

JOURNAL OF THE SENATE [June 9, 1981]

STATE OF WISCONSIN

Senate Journal

Eighty-Fifth Regular Session

TUESDAY, June 9, 1981.

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, 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 the prayer which was offered by Reverend Kenneth Hoffman, Pastor of Lakeview American Lutheran Church of Madison.

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

LEAVE OF ABSENCE

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 437

Relating to revision of the statutes governing the pharmacy examining board, granting rule-making authority and providing penalties.

By Senators Goyke and Chilsen; cosponsored by Representatives Leopold and Young, by request of the Pharmacy Examining Board.

To committee on Human Services.

Senate Bill 438

Relating to abolishing school district cost control provisions.

By Senators Harsdorf, Goyke, Cullen, Kreul, Johnston, Lorman, Engeleiter, Roshell, Hanaway, Theno and McCallum; cosponsored by Representatives Paulson, Berndt, Thompson, Larson, Donoghue, Nelson, Jaronitzky, Panzer, Schmidt, Merkt, Harer, Conradt, Bradley, Lewison, Robertson, Hopkins, Byers and Matty, by request of Vernon V. Maztke, John P. Peter of Northwest United Educators, Wisconsin Association of School Business Officials, Wisconsin Association of School Boards, Wisconsin Association of School District Administrators, Association of Wisconsin School Administrators, Wisconsin Education Association Council and Wisconsin Federation of Teachers.

To committee on Education and State Institutions.

Senate Bill 439

Relating to discharge from parole.

By Senator Goyke.

To committee on Human Services.

Senate Bill 440

Relating to various revisions in the correctional system, requiring studies and revising an appropriation.

By Senators Goyke and Thompson.

To committee on Human Services.

COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends for introduction:

Senate Bill 441

Relating to seized firearms and ammunition.

Introduction:

Ayes, 4 -- Senators Adelman, Braun, George and Johnston;

Noes, 0 -- None.

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

CRINION, SHIRLEY, of Eau Claire, as a member of the Judicial Commission, to serve for the term ending August 1, 1981 and for a subsequent term ending August 1, 1984.

Confirmation:

Ayes, 4 -- Senators Adelman, Braun, George and Johnston;

Noes, 0 -- None.

RAETHER, HERBERT, of Columbus, as a member of the Public Defender Board, to succeed Donald Sykes, to serve a three year term to expire on May 1, 1982.

Confirmation:

Ayes, 4 -- Senators Adelman, Braun, George and Johnston;

Noes, 0 -- None.

KOPISH, WILLIAM P. of Marinette, as a member of the Public Defender Board, to succeed Mary Lou Robinson, to serve a three year term to expire on May, 1983

Confirmation:

Ayes, 4 -- Senators Adelman, Braun, George and Johnston;

Noes, 0 -- None.

SCHRAUFNAGEL, ALLEN, of Elroy, as a member of the Public Defender Board, to succeed Eleanor Brennan, to serve for the term ending May 1, 1982.

Confirmation:

Ayes, 4 -- Senators Adelman, Braun, George and Johnston;

Noes, 0 -- None.

PINZER, EDWARD F., of Wauwatosa, as a member of the Public Defender Board, to succeed Sally Bilder, to serve a three year term to expire on May 1, 1983.

Confirmation:

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Ayes, 2 -- Senators Adelman and Johnston;
Noes, 2 -- Senators George and Braun.
Without recommendation.

STEINHILBER, JACK, of Oshkosh, as a member of the public defenders Board, to succeed Frank Remington, to serve a three year term to expire on May 1, 1982.

Ayes, 1 -- Senator Johnston;
Noes, 3 -- Senators Adelman, Braun and George.

BALDWIN, GORDON B., Professor, of Madison, as a member of the Public Defender Board, to succeed William Coffey, to serve a three year term to expire on May 1, 1982.

Confirmation:
Ayes, 2 -- Senators George and Johnston;
Noes, 2 -- Senators Adelman and Braun.
Without recommendation.

LYNN S. ADELMAN
Chair

The committee on Human Services reports and recommends:

Senate Bill 125

Relating to abuse of residents of facilities (suggested as remedial legislation by the department of health and social services).

Passage:
Ayes, 4 -- Senators Thompson, Offner, Strohl and Theno;
Noes, 0 -- None.

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).

Passage:
Ayes, 4 -- Senators Thompson, Offner, Strohl and Theno;
Noes, 0 -- None.

Senate Bill 222

Relating to drug paraphernalia citations and disposition for certain juvenile offenses, making appropriations and providing penalties.

Adoption of senate amendments 1 and 2:
Ayes, 4 -- Senators Thompson, Offner, Strohl and Theno;
Noes, 0 -- None.
Passage as amended:
Ayes, 4 -- Senators Thompson, Offner, Strohl and Theno;

Noes, 0 -- None.

Senate Bill 327

Relating to the determination of death.

Passage:

Ayes, 4 -- Senators Thompson, Offner, Strohl and Theno;

Noes, 0 -- None.

Senate Bill 282

Relating to allowing ambulance drivers to handle sick, injured or disabled persons under supervision.

Passage:

Ayes, 4 -- Senators Thompson, Offner, Strohl and Theno;

Noes, 0 -- None.

Senate Bill 214

Relating to community service work by defendants and probationers.

Passage:

Ayes, 4 -- Senators Thompson, Offner, Strohl and Theno;

Noes, 0 -- None.

Senate Bill 121

Relating to various changes in the statutes pertaining to the department of regulation and licensing and its attached examining boards (suggested as remedial legislation by the department of regulation and licensing).

Passage:

Ayes, 4 -- Senators Thompson, Offner, Strohl and Theno;

Noes, 0 -- None.

Assembly Bill 102

Relating to revising the membership of the state council on developmental disabilities.

Concurrence:

Ayes, 4 -- Senators Thompson, Offner, Strohl and Theno;

Noes, 0 -- None.

CARL W. THOMPSON
Chair

The committee on Senate Organization reports and recommends:

Senate Resolution 10

Relating to exempting partisan caucuses of the senate special committee on reapportionment from subchapter IV of chapter 19 of the statutes.

Adoption:

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

Noes, 0 -- None.

Senate Joint Resolution 32

Relating to the constitutional requirement for a two-thirds vote on certain legislative actions, and to the bulletin of proceedings.

Adoption:

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

Noes, 0 -- None.

FRED A. RISSER

Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

June 1, 1981.

To the Honorable, the Senate:

I have the honor to transmit to you the following information pursuant to s. 13.695(8):

Yours very truly,
VEL PHILLIPS
Secretary of State

Lobbyist's name, address, telephone number; principal's name, address, telephone number.

Schneider, Theodore W., 5909 - 6th Ave. "A", Kenosha, WI 53140 (414) 654-9141; Wisconsin Land Title Assn., Inc., 5909 - 6th Ave. "A", Kenosha, WI 53140 (414) 654-9141; 5, 14, 15, 16, 18,; 138, 167.

Wimmer, James W., Jr., P.O. Box #1482, Madison, WI 53701 (608) 256-5223; Flambeau Mining Corp., A Division of Kennecott Corp., P.O. Box #194, Ladysmith, WI 54848; 4, 5, 13, 15-18, 21-23; 116, 136, 140, 142, 144, 170, 176.

Wimmer, James W., Jr., P.O. Box #1482, Madison, WI 53701 (608) 256-5223; The Northwestern Mutual Life Insurance Co., 720 E. Wisconsin Ave., Milwaukee, WI 53202 (414) 271-1444; 3, 14, 15, 16, 18, 20, 22; 138.

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Registration Amendments:

Flambeau Mining Corporation name update: Change to Flambeau Mining Corporation, A Division of Kennecott Corporation. Address and phone number remain the same.

**State of Wisconsin
Claims Board**

May 29, 1981.

**Don Schneider
Senate Chief Clerk
State Capitol
Madison, Wisconsin**

Dear Mr. Schneider:

Enclosed is the report of the State Claims Board covering claims heard on May 18, 1981.

The amounts recommended for payment under \$1000 on claims included in this report have, under the provisions of s. 16.007, Wisconsin Statutes, been paid directly by the Board.

The Board is preparing the bill(s) on the recommended award(s) over \$1,000, and will submit such to the Joint Finance Committee for legislative introduction.

This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the Journal to inform the members of the Legislature.

**Sincerely,
EDWARD D. MAIN
Secretary**

**State of Wisconsin
Claims Board**

The State Claims Board conducted hearings at the State Capitol Building, Madison, Wisconsin on May 18, 1981, upon the following claims:

Claimant	Amount
Lawrence Brunette	\$12,000.00
Judge Max Raskin	22,420.30
Conrad Labandeira	278.10
Lawrence Wolfensohn, Ph.D.	1,150.00
City of Waupun	1,805.48

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Tom Eckert 60.00

In addition, the following claims were considered and decided without hearings:

Ronald Polacek	\$25.99
Daniel Hilgemann	61.07
Northern States Power Co.	525.70
Bernard McGown	760.00
Gerald Cardo	2,310.45
Grandview Orchard, Inc.	450.00
Judy Brisky	49.99
Robert Harrington	846.09
Maribeth Ahrens	122.82
William Wood, M.D.	960.00
Olga Feuersthaler	5,790.25

THE BOARD FINDS:

1. Lawrence Brunette of Oconto, Wisconsin, claims \$12,000.00 for alleged damages to his fishing nets (\$6,000.00), professional equipment (\$2,000.00), and loss of opportunity to fish the nets (\$4,000.00). On September 3, 1980 Department of Natural Resources conservation wardens lifted claimant's fishing nets and boarded his boat in the waters of Green Bay off of Door County, Wisconsin. Claimant alleges the wardens pulled his fishing nets in an improper manner, causing them to be dragged along the bottom of the waters and as a result, the nets were ripped apart. The Department of Natural Resources' wardens have legal authority to raise fishing nets of commercial fishers under s. 29.30, Wis. Stats., and the Department believes standard accepted methods were used by the wardens when raising claimant's nets. The Department of Natural Resources denies that any damage was caused to claimant's personal and professional equipment by their personnel. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents, or employes, and this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

2. Judge Max Raskin of Milwaukee, Wisconsin, claims \$22,420.30 as the amount withheld from his salary for 1978, 1979, and 1980 pursuant to s. 753.075(3)(b), Stats. In October, 1977, claimant was appointed temporary Circuit Judge, Branch 1, Waukesha County, by Chief Justice Beilfuss. At that time, claimant received the full statutory salary equal to other circuit judges in the state. However, in August, 1978, the legislature changed the law under which claimant was appointed circuit judge and established

“permanent reserve judge” status, which provided that the compensation of a “permanent reserve judge” should be diminished to the extent of social security benefits paid to the judge. The reduction in claimant’s salary became effective December 6, 1980. An opinion and order issued on December 31, 1980, by Federal District Judge Barbara B. Crabb concluded that, with respect to social security, sec. 753.075, Stats., is not unconstitutional. The Board concludes this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

3. Conrad Labandeira of Milwaukee, Wisconsin, claims \$278.10 for medical bills he incurred as a result of a fall on December 16, 1980, when he slipped on the sidewalk on the University of Wisconsin-Milwaukee campus, fracturing his collarbone. Claimant alleges there was an excessive buildup of ice on the sidewalk where he fell which existed prior to his accident. The Board concludes that there is insufficient evidence to prove negligence on the part of the University and that the claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

4. Lawrence Wolfensohn, Ph.D., of Madison, Wisconsin, claims \$1,150.00 for payment of psychotherapy services he rendered to an individual serving parole under the supervision of the Department of Health and Social Services from October 7, 1978 through January 30, 1979. An amendment to the parole agreement of the involved individual, imposed the condition that the parolee participate in counseling. The parolee was referred to the Dane County Mental Health Center in June of 1978 and when it was reported to the parole agent that the parolee was resisting treatment at the Center, Dr. Gambara, Clinical Psychologist at Mendota Mental Health Institute. However, claimant entered into no contracts with the Department of Health and Social Services to cover the services he provided during this period of time. When it became apparent to claimant that payment for his services was not being made, the parole agent authorized purchase of services funds for \$500.00 additional psychotherapy sessions for the parolee, effective February, 1979 and thereafter. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employes, and this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

5. City of Waupun claims \$1,805.48 for expenses incurred in cleaning up various streets in the City on June 7, 1980 when heavy rains caused flooding. An area of land owned by the Department of

Health and Social Services in the City of Waupun, had been tilled and covered with crop litter from the previous year's soybean planting. The heavy rain caused a run-off of water containing large amounts of silt and soil down several streets, causing extensive flooding of the streets and private property. The deposit of mud, after the water from the storm receded, caused the city to incur clean-up expenses. However, the land in question had been leased for two planting seasons to non-state farmers, and was under lease at the time of the incident. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents, or employes, and this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

6. Tom Eckert of Milwaukee, Wisconsin, claims \$60.00, the amount of money confiscated from his room while he was an inmate at the Fox Lake Correctional Institute in December, 1979. Claimant alleges the money did not belong to him when it was found in his room. The penalty for possession of money by an inmate is confiscation of such monies after a formal disciplinary hearing. Finding of guilt is based on possession of contraband and does not establish that claimant was the actual owner of the money. The Board concludes this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

7. Ronald Polacek of Prairie du Sac, Wisconsin, claims \$25.99 for the replacement cost of a sweater which was damaged when he brushed against a freshly painted and unmarked partition in his office at Kinsman Boulevard on January 13, 1981. Claimant was aware that painting was being done in the area of his office. The Board concludes there is an insufficient showing of negligence on the part of the state, its agents, officers, or employes, and this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

8. Daniel Hilgemann of Edgar, Wisconsin, claims \$61.07 for the replacement cost of a car tire and rim which were damaged on January 3, 1981 when his car ran over a loose piece of concrete located near the centerline on Highway 97, north of Marshfield, Wisconsin. The State responded immediately upon notification that such a problem existed, and repaired the damaged area. The Board concludes this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

9. Northern States Power Company of La Crosse, Wisconsin, claims \$525.70 for expenses incurred to check their underground

cable located at Lang Drive in La Crosse, for possible damage in February, 1981. A Department of Transportation drilling crew was drilling at a depth of 70 feet when power company officials arrived at the scene and indicated the drillers were close to a high voltage underground electrical cable. The drilling operation was halted and the power company dug up the cable to determine if any damage had been inflicted. When the cable was uncovered it was determined that there was no damage, and the hole was refilled. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents, or employes, and this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

10. Bernard McGown of Plover, Wisconsin, claims \$760.00 for expenses incurred as a result of an error contained in an original deed prepared by the Department of Transportation, which was discovered by Basler Land Surveying Company while doing a survey of claimant's property in September, 1980. The error in the deed resulted in extra research and calculations by the surveying company which were subsequently billed to claimant. The Board concludes this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles. (Member Kleczka dissents)

11. Gerald Cardo of Coloma, Wisconsin, claims \$2,310.45 for deer damages to his corn and soybean crops which occurred during the summer of 1980. Section 29.595, Stats., previously authorized the Department of Natural Resources to pay damages caused to crops by deer on agricultural lands provided proper notice was given to the Department. However, the statutory provision enabling payment has been repealed by the state legislature by Chapter 34, Laws of 1979, which provides no payment can be made under the deer damage program for damages occurring after March 31, 1980. Therefore, the Board feels it cannot honor claims of this type and concludes this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

12. Grandview Orchard, Inc., of Antigo, Wisconsin, claims \$450.00 for deer, mice, and rabbit damage to its apple orchard during the year 1980. Section 29.595, Stats., previously authorized the Department of Natural Resources to pay damages caused by deer to crops on agricultural lands, provided that proper notice was given to the Department. However, the statutory provision enabling payment has been repealed by the state legislature by Chapter 34, Laws of 1979, which provides that no payment can be made under the deer damage program for damages occurring after March 31, 1980.

Therefore, the Board feels it cannot honor claims of this type and concludes this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

13. Judy Brisky of Madison, Wisconsin, claims \$49.99 for the replacement cost of her coat which was allegedly stolen on February 5, 1981, from a coat rack in the General Facility II Office building where claimant is employed as a word processing operator with the Department of Natural Resources. The Board concludes there is insufficient showing of negligence on the part of the state its officers, agents, or employes, and this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

14. Robert Harrington of Chippewa Falls, Wisconsin, claims \$846.09 for automobile damages which occurred on November 22, 1980, on County Trunk A, when he hit a deer. There is no statutory provision for payment of damages caused to automobiles under the circumstances of this case. The Board concludes this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

15. Maribeth Ahrens of Sheboygan, Wisconsin, claims \$122.82 for repairs to her father's automobile which was damaged when the front gate at the Taycheedah Correctional Institute closed as she was driving through on September 4, 1980. There is a sign at the gate advising everyone to stop. The driver is then required to announce himself or herself and receive an acknowledgement before proceeding through the gate. The officer on duty at the gate at the time of this incident indicates that claimant failed to stop. The Board concludes this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

16. William Wood, M.D., of Madison, Wisconsin, claims \$960.00 for three days salary from the Mendota Mental Health Institute Geropsychiatric Center. Claimant was employed as a consultant at Mendota and worked half days every Wednesday in addition to his private psychiatric practice. On June 27, 1980 claimant was informed by Mr. George Bancroft of the Institute's business office, that his hours would be increased to full days every Wednesday. However, on July 1, 1980, claimant was informed that his services were being temporarily suspended because the Institute's business office did not comply with the state's deadline for renewing the contract. Claimant was told that approval of his contract was imminent and he should be ready for work. For three consecutive Wednesdays, between July 1, 1980 and July 21, 1980 claimant did not schedule any private patients in anticipation of his employment at

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the Institute. On July 21, 1980 claimant was informed that his contract was approved. The Board concludes this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles.

17. Olga Feuersthaler of Milwaukee, Wisconsin, claims \$5,790.25 damages relating to an injury she sustained on August 13, 1977 at the Wisconsin State Fair Park. While walking in front of the forestry exhibit at the State Fair, claimant stepped into a hole causing her to fall, sustaining leg injuries. Her damages consist of \$32.00 for uninsured medical expenses, \$758.00 for medical expenses paid by the Teamsters Health Center, and \$5,000.00 for past, present, and future pain and suffering. The Board concludes this claim is not one for which the state is legally liable, but concludes that claimant's unreimbursed medical expenses in the amount of \$32.00 should be paid, based on equitable principles.

THE BOARD CONCLUDES:

1. The claims of the following claimants should be denied:

Lawrence Brunette

Judge Max Raskin

Conrad Labandeira

Lawrence Wolfensohn, Ph.D.

City of Waupun

Tom Eckert

Ronald Polacek

Daniel Hilgemann

Northern States Power Company

Bernard McGown

Gerald Cardo

Grandview Orchard, Inc.

Judy Brisky

Robert Harrington

Maribeth Ahrens

William Wood, M.D.

2. Payment of the following amount to the following claimant is justified under s.16.007, Stats:

Olga Feuersthaler

32.00

Dated at Madison, Wisconsin, this 29th day of May, 1981.

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GERALD D. KLECZKA
Senate Finance Committee

VIRGIL D. ROBERTS
Assembly Finance Committee

LAURIE ANN McCALLUM
Representative of Governor

EDWARD D. MAIN
Representative of Secretary of
Administration

WARD L. JOHNSON
Representative of Attorney
General

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 80-232

A RULE to amend NR 128.09 (1) (a) and (d), 128.12 (9) (c) and (10) and 128.13 (2) (f); and to create NR 128.26, relating to state grant assistance to municipalities for wastewater treatment projects under the point source water pollution abatement grant program.

Submitted by Department of Natural Resources.

Report received from agency, June 8, 1981.

Referred to committee on Agriculture and Natural Resources, June 9, 1981.

The committee on Education and State Institutions reports and recommends:

Clearinghouse Rule 79-40

A RULE to create Ch. HSS 311, relating to observation of inmates of correctional institutions.

No objection:

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

Noes, 0 -- None.

GARY R. GOYKE
Chair

By request of Senator Bablitch, with unanimous consent, the scheduling report was taken up as the calendar of June 9.

CALENDAR OF JUNE 9

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.

Read.

The question was: Concurrence of assembly amendment 2?
Concurred in.

Senate Resolution 10

Relating to exempting partisan caucuses of the senate special committee on reapportionment from subchapter IV of chapter 19 of the statutes.

Read.

The question was: Adoption?

The ayes and noes were required and the vote was: ayes, 25; noes, 7; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Chilsen, Cullen, Engeleiter, Flynn, George, Goyke, Hanaway, Harnisch, Harsdorf, Kleczka, Krueger, Lorman, Maurer, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 25.

Noes -- Senators Braun, Johnston, Kreul, Lasee, Lorge, McCallum and Moody -- 7.

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

So the resolution was adopted.

Senate Joint Resolution 32

Relating to the constitutional requirement for a two-thirds vote on certain legislative actions, and to the bulletin of proceedings.

Read.

The question was: Adoption?

The ayes and noes were required and the vote was: ayes, 24; noes, 8; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Engeleiter, Flynn, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Krueger, Lorge, Lorman, Maurer, Moody, Offner, Risser, Strohl, Theno, Thompson and Van Sistine -- 24.

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Noes -- Senators Bidwell, Cullen, Kleczka, Kreul, Lasee, McCallum, Opitz and Roshell -- 8.

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

So the joint resolution was adopted.

Senate Bill 125

Relating to abuse of residents of facilities (suggested as remedial legislation by the department of health and social services).

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 125

Read a third time and passed.

Senate Bill 222

Relating to drug paraphernalia citations and disposition for certain juvenile offenses, making appropriations and providing penalties.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 222** was referred to joint committee on Finance.

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).

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 358

Read a third time and passed.

By request of the president, with unanimous consent, the Senate returned to the third order of business.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 442

Relating to eligibility for unemployment compensation benefits upon voluntary termination for good cause attributable to an employer.

By Senator Braun; cosponsored by Representative Crawford.

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

Senate Bill 443

Relating to the membership of county traffic safety commissions and the appointment of county and city highway safety coordinators.

By Senator Chilsen; cosponsored by Representatives McEwen and Robinson.

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

Senate Bill 444

Relating to revising the penalty for violating certain provisions related to deer hunting.

By Senator Chilsen; cosponsored by Representative McEwen, by request of Judge Stevens of Wausau.

To committee on Agriculture and Natural Resources.

Senate Bill 445

Relating to operating a motor vehicle while under the influence of an intoxicant or controlled substance and providing a penalty.

By Senators Chilsen, McCallum, Lorman and Johnston; cosponsored by Representatives Jackamonis, Laatsch, Hopkins, Dorff, McEwen, Schneiders, Goodrich, Ladwig and Knox.

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

Senator Adelman objected.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 445** 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.

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 253** by Senator George.

Senate amendment 1 to **Senate Bill 323** by Senator McCallum.

Senate amendment 1 to **Senate Bill 413** by Senator Kreul.

Senate amendment 1 to **Senate Bill 440** by Senators Goyke and Thompson, by request of the Wisconsin Lifers' Group.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Thursday, June 11.

10:40 A.M.