

STATE OF WISCONSIN

Senate Journal

Eighty-Seventh Regular Session

TUESDAY, February 25, 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 Pastor Paul H. Garchow of St. Paul's Evangelical Lutheran Church, Janesville.

The senate remained standing and Senator Lee 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, Helbach, Kincaid, Kreul, Lasec, Lee, Lekan, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 32.

Absent -- Senator Harsdorf -- 1.

Absent with leave -- None.

LEAVE OF ABSENCE

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 68

Relating to limiting state expenditures from general purpose revenues to a percentage of such revenues and designating the remainder for tax relief (first consideration).

By Senators Hanaway, Stitt, Engeleiter and Chilsen; cosponsored by Representatives Radtke, Buettner, Zeuske, Rosenzweig, Goetsch, Musser and Schmidt.

Read first time and referred to joint committee on Finance.

Senate Joint Resolution 69

Relating to observing the week of April 13 to 19, 1986, as Victims Rights Week.

By Senator Ulichny and Lee; cosponsored by Representatives Fergus, Bell, Notestein, McEssy, Grobschmidt, Barca, Robinson, Ourada and Merkt, by request of Wisconsin Crime Victims Council and Wisconsin Council on Domestic Abuse.

Read and referred to committee on Senate Organization.

Senate Joint Resolution 70

Relating to declaring May 4 to 11, 1986, the 'Days of Remembrance of the Victims of the Holocaust'.

By Senators Risser, Lee, Feingold, Chilsen, Rude, Czarnecki, Roshell, Plewa, Moen, Ulichny, Otte and Cullen; cosponsored by Representatives Loftus, T. Thompson, Holperin, Berndt, Radtke, Medinger, Potter, Goetsch, Wineke, Coleman, Wimmer, Cowles, Manske, Krug, Notestein, Schmidt, Neubauer, Metz, Mark Lewis, R. Travis, Buettner, Grobschmidt, Holschbach, Nelsen, Tregoning, Panzer, Margaret Lewis, Wood, Matty, R. Young, Van Gorden, M. Coggs, D. Travis, Schneiders, Vergeront and Black.

Read and referred to committee on Senate Organization.

Senate Joint Resolution 71

Proclaiming May 3, 1986, Trzeciego Maja Day.

By Senators Plewa, Helbach, Czarnecki, Chvala and Norquist; cosponsored by Representatives Kunicki, Rutkowski, Gruszynski, Krusick and Matty.

Read and referred to committee on Senate Organization.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 571

Relating to establishing liability insurance risk sharing plans.

By Senator Van Sistine; cosponsored by Representative Hauke.

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

Senate Bill 572

Relating to excepting overweight vehicles transporting livestock on certain highways from a reloading or unloading requirement.

By Senators Kreul, Kincaid and Rude; cosponsored by Representatives Vanderperren, Schultz and Tregoning.

To committee on Transportation.

Senate Bill 573

Relating to allowing certain trailers to be drawn by a motor truck without a permit.

By Senators Kreul, Engleiter, Kincaid and Rude; cosponsored by Representatives Vanderperren, Schultz and Tregoning.

To committee on Transportation.

Senate Bill 574

Relating to endurance contests.

By Senator Risser; cosponsored by Representatives Manske and Berndt.

To committee on Judiciary and Consumer Affairs.

Senate Bill 575

Relating to the regulation and licensing of professional counselors, creating a professional counselors examining board, granting rule-making authority and providing penalties.

By Senators Andrea and Theno; cosponsored by Representatives Swoboda, Merkt and Shoemaker.

To committee on Agriculture, Health and Human Services.

Senate Bill 576

Relating to the cession of certain submerged lands in Lake Michigan to the county of Milwaukee.

By Senator Plewa; cosponsored by Representative Tesmer.

To committee on Energy and Environmental Resources.

Senate Bill 577

Relating to limitation on state contracting by prison industries, analysis of the impact of award of certain state contracts to prison industries and assistance to certain employes displaced by prison industries contracts.

By Senators Moen, Otte and Andrea; cosponsored by Representatives R. Thompson and Cowles.

To committee on Agriculture, Health and Human Services.

Senate Bill 578

Relating to various changes in the statutes governing the department of employe trust funds.

By Senator Andrea; cosponsored by Representative Volk.

To Joint Survey committee on Retirement Systems.

Senate Bill 579

Relating to eliminating the executive service retirement plan under the Wisconsin retirement system.

By Senator Andrea; cosponsored by Representative Volk.

To Joint Survey committee on Retirement Systems.

Senate Bill 580

Relating to improvement of state highways to promote economic development, increasing the fee for the registration of automobiles, granting rule-making authority and making appropriations.

By Senator Theno; cosponsored by Representative Plizka.

To committee on Transportation.

Senate Bill 581

Relating to testing infants for congenital disorders and making an appropriation.

By Senators Otte, Feingold, Moen, Lorman, Norquist and Ulichny; cosponsored by Representatives Robinson, Bell and M. Coggs.

To committee on Agriculture, Health and Human Services.

Senate Bill 582

Relating to the power of municipalities to prohibit criminal conduct.

By Senators Davis and Andrea; cosponsored by Representatives Ladwig, Schneiders, J. Young and Tregoning.

To committee on Judiciary and Consumer Affairs.

Senate Bill 583

Relating to repealing wage and hour requirements in public works contracts for counties, cities, villages, towns and other local governmental units.

By Senators Davis and Stitt; cosponsored by Representatives Nelsen, Zeuske and Vergeront.

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

Senate Bill 584

Relating to actions for damages related to improvements to real property.

By Senators Van Sistine, Roshell, Plewa, Lcean, Otte and Kreul.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

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

Senate Bill 406

Relating to a sales and use tax exemption for sales by parent-teacher organizations.

Passage:

Ayes, 8 -- Senators Plewa, Helbach, Czarnetzki, Kincaid, Moen, Kreul, Lorman and Chilsen;

Noes, 2 -- Senators Feingold and Davis.

RUSS FEINGOLD
Chair

The committee on Tourism, Revenue, Financial Institutions and Forestry reports and recommends:

Senate Bill 496

Relating to department of revenue certification of the tax incremental base of a tax incremental district in the village of Union Grove.

Passage:

Ayes, 5 -- Senators Kincaid, Helbach, Ulichny, Ellis and Lcean;

Noes, 0 -- None.

Senate Joint Resolution 58

Requesting the legislative council to study how best to help and encourage the tourism industry to keep untreated wastes out of surface water and groundwater.

Adoption:

Ayes, 5 -- Senators Kincaid, Helbach, Ulichny, Ellis and Lekan;

Noes, 0 -- None.

LLOYD H. KINCAID
Chair

The committee on Transportation reports and recommends:

Assembly Bill 385

Relating to creation of a council on the uniformity of traffic citations and complaints to replace the uniform traffic citation and complaint committee, computation of time periods in court actions and information required to be entered on judgments and in lien and judgment dockets (suggested as remedial legislation by the director of state courts).

Concurrence:

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

Noes, 0 -- None.

Assembly Bill 331

Relating to warning lights on police vehicles.

Concurrence:

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

Noes, 0 -- None.

Senate Bill 503

Relating to the use of windshield wipers, requiring vehicle lamps to be lighted during periods of unfavorable atmospheric conditions and providing a penalty.

Passage:

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

Noes, 0 -- None.

Senate Bill 507

Relating to the right-of-way at certain uncontrolled intersections.

Passage:

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

Noes, 0 -- None.

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.

Passage:

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

Noes, 0 -- None.

CARL OTTE
Chair

The joint committee on Finance reports and recommends:

Senate Bill 7

Relating to requiring motor vehicle operators and passengers to wear safety belts, granting rule-making authority and providing a penalty.

Introduction and adoption of senate amendment 7 to senate substitute amendment 1:

Ayes, 15 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Metz, Jauch, Kunicki, Nelsen, Panzer and Prosser;

Noes, 1 -- Representative Travis.

Adoption of senate amendment 3 to senate substitute amendment 1:

Ayes, 16 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Adoption of senate substitute amendment 1 as amended:

Ayes, 14 -- Senators George, Strohl, Norquist, Helbach, Chvala and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 2 -- Senators Roshell and Stitt.

Passage as amended:

Ayes, 12 -- Senators George, Strohl, Helbach and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 4 -- Senators Roshell, Norquist, Chvala and Stitt.

Senate Bill 90

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

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

Ayes, 15 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 1 -- Representative Metz.

Introduction and adoption of senate amendment 2 to senate substitute amendment 1:

Ayes, 14 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Jauch, Travis, Kunicki, Nelsen and Panzer;

Noes, 1 -- Representative Prosser.

Adoption of senate substitute amendment 1 as amended:

Ayes, 12 -- Senators George, Roshell, Strohl, Norquist, Helbach and Chvala, Representatives Schneider, Jauch, Travis, Kunicki, Nelsen and Panzer;

Noes, 3 -- Senators Stitt and Davis, Representative Prosser.

Passage as amended:

Ayes, 12 -- Senators George, Roshell, Strohl, Norquist, Helbach and Chvala, Representatives Schneider, Jauch, Travis, Kunicki, Nelsen and Panzer;

Noes, 3 -- Senators Stitt and Davis, Representative Prosser.

Senate Bill 336

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

Introduction and adoption of senate amendment 2:

Ayes, 10 -- Senators George, Roshell, Helbach, Strohl, Stitt and Davis, Representatives Jauch, Nelsen, Panzer and Prosser;

Noes, 4 -- Senator Chvala, Representatives Schneider, Travis and Kunicki.

Passage as amended:

Ayes, 14 -- Senators George, Roshell, Strohl, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Senate Bill 387

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

Adoption of senate amendment 1:

Ayes, 12 -- Senators George, Roshell, Strohl, Chvala, Stitt and Davis, Representatives Schneider, Jauch, Travis, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Adoption of senate amendment 2:

Ayes, 14 -- Senators George, Roshell, Strohl, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Passage as amended:

Ayes, 14 -- Senators George, Roshell, Strohl, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Senate Bill 391

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

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

Ayes, 14 -- Senators George, Roshell, Strohl, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Adoption of senate substitute amendment 1 as amended:

Ayes, 11 -- Senators George, Roshell, Helbach, Strohl and Chvala, Representatives

Schneider, Jauch, Travis, Kunicki, Nelsen and Panzer;

Noes, 3 -- Senators Stitt and Davis, Representative Prosser.

Passage as amended:

Ayes, 11 -- Senators George, Roshell, Helbach, Strohl and Chvala, Representatives Schneider, Jauch, Travis, Kunicki, Nelsen and Panzer;

Noes, 3 -- Senators Stitt and Davis, Representative Prosser.

GARY R. GEORGE
Senate Chair

**REPORT OF JOINT SURVEY COMMITTEE ON
RETIREMENT SYSTEMS**

Appendix to Senate Bill 222

Public Policy Involved

The Retirement Research Committee (RRC) has studied the WRS voluntary contribution program and has recommended its phase-out and replacement with other types of deferred compensation plans. A number of concerns have been raised relative to the present program including the following:

1. The WRS voluntary contribution plan allows payment of accumulations only upon termination of employment. There are no withdrawal or rollover rights during employment.

2. Interest earnings are credited to voluntary accounts at the end of each year but on beginning year balances. These procedures are often misunderstood or deemed to be inappropriate.

3. Voluntary contributions when paid in a lump sum form are determined upon book value rather than market value of WRS assets. This process can lead to negative selection against the system.

4. There are no separate administrative charges for the voluntary contribution program and hence, this program is subsidized by the retirement system and its participants.

5. The Federal Internal Revenue service has ruled that contributions to a public retirement system under 403 (b) provisions are now restricted to those educational units that had already established a 403 (b) program through that retirement system. Hence, Federal law and rules are now phasing out this program.

6. The existing voluntary contribution program has essentially been replaced with other types of deferred compensation plans such as 401 (k) and 457 plans.

7. Participation under the voluntary contribution plan has always been small (less than 3% of all participants) and is actually declining as a percentage each year.

Based upon the above concerns, the RRC has recommended the phase-out of the authority to make voluntary contributions pursuant to 40.05 (1)(a)5. This recommendation recognizes that more appropriate

deferred compensation plans are now available to public employees.

JOSEPH ANDREA
Co-Chair

JOHN VOLK
Co-Chair

Read and referred to committee on Education and Government Operations.

PETITIONS AND COMMUNICATIONS

Senate Petition 25

A petition by 604 residents of the State of Wisconsin asking that Wisconsin's Unfair Sales Act be repealed.

By Senator McCallum.

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

Senate Petition 26

A petition by 83 residents of the State of Wisconsin asking that Wisconsin's Unfair Sales Act be repealed.

By Senator McCallum.

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

Senate Petition 27

A petition by 85 residents of the state of Wisconsin asking that Wisconsin's Unfair Sales Act be repealed.

By Senator McCallum.

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

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BARBARA K. SCHMIT of Fox Point to the Nursing Home Administrator Examining Board pursuant to the statute governing, to serve a term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor

February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MICHAEL KITTLESON of Ettrick to the Nursing Home

Administrator Examining Board pursuant to the statute governing, to serve a term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor

February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ROY T. SHOEMAKER of Iron River to the Nursing Home Administrator Examining Board pursuant to the statute governing, to serve a term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor

February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HERBERT J. WILSON of Milwaukee to the Nursing Home Administrator Examining Board pursuant to the statute governing, to serve a term to expire July 1, 1987.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor

February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SUSAN J. REINARDY of Madison to the Accounting Examining Board pursuant to the statute governing, to serve a term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor

February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SHIRLEY SCHMERLING of Kenosha to the Bingo Control

JOURNAL OF THE SENATE [February 25, 1986]

Board pursuant to the statute governing, to serve a term to expire May 1, 1991.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor
February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint INGEBORG LOTHE of Poynette to the Waste Facility Siting Board pursuant to the statute governing, to serve a term to expire May 1, 1987.

Respectfully,
ANTHONY S. EARL
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin
Office of the Governor
February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOHN BARTKOWSKI of Milwaukee to the Board of Nursing pursuant to the statute governing, to serve a term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor
February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MARY ANN CLARK of Cumberland to the Board of Nursing pursuant to the statute governing, to serve a term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor
February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint EVELYN MALONEY of Chippewa Falls to the Board of Nursing

pursuant to the statute governing, to serve a term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor
February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint REBECCA BARDWELL of Milwaukee to the Psychology Examining Board pursuant to the statute governing, to serve a term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor
February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SYLVIA B. RIMM of Watertown to the Psychology Examining Board pursuant to the statute governing, to serve a term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor
February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GREGORY L. THOMSEN of Milwaukee to the Psychology Examining Board pursuant to the statute governing, to serve a term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor
February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOAN G. HEDDEN of Racine to the Pharmacy Examining Board pursuant to

JOURNAL OF THE SENATE [February 25, 1986]

the statute governing, to serve a term to expire July 1, 1988.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor

February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOSE OLIVIERI of Greenfield to the Pharmacy Examining Board pursuant to the statute governing, to serve a term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor

February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PAMELA PLOETZ of Madison to the Pharmacy Examining Board pursuant to the statute governing, to serve a term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor

February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint CAROL L. BOLZAK of Wausau to the Barbers Examining Board pursuant to the statute governing, to serve a term to expire July 1, 1990.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor

February 19, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint FRANCES MARY KERSCHER of Manitowoc to the Pharmacy Internship

Board pursuant to the statute governing, to serve a term to expire July 1, 1991.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor

February 21, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JESSE SANDOVAL of Marshfield to the Credit Union Review Board pursuant to the statute governing, to serve a term to expire May 1, 1991.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor

February 21, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint C. P. "CHAPPIE" FOX of Baraboo to the State Historical Society Board of Curators pursuant to the statute governing, to serve a term to expire July 1, 1989.

Respectfully,
ANTHONY S. EARL
Governor

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

State of Wisconsin
Office of the Governor

February 21, 1986

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint THADIS PATTERSON of Milwaukee to the Board on Aging and Long-Term Care pursuant to the statute governing, to serve a term to expire May 1, 1991.

Respectfully,
ANTHONY S. EARL
Governor

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

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 85-155

AN ORDER to repeal chapter MVD 15; and to create chapter Trans 195, relating to the fees and procedures for

search and documentation of division of motor vehicle records.

Submitted by Department of Transportation.
Report received from agency, February 20, 1986.

Referred to committee on Transportation, February 25, 1986.

Clearinghouse Rule 85-161

AN ORDER to repeal chapter PSC 161, relating to radiological emergency preparedness expenses.

Submitted by Public Service Commission.
Report received from agency, February 21, 1986.

Referred to committee on Energy and Environmental Resources, February 25, 1986.

Clearinghouse Rule 85-169

AN ORDER to create subchapter II of chapter Trans 140, relating to claims against the bonds of motor vehicle dealers, mobile home dealers, salvage dealers and auction dealers.

Submitted by Department of Transportation.
Report received from agency, February 20, 1986.

Referred to committee on Transportation, February 25, 1986.

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

Clearinghouse Rule 85-150

AN ORDER to repeal ElBd 1.31 (3) and 1.37; to renumber ElBd 1.31 (4); and to repeal and recreate ElBd 1.30, relating to the treatment of commercial loan guarantees, primary and election reporting requirements and filing campaign finance reports.

Submitted by Elections Board.
No action taken.

Clearinghouse Rule 85-188

AN ORDER to repeal ElBd 1.40; to renumber and amend ElBd 8.03; and to amend ElBd 1.55, relating to registration statements, forms and reimbursement for the campaign use of state vehicles.

Submitted by Elections Board.
No action taken.

MORDECAI LEE
Chair

The committee on Tourism, Revenue, Financial Institutions and Forestry reports and recommends:

Clearinghouse Rule 85-135

AN ORDER to repeal SEC 2.01 (7); to renumber SEC 2.01 (8) to (11); to amend SEC 7.02 (1) (b); and to create SEC 2.02 (10) (j), 2.023, 2.025 and 2.027, relating to securities registration exemptions.

Submitted by Office of the Commissioner of Securities.

No action taken.

LLOYD H. KINCAID
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 485
Assembly Bill 498
Assembly Bill 535
Assembly Bill 576
Assembly Bill 601
Assembly Bill 603
Assembly Bill 631
Assembly Bill 655
Assembly Bill 719
Assembly Bill 729

Adopted and asks concurrence in:

Assembly Joint Resolution 43

Concurred in:

Senate Bill 217, senate amendments 1, 2 and 4 to assembly substitute amendment 1
Senate Bill 269

Amended and concurred in as amended:

Senate Bill 274, assembly amendments 1, 2 and 4
Senate Bill 285, assembly amendment 1 with assembly amendments 1, 2 and 3 to assembly substitute amendment 1, assembly amendments 3 and 4 to assembly substitute amendment 1
Senate Bill 388, assembly amendment 1

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Joint Resolution 43

Relating to a legislative council study of revising chapter 74 of the Wisconsin statutes.

By Representatives Wineke, Swoboda, Van Gorden, Robinson, Walling, Bolle, Gronemus, Potter, Schultz, Holschbach and Schneiders, cosponsored by Senators Andrea, Moen and Harsdorf.

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

Assembly Bill 485

Relating to increasing the penalty for certain crimes against animals.

By Representatives Carpenter, Grobschmidt, Ourada and Plizka.

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

Assembly Bill 498

Relating to arbitrators.

By Representative Rutkowski, cosponsored by Senator Adelman, by request of Judicial Council.

JOURNAL OF THE SENATE [February 25, 1986]

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

Assembly Bill 535

Relating to questioning and challenging potential jurors.

By Representatives Schober, T. Thompson, Crawford, Merkt, Tregoning, Musser and Prosser, cosponsored by Senators Davis, Kreul and Lorman.

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

Assembly Bill 576

Relating to the sale of goods and services to pupils, school districts and cooperative educational service agencies by school district or agency employes and providing a penalty.

By Representative Potter, cosponsored by Senator Czarnecki.

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

Assembly Bill 631

Relating to appointments of commissioners of a city redevelopment authority.

By Representatives Notestein, Crawford, Barrett, Becker, Krug, Carpenter and Williams, cosponsored by Senators Lee and Czarnecki, by request of city of Milwaukee.

Read first time and referred to committee on Urban Affairs, Utilities and Elections.

Assembly Bill 655

Relating to removing the requirement that bingo accounts be established only in financial institutions that return cancelled checks.

By Representative Swoboda.

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

Assembly Bill 719

Relating to certain payments from the worker's compensation work injury supplemental benefit fund.

By Representatives Looby and Schneiders, cosponsored by Senators Van Sistine and Chvala.

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

Assembly Bill 729

Relating to purchase of client care and services by the department of health and social services and county departments that provide social and mental health services and granting rule-making authority.

By Representative Robinson, cosponsored by Senators Feingold, Otte and Rude.

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

Assembly Bill 601

Relating to payments for monitoring solid or hazardous waste disposal facilities and sites.

By Representatives Kasten, Bell, Berndt, Robinson, Merkt, Barca, Radtke, Clarenbach, Schultz, Gronemus, Buettner, T. Thompson, Walling, Musser, Weeden, Van Gorden and Ourada, cosponsored by Senators Strohl, Harsdorf and Lorman.

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

Assembly Bill 603

Relating to various changes to the statutes pertaining to elementary and secondary education.

By Representatives Grobschmidt, R. Young, Vergeront and York, cosponsored by Senators Czarnecki and Davis, by request of Wisconsin Association of School Boards.

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

By request of Senator Cullen, with unanimous consent, the senate recessed until 12:41 P.M.

10:22 A.M.

RECESS

12:41 P.M.

The senate reconvened.

By request of Senator Cullen, with unanimous consent, the senate recessed until 2:00 P.M.

12:42 P.M.

RECESS

2:00 P.M.

The senate reconvened.

CALENDAR OF FEBRUARY 25

Senate Bill 7

Relating to requiring motor vehicle operators and passengers to wear safety belts, granting rule-making authority and providing a penalty.

Read a second time.

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

Senator Norquist in the chair.

2:06 P.M.

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

Adopted.

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

Adopted.

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

Adopted.

The question was: Adoption of senate amendment 4 to senate substitute amendment 1?

Senator Czarnezki moved rejection of senate amendment 4 to senate substitute amendment 1.

The question was: Rejection of senate amendment 4 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 11; noes, 21; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Cullen, Czarnezki, Feingold, Lee, McCallum, Norquist, Plewa, Strohl, Theno and Ulichny -- 11.

Noes -- Senators Andrea, Chilsen, Chvala, Davis, Ellis, Engeleiter, George, Hanaway, Helbach, Kincaid, Kreul, Lasee, Leraan, Lorman, Moen, Otte, Risser, Roshell, Rude, Stitt and Van Sistine -- 21.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 4 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Chilsen, Chvala, Davis, Engeleiter, George, Helbach, Kincaid, Kreul, Lasee, Leraan, Moen, Otte, Plewa, Risser, Roshell, Rude, Stitt and Van Sistine -- 19.

Noes -- Senators Adelman, Cullen, Czarnezki, Ellis, Feingold, Hanaway, Lee, Lorman, McCallum, Norquist, Strohl, Theno and Ulichny -- 13.

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

So the amendment was adopted.

Senator McCallum moved reconsideration of the vote by which senate amendment 1 to senate substitute amendment 1 was adopted.

The question was: Adoption of senate amendment 5 to senate substitute amendment 1?

Adopted.

The question was: Adoption of senate amendment 6 to senate substitute amendment 1?

Adopted.

The question was: Adoption of senate amendment 7 to senate substitute amendment 1?

Adopted.

Senate amendment 8 to senate substitute amendment 1 offered by Senators Cullen and Czarnezki.

The question was: Adoption of senate amendment 8 to senate substitute amendment 1?

Adopted.

Senate amendment 9 to senate substitute amendment 1 offered by Senator Chvala.

The question was: Adoption of senate amendment 9 to senate substitute amendment 1?

Adopted.

Senate amendment 10 to senate substitute amendment 1 offered by Senator Stitt.

The question was: Adoption of senate amendment 10 to senate substitute amendment 1?

Senator Czarnezki moved rejection of senate amendment 10 to senate substitute amendment 1.

The question was: Rejection of senate amendment 10 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Strohl, Theno, Ulichny and Van Sistine -- 19.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Kreul, Lasee, Leraan, Lorman, McCallum, Roshell, Rude and Stitt -- 13.

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

So the motion prevailed.

The question was: Reconsideration of the vote by which senate amendment 1 to senate substitute amendment 1 was adopted?

The ayes and noes were demanded and the vote was: ayes, 10; noes, 21; absent or not voting, 2; as follows:

Ayes -- Senators Andrea, Davis, George, Hanaway, Leraan, Lorman, McCallum, Roshell, Rude and Theno -- 10.

Noes -- Senators Adelman, Chilsen, Chvala, Cullen, Czarnezki, Engeleiter, Feingold, Helbach, Kincaid, Kreul, Lasee, Lee, Moen, Norquist, Otte, Plewa, Risser, Stitt, Strohl, Ulichny and Van Sistine -- 21.

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

So the motion did not prevail.

Senator Strohl in the chair.

2:36 P.M.

Senator George moved reconsideration of the vote by which senate amendment 5 to senate substitute amendment 1 to **Senate Bill 7** was adopted.

The question was: Reconsideration of the vote by which senate amendment 5 to senate substitute amendment 1 was adopted?

Senate amendment 11 to senate substitute amendment 1 offered by Senator Chilsen.

The question was: Adoption of senate amendment 11 to senate substitute amendment 1?

JOURNAL OF THE SENATE [February 25, 1986]

Senator Czarnezki moved rejection of senate amendment 11 to senate substitute amendment 1?

The question was: Rejection of senate amendment 11 to senate substitute amendment 1?

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

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Davis, Feingold, Helbach, Lee, Norquist, Plewa, Risser, Strohl, Ulichny and Van Sistine -- 15.

Noes -- Senators Chilsen, Ellis, Engeleiter, George, Hanaway, Kincaid, Kreul, Lasee, Leean, Lorman, McCallum, Moen, Otte, Roshell, Rude, Stitt and Theno - 17.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 11 to senate substitute amendment 1?

Senator Hanaway asked unanimous consent that **Senate Bill 7** be placed at the foot of the calendar. If Senator Czarnezki objected.

Senate amendment 1 to senate amendment 11 to senate substitute amendment 1 offered by Senator Hanaway.

The question was: Adoption of senate amendment 1 to senate amendment 11 to senate substitute amendment 1?

Adopted.

The question was: Adoption of senate amendment 11 to senate substitute amendment 1?

Senator Czarnezki moved that senate amendment 11 to senate substitute amendment 1 be laid on the table.

The question was: Shall senate amendment 11 to senate substitute amendment 1 be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 20; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Davis, Feingold, Helbach, Lee, Risser, Strohl and Ulichny -- 12.

Noes -- Senators Chilsen, Ellis, Engeleiter, George, Hanaway, Kincaid, Kreul, Lasee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Roshell, Rude, Stitt, Theno and Van Sistine -- 20.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 11 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 11; absent or not voting, 2; as follows:

Ayes -- Senators Andrea, Chilsen, Engeleiter, George, Hanaway, Kincaid, Kreul, Lasee, Leean,

Lorman, McCallum, Moen, Norquist, Otte, Plewa, Roshell, Rude, Stitt, Theno and Van Sistine -- 20.

Noes -- Senators Adelman, Chvala, Czarnezki, Davis, Ellis, Feingold, Helbach, Lee, Risser, Strohl and Ulichny -- 11.

Absent or not voting -- Senators Cullen and Harsdorf -- 2.

So the amendment was adopted.

The question was: Reconsideration of the vote by which senate amendment 5 to senate substitute amendment 1 was adopted?

The ayes and noes were demanded and the vote was: ayes, 11; noes, 21; absent or not voting, 1; as follows:

Ayes -- Senators Davis, Ellis, George, Hanaway, Helbach, Lee, Leean, McCallum, Risser, Roshell and Theno -- 11.

Noes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Engeleiter, Feingold, Kincaid, Kreul, Lasee, Lorman, Moen, Norquist, Otte, Plewa, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 21.

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

So the motion did not prevail.

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 7

Read a third time.

Senator Lee in the chair.

3:27 P.M.

The question was: Shall the bill pass?

The ayes and noes were demanded and the vote was: ayes, 24; noes, 8; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Helbach, Kreul, Lee, Lorman, McCallum, Norquist, Otte, Plewa, Risser, Strohl, Theno, Ulichny and Van Sistine -- 24.

Noes -- Senators Andrea, Kincaid, Lasee, Leean, Moen, Roshell, Rude and Stitt -- 8.

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

So the bill passed.

Senate Bill 336

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

Read a second time.

Senate amendment 1 to senate amendment 2 offered by Senator Cullen.

JOURNAL OF THE SENATE [February 25, 1986]

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

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 336

Read a third time and 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?
Adopted.

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 387

Read a third time and passed.

Senate Bill 406

Relating to a sales and use tax exemption for sales by parent-teacher organizations.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 406** was referred to joint committee on Finance.

Senate Bill 496

Relating to department of revenue certification of the tax incremental base of a tax incremental district in the village of Union Grove.

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 496

Read a third time and passed.

Senate Bill 522

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

Read a second time.

Senate substitute amendment 1 offered by Senator Adelman.

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

The president of the senate in the chair.

3:55 P.M.

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 522

Read a third time.

Senator Lasee asked unanimous consent that **Senate Bill 522** be referred to joint committee on Finance.

Senator Adelman objected.

Senator Lasee moved that **Senate Bill 522** be referred to joint committee on Finance.

The question was: Shall **Senate Bill 522** be referred to joint committee on Finance?

The ayes and noes were demanded and the vote was: ayes, 10; noes, 22; absent or not voting, 1; as follows:

Ayes -- Senators Hanaway, Kreul, Lasee, Lecan, Lorman, Roshell, Rude, Stitt, Strohl and Theno -- 10.

Noes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Helbach, Kincaid, Lee, McCallum, Moen, Norquist, Otte, Plewa, Risser, Ulichny and Van Sistine -- 22.

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

So the motion did not prevail.

Senator Lasee moved that **Senate Bill 522** be laid on the table.

The question was: Shall the bill be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 20; absent or not voting, 1; as follows:

Ayes -- Senators Chilsen, George, Hanaway, Kreul, Lasee, Lecan, Lorman, McCallum, Roshell, Rude, Stitt and Strohl -- 12.

Noes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Theno, Ulichny and Van Sistine -- 20.

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

So the motion did not prevail.

The question was: Shall the bill pass?

Passed.

Assembly Bill 391

Relating to orders to perform community service work.

Read a second time.

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

By request of Senator Lee, with unanimous consent, senate amendment 1 was placed after senate amendment 2.

Senate amendment 2 offered by Senators Lee and Rude.

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

The question was: Adoption of senate amendment 1?

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

By request of Senator Rude, with unanimous consent, he was added as a co-sponsor of **Assembly Bill 391**.

Ordered to a third reading.

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

Assembly Bill 391

Read a third time and concurred in as amended.

Assembly Bill 392

Relating to requiring certain married participants in the Wisconsin retirement system to elect a joint survivorship retirement annuity option.

Read a second time.

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

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

Ordered to a third reading.

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

Assembly Bill 392

Read a third time and concurred in as amended.

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

MOTIONS

By request of Senator Ulichny, with unanimous consent, she was added as a co-author of **Senate Joint Resolution 71**.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 532** by Senator Adelman.

Senate substitute amendment 1 to **Senate Bill 482** by Senators Kincaid, Strohl, Risser and Otte.

Senate amendment 1 to senate substitute amendment 1 to **Assembly Bill 176** by Senator Ulichny.

Senate amendment 1 to **Senate Bill 565** by Senators McCallum, Lorman and Harsdorf.

Senate amendments 2 and 3 to **Senate Bill 565** by Senator McCallum.

Senate substitute amendment 1 to **Senate Bill 414** by Senators Chilsen and Otte.

Senate amendment 1 to **Senate Bill 570** by Senator Theno.

Senate amendment 1 to **Senate Joint Resolution 56** by Senators Lorman and Feingold.

By request of Senator Chilsen, with unanimous consent, the senate adjourned in honor of Senator Cullen's birthday.

By request of Senator Chilsen, with unanimous consent, the senate adjourned in honor of the new president of the Phillipines, Corazon Aquino.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Thursday, February 27.

4:30 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 532

1. Page 1, line 12: substitute "take-overs" for "take overs".

Senate Bill 258, senate substitute amendment 1

1. Page 2, line 2: substitute "165.072" for "161.072".