

JOURNAL OF THE SENATE [August 25, 1982]

STATE OF WISCONSIN

Senate Journal

Eighty-Fifth Regular Session

WEDNESDAY, August 25, 1982.

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

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Department of State**

August 23, 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

Registration Amendment:

Associated Credit Bureaus of Wisconsin, Inc., add Legislative Action Areas 20 and 26

Lobbyist Terminations:

Anderson, Jeffrey M., for Wisconsin Professional Police Assn., effective August 18, 1982.

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**State of Wisconsin
Department of State**

Whereas on August 10, 1982, under the authority of s. 13.63(2), Wis. Stats., I issued an order suspending the privilege of Richard E. Peterson and Robert W. Schroeder to lobby on behalf of such lobbyist's principal, The Kohl Corporation, for the reason that such principal had failed to file an expense statement required under s. 13.68, Wis. Stats.; and

Whereas such principal has now filed such expense statement; Now, therefore,

I, VEL PHILLIPS, as Secretary of State of Wisconsin under the authority of s. 13.63(2), Wis. Stats. do hereby restore unto said Richard E. Peterson and Robert W. Schroeder the privilege of lobbying on behalf of The Kohl Corporation, as principal, in accordance with the provisions of Subchapter III of Chapter 13 of the Wisconsin Statutes.

Dated this 23rd day of August, 1982.

**VEL PHILLIPS
Secretary of State**

**State of Wisconsin
Claims Board**

August 19, 1982

**Don Schneider
Senate Chief Clerk
State Capitol
Madison, Wisconsin
Dear Mr. Schneider:**

Enclosed is the report of the State Claims Board covering claims heard on May 24, 1982.

The amounts recommended for payment under \$1000 on claims included in this report have, under the provisions of s. 16.007, Wisconsin Statutes, been paid directly by the Board.

The Board is preparing the bill(s) on the recommended award(s) over \$1,000, and will submit such to the Joint Finance Committee for legislative introduction.

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This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the Journal to inform the members of the Legislature.

**Sincerely,
EDWARD D. MAIN
Secretary**

THE BOARD FINDS:

1. Robert Stanelle, Jr. of Chilton, claims \$5,943.80 for attorney fees; \$50,000.00 for punitive damages; and \$750.00 for nuisance and dismissal fee of a court action commenced against him in Calumet County Circuit Court by the State of Wisconsin for alleged violations of the Wisconsin Department of Industry, Labor and Human Relations Safety code relative to a retail appliance store, apartments, and shoe store owned and operated by claimant. On January 27, 1981, Calumet County Circuit Court Judge Hugh F. Nelson, ordered the action be dismissed on its merits without prejudice based on a stipulation between the Department of Industry, Labor and Human Relations, the Attorney General's Office and Mr. Stanelle which stated, in part, "The retail appliance store, apartments and shoe store owned and operated by the defendant, at all times material hereto are in complete compliance with the requirements with the Wisconsin Department of Industry, Labor and Human Relations Safety Code, Chapter 101 Wisconsin Statutes, and the rules and general orders of said department;"

The Board concludes there has been no slowing of negligence on the part of the state, its officers, agents or employes and this claim is not one for which the state is legally liable, nor one which the state should assume and pay based on equitable principles. (Member Lewis dissents)

THE BOARD CONCLUDES:

- 1. The claim of Robert Stanelle, Jr. should be denied.**

Dated at Madison, Wisconsin this 19th day of August, 1982.

**GERALD D. KLECZKA
Senate Finance Committee**

**VIRGIL D. ROBERTS
Assembly Finance Committee**

**MARGARET S. LEWIS
Representative of Governor**

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EDWARD D. MAIN

**Representative of Secretary of
Administration**

WILLIAM H. WILKER

**Representative of Attorney
General**

**State of Wisconsin
Executive Office of the Governor**

August 18, 1982

Donald J. Schneider

Senate Chief Clerk

State Capitol

Madison, Wisconsin

Dear Mr. Schneider:

CETA employment and training programs have been operating for eight years. What began as an assortment of federal categorical programs has matured into a comprehensive and integrated planning and delivery system. CETA has been a significant resource used by Wisconsin's educational agencies, community organizations, local governments and private industry to train and upgrade the state's work force.

Attached is a copy of the 1982 Executive Summary of Employment and Training Programs in Wisconsin. This Summary has been developed to give you an overview of the current CETA and CETA-related employment and training service delivery network and its accomplishments in the last year. Please call the Governor's Employment and Training Office if you should need further information.

Cordially,

CYRENA N. PONDROM

Executive Director

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

August 17, 1982

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do reappoint Stewart W. Laird of La Crosse, as a member of the Health Facilities Authority, to succeed himself, pursuant to the statutes governing, to serve a seven year term to expire on June 30, 1989.

Sincerely,

LEE SHERMAN DREYFUS

Governor

Read and referred to committee on Human Services.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

August 17, 1982

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do reappoint Marjorie A. Lundquist of Stevens Point, as a member of the Board of Nursing, to succeed herself, pursuant to the statutes governing, to serve a four year term to expire on May 1, 1986.

Sincerely,

LEE SHERMAN DREYFUS

Governor

Read and referred to committee on Human Services.

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**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

August 17, 1982

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do reappoint Robert E. Gregory of Colfax, as a member of the Nursing Home Administrators Examining Board, to succeed himself, pursuant to the statutes governing, to serve a three year term to expire on July 1, 1985.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

Read and referred to committee on Human Services.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

August 17, 1982

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do reappoint Paul L. Williams, Ph.D. of Brookfield, as a member of the Psychology Examining Board, to succeed himself, pursuant to the statutes governing, to serve a three year term to expire on July 1, 1985.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

Read and referred to committee on Human Services.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

August 17, 1982

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Virginia W. Williams of Milwaukee, as a member of the Conservation Work Projects Board, to succeed Joanne Rody of

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Waukesha whose term expired on May 1, 1982, pursuant to the statutes governing, to serve a five year term to expire on May 1, 1987.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

Read and referred to committee on Agriculture and Natural Resources.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

August 17, 1982

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do reappoint Mary Greendeer of Oneida, as a member of the Council on Domestic Abuse, to succeed herself, pursuant to the statutes governing, to serve a three year term to expire on July 1, 1985.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

Read and referred to committee on Human Services.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

August 17, 1982

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Grace E. Abramson of Shorewood, as a member of the Council on Domestic Abuse, to fill a vacant position, pursuant to the statutes governing, to serve a three year term to expire on July 1, 1985.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

Read and referred to committee on Human Services.

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**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

August 17, 1982

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Jeanne Plummer of Madison, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, serving as the citizen member on the Engineers Section, to succeed Esther Walling of Neenah who resigned and whose term expired on July 1, 1982, pursuant to the statutes governing, to serve a three year term to expire on July 1, 1985.

Sincerely,

LEE SHERMAN DREYFUS

Governor

Read and referred to committee on State and Local Affairs and Taxation.

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

August 17, 1982

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do reappoint Jack Rice of Kenosha, as a member of the State Board of Vocational, Technical and Adult Education, to succeed himself, pursuant to the statutes governing, to serve a term to expire on May 1, 1987.

Sincerely,

LEE SHERMAN DREYFUS

Governor

Read and referred to committee on Education and State Institutions.

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**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

August 17, 1982

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do reappoint Leo Mortensen of Brookfield, as a member of the Savings and Loan Review Board, to succeed himself, pursuant to the statues governing, to serve a term to expire on May 1, 1985.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

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

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

August 17, 1982

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do reappoint W. Dale Phillips of Milwaukee as a member of the Savings and Loan Review Board, to succeed himself, pursuant to the statues governing, to serve a term to expire on May 1, 1985.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

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

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

August 17, 1982

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint William P. Podewils of Hales Corners as a member of the Savings and Loan Review Board, to succeed Henry

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Geissler of Chippewa Falls who resigned, pursuant to the statutes governing, to serve a term to expire on May 1, 1983.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

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

**State of Wisconsin
Office of the Governor
Madison, Wisconsin**

August 17, 1982

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Dorothy MacVicar of Franksville, as a member of the Public Defender Board, serving as a public member, pursuant to the statutes governing, to serve a term to expire on May 1, 1984.

**Sincerely,
LEE SHERMAN DREYFUS
Governor**

Read and referred to committee on Judiciary and Consumer Affairs.

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 81-138

AN ORDER to create ch. HSS 337, relating to youth records maintained by the Division of Corrections.

Withdrawn by agency.

Clearinghouse Rule 82-94

AN ORDER to renumber and amend Tax 2.165 (2) (b) and (c); and to create Tax 2.165 (2) (b) 2 and (c) 2, relating to changing a corporation's taxable year.

Submitted by Department of Revenue.

Report received from agency, August 19, 1982.

Referred to committee on State and Local Affairs and Taxation, August 25, 1982.

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The committee on Agriculture and Natural Resources reports and recommends:

Clearinghouse Rule 82-129

AN ORDER to create NR 1.001, 1.11 (11) and 1.18, relating to the captive wildlife policy.

No action taken.

Clearinghouse Rule 82-116

AN ORDER to repeal NR 26.01 (50) (a) and (54) (a) and 26.16 (51); to renumber NR 20.015 (1) and (2), 20.03 (2) (b) and 20.04 (8); to amend NR 20.03 (1) (e) (intro.), (f) 1 (intro.) and a and 3, (g) and (q) and (3), 20.04 (3) (c) 3, 4 (intro.), b and f, 20.06 (1) (b) 35, 44 and 58, 20.08, 20.10 (4) (a) 3, 20.11 (3) (a) and 20.13 (2) (a); to repeal and recreate NR 20.04 (7) (e); and to create NR 20.015 (1) and (2), 20.03 (1) (e) 3 and (2) (b), 20.04 (8), (9) and (11), 20.07 (11), 20.15 (1) (r), 26.09 (54) and (57), 26.28 (50) and 26.29, relating to the 1983 fishing regulations.

No action taken.

Clearinghouse Rule 82-29

AN ORDER to repeal and recreate ch. NR 11 and NR 15.01, 15.02, 15.021, 15.022, 15.03, 15.10 (1), 15.11 (1) and 15.12, relating to closed areas and refuges.

No action taken.

THOMAS W. HARNISCH

Chair

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

Clearinghouse Rule 82-60

AN ORDER to amend Tax 11.11 (2) (b) and (c), (3) (a), (b) and (c), (4) (b) and (5) (d); and to repeal and recreate Tax 11.11 (3) (d), relating to sales and use tax status of waste treatment facilities.

No action taken.

JAMES P. MOODY

Chair

The committee on Human Services reports and recommends:

Clearinghouse Rule 81-237

AN ORDER to repeal PW-MH 60.25; to renumber PW-MH 60.61 to 60.64 and 60.66 to 60.73; to amend HSS 61.78 (1) (intro.) and (2) (intro.), as renumbered, 61.91 (1) and (2), 61.93 (1), 61.96 (1) and (3) and 61.97 (1) (j) and (3); and to create HSS 61.96

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(4), relating to standards for community mental health services and outpatient psychotherapy clinics.

No action taken.

Clearinghouse Rule 82-27

AN ORDER to repeal PW-CY 40.50 to 40.56; and to create ch. HSS 52, relating to the licensing of child care institutions.

No action taken.

Clearinghouse Rule 82-37

AN ORDER to create ch. Med 17, relating to standards of dispensing prescription drugs.

No action taken.

Clearinghouse Rule 82-68

AN ORDER to repeal H 102, relating to the use of mercurial carrot in the preparation of hatters' fur and to use of fur treated with mercurial carrot in the manufacture of hats.

No action taken.

Clearinghouse Rule 82-50

AN ORDER to renumber PW-CY 40.40 to 40.44; to amend HSS 54.03 (2) (c) 5 and 6 and (d) and 54.04 (1) (f) 1 and (g) (intro.) and 2 and (2) (b) 2; and to repeal and recreate HSS 54.01, relating to child-placing agencies.

No action taken.

CARL W. THOMPSON
Chair

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

Clearinghouse Rule 82-8

AN ORDER to renumber Trans 2.05; to amend Trans 2.01, 2.02 (1), 2.04 (1) (b), 2.05 (title), 2.06 (2) (d) and 3.01 (1); to repeal and recreate Trans 2.03, 2.04 (2) and 2.06 (title), (1) (a) and (2) (c); and to create Trans 2.04 (3), (4) and (5) and 2.05 (2) and (3), relating to policies and procedures for implementing the program of capital assistance to private nonprofit organizations providing transportation services to elderly and handicapped people.

No action taken.

Clearinghouse Rule 81-248

AN ORDER to create ch. Trans 107 and amend ch. Trans 101, relating to driver licensing of persons who have experienced chemical abuse and to point values for traffic violations.

No action taken.

Clearinghouse Rule 82-110

AN ORDER to repeal chs. PSC 13 to 60 and 69 to 95; and to create chs. TC 1 to 4, relating to the Wisconsin transportation commission.

No action taken.

Clearinghouse Rule 82-82

AN ORDER to repeal MVD 22.02 to 22.04; to renumber MVD 22.05 (2); to renumber and amend MVD 22.01 and 22.05 (1); and to create Trans 304.02 and 304.03, relating to slow moving vehicle emblems.

No action taken.

Clearinghouse Rule 82-119

AN ORDER to renumber ch. PSC 65 to ch. Trans 175; and to amend Trans 175.03, 175.04 (2) and (4) (d), 175.06, 175.07 (1) and 175.09, all as renumbered, relating to requirements for rental companies.

No action taken.

Clearinghouse Rule 82-97

AN ORDER to renumber Trans 251.05; and to create Trans 251.05 and ch. Trans 269, relating to permits for overweight or oversized vehicles equipped with a self-compactor and transporting garbage and refuse.

No action taken.

Clearinghouse Rule 82-113

AN ORDER to repeal Trans 176.06 (1) (c); to repeal and recreate Trans 176.06 (1) (a); and to create Trans 176.06 (1) (am), relating to the financial responsibility requirements for 'for hire' property motor carriers.

No action taken.

Clearinghouse Rule 82-42

AN ORDER to amend Bkg 7.01 (2) (d) and 80.25; and to create ch. Bkg 3, relating to parity, real estate mortgage loans and interest rates.

No action taken.

Clearinghouse Rule 82-106

AN ORDER to amend SEC 7.01 (2) (f); and to create SEC 2.01 (1) (c) and (d), 2.01 (9), (10) and (11) and 2.02 (10) (h), relating to accounting guidelines for the preparation of financial statements for certain governmental issuers of securities, adopting registration exemptions for certain governmental securities and prescribing an exemption examination fee.

No action taken.

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Clearinghouse Rule 82-56

AN ORDER to create ch. Trans 102, relating to photo operator's license and identification card.

No action taken.

**JAMES T. FLYNN
Chair**