

Eighty-Seventh Regular Session

WEDNESDAY, September 18, 1985

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 324

Relating to operating a motor vehicle while under the influence of intoxicants or drugs or both.

By Senators McCallum, Rude, Ulichny, Lee, Chilsen and Engeleiter; cosponsored by Representatives Weeden, Huelsman and Krug.

To committee on Judiciary and Consumer Affairs.

Senate Bill 325

Relating to the issuance of intoxicating liquor licenses to restaurants with museums.

By Senator Feingold; cosponsored by Representative D. Travis.

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

Senate Bill 326

Relating to creating a council and a joint legislative committee on state government organization and economy, providing for an income tax deduction and making appropriations.

By Senators Ulichny, Andrea, Roshell, Cullen, McCallum, Hanaway, Chilsen and Stitt; cosponsored by Representatives Buettner, Fergus, Grobschmidt, Hasenohrl, Lepak, Bolle, Holperin, Hubler, Vanderperren, Shoemaker, Radtke, McEssy, Ladwig, Schober, Manske, York, Cowles, Porter, J. Young, Ourada, Rosenzweig, Musser, Coleman, Nelsen, Zeuske and Huelsman.

To Joint Survey committee on Tax Exemptions.

Senate Bill 327

Relating to jurisdiction over certain juveniles alleged to have committed violent crimes.

By Senators Hanaway, Davis, Engeleiter, Otte, Chilsen, Andrea, Stitt, Kreul, Lee and Kincaid; cosponsored by Representatives Ourada, Shoemaker, J. Young, Crawford, Plizka, Vergeront, Schneiders, Huelsman, Walling, Goetsch, Musser, Tregoning, Schober, R. Travis and Ladwig.

To committee on Judiciary and Consumer Affairs.

Senate Bill 328

Relating to revisions in the laws governing the patients compensation fund and panels, medical malpractice and health care provider professional discipline, providing for a study and making appropriations.

By Legislative Council.

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

Senate Bill 329

Relating to operating a motor vehicle while under the influence of an intoxicant or a drug or both.

By Senators McCallum, Czarnecki, Lorman, Engeleiter and Lee; cosponsored by Representatives Berndt, Krug, Vergeront, Huelsman, Lepak and Goetsch.

To committee on Judiciary and Consumer Affairs.

Senate Bill 330

Relating to nursing home and hospital capital expenditure review requirements.

By Senator Moen; cosponsored by Representative Robinson.

To committee on Agriculture, Health and Human Services.

COMMITTEE REPORTS

The committee on Energy and Environmental Resources reports and recommends:

Senate Bill 161

Relating to conveying certain submerged lands to Brown county.

Introduction and adoption of senate amendment 1:

Ayes, 6 -- Senators Strohl, Chvala, Lee, Ellis, Hanaway and Theno;

Noes, 1 -- Senator Norquist.

Introduction and adoption of senate amendment 2:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

Introduction and adoption of senate amendment 3:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Strohl, Ellis, Hanaway and Theno;

Noes, 3 -- Senators Chvala, Lee and Norquist.

Senate Bill 4

Relating to revising penalties for offenses related to endangered species of wild animals.

Passage:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

VAN SISTINE, JEROME, of Green Bay, as a member of the Fox River Management Commission, to serve for the term ending March 1, 1988.

Confirmation:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

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HEPHNER, GERVAISE, of Chilton, as a member of the Fox River Management Commission, to serve for the term ending March 1, 1988.

Confirmation:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

STUKEL, RALPH, of Pewaukee, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 1988.

Confirmation:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

LICHT, JANE, of McFarland, as a member of the Land Conservation Board, to serve for the term ending May 1, 1989.

Confirmation:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

SNEED, CAROLYN P., of Washburn, as a member of the Waterways 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.

ROONEY, JAMES F., of Racine, as a member of the Waterways Commission, to serve for the term ending March 1, 1989.

Confirmation:

Ayes, 6 -- Senators Strohl, Chvala, Norquist, Ellis, Hanaway and Theno;

Noes, 1 -- Senator Lee.

SAARI, JAMES, of Hurley, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 1988.

Confirmation:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

ROBERTS, VIRGIL, of Holmen, as a member of the Waterways Commission, to serve for the term ending March 1, 1989.

Confirmation:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

O'CONNOR, WILLIAM P., of Madison, as a member of the Waterways Commission, to serve for the term ending March 1, 1988.

Confirmation:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

FLATER, HAROLD, of Holcombe, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 1988.

Confirmation:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

FEIGHT, ERNEST J., of Rhinelander, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 1986.

Confirmation:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

OTT, ELMON "PETE", of Blanchardville, as a member of the Waste Facility Siting Board, to serve for the term ending May 1, 1988.

Confirmation:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

JOE STROHL
Chair

The committee on Education and Government Operations reports and recommends:

ASPENSON, ESTHER M., of Ferryville, as a member of the Real Estate Board, to serve for the term ending July 1, 1989.

Confirmation:

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

Noes, 0 -- None.

HALES, EDWARD E., of Racine, as a member of the Investment Board, to serve for the term ending May 1, 1991.

Confirmation:

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

Noes, 0 -- None.

HOLDEN, JOAN, of Wisconsin Rapids, as a member of the Educational Communications Board, to serve for the term ending May 1, 1989.

Confirmation:

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

Noes, 0 -- None.

McMULLEN, MARK J., of Green Bay, as a member of the Investment Board, to serve for the term ending May 1, 1991.

Confirmation:

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

Noes, 0 -- None.

WOODWARD, REVEREND THOMAS B., of Madison, as a member of the Investment Board, to serve for the term ending May 1, 1991.

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Confirmation:

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

Noes. 0 -- None.

JOSEPH J. CZARNECKI

Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

September 10, 1985

To the Honorable the Senate

I have the honor to transmit to you the following
information pursuant to s. 13.685(7):

Sincerely,

DOUGLAS LAFOLLETTE

Secretary of State

NEWLY REGISTERED LOBBYISTS AND THEIR PRINCIPALS:

CHRISTENSON, ARLEN, Bascom Hall, Rm. 94, UW-Madison, WI 53705 (608) 253-9273

1) Public Representative Organization of the Faculty Senate (PROFS), Bascom Hall, UW-Madison, WI 53705 (608) 263-9273 (to increase public understanding of the purpose, mission and operation of the UW Madison and thereby, to promote the academic and professional interests of the UW Faculty, to provide the mechanism by which the UW Madison faculty can communicate its concerns and reactions to matters, including legislation which directly affect the UW-Madison and its faculty)

RICHARD JOANNA B., 8 W. Mifflin St., Rm. 203, Madison, WI 53703 (608) 263-3644

United Council of the U of WI Student Governments, Inc., 8 W. Mifflin, Rm. 203, Madison, WI 53703 (608) 263-3622 (educational policy, human rights, legislation, HEAB, UW-Systems, Dept. of Employment Relations)

WILSON, JOHN B., 8 W. Mifflin St., Rm. 203, Madison, WI 53703 (608) 263-3644

United Council of the U of WI Student Governments, Inc., 8 W. Mifflin, Rm. 203, Madison, WI 53703 (608) 263-3622 (educational policy, human rights, legislation, HEAB, UW-Systems, Dept. of Employment Relations)

ZULEGER, DEAN A., 1400 E. Washington Ave., Ste. 189, Madison, WI 53703 (608) 255-2011

Wisconsin Citizens for Right to Work, Inc., 1400 E. Washington Ave., Ste. 189, Madison, WI 53703 (608) 255-2011 (counties and municipalities, state government, legislation affecting collective bargaining)

Terminations:

Badzinski, Robert, 1919 S. Broadway, Green Bay, WI 54304. Fort Howard Paper Co., September 4, 1985.

Crump, Ann L., 1104 Eastern Trail, Mukwonago, WI 53149, Communications Workers of America, Wisconsin Political Council, September 9, 1985

Driessen, Anthony H., 660 E. Mason St., Milwaukee, WI 53202, Wisconsin Realtors Assn., September 9, 1985.

Thimke, Mark A., c/o Foley & Lardner, 777 E. Wisconsin Ave., Milwaukee, WI 53202, George Banta Co, Inc., September 9, 1985.

Schulte, Paul, 1400 E. Washington, Ste. 189, Madison, WI 53703, Wisconsin Citizens for Right to Work, Inc., September 3, 1985.

Corrections:

Higher Educational Aids Board, delete subjects partnerships and corporation, and add phone number (608) 267-2208

State of Wisconsin
Legislative Council

September 11, 1985

To the Honorable the Senate:

I am pleased to transmit to you the following report to the 1985 Legislature on legislation introduced by the Legislative Council:

RL 85-10 -- Legislation on Condominium Issues (Senate Bill 274 and Senate Bill 275)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available, on request, in the Legislative Council offices, Room 147 North, State Capitol.

Sincerely,
BONNIE REESE
Executive Secretary

State of Wisconsin
Office of the Commissioner of Securities

September 11, 1985

To the Honorable, the Senate:

Enclosed please find a copy of the Administrative Rules Advisory Committee (ARAC) Report which I received on August 1, 1985. Pursuant to Section 3049 of 1985 Wisconsin Act 29, I was directed to submit the Committee's recommendations to you along with my comments regarding each recommendation.

ARAC recommended the adoption of two Administrative Rules. One Rule was directed at providing a registration exemption for common stock offerings which were made through a firm-commitment underwriting by a qualified underwriter. That rule was designed in part, according to ARAC, to offset the perception that Wisconsin is anti-business. The other Rule was designed to aid Wisconsin corporations. That Rule proposed an exemption for common stock offerings by Wisconsin companies having their principal office and the majority of the full-time employees in Wisconsin. That proposed rule set forth a number of specific conditions, including the condition that 80% of the net proceeds from the sale of securities using that exemption must be used in connection with operations in Wisconsin.

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In commenting on these Rules I can state that in general I agree with the direction and approach that the ARAC took in balancing the interest of business with that of investor protection. I wholeheartedly agree with the Committee's specific recommendation that these proposed changes be brought about through administrative rules as opposed to legislation.

My specific recommendations regarding the proposed rules can be found in the enclosed copy of the Draft of Proposed Amendments to the Rules of the Commissioner of Securities. Specifically I refer you to Section 5 of that draft which creates SEC 2.025 Non-Seasoned Issuer Registration Exemption by Filing and Section 6 which creates SEC 2.027, Wisconsin Issuer Registration Exemption by Filing. Those two rules had their beginning with the two rules proposed by ARAC. The analysis section which follows each of those rules contains my specific comments regarding the ARAC proposed rules along with my comments regarding any changes or additions which my agency made to the ARAC rules in proposing them for adoption.

A copy of the "Draft of Proposed Amendments to the Rules of the Commissioner of Securities" was delivered to the Legislative Council on Wednesday, September 4, 1985.

Sincerely,
ULICE PAYNE, JR.
Commissioner

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

September 11, 1985

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint TERI L. VIERIMA of Mount Horeb as Commissioner of the Midwest Low-Level Radioactive Waste Commission pursuant to the statute governing, to serve a term at the pleasure of the Governor.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin
Office of the Governor

September 12, 1985

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ROBERT SMITH of Seymour to the State Historical Society Board of Curators 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 Agriculture, Health and Human Services.

State of Wisconsin
Office of the Governor

September 16, 1985

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOANN MYRICK of McFarland to the Psychology Examining Board pursuant to the statute governing, to serve a term to expire July 1, 1989.

Respectfully,
ANTHONY S. EARL
Governor

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

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 84-69

AN ORDER to repeal and recreate ch. NR 116, relating to Wisconsin's floodplain management program.

Submitted by Department of Natural Resources.

Report received from agency, September 16, 1985.

Referred to committee on Energy and Environmental Resources, September 18, 1985.

Clearinghouse Rule 85-73

AN ORDER to repeal El Bd 1.03, relating to duplicate filing requirements.

Submitted by Elections Board.

Report received from agency, September 12, 1985.

Referred to committee on Urban Affairs, Utilities and Elections, September 18, 1985.

Clearinghouse Rule 85-83

AN ORDER to repeal ElBd 1.12, relating to filing campaign finance reports in special elections.

Submitted by Elections Board.

Report received from agency, September 12, 1985.

Referred to committee on Urban Affairs, Utilities and Elections, September 18, 1985.

Clearinghouse Rule 85-86

AN ORDER to amend and revise chapter NR 186, relating to the Wisconsin fund - solid waste management grant program.

Submitted by Department of Natural Resources.

Report received from agency, September 16, 1985.

Referred to committee on Energy and Environmental Resources, September 18, 1985.

Clearinghouse Rule 85-137

AN ORDER to repeal NR 124.07 (4) (a) 5 and 124.08 (1) to (4); and to amend NR 124.08 (5) (a), relating to the Wisconsin fund private sewage grant program.

Submitted by Department of Natural Resources.

Report received from agency, September 16, 1985.

Referred to committee on Energy and Environmental Resources, September 18, 1985.

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The committee on Energy and Environmental Resources reports and recommends:

Clearinghouse Rule 85-10

AN ORDER to repeal and recreate NR 212.11; and to create NR 212.115 and 212.40 (8), relating to water quality based allocations of pollutant discharges to waters of the state.

Submitted by Department of Natural Resources.

No action taken.

Clearinghouse Rule 85-77

AN ORDER to amend NR 46.07 (1) (c); and to repeal and recreate NR 46.09 (2) (a), (b) and (c), relating to eligibility criteria and the stumpage values for severance tax under the forest crop law.

Submitted by Department of Natural Resources.

No action taken.

JOE STROHL
Chair

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 160** by Senator Lorman.

Senate substitute amendment 1 to **Senate Bill 193** by Senator Davis.

Senate substitute amendment 1 to **Senate Bill 204** by Senator Andrea.

Senate amendment 1 to **Senate Bill 245** by Senator Lekan.

Senate substitute amendment 1 to **Senate Bill 258** by Senators Kreul and Harsdorf.

Senate amendment 1 to **Senate Bill 321** by Senators Davis and Lekan.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Assembly Bill 267

1. Page 1, line 14: after "939.641" insert "(title)".