

JOURNAL OF THE SENATE

**Eighty-Fourth Regular Session**

WEDNESDAY, September 26, 1979.

The chief clerk makes the following entries under the above date.

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INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 344**

Relating to various changes in crime victims compensation.

By Senators Flynn, Moody, Braun, Risser, Bear, Berger, Harnisch, Adelman, Thompson and Cullen; cosponsored by Representatives Ulichny, Munts, Tuczynski, Leopold, Wahner, Lorman, Metz, Ferrall, Lee, D. Travis, Kedrowski and Smith.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 345**

Relating to crime victims compensation, creating a crime victims compensation board and making appropriations.

By Senators Flynn, Moody, Braun, Risser, Bear, Berger, Adelman and Thompson; cosponsored by Representatives Ulichny, Munts, Metz, Tuczynski, Leopold, Ferrall, Rooney, Wahner, McClain, D. Travis, Kedrowski, Smith and Lorman.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 346**

Relating to construction of nuclear electric generating facilities and providing for a study.

By Senators Risser, Bablitch, Strohl, Braun, Moody, Berger, Radosevich, Flynn and Thompson; cosponsored by Representatives Jackamonis, Wahner, Clarenbach, Metz, Wood, Rogers, Flintrop, D. Travis, Soucie, Loftus, Ulichny, Smith, Gerlach and Munts.

To committee on Insurance and Utilities.

**Senate Bill 347**

Relating to permitting a village with a population of less than 5,000 to elect to participate in the Wisconsin retirement fund with respect to only a portion of its employees.

By Senators Strohl and Offner.

To Joint Survey Committee on Retirement Systems.

## JOURNAL OF THE SENATE

### **Senate Bill 348**

Relating to including as an authorized emergency vehicle privately owned vehicles used by paramedics or ambulance attendants.

By Senator Kreul.

To committee on Human Services.

### **Senate Bill 349**

Relating to alternative or experimental private sewage systems and granting rule-making authority.

By Senator Kreul.

To committee on Agriculture, Labor and Local Affairs.

### **Senate Bill 350**

Relating to granting prior service credit under the Wisconsin retirement fund for certain service as a county employe and making an appropriation.

By Senator Maurer.

To Joint Survey Committee on Retirement Systems.

### **Senate Bill 351**

Relating to mortgage certificates to finance municipal improvements in public utilities.

By Senator Maurer; cosponsored by Representatives Dorf, Andrea and Wagner.

To committee on Agriculture, Labor and Local Affairs.

### **Senate Bill 352**

Relating to requiring completion of a hunter safety education course before issuance of a hunting license.

By Senators Adelman, Harnisch and Braun.

To committee on Natural Resources and Tourism.

### **Senate Bill 353**

Relating to the disposal of fuel tanks by junkyards and providing a penalty.

By Senator Braun.

To committee on Agriculture, Labor and Local Affairs.

# JOURNAL OF THE SENATE

## COMMITTEE REPORTS

The committee on Senate Organization reports and recommends for introduction:

### **Senate Resolution 6**

Relating to the number of members on senate standing committees.

Introduction:

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

Noes, 0 -- None.

Read and referred to committee on Senate Organization.

FRED A. RISSER

Chair

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

### **Senate Bill 354**

Relating to the establishment of the school calendar by a school board.

By request of the Wisconsin Association of School Boards, Inc.

Introduction:

Ayes, 4 -- Senators Goyke, Offner, Bear and McCallum;

Noes, 1 -- Senator Moody.

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

GARY R. GOYKE

Chair

The Senate Select Energy Committee reports and recommends for introduction:

### **Senate Bill 355**

Relating to broadening the emergency fuel assistance law.

Introduction:

Ayes, 4 -- Senators Harnisch, Braun, Strohl, and McCallum;

Noes, 0 -- None.

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

THOMAS W. HARNISCH

Chair

## JOURNAL OF THE SENATE

The joint committee on Finance reports and recommends:

### **Senate Bill 19**

Relating to raising the drinking age to 19 and providing a penalty.

Introduction and adoption of senate amendment 1:

Ayes, 14 -- Senators Kleczka, Maurer, Flynn, Offner, Braun, Radosevich, Chilsen and Representatives Johnson, Otte, Roberts, Lingren, Norquist, Kirby and Ellis.

Noes, 0 -- None.

Introduction and adoption of senate amendment 2:

Ayes, 14 -- Senators Kleczka, Maurer, Flynn, Offner, Braun, Radosevich, Chilsen and Representatives Johnson, Otte, Roberts, Lingren, Norquist, Kirby and Ellis.

Noes, 0 -- None.

Introduction and adoption of senate amendment 3:

Ayes, 12 -- Senators Kleczka, Maurer, Offner, Braun, Radosevich and Representatives Johnson, Otte, Roberts, Lingren, Norquist, Kirby and Ellis.

Noes, 2 -- Senators Flynn and Chilsen.

Introduction and adoption of senate amendment 4:

Ayes, 8 -- Senators Kleczka, Flynn, Offner, Chilsen and Representatives Otte, Norquist, Kirby and Ellis.

Noes, 6 -- Senators Maurer, Braun, Radosevich and Representatives Johnson, Roberts and Lingren.

Passage as amended:

Ayes, 10 -- Senators Kleczka, Maurer, Flynn, Offner, Radosevich, Chilsen and Representatives Otte, Lingren, Norquist and Ellis.

Noes, 4 -- Senator Braun and Representatives Johnson, Roberts and Kirby.

GERALD D. KLECZKA

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

### **Senate Bill 244**

Relating to the state open housing law.

Adoption of senate amendment 4 to senate substitute amendment 1:

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

## JOURNAL OF THE SENATE

Noes, 0 -- None.

Introduction and adoption of senate amendment 5 to senate substitute amendment 1:

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

Noes, 0 -- None.

Introduction and adoption of senate amendment 6 to senate substitute amendment 1:

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

Noes, 0 -- None.

Adoption of senate substitute amendment 1 as amended:

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

Noes, 1 -- Senator Murphy.

Passage as amended:

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

Noes, 1 -- Senator Murphy.

### **Assembly Bill 105**

Relating to requiring counties to reimburse deputy sheriffs for attorney fees, costs and judgments in civil actions.

Concurrence:

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

Noes, 0 -- None.

LYNN S. ADELMAN

Chair

# JOURNAL OF THE SENATE

## PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Claims Board

September 18, 1979.

Don Schneider  
Senate Chief Clerk  
State Capitol  
Madison, Wisconsin 53702

Dear Mr. Schneider:

Enclosed is the report of the State Claims Board covering claims heard on August 31, 1979.

The amounts recommended for payment under \$1000 on claims included in this report have, under the provisions of s. 16.007, Wisconsin Statutes, been paid directly by the Board.

The Board is preparing the bill(s) on the recommended award(s) over \$1,000, and will submit such to the Joint Finance Committee for legislative introduction.

This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the Journal to inform the members of the Legislature.

Sincerely,  
EDWARD D. MAIN  
Secretary

### BEFORE THE CLAIMS BOARD OF WISCONSIN

The Claims Board conducted hearings at the State Capitol Building, Madison, Wisconsin, on August 31, 1979, upon the claim of Sarah Fabio.

#### THE BOARD FINDS:

Sarah Fabio claimed \$61,510.74 because of denial of income continuation benefits after she became seriously ill and was unable to continue her employment as an assistant professor at the University of Wisconsin-Madison. The claim was reduced to \$61,201.11 at the hearing. Employees in the claimant's department at the university erroneously told the claimant that she was not eligible for income

## JOURNAL OF THE SENATE

continuation insurance, and the claimant relied on such statements. The result was that the claimant did not apply for the insurance while she was eligible for it without proof of insurability, and when she learned of the error she was no longer insurable.

The amount of the claim is based on the monthly insurance benefit the claimant would have received had she been insured, extended over a period of five years from June 27, 1979, less the insurance premiums of \$309.63 which she would have paid. The Board concludes that the claim should be paid on equitable principles and on the following terms:

1. Payments of \$1,000.00 per month should be made to the claimant, effective as of June 27, 1979; but
2. No payments should be made unless the claimant is living when an act authorizing such payments becomes effective; and
3. No payments should be made after her death; and
4. In the event that the claimant is able to return to work, no payment shall be made beyond that to which she would have been entitled had she had the income continuation insurance; and
5. No more than \$60,000.00 should be paid on the claim.

Dated at Madison, Wisconsin, this 18th day of September, 1979.

**GERALD D. KLECZKA**  
Senate Finance Committee

**VIRGIL D. ROBERTS**  
Assembly Finance Committee

**LAURIE ANN RIACH**  
Representative of Governor

**EDWARD D. MAIN**  
Representative of Secretary of  
Administration

**E. WESTON WOOD**  
Representative of Attorney  
General

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EXECUTIVE COMMUNICATIONS

# JOURNAL OF THE SENATE

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

September 6, 1979.

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate do appoint Vernon Barber of Racine as a member of the Wisconsin Waterways Commission to succeed George Nau Burridge of Green Bay, pursuant to the statutes governing, to serve for the term ending March 1, 1984.

Sincerely,

LEE SHERMAN DREYFUS

Governor

Read and referred to committee on Natural Resources and Tourism.

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**AMENDMENTS OFFERED**

Senate substitute amendment 1 to **Senate Bill 30** by Senator Berger

Senate amendment 1 to **Senate Bill 188** by Senator Risser.

Senate amendment 1 to **Senate Bill 220** by Senator McCallum.

Senate amendment 1 to **Senate Bill 323** by Senator Risser.

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**CITATIONS**

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**MOTIONS UNDER SENATE RULE 97**

Adopted

A Certificate of Commendation by Senator Risser for **KURT F. WENDT** on his retirement.

A Certificate of Commendation by Senator Lasee for **JOSEPH BACHNIK** on his retirement.

A Certificate of Congratulations by Senator Braun and Representative Becker for **SMALL IS BEAUTIFUL DAYS** in Milwaukee.



## JOURNAL OF THE SENATE

A Certificate of Commendation by Senator Radosevich for LEROY LEE on his retirement.

A Certificate of Commendation by Senator Radosevich and Representative Harsdorf for ED LINSE for his community involvement.

A Certificate of Commendation by Senator Kreul and Representative R. Travis for NANCY SPITZBARTH for the Grand Champion Market Hog at the Wisconsin State Fair.

A Certificate of Commendation by Senator Kreul and Representative R. Travis for GREG GRISWOLD for the Grand Champion Steer at the Wisconsin State Fair.

A Certificate of Commendation by Senators Bablitch and Moody for WISCONSIN MEMBERS OF THE PEACE CORPS.

A Certificate of Commendation by Senator Radosevich for CARL SYNSTAD on his retirement.

A Certificate of Commemoration by Senator Risser for JOHN WHITMORE on his retirement.

A Certificate of Congratulations by Senator Radosevich for MRS. AMELIA MUELLER on her 100th birthday.

A Certificate of Commendation by Senator Radosevich for WALKER WYMAN on his appointment as Wisconsin State Folklorist.

A Certificate of Congratulations by Senator Radosevich for DR. ERNEST M. (DUKE) DRURY on his retirement.

A Certificate of Commemoration by Senator Goyke for WILLIS DIVALL on his retirement.

A Certificate of Commendation by Senator Maurer for IDA LINDGREN MILLER on her retirement.

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### CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

#### **Senate Bill 328**

1. On page 3, line 10, delete the text beginning with "is 20.566" and ending with "1979," on line 11.