

JOURNAL OF THE SENATE [April 26, 1977]

STATE OF WISCONSIN

Senate Journal

Eighty-Third Regular Session

TUESDAY, April 26, 1977.

10:00 A.M.

The senate met.

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

The senate stood for the prayer which was offered by Reverend William Koehler, Senior Minister of Lake Edge United Church of Christ, Madison.

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

LEAVE OF ABSENCE

By request of Senator Sensenbrenner, with unanimous consent, Senator Lorge was granted a leave of absence for the balance of the week's session.

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

Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 31.

Absent -- None.

Absent with leave -- Senator Lorge -- 1.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 364

Relating to a limitation on parental liability for a child's negligence in operating a motor vehicle.

By Senators Murphy and Goyke.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

The committee on Governmental and Veterans' Affairs reports and recommends:

Senate Bill 19

Relating to requiring subdividers to pay the cost of any necessary alteration of existing utilities as a condition of plat approval by a city or village.

Introduction and adoption of senate amendment 1; Ayes, 5; Noes, 0.

Passage as amended; Ayes, 5; Noes, 0.

Senate Bill 150

Relating to the financing of pedestrian malls in cities of the 1st class.

Passage; Ayes, 5; Noes, 0.

Senate Bill 114

Relating to tax redemption.

Introduction and adoption of senate amendment 1; Ayes, 5; Noes, 0.

Passage as amended; Ayes, 5; Noes, 0.

Senate Bill 186

Relating to providing information to county boards regarding equalized valuation.

Passage; Ayes, 5; Noes, 0.

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Senate Bill 254

Relating to senate review of gubernatorial nominations for appointment.

Passage; Ayes, 5; Noes, 0.

MONROE SWAN
Chairman

The committee on Education and Revenue reports and recommends for introduction:

Senate Bill 365

Relating to the establishment of model schools by the board of regents of the university of Wisconsin system.

By request of the Wisconsin Association for Retarded Citizens.

Introduction; Ayes, 4; Noes, 0.

Read first time and referred to committee on Education and Revenue.

And further recommends:

Senate Bill 91

Relating to the composition of school boards in cities of the 1st class and to the salary of board members.

Rejection of senate substitute amendment 1; Ayes, 3; Noes, 1.

Adoption of senate amendment 1; Ayes, 4; Noes, 0.

Passage as amended; Ayes, 3; Noes, 1.

GARY R. GOYKE
Chairman

CALENDAR OF APRIL 26

HART, VIRGINIA B., of Madison, as a member of the Industry, Labor and Human Relations Commission, to serve for the term ending March 1, 1983.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 25; noes, 6; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McCallum, McKenna, Maurer, Morrison, Offner, Peloquin, Petri, Radosevich, Risser, Swan, Thompson and Van Sistine -- 25.

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Noes -- Senators Keppler, Krueger, Murphy, Parys, Sensenbrenner and Theno -- 6.

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

So the appointment was confirmed.

Senator Kleczka in the chair.

10:24 A.M.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

Assembly Bill 216

Assembly Bill 404

Assembly Bill 414

Assembly Bill 452

Assembly Bill 455

Concurred in:

Senate amendment 1 to **Assembly Bill 94**

Adopted and asks concurrence in:

Motion Under Joint Rule 7:

A joint certificate of commendation by Representative Everson; cosponsored by Senator McKenna for THE MARSHALL HIGH SCHOOL CARDINALS on winning the WIAA Class C Girls basketball Championship.

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 216

Relating to limitation of commencement of action, cause of action for right of privacy, damages and survival of actions.

By Representatives Ferrall, Flintrop, Jackamonis, Rogers, Rutkowski, Munts, Brist, Bear, Dandeneau, Tropman, Elconin, Tesmer, Loftus, Moody, Medinger, Czerwinski, Soucie, Metz, Dueholm, Tuczynski, Kirby, Behnke, Coggs, McClain, Norquist, Leopold, Dorff, Mohn, Johnson, Clarenbach and Kedrowski,

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cosponsored by Senators Dorman, Flynn, Berger, Adelman, Risser, Frank, Peloquin, Radosevich, Braun, Morrison, Maurer and Swan.

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

Assembly Bill 404

Relating to creating a council on migrant labor, regulating migrant employment and housing, granting rule-making authority and providing a penalty.

By Representatives Otte, Czerwinski, Thompson, Goodrich, DeLong, Wahner, Leopold, Dandeneau, Potter, Flintrop, Elconin, Behnke, Plewa, Rooney, Tropman, Looby, Munts, Norquist, Jackamonis, Metz, Barczak, Rutkowski, Kirby, Gerlach, Tesmer, Hanson, Andrea, Rogers, Tuczynski, Coggs, Loftus, Miller, Moody, Dueholm, McClain and Hasenohrl, cosponsored by Senators Swan, Berger, Cullen, Dorman, Bablitch, Braun, Kleczka, Krueger, Keppler, Chilsen, Petri and McCallum, by request of Governor Patrick J. Lucey.

Read first time and referred to committee on Agriculture, Aging and Labor.

Assembly Bill 414

Relating to recording divorce or legal separation judgments in register of deeds office.

By Representatives Gower, Klicka, Thompson, Lewis, Tregoning, Porter, Soucie, Shabaz and DeLong.

Read first time and referred to committee on Governmental and Veterans' Affairs.

Assembly Bill 452

Relating to payment of fees and mileage when subpoenas are issued by the employment relations commission at the request of a party (suggested as remedial legislation by the employment relations commission).

By Committee on Remedial Legislation.

Read first time and referred to committee on Agriculture, Aging and Labor.

Assembly Bill 455

Relating to state purchasing and contractual services (suggested as remedial legislation by the department of administration).

By Committee on Remedial Legislation.

Read first time and referred to committee on Governmental and Veterans' Affairs.

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Motion Under Joint Rule 7:

A joint certificate of commendation by Representative Everson; cosponsored by Senator McKenna for THE MARSHALL HIGH SCHOOL CARDINALS on winning the WIAA Class C Girls basketball Championship.

Read and Concurred in.

MOTIONS

By request of Senator Goyke, with unanimous consent, **Senate Bill 352** was withdrawn from the Joint Survey Committee on Tax Exemptions and referred to the committee on Education and Revenue.

MOTIONS UNDER JOINT RULE 7

A joint certificate of congratulations by Senators Chilsen and Bablitch; cosponsored by Representative Day for CLARENCE MILLER on the occasion of his selection as chapter Restaurateur of the Year for the Wisconsin River Valley Chapter of the Wisconsin Restaurant Association.

A joint certificate of congratulations by Senator Van Sistine; cosponsored by Representative Matty for LOUIS BEMIS on the occasion of his selection as chapter Restaurateur of the Year for the Near Northeast Chapter of the Wisconsin Restaurant Association.

A joint certificate of congratulations by Senator Maurer; cosponsored by Representative Andrea for DICK ST. GERMAIN on the occasion of his selection as chapter Restaurateur of the Year for the Southeast Chapter of the Wisconsin Restaurant Association.

A joint certificate of congratulations by Senator Goyke; cosponsored by Representative Flintrop for JOHN "BUTCH" ARPS on the occasion of his selection as chapter Restaurateur of the Year for the Big Four Chapter of the Wisconsin Restaurant Association.

A joint certificate of congratulations by Senator Peloquin; cosponsored by Representative Looby for STEVE HAUG on the

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occasion of his selection as chapter Restaurateur of the Year for the Eau Claire Chapter of the Wisconsin Restaurant Association.

A joint certificate of commendation by Senator Swan; cosponsored by Representative Coggs for **MS. CLARETTA SIMPSON** on the occasion of a Milwaukee testimonial dinner honoring achievements.

A joint certificate of commendation by Senator Krueger; cosponsored by Representative Donoghue for **MERRILL LION'S CLUB** on the occasion of Merrill Lion's Club Anniversary Week.

A joint certificate of congratulations by Senator Sensenbrenner; cosponsored by Representative Johnston for **MISS ISABELLE GALEWSKI** on the occasion of retirement.

A joint certificate of congratulations by Senator Lorge; cosponsored by Representative Byers for the **IOLA-SCANDINAVIA HIGH SCHOOL THUNDERBIRDS** on the occasion of becoming Cochampions of the Central Basketball Conference.

A joint certificate of congratulations by Senator Lorge; cosponsored by Representative Byers for the **IOLA-SCANDINAVIA HIGH SCHOOL GIRL'S BASKETBALL TEAM** on the occasion of winning 2nd place in the 1977 Class "C" WIAA State Basketball Tournament.

A joint certificate of commendation by Senator Lorge; cosponsored by Representative Byers for **MR. CLARENCE WESTPHAL** on the occasion of the completion of his 40th year as Treasurer of the Town of Pella.

A joint certificate of congratulations by Senators Bidwell and Thompson; cosponsored by Representatives Loftus and Litscher for **THE LODI FARMERS MUTUAL FIRE INSURANCE COMPANY** on the occasion of completing 100 years in business.

A joint certificate of congratulations by Senator Bidwell; cosponsored by Representative Litscher for **THE FRANKLIN FARMERS MUTUAL INSURANCE COMPANY** on the occasion of completing 100 years in business.

A joint certificate of condolence by Senators Sensenbrenner and Chilsen; cosponsored by Representative McClain for **THE FAMILY OF JAMES EVERSON** on the occasion of his death.

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A joint certificate of commendation by Senator Petri; cosponsored by Representative Rogers for ROBERT DAVIDSON on the occasion of his retirement.

A joint certificate of congratulations by Senator Radosevich; cosponsored by Representative Mohn for EDWARD R. YOUNGER on the occasion of his retirement from the Hudson City Council.

A joint certificate of commendation by Senator Petri; cosponsored by Representative Hepner for MR. RALPH DOSCH on the occasion of retirement from the education field.

The above motions under joint rule 7 were read and adopted enmasse.

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Senate Bill 19

Relating to requiring subdividers to pay the cost of any necessary alteration of existing utilities as a condition of plat approval by a city or village.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 19** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 19** was withdrawn from the joint committee on Finance and considered for action at this time.

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 19

Read a third time.

LEAVE OF ABSENCE

By request of Senator Bablitch, with unanimous consent, Senators Theno, Flynn and Risser were granted a leave of absence for the balance of the morning's session.

The question was: **Passage of Senate Bill 19?**

The ayes and noes were required and the vote was: ayes, 28; noes, 0; absent or not voting, 4; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Sensenbrenner, Swan, Thompson and Van Sistine -- 28.

Noes -- None.

Absent or not voting -- Senators Flynn, Lorge, Risser and Theno -- 4.

So the bill passed.

Senate Bill 114

Relating to tax redemption.

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 114

Read a third time and passed.

Senate Bill 150

Relating to the financing of pedestrian malls in cities of the 1st class.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 150** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 150** was withdrawn from the joint committee on Finance and considered for action at this time.

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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 150

Read a third time and passed.

Senate Bill 186

Relating to providing information to county boards regarding equalized valuation.

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 186

Read a third time.

By request of Senator Sensenbrenner, with unanimous consent, **Senate Bill 186** was placed at the foot of the calendar.

Senate Bill 254

Relating to senate review of gubernatorial nominations for appointment.

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 254

Read a third time and passed.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 186** was laid on the table.

By request of Senator Bablitch, with unanimous consent, all actions were ordered immediately messaged.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 366

Relating to providing public water access aids to federally recognized tribes of Indians.

By Senators Krueger, Dorman and Chilsen; cosponsored by Representatives Kedrowski, Rogers, Kincaid and Donoghue.

To committee on Governmental and Veterans' Affairs.

AMENDMENTS OFFERED

Senate amendment 1 to Senate Bill 182 by Senator Berger.

Senate amendment 1 to Senate Bill 259 by Senator Flynn.

Senate amendment 1 to Senate Bill 289 by Senator Thompson.

Senate substitute amendment 1 to Senate Bill 185 by Senator Theno.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Thursday, April 28.

10:43 A.M.