

JOURNAL OF THE ASSEMBLY [February 6, 1979]

STATE OF WISCONSIN

Assembly Journal

Eighty-Fourth Regular Session

TUESDAY, February 6, 1979.

10:00 A.M.

The assembly met.

Speaker pro tempore Kedrowski in the chair.

The prayer was offered by Reverend Mark Thomas, Associate at Madison Campus Ministry, Madison.

In honor of Boy Scout Week, James Byrd, a Boy Scout from Waunakee, 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 -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Opitz, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood and Young -- 96.

Absent -- None.

Absent with leave -- Flintrop, Ward and Mr. Speaker -- 3.

AMENDMENTS OFFERED

Assembly amendment 3 to **Assembly Bill 1** offered by Representative Barry.

Assembly amendment 4 to **Assembly Bill 1** offered by Representative Barry.

Assembly amendment 1 to **Assembly Bill 42** offered by Representative Barry.

Assembly amendment 2 to **Assembly Bill 42** offered by Representative Barry.

Assembly amendment 1 to **Senate Joint Resolution 1** offered by Representative Byers.

LEAVES OF ABSENCE

Representative Wahner asked unanimous consent for a leave of absence for today's session for Representatives Flintrop, Jackamonis and Ward. Granted.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Joint Resolution 30

Relating to persons holding office after conviction. (1st consideration).

By Representatives Coggs, Becker, Broydrick and Clarenbach, co-sponsored by Senator Moody.

To committee on Judiciary.

Assembly Joint Resolution 31

Relating to removing the restrictions on the right to vote of certain convicted persons (1st consideration).

By Representatives Coggs, Becker, Clarenbach, Ward, Broydrick and Flintrop.

To committee on Judiciary.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

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Assembly Bill 112

Relating to state reimbursement for municipal costs incurred as the result of state action, and making an appropriation.

By Representatives Andrea, Lallensack, Dorff, Byers, Ladwig, Hauke, Kincaid, Pabst, Potter, Shoemaker, Lewis and Klicka.

To committee on State Affairs.

Assembly Bill 113

Relating to state reimbursement of costs and expenses incurred by municipalities in establishing the statewide emergency telephone number system, and making an appropriation.

By Representatives Andrea, Vanderperren, Lallensack, Flintrop, Dorff, Menos, Duren, Swoboda, Kincaid, Medinger, Rogers, Byers, Ladwig, Hauke, Behnke, Murray, Pabst, Potter, Shoemaker, Wahner, Klicka, Wood and Leopold, co-sponsored by Senators Maurer, Van Sistine and Strohl.

To committee on Criminal Justice and Public Safety.

Assembly Bill 114

Relating to destruction of obsolete records by counties and towns.

By Representatives Andrea, Vanderperren, Dorff, Menos, Medinger, Byers, Ladwig, Hauke, Kincaid, Murray, Potter, Lallensack, Shoemaker, Wahner, Klicka and Lewis, co-sponsored by Senators Maurer and Van Sistine.

To committee on Local Affairs.

Assembly Bill 115

Relating to mortgage foreclosure sales of business premises.

By Representatives Behnke, Hasenohrl and Lallensack.

To committee on Financial Institutions.

Assembly Bill 116

Relating to restriction upon the contracting for certain state printing outside the state.

By Representatives Behnke, Hauke, Kincaid, Lallensack, Hasenohrl, Potter, Medinger and Rooney.

To committee on Government Operations.

Assembly Bill 117

Relating to nonresident alien land ownership restrictions, creating a reporting requirement and creating and clarifying penalties.

By Representatives Bradley, Conradt, Byers, Lewison, Porter, Thompson, Everson, Roberts, Medinger, Broydrick, Loftus, Fischer, Wood, Klicka, Lewis, McClain and Donoghue, co-sponsored by Senators Krueger, Kreul, Theno and Chilsen.

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To committee on Agriculture.

Assembly Bill 118

Relating to brucellosis vaccination payments and making an appropriation.

By Representatives Radtke, Hasenohrl, Harsdorf, Byers, Porter, Everson, Swoboda, Wood, Lorman, Matty, Paulson, Larson, Harer, Goodrich, Lewis, Tregoning, Laatsch, Schmidt, Luckhardt, Gunderson, Conradt, R. Travis, McClain, Loftus, Barry, Lewison, Behnke, Young, Fischer, Merkt, Helbach, Smith, Wagner, Prosser, Donoghue and Quackenbush, co-sponsored by Senator Kreul.

To committee on Agriculture.

Assembly Bill 119

Relating to sentencing and treatment of narcotics dealers and providing a penalty.

By Representatives Behnke, Hauke, Andrea, Swoboda, Vanderperren, Rooney, Bradley, Hephner, Thompson, Matty, Menos, Byers, Hasenohrl, Roberts, Wahner, Kirby, Shabaz, Ward, Pabst, Lallensack, Potter, Wood, Dorff, Lingren, Kincaid, Tesmer, Otte, Tuczynski, Medinger, Gerlach, Donoghue, Schmidt, Lewis, Shoemaker, Rogers, Klicka, Barczak, Kedrowski, Ferrall, Smith, Plewa, Conradt, Omernick, Luckhardt, Larson, Murray, Tregoning, Lewison, Porter, Laatsch, Johnston, Ellis, Ladwig, Hopkins, Merkt, R. Travis, Opitz, Fischer, McEssy, DeLong, Goodrich, Harer, Quackenbush, Young, Dilweg, Paulson, Harsdorf, Everson, Radtke, Norquist, Gagin, Snyder and Barry, co-sponsored by Senators Berger, Maurer, Kleczka, Krueger, Murphy, Frank, Van Sistine, Cullen, Lasee, Theno, McCallum, Roshell, Harnisch, Kreul and Bidwell.

To committee on Criminal Justice and Public Safety.

Assembly Bill 120

Relating to the period for making tax deductible individual retirement plan contributions.

By Representatives Otte, Hauke, Roberts, Vanderperren, Conradt, Leopold, Lallensack, Becker, Ellis, Barry, Thompson, Shabaz, Lingren and Murray, co-sponsored by Senator Cullen.

To committee on Revenue.

Assembly Bill 121

Relating to the construction of the Prentice railroad highway crossing.

By Representatives Larson and Donoghue, co-sponsored by Senator Krueger.

To committee on Highways.

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Assembly Bill 122

Relating to requiring minority group culture or history courses for teacher certification.

By Representatives Coggs, Becker, Clarenbach, Ward, Medinger, Tesmer, Broydrick and Leopold.

To committee on Education.

Assembly Bill 123

Relating to requiring insurers and savings and loan associations to invest in municipalities.

By Representatives Coggs, Becker, Ward, Tesmer, Ulichny, Broydrick and Leopold, co-sponsored by Senator Berger.

To committee on Financial Institutions.

Assembly Bill 124

Relating to guaranteeing equal educational opportunities in public schools, creating a council on equal educational opportunities, and granting rule-making authority.

By Representatives Coggs, Clarenbach, Becker, Ward, Medinger, Tesmer, Broydrick, Rogers and Leopold, co-sponsored by Senators Moody and Berger.

To committee on Education.

Assembly Bill 125

Relating to identification of law enforcement officers.

By Representatives Coggs, Ward, Ulichny, Broydrick, Flintrop and Leopold, co-sponsored by Senators Braun, Moody and Berger.

To committee on Criminal Justice and Public Safety.

Assembly Bill 126

An act to appropriate \$75,000 from the general fund for payment of a claim by Robert L. Borum against the state.

By Representatives Coggs, Menos, Ward, Broydrick, Rogers and Leopold, co-sponsored by Senator Moody.

To Joint Committee on Finance.

Assembly Bill 127

Relating to the regulation of private security officers and agencies, creating a private security examining board, granting rule-making authority and providing penalties.

By Representatives Coggs, Ward and Broydrick, co-sponsored by Senators Moody and Berger.

To committee on Criminal Justice and Public Safety.

Assembly Bill 128

Relating to making the birthdates of Martin Luther King, Jr. and Malcolm X legal holidays.

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By Representatives Coggs, Becker, Ward, Leopold, Ulichny, Clarenbach, Miller and Broydrick, co-sponsored by Senator Moody.
To committee on State Affairs.

Assembly Bill 129

Relating to restricting the use of polygraphs and similar tests and providing penalties.

By Representatives Coggs, Becker, Ward, Tesmer, Ulichny, Broydrick and Flintrop, co-sponsored by Senators Moody and Berger.

To committee on Judiciary.

Assembly Bill 130

Relating to providing state aid to local rat control programs, granting rule-making authority and making an appropriation.

By Representatives Coggs, Czerwinski, Becker, Clarenbach, Ward, Medinger, Tesmer, Ulichny, Broydrick, Loftus, Gerlach, Lee, Behnke, Gunderson, Flintrop and Lorman.

To committee on Health and Social Services.

Assembly Bill 131

Relating to prevention of lead poisoning, making an appropriation and providing a penalty.

By Representatives Coggs, Czerwinski, Becker, Clarenbach, Ward, Broydrick, Ulichny, Tuczynski, Wagner, Rogers, Loftus, Medinger, Lee, Gerlach, Metz, Flintrop and Lorman, co-sponsored by Senators Moody and Berger.

To committee on Health and Social Services.

Assembly Bill 132

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

By Representatives Coggs, Ward and Tesmer.

To committee on Education.

Assembly Bill 133

Relating to requiring a jury at an inquest if the death involved a law enforcement officer and the use of a firearm.

By Representatives Coggs, Becker, Ward, Medinger, Broydrick and Rogers, co-sponsored by Senator Moody.

To committee on Criminal Justice and Public Safety.

Assembly Bill 134

Relating to tuition-free education for undergraduate resident students at the university of Wisconsin system, tuition grants to undergraduate resident students attending out-of-state schools and making an appropriation.

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By Representatives Coggs, Clarenbach and Ward.
To committee on Education.

Assembly Bill 135

Relating to fees for parking vehicles overnight on streets and highways in 1st class cities.

By Representatives Coggs, Ward, Tesmer and Broydrick.
To committee on Local Affairs.

Assembly Bill 136

Relating to civil arrest and imprisonment of persons for failure to pay debts.

By Representatives Coggs and Broydrick.
To committee on Judiciary.

Assembly Bill 137

Relating to removing all authority to wiretap and making evidence obtained by a wiretap inadmissible in all actions and special proceedings.

By Representative Coggs.
To committee on Criminal Justice and Public Safety.

Assembly Bill 138

Relating to permitting taxation of witness fees against the plaintiff in a traffic regulation action.

By Representatives Shabaz, Merkt, Bradley, Klicka, Conradt, Lewison, Thompson and Luckhardt.
To committee on Judiciary.

Assembly Bill 139

Relating to restricting the use of polygraphs and similar tests and providing penalties.

By Representatives Wahner, Clarenbach, Andrea, Becker, Metz, Pabst, Otte, Tuczynski, Dorff, Ferrall, Gagin, Ulichny, Omernick, Lewis, Flintrop and Tesmer, co-sponsored by Senators Flynn, Berger, Lorge and Risser.

To committee on Judiciary.

Assembly Bill 140

Relating to eliminating the position of public intervenor.

By Representatives Omernick, Shabaz, Porter, DeLong, Paulson, Conradt, Byers and Schmidt, co-sponsored by Senator Chilsen.
To committee on Environmental Resources.

Assembly Bill 141

Relating to repeal of the condemnation authority of the department of natural resources.

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By Representatives Omernick, Shabaz, Porter, DeLong, Conradt,
Gagin, Hopkins, Paulson and Harer, co-sponsored by Senator Lasee.
To committee on Environmental Resources.

COMMUNICATIONS

February 5, 1979

Gentlemen:

Chapter 333, Laws of 1973, amended section 20.923(5), Wis. Stats., to require that the Board of Regents of the University of Wisconsin System assign specified titled positions to University of Wisconsin System salary ranges in whatever manner the Board determined. The Board is required under the subsection to file a report annually with the Governor and the Legislature.

In June, 1978, the Board of Regents adopted Resolution #1678 which requires that all positions referenced in s. 20.923(5) be assigned to either a State Executive Salary Group 1-5 or to a UW System Administrative Salary Range. The resolution established the following assigned criteria:

- I. Positions subject to State Executive Salary Group assignment:
 - A. All positions referenced in s. 20.923(5) which carry the following titles regardless of annual salary:
 - Associate Vice Presidents
 - Assistant Vice Presidents
 - Associate Chancellors
 - Vice Chancellors not designated in ss. 20.923(4)(8).
 - Associate Vice Chancellors
 - Assistant Vice Chancellors
 - Assistant Chancellors
 - B. All positions carrying the titles of Assistant to the Chancellor or directors or associate directors with over 50 percent of their activities coded as physical plant, general operations and services, and auxiliary enterprises whose fiscal year annual salary rate exceeds the maximum of pay range 1-17 (FY 1978-79 maximum is \$31,349) of the general non-represented pay schedule #1.

II. Positions subject to assignment to UWS Administrative Salary Ranges:

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All Assistants to the Chancellor and directors or associate directors with over 50 percent of their position assigned to an enumerated activity code in the statute whose annual salary does not exceed the maximum of pay range 1-17.

Part A of the attached report designates those positions assigned to State Executive Salary Groups 1-5 and Part B provides the minimum and maximum for those positions assigned to a UWS Administrative Salary Range. All information is accurate as of January 1, 1979.

Sincerely yours,

ROBERT W. WINTER, JR.

Vice President for General Services

Received and placed on file in the office of the chief clerk.

COMMITTEE REPORTS

The Joint Survey Committee on Tax Exemptions reports and recommends:

Assembly Bill 6

Relating to property tax exemptions for certain farm crops held by the grower.

Adoption of report: Ayes: (7) Noes: (1)

To Calendar.

DAVID CLARENBACH

Chairperson

MOTIONS

Representative Young asked unanimous consent to be recorded as voting "Aye" on engrossment of **Assembly Bill 12** on Tuesday, January 30. Granted.

Representative Menos asked unanimous consent to be made a co-author of **Assembly Bill 1**. Granted.

Representative R. Travis asked unanimous consent to be recorded as present for today's session. Granted.

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CALENDAR OF MONDAY, FEBRUARY 5, 1979

Senate Bill 15

Relating to public membership on the legislative council mining committee at the discretion of the legislative council.

The question was: Shall **Senate Bill 15** be ordered to a third reading?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 15** be given a third reading. Granted.

The question was: **Senate Bill 15** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Opitz, Otte, Pabst, Paulson, Plewa, Potter, Prosser, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood and Young -- 89.

Noes -- Gagin, Laatsch, Porter, Quackenbush, Schmidt, Travis, R. and Tregoning -- 7.

Absent or not voting -- Flintrop, Ward and Mr. Speaker -- 3.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Bill 15** be immediately messaged to the senate. Granted.

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LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly Bill 40

1. On page 8, line 2, after "~~(1)~~" insert "[230.35 ~~(1)~~]".

Assembly Bill 44

1. On page 5, line 28, after "that" insert "the".
2. On page 13, line 24, delete "name of" and substitute "officer of name of".
3. On page 20, line 27, after "230.07" insert "(1)".

Assembly Bill 45

1. On page 2, line 9, substitute "defined in" for "defined is".
2. On page 4, line 13, after "~~such~~" insert "complaints".
3. On page 4, line 16, after "public" insert "hearings".

Assembly Bill 53

1. On page 7, line 22, substitute "persons"" for "persons".
2. On page 9, line 11, delete "They".
3. On page 10, line 2, delete all text after "apply" and substitute "to nomination for the spring".
4. On page 30, line 10, delete "in runoff election".
5. On page 37, line 10, delete all text after "64.15".

Assembly Bill 65

1. On page 2, line 13, substitute " $\frac{2}{3}$ " for " $\frac{3}{4}$ ".

Assembly Bill 79

1. On page 8, line 8, after "applies" insert a comma.

VISITORS

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

Mrs. Lenore Kopp, Bernie Utic, Jim Utic and Dave Utic from Oshkosh, guests of Representative Metz.

Representative Wahner moved that the assembly stand adjourned until 10:00 A.M. on Thursday, February 8.

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The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

10:25 A.M.