

JOURNAL OF THE SENATE

Eighty-Fifth Regular Session

WEDNESDAY, September 23, 1981.

The chief clerk makes the following entries under the above date.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 566

Relating to precluding employes participating in ride-sharing arrangements from recovery under the workers compensation act.

By Legislative Council.

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

Senate Bill 567

Relating to various changes in the unemployment compensation law and making an appropriation.

By Senator Van Sistine; cosponsored by Representative Behnke.

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

Senate Bill 568

Relating to recalculating benefits of retired teachers under the state teachers retirement system and making an appropriation.

By Senator Strohl.

To Joint Survey committee on Retirement Systems.

Senate Bill 569

Relating to determination of consent under the sexual assault law.

By Legislative Council.

To committee on Judiciary and Consumer Affairs.

Senate Bill 570

Relating to the definition of sexual contact.

By Legislative Council.

To committee on Judiciary and Consumer Affairs.

Senate Bill 571

Relating to costs of medical examinations for alleged victims of sexual assault.

By Legislative Council.

To committee on Human Services.

JOURNAL OF THE SENATE

Senate Bill 572

Relating to spousal sexual assault.

By Legislative Council.

To committee on Judiciary and Consumer Affairs.

Senate Bill 573

Relating to a sales tax exemption for nonmotor-driven devices for feeding animals used in agricultural production.

By Senator Harsdorf.

To Joint Survey committee on Tax Exemptions.

Senate Bill 574

Relating to payments by county treasurers to the state treasurer of the state forestation tax.

By Senators Harsdorf and Chilsen; cosponsored by Representatives Everson, Donoghue and Laatsch.

To committee on State and Local Affairs and Taxation.

Senate Bill 575

Relating to review by the department of revenue of municipalities' assessment practices.

By Senators Harsdorf, Kreuger, Theno, Goyke and Roshell; cosponsored by Representatives Paulson, Schneider, Robinson, Donoghue, Radtke, Shoemaker, Duren, Hopkins, Fischer, Goodrich, Larson, Robertson, Schmidt, Matty, Laatsch and Harer.

To committee on State and Local Affairs and Taxation.

Senate Bill 576

Relating to various matters concerning the department of industry, labor and human relations and eliminating the council on liquified petroleum gas (suggested as remedial legislation by the department of industry, labor and human relations).

By Law Revision Committee.

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

Senate Bill 577

Relating to membership on the conservation work projects board (suggested as remedial legislation by the conservation work projects board).

By Law Revision Committee.

To committee on Agriculture and Natural Resources.

JOURNAL OF THE SENATE

Senate Bill 578

Relating to requiring the department of health and social services to carry out an immunization program to eliminate mumps (suggested as remedial legislation by the department of health and social services).

By Law Revision Committee.

To committee on Human Services.

Senate Bill 579

Relating to farms at schools for the visually handicapped and deaf (suggested as remedial legislation by the department of health and social services).

By Law Revision Committee.

To committee on Human Services.

Senate Bill 580

Relating to delegation of authority to approve moving expense payments and temporary living quarters allowances for 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 581

Relating to various matters concerning the preservation and restoration of historic buildings and properties, creating a historic building code council and granting rule-making authority.

By Senators Moody, Johnston, Frank, Braun, Goyke and Strohl; cosponsored by Representatives Ulichny, Plewa, Klicka, Kunicki, Lee, Potter and Czarnezki.

To committee on State and Local Affairs and Taxation.

Senate Bill 582

Relating to requirements for a certificate of number for boats documented by the U.S. coast guard.

By Senators Theno, Lasee and Johnston; cosponsored by Representatives Swoboda and Hopkins, by request of the Northern Wisconsin Commercial Fisherman's Assn., North East Wisconsin Commercial Fisheries Assn. and Wisconsin Commercial Fishermen, Inc.

To committee on Agriculture and Natural Resources.

JOURNAL OF THE SENATE

Senate Bill 583

Relating to state payment for the care of public patients at county hospitals rather than at the university of Wisconsin hospital and clinics and making an appropriation.

By Senator Braun; cosponsored by Representative Becker, by request of Milwaukee County.

To committee on Human Services.

Senate Bill 584

Relating to assignment of state-owned vehicles to constitutional officers.

By Senator Johnston; cosponsored by Representatives Plous and Stitt.

To committee on State and Local Affairs and Taxation.

Senate Bill 585

Relating to a moratorium on department of natural resources land purchases.

By Senators Kreul, Roshell and Opitz; cosponsored by Representatives Thompson, Donoghue, Goodrich, Hopkins, Kincaid, Lewison, McEwen and Shoemaker.

To committee on Agriculture and Natural Resources.

Senate Bill 586

Relating to congressional districts.

By Senators Theno and Johnston; cosponsored by Representative Ladwig.

To special committee on Reapportionment.

Senate Bill 587

Relating to counties paying to municipalities federal payments in lieu of taxes on national forest lands.

By Senator Theno; cosponsored by Representatives Schmidt, Kincaid, Smith and Donoghue.

To committee on State and Local Affairs and Taxation.

COMMITTEE REPORTS

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

Senate Bill 588

Relating to authorizing licensed sellers of checks to use 'bank', 'savings bank' or 'banker' on checks sold in this state.

By request of Commissioner of Banking.

JOURNAL OF THE SENATE

Introduction:

Ayes, 6 -- Senators Roshell, Goyke, Maurer, Bidwell,
Engeleiter and Cullen;
Noes, 0 -- None.

TIM CULLEN
Chair

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

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

Senate Joint Resolution 23

Relating to urging the President of the United States and the members of the U.S. Congress to halt United States military aid to the government of El Salvador.

Adoption:

Ayes, 3 -- Senators Van Sistine, Cullen and Frank;
Noes, 1 -- Senator Kreul.

Senate Joint Resolution 24

To amend section 4 of article VI, section 12 of article VII and section 1 of article XIII of the constitution, relating to staggered 4-year terms of office for county officers elected at the general election (first consideration).

Adoption:

Ayes, 3 -- Senators Van Sistine, Frank and Kreul;
Noes, 1 -- Senator Cullen.

Senate Bill 118

Relating to increasing the fees payable to the register of deeds.

Passage:

Ayes, 4 -- Senators Van Sistine, Cullen, Frank and Kreul;
Noes, 0 -- None.

Senate Bill 332

Relating to the right of an employe to copy personnel records and creating a penalty.

Passage:

Ayes, 4 -- Senators Van Sistine, Cullen, Frank and Kreul;
Noes, 0 -- None.

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.

JOURNAL OF THE SENATE

Adoption of senate amendment 1:

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

Noes, 0 -- None.

Concurrence as amended:

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

Noes, 0 -- None.

Assembly Bill 335

Relating to identification cards issued by the county.

Concurrence:

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

Noes, 0 -- None.

Assembly Bill 472

Relating to regulation of plumbers and granting rule-making authority.

Introduction and adoption of senate amendment 1:

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

Noes, 0 -- None.

Concurrence as amended:

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

Noes, 0 -- None.

JEROME VAN SISTINE

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Bill 216

Relating to reports to law enforcement officials concerning certain injuries and providing a penalty.

Introduction and adoption of senate substitute amendment 1:

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

Noes, 1 -- Senator George.

Passage as amended:

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

Noes, 1 -- Senator George.

Senate Bill 300

Relating to regulation of fireworks and changing penalties.

Adoption of senate substitute amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

JOURNAL OF THE SENATE

Senate Bill 427

Relating to nondiscrimination in state employment on the basis of arrest record or conviction record.

Introduction and adoption of senate amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

Assembly Bill 198

Relating to prohibiting the use of a driver's license as security and providing a penalty.

Concurrence:

Ayes, 2 -- Senators Adelman and Braun;

Noes, 2 -- Senators Johnston and George.

Without recommendation

Assembly Bill 169

Relating to special inspection warrants.

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.

Assembly Bill 341

Relating to imposition of consecutive sentences.

Concurrence:

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

Noes, 1 -- Senator George.

Assembly Bill 347

Relating to deposit of wills in courts.

Concurrence:

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

Noes, 0 -- None.

LYNN S. ADELMAN

Chair

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

Assembly Bill 160

Relating to closing certain county offices.

JOURNAL OF THE SENATE

Concurrence:

Ayes, 4 -- Senators Berger, Lasee, Moody and Van Sistine;

Noes, 0 -- None.

Assembly Bill 324

Relating to the interest rate charged by counties and 1st class cities for overdue and delinquent real property taxes.

Adoption of senate amendment 1:

Ayes, 3 -- Senators Berger, Moody and Van Sistine;

Noes, 1 -- Senator Lasee.

Concurrence as amended:

Ayes, 4 -- Senators Berger, Lasee, Moody and Van Sistine;

Noes, 0 -- None.

Senate Bill 99

Relating to the spending limit for repair of town highways and bridges.

Passage:

Ayes, 3 -- Senators Berger, Moody and Van Sistine;

Noes, 1 -- Senator Lasee.

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.

Passage:

Ayes, 4 -- Senators Berger, Lasee, Moody and Van Sistine;

Noes, 0 -- None.

JAMES MOODY

Chair

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

Senate Bill 356

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

Introduction and adoption of senate amendment 1:

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.

JEROME VAN SISTINE

Chair

JOURNAL OF THE SENATE

The joint committee on Finance reports and recommends:

Senate Bill 80

Relating to regulating smoking in public conveyances and specified places and providing a penalty.

Adoption of senate amendment 1:

Ayes, 14 -- Senators Kleczka, Maurer, Flynn, Offner, Braun, Roshell and McCallum, Representatives Norquist, Otte, Roberts, Kirby, Metz, Wood and Ellis;

Noes, 0 -- None.

Introduction and adoption of senate amendment 3:

Ayes, 12 -- Senators Kleczka, Maurer, Flynn, Offner, Braun and Roshell, Representatives Norquist, Otte, Roberts, Kirby, Metz and Wood;

Noes, 2 -- Senator McCallum, Representative Ellis.

Passage as amended:

Ayes, 11 -- Senators Kleczka, Maurer, Flynn, Offner, Braun and McCallum, Representatives Norquist, Otte, Kirby, Metz and Wood;

Noes, 3 -- Senator Roshell, Representatives Roberts and Ellis.

Senate Bill 107

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

Passage:

Ayes, 10 -- Senators Kleczka, Maurer, Flynn, Offner and Roshell, Representatives Otte, Roberts, Metz, Wood and Ellis;

Noes, 4 -- Senators Braun and McCallum, Representatives Norquist and Kirby.

Senate Bill 263

Relating to revising the regulation of nursing homes and granting rule-making authority.

Introduction and adoption of senate amendment 1 to senate substitute amendment 1:

Ayes, 13 -- Senators Kleczka, Maurer, Flynn, Offner, Braun, Roshell and McCallum, Representatives Norquist, Otte, Roberts, Kirby, Metz and Wood;

Noes, 0 -- None.

Adoption of senate substitute amendment 1 as amended:

Ayes, 13 -- Senators Kleczka, Maurer, Flynn, Offner, Braun, Roshell and McCallum, Representatives Norquist, Otte, Roberts, Kirby, Metz and Wood;

Noes, 0 -- None.

JOURNAL OF THE SENATE

Passage as amended:

Ayes, 13 -- Senators Kleckza, Maurer, Flynn, Offner, Braun, Roshell and McCallum, Representatives Norquist, Otte, Roberts, Kirby, Metz and Wood;

Noes, 0 -- None.

Senate Bill 324

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

Passage:

Ayes, 11 -- Senators Kleczka, Maurer, Flynn, Offner, Braun and Roshell, Representatives Norquist, Otte, Kirby, Metz and Wood;

Noes, 3 -- Senator McCallum, Representatives Roberts and Ellis.

GERALD D. KLECZKA
Chair

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 81-16

AN ORDER to repeal Ret 2.31, relating to the requirement that the Wisconsin retirement fund board approve the cancellation of notices of termination of employment.

Submitted by Department of Employee Trust Funds.

Report received from agency, September 17, 1981.

Referred to committee on Labor, Government, Veterans Affairs and Tourism, September 23, 1981.

Clearinghouse Rule 81-17

AN ORDER to repeal TR 3.06, relating to an election to participate in the variable annuity division.

Submitted by Department of Employee Trust Funds.

Report received from agency, September 17, 1981.

Referred to committee on Labor, Government, Veterans Affairs and Tourism, September 23, 1981.

Clearinghouse Rule 81-25

AN ORDER to repeal Ret 5.01 (1) and (3), relating to the monthly schedule and processing of benefit applications received by the Department of Employee Trust Funds.

Submitted by Department of Employee Trust Funds.

Report received from agency, September 17, 1981.

JOURNAL OF THE SENATE

Referred to committee on Labor, Government, Veterans Affairs and Tourism, September 23, 1981.

Clearinghouse Rule 81-111

AN ORDER to repeal and recreate NR 22, relating to Wisconsin-Iowa boundary waters fishing regulations.

Submitted by Department of Natural Resources.

Report received from agency, September 22, 1981.

Referred to committee on Agriculture and Natural Resources, September 23, 1981.

Clearinghouse Rule 81-151

AN ORDER to create ch. HSS 31, relating to probation and parole revocation procedure.

Submitted by Department of Health and Social Services.

Report received from agency, September 21, 1981.

Referred to committee on Human Services, September 23, 1981.

Clearinghouse Rule 81-152

AN ORDER to create ch. HSS 328, relating to field supervision of adult offenders.

Submitted by Department of Health and Social Services.

Report received from agency, September 21, 1981.

Referred to committee on Human Services, September 23, 1981.

Clearinghouse Rule 81-180

A RESOLUTION designating Eau Claire County a 'study area' under s. 232.10, Stats.

[Note: This proposed resolution establishes a solid waste recycling 'study area'. It is submitted to the Legislature for review under s. 232.10, Stats. This resolution is not a proposed administrative rule, but is being processed as a rule in order to establish and preserve a procedural record of s. 232.10 (5).]

Submitted by Solid Waste Recycling Authority.

Report received from agency, September 22, 1981.

Referred to committee on Agriculture and Natural Resources, September 23, 1981.

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

Clearinghouse Rule 81-112

AN ORDER to create ch. DOD 5, relating to directory of minority business.

JOURNAL OF THE SENATE

Review period waved.

TIM CULLEN
Chair

The committee on Insurance and Utilities reports and recommends:

Senate Clearinghouse Rule 81-131

AN ORDER to repeal Ins. 6.50 (2) (f); and to repeal and recreate Ins. 2.13 (2) and (9) and 6.63 (4) to (6), relating to qualifications of persons offering for sale variable contracts and suspension and revocation of an insurance agent license for non-payment.

No action taken.

KURT A. FRANK
Chair

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

Senate Clearinghouse Rule 81-38

AN ORDER to repeal ch. Ind 16 and volume 2 of the Wisconsin administrative electrical code; and to create ch. ILHR 16, relating to the electrical code.

No action taken.

JEROME VAN SISTINE
Chair

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 82** by Senator Berger.

Senate substitute amendment 1 to **Senate Bill 555** by Senator Bablitch.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 41

1. Page 3, line 15: delete "73.17" and substitute "72.17".