

STATE OF WISCONSIN

Senate Journal

Eighty-Sixth Regular Session

FRIDAY, October 21, 1983

10:30 A.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

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

Present -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Absent -- Senators Opitz and Thompson -- 2.

Absent with leave -- None.

The senate stood for the prayer which was offered by Rev. J. Gibbs Clauder of St. Dennis Catholic Church, Madison.

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

LEAVE OF ABSENCE

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

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 472

Relating to increasing the number of circuit judges. By Senators Maurer, Roshell, Helbach, Risser, Davis and Hanaway. To committee on Judiciary and Consumer Affairs.

Senate Bill 473

Relating to creating vocational, technical and adult education district executive boards. By Senators Lasee and Lee. To committee on Higher Education and Economic Development.

Senate Bill 474

Relating to powers of court commissioners. By Senators Lasee and Davis; cosponsored by Representatives Cowles and Donoghue, by request of Brown County D.A., Peter Naze. To committee on Judiciary and Consumer Affairs.

Senate Bill 475

Relating to exempting infant monitors from the sales and use tax. By Senators Lasee; cosponsored by Representative Bolle. To Joint Survey committee on Tax Exemptions.

COMMITTEE REPORTS

REPORT OF JOINT SURVEY COMMITTEE ON TAX EXEMPTIONS

Appendix to Senate Bill 455

Public Policy Involved

This bill is good public policy.

Read and referred to committee on Health, Education, Corrections and Human Services.

MARVIN J. ROSHELL

Co-Chair

STEVEN C. BRIST

Co-Chair

The committee on Energy and Environmental Resources reports and recommends:

Senate Bill 180

Relating to salt on highways. Introduction and adoption of senate amendment 1 to senate substitute amendment 1:

Ayes, 6 -- Senators Strohl, Adelman, Ellis, Helbach, Lee and Opitz;

Noes, 0 -- None.

Introduction and adoption of senate substitute amendment 1:

Ayes, 6 -- Senators Strohl, Adelman, Ellis, Helbach, Lee and Opitz;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Strohl, Adelman, Ellis, Helbach, Lee and Opitz;

Noes, 0 -- None.

Senate Bill 459

Relating to revising the 1983-85 state building program for the department of natural resources to add the military ridge state trail development and to reduce funds for minor projects.

Passage:

Ayes, 5 -- Senators Strohl, Adelman, Ellis, Helbach and Lee;

Noes, 1 -- Senator Opitz.

Assembly Bill 9

Relating to regulation of fishing rafts, granting rule-making authority and providing penalties.

Concurrence:

Ayes, 6 -- Senators Strohl, Adelman, Ellis, Helbach, Lee and Opitz;

Noes, 0 -- None.

Assembly Bill 404

Relating to transportation and use of net guns and tranquilizer guns.

Concurrence:

Ayes, 6 -- Senators Strohl, Adelman, Ellis, Helbach, Lee and Opitz;

Noes, 0 -- None.

JOE STROHL

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Bill 168

Relating to the creation of a uniform unclaimed property act, granting rule-making authority, making appropriations and providing penalties.

Passage:

Ayes, 5 -- Senators Adelman, Helbach, Feingold, Hanaway and Lorge;

Noes, 0 -- None.

Senate Bill 170

Relating to regulation of fireworks and changing penalties.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Adelman, Helbach, Feingold, Hanaway and Lorge;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Adelman, Helbach, Feingold, Hanaway and Lorge;

Noes, 0 -- None.

Senate Bill 353

Relating to granting child custody and visitation in an action affecting the family.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Adelman, Helbach, Feingold, Hanaway and Lorge;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Adelman, Helbach, Feingold, Hanaway and Lorge;

Noes, 0 -- None.

Senate Bill 362

Relating to limiting the admissibility of evidence in a sexual assault case.

Passage:

Ayes, 5 -- Senators Adelman, Helbach, Feingold, Hanaway and Lorge;

Noes, 0 -- None.

Senate Bill 369

Relating to social service agency investigation of problems regarding child visitation or custody.

Passage:

Ayes, 5 -- Senators Adelman, Helbach, Feingold, Hanaway and Lorge;

Noes, 0 -- None.

Senate Bill 391

Relating to revising laws relating to dogs.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Adelman, Helbach, Feingold, Hanaway and Lorge;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Adelman, Helbach, Feingold, Hanaway and Lorge;

Noes, 0 -- None.

Senate Bill 428

Relating to campaign financing and making an appropriation.

Passage:

Ayes, 4 -- Senators Adelman, Helbach, Feingold and Hanaway;

Noes, 1 -- Senator Lorge.

Senate Bill 429

Relating to regulating the licensing practices for motion pictures and imposing a penalty.

Introduction and adoption of senate substitute amendment 1:

Ayes, 4 -- Senators Adelman, Helbach, Feingold and Lorge;

Noes, 1 -- Senator Hanaway.

Passage as amended:

Ayes, 4 -- Senators Adelman, Helbach, Feingold and Lorge;

Noes, 1 -- Senator Hanaway.

Assembly Bill 25

Relating to victim impact statements.

Concurrence:

Ayes, 5 -- Senators Adelman, Helbach, Feingold, Hanaway and Lorge;

Noes, 0 -- None.

LYNN S. ADELMAN

Chair

The committee on Urban Affairs and Government Operations reports and recommends:

Assembly Bill 128

Relating to rehabilitation of defective buildings in cities and villages.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Johnston and Davis;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Johnston and Davis;

Noes, 0 -- None.

MORDECAI LEE
Chair

The committee on Agriculture and Rural Affairs reports and recommends:

Senate Bill 467

Relating to garnishment of the proceeds from the sale of agricultural products.

Adoption of senate amendment 1:

Ayes, 6 -- Senators Moen, Feingold, Offner, Opitz, Kincaid and Theno;

Noes, 0 -- None.

Adoption of senate amendment 2:

Ayes, 6 -- Senators Moen, Feingold, Offner, Opitz, Kincaid and Theno;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Moen, Feingold, Offner, Opitz, Kincaid and Theno;

Noes, 0 -- None.

Assembly Bill 272

Relating to publication of notice to cut noxious weeds.

Concurrence:

Ayes, 6 -- Senators Moen, Feingold, Offner, Opitz, Kincaid and Theno;

Noes, 0 -- None.

Assembly Bill 459

Relating to regulating and licensing grease processors.

Concurrence:

Ayes, 5 -- Senators Moen, Feingold, Opitz, Theno and Kincaid;

Noes, 1 -- Senator Offner.

RODNEY C. MOEN
Chair

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in:

Assembly Joint Resolution 60

Passed and asks concurrence in:

Assembly Bill 163

Assembly Bill 260

Assembly Bill 343

Assembly Bill 448

Assembly Bill 466

Assembly Bill 698

Concurred in:

Senate Joint Resolution 43

Senate Bill 103

Senate Bill 445

Senate Bill 446

Senate Bill 447

Senate Bill 448

Senate Bill 449

Senate Bill 450

Senate Bill 451

Senate Bill 452

Senate Bill 453

Assembly Joint Resolution 41, senate substitute amendment 1

Assembly Bill 402, senate amendment 1

Amended and concurred in as amended:

Assembly Bill 90, senate substitute amendment 1, assembly amendment 1 to senate substitute amendment 1 adopted

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Joint Resolution 60

Relating to requesting a legislative council study of state laws relating to children who commit delinquent acts.

By Representatives Buettner, Rosenzweig, Meaux, T. Thompson, Wimmer, Bradley, Robinson, Medinger, Gerlach, Goodrich, Panzer, Becker, Johnson, Foti, Huelsman, Schneiders, Nelsen, Jaronitzky, Donoghue, Goetsch, R. Travis, Shoemaker, D. Travis, Prosser, Rude, Young, Turba, Loftus, Schultz, Schober, Stitt, Manske, Clarenbach, Sell, Holperin, Bell, Stower, Walling, Rutkowski, Wood and Jauch, co-sponsored by Senators Offner, Kleczka, Engeleiter, Ellis, Lorman, Norquist, Hanaway, Risser, Lee, McCallum, Harsdorf and Cullen.

Read and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 163

Relating to search warrants.

By Representatives Shoemaker, Lewis, Looby, Gronemus and Stower, co-sponsored by Senator Roshell.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 260

Relating to official identification cards, changing the legal drinking age, establishing a curfew and creating and changing penalties.

By Representatives Medinger, Smith and Shoemaker, co-sponsored by Senators Offner and Johnston.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

Assembly Bill 343

Relating to determination of fees charged for parking at state parking facilities.

By Representatives Medinger and Roberts, co-sponsored by Senator Offner.

Read first time and referred to committee on Urban Affairs and Government Operations.

Assembly Bill 448

Relating to authorizing regulation and registration of bicycles by towns and counties.

By Representatives Helbach and Schneider, co-sponsored by Senator Bablitch.

Read first time and referred to committee on Urban Affairs and Government Operations.

Assembly Bill 466

Relating to the purchase of health or dental insurance for unemployed persons.

By Representatives Hephner, Antaramian, Johnson, Rooney, Meaux, Andrea, Shoemaker, Hauke, Plewa, Rogers, Smith, Williams, Rutkowski, Plous, Bell and Lewis, co-sponsored by Senator Maurer.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

Assembly Bill 698

Relating to domestic abuse grants, temporary restraining orders and injunctions against domestic abuse and providing a penalty.

By Committee on Criminal Justice and Public Safety.

Read first time and referred to committee on Judiciary and Consumer Affairs.

The ayes and noes were demanded and the vote was: ayes, 14; noes, 17; absent or not voting, 2; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorge, Lorman, McCallum, Roshell and Theno -- 14.

Noes -- Senators Adelman, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Kleczka, Lee, Maurer, Moen, Norquist, Offner, Otte, Risser, Strohl and Van Sistine -- 17.

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

So the motion did not prevail.

The question was: Shall the bill pass?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 10; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Ellis, Feingold, George, Harsdorf, Helbach, Kincaid, Kleczka, Lee, Maurer, Moen, Norquist, Offner, Otte, Risser, Roshell, Strohl and Van Sistine -- 21.

Noes -- Senators Davis, Engeleiter, Hanaway, Johnston, Kreul, Lasee, Lorge, Lorman, McCallum and Theno -- 10.

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

So the bill passed.

Senate Bill 427

Relating to grant distribution from the Wisconsin election campaign fund.

Read.

The question was: Shall the bill pass?

The bill passed.

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

By request of Senator Maurer, with unanimous consent, the senate recessed until 10:41 A.M..

10:37 A.M.

CALENDAR OF OCTOBER 21

Senate Bill 182

Relating to extending the redemption period in certain mortgage foreclosures.

Read.

Senator Harsdorf asked unanimous consent that the bill be referred to a second reading.

Senator Cullen objected.

Senator Harsdorf moved that the bill be referred to a second reading.

The question was: Shall the bill be referred to a second reading?

RECESS

10:41 A.M.

The senate reconvened.

MOTIONS

By request of Senator Van Sistine, with unanimous consent **Assembly Bill 260** was withdrawn from committee on Labor, Business, Veterans Affairs and Insurance and referred to committee on Senate Organization.

By request of Senator George, with unanimous consent, he withdrew his name as a co-author of **Senate Bill 410**.

By request of Senator George, with unanimous consent, the motion to reconsider the vote by which assembly amendment 1 to senate amendment 3 was concurred was taken from the table.

Assembly Bill 98

Relating to making various changes concerning the community development finance authority.

Read.

The question was: Reconsideration of the vote by which assembly amendment 1 to senate amendment 3 was concurred in?

The motion prevailed.

Senator George moved reconsideration of the vote by which senate amendment 1 to assembly amendment 1 to senate amendment 3 was adopted.

The question was: Reconsideration of the vote by which senate amendment 1 to assembly amendment 1 to senate amendment 3 was adopted?

The motion prevailed.

By request of Senator Davis, with unanimous consent, senate amendment 1 to assembly amendment 1 to senate amendment 3 was returned to the author.

Senate amendment 2 to assembly amendment 1 to senate amendment 3 offered by Senator George.

The question was: Adoption of senate amendment 2 to assembly amendment 1 to senate amendment 3?

Adopted.

The question was: Concurrence of assembly amendment 1 to senate amendment 3?

Concurred in as amended.

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

By request of Senator Norquist, with unanimous consent, **Senate Bill 359** was withdrawn from committee on Urban Affairs and Government Operations and returned to the author.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Tuesday, October 25.

11:54 A.M.