

JOURNAL OF THE ASSEMBLY [February 20, 1979]

STATE OF WISCONSIN

# Assembly Journal

Eighty-Fourth Regular Session

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TUESDAY, February 20, 1979.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Duane E. Hardy of Unity Church of Practical Christianity, 4607 Winnequah Road, Madison.

Representative Behnke 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, Hasenohri, 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, 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, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 96.

Absent -- None.

Absent with leave -- Flintrop, Munts and Thompson -- 3.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 90** offered by committee on Excise and Fees.

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INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

**Assembly Joint Resolution 36**

To reaffirm the ties of friendship between the State of Wisconsin and the Republic of China.

By Representatives Lewis, Behnke, Jackamonis, Shabaz, Tregoning, Everson, Duren and Klicka, co-sponsored by Senators Murphy, Radosevich and McCallum.

To committee on State-Federal Relations.

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INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

**Assembly Bill 185**

Relating to place of trial for actions against insurance companies.

By Representative Hauke.

To committee on Financial Institutions.

**Assembly Bill 186**

Relating to substitution of judge procedures in circuits having more than 3 branches.

By Representative Hauke.

To committee on Judiciary.

**Assembly Bill 187**

Relating to separation of hospital indemnity insurance coverage from required skilled nursing care coverage.

By Representative Gerlach.

To committee on Financial Institutions.

**Assembly Bill 188**

Relating to authorization of savings and loan associations to invest in securities of any state or territory of the United States or any local governmental unit of any state or territory of the United States.

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

To committee on Financial Institutions.

**Assembly Bill 189**

Relating to assessment of demerit points against a chauffeur's license.

By Representatives Lewis, Behnke and Klicka.

To committee on Highways.

**Assembly Bill 190**

Relating to a mandatory risk sharing plan for foster homes.

By Representatives Leopold, Otte and Andrea, by request of Wisconsin Action for Foster Children.

To committee on Financial Institutions.

**Assembly Bill 191**

Relating to prison leaves to attend funerals or wakes, granting rule-making authority and providing a penalty.

By Representatives Ward and Coggs.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 192**

Relating to utility rate increases subject to legislative approval.

By Representative Ward.

To committee on Energy.

**Assembly Bill 193**

Relating to requiring each departmental budget estimated to exceed \$1,000,000 as recommended by the governor to be introduced in the legislature for consideration as a separate bill.

By Representative Ward.

To committee on Government Operations.

**Assembly Bill 194**

Relating to requiring hunters to wear "hunter orange" material and providing a penalty.

By Representatives Behnke, Matty, Quackenbush, Becker, Broydrick, Lallensack, Porter, Pabst and Menos, co-sponsored by Senator Harnisch.

To committee on Tourism, Recreation and Economic Development.

**Assembly Bill 195**

Relating to a property tax exemption for health-related residential environmental control equipment.

By Representatives Barczak and Andrea.

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To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 196**

Relating to prior legislative review of rules concerning landlord-tenant relations.

By Representatives Barczak and Andrea.

To Joint Committee for Review of Administrative Rules.

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COMMITTEE REPORTS

The committee on Financial Institutions reports and recommends:

**Assembly Bill** ——— (Irb 1658/1)

Relating to authorizing a creditor to recover reasonable costs of repossessing, holding and preparing collateral for disposition.

Introduction: Ayes: (11) Noes: (4)

**Assembly Bill** ——— (Irb 2184/1)

Relating to the insured's right to choose physicians' or chiropractors' services for covered sickness or injury.

Introduction: Ayes: (11) Noes: (3) Not Voting: (1)

THOMAS HAUKE

Chairperson

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LEAVES OF ABSENCE

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

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CALENDAR OF MONDAY, FEBRUARY 19, 1979

**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).

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The question was: Shall the vote by which **Senate Joint Resolution 1** was ordered to a third reading be reconsidered?

The roll was taken.

The result follows:

Ayes -- Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hopkins, Johnston, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Omernick, Opitz, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Travis, R., Tregoning and Young -- 39.

Noes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Duren, Everson, Ferrall, Fischer, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Metz, Miller, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 57.

Absent or not voting -- Flintrop, Munts and Thompson -- 3.

Motion failed.

Representative Shabaz moved nonconcurrency in **Senate Joint Resolution 1**.

The question was: Shall **Senate Joint Resolution 1** be nonconcurrent in?

The roll was taken.

The result follows:

Ayes -- Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Duren, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hephner, Hopkins, Johnston, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Miller, Omernick, Opitz, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Travis, R., Tregoning and Young -- 42.

Noes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Everson, Ferrall, Fischer, Gerlach, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kincaid,

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Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Metz, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 54.

Absent or not voting -- Flintrop, Munts and Thompson -- 3.

Motion failed.

The question was: **Senate Joint Resolution 1** having been read three times, shall the joint resolution be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, DeLong, Dorff, Everson, Ferrall, Fischer, Gerlach, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Metz, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 54.

Noes -- Bradley, Byers, Conradt, Dilweg, Donoghue, Duren, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hephner, Hopkins, Johnston, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Miller, Omernick, Opitz, Paulson, Porter, Prosser, Quackenbush, Radtke, Rogers, Schmidt, Shabaz, Snyder, Travis, R., Tregoning and Young -- 42.

Absent or not voting -- Flintrop, Munts and Thompson -- 3.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 1** be immediately messaged to the senate.

Representative Shabaz objected.

Representative Wahner moved that the rules be suspended and that **Senate Joint Resolution 1** be immediately messaged to the senate.

The question was: Shall the rules be suspended and **Senate Joint Resolution 1** be immediately messaged to the senate?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dorff, Duren, Everson, Ferrall, Fischer, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Leopold, Lingren, Loftus, McClain, Medinger, Metz, Miller, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 57.

Noes -- Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hopkins, Johnston, Klicka, Laatsch, Ladwig, Larson, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Menos, Merkt, Omernick, Opitz, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Travis, R., Tregoning and Young -- 39.

Absent or not voting -- Flintrop, Munts and Thompson -- 3.

Motion failed.

Representative Wahner moved reconsideration of the vote by which **Senate Joint Resolution 1** was concurred in. Entered.

#### **Assembly Joint Resolution 34**

Relating to the life and public service of Stanley W. Slagg.

Representative Wahner asked unanimous consent that the entire membership of the assembly be made co-authors of **Assembly Joint Resolution 34**. Granted.

The question was: Shall **Assembly Joint Resolution 34** be adopted?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 34** be immediately messaged to the senate. Granted.

**Assembly Bill 31**

Relating to designating the 3rd week in September as "Wonderful Wisconsin Week" and directing the governor to issue a suitable proclamation.

The question was: Shall **Assembly Bill 31** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 31** be given a third reading. Granted.

The question was: **Assembly Bill 31** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, 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, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Murray, Omernick, Opitz, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 92.

Noes -- Broydrick, Loftus, Norquist and Snyder -- 4.

Absent or not voting -- Flintrop, Munts and Thompson -- 3.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 31** 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 Thompson. Granted.

Representative Opitz asked unanimous consent to be recorded on the following questions from Thursday, February 15. Granted.

Shall Assembly Bill 120 pass? Aye

Shall assembly amendment 1 to assembly substitute amendment 1 to Senate Joint Resolution 1 be rejected? Aye

Shall assembly substitute amendment 1 to Senate Joint Resolution 1 be rejected? No

Shall assembly amendment 1 to Senate Joint Resolution 1 be adopted? Aye

Shall Senate Joint Resolution 1 be nonconcurrent in? Aye

Shall Senate Joint Resolution 1 be ordered to a third reading? No

Shall the rules be suspended and Senate Joint Resolution 1 be given a third reading? No

Shall the rules be suspended and the motion for reconsideration of the vote by which Senate Joint Resolution 1 was ordered to a third reading be taken up at this time? No

Shall the rules be suspended and Senate Bill 1 be withdrawn from the calendar of Monday, February 19 and made a special order of business at 9:01 A.M. on Friday, February 16? Aye

Shall the rules be suspended and Senate Bill 1 be taken up at this time? No

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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:

Students from Emerson School in Madison, guests of Representative Clarenbach.

Members of the Shorewood Hills Community League, guests of Representative Miller.

Bud Kaupp from Milwaukee, guest of Representatives Kirby and Menos.

Robert Read from Delavan and John Olson from Lake Geneva, guests of Representatives DeLong and Porter.

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Representative Wahner 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.

10:45 A.M.