

STATE OF WISCONSIN

# Senate Journal

## Eighty-Fifth Regular Session

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THURSDAY, May 7, 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, 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 Van Sistine -- 32.

Absent -- Senator Thompson -- 1.

Absent with leave -- None.

The senate stood for the prayer which was offered by Dr. H. Conrad Hayer, retired Lutheran pastor of Phillips.

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

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### INTRODUCTION OF BILLS

Read first time and referred:

#### **Senate Bill 374**

Relating to authorization to relocate a bank's principal office and to continue to operate the former principal office as a branch under certain circumstances.

By Senators George, Van Sistine and Strohl; cosponsored by Representatives Broydrick, Rooney, Coggs, Plewa, Vanderperren, Becker, Rogers, Medinger, Lee, Metz, Fischer, Potter, Menos, Gerlach, Ulichny, Behnke, Kirby, Johnson, Leopold, D. Travis,

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Crawford, Plous, Ladwig, Czarnecki, Rutkowski, Munts and Helbach.

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

### **Senate Bill 375**

Relating to equipment standards for motor bicycles.

By Senator McCallum; cosponsored by Representative McEssy, by request of Walter J. Nachtwey.

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

### **Senate Bill 376**

Relating to creation of a joint legislative survey committee on local mandates.

By Senators McCallum, Chilsen, Krueger, Johnston, Lorge, Cullen, Bablitch, Hanaway, Kreul, Maurer and Roshell; cosponsored by Representatives Andrea, Porter, Merkt, Schmidt, Nelson, Radtke, Tregoning, Harer, Larson, McEwen, Stitt, Young, Luckhardt, Prosser, Jaronitzky, Goodrich, Wagner and Fischer.

To committee on State and Local Affairs and Taxation.

### **Senate Bill 377**

Relating to recall primary requirements for state, congressional, judicial, legislative and county offices and canvassing procedure.

By Senator Braun; cosponsored by Representative Hauke.

To committee on Judiciary and Consumer Affairs.

### **Senate Bill 378**

Relating to a sales and use tax exemption for machinery and equipment used for slaughtering and processing meat.

By Senators Kreul and Bidwell; cosponsored by Representatives R. Travis and Tregoning.

To Joint Survey committee on Tax Exemptions.

### **Senate Bill 379**

Relating to exclusion of certain individuals transporting property for common or contract motor carriers from unemployment compensation coverage.

By Senators Kreul and Johnston; cosponsored by Representative Tregoning.

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

### **Senate Bill 380**

Relating to monthly registration of vehicles.

By Senator Kreul; cosponsored by Representative Tregoning.

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

**Senate Bill 381**

Relating to disability insurance policy coverage of health care services provided outside this state.

By Senators Kreul and Johnston; cosponsored by Representative R. Travis.

To committee on Insurance and Utilities.

**Senate Bill 382**

Relating to increasing the assessment rate on potatoes and changing the districts under the potato industry act, adding members to the potato industry board and granting rule-making authority.

By Senators Bablitch, Harnisch, Krueger, Chilsen, Kreul, Lasee, Thompson, Cullen, Opitz and Goyke; cosponsored by Representatives Helbach, Everson, Byers, Kincaid, Vanderperren, Behnke, Shoemaker, Goodrich, Looby, Donoghue, Larson, Otte, Schmidt, Duren, Hephner, Thompson and Hasenohrl.

To committee on Agriculture and Natural Resources.

**Senate Bill 383**

Relating to including as an authorized emergency vehicle privately owned vehicles used by paramedics or ambulance attendants.

By Senator Cullen.

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

**Senate Bill 384**

Relating to the personal representative filing a claim for a homestead credit on behalf of a deceased person.

By Senator Cullen, by request of Irene Smith, East Troy.

To committee on State and Local Affairs and Taxation.

**Senate Bill 385**

Relating to construction of nuclear electric generating facilities and providing for a study.

By Senators Strohl, Bablitch, Berger, Risser, George, Moody, Braun and Flynn; cosponsored by Representative Clarenbach.

To committee on Energy.

**Senate Bill 386**

Relating to parole eligibility for certain persons serving life terms.

By Senator Berger.

To committee on Human Services.

**Senate Bill 387**

Relating to congressional districts.

By Senator Berger.

To special committee on Reapportionment.

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COMMITTEE REPORTS

The joint committee on Audit reports and recommends for introduction:

**Senate Bill 388**

Relating to establishing a hospital cost containment program in the department of health and social services and granting rule-making authority.

Introduction:

Ayes, 7 -- Senators George, Berger, Lasee, Hanaway, Representatives Tuczynski, Gerlach and Nelsen;

Noes, 0 -- None.

Read first time and referred to committee on Human Services.

**Senate Bill 389**

Relating to medical assistance payments to hospitals and granting rule-making authority.

Introduction:

Ayes, 7 -- Senators George, Berger, Lasee, Hanaway, Representatives Tuczynski, Gerlach and Nelsen;

Noes, 0 -- None.

Read first time and referred to committee on Human Services.

**Senate Bill 390**

Relating to the hospital rate review program.

Introduction:

Ayes, 7 -- Senators George, Berger, Lasee, Hanaway, Representatives Tuczynski, Gerlach and Nelsen;

Noes, 0 -- None.

Read first time and referred to committee on Human Services.

GARY R. GEORGE

Co-Chair

PHILLIP J. TUCZYNSKI

Co-Chair

By request of Senator Adelman, with unanimous consent, **Senate Bills 388, 389 and 390** were withdrawn from committee on Human Services and referred to committee on Senate Organization.

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The committee on Education and State Institutions reports and recommends:

**Senate Bill 369**

Relating to contracts with Minnesota for confinement of Wisconsin prisoners and revising an appropriation.

Passage:

Ayes, 3 -- Senators Goyke, George and Harsdorf;

Noes, 0 -- None.

GARY R. GOYKE

Chair

The committee on Labor, Government, Veterans Affairs and Tourism reports and recommends:

**Senate Bill 77**

Relating to removing the requirements of U.S. citizenship and good moral character from certain employment and licensure statutes.

Adoption of senate amendment 1 to senate substitute amendment 1:

Ayes, 4 -- Senators Van Sistine, Cullen, Frank and Kreul;

Noes, 0 -- None.

Adoption of senate substitute amendment 1 as amended:

Ayes, 4 -- Senators Van Sistine, Cullen, Frank and Kreul;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Van Sistine, Cullen, Frank and Kreul;

Noes, 0 -- None.

**Senate Joint Resolution 26**

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

Adoption:

Ayes, 4 -- Senators Van Sistine, Cullen, Frank and Kreul;

Noes, 0 -- None.

JEROME VAN SISTINE

Chair

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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 passed and asks concurrence in:

**Assembly Bill 169**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 169**

Relating to special inspection warrants.

By Representatives Plewa, Thompson, Potter and Robinson, co-sponsored by Senators Frank and Hanaway, by request of Attorney General Bronson C. La Follette.

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

By request of Senator Lasee, with unanimous consent, the senate recessed until 9:47 A.M.

9:12 A.M.

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RECESS

9:47 A.M.

The senate reconvened.

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LEAVE OF ABSENCE

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

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CALENDAR OF MAY 7

**Senate Bill 243**

Relating to limitation of state expenditure reductions, expenditure estimate procedure and state revenue shortfall procedure.

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Read.

Senate amendment 1 to assembly amendment 3 offered by Senator Kleczka.

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

Adopted.

The question was: Concurrence of assembly amendment 3?  
Concurred in as amended.

Senate amendment 1 to assembly amendment 5 offered by Senator Hanaway.

The question was: Adoption of senate amendment 1 to assembly amendment 5?

Senator Kleczka moved rejection of senate amendment 1 to assembly amendment 5.

The question was: Rejection of senate amendment 1 to assembly amendment 5?

Senator Berger raised the point of order that senate amendment 1 to assembly amendment 5 was not germane.

The chair ruled the point of order well taken.

Senate amendment 2 to assembly amendment 5 offered by Senator Hanaway.

The question was: Adoption of senate amendment 2 to assembly amendment 5?

Senator Kleczka moved rejection of senate amendment 2 to assembly amendment 5.

The question was: Rejection of senate amendment 2 to assembly amendment 5?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 14; absent or not voting, 2; as follows:

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

Noes -- Senators Bidwell, Chilsen, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 14.

Absent or not voting -- Senators Roshell and Thompson -- 2.

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So the motion prevailed.

The question was: Concurrence of assembly amendment 5?  
Concurred in.

**Senate Bill 110**

Relating to restrictions on persons who commit crimes.  
Read a second time.

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

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

Adopted.

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.

**Senate Bill 110**

Read a third time and passed.

**Senate Bill 248**

Relating to authorizing county boards to delegate authority  
concerning claims, demands and causes of action.

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.

**Senate Bill 248**

Read a third time and passed.

**Assembly Bill 104**

Relating to absconding without paying for motor fuel and  
providing a penalty.

Read a third time.

The question was: Shall the bill pass?

Senator Berger moved that **Assembly Bill 104** be referred to  
committee on Judiciary and Consumer Affairs.

The question was: Shall **Assembly Bill 104** be referred to  
committee on Judiciary and Consumer Affairs?

The motion prevailed.

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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 391**

Relating to an interstate corrections compact and making an appropriation.

By Senator Goyke.

To committee on Education and State Institutions.

#### **Senate Bill 392**

Relating to various changes in the statutes regulating school district reorganization.

By Senators Chilsen, Engeleiter, Harsdorf, Harnisch and Johnston; cosponsored by Representatives Shoemaker, Nelsen, Medinger, Roberts, Flintrop, Merkt, Stitt and Donoghue.

To committee on Education and State Institutions.

#### **Senate Bill 393**

Relating to an exemption from the real estate transfer fee.

By Senator Chilsen.

To committee on State and Local Affairs and Taxation.

#### **Senate Bill 394**

Relating to making emergency telephone number systems optional instead of mandatory.

By Senators Chilsen and Krueger; cosponsored by Representative McEwen.

To committee on Judiciary and Consumer Affairs.

#### **Senate Bill 395**

Relating to employment relations for members of the academic staff employed by the university of Wisconsin system, granting rule-making authority, providing penalties and making appropriations.

By Senators Moody, Van Sistine, Frank, Goyke, Cullen, Krueger, McCallum, Strohl, Harnisch, Braun, Berger, George and Roshell; cosponsored by Representatives Flintrop, Gerlach, Otte, Dorff, Crawford, Shoemaker, Broydrick, Kincaid, Potter, Smith, D. Travis, Schneider and Behnke.

To committee on Education and State Institutions.

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MOTIONS

By request of Senator Cullen, with unanimous consent **Senate Bill 237** was withdrawn from committee on Aging, Business and Financial Institutions and Transportation and referred to committee on Senate Organization.

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 12.

10:26 A.M.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Joint Resolution 27**

1. Page 1, line 2: substitute "its" for "is".