

JOURNAL OF THE ASSEMBLY [August 10, 1971]

STATE OF WISCONSIN

Assembly Journal

Eightieth Regular Session

TUESDAY, August 10, 1971.

2:00 P.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Father Dave Baker of St. James Catholic Church, 1134 St. James Court, Madison, Wisconsin.

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

The roll was taken.

The result follows:

Present—Alberts, Anderson, Atkinson, Azim, Baldus, Barbee, Berger, Boeckmann, Bolle, Bradley, Bultman, Byers, Conradt, Day, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Ferrall, Froehlich, Gaulke, Giese, Greider, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Klicka, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Robertson, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sricula, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilger, Willkom and Mr. Speaker—93.

Absent with leave—Brown, Conta, Czerwinski, Korpela, LaFave and Wilcox—6.

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AMENDMENTS OFFERED

Assembly substitute amendment 1 to Assembly Bill 661 offered by Representative Atkinson.

Assembly amendment 2 to Assembly Bill 612 offered by Representative Early.

Assembly amendment 2 to Assembly Bill 582 offered by Representative Oestreicher.

Assembly substitute amendment 1 to Assembly Bill 531 offered by Representative Atkinson.

Assembly substitute amendment 1 to Assembly Bill 284 offered by Representative Atkinson.

Assembly substitute amendment 1 to Assembly Bill 245 offered by Representative Atkinson.

Assembly substitute amendment 1 to Assembly Bill 1084 offered by Representative Atkinson.

Assembly amendment 2 to Assembly Bill 1064 offered by Representative Baldus.

Assembly amendment 1 to Assembly Bill 855 offered by Representatives Wackett and O'Malley.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1209

Relating to classification of county trunk highways.

By Representative Jones, by request of the Department of Transportation.

To committee on Highways.

Assembly Bill 1210

Relating to boards to review denial of operator's licenses for epileptics.

By Representative Jones, by request of the Department of Transportation.

To committee on Highways.

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Assembly Bill 1211

Relating to state trunk highways classification and maintenance.

By Representative Jones, by request of the Department of Transportation.

To committee on Highways.

Assembly Bill 1212

Relating to probate court commissioner in Dane county.

By Representatives Anderson, Miller, O'Malley and Everson; co-sponsored by Senators Risser and Thompson.

To committee on Judiciary.

Assembly Bill 1213

Relating to requiring 4-year notary renewal fees for attorneys.

By Representative W. A. Johnson; co-sponsored by Senator Peloquin.

To committee on Judiciary.

PETITIONS

Assembly Petition 241

Introduced by Representative Wackett.

To joint committee on Finance.

Assembly Petition 242

Introduced by Representative Wackett.

To committee on Education.

Assembly Petition 243

Introduced by Representative Schowalter.

To committee on Natural Resources.

Assembly Petition 244

Introduced by Representative Gaulke.

To committee on Natural Resources.

Assembly Petition 245

Introduced by Representative Gaulke.

To committee on Veterans' and Military Affairs.

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Assembly Petition 246

Introduced by Representative Swoboda.
To committee on Labor.

Assembly Petition 247

Introduced by Representative Schneider.
To committee on Judiciary.

Assembly Petition 248

Introduced by Representative Thompson.
To committee on Education.

Assembly Petition 249

Introduced by Representative Earl.
To committee on Education.

COMMITTEE REPORTS

The committee on Highways reports and recommends:

Assembly Bill 17

Relating to contents of certificate of title.
Indefinite postponement; Ayes, 9; Noes, 3.

Assembly Bill 272

Relating to registration of motor vehicles used exclusively for rescue work.

Assembly substitute amendment 2, adoption; Ayes, 11; Noes, 1 and passage; Ayes, 10; Noes, 1; Not Voting, 1.

JOSEPH E. JONES,
Chairman.

The committee on Taxation reports:

Assembly Bill 659

Relating to time limits on special assessment appeals.
Passage; Ayes, 11; Noes, 0.

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Assembly Bill 814

Relating to property tax payment date resolutions by county boards.

Passage; Ayes, 11; Noes, 0.

Assembly Bill 841

Relating to the period in which fuel tax refund claims are to be filed.

Passage; Ayes, 11; Noes, 0.

HARVEY L. DUEHOLM,
Chairman.

The committee on Labor reports and recommends:

Assembly Bill 62

Relating to the regulation and licensing of private employment agents.

Assembly substitute amendment 1, adoption; Ayes, 9; Noes, 1 and passage; Ayes, 7; Noes, 3.

Assembly Bill 152

Relating to prohibiting garnishment of wages or salaries.

Assembly amendment 1, adoption; Ayes, 9; Noes, 0 and indefinite postponement; Ayes, 6; Noes, 3.

Assembly Bill 728

Relating to a minimum wage for all employes.

Passage; Ayes, 7; Noes, 2.

Assembly Bill 731

Relating to payment of unemployment compensation upon voluntary termination of employment.

Indefinite postponement; Ayes, 7; Noes, 3.

Assembly Bill 776

Relating to hours of labor and providing penalties.

Assembly amendment 1, adoption; Ayes, 9; Noes, 0; assembly amendment 2, adoption; Ayes, 6; Noes, 3 and passage; Ayes, 8; Noes, 1.

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Assembly Bill 946

Relating to rest days for police in 4th class cities.

Passage; Ayes, 8; Noes, 1.

Assembly Bill 972

Relating to state employe incentive awards increase.

Assembly amendment 1, adoption; Ayes, 10; Noes, 0 and passage; Ayes, 10; Noes, 0.

Senate Bill 181

Relating to excluding certain activities from regulation under the state plumbing code.

Nonconcurrence; Ayes, 4; Noes, 2.

WILLIAM A. JOHNSON,
Chairman.

The committee on Agriculture reports and recommends:

Assembly Joint Resolution 79

Requesting the governor and the various counties to preserve the dairy farm programs operated by institutions.

Adoption; Ayes, 11; Noes, 0.

Assembly Bill 1043

Relating to requiring approval of marketing orders by referendum of apple growers.

Passage; Ayes, 11; Noes, 0.

Assembly Bill 850

Relating to butterine labeling.

Passage; Ayes, 9; Noes, 2.

DAVID D. O'MALLEY,
Chairman.

**JOINT SURVEY COMMITTEE ON
RETIREMENT SYSTEMS**

Assembly Bill 1143

This bill unnecessarily expands creditable military service to include teachers who left the State Teachers Retirement

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System to voluntarily teach children of armed forces personnel and appears to be special interest legislation. Therefore, it is the opinion of this committee that *passage of this bill is undesirable and not in the best public interest.*

To joint committee on Finance.

Assembly Bill 1009

This bill protects the interests of all members of the three state supported retirement systems, who are mandatorily required to retire because of attaining normal retirement age after the effective date of this bill and prior to July 1, 1972. It is the feeling of this committee that this bill, as amended by assembly amendment 1, *is in the best public interest and deserving of passage.*

To joint committee on Finance.

RUEBEN LaFAVE,
Chairman.

ALVIN BALDUS,
Vice-chairman.

JOINT SURVEY COMMITTEE ON TAX EXEMPTIONS

Assembly Bill 426

This bill is undesirable as public policy. Its intent is to give loggers the same exempt status held by farmers. However, farmers do pay tax on equipment they purchase for use off their land while working for others. Since logging equipment purchased for use on land owned by persons other than the purchaser would be exempt, this proposal would give loggers an advantage not enjoyed by farmers.

To joint committee on Finance.

Assembly Bill 631

This bill is undesirable as public policy. A more specific definition of its coverage is required. For example, what proportion of a machinery's use must be for income pro-

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ducing purposes; or, where is the line to be drawn between repair, replacement and improvement.

Furthermore, the proposal would create an inconsistency in the sales tax law. It would grant an exemption for the repair parts of a machine while the original purchase of the machine would continue to be taxed.

To joint committee on Finance.

Assembly Bill 903

The intent of the gross receipts levy is to tax income-earning personal property; correspondingly, it is collected in lieu of local property taxes. However, the effect of the present statute is to include real property under the property tax exemption, yet such assets do not directly figure in the income-producing base for lease purposes. Thus it is desirable public policy to discontinue the exemption for real property.

To joint committee on Finance.

Assembly Bill 920

This measure expands upon the limited period now allowed within which a corporation may charge losses sustained against profits in subsequent years. Under federal law for corporations and similar Wisconsin laws for individual taxpayers, business losses may be spread over a greater period of time. This bill would bring treatment of corporations into closer agreement with similar provisions under those laws. It is desirable as a matter of public policy.

To joint committee on Finance.

Assembly Bill 934

Present law exempts major purchases of manufacturing equipment from the sales tax. If the exemption contained in this bill is adopted, it would be difficult not to expand the exemption to include all equipment and fixtures used by all businesses. For this reason, as well as the bill's vagueness, this proposal would be undesirable as public policy.

To joint committee on Finance.

Assembly Bill 935

Although the intent is regarded as desirable public policy, the bill—as presently written—would have undesirable effects. In areas where this sort of land is relatively plentiful, a noticeable reduction of the property tax base could result. Maintaining the program would be borne by the remaining property taxpayers in the community. However, the benefits of retaining wetland areas are widespread—enjoyed by more than merely the population of that particular locality. Accordingly, it ought not be so narrowly financed. For these reasons, along with the constitutional question raised above, this bill is undesirable as public policy.

To joint committee on Finance.

HARVEY L. DUEHOLM,
Chairman.

MOTIONS

LEAVES OF ABSENCE

Representative Anderson asked unanimous consent for a leave of absence for today's session for Representatives Brown, Conta, Czerwinski, Jackson and Korpela. Granted.

Representative Froehlich asked unanimous consent for a leave of absence for today's session for Representatives LaFave and Wilcox. Granted.

Representative Froehlich asked unanimous consent that the assembly adjourn in honor of the 45th birthday of Representative Merkel. Granted.

Representative Anderson asked unanimous consent to make a statement. Granted.

Representative Shabaz asked unanimous consent to make a statement. Granted.

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CHIEF CLERK'S CORRECTION

As provided by Legislative Reference Bureau

Assembly Bill 774

On page 2, line 9, delete "Camp" and substitute "Migrant labor camp".

VISITORS

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

Ed and Lisa Kastner from Brookfield, Wisconsin, guests of Speaker Huber and Representative Merkel.

Mr. and Mrs. John Rex, Lori, Kerri and Patti from Manitowoc, Wisconsin, guests of Representative Helgeson.

Councilman and Mrs. Lester Koeppel from Two Rivers, Wisconsin and Mr. and Mrs. Robert Eis from Mishicot, Wisconsin, guests of Representative Bolle.

Mr. Harold J. Gee from Milwaukee, Wisconsin, guest of Representative Barbee.

Representative Anderson moved that the assembly stand adjourned until 8:30 A.M. tomorrow.

**The question was: Adjournment?
Motion carried.**

The assembly stood adjourned.

2:45 P.M.