

# Assembly Journal

Eighty-Fourth Regular Session

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TUESDAY, February 27, 1979.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Rabbi Manfred Swarsensky of Beth El Temple, 2702 Arbor Drive, Madison.

Representative Rutkowski 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, 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, Ward, Wood, Young and Mr. Speaker -- 97.

Absent -- None.

Absent with leave -- Flintrop and Leopold -- 2.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Resolution 7** offered by Representatives Duren, Coggs, Wood, Wahner, Smith, Ulichny, Metz, Loftus, Lee, Otte, Tuczynski, Broydrick, Ward, Tesmer, Gerlach, Potter, Munts, Becker, Johnston, R. Travis, Snyder, Klicka, Lewis, Radtke, Rutkowski and Clarenbach.

Assembly amendment 2 to **Assembly Resolution 7** offered by Representative Jackamonis.

Assembly substitute amendment 1 to **Assembly Bill 40** offered by Representatives McClain and Wood, by request of Joint Survey Committee on Retirement Systems.

Assembly amendment 1 to **Assembly Bill 46** offered by Representative Lallensack.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 46** offered by Representatives Hephner and Lallensack.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 46** offered by Representatives Hephner and Lallensack.

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 46** offered by Representatives Hephner and Lallensack.

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INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

**Assembly Joint Resolution 40**

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

By Representative Leopold.

To committee on Revenue.

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INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

**Assembly Bill 209**

Relating to membership and responsibilities of the radiation protection council.

By Legislative Council.

To committee on Environmental Resources.

**Assembly Bill 210**

Relating to transportation of radioactive waste, granting rule-making authority and creating a penalty.

By Legislative Council.

To committee on Environmental Resources.

**Assembly Bill 211**

Relating to public service commission procedures on public utility depreciation and decommissioning nuclear power plants.

By Legislative Council.

To committee on Environmental Resources.

**Assembly Bill 212**

Relating to state action on proposed construction of radioactive waste disposal facilities in this state.

By Legislative Council.

To committee on Environmental Resources.

**Assembly Bill 213**

Relating to special death benefits for law enforcement and correctional officers, fire fighters and rescue squad members, and making an appropriation.

By Representatives Opitz, Lingren, Lewis, Luckhardt and Merkt, co-sponsored by Senator Murphy.

To committee on Labor.

**Assembly Bill 214**

Relating to the authority to designate no-passing zones.

By Representative Menos.

To committee on Highways.

**Assembly Bill 215**

Relating to revising public document distribution and sale, creating a public document center in the department of administration and a public document council in the department of public instruction, granting rule-making authority and making an appropriation.

By Representatives Metz, Tuczynski, Potter, McClain and Lorman.

To committee on Government Operations.

JOURNAL OF THE ASSEMBLY [February 27, 1979]

**Assembly Bill 216**

Relating to providing an additional appropriation for maintenance of snowmobile trails and restricting eligibility for fuel tax refunds.

By Representatives Kedrowski, Lingren, Behnke, Bradley, Hasenohrl, Smith, Kincaid, Murray, Byers, Fischer and Broydrick.

To committee on Tourism, Recreation and Economic Development.

**Assembly Bill 217**

Relating to warning lights on emergency vehicles.

By Representatives Opitz, Snyder and Lewis.

To committee on Highways.

**Assembly Bill 218**

Relating to adjusting school district equalized valuations by an income factor for school aid computations and increasing an appropriation.

By Representatives Kincaid, Swoboda, Donoghue, Kedrowski and Duren, co-sponsored by Senator Krueger.

To committee on Education.

**Assembly Bill 219**

Relating to election of the common council in 1st class cities and the board of supervisors in populous counties.

By Representatives Kirby, Leopold, Coggs, Becker, Gerlach, Behnke, Broydrick, Soucie and Tuczynski, co-sponsored by Senator Berger.

To committee on Local Affairs.

**Assembly Bill 220**

Relating to administration of state aid payments to vocational, technical and adult education district boards.

By Representatives Lingren, Roberts, Kirby, Kedrowski, Norquist, Johnson, Otte and Ellis, co-sponsored by Senators Kleczka, Maurer and Moody.

To committee on Education.

**Assembly Bill 221**

Relating to payment of interest by mortgagees on certain real estate tax and insurance deposits.

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

To committee on Financial Institutions.

**Assembly Bill 222**

Relating to exempting the Young Women's Christian Association from day care licensing.

By Representatives Leopold and Jackamonis.

To committee on Health and Social Services.

**Assembly Bill 223**

Relating to removing the YMCA's exemption from the day care licensing requirement.

By Representative Leopold.

To committee on Health and Social Services.

**Assembly Bill 224**

Relating to a mandatory risk sharing plan for group homes.

By Representative Leopold.

To committee on Financial Institutions.

**Assembly Bill 225**

Relating to altering the effects of zoning and deed covenants on community living arrangements.

By Representatives Shabaz, Jackamonis, Byers, Porter, Goodrich, Snyder, Bradley, Klicka, Ladwig, Matty, Kincaid, Young, Rooney, Quackenbush, Everson, Conradt, Dilweg, Behnke, McEssy, Shoemaker, DeLong and Omernick, co-sponsored by Senators Murphy, Berger, Kreul and Lasee, by request of Wisconsin County Boards Association and Wisconsin Towns Association.

To committee on Local Affairs.

**Assembly Bill 226**

Relating to a declaration of policy and establishment of rules of statutory construction relating to school boards and school districts.

By Representatives Kedrowski, DeLong, Fischer, Andrea, Roberts, Swoboda, Bradley, Lorman, Lewison, Hopkins, Harsdorf, Duren, Donoghue, Shoemaker, Porter, Conradt, Tregoning, Lewis, Paulson, Larson, Schmidt, Young, Ellis, Hauke, Smith, R. Travis, Dilweg, Lallensack, Shabaz and Merkt, co-sponsored by Senators Goyke, Krueger, Murphy, Bear, Lasee and Bidwell, by request of Wisconsin Association of School Boards.

To committee on State Affairs.

**Assembly Bill 227**

Relating to the purchase and loan of textbooks to pupils attending public and private schools, granting rule-making authority and making an appropriation.

By Representatives Plewa, Becker, R. Travis, Quackenbush, Gerlach, Coggs, Medinger, Schmidt, Broydrick, Rogers, Rooney.

JOURNAL OF THE ASSEMBLY [February 27, 1979]

Wahner, Hephner, Duren, Otte, Barczak, Helbach, Norquist, Gagin, Dilweg, Murray, Conradt, Bradley, Lewison, Smith, Tuczynski, Tesmer, Andrea, Vanderperren, Lallensack, Hasenohrl, Swoboda, Behnke, Pabst, Wagner, Porter, Metz, McEssy, Prosser, Hauke, Matty, Kincaid, Ward, Menos and Dorff.

To committee on Education.

**Assembly Bill 228**

Relating to equal insurance coverage of psychologists services.  
By Representative Clarenbach, co-sponsored by Senator Berger.  
To committee on Health and Social Services.

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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 34**

Passed and asks concurrence in:

**Senate Bill 54**

Concurred in as amended:

**Assembly Bill 6** (Senate amendment 1 adopted)

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ACTION ON THE SENATE MESSAGE

**Senate Bill 54**

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

By Senator Cullen; co-sponsored by Representative Vanderperren, by request of Wisconsin Department of Transportation, Wisconsin County Boards Association and Wisconsin Towns Association.

To calendar.

**Assembly Bill 6**

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

By Representatives Everson, Lewison, Schneider, Barry, Bradley, Snyder, Schmidt, Byers, Lorman, Porter, Hasenohrl, Tregoning, Fischer, Donoghue, Opitz, DeLong, Goodrich, Thompson, Harsdorf, Lewis, Roberts, Helbach, Hephner, McEssy, Klicka, Gunderson, Loftus and Lallensack, co-sponsored by Senator Thompson.

JOURNAL OF THE ASSEMBLY [February 27, 1979]

To Calendar.

Representative Wahner asked unanimous consent that **Assembly Bill 6** be withdrawn from the calendar and made a special order of business at 4:01 P.M. today. Granted.

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CALENDAR OF FRIDAY, FEBRUARY 23, 1979

**Assembly Bill 88**

Relating to prior approval of certain executive orders of the governor by appropriate standing committees of the legislature.

Assembly amendment 1 to **Assembly Bill 88** offered by Representative Thompson.

The question was: Shall assembly amendment 1 to **Assembly Bill 88** be adopted?

Motion carried.

Representative Gunderson moved that **Assembly Bill 88** be re-referred to the Joint Committee for Review of Administrative Rules.

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LEAVES OF ABSENCE

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

The question was: Shall **Assembly Bill 88** be re-referred to the Joint Committee for Review of Administrative Rules?

The roll was taken.

The result follows:

Ayes -- Byers, Conradt, Czerwinski, Donoghue, Ellis, Ferrall, Goodrich, Gunderson, Harer, Harsdorf, Johnson, Kedrowski, Kirby, Larson, Lee, Lorman, McClain, McEssy, Matty, Munts, Norquist, Prosser, Quackenbush and Radtke -- 24.

Noes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Clarenbach, Coggs, DeLong, Dilweg, Dorff, Duren, Everson, Fischer, Gagin, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnston, Kincaid, Klicka, Laatsch, Ladwig, Lallensack, Lewis, Lewison, Lingren, Loftus, Luckhardt, Medinger, Menos, Merkt, Metz, Miller, Murray, Omernick, Opitz, Otte, Pabst,

JOURNAL OF THE ASSEMBLY [February 27, 1979]

Paulson, Plewa, Porter, Potter, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 73.

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

Motion failed.

Assembly amendment 2 to **Assembly Bill 88** offered by Representatives Kirby, Fischer and Broydrick.

The question was: Shall assembly amendment 2 to **Assembly Bill 88** be adopted?

The roll was taken.

The result follows:

Ayes -- Andrea, Becker, Behnke, Broydrick, Byers, Clarenbach, Cogg, Czerwinski, Dilweg, Donoghue, Duren, Ellis, Everson, Ferrall, Fischer, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Larson, Lee, Lingren, Loftus, Lorman, McClain, McEssy, Matty, Metz, Miller, Munts, Norquist, Omernick, Paulson, Plewa, Potter, Prosser, Quackenbush, Radtke, Rogers, Rooney, Shoemaker, Smith, Snyder, Soucie, Tesmer, Travis, R., Tuczynski, Vanderperren and Ward -- 58.

Noes -- Barczak, Barry, Bradley, Conradt, DeLong, Dorff, Helbach, Hephner, Hopkins, Johnston, Klicka, Laatsch, Ladwig, Lewis, Lewison, Luckhardt, Medinger, Menos, Merkt, Murray, Opitz, Otte, Pabst, Porter, Roberts, Rutkowski, Schmidt, Schneider, Shabaz, Swoboda, Thompson, Travis, D., Tregoning, Ulichny, Wagner, Wahner, Wood, Young and Mr. Speaker -- 39.

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

Motion carried.

The question was: Shall **Assembly Bill 88** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 88** be given a third reading.

Representative Shabaz objected.



JOURNAL OF THE ASSEMBLY [February 27, 1979]

Representative Wahner moved that the rules be suspended and that **Assembly Bill 88** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 88** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Clarenbach, Coggs, Conradt, DeLong, Duren, Everson, Ferrall, Fischer, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Lallensack, Lewis, Lewison, Lingren, Loftus, Luckhardt, McClain, Medinger, Menos, Murray, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 60.

Noes -- Byers, Czerwinski, Dilweg, Donoghue, Dorff, Ellis, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hopkins, Klicka, Laatsch, Ladwig, Larson, Lee, Lorman, McEssy, Matty, Merkt, Miller, Munts, Norquist, Omernick, Opitz, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Shabaz, Snyder, Travis, R. and Young -- 36.

Absent or not voting -- Flintrop, Leopold and Metz -- 3.

Motion failed.

Representative Wahner moved reconsideration of the vote by which **Assembly Bill 88** was ordered to a third reading. Entered.

### **Assembly Bill 90**

Relating to closing hours for Class "A" and Class "B" fermented malt beverage establishments and providing a penalty.

The question was: Shall assembly amendment 1 to **Assembly Bill 90** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Bill 90** offered by Representatives Matty and Ellis.

Representative Dorff moved rejection of assembly amendment 2 to **Assembly Bill 90**.

JOURNAL OF THE ASSEMBLY [February 27, 1979]

Representative Matty asked unanimous consent that **Assembly Bill 90** be laid on the table.

Representative Dorff objected.

Representative Matty moved that **Assembly Bill 90** be laid on the table.

Representative Matty asked unanimous consent to withdraw his motion. Granted.

Assembly amendment 1 to assembly amendment 2 to **Assembly Bill 90** offered by Representatives Lewis and Matty.

Representative Dorff moved rejection of assembly amendment 1 to assembly amendment 2 to **Assembly Bill 90**.

Speaker pro tempore Kedrowski in the chair.

The question was: Shall assembly amendment 1 to assembly amendment 2 to **Assembly Bill 90** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Donoghue, Dorff, Fischer, Gagin, Gerlach, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Ladwig, Larson, Lee, Lewison, Lingren, Loftus, Luckhardt, McEssy, Medinger, Menos, Merkt, Murray, Omernick, Opitz, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner and Mr. Speaker -- 65.

Noes -- Bradley, DeLong, Dilweg, Duren, Ellis, Everson, Ferrall, Goodrich, Helbach, Johnston, Laatsch, Lallensack, Lewis, Lorman, McClain, Matty, Metz, Miller, Munts, Norquist, Paulson, Porter, Prosser, Quackenbush, Radtke, Soucie, Thompson, Travis, R., Tregoning, Ward, Wood and Young -- 32.

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

Motion carried.

Representative Dorff moved rejection of assembly amendment 2 to **Assembly Bill 90**.

JOURNAL OF THE ASSEMBLY [February 27, 1979]

The question was: Shall assembly amendment 2 to **Assembly Bill 90** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Donoghue, Dorff, Everson, Fischer, Gerlach, Goodrich, Gunderson, Harsdorf, Hauke, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Laatsch, Ladwig, Larson, Lewison, Lingren, Loftus, Luckhardt, McClain, McEssy, Medinger, Menos, Merkt, Metz, Murray, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner and Mr. Speaker -- 71.

Noes -- Bradley, Dilweg, Duren, Ellis, Ferrall, Harer, Hasenohrl, Helbach, Johnston, Klicka, Lallensack, Lee, Lewis, Lorman, Matty, Miller, Munts, Norquist, Omernick, Paulson, Prosser, Radtke, Ward, Wood and Young -- 25.

Absent or not voting -- Flintrop, Gagin and Leopold -- 3.

Motion carried.

The question was: Shall **Assembly Bill 90** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 90** be given a third reading. Granted.

The question was: **Assembly Bill 90** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Byers, Coggs, Conradt, Czerwinski, DeLong, Donoghue, Dorff, Duren, Everson, Ferrall, Fischer, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Johnston, Kedrowski, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Lewis, Lewison, Lingren, Loftus, Lorman,

JOURNAL OF THE ASSEMBLY [February 27, 1979]

Luckhardt, McClain, McEssy, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Opitz, Otte, Pabst, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Tesmer, Thompson, Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 87.

Noes -- Bradley, Clarenbach, Dilweg, Ellis, Hopkins, Kincaid, Matty, Paulson, Swoboda and Travis, D. -- 10.

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

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 90** be immediately messaged to the senate. Granted.

Representative Wahner asked unanimous consent to return to the fifth order of business. Granted.

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COMMITTEE REPORTS

The Joint Committee on Finance reports and recommends:

**Assembly Bill 46**

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

Introduction and adoption of assembly substitute amendment 1:

Ayes: (12) Noes: (2)

Passage with emergency clause attached:

Ayes: (12) Noes: (2)

To Calendar.

GARY JOHNSON  
Assembly Chairperson

Representative Wahner asked unanimous consent that **Assembly Bill 46** be withdrawn from the calendar and made a special order of business at 4:02 P.M. today. Granted.

**Assembly Bill 205**

Relating to a minimum tax on tax preference items.

JOURNAL OF THE ASSEMBLY [February 27, 1979]

Representative Wahner asked unanimous consent that **Assembly Bill 205** be made a special order of business at 4:03 P.M. today. Granted.

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CALENDAR OF MONDAY, FEBRUARY 26, 1979

**Assembly Resolution 7**

Relating to adopting the rules of the assembly in effect at the conclusion of the 1977 regular session of the assembly, with the modifications shown in this resolution, as the rules of the 1979 assembly.

Representative Wahner asked unanimous consent that **Assembly Resolution 7** be made a special order of business at 10:01 A.M. on Wednesday, February 28. Granted.

**Assembly Resolution 8**

Relating to smoking in the assembly chamber.

Representative Duren asked unanimous consent that **Assembly Resolution 8** be laid on the table. Granted.

**Assembly Bill 58**

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

Representative Shabaz asked unanimous consent that **Assembly Bill 58** be referred to the Joint Committee on Finance. Granted.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 58** be withdrawn from the Joint Committee on Finance and taken up at this time. Granted.

The question was: Shall **Assembly Bill 58** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 58** be given a third reading. Granted.

The question was: **Assembly Bill 58** having been read three times, shall the bill pass?

JOURNAL OF THE ASSEMBLY [February 27, 1979]

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Byers, Clarenbach, Cogg, 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, 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, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 95.

Noes -- Broydrick -- 1.

Absent or not voting -- Flintrop, Leopold and Rutkowski -- 3.

Motion carried.

Representative Rutkowski asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 58** be immediately messaged to the senate. Granted.

Speaker Jackamonis in the chair.

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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 amendment 1 to **Senate Joint Resolution 1**

Representative Wahner asked unanimous consent that the assembly stand recessed until 4:00 P.M. Granted.

The assembly stood recessed.

11:55 A.M.

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RECESS

4:10 P.M.

The assembly reconvened.

Representative Wahner asked unanimous consent to return to the fifth order of business. Granted.

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COMMITTEE REPORTS

The committee on Revenue reports and recommends:

**Assembly Bill 99**

Relating to payment of special fuel taxes.

Passage: Ayes: (8) Noes: (0)

To Calendar.

MARLIN SCHNEIDER  
Chairperson

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CALL OF THE ASSEMBLY

Representative Wahner demanded a call of the assembly. There were sufficient seconds.

The sergeant-at-arms was directed to close the doors and the chief clerk to call the roll.

The chief clerk called the roll.

Members absent with leave - Flintrop and Leopold.

Members absent without leave - None.

All members being present or absent with leave, the call of the assembly was lifted.

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SPECIAL ORDER OF BUSINESS AT 4:01 P.M.  
ON TUESDAY, FEBRUARY 27, 1979

**Assembly Bill 6**

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

JOURNAL OF THE ASSEMBLY [February 27, 1979]

Representative Lee moved nonconcurrency in senate amendment 1 to **Assembly Bill 6**.

The question was: Shall senate amendment 1 to **Assembly Bill 6** be nonconcurrent in?

The roll was taken.

The result follows:

Ayes -- Broydrick, Czerwinski, Ferrall, Kirby, Lee and Norquist -  
- 6.

Noes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Byers, Clarenbach, Coggs, Conradt, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Johnston, Kedrowski, Kincaid, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, 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, Ward, Wood, Young and Mr. Speaker -- 91.

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

Motion failed.

The question was: Shall senate amendment 1 to **Assembly Bill 6** be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, 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, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Omernick, Opitz, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz,



JOURNAL OF THE ASSEMBLY [February 27, 1979]

Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 91.

Noes -- Becker, Broydrick, Czerwinski, Kirby, Lee and Norquist -  
- 6.

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

Motion carried.

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

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SPECIAL ORDER OF BUSINESS AT 4:02 P.M.  
ON TUESDAY, FEBRUARY 27, 1979

**Assembly Bill 46**

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

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POINT OF ORDER

Representative Lallensack rose to the point of order that assembly substitute amendment 1 to **Assembly Bill 46** was not germane under Assembly Rule 50 because the constitutional amendment providing for public debt for veterans' housing which was approved by the people in April 1975 (Wis. Constitution Article VIII, Sections 3 and 7) provided for general obligation bonding and not revenue bonding as contained in the substitute amendment.

The speaker ruled the point of order not well taken because amendments to bills are not required to be germane to the constitution. He also ruled: 1) the substitution of revenue bonding for general obligation bonding was a matter of particularized details and not one individual proposition amending another, 2) the substitute was intended to accomplish the same purpose in a different manner, and 3) the scope of the proposal was not expanded by changing the amount of the appropriation.

Representative Lallensack asked unanimous consent that assembly substitute amendment 1 to **Assembly Bill 46** be laid on the table.

JOURNAL OF THE ASSEMBLY [February 27, 1979]

Representative Johnson objected.

Representative Lallensack moved that assembly substitute amendment 1 to **Assembly Bill 46** be laid on the table.

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POINT OF ORDER

Representative Lorman rose to the point of order that assembly substitute amendment 1 to **Assembly 46** was not germane under Assembly Rule 50 (1) because revenue bonds do not increase the debt ceiling as the title of the bill calls for.

The speaker ruled the point of order not well taken.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 46** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Byers, Conradt, DeLong, Dorff, Duren, Everson, Goodrich, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Kincaid, Laatsch, Ladwig, Lallensack, Larson, Lewison, Lingren, Lorman, Luckhardt, McEssy, Medinger, Menos, Murray, Paulson, Porter, Potter, Prosser, Radtke, Rogers, Schmidt, Schneider, Smith, Swoboda, Travis, R., Vanderperren and Wood -- 42.

Noes -- Barczak, Becker, Behnke, Bradley, Broydrick, Clarenbach, Coggs, Czerwinski, Dilweg, Donoghue, Ellis, Ferrall, Fischer, Gagin, Gerlach, Gunderson, Johnson, Johnston, Kedrowski, Kirby, Klicka, Lee, Loftus, McClain, Matty, Merkt, Metz, Miller, Munts, Norquist, Omernick, Opitz, Otte, Pabst, Plewa, Quackenbush, Roberts, Rooney, Rutkowski, Shabaz, Shoemaker, Snyder, Soucie, Tesmer, Thompson, Travis, D., Tregoning, Tuczynski, Ulichny, Wagner, Wahner, Ward, Young and Mr. Speaker -- 54.

Absent or not voting -- Flintrop, Leopold and Lewis -- 3.

Motion failed.

Representative Johnson moved rejection of assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 46**.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 46** be rejected?

JOURNAL OF THE ASSEMBLY [February 27, 1979]

The roll was taken.

The result follows:

Ayes -- Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Clarenbach, Coggs, Czerwinski, Dilweg, Donoghue, Ellis, Ferrall, Fischer, Gagin, Gerlach, Gunderson, Harer, Helbach, Hopkins, Johnson, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lee, Lewis, Lingren, Loftus, McClain, Matty, Merkt, Metz, Miller, Munts, Norquist, Omernick, Otte, Pabst, Plewa, Potter, Prosser, Quackenbush, Radtke, Roberts, Rooney, Rutkowski, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Tesmer, Travis, D., Tuczynski, Ulichny, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 64.

Noes -- Andrea, Byers, Conradt, DeLong, Dorff, Duren, Everson, Goodrich, Harsdorf, Hasenohrl, Hauke, Hephner, Johnston, Kedrowski, Lallensack, Larson, Lewison, Lorman, Luckhardt, McEssy, Medinger, Menos, Murray, Paulson, Porter, Rogers, Schmidt, Swoboda, Thompson, Travis, R., Tregoning and Vanderperren -- 32.

Absent or not voting -- Flintrop, Leopold and Opitz -- 3.

Motion carried.

Representative Norquist moved rejection of assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 46**.

Speaker pro tempore Kedrowski in the chair.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 46** be rejected?

The roll was taken.

The result follows:

Ayes -- Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Clarenbach, Coggs, Czerwinski, DeLong, Dilweg, Donoghue, Duren, Ellis, Ferrall, Fischer, Gagin, Gerlach, Goodrich, Gunderson, Harsdorf, Helbach, Hopkins, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lee, Lewis, Lingren, Loftus, Lorman, McClain, Matty, Medinger, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rooney, Rutkowski, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Tesmer,

JOURNAL OF THE ASSEMBLY [February 27, 1979]

Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 76.

Noes -- Andrea, Byers, Conradt, Dorff, Everson, Harer, Hasenohrl, Hauke, Hephner, Lallensack, Larson, Lewison, Luckhardt, McEssy, Menos, Paulson, Rogers, Schmidt, Swoboda and Vanderperren -- 20.

Absent or not voting -- Flintrop, Leopold and Opitz -- 3.

Motion carried.

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POINT OF ORDER

Representative Johnson rose to the point of order that assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 46** was not germane under Assembly Rule 50 (3) (c) and (f) because it affects all bonding.

Representative Hephner asked unanimous consent that assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 46** be withdrawn and returned to the authors. Granted.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 46** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 46** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Behnke, Bradley, Byers, Clarenbach, Cogg, 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, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski,

JOURNAL OF THE ASSEMBLY [February 27, 1979]

Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 90.

Noes -- Becker, Broydrick, Kirby, Lee, Norquist and Soucie -- 6.

Absent or not voting -- Flintrop, Leopold and Opitz -- 3.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 46** be given a third reading. Granted.

The question was: **Assembly Bill 46** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Behnke, Bradley, 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, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 89.

Noes -- Becker, Broydrick, Gagin, Kirby, Lee, Norquist and Soucie -- 7.

Absent or not voting -- Flintrop, Leopold and Opitz -- 3.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 46** be immediately messaged to the senate. Granted.

JOURNAL OF THE ASSEMBLY [February 27, 1979]

SPECIAL ORDER OF BUSINESS AT 4:03 P.M.  
ON TUESDAY, FEBRUARY 27, 1979

**Assembly Bill 205**

Relating to a minimum tax on tax preference items.

Representative Wahner asked unanimous consent that **Assembly Bill 205** be referred to the Joint Committee on Finance. Granted.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 205** be withdrawn from the Joint Committee on Finance and taken up at this time.

Representative Radtke objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 205** be withdrawn from the Joint Committee on Finance and taken up at this time.

The question was: Shall the rules be suspended and **Assembly Bill 205** be withdrawn from the Joint Committee on Finance and taken up at this time?

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, Kedrowski, Kincaid, Kirby, Lallensack, Lee, Loftus, McClain, Matty, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood and Mr. Speaker -- 55.

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

Absent or not voting -- Flintrop, Leopold, Opitz, Rooney and Ward -- 5.

Motion failed.

Representative Ward asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Representative Wahner introduced a privileged joint resolution.

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INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

**Assembly Joint Resolution 41**

Relating to the public service career of Laurence J. Day, former representative to the assembly from the 86th District.

By Representatives Murray, Lallensack, Vanderperren, Bradley, Hephner, Ward, Hasenohrl, Wahner, Barry, Dorff, Jackamonis, Everson, Soucie, McClain, Kedrowski, Miller, Dilweg, Ulichny, D. Travis, Czerwinski, Barczak, Potter, Rutkowski, Fischer, Donoghue, Wagner, Hauke, Andrea, Rogers, Ferrall, Tesmer, Otte, Swoboda, Wood, Shoemaker, Menos, Duren, Tuczynski, Behnke, Roberts, Lingren, Helbach, Schmidt, Merkt, R. Travis, Paulson, Clarenbach, Kincaid, Lewison, Porter, Conradt, Quackenbush, Medinger, Gagin, Ladwig, Ellis, Prosser, Radtke, Hopkins, Matty, Rooney, Snyder, Larson, Smith, McEssy, Luckhardt, Schneider, Pabst, Lee, Broydrick and Norquist, co-sponsored by Senators Bablitch and Chilsen.

The question was: Shall **Assembly Joint Resolution 41** be adopted?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 41** be immediately messaged to the senate. Granted.

Representative Wahner introduced a privileged joint resolution.

**Assembly Joint Resolution 42**

Relating to commending Robert T. Huber for his service to the Wisconsin state assembly and to the people of Wisconsin.

By the entire membership of the Assembly, co-sponsored by Senator Flynn.

The question was: Shall **Assembly Joint Resolution 42** be adopted?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 42** be immediately messaged to the senate. Granted.

LEAVES OF ABSENCE

Representative Thompson asked unanimous consent for a leave of absence for today's session from 5:00 P.M. on for Representative Opitz. Granted.

Representative Wahner asked unanimous consent that the assembly adjourn in honor of the 49th birthday of Representative Dorff. Granted.

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LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Senate amendment 1 to **Assembly Bill 6**

1. On line 6, substitute "Growing" for "Growning".

**Assembly Bill 40**

1. On page 5, line 17, substitute a period for the semicolon.
2. On page 6, line 23, substitute "40.93 (1)" for "40.03 (1)".

**Assembly Bill 82**

1. On page 1, line 1, after "57.06 (1)" insert "(a)".

**Assembly Bill 152**

1. On page 6, line 11, before "(1)" insert "sub.".
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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:

Social Problems class from Platteville High School accompanied by Clay Shaffer, guests of Representative R. Travis.

Fourth grade class from River Valley School district, guests of Representative Laatsch.

Roger Reinel, former Jefferson county sheriff, Byron Wackett, former 39th district state representative, Penny Semereau, artist who did the blue cow along I-94 in Jefferson county and Barbara Lorman, guests of Representative Lorman.

Seventh grade students from Elroy Middle School accompanied by teachers Rebecca Gagnon and Larry Daines, guests of Representative Thompson.



JOURNAL OF THE ASSEMBLY [February 27, 1979]

Harvey Dueholm, former 28th district state representative, guest of Representative Paulson.

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.

6:10 P.M.