

STATE OF WISCONSIN  
**Senate Journal**  
**Eighty-Sixth Regular Session**

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TUESDAY, February 21, 1984

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.

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**INTRODUCTION OF RESOLUTIONS**

**Senate Joint Resolution 58**

Relating to initiative referendum for constitutional amendments and for state and local lawmaking, and providing a penalty (first consideration).

By Senators Johnston and Lasee; cosponsored by Representatives R. Travis and Jaronitzky.

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

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**INTRODUCTION OF BILLS**

Read first time and referred:

**Senate Bill 624**

Relating to the definition of a real estate broker.

By Senators George, Helbach and Engeleiter; cosponsored by Representatives Jauch, Robinson and T. Thompson.

To committee on Urban Affairs and Government Operations.

**Senate Bill 625**

Relating to the placement of signs within street or highway rights-of-way.

By Senators Kincaid and Van Sistine; cosponsored by Representative Smith.

To committee on Transportation.

**Senate Bill 626**

Relating to the financial assistance program for septic tank replacement and rehabilitation.

By Senator Kincaid; cosponsored by Representative Volk.

To committee on Energy and Environmental Resources.

**Senate Bill 627**

Relating to directing the state superintendent of public instruction to develop computer education curricula and to provide demonstrations of the instructional use of computers.

By Senators Davis, Lorman, Hanaway, Engeleiter and Johnston; cosponsored by Representatives Huelsman, Prosser, Shoemaker, Cowles, Coleman, Jaronitzky and Stewart.

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

**Senate Bill 628**

Relating to increasing from 180 to 185 the number of days on which school must be held each school year.

By Senators Davis, McCallum and Hanaway.

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

**Senate Bill 629**

Relating to elementary and secondary school curriculum requirements and high school graduation requirements.

By Senators Davis, Engeleiter, McCallum, Lorman and Hanaway.

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

**Senate Bill 630**

Relating to establishing a statewide academic decathlon contest administered by the department of public instruction and making appropriations.

By Senators Davis, Hanaway, Engeleiter and McCallum; cosponsored by Representatives Radtke, Shoemaker, Schneiders and Stewart.

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

**Senate Bill 631**

Relating to special and personalized license plates for automobiles and station wagons owned by fire fighters.

By Senators Moen, Thompson, Kreul and Lorman; cosponsored by Representatives Vanderperren, Potter, Stower, Andrea, Medinger, Seery, Porter and Schneiders.

To committee on Transportation.

**Senate Bill 632**

Relating to notification of legislators and town clerks of proposed land acquisitions by the department of natural resources.

By Senators McCallum, Kincaid, Lorman and Chilsen; cosponsored by Representatives Holperin, Goodrich, Jaronitzky, Luckhardt, Young, Panzer, Rude, Metz, Walling, Cowles, Hephner, Prosser, Bradley, Matty, Volk, Stitt, Schultz, Schneiders, Stower, Rosenzweig, Buettner and Coleman.

To committee on Energy and Environmental Resources.

COMMITTEE REPORTS

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

**Senate Bill 633**

Relating to the limitation upon amounts expendable from state employe salary and fringe benefit supplements, correcting pay inequities in the compensation plan for nonrepresented employes in the state classified service, reimbursement for use of personal automobiles and conversion of sick leave credits for health insurance premiums for nonrepresented state employes and to annual leave during temporary layoff, overtime pay on Good Friday, paid personal holidays for nonrepresented employes in the state classified service and making an appropriation.

Introduction:

Ayes, 6 -- Senators Risser and Harsdorf, Representatives Loftus, Johnson, Munts and Thompson;

Noes, 1 -- Senator Cullen.

FRED A. RISSER

Co-chair

TOM LOFTUS

Co-chair

Read first time and referred to committee on Senate Organization.

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

**Senate Bill 634**

Relating to participation by dentists, optometrists, pharmacists and podiatrists in cooperative association, health maintenance and preferred provider plans.

By request of Wisconsin Pharmaceutical Assn., Wisconsin Optometric Assn., Wisconsin Dental Assn. and Wisconsin Society of Podiatric Medicine.

Introduction:

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

Noes, 0 -- None.

CARL W. THOMPSON

Chair

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

REPORT OF JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

Appendix to Senate Bill 575

Public Policy Involved

Senate Bill 575 was introduced at the request of the Department of Employee Trust Funds (DETF). The bill contains numerous substantive and technical changes that the Department believes will improve the performance and administration of fringe benefits and related programs.

The rationale for some of the proposed changes reflect the complex merger of three state-administered retirement systems in 1981. Other changes reflect potential benefit improvements (Senate Bill 568), provisions within 1983 Wis. Act. No. 27 (the budget bill), and also possible future redesigning of the formula concept.

Some provisions of Senate Bill 575 have already received favorable recommendations from the JSCRS including:

- Changes in the laws governing the Retirement Research committee and the Joint Survey committee on Retirement Systems.

- A repeal of Subchapter VIII of Ch. 40 (the double-dipping act).

- A clarification of local government access to the state's deferred compensation plan.

- Actuarial prefunding of the state's accumulated sick leave conversion (ASLCC) plan.

On the other hand, Senate Bill 575 represents the first consideration of several substantive issues including changes in the Wisconsin Retirement System (WRS) participant standards, establishing age 50 as a standard early retirement age, changing the fixed division portfolio valuation to market, establishing a uniform income continuation insurance program, etc.

Senate substitute amendment 1. A number of the substantive issues in the original bill have been deleted in the substitute amendment, presumably on the grounds that further time is needed to study the proposed changes. Also, the deletions limit the cost effects of this legislation to the additional DETF appropriation of \$115,200 to carry out certain programs. With these changes, senate substitute amendment 1 is considerably less controversial or costly than the original bill.

CARL OTTE

Co-chair

VERNON HOLSCHBACH

Co-chair

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

The committee on Energy and Environmental Resources reports and recommends:

**Senate Resolution 17**

Relating to requesting the attorney general to initiate or intervene in an action to oppose the sale of federally

owned land in this state or any exchange of federally owned land in this state which would have a detrimental effect on the people of this state.

Adoption:

Ayes, 3 -- Senators Strohl, Lee and Helbach;

Noes, 1 -- Senator Ellis.

**Senate Bill 404**

Relating to artwork for department of natural resources hunting and fishing stamps.

Passage:

Ayes, 3 -- Senators Strohl, Helbach and Ellis;

Noes, 1 -- Senator Lee.

**Senate Bill 497**

Relating to warning signs on certain electrical supply equipment and granting rule-making authority.

Passage:

Ayes, 4 -- Senators Strohl, Lee, Helbach and Ellis;

Noes, 0 -- None.

**Senate Bill 557**

Relating to renewal of woodland tax law contracts.

Passage:

Ayes, 4 -- Senators Strohl, Lee, Helbach and Ellis;

Noes, 0 -- None.

**Assembly Bill 630**

Relating to sale and use of pesticides to control bats and providing a penalty.

Concurrence:

Ayes, 4 -- Senators Strohl, Lee, Helbach and Ellis;

Noes, 0 -- None.

**Assembly Bill 377**

Relating to deer tags and consumption of deer.

Introduction and adoption of senate amendment 1:

Ayes, 4 -- Senators Strohl, Lee, Helbach and Ellis;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 4 -- Senators Strohl, Lee, Helbach and Ellis;

Noes, 0 -- None.

JOE STROHL

Chair

The committee on Labor, Business, Veterans Affairs and Insurance reports and recommends:

**Senate Bill 35**

Relating to exclusion from penalties for conflict of interest in public contracts.

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

**Senate Bill 370**

Relating to exempting retirement benefits from the income tax.

Adoption of senate amendment 1:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

**Senate Bill 403**

Relating to the petroleum inspection fee, the administration and enforcement of the unfair sales provisions and making an appropriation.

Introduction and adoption of senate amendment 2:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

Introduction and adoption of senate amendment 3:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

**Senate Bill 587**

Relating to the terms of officers of firemen's associations.

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

JEROME VAN SISTINE

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

**Senate Bill 324**

Relating to venue in civil actions and special proceedings.

Introduction and adoption of senate substitute amendment 1:

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

Noes, 1 -- Senator Hanaway.

Introduction and adoption of senate amendment 1 to senate substitute amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 1 -- Senator Hanaway.

**Senate Bill 472**

Relating to increasing the number of circuit judges.

Passage:

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

Noes, 0 -- None.

**Senate Bill 514**

Relating to summons forms.

Adoption of senate substitute amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

**Assembly Bill 295**

Relating to recovery of disbursements in garnishment actions.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 296**

Relating to reporting of child abuse and neglect, and providing a penalty.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 338**

Relating to revising the uniform limited partnership act.

Concurrence:

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

Noes, 1 -- Senator Lorge.

**Assembly Bill 353**

Relating to harassment and providing penalties.

Introduction and adoption of senate substitute amendment 1:

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

Noes, 0 -- None.

Concurrence as amended:

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

Noes, 0 -- None.

**Assembly Bill 433**

Relating to statutory close corporations.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 590**

Relating to strip searches of pupils and providing penalties.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 698**

Relating to domestic abuse grants, temporary restraining orders and injunctions against domestic abuse and providing a penalty.

Introduction and adoption of senate amendment 1:

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

Noes, 0 -- None.

Concurrence as amended:

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

Noes, 0 -- None.

LYNN S. ADELMAN  
Chair

PETITIONS AND COMMUNICATIONS

University of Wisconsin System

January 4, 1984

To the Honorable the Senate

Chapter 333, Laws of 1973, amended Section 20.923(5), Wis. Stats., to require that the Board of Regents of the University of Wisconsin System assign specified titled positions to University of Wisconsin System salary ranges in whatever manner the Board determines. The Board is required under the subsection to file a report annually with the Governor and the Legislature.

In June, 1978, the Board of Regents adopted resolution #1678 which requires that all positions referenced in s. 20.923(5) be assigned to either a State Executive Salary Group 1-5 or to a UW-System Administrative Salary Range. The resolution established the following assignment criteria.

I. Positions subject to State Executive Salary Group assignment.

A. All positions referenced in s. 20.923(5) which carry the following titles regardless of annual salary:

Associate Vice Presidents  
Assistant Vice Presidents  
Associate Chancellors  
Vice Chancellors not designated in s. 20.923(4)(8)  
Associate Vice Chancellors  
Assistant Vice Chancellors  
Assistant Chancellors

B. All positions carrying the titles of Assistant to the Chancellor or directors or associate directors with over 50 percent of their activities coded as physical plant, general operations and services, and auxiliary enterprises whose fiscal year annual salary rate exceeds the maximum of pay range 1-17 (FY 1983-84 maximum is \$41,096) of the general non-represented pay schedule #1.

II. Positions subject to UWS Administrative Salary Range Assignment:

All Assistants to the Chancellor and directors or associate directors with over 50 percent of their position assigned to an enumerated activity code in the statute whose annual salary does not exceed the maximum of pay range 1-17.

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Part A of the attached report designates those positions assigned to State Executive Salary Groups 1-5 and Part B provides the minimum and maximum for those positions assigned to a UWS Administrative Salary Range. The report is dated January 1, 1984 and serves to fulfill this calendar year's reporting requirements.

Sincerely,  
ROBERT W. WINTER, Jr.  
Vice President

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EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

February 17, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GWEN JACKSON of Milwaukee to the Medical Examining 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 Health, Education, Corrections and Human Services.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

February 17, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HELEN AHN of Tomah to the Medical Examining 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 Health, Education, Corrections and Human Services.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

February 17, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOSEPH OUSLEY of Marshfield to the Medical Examining 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 Health, Education, Corrections and Human Services.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

February 16, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GLADYS R. VOEGTLI of De Pere to the Board on Aging and Long Term Care 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

February 16, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LAWRENCE A. WEINSTEIN of Middleton to the University of Wisconsin System Board of Regents pursuant to the statute governing, to serve a term to expire May 1, 1991.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Higher Education and Economic Development.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

February 16, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BEN LAWTON of Marshfield to the University of Wisconsin System Board of Regents pursuant to the statute governing, to serve a term to expire May 1, 1991.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Higher Education and Economic Development.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

February 20, 1984

To the Honorable, the Senate:

Please be advised that I am withdrawing my nomination of KAREN COBB of Milwaukee as a member of the Board of Nursing for the term to expire May 1, 1987.

Respectfully,  
ANTHONY S. EARL  
Governor

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SENATE CLEARINGHOUSE ORDERS

**Clearinghouse Rule 83-201**

AN ORDER to repeal and recreate Tax 9.08; and to create Tax 9.09, relating to cigarette taxes on sales to and by Indians.

Submitted by Department of Revenue.

Report received from agency, February 16, 1984.

Referred to committee on Tourism and Revenue, February 21, 1984.

The committee on Transportation reports and recommends:

**Clearinghouse Rule 83-194**

AN ORDER to amend MVD 5.24 (1) (intro.) and (g), relating to motor vehicle exhaust and fuel systems.

No action taken.

CARL OTTE  
Chair

The committee on Labor, Business, Veterans Affairs and Insurance reports and recommends:

**Clearinghouse Rule 83-167**

AN ORDER to amend Ins 17.26, relating to implementation of the provisions of s. 655.015, Stats.

No action taken.

JEROME VAN SISTINE  
Chair

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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 passed and asks concurrence in:

Assembly Bill 115  
Assembly Bill 172  
Assembly Bill 405  
Assembly Bill 515  
Assembly Bill 693  
Assembly Bill 766  
Assembly Bill 824  
Assembly Bill 861  
Assembly Bill 926

Amended and concurred in as amended:  
**Senate Bill 365**, assembly amendment 1

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MESSAGE FROM THE ASSEMBLY  
CONSIDERED

**Assembly Bill 115**

Relating to rights of child victims and witnesses of crimes.

By Representatives Ulichny, Prosser, Neubauer, Gilson, Rutkowski, Shoemaker, Stower, Metz, Johnson, D. Travis, Manske, Plous, Donoghue and Czarnecki, co-sponsored by Senators Bablitch, Offner, Adelman, Norquist, Hanaway and Lee.

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

**Assembly Bill 172**

Relating to intoxicating liquor license quotas.

By Representatives Schneiders, Merkt, Goodrich, Medinger, Ulichny, Matty, Jaronitzky, Becker, Panzer and Larson.

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

**Assembly Bill 405**

Relating to business improvement districts.

By Representatives Robinson, Lewis, Walling, Andrea, Shoemaker, Metz, Clarenbach, Helbach, Gilson, Foti, Rosenzweig, Neubauer, Hasenohrl, Roberts, Prosser, Buettner, McEssy, Jaronitzky, Manske and Schneiders, co-sponsored by Senators Strohl, Norquist, Chilsen, McCallum, Ellis and Davis.

Read first time and referred to committee on Higher Education and Economic Development.

**Assembly Bill 515**

Relating to duty to aid endangered crime victims and providing a penalty.

By Representatives Ulichny, Stitt, Andrea, Panzer, Rude, Neubauer, Hasenohrl, Donoghue, Bell, D. Travis, Seery, Shoemaker, Gilson, Bolle, Nelsen, Plous, S. Cogg, Stower, Schneiders, Kasten, Wimmer, Walling and Johnson, co-sponsored by Senators Hanaway, Norquist, Ellis, Chilsen and Johnston.

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

**Assembly Bill 693**

Relating to registration requirements for pharmacists.

By Representative Kunicki.

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

**Assembly Bill 766**

Relating to the sale of alcohol beverages by an auction house.

By Representatives Nelsen, Jaronitzky, Schneiders, Manske, Donoghue, Radtke, Buettner, Rosenzweig, Huelsman and Moyer, co-sponsored by Senators Davis, Norquist and Van Sistine.

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

**Assembly Bill 824**

Relating to insurance coverage of chiropractic services.

By Committee on Financial Institutions and Insurance.

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

**Assembly Bill 861**

Relating to exempting raffle tickets sold by nonprofit organizations from the sales tax.

By Representatives Medinger, Brist, Stower, Roberts and Plewa.

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

**Assembly Bill 926**

Relating to probation.

By Representatives Prosser, D. Travis, Schneiders, R. Thompson, Cowles, Lewis, Rosenzweig, Young, Zeuske, Tregoning, Walling and Stewart, co-sponsored by Senators Van Sistine and Lorman.

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

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AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 476** by Senator Davis.

Senate amendments 1 and 2 to **Senate Bill 494** by Senator Lorman.

Upon motion of the president the senate the senate adjourned until 10:00 A.M. Thursday, February 23.  
10:01 A.M.

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CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Bill 349**

Correctly enrolled and presented to the Governor on February 20, 1984.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Bill 507**, senate substitute amendment 1

1. Page 5, line 6: after "633.04" insert a comma.

**Assembly Bill 773**, assembly amendment 1 to assembly substitute amendment 1

1. Page 2, line 24: before "If" insert "within".