

STATE OF WISCONSIN
Assembly Journal
Eighty-Sixth Regular Session

TUESDAY, February 21, 1984.

10:00 A.M.

The assembly met.

Representative Becker in the chair.

The assembly dispensed with the calling of the roll.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 321** offered by committee on Criminal Justice and Public Safety.

Assembly amendment 2 to **Assembly Bill 691** offered by Representative Holperin.

Assembly substitute amendment 1 to **Assembly Bill 863** offered by Representatives Robinson, Jauch and Nelsen.

Assembly substitute amendment 1 to **Senate Bill 391** offered by committee on Local Affairs.

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 83-201

Relating to cigarette taxes on sales to and by Indians.
Submitted by Department of Revenue.
To committee on Revenue.
Referred on February 21, 1984.

**INTRODUCTION AND REFERENCE
OF PROPOSALS**

Read first time and referred:

Assembly Joint Resolution 92

Requesting the legislative council to study the concept of comparable worth.

By Representatives Rude, Rosenzweig, Donoghue, Panzer, Matty, Foti, Zeuske and Prosser, co-sponsored by Senator Theno.

To committee on Government Operations.

Assembly Bill 1045

Relating to the registration of antique snowmobiles.
By Representatives Holperin, Swoboda, Hasenohrl, Smith, Stower, R. Thompson, M. Coggs, Seery,

Rutkowski, Moyer, Gronemus, Potter, Menos, Donoghue, Matty and Volk, co-sponsored by Senators Kincaid, Helbach and Roshell.

To committee on Tourism and Recreation.

Assembly Bill 1046

Relating to the limitation upon amounts expendable from state employe salary and fringe benefit supplements, correcting pay inequities in the compensation plan for nonrepresented employes in the state classified service, reimbursement for use of personal automobiles and conversion of sick leave credits for health insurance premiums for nonrepresented state employes and to annual leave during temporary layoff, overtime pay on Good Friday, paid personal holidays for nonrepresented employes in the state classified service and making an appropriation.

By Joint Committee on Employment Relations.

To calendar.

Assembly Bill 1047

Relating to making the 3rd Monday in January a legal holiday in celebration of the January 15 birthday of Martin Luther King, Jr.

By Representatives M. Coggs, Clarenbach, Gilson, Becker, Chvala, Metz, Crawford, Sell, Ulichny, R. Travis, Gerlach and Smith, co-sponsored by Senator George.

To committee on Government Operations.

Assembly Bill 1048

Relating to discontinuance of the right of tenure for faculty members employed in the university of Wisconsin system.

By Representatives M. Coggs and Holperin.

To committee on Higher and Vocational Education.

Assembly Bill 1049

Relating to rate schedules of certain public utilities.

By Representatives M. Coggs, Gilson, Clarenbach and Smith.

To committee on Energy and Utilities.

Assembly Bill 1050

Relating to the exclusive statutory remedy for employer or insurer bad faith or malice in a worker's compensation action.

By Representatives Kunicki and Crawford, co-sponsored by Senators Norquist and Czarnecki.

To committee on Labor.

Assembly Bill 1051

Relating to the definitions of motor vehicle salvage pool and motor vehicle wholesaler or distributor.

By Representative Vanderperren, by request of Wisconsin Auto and Truck Parts Recycling Association.

To committee on Commerce and Consumer Affairs.

Assembly Bill 1052

Relating to the distribution of property assessment manuals and making an appropriation.

By Representatives Swoboda, Kasten, R. Travis, Van Gorden, Rude, Medinger, Schober, Schultz, Merkt, Goetsch, Manske, Buettner, Gronemus, Horvath, Antaramian, Volk, Smith, Hasenohrl and Holperin, co-sponsored by Senators Roshell, Chilsen, Kreul, Lasee, Engeleiter and Norquist.

To committee on Revenue.

Assembly Bill 1053

Relating to allowing corporations to claim as a current expense amounts paid to acquire certain property.

By Representatives Huelsman, Cowles, Goodrich, Schober, Luckhardt, Matty, Jaronitzky, Nelsen, Horvath, Rosenzweig, Schneiders, Schultz, Stitt and Prosser, co-sponsored by Senators Engeleiter, Lasee and Davis.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 1054

Relating to medical care for prisoners in a county jail.

By Representative Holperin.

To committee on Criminal Justice and Public Safety.

Assembly Bill 1055

Relating to participation by pharmacists in cooperative association and health maintenance organization health care plans.

By Representatives Williams, S. Coggs, Tesmer, M. Coggs, Ulichny, Prosser, Stewart, Huelsman, Rosenzweig, Rude, Andrea, Hauke, Becker, Hasenohrl, Menos, Potter, Plewa, Medinger, Gronemus, Rogers, Gilson, Nelsen and Lewis, co-sponsored by Senators Otte and Feingold.

To committee on Health and Human Services.

Adoption: Ayes: (9) Noes: (3)

To committee on Rules.

Assembly Bill 266

Relating to actions by state agencies and the Wisconsin housing finance authority affecting farmland and granting rule-making authority.

Adoption of assembly substitute amendment 1:

Ayes: (12) Noes: (1)

Passage: Ayes: (12) Noes: (1)

To Joint Committee on Finance.

Assembly Bill 399

Relating to regulating the salvaging of food, increasing the enforcement authority relating to food laws, granting rule-making authority and increasing and creating penalties.

Adoption of assembly amendment 1:

Ayes: (13) Noes: (0)

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

To committee on Rules.

Assembly Bill 718

Relating to excepting certain projects from the agricultural impact statement requirements.

Adoption of assembly substitute amendment 1:

Ayes: (8) Noes: (3)

Passage: Ayes: (7) Noes: (5)

To committee on Rules.

LARY SWOBODA

Chairperson

The committee on Commerce and Consumer Affairs reports and recommends:

Assembly Bill 951

Relating to consumer loan practices.

Without recommendation (Assembly Rule 19)

To committee on Rules.

LOIS PLOUS

Chairperson

The committee on Family and Economic Assistance reports and recommends:

Assembly Bill 1017

Relating to eligibility for relief to needy Indian persons.

Passage: Ayes: (9) Noes: (0)

To Joint Committee on Finance.

MARCIA COGGS

Chairperson

The committee on Health and Human Services reports and recommends:

COMMITTEE REPORTS

The committee on Agriculture reports and recommends:

Assembly Joint Resolution 65

Memorializing congress to increase the import tariff on honey.

Adoption: Ayes: (12) Noes: (0)

To committee on Rules.

Assembly Joint Resolution 66

Requesting the legislative council to study vocational, technical and adult education farm training programs.

Assembly Bill 831

Relating to protecting residents of community-based residential facilities against fire, training employes of these facilities in first aid and fire prevention and making an appropriation.

Adoption of assembly amendment 1:
Ayes: (10) Noes: (1)

Adoption of assembly amendment 2:
Ayes: (8) Noes: (3)

Passage: Ayes: (10) Noes: (1)
To Joint Committee on Finance.

Assembly Bill 901

Relating to creating a council on mental health.

Passage: Ayes: (8) Noes: (2)
To committee on Rules.

Assembly Bill 955

Relating to the provision of services for persons with mental illness and granting rule-making authority.

Adoption of assembly amendment 1:
Ayes: (12) Noes: (0)

Passage: Ayes: (10) Noes: (2)
To committee on Rules.

Senate Bill 520

Relating to county board authority to approve contracts and purchases of the director of institutions and departments in populous counties.

Concurrence: Ayes: (10) Noes: (0)
To committee on Rules.

Assembly Bill 487

Relating to minimum required coverage under disability insurance policies for outpatient treatment of mental and nervous disorders, alcoholism and drug abuse.

Adoption of assembly substitute amendment 1:
Ayes: (9) Noes: (2)

Passage: Ayes: (8) Noes: (3)
To Joint Committee on Finance.

Assembly Bill 898

Relating to mental health.

Adoption of assembly amendment 1:
Ayes: (11) Noes: (0)

Adoption of assembly amendment 2:
Ayes: (9) Noes: (0)

Passage: Ayes: (8) Noes: (1)
To committee on Rules.

Assembly Bill 1009

Relating to copayment exemptions for medical assistance recipients.

Passage: Ayes: (8) Noes: (3)
To Joint Committee on Finance.

WALTER KUNICKI
Chairperson

The committee on Highways reports and recommends:

Assembly Bill 774

Relating to permitting cities and villages to regulate the operation of a golf cart to and from a golf course upon a highway under their exclusive jurisdiction.

Adoption of assembly amendment 1:
Ayes: (13) Noes: (0)

Passage: Ayes: (8) Noes: (5)
To committee on Rules.

Assembly Bill 966

Relating to liability for nonmoving traffic violations with rented or leased vehicles.

Passage: Ayes: (13) Noes: (0)
To committee on Rules.

Assembly Bill 976

Relating to revising the penalties for operating a motor vehicle without a valid license, operating a motor-driven cycle without a cycle endorsement, operating a moped or motor bicycle without an operator's license or special restricted operator's license and violating a license restriction.

Passage: Ayes: (13) Noes: (0)
To committee on Rules.

Assembly Bill 993

Relating to reinstating the operating privilege of a habitual traffic offender.

Passage: Ayes: (13) Noes: (0)
To committee on Rules.

Assembly Bill 994

Relating to issuance of a limited chauffeur's license after suspension.

Passage: Ayes: (13) Noes: (0)
To committee on Rules.

Senate Bill 323

Relating to handicapped plates for small trucks.

Adoption of assembly substitute amendment 1:
Ayes: (13) Noes: (0)

Concurrence: Ayes: (13) Noes: (0)
To committee on Rules.

CLETUS VANDERPERREN
Chairperson

The committee on Judiciary reports and recommends:

Assembly Bill 893

Relating to the Wisconsin basic will and basic will with trust.

Adoption of assembly amendment 1:
Ayes: (10) Noes: (0)

Adoption of assembly amendment 2:
Ayes: (10) Noes: (0)

Passage: Ayes: (10) Noes: (0)
To committee on Rules.

Assembly Bill 949

Relating to applicability of absolute sobriety requirement for certain drivers.

Passage: Ayes: (10) Noes: (0)
To committee on Rules.

JAMES RUTKOWSKI
Chairperson

The committee on Labor reports and recommends:

Assembly Bill 930

Relating to membership of the council on unemployment compensation, a procedure for proposing changes in unemployment compensation laws, a statement of unemployment compensation financial outlook and making an appropriation.

Passage: Ayes: (7) Noes: (3)
To Joint Committee on Finance.

Assembly Bill 940

Relating to treatment of self-employment earnings for purposes of determining unemployment compensation benefit eligibility and benefit amounts.

Adoption of assembly substitute amendment 1:
Ayes: (10) Noes: (0)

Passage: Ayes: (10) Noes: (0)
To committee on Rules.

Senate Bill 525

Relating to exempting certain real estate agents and salespersons from the coverage of the state minimum wage laws.

Concurrence: Ayes: (9) Noes: (0)
To committee on Rules.

Senate Bill 555

Relating to treatment of self-employment earnings for purposes of determining unemployment compensation benefit eligibility and benefit amounts and granting rule-making authority.

Concurrence: Ayes: (10) Noes: (0)
To committee on Rules.

JOSEPH LOOBY
Chairperson

The committee on Tourism and Recreation reports and recommends:

Assembly Bill 545

Relating to regulation and registration requirements for all-terrain vehicles, specifying the applicability of property and sales and use taxes to all-terrain vehicles, granting rule-making authority, providing a penalty and making appropriations.

Adoption of assembly substitute amendment 1:
Ayes: (6) Noes: (3)

Passage: Ayes: (6) Noes: (3)
To Joint Committee on Finance.

Assembly Bill 968

Relating to authorizing group deer hunting, and granting rule-making authority.

Adoption of assembly amendment 2:
Ayes: (9) Noes: (0)

Passage: Ayes: (9) Noes: (0)
To committee on Rules.

PAT SMITH
Chairperson

The committee on Transportation reports and recommends:

Senate Bill 523

Relating to authorizing the secretary of transportation to act as agent for public-use airports in contracting for federal airport improvement funds.

Concurrence: Ayes: (9) Noes: (0)
To committee on Rules.

DONALD HASENOHRL
Chairperson

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has adopted and asks concurrence in:

Committee of Conference Report on **Assembly Bill 298**

Senate Joint Resolution 55
Senate Joint Resolution 56

Passed and asks concurrence in:

Senate Bill 517
Senate Bill 549
Senate Bill 560
Senate Bill 561
Senate Bill 566
Senate Bill 568

Concurred in:

Assembly amendment 1 to **Senate Bill 176**
Assembly amendment 2 to senate substitute amendment 1 to **Assembly Bill 153**
Assembly Joint Resolution 88

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Assembly Bill 51
Assembly Bill 253
Assembly Bill 658

Concurred in as amended:

Assembly Bill 434 (senate amendment 1 adopted)

Recedes from its position on:

Senate amendment 1 to **Assembly Bill 315**
Senate amendment 1 to **Assembly Bill 681**

Adheres to its position on senate substitute amendment 1 to **Assembly Bill 212**, requests a committee of conference and appoints Senators Norquist, Moen and Davis as conferees on its part.

ACTION ON THE SENATE MESSAGE

Assembly Bill 298

Relating to ownership of land by nonresident aliens and providing penalties.

By Legislative Council.
To calendar.

Senate Joint Resolution 55

Relating to the life and public service of Kathleen Carlin.

By Senators Norquist, Lee and George; co-sponsored by Representatives Crawford and Becker.
To calendar.

Senate Joint Resolution 56

Recognizing March 1, 1984, as St. David's Day.

By Senators Davis, Risser and Ellis; co-sponsored by Representatives Goodrich and Robinson.

To committee on Rules.

Senate Bill 517

Relating to including as an authorized emergency vehicle privately owned vehicles used by volunteer paramedics or ambulance attendants.

By Senator Cullen, by request of Tim Sturtevant, De'avan.

To committee on Highways.

Senate Bill 549

Relating to establishing a vocational education instructor occupational competency program, granting rule-making authority and making appropriations.

By Senators Czarnecki and Cullen; co-sponsored by Representatives Plewa, Potter, Robinson, M. Coggs, Sell, Volk, Panzer, Hasenohrl, Schneider, Chvala and Shoemaker.

To committee on Higher and Vocational Education.

Senate Bill 560

Relating to liability for nonmoving traffic violations with rented or leased vehicles.

By Senator Otte; co-sponsored by Representative Vanderperren.

To committee on Rules.

Senate Bill 561

Relating to driving and other acts while under the influence of an intoxicant or drug or both and requiring studies.

By Senator Otte; co-sponsored by Representative Chvala.

To committee on Judiciary.

Senate Bill 566

An act to authorize and direct expenditure of not more than \$84,886.24 from the general fund for payment of a claim against the state made by Baraboo Sysco Food Services, Inc.

By Senator Kleczka, by request of State Claims Board.

To committee on Rules.

Senate Bill 568

Relating to retirement benefits and funding those benefits.

By Senators Otte, Maurer, Cullen and Risser; co-sponsored by Representatives Holschbach, Andrea, Johnson, Loftus and Munts, by request of Governor Anthony S. Earl.

To committee on Rules.

Assembly Bill 434

Relating to day care services and funds, granting rule-making authority and making an appropriation.

By Legislative Council.
To calendar.

Assembly Bill 212

Relating to changing the standard weights for loaves of bread.

By Representatives Medinger and Swoboda.

The speaker appointed Representatives Medinger, Plous and Larson as conferees on the part of the assembly on **Assembly Bill 212**.

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 | Act No. | Date Signed |
|------------------|-----------|-------------------|
| 56 ----- | 123 ----- | February 21, 1984 |
| 71 ----- | 124 ----- | February 21, 1984 |
| 170 ----- | 125 ----- | February 21, 1984 |
| 248 ----- | 126 ----- | February 21, 1984 |
| 268 ----- | 127 ----- | February 21, 1984 |
| 301 ----- | 128 ----- | February 21, 1984 |
| 311 ----- | 129 ----- | February 21, 1984 |
| 342 ----- | 130 ----- | February 21, 1984 |
| 398 ----- | 131 ----- | February 21, 1984 |

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453----- 132 ----- February 21, 1984
 507----- 133 ----- February 21, 1984
 524----- 134 ----- February 21, 1984
 658----- 135 ----- February 21, 1984

Respectfully submitted,
 ANTHONY S. EARL
 Governor

| Bill or Res. No. | Enrolled No. | Publication date |
|--------------------|--------------|-------------------|
| Assembly Jt Res 33 | 30 | February 17, 1984 |
| Assembly Jt Res 73 | 31 | Not published |
| Assembly Jt Res 77 | 32 | Not published |
| Assembly Jt Res 84 | 33 | Not published |
| Assembly Jt Res 85 | 34 | Not published |
| Assembly Jt Res 86 | 35 | Not published |

DOUGLAS La FOLLETTE
 Secretary of State

SPEAKER'S APPOINTMENTS

February 14, 1984

Representative Betty Jo Nelsen
 Room 310 West
 Madison, Wisconsin 53702

Dear Betty Jo,

This is to notify you of your appointment, pursuant to the request of Representative Tommy Thompson, as a member of the Community Development Finance Authority, effective immediately.

Sincerely,
 TOM LOFTUS
 Speaker

February 20, 1984

Representative John Manske
 Room 335C North
 State Capitol
 Madison, Wisconsin 53702

Dear John,

This is to notify you of your appointment, pursuant to the recommendation of Representative Tommy Thompson, as a member of the Bicycle Coordinating Council, effective immediately.

Sincerely,
 TOM LOFTUS
 Speaker

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:

The chief clerk Reports the following proposals correctly enrolled:

Assembly Joint Resolution 82
Assembly Bill 273
Assembly Bill 350
Assembly Bill 409
Assembly Bill 466
Assembly Bill 504
Assembly Bill 520
Assembly Bill 531
Assembly Bill 532
Assembly Bill 550
Assembly Bill 560
Assembly Bill 597
Assembly Bill 658

JOANNE DUREN
 Chief Clerk

REFERENCE BUREAU CORRECTIONS

Senate amendment 2 to **Assembly Bill 409**

In enrolling 1983 Assembly Bill 409, the following correction was made in senate amendment 2:

Page 1, line 5: after "ment 1" insert "and senate amendment 1".

Representative Ulichny 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.

10:01 A.M.