

JOURNAL OF THE SENATE

**Eighty-Fifth Regular Session**

WEDNESDAY, November 18, 1981.

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

---

INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 661**

Relating to attaching the board of soil and water conservation districts to the department of agriculture, trade and consumer protection and making appropriations.

By Senators Kreul, Harsdorf, Lasee, Bidwell, Opitz and Roshell; cosponsored by Representatives Conradt, Thompson, Robertson, McEwen, Laatsch, Harer, Tregoning and Merkt.

To committee on Agriculture and Natural Resources.

**Senate Bill 662**

Relating to granting or renewing a license to processors of farm produce.

By Senators McCallum, Bidwell, Goyke, Thompson and Chilsen; cosponsored by Representatives McEssy, Byers, Goodrich, Panzer and Radtke.

To committee on Agriculture and Natural Resources.

**Senate Bill 663**

Relating to manufacturing or delivering dangerous drugs, changing penalties and restricting parole and probation.

By Senators Johnston, Frank and Roshell; cosponsored by Representatives Andrea and Hopkins.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 664**

Relating to safety responsibility for motor vehicle accidents, uninsured and underinsured motorist insurance coverage and creating a penalty.

By Senators Johnston, Braun and Harsdorf; cosponsored by Representatives Andrea, Ladwig, Robertson, Matty and Menos.

To committee on Insurance and Utilities.

**Senate Bill 665**

Relating to cable television services.

## JOURNAL OF THE SENATE

By Senators Braun and Berger; cosponsored by Representative Becker.

To committee on State and Local Affairs and Taxation.

### **Senate Bill 666**

Relating to property interests of married persons and providing penalties.

By Senators Berger, Chilsen, Van Sistine, Frank, Engeleiter and Johnston.

To Joint Survey committee on Tax Exemptions.

---

## PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Department of State

November 16, 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.*

Davis, Michael, 5713 Meadowood, Madison, WI 53711 (608) 271-8698; Wisconsin Social Services, Assn., c/o Rock County Social Services, P.O. Box 1649, Janesville, WI 53547-1649 (608) 755-2404; 4, 11, 14, 19; 129.

Termination:

Hendee, Kirby, P.O. Box 2626, Madison, WI 53701, for Investment Co., Institute, effective November 12, 1981 and Investment Counsel Assn. of America, Inc., effective November 16, 1981.

Schroeder, Robert W., 212 W. Wisconsin Ave., Milwaukee, WI 53203, for Disabled American Veterans, Department of Wisconsin, Inc., effective November 10, 1981. (License expired December 31, 1980)

**JOURNAL OF THE SENATE**

**State of Wisconsin  
Board of Vocational, Technical and  
Adult Education**

**October 22, 1981**

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

**To the Honorable, the Legislature**

**In accordance with section 15.04(4) of the statutes, I am pleased to submit on behalf of the Wisconsin Board of Vocational, Technical and Adult Education and the Educational Approval Board, a report covering the 1979-80 biennium.**

**Sincerely,**

**ROBERT P. SORENSEN**

**State Director**

**State of Wisconsin  
Mining Investment and Local  
Impact Fund Board**

**October 15, 1981**

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

**To the Honorable, the Legislature**

**The Mining Investment and Local Impact Fund Board is pleased to submit to you this account of its activities during the 1979-81 biennium. Please contact Elizabeth Kohl, Executive Secretary for the Board, if you have any questions or comments on the report.**

**Sincerely,**

**LAURENCE LEWIS**

**Chairman**

# JOURNAL OF THE SENATE

State of Wisconsin  
Secretary of State

October 15, 1981

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

To the Honorable, the Legislature

I respectfully submit herewith the Biennial Report of the Office of the Secretary of State, for the period extending from July, 1979, through June, 1981, pursuant to Section 14.38(4) of the Statutes.

This report is intended to present an overview of the functions of the Office of the Secretary of State; the operations and performance of the agency during the 1979-81 biennium; the projected goals for the agency during the 1981-1983 biennium; and the agency's experience with alternative work patterns.

I would also call to your attention that this report includes a summary of the statements of expense by principals of lobbyists. These statements, filed under Section 13.68, Statutes, are to be summarized in this report pursuant to Section 13.685(7), Statutes.

Sincerely,  
VEL PHILLIPS  
Secretary of State

State of Wisconsin  
Department of Public Instruction

October 14, 1981

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

To the Honorable, the Legislature

I submit to you the 1979-81 Biennial Report for the State Department of Public Instruction. It outlines only briefly what has transpired in the Department's five divisions and the Office of State Superintendent during the past two years. You are encouraged to contact my office or the division administrators for more detailed information on any of the programs.

Less than a month before the end of the 1979-81 biennium, my administration took office. It did so with enthusiasm and great expectations for developing a strong partnership with all involved in education as well as with the Governor, Legislature, and the people of

## JOURNAL OF THE SENATE

Wisconsin. Our goal is excellence as we take on a strong agenda for the 80s.

Among the items on that agenda are legislation for the implementation of competency testing in every school district, expanded vocational education opportunities for our young people, re-evaluation of the cooperative educational service concept and the development of a good vehicle for the provision of services to local educational units, and improved teacher training programs.

In a time of diminished resources and heightened expectations, the 80s present a real challenge to the education community, to work harder and to work smarter. None of us can do it our way. In the 80s we have to do it together. I look forward to a strong partnership with the people of Wisconsin. In the final analysis, we know that the ultimate partnership, the most important contract for each of us, is the one that we make between ourselves and our children. That is our future. The people who demand and support quality education insure that future.

Sincerely,  
HERBERT J. GROVER  
State Superintendent

State of Wisconsin  
Department of Justice

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

To the Honorable, the Legislature

I am pleased to present to you the Department of Justice's Biennial Report providing organizational, fiscal and workload information for 1979-81. Throughout the biennium the Department has continued to provide high-quality legal and law enforcement services to agencies of state government, local municipalities and individual citizens throughout Wisconsin. We are always striving to be more responsive to these needs.

Prosecutors in the state expressed a great need for up-to-date information on changes in the criminal laws. To meet that need we transferred the Statewide Prosecutor Education and Training Program to the Legal Services Division of the Department where we had the manpower and expertise to produce a publication that contains a comprehensive summary of all criminal law court decisions handed down each month. In it is also reproduced the complete text of all session laws that amend Wisconsin statutes

## JOURNAL OF THE SENATE

dealing with criminal prosecutions. The Legislature asked for more input into our opinions so we revised our procedures accordingly. Local public officials and the news media had a need for interpretation of the Open Meetings Law so we published a book in 1979 dealing with that subject.

In our Division of Criminal Investigation, a statewide arson tipline and reward fund was established at the request of the Wisconsin Arson Insurance Council to aid in solving arson cases.

The Crime Information Bureau within the Law Enforcement Services division was able to provide faster and more efficient response to inquiries of wanted/missing persons, stolen vehicles and other property items because of computer upgrading.

When the Crime Victim Compensation and Witness Assistance programs were put in this Department, a campaign was undertaken to inform the public of their existence. Presentations were given to law enforcement groups throughout the state at their various conferences and seminars. Brochures were revised to present information in a clearer, more concise manner and advertisements have been filmed and distributed to television stations throughout the state.

Fiscal resources were greatly limited this biennium yet requests for legal and law enforcement assistance continue to increase. You will see in the following pages that our Department provides not only legal counsel to state agencies but a wide range of law enforcement services to every community in Wisconsin. In almost every area of the Department workloads were realigned in order to provide these services without additional staff. We will continue in this effort to represent the best interests of the state and its citizens.

Sincerely,  
BRONSON C. LAFOLLETTE  
Attorney General

State of Wisconsin  
Department of Military Affairs

October 15, 1981

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

To the Honorable, the Legislature

The Department of Military Affairs 1979-81 Biennial Report has been prepared in accordance with s.15.04(4) of the Wisconsin

## JOURNAL OF THE SENATE

Statutes and guidelines set down by the Department of Administration in their announcement of March 15, 1981.

The goals and objectives of the department continue to be the readiness of the Wisconsin Army and Air National Guard in support of its dual Federal and State missions.

This report reflects the progress made in accomplishing goals and objectives outlined in our 1977-79 Biennial Report, and outlines the major departmental goals and objectives for the 1981-83 Biennium. It should be noted that projected goals and objectives could change depending on Federal directives from National Guard Bureau, Washington, D.C.

Sincerely,  
RAYMOND A. MATERA  
Adjutant General

State of Wisconsin  
Department of Administration

October 15, 1981

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

To the Honorable, the Legislature

I respectfully submit the biennial report of the Department of Administration for the period ending June 30, 1981, in accordance with s.15.04(4) of the Wisconsin Statutes.

Given the economic condition in Wisconsin and the nation, the past two years have not been easy ones for any agency in our state government. The 1981 fiscal year was one of the most difficult in the state's history in terms of matching available state resources to needs. We did learn a great deal about our ability to reduce spending during periods of tight fiscal resources, and I am certain these lessons will serve us well in the future. We can, and should, take some pride in the fact that Wisconsin state government continued to function. Our payrolls were met, services were delivered, contractual obligations were fulfilled and creditors were paid.

I am proud of the fact that the Department of Administration was able to meet so many of the goals we set for ourselves during the 1979-81 biennium. Credit for the accomplishments described on the following pages should go to all of the employees whose hard work,

## JOURNAL OF THE SENATE

dedication and spirit help to make DOA an effective operating department.

Sincerely,

**KENNETH E. LINDNER**

Secretary

State of Wisconsin  
Department of Employment Relations

October 15, 1981

Donald J. Schneider

Senate Chief Clerk

State Capitol

Madison, Wisconsin

To the Honorable, the Legislature

We are pleased to submit, in compliance with section 15.04(1)(d) of the Wisconsin Statutes, this report of our Department's performance and operations during the 1979-81 biennium and projections for the 1981-83 biennium.

As you know, our Department was created in 1978 at the same time that significant changes to the state's personnel system were initiated. The Department has settled into its role during the past biennium and has implemented and communicated its missions to those inside and outside State Government. The following report reflects some of the initiatives the Department has taken and some of the goals it has set for the next two years. As always, it is our intention to provide fair and competent personnel management, collective bargaining, affirmative action, and human resource services.

On behalf of our staff, it is with pride and pleasure that we serve our State, together with the Executive Office and the State Legislature.

Sincerely,

**HUGH C. HENDERSON**

Secretary

# JOURNAL OF THE SENATE

State of Wisconsin  
Investment Board

October 1981

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

To the Honorable, the Legislature

The Investment Board is charged with several major responsibilities. It invests the long-term assets of the Fixed Retirement Investment Trust and the Variable Retirement Investment Trust. The Board also invests the funds of the Historical Society, the State Life Fund and the Local Government Property Insurance Fund. Finally, it invests the short-term cash balances of 38 separate accounts, including the State's General Fund, which are consolidated into the State Investment Fund.

This 1979-81 biennial report reviews the Board's operations and performance. The report also covers other key developments in the past biennium plus major objectives for 1981-83. More detailed information on all these topics and on investment holdings is contained in the Annual Report and Schedule of Investments issued each fiscal year.

Sincerely,  
KENNETH E. CODLIN  
Executive Director

State of Wisconsin  
Conservation Work Projects Board

October 1, 1981

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

To the Honorable, the Legislature

In accordance with the requirements of s.15.04(1)(d) of the Wisconsin Statutes, the Wisconsin Conservation Work Projects Board submits this Biennial Report.

The report includes a review of the Board's operations from July 1, 1979-June 30, 1981, and a statement of our goals for the 1981-83 biennium.

## JOURNAL OF THE SENATE

Please contact us if you wish additional information.

Sincerely,  
**ELLEN O'BRIEN SAUNDERS**  
Executive Secretary

State of Wisconsin  
Department of Development

September 30, 1981

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

To the Honorable, the Legislature

I am pleased to submit to you the 1979-81 Biennial Report for the State Department of Development.

The creation of the Department of Development from the merger of the Departments of Business Development and Local Affairs and Development brought about major refocus of the State's role in development. Those changes have presented us with a challenge and an opportunity to take a leadership role in strengthening the economy of our state.

The 1979-81 biennium marked the beginning of the \$30 million Housing and Neighborhood Conservation Program. Almost 4,500 home improvement loans were made and the housing stock of the State was substantially improved. The private sector also generated substantial support for the program. By June 30, 1981, 190 lenders had submitted preliminary commitments totaling in excess of \$53 million for the next bond issue. In this way, the Housing and Neighborhood Conservation Program has been successful not only in conserving our vital housing stock but also in expanding our emphasis on building public and private partnerships.

Another initiative for a major sector of our economy was the creation of the tourism promotion campaign, "Escape to Wisconsin."

The accomplishments of the Department were also felt at the national level. We were selected in a national competition to distribute over \$23 million in community development aid to Wisconsin's small cities. Our emphasis on economic development and private sector involvement is now being used by the President and the Congress to fashion a national program of block grants to the state.

There were achievements in other areas as well -- small and minority business assistance, legislative initiatives, housing grants and planning grants. These are detailed in the pages that follow. The

## JOURNAL OF THE SENATE

key point is that the emphasis has been shifted; all our efforts are now targeted to vigorous advocacy of sound development.

Sincerely,  
CHANDLER L. MCKELVEY  
Secretary

State of Wisconsin  
Personnel Commission

October 15, 1981

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

To the Honorable, the Legislature

This Biennial Report is submitted to fulfill the requirements of s.15.04(1)(d), Wis. Stats., and provide you with information useful in evaluating the performance and operation of the Personnel Commission. It was prepared by Chairperson Gordon H. Brehm, who resigned effective October 2, 1981 to take an executive position with United Paperworkers International.

When addressing the performance and operation of the commission, the following historical facts might assist you. The commission, as of July 2, 1981, has been in operation three years. The first commission, consisted of three commissioners (1 attorney and 2 lay persons) and four staff positions including a staff attorney. The staff attorney had prior experience with the predecessor Personnel Board, but other personnel commissioners and staff needed to participate in training sessions.

The new commission was faced with a backlog of 216 cases; 86 active cases from the board and 140 other cases received by the board and held for the commission. Within 14 months 2 commissioners resigned, having accepted other positions. This reduced by a minimum of 50% the commission's capacity to hear appeals and discrimination cases. During this same period in the fall of 1979, the commission was deluged with several hundred new appeals stemming from the statewide clerical survey in August, 1979.

It was recognized that the commission was understaffed and 2 project appointment positions, 1 hearing examiner and 1 clerical, were added to assist in the some 960 new clerical appeals. In March, 1980, the two vacant commissioner positions were filled. Since that time there has been a sharp deduction in the backlog of cases.

In addition, since July 1978 the commission has undergone the administration of 3 chairpersons and a turnover of 80% of its staff.

## JOURNAL OF THE SENATE

With this historical perspective in mind, I believe that the commission has done an admirable job.

Sincerely,  
DONALD R. MURPHY  
Chairperson

State of Wisconsin  
Personnel Board

October 1981

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

To the Honorable, the Legislature

In accordance with the requirement of section 15.04(1) of the Wisconsin Statutes, I am pleased to submit the report of the State Personnel Board for the 1979-80 Biennium for your review.

This report summarized the activity and progress of the Board's functions.

Sincerely,  
LEONARD A. SZUDY  
Chairman

State of Wisconsin  
Elections Board

September 30, 1981

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

To the Honorable, the Legislature

A report of revisions and additions to Biennial Report, Volume II.

GERALD J. FERWERDA  
Executive Secretary

# JOURNAL OF THE SENATE

## EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

November 11, 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
127 -----	53-----	November 10, 1981
128 -----	54-----	November 11, 1981
218 -----	55-----	November 11, 1981
257 -----	56-----	November 11, 1981
411 -----	57-----	November 11, 1981
638 -----	58-----	November 11, 1981

Sincerely,  
LEE SHERMAN DREYFUS  
Governor

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

November 17, 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
213 -----	72-----	November 17, 1981
282 -----	73-----	November 17, 1981
358 -----	74-----	November 17, 1981
368 -----	75-----	November 17, 1981

Sincerely,  
LEE SHERMAN DREYFUS  
Governor

# JOURNAL OF THE SENATE

---

## SENATE CLEARINGHOUSE ORDERS

### **Clearinghouse Rule 81-128**

AN ORDER to amend and revise chs. SEC. 3, 4, 5, 7, 8, 9, 23, 31, 32, 34 and 35 and to make diverse other changes in the rules of the Office of the Commissioner of Securities, relating to the annual revision of the rules of the Commissioner of Securities concerning the operation of ch. 551, Stats.; the Wisconsin uniform securities law; ch. 552, Stats.; the Wisconsin corporate take-over law; and of ch. 553, Stats., the Wisconsin franchise investment law, with respect to registration exemptions, registration requirements and procedures, securities broker-dealer and investment adviser licensing requirements and procedures, fraudulent practices, fees and administrative procedure.

Submitted by the Office of the Commissioner of Securities.

Report received from agency, November 11, 1981.

Referred to committee on Aging, Business and Financial Institutions and Transportation, November 18, 1981.

### **Clearinghouse Rule 81-147**

AN ORDER to amend C 1.03 (1) and (2) (b), 1.04 (1), 1.06, 1.07 (1), 1.08 (1) (a) and (b) and (2), 1.09 (2), 2.01 (3), 2.03 (4), 2.04 (1), 2.12 (1), 2.14 (1) and (2); to repeal and recreate C 1.09 (1); and to create C 2.03 (5) and 2.04 (6), relating to applicants for licensure from other jurisdictions, disbursement of financial aids and written disclosure requirements.

Submitted by Department of Regulation and Licensing.

Report received from agency, November 17, 1981.

Referred to committee on Human Services, November 18, 1981.

### **Clearinghouse Rule 81-157**

AN ORDER to repeal and recreate Ins 2.07, relating to replacement of life insurance or annuity contracts and disclosure requirements.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, November 17, 1981.

Referred to committee on Insurance and Utilities, November 18, 1981.

### **Clearinghouse Rule 81-174**

AN ORDER to repeal Trans 4.07 (3); to renumber Trans 4.07 (4), (5) and (6); to amend Trans 4.01, 4.02 (1), (3) and (6), 4.04 (2), (3) and (4) and 4.07 (1); to repeal and recreate Trans 4.03, 4.04 (1), 4.05, 4.06 and 4.08; and to create Trans 4.09, relating to the urban mass transit operating assistance program.

## JOURNAL OF THE SENATE

Submitted by Department of Transportation.

Report received from agency, November 17, 1981.

Referred to committee on Aging, Business and Financial Institutions and Transportation, November 18, 1981.

### **Clearinghouse Rule 81-188**

AN ORDER to create ch. Trans 214, relating to town bridge road standards.

Submitted by Department of Transportation.

Report received from agency, November 11, 1981.

Referred to committee on Aging, Business and Financial Institutions and Transportation, November 18, 1981.

The committee on Insurance and Utilities reports and recommends:

### **Clearinghouse Rule 81-164**

AN ORDER to amend Ins 16.01 (1), (2), (3) (b), (4) (a) and (b), (5) and (8); and to create Ins 16.01 (3) (c), relating to annual billing for the examination of domestic insurers.

No action taken.

KURT A. FRANK

Chair

The committee on Human Services reports and recommends:

### **Clearinghouse Rule 81-159**

AN ORDER to repeal H 38.17 (1) (j) and 38.20 (2) (g); and to amend H 38.01 (2), 38.02 (18), 38.05 (1), 38.14 (2) (a), 38.20 and 38.21 (1) and (3), relating to laboratory certification.

No action taken.

CARL W. THOMPSON

Chair

---

## AMENDMENTS OFFERED

Senate amendment 5 to **Senate Bill 523** by Senator Berger.

Senate amendment 1 to **Senate Bill 643** by Senator Opitz.

---

## CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Bill 128**

**Senate Bill 218**

## JOURNAL OF THE SENATE

**Senate Bill 257**

**Senate Bill 411**

**Senate Bill 638**

Correctly enrolled and presented to the Governor on November 11, 1981.

**Senate Bill 213**

**Senate Bill 282**

**Senate Bill 358**

**Senate Bill 368**

Correctly enrolled and presented to the Governor on November 17, 1981.

---

### CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Assembly Bill 246, senate amendment 1**

1. Page 1, line 3: after "1." insert: "Page 1, line 4: after "(94)" insert ", 48.925".

**Assembly Bill 246, assembly amendment 2 to assembly substitute amendment 1**

1. Page 1, line 3: after "1." insert: "Page 1, line 4: after "(4)" insert ", 48.925".