

STATE OF WISCONSIN

**Senate Journal**

**Eighty-Fourth Regular Session**

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TUESDAY, May 22, 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, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 32.

Absent -- None.

Absent with leave -- Senator Mr. President -- 1.

The senate stood for the prayer which was offered by Pastor Gary Brandenburg, Pastor of Hilldale Assembly of God Church, Madison.

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

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INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 239**

Relating to municipal relief directors and collecting claims for general relief.

By Senators Bear and Risser; cosponsored by Representative D. Travis.

To committee on Human Services.

**Senate Bill 240**

Relating to removal of certain parked vehicles from the highways.

JOURNAL OF THE SENATE [May 22, 1979]

By Senators Bear and Risser; cosponsored by Representative D. Travis.

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

**Senate Bill 241**

Relating to right and left turn on red signals and providing a penalty.

By Senators Risser and Bear; cosponsored by Representative D. Travis.

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

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COMMITTEE REPORTS

The committee on Human Services reports and recommends for introduction:

**Senate Bill 242**

Relating to payment for intake, disposition and supervision services provided by court workers for children's code proceedings and making an appropriation.

Introduction:

Ayes, 4 -- Senators Thompson, Cullen, Radosevich and Strohl;  
Noes, 1 -- Senator Opitz.

Read first time and referred to committee on Human Services

CARL W. THOMPSON

Chair

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

**Senate Bill 243**

Relating to reimbursement of state civil service employes for expenses of mandatory employment-related relocation.

Introduction:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine,  
Lasee and Johnston;

Noes, 0 -- None.

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

**Senate Joint Resolution 5**

To amend section 12 of article XIII; and to create section 12(4)(a) to (c) of article XIII of the constitution, relating to primaries in recall elections (first consideration).

Adoption of senate amendment 1:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine, Lasee and Johnston;

Noes, 0 -- None.

Adoption as amended:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine, Lasee and Johnston;

Noes, 0 -- None.

**Senate Bill 85**

Relating to membership of Milwaukee's board of assessors, certification of the deputy tax commissioner and the dates for completion of the Milwaukee assessment rolls and filing assessment objections.

Adoption of senate amendment 1:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine, Lasee and Johnston;

Noes, 0 -- None.

Passage:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine, Lasee and Johnston;

Noes, 0 -- None.

**Senate Bill 156**

Relating to deletion of the requirement for an affidavit from the circulator of nomination papers and providing a penalty.

Passage:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine, Lasee and Johnston;

Noes, 0 -- None.

JOURNAL OF THE SENATE [May 22, 1979]

**Senate Bill 168**

Relating to "Class C" liquor licenses permitting the sale of wine in restaurants, permitting minors to enter "Class B" and "Class C" licensed restaurants for certain purposes and providing a penalty.

Passage:

Ayes, 6 -- Senators Swan, Roshell, Adelman, Van Sistine, Lasee and Johnston;

Noes, 0 -- None.

MONROE SWAN

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

**Senate Bill 6**

Relating to a plain language and legibility requirement for state income tax forms and materials and certain written agreements with consumers.

Introduction of senate substitute amendment 2:

Ayes, 4 -- Senators Adelman, Bear, Harnisch and Braun;

Noes, 1 -- Senator Murphy.

LYNN S. ADELMAN

Chair

The committee on Agriculture, Labor and Local Affairs reports and recommends:

**Assembly Bill 101**

Relating to retention of 1976 payment levels for fire department dues paid for 1978.

Concurrence:

Ayes, 5 -- Senators Van Sistine, Roshell, Thompson, Swan and Kreul;

Noes, 0 -- None.

**Assembly Bill 114**

Relating to destruction of obsolete records by counties and towns.

Concurrence:

Ayes, 5 -- Senators Van Sistine, Roshell, Thompson, Swan and Kreul;

Noes, 0 -- None.

**Assembly Bill 268**

Relating to county authority to operate a county museum, contribute funds to a city-owned museum and issue certain bonds.

Concurrence:

JOURNAL OF THE SENATE [May 22, 1979]

Ayes, 5 -- Senators Van Sistine, Roshell, Thompson, Swan and Kreul;

Noes, 0 -- None.

JEROME VAN SISTINE  
Chair

The committee on Senate Organization reports and recommends:

**Assembly Joint Resolution 59**

Relating to the life and public service of Dr. Anthony R. Curreri, outstanding physician and cancer expert.

Concurrence:

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

Noes, 0 -- None.

**Assembly Joint Resolution 60**

Relating to the life and public service of William Gorham Rice.

Concurrence:

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

Noes, 0 -- None.

**Assembly Joint Resolution 61**

Commending Dean Glenn S. Pound on the occasion of his retirement.

Concurrence:

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

Noes, 0 -- None.

**Assembly Joint Resolution 62**

Relating to the life and public service of Mildred Baker Abel.

Concurrence:

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

Noes, 0 -- None.

FRED A. RISSER  
Chair

The joint committee on Finance reports and recommends:

JOURNAL OF THE SENATE [May 22, 1979]

**Senate Bill 79**

Relating to state finances and appropriations, constituting the executive budget bill of the 1979 legislature, and making appropriations.

Introduction and adoption of senate substitute amendment 1:

Ayes, 11 -- Senators Kleczka, Maurer, Flynn, Offner, Braun, Representatives Johnson, Otte, Roberts, Lingren, Norquist and Kirby;

Noes, 2 -- Senator Chilsen and Representative Ellis.

Passage:

Ayes, 11 -- Senators Kleczka, Maurer, Flynn, Offner, Braun, Representatives Johnson, Otte, Roberts, Lingren, Norquist and Kirby;

Noes, 2 -- Senator Chilsen and Representative Ellis.

GERALD D. KLECZKA  
Chair

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PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Department of State

May 14, 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 May 9, 1979, and ending on May 14, 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.*

Parys, Ronald G., 206 E. Olin Ave., Madison, WI 53713 (608) 251-0368 or 251-2320; Wisconsin Communities for Local Control, Inc., Oak Creek, WI 53154 (414) 762-9400; 4, 13, 22, 26; 170.

## JOURNAL OF THE SENATE [May 22, 1979]

Gaines, Lois M., 122 W. Washington Ave., Madison, WI 53703 (608) 251-3663; Wisconsin Restaurant Assn., 122 W. Washington Ave., Madison, WI 53703 (608) 251-3663; 1, 3, 10, 11, 21, 22; 109, 116, 129, 136, 140, 170, 184.

Parys, Ronald G., 206 E. Olin, Madison, WI 53713 (608) 251-0368; Wisconsin State Telephone Assn., 30 W. Mifflin St., Suite 601, Madison, WI 53703 (no phone given); 13, 14, 21, 26.

The chart of code numbers can be found on pages 99 and 100 of the Senate Journal of February 6, 1979.

By request of Senator Maurer, with unanimous consent, the Senate recessed until 11:20 A.M.

10:10 A.M.

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### RECESS

11:20 A.M.

The senate reconvened.

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### CALENDAR OF MAY 22

**BRUNNER, ROBERT C.**, of Milwaukee, as Secretary of the Department of Business Development, to succeed Edward Kime, to serve for the term ending at the pleasure of the Governor.

Read.

The question was: Shall the appointment be confirmed?

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Murphy, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 30.

Noes -- None.

Absent or not voting -- Senators Bidwell and Opitz -- 2.

So the appointment was confirmed.

## JOURNAL OF THE SENATE [May 22, 1979]

**NOLL, JOSEPH N.**, of Kenosha, as Secretary of the Department of Industry, Labor and Human Relations, to succeed Zel S. Rice, to serve for the term ending at the pleasure of the Governor.

Read.

Senator Van Sistine moved that the appointment be referred to committee on Aging, Business and Financial Institutions and Transportation.

The question was: Shall the appointment be referred to committee on Aging, Business and Financial Institutions and Transportation?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Moody, Murphy, Offner, Radosevich, Risser, Strohl, Thompson and Van Sistine -- 19.

Noes -- Senators Bidwell, Chilsen, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Opitz, Roshell, Swan and Theno -- 13.

Absent or not voting -- None -- 0.

So the appointment was referred to committee on Aging, Business and Financial Institutions and Transportation.

By request of Senator Opitz, with unanimous consent, it was recorded that he would have voted "aye" on the appointment of Robert Brunner.

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### 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 8**

**Assembly Bill 57**

**Assembly Bill 240**

**Assembly Bill 280**

**Assembly Bill 334**

**Assembly Bill 400**

**Assembly Bill 404**



**Assembly Bill 8**

Relating to battery to persons 62 years of age or older and providing a penalty.

By Representatives Hauke, Hephner, Murray, Behnke, Barczak, Andrea, Wood, Schneider, Dorff, Potter, Shoemaker, Everson, McClain, Rogers, Lallensack, Hasenohrl, Menos, Swoboda, Rooney, Medinger, Gerlach, Vanderperren, Becker, Tesmer, Rutkowski, Wahner, Shabaz, Goodrich, Schmidt, Snyder, Tregoning, Ellis, Opitz, Porter, Bradley, Ladwig, Klicka, Luckhardt, Thompson, DeLong, Matty, Pabst, Leopold, Merkt and Lingren, co-sponsored by Senator Kleczka.

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

**Assembly Bill 57**

Relating to night and Saturday circuit court sessions.

By Representatives Thompson and Laatsch, co-sponsored by Senator Bidwell, by request of Sauk County Board of Supervisors.

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

**Assembly Bill 240**

Relating to modifications to the height of a vehicle and providing a penalty.

By Representatives Gerlach, Plewa and Andrea, co-sponsored by Senator Frank.

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

**Assembly Bill 280**

Relating to the amount of a decedent's assets which can be transferred by affidavit.

By Representatives Jackamonis, Rutkowski, Tesmer, Coggs, Ferrall, Munts, Hauke, Ulichny, Metz, Snyder, Prosser, Omernick and Hopkins, co-sponsored by Senators Berger, Bear, Braun, Murphy, Risser and Adelman.

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

**Assembly Bill 334**

Relating to requiring one blue light and one red light on police vehicles, prohibiting the use of flashing, oscillating or rotating blue lights along a highway and providing a penalty.

By Representatives Lallensack, Conradt, Vanderperren, Luckhardt, Metz, Murray, Smith, Kincaid, Hasenohrl, Menos and Dorff.

## JOURNAL OF THE SENATE [May 22, 1979]

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

### **Assembly Bill 400**

Relating to the time for commencing ballot recounts.

By Representative Potter, by request of League of Wisconsin Municipalities.

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

### **Assembly Bill 404**

Relating to the submission of information to the board of nursing on license renewal applications.

By Representative Jackamonis.

Read first time and referred to committee on Human Services.

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## MOTIONS

By request of Senator Adelman, with unanimous consent, **Assembly Bill 185** was withdrawn from committee on Insurance and Utilities and referred to committee on Judiciary and Consumer Affairs.

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## CALENDAR OF MAY 22

### **Senate Bill 6**

Relating to a plain language and legibility requirement for state income tax forms and materials and certain written agreements with consumers.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 6** was referred to joint committee on Finance.

### **Senate Bill 21**

Relating to authorization of school benefit insurance plans and granting rule-making authority.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 21** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 21** was withdrawn from the joint committee on Finance and considered for action at this time.

JOURNAL OF THE SENATE [May 22, 1979]

By request of Senator Goyke, with unanimous consent, **Senate Bill 21** was referred to committee on Education and Revenue.

**Senate Bill 23**

Relating to revision of the insurance security fund law and granting rule-making authority.

Read a second time.

By request of Senator Berger, with unanimous consent, senate amendment 1 was laid on the table.

Senate amendment 2 offered by Senator Berger.

Senator Kleczka moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 20; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Flynn, Frank, Johnston, Kleczka, Kreul, Lorge, McCallum, Offner, Radosevich and Thompson -- 12.

Noes -- Senators Bablitch, Bear, Berger, Bidwell, Braun, Cullen, Goyke, Harnisch, Krueger, Lasee, Maurer, Moody, Murphy, Opitz, Risser, Roshell, Strohl, Swan, Theno and Van Sistine -- 20.

Absent or not voting -- None.

So the motion did not prevail.

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.

**Senate Bill 23**

Read a third time and passed.

By request of Senator Bablitch, with unanimous consent, the senate recessed until 4:30 P.M.

12:05 P.M.

JOURNAL OF THE SENATE [May 22, 1979]

RECESS

4:30 P.M.

The senate reconvened.

**Senate Bill 91**

Relating to temporary service by retired family court commissioners.

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 91**

Read a third time and passed.

**Senate Bill 101**

Relating to establishment of vocational education and guidance programs in secondary schools and making appropriations.

Read a second time.

Senator Kleczka asked unanimous consent that **Senate Bill 101** be referred to joint committee on Finance.

Senator Goyke objected.

By request of Senator Goyke, with unanimous consent, he withdrew his objection.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 101** was referred to joint committee on Finance.

**Senate Bill 121**

Relating to employment relations in higher education and making appropriations.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 121** was referred to joint committee on Finance.

**Senate Bill 127**

Relating to creating a council on and establishing a program for gifted and talented pupils, making appropriations and granting rule-making authority.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 127** was referred to joint committee on Finance.

**Senate Bill 174**

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

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 174** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 174** 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 174**

Read a third time and passed.

**Assembly Bill 49**

Relating to the definition of intimate parts relating to sexual assault.

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 49**

Read a third time and concurred in.

**Assembly Bill 50**

Relating to loss of a sexual organ as a result of a sexual assault and charging a penalty.

Read a second time.

Ordered to a third reading.

JOURNAL OF THE SENATE [May 22, 1979]

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

**Assembly Bill 50**

Read a third time and concurred in.

**Assembly Bill 54**

Relating to the state civil service system career executive program.

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.

**Assembly Bill 54**

Read a third time and concurred in.

**Assembly Bill 166**

Relating to authorization to call special elections to fill certain anticipated legislative vacancies.

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 166**

Read a third time and concurred in.

Senator Flynn moved reconsideration of the vote by which **Senate Bill 174** passed.

Senator Flynn asked unanimous consent that the motion for reconsideration be placed on the table.

Senator Van Sistine objected.

Senator Flynn moved that the vote by which **Senate Bill 174** passed be reconsidered.

By request of Senator Flynn, with unanimous consent, the motion to reconsider the vote by which **Senate Bill 174** passed was placed on the table.

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

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AMENDMENTS OFFERED

Senate amendment 2 to **Senate Bill 21** by Senator Berger.

JOURNAL OF THE SENATE [May 22, 1979]

Senate amendment 2 to **Senate Bill 23** by Senator Berger.

Senate amendment 2 to **Senate Bill 59** by Senator Johnston.

Senate amendment 3 to **Senate Bill 59** by Senator Johnston.

Senate amendment 6 to **Senate Bill 101** by Senators Goyke, Moody, McCallum, Bear and Offner.

Senate amendment 2 to **Senate Bill 112** by Senator Murphy.

Senate amendment 2 to **Senate Bill 127** by Senator Berger.

Senate amendment 1 to **Senate Bill 222** by Senator Van Sistine.

Senate amendment 2 to **Senate Bill 222** by Senator Van Sistine.

Senate amendment 1 to **Senate Bill 169** by Senator Murphy.

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CITATIONS

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MOTIONS UNDER SENATE RULE 97

Adopted:

A Certificate of Congratulations by Senator Radosevich for the **GIRL SCOUT COUNCIL OF ST. CROIX VALLEY** at the dedication of their energy-efficient headquarters;

A Certificate of Commendation by Senator Lasee for **ROY HOAGUE** on the occasion of his retirement in the Soil Conservation Service;

and

A Certificate of Congratulations by Senator Bear for **JOHN CORDIO** on his notable achievements as **DECA** President at LaFollette High School.

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MOTIONS UNDER JOINT RULE 7

Adopted:

A Joint Certificate of Congratulations by Senator Adelman and Representative Rutkowski for FATHER FRANCIS DRABINOWICZ on the occasion of his 45th anniversary of his ordination;

A Joint Certificate of Congratulations by Senator Adelman and Representative Rutkowski for JEROME HOLZ on receiving the Time Magazine Quality Dealer Award;

and

A Joint Certificate of Commendation by Senator Bablitch and Representative Helbach for NICK CHECK on the occasion of his retirement after 27 years of law enforcement work in the State of Wisconsin.

Concurred in:

A Joint Certificate of Congratulations by Representatives Munts and Clarenbach, cosponsored by Senator Risser, for DR. WILL YLITALO, M.D. on the occasion of being selected "Outstanding Pediatrician of the Year";

A Joint Certificate of Commendation by Representative Gerlach, cosponsored by Senator Frank, for FRANK WELLSTEIN on the occasion of 13 years of service as City Engineer for the City of Oak Creek;

A Joint Certificate of Congratulations by Representative Rooney, cosponsored by Senator Strohl, for BART AYERS on receiving the Junior Fire Marshall Silver Medal;

A Joint Certificate of Commendation by Representative Helbach, cosponsored by Senator Bablitch, for CHARLOTTE (Charlie) BROWN for her community-minded service;

A Joint Certificate of Commendation by Representatives Lorman, Luckhardt and Radtke, cosponsored by Senator Bear, for ST. COLETTA'S SCHOOL OF JEFFERSON on the occasion of its 75th anniversary;

and



JOURNAL OF THE SENATE [May 22, 1979]

A Joint Certificate of Commendation by Representative Byers, cosponsored by Senator Lorge, in memory of THEODORE ABRAHAMSON and his many contributions.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Thursday, May 24.

5:57 P.M.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Bill 162**

1. On page 4, line 9, delete "may".

**Senate Bill 219**

2. On page 16, line 4, delete "such cases."