

STATE OF WISCONSIN

Senate Journal

Eighty-Seventh Regular Session

TUESDAY, February 4, 1986

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 Reverend J. Carl Hillmer of Christ Memorial Lutheran 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, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasec, Lee, Llean, Lorman, McCallum, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 31.

Absent -- Senators Ellis and Moen -- 2.

Absent with leave -- None.

LEAVE OF ABSENCE

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

By request of Senator Cullen, with unanimous consent, Senator Moen was granted a leave of absence for today's session.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 65

Relating to honoring the Wisconsin army national guard and its participation in Reforger 86.

By Senator Van Sistine; cosponsored by Representatives Krug, Menos, Vanderperren and Van Gorden.

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

By request of Senator Van Sistine, with unanimous consent, **Senate Joint Resolution 65** was withdrawn from committee on Labor, Business, Veterans Affairs and Insurance and taken up at this time.

Senate Joint Resolution 65

Relating to honoring the Wisconsin army national guard and its participation in Reforger 86.

Read.

Adopted.

By request of Senator Van Sistine, with unanimous consent, the entire membership of the senate was made co-authors of **Senate Joint Resolution 65**.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 517

Relating to employment of minors 11 years of age or over in the sale of newspapers.

By Senator Andrea; cosponsored by Representatives Antaramian, Porter and Barca.

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

Senate Bill 518

Relating to membership's in Red Arrow Clubs.

By Senator Plewa; cosponsored by Representatives Carpenter and Grobschmidt.

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

Senate Bill 519

Relating to statute of limitations for certain crimes against children.

By Senators Ulichny, Feingold, Czarnezki, Otte, Cullen, Andrea, Lorman, Llean and Lasec; cosponsored by Representatives Fergus, Shoemaker, Barrett, Zeuske, Magnuson, Krug, Mark Lewis, Musser and Plizka.

To committee on Judiciary and Consumer Affairs.

Senate Bill 520

Relating to the membership of the retirement research committee.

By Senators Davis, Rude and Lorman; cosponsored by Representatives R. Young, Berndt, Zeuske, Schmidt and Turba.

To committee on Education and Government Operations.

Senate Bill 521

Relating to permitting meetings of boards of directors of corporations to be conducted by telephonic communication.

By Senators Davis, Risser, McCallum, Ulichny, Llean, Engeleiter and Lorman; cosponsored by

Representatives Holperin, Cowles, Schneiders, Zeuske, Schober and Weeden.

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

COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends:

Assembly Bill 71

Relating to damages in wrongful death actions.

Concurrence:

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

Noes, 0 -- None.

Assembly Bill 252

Relating to natural death and providing a penalty.

Introduction and adoption of senate amendment 1:

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

Noes, 0 -- None.

Introduction and adoption of senate amendment 2:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Lorman;

Noes, 1 -- Senator Hanaway.

Concurrence as amended:

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

Noes, 0 -- None.

Senate Bill 304

Relating to crimes against animals and providing a penalty.

Introduction and adoption of senate substitute amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

Senate Bill 315

Relating to various changes in the regulation of lobbying, making appropriations and providing penalties.

Introduction and adoption of senate substitute amendment 1:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Lorman;

Noes, 1 -- Senator Hanaway.

Passage as amended:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Lorman;

Noes, 1 -- Senator Hanaway.

Senate Bill 393

Relating to recorded conversations.

Passage:

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

Noes, 1 -- Senator Chvala.

Senate Bill 364

Relating to creating the uniform fraudulent transfer act.

Passage:

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

Noes, 0 -- None.

Senate Bill 365

Relating to creating the uniform transfers to minors act.

Passage:

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

Noes, 0 -- None.

Senate Bill 419

Relating to forfeiture of vehicles used in connection with a felony and default judgments.

Passage:

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

Noes, 0 -- None.

Senate Bill 420

Relating to providing a penalty for fraudulent drug advertising.

Passage:

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

Noes, 0 -- None.

Senate Bill 429

Relating to abuse of vulnerable adults and providing a penalty.

Passage:

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

Noes, 0 -- None.

Senate Bill 445

Relating to indigency determinations under the state public defender system.

Introduction and adoption of senate substitute amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

LYNN ADELMAN
Chair

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

Assembly Bill 303

Relating to technical and minor policy changes in respect to the income and franchise taxes.

Introduction and adoption of senate amendment 1:

Ayes, 10 -- Senators Feingold, Plewa, Helbach, Czarnezki, Kincaid, Moen, Kreul, Lorman, Davis and Chilsen;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 10 -- Senators Feingold, Plewa, Helbach, Czarnezki, Kincaid, Moen, Kreul, Lorman, Davis and Chilsen;

Noes, 0 -- None.

Assembly Bill 304

Relating to technical and minor policy items in regard to the sales and use taxes.

Concurrence:

Ayes, 10 -- Senators Feingold, Plewa, Helbach, Czarnezki, Kincaid, Moen, Kreul, Lorman, Davis and Chilsen;

Noes, 0 -- None.

RUSS FEINGOLD
Chair

The committee on Transportation reports and recommends:

Senate Bill 456

Relating to transporting logs.

Adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Otte, Moen, Andrea, Kreul and Theno;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Otte, Moen, Andrea, Kreul and Theno;

Noes, 0 -- None.

CARL OTTE
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin

January 30, 1986

To the Honorable, the Senate:

Attached for your use are copies of the above mentioned documents which were cooperatively developed by the Department of Health and Social Services and the Department of Public Instruction pursuant to Chapter 331 legislation.

The major purpose of the new 1985-87 plan is to articulate our present and future course of action for reducing youth alcohol and drug abuse problems. The Final Report 1984-85 meets the mandate in Chapter 331 to provide a yearly report to the legislature regarding the results of joint planning.

Your suggestions regarding this Plan and Final Report are welcome.

Sincerely,
LINDA REIVITZ
Secretary
Department of Health and Social Services

HERBERT J. GROVER
State Superintendent
Department of Public Instruction

By request of Senator Cullen, with unanimous consent, the appointments on today's calendar were placed at the foot of the calendar.

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 85-138

AN ORDER to repeal DE 5.03 (1), 6.02 (3), (4), (6) and (7) (a) to (d) and (g); to renumber DE 5.03 (2) and 6.02 (7) (intro.); and to renumber and amend DE 6.02 (5) and (7) (e), (f) and (h), relating to dental practice prohibitions and unprofessional advertising.

Submitted by Department of Regulation and Licensing.

Report received from agency, February 3, 1986.

Referred to committee on Agriculture, Health and Human Services, February 4, 1986.

Clearinghouse Rule 85-146

AN ORDER to amend NHA 1.02 (6) (intro.) and 4.03 (intro.), (1) and (3); and to repeal and recreate NHA 2.02 and 4.03 (2), relating to examination, institutional experience and reciprocal licensing requirements for nursing home administrators.

Submitted by Department of Regulation and Licensing.

Report received from agency, February 3, 1986.

Referred to committee on Agriculture, Health and Human Services, February 4, 1986.

Clearinghouse Rule 85-167

AN ORDER to repeal Opt 1.02 (3), relating to the definition of ophthalmic lens.

Submitted by Department of Regulation and Licensing.

Report received from agency, February 3, 1986.

Referred to committee on Agriculture, Health and Human Services, February 4, 1986.

Clearinghouse Rule 85-197

AN ORDER to amend Ins 6.57 (1), relating to company listing of agents.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, January 31, 1986.

Referred to committee on Labor, Business, Veterans Affairs and Insurance, February 4, 1986.

Clearinghouse Rule 85-198

AN ORDER to create chapter Ins 20, relating to home solicitation selling.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, January 31, 1986.

Referred to committee on Labor, Business, Veterans Affairs and Insurance, February 4, 1986.

State of Wisconsin
Revisor of Statutes Bureau

February 1, 1986

Donald J. Schneider

Senate Chief Clerk

Dear Mr. Schneider:

The following rules have been published and are effective:

Clearinghouse Rule 83-182 effective February 1, 1986.

Clearinghouse Rule 84-169 effective February 1, 1986.

Clearinghouse Rule 85- 3 effective February 1, 1986.

Clearinghouse Rule 85- 12 effective February 1, 1986.

Clearinghouse Rule 85- 72 effective February 1, 1986.

Clearinghouse Rule 85-106 effective February 1, 1986.

Clearinghouse Rule 85-133 effective February 1, 1986.

Clearinghouse Rule 85-134 effective February 1, 1986.

Sincerely,
GARY L. POULSON
Assistant Revisor

CALENDAR OF FEBRUARY 4

Senate Resolution 7

Urging that the statue entitled 'Nurse' be placed near the Vietnam Veterans Memorial.

Read.

The question was: Adoption of senate substitute amendment 1?

Adopted.

The question was: Shall the joint resolution be adopted?

Adopted.

Senate Bill 251

Relating to dam inspection fees.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 251** was referred to joint committee on Finance.

Senate Bill 252

Relating to the definition of a farm trailer.

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 252

Read a third time and passed.

Senate Bill 279

Relating to homicide and lesser included offenses, criminal recklessness, criminal negligence and providing penalties.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Harsdorf, with unanimous consent, **Senate Bill 279** was placed after **Senate Bill 340**.

Senate Bill 307

Relating to wage scale compliance on public works projects.

Read a second time.

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 307

Read a third time.

By request of Senator Kreul, with unanimous consent, the senate recessed until 11:15 A.M.

10:26 A.M.

RECESS

11:15 A.M.

The senate reconvened.

The question was: Shall the bill pass?

Passed.

Senate Bill 312

Relating to student membership on the higher educational aids board.

Read a second time.

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

By request of Senator Rude, with unanimous consent, he was made a co-author of **Senate Bill 312**.

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 312

Read a third time and passed.

Senate Bill 325

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

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 325

Read a third time and passed.

Senate Bill 332

Relating to use of certain school buses for nonpupil transportation.

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 332

Read a third time and passed.

Senate Bill 336

Relating to licensing 'closing-out sales' in cities, villages and towns.

Read a second time.

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

By request of Senator George, with unanimous consent, **Senate Bill 336** was referred to joint committee on Finance.

Senate Bill 340

AN ACT to authorize and direct expenditure of \$2,949.90 from moneys appropriated to the department of agriculture, trade and consumer protection for payment of a claim against the state made by Eckardt Corporation.

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 340

Read a third time.

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, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 31.

Noes -- None.

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

So the bill passed.

LEAVE OF ABSENCE

By request of Senator Engeleiter, with unanimous consent, Senator Ellis was granted a leave of absence until 1:00 P.M.

Senate Bill 279

Relating to homicide and lesser included offenses, criminal recklessness, criminal negligence and providing penalties.

Read a second time.

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

Senate amendment 2 offered by Senators Harsdorf and Davis.

The question was: Adoption of senate amendment 2?

By request of Senator Harsdorf, with unanimous consent, senate amendment 2 was returned to the author.

Senate amendment 3 offered by Senators Harsdorf and Davis.

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

Senate amendment 4 offered by Senator Adelman.

The question was: Adoption of senate amendment 4?
Adopted.

Senate amendment 5 offered by Senator Davis.

The question was: Adoption of senate amendment 5?

Senator Adelman moved rejection of senate amendment 5.

The question was: Rejection of senate amendment 5?
The motion prevailed.

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 279

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 30; noes, 1; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 30.

Noes -- Senator George -- 1.

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

So the bill passed.

Senate Bill 387

Relating to the regulation of the placement and use of moorings and the establishment of designated mooring areas and providing penalties.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator George, with unanimous consent, **Senate Bill 387** was referred to joint committee on Finance.

Senate Bill 391

Relating to the child abuse and neglect prevention board and making an appropriation.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator George, with unanimous consent, **Senate Bill 391** was referred to joint committee on Finance.

Senate Bill 426

Relating to school buses stopping at railroad crossings.

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 426

Read a third time.

Senator Rude moved that **Senate Bill 426** be referred to committee on Education and Government Operations.

The question was: Shall **Senate Bill 426** be referred to committee on Education and Government Operations?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 17; absent or not voting, 2; as follows:

Ayes -- Senators Chilsen, Chvala, Czarnezki, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Lekan, Lorman, McCallum, Risser, Rude and Stitt -- 14.

Noes -- Senators Adelman, Andrea, Cullen, Davis, Feingold, George, Helbach, Kincaid, Lee, Norquist, Otte, Plewa, Roshell, Strohl, Theno, Ulichny and Van Sistine -- 17.

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

So the motion did not prevail.

The question was: Shall the bill pass?

The ayes and noes were demanded and the vote was: ayes, 23; noes, 8; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Davis, Feingold, George, Hanaway, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, McCallum, Otte, Risser, Roshell, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 23.

Noes -- Senators Chilsen, Czarnezki, Engeleiter, Harsdorf, Helbach, Norquist, Plewa and Rude -- 8.

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

So the bill passed.

Assembly Bill 92

Relating to political party committees.

Read a second time.

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

Senate amendment 2 offered by Senators Czarnezki, Ulichny, Lee, Cullen and Engeleiter.

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

Senate amendment 3 offered by Senator Czarnezki.

The question was: Adoption of senate amendment 3?

Senator Lee 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, 27; noes, 4; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Chilsen, Chvala, Cullen, Davis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, McCallum, Norquist, Otte, Risser, Roshell, Rude, Stitt, Strohl, Theno and Van Sistine -- 27.

Noes -- Senators Andrea, Czarnezki, Plewa and Ulichny -- 4.

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

So the motion prevailed.

Senate amendment 4 offered by Senator Adelman.

The question was: Adoption of senate amendment 4? Adopted.

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 92

Read a third time and concurred in as amended.

Assembly Bill 159

Relating to authorizing counties to register certain bicycles.

Read a second time.

Senate amendment 1 offered by Senator Stitt.

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.

Assembly Bill 159

Read a third time and concurred in as amended.

Assembly Bill 191

Relating to placement of materials containing a political message during election campaign periods and electioneering at polling places.

Read a second time.

Senate amendment 1 to senate amendment 1 offered by Senator Adelman.

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

Adopted.

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.

Assembly Bill 191

Read a third time and concurred in as amended.

Assembly Bill 421

Relating to jurisdiction in actions for damages caused by environmental pollution.

Read a second time.

By request of Senator Cullen, with unanimous consent, **Assembly Bill 421** was placed at the foot of the calendar.

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

COOLEY, RANDALL, of Grafton, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1989.

Read.

GARVES, KENNETH, of LaCrosse, as a member of the Barbers Examining Board, to serve for the term ending July 1, 1989.

Read.

GOKEY, JAMES P., of La Crosse, as a member of the Minnesota-Wisconsin Boundary Area Commission, to serve for the term ending September 25, 1990.

Read.

HUBER, ROBERT T., of West Allis, as a member of the State Fair Park Board, to serve for the term ending May 1, 1990.

Read.

HUNTER, MICHAEL, of Antigo, as a member of the State Fair Park Board, to serve for the term ending May 1, 1991.

Read.

KNOWLES, WARREN P., of Milwaukee, as a member of the University of Wisconsin Board of Regents, to serve for the term ending May 1, 1987.

Read.

MEISTER, COLETTE BLUM, of Denmark, as Director of the Division of Emergency Government, to serve for the term ending at the pleasure of the Governor.

Read.

NELSON, ANITA, of Wisconsin Dells, as a member of the State Fair Park Board, to serve for the term ending May 1, 1988.

Read.

OLIVIERI, JOSE, of Greenfield, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 1986.

Read.

SCHENIAN, JOHN R., of Madison, as a member of the University of Wisconsin Board of Regents, to serve for the term ending May 1, 1987.

Read.

SMART, DONALD A., of Madison, as a member of the Employe Trust Funds Board, to serve for the term ending May 1, 1989.

Read.

TUSS, JOE, of Pardeeville, as a member of the State Fair Park Board, to serve for the term ending May 1, 1989.

Read.

UTHMEIER, BILL, of Marshfield, as a member of the State Fair Park 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, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasec, Lee, Lekan, Lorman, McCallum, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 31.

Noes -- None.

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

So the appointments were confirmed.

Assembly Bill 421

Relating to jurisdiction in actions for damages caused by environmental pollution.

Read a second time.

By request of Senator Strohl, with unanimous consent, **Assembly Bill 421** was referred to committee on Senate Organization.

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution 13

Memorializing the Wisconsin congressional delegation to oppose the sale of the Consolidated Rail Corporation to the Norfolk Southern Corporation.

By Senators Otte, Feingold, Andrea, Lee, Rude, George, Kreul, Norquist, Plewa, Ulichny and Czarnecki.
Read and referred to committee on Transportation.

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

By request of Senator Cullen, with unanimous consent, the senate recessed until 1:55 P.M.

12:03 P.M.

RECESS

1:55 P.M.

The senate reconvened.

The chair appointed Senators Roshell and Kreul to await upon the Governor.

The senate proceeded in a body to the Assembly Chamber to meet in Joint Convention to receive the State of the State message.

IN ASSEMBLY CHAMBER

IN JOINT CONVENTION

The President of the Senate in the chair.

The committee to await upon the Governor appeared with his excellency the Governor, who delivered his message as follows:

We meet a week later than originally planned because of the tragic loss last week of the shuttle and its crew. In a few short seconds we were reminded what a fragile hold we all have on the life forces which seem so strong. In the week that has passed since then we have demonstrated that this is a nation which still values courage, character and a willingness to risk much in order to learn more about the universe of which the earth is such a tiny part.

We have learned not only about the lives of those who were lost, but about ourselves as a nation. We have learned again that we are a strong, visionary and caring people.

This is the fourth time I have addressed you about the state of our state. Since I assumed this office three years ago, we have accomplished much together. In 1983 we weathered the worst fiscal crisis in our state's history. We passed two biennial budget bills and addressed a myriad of other subjects ranging from teenage pregnancy to agricultural credit to economic development and environmental protection. And last week we passed a

fiscal management bill that was both responsible and fair.

Through all this we have worked well together. Although we've had our usual partisan differences, I've enjoyed your cooperation and friendship. Over the last three years we generally did the right thing, and I believe Wisconsin is stronger and a better place today because of our efforts. Thank you for your help.

Tools for Greatness

As 1986 begins, the state of our state is strong. Our people are strong. Our institutions are strong. Our eye is firmly on the future.

It is easy to lose sight of our strengths in the midst of all the attention that has been paid to our fiscal situation over the last few weeks. There has been lots of rhetoric, paper shuffling and some excitement here in the Capitol. Too often we think the most important events in our state unfold in this building.

But we should not lose sight of the fact that most of the truly important events here in Wisconsin take place outside this building. Each of us know that. A plant opening -- with hundreds of jobs -- in Lomira is a great event. Groundbreaking for new factories in Prescott, Hudson and Somerset are great events. When Jane and Lloyd Pettit made their generous gift to the people of Milwaukee and Wisconsin, that was a great event. When people from all walks of life spent hours in the corn fields in the thigh-deep snow near Cottage Grove, Jonesdale, Reeseville and Barneveld helping some of our farmers through the winter, those were great events.

So let us keep our perspective, and acknowledge the great events that take place outside this building. Here the best we can do -- what we must do -- is provide the tools, provide the means which enable our people to make the most of their strengths so that our state can grow and prosper.

A Brighter Future

In January of 1983 when I presented my first State of the State message to you, it looked as though our state and the other states in the region were staring into the abyss of a depression that would last for many, many years. Now we are seeing signs that the Great Lakes states are on the way to reclaiming the economic strengths that have served us so well for so long. I want to refer you to John Naisbitt's most recent book titled, The Year Ahead: 1986. The very first chapter of the book is titled, "Waterbelt States Make Economic Waves. The Lakes Will Rise Again."

The lead paragraph says, "...in the year ahead, all six Great Lakes states -- Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin -- will experience an economic renaissance that will startle traditional economists.

"What magic formula will set the "rustbelt" economic wheels in motion once again? No magic, but there is a formula. One part water -- frequently referred to as the oil of the eighties -- one part commitment to economic diversity, and one part determination to act in concert,

speaking with one regional voice. to reverse years of decline."

I believe Mr. Naisbitt is right on the money. His view is confirmed by a U.S. News and World Report analysis that says, "Throughout the region, optimistic executives foresee moderate growth, low inflation and a relatively stable business climate. Projected to be the best performers economically are Ohio and Wisconsin."

In discussing the national climate for investment, Inc. Magazine compares what investors are looking for now with what they were looking for in 1983. The 1983 list of desirable investment characteristics was familiar. It included: venture capital, start-ups, glitz, silicon chips, high hopes, creating markets, promise and Sunnyvale, California.

Taken together, these are indicators which tell us that our immediate future is brighter than we thought three years ago. Though most of the action is in the private sector, public policy initiatives like the water diversion bill we passed last fall can make an important difference to our long-term future.

I have great confidence in the ability of our state to succeed -- to be a leader in the regional economic renaissance that is underway.

We demonstrated that ability last week in passing the fiscal management bill. The bill you passed last week meets all the requirements I set. It leaves a \$75 million balance. It does not resort to accounting tricks. It includes more than \$250 million in permanent cuts. It shares the pain -- and it does not increase taxes. We will end this biennium in the black and begin the next biennium with enough flexibility to respond to the changing needs of our state.

Speaking of the changing needs of our state, I am proud that this legislature rejected the idea that the way to cut expenditures is to lop off every new program. Many new programs are an acknowledgement of the change around us, and represent some of the best ideas and most innovative responses to those changes -- changes in our society, changes in the economy, changes in our way of life. We did not let a short-term fiscal problem turn state government into a static and irrelevant institution with its gaze fastened on the past. The proposition that "what is, is good and what's new is expendable" is alien to the Wisconsin tradition of progressive, innovative government.

We did not wait to improve the performance of our urban schools. We did not tell a laid-off wage earner in Kenosha that there is no program for dislocated workers in our state. We did not wait another year and a half to get serious about the problem of teenage pregnancy. We did not fail to move now to help older citizens and their families deal with the grief and trauma of Alzheimer's disease. We solved our fiscal problems without turning our backs on people whose needs are urgent and compelling. Our fiscal problems are unimportant compared to those of an unwed mother, a threatened farmer, a lifelong worker without a job or an older person battling poverty and debilitating disease. Yet these are the beneficiaries of the "new programs" some

sought to kill. We did not use a meat ax to solve our fiscal problem. We set priorities and took the political heat.

In short, we did precisely what our counterparts in the federal government have failed to do. I am proud we did not follow Washington's example. With last week's work behind us, we can now turn our attention to other issues which will also test our leadership.

How do we lead? There are many ways -- but three areas come immediately to mind -- three areas where we've done much already, but where much more remains to be done. I'm referring to education, the environment and economic development.

Education: The Key to the Next Economy

Education is, perhaps more than any other, that government program that works. Education is the vehicle which makes a reality of the American dream. Education is what permitted me, a small town grocer's son, to become governor. Public education has enriched the lives and broadened the opportunities of everyone in this chamber. It is important that we remember Thomas Jefferson's dictum that you can't have enlightened self government without an educated citizenry.

We have made significant strides in improving our schools during the last three years. We have established minimum requirements for a high school diploma. Dropout prevention programs and an innovative effort to promote excellence in our urban elementary schools are now a part of our state educational policy. As a state we have backed up these policy goals with millions of dollars in general and categorical aids for education.

We have made it known to the school districts before and let me state it again. We expect and will demand their graduates to be able to read, write, add and subtract. Those are not burdensome mandates -- they are the minimum parents ought to be able to demand from their children's school. We will settle for nothing less.

We do a good job in Wisconsin of preparing students for higher education -- our S.A.T. scores bear that out -- but we need to do more to prepare our students for the world of work. We have made a start in the Education for Employment Program and in encouraging improved V.T.A.E. programming for emerging occupations for those just coming into the workforce and basic skills programs for dislocated workers and the hard to employ, but we need to do more.

In this dynamic and changing economy there is no substitute for an effective and responsive educational system that assures good students are challenged and all students get the attention they need to acquire basic skills for the workplace.

And we have to find more effective ways to attract the best minds to the teaching profession. We need to do all those things and still ensure that a significant amount of state aid dollars are translated into property tax relief. I am convinced that school districts can do a better job in keeping costs down. As I told school board members in Milwaukee, if there is not a significant improvement next year, then cost controls are a virtual certainty for the next budget.

We have made progress in reversing a 12-year decline in the competitive position of our university system. The faculty salary increase we enacted last year was a controversial but necessary step for us to take in order to ensure that the University of Wisconsin continues to be a world class research and instructional institution.

We have made a good beginning in building the links between the university and the private sector through the technology development fund, and that progress must continue. There has been too much strife between the individual campuses of the system. Those differences are an obstacle to the kind of cooperation we must have if the university is to be an integral part of the ongoing effort to strengthen our state's economy. In Kenneth Shaw I am convinced we have a president ready to lead the University to new levels of achievement. We should give him all the help we can to get the job done right.

Preserving Our Natural Heritage

As with education, we can look to some important accomplishments in environmental protection. In fact, this has been the busiest period for environmental legislation since Gaylord Nelson was governor. We have protected our surface water and our economy by signing the Great Lakes Charter and then enacting into law the anti-diversion legislation which gives the charter its teeth.

We have passed the best groundwater protection bill in the country and attacked the acid rain problem by putting a cap on sulphur dioxide emissions. We need to do much more.

We need to make a still stronger attack on acid rain. I support legislation which will have the effect of cutting down current levels of SO₂ emissions by half by 1993. This is a bill which gives us important new protection while providing room for industrial growth.

We also need to put Washington, D.C. on notice on the subject of high level radioactive waste.

It is incomprehensible to me that the Department of Energy is giving serious consideration to a site that lies within the Great Lakes basin, the largest freshwater supply in the world. The proposed location would mean a thousandfold increase in the radioactive waste traveling Wisconsin highways and rail corridors. We have to speak with one voice in opposing Wisconsin as a nuclear waste site so there can be no misunderstanding in Washington about what our position is. We do not want it here.

Nuclear waste is not the only disposal problem which demands our attention. We must continue to seek innovative ways to dispose of toxic wastes and to deal with the continuing problem of non-point pollution. Only a long-term commitment to the environment can give our children the assurance that the world we turn over to them will not be polluted and poisoned.

Gaylord Nelson was right when he identified environmental protection as one of the keys to Wisconsin's future. John Naisbitt was right when he identified the Great Lakes as our greatest economic resource. We have to be right, too, in committing ourselves again to keeping Wisconsin a jewel among the states.

A Long-Term Commitment to a Stronger Wisconsin

There is a consensus that we need to take every reasonable step to protect our air, our water resources and our soil. It is surprising to me that the consensus is not as complete on the subject of our state's economy. I know there are people in our state, including some in this chamber, who believe I have spent too much time and energy on economic development and job creation. I could not disagree more.

As a state, Wisconsin is a participant in a highly competitive and dynamic economy that is changing every day. If we do not take every reasonable step to ensure that we can compete, then over time this will not be the kind of place we want it to be -- with quality public services that set Wisconsin apart. If we are to continue to seek social justice, quality education, a clean and wholesome environment, then we must stay the course in seeking ways to strengthen our economy.

We have had many successes. I will not list all the bills, but they have made a difference. Our activity has contributed to adding more than 100,000 people to employment rolls since the beginning of 1983 -- and not all of those new jobs are in the service sector. Throughout the country unemployment is still unacceptably high, but we are holding our own in the national competition for new jobs.

Many of our mature industries are doing well -- papermaking is a particularly encouraging example. We have seen dramatic growth in our printing industry, at least in part because of actions we took during the last session of the legislature. New industries, such as laser engineering, are making headway in Wisconsin as they create the markets of tomorrow.

Our mature industries need attention, too. Pat Lucey, Paul Hasset and others are hard at work in trying to fashion a deal with American Motors that is good for the company, good for the workers and good for the citizens of Wisconsin. At the same time we have to encourage and participate in the retraining efforts already underway in the Kenosha area for laid-off A.M.C. workers.

We have been able to help mature industries like Harley-Davidson, G.E. Medical and many others. We need to strengthen our ties with those firms even as we look to the future. I am convinced that we have in our university system the potential to make contributions to the emerging biotechnology industry -- an industry which can add jobs to our non-farm economy while creating new forms of agriculture for our farmers so that they can stay on the land. I have asked UW President Shaw and John Murray of Universal Foods in Milwaukee to head up an effort to identify ways to enhance our existing biotechnology resources so that Wisconsin is first among the states seeking to exploit the potential of this exciting new field of research.

A Troubled Agricultural Economy

As we look to the future, I do not need to tell any of you that our farm economy is in trouble.

We owe a special debt to those who grow our food and sustain the rural economy. We have an obligation to do whatever we can to keep our farmers on the land

whenever possible and to ease the transition from the farm for those who cannot go on. Until now our status as a dairy state has shielded us from the widespread crisis that has afflicted the grain-producing states, but that is changing. In Wisconsin farm prices are down and farm foreclosures are up. We are not exempt from the trauma of a shrinking agricultural sector, and we have to do all we can now to keep our farmers going until better times come.

Now that the fiscal management bill is behind us, I will be proposing renewal of the C.R.O.P. program which has worked so well. Sixty-seven percent of those participating in the C.R.O.P. program said it made it possible for them to stay in farming last year. It will be even more crucial this year. We have already done more than ever to marshal all of the resources of state government in meeting the needs of farmers in trouble. We need to respond not only with our heads, but with our hearts, to events which are unfolding in rural Wisconsin.

A Winning Attitude

It is difficult to imagine a more rewarding job than the one I now hold. Not only does it give me the opportunity to lead -- it gives me the chance to learn and to be inspired by the warmth, strength and the industry of our people. There are some lessons one cannot learn often enough. Before I conclude this afternoon, I want to talk about a few of my favorite teachers, people who exemplify the attitude which we must have if our state is to fulfill all of its promise. These are people who are something special from Wisconsin.

Let me start with a person who could not join us today -- Harry Quadracci. Harry runs what may be the fastest growing printing company in the country, Quad/Graphics. Three years ago, Quad/Graphics had one plant in Wisconsin employing 700 people. Today there are three plants employing 1,700 people -- with an additional 700 jobs projected over the next year.

He has succeeded through innovation, vision, ambition and a little help from his friends in state government. When he is not adding hundreds of jobs in Waukesha County and Lomira, he is working hard on events like the circus parade. He does not have time to complain. He likes it here in Wisconsin and says so.

Then there is Dwaine Sievers, a banker from Cambridge. For those of you who haven't been there lately, let me tell you that Cambridge is a town on the move. It is a town that is adding to its employing base almost every month. It is a town that is not content to stand still. It is a town motivated by the energy of people like Dwaine Sievers.

Last year when we started the C.R.O.P. program, Dwaine grabbed hold of the program and made it work. He made 17 C.R.O.P. loans, and for many of those farmers, their loans meant survival. One banker who cared about his community made 17 loans (all of which are current) in excess of \$280,000 -- at a cost of only \$1,300 to the state. Dwaine Sievers was a willing partner with state government in a highly successful effort to help his farm neighbors. He did not complain about the

details, he just did the job with the tools available. Dwaine Sievers is not just a good banker, he is one heck of a good man. Dwaine, would you and your wife, Judy, stand up.

Now, let me tell you about Bobbye Pitts. Ms. Pitts is the principal of the Auer Avenue Elementary School in the central city of Milwaukee. Before coming to Auer, she had been the principal of Riley Elementary, another school serving Milwaukee children, a school I've had the chance to visit.

Because of people like Bobbye Pitts, Milwaukee central city children are learning again. A committed principal, working with involved teachers and innovative classroom techniques, can make a difference. The statistics tell the story.

In 1978, just before new innovations were started, only 49 percent of the children in Ms. Pitts' school were testing at the average or above range in reading. By 1985, 78 percent of the children were testing at the average or above range. The same is true of math scores.

These statistics reflect hours spent with teachers, parents and students. They reflect a commitment not only to excellence in academics, but excellence in character.

Ms. Pitts, please stand up and accept our thanks for your great work.

Finally, I want you to get to know Delbert and Marcia Peterson. They are successful farmers who have been working the farm which has been in the family for 130 years. The Petersons see that many of their fellow farmers are on the brink of bankruptcy. They have spent no fewer than nine days in the fields picking corn by hand in deep snow and sometimes bitter cold and preparing home-cooked meals for volunteers, trying to help their neighbors stay afloat through the winter. Delbert and Marcia do not spend a lot of time making judgments about who is a good farmer and who is not. They simply lend a hand when they see a human being in need. Delbert and Marcia, would you stand up and let us thank you on behalf of those farmers you have helped.

These people and many others like them all across Wisconsin have an important lesson to teach us. It is that despite the fact that ours is a large and diverse state, despite the fact that modern life seems to push us apart, despite the fact that there is almost universal cynicism about governmental institutions, despite all that, Wisconsin is a community of people who care about one another, who depend on one another to succeed, and who want to help out.

We are something much more than a set of interest groups competing for advantage in the Capitol. Harry Quadracci, Dwaine Sievers, Bobbye Pitts and Delbert and Marcia Peterson don't spend their time roaming the halls of this building. They spend their time building their communities with vision, energy and caring. They and thousands of others like them deserve our attention, our respect and our thanks.

If we have gotten into the habit of responding first to those who complain loudest, who work the system hardest or who give the largest campaign contributions.

JOURNAL OF THE SENATE [February 4, 1986]

then it is time to get out of that habit -- now. We need to cast our lot with those who have proven by their lives they care about our state. We cannot afford to have partners who are faint of heart or more interested in their narrow interests than in a great future for Wisconsin.

We are at an important point in our history. We need to go forward together. It is a time to say: Stand up for Wisconsin -- or stand aside.

Thank you.

Upon motion of Senator Cullen the senate adjourned until 10:00 Thursday, February 6.

2:35 P.M.