

# Eighty-Sixth Regular Session

WEDNESDAY, August 3, 1983

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

## INTRODUCTION OF BILLS

Read first time and referred:

### Senate Bill 328

Relating to resurfacing and reconditioning STH 76 in Outagamie and Waupaca counties.

By Senator Lorge.

To committee on Transportation.

### Senate Bill 329

Relating to intoxication.

By Senator Johnston.

To committee on Judiciary and Consumer Affairs.

### Senate Bill 330

Relating to department of agriculture, trade and consumer protection responsibility for enforcement of weights and measures standards and making an appropriation.

By Senator George, by request of City of Milwaukee.

To committee on Agriculture and Rural Affairs.

### Senate Bill 331

Relating to entry of default judgments in certain traffic forfeiture actions.

By Senator Adelman; cosponsored by Representative Rutkowski, by request of Judicial Council.

To committee on Judiciary and Consumer Affairs.

### Senate Bill 332

Relating to requests for absentee ballots by armed forces and merchant marine personnel, federal overseas employes and spouses and dependents of such persons.

By Senator Johnston.

To committee on Urban Affairs and Government Operations.

### Senate Bill 333

Relating to collection of public utility bills.

By Senator Johnston.

To committee on Energy and Environmental Resources.

### Senate Bill 334

Relating to appointments to fill vacancies in the office of U.S. senator.

By Senator Johnston.

To committee on Urban Affairs and Government Operations.

### Senate Bill 335

Relating to eliminating the requirement of publishing the proceedings of school board meetings in common and union high school districts.

By Senator Johnston.

To committee on Health, Education, Corrections, and Human Services.

### Senate Bill 336

Relating to intoxication.

By Senators McCallum and Johnston; cosponsored by Representative Becker.

To committee on Transportation.

### Senate Bill 337

Relating to operating motor vehicles, using intoxicants or controlled substances, revising taxes, making appropriations and providing penalties.

By Senators McCallum and Johnston; cosponsored by Representatives Stewart, Becker and Stower.

To committee on Judiciary and Consumer Affairs.

### Senate Bill 338

Relating to changing penalties for offenses related to minors and alcohol beverages.

By Senators McCallum, Lorman, Engeleiter and Hanaway; cosponsored by Representatives Smith and Buettner.

To committee on Judiciary and Consumer Affairs.

### Senate Bill 339

Relating to proof of age for alcohol beverage purchases.

By Senators McCallum, Engeleiter, Johnston and Lorman; cosponsored by Representatives Buettner, Schneiders, Stower and Prosser.

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

### Senate Bill 340

Relating to penalties for alcohol beverage violations committed by minors.

By Senators Van Sistine, Roshell, Lee, Lasec, Engeleiter and McCallum; cosponsored by Representatives Vanderperren, Matty, Rude and Schneiders.

To committee on Judiciary and Consumer Affairs.

## COMMITTEE REPORTS

The committee on Transportation reports and recommends:

### Senate Bill 321

Relating to vehicle length and width limits, granting rule-making authority and making appropriations.

Passage:

Ayes, 4 -- Senators Otte, Moen, Ellis and Kreul;

Noes, 0 -- None.

CARL OTTE

Chair

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

### Senate Bill 317

Relating to exempting migrant workers enrolled in the university of Wisconsin system from nonresident tuition.

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Passage:

Ayes, 5 -- Senators Czarnezki, Adelman, Feingold,  
Johnston and Hanaway;

Noes, 0 -- None.

**Senate Bill 55**

Relating to coverage of teaching, project and program assistants employed by the university of Wisconsin system under the state employment labor relations act and making appropriations.

Passage:

Ayes, 3 -- Senators Czarnezki, Adelman and Feingold;

Noes, 2 -- Senators Johnston and Hanaway.

JOSEPH J. CZARNEZKI  
Chair

The committee on Urban Affairs and Government Operations reports and recommends:

**Assembly Bill 22**

Relating to allowing cities to place waterways on the official city map.

Concurrence:

Ayes, 5 -- Senators Lee, Van Sistine, Johnston, Strohl and Davis;

Noes, 0 -- None.

**Assembly Bill 53**

Relating to the time for foreclosing tax liens.

Concurrence:

Ayes, 5 -- Senators Lee, Van Sistine, Johnston, Strohl and Davis;

Noes, 0 -- None.

**Assembly Bill 130**

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

Concurrence:

Ayes, 5 -- Senators Lee, Van Sistine, Johnston, Strohl and Davis;

Noes, 0 -- None.

**Assembly Bill 160**

Relating to gifts, honorariums, fees and expenses received by state public officials.

Concurrence:

Ayes, 5 -- Senators Lee, Van Sistine, Johnston, Strohl and Davis;

Noes, 0 -- None.

**Assembly Bill 317**

Relating to permitting elected officers to take paid vacation and denying them payment for unused vacation time.

Concurrence:

Ayes, 5 -- Senators Lee, Van Sistine, Johnston, Strohl and Davis;

Noes, 0 -- None.

KINNEY, MARJORIE, of Superior, as a member of the Wisconsin Housing Finance Authority, to serve for the term ending January 1, 1986.

Confirmation:

Ayes, 5 -- Senators Lee, Van Sistine, Johnston, Strohl and Davis;

Noes, 0 -- None.

**Senate Joint Resolution 8**

Relating to property tax or other tax benefits for home improvements (first consideration).

Adoption:

Ayes, 5 -- Senators Lee, Van Sistine, Johnston, Strohl and Davis;

Noes, 0 -- None.

**Senate Bill 160**

Relating to a report on Wisconsin investments by the investment board.

Passage:

Ayes, 4 -- Senators Lee, Johnston, Strohl and Davis;

Noes, 1 -- Senator Van Sistine.

**Senate Bill 243**

Relating to various changes in the statutes pertaining to bingo and raffle control and imposing the state sales tax on raffle tickets.

Introduction and adoption of senate amendment 3:

Ayes, 5 -- Senators Lee, Van Sistine, Johnston, Strohl and Davis;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Lee, Van Sistine, Johnston, Strohl and Davis;

Noes, 0 -- None.

MORDECAI LEE  
Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

**Senate Bill 105**

Relating to establishing a system of marital property shared by husband and wife and providing penalties.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Adelman, Bablitch, Feingold, Lorge and Hanaway;

Noes, 0 -- None.

Passage as amended:

Ayes, 3 -- Senators Adelman, Bablitch and Feingold;

Noes, 2 -- Senators Hanaway and Lorge.

**Assembly Bill 206**

Relating to parole eligibility.

Introduction and adoption of senate amendment 1:

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

Noes, 1 -- Senator Feingold.

Concurrence as amended:

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

Noes, 1 -- Senator Feingold.

**Assembly Bill 241**

Relating to earning good time for parole eligibility and sentence reduction purposes.

Concurrence:

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Ayes, 3 -- Senators Adelman, Lorge and Hanaway;  
Noes, 1 -- Senator Feingold.

**Senate Bill 147**

Relating to accepting releases from liability and appointing guardians of the estate.

Passage:

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

Noes, 0 -- None.

**Senate Bill 148**

Relating to substitution of a newly assigned judge in traffic regulation cases.

Passage:

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

Noes, 0 -- None.

**Senate Bill 151**

Relating to time limits for commencing appeals and preferential treatment of certain actions.

Passage:

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

Noes, 0 -- None.

**Assembly Bill 16**

Relating to repair, replacement and refund under new motor vehicle warranties.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 40**

Relating to authorization of grants from the Wisconsin election campaign fund to finance special elections and making appropriations.

Concurrence:

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

Noes, 0 -- None.

LYNN S. ADELMAN  
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Department of State

July 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.*

Mueller, Gerald R., P.O. Box 106, 315 Emerald Terrace, Sun Prairie, WI 53590 (608) 837-2535; Wisconsin Assn. of Town Mutual Insurance Companies, Inc., P.O. Box 106, 325 Emerald Terrace, Sun Prairie, WI 53590 (608) 837-2535; 14; 138.

Sicula, Paul E., 212 W. Wisconsin Ave., Milwaukee, WI 53203 (414) 271-8100; Coin Appliances, Inc., 6580 N. 40th St., Milwaukee, WI 53209 (no phone given); 11, 13, 15, 18-20, 22.

Thomas, Joseph F., 7 N. Pinckney St., Madison, WI 53703 (608) 255-4440; Wisconsin Physical Therapy Assn., Inc., 6414 Cops Ave., Madison, WI 53716 (608) 221-0874; 11, 28-20; 129, 150, 161.

Registration Amendments:

Pharmaceutical Manufacturers Assn., change address and phone to: 1100 15th St., N.W., Washington, D.C. 20005 (202) 835-3510.

The Tobacco Institute, add Legislative Action Areas 5, 12 and 14.

Lobbyist Terminations:

Black, Spencer, for Sierra Club - John Muir Chapter, effective July 26, 1983.

Kirby, Michael G., for Richard W. Glaman, effective July 22, 1983.

Murray, Thomas B., for Wisconsin Sheriffs & Deputy Sheriffs Assn., effective July 26, 1983.

EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

July 27, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Terry J. Kakida of Milwaukee to the Pesticide Advisory Council pursuant to the statute governing, to serve a term to expire July 1, 1984.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Agriculture and Rural Affairs.

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State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

July 27, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Thomas Bramschreiber of Bangor to the Pesticide Advisory Council pursuant to the statute governing, to serve a term to expire July 1, 1985.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Agriculture and Rural Affairs.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

July 27, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Charles Resch of Antigo to the Pesticide Advisory Council pursuant to the statute governing, to serve a term to expire July 1, 1986.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Agriculture and Rural Affairs.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

July 27, 1983

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint Lloyd Milavitz of Menomonie to the Optometry Examining Board pursuant to the statute governing, to serve a term to expire July 1, 1988.

Respectfully,  
ANTHONY S. EARL  
Governor

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

SENATE CLEARINGHOUSE ORDERS

**Clearinghouse Rule 83-106**

AN ORDER to amend NR 10.13 (1) (intro.) and (b) 2, relating to establishment of bait restrictions for trapping fur-bearing animals.

Submitted by Department of Natural Resources.  
Report received from agency, July 28, 1983.

Referred to committee on Energy and Environmental Resources, August 3, 1983.

**Clearinghouse Rule 83-89**

AN ORDER to create NR 5.21 (2), relating to waiver of the slow-no-wake speed restriction on Bugle Lake, Trempealeau County.

Withdrawn by agency.

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

**Clearinghouse Rule 83-42**

AN ORDER to create Bkg 3.05; to amend Bkg 4.01 (1), 10.05, 10.06, 10.07, 11.05, 11.09, 73.01 (1), 74.11 (1), 77.05, 77.06, 77.07, 77.10, 80.221, 80.241, 80.29, 80.301, 80.66 and 80.68; and to repeal Bkg 80.210, 80.231, 80.24, 80.261 and 80.27, relating to leasing of personal property, deposits in other banks, procedures before the banking review board, procedures before the commissioner of banking, adjustment service companies, collection agencies, procedures before the consumer credit review board, the Wisconsin consumer act and delinquency charges.

No action taken.

**Clearinghouse Rule 83-47**

AN ORDER to renumber SEC 4.10 (1) (a) and (b); to amend SEC 4.10 (1) (intro.); and to create SEC 4.05 (8) and 4.10 (1) (a) and (b) and (4), relating to certain financial institutions directly providing securities brokerage services to the public or promoting or assisting in opening securities accounts on behalf of 'discount' securities brokers.

No action taken.

**Clearinghouse Rule 83-79**

AN ORDER to create SEC 2.02 (10) (j) and 7.01 (2) (g), relating to adopting a uniform limited offering exemption from securities registration and prescribing a fee.

No action taken.

**Clearinghouse Rule 82-223**

AN ORDER to amend S-L 30.02 (3) and 30.10 (1) (c); and to create S-L 30.20 (11) to (14), relating to granting state chartered savings and loan associations parity with federally chartered savings and loan associations with respect to certain powers.

No action taken.

**Clearinghouse Rule 82-229**

AN ORDER to create ch. IB 2, relating to general policies of the investment board.

No action taken.

**Clearinghouse Rule 82-249**

AN ORDER to create IB 2.03, relating to proxy voting.

No action taken.

RUSS FEINGOLD  
Chair

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The committee on Tourism and Revenue reports and recommends:

### Clearinghouse Rule 83-95

AN ORDER to create TA 1.61, relating to determining all parties in a tax appeals commission proceeding.

No action taken.

LLOYD H. KINCAID  
Chair

State of Wisconsin  
Revisor of Statutes Bureau  
Madison, Wisconsin

August 1, 1983

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

Dear Mr. Schneider:

The following rules have been published and are effective:

Clearinghouse Rule 80-159 effective August 1, 1983.  
Clearinghouse Rule 81- 94 effective August 1, 1983.  
Clearinghouse Rule 82- 16 effective August 1, 1983.  
Clearinghouse Rule 82- 17 effective August 1, 1983.  
Clearinghouse Rule 82-144 effective August 1, 1983.  
Clearinghouse Rule 82-170 effective August 1, 1983.  
Clearinghouse Rule 82-191 effective August 1, 1983.  
Clearinghouse Rule 82-234 effective August 1, 1983.  
Clearinghouse Rule 82-235 effective August 1, 1983.  
Clearinghouse Rule 82-244 effective August 1, 1983.  
Clearinghouse Rule 83- 1 effective August 1, 1983.  
Clearinghouse Rule 83- 7 effective August 1, 1983.  
Clearinghouse Rule 83- 19 effective August 1, 1983.  
Clearinghouse Rule 83- 42 effective August 1, 1983.

Sincerely,  
GARY L. POULSON  
Assistant Revisor

### AMENDMENTS OFFERED

Senate substitute amendment 1 to Senate Bill 256 by Senator Chilsen.

### CITATIONS

### MOTIONS UNDER SENATE RULE 98

A Certificate of Congratulations by Senators Risser, Thompson and Feingold cosponsored by Representatives Munts, Miller, Clarenbach, D. Travis and Chvala in recognition of the THE DEDICATION OF MADISON'S WARNER PARK;

A Certificate of Condolence by Senator Lorge for MRS. RALPH (LILLIAN) LAUER AND FAMILY on the occasion of the passing of Ralph M. Lauer;

A Certificate of Congratulations by Senator Harsdorf for the INTER-COUNTY LEADER on the occasion of its 50th year of publication;

A Certificate of Congratulations by Senator Harsdorf for WENDY LYNN WAGNER on the occasion of winning the 'Miss Wisconsin' Pageant;

A Certificate of Congratulations by Senator Harsdorf for EQUITY COOPERATIVE on the occasion of its 100th birthday;

A Certificate of Congratulations by Senator Harsdorf for the PIERCE COUNTY FAIR on the occasion of its 100th year;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. IRWIN MATTSON on the occasion of their 67th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for SENA BREKKE on the occasion of her 98th birthday;

A Certificate of Congratulations by Senator Harsdorf for HARRIET RADKE on the occasion of her retirement;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. FLOYD COLBETH on the occasion of their 50th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. ORVELL MOEN on the occasion of their 50th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. OLE SOLSTAD on the occasion of their 60th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. JOHN HOP on the occasion of their 50th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. HARRY HOP on the occasion of their 50th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. CLYDE KAMMER on the occasion of their 50th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. OTTO GUSTAFSON on the occasion of their 50th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. EARL MCKEE on the occasion of their 50th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for HENRY WIELAND on the occasion of his 100th birthday;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. HENRY GRAUNKE on the occasion of their 70th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. PAT WILSON on the occasion of their 50th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. FRED TOURVILLE on the occasion of their 60th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. RAYMOND BRESLIN on the occasion of their 50th Wedding Anniversary;

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A Certificate of Congratulations by Senator Harsdorf for RITA ARCAND on the occasion of winning the State FFA Creed Speaking Contest;

A Certificate of Congratulations by Senator Harsdorf for RICK DADO on the occasion of being elected State FFA Treasurer;

A Certificate of Congratulations by Senator Harsdorf for DAVID GOODRICH on the occasion of being elected State FFA Sentinel;

A Certificate of Commendation by Senator Harsdorf for LORAN KELLER on the occasion of being selected as 'YMCA Leader of the Year';

A Certificate of Commendation by Senator Harsdorf for GENE DODGE on the occasion of receiving the Eagle Scout Award;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. ED LANGEL on the occasion of their 50th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. SINON LYNCH on the occasion of their 50th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. ALBIN LINDGREN on the occasion of their 60th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. HUBERT FELLRATH on the occasion of their 60th Wedding Anniversary and Hubert's 90th birthday;

A Certificate of Congratulations by Senator Kreul cosponsored by Representative Manske for MISS BEULAH BOWDEN on the occasion of her 100th birthday;

A Certificate of Commendation by Senator Harsdorf for JUDGE JOSEPH HUGHES on the occasion of his retirement;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. ERVING DOTY on the occasion of their 50th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for PROFESSOR JACK SHANK on the occasion of his retirement;

A Certificate of Congratulations by Senator Harsdorf for ALBERT SCHMIDT on the occasion of his 95th birthday;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. VIN ERICSON on the occasion of their 50th Wedding Anniversary;

A Certificate of Congratulations by Senator Harsdorf for MR. and MRS. EDWARD BOODY on the occasion of their 50th Wedding Anniversary;

A Certificate of Congratulations by Senator Chilsen for the CITY OF WAUSAU on the occasion of the grand opening of the Wausau Center and Pedestrian Mall;

A Certificate of Congratulations by Senator Chilsen for MR. EDWARD OLAUS FRYK, SR. on the occasion of his 90th birthday;

A Certificate of Congratulations by Senator Theno cosponsored by Representative Jaronitzky for the CITY OF WASHBURN on the occasion of its centennial;

A Certificate of Congratulations by Senator Theno cosponsored by Representative Smith for WASHBURN COUNTY on the occasion of its centennial;

A Certificate of Congratulations by Senator Theno cosponsored by Representative Smith for the CITY OF SPOONER on the occasion of its centennial;

A Certificate of Commendation by Senator Opitz for LESLIE MACNEIL on the occasion of leaving the staff of Senator David Opitz;

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### MOTIONS UNDER JOINT RULE 7

A Certificate of Congratulations by Senator Otte cosponsored by Representatives Potter and Turba for W.J. VANALLEN on the occasion of his 80th birthday;

A Certificate of Commendation by Representative Huelsman cosponsored by Senator Davis for MRS. CATHERINE ADLER on the occasion of 50 years of service.

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### CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

#### Senate Bill 309

1. Page 10, line 27; substitute "(d)" for "(f)".