

JOURNAL OF THE ASSEMBLY [March 21, 1979]

STATE OF WISCONSIN

# Assembly Journal

Eighty-Fourth Regular Session

WEDNESDAY, March 21, 1979.

The chief clerk makes the following entries under the above date:

---

## AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Joint Resolution 37** offered by Representative Barczak.

Assembly amendment 1 to **Assembly Joint Resolution 38** offered by Representative Barczak.

Assembly amendment 1 to **Assembly Bill 16** offered by committee on Judiciary.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 84** offered by Representative Fischer.

Assembly substitute amendment 1 to **Assembly Bill 100** offered by Representative Bradley.

Assembly amendment 1 to **Assembly Bill 178** offered by Representative Lee.

Assembly substitute amendment 1 to **Assembly Bill 239** offered by Representatives R. Travis and Byers.

Assembly amendment 1 to **Assembly Bill 261** offered by Representative Klicka.

Assembly amendment 1 to **Assembly Bill 270** offered by Representative McClain.

Assembly amendment 1 to **Assembly Bill 282** offered by Representative Potter.

---

## INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

**Assembly Resolution 10**

Requesting an opinion of the attorney general as to the constitutionality of 1979 Assembly Bill 227, relating to the purchase and loan of textbooks to pupils attending public and private schools.

By Representatives Plewa and Becker.

To committee on Education.

**Assembly Joint Resolution 49**

Relating to the practice of law (first consideration).

By Legislative Council.

To committee on State Affairs.

---

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

**Assembly Bill 303**

Relating to prohibiting the sale or distribution of 2, 4-D and creating a penalty.

By Representative Clarenbach.

To committee on Environmental Resources.

**Assembly Bill 304**

Relating to compulsory automobile liability insurance, granting rule-making authority and providing a penalty.

By Representative Kirby.

To committee on Highways.

**Assembly Bill 305**

Relating to extending the state employment labor relations act to cover limited term, project, provisional and seasonal employes.

By Representatives Clarenbach, D. Travis, Loftus and Barry, co-sponsored by Senators Bear, Moody and Risser.

To committee on State Affairs.

**Assembly Bill 306**

Relating to regulation of cryogenic interment, and granting rule-making power.

By Representative Ellis, by request of Joe Cannon.

To committee on State Affairs.

**Assembly Bill 307**

Relating to restrictions on certain fermented malt beverage and intoxicating liquor licensees' contributions to trade associations and the sale of fermented malt beverages by brewers and bottlers.

By Representative Dorff.

JOURNAL OF THE ASSEMBLY [March 21, 1979]

To committee on Excise and Fees.

**Assembly Bill 308**

Relating to inspection of school bus routes by law enforcement officers and maintenance of school bus routes.

By Representatives Wahner, Kedrowski, Smith and Kirby, co-sponsored by Senator Berger.

To committee on Transportation.

**Assembly Bill 309**

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

By Representatives Menos, Vanderperren, Andrea, Barczak, Ward, Kirby, Potter, Porter, Tregoning, Ladwig, Snyder, Gagin, Everson and Jackamonis, co-sponsored by Senator Berger.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 310**

Relating to requiring property tax bills and attaching an abbreviated form of the school district budget to the tax bill.

By Representatives Dorff, Kincaid, Broydrick, Lallensack, Pabst, Ferrall, Everson and Duren.

To committee on Local Affairs.

**Assembly Bill 311**

Relating to revising the general relief laws, granting rule-making authority and making an appropriation.

By Representatives Metz, Becker, Leopold, Coggs, Ulichny, Soucie, Schneider, Flintrop, Munts and Broydrick.

To committee on Health and Social Services.

**Assembly Bill 312**

Relating to multicounty mosquito control districts.

By Representatives Medinger, Roberts, Schneider, Coggs, Leopold, Ladwig, Becker and Conradt, co-sponsored by Senators Offner, Berger and Radosevich.

To committee on Health and Social Services.

**Assembly Bill 313**

Relating to reimbursement for clothing for crime victims.

By Representatives Ulichny, Ferrall, Wahner, Kirby, Norquist, Munts and D. Travis, co-sponsored by Senators Flynn, Swan, Adelman and Cullen.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 314**

Relating to the definition of farm truck.

JOURNAL OF THE ASSEMBLY [March 21, 1979]

By Representative Medinger.  
To committee on Transportation.

**Assembly Bill 315**

Relating to altering penalties for the possession and gift of marijuana and permitting the enactment of certain ordinances.

By Representatives Clarenbach, Flintrop, Loftus, Ulichny, D. Travis, Coggs, Leopold, Munts, Wahner and Becker, by request of League of Women Voters of Wisconsin, Wisconsin Association on Alcoholism and Other Drug Abuse and the National Organization for Reform of Marijuana Laws (Wisconsin affiliate).

To committee on Health and Social Services.

**Assembly Bill 316**

Relating to excluding retirement and social security payments from income for purposes of determining eligibility for, and the amount of, homestead tax credit.

By Representatives Barry and Everson, co-sponsored by Senators Theno and Chilsen.

To committee on Revenue.

**Assembly Bill 317**

Relating to publication of school board and municipal proceedings.

By Representatives Hauke, Behnke, Klicka, Plewa, Menos, Rutkowski, Ward and Duren, co-sponsored by Senators Lasee, Bidwell and Berger.

To committee on Local Affairs.

**Assembly Bill 318**

Relating to judgments taken against officers or employes of state and political subdivisions where the state is liable to a coemployee.

By Legislative Council.

To committee on Government Operations.

**Assembly Bill 319**

Relating to testing for the purpose of securing evidence of discrimination in housing, public accommodations and employment.

By Legislative Council.

To committee on Judiciary.

**Assembly Bill 320**

Relating to private domestic sewage treatment and disposal, granting rule-making authority and providing penalties.

By Legislative Council.

To committee on Environmental Resources.

## JOURNAL OF THE ASSEMBLY [March 21, 1979]

### **Assembly Bill 321**

Relating to governmental practices regarding personal information, granting rule-making authority and providing penalties.

By Legislative Council.

To committee on Government Operations.

### **Assembly Bill 322**

Relating to partisan primary elections, special elections, election officials, ballots, nominations, canvassing, recounts, vacancies, referenda, voting procedure, residency, notices and administration of elections and making an appropriation.

By committee on Elections, by request of the State Elections Board.

To committee on Elections.

### **Assembly Bill 323**

Relating to an inheritance tax exemption for the first \$250,000 of family farm property.

By Representatives Duren, Swoboda, Vanderperren, Barry, Hasenohrl, Everson, Kincaid, Potter, Hephner, Rogers, Fischer, Helbach and Smith, co-sponsored by Senators Van Sistine, Kreul, Lasee and Swan.

To Joint Survey Committee on Tax Exemptions.

### **Assembly Bill 324**

Relating to registration of hearing aid dispensers and fitters, abolishing the hearing aid dealers and fitters examining board, granting rule-making authority and providing penalties.

By Representative Rutkowski, co-sponsored by Senator Adelman.

To committee on Commerce and Consumer Affairs.

### **Assembly Bill 325**

Relating to state acquisition of the Milwaukee public museum, granting rule-making authority and making an appropriation.

By Representatives Rutkowski, Tesmer, Ward, Gerlach, Plewa, Soucie, Menos, Hauke, Coggs, Ulichny, Behnke, Pabst, Kirby, Barczak, Czerwinski, Broydrick, Becker, Lee, Norquist and Johnston, co-sponsored by Senators Braun, Swan, Frank and Adelman.

To committee on State Affairs.

### **Assembly Bill 326**

Relating to claim procedures against government entities and employees, and statutes of limitation.

JOURNAL OF THE ASSEMBLY [March 21, 1979]

By Representative Rutkowski, co-sponsored by Senator Adelman, by request of Judicial Council.

To committee on Judiciary.

**Assembly Bill 327**

Relating to the statute of limitations for personal injury actions.

By Representative Becker, by request of Wald Klimczyk.

To committee on Judiciary.

**Assembly Bill 328**

Relating to prohibition of certain compulsory overtime work.

By Representatives Miller, Andrea, Behnke, Coggs, Kedrowski, Munts, Becker, Clarenbach, Dorff, Ferrall, D. Travis and Wood, co-sponsored by Senators Van Sistine and Moody.

To committee on Labor.

---

COMMITTEE REPORTS

The committee on Elections reports and recommends:

**Assembly Bill** ——— (Irb 1522/3)

Relating to partisan primary elections, special elections, election officials, ballots, nominations, canvassing, recounts, vacancies, referenda, voting procedure, residency, notices and administration of elections and making an appropriation.

Introduction: Ayes: (11) Noes: (0)

**Assembly Bill 166**

Relating to authorization to call special elections to fill certain anticipated legislative vacancies.

Passage: Ayes: (11) Noes: (0)

To committee on Rules.

CALVIN POTTER

Chairperson

The committee on Financial Institutions reports and recommends:

**Assembly Bill 85**

Relating to measurement of loss for property insurance.

Adoption of assembly amendment 1:

Ayes: (8) Noes: (4) Not Voting: (2)

Adoption of assembly amendment 2:

JOURNAL OF THE ASSEMBLY [March 21, 1979]

Ayes: (12) Noes: (0) Not Voting: (2)

Passage: Ayes: (12) Noes: (1) Not Voting: (1)  
To committee on Rules.

**Assembly Bill 103**

Relating to authorization of school districts and others to utilize savings or checking accounts in public depositories.

Passage: Ayes: (14) Noes: (0)  
To committee on Rules.

THOMAS HAUKE  
Chairperson

The committee on Health and Social Services reports and recommends:

**Assembly Bill 84**

Relating to tuition payments by the state for children in certain group homes.

Adoption of assembly substitute amendment 1:  
Ayes: (12) Noes: (0)

Passage: Ayes: (12) Noes: (0)  
To committee on Rules.

JOSEPH CZERWINSKI  
Chairperson

---

PETITIONS

**Assembly Petition 9**

Submitted by the Jefferson County Board in support of Assembly Bill 98, relating to raising the drinking age to 19.

By Representatives Radtke and Lorman.  
To committee on State Affairs.

**Assembly Petition 10**

Submitted by the Jefferson County Board in opposition to Assembly Bill 155, relating to eligibility of county, city and town employes to county board supervisor positions.

By Representatives Radtke and Lorman.  
To committee on Local Affairs.

JOURNAL OF THE ASSEMBLY [March 21, 1979]

**Assembly Petition 11**

Submitted by the Jefferson County Board in support of Assembly Bill 112, relating to state reimbursement for municipal costs incurred as the result of state action.

By Representatives Radtke and Lorman.

To committee on State Affairs.

**Assembly Petition 12**

Submitted by the Jefferson County Board in support of Senate Bill 96, relating to mandatory state funding for activities required by law of local governments.

By Representatives Radtke and Lorman.

To committee on Local Affairs.

**Assembly Petition 13**

Submitted by Grant Sanderson of Columbus consisting of 85 signatures of citizens of Wisconsin in support of legislation abolishing the property tax on farm facilities and structures used in the production and storage of food and fiber.

By Representative Radtke.

To committee on Agriculture.

---

COMMUNICATIONS

State of Wisconsin  
Department of State  
Madison

To Whom It May Concern:

Dear Sir: Acts, joint resolutions and resolutions, deposited in this office, have been numbered and published as follows:

Bill, Jt. Res. or Res.	Enrolled No.	Publication date
Assembly Jt. Res. 34 -----	4 -----	Not published
Assembly Jt. Res. 41 -----	5 -----	Not published
Assembly Jt. Res. 42 -----	6 -----	Not published

VEL PHILLIPS  
Secretary of State



JOURNAL OF THE ASSEMBLY [March 21, 1979]

Notice of Intent received from Bureau of Planning, Department of Health and Social Services to apply for Federal Assistance for Emergency Medical Services Systems for Wisconsin.

Comments due by March 26, 1979.

To committee on Health and Social Services.

Notice of Intent received from Division of Vocational Rehabilitation, Department of Health and Social Services to apply for Federal Assistance for Arthritis Occupational Study.

Comments due by March 28, 1979.

To committee on Health and Social Services.

Notice of Intent received from Division of Health, Department of Health and Social Services to apply for Federal Assistance for Emergency Medical Services Systems Development (resubmission).

Comments due by March 28, 1979.

To committee on Health and Social Services.

Notice of Intent received from Division of State Planning and Energy, Department of Administration to apply for Federal Assistance for Section 306 1979 continuing grant, Wisconsin Coastal Management Program.

Comments due by April 4, 1979.

To committee on Environmental Resources.

To committee on Tourism, Recreation and Economic Development.

---

State of Arkansas  
Seventy-Second General Assembly

Requesting appropriate action by the Congress, either acting by consent of two-thirds of both houses, or, upon the application of the legislatures of two-thirds of the several states, calling a constitutional convention to propose an amendment to the Federal Constitution to require, with certain exceptions, that the total of all Federal appropriations may not exceed the total of all estimated Federal revenues in any fiscal year.

Whereas, with each passing year this Nation becomes more deeply in debt as its expenditures grossly and repeatedly exceed available revenues, so that the public debt now exceeds hundreds of billions of dollars; and

Whereas, the annual Federal budget continually demonstrates an unwillingness or inability of both the legislative and executive

JOURNAL OF THE ASSEMBLY [March 21, 1979]

branches of the Federal government to curtail spending to conform to available revenues; and

Whereas, unified budgets do not reflect actual spending because of the exclusion of special outlays which are not included in the budget nor subject to the legal public debt limit; and

Whereas, knowledgeable planning, fiscal prudence, and plain good sense require that the budget reflect all Federal spending and be in balance; and

Whereas, believing that fiscal irresponsibility at the Federal level, with the inflation which results from this policy, is the greatest threat which faces our Nation, we firmly believe that constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility; and

Whereas, under Article V of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both Houses deem it necessary, or on the application of the legislatures of two-thirds of the several states the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action vital;

Now, therefore, be it resolved by the Seventy-Second General Assembly of the State of Arkansas: that this Body proposes to the Congress of the United States that procedures be instituted in the Congress to add a new Article to the Constitution of the United States, and that the General Assembly of the State of Arkansas requests the Congress to prepare and submit to the several states an amendment to the Constitution of the United States, requiring in the absence of a national emergency that the total of all Federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated Federal revenues for that fiscal year; and

Be it further resolved that, alternatively, this Body makes application and requests that the Congress of the United States call a constitutional convention for the specific and exclusive purpose of proposing an amendment to the Federal Constitution requiring in the absence of a national emergency, that the total of all Federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated Federal revenues for that fiscal year; and

Be it further resolved, that this Body also proposes that the legislatures of each of the several states comprising the United States

JOURNAL OF THE ASSEMBLY [March 21, 1979]

apply to the Congress requesting the enactment of an appropriate amendment to the Federal Constitution, or requiring the Congress to call a constitutional convention for proposing such an amendment to the Federal Constitution; and

Be it further resolved, that copies of this Resolution be sent by the Secretary of State to the Arkansas Congressional Delegation; and

Be it further resolved, that the Secretary of State of the State of Arkansas is directed to send copies of this Joint Resolution to the Secretary of State and presiding officers of both Houses of the Legislature of each of the other States in the Union, the Clerk of the United States House of Representatives, Washington, D.C., and the Secretary of the United States Senate, Washington, D.C.

---

SPEAKER'S APPOINTMENTS

March 20, 1979

Mr. Marcel Dandeneau  
Assembly Chief Clerk  
State Capitol, 329 West  
Madison, Wisconsin 53702

Dear Marcel:

This is to inform you that I have, as of this date, made the following legislative appointment:

Representative Sharon Metz to serve as a member of the  
Assembly Transportation Committee.

ED JACKAMONIS  
Speaker

---

EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor  
Madison

To the Honorable, the Assembly:

The following bills, originating in the assembly, have been approved, signed and deposited in the office of the Secretary of State:

JOURNAL OF THE ASSEMBLY [March 21, 1979]

Assembly Bill	Chapter No.	Date Approved
<b>6</b> -----	<b>3</b> -----	March 16, 1979
<b>46</b> -----	<b>4</b> -----	March 16, 1979
<b>120</b> -----	<b>5</b> -----	March 16, 1979
<b>17</b> -----	<b>6</b> -----	March 16, 1979

Respectfully submitted,  
**LEE SHERMAN DREYFUS**  
Governor

---

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

**Assembly Bill 82**

I. On page 1, line 1, after "ACT" insert "to renumber 946.43;"