

JOURNAL OF THE SENATE [April 15, 1981]

STATE OF WISCONSIN

# Senate Journal

**Eighty-Fifth Regular Session**

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WEDNESDAY, April 15, 1981.

11:00 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, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Absent -- Senator Frank -- 1.

Absent with leave -- None.

The senate stood for a moment of silent prayer.

The senate remained standing and Senator Kreul 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 Bablitch, with unanimous consent, Senator Frank was granted a leave of absence for today's session.

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## INTRODUCTION OF BILLS

Read first time and referred:

### **Senate Bill 288**

Relating to various changes pertaining to the powers and duties of school boards.

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By Senators Goyke, Hanaway and Risser; cosponsored by Representatives Flintrop, Schneider, Thompson, Potter, Stitt, Johnson, Helbach and De Long.

To committee on Education and State Institutions.

**Senate Bill 289**

Relating to the inclusion of unincorporated territory in the service area of a water or sewage system or sewage and refuse disposal plant.

By Senators Lasee, Harsdorf, Lorman, Opitz, Krueger and Kreul; cosponsored by Representatives Everson, Shoemaker and Hasenohrl.

To committee on Agriculture and Natural Resources.

**Senate Bill 290**

Relating to the deadline for filing for refunds on, or making adjustments in, income taxes caused by adjustments to the basis of partnership assets.

By Senator Johnston.

To committee on State and Local Affairs and Taxation.

By request of Senator Maurer, with unanimous consent, the senate recessed until 11:21 A.M.

11:07 A.M.

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RECESS

11:21 A.M.

The senate reconvened.

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COMMITTEE REPORTS

REPORT OF JOINT SURVEY COMMITTEE ON  
DEBT MANAGEMENT

Appendix to **Senate Bill 22**

Public Policy Involved

As desirable and appropriate public policy.

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

FRED A. RISSER  
Chair

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**REPORT OF JOINT SURVEY COMMITTEE ON  
DEBT MANAGEMENT**

**Appendix to Senate Bill 43**

**Public Policy Involved**

**As desirable and appropriate public policy.**

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

**FRED A. RISSER**

**Chair**

**REPORT OF JOINT SURVEY COMMITTEE ON  
DEBT MANAGEMENT**

**Appendix to Senate Bill 148**

**Public Policy Involved**

**As desirable and appropriate public policy.**

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

**FRED A. RISSER**

**Chair**

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

**To the Adult Education Center Council, pursuant to sec.  
15.91(1), Senator Goyke.**

**To the Air Resource Allocation Council, pursuant to sec.  
15.437(5), Senator Strohl, Senator Opitz.**

**To the Alcohol and Other Drug Abuse Council, pursuant to sec.  
14.017, Senator Goyke, Senator Chilsen.**

**To the Child Labor Council, pursuant to sec. 15.227(5)(c),  
Senator Van Sistine, Senator Lasee.**

**To the Education Commission of the States, pursuant to sec.  
39.76(1), Senator Goyke.**

**To the Educational Communications Board, pursuant to sec.  
15.57, Senator George, Senator Chilsen.**

**To the Highway Safety Council, pursuant to sec. 15.467(3),  
Senator Adelman, Senator Kreul.**

**To the Interstate Cooperation Commission, pursuant to sec.  
13.54, Senator Cullen, Senator Berger, Senator Lorge.**

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To the Migrant Labor Council, pursuant to sec. 15.227(8), Senator Braun, Senator Lorman.

To the Minnesota-Wisconsin Boundary Area Commission, pursuant to sec. 14.82(1), Senator Roshell, Senator Offner, Senator Harsdorf, Senator Bidwell.

To the State Capitol and Executive Residence Board, pursuant to sec. 15.105(5), Senator Kleczka, Senator Van Sistine, Senator Kreul.

To the State Supported Study and Advisory Committee, pursuant to sec. 13.47, Senator Goyke, Senator Cullen, Senator Braun, Senator Harnisch, Senator Bidwell.

To the Traffic Law Enforcement Council, pursuant to sec. 15.467(1)(c), Senator Roshell, Senator Harsdorf.

To the Joint Survey Committee on Debt Management, pursuant to sec. 13.49, Senator Risser, Senator Flynn, Senator Chilsen.

To the Committee on Uniform State Laws, pursuant to sec. 13.55(1), Senator George, Senator Engeleiter.

FRED A. RISSER

Chair

By request of Senator Bablitch, with unanimous consent, the Senate Organization committee report was considered at this time.

The question was: Adoption of the committee report?

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 Special Committee on Reapportionment, pursuant to Senate Resolution 7:

Senator Bablitch, Chair

Senator Berger, Delegate to the Assembly reapportionment committee

Senator Thompson

Senator Engeleiter, Liaison with the Governor

Senator Theno

Senator Chilsen.

FRED A. RISSER

Chair

By request of Senator Bablitch, with unanimous consent, the Senate Organization committee report was considered at this time.

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The question was: Adoption of the committee report?  
Adopted.

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SENATE CLEARINGHOUSE ORDERS

**Clearinghouse Rule 80-206**

A RULE to repeal and recreate Bgo 3.06, relating to expenses incurred in the conduct of bingo.

Submitted by Department of Regulation and Licensing.

Report received from agency, April 13, 1981.

Referred to committee on Human Services, April 15, 1981.

**Clearinghouse Rule 81-44**

AN ORDER to amend Trans 1.02 (3), 1.06 (2) and (3) and 4.07 (2); to repeal and recreate Trans 6.09 (2) and (3); and to create Trans 4.07 (5) and (6), relating to application of deadline dates and principles of aid allocation under the elderly and handicapped transportation assistance program for counties, the urban mass transit operating assistance program and the federal rural and small urban area public transportation assistance program.

Submitted by Department of Transportation.

Report received from agency, April 13, 1981.

Referred to committee on Aging, Business and Financial Institutions and Transportation, April 15, 1981.

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MESSAGE FROM THE ASSEMBLY

By David R. Kedrowski, chief clerk.

Mr. President:

I am directed to inform you that the assembly has concurred in as amended:

**Senate Bill 16**, Assembly substitute amendment 1

Concurred in:

**Senate Bill 98**

Adopted and asks concurrence in:

**Assembly Joint Resolution 42**

Passed and asks concurrence in:

**Assembly Bill 15**

**Assembly Bill 20**

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**Assembly Bill 21**  
**Assembly Bill 28**  
**Assembly Bill 33**  
**Assembly Bill 233**  
**Assembly Bill 267**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Joint Resolution 42**

Relating to the life and public service of Marvin Babbitt.

By Representatives Conradt and Prosser, co-sponsored by Senator Lorge.

Read and referred to committee on Senate Organization.

**Assembly Bill 15**

Relating to abolishment of the real estate examining board, creation of a real estate board, transfer of functions of the real estate examining board to the real estate board and the department of regulation and licensing and granting rule-making authority.

By Representative Gerlach, co-sponsored by Senator Harnisch, by request of Department of Regulation and Licensing, Wisconsin Realtors Association and Real Estate Examining Board.

Read first time and referred to committee on Human Services.

**Assembly Bill 20**

Relating to permitting counties to adopt ordinances regulating the possession or procurement of beer and liquor by minors and the furnishing of intoxicants to minors.

By Representatives Potter, Andrea, Vanderperren, Hasenohrl, Otte, Wood and Johnson.

Read first time and referred to committee on Labor, Government, Veterans Affairs and Tourism.

**Assembly Bill 21**

Relating to increasing the excess width limitations for vehicles transporting loads of hay.

By Representatives Potter, Andrea, Vanderperren and Hasenohrl.

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

**Assembly Bill 28**

Relating to school board elections in a common or union high school district.

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By Representatives Potter, R. Travis, Harer, Flintrop and Byers, co-sponsored by Senators Thompson and Kreul.

Read first time and referred to committee on Education and State Institutions.

**Assembly Bill 33**

Relating to increasing the maximum length of vehicles and providing a penalty.

By Representatives Hopkins, Vanderperren, Bradley, Lewison, Harer, Paulson, Stiitt, Klicka, Matty, Looby and Wagner, co-sponsored by Senators Van Sistine, Johnston and Roshell.

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

**Assembly Bill 233**

An Act to authorize release of \$11,857.25 from the general fund for payment of 2 claims against the state made by Diane Merfeld, John Hotchkiss, Sr. and Geraldine Skaff.

By Representative Roberts, co-sponsored by Senator Kleczka, by request of State Claims Board.

Read first time and referred to committee on Senate Organization.

**Assembly Bill 267**

Relating to permits for enclosing navigable waters.

By Representatives Robinson and Kunicki, co-sponsored by Senator Chilsen.

Read first time and referred to committee on Agriculture and Natural Resources.

By request of Senator Flynn, with unanimous consent, **Assembly Joint Resolution 42** was withdrawn from committee on Senate Organization and taken up at this time.

**Assembly Joint Resolution 42**

Relating to the life and public service of Marvin Babbitt.

Read.

Considered as privileged.

Concurred in by unanimous rising vote.

By request of Senator Lorge, with unanimous consent, the entire membership of the Senate was made co-authors of **Assembly Joint Resolution 42**.

By request of Senator Flynn, with unanimous consent, the calendar of Wednesday, April 15, 1981 was taken up at this time.

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CALENDAR OF APRIL 15

**Senate Bill 16**

Relating to staggering the terms of town supervisors.

Read.

The question was: Concurrence of assembly substitute amendment 1?

Concurred in.

**Senate Bill 112**

Relating to making permanent the authorization for optometrists to use topical ocular diagnostic pharmaceutical agents.

Read a second time.

Senate amendment 1 offered by Senator Chilsen.

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 112**

Read a third time and passed.

By request of Senator Bablitch, with unanimous consent, the Senate returned to the second and third orders of business.

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INTRODUCTION OF RESOLUTIONS

**Senate Joint Resolution 20**

Making an application to the Congress of the United States pursuant to article V of the constitution of the United States, for a convention for proposing an amendment to the constitution of the United States to protect the lives of all human beings, including unborn children, at every stage of their biological development.

By Senator Lorge; cosponsored by Representative Prosser.

Read and referred to committee on Human Services.

**Senate Joint Resolution 21**

Directing the legislative council to study the feasibility of public acquisition and operation of certain public utilities.

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By Senators Braun, Berger, Strohl, George and Moody; cosponsored by Representatives Crawford, Becker, Kirby, Coggs, Norquist, Rooney, Neubauer and Plous.

Read and referred to committee on Insurance and Utilities.

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### INTRODUCTION OF BILLS

Read first time and referred:

#### **Senate Bill 291**

Relating to exempting operators of railroad trains from driver's licensing requirements.

By Senators McCallum and Goyke; cosponsored by Representative Roberts.

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

#### **Senate Bill 292**

Relating to income taxation of gain on the sale of a principal residence if the seller buys a replacement residence out-of-state.

By Senators Lorge and Harsdorf.

To Joint Survey committee on Tax Exemptions.

#### **Senate Bill 293**

Relating to sales and use tax exemptions for home heating fuels.

By Senators Lorge and Harsdorf.

To Joint Survey committee on Tax Exemptions.

#### **Senate Bill 294**

Relating to eligibility for recreation cards.

By Senator Lorge.

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

#### **Senate Bill 295**

Relating to tax free savings accounts for home purchases.

By Senators Lorge and McCallum.

To Joint Survey committee on Tax Exemptions.

#### **Senate Bill 296**

Relating to increasing general obligation, reducing revenue obligation and eliminating convertible obligation bonding authorization for veterans' housing loans.

By Senator Lorge.

To Joint Survey committee on Debt Management.

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**Senate Bill 297**

Relating to discrimination by insurers issuing or renewing motor vehicle liability policies.

By Senators Braun, Moody, Berger, George, Frank, Lorman, Thompson, Flynn, Cullen and Risser; cosponsored by Representatives Lee, Coggs, Luckhardt, Tuczynski, Kunicki, Crawford, Dorff, Flintrop, Plous, Kirby, Leopold, Becker and Ulichny.

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

**Senate Bill 298**

Relating to clarifying and making uniform various provisions, and changing provisions concerning the requirement of references and the definition of handicap, in state and local fair housing laws.

By Senator Braun; cosponsored by Representative Becker.

To committee on Human Services.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Thursday, April 16.

11:41 A.M.