

STATE OF WISCONSIN

**Senate Journal**

**Eighty-Fifth Regular Session**

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Thursday, June 18, 1981.

9:00 A.M.

The senate met.

The senate was called to order by Senator Braun.

By request of Senator Kreul, with unanimous consent, the calling of the roll was dispensed with.

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INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 456**

Relating to voluntary admission of minors for treatment of mental illness, developmental disability, alcoholism or drug abuse.

By Senator Van Sistine.

To committee on Human Services.

**Senate Bill 457**

Relating to shoreland zoning ordinances.

By Senators Harnisch and Engeleiter; cosponsored by Representatives Schneiders and Schmidt.

To committee on Agriculture and Natural Resources.

**Senate Bill 458**

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

By Senator Offner.

To committee on Agriculture and Natural Resources.

**Senate Bill 459**

Relating to jurisdiction of duties of the department of natural resources with respect to the waters of the state.

By Senators Opitz and Kreul; cosponsored by Representatives Porter, Lewison, Stitt, Matty, Donoghue and McEssy.

JOURNAL OF THE SENATE [ June 18, 1981 ]

To committee on Agriculture and Natural Resources.

**Senate Bill 460**

Relating to the impact of the fact that a farm drainage ditch flows into a navigable water on the navigable waters law and the shorelands protection law.

By Senators Opitz, Krueger, Harsdorf and Kreul; cosponsored by Representatives McEssy, Hopkins, McEwen, Laatsch, Goodrich, Schmidt, Stitt, Thompson, Luckhardt, R. Travis and Conradt.

To committee on Agriculture and Natural Resources.

**Senate Bill 461**

Relating to determining the navigability of farm drainage ditches and the applicability of flood plain and shoreland zoning to land adjacent to farm drainage ditches.

By Senators Opitz, Lasee, Krueger, Chilsen, Thompson, Kreul and Harsdorf; cosponsored by Representatives Alberts, Porter, R. Travis, Conradt, Duren, Luckhardt, Stitt, Goodrich, Panzer, DeLong, Schmidt, McEssy and Bradley.

To committee on Agriculture and Natural Resources.

**Senate Bill 462**

Relating to permits to remove materials from waters of the state.

By Senators Opitz, Krueger, Johnston, Thompson and Kreul; cosponsored by Representatives Alberts, Laatsch, Potter, Porter, Hopkins, R. Travis, Conradt, Luckhardt, Stitt, Goodrich, Panzer, DeLong and McEssy.

To committee on Agriculture and Natural Resources.

**Senate Bill 463**

Relating to permit requirements concerning the enlargement and protection of waterways.

By Senators Opitz and Kreul; cosponsored by Representatives Shoemaker, Luckhardt, Harer, Robertson, Goodrich and McEssy.

To committee on Agriculture and Natural Resources.

**Senate Bill 464**

Relating to eligibility to attend a vocational, technical and adult education school located outside the district of residence.

By Senator Cullen.

To committee on Education and State Institutions.

**Senate Bill 465**

Relating to the repeal of general property taxes, creating a municipal income tax, making appropriate changes in related portions of the statutes, providing for a study, granting rule-making authority, appropriations and providing penalties.

JOURNAL OF THE SENATE [ June 18, 1981 ]

By Senator Berger; cosponsored by Representatives Kirby, Plous and Behnke.

To Joint Survey committee on Tax Exemptions.

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COMMITTEE REPORTS

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

**Senate Bill 466**

Relating to destruction of documents subject to subpoena and providing penalties.

By request of Attorney General Bronson C. LaFollette.

Introduction:

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

Noes, 0 -- None.

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

**Assembly Bill 76**

Relating to damages in wrongful death actions.

Concurrence:

Ayes, 3 -- Senators Adelman, George and Braun;

Noes, 1 -- Senator Johnston.

**Assembly Bill 85**

Relating to the maximum recovery level for tort actions against local governmental entities and agencies.

Introduction and adoption of senate amendment 1:

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

Noes, 0 -- None.

Concurrence as amended:

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

Noes, 0 -- None.

LYNN S. ADELMAN

Chair

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

**Senate Bill 467**

Relating to notification of inspection of certain records of the department of regulation and licensing.

Introduction:

JOURNAL OF THE SENATE [ June 18, 1981 ]

Ayes, 10 -- Senators Berger, Goyke, Harnisch, George and Kreul; Representatives Rogers, Wagner, Helbach, Crawford and Thompson;

Noes, 0 -- None.

Read first time and referred to committee on joint committee for Review of Administrative Rules.

**Senate Bill 324**

Relating to the employment of hearing examiners by separate subunits of state agencies.

Passage:

Ayes, 10 -- Senators Berger, Goyke, Harnisch, George and Kreul; Representatives Rogers, Wagner, Helbach, Crawford and Thompson;

Noes, 0 -- None.

DAVID G. BERGER

Co-chair

WILLIAM J. ROGERS

Co-chair

The committee on Agriculture and Natural Resources reports and recommends:

**Senate Bill 37**

Relating to bounties for rattlesnakes.

Passage:

Ayes, 5 -- Senators Harnisch, Strohl, Thompson, Krueger and Opitz;

Noes, 0 -- None.

**Senate Bill 107**

Relating to an earlier open season for hunting raccoon for residents than for nonresidents.

Passage:

Ayes, 5 -- Senators Harnisch, Strohl, Thompson, Krueger and Opitz;

Noes, 0 -- None.

**Senate Bill 185**

Relating to arrest powers for conservation wardens.

Passage:

Ayes, 5 -- Senators Harnisch, Strohl, Thompson, Krueger and Opitz;

Noes, 0 -- None.

**Assembly Bill 267**

Relating to permits for enclosing navigable waters.

Adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Harnisch, Strohl, Thompson, Krueger and Opitz;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Harnisch, Strohl, Thompson, Krueger and Opitz;

Noes, 0 -- None.

**Senate Bill 75**

Relating to declaring agricultural uses not to be nuisances and granting rule-making authority.

Adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Harnisch, Strohl, Thompson, Krueger and Opitz;

Noes, 0 -- None.

Passage:

Ayes, 5 -- Senators Harnisch, Strohl, Thompson, Krueger and Opitz;

Noes, 0 -- None.

**Senate Bill 411**

Relating to extending the existence of the fertilizer research council.

Passage:

Ayes, 5 -- Senators Harnisch, Strohl, Thompson, Krueger and Opitz;

Noes, 0 -- None.

**Senate Bill 31**

Relating to labeling requirements for ice cream.

Passage:

Ayes, 5 -- Senators Harnisch, Strohl, Thompson, Krueger and Opitz;

Noes, 0 -- None.

**Assembly Bill 244**

Relating to the governing body of a public inland lake protection and rehabilitation district.

Concurrence:

Ayes, 5 -- Senators Harnisch, Strohl, Thompson, Krueger and Opitz;

JOURNAL OF THE SENATE [ June 18, 1981 ]

Noes, 0 -- None.

THOMAS W. HARNISCH  
Chair

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

**Senate Bill 338**

Relating to vacancies in nominations of candidates for certain offices.

Passage:

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

Noes, 0 -- None.

FUNK, FREDERICK R., of Onalaska, as a member of the Minnesota-Wisconsin Boundary Area Commission, to succeed Barbara A. Frank whose term expired on September 25, 1979, to serve a five year term to expire on September 25, 1984.

Confirmation:

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

Noes, 0 -- None.

HOWE, WILLIAM, of Prairie du Chien, as a member of the Minnesota-Wisconsin Boundary Area Commission, to fill a vacant position to serve a term to expire on September 25, 1983.

Confirmation:

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

Noes, 0 -- None.

TOROSIAN, HERMAN, of Madison, as a member of the Employment Relations Commission, to succeed himself, to serve a six year term to expire on March 1, 1987.

Confirmation:

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

Noes, 0 -- None.

JEROME VAN SISTINE  
Chair

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SENATE CLEARINGHOUSE ORDERS

The committee on Judiciary and Consumer Affairs reports:

**Clearinghouse Rule 80-215**

A RULE to create SPD 1.04, relating to trial certification standards.

No action taken.

**Clearinghouse Rule 80-238**

A RULE to renumber SPD 2.03 (2) to (4); to amend SPD 2.02 (1), 2.03 (1), 3.03 (2) and 3.05; and to create SPD 1.06, 2.01 (5) and 2.03 (2) to (4), relating to certification lists and determination of indigency.

No action taken.

LYNN S. ADELMAN

Chair

The committee on Agriculture and Natural Resources reports and recommends:

**Clearinghouse Rule 81-70**

AN ORDER to repeal and recreate NR 25.07 (2) (a) 1, relating to chub quotas for commercial fishing of Lake Michigan.

No objection:

Ayes, 5 -- Senators Harnisch, Strohl, Thompson, Krueger and Opitz;

Noes, 0 -- None.

THOMAS W. HARNISCH

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 adopted and asks concurrence in:

**Assembly Joint Resolution 54**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Joint Resolution 54**

Relating to the artistic achievements and plans of Robert E. Gard.

By Representatives Duren, Loftus, Miller, Munts, Becker, Otte, Kirby, Jackamonis, Metz, Clarenbach and Flintrop, co-sponsored by Senators Risser, Kreul and Thompson.

Read and referred to committee on Senate Organization.

JOURNAL OF THE SENATE [ June 18, 1981 ]

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AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 105** by Senator Opitz.

Senate substitute amendment 1 to **Senate Bill 177** by Senator Opitz.

Upon motion of Senator Kreul the senate adjourned until 10:00 A.M., Tuesday, June 23.

9:12 A.M.