

JOURNAL OF THE SENATE [January 13, 1981]

STATE OF WISCONSIN

Senate Journal

Eighty-Fifth Regular Session

TUESDAY, January 13, 1981.

10:00 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, Hanaway, Harnisch, Harsdorf, Kleczka, Kreul, Krueger, Lasee, Lorge, Lorman, McCallum, Maurer, Moody, Offner, Opitz, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Absent -- None.

Absent with leave -- Senators Frank, Goyke and Johnston -- 3.

The senate stood for the prayer which was offered by Reverend Joseph Washington, retired Baptist minister of Madison.

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

LEAVE OF ABSENCE

By request of Senator Bablitch, with unanimous consent, Senators Frank and Goyke were granted a leave of absence for today's session.

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 2

To amend section 12 of article XIII; and to create section 12 (4) (a) to (c) of article XIII of the constitution, relating to primaries in recall elections (2nd consideration).

By Senators Braun, Van Sistine, Adelman, Goyke, Risser, Thompson, Strohl, Offner and Johnston; cosponsored by Representatives Hauke, Potter, Helbach, Prosser, Neubauer, Kirby, Leopold, D. Travis and Lee.

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 1

Relating to eliminating the budget review process.

By Senators Bablitch and Risser; cosponsored by Representatives Jackamonis and Loftus.

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

Senate Bill 2

Relating to size, terms of office and title of the state agency regulating public utilities.

By Senators Braun, Berger and Strohl; cosponsored by Representatives Lee, Medinger, Behnke, Tuczynski, Plous, Cogs, Becker, Czarnecki, Kirby, Plewa and Crawford.

To committee on Insurance and Utilities.

Senate Bill 3

Relating to conveying certain submerged lands to the city of Sheboygan.

By Senator Opitz; cosponsored by Representatives Otte and Potter.

To committee on Agriculture and Natural Resources.

Senate Bill 4

Relating to additions to the state trunk highway system.

By Senators Opitz and Johnston; cosponsored by Representative Stitt.

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

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Senate Bill 5

Relating to offset of retirement system benefits for unemployment compensation purposes.

By Senator Van Sistine.

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

Senate Bill 6

Relating to requiring public and private schools to conduct tornado drills.

By Senator Kleczka, by request of Mr. Edward Kopec.

To committee on Education and State Institutions.

Senate Bill 7

Relating to 2-year terms for department secretaries.

By Senator Berger.

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

Senate Bill 8

Relating to prohibiting the development of farmland.

By Senators Berger, Braun and George.

To Joint Survey committee on Tax Exemptions.

Senate Bill 9

Relating to restricting the method of adoption of certain rules by the examining board of architects, professional engineers, designers and land surveyors.

By joint committee for Review of Administrative Rules.

To joint committee for Review of Administrative Rules.

COMMITTEE REPORTS

The joint committee on Finance reports and recommends for introduction:

Senate Bill 10

Relating to revising the Wisconsin fund appropriation, revising the point source pollution abatement program, placing limitations upon disbursements from general purpose revenue sum sufficient appropriations, authorizing appropriations reestimates, authorizing expenditure of certain anticipated state revenues, priority for payment of state claims, a procedure for reduction of state expenditures in the event of insufficient revenues, reducing the primary guaranteed valuation for the 1980-81 school year, initial payment of aid to families with dependent children, authorizing bonding and making appropriations and appropriation changes.

By request of Governor Lee Sherman Dreyfus.

Introduction:

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

Noes, 0 -- None.

Read first time and referred to Joint Survey committee on Debt Management.

GERALD D. KLECZKA

Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Commission on Interstate Cooperation

January 7, 1981

To the Honorable, the Legislature:

Section 13.54(4) of the statutes requires the Commission to render a statement of all expenditures for contingent expenses to the Legislature at the beginning of each regular session. Pursuant to that provision, I hereby notify the Legislature that there were no

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expenditures involving Commission Contingent Expenses during 1979 and 1980.

**Respectfully submitted,
WILLIAM A. BABLITCH
Vice Chairman**

**State of Wisconsin
Elections Board**

December 11, 1980

To the Honorable the Legislature:

In accordance with Chapter 311, Laws of 1979, submitted herewith are copies of a document entitled "Report on Use of Electronic Voting System in Caledonia Town", which was approved for distribution by the State Elections Board on December 10, 1980. The report is required to be submitted "...to the appropriate standing committees of the legislature, as determined by the presiding officer of each house, no later than January 15, 1981...."

**Very truly yours,
GERALD J. FERWERDA
Executive Secretary**

Referred to committee on Judiciary and Consumer Affairs.

EXECUTIVE COMMUNICATIONS

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

January 8, 1981

**The Honorable Fred A. Risser
The Honorable Ed Jackamonis
Joint committee on Legislative Organization
State Capitol**

Gentlemen:

I am writing to confirm that I will address a Joint Session of the Legislature on Tuesday, January 13, 1981 for the purpose of delivering the State of the State Message.

As you have requested, I will address the Joint Session at 10:30 A.M.

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Sincerely,
LEE SHERMAN DREYFUS
Governor

By request of Senator Bablitch, with unanimous consent, the reading of the appointments by the Governor was dispensed with.

KEATING, DR. JOHN F., of Janesville, as a member of the Optometry Examining Board, to succeed himself, to serve for the term ending July 1, 1985.

Referred to committee on Human Services.

KNOWLES, ROBERT P., of New Richmond, as a member of the Board of Regents of the University of Wisconsin System, to succeed Nancy Barkla, to serve a seven year term to expire on May 1, 1987.

Referred to committee on Education and State Institutions.

KOPISH, WILLIAM P., of Marinette, as a member of the Public Defender Board, to succeed Mary Lou Robinson, to serve a three year term to expire on May 1, 1983.

Referred to committee on Judiciary and Consumer Affairs.

LA FLEUR, JOSEPH, of Madison, as Administrator of Emergency Government, to succeed Michael Early, to serve at the Pleasure of the Governor.

Referred to committee on Labor, Government, Veterans' Affairs and Tourism.

LEVIN KAY W., of Cleveland, as a member of the Judicial Commission, to succeed herself, to serve a three year term to expire on August 1, 1982.

Referred to committee on Judiciary and Consumer Affairs.

MORGAN, JAMES R., of Madison, as a member of the Ethics Board, to succeed Pastor Brest, to serve for the term ending May 1, 1983.

Referred to committee on Judiciary and Consumer Affairs.

NELSON, MEREDITH L., as a member of the Pharmacy Examining Board, to succeed Thora M. Vervoren, to serve a five year term to expire on July 1, 1985.

Referred to committee on Human Services.

NEVIASER, B. ANN, of Madison, as a member of the Savings and Loan Review Board, to succeed Helen Casper, to serve for the term ending May 1, 1983.

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

NORDHAGEN, HALLIE, of Whitehall, as a member of the Nursing Home Administrators Examining Board, to succeed herself, to serve a three year term to expire on July 1, 1983.

Referred to committee on Human Services.

PEDERSON, THOMAS E., of Madison, as the Commissioner of Banking, to succeed Erich Mildenberg, to serve for the term ending March 1, 1983.

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

PINZER, EDWARD, F. of Wauwatosa, as a member of the Public Defender Board, to succeed Sally Bilder, to serve a three year term to expire on May 1, 1983.

Referred to committee on Judiciary and Consumer Affairs.

PRINDLE, DAVID, of LaCrosse, as a member of the Domestic Abuse Council, to serve for the term ending July 1, 1981.

Referred to committee on Human Services.

RAETHER, HERBERT, of Columbus, as a member of the Public Defender Board, to succeed Donald Sykes, to serve a three year term to expire on May 1, 1983.

Referred to committee on Judiciary and Consumer Affairs.

READ, SISTER JOEL, of Milwaukee, as a member of the Educational Communications Board, to succeed Warner Mills, to serve for the term ending May 1, 1984.

Referred to committee on Education and State Institutions.

SCALES, HAROLD E., of Madison, as a member of the Savings and Loan Review Board, to succeed Ralph K. Schlitz, to serve a four year term to expire on May 1, 1983.

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

SCHRAUFNAGEL, ALLEN, of Elroy, as a member of the Public Defender Board, to succeed Eleanor Brennan, to serve for the term ending May 1, 1982.

Referred to committee on Judiciary and Consumer Affairs.

SCHUNK, JOHN, of Verona, as a member of the Banking Review Board, to succeed August N. Renner, to serve a five year term to expire on May 1, 1985.

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

STARK, PHILLIP C., of Madison, as a member of the Real Estate Examining Board, to succeed Robert Ellis, to serve for the term ending July 1, 1981.

Referred to committee on Human Services.

STEINHILBER, JACK, of Oshkosh, as a member of the Public Defender Board, to succeed Frank Remington, to serve a three year term to expire on May 1, 1982.

Referred to committee on Judiciary and Consumer Affairs.

WIDOE, RUSSELL, of Green Bay, as a member of the Educational Communications Board, to succeed Mary Kelly, to serve for the term ending May 1, 1984.

Referred to committee on Education and State Institutions.

ZERNICKE, CALVIN, of Neenah, as a member of the Barber's Examining Board, to succeed Mark D. Laufman, to serve for the term ending July 1, 1983.

Referred to committee on Human Services.

WILLIAMS, DR. PAUL L., of Brookfield, as a member of the Psychology Examining Board, to succeed Dr. John Jackson, to serve for the term ending July 1, 1982.

Referred to committee on Human Services.

ULLSVIK, BJARNE R., of Platteville, as a member of the Judicial Commission, to succeed Warren Carrier, to serve out the three year unexpired term of Mr. Carrier which will expire on August 1, 1980 and for a subsequent three year term to expire on August 1, 1983.

Referred to committee on Judiciary and Consumer Affairs.

BALDWIN, GORDON B., Professor, of Madison, as a member of the Public Defender Board, to succeed William Coffey, to serve a three year term to expire on May 1, 1982.

Referred to committee on Judiciary and Consumer Affairs.

BARNHILL, HELEN, of Milwaukee, as a member of the Public Defender Board, to succeed Anita Herrera, to serve out the unexpired term of Ms. Herrera to expire on May 1, 1981.

Referred to committee on Judiciary and Consumer Affairs.

BAVOLEK, STEVE, of Elk Mound, as a member of the Council on Domestic Abuse, to serve an initial appointment to expire on July 1, 1983.

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Referred to committee on Human Services.

BICHA, GLORIA, of Racine, as a member of the Educational Communications Board, to succeed Gloria Downing, to serve for the term ending May 1, 1982.

Referred to committee on Education and State Institutions.

BIDDICK, ROGER D., of Livingston, as a member of the Board of Vocational, Technical and Adult Education, to succeed Harvey Dueholm, to serve for the term ending May 1, 1983.

Referred to committee on Education and State Institutions.

BILLE, CHARLES, of Port Wing, as a member of the Wisconsin Waterways Commission, to succeed James Walezko, to serve for the term ending March 1, 1981.

Referred to committee on Agriculture and Natural Resources.

BORGWARDT, REVEREND ROBERT, of Madison, as a member of the Ethics Board, to succeed Annrita Lardy, to serve for the term ending May 1, 1985.

Referred to committee on Judiciary and Consumer Affairs.

DAHM, HARRY F., of Merrill, as a member of the Credit Union Review Board, to succeed Robert Lechner, to serve a five year term to expire on May 1, 1985.

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

DE BACK, VIVIEN, of Muskego, as a member of the Board on Nursing, to succeed Sister Sharee Hurtgen, to serve a four year term to expire on May 1, 1984.

Referred to committee on Human Services.

FINLAYSON, EDITH, of Milwaukee, as a member of the Board of Regents of the University of Wisconsin System, to succeed Bertram McNamara, to serve a seven year term to expire on May 1, 1987.

Referred to committee on Education and State Institutions.

GEISSLER, HENRY J., of Chippewa Falls, as a member of the Savings and Loan Review Board, to succeed Gerald Levy, to serve a four year term to expire on May 1, 1983.

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

GUNDERSEN, DR. ADOLF L., of LaCrosse, as a member of the Medical Examining Board, to succeed Dr. William Baker, to serve a four year term to expire on May 1, 1984.

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Referred to committee on Human Services.

JACKSON, GWEN T., of Milwaukee, as a member of the Medical Examining Board, to succeed Mary Reddin, to serve for the term ending May 1, 1984.

Referred to committee on Human Services.

JONES, JERREL WILLIAM, of Brown Deer, as a member of the Medical College of Wisconsin Inc., Board of Trustees, to succeed himself, to serve for a six year term to expire on May 1, 1986.

Referred to committee on Human Services.

McKELVEY, CHANDLER, of Stevens Point, as the Secretary Designate for the Department of Development, effective September 1, 1980, to serve at the Pleasure of the Governor.

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

WATERMOLEN, BERNARD, of Green Bay, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to succeed Paul Wolf, to serve for the term ending July 1, 1980 and for a subsequent term ending July 1, 1983.

Referred to committee on Human Services.

SPANBAUER, STEVE, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to succeed Kathy Huibregste, to serve out the unexpired three year term of Ms. Huibregste which will expire on July 1, 1982.

Referred to committee on Human Services.

SHULER, DR. FRANK, JR., of Clinton, as a member of the Dentistry Examining Board, to succeed Dr. John Lueck, to serve for the term ending July 1, 1985.

Referred to committee on Human Services.

QUINN, JEROME, of Green Bay, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to succeed himself, to serve a three year term to expire on July 1, 1983.

Referred to committee on Human Services.

SASS, RICHARD, of Madison, as a member of the Accounting Examining Board, to succeed Alexander Georges, to serve for the term ending July 1, 1982.

Referred to committee on Human Services.

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OLSON, KENNETH, of South Range, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to succeed Charles Rollman, to serve out Mr. Rollman's term which will expire on July 1, 1981.
Referred to committee on Human Services.

BROENEN, DARWIN, of Milwaukee, as a member of the Accounting Examining Board, to succeed James A. McCann, to serve for the term ending July 1, 1985.
Referred to committee on Human Services.

CHEEKS, DIANA B., of Glendale, as a member of the Arts Board, to succeed Ruth de Young Kohler, to serve for the term ending May 1, 1983.
Referred to committee on Human Services.

COLLIER, SONJA L., of Madison, as a member of the Dentistry Examining Board, to serve for the term ending July 1, 1983.
Referred to committee on Human Services.

MARTIN, DAVID, of Neenah, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to succeed Steven Spanbauer, to serve for the term ending July 1, 1982.
Referred to committee on Human Services.

NICHOLS, DIANE, of Oconto, as a member of the Arts Board, to succeed Mary Alice Wimmer, to serve for the term ending May 1, 1983.
Referred to committee on Human Services.

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 80-160

A rule to create Ch. Trans 207, relating to the establishment of standards and specifications for the design and construction of county, town, village and city bridges, arches or culverts.

Submitted by Department of Transportation.

Report received from Agency, January 7, 1981.

Referred to committee on Aging, Business and Financial Institutions and Transportation, January 13, 1981.

Senate Clearinghouse Rule 80-177

A rule to create Ch. CU 66, relating to the establishment of out-of-state limited services offices by Wisconsin-chartered credit unions.

Submitted by Office of the commissioner of Credit Unions.

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Report received from Agency, January 12, 1981.

Referred to committee on Aging, Business and Financial Institutions and Transportation, January 13, 1981.

Clearinghouse Rule 80-178

A RULE to renumber CU 60.04 (3) (d), (5) (a) and (b) and (6) and 60.05; to renumber and amend CU 60.04 (3) (b) and (c) and (4); to amend CU 60.04 (2) (c) and (3) (a); and to create 60.05 (1) (intro.), (b) and (c), relating to dividends payable on member share accounts and deposit accounts in Wisconsin-chartered credit unions.

Submitted by Office of the Commissioner of Credit Unions.

Report received from Agency, January 12, 1981.

Referred to committee on Aging, Business and Financial Institutions and Transportation, January 13, 1981.

Clearinghouse Rule 79-36

A RULE to amend DE 4.01 (6), relating to advertising restrictions.

Withdrawn by Agency, January 13, 1981.

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 1981 Legislative Session.

Adopted and asks concurrence in:

Assembly Joint Resolution 1

Assembly Joint Resolution 2

Assembly Joint Resolution 3

Assembly Joint Resolution 4

Concurred in:

Senate Joint Resolution 1

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 1

Relating to the life and public service of Palmer F. Daug.

By Entire Membership of the Assembly.

Read.

Considered as privileged and taken up.

Concurred in by unanimous rising vote.

Assembly Joint Resolution 2

Relating to the life and public service of Cornelius T. Young.

By Entire Membership of the Assembly.

Read.

Considered as privileged and taken up.

Concurred in by unanimous rising vote.

Assembly Joint Resolution 3

Relating to the life and public service of Frederick C. Schroeder.

By Entire Membership of the Assembly.

Read.

Considered as privileged and taken up.

Concurred in by unanimous rising vote.

Assembly Joint Resolution 4

Relating to the life and public service of William Atkinson.

By Entire Membership of the Assembly, co-sponsored by Senator Frank.

Read.

Considered as privileged and taken up.

Concurred in by unanimous rising vote.

By request of Senator Bablitch, with unanimous consent, the Senate returned to the second and third orders of business.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 3

Relating to proportional representation on committees to which senators are appointed.

By Senators Lorge, Lasee, Krueger, Chilsen, Bidwell, Kreul, Opitz, Lorman, Harsdorf, Engeleiter, McCallum, Hanaway, Theno and Johnston.

Read and referred to committee on Senate Organization.

Senator Lorge asked unanimous consent that the resolution be considered at this time.

Senator Bablitch objected.

Senate Joint Resolution 3

To amend section 8 of article I of the constitution, relating to revising the right to bail and authorizing the legislature to permit circuit courts to deny release on bail for a limited period to certain accused persons (2nd consideration).

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By Senators Bablitch, Flynn, Cullen, Chilsen, Berger, Hanaway, Van Sistine, Kleczka, Frank, Offner and Maurer.

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 11

Relating to use of department of natural resource's gravel pits and similar facilities.

By Senator Krueger.

To committee on Agriculture and Natural Resources

Senate Bill 12

Relating to stating the reasons for requesting a substitution of judge.

By Senator Krueger.

To committee on Judiciary and Consumer Affairs

Senate Bill 13

Relating to proportional representation on legislative committees and other bodies to which legislators are appointed.

By Senators Lorge, Lasee, Krueger, Chilsen, Bidwell, Kreul, Opitz, Lorman, Harsdorf, Engleiter, McCallum, Hanaway, Theno and Johnston.

To committee on Senate Organization.

By request of Senator Bablitch, with unanimous consent, the chair was directed to appoint an escort to await upon the Governor.

The chair appointed Senators Bablitch and Chilsen to await upon the Governor.

The senate proceeded in a body to the Assembly Chamber to meet in Joint Convention to receive the State of the State message.

IN ASSEMBLY CHAMBER
IN JOINT CONVENTION

The President of the Senate in the chair.

The committee to await upon the Governor appeared with his excellency the Governor, who delivered his message as follows:

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Mr. President, Mr. Speaker, Ladies and Gentlemen of the Legislature:

The Wisconsin Constitution requires that I, as Governor, report on the condition of the state. As government and society have become more complex, describing the condition of the state has become more complex.

Let me say at the outset that my communication to you and the people of Wisconsin will again be in three parts, this state of the state, the revenue bill information and the biennial budget message. Taken together they will set a course for this state which will deal with the difficult times of today, prepare the way for the next two years and at least begin the necessary planning for the remainder of the century. Always keep in mind that in this nation we can do anything we set our minds and energy to.

Fifty years ago this Thursday, in economic times far more difficult than today, Governor Phillip LaFollette addressed the legislature. Quoting Wisconsin's own historian, Frederick Jackson Turner, he noted that there was a time in America that when things got bad, people just picked up and move west, avoiding directly dealing with the problems or their causes, LaFollette said,

“. . . as long as the frontier existed, men were free to bundle their families into covered wagons and move West to a new freedom and a new opportunity. But, . . . the frontier was a liability . . . For as long as this freedom of movement to new opportunity existed, neither the leaders nor the people were under the pressure of necessity to keep . . . American life progressively adapted to changing needs and changing conditions.”

We can't do that now, anywhere in the world. As a state, it is clear that it is here we must make our stand for freedom and the good life. That is just as clear for our nation. The only true hope for freedom in the future is in these United States.

It is our difficult task now, in 1981, to find our freedom and to make our opportunity through wise and courageous readjustments of the political and economic order of Wisconsin. It is going to be difficult because it will require, one, not doing things we would like to do; two, undoing things we have already endorsed; and, three, confronting forces that we allowed to grow unattended. We will find in this legislative session whether we have delegated to the special interests and the computers the power the people have delegated to us. This year we will learn whether the overall good of all the people can survive the narrower demands of the separate interests.

Two years ago I discussed six facets of our state's health, the humanistic, environmental, economic, educational, public safety and

governmental health. This year, I must obviously add our fiscal health.

How is the fiscal state of our state? Like the old saw, compared to what? Compared to Michigan with its heavy auto industry dependency, we are well. Compared to those states which continue to impose inflationary tax increases on their people or tax basic necessities, we are less affluent.

Frankly, I prefer Wisconsin's current status to either of those because it reflects in part the result of conscious decisions made to provide true tax reform.

History will record the indexing of our income tax system as the most significant decision made by the last Legislature. Now our federal government must have the wisdom and the courage to follow Wisconsin's lead. By merely the end of my term, those income tax reforms enacted by the previous Legislature will leave over \$1 billion in the hands of those who earned it. And that amount will continue to increase as long as inflation is with us.

The next necessary step will not be as easy, namely the practical elimination of sum sufficient appropriations, or blank check appropriations if you will, from the budget. My budget bill, being prepared now for presentation to you just two weeks from today, will carry out this firm belief of mine that sum sufficient budgeting constitutes a dangerous and destructive management practice during a period of economic recession.

We've essentially solved the problem of automatic tax increases. Now we must solve the problem of automatic spending increases. This national recession gives us the motive for action. We may yet turn our current economic difficulties into an achievement of permanent and long-range importance.

Due to the tragic failure of the national administration we are today in the midst of a growing recession. In Wisconsin, the brunt of the recession has fallen on the automobile, lumber, machinery, and construction industries. This has seriously affected state tax revenues causing our current deficit problems and creating new ones for the future. Fortunately, agriculture and tourism are in good shape and fortunately we are a diversified state.

In the scheme of things, Wisconsin remains strong and vibrant, able to deal with the difficulties brought on by the national recession, willing to do what is necessary to help those truly in need, to preserve our unique Wisconsin lifestyle, and I believe willing to risk for the future -- our own and the future of our children and grandchildren.

As regards the future, we all see this troubling tendency in government to deal only with the short term. We need directional charting for the remainder of the century. I will communicate with

you later about my program to prepare for our sesquicentennial, our 150th year, 1998, with goals for a greater and better Wisconsin.

Our immediate task is to deal with the revenue shortfall in this fiscal year. Last summer Secretary Lindner at my direction imposed a 4.4% across the board spending cut as the economy declined and sales and corporate tax collections came in below estimates. The economy has worsened, and makes our current condition even more shaky. Before we approach the next two years, we must get our house in order for this year. Today a bill to do just that will be presented to you. I urge you to consider it quickly.

I could have called the previous Legislature back into session to handle this problem, but my concern about a legislative decision either before an election or just after an election with a number of so-called lame ducks caused me to hold the solution as your first order of business. Obviously, the legislative leadership could have called the Legislature back without my involvement. It chose not to probably for the very same reasons.

The bill will make certain appropriations adjustments both up and down. Increases are necessary to cover the caseload increases in AFDC, Medicaid, and the public defender's office. Other programs will not reach their authorized limit, allowing decreases in those appropriations.

I am also asking that \$1.1 million be appropriated to the local governments in the wind disaster areas of Dunn, Pierce, Chippewa and Eau Claire counties, money which the federal government rightfully should have paid. This was a commitment on which the bureaucrats in Washington reneged. We should help those counties face a disaster not of their making.

Revenue to meet the net shortfall will be obtained through two mechanisms:

First by endorsing the 4.4% cuts including those overruled by the Supreme Court. Not included are the previously announced cuts in AFDC. These are the people most vulnerable in times of economic decline, and this budget will preserve the current level of payments.

Second, transferring the cash now sitting in the Wisconsin Fund and authorizing bonding for continuation of that essential program. The 4.4% cut in school aids has been handled to avoid hurting most those districts with the most need.

It also contains provisions for dealing with any future revenue shortfalls including a modest balance and emergency authority for the Executive to act in consultation with the Joint Finance Committee.

If you wish me or any future executive to be given the authority to deal directly and quickly with a reduction in budgeted spending when faced with unpredicted declines in revenues, then the legislated authority will have to be constructed to stand the test of a court challenge. The Attorney General and his staff have produced the proposed wording with that in mind.

It is my belief that we will be dealing with unpredictability and a non-stable economy for the entire decade. Therefore, this is an authority which will be exercised if delegated. The option, of course, is to re-involve the entire Legislature at each instance. The choice is clearly yours.

I do urge you to act promptly on the bill so we can create a balanced budget and set the base for the next biennium.

Our Economic Health

Compared to the 60's and 70's, these are hard times for our country and Wisconsin, and we should not expect quick recovery. Wisconsin is comparatively better off than other Midwestern states, but I am concerned about the future, with our mature industries and their aging physical plant.

The Secretary of Development is analyzing our industry as to its viability and competitiveness in the future, and will make recommendations to me on what steps can be taken to help insure continuing long-range economic health and the availability of worthwhile jobs for our citizens. As proposals and directions become clear, I will communicate them to you.

The Secretary of the Department of Development is also examining what steps the State as a government and as a university can take to insure that Wisconsin is attractive to high technology firms and other businesses requiring the caliber of workers for which Wisconsin is justly famous. Currently, Wisconsin educated engineers are moving out of state to areas of high technology development. We can use them here.

Many of the industrial firms in our state are actively and successfully selling their products overseas, but many others with equally good prospects are not. While the state has provided assistance for some time to companies interested in international trade, I am not satisfied that we are doing all we can in this potentially rewarding area. Opportunities are especially ripe for our agricultural sector where 85% of our product needs to be sent out of state. That figure startled me.

We will increase both the intensity and breadth of our assistance to Wisconsin firms and farms in overseas marketing and sales.

Secretaries Rohde and McKelvey will shortly sign a joint marketing approach.

In our society, as in almost all others, the shelter industry is one of that small handful which is truly basic -- not only because it provides an essential product, is a major employer and feeds a wide variety of satellite industries, but because it is essential to the physical and psychological well being of our people. Housing shapes our life styles, our attitudes, hopes, our mobility and our ambitions.

In Wisconsin, as in the rest of our country, the shelter industry is very sick. The hopes of our people are not being met, or only at terrible cost.

In times like these, it is necessary for the government at all levels to take steps to help correct the current situation. In the near future, we will introduce legislation designed to make capital more readily available for home purchases, and at a lower cost than now available in conventional markets, through public-private partnership.

Wisconsin's tourism industry is one of the economic bulwarks of our state.

Our tourism industry is very successful. It has coped far better than tourism in other states with energy problems and economic difficulties. The role of the state's management has improved dramatically with far better communication and results.

But it is clear the societal change in the air will not miss tourism.

The Department of Development, utilizing appropriate University of Wisconsin resources, is preparing a program to determine the effect that trends in demographics, life styles, energy availability and cost, inflation, and other important factors will have on tourism in Wisconsin, and to work with leadership within the industry to insure that we take advantage of the opportunities that will develop as well as avoiding future pitfalls.

It is not a certainty that fuel limits will hurt Wisconsin tourism. Fuel shortages or high costs may well cause more people in the Milwaukee-Chicago area to use Wisconsin's recreational resources rather than more distant resources. We will market toward that principle.

Energy remains perhaps our most difficult problem because there is so little control we can exercise. My Task Force on Wisconsin Energy Policy has just now presented its report. Basically it says we must develop a state energy policy which emphasizes first, conservation, second, use of in-state resources and third mitigation of disruption. The report will be carefully reviewed by the appropriate state agencies and I hope by you, with the intent to put into play as many recommendations as seem appropriate.

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In the budget bill, you will find some important initiatives which were developed simultaneously while the Task Force discussions were going on. The initiatives will include programs for new homes and existing homes, as well as solar access legislation.

For me, our economic and our environmental health are absolutely inseparable. That is a truth not understood by so many of the staunch advocates in both areas. This is a time for reasonability and moderation in planning ahead.

A commitment to wise management of our irreplaceable resources is both our challenge and our duty. We have codified our desire to protect and improve environmental quality into strong laws on air, water, and land. Huge financial commitments, both public and private, have been made over the past ten years on water quality alone. The effect has been impressive, as indicated by recent DNR studies and reports.

Perhaps the bigger challenge then is not the formation, but the administration of those sound laws. There is no glamor in administering those laws fairly and evenly, but the economic/environmental balance applies here too.

We have made progress because of the public and private commitment, a commitment we must reaffirm again and again. It is a commitment I deeply feel, and one in which I intend to continue to press for balance, reasonability, and moderation because this area lends itself readily to the politics of fear and there will always be zealots or demagogues ready to exploit lack of knowledge and fear on both sides.

Among the current problems are Milwaukee sewers, nuclear and hazardous waste.

A massive construction project by the Milwaukee Sewerage Commission is required to bring its system into compliance with state and federal standards, and to comply with outstanding court orders. This project is in the final planning stages and construction must soon begin -- at huge expense.

The state cannot stand passively by and let the communities served by the Commission struggle alone with their difficulties. Many of those difficulties may well have been caused by state decisions in the distant past as charged by some Milwaukee leadership.

Therefore, we must make sure that state law or practice does not stand in the way of solutions. The state might also help organize financial assistance and facilitate dealing with the federal authorities.

I have asked the Secretary of the Department of Development to study the issues and make recommendations to me, no later than

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April 1, as to how we can be most helpful, not only in Milwaukee's difficult problems but in less publicized similar situations which exist in other communities around our state. His recommendations for change will be submitted to you as soon as they are ready.

The eighties could well turn out to be the decade of waste control. What do we do with high and low level nuclear waste, hazardous waste, solid waste. The fact is we have created all this, it confronts us now and the problems will grow in quantity as will the threat to the health and safety of our people.

You will shortly be presented with legislation creating a statutory body to deal with the U.S. Department of Energy. It is a bill created out of a special committee including representatives of the legislature, my office and the public. I urge you to consider it carefully and quickly.

We must as a state be fully prepared to deal with the federal government.

Congress has passed a law essentially allowing states to negotiate agreements for regional low level waste disposal. This must be a high priority for this Legislature.

Many of the modern day miracles we enjoy have a byproduct of hazardous or solid waste which we do not enjoy. It is essential that we develop processes for siting such facilities insuring the safety and good health of persons in the area. It is also essential that we deal with transportation as well as siting. The movement and transportation of such waste is possibly more dangerous than its storage.

I understand and support the need for respecting local zoning ordinances and will not support cavalier overriding. However, if after a statutorily protected process, adequate study, public input and appropriate review, the choice comes down to no site and a continued threat to the people of this state or the override of local zoning, I must come down on the side of the health and safety of all the people. It must be, however, a clear matter of last resort.

Humanistic Health

In a period of scarcity the humanistic health of a state is more severely challenged, perhaps than any other.

Two years ago I stood before you and indicated that a measure of our state health would be how we as state government deal with minority persons. I told you that the time for awareness was past -- long past. We didn't need more studies, more surveys, or more commissions. Today I want to repeat the statement because a recession can set us back in the progress made during growth times.

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After overcoming some reluctance and suspicion, four minority advisory councils out of my office are working enthusiastically and knowledgeably on behalf of all citizens in the State of Wisconsin.

In the last nine months through the ethnic/minority office we have had more contact, disseminated more information about state government as well as more daily input into the decision-making process than ever before in the Executive Office. It is still not enough.

As a result of my executive order on affirmative action, action plans were received and approved from all state agencies including the universities, and they are being monitored. They demonstrate we have made significant gains in the hiring of women in higher administrative jobs and some small gains in employment of minorities. We must not allow the success in affirmative action for women to hide the lack of success for minorities.

Unfortunately, minority groups have historically been left out of the decision-making process. It shouldn't have taken this long but this is the first administration in the history of the state to include a minority advisor.

The goal is to destroy the need for affirmative action. The goal is to destroy the need for minority desks and minority programs. And I believe it is possible, and achievable particularly here in Wisconsin.

I believe Wisconsin has a strong record in its efforts on behalf of women as individuals and as part of family units. Women have been appointed to boards and commissions in greater numbers than at any time in the history of Wisconsin. More women have been appointed to high level state jobs than ever before.

The key problem for our elderly who have spent a lifetime buying a home is the ever-rising property tax. My revenue bill will contain a proposal designed to alleviate that pressure upon our aged.

Governmental Health

Last week I outlined the basic parts of a government containment proposal which will be presented to you around March 1. I already feel the heavy breathing of many so-called protected groups. This is a most appropriate time to look at state government and consolidate where practicable, contain and deregulate where responsible, and cut out where no longer necessary. I urge you to give government containment a high priority this session, particularly as you wrestle with the growing cost of government.

Besides containment, I am also concerned about accountability in government as perceived by the people. I am still convinced that the government will work better if the Departments of Natural Resources, Veterans Affairs, and Agriculture, Trade and Consumer

Protection are headed by persons appointed by and responsible to the Governor. Therefore, I will again seek passage of a bill to include those three secretaries among the Governor's cabinet appointments.

Public Safety

We took several important steps last year to improve the public safety. A new prison was approved, tougher laws were passed dealing with crimes against the elderly and with crimes involving weapons.

We also saw the passage, finally, of the first consideration of a constitutional amendment permitting pre-trial detention, the so-called Bail amendment. I am concerned lest the old opposition to this which is deep and strong should find a way to prevent passage of the second consideration by March 3rd in order to assure its place on the April ballot.

For whatever reasons, several successive Legislatures buried that amendment deep within the legislative process. A year ago, I found it necessary to include that amendment in the call of a Special Session only to have it laid aside through parliamentary procedures. It was introduced in the regular session but died again from study and inaction. Thus, I found it necessary in June to call another Special Session and make the passage of that amendment an absolute non-negotiable item. How extraordinary that it has taken all that and all these years just to give people the right to amend their own constitutions for their own protection.

That piece of legislation must be passed a second time and it will have my constant attention until you do so. I urge you, do not delay this matter again.

Educational Health

On matters of education, let me say that my budget bill will contain policy related to the relationship of State and local funding, as well as a proposal to deal with the drop-out problem so clearly identified in our study this past year. We must move to help these young people become qualified for employment, for their sake and for the sake of everyone.

We have heard much in recent months about the VTAE system. It is a uniquely local system that bends to the needs of local industry and community interests. That is a strength that should be maintained. I am also convinced that the alleged abuses recently reported can be controlled through better local procedures and some increased audit capability at the state level. As long as state resources are contributed, the state should have opportunities to review how funds are expended.

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My real concern about VTAE is that an appointed board not directly accountable to the people has the power to levy taxes. That is the issue this Legislature should address. If the boards are to remain appointed, then we should begin planning now to phase out the local levy and replace it with State funds.

Some of you continue to raise questions about a veterinary school. The issue now is rather simple. A previous Legislature mandated that project. DOA has the authority to build. Bids will be open and accepted or rejected on February 14. Unless this Legislature removes that authority by that time the school will be built.

On the issue of roads and bridges, my position has often been made public. We must not allow our road system to deteriorate like our railroads have already. The road system is the basic artery for our agriculture and tourism industries, as well as the only system available to more than 800 of our 1,200 communities.

I will submit my specific proposals to maintain our current system in my budget in two weeks.

Some view this session as headed toward partisan bickering and special interest accounting, with a view only as far as the 1982 elections. If so, then we will have made a bad choice at the crossroad.

I think instead we can accept the challenge. Today provides an opportunity for regeneration. We can recognize that our common goal is not a laundry list of legislation or high roll call rating, but rather the encouragement of an economic, social and political system which says yes to freedom in all its forms, yes to opportunity for all people, and yes to a future decade of growth and sound fiscal policy for this wonderful 23rd Psalm place we call Wisconsin.

We can remember those legislators of 1931 and recognize that they accepted the challenge more difficult than ours and that we, not they, are the beneficiaries.

As we set a course based essentially on not overtaxing our people, encouraging our economy, helping our truly needy, and always -- always living within our means, then Wisconsin citizens of 2031 will look back upon this very day as the critical moment when Wisconsin's government permanently stopped its uncontrolled plunge toward economic disaster and once again put control into the hands of the people's elected representatives.

I could not be more sincere when I say that I wish you all well for the difficult task ahead. The people have faith in you, and so do I.

Thank you.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Tuesday, January 27.

10:31 A.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Resolution 2

On page 8, line 16, after "may" insert ", with consent of the chair," and delete those words in lines 17 and 18.