

JOURNAL OF THE ASSEMBLY [April 17, 1979]

STATE OF WISCONSIN

# Assembly Journal

Eighty-Fourth Regular Session

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TUESDAY, April 17, 1979.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Ronald Wanless of Cudahy United Methodist Church, 5865 South Lake Drive, Cudahy.

Representative Rooney 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, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Lewis, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, 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 -- 95.

Absent -- None.

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

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AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 83** offered by Representatives Becker, Coggs, Broydrick, Lee, Kedrowski, Rogers, Flintrop, Kirby, Ferrall, Tuczynski, Medinger, D. Travis and Ulichny.

Assembly substitute amendment 2 to **Assembly Bill 100** offered by Representative Hopkins.

Assembly substitute amendment 1 to **Assembly Bill 102** offered by Representative Hopkins.

Assembly amendment 2 to **Assembly Bill 110** offered by Representative Roberts.

Assembly amendment 1 to assembly amendment 2 to **Assembly Bill 110** offered by committee on Judiciary.

Assembly amendment 3 to **Assembly Bill 110** offered by committee on Judiciary.

Assembly amendment 4 to **Assembly Bill 110** offered by committee on Judiciary.

Assembly amendment 1 to **Assembly Bill 118** offered by Representatives Harsdorf, Radtke, R. Travis, Barry and Shabaz.

Assembly amendment 1 to **Assembly Bill 130** offered by Representatives Coggs, Czerwinski, Tesmer, Loftus, Ward, Broydrick, Ulichny and Becker.

Assembly amendment 1 to **Assembly Bill 334** offered by Representative Lallensack.

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INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

**Assembly Bill 414**

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

By Representatives Thompson and Laatsch, by request of Melvin Brandt, Sauk County Treasurer and the Sauk and Adams County Boards of Supervisors.

To committee on Revenue.

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**Assembly Bill 415**

Relating to elimination of the fee for filing corporate election reports.

By Representatives Klicka, Hopkins, Ladwig, Omernick and Matty.

To committee on Revenue.

**Assembly Bill 416**

Relating to repealing the occupational tax on iron ore concentrates.

By Representatives Klicka, Conradt, Hopkins and Omernick, co-sponsored by Senator Kreul.

To committee on Revenue.

**Assembly Bill 417**

Relating to x-ray license fees.

By Representatives Klicka, Lorman, Bradley, Ladwig, Conradt, Luckhardt and Omernick, co-sponsored by Senators Lasee and Kreul.

To committee on Revenue.

**Assembly Bill 418**

Relating to fees for overtime inspection of meat processors.

By Representatives Klicka, Matty, Bradley, Ladwig, Conradt, Dilweg, Luckhardt, Hopkins and Omernick, co-sponsored by Senator Lasee.

To committee on Revenue.

**Assembly Bill 419**

Relating to fees for the grading of fruits and vegetables.

By Representatives Klicka, Matty, Ladwig, Bradley, Conradt and Luckhardt.

To committee on Revenue.

**Assembly Bill 420**

Relating to fees for the certification of health specialty laboratories.

By Representatives Klicka, Lorman, Ladwig, Conradt, Hopkins and Omernick, co-sponsored by Senator Kreul.

To committee on Revenue.

**Assembly Bill 421**

Relating to eliminating penalty assessments and the law enforcement training fund and repealing appropriations.

By Representatives Klicka, Snyder, Lewis and Omernick.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 422**

Relating to fees for services of the state laboratory of hygiene.

By Representatives Klicka, Hopkins, Bradley, Ladwig, Conradt, Luckhardt, Omernick and Matty.

To committee on Revenue.

**Assembly Bill 423**

Relating to eliminating the fertilizer research fee, abolishing the fertilizer research council and repealing an appropriation.

By Representatives Klicka and Omernick.

To committee on Revenue.

**Assembly Bill 424**

Relating to repealing trout stamp requirements and abolishing an appropriation.

By Representatives Klicka, Matty, Radtke, Ladwig, Conradt, Hopkins and Omernick, co-sponsored by Senator Kreul.

To committee on Tourism, Recreation and Economic Development.

**Assembly Bill 425**

Relating to repealing application fees for certificates of need.

By Representatives Klicka, Lorman, Bradley and Omernick, co-sponsored by Senator Kreul.

To committee on Revenue.

**Assembly Bill 426**

Relating to application fees for graduate schools within the university of Wisconsin system.

By Representatives Klicka, Conradt, Matty, Lorman, Radtke, Byers, Ladwig, Bradley and Omernick, co-sponsored by Senator Kreul.

To committee on Revenue.

**Assembly Bill 427**

Relating to fees charged for environmental impact statements.

By Representatives Klicka, Hopkins and Omernick, co-sponsored by Senators Kreul and Murphy.

To committee on Revenue.

**Assembly Bill 428**

Relating to septic tank permit fees.

By Representatives Klicka, Lorman, Byers, Bradley, Matty, Conradt, Luckhardt, Hopkins and Omernick, co-sponsored by Senators Lasee, Kreul and Murphy.

To committee on Revenue.

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**Assembly Bill 429**

Relating to lobbying by state agencies, and providing a penalty.  
By Representatives Klicka, Hopkins, Lewis and Omernick, co-sponsored by Senator Murphy.  
To committee on State Affairs.

**Assembly Bill 430**

Relating to authorization for full-time students to choose not to accept membership in or contribute financial support to labor organizations.

By Representatives Klicka, Matty, Ladwig, Luckhardt, Hopkins and Omernick, co-sponsored by Senator Murphy.  
To committee on Labor.

**Assembly Bill 431**

Relating to penalties for fleeing a traffic officer.  
By Representatives Klicka and Lewis.  
To committee on Criminal Justice and Public Safety.

**Assembly Bill 432**

Relating to qualification of political parties advocating the use of force or violation of the law.  
By Representatives Klicka, Conradt and Omernick.  
To committee on Elections.

**Assembly Bill 433**

Relating to sexual assault and murder, changing penalties and restricting parole and probation.  
By Representatives Klicka, Matty, Ladwig, Conradt, Luckhardt, Hopkins and Omernick, co-sponsored by Senators Lasee and Kreul.  
To committee on Criminal Justice and Public Safety.

**Assembly Bill 434**

Relating to eligibility for senior citizen recreation cards.  
By Representatives Wood, Coggs, Vanderperren, Andrea, Swoboda, Hasenohrl, Byers, Menos, Kincaid, Leopold, Medinger, D. Travis, Murray, Tuczynski, Ulichny, Barry, Smith, Pabst, Behnke, Becker, Potter, Young, Lorman, Gunderson, Conradt, R. Travis, Lewis, Hopkins, Bradley, Laatsch, Barczak, Rutkowski, Gerlach, Lingren, Ward, Otte, Matty, Harer, Ladwig, DeLong, Czerwinski, Ferrall, Larson and Porter, co-sponsored by Senators Strohl, Roshell, Bidwell and Thompson.  
To committee on Tourism, Recreation and Economic Development.

**Assembly Bill 435**

Relating to eligibility for senior citizen recreation cards.

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By Representatives Wood, Coggs, Vanderperren, Swoboda, Hasenohrl, Andrea, Menos, Byers, Kincaid, Duren, Leopold, Medinger, D. Travis, Murray, Tuczynski, Ulichny, Rogers, Smith, Miller, Pabst, Behnke, Becker, Potter, Young, Lorman, Gunderson, Conradt, R. Travis, Lewis, Hopkins, Bradley, Laatsch, Barczak, Rutkowski, Gerlach, Metz, Lingren, Otte, Ward, Harer, Ladwig, DeLong, Czerwinski, Ferrall, Larson, Porter and Lallensack, co-sponsored by Senators Bidwell and Thompson.

To committee on Tourism, Recreation and Economic Development.

### **Assembly Bill 436**

Relating to prohibiting the use of a driver's license as security and providing a penalty.

By Representatives Wood, Coggs, Andrea, Byers, Vanderperren, Jackamonis, Lallensack, Hasenohrl, Everson, Leopold, Flintrop, Murray, Tuczynski, Rooney, Wahner, Ulichny, Soucie, Smith, Menos, Loftus, Pabst, Behnke, Becker, Potter, Klicka, Young, Conradt, Lewis, Bradley, Laatsch, Lee, Metz, Lingren, Norquist, Otte, Kirby, Roberts, Ward, Ladwig, Czerwinski, Ferrall and Larson, co-sponsored by Senators Berger, Strohl, Thompson and Bidwell.

To committee on State Affairs.

### **Assembly Bill 437**

Relating to minimum benefit levels for disability insurance policies, creating a disability insurance council and granting rule-making authority.

By Representatives Czerwinski, Hauke, Wahner, D. Travis, Behnke, Medinger, Leopold, Tuczynski, Otte, Ward, Flintrop, McClain and Becker, co-sponsored by Senators Flynn, Cullen, Radosevich, Berger and Braun.

To committee on Health and Social Services.

### **Assembly Bill 438**

Relating to establishing a catastrophic illness insurance program, making appropriations and granting rule-making authority.

By Representatives Czerwinski, Loftus, Wahner, Jackamonis, Hauke, D. Travis, Behnke, Medinger, Kincaid, Leopold, Tuczynski, Barczak, Otte, Ward, Flintrop, McClain, Becker and Ferrall, co-sponsored by Senators Cullen, Risser, Radosevich, Braun and Berger.

To committee on Health and Social Services.

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**Assembly Bill 439**

Relating to a mandatory health insurance risk sharing plan, granting rule-making authority and making appropriations.

By Representatives Czerwinski, Flintrop, Wahner, Jackamonis, Loftus, Hauke, Behnke, Medinger, Leopold, Tuczynski, Otte, Ward, McClain, Becker and Ferrall, co-sponsored by Senators Radosevich, Berger, Braun and Offner.

To committee on Health and Social Services.

**Assembly Bill 440**

Prohibiting the use of dogs to hunt bear and providing a penalty.

By Representatives Loftus, Rogers, Kedrowski, Miller, Leopold, Norquist, Clarenbach, Munts, Medinger, Ward, Coggs, Becker, Ferrall, Tuczynski and Soucie, co-sponsored by Senators Theno, Braun and Moody.

To committee on Tourism, Recreation and Economic Development.

**Assembly Bill 441**

Relating to parental notification if unemancipated minors seek family planning services and granting rule-making authority.

By Representatives Hopkins, Andrea, Porter, Lewis, Conradt, Murray, Laatsch, Bradley, Tregoning, Byers, Paulson, Harer, Schmidt, Larson, Omernick, Harsdorf, Snyder, Duren and R. Travis, co-sponsored by Senators Roshell and Kreul.

To committee on Health and Social Services.

**Assembly Bill 442**

Relating to eligibility requirements for veterans benefits, limitations on veterans housing loans, changing various veterans benefits, granting rule-making authority and making an appropriation.

By Representatives Lallensack, Andrea, Vanderperren, Behnke, Byers, Conradt, Murray and Hephner, co-sponsored by Senator Swan.

To committee on Veterans and Military Affairs.

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COMMUNICATIONS

April 16, 1979

Honorable Lee S. Dreyfus  
115-E, Capitol  
Madison, Wisconsin 53702

Dear Governor Dreyfus:

**I hereby resign as State Representative of the 10th Assembly District effective April 16, 1979, in order to accept the office of State Senator of the 4th Senate District of the State of Wisconsin.**

ROD JOHNSTON

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April 17, 1979

Chief Clerk of the Assembly  
Marcel Dandeneau

I hereby resign my seat in the 60th Assembly District effective today.

DAVID OPITZ

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State of North Carolina  
1979 Session

A joint resolution applying to the congress of the United States to call a convention to propose an amendment to the constitution of the United States to require a balanced federal budget.

Whereas, believing that inflation is the most serious problem facing the people of the United States, and the primary cause of inflation is unchecked federal spending; and

Whereas, the State of North Carolina is required by its Constitution to have a balanced budget, and has long operated on a sound fiscal basis which the federal government would be well-served to emulate; 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 which shall be valid when ratified



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by the legislatures of three-fourths of the several states or by conventions in three-fourths thereof;

Whereas, by Resolution 97 of the General Assembly, ratified July 1, 1977, the Congress was requested to submit an amendment to the states to require a balanced federal budget, but the Congress has failed to act;

Now, therefore, be it resolved by the Senate, the House of Representatives concurring:

Section 1. That the Congress of the United States is requested to propose and submit to the states an amendment to the Constitution of the United States which would require that, in the absence of a national emergency, the federal budget be balanced each fiscal year within four years after the amendment is ratified by the various states.

Section 2. That, alternatively, this body respectfully petitions the Congress of the United States to call a convention for the exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget in the absence of a national emergency.

Section 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, or until this application is rescinded by the General Assembly of North Carolina; but if Congress proposes an amendment to the Constitution identical in subject matter to that contained in this joint resolution before January 1, 1980, this petition for a Constitutional Convention shall no longer be of any effect.

Section 4. That this application and request be deemed rescinded in the event that the convention is not limited to the subject matter of this application.

Section 5. That since this application under Article V of the Constitution of the United States is the exercise of a fundamental power of the sovereign states under the Constitution of the United States, it is requested that receipt of this application by the Senate and the House of Representatives of the United States Congress be officially noted and duly entered upon their respective records, and that the full context of this resolution be published in the official publication of both the Senate and the House of Representatives of the Congress.

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Section 6. That copies of this resolution be sent to the Secretaries of State, presiding officers of all state legislatures in the Union, the Clerk of the United States House of Representatives, the Secretary of the United States Senate, and each member of the North Carolina Congressional delegation.

Section 7. This resolution is effective upon ratification.

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State of New Mexico  
Thirty-Fourth Legislature

A memorial requesting the president of the United States to reverse his moratorium on construction of nuclear breeder reactors and on the recycling or reprocessing of spent nuclear fuel rods.

Whereas, the nation is facing an energy crisis; and

Whereas, all forms of energy should be considered in an economical and feasible approach to alleviate the energy crisis; and

Whereas, so-called "spent nuclear fuel rods" are not "spent" and do represent an economical and valuable source of available energy; and

Whereas, the cost to reprocess this source of energy is less when compared to mining and processing raw material and manufacturing new nuclear fuel rods; and

Whereas, the remaining inventory of uranium in the United States that can be economically mined and processed into nuclear fuel rods may be depleted in approximately thirty to forty years; and

Whereas, the president's moratorium on construction of nuclear breeder reactors has not stopped the construction of such reactors around the world, there being such reactors under construction in France, West Germany, Great Britain, India, Russia and Japan; and

Whereas, the development, evaluation and ultimate on-line production of electricity from fusion sources may be forty years or more in coming; and

Whereas, if this nation does not find alternate sources of energy in the immediate future, our life style and standard of living will be affected adversely, and the national security may be threatened; and

Whereas, if nuclear breeder reactors are constructed and "spent" nuclear fuel rods reprocessed, not only will we halt the depletion of

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nuclear fuel, but we will actually increase our nuclear fuel inventory; and

Whereas, the quantity of plutonium available for any illicit or terrorist purposes is smallest if the plutonium is consumed in nuclear reactors; and

Whereas, we have lost our technical and commercial leadership in reactor technology, and, if the moratorium continues, this nation will probably be forced to purchase both reactors and plutonium from other countries before the end of this century;

Now, therefore, be it resolved by the House of Representatives of the state of New Mexico that the president of the United States be petitioned to allow construction of nuclear breeder reactors in sufficient numbers to meet our future electrical energy requirements and to insure no further depletion of our nuclear fuel inventory; and

Be it further resolved that "spent" nuclear fuel rods be recycled and utilized in order to insure an economical, complete fuel cycle; and

Be it further resolved that copies of this memorial be sent to the president of the United States, to the members of the New Mexico congressional delegation and to the legislatures of the various states.

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### State of Nevada

Calling upon the Congress of the United States to maintain friendly relations of this nation with the Republic of China on Taiwan.

Whereas, the Senate of the United States, without a dissenting vote, endorsed section 26 of the International Security Assistance Act of 1978 providing for the continuing recognition of the mutual defense treaty with the Republic of China; and

Whereas, the President of the United States on September 26, 1978, signed this act thus binding our nation to observe its terms in the theater of international relations; and

Whereas, the International Security Assistance Act of 1978, in section 26, incorporates the sense of the entire Congress of the United States that there should be prior consultation between the Congress and the Executive branch on any proposed policy changes affecting the continuation in force of the Mutual Defense Treaty of 1954 incorporating our common obligations with the Republic of China; and

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Whereas, the President of the United States on December 15, 1978, ignored the United States Congress and challenged our nation's highest legislative body by announcing the termination of that treaty in connection with the recognition of the People's Republic of China, effective January 1, 1979; and

Whereas, such action strikes at the very roots of our republican form of government and represents a challenge by the executive power, directed not only against the Congress of the United States, but toward undermining the separation of powers so vital to the operation and the prerogatives of all of our fifty state legislatures, and nullifies the representation of the several states in the United States Senate; and

Whereas, the Congress of the United States possesses substantial powers to establish and continue economic and trade relations with Taiwan; now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, jointly, That the United States Congress explore all avenues toward maintaining in full force and effect the numerous existing treaties and other agreements, and further developing our economic and trade relations with Taiwan; and, through whatever action it deems proper to defend the historic role of the legislative branch in the termination of treaties, relative to the precipitous action taken by the President in unilaterally disregarding his agreement with the Congress; and be it further

Resolved, That the United States recognize Taiwan as a separate nation with all diplomatic and trade relations usually accorded to an independent nation; and be it further

Resolved, That it is the sense of the Nevada legislature that in the event of military aggression by the People's Republic of China against the people or the territory of Taiwan the United States:

(a) Terminate all diplomatic and commercial relations with the People's Republic of China which now exist or may exist at the moment of aggression;

(b) Provide military assistance to the people of Taiwan on an urgent basis; and

(c) Take any other steps necessary to bring such aggression to an end with expediency, thereby securing a peaceful future for the people of Taiwan; and be it further

Resolved, That until proper recognition can be accorded and the legal questions surrounding the action taken by the President

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resolved, full diplomatic privileges be granted to representatives of Taiwan in the United States; and be it further

Resolved, That a copy of this resolution be immediately transmitted by the legislative counsel to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the United States, to each member of the Nevada Congressional delegation and to the presiding officer of each house of the legislatures of the several states; and be it further

Resolved, That this resolution shall become effective upon passage and approval.

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State of Utah  
1979 Session

A joint resolution of the General Session of the 43rd Legislature of the State of Utah; rejecting an amendment to the constitution of the United States proposed by a Joint Resolution of the Senate and the House of Representatives of the United States of America which would provide that equality of rights under the law shall not be denied on account of sex; noting that there has been an unjust extension of the period for ratification and that such amendment is redundant and unnecessary in view of existing constitutional, statutory and judicially established prohibitions against such discrimination; expressing to congress its opposition to this and any similar extension of specified time limits for ratification of constitutional amendments; urging future sessions of this legislature to not again consider this proposed amendment; and urging other state legislatures to consider similar resolutions.

Be it resolved by the Legislature of the State of Utah:

Whereas, the Senate and the House of Representatives of the United States at the 2nd Session of the 92nd Congress of the United States of America, by House Joint Resolution No. 208, proposed the following amendment to the Constitution of the United States to become valid when ratified by three-fourths of the legislatures of the several states within seven years from the date of its submission by the Congress, which amendment shall read:

“Article———”

“Section 1: Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.”

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“Section 2: The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.”

“Section 3: This amendment shall take effect two years after the date of ratification.”;

Whereas, the Congress of the United States has, in an unjust and unequal manner, extended the ratification period by 39 months so that only those who favor the proposed Amendment may vote to ratify, while making no similar provision for those who oppose the ratification to vote again and reverse a previous ratification;

Whereas, several states have already indicated their displeasure with the proposed Amendment by voting to rescind a previous ratification and have so notified Congress;

Whereas, the Fourteenth Amendment to the Constitution of the United States forbids any state to “deny to any person within its jurisdiction the equal protection of the laws”;

Whereas, the Fifth Amendment to the Constitution of the United States holds that “no person shall be ... deprived of life, liberty, or property, without due process of law ... ”;

Whereas, Article IV, Section 1, of the Constitution of Utah guarantees that “both male and female citizens of this state shall enjoy equally all civil, political and religious rights and privileges”;

Whereas, the Courts of the United States are interpreting these Constitutional injunctions more and more as forbidding discrimination on the basis of sex;

Whereas, the Congress of the United States and the Legislature of the State of Utah have passed and are passing laws, based upon these Constitutional injunctions, specifically forbidding discrimination in employment, marriage, divorce, education, finance, retirement, and other fields;

Whereas, the proposed amendment to the Constitution of the United States is redundant and unnecessary to either judicial or legislative remedies for achieving equal rights under the law on account of sex;

Whereas, those states which opposed the ratification of the amendment, as well as those states which favor the ratification, should take positive steps to notify the Congress of their deliberation and decision relative to the proposal; and

Whereas, the Utah House of Representatives has heretofore considered the proposed amendment two times during the seven year

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ratification period and each time has rejected a resolution to ratify that proposed amendment, according to its own will and reflecting the will of the majority of the citizens of this state.

Now, therefore, be it resolved, by the General Session of the 43rd Legislature of the State of Utah that said amendment to the Constitution of the United States is hereby rejected and not ratified.

Be it further resolved, that the Congress of the United States be informed that the Legislature of this state is opposed to the extension of the specified time limits for this and any other amendments proposed to the states for their ratification.

Be it further resolved, while acknowledging that one Legislature may not bind a subsequent one, that the members of the 43rd Legislature of the State of Utah do strongly recommend that this proposed amendment not be considered again by a Legislature of the state.

Be it further resolved, that copies of this resolution, duly certified by the Utah Secretary of State, be forwarded to the administration of the General Services of the United States of America, as well as to the President of the United States Senate and the Speaker of the United States House of Representatives.

Be it further resolved, that copies of this resolution, duly certified by the Secretary of State, be forwarded to each house of the legislatures of each of the other 49 states, urging upon them that one or both of their houses adopt a similar resolution to communicate to the Congress of the United States similar actions and concerns related to the proposed amendment.

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### LEAVES OF ABSENCE

Representative Thompson asked unanimous consent for a leave of absence for today's session for Representative Lewison. Granted.

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

Representative Tesmer asked unanimous consent to be recorded as present for today's session. Granted.

Representative Kedrowski asked unanimous consent to be recorded as present for today's session. Granted.

Representative Coggs asked unanimous consent to be recorded as present for today's session. Granted.

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Representative McClain asked unanimous consent to be recorded as present for today's session. Granted.

Representative Merkt asked unanimous consent to be recorded as present for today's session. Granted.

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MOTIONS

Representative Shabaz asked unanimous consent that **Assembly Joint Resolution 29** be withdrawn from the committee on State-Federal Relations and referred to the calendar.

Representative Tesmer objected.

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CALENDAR OF TUESDAY, APRIL 17, 1979

**Assembly Bill 36**

Relating to liability insurance for motor-driven cycles.

The question was: Shall assembly amendment 1 to **Assembly Bill 36** be adopted?

Motion carried.

Representative Gerlach moved indefinite postponement of **Assembly Bill 36**.

The question was: Shall **Assembly Bill 36** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Bradley, Broydrick, Clarenbach, Coggs, Conradt, DeLong, Dilweg, Donoghue, Ellis, Gerlach, Harer, Helbach, Laatsch, Larson, Loftus, Lorman, Luckhardt, Matty, Medinger, Miller, Munts, Norquist, Plewa, Prosser, Radtke, Roberts, Rooney, Rutkowski, Schneider, Snyder, Thompson, Travis, D., Young and Mr. Speaker -- 34.

Noes -- Andrea, Barczak, Barry, Becker, Behnke, Byers, Czerwinski, Dorff, Duren, Everson, Fischer, Flintrop, Gagin, Goodrich, Gunderson, Harsdorf, Hasenohrl, Hauke, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Ladwig, Lallensack, Lee, Lewis, Lingren, McClain, McEssy, Menos, Merkt, Metz, Murray, Otte, Pabst, Paulson, Porter, Potter, Quackenbush,



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Rogers, Schmidt, Shabaz, Shoemaker, Smith, Swoboda, Tesmer, Travis, R., Tregoning, Tuczynski, Vanderperren, Wagner, Wahner, Ward and Wood -- 57.

Absent or not voting -- Ferrall, Leopold, Lewison, Omernick, Soucie and Ulichny -- 6.

Motion failed.

Representative Gerlach moved that **Assembly Bill 36** be laid on the table.

The question was: Shall **Assembly Bill 36** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Bradley, Broydrick, Clarenbach, Conradt, DeLong, Dilweg, Donoghue, Ellis, Flintrop, Gagin, Gerlach, Harer, Helbach, Klicka, Laatsch, Larson, Lewis, Loftus, Lorman, Luckhardt, McClain, Matty, Medinger, Metz, Miller, Munts, Norquist, Plewa, Prosser, Quackenbush, Radtke, Roberts, Rooney, Rutkowski, Schneider, Snyder, Soucie, Thompson, Travis, D. and Mr. Speaker -- 40.

Noes -- Andrea, Barczak, Barry, Becker, Behnke, Byers, Coggs, Czerwinski, Dorff, Duren, Everson, Ferrall, Fischer, Goodrich, Gunderson, Harsdorf, Hasenohrl, Hauke, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Ladwig, Lallensack, Lee, Lingren, McEssy, Menos, Merkt, Murray, Otte, Pabst, Paulson, Porter, Potter, Rogers, Schmidt, Shabaz, Shoemaker, Smith, Swoboda, Tesmer, Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Young -- 54.

Absent or not voting -- Leopold, Lewison and Omernick -- 3.

Motion failed.

Speaker pro tempore Kedrowski in the chair.

The question was: Shall **Assembly Bill 36** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Byers, Clarenbach, Coggs, Conradt, Czerwinski, Dorff, Duren, Everson, Ferrall, Fischer, Goodrich, Harsdorf, Hasenohrl, Hauke, Hephner,

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Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Ladwig, Lallensack, Lee, Lingren, McEssy, Menos, Metz, Murray, Omernick, Otte, Pabst, Paulson, Porter, Potter, Rogers, Schmidt, Shabaz, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, R., Tregoning, Tuczynski, Wagner, Wahner, Ward, Wood and Young -- 57.

Noes -- Broydrick, DeLong, Dilweg, Donoghue, Ellis, Flintrop, Gerlach, Gunderson, Harer, Helbach, Laatsch, Larson, Lewis, Loftus, Lorman, Luckhardt, McClain, Matty, Medinger, Miller, Munts, Norquist, Plewa, Prosser, Quackenbush, Radtke, Roberts, Rooney, Rutkowski, Schneider, Snyder, Thompson, Travis, D., Ulichny, Vanderperren and Mr. Speaker -- 36.

Absent or not voting -- Gagin, Leopold, Lewison and Merkt -- 4.

Motion carried.

Representative Merkt 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 36** be given a third reading. Granted.

The question was: **Assembly Bill 36** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Byers, Conradt, Czerwinski, Dorff, Duren, Everson, Ferrall, Fischer, Goodrich, Harsdorf, Hasenohrl, Hauke, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Ladwig, Lallensack, Lee, Lingren, McEssy, Matty, Menos, Merkt, Metz, Murray, Omernick, Otte, Pabst, Paulson, Porter, Potter, Rogers, Schmidt, Shabaz, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Travis, R., Tregoning, Tuczynski, Wagner, Wahner, Ward, Wood and Young -- 57.

Noes -- Broydrick, Clarenbach, Coggs, DeLong, Dilweg, Donoghue, Ellis, Flintrop, Gagin, Gerlach, Gunderson, Harer, Helbach, Laatsch, Larson, Lewis, Loftus, Lorman, Luckhardt, McClain, Medinger, Miller, Munts, Norquist, Plewa, Prosser, Quackenbush, Radtke, Roberts, Rooney, Rutkowski, Schneider, Snyder, Thompson, Travis, D., Ulichny, Vanderperren and Mr. Speaker -- 38.

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

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 36** be immediately messaged to the senate. Granted.

**Assembly Bill 64**

Relating to limitation of the defense of noncooperation of the insured under a motor vehicle insurance policy.

The question was: Shall **Assembly Bill 64** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 64** be given a third reading. Granted.

The question was: **Assembly Bill 64** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Lingren, Loftus, Lorman, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Otte, Pabst, Paulson, Plewa, Porter, Potter, Quackenbush, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 87.

Noes -- Hopkins, Luckhardt, Omernick, Prosser, Shabaz, Thompson and Young -- 7.

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

Motion carried.

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Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 64** be immediately messaged to the senate. Granted.

Speaker Jackamonis in the chair.

**Assembly Bill 69**

Relating to permitting a savings and loan association to produce its books as evidence of transactions.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 69** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 69** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 69** be given a third reading. Granted.

The question was: **Assembly Bill 69** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Lewis, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, 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 -- 95.

Noes -- None.

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

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Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 69** be immediately messaged to the senate. Granted.

**Assembly Bill 170**

Relating to raising the maximum fee which may be charged for a fermented malt beverage and intoxicating liquor "operator's license".

Assembly amendment 1 to **Assembly Bill 170** offered by Representative Barczak.

Representative Dorff moved rejection of assembly amendment 1 to **Assembly Bill 170**.

The question was: Shall assembly amendment 1 to **Assembly Bill 170** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Bradley, Broydrick, Byers, Cogs, Conradt, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Gagin, Gunderson, Harer, Harsdorf, Hephner, Hopkins, Johnson, Kedrowski, Kirby, Klicka, Ladwig, Lallensack, Larson, Lewis, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Menos, Merkt, Miller, Omernick, Otte, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Rooney, Schmidt, Snyder, Soucie, Swoboda, Thompson, Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Young and Mr. Speaker -- 64.

Noes -- Barczak, Becker, Behnke, Clarenbach, Czerwinski, Flintrop, Gerlach, Goodrich, Hasenohrl, Hauke, Helbach, Kincaid, Laatsch, Lee, Lingren, Medinger, Metz, Munts, Murray, Norquist, Pabst, Roberts, Rogers, Rutkowski, Schneider, Shabaz, Shoemaker, Smith, Tesmer, Travis, D. and Wood -- 31.

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

Motion carried.

Assembly amendment 2 to **Assembly Bill 170** offered by Representative Barczak.

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Representative Dorff moved rejection of assembly amendment 2 to **Assembly Bill 170**.

The question was: Shall assembly amendment 2 to **Assembly Bill 170** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Behnke, Bradley, Broydrick, Byers, Conradt, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hasenohrl, Hephner, Hopkins, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Laliensack, Larson, Lewis, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Matty, Menos, Merkt, Murray, Omernick, Otte, Pabst, Paulson, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Rooney, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Ulichny, Vanderperren, Wagner, Ward and Young -- 72.

Noes -- Barczak, Becker, Clarenbach, Coggs, Czerwinski, Flintrop, Gerlach, Hauke, Helbach, Johnson, Lee, Medinger, Metz, Miller, Munts, Norquist, Plewa, Rogers, Rutkowski, Tuczynski, Wahner, Wood and Mr. Speaker -- 23.

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

Motion carried.

The question was: Shall **Assembly Bill 170** be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rule be suspended and that **Assembly Bill 170** be given a third reading. Granted.

The question was: **Assembly Bill 170** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer,

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Flintrop, Gagin, Goodrich, Gunderson, Harer, Harsdorf, Hauke, Helbach, Hopkins, Johnson, Kedrowski, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Lingren, Loftus, Lorman, McClain, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Rogers, Rooney, Rutkowski, Schmidt, Shoemaker, Smith, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 84.

Noes -- Gerlach, Hasenohri, Hephner, Kincaid, Lewis, Luckhardt, McEssy, Roberts, Schneider, Shabaz and Travis, D. -- 11.

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

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 170** be immediately messaged to the senate. Granted.

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LEGISLATIVE REFERENCE BUREAU CORRECTIONS

**Assembly Bill 107**

1. On page 3, line 12, substitute "administration" for "agency".

**Assembly Bill 396**

1. On page 1, line 5, substitute "funding" for "finding".

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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:

Geri Martin, Pam Siehoff, Peggy Tenhagen, Mary Itzin, Joanne Wieners, Robin Roanhouse, Kris Lois, Karen Joyce, Maria Juliani, Becky Breuckman, Mrs. Norma Roanhouse and Mrs. Annette Siehoff from Burlington, guests of Representative Porter.

Bill and Nancy Moreth from Madison, guests of Representative Clarenbach.

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Tom, Dee, Mike, Mary, Kathleen, Patricia and Ruth Torphy from Racine, guests of Representative Ladwig.

Eric Fatzinger from Platteville, guest of Representative R. Travis.

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Representative Wahner moved that the assembly stand adjourned until 9:00 A.M. tomorrow.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

11:20 A.M.