

JOURNAL OF THE ASSEMBLY [January 27, 1981]

STATE OF WISCONSIN

# Assembly Journal

Eighty-Fifth Regular Session

---

TUESDAY, January 27, 1981.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Carl Selle of Calvary Lutheran Chapel, 701 State Street, Madison.

Representative Goodrich led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present -- Andrea, Barczak, Barry, Becker, Behnke, Berndt, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Crawford, Czarnecki, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Harer, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Hopkins, Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Kunicki, Laatsch, Ladwig, Larson, Lee, Leopold, Lewison, Loftus, Looby, Luckhardt, McEssy, McEwen, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Neubauer, Norquist, Otte, Panzer, Paulson, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood, Young and Mr. Speaker -- 98.

Absent -- None.

Absent with leave -- None.

Vacancies -- 84th District -- 1.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

**Assembly Resolution 6**

Relating to public hearings on emergency administrative rules by the assembly committee for review of administrative rules.

By Representative Rogers.

To committee on Rules.

**Assembly Joint Resolution 10**

Relating to directing the legislative council to study the coordination between the university of Wisconsin and the vocational, technical and adult education system.

By Representatives Loftus, Lee, Thompson, Hasenohrl, Radtke, Behnke, Prosser, Plous, Laatsch, Medinger, Wagner, Otte, Shoemaker, Fischer and Kunicki, co-sponsored by Senators Kleczka, Engeleiter, Offner, Risser, Braun, Cullen and Harsdorf.

To committee on Government Operations.

**Assembly Joint Resolution 11**

Making an application to the Congress of the United States pursuant to article V of the constitution of the United States, for a convention for proposing an amendment to the constitution of the United States guaranteeing the right to life.

By Representatives Klicka, Matty, Young, Stitt, McEwen and Merkt.

To committee on Health and Human Services.

**Assembly Joint Resolution 12**

Relating to limiting the activities of units of government providing goods or services which could be furnished by private business (first consideration).

By Representatives Klicka, Hopkins, Matty, Conradt, McEwen, Thompson, Bradley, Lewison and Merkt.

To committee on State Affairs.

**Assembly Joint Resolution 13**

Relating to removing obsolete provisions of the constitution regarding corporations and banking (2nd consideration).

By Representative Jackamonis, co-sponsored by Senator Bablitch.

To committee on Government Operations.

JOURNAL OF THE ASSEMBLY [January 27, 1981]

**Assembly Joint Resolution 14**

Directing the legislative council to study potential state policies to encourage young farmers.

By Representatives Roberts, Vanderperren, Potter, Andrea and Paulson.

To committee on Government Operations.

**Assembly Bill 55**

Relating to drug paraphernalia and providing penalties.

By Representatives Dorff, Andrea, Vanderperren, Wagner, Kincaid, Matty, Otte, Ladwig, Schmidt, Behnke, Radtke and Potter, co-sponsored by Senators Maurer, Bidwell and Roshell.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 56**

Relating to a revision of the obscenity law.

By Representatives Dorff, Andrea, Hasenohrl, Otte, Klicka, Young, Ladwig and Stitt, co-sponsored by Senators Maurer and Roshell.

To committee on Judiciary.

**Assembly Bill 57**

Relating to limiting the rate of profits on public utility stock.

By Representatives Dorff and Andrea.

To committee on Energy.

**Assembly Bill 58**

Relating to drug paraphernalia and providing penalties.

By Representatives Klicka, Young, Jaronitzky, Laatsch, Schmidt, Hopkins, McEwen, Prosser, Matty and Merkt, co-sponsored by Senator Lasee, by request of Wisconsin Parent Teacher Association.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 59**

Relating to providing a penalty of either death or life imprisonment for certain kinds of first-degree murders.

By Representatives Klicka, Hopkins, Matty, Conradt, Young and McEwen.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 60**

Relating to exempting the first \$200 of interest or dividends from income taxation.

By Representatives Metz, Leopold, Jackamonis, Ellis, Loftus, Vanderperren, Andrea, Becker, Behnke, Broydrick, Byers, Coggs, Dilweg, Donoghue, Dorff, Duren, Fischer, Flintrop, Hasenohrl,

JOURNAL OF THE ASSEMBLY [January 27, 1981]

Helbach, Hopkins, Kincaid, Knox, Laatsch, Ladwig, Luckhardt, Menos, Munts, Plous, Potter, Radtke, Robertson, Rutkowski, Shoemaker, Smith, Swoboda, Tesmer, Thompson, R. Travis, Tuczynski, Ulichny and Wagner, co-sponsored by Senators Flynn, Van Sistine, Krueger, Berger, Hanaway, Johnston, Lorge, Theno and Goyke.

To Joint Survey Committee on Tax Exemptions.

---

ADMINISTRATIVE RULES

Read and referred:

**Assembly Clearinghouse Rule 80-199**

Relating to establishing equipment standards for special vehicles.

Submitted by Department of Transportation.

To committee on Transportation.

Referred on January 26, 1981.

**Assembly Clearinghouse Rule 80-221**

Relating to travel reimbursement of county human services employees.

Submitted by Department of Health and Social Services.

To committee on Health and Human Services.

Referred on January 26, 1981.

**Assembly Clearinghouse Rule 80-222**

Relating to loss for property insurance purposes.

Submitted by Office of the Commissioner of Insurance.

To committee on Financial Institutions.

Referred on January 26, 1981.

---

COMMITTEE REPORTS

The Joint Committee on Finance reports and recommends:

**Assembly Bill** \_\_\_ (lrb 1981/6)

Relating to state finances and appropriations, constituting the executive budget bill of the 1981 legislature, and making appropriations.

Introduction: Ayes: (11) Noes: (0)

JOHN NORQUIST  
Assembly Chairperson

JOURNAL OF THE ASSEMBLY [January 27, 1981]

The chief clerk reports the following proposals correctly enrolled:

**Assembly Joint Resolution 1**  
**Assembly Joint Resolution 2**  
**Assembly Joint Resolution 3**  
**Assembly Joint Resolution 4**

DAVID KEDROWSKI  
Chief Clerk

---

EXECUTIVE COMMUNICATIONS

January 22, 1981

The Honorable Ed Jackamonis  
The Honorable Fred A. Risser  
Co-Chairpersons  
Joint Committee on Legislative Organization  
State Capitol

Gentlemen:

This communication is to confirm my Budget Message before a Joint Session of the Legislature on Tuesday, January 27, 1981.

And, as you have requested, I will deliver the address at 10:30 A.M.

Sincerely,  
LEE SHERMAN DREYFUS  
Governor

---

CONSIDERATION OF MOTIONS  
FOR RECONSIDERATION

**Assembly Resolution 3**

Relating to assembly standing committees, the authority of the committee on assembly organization, and clerical procedures.

The question was: Shall the vote by which **Assembly Resolution 3** was adopted be reconsidered?

The roll was taken.

The result follows:

## JOURNAL OF THE ASSEMBLY [January 27, 1981]

Ayes -- Berndt, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Goodrich, Harer, Hauke, Hephner, Hopkins, Jaronitzky, Johnson, Klicka, Knox, Laatsch, Ladwig, Larson, Lewison, Luckhardt, McEssy, McEwen, Matty, Menos, Merkt, Murray, Nelsen, Panzer, Paulson, Porter, Prosser, Quackenbush, Radtke, Robertson, Rogers, Schmidt, Schneiders, Shabaz, Smith, Stitt, Tesmer, Thompson, Travis, R., Tregoning, Vanderperren and Young -- 48.

Noes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Crawford, Czarnecki, Dorff, Duren, Everson, Fischer, Flintrop, Gerlach, Hasenohrl, Helbach, Holschbach, Kincaid, Kirby, Kunicki, Lee, Leopold, Loftus, Looby, Medinger, Metz, Miller, Munts, Neubauer, Norquist, Otte, Plewa, Plous, Potter, Roberts, Robinson, Rooney, Rutkowski, Schneider, Shoemaker, Swoboda, Travis, D., Tuczynski, Ulichny, Wagner, Williams, Wood and Mr. Speaker -- 50.

Absent or not voting -- None.

Motion failed.

Representative Loftus asked unanimous consent that the assembly stand informal awaiting the arrival of the senate. Granted.

10:30 A.M.

---

### JOINT CONVENTION

The assembly was called to order by the speaker.

The sergeant-at-arms announced the arrival of the senate.

The houses went into joint convention.

Senate president Risser presiding.

Escorted by Senators Flynn, Kleczka, Hanaway and McCallum and Representatives Plewa and Luckhardt, Governor Dreyfus took his place at the rostrum to deliver his budget message.

Pursuant to joint rule 73 the governor's message is printed in the senate journal only.

Representative Loftus moved that the joint convention arise.

The question was: Shall the joint convention arise?

## JOURNAL OF THE ASSEMBLY [January 27, 1981]

Motion carried.

11:55 A.M.

The assembly reconvened.

Representative Loftus asked unanimous consent to return to the second order of business. Granted.

---

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 15**

Providing for an advisory referendum on the question of whether to increase state funding of elementary and secondary education costs.

By committee on Revenue.

To committee on Revenue.

#### **Assembly Bill 61**

Relating to offset of retirement system benefits for unemployment compensation purposes.

By Representatives Kincaid, Loftus, Tuczynski, Flintrop, Thompson, Andrea, Fischer, R. Travis, Duren, Potter, Luckhardt, Laatsch, Radtke, McEwen and Jackamonis, co-sponsored by Senator Cullen.

To committee on Labor.

#### **Assembly Bill 62**

Relating to renewable energy resources and increasing an appropriation.

By Representatives Metz, Munts, Gerlach, Laatsch, Hasenohrl, Flintrop, Dilweg, Rutkowski, Loftus, Ulichny, Radtke, Becker, Wagner, Everson, Plewa, Crawford, Williams, Leopold, Medinger, Potter, Plous, Roberts, Miller, Shoemaker, Kunicki, Duren, Kirby and Ladwig, co-sponsored by Senators Adelman, Risser, Strohl, Theno, Moody, McCallum, Berger, Flynn, Cullen, Braun and Goyke.

To committee on Energy.

#### **Assembly Bill 63**

Relating to prohibiting mental health institutes from being converted into prisons and requiring the legislative council to study and recommend solutions to the problem of prison overcrowding.

By Representatives Ellis and Bradley.

To committee on Health and Human Services.

**Assembly Bill 64**

Relating to preadmission screening of nursing home patients who are covered by medical assistance and providing rule-making authority to the department of health and social services.

By Representatives Leopold, Loftus, Schmidt and Medinger, co-sponsored by Senator Offner.

To committee on Health and Human Services.

**Assembly Bill 65**

Relating to repeal of emergency numbers system program.

By Representatives Gerlach, Hasenohrl, Andrea, Plewa, Barczak, Shoemaker, Conradt, Schmidt, Nelsen, Lewison, Young, Thompson and DeLong, co-sponsored by Senators Frank, Roshell and Theno.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 66**

Relating to state finances and appropriations, constituting the executive budget bill of the 1981 legislature, and making appropriations.

By Joint Committee on Finance, by request of Governor Lee Sherman Dreyfus.

To Joint Committee on Finance.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Resolution 5** be withdrawn from the calendar of Wednesday, January 28 and taken up at this time. Granted.

**Assembly Resolution 5**

Granting the use of the assembly chamber on February 20 and 21, 1981, to the United Council of University of Wisconsin Student Governments.

The question was: Shall **Assembly Resolution 5** be adopted?

Motion carried.

Representative Duren asked that the assembly adjourn in honor of the 52 Americans who returned to the United States this week after being held hostage in Iran for 444 days. Granted.



JOURNAL OF THE ASSEMBLY [January 27, 1981]

LEAVES OF ABSENCE

Representative Loftus asked unanimous consent for a leave of absence for today's session for Representative Barczak. Granted.

---

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

**Assembly Resolution 3**

In "engrossing" 1981 Assembly Resolution 3 for the printing of a revised pamphlet of the assembly rules as required by Assembly Rule 94 (4), the overall title of the assembly rules was changed, from "1979 Assembly Rules", to read "1981 Assembly Rules".

---

VISITORS

During today's session, the following visitors honored the assembly by their presence, and were welcomed by the presiding officer and the members:

Former State Senator Walter Hollander and his wife Lydia Hollander, guests of Representatives McEssy and Panzer.

Eighth grade students from Saint John's Lutheran School in Watertown accompanied by Principal Carl Bartels and teacher John Thurow, guests of Representative Luckhardt.

---

Representative Loftus moved that the assembly stand adjourned until 10:00 A.M. on Thursday, January 29.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

12:02 P.M.