

STATE OF WISCONSIN

**Senate Journal**

**Eighty-Fourth Regular Session**

---

THURSDAY, February 7, 1980.

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

Absent -- Senator Maurer -- 1.

Absent with leave -- None.

The senate stood for the prayer which was offered by Rabbi Manfred Swarsensky of Beth El Temple of Madison.

The senate remained standing and Senator Flynn 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 Maurer was granted a leave of absence for today's session.

---

INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 548**

Relating to establishing a decennial redistricting committee and making an appropriation.

By Senator Johnston.

JOURNAL OF THE SENATE [February 7, 1980]

To committee on Governmental and Veterans' Affairs.

**Senate Bill 549**

Relating to the applicability of subdivision regulation to condominiums.

By Senator Berger; copponsored by Representative Thompson.  
To committee on Agriculture, Labor and Local Affairs.

---

COMMITTEE REPORTS

The committee on Governmental and Veterans Affairs reports and recommends:

**CHECK, NICK**, of Stevens Point, as a member of the Bingo Control Board, to succeed Elvera Taylor, to serve for the term ending May 1, 1984.

Confirmation:

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

Noes, 0 -- None.

**GILBERT, E. REID**, of Spring Green, as a member of the Arts Board, to succeed William Kidd, to serve for the term ending May 1, 1982.

Confirmation:

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

Noes, 0 -- None.

**KRUESEL, MARVIN P.**, of Milwaukee, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to succeed Thomas Nehlson, to serve for the term ending July 1, 1982.

Confirmation:

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

Noes, 0 -- None.

**MILLER, DAVID ROSS**, of Stevens Point, as a member of the Veterans Affairs Board, to succeed Val W. Ove, to serve for the term ending May 1, 1985.

Confirmation:

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

Noes, 0 -- None.

JOURNAL OF THE SENATE [February 7, 1980]

WALLING, ESTHER K., of Neenah, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to succeed Kahtan Al Yasiri, to serve for the term ending July 1, 1982.

Confirmation:

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

Noes, 0 -- None.

MONROE SWAN

Chair

The committee on Governmental and Veterans Affairs reports and recommends:

**Senate Bill 419**

Relating to the term of appointment for the adjutant general.

Passage:

Ayes, 3 -- Senators Swan, Adelman and Johnston;

Noes, 3 -- Senators Roshell, Van Sistine and Lasee.

Without Recommendation

**Senate Bill 425**

Relating to the procedure for recall of city, village, town and school district officials.

Passage:

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

Noes, 0 -- None.

**Senate Bill 471**

Relating to increasing the minimum expenditure by a sewerage commission of a 1st class city for which competitive bids are required.

Passage:

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

Noes, 0 -- None.

**Assembly Bill 178**

Relating to filling civil service vacancies in 1st class cities.

Concurrence:

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

Noes, 0 -- None.

JOURNAL OF THE SENATE [February 7, 1980]

**Assembly Bill 560**

Relating to remedial legislation affecting the statutes regulating various occupations (suggested as remedial legislation by the department of regulation and licensing).

Concurrence:

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

Noes, 0 -- None.

MONROE SWAN  
Chair

---

PETITIONS AND COMMUNICATIONS

The University of Wisconsin System  
Vice President for General Services

January 31, 1980

Donald J. Schneider  
Senate Chief Clerk  
State Capitol  
Madison, Wisconsin

Dear Mr. Schneider:

Chapter 333, Laws of 1973, amended section 20.923(5), Wis. Stats., to require that the Board of Regents of the University of Wisconsin System assign specified titled positions to University of Wisconsin System salary ranges in whatever manner the Board determined. The Board is required under the subsection to file a report annually with the Governor and the Legislature.

A copy of this report may be obtained in Room 140, South.

Sincerely,  
ROBERT W. WINTER, JR.  
Vice President

---

CALENDAR OF FEBRUARY 7

RESCH, RICHARD J., of Green Bay, as a member of the Banking Review Board, to succeed Lester B. McAllister, to serve for the term ending May 1, 1984.

Read.

The question was: Confirmation of the appointment?

JOURNAL OF THE SENATE [February 7, 1980]

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- Senator Maurer -- 1.

So the appointment was 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 66**  
**Assembly Bill 248**  
**Assembly Bill 249**  
**Assembly Bill 386**  
**Assembly Bill 878**  
**Assembly Bill 900**  
**Assembly Bill 906**  
**Assembly Bill 952**  
**Assembly Bill 322**

Passed notwithstanding the objection of the Governor:

**Senate Bill 23**  
**Assembly Bill 312**

Nonconcurrent in:

**Assembly Bill 596, senate amendment 1**

---

MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 66**

Relating to licensure of nurse-midwives by the board of nursing, granting rule-making authority and providing penalties.

By Representative Hauke, by request of Lynne Koconis.

Read first time and referred to committee on Human Services.

**Assembly Bill 248**

Relating to periods when vehicle lamps are required to be lighted and providing a penalty.

By Representatives Behnke, Vanderperren, Menos, Lallensack, Hauke, Barczak, Kincaid, Smith and Duren, co-sponsored by Senator Flynn.

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

**Assembly Bill 249**

Relating to the recruitment of strike breakers for employment and providing a penalty.

By Representatives Behnke, Medinger, Pabst, Wood, Dorff, Andrea, Potter and Soucie.

Read first time and referred to committee on Agriculture, Labor and Local Affairs.

**Assembly Bill 386**

Relating to limitations on veterans' housing loans.

By Representatives Lallensack, Hephner, Andrea, Vanderperren, Smith, R. Travis, Conradt, Byers, Paulson, Murray, Kincaid and Schneider.

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

**Assembly Bill 878**

Relating to the financial interest of members of the public service commission, warning signs for electric lines and assessment of costs of commission investigations of sewerage systems (suggested as remedial legislation by the public service commission).

By Committee on Remedial Legislation.

Read first time and referred to committee on Insurance and Utilities.

**Assembly Bill 900**

Relating to civil damages for violations of certain laws governing motor vehicle dealers and salesmen.

By Committee on Commerce and Consumer Affairs, by request of Attorney General Bronson C. La Follette.

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

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 900** was withdrawn from committee on Aging, Business and Financial Institutions and referred to committee on Senate Organization.

JOURNAL OF THE SENATE [February 7, 1980]

**Assembly Bill 906**

Relating to revising the penalty for giving or accepting any thing of value to induce approval of a loan from a savings and loan association or bank.

By Committee on Criminal Justice and Public Safety, by request of Attorney General Bronson C. La Follette.

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

**Assembly Bill 952**

Relating to entry into locked buildings or dwellings and providing a penalty.

By Representative Everson.

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

**Assembly Bill 322**

Relating to partisan primary elections, special elections, election officials, ballots, nominations, canvassing, recounts, vacancies, referenda, voting procedure, residency, notices and administration of elections and making an appropriation.

By Committee on Elections, by request of the State Elections Board.

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

Senator Swan asked unanimous consent that **Assembly Bill 322** be withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Governmental and Veterans' Affairs.

Senator Bablitch objected.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 322** was withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Senate Organization.

---

CALENDAR OF FEBRUARY 7

**Senate Joint Resolution 2**

To amend section 15 of article IV of the constitution so as in effect to repeal said section, relating to legislative immunity from arrest and civil process (1st consideration).

Read a second time.

Senate amendment 1 offered by Senator Berger.

JOURNAL OF THE SENATE [February 7, 1980]

The question was: Adoption of senate amendment 1?

Senator Kleczka moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 24; noes, 8; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Bidwell, Chilsen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, McCallum, Moody, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Theno and Van Sistine -- 24.

Noes -- Senators Berger, Braun, Cullen, Lasee, Lorge, Murphy, Swan and Thompson -- 8.

Absent or not voting -- Senator Maurer -- 1.

So the motion prevailed.

Senator Swan moved that **Senate Joint Resolution 2** be referred to committee on Governmental and Veterans' Affairs.

The question was: Shall **Senate Joint Resolution 2** be referred to committee on Governmental and Veterans' Affairs?

The ayes and noes were demanded and the vote was: ayes, 5; noes, 27; absent or not voting, 1; as follows:

Ayes -- Senators Berger, Chilsen, Lorge, Murphy and Swan -- 5.

Noes -- Senators Adelman, Bablitch, Bear, Bidwell, Braun, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, McCallum, Moody, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 27.

Absent or not voting -- Senator Maurer -- 1.

So the motion did not prevail.

Senator Chilsen moved that **Senate Joint Resolution 2** be referred to committee on Judiciary and Consumer Affairs.

The question was: Shall **Senate Joint Resolution 2** be referred to committee on Judiciary and Consumer Affairs?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 12; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Cullen, Flynn, Hanaway, Harnisch, Kreul, Krueger, Lasee, Lorge,



JOURNAL OF THE SENATE [February 7, 1980]

McCallum, Murphy, Opitz, Roshell, Swan, Thompson and Van Sistine -- 20.

Noes -- Senators Bear, Bidwell, Frank, Goyke, Johnston, Kleczka, Moody, Offner, Radosevich, Risser, Strohl and Theno -- 12.

Absent or not voting -- Senator Maurer -- 1.

So the motion prevailed.

**Senate Bill 195**

Relating to increasing the income tax exemption for federal civil service retirement annuities.

Read a second time.

The question was: Adoption of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 19; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Berger, Bidwell, Braun, Hanaway, Johnston, Lorge, McCallum, Moody, Offner, Risser and Strohl -- 12.

Noes -- Senators Bablitch, Bear, Chilsen, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Kreul, Krueger, Lasee, Murphy, Opitz, Roshell, Swan, Theno, Thompson and Van Sistine -- 19.

Absent or not voting -- Senators Maurer and Radosevich -- 2.

So the motion did not prevail.

The question was: Adoption of senate amendment 3?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 18; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Berger, Braun, Hanaway, Johnston, Lasee, Lorge, McCallum, Moody, Offner, Opitz, Risser, Strohl and Thompson -- 14.

Noes -- Senators Bablitch, Bear, Bidwell, Chilsen, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Kreul, Krueger, Murphy, Radosevich, Roshell, Swan, Theno and Van Sistine -- 18.

Absent or not voting -- Senator Maurer -- 1.

So the motion did not prevail.

The question was: Adoption of senate amendment 4?

By request of Senator Radosevich, with unanimous consent, the journal showed that had she been present she would have voted "no" on the adoption of senate amendment 2 to **Senate Bill 195**.

The question was: Adoption of senate amendment 4?  
Adopted.

JOURNAL OF THE SENATE [February 7, 1980]

Senate amendment 5 offered by Senator Offner.

The question was: Adoption of senate amendment 5?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Berger, Bidwell, Braun, Hanaway, Harnisch, Johnston, Kreul, Lasee, Lorge, McCallum, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Theno and Thompson -- 19.

Noes -- Senators Bablitch, Bear, Chilsen, Cullen, Flynn, Frank, Goyske, Kleczka, Krueger, Murphy, Opitz, Swan and Van Sistine -- 13.

Absent or not voting -- Senator Maurer -- 1.

So the motion prevailed.

Senate amendment 6 offered by Senator Berger.

The question was: Adoption of senate amendment 6?

Senator Cullen moved rejection of senate amendment 6.

The question was: Rejection of senate amendment 6?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 18; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Bear, Chilsen, Cullen, Flynn, Frank, Goyske, Harnisch, Kleczka, Krueger, Lasee, Murphy, Roshell and Van Sistine -- 14.

Noes -- Senators Adelman, Berger, Bidwell, Braun, Hanaway, Johnston, Kreul, Lorge, McCallum, Moody, Offner, Opitz, Radosevich, Risser, Strohl, Swan, Theno and Thompson -- 18.

Absent or not voting -- Senator Maurer -- 1. t 1

So the motion did not prevail.

The question was: Adoption of senate amendment 6?

Adopted.

Ordered to a third reading.

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

**Senate Bill 195**

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 4; absent or not voting, 1; as follows:

## JOURNAL OF THE SENATE [February 7, 1980]

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Moody, Murphy, Opitz, Radosevich, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 28.

Noes -- Senators Braun, McCallum, Offner and Risser -- 4.

Absent or not voting -- Senator Maurer -- 1.

So the bill passed.

### Senate Bill 257

Relating to the unfair sales act, providing a penalty and making an appropriation.

Read a second time.

Senator Kleczka asked unanimous consent that **Senate Bill 257** be referred to joint committee on Finance.

Senator Cullen objected.

Senator Kleczka moved that **Senate Bill 257** be referred to joint committee on Finance.

The question was: Shall **Senate Bill 257** be referred to joint committee on Finance?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 9; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bear, Braun, Chilsen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Strohl, Thompson and Van Sistine -- 22.

Noes -- Senators Bablitch, Berger, Bidwell, Cullen, Lasee, Lorge, McCallum, Roshell and Theno -- 9.

Absent or not voting -- Senators Maurer and Swan -- 2.

So the motion prevailed.

By request of Senator Bablitch, with unanimous consent, the senate returned to the eighth order of business.

---

## MOTIONS

Senator Adelman asked unanimous consent that **Senate Bill 479** be withdrawn from committee on Judiciary and Consumer Affairs and referred to joint committee on Finance.

JOURNAL OF THE SENATE [February 7, 1980]

Senator Berger objected.

Senator Adelman asked unanimous consent that **Senate Bill 428** be withdrawn from committee on Judiciary and Consumer Affairs and referred to joint committee on Finance.

Senator Berger objected.

---

LEAVE OF ABSENCE

By request of Senator Bidwell, with unanimous consent, he was granted a leave of absence at 5:00 P.M. for the balance of the day.

By request of Senator Bablitch, with unanimous consent, the senate recessed until 4:00 P.M.

12:12 P.M.

---

RECESS

4:00 P.M.

The senate reconvened.

QUORUM CALL

Senator Berger called the attention of the chair to the possible lack of a quorum.

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

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

Noes -- None.

Absent or not voting -- Senators Chilsen, Krueger and Maurer -- 3.

**Senate Bill 478**

Relating to requiring inclusion of a conspicuous statement and warning on documents furnished by brokers or salespersons for use as listing contracts or offers to purchase, requiring real estate brokers and salespersons to use forms approved by the real estate examining board, requiring the real estate examining board to approve only forms which are written in plain language and legible, prohibiting discrimination by real estate brokers or salespersons and granting rule-making authority.

Read a second time.

Senate substitute amendment 1 offered by Senators Goyke, Bear and Harnisch.

Senate amendment 1 to senate substitute amendment 1 offered by Senators Harnisch, Bear and Goyke.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Senator Braun moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

---

**LEAVE OF ABSENCE**

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

The question was: Rejection of senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 13; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Johnston, Kleczka, McCallum, Moody, Offner, Radosevich, Risser, Strohl, Thompson and Van Sistine -- 18.

Noes -- Senators Bear, Frank, Goyke, Hanaway, Harnisch, Kreul, Lasee, Lorge, Murphy, Opitz, Roshell, Swan and Theno -- 13.

Absent or not voting -- Senators Krueger and Maurer -- 2.

So the motion prevailed.

Senate amendment 1 offered by Senator Murphy.

The question was: Adoption of senate amendment 1?  
Adopted.

JOURNAL OF THE SENATE [February 7, 1980]

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 478**

Read a third time.

The ayes and noes were required and the vote was: ayes, 18; noes, 13; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Johnston, Kleczka, McCallum, Moody, Offner, Radosevich, Risser, Strohl and Thompson -- 18.

Noes -- Senators Frank, Goyke, Hanaway, Harnisch, Kreul, Lasee, Lorge, Murphy, Opitz, Roshell, Swan, Theno and Van Sistine -- 13.

Absent or not voting -- Senators Krueger and Maurer -- 2.

So the bill passed.

**Assembly Joint Resolution 54**

Relating to removing obsolete provisions of the state constitution regarding elections and suffrage, and creating a new article on suffrage (first consideration).

Read a second time.

Ordered to a third reading.

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

**Assembly Joint Resolution 54**

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

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

Noes -- None.

Absent or not voting -- Senators Cullen, Krueger and Maurer -- 3.

So the resolution was concurred in.

**Assembly Joint Resolution 71**

Relating to the deletion from the constitution of unnecessary latin terms, and removing an obsolete limitation from the impeachment procedure (first consideration).

Read a second time.

## JOURNAL OF THE SENATE [February 7, 1980]

Ordered to a third reading.

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

### **Assembly Joint Resolution 71**

Read a third time.

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

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

Noes -- Senators Chilsen and Goyke -- 2.

Absent or not voting -- Senators Krueger and Maurer -- 2.

So the resolution was concurred in.

### **Assembly Bill 313**

Relating to reimbursement for clothing for crime victims.

Read a second time.

By request of Senator Adelman, with unanimous consent, senate amendment 1 was returned to the author.

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 313**

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 1; absent or not voting, 3; as follows:

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

Noes -- Senator Lasee -- 1.

Absent or not voting -- Senators Kleczka, Krueger and Maurer -- 3.

So the bill was concurred in.

**JOURNAL OF THE SENATE [February 7, 1980]**

**Assembly Bill 326**

Relating to claim procedures against government entities and employes, and statutes of limitation.

Read a second time.

Senate amendment 1 to senate amendment 2 offered by Senator Adelman.

The question was: Adoption of senate amendment 1 to senate amendment 2?

Adopted.

The question was: Adoption of senate amendment 2?

Adopted.

Senate amendment 3 offered by Senator Adelman.

The question was: Adoption of senate amendment 3?

Adopted.

---

**LEAVE OF ABSENCE**

By request of Senator Flynn, with unanimous consent, Senators Roshell and Bablitch were granted a leave of absence for the balance of the day.

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 326**

Read a third time.

The ayes and noes were required and the vote was: ayes, 23; noes, 4; absent or not voting, 6; as follows:

Ayes -- Senators Adelman, Bear, Braun, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Lasee, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Strohl, Swan, Theno, Thompson and Van Sistine -- 23.

Noes -- Senators Berger, Chilsen, Kreul and Lorge -- 4.

Absent or not voting -- Senators Bablitch, Bidwell, Krueger, McCallum, Maurer and Roshell -- 6.

So the bill was concurred in as amended.



JOURNAL OF THE SENATE [February 7, 1980]

**Assembly Bill 337**

Relating to remedial legislation for the department of agriculture, trade and consumer protection, including abolishing the council on food standards (suggested as remedial legislation by the department of agriculture, trade and consumer protection).

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 337**

Read a third time and concurred in.

**Assembly Bill 447**

Relating to the age for application for an identification card.

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 447**

Read a third time and concurred in.

**Assembly Bill 456**

Relating to authorization of the department of industry, labor and human relations to make inspections regarding gasohol.

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 456**

Read a third time and concurred in.

**Assembly Bill 577**

Relating to the display of a red flag on a towed truck.

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 577**

Read a third time and concurred in.

**Assembly Bill 588**

Relating to establishing a 2-year statute of limitations for actions by a secured party to recover or for damages for certain sales of livestock and establishing a presumption of intent to defraud if secured livestock is transferred.

Read a second time.

JOURNAL OF THE SENATE [February 7, 1980]

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 588**

Read a third time and concurred in.

**Assembly Bill 612**

Relating to equipment standards for motor-driven cycles and providing a penalty.

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 612**

Read a third time and concurred in.

**Assembly Bill 672**

Relating to recording in municipal court.

Read a second time.

Senator Berger asked unanimous consent that senate amendment 1 be revived.

Senator Adelman objected.

Senator Berger moved that senate amendment 1 be revived.

The question was: Shall senate amendment 1 be revived?

The ayes and noes were demanded and the vote was: ayes, 7; noes, 21; absent or not voting, 5; as follows:

Ayes -- Senators Berger, Chilsen, Cullen, Lasec, Lorge, Murphy and Swan -- 7.

Noes -- Senators Adelman, Bear, Braun, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, McCallum, Moody, Offner, Opitz, Radosevich, Risser, Strohl, Theno, Thompson and Van Sistine -- 21.

Absent or not voting -- Senators Bablitch, Bidwell, Krueger, Maurer and Roshell -- 5.

So the motion did not prevail.

The question was: Adoption of senate amendment 2?

Adopted.

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 672**

Read a third time and concurred in.

**Assembly Bill 783**

Relating to fraud concerning the use of campgrounds and providing a penalty.

Read a second time.

The question was: Adoption of senate substitute amendment 1?  
Adopted.

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 783**

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 0; absent or not voting, 5; as follows:

Ayes -- Senators Adelman, Bear, Berger, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Lasee, Lorge, McCallum, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Strohl, Swan, Theno, Thompson and Van Sistine -- 28.

Noes -- None.

Absent or not voting -- Senators Bablitch, Bidwell, Krueger, Maurer and Roshell -- 5.

So the bill was concurred in as amended.

**Assembly Bill 793**

Relating to contributing to the delinquency of a minor.

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 793**

Read a third time and concurred in.

**Assembly Bill 813**

Relating to revising miscellaneous statutes affecting state administrative procedures.

Read a second time.

Senate amendment 1 offered by Senator Berger.

The question was: Adoption of senate amendment 1?

JOURNAL OF THE SENATE [February 7, 1980]

Senator Adelman raised the point of order that senate amendment 1 was not germane.

The chair took the point of order under advisement.

**Assembly Bill 887**

Relating to raising limitations on awards for loss of society and companionship.

Read a second time.

Senate amendment 1 offered by Senator Kleczka.

By request of Senator Flynn, with unanimous consent, **Assembly Bill 887** was laid on the table.

**Assembly Bill 894**

Relating to privileged communications involving an interpreter for a hearing impaired person.

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 894**

Read a third time and concurred in.

**Assembly Bill 972**

Relating to shielding a strobe light on a school bus.

Read a second time.

Ordered to a third reading.

Senator Flynn asked unanimous consent that the rules be suspended and the bill be read a third time.

Senator Cullen objected.

**Assembly Bill 777**

Relating to creating various alternative energy incentives, making appropriations and granting rule-making authority.

Read.

By request of Senator Flynn, with unanimous consent, **Assembly Bill 777** was laid on the table.

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

Senator Flynn asked unanimous consent that the senate return to the eighth order of business.

## JOURNAL OF THE SENATE [February 7, 1980]

Senator Berger objected.

Senator Flynn moved that the rules be suspended and the senate return to the eighth order of business.

The question was: Shall the rules be suspended and the senate return to the eighth order of business?

The ayes and noes were required and the vote was: ayes, 21; noes, 7; absent or not voting, 5; as follows:

Ayes -- Senators Adelman, Bear, Braun, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Lorge, Moody, Offner, Radosevich, Risser, Strohl, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Berger, Chilsen, Lasee, McCallum, Murphy, Opitz and Theno -- 7.

Absent or not voting -- Senators Bablitch, Bidwell, Krueger, Maurer and Roshell -- 5.

Two-thirds having voted in the affirmative, the rules were suspended and the senate returned to the eighth order of business.

---

### MOTIONS

Senator Adelman asked unanimous consent that **Senate Bill 479** be withdrawn from committee on Judiciary and Consumer Affairs and referred to joint committee on Finance.

Senator Berger objected.

Senator Adelman asked unanimous consent that **Senate Bill 482** be withdrawn from committee on Judiciary and Consumer Affairs and referred to joint committee on Finance.

Senator Berger objected.

---

### SENATE CLEARINGHOUSE RULES

#### Clearinghouse Rule 80-23

A rule to amend Grp 2.20, 2.23, 10.20, 10.23 and 20.18; and to create 3.01(4) and 11.01(4), relating to the group insurance coverage of employes between the ages of 65 and 70.

Submitted by Department of Employee Trust Funds.

Report received from Agency, February 5, 1980.

JOURNAL OF THE SENATE [February 7, 1980]

Referred to committee on Insurance and Utilities, February 7, 1980.

**Clearinghouse Rule 79-63**

A rule to create Chs. HSS 303, 304 and 305, relating to discipline in state correctional institutions.

Submitted by Department of Health and Social Services.

Nonconcurrency:

Ayes, 8 -- Senators Berger, Bear, Moody and Swan,  
Representatives Rogers, Wagner, McClain and  
Thompson;

Noes, 1 -- Representative Clarenbach.

DAVID BERGER

Co-Chair

WILLIAM ROGERS

Co-Chair

**Clearinghouse Rule 79-6**

A rule to repeal Tax 6.40(3)(d) and 12.40(3)(d), relating to removing partial exemptions--waste treatment facilities.

Submitted by Department of Revenue.

No action taken.

GARY R. GOYKE

Chair

---

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 107** by Senator Adelman.

Senate amendment 20 to **Assembly Bill 777** by Senator Moody.

---

CITATIONS

---

MOTIONS UNDER SENATE RULE 97

A Certificate of Congratulations by Senator Harnisch for LE ROY SEXE on the occasion of his retirement.

A Certificate of Congratulations by Senator Harnisch for CLEO THOMPSON on the occasion of his retirement.

A Certificate of Congratulations by Senator Harnisch for EDWARD GARDNER on the occasion of his retirement.

## JOURNAL OF THE SENATE [February 7, 1980]

A Certificate of Congratulations by Senator Theno for MAURICE AND JANET THENO on the occasion of their 40th wedding anniversary.

---

### MOTIONS UNDER JOINT RULE 7

A Certificate of Commendation by Senator Adelman cosponsored by Representative Snyder for TODD WEHMEYER on the occasion of his saving a life.

A Certificate of Commendation by Senator Adelman cosponsored by Representative Snyder for JOSEPH WAGNER on the occasion of his saving a life.

A Certificate of Commendation by Senator Adelman cosponsored by Representative Jackamonis for JULIETTE WELCH for her outstanding volunteer work with the blind.

A Certificate of Congratulations by Senator Bidwell cosponsored by Representative Thompson for MRS. JOAN GOODHUE on the occasion of her being chosen "Woman of the Year".

A Certificate of Commendation by Senator Johnston cosponsored by Representative Merkt for MEQUON POLICE CHIEF THOMAS BUNTROCK on the occasion of his death for exemplifying the highest standards of law enforcement, professionalism and dedication to duty.

A Certificate of Commendation by Senators Lorge, McCallum and Hanaway cosponsored by Representatives Hephner, McEssy and Bradley for ST. JOHN THE BAPTIST CATHOLIC PARISH on the occasion of their 140th Jubilee Celebration, February 3, 1980.

A Certificate of Condolence by Senator Bablitch cosponsored by Representative Hasenohrl for the family of VALENTINE "VAL" SCHUELLER on the occasion of his death.

#### Concurred In:

A Certificate of Commendation by Representative Donoghue cosponsored by Senator Krueger for CIRCUIT JUDGE DONALD E. SCHNABEL on the occasion of his retirement from the bench.

A Certificate of Congratulations by Representatives Roberts and Medinger cosponsored by Senator Offner for LINDA WEST on the occasion of her receiving the La Crosse Soil and Water Conservation District Award.

A Certificate of Congratulations by Representatives Roberts and Medinger cosponsored by Senator Offner for RAY LEE on the occasion of being named La Crosse County's Outstanding Conservationist for 1979.

**JOURNAL OF THE SENATE [February 7, 1980]**

A Certificate of Congratulations by Representatives Roberts and Medinger cosponsored by Senator Offner for WENDELL HAUSER on the occasion of receiving the La Crosse County Soil and Water Conservation District's Streambank Improvement Award.

A Certificate of Congratulations by Representatives Roberts and Medinger cosponsored by Senator Offner for ROBERT HAUSER on the occasion of receiving the La Crosse County Soil and Water Conservation District's Award for Wildlife Development.

A Certificate of Congratulations by Representatives Roberts and Medinger cosponsored by Senator Offner for DR. SIGURD GUNDERSON on the occasion of receiving the La Crosse County Soil and Water Conservation District's Forestry Award.

A Certificate of Commendation by Representative Tregoning cosponsored by Senator Kreul for NAOMI B. BARNARD on the occasion of her retirement as supervisor on the Green County Board.

A Certificate of Commendation by Representative Tregoning cosponsored by Senator Kreul for JOHN WEGMUELLER on the occasion of being named "Outstanding Young Farmer."

A Certificate of Commendation by Representatives Roberts and Medinger cosponsored by Senator Offner for MRS. MOLLIE M. GILBERTSON on the occasion of her 43rd year as a school teacher.

A Certificate of Condolence by Representative Gerlach cosponsored by Senator Frank on the occasion of MR. JAMES RIEMER'S DEATH.

A Certificate of Congratulations by Representative Rogers cosponsored by Senator Hanaway for CARL J. HANSEN on the occasion of his 55 years as publisher of the Kaukauna Times.

A Certificate of Commendation by Representative Schneider cosponsored by Senator Bablitch for THE CANADIAN GOVERNMENT, PRIME MINISTER JOE CLARK, THE CANADIAN EMBASSY DIPLOMATS AND STAFF, AND AMBASSADOR KENNETH TAYLOR on the occasion of the acts of humanitarianism, bravery and friendship in the face of grave consequences.

A Certificate of Congratulations by Representative DeLong cosponsored by Senator Cullen for FATHER STEPHEN L. PEIL on the occasion of his 50th anniversary of ordination into priesthood.

A Certificate of Commendation by Representative Gerlach cosponsored by Senator Frank for GEORGE KLEINER on the occasion of his resignation from the South Milwaukee Common Council.



JOURNAL OF THE SENATE [February 7, 1980]

Upon motion of Senator Flynn the senate adjourned until 10:00  
A.M., Tuesday, February 12.

5:51 P.M.

---

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Bill 107**

1. On page 13, line 2, substitute "19.71" for "19.60".

**Engrossed Assembly Bill 1043**

1. On page 7, line 27, substitute "services" for "serives".