

JOURNAL OF THE ASSEMBLY [January 25, 1979]

STATE OF WISCONSIN

# Assembly Journal

Eighty-Fourth Regular Session

THURSDAY, January 25, 1979.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

Representative Tuczynski asked unanimous consent that the roll call be dispensed with. Granted.

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## INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

### **Assembly Resolution 5**

Granting the use of the assembly chambers on March 3, 1979, to the 1979 Model Legislature of the Distributive Education Clubs of America.

By Representative D. Travis.

To Calendar.

### **Assembly Joint Resolution 16**

Relating to allowing the legislature to provide property or other tax benefits for home improvements (1st consideration).

By Representatives Dorff, Lallensack, Kincaid, Behnke, Andrea, Broydrick, Byers, Pabst, Ferrall, Coggs, Potter, Swoboda, Soucie, D. Travis and Rogers.

To committee on Revenue.

### **Assembly Joint Resolution 17**

Granting the use of the senate and assembly chambers to Wisconsin Y.M.C.A. Youth in Government, Model Legislature in 1979, for the purpose of holding a practice legislative session.

By Representative Schneider, co-sponsored by Senator McCallum.

To Calendar.

**Assembly Joint Resolution 18**

Relating to gubernatorial succession (2nd consideration).

By Representatives Jackamonis, Ferrall, Broydrick, Johnson, Fischer, Norquist, Kedrowski, Kirby, Plewa, Metz and Byers, co-sponsored by Senators Flynn, Berger and Adelman.

To committee on State Affairs.

**Assembly Joint Resolution 19**

Relating to the practice of law (first consideration).

By Representatives McClain, Norquist and Jackamonis, co-sponsored by Senator Berger.

To committee on State Affairs.

**Assembly Joint Resolution 20**

Relating to abolishing the constitutional office of secretary of state (first consideration).

By Representatives Kirby, Plewa, Tuczynski, Becker and Lee, co-sponsored by Senators Offner and Berger.

To committee on State Affairs.

**Assembly Joint Resolution 21**

Relating to abolishing the constitutional office of state treasurer (first consideration).

By Representatives Kirby, Plewa, Tuczynski, Becker and Lee, co-sponsored by Senators Offner and Berger.

To committee on State Affairs.

**Assembly Joint Resolution 22**

Relating to selection of county officers (1st consideration).

By Representatives Plewa, Gerlach, Kirby, Coggs, Broydrick, Tuczynski, Norquist and Becker, co-sponsored by Senators Braun and Berger.

To committee on Local Affairs.

**Assembly Joint Resolution 23**

Relating to creating a constitutional office of comptroller general succeeding to the constitutional offices of secretary of state and of state treasurer (first consideration).

By Representatives Plewa, Kirby, Gerlach and Leopold, co-sponsored by Senator Berger.

To committee on State Affairs.

**Assembly Joint Resolution 24**

Relating to authorizing religious, charitable, service, fraternal or veterans' organizations to conduct games of chance licensed by the state (first consideration).

## JOURNAL OF THE ASSEMBLY [January 25, 1979]

By Representatives Medinger, Vanderperren, Hasenohrl, Becker and Tuczynski, co-sponsored by Senator Offner.

To committee on State Affairs.

### **Assembly Joint Resolution 25**

Relating to requiring referendum approval for any law increasing the rate of any tax on incomes, privileges and occupations (first consideration).

By Representatives Opitz, Snyder, Tregoning, Andrea and Porter.

To committee on Revenue.

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## INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

### **Assembly Bill 43**

Relating to refunding sales and use taxes paid on occasional sales of mobile homes exceeding 45 feet in length and making an appropriation.

By Representative Schneider.

To committee on Revenue.

### **Assembly Bill 44**

Relating to review and disapproval of administrative rules, rule-making procedures, granting rule-making authority and making an appropriation.

By Joint Committee for Review of Administrative Rules.

To Joint Committee for Review of Administrative Rules.

### **Assembly Bill 45**

Relating to adoption of certain administrative rules by legislative standing committees, fiscal estimates on rule-making orders and granting rule-making authority.

By Joint Committee for Review of Administrative Rules.

To Joint Committee for Review of Administrative Rules.

### **Assembly Bill 46**

Relating to increasing the ceiling on the public debt for veterans' mortgage loans and making an appropriation.

By Representatives Lallensack, Schneider, Dorff, Andrea, Vanderperren, Byers, Conradt, Potter, Wood, Kedrowski, Murray, Paulson and Matty.

To Joint Survey Committee on Debt Management.

**Assembly Bill 47**

Relating to committing burglary with the intent to steal a dangerous drug and providing a penalty.

By Representatives Hephner, Vanderperren, Behnke, Rogers, Schneider and Andrea, by request of Mr. Norbert O'Connor, Brillion, Wisconsin Pharmacist.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 48**

Relating to excluding from income taxation the gain from the sale of a principal residence by persons aged 62 or older, reducing individual income tax rates, increasing inheritance tax exemptions for members of the immediate family and exempting home heating fuels from sales and use taxes.

By Representatives Thompson, Lewison, Bradley, Merkt, Shabaz, Conradt, DeLong, Klicka, Luckhardt, Lewis, Omernick, Ladwig, Gunderson, McEssy, Porter, Tregoning and Paulson.

To committee on Revenue.

**Assembly Bill 49**

Relating to the definition of intimate parts relating to sexual assault.

By Representatives Ulichny, Wahner, Rutkowski and Donoghue, co-sponsored by Senator Bablitch.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 50**

Relating to loss of a sexual organ as a result of a sexual assault and charging a penalty.

By Representatives Ulichny, Wahner, Munts, Schmidt, Rutkowski and Donoghue, co-sponsored by Senator Bablitch.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 51**

Relating to construction liens on residences.

By Representatives McClain, Rutkowski, Lee, Kedrowski and Lingren, co-sponsored by Senator Berger.

To committee on Commerce and Consumer Affairs.

**Assembly Bill 52**

Relating to exclusion of certain persons making personal solicitation of orders or making sales of consumer goods in the home from coverage under the unemployment compensation act.

By Representatives McClain and Kedrowski.

To committee on Labor.

**Assembly Bill 53**

Relating to abolition of the spring primary and other nonpartisan primary elections and establishment of a runoff election for nonpartisan offices and associated provisions.

By Representatives McClain and Kedrowski.

To committee on Elections.

**Assembly Bill 54**

Relating to the state civil service system career executive program.

By Joint Committee for Review of Administrative Rules.

To Joint Committee for Review of Administrative Rules.

**Assembly Bill 55**

Relating to moving condemned dwellings or other buildings rather than razing them.

By Representatives Becker, Coggs, Leopold, Behnke, Broydrick, Kirby, Norquist and Soucie, co-sponsored by Senators Braun and Berger.

To committee on Local Affairs.

**Assembly Bill 56**

Relating to liens on fire insurance benefits for delinquent assessments and property taxes.

By Representatives Ulichny, Norquist, Leopold, Johnston, Broydrick, Becker, Ward, Kirby, Tesmer, Fischer and Soucie, co-sponsored by Senators Flynn, Frank, Berger, Braun and Moody.

To committee on Local Affairs.

**Assembly Bill 57**

Relating to night and Saturday circuit court sessions.

By Representatives Thompson and Laatsch, co-sponsored by Senator Bidwell, by request of Sauk County Board of Supervisors.

To committee on Judiciary.

**Assembly Bill 58**

Relating to agricultural transactions under the Wisconsin consumer act and making other changes to that act.

By Representatives Roberts, Barry, Vanderperren, Hasenohrl, Lallensack, Bradley, Shoemaker, Loftus, Hephner, Potter, Lewison, Thompson, Everson, Porter, Conradt, Smith, Gunderson, DeLong, R. Travis, Paulson, Tregoning, Donoghue, D. Travis, Duren, Quackenbush and Flintrop, co-sponsored by Senators Cullen, Chilsen, Thompson, McCallum, Offner, Radosevich and Harnisch.

To committee on Commerce and Consumer Affairs.

**Assembly Bill 59**

Relating to a sales and use tax exemption for gas and oil used for home heating.

By Representatives Hasenohrl, Schneider, Vanderperren, Metz, Potter, Lallensack, Helbach, Wood, Fischer and Smith.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 60**

Relating to sales tax exemptions for seeds and plants used to produce food.

By Representative Plewa.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 61**

Relating to increasing the inheritance tax exemption for interspousal transfers.

By Representatives Behnke, Kincaid, Hasenohrl, Menos, Lallensack, Potter, Pabst, Hauke and Andrea.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 62**

Relating to raising the drinking age to 19, except for consumption on the premises of licensed establishments and providing a penalty.

By Representatives Medinger, Gerlach and Lingren.

To committee on State Affairs.

**Assembly Bill 63**

Relating to abolishing the council on weather modification, prohibiting all weather modification operations and providing a penalty.

By Representatives Medinger, Becker and McClain.

To committee on Agriculture.

**Assembly Bill 64**

Relating to limitation of the defense of noncooperation of the insured under a motor vehicle insurance policy.

By Representatives Czerwinski and Hauke.

To committee on Financial Institutions.

**Assembly Bill 65**

Relating to worker's compensation claims for occupational deafness by employes continuing in noisy employment.

By Representatives Hauke, Behnke, Andrea and Hasenohrl.

To committee on Labor.

JOURNAL OF THE ASSEMBLY [January 25, 1979]

**Assembly Bill 66**

Relating to licensure of nurse-midwives by the board of nursing, granting rule-making authority and providing penalties.

By Representative Hauke, by request of Lynne Koconis.

To committee on Health and Social Services.

**Assembly Bill 67**

Relating to equal insurance coverage of psychologists services.

By Representatives Ferrall, Coggs, Metz, Pabst, Barczak and Munts.

To committee on Health and Social Services.

**Assembly Bill 68**

Relating to exceptions to parking time limits for residents.

By Representatives Ulichny, Ward, Behnke, Leopold, Tesmer, Menos and Soucie, co-sponsored by Senators Moody, Flynn, Berger, Swan and Braun.

To committee on Highways.

**Assembly Bill 69**

Relating to permitting a savings and loan association to produce its books as evidence of transactions.

By Representatives Roberts and Hauke, by request of Savings League of Wisconsin.

To committee on Financial Institutions.

**Assembly Bill 70**

Relating to return of sales and use tax security deposits.

By Representatives Behnke, Vanderperren, Hasenohrl, Potter, Wood, Shoemaker, Coggs, Kincaid and Everson.

To committee on Revenue.

**Assembly Bill 71**

Relating to the time period within which a prime contractor must give notice disputing a lien claim filed with a public body.

By Representatives Behnke, Hasenohrl, Potter, Wood and Kincaid.

To committee on Judiciary.

**Assembly Bill 72**

Relating to a sales and use tax exemption for supplies used in the treatment of diabetes.

By Representatives Hasenohrl, Vanderperren, Rooney, Potter, Lallensack, Helbach, Smith, Everson, Larson, Schmidt, McEssy, Conradt, Donoghue, Kincaid, Duren, Medinger and Becker, co-sponsored by Senator Harnisch.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 73**

Relating to discontinuance of interim allowances to members of the legislature for postage and clerical assistance.

By Representatives Kirby, Tuczynski, Norquist, Lee, Roberts, Fischer and Jackamonis, co-sponsored by Senator Braun.

To committee on Government Operations.

**Assembly Bill 74**

Relating to imposing an amusement device license in lieu of sales and use taxes and providing a penalty.

By Representatives Behnke, Kincaid, Hephner, Andrea, Barczak, Hauke and Dorff.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 75**

Relating to recitation of the pledge of allegiance in public and private schools.

By Representatives Klicka, Merkt, Snyder, Omernick and Andrea.

To committee on Education.

**Assembly Bill 76**

Relating to terminating the state life insurance fund program.

By Representatives Klicka, Omernick, Hopkins, Porter, Gagin and Merkt.

To committee on Commerce and Consumer Affairs.

**Assembly Bill 77**

Relating to prohibiting possession of a dangerous weapon by a convicted felon and providing a penalty.

By Representatives Klicka, Hopkins, Lewis, Lewison, Porter, Gagin, Schmidt and Merkt.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 78**

Relating to deletion of 1979 mileage rating increases for state-owned automobiles.

By Representatives Klicka, Andrea, Snyder, Lewis, Merkt and Prosser.

To committee on Government Operations.

**Assembly Bill 79**

Relating to raising the drinking age to 19 and providing a penalty.

By Representatives Klicka, Gagin, Schmidt and Merkt.

To committee on State Affairs.



JOURNAL OF THE ASSEMBLY [January 25, 1979]

**Assembly Bill 80**

Relating to regulating smoking in public conveyances and places covered and providing a penalty.

By Representatives Munts, Johnston, Wahner, Andrea, Smith, Behnke, Kirby, Rutkowski, Ulichny, Soucie, Norquist, Becker, Lee, Broydrick, McClain, Flintrop, Coggs, D. Travis, Tuczynski, Loftus, Gerlach and Fischer, co-sponsored by Senators Risser and Braun, by request of the Health Policy Council.

To committee on State Affairs.

**Assembly Bill 81**

Relating to repeal of charge for checks to the state returned for insufficient funds.

By Representatives Klicka, Omernick, Hopkins, Porter and Gagin.

To committee on Government Operations.

**Assembly Bill 82**

Relating to assaults by prisoners, changing penalties and restricting parole and probation.

By Representatives Klicka, Hopkins, Matty, Lewis, Lewison, Porter, Gagin and Schmidt.

To committee on Criminal Justice and Public Safety.

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LEGISLATIVE REFERENCE BUREAU CORRECTIONS

**Assembly Bill 41**

1. On page 1, line 9, substitute "in spite" for "inspite".
2. On page 2, line 19, substitute "PROTECTIVE SERVICES CITATION REVIEW BOARD." for "Protective services citation review board."

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Representative Tuczynski moved that the assembly stand adjourned until 10:00 A.M. on Tuesday, January 30.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

10:01 A.M.