

STATE OF WISCONSIN

Senate Journal

1983 July Special Session

WEDNESDAY, July 13, 1983

2:00 P.M.

The senate met.

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

The roll was called and the following senators answered to their names:

Senators Adelman, Bablitch, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, McCallum, Maurer, Moen, Norquist, Offner, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Absent -- Senators Lorman and Opitz -- 2.
Absent with leave -- None.

The senate stood for the prayer which was offered by Reverend George G. O'Neal of Calvary Gospel Church, Madison.

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

United States of America
State of Wisconsin
Executive Department

A Proclamation

I, Anthony S. Earl, Governor of the State of Wisconsin, pursuant to Article IV, Section Eleven Article V, Section Four of the Constitution of Wisconsin, do hereby expand the purposes for which the Legislature convened in Special Session at the Capitol in Madison on the eleventh day of July A.D., 1983, to include the following item of legislative business, to wit:

- 1. Consideration of changes in the retirement contribution, temporary lodging allowance, moving expense reimbursement, delegation of secretary's authority, legal holidays and annual leave of absence under the non-represented classified state employee compensation plan as approved by the Joint Committee on Employment Relations.

IN TESTIMONY WHEREOF,
I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed this 13th day of July in the year of

our Lord one thousand nine hundred and eighty-three.
ANTHONY S. EARL
Governor

By the Governor:
DOUGLAS LA FOLLETTE
Secretary of State

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends for introduction:

Senate Bill 2, July Special Session

Relating to the effective date of a provision relating to the liability for the motor fuel tax.

By request of Governor Anthony S. Earl.

Introduction:

Ayes, 5 -- Senators Cullen, Risser, Offner, Harsdorf and Engeleiter;

Noes, 0 -- None.

Read first time and referred to committee on Tourism and Revenue.

TIM CULLEN
Chair

The joint committee on Employment Relations reports and recommends for introduction:

Senate Bill 3, July Special Session

Relating to state employes' annual leave of absence, paid legal holidays and temporary lodging allowances, moving expense reimbursement for persons reemployed in the state civil service, delegation of authority by the secretary of employment relations and employer contributions to the retirement fund for certain state employes.

Introduction:

Ayes, 8 -- Senators Risser, Cullen, Kleczka, Harsdorf and Representatives Loftus, Johnson, Munts and Thompson;

Noes, 0 -- None.

Read first time and referred to committee on Senate Organization.

FRED A. RISSER
Co-Chair

TOM LOFTUS
Co-Chair

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The committee on Higher Education and Economic Development reports and recommends:

Senate Bill 1, July Special Session

Relating to creating a tax incremental finance joint review board.

Adoption of senate substitute amendment 2:

Ayes, 3 -- Senators Adelman, Hanaway and Johnston;

Noes, 2 -- Senators Czarnezki and Feingold.

Passage as amended:

Ayes, 4 -- Senators Czarnezki, Adelman, Hanaway and Johnston;

Noes, 1 -- Senator Feingold.

JOSEPH J. CZARNEZKI

Chair

CALENDAR OF JULY 13

By request of Senator Cullen, with unanimous consent, the appointments were considered enmasse.

BARTKOWSKI, JOHN J., of Milwaukee, as a member of the Board of Nursing, to serve for the term ending May 1, 1986.

Read.

BERGERON, DEBORA K., of Chippewa Falls, as a member of the Board of Nursing, to serve for the term ending May 1, 1986.

Read.

BINA, ELAINE, of Coon Valley, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1989.

Read.

BIRKS, CARL W. of Whitefish Bay, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1985.

Read.

CLARK, MARY ANN, of Cumberland, as a member of the Board of Nursing, to serve for the term ending May 1, 1986.

Read.

COOLEY, RANDALL, of Grafton, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1985.

Read.

COTE, BERNICE, of Appleton, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1984.

Read.

CRANLEY, ED, of Madison, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1985.

Read.

DANIELSON, WAYNE L., of Cadott to the Board of Agriculture, Trade and Consumer Protection, to serve a term to expire May 1, 1989.

Read.

FULLER, FRANKIE, of Fort Atkinson, to the Pharmacy Examining Board, to serve a term to expire July 1, 1986.

Read.

GOEBEL, MATTHIAS R., of Elkhorn, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1986.

Read.

HANSON, LONNY E., of Omro, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1989.

Read.

HENDRICKS, ERNEST, of Milwaukee, to the Educational Communications Board, to serve a term to expire May 1, 1985.

Read.

JACKSON, RUBY L., of Milwaukee, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1984.

Read.

KAY, ARLAN, of Oregon, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1985.

Read.

LANGREHR, ELLEN, of Middleton, as a member of the Board of Nursing, to serve for the term ending May 1, 1987.

Read.

LARSON, DAVID, of Poynette, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1985.

Read.

McGILLIGAN, DENNIS P., of Madison, as a member of the Personnel Commission, to serve for the term ending March 1, 1988.

Read.

O'DONNELL, DOUGLAS, of Marshfield, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1986.

Read.

PAULSON, DONALD, of Madison, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1985.

Read.

PELTZ, SALLY ROSENBERG, of Fox Point, as a member of the Medical College of Wisconsin Board of Trustees, to serve for the term ending May 1, 1988.
Read.

PLUMMER, JEANNE, of Madison, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1985.
Read.

PRATT, SANDRA, of Bayfield, to the Educational Communications Board, to serve a term to expire May 1, 1986.
Read.

RICE, JACK, of Kenosha, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1987.
Read.

SAUNDERS, PHILIP, of Brookfield, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1989.
Read.

SCHAEFER, KENNETH, of Mosinee, to the Pharmacy Examining Board, to serve a term to expire July 1, 1987.
Read.

SCHULER, SUZANNE, of Wauwatosa, as a member of the Board of Nursing, to serve for the term ending May 1, 1987.
Read.

SULLIVAN, MARY HALL, of Brown Deer, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1985.
Read.

THELKE, LINDA, of Kenosha, as a member of the Personnel Board, to serve for the term ending July 1, 1984.
Read.

WARNECKE, GAIL E., of Sheboygan, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1985.
Read.

WATERMOLEN, BERNARD L., of Green Bay, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1986.
Read.

ZIEGEWEID, JAMES, of Arcadia to the Board of Agriculture, Trade and Consumer Protection, to serve a term to expire May 1, 1989.
Read.

The question was: Shall the appointments be confirmed?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, McCallum, Maurer, Moen, Norquist, Offner, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Noes -- None.

Absent or not voting -- Senators Lorman and Opitz -- 2.

So the appointments were confirmed.

By request of Senator Maurer, with unanimous consent, the senate recessed until 2:47 P.M.

2:19 P.M.

RECESS

2:47 P.M.

The senate reconvened.

By request of Senator Cullen, with unanimous consent, the senate recessed until 3:02 P.M.

2:48 P.M.

RECESS

3:02 P.M.

The senate reconvened.

By request of Senator the present of the senate, with unanimous consent, the Senate returned to the fourth order of business.

COMMITTEE REPORTS

The committee on Tourism and Revenue reports and recommends:

Senate Bill 2, July Special Session

Relating to the effective date of a provision relating to the liability for the motor fuel tax.

Passage:

Ayes, 3 -- Senators Kincaid, Van Sistine and Chilsen;

Noes, 0 -- None.

LLOYD H. KINCAID
Chair

LEAVE OF ABSENCE

By request of Senator Harsdorf, with unanimous consent, Senators Opitz and Lorman were granted a leave of absence for today's session.

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Senate Bill 1, July Special Session

Relating to creating a tax incremental finance joint review board.

Read a second time.

Senate amendment 1 to senate substitute amendment 2 offered by Senators Czarnezki and George.

The question was: Adoption of senate amendment 1 to senate substitute amendment 2?

Adopted.

Senate amendment 2 to senate substitute amendment 2 offered by Senators Czarnezki, Lee and George.

The question was: Adoption of senate amendment 2 to senate substitute amendment 2.

Adopted.

The question was: Adoption of senate substitute amendment 2?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 1, July Special Session

Read a third time and passed.

Senate Bill 3, July Special Session

Relating to state employes' annual leave of absence, paid legal holidays and temporary lodging allowances, moving expense reimbursement for persons reemployed in the state civil service, delegation of authority by the secretary of employment relations and employer contributions to the retirement fund for certain state employes.

By request of Senator Cullen, with unanimous consent, the rules were suspended and the bill was read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 3, July Special Session

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, McCallum, Maurer, Moen, Norquist, Offner, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Noes -- None.

Absent or not voting -- Senators Bablitch, Lorman and Opitz -- 3.

So the bill passed.

Senate Bill 2, July Special Session

Relating to the effective date of a provision relating to the liability for the motor fuel tax.

By request of Senator Cullen, with unanimous consent, the rules were suspended and the bill was read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 2, July Special Session

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, McCallum, Maurer, Moen, Norquist, Offner, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Noes -- None.

Absent or not voting -- Senators Bablitch, Lorman and Opitz -- 3.

So the bill passed.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

By request of Senator Cullen, with unanimous consent, the senate recessed until 6:00 P.M.

3:15 P.M.

RECESS

6:05 P.M.

The senate reconvened.

By request of the president of the senate, with unanimous consent, the Senate returned to the eighth order of business.

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MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has refused to pass notwithstanding the objections of the Governor the following items on **Senate Bill 83**:

ITEM 2-J (part 1), Sections 41s, 43s, 1001s - 48.982(1)(b), 2057(8), 2201(20)(j), 2201(32)(h), 2201(42)(f) -- Children's Trust Fund Child Abuse & Neglect Prevention Board.

ITEM 4-K, Sections 1305, 1306e, 1316m, 1316n, 1319m, 1322m, 1324, 1325m, 2202(45)(f), 2204(45)(f) -- Wisconsin State Property Tax Relief Credit Formula.

Passed notwithstanding the objections of the Governor:

ITEM 2-B, Section 1744fm -- Preferred Provider Organizations - Provider Groups.

ITEM 2-J (Part 2) 121 as it relates to s.20.433, 317s, 643c, 1167m, 2057(9) and the remainder of 1001s -- Children's Trust Fund Child Abuse and Neglect Prevention Board.

ITEM 2-R, Section 2018 -- Federal Oil Overcharge Funds.

ITEM 2-S, Sections 6m, 82m -- Approval of the Transfer of Federal Funds between Block Grants.

ITEM 2-T, Section 82r -- Approval of Federal Low Income Energy Assistance Plan (LIEAP) by the Joint Finance Committee.

ITEM 3-K, Sections 1553p, 2043(3), 2201(43)(bn) -- Waste Flow Control - PSC Role.

By request of Senator Cullen, with unanimous consent, the senate recessed until 8:10 P.M.

6:10 P.M.

RECESS

8:10 P.M.

The senate reconvened.

By request of Senator Maurer, with unanimous consent, the senate recessed until 8:28 P.M.

8:11 P.M.

RECESS

8:28 P.M.

The senate reconvened.

By request of Senator Offner, with unanimous consent, the senate recessed until 10:19 P.M.

8:29 P.M.

RECESS

10:19 P.M.

The senate reconvened.

AMENDMENTS OFFERED

Senate substitute amendment 2 to **Senate Bill 1, July Special Session** by Senator George.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Thursday, July 14.

10:20 P.M.