

JOURNAL OF THE ASSEMBLY [April 11, 1979]

STATE OF WISCONSIN

Assembly Journal

Eighty-Fourth Regular Session

WEDNESDAY, April 11, 1979.

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 54** offered by Joint Committee for Review of Administrative Rules.

Assembly amendment 2 to **Assembly Bill 163** offered by Representative Dorff.

Assembly amendment 1 to **Assembly Bill 246** offered by Representative Loftus.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred: -

Assembly Resolution 11

To amend assembly rule 33 (2), deleting reference in the assembly rules to the senate president pro tempore.

By Representative Jackamonis.

To Calendar.

Assembly Joint Resolution 51

Directing the legislative council to study the nursing home needs of veterans.

By Representatives Leopold, Andrea, R. Travis, Byers, Conradt, Lallensack, Coggs, Medinger, Lingren, Behnke, Czerwinski, Thompson and Shoemaker, co-sponsored by Senator Moody.

To committee on Government Operations.

Assembly Joint Resolution 52

Proclaiming the week of April 29 to May 5, 1979, as "Wisconsin youth conservation employment week".

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By Representatives Murray, Lallensack, Barry, Munts, Flintrop, Hasenohrl, Smith, Wood, Behnke, Wagner, Ulichny, Soucie, Kincaid, Tesmer, Lee, Barczak, Everson, Jackamonis, McClain, Plewa, Becker, Duren, Otte, Gerlach, Lingren, Wahner, Lorman, Rogers, Swoboda, Byers, Thompson, Tregoning, Donoghue, Matty, Metz, Schmidt, DeLong, Dilweg, Andrea and Menos, co-sponsored by Senators Van Sistine, Maurer, Krueger and Roshell.

To Calendar.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 391

Relating to increasing the maximum total indebtedness applicable to the Wisconsin housing finance authority.

By committee on Local Affairs.

To Joint Survey Committee on Debt Management.

Assembly Bill 392

Relating to the composition and powers of the elections board.

By Representatives Leopold, Becker and Behnke, co-sponsored by Senator Moody.

To committee on Elections.

Assembly Bill 393

Relating to the use of voting machines at elections and making an appropriation.

By Representatives Leopold, D. Travis, Ferrali and Shoemaker, co-sponsored by Senator Radosevich.

To committee on Elections.

Assembly Bill 394

Relating to licensing and regulation of social workers, creating a social workers council, creating a social worker-client privilege, making an appropriation, granting rule-making authority and providing penalties.

By Representatives Leopold, McClain, Smith, Lingren, Helbach, Hasenohrl, Medinger, Behnke, Ulichny, Kedrowski, Kincaid, Rutkowski, Becker, Clarenbach, Donoghue, Omernick, Coggs and Shoemaker, co-sponsored by Senators Murphy, Bablitch, Chilsen, Braun, Kreul and Moody.

To committee on Health and Social Services.

Assembly Bill 395

Relating to educational benefits for Vietnam era veterans, granting rule-making authority and making an appropriation.

By Representatives Lallensack, Vanderperren, Byers, Andrea, Conradt, Leopold and Coggs, co-sponsored by Senators Swan and Van Sistine.

To committee on Veterans and Military Affairs.

Assembly Bill 396

Relating to increasing the amount of veterans' economic assistance loans, changing eligibility for veterans part-time study grant program and changing the funding for veterans' preference rates at university of Wisconsin hospitals and clinics.

By Representatives Lallensack, Vanderperren, Byers, Matty, Conradt, Coggs and Andrea, co-sponsored by Senators Swan and Van Sistine.

To committee on Veterans and Military Affairs.

Assembly Bill 397

Relating to providing a per diem for members of the board of veterans affairs, placing the secretary of veterans affairs position in a higher executive salary range and expanding the definition of employe for purposes of worker's compensation.

By Representatives Lallensack, Conradt, Matty, Andrea, Leopold and Coggs, co-sponsored by Senator Swan.

To committee on Veterans and Military Affairs.

Assembly Bill 398

Relating to determining eligibility for veterans benefits.

By Representatives Lallensack, Vanderperren, Byers, Matty, Wood, Conradt, Andrea and Kincaid, co-sponsored by Senators Swan and Van Sistine.

To committee on Veterans and Military Affairs.

Assembly Bill 399

Relating to raising the age of majority to 19.

By Representatives Metz, Dilweg, Vanderperren, Rogers, Ward, Menos and Leopold.

To committee on State Affairs.

Assembly Bill 400

Relating to the time for commencing ballot recounts.

By Representative Potter, by request of League of Wisconsin Municipalities.

To committee on Elections.

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Assembly Bill 401

Relating to retail liquor licenses for restaurants of historical significance.

By Representative Kedrowski, co-sponsored by Senator Theno.
To committee on Excise and Fees.

Assembly Bill 402

Relating to the effective date of the sales tax exemption for fuel oil and propane sold for residential use.

By Representatives Otte, Hephner, Vanderperren, Metz, Wagner, Rogers, Matty, Helbach, Conradt, Klicka, Thompson and Roberts, co-sponsored by Senators Maurer, Van Sistine, Bidwell, Bablitch and Cullen.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 403

Relating to authorizing the department of health and social services to approve the limited use of experimental private domestic sewage treatment and disposal systems and granting rule-making authority.

By Representatives Bradley, Byers, McEssy, Lewis, Harer, Porter, Conradt, Kedrowski, Thompson, Klicka and Shabaz, co-sponsored by Senators Kreul and Roshell.

To committee on Environmental Resources.

Assembly Bill 404

Relating to the submission of information to the board of nursing on license renewal applications.

By Representative Jackamonis.

To committee on Judiciary.

Assembly Bill 405

Relating to the date for the notification by the department of revenue to municipalities of the amount of property tax credits.

By Representatives Andrea, Vanderperren, Barczak, Wood, Rutkowski, Dorff, Plewa, Wahner, Barry, Hasenohrl, Rogers, Menos, Becker, Swoboda, Kincaid, Soucie, Tuczynski, Lee, Jackamonis, Everson, Medinger, Bradley, Hopkins, Otte, Leopold, Lallensack and Snyder.

To committee on Revenue.

Assembly Bill 406

Relating to the effective date of the sales and use tax exemption for home heating fuels.

By Representatives Barry, Jackamonis and Fischer, co-sponsored by Senator Thompson.

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To Joint Survey Committee on Tax Exemptions.

Assembly Bill 407

Relating to the use of certified mail for certain tax notices.

By Representatives Laatsch, Thompson, Hasenohrl, McEssy, Harer, Ladwig, Klicka, Matty, Lee, Jackamonis, Everson, Bradley, Hopkins, Conradt, Lewis, Wahner, DeLong, Gunderson, Smith, Schmidt and Dilweg, co-sponsored by Senators McCallum, Kreul and Theno, by request of Melvin Brandt, Sauk County Treasurer, Sauk County Board and Adams County Board.

To committee on Revenue.

Assembly Bill 408

Relating to employment of school crossing guards by certain city school districts.

By Representatives Hauke and Klicka, co-sponsored by Senator Flynn.

To committee on Education.

Assembly Bill 409

Relating to grounds for refusing vehicle registration and operators' licenses.

By Representatives Plewa, Gerlach, Rutkowski, Barczak, Ulichny, Fischer, Tuczynski, Prosser, Roberts, Soucie, Otte, Andrea, Byers, Kincaid, Wood, Behnke, Helbach, D. Travis, Wagner, Broydrick, Potter and Wahner, co-sponsored by Senators Braun, Moody and Frank.

To committee on Highways.

Assembly Bill 410

Relating to reorganizing the law on appointment of members of the personnel board.

By Representative Jackamonis.

To committee on Government Operations.

Assembly Bill 411

Relating to providing notice of 24-hour parking prohibition.

By Representatives Medinger and Becker, co-sponsored by Senator Offner.

To committee on Highways.

Assembly Bill 412

Relating to granting credit under the Wisconsin retirement fund for military service to public employes with less than 20 years but more than 15 years creditable service for retirement purposes.

By Representatives Medinger and Roberts.

To Joint Survey Committee on Retirement Systems.

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Assembly Bill 413

Relating to committing a crime with a dangerous weapon and providing a penalty.

By Representatives Rutkowski, Plewa, Vanderperren, Jackamonis, Potter, Shoemaker, Medinger, Leopold, Metz, D. Travis, Quackenbush, Flintrop, Menos, Kincaid, Schmidt, Ladwig, Lingren, Everson, Helbach, Lorman, Tuczynski, Roberts, Gerlach, Barczak, Rooney, Prosser and Ferrall, co-sponsored by Senators Adelman, Moody, Offner, Strohl, Lasee, Cullen and Theno.

To committee on Criminal Justice and Public Safety.

COMMITTEE REPORTS

The committee on Commerce and Consumer Affairs reports and recommends:

Assembly Bill 258

Relating to delivery of goods sold by mail or telephone or by any other means, other than face-to-face contact, and providing a penalty.

Passage: Ayes: (8) Noes: (2)

To committee on Rules.

MIDGE MILLER

Chairperson

The Joint Committee for Review of Administrative Rules reports and recommends:

Assembly Bill 54

Relating to the state civil service system career executive program.

Adoption of assembly substitute amendment 1:

Ayes: (10) Noes: (0)

Passage: Ayes: (10) Noes: (0)

To committee on Rules.

WILLIAM ROGERS

Assembly Chairperson

The Joint Committee on Finance reports and recommends:

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Assembly Bill 40

Relating to restricting the pay of a public employe receiving a retirement benefit from a public employe retirement system, granting rule-making authority, providing a penalty and making an appropriation.

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

Adoption of assembly amendment 2 to assembly substitute amendment 1: Ayes: (13) Noes: (0)

Adoption of assembly substitute amendment 1:
Ayes: (11) Noes: (3)

Passage with emergency clause attached:
Ayes: (12) Noes: (2)
To committee on Rules.

Assembly Bill 205

Relating to a minimum tax on tax preference items.

Adoption of assembly amendment 1:
Ayes: (14) Noes: (0)

Passage with emergency clause attached:
Ayes: (12) Noes: (2)
To committee on Rules.

GARY JOHNSON
Assembly Chairperson

The committee on Local Affairs reports and recommends:

Assembly Bill 28

Relating to composition of local property tax boards of review.

Passage: Ayes: (10) Noes: (0)
To committee on Rules.

Assembly Bill 101

Relating to retention of 1976 payment levels for fire department dues paid for 1978.

Passage: Ayes: (7) Noes: (3)
To Joint Committee on Finance.

Assembly Bill 114

Relating to destruction of obsolete records by counties and towns.

Passage: Ayes: (8) Noes: (2)

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To committee on Rules.

Assembly Bill _____ (lrb 3587/1)

Relating to increasing the maximum total indebtedness applicable to the Wisconsin Housing Finance Authority.

Introduction: Ayes: (7) Noes: (3)

GARY BARCZAK
Chairperson

PETITIONS

Assembly Petition 14

Submitted by Michael Roland, consisting of eighty signatures of citizens of Wisconsin in support of leaving the drinking age at 18.

By Representative DeLong.

To committee on State Affairs.

Assembly Petition 15

Submitted by the Dodgeand School Board in support of raising the legal drinking age to 19.

By Representative Radtke.

To committee on State Affairs.

Assembly Petition 16

Submitted by the Columbia County Board in opposition to proposed DNR fees on boats and canoes.

By Representatives Radtke, Thompson and Laatsch.

To committee on Tourism, Recreation and Economic Development.

COMMUNICATIONS

Notice of Intent received from Division of Management, Planning and Federal Assistance, Department of Public Instruction to apply for Federal Assistance for "Follow Through" Technical Assistance.

Comments due by April 17, 1979.

To committee on Education.

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Notice of Intent received from Division of Community Services, Department of Health and Social Services to apply for Federal Assistance for Title V of the Older Americans Act: "Senior Community Services Employment Program."

Comments due by April 19, 1979.

To committee on Health and Social Services.

State of Arizona
Thirty-Fourth Legislature

Requesting the Congress of the United States to propose an amendment to the Constitution of the United States requiring that in the absence of a national emergency the total of all federal appropriations for any fiscal year may not exceed the total of all estimated federal revenues for that 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 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, fiscal irresponsibility at the federal level, with the inflation which results from this policy, is the greatest threat facing our nation; and

Whereas, 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

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states the Congress shall call a constitutional convention for the purpose of proposing amendments.

Therefore, be it resolved by the Legislature of the State of Arizona:

1. That the Congress of the United States institute procedures to add a new article to the Constitution of the United States and that the Congress of the United States 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.

2. That, alternatively, the Congress of the United States call a constitutional convention for the specific and exclusive purpose of proposing 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.

3. That this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made similar applications pursuant to Article V, but if Congress proposes an amendment to the Constitution identical in subject matter to that contained in this joint resolution then this petition for a constitutional convention shall no longer be of any force or effect.

4. That the legislatures of each of the several states comprising the United States 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.

5. That the Secretary of State of the State of Arizona transmit copies of this Resolution to the President of the United States Senate, the Speaker of the House of Representatives of the United States, to each member of the Arizona Congressional Delegation and to the Secretary of State and the presiding officers of both houses of the legislature of each of the other states in the Union.

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State of New Mexico
Thirty-Fourth Legislature

Urging the President of the United States to continue full recognition and diplomatic relations with the republic of China.

Whereas, there should be prior consultation between the executive branch of government and the United States congress on any proposed policy changes affecting the continuation in force of the mutual defense treaty of 1954 which incorporated the United States' obligations with the republic of China; and

Whereas, the United States is morally, politically and ethically committed to the continued recognition and continued regular diplomatic exchanges with the republic of China;

Now, therefore, be it resolved by the senate of the state of New Mexico that it hereby urges the United States congress to explore all avenues toward maintaining in full force and effect the numerous treaties and other agreements and further developing the economic and trade relations with the republic of China on Taiwan; and

Be it further resolved that the United States recognize the republic of China as a separate nation with all diplomatic and trade relations usually accorded to an independent nation; and

Be it further resolved that the United States is hereby urged to terminate all diplomatic and commercial relations with the people's republic of China which now exist or may exist should such republic attempt any form of military aggression against the republic of China; and

Be it further resolved that a copy of this memorial be sent to the president of the United States, the president pro tempore of the senate and the speaker of the house of representatives of the United States and to each member of the New Mexico congressional delegation and to the presiding officer of each house of the legislatures of the various states.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly Bill 114

1. On page 2, line 20, substitute "and" for "~~and~~".

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Assembly Bill 167

1. On page 2, before line 1, insert:
"SECTION 3. 48.18 (1) of the statutes is amended to read:".

Assembly Bill 304

1. On page 1, line 4, after "(a)", insert a semicolon.
2. On page 6, line 29, delete "(intro)".