

STATE OF WISCONSIN

Senate Journal

Eighty-Fourth Regular Session

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THURSDAY, June 28, 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 -- None.

The senate stood for the prayer which was offered by Pastor Marvin Proctor, pastor of the First Church of God in Madison.

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

By request of Senator Bablitch, with unanimous consent, the rules were suspended and the appointments of James Elliot, Philip Hendrickson, Viggo Rasmusen and Marilyn Zirbel were placed under the sixth order of business for the calendar of June 28.

Senator Bablitch asked unanimous consent that the rules be suspended and **Senate Bill 79** be made a Special Order of Business at 10:30 A.M. on the calendar of June 28.

Senator Bidwell objected.

Senator Bablitch moved that the rules be suspended and **Senate Bill 79** be made a Special Order of Business at 10:30 A.M. on the calendar of June 28.

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By request of Senator Lasee, with unanimous consent, the Senate recessed until 10:31 A.M.

10:18 A.M.

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RECESS

10:31 A.M.

The senate reconvened.

The question was: Shall the rules be suspended and **Senate Bill 79** be placed on the calendar of June 28?

The ayes and noes were required and the vote was: ayes, 29; noes, 3; absent or not voting, 0; as follows:

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

Noes -- Senators Bidwell, Murphy and Opitz -- 3.

Absent or not voting -- None.

More than two-thirds having voted in the affirmative, the rules were suspended and **Senate Bill 79** was made a Special Order of Business at 10:30 A.M.

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INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 284**

Relating to exempting bicycles from sales and use taxes.

By Senator Strohl, by request of E. John Graham.

To Joint Survey Committee on Tax Exemptions.

**Senate Bill 285**

Relating to authorization for electors to vote in the primary of more than one political party.

By Senators Strohl, Swan and Maurer.

To committee on Governmental and Veterans Affairs.

**Senate Bill 286**

Relating to reimbursing local units of government for ambulance service on state highways and making an appropriation.

By Senator Bear; cosponsored by Representatives D. Travis and Everson.

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

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**COMMITTEE REPORTS**

The joint committee on Revisions, Repeals and Uniform Laws reports and recommends for introduction:

**Senate Bill 287**

Relating to uniform international wills.

Introduction:

Ayes, 5 -- Senators Strohl and Lorge, Representatives Andrea, Shoemaker and Harer;

Noes, 0 -- None.

Read first time and referred to joint committee on Revisions, Repeals and Uniform Laws.

**JOE STROHL**  
Co-Chair

**JOSEPH ANDREA**  
Co-Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

**Senate Bill 244**

Relating to the state open housing law.

Introduction of senate substitute amendment 1:

Ayes, 5 -- Senators Adelman, Bear, Harnisch, Braun and Murphy;

Noes, 0 -- None.

**Assembly Bill 258**

Relating to delivery of goods sold by mail or telephone or by any other means, other than face-to-face contact, and providing a penalty.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Adelman, Bear, Harnisch, Braun and Murphy;

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**Noes, 0 -- None.**

**Concurrence as amended:**

**Ayes, 4 -- Senators Adelman, Bear, Braun and Harnisch:**

**Noes, 1 -- Senator Murphy.**

**LYNN S. ADELMAN**

**Chair**

**The committee on Education and Revenue reports and recommends:**

**RASMUSEN, VIGGO R., of Onalaska, as a member of the Educational Communications Board, to succeed Michael Mervis, to serve for the term ending May 1, 1983.**

**Confirmation:**

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

**Noes, 0 -- None.**

**ZIRBEL, MARYLIN M., of Bristol, as a member of the State Board of Vocational, Technical and Adult Education, to succeed Irma West, to serve for the term ending May 1, 1985.**

**Confirmation:**

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

**Noes, 0 -- None.**

**HENDRICKSON, PHILIP J., of Green Bay, as a member of the State Board of Vocational, Technical and Adult Education, to succeed Maynard Whitebird, to serve for the term ending May 1, 1985.**

**Confirmation:**

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

**Noes, 0 -- None.**

**ELLIOT, JAMES N., of Milwaukee, as a member of the State Board of Vocational, Technical and Adult Education, to succeed himself, to serve for the term ending May 1, 1985.**

**Confirmation:**

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

**Noes, 0 -- None.**

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**Assembly Bill 361**

Relating to the payment of special distributions of metalliferous minerals net proceeds tax revenue to eligible school districts and towns.

Concurrence:

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

Noes, 0 -- None.

GARY R. GOYKE  
Chair

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CALENDAR OF JUNE 28

ELLIOT, JAMES N., of Milwaukee, as a member of the State Board of Vocational, Technical and Adult Education, to succeed himself, to serve for the term ending May 1, 1985.

Read.

HENDRICKSON, PHILIP J., of Green Bay, as a member of the State Board of Vocational, Technical and Adult Education, to succeed Maynard Whitebird, to serve for the term ending May 1, 1985.

Read.

RASMUSEN, VIGGO R., of Onalaska, as a member of the Educational Communications Board, to succeed Michael Mervis, to serve for the term ending May 1, 1983.

Read.

ZIRBEL, MARYLIN M., of Bristol, as a member of the State Board of Vocational, Technical and Adult Education, to succeed Irma West, to serve for the term ending May 1, 1985.

Read.

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

The question was: Shall the appointments be confirmed?

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Harnisch, Johnston,

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

Noes -- None.

Absent or not voting -- None.

So the appointments were confirmed enmasse.

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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 amended and concurred in as amended:

**Senate Bill 79**

Assembly amendments 21, 23, 24, 25, 26, 27, 30, 31 and 36 to assembly amendment 444

Assembly amendment 444

Assembly amendment 445

By request of Senator Bablitch, with unanimous consent, the senate proceeded to the eleventh order of business.

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CALENDAR OF JUNE 28

**Senate Bill 164**

Relating to detention, commitment and treatment of alcoholics and other drug abusers and providing a penalty.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bills 164, 196 and 208** were referred to joint committee on Finance.

Senator Bablitch called the chair's attention to the Special Order of Business at 10:30 A.M.

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SPECIAL ORDERS

**Senate Bill 79**

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

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Read.

Senate amendment 1 to assembly amendment 444 offered by Senator Flynn.

By request of Senator Maurer, with unanimous consent, the Senate recessed until 5:50 P.M.

10:42 A.M.

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RECESS

5:50 P.M.

The senate reconvened.

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AMENDMENTS OFFERED

Senate amendment 2 to assembly amendment 444 to **Senate Bill 79** by Senator Risser.

Senate amendment 3 to assembly amendment 444 to **Senate Bill 79** by Senator Opitz.

Senate amendment 4 to assembly amendment 444 to **Senate Bill 79** by Senators Opitz, Bidwell, Murphy, Lorge, Kreul, Lasee, Krueger, Theno and Chilsen.

Senate amendment 5 to assembly amendment 444 to **Senate Bill 79** by Senator Opitz.

Senate amendment 6 to assembly amendment 444 to **Senate Bill 79** by Senator Lorge.

Senate amendment 7 to assembly amendment 444 to **Senate Bill 79** by Senator Lorge.

Senate amendment 8 to assembly amendment 444 to **Senate Bill 79** by Senator Murphy.

Senate amendment 9 to assembly amendment 444 to **Senate Bill 79** by Senator Murphy.

Senate amendment 10 to assembly amendment 444 to **Senate Bill 79** by Senator Murphy.

Senate amendment 11 to assembly amendment 444 to **Senate Bill 79** by Senator Murphy.

Senate amendment 1 to **Assembly Bill 711** by Senator Krueger.

Senate amendment 2 to **Assembly Bill 711** by Senator Krueger.

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Senate amendment 1 to **Senate Bill 154** by Senator Opitz.

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

Senate amendment 2 to senate substitute amendment 1 to **Senate Bill 244** by Senator Murphy.

Senate amendment 3 to senate substitute amendment 1 to **Senate Bill 244** by Senator Murphy.

Senate amendment 4 to senate substitute amendment 1 to **Senate Bill 244** by Senator Murphy.

Senate substitute amendment 1 to **Assembly Bill 77** by Senator Berger.

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CITATIONS

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MOTIONS UNDER SENATE RULE 97

Adopted:

A Certificate of Condolences by Senator Harnisch for the **FAMILY OF MAHLON E. STUBRUD** on the occasion of his death;

A Certificate of Commendation by Senator Van Sistine for **EDMUND WILLIAM** and **CECELIA HEIMBACH BRISSETTE** on the occasion of their 50th wedding anniversary;

A Certificate of Commendation by Senators Krueger and Thompson for **HENRY BERQUIST** on the occasion of his retirement from the Wisconsin Board on Aging;

A Certificate of Commendation by Senator Radosevich for **MILLARD NELSON** for his extensive conservation efforts in Pierce County;

and

A Certificate of Congratulations by Senator Lasee for the **GIBRALTAR HIGH SCHOOL** on winning the WIAA State Class C Baseball Title.



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MOTIONS UNDER JOINT RULE 7

Adopted:

A Joint Certificate of Congratulations by Senator Lasee and Representative Fischer for the CITY OF KIEL on the occasion of its 125th anniversary.

Concurred in:

A Joint Certificate of Commendation by Representatives Barczak and Rutkowski and Senator Adelman for JOHN J. CZAJKA, M.D., on the occasion of being named the recipient of 1979 Sertoma International Service to Mankind Award;

A Joint Certificate of Congratulations by Representative Kincaid and Senator Krueger for MRS. ELEANOR ELLIS on the occasion of the christening of the Eleanor Ellis Library;

and

A Joint Certificate of Commendation by Representative Schneider and Senator Harnisch for DAVID EBSEN on the occasion of his life-saving action.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Friday, June 29.

5:51 P.M.