

JOURNAL OF THE SENATE [February 19, 1980]

STATE OF WISCONSIN

# Senate Journal

Eighty-Fourth Regular Session

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TUESDAY, February 19, 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, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 31.

Absent -- Senators McCallum and Maurer -- 2.

Absent with leave -- None.

The senate stood for a moment of silent prayer.

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

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## LEAVE OF ABSENCE

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

By request of Senator Bablitch, with unanimous consent, the senate recessed until 10:19 A.M.

10:07 A.M.

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RECESS

10:19 A.M.

The senate reconvened.

Senator Flynn in the chair.

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LEAVE OF ABSENCE

By request of Senator Risser, with unanimous consent, he was granted a leave of absence until 11:45 A.M.

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INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 560**

Relating to conversion or continuation options for group health insurance policies and granting rule-making authority.

By Senators Moody, Radosevich, Goyke, Cullen, Strohl, Braun, Berger, Adelman, Maurer, Van Sistine, Bear, Harnisch, Roshell, Frank, Swan, Flynn and Thompson.

To committee on Insurance and Utilities.

**Senate Bill 561**

Relating to granting public employes who are protective occupation participants retirement credit for prior service in that category.

By Senator McCallum; cosponsored by Representatives Vanderperren and Metz, by request of Lowell Klein.

To Joint Survey committee on Retirement Systems.

**Senate Bill 562**

Relating to eliminating the English language requirement as a condition for use of an international driving permit or a driver's license issued by another country.

By Senator Cullen; cosponsored by Representative Vanderperren.

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

**Senate Bill 563**

Relating to appointments to fill vacancies in the office of U.S. senator.

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By Senator Johnston.

To committee on Governmental and Veterans' Affairs.

**Senate Bill 564**

An act to appropriate \$12,800 from the general fund for payment of a claim made by Hector Luis Acosta against the state.

By Senator Moody.

To joint committee on Finance.

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COMMITTEE REPORTS

The joint committee for Review of Administrative Rules reports and recommends for introduction:

**Senate Bill 565**

Relating to the patients compensation fund.

Introduction, pursuant to 227.018(5)(e), Stats.,

Ayes, 9 -- Senators Berger, Bear, Swan and Moody,  
Representatives Rogers, Clarenbach, McClain, Wagner  
and Thompson;

Noes, 0 -- None.

Read first time and referred to committee on Senate Organization.

DAVID G. BERGER

Co-Chair

WILLIAM J. ROGERS

Co-Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

**Senate Bill 382**

Relating to enactment of the uniform federal lien registration act.

Introduction and adoption of senate substitute amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

**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).

Introduction and adoption of senate substitute amendment 1:

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

Noes, 0 -- None.

Adoption as amended:

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

Noes, 0 -- None.

**Assembly Bill 760**

Relating to an habitual traffic offenders law for certain convictions in the motor vehicle code, revocation of operator's licenses and providing a penalty.

Concurrence:

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

Noes, 0 -- None.

LYNN S. ADELMAN

Chair

The committee on Aging, Business and Financial Institutions and Transportation reports and recommends:

**Senate Bill 202**

Relating to mandatory safety inspection prior to transfer of motor vehicles, granting rule-making authority, making an appropriation and providing a penalty.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Thompson, Moody, Roshell, Bidwell and Cullen;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Thompson, Moody, Roshell, Bidwell and Cullen;

Noes, 0 -- None.

**Senate Bill 475**

Relating to the transportation of loads of coal within 5 miles of the Michigan-Wisconsin border.

Passage:

Ayes, 5 -- Senators Thompson, Moody, Roshell, Bidwell and Cullen;

Noes, 0 -- None.

**Assembly Bill 635**

Relating to the use of antique motor vehicles.

Concurrence:

Ayes, 5 -- Senators Thompson, Moody, Roshell, Bidwell and Cullen;

Noes, 0 -- None.

**Assembly Bill 919**

Relating to permitting mutual savings banks to establish checking services and increasing their required reserve.

Concurrence:

Ayes, 4 -- Senators Thompson, Moody, Roshell and Cullen;

Noes, 1 -- Senator Bidwell.

**Assembly Bill 763**

Relating to permitting auctions and retail sales of secondhand or antique merchandise or art on premises for which Class "B" fermented malt beverage or "Class B" intoxicating liquor licenses are issued.

Concurrence:

Ayes, 5 -- Senators Thompson, Moody, Roshell, Bidwell and Cullen;

Noes, 0 -- None.

TIM CULLEN

Chair

The committee on Natural Resources and Tourism reports and recommends:

BRIDENHAGEN, HOLLIS J., of Sturgeon Bay, as a member of the Snowmobile Recreation Council, to succeed Norman Knoll, to serve for the term ending May 1, 1982.

Confirmation:

Ayes, 6 -- Senators Harnisch, Strohl, Van Sistine, Goyke, Theno and Opitz;

Noes, 0 -- None.

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**DROLSHAGEN, ORVILLE**, of Columbus, as a member of the Snowmobile Recreation Council, to succeed Phyllis Preston, to serve for the term ending May 1, 1980 and to a subsequent term ending May 1, 1983.

Confirmation:

Ayes, 6 -- Senators Harnisch, Strohl, Van Sistine, Goyke, Theno and Opitz;

Noes, 0 -- None.

**STAEHLER, ROBERT**, of Kewaskum, as a member of the Snowmobile Recreation Council, to succeed Al Pauls, to serve for the term ending May 1, 1981.

Confirmation:

Ayes, 6 -- Senators Harnisch, Strohl, Van Sistine, Goyke, Theno and Opitz;

Noes, 0 -- None.

**STUKEL, RALPH, JR.**, of Pewaukee, as a member of the Snowmobile Recreational Council, to succeed Robert Steffes, to serve for the term ending May 1, 1982.

Confirmation:

Ayes, 6 -- Senators Harnisch, Strohl, Van Sistine, Goyke, Theno and Opitz;

Noes, 0 -- None.

**PETERS, DR. RICHARD A.**, of Marshfield, as a member of the Snowmobile Recreational Council, to succeed Ernest Meress, to serve for the term ending May 1, 1982.

Confirmation:

Ayes, 6 -- Senators Harnisch, Strohl, Van Sistine, Goyke, Theno and Opitz;

Noes, 0 -- None.

**Assembly Bill 1124**

Relating to voting by persons owning property within public inland lake protection and rehabilitation districts and providing for a referendum.

Concurrence:

Ayes, 6 -- Senators Harnisch, Strohl, Van Sistine, Goyke, Theno and Opitz;

Noes, 0 -- None.

**THOMAS W. HARNISCH**  
Chair

PETITIONS AND COMMUNICATIONS

**Senate Petition 19**

A petition by Dan Goffard and 131 Outagamie and Brown County residents opposing unlawful use of aircraft to spot, pursue, and shoot game from an aircraft.

By Senator Lorge.

Read and referred to committee on Natural Resources and Tourism.

State of Wisconsin  
Department of State

February 12, 1980.

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 16, 1980, and ending on February 12, 1980.

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.*

Christianson, Peter Coe, 660 East Mason Street, Milwaukee WI 53202 (414) 271-5900; National Association of Social Workers - Wisconsin Chapter, 7635 West Bluemound Rd., Suite 201, Milwaukee WI 53213 (414) 771-3055; 3, 7, 9, 11, 18, 19; 129, 150. Hamilton Test Systems, Inc., Windsor Locks, CT 06096 (203)623-1621, Ext. 2175; 3, 11, 13, 18, 23; 129, 136, 155, 176, 184. Formaldehyde Institute, 1875 "I" St., NW, Washington, D.C. 20006 (202) 659-3600; 3, 11, 13, 18, 21; 116, 129, 136, 140.

Sicula, Paul E., 212 W. Wisconsin Ave., Suite 1200, Milwaukee, WI 53203 (414) 271-8100; Wisconsin Contemporary Gift Assn., P.O. Box 06143, Milwaukee, WI 53206 (414) 271-7197; 3, 6, 7, 12.

Lakin, Peter D., 25 W. Main, Suite 775, Madison, WI 53703 (608) 255-0373; Wisconsin Independent Businessmen, Inc.,

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(Thomas D. Dohm), 25 W. Main, Suite 775, Madison, WI 53703 (608) 255-0373; 26; 186.

Tibbits, Susan Lee, 20 N. Carroll, Room 27, Madison, WI 53703 (608) 256-2686; Common Cause in Wisconsin, 20 N. Carroll, Room 27, Madison, WI 53703 (608) 256-2686; 3, 8, 12, 17, 20.

Handzel, Jr., Henry J., 121 S. Pinckney St., Madison, WI 53703 (608) 255-8891; Wisconsin Paper Council, 1920 American Court, Neenah, WI 54956 (414) 722-1500; 1-25; 101-185.

Coe, John W., c/o Wisconsin Education Association Council, 101 W. Beltline Hwy, Madison, WI 53708 (608) 255-2971; Wisconsin Education Association Council, 101 W. Beltline Hwy, P.O. Box 8003, Madison, WI 53708 (608) 255-2971; 4, 7, 26; 125, 127, 180, 184.

Franke, Harry F., 660 E. Mason St., Milwaukee, WI 53202 (414) 271-5900; National Association of Social Workers - Wisconsin Chapter, 735 W. Bluemound Rd., Suite 201, Milwaukee, WI 53213 (414) 771-3055; 3, 7, 9, 11, 18, 19; 129, 150.

Lovos, George J., 130 Heidel Rd., Thiensville, WI 53092 (414) 242-2734; K8/UHS Districts Coalition, 7241 N. Longacre Rd., Milwaukee WI 53217 (414) 352-6940; 7; 148.

Parys, Ronald G., 206 E. Olin Ave., Madison, WI 53713 (608) 251-0368; Rehabilitation Facilities of Wisconsin, 206 E. Olin Ave., Madison, WI 53713 (no phone given); 7, 9, 11, 12-14, 18-21, 23; 101, 108, 116, 129, 136, 138, 142, 176, 184, 150.

Wimmer, James W., Jr., P.O. Box 1482, Madison, WI 53703 (608) 256-5223; The Northwestern Mutual Life Insurance Company, 720 E. Wisconsin Ave., Milwaukee, WI 53202 (414) 271-1444; 2, 3, 13-15, 17-18, 20-22; 138, 139, 170.

Anderson, Norman C., 25 W. Main St., Madison, WI 53703 (608) 255-7277; Shopko Stores, Inc., 2800 S. Ashland Ave., Green Bay, WI 54303 (414) 497-2211; 3, 21.

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

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**LEAVE OF ABSENCE**

By request of Senator Bablitch, with unanimous consent, Senator Maurer was granted a leave of absence for the balance of the week.



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CALENDAR OF FEBRUARY 19

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

**CANTWELL, CASSY**, of Shawano, as a member of the Nursing Home Administrators Examining Board, to succeed Thomasine Johnson, to serve or the term ending July 1, 1982.

Read.

**CASSIANI, VINCE**, of Clintonville, as a member of the Nursing Home Administrators Examining Board, to succeed Theodore Jamison, to serve for the erm ending July 1, 1981.

Read.

**CUTTING, MARCY**, of Whiting, as a member of the Cosmetology Examining Board, to succeed Glenn Wills, to serve for the term ending July 1, 1982.

Read.

**DREYFUS, JOYCE**, of Madison, as a member of the Arts Board, to succeed Russell Ferrall, to serve for the term ending May 1, 1982.

Read.

**FLANARY, DR. LAWRENCE**, of Milwaukee, as a member of the Hearing Aid Dealers and Fitters Examining Board, to succeed Dr. James Brandenburg, to serve for he term ending July 1, 1985.

Read.

**GARCIA, EMIL**, of Lake Geneva, as a member of the Cosmetology Examining Board, to succeed David Gotzion, to serve for the term ending July 1, 1982.

Read.

**JANSEN, DR. RUTH KRAMER**, of Milwaukee, as a member of the Nursing Home Administrator's Examining Board, to succeed herself, to serve for the term ending July 1, 1982.

Read.

**LENSER, ELSE E.**, of LaCrosse, as a member of the Real Estate Examining Board, to succeed Russell DeMille, to serve for the term ending July 1, 1985.

Read.

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**MACIVER, JOHN K.**, of Whitefish Bay, as a member of the Arts Board, to succeed Lynn Saxer, to serve for the term ending May 1, 1980.

Read.

**MAILE, ROBERT**, of Wauwatosa, as a member of the Pharmacy Examining Board, to succeed himself, to serve for the term ending July 1, 1984.

Read.

**MCKINNEY, LAFAYETTE**, of Milwaukee, as a member of the Psychology Examining Board, to succeed Mark Converse, to serve for the term ending July 1, 1982.

Read.

**POLLOCK, ROBERT O.**, of Stevens Point, as a member of the Health Facilities Authority, to succeed himself, to serve for the term ending June 30, 1986.

Read.

**WELSCH, CLARENCE**, of Sheboygan, as a member of the Hearing Aid Dealers and Fitters Examining Board, to succeed Donald Schaefer, to serve for the term ending July 1, 1985.

Read.

The question was: Shall the appointments be confirmed?

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, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Moody, Murphy, Offner, Opitz, Radosevich, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 30.

Noes -- None.

Absent or not voting -- Senators McCallum, Maurer and Risser -- 3.

So the appointments were confirmed.

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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 concurred in:

**Senate Bill 156**

**Senate Bill 241**

Passed and asks concurrence in:

**Assembly Bill 358**

**Assembly Bill 359**

**Assembly Bill 369**

**Assembly Bill 553**

**Assembly Bill 682**

**Assembly Bill 976**

**Assembly Bill 999**

**Assembly Bill 1057**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 358**

Relating to inheritance and estate taxation of certain personalty in farming, trade or business held or leased in joint tenancy by spouses.

By Representatives Munts and Thompson, co-sponsored by Senators Berger and Murphy.

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

**Assembly Bill 359**

Relating to inheritance tax exclusions for property held in joint tenancy by spouses.

By Representatives Munts and Thompson, co-sponsored by Senators Berger and Murphy.

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

**Assembly Bill 369**

Relating to a property tax exemption for leased farm machinery and farm machinery used for custom farming services.

By Representatives Vanderperren, Conratt, Barry, Bradley, Kincaid, Luckhardt, DeLong, Laatsch, Omernick, Lewis, Everson,

Klicka and Goodrich, co-sponsored by Senators Van Sistine, Chilsen, Krueger and McCallum.

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

**Assembly Bill 553**

Relating to creating a generation-skipping transfer tax.

By Representatives Munts and Thompson, co-sponsored by Senators Berger and Murphy.

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

**Assembly Bill 682**

Relating to defining as mopeds power-driven cycles without pedals and providing for registration of such cycles at the fee for mopeds.

By Representative Plewa, by request of Henry J. Koshollek.

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

**Assembly Bill 976**

Relating to income and sales and use tax statutes, eliminating obsolete language, correcting cross-references, creating uniform definitions, reconciling conflicts and clarifying language (suggested as remedial legislation by the department of revenue).

By Committee on Remedial Legislation.

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

**Assembly Bill 999**

Relating to payment of just compensation for removal of nonconforming advertising signs.

By Representatives Vanderperren, Kincaid, Matty, Thompson, Hasenohrl, Lallensack, Byers, Bradley, Kedrowski, Swoboda, Porter, Behnke, Rogers, Robertson, Potter, Ladwig, Conradt, Ellis, Klicka, Andrea and DeLong, co-sponsored by Senators Goyke, Theno and Van Sistine.

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

**Assembly Bill 1057**

Relating to the observance of Arbor Day in public schools on the last Friday in April of each year.

By Representatives Johnson and Hasenohrl, co-sponsored by Senator Cullen, by request of Wisconsin Federation of Women's Clubs-Beloit Chapter.

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

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CALENDAR OF FEBRUARY 19

**Senate Bill 75**

Relating to extension of state medical malpractice plan to podiatrists.

Read.

The question was: Concurrence in assembly amendment 1?  
Concurred in.

**Senate Bill 231**

Relating to reporting of certain surplus campaign materials.

Read.

The question was: Concurrence in assembly substitute amendment 1?  
Concurred in.

**Senate Bill 345**

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

Read.

The question was: Concurrence of the Committee of Conference report?

Senator Harnisch in the chair.

10:35 A.M.

The question was: Concurrence of the Committee of Conference report?

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, Kleczka, Kreul, Krueger, Lasee, Moody, Murphy, Offner, Opitz, Radosevich, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 29.

Noes -- Senator Lorge -- 1.

Absent or not voting -- Senators McCallum, Maurer and Risser -- 3.

So the Committee of Conference report was concurred in.

**Assembly Bill 596**

Relating to exempting solar energy home heating systems and electricity generating devices from the property tax.

Read.

The question was: Shall the senate adhere to its position?

Senator Flynn in the chair.

10:38 A.M.

Senator Bablitch moved that the senate recede from its position.

The question was: Shall the senate recede from its position?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 16; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Chilsen, Frank, Goyske, Hanaway, Harnisch, Lasee, Lorge, Opitz, Strohl, Theno and Thompson -- 14.

Noes -- Senators Berger, Bidwell, Braun, Cullen, Flynn, Johnston, Kleczka, Kreul, Krueger, Moody, Murphy, Offner, Radosevich, Roshell, Swan and Van Sistine -- 16.

Absent or not voting -- Senators McCallum, Maurer and Risser -- 3.

So the motion did not prevail.

The question was: Shall the senate adhere to its position?

Senator Bablitch raised the point of order that a tie vote on the question of adherence would have the same effect as the senate receding from its position.

The chair ruled the point of order untimely.

Senator Berger asked unanimous consent that the senate adhere to its position and appoint a Committee of Conference.

Senator Bablitch objected.

Senator Berger moved that the senate adhere to its position and appoint a Committee of Conference.

By request of Senator Bablitch, with unanimous consent, the motion was divided into two parts.

The question was: Shall the senate adhere to its position?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 13; absent or not voting, 3; as follows:

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Ayes -- Senators Berger, Bidwell, Braun, Cullen, Flynn, Johnston, Kleczka, Kreul, Krueger, Lorge, Moody, Murphy, Offner, Radosevich, Roshell, Swan and Van Sistine -- 17.

Noes -- Senators Adelman, Bablitch, Bear, Chilsen, Frank, Goyke, Hanaway, Harnisch, Lasee, Opitz, Strohl, Theno and Thompson -- 13.

Absent or not voting -- Senators McCallum, Maurer and Risser -- 3.

So the senate adheres to its position.

By request of Senator Bablitch, with unanimous consent, the chair will appoint members of the Committee of Conference on **Senate Bill 596**.

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### CALENDAR OF FEBRUARY 19

By request of Senator Bablitch, with unanimous consent, **Senate Joint Resolution 6** was placed at the foot of the calendar.

#### **Senate Joint Resolution 33**

To urge sponsors of alcoholic beverage advertising to adopt voluntary guidelines limiting advertising directed at young people and the Wisconsin media to limit advertising directed at young people.

Read.

The question was: Adoption?

Adopted.

#### **Senate Bill 425**

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

Read a second time.

Senate amendment 1 offered by Senators Chilsen, Berger, Hanaway and Kleczka.

The question was: Adoption of senate amendment 1?

Adopted.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 425** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 425** was withdrawn from the joint committee on Finance and considered for action at this time.

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Senator Chilsen moved indefinite postponement.

The question was: Shall **Senate Bill 425** by indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 12; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Bear, Berger, Bidwell, Chilsen, Cullen, Goyke, Hanaway, Kleczka, Kreul, Krueger, Lasee, Lorge, Murphy, Opitz, Strohl and Theno -- 17.

Noes -- Senators Adelman, Braun, Flynn, Frank, Harnisch, Johnston, Moody, Offner, Roshell, Swan, Thompson and Van Sistine -- 12.

Absent or not voting -- Senators McCallum, Maurer, Radosevich and Risser -- 4.

So the bill was indefinitely postponed.

**Senate Bill 432**

Relating to preference for American-made materials in state purchasing.

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 432**

Read a third time.

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

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

Noes -- None.

Absent or not voting -- Senators McCallum, Maurer and Risser -- 3.

So the bill passed.



**Senate Bill 453**

Relating to allowing county supervisors to serve on joint county-city hospital boards.

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 453**

Read a third time and passed.

**Senate Bill 454**

Relating to the date and manner for payment of the transportation aids supplement.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 454** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 454** was withdrawn from the joint committee on Finance and considered for action at this 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 454**

Read a third time and passed.

**Senate Bill 471**

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

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 471**

Read a third time and passed.

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**Senate Bill 477**

Relating to permitting mutual savings banks to establish checking services and increasing their required reserve.

Read a second time.

By request of Senator Cullen, with unanimous consent, **Senate Bill 477** was referred to committee on Aging, Business and Financial Institutions and Transportation.

**Assembly Joint Resolution 111**

Relating to memorializing congress to support the establishment of the space shuttle control and satellite surveillance center in Duluth, Minnesota.

Read.

By request of Senator Bablitch, with unanimous consent, **Assembly Joint Resolution 111** was laid on the table.

**Assembly Bill 667**

Relating to the composition of county highway committees.

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 667**

Read a third time and concurred in.

**Assembly Bill 787**

Relating to exemption from public inspection requirements of building plans submitted to the department of industry, labor and human relations.

Read a second time.

Senate substitute amendment 1 offered by Senator Adelman.

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

The president of the senate in the chair.

11:42 A.M.

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 787**

Read a third time and concurred in as amended.

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**Assembly Bill 822**

Relating to theft of library material and providing penalties.

Read a second time.

By request of Senator Adelman, with unanimous consent, **Assembly Bill 822** was laid on the table.

**Assembly Bill 887**

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

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Bablitch 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, 22; noes, 9; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Braun, Chilsen, Flynn, Frank, Hanaway, Harnisch, Krueger, Lorge, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Strohl, Swan, Theno, Thompson and Van Sistine -- 22.

Noes -- Senators Berger, Bidwell, Cullen, Goyke, Johnston, Kleczka, Kreul, Lasee and Roshell -- 9.

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

So the motion prevailed.

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

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INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 566**

Relating to providing authorization for the assumption of certain mortgages in the veterans housing loan program, the purchase of assumed mortgages and the increase of interest rates on the loans, providing restrictions on obtaining additional housing loans and making an appropriation.

By Senator Risser.

To committee on Governmental and Veterans' Affairs.

**Senate Bill 567**

Relating to establishment of a ceiling on total biennial appropriations and changing the contingency reserve amount used in determining the peoples escrow amount.

By Senators Flynn, Goyke, Cullen, Van Sistine, Roshell, Adelman, Bear, Harnisch, Frank, Chilsen, Krueger, Opitz, Bidwell, Swan and Risser; cosponsored by Representatives Schneider, Thompson, Shabaz, Barry, Lingren, Hauke, Barczak, Nelsen and Donoghue.

To committee on Education and Revenue.

**Senate Bill 568**

Relating to insurance claims adjustment practices, insurance investments, granting rule-making authority and providing penalties.

By Senator Berger.

To committee on Insurance and Utilities.

**Senate Bill 569**

Relating to allowing cities to place public utilities or services on the official city map.

By Senators Lorge and Frank.

To committee on Agriculture, Labor and Local Affairs.

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LEAVE OF ABSENCE

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

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

12:29 P.M.

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RECESS

4:55 P.M.

The senate reconvened.

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LEAVE OF ABSENCE

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

QUORUM CALL

Senator Bablitch 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:

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

Absent -- None.

Absent with leave -- Senators Braun, McCallum, Maurer and Swan -- 4.

Senate amendments 2 and 3 offered by Senator Kleczka.

The question was: Adoption of senate amendment 2?

Senator Murphy moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

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LEAVE OF ABSENCE

By request of Senator Goyke, with unanimous consent, he was granted a leave of absence beginning at 5:20 P.M. for the balance of the day.

Senator Murphy raised the point of order that senate amendment 2 to **Assembly Bill 887** was not germane.

The chair took the point of order under advisement.

**Senate Joint Resolution 6**

To create section 7(2)(a) 3 of article VIII of the constitution, relating to loans to farmers for the acquisition of farmland and farm buildings (second consideration).

Read a second time.

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

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Senator Cullen moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 16; absent or not voting, 5; as follows:

Ayes -- Senators Bear, Berger, Bidwell, Cullen, Harnisch, Krueger, Lasee, Radosevich, Strohl, Theno, Thompson and Van Sistine -- 12.

Noes -- Senators Adelman, Bablitch, Chilsen, Flynn, Frank, Hanaway, Johnston, Kleczka, Kreul, Lorge, Moody, Murphy, Offner, Opitz, Risser and Roshell -- 16.

Absent or not voting -- Senators Braun, Goyke, McCallum, Maurer and Swan -- 5.

So the motion did not prevail.

The question was: Adoption of senate substitute amendment 1?

Senator Cullen asked unanimous consent that **Senate Joint Resolution 6** be laid on the table.

Senator Murphy objected.

Senator Chilsen moved that **Senate Joint Resolution 6** be referred to committee on Agriculture, Labor and Local Affairs.

The question was: Shall **Senate Joint Resolution 6** be referred to committee on Agriculture, Labor and Local Affairs?

Senator Bablitch moved that **Senate Joint Resolution 6** be laid on the table.

The question was: Shall **Senate Joint Resolution 6** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 11; absent or not voting, 5; as follows:

Ayes -- Senators Bablitch, Bear, Berger, Cullen, Harnisch, Johnston, Krueger, Lasee, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 17.

Noes -- Senators Adelman, Bidwell, Chilsen, Flynn, Frank, Hanaway, Kleczka, Kreul, Lorge, Murphy and Opitz -- 11.

Absent or not voting -- Senators Braun, Goyke, McCallum, Maurer and Swan -- 5.

So the motion prevailed.

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RULING OF THE CHAIR

**Assembly Bill 887**

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

Earlier today the Senator from the 33rd, Senator Murphy, raised the point of order that senate amendment 2 to **Assembly Bill 887** was not germane.

Senate amendment 2 would amend the title of the bill and add new language relative to attorney fees.

Senate Rule 50(1) says in part "...nor shall the senate consider any substitute or amendment which relates to a different subject, is intended to accomplish a different purpose, would require a title essentially different or would totally alter the nature of the original proposal."

Therefore it is the opinion of the Chair that senate amendment 2 would alter the nature of the original proposal and that the point of order is well taken.

The question was: Adoption of senate amendment 3?

Senator Murphy moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

The motion prevailed.

Senate amendment 4 offered by Senators Bear, Bablitch and Hanaway.

The question was: Adoption of senate amendment 4?

Senator Harnisch moved rejection of senate amendment 4.

The question was: Rejection of senate amendment 4?

By request of Senator Bear, with unanimous consent, senate amendment 4 was returned to the author.

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LEAVE OF ABSENCE

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

Ordered to a third reading.

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

### **Assembly Bill 887**

Read a third time and concurred in.

By request of Senator Bablitch, with unanimous consent. **Assembly Joint Resolution 111** was taken from the table and considered at this time.

### **Assembly Joint Resolution 111**

Relating to memorializing congress to support the establishment of the space shuttle control and satellite surveillance center in Duluth, Minnesota.

Read.

The question was: Concurrence?

Concurred in.

The chair appointed Senators Moody, Radosevich and Johnston as conferees on its part to the Committee on Conference on **Assembly Bill 596**.

The question was: Confirmation of the Committee on Conference?

Confirmed.

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

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## SENATE CLEARINGHOUSE RULES

### **Clearinghouse Rule 80-5**

A rule to amend Grp 25, Table V, relating to rules concerning the employes contribution rate for income continuation insurance premium.

Submitted by Department of Employee Trust Funds.

Report received from agency, February 14, 1980.

Referred to committee on Insurance and Utilities, February 19, 1980.

### **Clearinghouse Rule 79-16**

A rule to amend Ind. 69.18(2)(a); create Ind 69.18(2)(b) and (c) and 69.07(7), relating to safety inspection fees for mines, pits and quarries and to procedures for public inspection and copying of building plans and records.

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, February 14, 1980.



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Referred to committee on Agriculture, Labor and Local Affairs,  
February 19, 1980.

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AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 252** by Senators  
Braun, Moody, Swan and Berger.

Senate amendment 1 to **Senate Bill 306** by Senator Van Sistine.

Senate amendment 3 to **Senate Joint Resolution 6** by Senator  
Cullen.

Senate amendment 4 to **Senate Joint Resolution 6** by Senators  
Berger and Cullen.

Upon motion of Senator Bablitch the senate adjourned until  
10:00 A.M. Thursday, February 21.

6:10 P.M.

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CHIEF CLERK'S REPORT

The chief clerk records:

**Assembly Bill 293**, engrossed

1. On page 7, line 26, substitute "and" for the last comma.