

JOURNAL OF THE SENATE [May 27, 1982]

STATE OF WISCONSIN

# Senate Journal

1982 May Special Session

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THURSDAY, May 27, 1982.

11:25 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, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

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## COMMITTEE REPORTS

The committee on Human Services reports and recommends:

### Senate Bill 1, May Special Session

Relating to eligibility for relief to needy Indian persons and affecting an appropriation.

Passage:

Ayes, 3 -- Senators Thompson, Strohl and Theno;

Noes, 0 -- None.

CARL W. THOMPSON

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 is organized and ready to proceed to the business of the May 1982 Special Session.

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CALENDAR OF MAY 27

**Senate Bill 1, May Special Session**

Relating to eligibility for relief to needy Indian persons and affecting an appropriation.

Read a second time.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 1, May Special Session** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 1, May Special Session** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 1, May Special Session**

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harsdorf, Johnston, Kleczka, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Noes -- Senator Kreul -- 1.

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

So the bill passed.

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

11:31 A.M.

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RECESS

2:00 P.M.

The senate reconvened.

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

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COMMITTEE REPORTS

The committee on Agriculture and Natural Resources reports and recommends:

**Senate Bill 3, May Special Session**

Relating to extension of time limits for compliance with effluent limitations for publicly owned treatment works.

Passage:

Ayes, 4 -- Senators Harnisch, Thompson, Krueger and Opitz;

Noes, 1 -- Senator Strohl.

THOMAS W. HARNISCH  
Chair

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EXECUTIVE COMMUNICATIONS

United States of America  
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 purposes for which the Legislature was convened at the Capitol in Madison on the 26th day of May, A.D., 1982, at 10:00 A.M., by adding the following legislative business:

1. Prison site for a medium security prison at Milwaukee;
2. Eliminating the transfer from Section 20.235(2)(gb) of the statutes to the general fund.

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**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 27th day of May in the year of  
our Lord one thousand nine  
hundred and eighty-two.**

**LEE SHERMAN DREYFUS**

**Governor**

**By the Governor:**

**VEL PHILLIPS**

**Secretary of State**

**By request of Senator Maurer, with unanimous consent, the  
senate recessed until 4:23 P.M.**

**2:09 P.M.**

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**RECESS**

**4:23 P.M.**

**The senate reconvened.**

**By request of Senator Cullen, with unanimous consent, the  
Senate returned to the fourth order of business.**

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**COMMITTEE REPORTS**

**The committee on Senate Organization reports and recommends:**

**Senate Bill 4, May Special Session**

**An act to repeal laws of 1981, chapter 317, section 2158 (1) (a),  
relating to eliminating the transfer from section 20.235 (2) (qb) of  
the statutes to the general fund.**

**Introduction:**

**Ayes, 6 -- Senators Risser, Cullen, Flynn, Bablitch, Chilsen,  
Hanaway;**

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Noes, 0 -- None.

Read first time and referred to joint committee on Finance.

FRED A. RISSER  
Chair

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CALENDAR OF MAY 27

**Senate Bill 3, May Special Session**

Relating to extension of time limits for compliance with effluent limitations for publicly owned treatment works.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Strohl moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 20; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Berger, Braun, Cullen, George, Hanaway, Kleczka, Lorman, Moody, Risser, Strohl and Theno -- 12.

Noes -- Senators Bablitch, Bidwell, Chilsen, Engeleiter, Frank, Goyke, Harnisch, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Offner, Opitz, Roshell, Thompson and Van Sistine -- 20.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Engeleiter, Frank, Goyke, Harnisch, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Offner, Opitz, Roshell and Van Sistine -- 19.

Noes -- Senators Adelman, Berger, Braun, Cullen, Flynn, George, Hanaway, Kleczka, Lorman, Moody, Risser, Strohl, Theno and Thompson -- 14.

Absent or not voting -- None.

So the amendment was adopted.

The question was: Adoption of senate amendment 2?

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Senator Strohl moved that **Senate Bill 3, May Special Session** be referred to committee on Agriculture and Natural Resources.

The question was: Shall **Senate Bill 3, May Special Session** be referred to committee on Agriculture and Natural Resources?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 20; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Berger, Braun, Cullen, Flynn, George, Harnisch, Kleczka, Moody, Risser, Strohl, Thompson and Van Sistine -- 13.

Noes -- Senators Bablitch, Bidwell, Chilsen, Engeleiter, Frank, Goyke, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Offner, Opitz, Roshell and Theno -- 20.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 2?

Senator Strohl moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, George, Goyke, Harnisch, Kleczka, Moody, Offner, Risser, Strohl, Thompson and Van Sistine -- 16.

Noes -- Senators Bidwell, Chilsen, Engeleiter, Frank, Hanaway, Harsdorf, Johnston, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Opitz, Roshell and Theno -- 17.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 19; absent or not voting, 0; as follows:

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

Noes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Kleczka,

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Maurer, Moody, Offner, Risser, Strohl, Thompson and Van Sistine--  
19.

Absent or not voting -- None.

So the amendment was not adopted.

Senate amendment 3 offered by Senators Strohl and Harnisch.

The question was: Adoption of senate amendment 3?

Senator Van Sistine raised the point of order that senate amendment 3 was not germane.

The chair took the point of order under advisement.

By request of Senator Kleczka, with unanimous consent, **Senate Bill 4, May Special Session** was withdrawn from joint committee on Finance and read a second time.

**Senate Bill 4, May Special Session**

An act to repeal laws of 1981, chapter 317, section 2158 (1) (a), relating to eliminating the transfer from section 20.235 (2) (qb) of the statutes to the general fund.

Ordered to a third reading.

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

**Senate Bill 4, May Special Session**

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, George, Goyke, Hanaway, Harnisch, Harsdorf, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the bill passed.

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

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LEAVE OF ABSENCE

By request of Senator Frank, with unanimous consent, he was granted a leave of absence for the balance of today's session.

By request of Senator Cullen, with unanimous consent, the senate recessed until 5:45 P.M.

5:19 P.M.

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RECESS

5:59 P.M.

The senate reconvened.

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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, May Special Session**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Joint Resolution 1**

Providing for submission of the amendment to the constitution approved in 1981 Enrolled Joint Resolution 29 to the electorate.

By Committee on Assembly Organization.

Read and referred to committee on Senate Organization.

Upon motion of Senator Cullen the senate adjourned until 9:30 A.M. Friday, May 28.

6:00 P.M.