

JOURNAL OF THE SENATE

**Eighty-Fifth Regular Session**

WEDNESDAY, December 23, 1981.

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

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INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 693**

Relating to the tax on liquor manufactured in this state by pollution control facilities from brewing wastes.

By Senators Kleczka, Bablitch, Flynn, Offner, Moody, Harnisch, Berger, Thompson, Frank, Cullen, Risser, Roshell, Theno, Goyke, Braun, Van Sistine, Maurer, Strohl, George, Lorman, Adelman, Engleiter and Lorge; cosponsored by Representatives Norquist, Loftus, Robinson and Crawford.

To joint committee on Finance.

**Senate Bill 694**

Relating to reimbursing counties for holding certain persons in county jails.

By Senators Lorman and Hanaway; cosponsored by Representatives Tuczynski, McEwen and Ladwig.

To committee on State and Local Affairs and Taxation.

**Senate Bill 695**

Relating to electric utility rates for certain purposes.

By Senators Strohl, Moody, Braun, George, Cullen and Berger; cosponsored by Representatives Fischer, Metz, Crawford, Becker, Gerlach, Lee, Norquist, Flintrop, Jackamonis, Plous, Kirby, Neubauer, Smith and Coggs.

To committee on Energy.

**Senate Bill 696**

Relating to laboratory charges for blood alcohol and controlled substances analyses.

By Senators Lorman, McCallum, Johnston and Hanaway; cosponsored by Representatives Knox, Porter and Tuczynski.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 697**

Relating to waterfowl blind regulation and providing for and revising penalties.

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By Senators Strohl and Maurer; cosponsored by Representative Neubauer.

To committee on Agriculture and Natural Resources.

### **Senate Bill 698**

An act to authorize and direct expenditure of \$2,500 from moneys appropriated to the department of natural resources for payment of a claim against the state made by Head of the Lakes Electric Cooperative.

By Senator Kleczka; cosponsored by Representative Roberts, by request of the State Claims Board.

To joint committee on Finance.

### **Senate Bill 699**

Relating to campground reservation.

By Senators Opitz, Goyke, Cullen, Johnston, Theno, Braun, Frank, Roshell, Engleiter, George, Kreul, Strohl, Lasee, Krueger, Van Sistine, McCallum and Adelman; cosponsored by Representatives Ellis, Nelsen, Robinson, Ladwig, Dilweg, Bradley, Thompson, Schmidt, Stitt, Klicka, Rogers, Conradt, Merkt, Leopold and Otte.

To committee on Agriculture and Natural Resources.

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## COMMITTEE REPORTS

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

### **Senate Bill 700**

Relating to authorizing banks to establish branches under certain circumstances and to acquire real estate used for remote paying and receiving facilities.

Introduction:

Ayes, 7 -- Senators Roshell, Moody, Maurer, Goyke, Bidwell, Engleiter and Cullen;

Noes, 0 -- None.

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

TIM CULLEN

Chair

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The committee on Education and State Institutions reports and recommends:

### **Senate Bill 242**

Relating to coverage of teaching, project and program assistants employed by the university of Wisconsin system under the state employment labor relations act, authorizing mediation-arbitration and a limited right to strike and making appropriations.

Passage:

Ayes, 4 -- Senators Goyke, George, Thompson and Harsdorf;

Noes, 0 -- None.

GARY R. GOYKE

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

### **Assembly Bill 296**

Relating to continuance of forfeiture proceedings under the uniform controlled substances act.

Concurrence:

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

Noes, 0 -- None.

### **Assembly Bill 297**

Relating to illegal possession of prescription drugs with intent to manufacture or deliver and providing a penalty.

Concurrence:

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

Noes, 0 -- None.

### **Assembly Bill 348**

Relating to requiring family court commissioners to preside over hearings in certain divorce actions.

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 333**

Relating to choosing a jury from another county.

Concurrence:

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

Noes, 0 -- None.

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### **Assembly Bill 398**

Relating to witnesses and victims and providing penalties.

Concurrence:

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

Noes, 0 -- None.

### **Senate Bill 621**

Relating to restitution and other payments as a condition of probation.

Introduction of senate amendment 3:

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.

### **Senate Bill 569**

Relating to determination of consent under the sexual assault law.

Passage:

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

Noes, 0 -- None.

### **Senate Bill 572**

Relating to spousal sexual assault.

Passage:

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

Noes, 1 -- Senator George.

### **Senate Bill 604**

Relating to revising the schedules of controlled substances.

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.

### **Senate Bill 314**

Relating to filing and recording corporate and cooperative documents.

Passage:

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

Noes, 0 -- None.

LYNN S. ADELMAN  
Chair

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PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Department of State

December 15, 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.*

Chvala, Charles J., 106 King St., P.O. Box 2599, Madison, WI 53701 (608) 251-8787; Citizens Utility Board, 101 W. Beltline Hwy., P.O. Box 8003, Madison, WI 53708; 3, 17, 26; 109, 140, 144, 149.

Varda, John Duncan, 121 S. Pinckney St., Madison, WI 53703 (608) 255-8891; Wisconsin Assn. of Manufacturers & Commerce, 30 W. Mifflin St., Ste. 302, Madison, WI 53703 (608) 255-2312; 1-26; 101-186.

Varda, Michael S., 121 S. Pinckney St., Madison, WI 53703 (608) 255-8891; Wisconsin Assn. of Manufacturers & Commerce, 30 W. Mifflin St., Ste. 302, Madison, WI 53703 (608) 255-2312; 1-26; 101-186.

Termination:

Sicula, Paul, for Wisconsin Psychological Assn., Division of Clinical/Consulting Psychologists, effective December 14, 1981.

Registration Amendment:

Wisconsin Assn. of Manufacturers & Commerce, 30 W. Mifflin St., Ste. 302, Madison, WI 53702, same telephone number.

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## SENATE CLEARINGHOUSE ORDERS

### **Clearinghouse Rule 81-206**

AN ORDER to repeal Ins 3.36, relating to statistical reports for health professional liability insurance.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, December 21, 1981.

Referred to committee on Insurance and Utilities, December 23, 1981.

The committee on Insurance and Utilities reports and recommends:

### **Clearinghouse Rule 81-157**

AN ORDER to repeal and recreate Ins 2.07, relating to replacement of life insurance or annuity contracts and disclosure requirements.

No action taken.

KURT A. FRANK

Chair

The committee on Energy reports and recommends:

### **Clearinghouse Rule 81-149**

AN ORDER to amend PSC 136.05 (3) (c), relating to the use of natural gas to heat residential swimming pools, if the pool is provided with a passive solar blanket which covers the entire pool surface.

No action taken.

JOE STROHL

Chair

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

### **Clearinghouse Rule 81-176**

AN ORDER to create ch. Trans 213, relating to the local bridge program.

Review period waived.

### **Clearinghouse Rule 81-175**

AN ORDER to create ch. Trans 212, relating to the continuing inspection program for highway bridges.

Review period waived.

### **Clearinghouse Rule 81-188**

AN ORDER to create ch. Trans 214, relating to town bridge road standards.

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Review period waived.

### **Clearinghouse Rule 81-182**

AN ORDER to create ch. Trans 301, relating to standards for the design, construction, equipment, inspection and operation of human services vehicles.

Review period waived.

TIM CULLEN  
Chair

The committee on Agriculture and Natural Resources reports and recommends:

### **Clearinghouse Rule 81-210**

AN ORDER to amend NR 20.03 (1) (q) 2, relating to lake sturgeon spearing on the upriver waters, Winnebago County.

No action taken.

### **Clearinghouse Rule 81-62**

AN ORDER to repeal NR 154.11 (2) (b) 1; to renumber NR 154.11 (2) (b) 2 to 4; to renumber and amend NR 154.11 (2) (c); and to create NR 154.11 (2) (c), relating to air emissions of particulate matter in or near nonattainment areas for total suspended particulate matter.

No action taken.

TOM HARNISCH  
Chair

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

### **Clearinghouse Rule 81-162**

AN ORDER to create Tax 12.065, relating to continuing education requirements for recertification of assessors and assessment personnel.

Objection:

Ayes, 3 -- Senators Adelman, Hanaway and Lasee;

Noes, 3 -- Senators Berger, Moody and Van Sistine.

No action taken.

### **Clearinghouse Rule 81-177**

AN ORDER to renumber Tax 10.11; to amend Tax 5.01 and 10.10 (1) and (2) (b); to repeal and recreate Tax 10.12; and to create Tax 10.11, 10.13 and 10.14, relating to gift and inheritance taxes.

No action taken.

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**Clearinghouse Rule 81-186**

AN ORDER to amend TA 1.01 (3), 1.13, 1.15 (1) and (3), 1.17 and 1.19; and to repeal and recreate TA 1.15 (4), relating to conforming the rules of the Tax Appeals Commission to recently changed statutes regarding procedures in appealing manufacturing assessments and penalties.

No action taken.

**JAMES MOODY**  
Chair

State of Wisconsin  
Revisor of Statutes Bureau  
Madison, Wisconsin

December 1, 1981

Donald J. Schneider  
Senate Chief Clerk  
State Capitol  
Madison, Wisconsin

Dear Mr. Schneider:

The following rules have been published and are effective:

Clearinghouse Rule 80- 12 effective December 1, 1981.  
Clearinghouse Rule 80-179 effective December 1, 1981.  
Clearinghouse Rule 80-184 effective December 1, 1981.  
Clearinghouse Rule 80-191 effective December 1, 1981.  
Clearinghouse Rule 80-192 effective December 1, 1981.  
Clearinghouse Rule 80-193 effective December 1, 1981.  
Clearinghouse Rule 80-195 effective December 1, 1981.  
Clearinghouse Rule 80-216 effective December 1, 1981.  
Clearinghouse Rule 80-217 effective December 1, 1981.  
Clearinghouse Rule 81- 57 effective December 1, 1981.  
Clearinghouse Rule 81- 90 effective December 1, 1981.  
Clearinghouse Rule 81-112 effective December 1, 1981.  
Clearinghouse Rule 81-115 effective December 1, 1981.  
Clearinghouse Rule 81-120 effective December 1, 1981.  
Clearinghouse Rule 81-123 effective December 1, 1981.  
Clearinghouse Rule 81-126 effective December 1, 1981.

Sincerely,  
**GARY L. POULSON**  
Assistant Revisor

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### AMENDMENTS OFFERED

Senate substitute amendment 2 to **Senate Bill 360** by Senator Strohl.

Senate amendment 1 to **Senate Bill 405** by Senators Goyke and Strohl.

Senate substitute amendment 1 to **Senate Bill 568** by Senator Strohl.

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### CHIEF CLERK'S REPORT

The chief clerk records:

#### **Senate Bill 692**

Correctly enrolled and presented to the Governor on December 23, 1981.

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### CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

#### **Senate Bill 133**

1. Page 1, line 13: after "(a)" insert "(3)".
2. Page 16, line 2: delete the underscored comma.
3. Page 25, line 26: delete "(2)".