

STATE OF WISCONSIN

# Assembly Journal

Eighty-Third Regular Session

WEDNESDAY, October 12, 1977.

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

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## AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 1015** offered by Representative Looby.

Assembly amendment 1 to **Assembly Bill 1022** offered by Representative Hanson.

Assembly amendment 1 to **Senate Bill 199** offered by Representative Clarenbach.

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## INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

### **Assembly Bill 1032**

Relating to requiring the department of health and social services to send notice of licensing fee due date.

By Representative Thompson, co-sponsored by Senator Bidwell.

To committee on Health and Social Services.

### **Assembly Bill 1033**

Relating to referendum ballot information concerning capital construction costs.

By Representative Dueholm, by request of Raymond L. Johnson and Lowell Nelson.

To committee on Elections.

### **Assembly Bill 1034**

Relating to shooting a firearm into an aircraft and providing a penalty.

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By Representative Thompson.  
To committee on Criminal Justice and Public Safety.

**Assembly Bill 1035**

Relating to change of name on infant's birth certificate.  
By Representative Thompson, by request of Mrs. Bev Weber.  
To committee on Judiciary.

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COMMUNICATIONS

State of Wisconsin  
Elections Board  
Madison

October 7, 1977

To the Honorable the Assembly:

Please be advised that Dismas Becker, Democrat, 1533 North 23rd Street, Milwaukee, WI 53205, was elected Representative to the Assembly at the Special Election held in the 32nd Assembly District on October 4, 1977.

Enclosed is a copy of the signed official canvass.

Sincerely  
GERALD J. FERWERDA  
Executive Secretary

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COMMITTEE REPORTS

The Joint Survey Committee on Tax Exemptions reports and recommends:

**Assembly Bill 220**

Relating to a sales and use tax exemption for food sold in retirement homes to retired persons.

Adoption of report: Ayes: (5) Noes: (0)  
To committee on Revenue.

MARLIN SCHNEIDER  
Chairperson

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SPEAKER'S APPOINTMENTS

To: Assembly Chief Clerk  
From: Ed Jackamonis, Speaker  
Date: October 7, 1977

I have as of this date made the following appointments pursuant to the cited statutory sections:

State Building Commission [Wis. Statutes 13.48]

Representative Schneider to replace Representative Early who has resigned from the assembly.

Joint Survey Committee on Tax Exemptions [Wis. Statutes 13.52 (1)]

Representative Dandeneau to replace Representative Schneider who has resigned from the Committee.

State Capitol and Executive Residency Board [Wis. Statutes 15.105]

Representatives Pabst and Hephner

I have as of this date made the following appointment to Assembly Standing Committees:

Committee on Highways

Representative Leopold to replace Representative Kirby who has resigned from the Committee.

Elections Committee

Representative Hauke as a member and Chairperson to replace Representative Kedrowski who has resigned as Chairperson.

Judiciary Committee

Representative Clarenbach as Vice-Chairperson to replace Representative Hauke who has resigned as Vice-Chairperson of the Committee.

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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
<b>100</b> -----	105 -----	October 10, 1977
<b>556</b> -----	106 -----	October 11, 1977
<b>664</b> (partial veto) -----	107 -----	October 11, 1977

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

GOVERNOR'S VETO MESSAGES

October 11, 1977

To the Honorable Members of the Assembly:

I have approved **Assembly Bill 664** as Chapter 107, Laws of 1977, and deposited it in the office of the Secretary of State.

**Assembly Bill 664** establishes a system of partial public financing for state elections and reinstates spending limits for candidates accepting public funds. It is the most significant political reform measure implemented in Wisconsin since the Progressive reforms at the turn of the century.

The bill replaces the large campaign contributions of a few special interests with small contributions of thousands of citizens. In doing so, it fundamentally alters Wisconsin's political system.

The bill permits any Wisconsin taxpayer to contribute \$1 to the Wisconsin Election Campaign Fund. Monies from this fund reduce the amount of money which candidates may accept from special interest groups on a dollar for dollar basis -- significantly reducing the influence of interest groups on the electoral process. It gives hundreds of thousands of citizens the vehicle to more directly participate in the electoral system.

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The bill ensures that each serious candidate for state office has the financial base to run a meaningful campaign. By providing serious candidates the financial resources to take their cases to the people, the bill promotes greater public discussion of the issues, more meaningful campaigns and more competitive races -- elements at the very heart of our political system.

**Assembly Bill 664** places campaign spending limits on publicly funded candidates. The day is long past when candidates should be allowed to buy elections. Under the United States Supreme Court guidelines, spending limits can be imposed only with public financing.

**Assembly Bill 664** provides the financial base for vigorous political discussion, and puts responsible constraints on political spending.

I have exercised my partial veto in four instances to make changes which I believe improve this legislation.

### Eligibility for Public Funding

Sections 7.70 (3) (e) and 8.16 (5) contain language relating to the primary vote threshold necessary to obtain public funding. The Assembly amendment which raised this threshold was incompletely drafted and omitted changing references in these sections; consequently, I have exercised my partial veto to remove the conflicting language.

Public funding is offered to candidates who demonstrate the credibility of their candidacies by meeting two criteria. First, they must show a base of public support by raising a percentage of their campaign funds in small contributions from individuals. Secondly, they must prove a minimal acceptability among the voters by receiving a specific percentage of the vote in the primary election. The legislature determined that a candidate meeting the contribution requirements and receiving 6 per cent of the primary vote is not a frivolous candidate, but a serious candidate who merits public funding.

Under the funding formula, a candidate becomes eligible for 20 per cent public funding with 6 per cent of the primary vote, 40 per cent funding with 7 per cent, 60 per cent funding with 8 per cent, 80 per cent funding with 9 per cent and full public funding with 10 per cent. I have exercised my partial veto within S. 11.50 (4) (d) to give candidates full public funding at 6 per cent of the primary vote.

Obviously, the state must set criteria for candidates to receive public funds. Once these criteria are met, the candidate should be considered qualified for full public funding. However, I believe a 6 per cent threshold for full funding is more reasonable than the 10 per cent level in the bill.

#### Lapsing Grants

As originally drafted, **Assembly Bill 664** required any candidate receiving public funding to return to the state unspent and unencumbered campaign funds, up to the amount of the public grant. For instance, if a candidate received a \$2,000 grant and had \$3,000 left in his treasury after the campaign, he would return \$2,000 to the Wisconsin Election Fund.

As amended, the bill contains this provision in S. 11.50 (11) (d). However, it also contains a contradictory provision in S. 11.50 (8) whereby candidates could use public funds to build campaign surpluses through the subterfuge of separating public contributions from others in the treasury. I have vetoed this latter policy.

It is contrary to the intent of this bill to allow public funds to be used to build campaign surpluses. Furthermore, such a policy depletes the fund.

#### Tax Surcharge

As amended, **Assembly Bill 664** requires taxpayers to add \$1 to their tax liabilities. I have exercised my partial veto with S. 71.095 (1) to restore the check-off provision that existed in the original bill.

A tax surcharge program would be totally unworkable.

Three states have tax surcharge programs. These programs are failures because of the minimal amount of revenue which the additional tax generates. If a surcharge program were implemented in Wisconsin, it would provide a very small percentage of the money necessary to run a campaign. It is estimated that only 1 to 3 per cent of the taxpayers would utilize this program. The dollars available to candidates under a surcharge program would not be sufficient to significantly reduce special interest contributions or entice candidates to subject themselves to spending limits.

In most of the states using the check-off program, about one-fifth of the taxpayers utilize the check-off. The estimated \$1/2 million a check-off will annually raise in Wisconsin is sufficient to provide credible funding levels.

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Public financing is neither a new or a radical departure from American political norms. Many other states have utilized public funding as has the federal government.

Most observers will agree that public funding of the 1976 presidential elections resulted in one of the cleanest presidential elections in our history because both candidates were campaigning effectively without relying on huge special interest contributions.

Effective Date

I have exercised my partial veto in Section 53 of the bill because the September 30, 1977, effective date is unnecessary to implement the law for the 1978 elections.

Respectfully submitted,

MARTIN J. SCHREIBER

Acting Governor

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LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly substitute amendment 1 to **Assembly Bill 159**

On page 3, line 9, substitute "contracts" for "contacts".

Assembly substitute amendment 1 to **Assembly Bill 880**

1. On page 2, line 7, substitute "(n), (q)" for "(q), (n)".
2. On page 2, delete lines 19 to 23.

**Assembly Bill 1024**

1. On page 7, line 7, substitute "(n), (q)" for "(q), (n)".
2. On page 7, delete lines 19 to 23.