., Ste. #402, Madison, WI 53703 (608) 258-9506; Minnesota Mining & Manufacturing Co., 3M Center, St. Paul, MN 55101 (612) 733-2982; 13, 18, 20, 21, 26; 116, 176, 186.

Paul, Randy J., 121 S. Pinckney St., P.O. Box #2509, Madison, WI 53701 (608) 255-8891; Badger State Cemetery Assn., Inc., 13235 W. Capitol Dr., P.O. Box #383, Brookfield, WI 53005 (414) 781-7474; 3, 4, 9, 11, 15, 17, 18, 21, 24, 26; 136, 137, 150, 159, 167.

Varda, Michael S., 121 S. Pinckney St., P.O. Box #2509, Madison, WI 53701 (608) 255-8891; Badger State Cemetery Assn., Inc., 13235 W. Capitol Dr., P.O. Box #383, Brookfield, WI 53005 (414) 781-7474; 3, 4, 9, 11, 15, 17, 18, 21, 24, 26; 136, 137, 150, 159, 167.

Lobbyist Terminations:

Dewitt, Jack R., 121 S. Pinckney St., Madison, WI 53703; for Grunau Co.; effective July 24, 1981.

Lewandowski, Richard R., 121 S. Pinckney St., Madison, WI 53703; for Grunau Co.; effective July 24, 1981.

Murdoch, Donald R., 121 S. Pinckney St., Madison, WI 53703; for Grunau Co.; effective July 24, 1981.

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Schmidt, Richard W., 121 S. Hancock St., Madison, WI 53703; for Madison Teachers, Inc.; effective July 24, 1981.

Vaughan, Michael R., 1 E. Gilman St., Madison, WI 53701; for Wisconsin Cable Communications Assn.; effective July 24, 1981.

Registration Amendments:

Suburban Committee name change to Suburban Coordinating Committee.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

July 16, 1981

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint James Jesinski of Hales Corners as a member of the University of Wisconsin System, Board of Regents, pursuant to the statutes governing to serve out Mr. Ray Majerus' unexpired term, which will expire on July 1, 1985.

Sincerely,
LEE SHERMAN DREYFUS
Governor

Read and referred to committee on Education and State Institutions.

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 80-166

A RULE to amend Grp 25.15, relating to the offset of worker's compensation payments from benefits payable from income continuation insurance.

Submitted by Department of Employee Trust Funds.

Report received from agency, July 28, 1981.

Referred to committee on Labor, Government, Veterans Affairs and Tourism, July 29, 1981.

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Clearinghouse Rule 80-191

A RULE to amend Tax 11.12 (title), (2) (a), (4) (a) 1 and (b) and (5) (c); and to create Tax 11.12 (2) (a) 2, relating to the sales and use tax status of purchases by persons engaged in farming.

Submitted by Department of Revenue.

Report received from agency, July 23, 1981.

Referred to committee on State and Local Affairs and Taxation, July 29, 1981.

Clearinghouse Rule 80-192

A RULE to amend Tax 11.12 (title), (2) (a), (4) (a) 1 and (b) and (5) (c); and to create Tax 11.12 (2) (a) 2, relating to the sales and use tax status of purchases by persons engaged in farming.

Submitted by Department of Revenue.

Report received from agency, July 23, 1981.

Referred to committee on State and Local Affairs and Taxation, July 29, 1981.

Clearinghouse Rule 80-193

A RULE to amend Tax 11.40 (1) (a), (2) (b) and (3) (a) and (c), relating to the definition of 'exclusive' use of machines and processing equipment purchased by manufacturers.

Submitted by Department of Revenue.

Report received from agency, July 23, 1981.

Referred to committee on State and Local Affairs and Taxation, July 29, 1981.

The committee on Insurance and Utilities reports and recommends:

Senate Clearinghouse Rule 81-95

Relating to requirements for licensing individuals as insurance agents.

No action taken.

Clearinghouse Rule 81-64

AN ORDER to amend Ins 3.25 (12) (b) to (e), relating to the prima facie credit life insurance premium rate standards.

Objection:

Ayes, 2 -- Senators Frank and Van Sistine;

Noes, 1 -- Senator Berger.

Read and referred to joint committee for Review of Administrative Rules.

Clearinghouse Rule 80-237

A RULE to amend Ch. PSC 135, relating to construction, operation and maintenance of facilities for the production, transmission, distribution and utilization of gas.

No action taken.

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Clearinghouse Rule 81-45

AN ORDER to renumber PSC 113.16 (1) (d), 134.13 (1) (d) and 185.33 (1) (b); to amend PSC 113.133 (4), 113.16 (5) (f), 134.063 (4), 134.13 (6) (f) and 185.38 (4); and to create PSC 113.16 (1) (d), (e) and (g), 134.13 (1) (d), (e) and (g), 185.33 (1) (b) and (d), relating to allowing utilities to charge interest on the unpaid balance of a customer's bills.

No action taken.

KURT A. FRANK
Chair

The committee on Human Services reports and recommends:

Clearinghouse Rule 79-26

A RULE to create Ch. HSS 326, relating to leave for qualified inmates.

No action taken.

Clearinghouse Rule 79-44

A RULE to create Ch. HSS 324, relating to work and study release of inmates of correctional institutions.

No action taken.

CARL THOMPSON
Chair

The committee on Agriculture and Natural Resources reports and recommends:

Clearinghouse Rule 81-5

AN ORDER to repeal NR 104.08 (3); and to repeal and recreate NR 102.03 (3) and 104.07 (3), relating to water quality standards and use designations.

No action taken.

TOM HARNISCH
Chair

AMENDMENTS OFFERED

Senate substitute amendment 1 by Senator Adelman.

Senate amendments 1 and 2 to senate substitute amendment 1 by Senator Adelman.

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CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 22

Correctly enrolled and presented to the Governor on July 27, 1981.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 507

1. Page 1, line 1: substitute the 2nd "of" for "or".