

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

THURSDAY, May 2, 1985

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 44**

Requesting action by Congress to delete a portion of the President's budget rescinding federal funding for the Job Training and Partnership Act Title 3, dislocated workers program.

By Senators Plewa, Chvala, Feingold, Lee, Kincaid and Van Sistine; cosponsored by Representatives Barrett, Grobschmidt, Carpenter, Holschbach, Fergus, Hubler, Menos, Hasenohrl, Zeuske and Barca.

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

INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 195**

Relating to raising the legal drinking age to 21 and lowering to 18 the age for obtaining alcohol beverage licenses and permits.

By Senators Chilsen and Andrea; cosponsored by Representatives Vergeront, Huelsman, Tesmer and Merkt.

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

**Senate Bill 196**

Relating to authorizing counties and towns to appoint alternate members of zoning appeals bodies.

By Senators Davis and Engeleiter; cosponsored by Representatives Schober, J. Young and Schneiders.

To committee on Urban Affairs, Utilities and Elections.

**Senate Bill 197**

Relating to the rates for the corporate income and franchise taxes.

By Senators Davis, Engeleiter, McCallum, Lekan and Hanaway; cosponsored by Representatives Schneiders, Radtke, Goetsch and T. Thompson.

To committee on Aging, Banking, Commercial Credit and Taxation.

**Senate Bill 198**

Relating to the rate for the fermented malt beverages tax and making an appropriation.

By Senators Lorman, Risser and Chilsen; cosponsored by Representatives Bell, Goetsch, Buettner, Vergeront, Huelsman, Weeden, Volk, R. Young and Wood.

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

**Senate Bill 199**

Relating to community service work option in forfeiture actions.

By Senator Strohl; cosponsored by Representatives Fergus and Neubauer.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

The committee on Education and Government Operations reports and recommends:

**BILLER, LESTER C.**, of Plymouth, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1986.

Confirmation:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

**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, 1989.

Confirmation:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

**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, 1989.

Confirmation:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

LE COUNT, LYNNE, of Sun Prairie, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

PAULSON, DONALD L., of Madison, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

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, 1989.

Confirmation:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

SULLIVAN, MARY HALL, of Milwaukee, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

#### Assembly Bill 53

Relating to student membership on the board of regents of the university of Wisconsin system.

Concurrence:

Ayes, 6 -- Senators Czarnezki, Adelman, Helbach, Moen, Davis and Harsdorf;

Noes, 2 -- Senators Otte and Lorman.

JOSEPH J. CZARNEZKI

Chair

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

#### Assembly Bill 83

Relating to permitting brewers and alcohol beverage wholesalers, manufacturers and rectifiers to contribute things of value to retail alcohol beverage trade associations.

Concurrence:

Ayes, 5 -- Senators Van Sistine, Otte, Plewa, Kreul and Lekan;

Noes, 1 -- Senator Roshell.

#### Assembly Bill 221

Relating to the Fox river management commission, management and operation of the Fox river locks and facilities, user fees and making appropriations.

Concurrence:

Ayes, 5 -- Senators Van Sistine, Otte, Plewa, Kreul and Lekan;

Noes, 1 -- Senator Roshell.

JEROME VAN SISTINE

Chair

The committee on Aging, Banking, Commercial Credit and Taxation reports and recommends:

PAVELSKI, JACQUELINE, of Eau Claire, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 1990.

Confirmation:

Ayes, 8 -- Senators Feingold, Plewa, Czarnezki, Helbach, Kincaid, Kreul, Lorman and Davis;

Noes, 0 -- None.

RUSS FEINGOLD

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

CARLEY, JAMES, of Madison, as a member of the Public Defender Board, to serve for the term ending May 1, 1986.

Confirmation:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Davis;

Noes, 0 -- None.

#### Senate Bill 150

Relating to implementation of the marital property act and granting rule-making authority.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Davis;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Davis;

Noes, 0 -- None.

LYNN ADELMAN

chair

The committee on Economic Development reports and recommends:

BRILL, CAROL, of Milwaukee, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 1987.

Confirmation:

Ayes, 4 -- Senators Ulichny, McCallum, Czarnezki and Hanaway;

Noes, 0 -- None.

BARBARA ULICHNY

Chair

REPORT OF JOINT SURVEY COMMITTEE ON  
TAX EXEMPTIONS

Appendix to Senate Bill 150

Public Policy Involved

This bill is good public policy.

JOSEPH H. CZARNEZKI  
Co-chair

WAYNE W. WOOD  
Co-chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Department of Administration

May 1, 1985

To the Honorable, the Senate:

As required by 1983 Enrolled Joint Resolution 46, DOA is submitting, for your consideration, guidelines that the joint committee on Legislative Organization may wish to use for the selection of the official state newspaper. You will note that the guidelines have been divided into two areas: those that are required by current law, and those that have been recommended for reasons of public policy and administrative necessity. In the latter case, an explanation has been provided for the particular recommendation.

The official state newspaper publishes all legal notices required to be published therein. These notices include advertisements for bids, emergency rules, notices of public hearings, meeting notices, amendments of Supreme Court rules, State Treasurer's listing of last known owners of abandoned property and escheated estates, notices of examinations, notices of sales, the Revenue Department's notices of deficiency determinations, environmental impact statements and notices of elections.

The official state newspaper is also used to notify the public of legislative enactments. Under Ch. 372, Laws of 1981, the Secretary of State is required to publish in the official state newspaper the number of each act, the number of the bill from which it originated, the date of publication and the relating clause. Also, the notice indicates where the full text of each act can be obtained. Prior to enactment of Ch. 372, the full text of all acts was published.

DOA believes that the recommendations represent fair and equitable guidelines that can be used by the joint committee on Legislative Organization to select the official state newspaper. These guidelines will give maximum exposure to official state notices at the lowest possible cost. These guidelines are also established in a manner that should assure competition between several of the larger newspapers in the state.

You will note that I have modified the draft guidelines, which reflects the input received from the major state newspapers. Specifically, I have dropped the requirement that the official state newspaper have a paid circulation of 50,000 or more. As you will note from the newspaper comments, which I have attached, the 50,000 subscription level alone does not guarantee statewide availability of the official state newspaper. Further, a large number of paid subscriptions does not necessarily put the newspaper in the hands of those citizens who need to see it. A large geographic and subscription availability will make the newspaper available to those citizens who need it. As a result, I have slightly modified, but basically retained the 20-county distribution requirement.

The second major change I've made to the draft guidelines is the imposition of a 100,000 paid-subscription limit on the low-bid evaluation calculation. This limit will prevent the very large newspapers from dominating the evaluation statistics and offer the Legislature an opportunity to recognize overall low cost as a factor to consider. This refined methodology will be in the state's best interest in allowing large- and medium-size papers to compete on a more even footing.

The submittal of these recommended guidelines fulfills the obligation of the Department of Administration under 1983 Enrolled Joint Resolution 46. However, my staff and I are available to answer any questions that you may have about the guidelines suggested here. In addition, we are ready to provide assistance, as we have done in the past, with the actual bidding process once you have established the final guidelines.

Please let me know if I can be of further assistance.

Sincerely,  
DORIS J. HANSON  
Secretary

State of Wisconsin  
Department of Natural Resources

April 18, 1985

To the Honorable, the Senate:

Enclosed for your information is a copy of the Wisconsin 1983 Sulfur Dioxide Emissions Report. This report is the first of the annual sulfur dioxide emission reports prepared by the Department of Natural Resources pursuant to Section 144.385 of the Wisconsin Statutes. Section 144.385 is the law which established the annual emission limit (or cap) of 500,000 tons on Wisconsin's five major electric utilities and set a goal that sulfur dioxide emissions from all stationary air contaminant sources in Wisconsin not exceed 675,000 tons per year.

April 30, 1985

The enclosed report presents sulfur dioxide emissions from the five major electric utilities and from all stationary air contaminant sources in Wisconsin for 1980 through 1983. Sulfur dioxide emissions from the major utilities were below the 500,000 ton/year cap in 1981, 1982 and 1983 and sulfur dioxide emissions from all stationary sources were below the 675,000 ton/year goal in those years. Stationary source sulfur dioxide emissions decreased by 13% from 1980 through 1982 and then increased by 3% from 1982 to 1983.

If you should have any comments or questions on this report, please feel free to contact myself at (608) 266-0603 or Eric Mosher at (608) 266-3010.

Sincerely,  
DONALD F. THEILER  
Director

EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

May 1, 1985

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KENNETH LINDQUIST of Highbridge to the Board of Agriculture, Trade and Consumer Protection 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 Agriculture, Health and Human Services.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

May 1, 1985

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HARLAND E. EVERSON of Edgerton to the Board of Agriculture, Trade and Consumer Protection 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 Agriculture, Health and Human Services.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint J. ALLEN STOKES of Milwaukee to the Prison Industries 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 Agriculture, Health and Human Services.

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 85-13

AN ORDER to repeal and recreate chapter Trans 311, relating to the approval and permit program for breath alcohol testing.

Submitted by Department of Transportation.  
Report received from agency, May 1, 1985.

Referred to committee on Labor, Business, Veterans Affairs and Insurance, May 2, 1985.

Clearinghouse Rule 85-24

AN ORDER to repeal Opt 2.06 and 3.02 and chapters Opt 6 and 12, relating to organization of the board; examination fees; qualification for examination; issuance of license; and access to public records.

Submitted by Department of Regulation and Licensing.

Report received from agency, April 30, 1985.

Referred to committee on Education and Government Operations, May 2, 1985.

Clearinghouse Rule 85-26

AN ORDER to repeal chapter Psy 4, relating to access to public records.

Submitted by Department of Regulation and Licensing.

Report received from agency, April 30, 1985.

Referred to committee on Education and Government Operations, May 2, 1985.

Clearinghouse Rule 85-31

AN ORDER to repeal Ins 3.40 (20); to renumber Ins 3.40 (8) to (19); and to repeal and recreate Ins 3.40 (7) (d) 1 to 3 and (e), relating to coordination of benefit clauses for group and blanket disability insurance plans.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, April 30, 1985.

Referred to committee on Labor, Business, Veterans Affairs and Insurance, May 2, 1985.

Clearinghouse Rule 85-65

AN ORDER to create a floodplain zoning ordinance for the city of La Crosse, submitted to the legislature pursuant to s. 87.30 for review under s. 227.018.

JOURNAL OF THE SENATE [May 2, 1985]

Submitted by Department of Natural Resources.  
Report received from agency, April 30, 1985.  
Referred to committee on Energy and Environmental  
Resources, May 2, 1985.

State of Wisconsin  
Revisor of Statutes Bureau

May 1, 1985

Donald J. Schneider  
Senate Chief Clerk  
Dear Mr. Schneider:

The following rules have been published and are  
effective:

Clearinghouse Rule 83-132 effective May 1, 1985.  
Clearinghouse Rule 84- 49 effective May 1, 1985.  
Clearinghouse Rule 84- 75 effective May 1, 1985.  
Clearinghouse Rule 84- 95 effective May 1, 1985.  
Clearinghouse Rule 84-119 effective May 1, 1985.  
Clearinghouse Rule 84-120 effective May 1, 1985.  
Clearinghouse Rule 84-127 effective May 1, 1985.  
Clearinghouse Rule 84-133 effective May 1, 1985.  
Clearinghouse Rule 84-141 effective May 1, 1985.  
Clearinghouse Rule 84-146 effective May 1, 1985.  
Clearinghouse Rule 84-164 effective May 1, 1985.  
Clearinghouse Rule 84-167 effective May 1, 1985.  
Clearinghouse Rule 84-180 effective May 1, 1985.  
Clearinghouse Rule 84-183 effective May 1, 1985.  
Clearinghouse Rule 84-197 effective May 1, 1985.  
Clearinghouse Rule 84-198 effective May 1, 1985.  
Clearinghouse Rule 84-200 effective May 1, 1985.  
Clearinghouse Rule 84-208 effective May 1, 1985.  
Clearinghouse Rule 84-210 effective May 1, 1985.  
Clearinghouse Rule 84-214 effective May 1, 1985.  
Clearinghouse Rule 84-237 effective May 1, 1985.  
Clearinghouse Rule 84-245 effective May 1, 1985.  
Clearinghouse Rule 85- 6 effective May 1, 1985.

Sincerely,  
GARY L. POULSON  
Assistant Revisor

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 83  
Assembly Bill 221

MESSAGE FROM THE ASSEMBLY  
CONSIDERED

Assembly Bill 83

Relating to permitting brewers and alcohol beverage  
wholesalers, manufacturers and rectifiers to contribute  
things of value to retail alcohol beverage trade  
associations.

By Representatives Hephner, Vanderperren,  
Shoemaker, Gronemus, Holschbach, Fergus, Looby,  
Holperin, Tregoning, Wineke, Kunicki, J. Young,  
Hasenohrl, D. Travis and Clements, cosponsored by  
Senators Van Sistine, Helbach, Plewa, Ellis, Kreul, Stitt  
and Kincaid.

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

Assembly Bill 221

Relating to the Fox river management commission,  
management and operation of the Fox river locks and  
facilities, user fees and making appropriations.

By Representatives Hephner, R. Thompson, Byers,  
Bradley, Cowles, Swoboda, Gruszynski, Schmidt and  
Buettner, cosponsored by Senators Van Sistine,  
Hanaway, Lean, McCallum and Ellis.

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

Upon motion of the president the senate the senate  
adjourned until 10:00 A.M. Tuesday, May 7.

10:01 A.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Joint Resolution 34

1. Page 1, line 18: substitute "of" for "or".