

JOURNAL OF THE SENATE [April 30, 1981]

STATE OF WISCONSIN

**Senate Journal**

**Eighty-Fifth Regular Session**

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THURSDAY, April 30, 1981.

9:00 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, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, 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 -- None.

Absent with leave -- Senator Bidwell -- 1.

The senate stood for the prayer which was offered by Pastor John Carlson, Hilldale Assembly of God Church of Madison.

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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INTRODUCTION OF RESOLUTIONS

**Senate Joint Resolution 26**

Relating to the life and public service of General of the Army, Douglas MacArthur.

By Senators Van Sistine, Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, and Thompson.

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

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### INTRODUCTION OF BILLS

Read first time and referred:

#### **Senate Bill 354**

Relating to allowing animal technicians to vaccinate animals against rabies and brucellosis.

By Senator Chilsen; cosponsored by Representative Everson.

To committee on Agriculture and Natural Resources.

#### **Senate Bill 355**

Relating to special identification cards for disabled veterans.

By Senator Strohl.

To committee on Labor, Government, Veterans Affairs and Tourism.

#### **Senate Bill 356**

Relating to state employes (suggested as remedial legislation by the department of employment relations).

By Law Revision Committee.

To committee on Labor, Government, Veterans Affairs and Tourism.

#### **Senate Bill 357**

Relating to the operation of motor-driven cycles or mopeds with illegal passengers (suggested as remedial legislation by the department of transportation).

By Law Revision Committee.

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

#### **Senate Bill 358**

Relating to appeal procedures for minors admitted to inpatient treatment facilities (suggested as remedial legislation by the department of health and social services).

By Law Revision Committee.

To committee on Human Services.

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COMMITTEE REPORTS

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

**Senate Bill 359**

Relating to demerit points for traffic convictions.

Introduction resulting from objection:

Ayes, 7 -- Senators Berger, Goyke and Kreul, Representatives Rogers, Wagner, Helbach and Crawford;

Noes, 0 -- None.

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

DAVID G. BERGER

Co-Chair

WILLIAM J. ROGERS

Co-Chair

The committee on Energy reports and recommends for introduction:

**Senate Bill 360**

Relating to a residential weatherization program, granting rule-making authority and making an appropriation.

Introduction:

Ayes, 3 -- Senators Strohl, Berger and Harnisch;

Noes, 1 -- Senator Lorman.

Read first time and referred to committee on Energy.

JOE STROHL

Chair

The committee on State and Local Affairs and Taxation reports and recommends:

**Assembly Joint Resolution 7**

Relating to county responsibility for the acts of the sheriff (2nd consideration).

Introduction and adoption of senate amendment 1:

Ayes, 6 -- Senators Adelman, Berger, Hanaway, Lasee, Moody and Van Sistine;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 6 -- Senators Adelman, Berger, Hanaway, Lasee, Moody and Van Sistine;

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Noes, 0 -- None.

JIM MOODY  
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Senate Chamber

April 29, 1981

Senator Fred A. Risser  
Wisconsin State Senate  
State Capitol  
Madison, Wisconsin  
Dear Senator Risser:

This is to inform you that I hereby resign as a member of the Joint Survey Committee on Retirement Systems and as a member of the Retirement Research Committee, effective immediately.

Sincerely yours,  
GERALD D. LORGE  
State Senator, 14th District

**Senate Petition 7**

A petition by 333 residents of the State of Wisconsin in opposition to the elimination of the AFDC unemployed parent program, the reduction of AFDC grants to children living with non-legally responsible relatives, AFDC grants that don't keep up with inflation, elimination of certain services under the medical assistance program, like over-the-counter drugs, and any requirement that medical assistance recipients pay part of the cost of drugs, dental care and eyeglasses. We urge the joint committee on Finance to reconsider the Governor's recommendation which will harm people who are dependent on these programs for their basic needs.

By Senator Kleczka.

Read and referred to joint committee on Finance.

**Senate Petition 8**

A petition by 99 residents of the State of Wisconsin proposing the enactment of the Citizen/Labor Energy Coalition Proposal to tax all oil company profits derived from doing business in the state of Wisconsin.

By Senator McCallum.

Read and referred to joint committee on Finance.

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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:

**Senate Bill 167**

**Senate Bill 168**

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CALENDAR OF APRIL 30

**Senate Bill 1**

Relating to eliminating the budget review process.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 1** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 1** was withdrawn from the joint committee on Finance and considered for action at this time.

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 1**

Read a third time.

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, Chilsen, Engeleiter, Flynn, Frank, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Offner, Opitz, Risser, Roshell, Theno and Van Sistine -- 24.

Noes -- Senators Berger, Braun, Cullen, George, Goyke, Moody, Strohl and Thompson -- 8.

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

So the bill passed.

**Senate Bill 63**

Relating to review of certain executive orders of the governor by appropriate standing committees of the legislature, adoption of certain executive orders as rules and granting rule-making authority.

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Read a second time.

Ordered to a third reading.

Senator Bablitch asked unanimous consent that the rules be suspended and the bill be considered for final action at this time.

Senator Opitz objected.

Senator Bablitch moved that the rules be suspended and the bill be considered for final action at this time.

The question was: Shall the rules be suspended and the bill be considered for final action at this time?

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Frank, George, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Risser, Roshell, Strohl, Thompson and Van Sistine -- 19.

Noes -- Senators Chilsen, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 13.

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

Less than two-thirds having voted in the affirmative, the motion did not prevail.

### **Senate Bill 64**

Relating to creation of a legislative administrative rules bureau and making an appropriation.

Read a second time.

By request of Senator Kleczka, with unanimous consent **Senate Bill 64** was referred to joint committee on Finance.

### **Senate Bill 71**

Relating to fair-share and maintenance of membership agreements under the state employment labor relations act.

Read a second time.

By request of Senator Flynn, with unanimous consent, **Senate Bill 71** was referred to committee on Labor, Government, Veterans Affairs and Tourism.

### **Senate Bill 90**

Relating to allowing municipalities to issue general obligation bonds to provide traffic control signals.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

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Ordered to a third reading.

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

**Senate Bill 90**

Read a third time and passed.

**Senate Bill 109**

Relating to authorizing counties to fund private organizations to defray expenses in providing homemaking services to the elderly.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

Senator Bablitch asked unanimous consent that the rules be suspended and the bill considered for final action at this time.

Senator Berger objected.

Senator Bablitch moved that the rules be suspended and the bill be considered for final action at this time.

The question was: Shall the rules be suspended and the bill be considered for final action at this time?

The ayes and noes were required and the vote was: ayes, 30; noes, 2; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Chilsen, Cullen, Engeleiter, Flynn, Frank, 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 -- 30.

Noes -- Senators Berger and Braun -- 2.

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

More than two-thirds having voted in the affirmative, the motion prevailed.

**Senate Bill 109**

Read a third time and passed.

**Senate Bill 131**

Relating to notary public bonds.

Read a second time.

Senator Kleczka moved indefinite postponement of **Senate Bill 131**.

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The question was: Shall the bill be indefinitely postponed?

By request of Senator Berger, with unanimous consent, **Senate Bill 131** was referred to committee on Labor, Government, Veterans Affairs and Tourism.

### **Senate Bill 245**

Relating to petitions and distribution of political literature in the common areas of shopping centers which are open to the public.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senator Opitz.

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

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### LEAVE OF ABSENCE

By request of Senator Lorge, with unanimous consent, he was granted a leave of absence for the balance of the day's session.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1 to **Senate Bill 245**?

Senator Adelman moved rejection of senate amendment 1 to senate substitute amendment 1.

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

Senator Theno moved indefinite postponement of **Senate Bill 245**.

The question was: Shall the bill be indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 10; noes, 21; absent or not voting, 2; as follows:

Ayes -- Senators Chilsen, Engeleiter, Harsdorf, Johnston, Kreul, Krueger, Lorman, Opitz, Roshell and Theno -- 10.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Kleczka, Lasee, McCallum, Maurer, Moody, Offner, Risser, Strohl, Thompson and Van Sistine -- 21.

Absent or not voting -- Senators Bidwell and Lorge -- 2.

So the motion did not prevail.

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By request of Senator Opitz, with unanimous consent, senate amendment 1 to senate substitute amendment 1 was withdrawn and returned to the author.

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### LEAVE OF ABSENCE

By request of Senator Krueger, with unanimous consent, he was granted a leave of absence until 12:30 P.M.

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

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

Senator Cullen moved rejection of senate amendment 2 to senate substitute amendment 1?

The question was: Rejection of senate amendment 2 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 12; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Frank, George, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Risser, Roshell, Thompson and Van Sistine -- 18.

Noes -- Senators Chilsen, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorman, McCallum, Opitz, Strohl and Theno -- 12.

Absent or not voting -- Senators Bidwell, Krueger and Lorge -- 3.

So the motion prevailed.

Senate amendment 3 to senate substitute amendment 1 offered by Senator Harnisch.

The question was: Adoption of senate amendment 3 to senate substitute amendment 1?

Senator Adelman moved rejection of senate amendment 3 to senate substitute amendment 1.

The question was: Rejection of senate amendment 3 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 11; noes, 19; absent or not voting, 3; as follows:

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Ayes -- Senators Adelman, Bablitch, Berger, Flynn, Frank, Goyke, Kleczka, Maurer, Offner, Strohl and Thompson -- 11.

Noes -- Senators Braun, Chilsen, Cullen, Engeleiter, George, Hanaway, Harnisch, Harsdorf, Johnston, Kreul, Lasee, Lorman, McCallum, Moody, Opitz, Risser, Roshell, Theno and Van Sistine -- 19.

Absent or not voting -- Senators Bidwell, Krueger and Lorge -- 3.

So the motion did not prevail.

The question was: Adoption of senate amendment 3 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 14; absent or not voting, 4; as follows:

Ayes -- Senators Bablitch, Chilsen, Cullen, Engeleiter, Hanaway, Harnisch, Harsdorf, Johnston, Kreul, Lasee, Lorman, McCallum, Moody, Opitz and Theno -- 15.

Noes -- Senators Adelman, Berger, Braun, Flynn, Frank, George, Goyke, Maurer, Offner, Risser, Roshell, Strohl, Thompson and Van Sistine -- 14.

Absent or not voting -- Senators Bidwell, Kleczka, Krueger and Lorge -- 4.

So the motion prevailed.

The question was: Adoption of senate substitute 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 245**

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, George, Goyke, Hanaway, Harnisch, Kleczka, Maurer, Moody, Risser, Strohl, Thompson and Van Sistine -- 17.

Noes -- Senators Chilsen, Engeleiter, Frank, Harsdorf, Johnston, Kreul, Lasee, Lorman, McCallum, Offner, Opitz, Roshell and Theno -- 13.

Absent or not voting -- Senators Bidwell, Krueger and Lorge -- 3.

So the bill passed.

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MOTIONS

By request of Senator Cullen, with unanimous consent, **Senate Bill 283** was withdrawn from committee on Aging, Business and Financial Institutions and Transportation and referred to committee on Agriculture and Natural Resources.

By request of Senator Cullen, with unanimous consent, **Senate Bill 297** was withdrawn from committee on Aging, Business and Financial Institutions and Transportation and referred to committee on Insurance and Utilities.

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

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INTRODUCTION OF RESOLUTIONS

**Senate Joint Resolution 27**

Calling on President Reagan and all members of Wisconsin's Congressional delegation to ensure that the state retains its 'hold harmless' status for supplemental security income payments.

By Senators Cullen, Bablitch, Berger, Strohl, Flynn, Chilsen, Maurer, Roshell, George, Goyke, Krueger, Frank, Moody, Adelman, Thompson and Risser; cosponsored by Representatives Loftus, Helbach, Johnson and D. Travis.

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

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COMMITTEE REPORTS

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

**Senate Bill 127**

Relating to changes in laws regulating securities and security transactions and granting rule-making authority.

Introduction and adoption of senate amendment 1:

Ayes, 7 -- Senators Roshell, Moody, Goyke, Maurer, Bidwell, Engeleiter and Cullen;

Noes, 0 -- None.

Passage as amended:

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Ayes, 7 -- Senators Roshell, Moody, Goyke, Maurer, Bidwell,  
Engeleiter and Cullen;

Noes, 0 -- None.

**Senate Bill 128**

Relating to changes in statutes regulating franchises and the offer  
or sale of franchises and granting rule-making authority.

Introduction and adoption of senate amendment 1:

Ayes, 7 -- Senators Roshell, Moody, Goyke, Maurer, Bidwell,  
Engeleiter and Cullen;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Roshell, Moody, Goyke, Maurer, Bidwell,  
Engeleiter and Cullen;

Noes, 0 -- None.

**Senate Bill 129**

Relating to changes in statutes regulating the take-over target  
companies.

Introduction and adoption of senate amendment 1:

Ayes, 7 -- Senators Roshell, Moody, Goyke, Maurer, Bidwell,  
Engeleiter and Cullen;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Roshell, Moody, Goyke, Maurer, Bidwell,  
Engeleiter and Cullen;

Noes, 0 -- None.

TIM CULLEN

Chair

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AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 241** by Senator Berger.

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

Upon motion of Senator Bablitch the senate adjourned until  
10:00 A.M. Tuesday, May 5.

12:01 P.M.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Bill 97**

1. Page 4, lines 15 and 16: substitute "does not apply to lands adjacent to farm drainage ditches if:" for "does not apply to lands adjacent to farm drainage ditches if:".

**Senate Bill 317**

1. Page 2, line 9: delete "240.085" and substitute "24.085".