

STATE OF WISCONSIN

Senate Journal

Eighty-Sixth Regular Session

THURSDAY, April 28, 1983

10:00 A.M.

The senate met.

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

By request of the president of the senate, with unanimous consent, the calling of the roll was dispensed with.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 27

Urging the members of Congress representing the state of Wisconsin to actively support and vote favorably on H.R. 1646, the Railroad Retirement Solvency Act of 1983.

By Senators Theno, Otte and Van Sistine; cosponsored by Representatives Vanderperren, Lewis, Jauch, Roberts, Shoemaker and McEssy, by request of United Transportation Union.

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 245

Relating to issuing manufacturer's plates to modifiers of vehicles and providing a penalty.

By Senator Chilsen; cosponsored by Representatives Kasten and Robinson.

To committee on Transportation.

Senate Bill 246

Relating to title, size, terms of office and appointment of the public service commission and certain commission proceedings and granting rule-making authority.

By Senators Lee, Feingold, Norquist and Czarnecki; cosponsored by Representatives Crawford, Holschbach, Smith, M. Coggs, Becker and Williams.

To committee on Energy and Environmental Resources.

Senate Bill 247

Relating to citations for ordinance violations.

By Senators Van Sistine, Davis and Roshell; cosponsored by Representatives Shoemaker, D. Travis and Prosser.

To committee on Judiciary and Consumer Affairs.

Senate Bill 248

Relating to eliminating the expiration date for collective bargaining impasse resolution procedures for local government employes other than law enforcement and fire fighting personnel.

By Senator Van Sistine; cosponsored by Representative Looby.

To committee on Labor, Business, Veterans Affairs and Insurance.

Senate Bill 249

Relating to surface water withdrawals, fees and permit requirements, granting rule-making authority, providing a penalty and making an appropriation.

By Senators Theno, Strohl, Lorman, Ellis, Opitz, Harsdorf, Norquist, Risser, Czarnecki and Van Sistine; cosponsored by Representatives Metz, Robinson, Rude, Van Gorden, Porter, Gilson, Donoghue, Holperin, Holschbach, Vanderperren, Goetsch, Rooney, Matty, Cowles, Radtke, Andrea, Ulichny and Stower.

To committee on Energy and Environmental Resources.

Senate Bill 250

Relating to instructing or training persons to use weapons or techniques to cause civil disorders and providing a penalty.

By Senators Lee, Strohl and Johnston; cosponsored by Representatives D. Travis, Donoghue, Neubauer, M. Coggs, Merkt, Schultz, Rude, R. Thompson and Metz.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

The committee on Health, Education, Corrections and Human Services reports and recommends for introduction:

Senate Bill 251

Relating to leased farm trucks and farm trailers.

By request of Allen Riese.

Introduction:

Ayes, 5 -- Senators Thompson, Strohl, Norquist, Davis and Moen;

Noes, 1 -- Senator Lorman.

Read first time and referred to committee on Transportation.

Senate Bill 252

Relating to compilation of statistical information concerning elected officials.

Introduction:

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Ayes, 6 -- Senators Thompson, Strohl, Norquist,
Lorman, Davis and Moen;

Noes, 0 -- None.

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

Senate Bill 253

Relating to attaching pamphlets about fetal alcohol
syndrome to marriage licenses.

By request of Dr. Hania Ris.

Introduction:

Ayes, 6 -- Senators Thompson, Strohl, Norquist,
Lorman, Davis and Moen;

Noes, 0 -- None.

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

Senate Bill 254

Relating to exemptions to the certificate of need
moratorium and granting rule-making authority.

Introduction:

Ayes, 4 -- Senators Thompson, Strohl, Norquist
and Moen;

Noes, 2 -- Senators Lorman and Davis.

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

and further recommends:

Assembly Bill 250

Relating to sexual activity between consenting adults.

Concurrence:

Ayes, 6 -- Senators Thompson, Strohl, Norquist,
Lorman, Davis and Moen;

Noes, 0 -- None.

ROSENBERG, DONALD, of Wausau, to the
Educational Communications Board, to serve a term
to expire May 1, 1986.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist,
Lorman, Davis and Moen;

Noes, 0 -- None.

GUNDERSON, RACHEL, of La Crosse, to the
Educational Communications Board, to serve a term
to expire May 1, 1987.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist,
Lorman, Davis and Moen;

Noes, 0 -- None.

KOCHER, DOUGLAS, of Green Bay, to the
Educational Communications Board, to serve a term
to expire May 1, 1987.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist,
Lorman, Davis and Moen;

Noes, 0 -- None.

HOLDEN, JOAN, of Wisconsin Rapids, to the
Educational Communications Board, to serve a term
to expire May 1, 1985.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist,
Lorman, Davis and Moen;

Noes, 0 -- None.

RYDZEWSKI, SISTER MARY CHARLES, of Merrill
to the Wisconsin Health Facilities Authority to serve
a term to expire July 1, 1990.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist,
Lorman, Davis and Moen;

Noes, 0 -- None.

ALBERT, FRITZ, of Madison, to the Educational
Communications Board, to serve a term to expire
May 1, 1984.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist,
Lorman, Davis and Moen;

Noes, 0 -- None.

CARL W. THOMPSON
Chair

The committee on Judiciary and Consumer Affairs
reports and recommends:

Senate Bill 91

Relating to animal fighting and providing penalties.

Adoption of senate substitute amendment 1:

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

Noes, 0 -- None.

Passage:

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

Noes, 0 -- None.

LYNN S. ADELMAN
Chair

The committee on Aging, Financial Institutions and
State Institutions reports and recommends:

Assembly Bill 141

Relating to the medium security correctional
institution in Milwaukee and making appropriations.

Adoption of senate amendment 1:

Ayes, 5 -- Senators Feingold, Otte, Czarnecki,
Johnston and Lorman;

Noes, 0 -- None.

Adoption of senate amendment 3:

Ayes, 5 -- Senators Feingold, Otte, Czarnecki,
Johnston and Lorman;

Noes, 0 -- None.

Introduction and adoption of senate amendment 5:

Ayes, 5 -- Senators Feingold, Otte, Czarnecki,
Johnston and Lorman;

Noes, 0 -- None.

Introduction and adoption of senate amendment 6:

Ayes, 5 -- Senators Feingold, Otte, Czarnecki,
Johnston and Lorman;

Noes, 0 -- None.

Concurrence:

Ayes, 4 -- Senators Feingold, Otte, Czarnecki and
Lorman;

Noes, 1 -- Senator Johnston.

RUSS FEINGOLD
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

April 26, 1983

To the Honorable the Senate

I have the honor to transmit to you the following information pursuant to s. 13.685(8):

Sincerely,
DOUGLAS LAFOLLETTE
Secretary of State

Lobbyist's name, address, telephone number; principal's name, address, telephone number; the code numbers indicating Areas of Legislative Action; the code numbers indicating Areas of Administrative Action.

Colter, James, 5130 W. Vliet St., Milwaukee, WI 53208 (414) 259-1990; Milwaukee Teachers' Education Assn., 5130 W. Vliet St., Milwaukee, WI 53208 (414) 259-1990; 1-26; 101-186.

Czerwinski, Joseph, 135 W. Wells St., Milwaukee, WI 53203 (414) 273-7374; American Bell, Inc., 400 Executive Dr., Brookfield, WI 53005 (414) 785-6800; 101.

Davis, Michael, 5713 Meadowood Dr., Madison, WI 53711 (608) 271-8698; National Assn. of Social Workers-Wisconsin Chapter, 3460 N. 169th St., Brookfield, WI 53005 (no phone given) 3-7, 9, 11, 12, 14, 18-22; 101, 108, 127, 129, 136, 138, 140, 141, 145, 146, 148, 150, 170, 174, 180, 185.

Ernest, Donald, 5130 W. Vliet St., Milwaukee, WI 53208 (414) 259-1930; Milwaukee Teachers' Education, 5130 W. Vliet St., Milwaukee, WI 53208 (414) 259-1990; 1-26; 101-186.

Johnson, Victoria B., P.O. Box 161, Evansville, WI 53536 (608) 882-6571; Badger State Car Wash Assn., 69 E. Scott St., Fond du Lac, WI 54935 (414) 921-0766; 22, 23; 176.

Lehmann, Richard A., 6402 Odana Rd., Madison, WI 53719 (608) 271-3443; Wisconsin Council of Regional Planning Organizations, c/o Lehmann Law Office, 6402 Odana Rd., Madison, WI 53719 (608) 271-3443; 26; 101, 116, 142, 144, 176.

Starrett, Sandy, 8 W. Mifflin St., Madison, WI 53703 (608) 263-5184; The United Council of University of Wisconsin Student Governments, 8 W. Mifflin St., Rm. 203, Madison, WI 53703 (608) 263-3422 or 263-5334; 3, 6-12, 16, 17, 19, 20, 23, 25, 26; 101-185.

Terrell, Caryl, 111 King St., Madison, WI 53703 (608) 256-0565; Sierra Club - John Muir Chapter, 111 King St., Madison, WI 53703 (608) 256-0565; 11, 17; 144.

Vaughan, Michael R., Murphy, Stolper, Bewster & Desmond, S.C., 150 E. Gilman St., P.O. Box 2038,

Madison, WI 53701 (608) 257-7181; Wisconsin Railroad Assn., 25 W. Main St., Ste. 509, Madison, WI 53703 (608) 257-0411; 5, 13-17, 21-23, 26; 136, 137, 144, 149, 170, 176, 178, 186.

Terminations:

Johnson, Victoria B., for Garrett O. McIntosh, effective April 23, 1983.

Zins, Allan D., for City of Madison, effective April 23, 1983.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 25, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Ralph J. Sitzberger to the Snowmobile Recreation Council pursuant to the statute governing, to serve a term to expire May 1, 1986.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 25, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Thomas E. Masson of Oconomowoc to the Snowmobile Recreation Council pursuant to the statute governing, to serve a term to expire May 1, 1986.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 25, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Donald Kirm of Willard to the Snowmobile Recreation Council pursuant

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to the statute governing, to serve a term to expire May 1, 1984.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 25, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Cliff Fredrickson of Amery to the Snowmobile Recreation Council pursuant to the statute governing, to serve a term to expire May 1, 1986.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 25, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Harold H. Flater of Holcombe to the Snowmobile Recreation Council pursuant to the statute governing, to serve a term to expire May 1, 1985.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 25, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Beverly Dittmar of Wausau to the Snowmobile Recreation Council pursuant to the statute governing, to serve a term to expire May 1, 1986.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 25, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Philipp W. Cohrs of Merrill to the Snowmobile Recreation Council pursuant to the statute governing, to serve a term to expire May 1, 1986.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 25, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Freddie Wright of Beloit to the Ethics Board pursuant to the statute governing, to serve a term to expire May 1, 1987.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Judiciary and Consumer Affairs.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 25, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Marion C. Viste of Wausau to the Ethics Board pursuant to the statute governing, to serve a term to expire May 1, 1988.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Judiciary and Consumer Affairs.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 25, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Thomas S. Smith of

Pine River to the Ethics Board pursuant to the statute governing, to serve a term to expire May 1, 1986.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Judiciary and Consumer Affairs.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 25, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint James R. Morgan of Madison to the Ethics Board pursuant to the statute governing, to serve a term to expire May 1, 1989.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Judiciary and Consumer Affairs.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 25, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Mary L. Staudenmaier of Marinette to the Banking Review Board pursuant to the statute governing, to serve a term to expire May 1, 1987.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Aging, Financial Institutions and State Institutions.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 25, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Edmund R. Hobbins of Madison to the Banking Review Board pursuant to the statute governing, to serve a term to expire May 1, 1988.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Aging, Financial Institutions and State Institutions.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 25, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Francis J. Conway of Thorp to the Banking Review Board pursuant to the statute governing, to serve a term to expire May 1, 1984.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Aging, Financial Institutions and State Institutions.

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 82-17

AN ORDER to create PSC 134.25 (6) and 134.31 (3), relating to accuracy of natural gas metering.

Submitted by Public Service Commission.

Report received from agency, April 26, 1983.

Referred to committee on Energy and Environmental Resources, April 28, 1983.

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

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

Assembly Bill 53
Assembly Bill 66
Assembly Bill 130
Assembly Bill 162

Adopted and asks concurrence in:
Assembly Joint Resolution 18

Concurred in:

Senate Bill 7
Senate Bill 8
Senate Bill 82

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 53

Relating to the time for foreclosing tax liens.

By Representatives Becker, M. Coggs, Crawford, Plewa and Kunicki, co-sponsored by Senators Lee and George.

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

Assembly Bill 66

Relating to conditions of confinement in county jail of certain probationers.

By Representatives Vanderperren and Metz, co-sponsored by Senator Van Sistine.

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

Assembly Bill 130

Relating to compensation of staff of the board of fire and police commissioners in 1st class cities.

By Representatives Meaux, Williams, Becker, Kunicki and Plous, by request of city of Milwaukee.

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

Assembly Bill 162

Relating to revising the promotional assistance restrictions in the sale of selected dairy products and granting rule-making authority.

By Representatives Shoemaker, Swoboda, Gronemus, Hasenohrl, D. Travis, Gilson, Kincaid, Neubauer, Lewis, Stower, Walling and Zeuske, co-sponsored by Senators Moen, Feingold, George, Roshell, Chilsen and Opitz.

Read first time and referred to committee on Agriculture and Rural Affairs.

Assembly Joint Resolution 18

Relating to contracts for the sale of natural gas and the deregulation of natural gas prices.

By Representatives Gerlach, Hasenohrl, Medinger, Andrea, Chvala, Holschbach, Crawford, Schneiders, Bell, Shoemaker, Roberts, Plewa, Kunicki, Smith, Johnson, Gilson, M. Coggs, Seery, Jauch, Moyer, Kasten, Donoghue, Manske, Wineke and Metz, co-sponsored by Senator Otte.

Read and referred to committee on Energy and Environmental Resources.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 178** by Senator Van Sistine.

Senate substitute amendment 1 to **Assembly Bill 93** by Senator Theno.

Upon motion of Senator Kreul the senate adjourned until 10:00 A.M. Tuesday, May 3.

10:07 A.M.