

STATE OF WISCONSIN

Senate Journal

Eighty-Seventh Regular Session

THURSDAY, February 27, 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 Robert Dow of Grace Baptist Church, Madison.

The senate remained standing and Senator Lasee led the senate in the pledge of allegiance to the flag of the United States of America.

The roll was called and the following senators answered to their names:

Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Lcean, Lorman, McCallum, Moen, Norquist, Otte, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 32.

Absent -- Senator Plewa.

Absent with leave -- None.

LEAVE OF ABSENCE

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

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 585

Relating to city and village parking systems.

By Senators Lee and Plewa, cosponsored by Representatives Notestein and Becker.

To committee on Urban Affairs, Utilities and Elections.

Senate Bill 586

Relating to payments of dividends on insurance policies.

By Senator Helbach.

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

Senate Bill 587

Relating to creating an exception to the child abuse and neglect reporting requirements.

By Senators Chvala, Risser and Otte; cosponsored by Representatives Bell, D. Travis, Kunicki, R. Young, Holperin, Clarenbach, Robinson and Notestein.

To committee on Agriculture, Health and Human Services.

Senate Bill 588

Relating to various changes in human services and county laws.

By Senators Chvala and Strohl; cosponsored by Representatives R. Young and M. Coggs.

To committee on Agriculture, Health and Human Services.

COMMITTEE REPORTS

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

Senate Bill 49

Relating to refunds, interest and legal costs in respect to overassessment of manufacturing property and making an appropriation.

Passage:

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

Noes, 0 -- None.

Senate Bill 439

Relating to meetings of boards of review.

Passage:

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

Noes, 0 -- None.

Senate Bill 484

Relating to expenditure deadlines in tax incremental finance districts.

Passage:

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

Noes, 0 -- None.

Senate Bill 532

Relating to revisions to laws governing control share acquisitions, business combinations and take overs.

Introduction and adoption of senate amendment 2:

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

Noes, 0 -- None.

Passage as amended:

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Ayes, 5 -- Senators Kincaid, Helbach, Ulichny,
Ellis and Leraan;
Noes, 0 -- None.

LLOYD H. KINCAID
Chair

The committee on Education and Government
Operations reports and recommends:

Assembly Bill 10

Relating to designating the trilobite as Wisconsin's
state fossil.

Concurrence:

Ayes, 7 -- Senators Czarnecki, Adelman, Helbach,
Moen, Davis, Harsdorf and Lorman;
Noes, 1 -- Senator Otte.

Assembly Bill 16

Relating to designating the American water spaniel
as the state dog.

Concurrence:

Ayes, 7 -- Senators Czarnecki, Adelman, Helbach,
Moen, Davis, Harsdorf and Lorman;
Noes, 1 -- Senator Otte.

JOSEPH J. CZARNECKI
Chair

The committee on Senate Organization reports and
recommends:

Senate Joint Resolution 69

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

Adoption:

Ayes, 4 -- Senators Cullen, Risser, Norquist and
Ellis;
Noes, 0 -- None.

Senate Joint Resolution 70

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

Adoption:

Ayes, 4 -- Senators Cullen, Risser, Norquist and
Ellis;
Noes, 0 -- None.

Senate Joint Resolution 71

Proclaiming May 3, 1986, Trzeciego Maja Day.

Adoption:

Ayes, 4 -- Senators Cullen, Risser, Norquist and
Ellis;
Noes, 0 -- None.

TIMOTHY F. CULLEN
Chair

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

Assembly Bill 219

Relating to sales by certain cigarette dealers.

Introduction and adoption of senate substitute
amendment 1:

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

Noes, 2 -- Senators Roshell and Kreul.

Concurrence as amended:

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

Noes, 2 -- Senators Roshell and Kreul.

JEROME VAN SISTINE
Chair

The committee of Conference on **Assembly Bill 191**
reports and recommends:

1. Prior senate action. The senate recedes from its
position on senate amendment 1.

2. Action on conference report. The senate and the
assembly adopt and concur in conference amendment 1,
which is attached to and made a part of this report.

MORDECAI LEE
Senate Chair

THOMAS J. CRAWFORD
Assembly Chair

JOSEPH A. STROHL

STAN GRUSZYNSKI

BRIAN D. RUDE

GARY J. SCHMIDT

CALENDAR OF FEBRUARY 27

Assembly Bill 191

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

Read.

The question was: Shall the Committee of
Conference report be adopted?

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

Ayes -- Senators Adelman, Chvala, Cullen,
Czarnecki, Davis, Feingold, George, Harsdorf, Helbach,
Kincaid, Lee, Moen, Norquist, Otte, Risser, Roshell,
Rude, Strohl and Van Sistine -- 19.

Noes -- Senators Andrea, Chilsen, Ellis, Engeleiter,
Hanaway, Kreul, Lasec, Leraan, Lorman, McCallum,
Stitt, Theno and Ulichny -- 13.

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

So the Committee of Conference report was adopted.

PETITIONS AND COMMUNICATIONS

Senate Petition 28

A petition by 125 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.

State of Wisconsin
Department of State

February 25, 1986

To the Honorable the Senate

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

Sincerely,
DOUGLAS LAFOLLETTE
Secretary of State

NEWLY REGISTERED LOBBYISTS AND THEIR PRINCIPALS:

BROYDRICK, BILL, 817 N. Marshall, Milwaukee, WI 53202 (414) 224-9393

S & S Shells & Company, RR 1, Box 336, Prairie du Chien, WI 53821 (608) 326-8162 (natural resources)

VAUGHAN, MICHAEL R., c/o Murphy & Desmond, S.C., 150 E. Gilman, PO Box 2038, Madison, WI 53701 (608) 257-7181

Educational Testing Service, Attn: George Elford, One American Plaza, Evanston, IL 60201 (312) 869-7700 (all areas relating to educational, professional or occupational testing, regulations and licensing)

Termination of lobbyist licenses:

Broydrick, William, Wisconsin Chiropractic Assns., 521 E. Washington, Madison, WI, terminated February 19, 1986.

McGaffey, Jere D., Wisconsin Gas Co., 626 E. Wisconsin Ave., Milwaukee, WI, terminated February 24, 1986; **WICOR, Inc.**, 777 E. Wisconsin Ave., Milwaukee, WI, terminated February 24, 1986.

Address Change:

Wisconsin Chiropractic Assn., c/o James R. Klauser, 121 S. Pinckney St., Madison, WI 53703 (608) 255-8891

Reinstatement of Lobbying Privileges:

Maxine D. O'Brien on behalf of Wisconsin Recreation Industries, Inc., effective February 19, 1986.

Michael Muthig on behalf of Wisconsin National Guard Enlisted Assn., Inc., effective February 24, 1986.

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

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

Assembly Joint Resolution 53

Passed and asks concurrence in:

Assembly Bill 427

Assembly Bill 466

Assembly Bill 533

Assembly Bill 662

Assembly Bill 672

Assembly Bill 702

Assembly Bill 718

Assembly Bill 796

Concurred in:

Senate Bill 145

Senate Bill 267

Amended and concurred in as amended:

Assembly Bill 100, assembly amendments 1 and 2 to senate substitute amendment 1

Senate Bill 118, assembly amendments 2 and 6, and assembly amendment 10 with assembly amendments 1 and 11

Nonconcurred in:

Assembly Joint Resolution 45, senate amendments 1 and 2

**MESSAGE FROM THE ASSEMBLY
CONSIDERED**

Assembly Joint Resolution 53

Requesting that the governor of Wisconsin consider the appointment of older citizens to state boards and commissions in equal proportion to their percentage of the population.

By Representatives M. Cogg and Becker.

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

Assembly Bill 427

Relating to reporting deaths, appointment of deputy coroners, revising vital statistics laws and the law on cremations, granting rule-making authority and providing penalties.

By Representatives Shoemaker, Hephner, Robinson, Holperin, Neubauer, Magnuson, Volk, Schmidt, R. Young, Ourada, McEssy, Holschbach, Matty, Buettner and Swoboda, cosponsored by Senators Plewa, Moen, Otte, McCallum and Rude.

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

Assembly Bill 466

Relating to child abuse restraining orders and injunctions and providing a penalty.

By Representatives Fergus, D. Travis, Bell, Magnuson, Radtke, Neubauer, Ladwig, Zeusk, Shoemaker, Plizka, R. Young, Rosenzweig, Robinson, Weeden, Schneiders, Ourada, Lepak, Notestein, Williams, Krug, Welch and Margaret Lewis, cosponsored by Senators Ulichny, Otte, Andrea, Chvala, Moen and Lorman.

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

Assembly Bill 662

Relating to underage persons on licensed premises during certain times.

By Representatives Bell, Hephner, Ourada and Barca, cosponsored by Senator Helbach.

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

Assembly Bill 672

Relating to records of certificates issued by clerks of circuit court.

By Representative Rutkowski, cosponsored by Senator Adelman.

To committee on Judiciary and Consumer Affairs.

Assembly Bill 702

Relating to the distribution of property assessment manuals.

By Representatives Hasenohrl, Kasten, Hephner, Swoboda, Schneiders, Van Gorden, Welch, Goetsch, R. Travis, Lepak, Manske and Zeuske, cosponsored by Senator Kincaid.

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

Assembly Bill 718

Relating to filing and recording articles of incorporation.

By Representatives Krug, T. Thompson, Barca, Barrett, Buettner, Carpenter, Cowles, Crawford, Grobschmidt, Holperin, Holschbach, Ladwig, Lepak, Magnuson, Matty, Merkt, Nelsen, Ourada, Panzer, Plizka, Radtke, Schneiders, Schober, Vergeront, Weeden, Welch, Williams and Zeuske, cosponsored by Senators Ulichny, Stitt, Czarnecki, Feingold, Kreul, Norquist, Otte, Risser and Rude.

Read first time and referred to committee on Economic Development.

Assembly Bill 796

Relating to the requirement for a referendum regarding the intention of a vocational technical and adult education district board to make a capital expenditure in excess of \$500,000.

By Representatives Jauch, Grobschmidt, Prosser, Hubler, Plizka, Potter, Medinger, Fergus, Lepak, Gruszynski and Krusick, cosponsored by Senators Moen, Theno, Lorman and Otte.

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

Assembly Bill 533

Relating to exempting transfers pursuant to liquidations of corporations from the real estate transfer fee.

By Representatives Schober, Cowles, Merkt, Tregoning, Radtke, Welch, Panzer and Prosser, cosponsored by Senators Stitt, Lorman and Davis.

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

changes in regard to alcohol beverages, and alcohol beverage, tobacco, cigarette and fuel taxes, and providing a penalty.

Read.

The question was: Concurrence of assembly amendment 2?

Concurred in.

The question was: Concurrence of assembly amendment 6?

Concurred in.

The question was: Concurrence of assembly amendment 10?

Concurred in.

The question was: Concurrence of assembly amendment 11?

Senator Van Sistine moved non-concurrence of assembly amendment 11.

The question was: Shall assembly amendment 11 be non-concurred in?

By request of Senator Van Sistine, with unanimous consent, **Senate Bill 118** was placed at the foot of the calendar.

Assembly Bill 100

Relating to communications received by certain school staff members regarding pupil use of alcohol or other drugs.

Read.

The question was: Concurrence of assembly amendment 1 to senate substitute amendment 1?

Senator Engeleiter moved non-concurrence of assembly amendment 1 to senate substitute amendment 1.

The question was: Shall assembly amendment 1 to senate substitute amendment 1 be non-concurred in?

Non-concurred in.

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

Senator Engeleiter moved non-concurrence of assembly amendment 2 to senate substitute amendment 1.

The question was: Shall assembly amendment 2 to senate substitute amendment 1 be non-concurred in?

Non-concurred in.

By request of Senator Engeleiter, with unanimous consent, a Committee of Conference to **Assembly Bill 100** will be appointed.

Senate Joint Resolution 69

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

Read.

Adopted.

CALENDAR OF FEBRUARY 27

Senate Bill 118

Relating to penalties for persons who violate the alcohol beverage laws, to dealings between brewers, wholesalers and retailers, to technical and minor policy

Senate Joint Resolution 70

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

By request of Senator Hanaway, with unanimous consent, he was added as a co-author of **Senate Joint Resolution 70**.

By request of Senator Cullen, with unanimous consent, Senators Adelman, Andrea, Chvala, Davis, Ellis, Engeleiter, George, Harsdorf, Helbach, Kincaid, Kreul, Lasec, Lekan, Lorman, McCallum, Norquist, Stitt, Strohl, Theno and Van Sistine were added as co-authors of **Senate Joint Resolution 70**.

The question was: Shall the joint resolution be adopted?
Adopted.

Senate Joint Resolution 71

Proclaiming May 3, 1986, Trzeciego Maja Day.
Read.

By request of Senator Cullen, with unanimous consent, **Senate Joint Resolution 71** was referred to committee on Senate Organization.

Senate Bill 31

Relating to obscenity and defining obscene material and obscene performance.
Read a second time.

The question was: Adoption of senate substitute amendment 1?

Senator Lasec moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

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

11:06 A.M.

RECESS

12:12 P.M.

The senate reconvened.

The question was: Rejection of senate substitute amendment 1?

Senator George asked unanimous consent that **Senate Bill 31** be referred to joint committee on Finance. Senator Ellis objected.

Senator George raised the point of order that pursuant to Joint Rule 41, **Senate Bill 31** must be referred to joint committee on Finance.

The chair took the point of order under advisement.

Senate Bill 90

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

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 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 90

Read a third time.

The ayes and noes were required and the vote was: ayes, 26; noes, 6; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Chilsen, Chvala, Cullen, Czarneski, Ellis, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Lasec, Lee, Lekan, McCallum, Moen, Norquist, Otte, Risser, Roshell, Rude, Strohl, Theno, Ulichny and Van Sistine -- 26.

Noes -- Senators Adelman, Davis, Engeleiter, Kreul, Lorman and Stitt -- 6.

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

So the bill passed.

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 amendment 1 to senate substitute amendment 1?
Adopted.

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

Ordered to a third reading.

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

Senate Bill 391

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 4; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarneski, Ellis, Engeleiter, Feingold, George, Hanaway, Helbach, Kincaid, Kreul, Lasec, Lee, Lekan, Lorman, Moen, Norquist, Otte, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 28.

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Noes -- Senators Chilsen, Davis, Harsdorf and McCallum -- 4.

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

So the bill passed.

Senate Bill 507

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

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 507

Read a third time and passed.

Assembly Bill 219

Relating to sales by certain cigarette dealers.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 by Senator Van Sistine.

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

By request of Senator George, with unanimous consent, **Assembly Bill 219** was referred to the joint committee on Finance.

By request of Senator George, with unanimous consent, **Assembly Bill 219** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 219

Read a third time and concurred in as amended.

Assembly Bill 331

Relating to warning lights on police vehicles.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 331

Read a third time and concurred in.

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).

Read a second time.

Ordered to a third reading.

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

Assembly Bill 385

Read a third time and concurred in.

Senate Bill 118

Relating to penalties for persons who violate the alcohol beverage laws, to dealings between brewers, wholesalers and retailers, to technical and minor policy changes in regard to alcohol beverages, and alcohol beverage, tobacco, cigarette and fuel taxes, and providing a penalty.

Read.

The question was: Shall assembly amendment 11 be non-concurred in?

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

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

Noes -- Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, Feingold, Hanaway, Harsdorf, Kreul, Lasec, Lcean, Lorman, McCallum, Rude and Stitt -- 15.

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

So the amendment was non-concurred in.

MOTIONS

By request of Senator Kreul, with unanimous consent, he was made a co-author of **Senate Bill 527**.

By request of Senator Engeleiter, with unanimous consent, the senate adjourned in honor of the birth of Justin Lincoln Harsdorf, born February 25.

By request of Senator Feingold, with unanimous consent, the senate adjourned in honor of the birth of Garrett Mitchell Anderson, son of Senator Feingold's aide, Nancy Mitchell.

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

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Tuesday, March 4.

12:45 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 285, assembly amendment 1 to assembly substitute amendment 1

1. Page 1, line 2: substitute "450.155" for "450.115".
2. Page 1, line 5: substitute "450.155" for "450.115".

Senate Bill 303, senate amendment 1 to senate substitute amendment 1

1. Page 1, line 3: on lines 3 and 4, substitute "95.215" for "92.215".

Senate Bill 303, senate substitute amendment 1

1. Page 1, line 2: substitute "95.215" for "92.215".
2. Page 2, line 7: on lines 7 and 8, substitute "95.215" for "92.215".