

JOURNAL OF THE ASSEMBLY [December 2, 1981]

STATE OF WISCONSIN

# Assembly Journal

Eighty-Fifth Regular Session

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WEDNESDAY, December 2, 1981.

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

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## AMENDMENTS OFFERED

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

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 370** offered by Joint Committee on Finance.

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 370** offered by Joint Committee on Finance.

Assembly amendment 3 to **Assembly Bill 407** offered by Joint Committee on Finance.

Assembly substitute amendment 2 to **Assembly Bill 452** offered by Joint Committee on Finance.

Assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 452** offered by Joint Committee on Finance.

Assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 452** offered by Joint Committee on Finance.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 466** offered by Representatives Nelsen, Thompson and Wood.

Assembly substitute amendment 1 to **Assembly Bill 479** offered by Representative Behnke.

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## INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

**Assembly Bill 923**

Relating to authorizing the department of natural resources to certify testing centers, creating an appropriation and granting rule-making authority.

By committee on Environmental Resources, by request of Department of Natural Resources.

To committee on Environmental Resources.

**Assembly Bill 924**

Relating to instigating fights between animals and increasing penalties.

By Representative Thompson.

To committee on State Affairs.

**Assembly Bill 925**

Relating to the definition of "small business" for purposes of state purchasing and contracting and renewable energy resource and energy conservation projects.

By Representatives Menos, Hasenohrl, Vanderperren and Andrea, co-sponsored by Senators Braun, Roshell and Frank.

To committee on Small Business and Economic Development.

**Assembly Bill 926**

Relating to bail upon commencement of appeal or postconviction proceedings.

By Representatives Wagner and Becker, co-sponsored by Senator Adelman.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 927**

Relating to electronic speed-detecting devices.

By Representatives Tregoning, Berndt, Lewison, Harer, Jaronitzky, Klicka, R. Travis and Larson, co-sponsored by Senator Kreul.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 928**

Relating to authorizing court commissioners to conduct preliminary examinations.

By Representatives Prosser, D. Travis, Schneiders, Williams, Knox, Matty and Panzer, co-sponsored by Senators Flynn, Lorge and Frank.

To committee on Judiciary.

**Assembly Bill 929**

Relating to designating the trilobite as Wisconsin's state fossil.

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By Representatives Czarnecki and Ulichny, by request of Mr. Mark Shurilla, Milwaukee, WI.

To committee on Government Operations.

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ADMINISTRATIVE RULES

Read and referred:

**Assembly Clearinghouse Rule 80-156**

Relating to the Wisconsin Environmental Policy Act and procedures for developing an environmental impact statement.

Submitted by Department of Administration.

To committee on Environmental Resources.

Referred on November 24, 1981.

**Assembly Clearinghouse Rule 81-79**

Relating to standards for operation of community alcohol and other drug abuse prevention and treatment programs.

Submitted by Department of Health and Social Services.

To committee on Health and Human Services.

Referred on November 30, 1981.

**Assembly Clearinghouse Rule 81-146**

Relating to supplemental education of nurses exchange-visitor programs and forms.

Submitted by Department of Regulation and Licensing.

To committee on Health and Human Services.

Referred on November 24, 1981.

**Assembly Clearinghouse Rule 81-150**

Relating to jurisdiction, confidentiality, procedure following a determination of cause to proceed further and commission findings.

Submitted by Wisconsin Judicial Commission.

To committee on Judiciary.

Referred on November 24, 1981.

**Assembly Clearinghouse Rule 81-154**

Relating to procedures for pleadings and hearings.

Submitted by Department of Regulation and Licensing.

To committee on Commerce and Consumer Affairs.

Referred on November 24, 1981.

**Assembly Clearinghouse Rule 81-174**

Relating to the urban mass transit operating assistance program.

Submitted by Department of Transportation.

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To committee on Transportation.  
Referred on November 24, 1981.

**Assembly Clearinghouse Rule 81-175**

Relating to the continuing inspection program for highway bridges.

Submitted by Department of Transportation.  
To committee on Highways.  
Referred on November 24, 1981.

**Assembly Clearinghouse Rule 81-176**

Relating to the local bridge program.

Submitted by Department of Transportation.  
To committee on Highways.  
Referred on November 24, 1981.

**Assembly Clearinghouse Rule 81-179**

Relating to school bus trip permit.

Submitted by Department of Transportation.  
To committee on Transportation.  
Referred on November 30, 1981.

**Assembly Clearinghouse Rule 81-181**

Relating to implementation of the small cities community development block grant program.

Submitted by Department of Development.  
To committee on Urban Affairs and Housing.  
Referred on November 30, 1981.

**Assembly Clearinghouse Rule 81-210**

Relating to lake sturgeon spearing on the upriver waters, Winnebago County.

Submitted by Department of Natural Resources.  
To committee on Tourism and Recreation.  
Referred on November 30, 1981.

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COMMITTEE REPORTS

The committee on Tourism and Recreation reports and recommends:

**Assembly Bill 739**

Relating to transplantation of fish.

Passage: Ayes: (7) Noes: (0)  
To committee on Rules.

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**Assembly Bill 780**

Relating to renumbering statutes relating to the responsibilities of the board of commissioners of public lands (suggested as remedial legislation by the board of commissioners of public lands).

Passage: Ayes: (7) Noes: (0)  
To committee on Rules.

**Assembly Bill 849**

Relating to placement of the identification number and registration sticker or decal on a sailboat.

Passage: Ayes: (7) Noes: (0)  
To committee on Rules.

**Senate Bill 107**

Relating to an earlier open season for hunting raccoon for residents than for nonresidents.

Concurrence: Ayes: (7) Noes: (0)  
To committee on Rules.

LLOYD KINCAID  
Chairperson

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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
15 -----	94 -----	November 25, 1981
92 -----	95 -----	November 27, 1981
272 (partial veto) -----	96 -----	November 27, 1981
276 -----	97 -----	November 27, 1981

Respectfully submitted,  
LEE SHERMAN DREYFUS  
Governor

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GOVERNOR'S VETO MESSAGE

November 27, 1981

To the Honorable, the Assembly:

I have signed **AB 272**, the retirement fund merger bill, and deposited it with the Secretary of State. I have exercised my constitutional power to item veto on several issues. This will finally complete the merger of the state's three public retirement systems. It should simplify legislative consideration of retirement matters by preventing leapfrog benefit approval, increase the understanding of participants and the public, and eventually reduce administrative costs. The bill also provides basic equity of benefits among the three formerly separate systems.

I have vetoed in its entirety the early retirement provisions. Because fringe benefits are mandatory subjects of bargaining, the provisions could lead to extensive state and local costs, for local governments a potentially major state mandate without money. This approach also seems counter to national trends which are encouraging later retirement. I recognize the advantage of early retirement options for certain individuals and for governments experiencing reductions in force. Therefore, I will support legislation which makes early retirement a permissive subject of bargaining as long as such a program is prefunded.

At the request of the Director of State Courts, I have also vetoed the provision which exempts transcript fees for court reporters under the definition of earnings. Such fees are reported as wages for Social Security and should be for the state retirement system as well.

Respectfully submitted,  
LEE SHERMAN DREYFUS  
Governor

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GOVERNOR'S VETO MESSAGE

November 27, 1981

To the Honorable, the Assembly:

I have vetoed **Assembly Bill 616**. After consulting with a broad cross section of interested parties, I have concluded that the Legislature can do better and it ought to have an opportunity to try.

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There is the risk that the Legislature will produce a more partisan plan than the one before me. But I am willing to take that risk because enough legislators of both parties have shown a willingness to try to do better. There remains plenty of time to do so without relying on the courts.

Nearly a year ago I suggested five guidelines for reapportionment: one person/one vote, recognition of neighborhoods, compactness, electoral competitiveness, and reduction in citizen confusion. While these are difficult to define with precision, only the equal population guideline has been truly met and possibly too strictly followed to the detriment of the other criteria.

Under this bill nearly a quarter of the state's counties are divided. The Sixth District bisects the state from Washington Island to within shouting distance of LaCrosse. The Ninth District divides not only Shorewood, but a ward in that community. The purpose of this bill clearly is not voter ease, understanding and effective impact. It is accommodation among both Republican and Democrat political forces. I am convinced a plan can be adopted which better balances the people's interests with the political realities of the legislative process. Bills were before the Legislature to do so.

The best known example is the one put forth by the Democrats under Representative Thomas Hauke who is Co-Chairman of the Assembly Reapportionment Committee.

Redistricting should result in better awareness and representation of the people's views through competitive elections. The people want their vote to count for something.

My office is willing to work with the Legislature to better ensure that people's votes do count.

Respectfully submitted,

LEE SHERMAN DREYFUS

Governor

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COMMUNICATIONS

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 555 -----	62 -----	November 25, 1981
Assembly Bill 85 -----	63 -----	November 25, 1981
Assembly Bill 93 -----	64 -----	November 25, 1981
Assembly Bill 111 -----	65 -----	November 25, 1981
Assembly Bill 133 -----	66 -----	November 25, 1981
Assembly Bill 166 -----	67 -----	November 25, 1981
Assembly Bill 282 -----	68 -----	November 25, 1981
Assembly Bill 353 -----	69 -----	November 25, 1981
Assembly Bill 368 -----	70 -----	November 25, 1981
Assembly Bill 570 -----	71 -----	November 25, 1981
Assembly Bill 17 -----	76 -----	November 27, 1981
Assembly Bill 19 -----	77 -----	November 27, 1981
Assembly Bill 25 -----	78 -----	November 27, 1981
Assembly Bill 300 -----	79 -----	November 27, 1981
Assembly Bill 309 -----	80 -----	November 27, 1981
Assembly Bill 369 -----	81 -----	November 27, 1981
Assembly Bill 489 -----	82 -----	November 27, 1981
Assembly Bill 669 -----	83 -----	November 27, 1981
Assembly Bill 675 -----	84 -----	November 27, 1981
Assembly Bill 703 -----	85 -----	November 27, 1981
Assembly Bill 800 -----	86 -----	November 27, 1981

VEL PHILLIPS  
Secretary of State

November 18, 1981

Speaker Ed Jackamonis  
211 West

Dear Ed:

I've spoken with Jim Rutkowski and told him of my intention to resign from the Assembly Judiciary Committee effective December



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4. Jim is planning an executive session for the first of December, and I promised that I would remain for that hearing.

Because of the increased workload my Co-Chairmanship has created, I cannot continue to function effectively on the four standing committees that I am working with. Jim has been very cooperative and helpful, and understands my reasons for resigning the Judiciary Committee.

Sincerely,  
BARBARA ULICHNY  
State Representative

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SPEAKER'S APPOINTMENTS

November 20, 1981

Mr. David Kedrowski  
Assembly Chief Clerk  
329-West, State Capitol  
Madison, WI 53702

Dear Dave:

I have, as of this date, made the following legislative appointments:

Representative Gervase Hephner to serve as a member of the Committee on Revenue to replace Bill Broydrick who has resigned from the committee and the Assembly.

Representative Mary K. Wagner to serve as a member of the Committee on Urban Affairs and Housing to replace Bill Broydrick who has resigned from the Committee and the Assembly.

ED JACKAMONIS  
Speaker

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LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly substitute amendment 1 to **Assembly Bill 365**

Page 3, line 1: substitute "osteopaths" for "ostepaths".

**Assembly Bill 853**

Page 2, line 23: delete "preceeding" and substitute "proceeding".

**Assembly Bill 917**

Page 2, line 1: substitute "20.923" for "20.293".