

JOURNAL OF THE SENATE [November 13, 1981]

STATE OF WISCONSIN

# Senate Journal

1981 November Special Session

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FRIDAY, November 13, 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, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Absent -- Senators Frank and Moody -- 2.

Absent with leave -- None.

The senate stood for the prayer which was offered by Reverend Chase Stafford of the Reformed Church of Madison.

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

United State of America  
The State of Wisconsin  
Executive Department

## *A Proclamation*

I, Lee Sherman Dreyfus, Governor of the State of Wisconsin, pursuant to Section 11 of Article IV and Section 4 of Article V of the Constitution of Wisconsin, do hereby amend the purpose for which the Legislature was convened at the Capitol in Madison on the fourth day of November, A.D., 1981, at two o'clock p.m. by adding the following legislative business:

changes to the usury laws.

IN TESTIMONY WHEREOF, I  
have hereunto set my hand and  
caused the Great Seal of the State  
of Wisconsin to be affixed. Done at  
the Capitol in the City of Madison,  
this twelfth day of November, in  
the year of Our Lord, one thousand  
nine hundred eighty-one.

Sincerely,

LEE SHERMAN DREYFUS

Governor

By the Governor:

VEL PHILLIPS

Secretary of State

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### COMMITTEE REPORTS

The committee on Senate Organization reports and recommends  
for introduction:

#### **Senate Bill 3, Special Session**

Relating to miscellaneous changes to the usury laws.

By request of Governor Lee Sherman Dreyfus.

Introduction:

Ayes, 4 -- Senators Risser, Bablitch, Chilsen and Hanaway;

Noes, 0 -- None.

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

FRED A. RISSER

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 1, Special Session**

MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Joint Resolution 1**

Relating to the life and public service of Rabbi Manfred Swarsensky.

By Entire Membership of the Assembly; cosponsored by Senator Risser.

Read.

By request of Senator Bablitch, with unanimous consent, the entire membership of the senate was made co-authors of **Assembly Joint Resolution 1, Special Session.**

By request of Senator Bablitch, with unanimous consent, the rules were suspended and the joint resolution was considered at this time.

**Assembly Joint Resolution 1**

Relating to the life and public service of Rabbi Manfred Swarsensky.

Read.

Concurred in.

LEAVE OF ABSENCE

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

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CALENDAR OF NOVEMBER 13

**Senate Bill 2, Special Session**

Relating to timing of the November 1981 shared revenue payments.

Read.

The question was: Concurrence of assembly substitute amendment 1?

Concurred in.

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

By request of Senator Bablitch, with unanimous consent, the senate recessed until 2:00 P.M.

10:14 A.M.

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RECESS

2:00 P.M.

The senate reconvened.

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COMMITTEE REPORTS

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

**Senate Bill 3, Special Session**

Relating to miscellaneous changes to the usury laws.

Passage:

Ayes, 6 -- Senators Cullen, Roshell, Goyke, Maurer, Bidwell  
and Engeleiter;

Noes, 0 -- None.

TIM CULLEN  
Chair

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LEAVE OF ABSENCE

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

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CALENDAR OF NOVEMBER 13

**Senate Bill 3, Special Session**

Relating to miscellaneous changes to the usury laws.

Read a second time.

QUORUM CALL

Senator Flynn called the attention of the chair to the possible lack of a quorum.

The roll was called and the following senators answered to their names:

Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman,

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McCallum, Maurer, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Absent -- None.

Absent with leave -- Senators Engeleiter, Frank and Moody -- 3.

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 3, Special Session**

Read a third time and passed.

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

By request of Senator Bablitch, with unanimous consent, the senate recessed until 4:10 P.M.

2:06 P.M.

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RECESS

4:10 P.M.

The senate reconvened.

QUORUM CALL

Senator Bablitch called the attention of the chair to the possible lack of a quorum.

The roll was called and the following senators answered to their names:

Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, George, Goyke, F. May, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Offner, Opitz, Risser, Rosheii, Strohl, Theno, Thompson and Van Sistine -- 30.

Absent -- None.

Absent with leave -- Senators Engeleiter, Frank and Moody -- 3.

By request of Senator Bablitch, with unanimous consent, the Senate returned to the eighth order of business.

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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 1, Special Session**

Concurred in:

**Senate Bill 3, Special Session**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 1**

Relating to soil and water conservation aids, Stonefield village, aid to families with dependent children, financing of minimum maintenance and health and safety projects, Milwaukee state office building space rental changes, temporary reallocation of state balances, special school adjustment aid, school cost controls, school of veterinary medicine funding, shared revenue, medical assistance, gift and estate tax exemption for interspousal transfers, adjustment of basis, community aids, elderly and handicapped transportation copayment, 10% property tax credit, levy limits, earmarking federal child welfare funds for runaway programs, requiring a payment to the general fund from the veterans trust fund, making a loan to the veterans trust fund from the veterans mortgage loan repayment fund and providing for repayment, reestimating general purpose revenues earned, granting rule-making authority, providing for a study, providing penalties and making and decreasing appropriations.

By Committee on Assembly Organization, by request of Governor Lee Sherman Dreyfus.

Read first time.

By request of Senator Bablitch, with unanimous consent, the rules were suspended and **Assembly Bill 1, Special Session** was considered at this time.

**Assembly Bill 1**

Relating to soil and water conservation aids, Stonefield village, aid to families with dependent children, financing of minimum maintenance and health and safety projects, Milwaukee state office building space rental changes, temporary reallocation of state balances, special school adjustment aid, school cost controls, school of veterinary medicine funding, shared revenue, medical assistance, gift and estate tax exemption for interspousal transfers, adjustment of basis, community aids, elderly and handicapped transportation copayment, 10% property tax credit, levy limits, earmarking federal child welfare funds for runaway programs, requiring a payment to the general fund from the veterans trust fund, making a loan to the veterans trust fund from the veterans mortgage loan repayment fund and providing for repayment, reestimating general purpose revenues earned, granting rule-making authority, providing for a study, providing penalties and making and decreasing appropriations.

Read a second time.

The question was: Non-concurrence?

By request of Senator Bablitch, with unanimous consent, the senate recessed until 4:58 P.M.

4:15 P.M.

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RECESS

4:58 P.M.

The senate reconvened.

The question was: Non-concurrence?

By request of Senator Bablitch, with unanimous consent, he withdrew his motion to non-concur in the bill.

The question was: Shall the bill be ordered to a third reading?

Ordered to a third reading.

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

**Assembly Bill 1, Special Session**

Read a third time.

By request of Senator McCallum, with unanimous consent, **Assembly Bill 1, Special Session** was referred to a second reading.

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Read a second time.

Senate amendment 1 offered by Senator Lorman.

The question was: Adoption of senate amendment 1?

Senator Bablitch moved that senate amendment 1 be laid on the table.

The question was: Shall senate amendment 1 be laid on the table?

The ayes and noes were demanded 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 Bidwell, Chilsen, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 13.

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

So the motion prevailed.

Ordered to a third reading.

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

**Assembly Bill 1, Special Session**

Read a third time.

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

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

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

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

So the bill failed to be concurred in.

Senator Bablitch moved reconsideration of the vote by which **Assembly Bill 1, Special Session** failed to be concurred in.

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The question was: Reconsideration of the vote by which **Assembly Bill 1, Special Session** was non-concurred in?

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

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

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

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

So the motion did not prevail.

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SPECIAL ORDERS

**Senate Bill 1, Special Session**

Relating to soil and water conservation aids, Stonefield village, aid to families with dependent children, financing of minimum maintenance and health and safety projects, Milwaukee state office building space rental changes, temporary reallocation of state balances, special school adjustment aid, school cost controls, school of veterinary medicine funding, shared revenue, medical assistance, gift and estate tax exemption for interspousal transfers, adjustment of basis, community aids, elderly and handicapped transportation copayment, 10% property tax credit, levy limits, earmarking federal child welfare funds for runaway programs, requiring a payment to the general fund from the veterans trust fund, making a loan to the veterans trust fund from the veterans mortgage loan repayment fund and providing for repayment, reestimating general purpose revenues earned, granting rule-making authority, providing for a study, providing penalties and making and decreasing appropriations.

Read.

Senator Bablitch moved reconsideration of the vote by which senate amendment 1 to senate amendment 23 was adopted.

The question was: Reconsideration of the vote by which senate amendment 1 to senate amendment 23 was adopted?

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

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Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Chilsen, Cullen, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Theno, Thompson and Van Sistine -- 30.

Noes -- Senators Braun and Strohl -- 2.

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

So the motion prevailed.

By request of Senator Bablitch, with unanimous consent, senate amendment 1 to senate amendment 23 was laid on the table.

Senate amendment 5 to senate amendment 23 offered by Senators Kleczka, Bablitch, Flynn, Cullen, Berger, Goyke and Van Sistine.

The question was: Adoption of senate amendment 5 to senate amendment 23?

Adopted.

Senate amendment 24 offered by Senators Kleczka and Braun.

The question was: Adoption of senate amendment 24?

Adopted.

Senate amendment 25 offered by Senators Offner, Adelman, Harnisch, Berger, Maurer, Roshell, Thompson, Goyke, Braun and Strohl.

The question was: Adoption of senate amendment 25?

Senator Lorge moved rejection of senate amendment 25.

The question was: Rejection of senate amendment 25?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 18; absent or not voting, 1; as follows:

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

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

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

So the motion did not prevail.

The question was: Adoption of senate amendment 25?

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Adopted.

By request of Senator Bablitch, with unanimous consent, the senate recessed until 6:50 P.M.

6:40 P.M.

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RECESS

6:50 P.M.

The senate reconvened.

Senate amendment 26 offered by Senator Flynn.

The question was: Adoption of senate amendment 26?

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 1, Special Session**

Read a third 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 Bidwell, Chilsen, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 13.

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

So the bill passed.

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, November 17.

6:59 P.M.

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CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Bill 2, Special Session**

Correctly enrolled and presented to the Governor on November 13, 1981.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Bill 1, Special Session**, senate amendment 1 to senate amendment 6

1. Page 2, line 26: substitute "or" for "and"