

JOURNAL OF THE SENATE [March 10, 1982]

STATE OF WISCONSIN

Senate Journal

Eighty-Fifth Regular Session

WEDNESDAY, March 10, 1982.

9:30 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, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Absent -- Senators Frank and Opitz -- 2.

Absent with leave -- None.

The senate stood for the prayer which was offered by Father James Kuhn, Our Lady Queen of Peace Catholic Church of Madison.

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 810

Relating to waiver of the requirement that school be held for at least 180 days each term and granting rule-making authority.

By Senator Chilsen.

To committee on Education and State Institutions.

COMMITTEE REPORTS

REPORT OF JOINT SURVEY COMMITTEE ON

TAX EXEMPTIONS

Appendix to **Senate Bill 783**

Public Policy Involved

The five provisions of this bill relating to tax exemption, which are the subject of this report, are good public policy.

GARY R. GOYKE

PAT SMITH

Co-chair

Co-chair

REPORT OF JOINT SURVEY COMMITTEE ON

DEBT MANAGEMENT

Appendix to **Senate Bill 783**

Public Policy Involved

The portions of Senate Bill 783, as introduced, that relate to state debt are desirable as a matter of public policy.

The Joint Survey committee on Debt Management has recommended limits to maintain the state's traditionally high credit standing and rating. That amount, for general obligation bonding, is \$200,000,000 in each year of the biennium. It appears, depending on the timing of the bond issues, that this limit will not be exceeded in either year of the biennium through the enactment of this proposal.

It should be noted that the tax-supported General Fund payments for debt service in fiscal year 1981-82 will be \$74,946,453. It anticipates that the total for the biennium will exceed \$150,000,000, for those general obligations issued through November 1981. The state anticipated the issuance of a general bond obligation issue in the near future which will increase debt service payments.

FRED A. RISSER

JOHN D. MEDINGER

Co-chair

Co-chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

March 8, 1982

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.

Gavin, Stephen E., 44 E. Mifflin St., Ste. 204, Madison, WI 53703 (608) 257-1123; Wisconsin Society of Podiatric Medicine, 3970 N. Oakland Ave., Shorewood, WI 53211 (414) 332-6138; 11; 125, 143, 150, 161.

Parsons, Edward M., Jr., 7 N. Pinckney St., Ste. 50, Madison, WI 53703 (608) 255-4440; Harold and Lucille Bauer, Rt. 1, Box 191, Rock Falls, WI 54764 (715) 672-5476; 16; 149.

Lobbyist Termination:

Willsey, Charles A., for General Electric Co., effective Feb. 24, 1982.

Senate Petition 20

-A petition by 206 residents of the state of Wisconsin in support of Assembly Bill 621, relating to prohibiting 3rd trimester abortions in public hospitals, except to save the life of the mother and regulating other abortions in public hospitals, providing aid to women who suffer from certain diseases exacerbated by pregnancy and delivery and providing care for certain diseases of children.

By Senator Bidwell.

Read and referred to committee on Human Services.

RULING OF THE CHAIR

Senate Bill 150

Relating to changes in the regulation of motor carriers and granting rule-making authority.

Read.

On Tuesday, March 9, 1982, Senator from the 9th, Senator Moody, raised the point of order that senate amendment 1 to assembly amendment 1 was not germane. The chair took the point of order under advisement.

Assembly amendment 1 deals exclusively with water carriers. Senate amendment 1 to assembly amendment 1 deals with livestock and fluid milk haulers. Senate amendment 1 to assembly amendment 1 relates to a different specific subject that assembly amendment 1, therefore, pursuant to Senate Rule 50(7), senate amendment 1 to assembly amendment 1 is not germane and the point of order raised by the Senator from the 9th, Senator Moody, is well taken.

Senator Harsdorf appealed the ruling of the chair.

The question was: Shall the decision of the chair stand as the judgment of the Senate?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 11; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Cullen, Flynn, George, Goyke, Hanaway, Harnisch, Kleczka, Maurer, Moody, Offner, Risser, Roshell, Strohl, Thompson and Van Sistine -- 20.

Noes -- Senators Chilsen, Engeleiter, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum and Theno -- 11.

Absent or not voting -- Senators Frank and Opitz -- 2.

So the decision of the chair shall stand as the judgment of the Senate.

The question was: Concurrence of assembly amendment 1?
Concurred in.

The question was: Concurrence of assembly amendment 16?

Senator Goyke moved that assembly amendment 16 be laid on the table.

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The question was: Shall assembly amendment 16 be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 19; absent or not voting, 2; as follows:

Ayes -- Senators Chilsen, Engeleiter, Goyke, Harsdorf, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Thompson and Van Sistine -- 12.

Noes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Cullen, Flynn, George, Hanaway, Harnisch, Johnston, Kleczka, Maurer, Moody, Offner, Risser, Roshell, Strohl and Theno -- 19.

Absent or not voting -- Senators Frank and Opitz -- 2.

So the motion did not prevail.

The question was: Concurrence of assembly amendment 16?

Senator Goyke moved non-concurrence of assembly amendment 16.

The question was: Non-concurrence of assembly amendment 16?

Senator Bablitch moved reconsideration of the vote by which assembly amendment 1 was concurred in.

By request of Senator Bablitch, with unanimous consent, the motion for reconsideration of the vote by which assembly amendment 1 was concurred in was laid on the table.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

March 3, 1982

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Helen Jacobs of Milwaukee, as a member of the Air Resources Allocation Council, serving as an environmental member, pursuant to the statutes governing, to serve a term to expire on July 1, 1983.

Sincerely,
LEE SHERMAN DREYFUS
Governor

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Read and referred to committee on Agriculture and Natural Resources.

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 80-98

A RULE to create Ins 6.06, relating to reporting of disciplinary action against insurers.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, March 9, 1982.

Referred to committee on Insurance and Utilities, March 10, 1982.

Clearinghouse Rule 81-82

AN ORDER to amend Ins 6.55 (2), relating to the definition of complications of pregnancy which are not to be treated differently from any other illness or sickness under an insurance contract.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, March 9, 1982.

Referred to committee on Insurance and Utilities, March 10, 1982.

Clearinghouse Rule 81-207

AN ORDER to repeal VE 2.08 (2); to renumber VE 2.08 (1) (a) and (b) and (3); to amend VE 2.08 (1); to repeal and recreate VE 2.09; and to create VE 2.08 (1) (a), relating to temporary practice permits and examinations.

Submitted by Department of Regulation and Licensing.

Report received from agency, March 9, 1982.

Referred to committee on Agriculture and Natural Resources, March 10, 1982.

Clearinghouse Rule 82-13

AN ORDER to renumber PSC 2.01 (3); to amend PSC 2.01 (1) and (2) and 2.62; to repeal and recreate PSC 2.40; and to create PSC 2.01 (3), relating to procedure.

Submitted by Public Service Commission.

Report received from agency, March 9, 1982.

Referred to committee on Insurance and Utilities, March 10, 1982.

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

Clearinghouse Rule 82-6

AN ORDER to repeal and recreate HS 1.01, relating to parking on the grounds of the state historical society and state history museum.

No action taken.

JEROME VAN SISTINE

Chair

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 95

Amended and concurred in as amended:

Senate Bill 250, assembly amendments 2, 3, 4, 10, 11, 14, 15, 18, 23 and 25 to assembly substitute amendment 1, assembly amendment 1 to assembly amendment 14 to assembly substitute amendment 1, assembly substitute amendment 1

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 95

Congratulating the Green Bay Premontre Cadets on winning the WISAA boys basketball championship.

By Representatives Metz, Vanderperren, Dilweg and Swoboda, co-sponsored by Senator Van Sistine.

Read and referred to committee on Senate Organization.

By request of Senator Bablitch, with unanimous consent, the senate recessed until 1:30 P.M.

10:40 A.M.

RECESS

1:30 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 Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, George, Goyke, Hanaway, Harsdorf, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum, Opitz, Risser, Roshell, Theno, Thompson and Van Sistine -- 24.

Absent -- Senators Adelman, Frank, Harnisch, Johnston, Krueger, Maurer, Moody, Offner and Strohl -- 9.

Absent with leave -- None.

By request of Senator Bablitch, with unanimous consent, the senate recessed until 4:28 P.M.

1:31 P.M.

RECESS

4:28 P.M.

The senate reconvened.

AMENDMENTS OFFERED

Senate substitute amendment 2 to **Senate Bill 317** by Senator Krueger.

Senate substitute amendment 1 to **Senate Bill 680** by Senators George and Engeleiter, by request of Commission on Uniform State Laws.

Senate amendment 1 to **Senate Bill 708** by Offner.

Senate amendment 1 to **Assembly Bill 1005** by Senators Roshell and Offner.

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

4:29 P.M.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 11

Senate Bill 19

Senate Bill 151

Senate Bill 327

Correctly enrolled and presented to the Governor on March 10,
1982.