

JOURNAL OF THE SENATE [May 28, 1980]

STATE OF WISCONSIN

# Senate Journal

**Eighty-Fourth Regular Session**

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WEDNESDAY, May 28, 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, Engeleiter, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

The senate stood for the prayer which was offered by Reverend Jerry Knoche, Campus Pastor at Lutheran Campus Center, Madison.

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

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COMMITTEE REPORTS

By request of Senator Bablitch, with unanimous consent, the Senate received the committee report for introduction of a resolution.

The committee on Senate Organization reports and recommends for introduction:

**Senate Resolution 13**

To increase, by 2 members, the membership of the senate committee on aging, business and financial institutions and transportation.

Introduction:

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

Noes, 0 -- None.

FRED A. RISSER

Chair

Read.

Considered as privileged and taken up.

Adopted.

The committee on Senate Organization, acting under Senate Rule 20(1), reports and recommends the following nominations to committee for appointment by the Senate:

To the Senate Committee on Aging, Business and Financial Institutions and Transportation, pursuant to Senate Resolution 13, Senators Maurer and Engeleiter.

FRED A. RISSER

Chair

Read.

Considered as privileged and taken up.

Adopted.

The committee on Human Services reports and recommends:

CUMMINGS, MARLENE, of Madison, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 1980 and to a subsequent term ending July 1, 1983.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;

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Noes, 0 -- None.

**MILLER, ELIZABETH T.** of Portage, as a member of the Board on Nursing, to succeed Tommy Burress, to serve for the term ending May 1, 1983.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;

Noes, 0 -- None.

**GREENDEER, MARY**, of Oneida, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 1982.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;

Noes, 0 -- None.

**MARSHALL, GRETA**, of Eau Claire, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 1981.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;

Noes, 0 -- None.

**NUTTALL, JOAN K.** of Neenah, as a member of the Board on Nursing, to succeed Valencia N. Prock, to serve for the term ending May 1, 1983.

Confirmation:

Ayes, 5 -- Senators Thompson, Strohl, Opitz, Cullen and Radosevich;

Noes, 0 -- None.

**CARL W. THOMPSON**

Chair

By request of Senator Maurer, with unanimous consent, the senate recessed until 11:26 A.M.

10:08 A.M.

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RECESS

11:26 A.M.

The senate reconvened.

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, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 28.

Absent -- Senators Berger, Engeleiter, Kleczka, Maurer and Moody -- 5.

Absent with leave -- None.

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

**Senate Bill 620**

An act to repeal, renumber, renumber and amend, amend, repeal and recreate and create various provisions of subchapter II of chapter 10 of the statutes for the purpose of correction of election occurrences listings (Revisor's Correction Bill).

Passage:

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

Noes, 0 -- None.

**Senate Bill 621**

An act to repeal, renumber, renumber and amend, amend, reenact and reenact and amend various provisions of the statutes and session laws for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of officers, correcting and clarifying references, renumbering for better location and arrangement, eliminating duplications and unnecessary provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

Passage:

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

Noes, 0 -- None.

JOE STROHL  
Chair

JOSEPH ANDREA

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Chair

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CALENDAR OF MAY 28

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

**CUMMINGS, MARLENE**, of Madison, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 1980 and to a subsequent term ending July 1, 1983.

Read.

**GREENDEER, MARY**, of Oneida, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 1982.

Read.

**MARSHALL, GRETA**, of Eau Claire, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 1981.

Read.

**MILLER, ELIZABETH T.** of Portage, as a member of the Board on Nursing, to succeed Tommy Burress, to serve for the term ending May 1, 1983.

Read.

**NUTTALL, JOAN K.** of Neenah, as a member of the Board on Nursing, to succeed Valencia N. Prock, to serve for the term ending May 1, 1983.

Read.

The question was: Confirmation of the appointments?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the appointments were confirmed.

**Senate Bill 156**

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

Read.

The question was: Shall the bill pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 22; noes, 11; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Lorge, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 22.

Noes -- Senators Bidwell, Chilsen, Engeleiter, Hanaway, Johnston, Kreul, Krueger, Lasee, McCallum, Opitz and Theno -- 11.

Absent or not voting -- None.

Two-thirds having voted in the affirmative, the bill passed notwithstanding the objections of the Governor.

**Senate Bill 195**

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

Read.

The question was: Shall the bill pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Bear, Berger, Bidwell, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Krueger, Moody, Radosevich, Roshell, Strohl, Swan, Thompson and Van Sistine -- 18.

Noes -- Senators Adelman, Braun, Chilsen, Engeleiter, Hanaway, Johnston, Kreul, Lasee, Lorge, McCallum, Maurer, Offner, Opitz, Risser and Theno -- 15.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the senate refused to pass the bill notwithstanding the objections of the Governor.

**Senate Bill 222**

Relating to photographs on drivers' licenses, elimination of "race" from drivers' licenses, alternation of the license renewal period and license fees, granting rule-making authority and making an appropriation.

Read.

The question was: Shall the vetoed portion of the bill pass notwithstanding the objections of the Governor?

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

Ayes -- Senator Lorge -- 1.

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

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the senate refused to pass the bill notwithstanding the objections of the Governor.

**Senate Bill 344**

Relating to various changes in crime victims compensation.

Read.

The question was: Shall the bill pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 23; noes, 10; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Engeleiter, Flynn, Frank, Goyke, Hanaway, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 23.

Noes -- Senators Bidwell, Chilsen, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz and Theno -- 10.

Absent or not voting -- None.

More than two-thirds having voted in the affirmative, the bill passed notwithstanding the objections of the Governor.

**Senate Bill 400**

Relating to mandatory health insurance risk sharing plan, prohibiting discrimination in insurance coverage because of mental or physical disability and granting rule-making authority.

Read.

The question was: Shall the bill pass notwithstanding the objections of the Governor?

By request of Senator Radosevich, with unanimous consent, **Senate Bill 400** was laid on the table.

**Senate Bill 409**

Relating to transferring responsibility for administering the plumbing code and fire protection systems code from the department of health and social services to the department of industry, labor and human relations, and making an appropriation.

Read.

The question was: Shall the bill pass notwithstanding the objections of the Governor?

By request of Senator Berger, with unanimous consent, **Senate Bill 409** was laid on the table.

**Senate Bill 461**

Relating to authority for the joint committee for review of administrative rules to authorize and extend the application period of emergency rules.

Read.

The question was: Shall the bill pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 27; noes, 6; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Kreul, Lasee, Lorge, McCallum, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 27.

Noes -- Senators Chilsen, Engeleiter, Hanaway, Johnston, Krueger and Opitz -- 6.

Absent or not voting -- None.

More than two-thirds having voted in the affirmative, the bill passed notwithstanding the objections of the Governor.



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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 adopted and asks concurrence in:

**Assembly Joint Resolution 134**

**Assembly Joint Resolution 135**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Joint Resolution 134**

Relating to the life and public service of Byron F. Wackett.

By Entire Membership of the Assembly.

Read.

Considered as privileged and taken up.

Concurred in by unanimous rising vote.

**Assembly Joint Resolution 135**

Relating to the public service career of Francis J. Lallensack.

By Entire Membership of the Assembly, co-sponsored by Senator Lasee.

Read.

Considered as privileged and taken up.

Concurred in.

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CALENDAR OF MAY 28

**Senate Bill 620**

An act to repeal, renumber, renumber and amend, amend, repeal and recreate and create various provisions of subchapter II of chapter 10 of the statutes for the purpose of correction of election occurrences listings (Revisor's Correction Bill).

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 620**

Read a third time and passed.

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**Senate Bill 621**

An act to repeal, renumber, renumber and amend, amend, reenact and reenact and amend various provisions of the statutes and session laws for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of officers, correcting and clarifying references, renumbering for better location and arrangement, eliminating duplications and unnecessary provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

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 621**

Read a third time and passed.

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

By request of Senator Bablitch, with unanimous consent, the senate adjourned in honor of the newly elected Senator from the 33rd Senate District, Susan Engeleiter.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Thursday, May 29.

12:32 P.M.

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CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Joint Resolution 38**

Correctly enrolled and deposited in the office of the Secretary of State on May 27, 1980.