

JOURNAL OF THE SENATE

**Eighty-Fifth Regular Session**

WEDNESDAY, December 2, 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 667**

Relating to eliminating the department of regulation and licensing and transferring all of the department's functions, duties and employes to the department of agriculture, trade and consumer protection.

By Senator Kreul.

To committee on State and Local Affairs and Taxation.

**Senate Bill 668**

Relating to registration of and equipment standards for motor bicycles.

By Senator Kreul.

To committee on Aging, Business and Financial Institutions and Transportation.

**Senate Bill 669**

Relating to various changes in the laws relating to delinquent and truant children and revising penalties.

By Senators Berger, Johnston and Hanaway, by request of Youth Aid Bureau.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 670**

Relating to committee action by the joint survey committee on debt management.

By Senators Chilsen and Risser; cosponsored by Representative Medinger.

To committee on Labor, Government, Veterans Affairs and Tourism.

**Senate Bill 671**

Relating to creating a housing board, granting rule-making authority and making an appropriation.

By Senators Adelman, Cullen and Braun; cosponsored by Representative Lee.

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To committee on Aging, Business and Financial Institutions and Transportation.

### **Senate Bill 672**

Relating to sales and use tax exemptions for items whose total sales price is less than 15 cents.

By Senator Goyke.

To Joint Survey committee on Tax Exemptions.

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## COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

### **Senate Bill 300**

Relating to regulation of fireworks and changing penalties.

Adoption of senate mendment 1 to senate substitute amendment

1:

Ayes, 12 -- Senators Kleczka, Flynn, Offner, Roshell and McCallum, Representatives Norquist, Otte, Roberts, Kirby, Metz, Wood and Ellis;

Noes, 1 -- Senator Braun.

Adoption of senate amendment 2 to senate substitute amendment

1:

Ayes, 9 -- Senators Kleczka, Flynn, Offner, Roshell and McCallum, Representatives Roberts, Kirby, Wood and Ellis;

Noes, 4 -- Senator Braun, Representatives Norquist, Otte and Metz.

Passage as amended:

Ayes, 8 -- Senators Klezka, Flynn, Offner and Braun, Representatives Norquist, Otte, Kirby and Metz;

Noes, 5 -- Senators Roshell and McCallum, Representatives Roberts, Wood and Ellis.

### **Senate Bill 392**

Relating to various changes in the statutes regulating school district reorganization.

Adoption of senate amendment 1 to senate substitute amendment

1:

Ayes, 12 -- Senators Kleczka, Flynn, Offner, Braun, Roshell and McCallum, Representatives Norquist, Otte, Roberts, Kirby, Metz and Wood;

Noes, 0 -- None.

Adoption of senate substitute amendment 1 as amended:

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Ayes, 12 -- Senators Kleczka, Flynn, Offner, Braun, Roshell and McCallum, Representatives Norquist, Otte, Roberts, Kirby, Metz and Wood;

Noes, 0 -- None.

Passage as amended:

Ayes, 13 -- Senators Kleczka, Flynn, Offner, Braun, Roshell and McCallum, Representatives Norquist, Otte, Roberts, Kirby, Metz, Wood and Ellis;

Noes, 0 -- None.

### **Senate Bill 407**

Relating to establishing a homeownership mortgage loan program in the department of development, granting rule-making authority and making appropriations.

Adoption of senate amendment 1 to senate substitute amendment 1:

Ayes, 13 -- Senators Kleczka, Flynn, Offner, Braun, Roshell and McCallum, Representatives Norquist, Otte, Roberts, Kirby, Metz, Wood and Ellis;

Noes, 0 -- None.

Introduction and adoption of senate amendment 2 to senate substitute amendment 1:

Ayes, 13 -- Senators Kleczka, Flynn, Offner, Braun, Roshell and McCallum, Representatives Norquist, Otte, Roberts, Kirby, Metz, Wood and Ellis;

Noes, 0 -- None.

Introduction and adoption of senate amendment 1 to senate amendment 2 to senate substitute amendment 1:

Ayes, 13 -- Senators Kleczka, Flynn, Offner, Braun, Roshell and McCallum, Representatives Norquist, Otte, Roberts, Kirby, Metz, Wood and Ellis;

Noes, 0 -- None.

Adoption of senate substitute amendment 1 as amended:

Ayes, 12 -- Senators Kleczka, Flynn, Offner, Braun, Roshell and McCallum, Representatives Norquist, Otte, Roberts, Kirby, Wood and Ellis;

Noes, 1 -- Representative Metz.

Indefinite postponement:

Ayes, 7 -- Senators Offner and McCallum, Representatives Norquist, Kirby, Metz, Wood and Ellis;

Noes, 6 -- Senators Kleczka, Flynn, Braun and Roshell, Representatives Otte and Roberts.

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### Senate Bill 524

Relating to requiring employe disclosure of improper activities in governmental units and prohibiting retaliation because of such disclosure, granting rule-making authority and making an appropriation.

Adoption of senate amendment 1 to senate substitute amendment 1:

Ayes, 10 -- Senators Kleczka, Offner and Roshell, Representatives Norquist, Otte, Roberts, Kirby, Metz, Wood and Ellis;

Noes, 2 -- Senators Flynn and Braun.

Introduction and adoption of senate amendment 3 to senate substitute amendment 1:

Ayes, 7 -- Senators Kleczka, Offner and Roshell, Representatives Norquist, Otte, Roberts and Wood;

Noes, 4 -- Senators Flynn and Braun, Representatives Kirby and Metz.

Introduction and adoption of senate amendment 4 to senate substitute amendment 1:

Ayes, 11 -- Senators Kleczka, Flynn, Offner, Braun and Roshell, Representatives Norquist, Otte, Roberts, Kirby, Metz and Wood;

Noes, 0 -- None.

Introduction and adoption of senate amendment 5 to senate substitute amendment 1:

Ayes, 8 -- Senators Kleczka, Offner and Roshell, Representatives Norquist, Otte, Roberts, Metz and Wood;

Noes, 3 -- Senators Flynn and Braun, Representative Kirby.

Adoption of senate substitute amendment 1 as amended:

Ayes, 11 -- Senators Kleczka, Flynn, Offner, Braun and Roshell, Representatives Norquist, Otte, Roberts, Kirby, Metz and Wood;

Noes, 1 -- Representative Ellis.

Passage as amended:

Ayes, 11 -- Senators Kleczka, Flynn, Offner, Braun and Roshell, Representatives Norquist, Otte, Roberts, Kirby, Metz and Wood;

Noes, 1 -- Representative Ellis.

GERALD D. KLECZKA  
Chair

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

### **Assembly Bill 345**

Relating to requests by assessors to view property.

Concurrence:

Ayes, 5 -- Senators Adelman, Berger, Lasee, Moody and Van Sistine;

Noes, 0 -- None.

### **Assembly Bill 346**

Relating to the number of signatures required on nomination papers for party committeeman or committeewoman.

Concurrence:

Ayes, 5 -- Senators Adelman, Berger, Lasee, Moody and Van Sistine;

Noes, 0 -- None.

### **Senate Bill 384**

Relating to the personal representative filing a claim for a homestead credit on behalf of a deceased person.

Passage:

Ayes, 3 -- Senators Berger, Lasee and Van Sistine;

Noes, 2 -- Senators Adelman and Moody.

### **Senate Bill 486**

Relating to allowing cities to place waterways on the official city map.

Passage:

Ayes, 5 -- Senators Berger, Adelman, Lasee, Moody and Van Sistine;

Noes, 0 -- None.

JAMES P. MOODY

Chair

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## PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Department of State

November 24, 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.*

Broydrick, William B., 4315 N. 40th St., Milwaukee, WI 53216 (414) 442-0759; Metropolitan Sewerage District of the County of Milwaukee, 735 N. Water St., Milwaukee, WI 53202 (414) 278-3958; 1, 3-6, 8, 10-18, 20-23; 101, 103, 104, 107, 109, 110, 116, 127-129, 131, 133-138, 140-142, 144-146, 149-151, 158, 167, 170, 171, 174, 176-178, 181, 182.

Colter, James R., 5130 W. Vliet St., Milwaukee, WI 53208 (414) 259-1990; Milwaukee Teachers Education Assn., 5130 W. Vliet St., Milwaukee, WI (414) 259-1990; 1-25; 101-185.

Thomas, Joseph F., 7 N. Pickney St., Madison, WI (608) 255-4440; Wisconsin Psychological Assn./Division of Clinical Consulting Psychologists, 625 W. Washington Ave., Madison, WI 53703 (608) 251-4162; 11; 129.

### Terminations:

Bach, Mary M., 520 University Ave., Madison, WI 53703, for Center for Public Representation, Inc., effective Nov. 17, 1981.

Froemming, Roy W., 520 University Ave., Madison, WI 53703, for Center for Public Representation, Inc., effective November 17, 1981.

Gebhart, Neil, 520 University Ave., Madison, WI 53703, for Center for Public Representation, Inc., effective November 17, 1981.

Goldberg, Melvin L., 520 University Ave., Madison, WI 53703, for Center for Public Representation, Inc., effective November 17, 1981.

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Whitson, James Anthony, 520 University Ave., Madison, WI 53703, for Center for Public Representation, Inc., effective November 17, 1981.

State of Wisconsin  
University of Wisconsin System

December 1, 1981

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

To the Honorable, the Legislature

In response to the mandate contained in Section 2011(1)(a) of Chapter 20, Laws of 1981, I am submitting the attached report as a "preliminary" document in order to comply with the December 1 deadline specified in the cited nonstatutory provision.

Formal acceptance and authorization for transmittal of the final report is expected by the Board of Regents on December 4.

Sincerely,  
ROBERT M. O'NEIL  
President

State of Wisconsin  
Wisconsin Educational Television  
and Radio Networks

November 24, 1981

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

To the Honorable, the Legislature

In compliance with Section 2011-Non Statutory Provisions of Chapter 20, Laws of 1981, the Educational Communications Board hereby submits: (1) an inventory of and replacement schedule for all broadcasting and media production equipment under its control; and (2) operating plans which indicate the purposes of coordination with the University of Wisconsin System.

The Educational Communications Board (ECB) is charged by Chapter 39.11 of the Wisconsin Statutes to plan, coordinate, and operate a statewide public Radio and Television service for the people of the State of Wisconsin.

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As a matter of policy, the Educational Communication Board conceives of its assignment as consisting essentially of the following activities:

1. Coordinating and assisting in orderly development of educational broadcast facilities at the state's institutions of higher education and in schools or agencies where state funds are allocated for such facilities.
2. Planning, establishing, maintaining and operating a statewide radio and television communications systems for shared use by educational institutions and agencies.
3. Establishing an interconnection among the educational broadcast facilities of the state for the exchange of educational resources and programs as may be necessary among the state's schools and universities.
4. Providing for, or operating, as circumstances require, resource repositories, duplication and distribution facilities upon which all educational institutions may call.
5. Serving in an advisory capacity to the public schools and non-public educational institutions, as called upon, regarding such concerns as equipment compatibility, cooperative plans, shared services.

The legislative assignment of the Educational Communications Board requires that its concern and services relate directly to the elementary and secondary segments of the educational system as well as to the higher education segment.



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### Inventory/Replacement Schedule

The ECB holds the licenses for and operates five television stations, eight FM radio stations, and one AM radio station. Additionally, the ECB has affiliation agreements with the University of Wisconsin System (WHA-Madison) the Milwaukee Area State Board of Vocational, Technical and Adult Education, (Channel 10 & 36 Milwaukee), and WDSE (Channel 8 Duluth/Superior). These agreements when combined with ECB stations, provide for the statewide broadcast of radio and television educational programming. The ECB has a substantial investment in sophisticated electronic equipment. Most of this equipment was purchased through various Building Fund Projects (supplemented by federal grant funds) in the early to mid 1970's.

As the equipment was received and installed, pertinent information relating to purchase date, price, manufacturer and model number has been recorded on our central inventory system.

The estimated useful life expectancy for this type of equipment ranges from six to ten years. Our equipment replacement schedule process consists of sorting the itemized inventory and segregating all equipment that will be six years or older by the date selected (i.e., by the second year of the biennium for biennial budget purposes). The listings are then provided to our engineering staff for evaluation of each item based on its performance and maintenance record. As a result of this evaluation, the equipment requiring replacement during the period is identified and becomes the basis for our equipment replacement funding request.

### Operating Plans - Purpose/Coordination

The purpose for the broadcasting and media production equipment under the control of the ECB is to continue to provide an educational and cultural radio and television broadcast service to all areas of the state.

As indicated earlier, it is the statutory responsibility of the ECB to coordinate the educational communications systems as they develop within the state. Within this responsibility, ECB coordinates the establishment and expansion of radio and television in public schools, the vocational, technical and adult education system and the UW system to insure compatibility.

In particular, this refers to a coordinated development of non-commercial broadcasting which will prevent duplication of effort and services that might result in a waste of resources. No public authority or agency of whatever nature will be encouraged to request or expend funds from a state or federal source in order to duplicate program services in an area already (or about to be) served by the existing

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broadcasting facilities of the state.

Accordingly, any public authority or agency concerned with radio or television broadcasting within the state presents, with adequate time for review, any plan for new or extended service in order that such plan may be coordinated with the overall educational communications development pattern and the ECB is reassured that requested and available funds are being used to best advantage.

A tripartite agreement currently exists for the coordination of broadcast facilities. For purposes of this report, the tripartite is in the process of being revised to include "equipment replacement."

Sincerely,  
ANTON J. MOE  
Director

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### EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

November 27, 1981

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Chapter No.	Date Approved
185 -----	98-----	November 27, 1981
201 -----	99-----	November 27, 1981

Sincerely,  
LEE SHERMAN DREYFUS  
Governor

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### SENATE CLEARINGHOUSE ORDERS

#### **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.

Submitted by Department of Transportation.

Report received from agency, December 1, 1981.

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Referred to committee on Aging, Business and Financial Institutions and Transportation, December 2, 1981.

### **Clearinghouse Rule 81-185**

AN ORDER to amend Ag 90.01 (1), 90.03 (4) and 90.04 (2) (a) and (3), relating to egg grade and quality standards and permit fees for the Wisconsin AA fresh fancy quality grade egg program.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from agency, December 1, 1981.

Referred to committee on Agriculture and Natural Resources, December 2, 1981.

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

### **Clearinghouse Rule 81-97**

AN ORDER to amend A-E 1.17, relating to experience requirements for applicants for registration as professional engineers.

No action taken.

### **Clearinghouse Rule 81-113**

AN ORDER to repeal ch. REB 5, relating to disclosure requirements in real estate transactions on out-of-state subdivisions.

No action taken.

### **Clearinghouse Rule 81-60**

AN ORDER to repeal A-E 3.52 and 3.55; and to amend A-E 3.53 (1) and (2), 3.54, 3.56, 3.82, 3.83, 3.85 and 4.03 (2), relating to procedures and practices for hearings on petitions for rules, declaratory rulings and professional conduct.

No action taken.

### **Clearinghouse Rule 81-153**

AN ORDER to create Tax 2.081 (3), relating to indexing the income tax brackets applicable to individuals, estates and trusts for the 1981 taxable year.

No action taken.

### **Clearinghouse Rule 80-252**

A RULE to create Ch. Tax 15, relating to real estate transfer fees.

No action taken.

JAMES P. MOODY  
Chair

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## AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 317** by Senator Krueger.

Senate substitute amendment 1 to **Assembly Bill 298** by Senator Adelman.

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## CITATIONS

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### MOTIONS UNDER SENATE RULE 97

A Certificate of Commendation by Senator Thompson for **MATTHEW M. HUGHEY** on the occasion of his years of service to the Wisconsin Order of DeMolay;

A Certificate of Congratulations by Senator Engeleiter for **FRITZI LOUISE** and **ARTHUR BRUSS** on the occasion of their 50th Wedding Anniversary;

A Certificate of Congratulations by Senator Kleczka for **GREGORY STUDER** on the occasion of receiving the Eagle Scout Award;

A Certificate of Congratulations by Senator Kleczka for **DAVID PARAJECKI** on the occasion of receiving the Eagle Scout Award;

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### MOTIONS UNDER JOINT RULE 7

A Certificate of Commendation by Senator Theno cosponsored by Representative Jaronitzky for **RUTH I. GIESE** on the occasion of her retirement;

A Certificate of Congratulations by Senator Opitz cosponsored by Representative Stitt for **MELVIN MARONDE** on the occasion of recognition for 60 years of service as a volunteer fireman;

A Certificate of Congratulations and Commendation by Senator Lasee cosponsored by Representative Holschbach for **MANITOWOC LUTHERAN HIGH SCHOOL** on the occasion of its 25th Anniversary;

A Certificate of Congratulations and Commendation by Senator Lasee cosponsored by Representative Holschbach for **ST. MARK UNITED CHURCH OF CHRIST** on the occasion of its 125th Anniversary;

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A Certificate of Congratulations by Senator Adelman cosponsored by Representative Rutkowski for ROBERT J. KREUSER on the occasion of his retirement;

A Certificate of Congratulations by Senator Lorge cosponsored by Representatives Conradt and Byers for STEVE SULLIVAN on the occasion of receiving the Eagle Scout Award;

A Certificate of Congratulations and Commendation by Senator Lasee cosponsored by Representative Swoboda for ST. MARY'S PARISH OF TISCH MILLS on the occasion of its 125th Anniversary;

A Certificate of Commendation by Senator Kleczka cosponsored by Representatives Plewa, Tuczynski and Kunicki for ROMAN ANTKOWSKI on the occasion of his contributions to improving the well-being of the community;

A Certificate of Commendation by Senator Van Sistine cosponsored by Representative Vanderperren for the ASHWAUBENON BREAKFAST OPTIMIST CLUB on the occasion of their many years of service to the youth of their community;

A Certificate of Commendation by Senator Chilsen cosponsored by Representative Shabaz for JAMES T. MURPHY on the occasion of his resignation as Republican Caucus Director;

A Certificate of Congratulations by Senator Krueger cosponsored by Representative Donoghue for DR. RAYMOND J. HENDERSON on the occasion of his 50th Anniversary as a physician;

A Certificate of Congratulations by Senator Krueger cosponsored by Representative Donoghue for THE MERRILL HIGH SCHOOL GIRLS' VOLLEY BALL TEAM on the occasion of winning the 1981 Class A State Girls' Volley Ball Championship;

A Certificate of Congratulations by Representative Helbach cosponsored by Senator Bablitch for KORONA OHLERT on the occasion of her retirement;

A Certificate of Congratulations by Representative Vanderperren cosponsored by Senator Van Sistine for GORDON and ETHEL MALCHOW on the occasion of their 50th Wedding Anniversary;

A Certificate of Congratulations by Representative Roberts cosponsored by Senator Offner for DAVID GRUNLIEN on the occasion of receiving the Jackson County 4-H Key Award;

A Certificate of Congratulations by Representative Roberts cosponsored by Senator Offner for ALLEN HEATH on the occasion of receiving the Jackson County 4-H Key Award;

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A Certificate of Congratulations by Representative Roberts cosponsored by Senator Offner for KAREN LIEN on the occasion of receiving the Jackson County Legislative Award.

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### CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Bill 185**

**Senate Bill 201**

Correctly enrolled and presented to the Governor on November 25, 1981.

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### CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Bill 605**

1. Page 7, line 27: substitute "reasonable" for "reasonably".

**Assembly Bill 654**

1. Page 1, line 5: delete "SE-1/4 of Sec. 29, T. 24N, R. 24E" and substitute "southeast quarter of section 29, township 24 north, range 24 east".