

JOURNAL OF THE ASSEMBLY [August 10, 1977]

STATE OF WISCONSIN

Assembly Journal

Eighty-Third Regular Session

WEDNESDAY, August 10, 1977.

The chief clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly amendment 5 to assembly substitute amendment 3 to **Assembly Bill 93** offered by Representative Schricker.

Assembly amendment 3 to **Assembly Bill 400** offered by Representative Swoboda, by request of Mrs. William Larson, President of the Manitowoc County Genealogical Society.

Assembly amendment 3 to **Assembly Bill 626** offered by committee on Internal Management.

Assembly amendment 1 to **Assembly Bill 729** offered by Representative Dorff.

Assembly substitute amendment 1 to **Assembly Bill 764** offered by Representative Czerwinski.

Assembly amendment 1 to **Assembly Bill 784** offered by Representative Rutkowski.

Assembly amendment 2 to **Assembly Bill 784** offered by Representative Rutkowski.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Joint Resolution 64

Memorializing Congress to restrict foreign acquisition of U.S. coal.

By Representative Swoboda, by request of Mr. Joseph Martinson, Sturgeon Bay.

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To committee on Commerce and Consumer Affairs.

Assembly Joint Resolution 65

Directing the legislative council to study the Wisconsin criminal justice system as it relates to the developmentally disabled.

By Representative Dandeneau.

To committee on Criminal Justice and Public Safety.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 900

Relating to state assessment of recyclers of waste paper, fibers or plastics.

By Representatives Flintrop, Schneider, Travis, Hanson, Ellis and Elconin, co-sponsored by Senators Goyke and Van Sistine.

To committee on Revenue.

Assembly Bill 901

Relating to appropriating funds for an interstate bridge to be constructed in southwest Wisconsin.

By Representatives Travis, Tregoning, Loftus, Lewison and Duren.

To committee on Highways.

Assembly Bill 902

Relating to allowing motor vehicle liability policies to cover operators only.

By Representative Dandeneau.

To committee on Insurance and Banking.

Assembly Bill 903

Relating to authorizing the medical examining board to grant a permanent license to practice medicine and surgery to certain professors.

By committee on Health and Social Services.

To committee on Health and Social Services.

Assembly Bill 904

Relating to guaranteed public utility distributions under the shared tax account based on pipeline property.

By Representatives Murray, Kedrowski, Schricker, Swoboda, Thompson, Matty, Bradley, Byers, Lewison, Hephner, Fischer, Merkt, Hasenohrl and Conradt, co-sponsored by Senators Cullen, Lorge, Theno, Krueger and Van Sistine.

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To committee on Revenue.

Assembly Bill 905

Relating to popular election of the natural resources board.

By Representative Swoboda, by request of Marvin Beilfuss, William Anschutz, Bob Sawyer, Robert Faas, Niles Weborg, Jerry Brauer, Jerome Viste, Mike Dziekan, Miles Malvitz and Fred Wickman.

To committee on Natural Resources.

Assembly Bill 906

Relating to the license fee for milk distributors.

By Representative Swoboda, by request of Charles Ratajczak and Ron Ratajczak.

To committee on Agriculture.

Assembly Bill 907

Relating to delegation of certain duties by inspectors of elections.

By Representative Swoboda, by request of Paul Bellin, Clerk-Treasurer, City of Sturgeon Bay.

To committee on Elections.

Assembly Bill 908

Relating to an inheritance tax deduction for transfers to orphans.

By Representative Swoboda, by request of Tom Pinney, Jr.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 909

Relating to a sales and use tax exemption for natural gas, propane, coal and oil for use in a private dwelling.

By Representatives Swoboda and Menos, by request of Gordon Lauder and Max Falkowski.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 910

Relating to exempting retirement income of retired members of the U.S. armed forces from state income taxation.

By Representative Swoboda, by request of Ebert McCoy and Cletus Conard.

To Joint Survey Committee on Retirement Systems.

Assembly Bill 911

Relating to free permanent sports licenses for residents 65 years of age or older and changing the name of the sportsmen's license to sports license.

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By Representative Swoboda, by request of Joe Kozak, Grace Braun and Francis Wenniger.

To committee on Natural Resources.

Assembly Bill 912

Relating to income tax exemptions for public teacher retirement system payments to persons age 65 and older.

By Representative Swoboda, by request of Earl Gehle.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 913

Relating to creating an electrical safety council in the department of industry, labor and human relations, licensing master electricians, registering electrical contractors, certifying electrical inspectors, providing for electrical inspection, making an appropriation, granting rule-making authority and providing penalties.

By Representative Swoboda, by request of Door-Kewaunee County Electricians.

To committee on State Affairs.

Assembly Bill 914

Relating to reduction of unemployment benefits for employes of government units and nonprofit organizations who voluntarily terminate their employment.

By Representative Ellis.

To committee on Labor.

Assembly Bill 915

Relating to authorizing the department of natural resources to issue free recreational passcards to senior citizens and changing the name of the sportsmen's license to sports license.

By Representative Ellis.

To committee on Natural Resources.

Assembly Bill 916

Relating to fees for operators' licenses for persons 62 years of age or over and fees for registration plates for certain vehicles registered by persons 62 years of age or over.

By Representative Ellis.

To committee on Highways.

Assembly Bill 917

Relating to itemized corporate and individual income tax deduction for sewerage user fees and service charges.

By Representatives Ellis and Roth.

To Joint Survey Committee on Tax Exemptions.

COMMUNICATION

State of Wisconsin
Department of State
Madison

To Whom It May Concern:

Dear Sir: Acts, joint resolutions and resolutions, deposited in this office, have been numbered and published as follows:

Bill, Jt. Res. or Res.	Chapter No.	Publication date
Assembly Bill 140 -----	66 -----	July 28, 1977
Assembly Bill 178 -----	67 -----	July 28, 1977
Assembly Bill 203 -----	68 -----	August 2, 1977
Assembly Bill 212 -----	69 -----	August 2, 1977
Assembly Bill 290 -----	70 -----	August 2, 1977
Assembly Bill 304 -----	71 -----	August 2, 1977
Assembly Bill 329 -----	72 -----	August 2, 1977
Assembly Bill 138 -----	74 -----	August 6, 1977
Assembly Bill 296 -----	75 -----	August 6, 1977
Assembly Bill 559 -----	76 -----	August 6, 1977
Assembly Bill 560 -----	77 -----	August 6, 1977

DOUGLAS LaFOLLETTE
Secretary of State

From: State of Florida

Senate Concurrent Resolution No. 42-B

A concurrent resolution establishing legislative policy regarding the impact federal legislation, regulations, and funding has on the long-term goals, policies, and programs of the state.

Whereas, the Congress of the United States and federal executive agencies, through unreasonable prescriptive legislation and regulation, have undermined the basic concept of the reserved powers of the states enumerated in the Tenth Amendment to the Constitution of the United States by dictating to the states how certain program services are to be provided, and

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Whereas, it is not the proper role of the Congress of the United States to dictate how each individual state shall provide the measure of certain services to its citizens, and

Whereas, as the states become more sophisticated and technically capable, increased flexibility is needed in the administration of new and existing programs, and

Whereas, existing federal legislation and regulations are often overly complex and restrictive, limiting efforts of states and localities to develop innovative systems for delivering quality services to meet unique local needs, and

Whereas, the legal, historical, and constitutional role of the state compels each to assume the ultimate responsibility for establishing and administering certain long-term goals, policies, and programs which meet the unique needs of its citizens, and

Whereas, in recognition of the serious consequences which federal legislation, regulation, and financial assistance may have on certain long-term goals, policies, and programs of the state, each new federal program, or federal program heretofore established but requiring change in established legal and/or financial commitment, shall be reviewed by the Florida Legislature to determine the anticipated policy and financial impact of the new or changed federal requirement, and

Whereas, state agencies may not lawfully adhere to the requirements of any federal program or any part thereof, where a determination has been made that the requirements of that program require legal or financial commitments in conflict with the long-term goals, policies, and programs of the state as expressed in state law, and

Whereas, the current legislative and regulatory language of certain federal programs would force Florida, which has established quality programs to meet the needs of its citizens, to change program policy and provide for the delivery of services in a manner contrary to existing state policy, statute, and program structure, Now, Therefore,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That each state agency shall develop strategies for determining its standing and eligibility with regard to receiving federal funds available under new, reauthorized, and currently authorized federal programs, which shall include, but not be limited to, the following:

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(1) Where the state's programs for providing services are determined to be in substantial compliance with the standards, goals, and intent of particular federal programs, applications and plans which so state shall be submitted to the appropriate federal agency for funds available under existing federal programs when a determination is made to participate.

(2) Plans submitted thereunder shall be in conformity with state laws applicable to each state agency.

(3) Should any state plan, or any part thereof, not be approved by the Federal Government for reasons of nonconformity with existing statutory or regulatory requirements of federal law, the federal disapproval along with recommendations for legislative action shall be submitted by the affected state agency to the appropriate substantive committees and the appropriations committees of both houses of the legislature within 45 days of such disapproval.

Be It Further Resolved that copies of this resolution be distributed to the Governor, members of the Cabinet, members of the Florida Congressional Delegation, the legislative bodies of each state, the National Governors' Conference, the Council of Chief State School Officers, the National Association of State Boards of Education, the National Conference of State Legislatures, the Education Commission of the States, and whomsoever may express an interest in or benefit from information concerning this issue.

COMMITTEE REPORTS

The committee on Criminal Justice and Public Safety reports and recommends:

Assembly Bill 139

Relating to prohibiting possession of a dangerous weapon by a convicted felon and providing a penalty.

Adoption of assembly substitute amendment 2:

Ayes: (9) Noes: (0)

Passage: Ayes: (8) Noes: (1)

To committee on Rules.

Assembly Bill 502

Relating to applications for court orders to wiretap in multibranch circuit courts.

Introduction and adoption of assembly substitute amendment 1:

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Ayes: (8) Noes: (0)

Passage: Ayes: (8) Noes: (0)
To committee on Rules.

MICHAEL ELCONIN
Chairperson

The committee on Excise and Fees reports and recommends:

Assembly Bill 729

Relating to licenses of fermented malt beverages wholesalers.

Passage: Ayes: (6) Noes: (0)
To committee on Rules.

Assembly Bill 803

Relating to certain restrictions on the amount of liquor that may be sold for off-premise consumption.

Passage: Ayes: (6) Noes: (0)
To committee on Rules.

Assembly Bill 813

Relating to restrictions on brewers, bottlers and wholesalers of beer and manufacturers, rectifiers and wholesalers of liquor.

Passage: Ayes: (4) Noes: (2)
To committee on Rules.

Assembly Bill 814

Relating to restrictions on volume discounts to retailers from wholesalers of malt beverages and liquors and providing a penalty.

Adoption of assembly amendment 1:
Ayes: (6) Noes: (0)

Passage: Ayes: (6) Noes: (0)
To committee on Rules.

Assembly Bill 849

Relating to closing hours for grocery stores selling intoxicating liquor.

Passage: Ayes: (6) Noes: (0)
To committee on Rules.

Assembly Bill 890

Relating to excluding discounts in determining minimum retail prices for sales of malt beverages and intoxicating liquor.

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**Passage: Ayes: (4) Noes: (0) Not Voting: (2)
To committee on Rules.**

**EUGENE DORFF
Chairperson**

SPEAKER'S APPOINTMENTS

August 1, 1977

**Mr. Everett E. Bolle
Assembly Chief Clerk
State Capitol, 217 West
Madison, Wisconsin 53702**

Dear Ev:

This is to inform you that I have, as of this date, made the following legislative appointment:

Representative Stanley Lato has been appointed to the Internal Management Committee and has been named Vice-Chairperson.

**ED JACKAMONIS
Speaker**

EXECUTIVE COMMUNICATIONS

**State of Wisconsin
Office of the Governor
Madison**

To the Honorable, the Assembly:

The following bills, originating in the assembly, have been approved, signed and deposited in the office of the Secretary of State:

Assembly Bill	Chapter No.	Date Approved
138 -----	74 -----	August 3, 1977
296 -----	75 -----	August 3, 1977
559 -----	76 -----	August 3, 1977

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560 ----- 77 ----- August 3, 1977

**Respectfully submitted,
MARTIN J. SCHREIBER
Acting Governor**