

JOURNAL OF THE ASSEMBLY [June 9, 1981]

STATE OF WISCONSIN

Assembly Journal

Eighty-Fifth Regular Session

TUESDAY, June 9, 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 Lewison 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 -- Alberts, Andrea, Barczak, 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, 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 -- 97.

Absent -- None.

Absent with leave -- Lee -- 1.

Vacancies -- 47th District -- 1.

AMENDMENTS OFFERED

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representative Becker.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representative Becker.

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representatives Schneider, Andrea, Barczak, Radtke, Prosser, Smith, Duren, Donoghue, Leopold, Porter, Dilweg, Ladwig, Thompson and Young.

Assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representatives Vanderperren, Smith, Hasenohrl, Donoghue, Conradt and Schmidt.

Assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representatives Smith, Roberts, Donoghue, Conradt and Schmidt.

Assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representatives Robinson, Schneider, Shoemaker, Looby, Porter, Thompson, Schmidt, Paulson, Byers, Clarenbach, McEwen, DeLong, Donoghue, Larson, Harer, Berndt, Helbach, Schneiders, Smith, Hasenohrl, Prosser, R. Travis, Everson, Holschbach, Fischer and Duren.

Assembly amendment 7 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representative Menos.

Assembly amendment 8 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representatives Fischer, Radtke, Goodrich, Potter, Schneider, Flintrop, Laatsch, Robertson, Harer and Nelsen.

Assembly amendment 9 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representatives Smith, Potter, Duren, Swoboda, Paulson, Matty, Larson, Kincaid, Byers, Shoemaker and Looby.

Assembly amendment 10 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representatives Flintrop, Miller, Goodrich, Potter, Fischer, Harer and Plewa.

Assembly amendment 11 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representative Rogers.

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Assembly amendment 12 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representative Everson.

Assembly amendment 13 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representatives Potter, Looby, Holschbach, Hasenohrl, Medinger, Duren and Wagner.

Assembly amendment 14 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representatives Flintrop, Barczak, Harer, Looby, Byers, Panzer, Robinson and Paulson.

Assembly amendment 15 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representatives Flintrop, DeLong, Goodrich, Neubauer, Potter and Medinger.

Assembly amendment 16 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representative Rogers.

Assembly amendment 17 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representative Becker.

Assembly amendment 18 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representative Becker.

Assembly amendment 19 to assembly substitute amendment 1 to **Assembly Bill 66** offered by Representatives Becker and Leopold.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 246** offered by Representative Leopold.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 246** offered by Representative Becker.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 369** offered by Representative Leopold.

Assembly substitute amendment 1 to **Assembly Bill 477** offered by Representative Fischer.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 597

Relating to disregarding philanthropic gifts to hospitals as income when computing hospital rates.

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By Representatives Helbach, Swoboda, Hasenohrl, Gerlach, Robinson, Medinger, Prosser, Ellis, Metz and Knox, co-sponsored by Senators Strohl and Van Sistine.

To committee on Health and Human Services.

Assembly Bill 598

Relating to registration and voting assistance to members of language minority groups and posting of voting instructions and sample ballots.

By Representatives Ulichny, Leopold, Coggs, Williams, Otte and Kunicki, co-sponsored by Senators Braun and Moody.

To committee on Elections.

Assembly Bill 599

Relating to directing the higher educational aids board to adopt rules providing for the rescheduling of student loan payments in hardship cases.

By Representative Ulichny, co-sponsored by Senator Berger.

To committee on Education.

Assembly Bill 600

Relating to requiring the use of child restraint systems in motor vehicles, granting rule-making authority and providing a penalty.

By Representatives D. Travis, Ulichny, Plous, Duren and Barczak, co-sponsored by Senator Johnston, by request of Wisconsin Congress of Parents and Teachers (Wisconsin PTA).

To committee on Children and Human Development.

Assembly Bill 601

Relating to victim impact statements.

By Representatives Plous, Jackamonis, Becker, Lee, Rutkowski, Flintrop and D. Travis, co-sponsored by Senators Offner, Hanaway and Berger.

To committee on Criminal Justice and Public Safety.

Assembly Bill 602

Relating to club liquor licenses.

By Representatives Schneider and Thompson.

To committee on Excise and Fees.

Assembly Bill 603

Relating to administration of the oath required for absentee voting by armed forces and merchant marine personnel, federal overseas employes and spouses and dependents of such persons.

By Representatives Schneider and Schmidt, by request of SSgt. John A. Karraker, USAF Retired.

To committee on Elections.

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Assembly Bill 604

Relating to termination of annuities under the Wisconsin retirement fund and the state teachers retirement system because of reentry into the service of a participating employer.

By Representative Andrea.

To Joint Survey Committee on Retirement Systems.

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 80-232

Relating to state grant assistance to municipalities for wastewater treatment projects under the point source water pollution abatement grant program.

Submitted by Department of Natural Resources.

To committee on Environmental Resources.

Referred on June 9, 1981.

COMMITTEE REPORTS

The committee on Local Affairs reports and recommends:

Assembly Bill 160

Relating to closing certain county offices.

Passage: Ayes: (11) Noes: (1)

To committee on Rules.

Assembly Bill 161

Relating to county register of deeds filing fees.

Adoption of assembly substitute amendment 1:

Ayes: (14) Noes: (0)

Passage: Ayes: (14) Noes: (0)

To committee on Rules.

Assembly Bill 174

Relating to permitting the chairperson of a county board to designate a member of the county emergency government committee as its chairperson.

Passage: Ayes: (11) Noes: (3)

To committee on Rules.

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Assembly Bill 243

Relating to notice of sale of tax delinquent lands.

Passage: Ayes: (13) Noes: (1)

To committee on Rules.

GARY BARCZAK
Chairperson

The Joint Survey Committee on Tax Exemptions reports and recommends:

Assembly Bill 51

Relating to a property tax exemption for fuel and provisions.

Adoption of report: Ayes: (7) Noes: (0)

To committee on Revenue.

Assembly Bill 109

Relating to a sales and use tax exemption for American Legion baseball teams.

Adoption of report: Ayes: (5) Noes: (2)

To committee on Revenue.

Assembly Bill 120

Relating to a sales tax exemption for meals offered by a municipality or county in return for a donation.

Adoption of report: Ayes: (7) Noes: (0)

To committee on Revenue.

Assembly Bill 172

Relating to a sales tax exemption for goods sold to bona fide veterans' organizations operating as homes for the retreat or asylum of needy veterans.

Adoption of report: Ayes: (7) Noes: (0)

To committee on Revenue.

Assembly Bill 269

Relating to a sales and use tax exemption for the transfer of a motor vehicle from individual ownership to ownership by a corporation solely owned by the individual.

Adoption of report: Ayes: (7) Noes: (0)

To committee on Revenue.

GARY JOHNSON
Assembly Chairperson

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The committee on Urban Affairs and Housing reports and recommends:

Senate Bill 21

Relating to adding the property appraiser (land) to the board of assessors in Milwaukee.

Concurrence: Ayes: (14) Noes: (0)
To committee on Rules.

Assembly Bill 354

Relating to tax sales, tax certificates and tax foreclosures of real property.

Adoption of assembly amendment 1:
Ayes: (14) Noes: (0)

Passage: Ayes: (12) Noes: (2)
To committee on Rules.

Assembly Bill 358

Relating to placing in the statutes laws related to sewerage commissions in 1st class cities and metropolitan sewerage districts.

Adoption of assembly amendment 1:
Ayes: (14) Noes: (0)

Passage: Ayes: (14) Noes: (0)
To committee on Rules.

MORDECAI LEE
Chairperson

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

Assembly Joint Resolution 24

Passed and asks concurrence in:

Senate Bill 22
Senate Bill 169
Senate Bill 247
Senate Bill 368

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Concurred in as amended:

Assembly Bill 19 (Senate amendment 1 adopted)

Assembly Bill 406 (Senate amendments 1 and 3 adopted)

ACTION ON THE SENATE MESSAGE

Senate Bill 22

Relating to issuance of Wisconsin housing finance authority bonds and notes for, and providing, housing rehabilitation loans.

By Senators Cullen, Berger, Van Sistine, Moody and Lorge; co-sponsored by Representatives Norquist, Otte, Flintrop, Dorff, Donoghue and Clarenbach.

To committee on Urban Affairs and Housing.

Senate Bill 169

Relating to interest rates on life insurance policy loans and granting rule-making authority.

By committee on Insurance and Utilities, by request of Wisconsin Association of Life Insurance.

To committee on Insurance, Cooperatives and Risk Management.

Senate Bill 247

Relating to modulating headlamps on motor-driven cycles, motor bicycles and mopeds during daylight.

By Senators Adelman and Engeleiter; co-sponsored by Representative Jackamonis.

To committee on Transportation.

Senate Bill 368

An act to authorize release of \$5,000 from the conservation fund for payment of a claim against the state made by Donald Wirth.

By Senators Kleczka and Thompson; co-sponsored by Representatives Roberts and Loftus, by request of State Claims Board.

To committee on Rules.

Assembly Bill 19

Relating to permitting minors to enter premises licensed to sell beer and liquor to attend dances or to engage in marching or drilling.

By Representatives Potter, Otte, Vanderperren, Hasenohrl and Johnson.

To committee on Rules.

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Assembly Bill 406

Relating to an interstate corrections compact and making an appropriation.

By Representatives Schneider and D. Travis.
To calendar.

LEAVES OF ABSENCE

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

CALENDAR OF MONDAY, JUNE 8, 1981

Assembly Bill 324

Relating to the interest rate charged by counties and 1st class cities for overdue and delinquent real property taxes.

The question was: Shall the vote by which **Assembly Bill 324** was passed be reconsidered?

The roll was taken.

The result follows:

Ayes -- Barczak, Behnke, Berndt, Bradley, Byers, DeLong, Dilweg, Donoghue, Ellis, Goodrich, Harer, Hauke, Hephner, Hopkins, Jaronitzky, Klicka, Laatsch, Larson, Lewison, Luckhardt, McEssy, McEwen, Matty, Merkt, Murray, Neubauer, Paulson, Porter, Prosser, Quackenbush, Radtke, Robertson, Rogers, Schmidt, Schneider, Schneiders, Shabaz, Stitt, Swoboda, Thompson, Travis, R., Tregoning, Vanderperren and Young -- 44.

Noes -- Alberts, Andrea, Becker, Broydrick, Clarenbach, Cogs, Conradt, Crawford, Czarnecki, Dorff, Duren, Everson, Fischer, Flintrop, Gerlach, Hasenohrl, Helbach, Holschbach, Johnson, Kincaid, Kirby, Knox, Kunicki, Ladwig, Leopold, Loftus, Looby, Medinger, Menos, Metz, Miller, Munts, Nelsen, Norquist, Otte, Panzer, Plewa, Plous, Potter, Roberts, Robinson, Rooney, Rutkowski, Shoemaker, Smith, Tesmer, Travis, D., Tuczynski, Ulichny, Wagner, Williams, Wood and Mr. Speaker -- 53.

Absent or not voting -- Lee -- 1.

Motion failed.

Senate Bill 359

Relating to demerit points for traffic convictions.

Assembly amendment 1 to **Senate Bill 359** offered by Representative Thompson.

POINT OF ORDER

Representative Loftus rose to the point of order that assembly amendment 1 to **Senate Bill 359** was not germane under Assembly Rule 54 (3)(f).

The speaker ruled the amendment not germane under Assembly Rule 54 (3)(f) and the point of order well taken. The speaker stated that amendments which might otherwise be germane to the bill, are not germane in this case because of the limited scope of **Senate Bill 359**. The bill was introduced pursuant to section 227.018 (5)(e) of the Wisconsin Statutes to fulfill the statutory purpose of ratifying the action of the Joint Committee for Review of Administrative Rules.

The question was: Shall **Senate Bill 359** be ordered to a third reading?

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Senate Bill 359** be given a third reading. Granted.

The question was: **Senate Bill 359** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Alberts, Andrea, Barczak, Becker, Behnke, Berndt, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Crawford, Czarnezki, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Harer, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Hopkins, Jaronitzky, Johnson, Kirby, Klicka, Knox, Kunicki, Laatsch, Ladwig, Larson, Leopold, Lewison, Loftus, Luckhardt, McEssy, Matty, Medinger, 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,

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Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood and Young -- 91.

Noes -- Kincaid, Looby, McEwen, Menos, Travis, D. and Mr. Speaker -- 6.

Absent or not voting -- Lee -- 1.

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Senate Bill 359** be immediately messaged to the senate. Granted.

Representative Thompson asked unanimous consent that the assembly adjourn in honor of the birthdays of Representatives DeLong and Jaronitzky. Granted.

Representative Ulichny asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Miller. Granted.

Representative Shoemaker asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Kunicki. Granted.

Representative Miller asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Ulichny. Granted.

Representative Kunicki asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Shoemaker. Granted.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly Bill 594

Page 3, line 25: delete "or business dealing" and substitute "business dealings".

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VISITORS

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

Fourth grade students from Cumberland School in Whitefish Bay, guests of Representative Nelsen.

Richard Rooney from Racine, guest of Representatives Medinger and Rooney.

Representative Loftus moved that the assembly stand adjourned until 10:00 A.M. tomorrow.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

10:40 A.M.