

STATE OF WISCONSIN

Senate Journal

Eighty-Seventh Regular Session

THURSDAY, February 7, 1985

10:00 A.M.

The senate met.

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

The senate stood for the prayer which was offered by Father Bruce M. Hennington, Chaplain of the Wisconsin Wing of the Civil Air Patrol, pastor of Holy Redeemer Catholic Church, Madison.

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

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

Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Engeleiter, Feingold, George, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 31.

Absent -- Senators Ellis and Hanaway -- 2.

Absent with leave -- None.

LEAVE OF ABSENCE

By request of Senator Theno, with unanimous consent, Senator Hanaway was granted a leave of absence until 11:00 A.M.

By request of Senator Engeleiter, with unanimous consent, Senator Ellis was granted a leave of absence for the balance of the day.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 18

Urging that Ken 'Butch' Keltner be inducted into baseball's Hall of Fame.

By Senators Czarnecki and Plewa; cosponsored by Representative Hauke.

Read and referred to committee on Education and Government Operations.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 35

Relating to state aid to fairs.

By Senators Feingold, Rude and Kreul; cosponsored by Representatives R. Thompson, T. Thompson, Gronemus, Hephner and Wineke.

To committee on Agriculture, Health and Human Services.

Senate Bill 36

Relating to grant distribution from the Wisconsin election campaign fund.

By Senators Cullen, Feingold, Lee, Moen, Norquist, Otte, Strohl, Ulichny and Czarnecki; cosponsored by Representatives Neubauer, D. Travis, Crawford, Metz and Volk.

To committee on Judiciary and Consumer Affairs.

Senate Bill 37

Relating to eligibility to designate moneys for payment to the Wisconsin election campaign fund.

By Senators Cullen, Feingold, Lorman, Moen, Norquist, Otte, Strohl, Van Sistine, Ulichny and Czarnecki; cosponsored by Representatives Neubauer, D. Travis, Crawford and Metz.

To committee on Judiciary and Consumer Affairs.

Senate Bill 38

Relating to eligibility and priority of projects under the point source pollution abatement program and granting rule-making authority.

By Senator Ellis, by request of the Town of Neenah.

To committee on Energy and Environmental Resources.

Senate Bill 39

Relating to eliminating the sales tax on bingo.

By Senator Ellis, by request of Elaine Blink, Americanos Drum and Bugle Corps.

To Joint Survey committee on Tax Exemptions.

Senate Bill 40

Relating to hunting privileges and a permit for disabled persons and granting rule-making authority.

By Senator Ellis, by request of Neal Baldauf of Neenah.

To committee on Energy and Environmental Resources.

Senate Bill 41

Relating to occupational licenses for members of volunteer fire departments and ambulance services.

By Senators Roshell, Van Sistine, Kincaid and Lorman; cosponsored by Representatives Looby, Ladwig, Zeuske and Schober.

To committee on Transportation.

Senate Bill 42

Relating to the duties of fence viewers and increasing a penalty.

By Senators Theno, Moen, Lorman and Chilsen; cosponsored by Representatives Goetsch, Hubler and Plizka.

To committee on Agriculture, Health and Human Services.

Senate Bill 43

Relating to issuance of picnic beer licenses.

By Senator Theno; cosponsored by Representative Hubler.

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

Senate Bill 44

Relating to allowing proceedings against both the person and the property to collect property taxes.

By Senators Plewa, Norquist and Czarnecki; cosponsored by Representative Becker.

To committee on Urban Affairs, Utilities and Elections.

Senate Bill 45

Relating to electric fund transfers in 1st class cities.

By Senators Plewa, Norquist and Czarnecki; cosponsored by Representatives Becker and Seery.

To committee on Urban Affairs, Utilities and Elections.

Senate Bill 46

Relating to airbags in automobiles.

By Senators Risser, Czarnecki, Chvala and Otte; cosponsored by Representative D. Travis.

To committee on Transportation.

Senate Bill 47

Relating to providing flat-aid payments to certain low-equalization-aid, high-poverty-rate school districts and making an appropriation.

By Senator Kincaid; cosponsored by Representative Holperin.

To committee on Tourism, Revenue, Financial Institutions and Forestry.

COMMITTEE REPORTS

The committee on Senate Organization, acting under Senate Rule 20(1) reports and recommends the following nominations to committee for appointment by the Senate:

Alcohol and Other Drug Abuse, State Council on
Senator Chvala
Senator Chilsen

Child Labor, Council on
Senator Van Sistine
Senator Ellis

Community Development Finance Authority
Senator George
Senator Hanaway

Education Commission of the States
Senator Czarnecki

Educational Communications Board
Senator George
Senator Harsdorf

Highway Safety, Council on
Senator Adelman
Senator Kreul

Housing, Council on
Senator Adelman

Low-Level Radioactive Waste Council
Senator Strohl
Senator Lorman

Migrant Labor, Council on
Senator Otte
Senator Leean

Minnesota-Wisconsin Boundary Area Commission
Senator Moen
Senator Helbach
Senator Harsdorf
Senator Rude

Radioactive Waste Review Board
Senator Strohl

State Capitol and Executive Residence Board
Senator Risser
Senator Ulichny
Senator Lasee

State Supported Programs Study and Advisory Committee
Senator Van Sistine
Senator Feingold
Senator Plewa
Senator Lasee
Senator Kreul

Traffic Law Enforcement, Council on
Senator Otte
Senator Leean

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist,
Ellis, Hanaway and Theno;
Noes, 0 -- None.

Women's Council
Senator Norquist
Senator Lorman

OTT, ALVIN, Jr., of Forest Junction, as a member of
the Land Conservation Board, to serve for the term
ending January 1, 1987.

TIMOTHY F. CULLEN
Chair

Confirmation:
Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist,
Ellis, Hanaway and Theno;
Noes, 0 -- None.

The question was: Shall the committee report be
adopted?
Adopted.

The committee on Senate Organization reports and
recommends:

ELLIS, MICHAEL, of Neenah, as a member of the Fox
River Management Commission, to serve for the term
ending March 1, 1985.

Assembly Joint Resolution 10

Designating April 1985 as Parliamentary Law
Month.

Confirmation:
Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist,
Ellis, Hanaway and Theno;
Noes, 0 -- None.

Concurrence:

Ayes, 4 -- Senators Cullen, Risser, Norquist and
Engeliter;
Noes, 0 -- None.

TIMOTHY F. CULLEN
Chair

JOHNSON, DOROTHY, of Appleton, as a member of
the Fox River Management Commission, to serve for
the term ending March 1, 1986.

Confirmation:
Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist,
Ellis, Hanaway and Theno;
Noes, 0 -- None.

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

THOMPSON, CARL W., of Stoughton, as a member of
the Labor and Industry Review Commission, to serve
for the term ending March 1, 1991.

WILLECKE, GERHARD K., of Appleton, as a
member of the Fox River Management Commission,
to serve for the term ending March 1, 1987.

Confirmation:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte,
Plewa, Kreul and Leean;
Noes, 0 -- None.

JEROME VAN SISTINE
Chair

Confirmation:
Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist,
Ellis, Hanaway and Theno;
Noes, 0 -- None.

The committee on Energy and Environmental
Resources reports and recommends:

DUSEK, FRANK, of Phillips, as a member of the
Snowmobile Recreation Council, to serve for the
term ending July 1, 1987.

MITCHELL, DONALD, of Neenah, as a member of the
Fox River Management Commission, to serve for the
term ending March 1, 1987.

Confirmation:
Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist,
Ellis, Hanaway and Theno;
Noes, 0 -- None.

Confirmation:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist,
Ellis, Hanaway and Theno;
Noes, 0 -- None.

VAN DE HEY, RONALD, of Kaukauna, as a member
of the Fox River Management Commission, to serve
for the term ending March 1, 1986.

Confirmation:
Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist,
Ellis, Hanaway and Theno;
Noes, 0 -- None.

LINDQUIST, KENNETH, of Highbridge, as a member
of the Land Conservation Board, to serve for the
term ending January 1, 1987.

Confirmation:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist,
Ellis, Hanaway and Theno;
Noes, 0 -- None.

HEPHNER, GERVASE, of Chilton, as a member of the
Fox River Management Commission, to serve for the
term ending March 1, 1985.

Confirmation:
Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist,
Ellis, Hanaway and Theno;
Noes, 0 -- None.

BERG, BYRON, of Blanchardville, as a member of the
Land Conservation Board, to serve for the term
ending January 1, 1987.

Confirmation:

JOE STROHL
Chair

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The committee on Agriculture, Health and Human Services reports and recommends:

BERGER, SHIRLEY A., of Stevens Point, as a member of the Board of Nursing, to serve for the term ending July 1, 1987.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

BOGE, PATRICIA A., of La Crosse, as a member of the State Historical Society Board of Curators, to serve for the term ending July 1, 1987.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

HENRICKSON, DONALD R., of Green Bay, as a member of the Accounting Examining Board, to serve for the term ending July 1, 1988.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

MOULDER, JOHN, of Milwaukee, as a member of the Pesticide Advisory Council, to serve for the term ending July 1, 1987.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

MYERS, D. JACK, of Madison, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 1988.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

DAVISON, GLENN A., of Madison, as a member of the Prison Industries Board, to serve for the term ending May 1, 1987.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

DICKEY, WALTER, of Madison, as a member of the Prison Industries Board, to serve for the term ending May 1, 1988.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

HANSON, DORIS, of Madison, as a member of the Prison Industries Board, to serve for the term ending May 1, 1988.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

LIMA, JOHN, of Brooklyn, as a member of the Prison Industries Board, to serve for the term ending May 1, 1986.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

LUCKMAN, RICHARD, of Menasha, as a member of the Prison Industries Board, to serve for the term ending May 1, 1986.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

MERRICK, CAROL, of Kenosha, as a member of the Prison Industries Board, to serve for the term ending May 1, 1988.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

TENPAS, LYLE, of Wisconsin Rapids, as a member of the Prison Industries Board, to serve for the term ending May 1, 1986.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

YOST, CHARLES, of Menomonie, as a member of the Prison Industries Board, to serve for the term ending May 1, 1987.

Confirmation:

Ayes, 8 -- Senators Moen, Otte, Norquist, Feingold, Ulichny, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

RODNEY C. MOEN
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin

Department of Industry, Labor and Human Relations
February 4, 1985

To the Honorable, the Senate:

Enclosed is a copy of the Department's report on the financial outlook for the Wisconsin Unemployment Compensation program for the next several years. The package also includes recommendations endorsed by the Department and the Unemployment Compensation Advisory Council for a variety of changes to the state UC law.

Under the provisions of 1983 Act 388, this report may yet be altered by the Governor after consultation with the legislative leadership. However, due to the interest expressed by many of you, we are issuing copies now.

If you have any questions, please contact Cliff Miller, director of UC Research at 267-9807; Ed Kehl, Administrator of the UC Division at 266-7074, or my office.

HOWARD S. BELLMAN
Secretary

CALENDAR OF FEBRUARY 7

By request of Senator Cullen, with unanimous consent, the appointments were considered enmasse with the exception of Ulice Payne, Jr.

BERG, BYRON, of Blanchardville, as a member of the Land Conservation Board, to serve for the term ending January 1, 1987.
Read.

BERGER, SHIRLEY A., of Stevens Point, as a member of the Board of Nursing, to serve for the term ending July 1, 1987.
Read.

BOGE, PATRICIA A., of La Crosse, as a member of the State Historical Society Board of Curators, to serve for the term ending July 1, 1987.
Read.

DAVISON, GLENN A., of Madison, as a member of the Prison Industries Board, to serve for the term ending May 1, 1987.
Read.

DICKEY, WALTER, of Madison, as a member of the Prison Industries Board, to serve for the term ending May 1, 1988.
Read.

DUSEK, FRANK, of Phillips, as a member of the Snowmobile Recreation Council, to serve for the term ending July 1, 1987.
Read.

ELLIS, MICHAEL, of Neenah, as a member of the Fox River Management Commission, to serve for the term ending March 1, 1985.
Read.

HANSON, DORIS, of Madison, as a member of the Prison Industries Board, to serve for the term ending May 1, 1988.
Read.

HENRICKSON, DONALD R., of Green Bay, as a member of the Accounting Examining Board, to serve for the term ending July 1, 1988.
Read.

HEPHNER, GERVASE, of Chilton, as a member of the Fox River Management Commission, to serve for the term ending March 1, 1985.
Read.

JOHNSON, DOROTHY, of Appleton, as a member of the Fox River Management Commission, to serve for the term ending March 1, 1986.
Read.

LIMA, JOHN, of Brooklyn, as a member of the Prison Industries Board, to serve for the term ending May 1, 1986.
Read.

LINDQUIST, KENNETH, of Highbridge, as a member of the Land Conservation Board, to serve for the term ending January 1, 1987.
Read.

LUCKMAN, RICHARD, of Menasha, as a member of the Prison Industries Board, to serve for the term ending May 1, 1986.
Read.

MERRICK, CAROL, of Kenosha, as a member of the Prison Industries Board, to serve for the term ending May 1, 1988.
Read.

MITCHELL, DONALD, of Neenah, as a member of the Fox River Management Commission, to serve for the term ending March 1, 1987.
Read.

MOULDER, JOHN, of Milwaukee, as a member of the Pesticide Advisory Council, to serve for the term ending July 1, 1987.
Read.

MYERS, D. JACK, of Madison, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 1988.
Read.

OTT, ALVIN, Jr., of Forest Junction, as a member of the Land Conservation Board, to serve for the term ending January 1, 1987.
Read.

TENPAS, LYLE, of Wisconsin Rapids, as a member of the Prison Industries Board, to serve for the term ending May 1, 1986.
Read.

THOMPSON, CARL W., of Stoughton, as a member of the Labor and Industry Review Commission, to serve for the term ending March 1, 1991.
Read.

VAN DE HEY, RONALD, of Kaukauna, as a member of the Fox River Management Commission, to serve for the term ending March 1, 1986.
Read.

WILLECKE, GERHARD K., of Appleton, as a member of the Fox River Management Commission, to serve for the term ending March 1, 1987.
Read.

YOST, CHARLES, of Menomonie, as a member of the Prison Industries Board, to serve for the term ending May 1, 1987.
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, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Engeleiter, Feingold, George, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 31.

Noes -- None.

Absent or not voting -- Senators Ellis and Hanaway -
- 2.

So the appointments were confirmed.

PAYNE, ULICE, JR., of Racine, as the Securities Commissioner to serve for the term ending March 1, 1991.

Read.

The question was: Shall the appointment 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, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Engeleiter, Feingold, George, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 31.

Noes -- None.

Absent or not voting -- Senators Ellis and Hanaway -
- 2.

So the appointment was confirmed.

By request of Senator Cullen, with unanimous consent, the Senate returned to the second order of business.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 19

Urging every conceivable effort to keep the Milwaukee Bucks in Milwaukee.

By Senators Ulichny, Engeleiter, Cullen and Helbach; cosponsored by Representative Carpenter.

Read and referred to committee on Senate Organization.

By request of Senator Cullen, with unanimous consent, **Senate Joint Resolution 19** was withdrawn from committee on Senate Organization and taken up at this time.

Senate Joint Resolution 19

Urging every conceivable effort to keep the Milwaukee Bucks in Milwaukee.

Read.

Adopted.

SENATE CLEARINGHOUSE ORDERS

The committee on Education and Government Operations reports:

Clearinghouse Rule 84-161

AN ORDER to repeal ch. ETF 2, relating to intrastate retirement reciprocity.

Submitted by Department of Employee Trust Funds.
No action taken.

Clearinghouse Rule 84-181

AN ORDER to repeal chs. TR 3 and Ret 2; and to create ETF 10.01 (4m), 10.03 and 10.07, relating to reporting of creditable service to the department of employee trust funds.

Submitted by Department of Employee Trust Funds.
No action taken.

Clearinghouse Rule 84-189

AN ORDER to create ch. PI 16, relating to minimum competency testing of limited-English speaking pupils.

Submitted by Department of Public Instruction.
No action taken.

Clearinghouse Rule 84-190

AN ORDER to repeal and recreate ch. PI 13, relating to bilingual and bicultural programs.

Submitted by Department of Public Instruction.
No action taken.

JOSEPH J. CZARNECKI
Chair

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 11

Concurred in:

Senate Joint Resolution 17

Senate Bill 3

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Bill 11

Relating to village regulation of hotels, restaurants, tourist rooming houses, campgrounds, camping resorts, recreational and educational camps, mobile home parks, public swimming pools, counter freezers, retail food processing plants, bakeries and confectionaries.

By committee on Health.

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

CALENDAR OF FEBRUARY 7

Assembly Joint Resolution 10

Designating April 1985 as Parliamentary Law Month.

Read.

Concurred in.

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

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Tuesday, March 19.

10:40 A.M.