

STATE OF WISCONSIN
Senate Journal
Eighty-Fourth Regular Session

TUESDAY, February 6, 1979.

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, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Kreul, Krueger, Lasee, McCallum, Maurer, Moody, Murphy, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 29.

Absent -- Senators Lorge and Petri -- 2.

Absent with leave -- None.

The senate stood for the prayer which was offered by Pastor Richard McDowell of the First Assembly of God Church of Madison.

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

LEAVE OF ABSENCE

By request of Senator Krueger, with unanimous consent, Senator Lorge was granted a leave of absence for today's session.

By request of Senator McCallum, with unanimous consent, Senator Petri was granted a leave of absence for today's session.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 63

Relating to representing this state at any U.S. constitutional convention.

By Senators Berger and Flynn.

To committee on Governmental and Veterans Affairs.

Senate Bill 64

Relating to cooperative educational service agency annual meetings and termination of membership on a CESA board of control.

By Senators Van Sistine, Bear and McCallum; cosponsored by Representatives Vanderperren, Swoboda, Matty, Harer and Goodrich.

To committee on Education and Revenue.

Senate Bill 65

Relating to state aid for transportation of pupils and making an appropriation.

By Senators Goyke, Kreul, Adelman, Lasee, Van Sistine, Theno, Thompson, Bear, McCallum, Roshell and Krueger; cosponsored by Representatives Vanderperren, Swoboda, Porter, Potter and Hasenohrl.

To committee on Education and Revenue.

Senate Bill 66

Relating to various changes in paternity proceedings.

By Senator Braun; cosponsored by Representative Rutkowski.

To committee on Judiciary and Consumer Affairs.

Senate Bill 67

Relating to utility advertising practices.

By Senators Adelman, Berger, Braun, Strohl, Radosevich, Moody, Flynn, Cullen and Offner; cosponsored by Representatives Kirby, Rogers, Coggs, Ulichny, Jackamonis, Lee, Loftus, Lingren, Broydrick, Norquist, Hasenohrl, Becker, Ferrall and Munts, by request of Special Subcommittee on Public Utilities.

To committee on Insurance and Utilities.

Senate Bill 68

Relating to the transfer of the sales tax on new and used automobiles into the transportation fund.

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By Senators Cullen, Van Sistine, McCallum, Kreul, Chilsen, Lasec, Murphy and Roshell; cosponsored by Representatives Vanderperren, D. Travis and Porter.

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

COMMITTEE REPORTS

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

Senate Bill 69

Relating to the number of days school must be held each year.

Introduction:

Ayes, 5 -- Senators Goyke, Moody, Offner, Bear and McCallum;

Noes, 0 -- None.

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

GARY R. GOYKE

Chairman

REPORT OF JOINT SURVEY COMMITTEE ON
TAX EXEMPTIONS

Appendix to **Senate Bill 25**

Public Policy Involved

This bill is desirable public policy with the exception of the exemption provided for supplies other than seeds and fertilizer.

MICHELE RADOSEVICH

Chairman

Referred to committee on Agriculture, Labor and Local Affairs.

The committee on Senate Organization reports and recommends:

Assembly Joint Resolution 17

Granting the use of the senate and assembly chambers to Wisconsin Y.M.C.A. Youth in Government, Model Legislature in 1979, for the purpose of holding a practice legislative session.

Concurrence:

Ayes, 5 -- Senators Risser, Bablitch, Flynn, Krueger and Murphy;

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Noes, 0 -- None.

FRED A. RISSER
Chairman

The committee on Senate Organization, acting under Senate Rule 20(1), reports and recommends the following nomination to committee for appointment by the Senate:

To the Migrant Labor Council, Senator Cullen, to replace Senator Van Sistine, resigned effective February 1, 1979.

FRED A. RISSER
Chairman

The question was: Adoption of the committee report?
Adopted.

State of Wisconsin
Department of State

January 30, 1979.

To the Honorable, the Senate

Senators:

I have the honor to transmit to you pursuant to s. 13.67 (2), the names of the registered lobbyists for the period beginning on January 24, 1979, and ending on January 30, 1979.

Yours very truly,
VEL PHILLIPS
Secretary of State

Lobbyist's name, address, telephone number; principal's name, address, telephone number; the code numbers indicating areas of Legislative action; the code numbers indicating areas of administrative action.

Peterson, Richard E., 202 E. Union St., Waupaca, WI 54981, (715) 258-2345; The Tobacco Institute, Inc., 1776 K. St., N.W., Washington, D.C. 20006, (202) 457-4800; 1, 3-6, 11, 13, 17, 18, 20, 21, 22, 26; 101, 109, 129, 136, 140, 143, 170, 174. Kindy Optical, 500 W. College Ave., York, Pennsylvania 17404, (717) 845-7511; 3, 7, 10, 11, 13, 14, 18, 21, 22, 26; 9, 15, 16, 29, 36, 38, 50, 61, 63, 64, 74.

Schroeder, Robert W., 212 W. Wisconsin Ave., Milwaukee, WI 53203; State Coalition Union High-K-8 for Equal Aids, 6701 N. Jean Nicolet, Milwaukee, WI 53217, (414) 352-7110; 7, 20, 22. The Tobacco Institute, Inc., 1776 K. St., N.W., Washington, D.C. 20006,

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(202) 457-4800; 1, 3-6, 11, 13, 17, 18, 20, 21, 22, 26; 101, 109, 129, 136, 140, 143, 170, 174. Kindy Optical, 500 W. College Ave., York Pennsylvania, 17404, (717) 845-7511; 3, 70, 10, 11, 13, 14, 18, 21, 22, 26; 109, 115, 116, 129, 136, 138, 150, 161, 163, 164, 174.

Hendee, Kirby, P.O. Box 2626, Madison, WI 53701, (608) 257-0257; Soap and Detergent Assn., 475 Park Ave., South, New York, NY 10016, (212) 725-1262; 11, 17, 26; 144, 180, 181, 186.

Ostby, Byron C., 25 W. Main, Suite 509, Madison, WI 53703, (608) 257-0411; Wisconsin Railroad Assn., 25 W. Main, Suite 509, Madison, WI 53703, (608) 257-0411; 13, 20-23; 101, 116, 136, 170, 176.

Driessen, Anthony H., 660 E. Mason St., Milwaukee, WI 53202, (414) 271-5900; Wisconsin Assn. of Food Dealers, 802 W. Broadway, Suite 203, Madison, WI 53713, (608) 222-4515; 3, 10, 20, 21, 22; 101, 140, 170, 174. Wisconsin Builders Assn., P.O. Box 2117, Madison, WI 53701, (608) 256-4887; 3, 4, 13, 16, 17, 20, 22, 25; 101, 109, 116, 129, 136, 150, 155, 159, 170, 174, 176, 178, 183. National Assn. of Social Workers - Wisconsin Chapter, 7635 W. Bluemound Rd., Suite 201, Milwaukee, WI 53213, (414) 771-3055; 3, 7, 18-22; 101, 140, 148, 170, 174.

Franke, Harry F., 660 E. Mason St., Milwaukee, WI 53202, (414) 271-5900; M & I Marshall & Ilsley Bank, 770 N. Water St., Milwaukee, WI 53202, (414) 765-7830; 2, 3, 13, 20, 21, 22, 24; 101, 113, 140, 170, 174.

Driessen, Anthony H., 660 E. Mason St., Milwaukee, WI 53202, (414) 271-5900; M & I Marshall & Ilsley Bank, 770 N. Water St., Milwaukee, WI 53202, (414) 765-7830; 2, 3, 13, 20, 21, 22, 24; 101, 113, 140, 170, 174.

Reihl, Jack B., 6333 W. Bluemound Rd., Milwaukee, WI 53213, (414) 771-0700; Wisconsin State AFL-CIO, 633 W. Bluemound Rd., Milwaukee, WI 53213, (414) 771-0700; 1-26; 101-186.

Foss, Karl R., 7324 South Ave., Middleton, WI 53562, (608) 831-8898; self; 16, 17, 23, 26; 116, 117, 123, 126.

Dorsey, Richard H., 4840 Ripon Rd., Oshkosh, WI 54901, (414) 589-4652; self; 7, 16, 17, 23, 26; 107, 116, 117, 123, 126.

Elliott, Charles W., Wisconsin Petroleum Council, Division of API, 25 W. Main St., Madison, WI 53703, (608) 256-3312; American Petroleum Institute, 2101 L St., N.W., Washington, D.C. 20037, (202) 457-7200; 1, 3, 4, 7, 8, 13-18, 20-23, 26; 101, 109, 136, 138, 142, 144, 149, 170, 176, 178, 186.

Steinke, Marvin L., 3414 Monroe St., P.O. Box 4364, Madison, WI 53711, (608) 231-2922; Wisconsin Power Equipment Retailers Assn., Inc., 3414 Monroe St., P.O. Box 4364, Madison, WI 53711; 1, 2, 22, 14; 109, 113, 136, 184.

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Laurie, Carl E., 2202 Aspen Rd., Madison, WI 53711, (608) 251-4773; Wisconsin Psychiatric Assn., 330 E. Lakeside, Madison, WI 53715, (608) 257-6781; 3, 4, 10-14, 18-22, 24, 26; 101, 108, 116, 119, 123, 127-130, 132, 136, 138, 143, 150, 161, 166, 170, 174, 180, 184, 186. Savings League of Wisconsin, Ltd, 312 E. Wisconsin Ave., Milwaukee, WI 53202, (414) 271-7303; 2, 3, 5, 16, 26; 109, 113, 117, 136, 138, 140, 142, 172-175, 183. Oil Jobbers of Wisconsin, Inc. 1220 Femrite Dr., Madison, WI 53716, (608) 221-4771; 1, 3, 5, 8, 12-18, 20-23, 26; 101, 107, 109, 116, 119, 128, 130, 131, 136, 138, 140, 142, 144, 149, 150, 170, 171, 176, 178-181, 184, 186.

Laurie, Tim L., 25 W. Main, Suite #720, Madison, WI 53703, (608) 244-9511; Oil Jobbers of Wisconsin, Inc., 1220 Femrite Dr., Madison, WI 53716, (608) 221-4771; 1, 3, 5, 8, 12-18, 20-23, 26; 101, 107, 109, 116, 119, 128, 130, 131, 136, 138, 140, 142, 144, 149, 150, 170, 172, 176, 178-181, 184, 186.

Anderson, Norman C., 25 W. Main St., Madison, WI 53703, (608) 255-7277; Wisconsin Power and Light Co., 222 W. Washington Ave., Box 192, Madison, WI 53701, (608) 252-3125; 26. Wisconsin Society of Land Surveyors, c/o Arden T. Sandsnes, 5610 Medical Circle, Madison, WI 53711, (608) 274-0500; 4, 13, 16, 17, 18, 20, 26; 142, 148.

Linton, Thomas A., P.O. Drawer 10K, 5225 W. Vliet St., Milwaukee, WI 53201, (414) 475-8282; Board of School Directors of the City of Milwaukee, P.O. Drawer 10K, 5225 W. Vliet St., Milwaukee WI, 53201, (414) 475-8282; 2, 4-12, 14, 17-20, 22, 23, 24; 101, 104, 113, 118, 121-129, 136, 137, 138, 140, 142, 144, 145, 146, 148-151, 158, 170, 171, 174, 176, 178, 184.

Knight, John E., P.O. Box 927, Madison, WI 53701, (608) 257-9521; Wisconsin Bankers Assn., 16 N. Carroll St., Madison, WI 53703, (608) 256-0673; 1, 2, 3, 16, 21, 22, 26; 101, 109, 113-117, 136, 138, 140, 170, 172, 174, 175, 179, 183, 186.

Bugge, Lawrence J., P.O. Box 1497, Madison, WI 53701, (608) 257-5035; Wisconsin Bankers Assn., 16 N. Carroll St., Madison, WI 53703, (608) 256-0673; 1, 2, 3, 16, 21, 22, 26; 101, 109, 113-117, 136, 138, 139, 140, 170, 172, 174, 175, 179, 183, 186.

Phillips, Charles M., 30 W. Mifflin St., Madison, WI 53703, (608) 257-0004; Wisconsin Catholic Conference, 30 W. Mifflin St., Madison, WI 53703, (608) 257-0004; 1, 3, 5-12, 14-20, 22-25; 101, 108, 109, 118, 127, 128, 129, 136, 140, 148, 149, 150, 154, 170, 174.

Vaughan, Michael R., Box 2038, Madison, WI 53701, (608) 257-7181; Wisconsin Council of Voluntary Family and Children's Agencies, 22 N. Carroll St., Madison, WI 53703, (608) 257-6168; 4-7, 9-12, 14, 18, 19, 20, 22; 101, 108, 118, 129, 136, 138, 148, 150,

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166, 170, 180. Milwaukee Teachers Retirement Fund Assn., 7306 Devonshire Ave., Greendale, WI 53129; 7, 26; 121, 122, 124, 186.

Cagle, Ralph M., Box 2038, Madison, WI 53701, (608) 257-7181; Wisconsin Council of Voluntary Family and Children's Agencies, 22 N. Carroll St., Madison, WI 53703, (608) 257-6168; 4-7, 9-12, 14, 18, 19, 20, 22; 101, 108, 118, 129, 136, 138, 148, 150, 166, 170, 180. Milwaukee Teachers Retirement Fund Assn., 7306 Devonshire Ave., Greendale, WI 53129; 7, 26; 121, 122, 124, 186.

Vaughan, Michael R., P.O. Box 2038, Madison, WI 53701, (608) 257-7181, Wisconsin Society of Professional Engineers, 101 W. Beltline Highway, Madison, WI 53713, (608) 251-7872; 4, 13, 17, 28, 20, 23, 26; 129, 136, 142, 144, 150, 158, 176, 186.

Cagle, Ralph M., P.O. Box 2038, Madison, WI 53701, (608) 257-7181; Wisconsin Society of Professional Engineers, 101 W. Beltline Highway, Madison, WI 53713, (608) 251-7872; 4, 13, 17, 18, 20, 23, 26; 129, 136, 142, 144, 150, 158, 176, 186.

Van Sickle, Charles S., 25 W. Main St., Madison, WI 53703, (608) 255-7277; Wisconsin Electric Cooperative Assn., 2981 Yarmouth Greenway, Madison, WI 53711, (608) 273-0420; 1-26; 101-186.

Areas of Legislative Action

| Code | Subject |
|------|--------------------------------------|
| 01 | <i>Agriculture</i> |
| 02 | <i>Banking</i> |
| 03 | <i>Consumer Affairs</i> |
| 04 | <i>Counties and Municipalities</i> |
| 05 | <i>Courts and Procedures</i> |
| 06 | <i>Criminal, Penal and Police</i> |
| 07 | <i>Education</i> |
| 08 | <i>Elections and Ethics</i> |
| 09 | <i>Family</i> |
| 10 | <i>Food and Drugs</i> |
| 11 | <i>Health</i> |
| 12 | <i>Human Rights</i> |
| 13 | <i>Industry</i> |
| 14 | <i>Insurance</i> |
| 15 | <i>Partnerships and Corporations</i> |
| 16 | <i>Property Rights and Probate</i> |
| 17 | <i>Public Domain and Environment</i> |
| 18 | <i>Regulation and Licensing</i> |
| 19 | <i>Social Services</i> |

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- 20 *State Government*
- 21 *Trade and Commerce*
- 22 *Taxation*
- 23 *Transportation*
- 24 *Trust Funds*
- 25 *Veterans*
- 26 *Other*

State Agencies to be Used
Indicating Areas of Administrative Action

- 101. *Administration, Dept. of*
- 102. Arts Board
- 103. Claims Board
- 104. Public Records Board
- 105. State Capitol and Executive Residence Board
- 106. State Employes Merit Award Board
- 107. Tax Appeals Commission
- 108. *Aging, Board on*
- 109. *Agriculture, Trade and Consumer Protection, Dept. of*
- 110. Agricultural Lands Preservation Board
- 111. Potato Industry Board
- 112. State Fair Bank
- 113. *Banking, Office of Commissioner of*
- 114. Banking Review Board
- 115. Consumer Credit Review Board
- 116. *Business Development, Dept. of*
- 117. *Credit Unions, Office of the Commissioner of*
- 118. *Educational Communication Board*
- 119. *Elections Board*
- 120. Board of State Canvassers
- 121. *Employee Trust Funds, Dept. of*
- 122. Employee Trust Funds Board
- 123. Group Insurance Board
- 124. Milwaukee Teachers Retirement Board
- 125. State Teachers Retirement Board
- 126. Wisconsin Retirement Board
- 127. *Employment Relations, Dept. of*
- 128. *Ethics Board*
- 129. *Health and Social Services, Dept. of*
- 130. Controlled Substances Board
- 131. Pesticide Review Board
- 132. *Higher Educational Aids Board*
- 133. *Historical Society*
- 134. Historical Preservation Negotiating Board

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- 135. Historical Preservation Review Board
- 136. *Industry, Labor and Human Relations, Dept. of*
- 137. Labor and Industry Review Commission
- 138. *Insurance, Office of the Commissioner of*
- 139. *Investment Board*
- 140. *Justice, Dept. of*
- 141. Law Enforcement Standards Board
- 142. *Local Affairs and Development, Dept. of*
- 143. *Medical Education Review Committee*
- 144. *Natural Resources, Dept. of*
- 145. *Personnel Board*
- 146. *Personnel Commission*
- 147. *Public Defender Board*
- 148. *Public Instruction, Dept. of*
- 149. *Public Service Commission*
- 150. *Regulation and Licensing, Dept. of*
- 151. Account Examining Board
- 152. Athletic Examining Board
- 153. Barbers Examining Board
- 154. Bingo Control Board
- 155. Chiropractic Examining Board
- 156. Cosmetology Examining Board
- 157. Dentistry Examining Board
- 158. Examining Board of Architects, Professional Engineers,
Designers and Land Surveyors
- 159. Funeral Directors and Embalmers Examining Board
- 160. Hearing Aid Dealers and Fitters Examining Board
- 161. Medical Examining Board
- 162. Nursing Home Administrator Examining Board
- 163. Optometry Examining Board
- 164. Pharmacy Examining Board
- 165. Pharmacy Internship Board
- 166. Psychology Examining Board
- 167. Real Estate Examining Board
- 168. Veterinary Examining Board
- 169. Watchmaking Examining Board
- 170. *Revenue, Dept. of*
- 171. Investment and Local Impact Fund Board
- 172. *Savings and Loan, Office of Commissioner of*
- 173. Savings and Loan Review Board
- 174. *Secretary of State, Office of the*
- 175. *Securities, Office of Commissioner of*
- 176. *Transportation, Dept. of*
- 177. Rustic Roads Board

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- 178. Transportation Commission
- 179. *Treasurer, Office of the*
- 180. *University of Wisconsin System, Board of Regents of the*
- 181. Board of Soil and Water Conservation Districts
- 182. Laboratory of Hygiene Board
- 183. *Veterans Affairs, Dept. of*
- 184. *Vocational, Technical and Adult Education, Board of*
- 185. Educational Approval Board
- 186. *Other*

By request of Senator Bablitch, with unanimous consent, the rules were suspended and the calendar of Tuesday, February 6 was taken up.

CALENDAR OF FEBRUARY 6

By request of Senator Bablitch, with unanimous consent, the appointments were taken up en masse.

LINDNER, KENNETH E., of LaCrosse, as Secretary of the Department of Administration, to succeed John Trophy, to serve for the term ending at the pleasure of the Governor.

Read.

HENDERSON, HUGH, of Milwaukee, as Secretary of the Department of Employment Relations, to succeed Linda Reivitz, to serve for the term ending at the pleasure of the Governor.

Read.

The question was: Shall the appointments be confirmed?

The ayes and noes were required and the vote was: ayes, 29; noes, 0; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Kreul, Krueger, Lasee, McCallum, Maurer, Moody, Murphy, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 29.

Noes -- None.

Absent or not voting -- Senators Lorge and Petri -- 2.

So the appointments were confirmed.

MESSAGE FROM THE ASSEMBLY

By Marcel Dandeneau, chief clerk.

Mr. President:

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

Assembly Bill 17

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 17

Relating to terms of current members of school boards in 1st class cities.

By Representatives Lee, Plewa, Kirby, Norquist, Soucie, Wahner and Broydrick, co-sponsored by Senators Berger, Braun and Moody.

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

MOTIONS

Senator Adelman asked unanimous consent that Representative Lingren be made a coauthor of Senate Bill 59.

Senator Risser objected.

CALENDAR OF FEBRUARY 6

Assembly Joint Resolution 4

Granting the use of the legislative chambers on March 24 and 25, 1979, to the 1979 Model Legislature of the Young Republicans and Young Democrats.

The question was: Concurrence?

Concurred in.

Assembly Joint Resolution 17

Granting the use of the senate and assembly chambers to Wisconsin Y.M.C.A. Youth in Government, Model Legislature in 1979, for the purpose of holding a practice legislative session.

The question was: Concurrence?

Concurred in.

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

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Thursday, February 8.

10:20 A.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 2

1. On page 10, line 2, substitute "an analysis" for "and analysis".

Senate Bill 6

1. On page 3, line 15, substitute "government" for "government".

Senate Bill 19

1. On page 8, line 8, after "applies" insert a comma.

Senate Bill 22

1. On page 12, line 13, substitute "185.982" for "616.06".

Senate Bill 46

1. On page 2, line 14, before "property", insert "the".