

STATE OF WISCONSIN

Senate Journal

Eighty-Seventh Regular Session

THURSDAY, October 3, 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, Wisconsin Wing Chaplain, Civil Air Patrol, Madison.

The senate remained standing and Senator Stitt 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, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 5

Memorializing Congress to memorialize the state legislatures to stop memorializing Congress.

By Senators Theno and Engeleiter.

Read and referred to committee on Senate Organization.

Senate Joint Resolution 54

Requesting the legislative council to examine and study issues arising under the state employment labor relations act.

By Senator Van Sistine; cosponsored by Representatives Clarenbachh and Looby.

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 361

Relating to a work experience and training project.

By Senators Strohl, Moen, Chvala, Lee, Andrea, Davis, Norquist, Czarnecki, Roshell, Kreul, Theno, Rude and Stitt; cosponsored by Representatives

Robinson, Antaramian, Notestein, Holperin, Barca, Nelsen, Zeuske, Ladwig, Manske, Volk, Plizka, Magnuson and Vergeront.

To committee on Agriculture, Health and Human Services.

Senate Bill 362

Relating to establishing an industrial economics program in the department of natural resources and making appropriations.

By Senator McCallum.

To committee on Energy and Environmental Resources.

Senate Bill 363

Relating to rights of law enforcement officers.

By Senators George, Ulichny and Andrea; cosponsored by Representatives Tesmer, M. Coggs, Wineke and Shoemaker.

To committee on Judiciary and Consumer Affairs.

Senate Bill 364

Relating to creating the uniform fraudulent transfer act.

By Senators Davis and George; cosponsored by Representative Prosser.

To committee on Judiciary and Consumer Affairs.

Senate Bill 365

Relating to creating the uniform transfers to minors act.

By Senators Davis and George; cosponsored by Representative Prosser.

To committee on Judiciary and Consumer Affairs.

Senate Bill 366

Relating to fees paid to commissioners selected to review certain orders affecting town highways.

By Senator Theno; cosponsored by Representative Plizka.

To committee on Transportation.

Senate Bill 367

Relating to habitual traffic offenders.

By Senators Otte, Andrea, Kincaid, Van Sistine, Plewa and Helbach; cosponsored by Representatives Vanderperren, Hasenohrl, Hephner, Shoemaker, Gronemus, Menos, Bell, Hubler, Gruszynski, Holschbach, Mark Lewis, Holperin, Volk, Potter and Brist.

To committee on Judiciary and Consumer Affairs.

Senate Bill 368

Relating to civil liability for issuing licenses to sell and for furnishing alcohol beverages.

By Senator Van Sistine; cosponsored by Representative Hephner.

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

Senate Bill 369

Relating to the licensure and regulation of midwives by the department of regulation and licensing, the creation of a midwives examining council, granting rule-making authority and providing a penalty.

By Senators Feingold, Otte, Kincaid, Risser and Andrea; cosponsored by Representatives Becker, M. Cogg, Welch, Gronemus and Bell.

To committee on Agriculture, Health and Human Services.

Senate Bill 370

Relating to motorcycle and automobile definitions and equipment standards.

By Senators Otte and Norquist; cosponsored by Representatives Hasenohrl and Vanderperren.

To committee on Transportation.

COMMITTEE REPORTS

The committee on Education and Government Operations reports and recommends for introduction:

Senate Bill 371

Relating to creating an inactive licensee category for real estate brokers and salespersons, changing the educational requirements for brokers and salespersons and granting rule-making authority.

By request of the Wisconsin Department of Regulation and Licensing, the Wisconsin Real Estate Board and the Wisconsin Real Estate Association.

Introduction:

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

Noes, 0 -- None.

Read first time and referred to committee on Education and Government Operations.

Senate Bill 372

Relating to eliminating the continuing education requirements for physicians.

By request of the Department of Regulation and Licensing.

Introduction:

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

Noes, 0 -- None.

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

Senate Bill 373

Relating to eliminating the continuing education requirements for funeral directors.

By request of the Department of Regulation and Licensing.

Introduction:

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

Noes, 0 -- None.

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

Senate Bill 374

Relating to: creating additional continuing education requirements for chiropractors; eliminating the continuing education requirements for cosmetology instructors; and eliminating the continuing education requirement and adding a training program requirement for nursing home administrators.

By request of the Department of Regulation and Licensing.

Introduction:

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

Noes, 0 -- None.

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

Senate Bill 375

Relating to publications eligible to publish legal notices.

By request of Wisconsin Association of Advertisers and Publishers.

Introduction:

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

Noes, 0 -- None.

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

And recommends:

ADAMS, STEPHEN P., 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.

HENDRICKS, ERNEST, of Milwaukee, as a member of the Educational Communications Board, to serve for the term ending May 1, 1989.

Confirmation:

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

Noes, 0 -- None.

TISDALE, WILLIAM R., of Milwaukee, as a member of the Real Estate 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.

Senate Joint Resolution 33

Creating a committee on the budget to study the budget process.

Adoption:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis and Lorman;

Noes, 0 -- None.

Senate Bill 32

Relating to eliminating the boards of natural resources, of agriculture, trade and consumer protection and of veterans affairs and changing the departments of natural resources, of agriculture, trade and consumer protection and of veterans affairs to a cabinet form of government headed by a secretary, changing the method of removal of state officers, and creating councils.

Adoption of senate amendment 2:

Ayes, 5 -- Senators Helbach, Moen, Davis, Harsdorf and Lorman;

Noes, 3 -- Senators Czarnezki, Adelman and Otte.

Introduction and adoption of senate amendment 3:

Ayes, 7 -- Senators Czarnezki, Adelman, Moen, Otte, Davis, Harsdorf and Lorman;

Noes, 0 -- None.

Passage as amended:

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

Noes, 2 -- Senators Helbach and Lorman.

Senate Bill 81

Relating to expanding the type of deferred compensation plans available to public employes.

Passage:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis and Lorman;

Noes, 0 -- None.

Senate Bill 192

Relating to discontinuance of interim allowances to members of the legislature for postage and clerical assistance.

Passage:

Ayes, 4 -- Senators Czarnezki, Adelman, Davis and Lorman;

Noes, 3 -- Senators Helbach, Moen and Otte.

Senate Bill 266

Relating to the duties of the executive secretary of the educational approval board, correcting a definition of 'school' and deleting an obsolete grace period for the approval of schools (suggested as remedial legislation by the educational approval board).

Passage:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis and Lorman;

Noes, 0 -- None.

Senate Bill 269

Relating to fee-splitting among persons licensed to engage in real estate practice; advertising for patrons by cosmetology schools; exempting charitable organizations from certain registration requirements; requirements for refilling prescriptions for prescription drugs; renewals of licenses for private detectives; and dividing bingo prizes among multiple winners (suggested as remedial legislation by the department of regulation and licensing).

Passage:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis and Lorman;

Noes, 0 -- None.

Senate Bill 274

Relating to disclosure requirements for sales of condominium units and conversion condominium units, creation and operation of small residential condominiums, master condominium associations, uncompleted condominiums, voting requirements to amend a condominium declaration and merger or consolidation of condominiums.

Introduction and adoption of senate amendment 1:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis and Lorman;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis and Lorman;

Noes, 0 -- None.

Senate Bill 306

Relating to paying interdistrict pupil transfer aid on a current-year basis.

Passage:

Ayes, 4 -- Senators Czarnezki, Adelman, Helbach and Otte;

Noes, 2 -- Senators Davis and Lorman.

Assembly Bill 232

Relating to temporary borrowing by school boards.

Concurrence:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis and Lorman;

Noes, 0 -- None.

JOSEPH J. CZARNEZKI
Chair

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

DOYLE, CATHERINE M., of Milwaukee, as a member of the Tax Appeals Commission, to serve for the term ending July 1, 1987.

Confirmation:

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

Noes, 0 -- None.

JUNCEAU, ROBERT, of Madison, as a member of the Tax Appeals Commission, to serve for the term ending July 1, 1987.

Confirmation:

Ayes, 8 -- Senators Feingold, Plewa, Czarnezki, Kincaid, Helbach, Lorman, Kreul and Davis;
Noes, 0 -- None.

MORRIS, JOHN P., of Madison, as a member of the Tax Appeals Commission, to serve for the term ending March 1, 1991.

Confirmation:

Ayes, 8 -- Senators Feingold, Plewa, Czarnezki, Kincaid, Helbach, Lorman, Kreul and Davis;
Noes, 0 -- None.

TIMKEN, THOMAS R., of Wausau, as a member of the Tax Appeals Commission, to serve for the term ending March 1, 1989.

Confirmation:

Ayes, 8 -- Senators Feingold, Plewa, Czarnezki, Kincaid, Helbach, Lorman, Kreul and Davis;
Noes, 0 -- None.

WAGNER, MARY K., of Kenosha, as a member of the Tax Appeals Commission, to serve for the balance of the term ending March 1, 1985, and for a full term to expire March 1, 1987.

Confirmation:

Ayes, 8 -- Senators Feingold, Plewa, Czarnezki, Kincaid, Helbach, Lorman, Kreul and Davis;
Noes, 0 -- None.

And recommends for introduction:

Senate Bill 376

Relating to the administration of the county sales and use taxes and making an appropriation.

By request of the Department of Revenue.

Introduction:

Ayes, 8 -- Senators Feingold, Plewa, Czarnezki, Kincaid, Helbach, Lorman, Kreul and Davis;
Noes, 0 -- None.

RUSS FEINGOLD
Chair

Read first time and referred to committee on Aging, Banking, Commercial Credit and Taxation.

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

Senate Bill 90

Relating to assuring financial responsibility for motor vehicle accidents and providing a penalty.

Introduction and adoption of senate substitute amendment 1:

Ayes, 4 -- Senators Van Sistine, Otte, Plewa and Leean;

Noes, 2 -- Senators Roshell and Kreul.

Passage as amended:

Ayes, 4 -- Senators Van Sistine, Otte, Plewa and Leean;

Noes, 2 -- Senators Roshell and Kreul.

Senate Bill 270

Relating to approval of clauses limiting payments in disability insurance policies and to termination and reinstatement of disability insurance policies (suggested as remedial legislation by the office of the commissioner of insurance).

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Senate Bill 277

Relating to benefits and aid to veterans which are not assignable and exempt from garnishment and execution; reimbursement to veterans for the cost of correspondence courses and part-time classroom study; the definition of an institution of higher education; and grants to veterans organizations under a contract with the department of veterans affairs (suggested as remedial legislation by the department of veterans affairs).

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Senate Bill 43

Relating to issuance of picnic beer licenses.

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

JEROME VAN SISTINE
Chair

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

Assembly Joint Resolution 16

Requesting a legislative council study of employment disincentives in the aid to families with dependent children program.

Concurrence:

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

Noes, 0 -- None.

R.C. MOEN
Chair

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

MYRICK, JO ANN, of McFarland, as a member of the Psychology Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

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

Noes, 0 -- None.

Senate Bill 295

Relating to: provision of care for children in group homes under the aid to families with dependent children program; licensing foster homes; foster home licenses for certain guardians; payment by a parent for child day care services; supplementing child day care services; liability for certain state care, maintenance, service and supplies; liability of minors for alcohol and other drug abuse treatment services; recovery of costs of county institutional maintenance in populous counties; certification of supervising public health nurses in public health agencies; creation of town sanitary districts; audits and estimates of expenditures of state correctional and related institutions; and making an appropriation (suggested as remedial legislation by the department of health and social services).

Passage:

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

Noes, 0 -- None.

Senate Bill 352

Relating to authorizing the disclosure of certain health care provider records in cases of child abuse or neglect.

Introduction and adoption of senate amendment 1:

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

Noes, 0 -- None.

Passage:

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

Noes, 0 -- None. **RODNEY C. MOEN**
Chair

The committee on Senate Organization reports and recommends:

Assembly Joint Resolution 46

Relating to designation of September 29 to October 5, 1985, as Emergency Medical Services Week.

Concurrence:

Ayes, 5 -- Senators Cullen, Risser, Norquist, Engeleiter and Ellis;

Noes, 0 -- None.

TIMOTHY F. CULLEN
Chair

The committee on Urban Affairs, Utilities and Elections reports and recommends:

Assembly Bill 7

Relating to trust fund loans for town sanitary districts.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasee and Rude;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasee and Rude;

Noes, 0 -- None.

Senate Bill 220

Relating to the establishment and expansion of cemeteries.

Passage:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasee and Rude;

Noes, 0 -- None.

Senate Bill 280

Relating to retention of an attorney by the board of school directors in charge of the public schools of a 1st class city.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasee and Rude;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasee and Rude;

Noes, 0 -- None.

MORDECAI LEE
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Wisconsin Housing and
Economic Development Authority

October 1, 1985

To the Honorable the Legislature

I am pleased to transmit to you the following report:
**CREDIT RELIEF OUTREACH PROGRAM
MONTHLY REPORT**

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available upon request from the Wisconsin Housing and Economic Development Authority (WHEDA), 131 West Wilson, Suite 300, or by calling (608) 266-7884.

Best Wishes,
ED JACKAMONIS
Executive Director

State of Wisconsin
Office of Commissioner of Banking

September 30, 1985

To the Honorable the Legislature

Enclosed is a copy of the Annual Report of the Commissioner of Banking describing the activities of this Office in the administration of the Wisconsin Consumer Act during 1984. The Report also contains a detailed description of the 1984 amendments to the Act.

I would appreciate it if you would publish the availability of the Report in your Bulletin advising

members of the Legislature that interested persons may obtain copies of the Report from this Office.

Sincerely,
RICHARD E. GALECKI
Commissioner

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

September 27, 1985

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint EVERETT V. BIDWELL of Portage to the Banking Review Board pursuant to the statute governing, to serve a term to expire May 1, 1986.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Aging, Banking, Commercial Credit and Taxation.

CALENDAR OF OCTOBER 3

By request of Senator Cullen, with unanimous consent, the appointments were considered enmasse.

ANFINSON, ANNE, of Platteville, as a member of the Chiropractic Examining Board, to serve for the term ending July 1, 1989.
Read.

BRENNAN, KITTY, of South Milwaukee, as a member of the Health Facilities Authority, to serve for the term ending June 30, 1992.
Read.

BRITTON, RONALD, of Milwaukee, as a member of the Public Defender Board, to serve for the term ending May 1, 1987.
Read.

CARSON, CINDRA, of Eau Claire, as a member of the Public Defender Board, to serve for the term ending May 1, 1988.
Read.

ELGUEZABAL, TERESA M., of Madison, as a member of the Board of Nursing, to serve for the term ending July 1, 1989.
Read.

HART, VIRGINIA, of Madison, as a member of the Public Defender Board, to serve for the term ending May 1, 1988.
Read.

HEIM, VIRGINIA, of Green Bay, as a member of the Nursing Home Administrator Examining Board, to serve for the term ending July 1, 1989.

Read.

KAHN, CHARLES, Jr., of Shorewood, as a member of the Public Defender Board, to serve for the term ending May 1, 1986.
Read.

KERLEY, JANICE A., of Kenosha, as a member of the Board of Nursing, to serve for the term ending July 1, 1989.
Read.

LEVENTHAL, DR. ELAINE, of Madison, as a member of the Nursing Home Administrator Examining Board, to serve for the term ending July 1, 1989.
Read.

LOHRENGEL, RITA, of Green Bay, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1989.
Read.

McMAHON, PATRICIA, of Milwaukee, as a member of the Public Defender Board, to serve for the term ending May 1, 1987.
Read.

MIRAN, CLAUDIA BERRY, of Madison, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1989.
Read.

PERDZIAK, MICHAEL, of Hartland, as a member of the Chiropractic Examining Board, to serve for the term ending July 1, 1989.
Read.

PREISLER, WANDA, of Park Falls, as a member of the Nursing Home Administrator Examining Board, to serve for the term ending July 1, 1989.
Read.

SASS, JAMES A., of Milwaukee, as a member of the Funeral Directors Examining Board, to serve for the term ending July 1, 1989.
Read.

SMITH, BRENT, of Onalaska, as a member of the Public Defender Board, to serve for the term ending May 1, 1988.
Read.

SORENSEN, STEPHEN, E., of Mason, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 1988.
Read.

VIERIMA, TERI, of Mount Horeb, as Commissioner of the Midwest Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor.
Read.

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WARNECKE, GAIL E., of Sheboygan, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1989.
Read.

WELSCH, CLARENCE J., of Sheboygan, as a member of the Hearing Aid Dealers and Fitters Examining Board, to serve for the term ending July 1, 1989.
Read.

The question was: Shall the appointments be confirmed?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leraan, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the appointments were confirmed.

SENATE CLEARINGHOUSE ORDERS

State of Wisconsin
Revisor of Statutes Bureau

October 1, 1985

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

The following rules have been published and are effective:

- Clearinghouse Rule 83-203 effective October 1, 1985.
- Clearinghouse Rule 84-162 effective October 1, 1985.
- Clearinghouse Rule 84-203 effective December 1, 1985.
- Clearinghouse Rule 84-215 effective October 1, 1985.
- Clearinghouse Rule 84-232 effective October 1, 1985.
- Clearinghouse Rule 84-233 part effective December 29, 1985, part effective January 1, 1988.
- Clearinghouse Rule 84-234 part effective December 29, 1985, part effective January 1, 1988.
- Clearinghouse Rule 85- 7 effective October 1, 1985.
- Clearinghouse Rule 85- 26 effective October 1, 1985.
- Clearinghouse Rule 85- 40 effective October 1, 1985.
- Clearinghouse Rule 85- 41 effective October 1, 1985.
- Clearinghouse Rule 85- 43 effective January 1, 1986.
- Clearinghouse Rule 85- 56 effective October 1, 1985.
- Clearinghouse Rule 85- 61 effective October 1, 1985.
- Clearinghouse Rule 85- 78 effective October 1, 1985.
- Clearinghouse Rule 85- 99 effective October 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 adopted and asks concurrence in:

Assembly Joint Resolution 51

Passed and asks concurrence in:

Assembly Bill 44

Assembly Bill 242

Assembly Bill 252

Assembly Bill 413

Assembly Bill 471

Concurred in:

Senate Bill 2

Senate Bill 45

Amended and concurred in as amended:

Senate Bill 44, assembly amendment 1

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Bill 44

Relating to the distribution of property assessment manuals.

By Representatives Hasenohrl, Kasten, Hephner, Goetsch, R. Travis, Welch, Swoboda, Manske, T. Thompson, Van Gorden, Lepak, Zeuske and Schneiders, cosponsored by Senators Kincaid, Chilsen and Harsdorf.

Read first time and referred to committee on Tourism, Revenue, Financial Institutions and Forestry.

Assembly Bill 242

Relating to sexual assault of persons who are 62 years old or older.

By Representatives Medinger, Vanderperren, Clements, Hubler, Grobschmidt, Carpenter, Manske, Buettner, Zeuske, Lepak, Ourada, Rosenzweig, Welch, Seery, Goetsch, Magnuson, T. Thompson, Mark Lewis and Gruszynski, cosponsored by Senators Andrea, Rude, Plewa, Chilsen, Norquist and Lasee, by request of Asst. District Attorney of La Crosse Robert Wells.

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

Assembly Bill 252

Relating to natural death and providing a penalty.

By Legislative Council.

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

Assembly Bill 413

Relating to commencement of fall semester classes at the university of Wisconsin system.

By Representatives Swoboda, Holperin, R. Thompson and Volk, cosponsored by Senators Kincaid, Van Sistine and Feingold.

Read first time and referred to committee on Education and Government Operations.

Assembly Bill 471

Relating to nursing home and hospital capital expenditure review requirements.

By Representative Robinson, cosponsored by Senator Moen.

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

Assembly Joint Resolution 51

Permitting the explanatory Notes contained in 1985 Senate Bill 150, relating to implementation of the marital property act, to be revised.

By Representatives T. Thompson and Rutkowski.

Read and referred to committee on Senate Organization.

CALENDAR OF OCTOBER 3

Senate Bill 14

Relating to cosmetology practices performed on a family member without compensation.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 14

Read a third time and passed.

Senate Bill 127

Relating to authorizing a county, city, village or town to establish a rabies control program, creating a council on local rabies control programs and granting rule-making authority.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senator Lee.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 127

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasec, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the bill passed.

Senate Bill 141

Relating to the use of lead and other types of shot for hunting waterfowl.

Read a second time.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Adopted.

Senate amendment 2 to senate substitute amendment 1 offered by Senators Davis and Czarnezki.

The question was: Adoption of senate amendment 2 to senate substitute amendment 1?

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 141

Read a third time and passed.

Senate Bill 217

Relating to mobile home parks.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Czarnezki, with unanimous consent, Senate Bill 217 was placed after Senate Bill 322.

Senate Bill 223

Relating to registration and certificate requirements for sailboards.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 223

Read a third time and passed.

Senate Bill 235

Relating to guaranteed shared revenue account payments for pipeline property and making an appropriation.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 235** was referred to joint committee on Finance.

Senate Bill 286

Relating to revocation and suspension of operating privileges and eligibility for occupational licenses upon conviction of certain traffic offenses.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator George, with unanimous consent, **Senate Bill 286** was referred to joint committee on Finance.

Senate Bill 287

Relating to operating a motor vehicle while under the influence of an intoxicant, drugs or both, administrative revocation of operating privileges and chemical tests for intoxication and granting rule-making authority.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator George, with unanimous consent, **Senate Bill 287** was referred to joint committee on Finance.

Senate Bill 288

Relating to certain county, city, village and town zoning provisions affecting airports.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Feingold, with unanimous consent, he was made a co-author of **Senate Bill 288**.

The question was: Adoption of senate amendment 1?

By request of Senator Otte, with unanimous consent, **Senate Bill 288** was placed at the foot of the calendar.

Senate Bill 296

Relating to the speed limit in a school zone.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 296

Read a third time.

By request of Senator Andrea, with unanimous consent, **Senate Bill 296** was placed at the foot of the calendar.

Senate Bill 298

Relating to grants to the city of Kenosha of certain submerged and filled lands lying along the shore of Lake Michigan on the eastern frontage of the city of Kenosha.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Senate amendments 2 and 3 offered by Senators Andrea and Strohl.

The question was: Adoption of senate amendment 2? Adopted.

The question was: Adoption of senate amendment 3? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 298

Read a third time and passed.

Senate Bill 316

Relating to housing discrimination against certain handicapped persons assisted by animals.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 316

Read a third time and passed.

Senate Bill 322

Relating to various changes in the worker's compensation laws.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 322

Read a third time and passed.

Senate Bill 217

Relating to mobile home parks.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Czarnecki, with unanimous consent, senate substitute amendment 1 was laid on the table.

Senate amendment 1 offered by Senators Czarnecki, Andrea and Otte.

The question was: Adoption of senate amendment 1?

Senator Hanaway asked unanimous consent that **Senate Bill 217** be referred to committee on Senate Organization.

Senator Czarnecki objected.

The question was: Adoption of senate amendment 1?

Senator Lcean moved that **Senate Bill 217** be indefinitely postponed.

The question was: Shall **Senate Bill 217** be indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 6; noes, 27; absent or not voting, 0; as follows:

Ayes -- Senators Kreul, Lasee, Lcean, McCallum, Rude and Stitt -- 6.

Noes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarneski, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Lee, Lorman, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Theno, Ulichny and Van Sistine -- 27.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 1? Adopted.

Senate amendment 2 offered by Senators Feingold and Czarneski.

The question was: Adoption of senate amendment 2?

Senator Rude raised the point of order that senate amendment 2 was not germane.

The chair ruled the point of order well taken.

Senate amendment 3 offered by Senator Adelman.

The question was: Adoption of senate amendment 3?

Senator Davis raised the point of order that senate amendment 3 was not germane.

The chair ruled the point of order not well taken.

The question was: Adoption of senate amendment 3?

Senate amendment 1 to senate amendment 3 offered by Senator Hanaway.

The question was: Adoption of senate amendment 1 to senate amendment 3?

Adopted.

The question was: Adoption of senate amendment 3?

Senator Davis moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 1; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Lcean, Lorman, McCallum, Plewa, Roshell, Rude, Stitt, Theno and Van Sistine -- 17.

Noes -- Senators Adelman, Andrea, Chvala, Cullen, Czarneski, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Risser and Ulichny -- 15.

Absent or not voting -- Senator Strohl -- 1.

So the motion prevailed.

Senate amendment 4 offered by Senators Adelman and Chvala.

Senate amendment 5 offered by Senators Feingold and Adelman.

Senate substitute amendment 2 offered by Senator Hanaway.

The question was: Adoption of senate substitute amendment 2?

By request of Senator Czarneski, with unanimous consent, senate substitute amendment 2 was placed after senate amendment 5.

The question was: Adoption of senate amendment 4?

Senator Rude raised the point of order that senate amendment 4 was not germane.

The chair ruled the point of order well taken.

The question was: Adoption of senate amendment 5?

Senator Rude moved rejection of senate amendment 5.

The question was: Rejection of senate amendment 5?

The motion did not prevail.

The question was: Adoption of senate amendment 5?

The ayes and noes were demanded and the vote was: ayes, 27; noes, 6; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarneski, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kreul, Lee, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Theno, Ulichny and Van Sistine -- 27.

Noes -- Senators Kincaid, Lasee, Lcean, Lorman, Rude and Stitt -- 6.

Absent or not voting -- None.

So the amendment was adopted.

The question was: Adoption of senate substitute amendment 2?

Senator Czarneski moved rejection of senate substitute amendment 2.

The question was: Rejection of senate substitute amendment 2?

Senator Hanaway asked unanimous consent that further consideration of **Senate Bill 217** be postponed until 10:00 A.M. Thursday, October 10.

The question was: Shall **Senate Bill 217** be postponed until 10:00 A.M. Thursday, October 10?

By request of Senator Hanaway, with unanimous consent, he withdrew his motion to postpone **Senate Bill 217** until 10:00 A.M. Thursday, October 10.

Senator Hanaway moved that **Senate Bill 217** be referred to committee on Senate Organization.

The question was: Shall **Senate Bill 217** be referred to committee on Senate Organization?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Llean, Lorman, McCallum, Plewa, Roshell, Rude, Stitt and Theno -- 16.

Noes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Risser, Strohl, Ulichny and Van Sistine -- 17.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Rejection of senate substitute amendment 2?

The motion prevailed.

Senator Van Sistine moved reconsideration of the vote by which senate amendment 3 was rejected.

The question was: Reconsideration of the vote by which senate amendment 3 was rejected?

The motion prevailed.

The question was: Rejection of senate amendment 3? The motion did not prevail.

The question was: Adoption of senate amendment 3? Adopted.

The question was: Shall the bill be ordered to a third reading?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Risser, Strohl, Ulichny and Van Sistine -- 17.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Llean, Lorman, McCallum, Plewa, Roshell, Rude, Stitt and Theno -- 16.

Absent or not voting -- None.

So the bill was ordered to a third reading.

Senator Cullen asked unanimous consent that the rules be suspended and the bill be considered for final action at this time.

Senator Engeleiter objected.

Assembly Joint Resolution 23

Memorializing congress to create a federal commission on youth suicide prevention.

Read.

Adopted.

Assembly Joint Resolution 46

Relating to designation of September 29 to October 5, 1985, as Emergency Medical Services Week.

Read.

Adopted.

Assembly Bill 30

Relating to special registration plates issued to ex-prisoners of war.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 30

Read a third time and concurred in.

Assembly Bill 101

Relating to dogs specially trained to provide support for mobility-impaired persons.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 101

Read a third time and concurred in.

Assembly Bill 144

Relating to special license plates for motor vehicles leased to disabled persons.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 144

Read a third time and concurred in.

Senate Bill 288

Relating to certain county, city, village and town zoning provisions affecting airports.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Senate amendment 2 offered by Senators Plewa, Czarnezki and Adelman.

The question was: Adoption of senate amendment 2? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 288

Read a third time and passed.

Senate Bill 296

Relating to the speed limit in a school zone.

Read a third time.

By request of Senator Andrea, with unanimous consent, **Senate Bill 296** was referred to committee on Senate Organization.

MOTIONS

By request of Senator Rude, with unanimous consent, he was made a co-author of **Senate Bill 228**.

By request of Senator Czarnezki, with unanimous consent, **Senate Bill 375** was withdrawn from committee on Judiciary and Consumer Affairs and referred to committee on Education and Government Operations.

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution 6

Relating to the number of members on certain senate standing committees.

By Senators Cullen, Risser and Engeleiter.

Read and referred to committee on Senate Organization.

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

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Joint Resolution 45** by Senator Theno.

Senate amendment 1 to **Senate Bill 287** by Senator Chvala.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Tuesday, October 8.

12:39 P.M.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Joint Resolution 48

Correctly enrolled and deposited in the office of the Secretary of State on October 2, 1985.