

STATE OF WISCONSIN

Senate Journal

Eighty-Fifth Regular Session

THURSDAY, October 1, 1981.

9:00 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, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Thompson and Van Sistine -- 32.

Absent -- None.

Absent with leave -- Senator Theno -- 1.

The senate stood for the prayer which was offered by Father William Wiedrich of Grace Episcopal Church, Madison.

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 598

Relating to salt on highways.

By Senators Theno, Lorman and Strohl; cosponsored by Representatives Donoghue, Norquist, Smith, Crawford, Becker, Klicka and Porter.

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

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Senate Bill 599

Relating to the vehicle tower's liability for damages to, and loss of, personal property in vehicles being legally towed, stored or destroyed.

By Senator Frank, by request of Alderman Mary Nelson, South Milwaukee.

To committee on Insurance and Utilities.

Senate Bill 600

Relating to miscellaneous trade practices changes.

By Senators Kleczka, Offner and Strohl; cosponsored by Representatives Norquist, Andrea, Shoemaker, Czarnezki, Plewa, Wagner, Plous, Crawford, Harer, Smith, Leopold, Rogers, Potter and Ladwig.

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

COMMITTEE REPORTS

The committee on Education and State Institutions reports and recommends:

JESINSKI, JAMES, of Hales Corner, as a member of the University of Wisconsin System Board of Regents, to succeed Ray Majerus, to serve for the term ending July 1, 1985.

Confirmation:

Ayes, 4 -- Senators Goyke, George, Thompson and Harsdorf;

Noes, 0 -- None.

Assembly Bill 28

Relating to school board elections in a common or union high school district.

Concurrence:

Ayes, 4 -- Senators Goyke, George, Thompson and Harsdorf;

Noes, 0 -- None.

Senate Bill 601

Relating to the Wisconsin resource center.

Introduction:

Ayes, 3 -- Senators Goyke, George and Thompson;

Noes, 1 -- Senator Harsdorf.

Read first time and referred to committee on Education and State Institutions.

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Senate Bill 602

Relating to the employment of school district administrators, school district business managers and school principals.

Introduction:

Ayes, 3 -- Senators Goyke, Thompson, Harsdorf;

Noes, 0 -- None.

Read first time and referred to committee on Education and State Institutions.

GARY R. GOYKE

Chair

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

Senate Bill 603

Relating to insurance coverage of chiropractic services.

Introduction:

Ayes, 4 -- Senators Frank, Berger, Van Sistine and Lorge;

Noes, 0 -- None.

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

and recommends:

Senate Bill 401

Relating to prohibiting rate increases for personal motor vehicle liability insurance policies due to accidents or traffic violations occurring during operation of a motor vehicle.

Introduction and adoption of senate amendment 1:

Ayes, 4 -- Senators Frank, Berger, Van Sistine and Lorge;

Noes, 0 -- None.

Introduction and adoption of senate amendment 2:

Ayes, 4 -- Senators Frank, Berger, Van Sistine and Lorge;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Frank, Berger, Van Sistine and Lorge;

Noes, 0 -- None.

Senate Bill 496

Relating to prohibiting rate increases for motor vehicle liability insurance policies due to accidents or traffic violations occurring during fire fighting or emergency medical operations.

Introduction and adoption of senate amendment 1:

Ayes, 4 -- Senators Frank, Berger, Van Sistine and Lorge;

Noes, 0 -- None.

Passage as amended:

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Ayes, 4 -- Senators Frank, Berger, Van Sistine and Lorge;
Noes, 0 -- None.

Senate Bill 529

Relating to prohibiting rate increases for personal motor vehicle liability insurance policies due to accidents or traffic violations occurring during snow removal operations.

Introduction and adoption of senate amendment 1:

Ayes, 4 -- Senators Frank, Berger, Van Sistine and Lorge;
Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Frank, Berger, Van Sistine and Lorge;
Noes, 0 -- None.

KURT A. FRANK
Chair

The committee on Agriculture and Natural Resources reports and recommends:

Senate Bill 351

Relating to Brule river protection, granting rule-making authority and creating a penalty.

Passage:

Ayes, 3 -- Senators Harnisch, Strohl and Thompson;
Noes, 2 -- Senators Krueger and Opitz.

THOMAS W. HARNISCH
Chair

CALENDAR OF OCTOBER 1

By request of Senator Bablitch, with unanimous consent, the appointments were considered enmasse.

JACKSON, LOWELL B., of Madison, as Secretary of the Department of Industry, Labor and Human Relations, to succeed Joe Noll, to serve at the Pleasure of the Governor.
Read.

POWERS, SANGER B., of Green Bay, as a member of the Personnel Board, to serve for the term ending May 1, 1986.
Read.

The question was: Shall the appointments be confirmed?

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Thompson and Van Sistine -- 32.

Noes -- None.

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

So the appointments were confirmed.

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 81-153

AN ORDER to create Tax 2.081 (3), relating to indexing the income tax brackets applicable to individuals, estates and trusts for the 1981 taxable year.

Submitted by Department of Revenue.

Report received from agency, September 30, 1981.

Referred to committee on State and Local Affairs and Taxation, October 1, 1981.

MESSAGE FROM THE ASSEMBLY

By David R. Kedrowski, chief clerk.

Mr. President:

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

Assembly Bill 26
Assembly Bill 368
Assembly Bill 570
Assembly Bill 561

Concurred in:

Senate Bill 21
Senate Bill 120

Concurred in as amended:

Senate Bill 93, assembly amendment 1

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 26

Relating to permitting payment of rent for premises used in connection with the conduct of bingo.

By Representatives Gerlach, Plewa, Potter, Thompson and Hopkins, co-sponsored by Senators Frank, Offner and Theno.

Read first time and referred to committee on Labor, Government, Veterans Affairs and Tourism.

Assembly Bill 368

Relating to failure to stop at the scene of an accident and revising the penalties.

By Representatives Clarenbach, Behnke, Wagner, Conradt, Plewa and Vanderperren, co-sponsored by Senator Cullen.

Read first time and referred to committee on Aging, Business and Financial Institutions and Transportation.

Assembly Bill 570

Relating to permitting persons over 70 years of age to obtain a school bus operators license.

By Representatives Smith, Everson, Shoemaker, Bradley, Kincaid, Berndt, Larson and Johnson, co-sponsored by Senators Theno, Lorman and Moody.

Read first time and referred to committee on Aging, Business and Financial Institutions and Transportation.

Assembly Bill 561

Relating to issuance of temporary operation plates for motor vehicles.

By Representatives Vanderperren, Swoboda, Hopkins and Wood, co-sponsored by Senators Cullen, Van Sistine and Harsdorf.

Read first time and referred to committee on Aging, Business and Financial Institutions and Transportation.

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By request of Senator Bablitch, with unanimous consent, the motion for reconsideration of the vote by which **Senate Bill 258** passed was taken from the table.

Senate Bill 258

Relating to collective bargaining units consisting of supervisors, making an appropriation and providing a penalty.

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Read.

The question was: Reconsideration of the vote by which **Senate Bill 258** passed?

By request of Senator George, with unanimous consent, the motion for reconsideration was withdrawn.

Senate Joint Resolution 24

To amend section 4 of article VI, section 12 of article VII and section 1 of article XIII of the constitution, relating to staggered 4-year terms of office for county officers elected at the general election (first consideration).

Read a second time.

Ordered to a third reading.

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

Senate Joint Resolution 24

Read a third time.

The ayes and noes were required and the vote was: ayes, 19; noes, 12; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Flynn, Frank, Hanaway, Harnisch, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, Moody, Offner, Risser and Van Sistine -- 19.

Noes -- Senators Berger, Braun, Cullen, Engeleiter, George, Goyke, Kleczka, McCallum, Maurer, Opitz, Strohl and Thompson -- 12.

Absent or not voting -- Senators Roshell and Theno -- 2.

So the joint resolution was adopted.

Senate Bill 70

Relating to payment of contractors under public works contracts.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Kleczka, with unanimous consent, the bill was referred to joint committee on Finance.

Senate Bill 99

Relating to the spending limit for repair of town highways and bridges.

Read a second time.

By request of Senator Offner, with unanimous consent, the bill was referred to committee on Senate Organization.

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Senate Bill 107

Relating to an earlier open season for hunting raccoon for residents than for nonresidents.

Read a second time.

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 107

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 3; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Thompson and Van Sistine -- 28.

Noes -- Senators Adelman, Braun and McCallum -- 3.

Absent or not voting -- Senators Goyke and Theno -- 2.

So the bill passed.

Senate Bill 118

Relating to increasing the fees payable to the register of deeds.

Read a second time.

Senator Lorge moved indefinite postponement of **Senate Bill 118**.

The question was: Shall the bill be indefinitely postponed?

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

Ayes -- Senators Bablitch, Cullen, Engeleiter, Flynn, Hanaway, Harsdorf, Kleczka, Lasee, Lorge, Lorman, McCallum and Thompson -- 12.

Noes -- Senators Adelman, Berger, Bidwell, Braun, Chilsen, Frank, George, Goyke, Harnisch, Johnston, Kreul, Krueger, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl and Van Sistine -- 20.

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

So the motion did not prevail.

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 118

Read a third time and passed.

Senate Bill 189

Relating to qualifications for issuance and use of a special restricted operator's license.

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 189

Read a third time and passed.

Senate Bill 216

Relating to reports to law enforcement officials concerning certain injuries and providing a penalty.

Read a second time.

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

By request of Senator Kleczka, with unanimous consent, the bill was referred to joint committee on Finance.

Senate Bill 263

Relating to revising the regulation of nursing homes and granting rule-making authority.

Read a second time.

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

Senate Bill 263

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee,

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Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Thompson and Van Sistine -- 32.

Noes -- None.

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

So the bill passed.

Senate Bill 290

Relating to the deadline for filing for refunds on, or making adjustments in, income taxes caused by adjustments to the basis of partnership assets.

Read a second time.

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

By request of Senator Kleczka, 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.

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 290

Read a third time and passed.

Senate Bill 324

Relating to the employment of hearing examiners by separate subunits of state agencies.

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 324

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 2; absent or not voting, 1; as follows:

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

Noes -- Senators Krueger and McCallum -- 2.

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

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So the bill passed.

Senate Bill 356

Relating to state employes (suggested as remedial legislation by the department of employment relations).

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

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 356

Read a third time and passed.

Senate Bill 427

Relating to nondiscrimination in state employment on the basis of arrest record or conviction record.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

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 427

Read a third time and passed.

Assembly Bill 20

Relating to permitting counties to adopt ordinances regulating the possession or procurement of beer and liquor by minors and the furnishing of intoxicants to minors.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Assembly Bill 20

Read a third time and concurred in as amended.

Assembly Bill 160

Relating to closing certain county offices.

Read a second time.

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Ordered to a third reading.

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

Assembly Bill 160

Read a third time and concurred in.

Assembly Bill 169

Relating to special inspection warrants.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Senate amendment 2 offered by Senator Johnston.

The question was: Adoption of senate amendment 2?

Adopted.

Ordered to a third reading.

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

Assembly Bill 169

Read a third time and concurred in as amended.

Assembly Bill 324

Relating to the interest rate charged by counties and 1st class cities for overdue and delinquent real property taxes.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Assembly Bill 324

Read a third time and concurred in as amended.

Assembly Bill 335

Relating to identification cards issued by the county.

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.

Assembly Bill 335

Read a third time and concurred in.

Assembly Bill 472

Relating to regulation of plumbers and granting rule-making authority.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

Assembly Bill 472

Read a third time and concurred in as amended.

Senator Offner moved reconsideration of the vote by which **Senate Bill 188** failed passage.

By request of Senator Offner, with unanimous consent, the motion for reconsideration was laid on the table.

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

CITATIONS

MOTIONS UNDER SENATE RULE 97

A Certificate of Congratulations by Senator Lasee for HENRY L. GREENWOOD on the occasion of his many years of service to the community of Two Rivers;

A Certificate of Congratulations by Senator Bidwell cosponsored by Representative Thompson for ROBIN GEE on the occasion of being crowned the new Miss Rodeo Wisconsin Pageant winner;

A Certificate of Congratulations by Senator Engeleiter for MINNIE HANSEN BLOEDORN FOLDS on the occasion of her 100th birthday;

A Certificate of Congratulations by Senator Lasee for FRED and JOHANNA WIEGERT on the occasion of their 50th Wedding Anniversary;

A Certificate of Commendation by Senator Roshell for JOEL PETERSON on the occasion of receipt of the Young American Medal for Bravery;

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A Certificate of Commendation by Senator Roshell for DAVID CHRISTIE on the occasion of receipt of the Young American Medal for Bravery;

A Certificate of Commendation by Senator Roshell for ROBERT CHRISTIE on the occasion of receipt of the Young American Medal for Bravery;

A Certificate of Commendation by Senator Lorge cosponsored by Representative Byers for the CLINTONVILLE 'TRIBUNE-GAZETTE' on the occasion of its 100th year in publication;

A Certificate of Commendation by Senator Goyke for KEVIN SPOONER on the occasion of becoming an Eagle Scout.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Tuesday, October 6.

10:11 A.M.