

JOURNAL OF THE ASSEMBLY [June 30, 1981]

STATE OF WISCONSIN

Assembly Journal

Eighty-Fifth Regular Session

TUESDAY, June 30, 1981.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Alfred Burkert of Trinity Episcopal Church and Saint George Episcopal Church, Lebanon, Missouri.

Representative Miller 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, Lee, Leopold, 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 -- Lewison -- 1.

Vacancies -- 47th District -- 1.

AMENDMENTS OFFERED

Assembly amendment 1 to assembly amendment 1 to **Assembly Bill 130** offered by Representative Hephner.

Assembly amendment 4 to **Assembly Bill 130** offered by Representative Hephner.

Assembly amendment 5 to **Assembly Bill 300** offered by Representatives Potter, Otte and Hephner.

Assembly amendment 2 to senate amendment 1 to **Assembly Bill 406** offered by Representative Shabaz.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 57

Requesting the legislative council to study the feasibility of public acquisition and operation of certain public utilities.

By Representatives Crawford, Becker, Neubauer, Rooney, Plous, Kirby, Norquist and Clarenbach, co-sponsored by Senators Braun, Berger, George, Moody and Strohl.

To committee on Energy.

Assembly Joint Resolution 58

Relating to relief for one-third of the tax imposed for school purposes on the homestead property of any resident aged 65 or older (first consideration).

By Representatives Barczak, Andrea and Hauke.

To committee on Revenue.

Assembly Joint Resolution 59

Relating to the debt limits of first class cities for sewer construction and general obligations (first consideration).

By Representatives Barczak and Hauke.

To committee on Urban Affairs and Housing.

Assembly Joint Resolution 60

Relating to relief for all or part of the tax imposed for school purposes on the homestead property of any resident aged 65 or older (first consideration).

By Representatives Barczak, Andrea and Hauke.

To committee on Revenue.

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Assembly Bill 631

Relating to placing minimum limits on the size of annexed territory.

By Representatives Conradt, Bradley, Porter, Lewison and Harer.

To committee on Local Affairs.

Assembly Bill 632

Relating to repeal of county board approval of town zoning ordinances.

By Representatives Conradt, Bradley, Vanderperren, Porter, Lewison and Harer.

To committee on Local Affairs.

Assembly Bill 633

Relating to creating municipal dog license funds.

By Representatives Conradt, Vanderperren, Porter, Lewison, Bradley and Harer.

To committee on Local Affairs.

Assembly Bill 634

Relating to blood tests for victims of snowmobile or boating accidents.

By Representative Schneider, by request of James N. Breitenstein, Wood County Coroner.

To committee on Judiciary.

Assembly Bill 635

Relating to prohibiting all 3rd trimester abortions, unless necessary to save the mother's life and every reasonable effort is made to preserve the life and health of the fetus.

By Representative Becker.

To committee on Health and Human Services.

Assembly Bill 636

Relating to an income tax deduction for donations of blood to tax-exempt organizations and granting rule-making authority.

By Representative Broydrick.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 637

Relating to a requirement for county supervisors to reside in the district from which they are elected.

By Representative Broydrick.

To committee on Elections.

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Assembly Bill 638

Relating to popular election, organization and affairs of the public service commission and providing a penalty.

By Representatives Barczak, Andrea and Hauke.

To committee on Energy.

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 80-237

Relating to construction, operation and maintenance of facilities for the production, transmission, distribution and utilization of gas.

Submitted by Public Service Commission.

To committee on Energy.

Referred on June 26, 1981.

Assembly Clearinghouse Rule 81-45

Relating to allowing utilities to charge interest on the unpaid balance of a customer's bills.

Submitted by Public Service Commission.

To committee on Energy.

Referred on June 30, 1981.

COMMITTEE REPORTS

The committee on Consumer and Commercial Credit reports and recommends:

Assembly Bill 309

Relating to allowing use of municipal obligations as collateral or as an investment required by statute.

Adoption of assembly amendment 2:

Ayes: (13) Noes: (0)

Passage: Ayes: (13) Noes: (0)

To committee on Rules.

GERVASE HEPHNER

Chairperson

The committee on Urban Affairs and Housing reports and recommends:

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Senate Bill 22

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

Adoption of assembly amendment 1:

Ayes: (9) Noes: (5)

Adoption of assembly amendment 2:

Ayes: (8) Noes: (6)

Adoption of assembly amendment 3:

Ayes: (8) Noes: (6)

Adoption of assembly amendment 4:

Ayes: (11) Noes: (3)

Adoption of assembly amendment 5:

Ayes: (11) Noes: (3)

Concurrence: Ayes: (14) Noes: (0)

To calendar.

MORDECAI LEE

Chairperson

The Joint Committee on Finance reports and recommends:

Assembly Bill 458

An Act to authorize release of \$75,000 from the general fund for payment of a claim made by Robert L. Borum against the state.

Indefinite postponement: Ayes: (11) Noes: (0)

To committee on Rules.

JOHN NORQUIST

Assembly Chairperson

COMMUNICATIONS

The chief clerk reports the following proposals correctly enrolled:

Assembly Joint Resolution 54

Assembly Joint Resolution 56

Assembly Bill 244

DAVID KEDROWSKI

Chief Clerk

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Summary of Requests for Formal Attorney General's Opinions

Summary: May county legal counsel other than corporation counsel or district attorney bring actions to compel child support and spouse support?

Opinion ID Number: F81052801

Requested by: Corporation Counsel of Milwaukee County

Assigned to: Mr. Vergeront

Estimated Date of Issuance: By August 28, 1981

To committee on Health and Human Services.

Summary: Must a county pay for an entire transcript for an indigent defendant?

Opinion ID Number: F81061801

Requested by: Corporation Counsel of Kenosha County

Assigned to: Mr. Bokas

Estimated Date of Issuance: By September 18, 1981

To committee on Criminal Justice and Public Safety.

Anyone interested in a pending opinion may submit written briefs or comments to the Office of the Attorney General. Please indicate the opinion ID number. Copies of the request are available for inspection at 114 East, State Capitol.

CALENDAR OF MONDAY, JUNE 29, 1981

Assembly Bill 66

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

The question was: Shall the vote by which **Assembly Bill 66** was ordered to a third reading be reconsidered?

The roll was taken.

The result follows:

Ayes -- Alberts, Berndt, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Duren, Ellis, Goodrich, Harer, Hephper, Hopkins, Jaronitzky, Klicka, Knox, Laatsch, Ladwig, Larson, Luckhardt, McEssy, McEwen, Matty, Menos, Merkt, Nelsen, Panzer, Paulson, Porter, Prosser, Quackenbush, Radtke, Robertson, Schmidt, Schneiders, Shabaz, Stitt, Thompson, Travis, R., Tregoning and Young -- 42.

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Noes -- Andrea, Barczak, Becker, Behnke, Broydrick, Clarenbach, Coggs, Crawford, Czarnecki, Dorff, Everson, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Holschbach, Johnson, Kincaid, Kirby, Kunicki, Lee, Leopold, Loftus, Looby, Medinger, Metz, Miller, Munts, Murray, Neubauer, Norquist, Otte, Plewa, Plous, Potter, Roberts, Robinson, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood and Mr. Speaker -- 55.

Absent or not voting -- Lewison -- 1.

Motion failed.

Representative Thompson moved indefinite postponement of **Assembly Bill 66**.

Deputy speaker Tesmer in the chair.

The question was: Shall **Assembly Bill 66** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Alberts, Barczak, Berndt, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Duren, Ellis, Goodrich, Harer, Hauke, Hephner, Hopkins, Jaronitzky, Klicka, Knox, Laatsch, Ladwig, Larson, Luckhardt, McEssy, McEwen, Matty, Menos, Merkt, Nelsen, Panzer, Paulson, Porter, Prosser, Quackenbush, Radtke, Robertson, Schmidt, Schneiders, Shabaz, Stitt, Swoboda, Thompson, Travis, R., Tregoning, Tuczynski and Young -- 46.

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

Absent or not voting -- None.

Paired for -- Lewison -- 1.

Paired against -- Everson -- 1.

Motion failed.

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Speaker Jackamonis in the chair.

LEAVES OF ABSENCE

Representative Thompson asked unanimous consent for a leave of absence for today's session for Representative Lewison. Granted.

The question was: **Assembly Bill 66** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Becker, Behnke, Broydrick, Clarenbach, Cogg, Crawford, Czarnecki, Dorff, Fischer, Flintrop, Gerlach, Hasenohrl, Helbach, Holschbach, Johnson, Kincaid, Kirby, Kunicki, Lee, Leopold, Loftus, Looby, Medinger, Metz, Miller, Munts, Murray, Neubauer, Norquist, Otte, Plewa, Plous, Potter, Roberts, Robinson, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Travis, D., Ulichny, Vanderperren, Wagner, Williams, Wood and Mr. Speaker -- 49.

Noes -- Alberts, Barczak, Berndt, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Duren, Ellis, Goodrich, Harer, Hauke, Hephner, Hopkins, Jaronitzky, Klicka, Knox, Laatsch, Ladwig, Larson, Luckhardt, McEssy, McEwen, Matty, Menos, Merkt, Nelsen, Panzer, Paulson, Porter, Prosser, Quackenbush, Radtke, Robertson, Schmidt, Schneiders, Shabaz, Stitt, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Tuczynski and Young -- 47.

Absent or not voting -- None.

Paired for -- Everson -- 1.

Paired against -- Lewison -- 1.

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 66** be immediately messaged to the senate. Granted.

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LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly Substitute Amendment 2 to Assembly Bill 66

1. Page 315, line 34: substitute "identified" for "indentified".
2. Page 345, line 22: after "waste" insert a stricken comma.
3. Page 446, line 2: after "(a)" insert "and (b)".
4. Page 459, line 1: delete "repealed and recreated" and substitute "created".

Assembly amendment 22 to assembly substitute amendment 2 to Assembly Bill 66

1. Page 7, line 15: after that line, move SECTION 1090ef from page 8, lines 4 to 10; and renumber that SECTION to be SECTION 1090edm (moved for proper numerical sequence).
2. Page 12, line 24: delete "Milwaukee county" and substitute "a county having a population of 500,000 or more".

VISITORS

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

Mark Meyer from La Crosse, guest of Representatives Medinger and Roberts.

Former state representative Louis Mato from Fairchild, guest of Representative Robertson.

Cherie Robinson from Milwaukee and Mr. and Mrs. Arnett Young from Memphis, Tennessee, guests of Representative Coggs.

Brian, Cheryl, Lonnie, Bjorn, Addam and Erika Larson from Elmwood, guests of Representative Shoemaker.

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.

11:35 A.M.