

STATE OF WISCONSIN

Senate Journal

Eighty-Seventh Regular Session

THURSDAY, February 6, 1986

10:00 A.M.

The senate met.

The senate was called to order by the Senate Chief Clerk.

By request of the senate chief clerk, with unanimous consent, the calling of the roll was dispensed with.

INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 522**

Relating to adjustments in jurisdictional mileage responsibilities and the functional classification of highways used in transportation aid calculations.

By Senator Adelman; cosponsored by Representative Vanderperren.

To committee on Transportation.

**Senate Bill 523**

Relating to the sale of goods and services on school district and cooperative educational service agency property and providing a penalty.

By Senator Czarnecki; cosponsored by Representative Potter.

To committee on Education and Government Operations.

**Senate Bill 524**

Relating to prohibiting discrimination against specific geographical areas in the issuance of property insurance policies, revising the method for assessing insurers for the property insurance risk sharing plan, granting rule-making authority and providing penalties.

By Senators Lee, George and Norquist; cosponsored by Representatives M. Cogs, Notestein, Bell, Barrett, Becker, S. Cogs and R. Young..

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

**Senate Bill 525**

Relating to consecutive monthly registration of a motor truck or truck tractor used to transport silo erection scaffolds or silo building materials.

By Senator Feingold; cosponsored by Representative D. Travis.

To committee on Transportation.

**Senate Bill 526**

Relating to regulating outdoor advertising.

By Senators Strohl, Chvala, McCallum and Risser; cosponsored by Representatives Bell, Black, Robinson and Neubauer.

To committee on Energy and Environmental Resources.

COMMITTEE REPORTS

The committee on Economic Development reports and recommends:

**Senate Bill 396**

Relating to creating a film promotion office in the department of development and making an appropriation.

Introduction and adoption of senate amendment 1:

Ayes, 4 -- Senators Ulichny, Cullen, Czarnecki and McCallum;

Noes, 0 -- None.

Introduction and adoption of senate amendment 2:

Ayes, 4 -- Senators Ulichny, Cullen, Czarnecki and McCallum;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Ulichny, Cullen, Czarnecki and McCallum;

Noes, 0 -- None.

BARBARA L. ULICHNY  
Chair

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

**Senate Bill 283**

Relating to testing infants for sickle cell disease and creating a technical council on biochemical screening.

Introduction and adoption of senate substitute amendment 2:

Ayes, 9 -- Senators Moen, Otte, Feingold, Norquist, Ulichny, Strohl, Harsdorf, Rude and Chilsen;

Noes, 1 -- Senator Lorman.

Passage as amended:

Ayes, 9 -- Senators Moen, Otte, Feingold, Norquist, Ulichny, Strohl, Harsdorf, Rude and Chilsen;

Noes, 1 -- Senator Lorman.

**Senate Bill 347**

Relating to distribution of funds to counties instituting a countywide system of general relief administration.

Passage:

Ayes, 9 -- Senators Moen, Otte, Norquist, Ulichny, Strohl, Harsdorf, Lorman, Rude and Chilsen;

Noes, 1 -- Senator Feingold.

**Senate Bill 447**

Relating to demonstration project grants for provision of expanded services to persons afflicted with brain injury and making appropriations.

Adoption of senate amendment 1 to senate substitute amendment 1:

Ayes, 10 -- Senators Moen, Otte, Feingold, Norquist, Ulichny, Strohl, Harsdorf, Lorman, Rude and Chilsen;

Noes, 0 -- None.

Adoption of senate substitute amendment 1:

Ayes, 10 -- Senators Moen, Otte, Feingold, Norquist, Ulichny, Strohl, Harsdorf, Lorman, Rude and Chilsen;

Noes, 0 -- None.

Passage as amended:

Ayes, 10 -- Senators Moen, Otte, Feingold, Norquist, Ulichny, Strohl, Harsdorf, Lorman, Rude and Chilsen;

Noes, 0 -- None.

**Senate Bill 303**

Relating to requiring counties to appoint humane officers certified by the department of agriculture, trade and consumer protection and granting rule-making authority.

Introduction of senate substitute amendment 1:

Ayes, 7 -- Senators Moen, Otte, Feingold, Ulichny, Strohl, Rude and Chilsen;

Noes, 3 -- Senators Norquist, Harsdorf and Lorman.

Introduction and adoption of senate amendment 1 to senate substitute amendment 1:

Ayes, 10 -- Senators Moen, Otte, Feingold, Norquist, Ulichny, Strohl, Harsdorf, Lorman, Rude and Chilsen;

Noes, 0 -- None.

Adoption of senate substitute amendment 1:

Ayes, 7 -- Senators Moen, Otte, Feingold, Ulichny, Strohl, Rude and Chilsen;

Noes, 3 -- Senators Norquist, Harsdorf and Lorman.

Passage as amended:

Ayes, 7 -- Senators Moen, Otte, Feingold, Ulichny, Strohl, Rude and Chilsen;

Noes, 3 -- Senators Norquist, Harsdorf and Lorman.

RODNEY C. MOEN  
Chair

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Chair

The committee on Education and Government Operations reports and recommends:

**Senate Bill 345**

Relating to: review of bills providing for regulation of an occupation previously not regulated; the membership of the examining boards and examining councils attached to the department of regulation and licensing; revising the disciplinary procedures for the department of regulation and licensing and the examining boards in the department; authorizing the department of regulation and licensing to specify the number of business days within which determinations on license applications must be made; eliminating restrictions on advertising and certain other practices by persons licensed, registered or certified by the department of regulation and licensing; and granting rule-making authority.

Introduction and adoption of senate substitute amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 1 -- Senator Otte.

**Senate Bill 275**

Relating to minimum street widths and sanitary conditions in condominiums and the applicability of the laws regulating subdivisions to condominium developments.

Introduction and adoption of senate substitute amendment 1:

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

Noes, 1 -- Senator Davis.

Passage as amended:

Ayes, 5 -- Senators Czarnezki, Adelman, Moen, Otte and Lorman;

Noes, 2 -- Senators Davis and Harsdorf.

**Senate Bill 335**

Relating to determination of a private school's attendance area and to pupil transportation requirements.

Passage:

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

Noes, 1 -- Senator Otte.

JOSEPH J. CZARNEZKI

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

**Assembly Bill 155**

Relating to the transfer of interests in motor vehicles to a surviving spouse.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 177**

Relating to relevancy of evidence concerning alleged crime victims.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 230**

Relating to appointment of guardians for minors receiving gifts.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 328**

Relating to sexual assault victims.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 391**

Relating to orders to perform community service work.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 434**

Relating to various changes in the law governing repair, replacement and refund under new motor vehicle warranties.

Concurrence:

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

Noes, 0 -- None.

**Senate Bill 31**

Relating to obscenity and defining obscene material and obscene performance.

Introduction and adoption of senate substitute amendment 1:

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

Noes, 0 -- None.

Passage as amended:

Ayes, 3 -- Senators Adelman, Hanaway and Lorman;

Noes, 2 -- Senators Feingold and Chvala.

LYNN S. ADELMAN  
Chair

PETITIONS AND COMMUNICATIONS

**Senate Petition 22**

A petition by 10 residents of the state of Wisconsin in opposition to state sanctioned horse-racing, lotteries and other forms of gambling.

By Senator Rude.

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

State of Wisconsin  
Department of Administration

January 29, 1986

To the Honorable, the Senate:

Chapter 34, Laws of 1979, requires that when the Department of Administration maintains an office in Washington, D.C., for the purpose of promoting federal/state cooperation, it should submit a report detailing the activities of the office and reporting the status of federal legislation of concern to the Legislature and other state agencies (Wis. Stats. 15.448(2)).

The report for the period October 31 to December 31, 1985 is attached.

Sincerely,  
DORIS HANSON  
Secretary

State of Wisconsin  
Department of Health and Social Services

January 17, 1986

To the Honorable, the Senate:

Section 45(2) of 1983 Wisconsin Act 203 requires this Department to report to the Legislature regarding several aspects of fees the Department charges for regulating hotels, restaurants and various types of recreational facilities. The report was to be submitted to the Legislature by January 1, 1986.

This letter is to notify you that the report will be sent to you on or around February 1, 1986. While a draft report has been completed, we find that more time is needed to refine our data and recommendations. I hope this short delay does not result in an inconvenience for you or other members of the Legislature. Madison on July 11.

Sincerely,  
LINDA REIVITZ  
Secretary

State of Wisconsin  
Wisconsin Housing and  
Economic Development Authority

January 31, 1986

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

SENATE CLEARINGHOUSE ORDERS

**Clearinghouse Rule 85-168**

AN ORDER to repeal and recreate ETF 10.63 (3), relating to postmarks as evidence of timely receipt of reports and remittances by the department of employe trust funds.

Submitted by Department of Employe Trust Funds.  
Report received from agency, February 4, 1986.

Referred to committee on Education and Government Operations, February 6, 1986.

The committee on Judiciary and Consumer Affairs reports and recommends:

**Clearinghouse Rule 85-134**

AN ORDER to renumber and amend TA 1.55 (3); to amend TA 1.55 (1); to repeal and recreate TA 1.55 (2); and to create TA 1.55 (3) and 1.63, relating to frivolous appeals.

Submitted by Tax Appeals Commission.  
No action taken.

LYNN S. ADELMAN  
Chair

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in:

**Assembly Bill 331**  
**Assembly Bill 519**  
**Assembly Bill 652**  
**Assembly Bill 178**  
**Assembly Bill 407**  
**Assembly Bill 330**  
**Assembly Bill 449**  
**Assembly Bill 515**  
**Assembly Bill 350**  
**Assembly Bill 433**  
**Assembly Bill 593**  
**Assembly Bill 648**  
**Assembly Bill 673**

Adopted and asks concurrence in:

**Assembly Joint Resolution 68**

Amended and concurred in as amended:

**Senate Bill 217**, assembly substitute amendment 1 with assembly amendments 2 and 3

MESSAGE FROM THE ASSEMBLY  
CONSIDERED

**Assembly Bill 331**

Relating to warning lights on police vehicles.

By Representatives Vanderperren, Shoemaker, Hasenohrl, Menos, Bolle, Holperin, Hubler, Bradley and Van Gorden, cosponsored by Senators Roshell, Otte and Feingold.

Read first time and referred to committee on Transportation.

**Assembly Bill 519**

Relating to requiring school boards to provide instruction to pupils in protective behaviors and directing the department of public instruction to train public and private school staff and assist public and private schools in developing protective behaviors programs.

By Representatives Magnuson, Hephner, M. Coggs, Bell, Gruszynski, Holschbach, Robinson, Fergus, Barca, Grobschmidt, Antaramian, Wineke, D. Travis, Rutkowski, Looby, Vanderperren, Hasenohrl, Bolle, Krug, York, Lepak, Rosenzweig, Johnsrud, Merkt, Buettner, Zeuske and Seery, cosponsored by Senators Chvala, Ulichny, Czarnezki, Otte, Andrea and Adelman.

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

**Assembly Bill 652**

Relating to civil actions to enforce the state fair housing law.

By Representatives S. Coggs, Seery, Becker, Loftus, R. Young, Welch, Notestein, Carpenter, Fergus, Williams, Crawford, M. Coggs, Clarenbach, Krug, Antaramian and Barrett, cosponsored by Senators Feingold, Czarnezki, Chvala and Norquist, by request of Department of Industry Labor and Human Relations.

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

**Assembly Bill 178**

Relating to extending coverage of the noxious weed law.

By Representatives R. Thompson, Johnsrud, Goetsch, Van Gorden, Magnuson and Matty, cosponsored by Senators Kreul, Kincaid and Roshell.

Read first time and referred to committee on Energy and Environmental Resources.

**Assembly Bill 407**

Relating to state records and forms management and reporting, standards for photographic reproduction of public records, preservation of essential public records, availability of services provided by the microfilm laboratory of the department of health and social services and printing by prison industries.

By Representative Holschbach, cosponsored by Senator Czarnezki.

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

**Assembly Bill 330**

Relating to redistributing loads on motor vehicles and providing a penalty.

By Representatives Vanderperren, Hasenohrl, Bolle, Bradley, McEssy, Van Gorden, Clements and Holperin, cosponsored by Senators Otte and Kincaid.

Read first time and referred to committee on Transportation.

**Assembly Bill 449**

Relating to permanent registration of certain semitrailers, eliminating permits for the operation of semitrailers in intrastate commerce and eliminating permits for the rental or leasing of semitrailers.

By Representatives Vanderperren, Hasenohrl and Van Gorden, cosponsored by Senator Kreul.

Read first time and referred to committee on Transportation.

**Assembly Bill 515**

Relating to the negligent operation of a vehicle or dangerous weapon and providing penalties.

By Representatives Barca, Antaramian, Crawford, Neubauer, Volk, Looby, Seery, Grobschmidt, Tregoning, Ladwig, Porter, Plizka, Musser, Schneiders, Merkt, Wood, Lepak, Magnuson and R. Young, cosponsored by Senator Andrea.

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

**Assembly Bill 350**

Relating to the form of notification provided to individuals filing statements of economic interests of inspections of their statements.

By Representatives Hephner, Shoemaker, Holschbach, Williams, Foti, J. Young, Lepak and Bolle, cosponsored by Senators Otte, Kreul and Lekan.

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

**Assembly Bill 433**

Relating to requiring a due process hearing for certain law enforcement officers.

By Representatives Mark Lewis, Wineke, Goetsch, Tregoning, Schultz, Hasenohrl, Looby, Shoemaker, Lepak, Medinger, Swoboda, Magnuson, Hauke, Paulson, Hephner, Ladwig, Zeuske, J. Young, Metz, Manske, Byers and Schneiders, cosponsored by Senators Chvala, Kincaid, Moen, Chilsen, Van Sistine, Lorman, Feingold, McCallum, Andrea, Rude, Otte and Lekan, by request of Wisconsin Chiefs of Police Association and Wisconsin Professional Police Association.

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

**Assembly Bill 593**

Relating to referenda on school district consolidations.

By Representatives Manske, Wineke, Turba, Shoemaker, M. Coggs, Cowles, Plizka, Lepak, Welch, Musser and Volk, cosponsored by Senators Chvala, Lorman and Moen.

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

**Assembly Bill 648**

Relating to emergency slaughter, definition of diseased animal and granting rule-making authority.

By Representatives Hephner, Gronemus, Vanderperren, Shoemaker and Holschbach, cosponsored by Senators Moen and Feingold.

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

**Assembly Bill 673**

Relating to creating medical assistance penalties.

By Representatives Krusick, Barrett, R. Young, Rutkowski, Schneiders, Tesmer and Barca, cosponsored by Senators Chvala, Andrea, Hanaway and Otte.

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

**Assembly Joint Resolution 68**

Relating to the exceptional public service of Wilder W. Crane.

By Representatives Brist, McEssy and All Members of the Assembly, cosponsored by Senator Roshell.

Read and referred to committee on Senate Organization.

Upon motion of the senate chief clerk the senate adjourned until 10:00 A.M. Tuesday, February 11.

10:01 A.M.

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CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Joint Resolution 52**

Correctly enrolled and deposited in the Office of the Secretary of State, February 5, 1986.