

JOURNAL OF THE ASSEMBLY [February 8, 1979]

STATE OF WISCONSIN

# Assembly Journal

Eighty-Fourth Regular Session

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THURSDAY, February 8, 1979.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Representative Becker.

Representative Tregoning 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, 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, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 96.

Absent -- None.

Absent with leave -- Barczak, Flintrop and Snyder -- 3.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

**Assembly Joint Resolution 32**

Making an application to the Congress of the United States pursuant to article V of the constitution of the United States, for a convention for proposing an amendment to the constitution of the United States to protect the life of all human beings, including unborn children at every stage of their biological development.

By Representatives Duren, Rogers, Plewa, Johnston, Kincaid, Vanderperren, Menos, Hephner, Wood, Smith, Lallensack, Omernick, Lewis, Laatsch, Hauke, Behnke, McEssy, Gerlach, Quackenbush, Fischer, Murray, Dorff, Larson, Andrea, Otte, Byers, Matty, Merkt, Porter, Shabaz, Tregoning, Lewison, Harsdorf, Paulson, Opitz, Klicka, Gagin and Young, co-sponsored by Senators Flynn, Kreul, Frank, Lorge, Swan, Lasee, Van Sistine, Chilsen, Krueger, Bidwell, Murphy, Roshell, Theno and Maurer.

To committee on Health and Social Services.

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INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

**Assembly Bill 142**

Relating to health insurance contribution information for state employes.

By Representatives Gerlach, Vanderperren, Jackamonis, Lingren, Tesmer and Johnston, co-sponsored by Senator Frank.

To committee on Government Operations.

**Assembly Bill 143**

Relating to a bridge inspection and inventory program, and making an appropriation.

By Representative Vanderperren.

To committee on Highways.

**Assembly Bill 144**

Relating to the requisite number for approval of a fair-share agreement under the state employment labor relations act.

By Representative Clarenbach, by request of Wisconsin State Employees Union, Council 24-AFSCME.

To committee on Labor.

**Assembly Bill 145**

Relating to residential security deposits and resolution of landlord-tenant disputes by arbitration.

By Representatives Barczak, Thompson and Hauke.

To committee on Commerce and Consumer Affairs.

**Assembly Bill 146**

Relating to the computation of the number of pupils enrolled for purposes of determining state aid.

By Representatives Medinger, Andrea, Tuczynski, Fischer and Swoboda.

To committee on Education.

**Assembly Bill 147**

Relating to membership on the council on unemployment compensation.

By Representatives Kedrowski, Hephner, Bradley, Everson, Fischer, Medinger and Swoboda.

To committee on Labor.

**Assembly Bill 148**

Relating to alternative community service programs.

By Representatives Shabaz, Thompson, Jackamonis, Merkt, Bradley, Conradt, Lewison, Luckhardt, Barry, Prosser and Goodrich, co-sponsored by Senators Murphy and Risser.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 149**

Relating to timely payment of property taxes.

By Representatives Shabaz, Merkt, Klicka, Laatsch, Omernick, Conradt, Luckhardt, Barry, Goodrich and Duren, co-sponsored by Senator Murphy.

To committee on Local Affairs.

**Assembly Bill 150**

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

By Representatives Duren, Kincaid, Hasenohrl, Kedrowski, Lallensack, Omernick, Donoghue, Andrea and Schmidt, co-sponsored by Senator Lorge.

To Joint Survey Committee on Tax Exemptions.

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COMMUNICATIONS

Notice of Intent received from Division of Environmental Standards, Department of Natural Resources to apply for Federal Assistance for Investigation of the Impact of a Detergent Phosphate Ban.

Comments due by February 13, 1979.

To committee on Environmental Resources.

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COMMITTEE REPORTS

The committee on State Affairs reports and recommends:

**Senate Joint Resolution 1**

To amend sections 1m and 1n of article V and sections 1m, 1n and 1p of article VI of the constitution so as in effect to repeal said sections; and to amend section 9 of article IV, sections 1, 7 and 8 of article V, section 1 of article VI and section 10 of article XIII of the constitution, relating to gubernatorial succession (2nd consideration).

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

Concurrence: Ayes: (7) Noes: (6)

To Calendar.

JOHN PLEWA

Chairperson

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MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

**Assembly Joint Resolution 4**

**Assembly Joint Resolution 17**

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MOTIONS

Representative Barry asked unanimous consent that Senator Kreul be made a co-sponsor of **Assembly Bill 101**. Granted.

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Representative Duren asked unanimous consent to be made a co-author of **Assembly Bill 6**. Granted.

Representative Ward asked unanimous consent that his leave of absence for Tuesday, February 6 be changed from a leave for the day's session to a one hour leave. Granted.

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### LEAVES OF ABSENCE

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

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### CALENDAR OF THURSDAY, FEBRUARY 8, 1979

#### **Assembly Bill 6**

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

Representative Wahner asked unanimous consent that **Assembly Bill 6** be referred to the Joint Committee on Finance. Granted.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 6** be withdrawn from the Joint Committee on Finance and taken up at this time. Granted.

The question was: Shall **Assembly Bill 6** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Behnke, Bradley, Byers, Clarenbach, Coggs, Conradt, 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, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Omernick, Opitz, Otte, 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,

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Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 91.

Noes -- Broydrick, Czerwinski, Lee, Leopold, Norquist and Pabst -- 6.

Absent or not voting -- Barczak and Flintrop -- 2.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 6** be given a third reading. Granted.

The question was: **Assembly Bill 6** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Becker, Behnke, Bradley, Byers, Clarenbach, Cogs, Conradt, DeLong, Dilweg, Donoghue, Dorff, 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, Leopold, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Omernick, Opitz, Otte, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 90.

Noes -- Broydrick, Czerwinski, Lee, Norquist and Pabst -- 5.

Absent or not voting -- Barczak, Duren, Flintrop and Snyder -- 4.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 6** be immediately messaged to the senate. Granted.

- LEAVES OF ABSENCE

Representative DeLong asked unanimous consent for a leave of absence for today's session for Representative Snyder. Granted.

Representative DeLong asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Lewison. Granted.

Representative Ward asked unanimous consent that the following letters be printed in the journal. Granted.

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February 8, 1979

Mr. Gerald Ferwerda  
121 S. Pinckney  
Madison, Wisconsin 53703

Dear Mr. Ferwerda:

In regards to your letter of February 2, 1979, I am willing to allow the Elections Board auditor, Mr. Eugene Ruud, to inspect pertinent campaign records surrounding my last campaign. (But first I would like to say that the appropriate procedure for the Elections Board to have followed in this matter should have been for you to take the sum spent by me or my expenses, which according to Mr. Ruud's figures was \$8,600 for my reelection during the past two years--subtract that sum from the total amount of money raised by the Friends of Ward, which according to Mr. Ruud's figures was approximately \$7,700 in receipts, and on that basis determined whether we had spent more or less on that campaign than we actually raised. These figures are included in the enclosed letter from the Elections Board and signed by Mr. Ruud. If the Board would have followed this procedure, it would have found out that my expenses exceeded my receipts by a sum of \$800 plus. This procedure would have possibly cut down on a lot of conjecture and questions that have been raised by the Board and would have eliminated the predicament that the Board now finds itself in as a consequence of Dobish and Hanley's newspaper stories which appeared in the Milwaukee Journal.)

I think that the Board should be cognizant of the fact that I did not spend a penny of taxpayer money on my past reelection. It would have been possible for me to have gotten close to \$4,800 of taxpayer money to campaign on. Instead I, being as concerned with the taxpayer pocketbook as I am, raised all the funds that the Friends of Ward needed; and if there was a deficit, I compensated it out of my own pocket.

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In talking with Mr. Ruud, he informed me that although I did raise my own funds, I raised \$846.26 more from PAC's than I was legally allowed to raise. I am willing, if it will expediate matters, to return these funds to the persons that donated them to me or I am also willing, with the Board's permission, to give these funds to appropriate charities within the 17th Assembly District. I would also like to inform you in this letter that I am returning the \$300 received from the Wisconsin Realtors that I mistakenly did not record on my statement. I am sending you a xerox copy of the cashier's check.

Since the board is only interested in campaign matters, these are the accounts that I give you permission to examine:

1. Heritage Bank, The Friends of Ward account
2. M & I Bank, Friends of Ward, Account No. 5244-6333
3. Midland Bank, Checking Account

Since my expenditures for this past campaign, according to Mr. Ruud's figures, exceeded the amount of money that I listed by almost the sum I am to return, I really don't see any reason for the Board to be interested in my personal accounts which are:

1. United Bank, Checking Account
2. Security Marine
3. M & I Bank, Savings Account

However, if the Board is interested in looking to see what happened to PAC funds that were deposited in these accounts from June 1978, to October 15, 1978, I am willing to allow the Board to examine those accounts. (October 15 was the last time in which PAC funds were deposited in those respective accounts.) If the Board wants to look at the period of time before June 1 and after October 15, I feel that it is most appropriate that you get a subpoena from a court in the state and specify as to why you want to look at non-campaign matters.

Finally, when I talked to Mr. Ruud on February 2, 1979, he informed me that he checked with Kayser Ford about the leasing of a van. Mr. Ruud was informed the least they would have leased a van to me for the six-month period of time was \$450/month plus \$.16/mile. In hearing this I hope that you realize that I was operating my van in a most trustworthy fashion for the "Friends of Ward." In saying that I want you to know that I realize that it would have been in the best overall interest if you would have had better control over employees in your office and not allowing them to say that the \$150/month plus \$.15/mile that I charged for the lease of the van was too much. This



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information is also enclosed in the letter from Mr. Ruud and the Elections Board.

Respectfully,  
WALTER L. WARD, JR.  
State Representative  
17th Assembly District

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State of Wisconsin  
Elections Board  
Madison

February 8, 1979

Honorable Walter L. Ward, Jr.  
State Representative  
Room 325 West, State Capitol  
Madison, WI 53702

Dear Representative Ward:

In accordance with your telephone request of 2/8/79 asking for expenditures and receipts for 1978 and quotes on leasing a van from Kayser Ford, the following is submitted:

1978 Ford Econoline 150 Regular Van  
Lease quote from Kayser Ford Leasing  
Normal rate \$450/mo. plus 16c/mile  
For 6 mo's. Lease \$400/mo. plus 16c/mile

Note these are commercial rates and would include an element of profit which if charged to his committee would be in violation of 11.25 (2)(b) of Wisconsin Statutes.

Expenditures for 1977 and 1978 as reported by Mr. Ward on his campaign finance report forms. Figures are unadjusted for any errors such as addition or subtraction, items omitted or items reported more than once:

1977 -\$1,279.44 (Includes \$150 in-kind)  
1978 -\$7,109.69 (Includes \$2,839 charge to Committee by Mr.  
Ward for his van)  
\$8,389.13 or \$8400.00

Receipts for 1977 and 1978 as reported by Mr. Ward on his campaign finance report forms. Figures are unadjusted for any errors such as addition or subtraction, items omitted (except \$300

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unreported contribution from Realtors PAC) and items reported more than once:

1977 -\$1,875.00 (Includes \$150 in-kind)

1978 -\$5,708.00 (Includes \$300 unreported contribution from Realtors PAC)

\$7,583.00 or \$7,600.00

Above figures are taken directly from the reports Rep. Ward filed with the Elections Board and consequently we can express NO OPINION as to their accuracy, truthfulness or reasonableness. These reports are open to the public.

Sincerely,  
GENE S. RUUD  
Elections Auditor  
State Elections Board

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VISITORS

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

Sandra Harer and Mr. and Mrs. Eugene Achterhof from Baldwin, guests of Representative Harer.

Social Studies class from Badger High School in Lake Geneva, guests of Representative Porter.

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Representative Wahner moved that the assembly stand adjourned until 10:00 A.M. on Tuesday, February 13.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

10:40 A.M.