

JOURNAL OF THE SENATE [May 10, 1977]

STATE OF WISCONSIN

Senate Journal

Eighty-Third Regular Session

TUESDAY, May 10, 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 Father Thomas Segerson, Associate Pastor of Immaculate Heart of Mary Catholic Church, Monona.

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

LEAVE OF ABSENCE

By request of Senator Bablitch, with unanimous consent, Senator Frank was granted a leave of absence for the balance of the day.

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

Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lorge, 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 Frank -- 1.

COMMITTEE REPORTS

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

Senate Bill 387

Relating to the appointment of vocational, technical and adult education district boards.

By request of commission on State-Local Relations and Financing Policy.

Introduction:

Ayes, 4 -Senators Goyke, Berger, Braun and Cullen;

Noes, 1 -Senator Sensenbrenner.

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

GARY R. GOYKE

Chairman

The committee on Human Services reports and recommends for introduction:

Senate Bill 388

Relating to waiver of notice requirement for termination of AFDC aid where recipient orally requests termination or reports income.

By request of Milwaukee County.

Introduction:

Ayes, 5 -Senators Thompson, Offner, Van Sistine, Braun and Petri;

Noes, 0 -None.

Read first time and referred to committee on Human Services.

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Senate Bill 389

Relating to fees for child support and paternity services provided to nonwelfare parents and granting rule-making authority.

By request of Milwaukee County.

Introduction:

Ayes, 5 -Senators Thompson, Offner, Van Sistine, Braun and Petri;

Noes, 0 -None.

Read first time and referred to committee on Human Services.

CARL W. THOMPSON
Chairman

The committee on Natural Resources and Tourism reports and recommends for introduction:

Senate Bill 390

Relating to the liability of landowners who allow their land to be used for certain outdoor recreational activities.

Introduction:

Ayes, 5 -Senators Harnisch, Van Sistine, Radosevich, Murphy and Theno;

Noes, 0 -None.

Read first time and referred to committee on Natural Resources and Tourism.

Senate Bill 391

Relating to deer and bear damage payments.

Introduction:

Ayes, 5 -Senators Harnisch, Van Sistine, Radosevich, Murphy and Theno;

Noes, 0 -None.

Read first time and referred to committee on Natural Resources and Tourism.

And further recommends:

Senate Bill 171

Relating to requiring hunters to wear "hunter orange" material and providing a penalty.

Introduction and adoption of senate amendment 1:

Ayes, 5 -Senators Harnisch, Van Sistine, Radosevich, Murphy and Theno;

Noes, 0 -None.

Passage as amended:

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Ayes, 5 -Senators Harnisch, Van Sistine, Radosevich, Murphy and Theno;

Noes, 0 -None.

Senate Bill 244

Relating to revising forest trespass and property laws, granting rule-making authority and providing a penalty.

Passage:

Ayes, 5 -Senators Harnisch, Van Sistine, Radosevich, Murphy and Theno;

Noes, 0 -None.

TOM HARNISCH

Chairman

The committee on Agriculture, Aging and Labor reports and recommends:

Senate Bill 15

Relating to revision of municipal employment collective bargaining impasse resolution procedures, providing for final and binding arbitration, authorizing a limited right to strike, granting rule-making authority and providing penalties.

Rejection of senate substitute amendment 1:

Ayes, 7 -Senators Cullen, Radosevich, Morrison, Harnisch, Van Sistine, Chilsen and McCallum;

Noes, 0 -None.

Rejection of senate substitute amendment 2:

Ayes, 7 -Senators Cullen, Radosevich, Morrison, Harnisch, Van Sistine, Chilsen and McCallum;

Noes, 0 -None.

Rejection of senate substitute amendment 3:

Ayes, 7 -Senators Cullen, Radosevich, Morrison, Harnisch, Van Sistine, Chilsen and McCallum;

Noes, 0 -None.

Rejection of senate substitute amendment 4:

Ayes, 7 -Senators Cullen, Radosevich, Harnisch, Morrison, Van Sistine, Chilsen and McCallum;

Noes, 0 -None.

Introduction and adoption of senate substitute amendment 5:

Ayes, 7 -Senators Cullen, Radosevich, Harnisch, Morrison, Van Sistine, Chilsen and McCallum;

Noes, 0 -None.

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Passage as amended:

Ayes, 7 -Senators Cullen, Radosevich, Harnisch, Morrison, Van Sistine, Chilsen and McCallum;

Noes, 0 -None.

TIM CULLEN
Chairman

The committee on Commerce reports and recommends:

Assembly Bill 4

Relating to registration fees for certain motor busses.

Concurrence:

Ayes, 6 -Senators Parys, Berger, Swan, Goyke, Keppler and Bidwell;

Noes, 0 -None.

Assembly Bill 202

Relating to optional vehicle equipment.

Concurrence:

Ayes, 6 -Senators Parys, Berger, Swan, Goyke, Keppler and Bidwell;

Noes, 0 -None.

Assembly Bill 203

Relating to abandoned motor vehicles, and providing a penalty.

Concurrence:

Ayes, 6 -Senators Parys, Berger, Swan, Goyke, Keppler and Bidwell;

Noes, 0 -None.

Senate Bill 360

Relating to standard nonforfeiture and valuation requirements for life insurance and annuity contracts.

Introduction of senate amendment 1:

Ayes, 6 -Senators Parys, Berger, Swan, Goyke, Keppler and Bidwell;

Noes, 0 -None.

RONADL G. PARYS
Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 62

A petition by 284 residents of Wisconsin urging the enactment of legislation adjusting worker's compensation under W. S. A., Chapter 102, for permanent disability to reflect current inflation.

By Senator Dorman.

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

Senate Petition 63

A petition by 177 residents of the 28th Senate District in support of an amendment to delete Section 1175 of Senate Bill 77, relating to the transfer and/or control and licensing of septic systems from Public Health to the Department of Natural Resources.

By Senator Adelman.

Read and referred to Joint Committee on Finance.

Senate Petition 64

A petition by 857 residents of Wisconsin in opposition to Senate Bill 137, relating to regulating trapping devices, and all other anti-trap legislation.

By Senator Van Sistine.

Read and referred to committee on Natural Resources and Tourism.

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 130

Assembly Bill 137

Assembly Bill 162

Assembly Bill 209

Assembly Bill 272

Adopted and asks concurrence in:

Assembly Joint Resolution 20.

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 130

Relating to making theft of dangerous weapons a felony.

By Representatives Lato, Wood, Lallensack, Litscher, Mohn, Hasenohrl, Dandeneau, Schricker, Schmidt, Fischer, Lewis, Kedrowski, Brist, Medinger, Plewa, Behnke, Ausman, Jackamonis, Day and Gunderson, cosponsored by Senators Berger and Theno.

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

Assembly Bill 137

Relating to recording death in the birth registry.

By Representatives Lewis, Klicka, Merkt, Kincaid and Lewison.

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

Assembly Bill 162

Relating to the definition of motor truck in the vehicle code.

By Representatives Groshek and Kirby, by request of Department of Transportation.

Read first time and referred to committee on Commerce.

Assembly Bill 209

Relating to sentencing and treatment of persons who are convicted of delivering narcotics.

By Representatives Behnke, Lallensack, Bradley, Murray, Shabaz, Swoboda, Hauke, Dorff, Ellis, Tuczynski, Kirby, Menos, Plewa, Vanderperren, Matty, Byers, Metz, Pabst, Roberts, Lingren, Fischer, Ward, Barry, Lato, Tesmer, Wood, Norquist, Hasenohrl, Barczak, Soucie, Brist, Leopold, Rooney, Mohn, Merkt, Gerlach, Ausman, Groshek, Johnston, Medinger, Conradt, Litscher, Tregoning, Hanson, Luckhardt, Schricker, Schmidt, Andrea, Goodrich, Wahner, Rogers, Lewison, Moody, McClain, Kincaid, Gower, Opitz, Roth, Donoghue, Porter, Travis, McEssy, Everson, Olson, Snyder, Klicka, Engeleiter, Thompson, DeLong, Day, Looby, Quackenbush, Potter, Dandeneau and Lee, cosponsored by Senators Berger, Parys, Lorge, Cullen, Kleczka, Frank, Martin, Sensenbrenner, Krueger, Maurer, VanSistine, Theno, Murphy, McCallum, Keppler, Bidwell and Dorman.

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

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Assembly Bill 272

Relating to the time and place and notice requirements for budget hearings.

By Representatives Hasenohrl, Potter, Byers, Fischer and Barry, cosponsored by Senators Martin, Krueger and Bablitch.

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

Assembly Joint Resolution 20

Relating to town government (2nd consideration).

By Representatives Dandeneau, Day, Barry, Potter, Vanderperren, Lallensack, Hasenohrl, Schricker and Lewison, cosponsored by Senator Dorman.

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

MOTIONS

Senator Sensenbrenner moved that **Senate Bill 223** be withdrawn from the committee on Governmental and Veterans' Affairs and referred to the committee on Senate Organization.

The ayes and noes were demanded and the vote was: ayes, 10; noes, 20; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Chilsen, Keppler, Krueger, Lorge, McCallum, Murphy, Petri, Sensenbrenner and Theno -- 10.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Goyke, Harnisch, Kleczka, McKenna, Maurer, Morrison, Offner, Parys, Radosevich, Risser, Swan, Thompson and Van Sistine -- 20.

Absent or not voting -- Senators Frank and Peloquin -- 2.

So the motion did not prevail.

Senator Swan asked unanimous consent that **Senate Bill 357** be withdrawn from the committee on Senate Organization and referred to the committee on Judiciary and Consumer Affairs.

Senator Bablitch objected.

By request of Senator Parys, with unanimous consent **Senate Bill 381** was withdrawn from the committee on Commerce and referred to the committee on Judiciary and Consumer Affairs.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 298** was withdrawn from the committee on Senate

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Organization and referred to the Joint Survey Committee on Tax Exemptions.

By request of Senator Bablitch, with unanimous consent, **Assembly Bills 186 and 428** were withdrawn from the committee on Senate Organization and referred to the committee on Natural Resources and Tourism.

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

COMMITTEE REPORTS

The Joint Committee on Finance reports and recommends:

Senate Bill 77

Relating to state finances and appropriations, constituting the executive budget bill of the 1977 legislature, and making appropriations.

Introduction of senate substitute amendment 1:

Ayes, 13 -Senators Dorman, Kleczka, McKenna, Morrison, Maurer and Chilsen; Representatives Johnson, Otte, Roberts, Tropman, Lingren, Norquist and Quackenbush;

Noes, 0 -None.

Adoption of senate substitute amendment 1:

Ayes, 10 -Senators Dorman, Kleczka, Maurer and Chilsen; Representatives Johnson, Otte, Roberts, Tropman, Lingren and Norquist;

Noes, 3 -Senators McKenna and Morrison; Representative Quackenbush.

Passage as amended:

Ayes, 10 -Senators Dorman, Kleczka, Maurer and Chilsen; Representatives Johnson, Otte, Roberts, Tropman, Lingren and Norquist;

Noes, 3 -Senators McKenna and Morrison; Representative Quackenbush.

HENRY DORMAN

Chairman

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 392

Relating to excluding the cost of certain facilities from veteran's loan limitations.

By Senators Flynn, Swan, Offner, Braun, Van Sistine, Murphy, McCallum and Petri; cosponsored by Representatives Lallensack, Rogers, Soucie and Schricker.

To committee on Governmental and Veterans' Affairs.

Senate Bill 393

Relating to various changes in awards to victims of crimes.

By Senators Flynn, Frank, Swan, Cullen, Bablitch and Petri; cosponsored by Representatives Elconin, Munts, Flintrop, Rutkowski, Ferrall, Hauke and Thompson.

To committee on Judiciary and Consumer Affairs.

Senate Bill 394

Relating to an extension of the application of crimes against sexual morality to males and females.

By Senators Flynn, Morrison, Radosevich, Petri and Frank; cosponsored by Representatives Elconin, Rutkowski and Ferrall, by request of Judge Terrence Evans.

To committee on Human Services.

Senator Flynn asked unanimous consent that **Senate Bill 394** be withdrawn from the committee on Human Services and referred to the committee on Judiciary and Consumer Affairs.

Senator Thompson objected.

By request of Senator Thompson, with unanimous consent **Senate Bill 394** was withdrawn from the committee on Human Services and referred to the committee on Senate Organization.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 244** by Senator Murphy.

Senate amendment 1 to **Senate Bill 363** by Senator Thompson.

Senate amendment 1 to **Senate Bill 335** by Senator Thompson.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 77** by Senators Radosevich, Morrison, Bablitch,

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Harnisch, Cullen, McKenna, Krueger, Chilsen, Bidwell, Thompson, Van Sistine, Goyke, Berger, Theno and McCallum; by request of Representatives Kedrowski, Loftus, Litscher, Mohn, Brist, Early, Roberts, Gunderson, Ausman, Fischer, Day, Hanson, Barry and Hasenohrl.

By request of Senator Keppler, with unanimous consent, the senate adjourned in honor of the birthdays of Senators Theno, McKenna and Goyke.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Thursday, May 12.

10:45 A.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to: Assembly Amendment 10 to Assembly Bill 487

In engrossing 1977 Assembly Bill 487, the following correction was made in Assembly amendment 10:

In line 6, substitute "officers" for "offices".