

JOURNAL OF THE ASSEMBLY [May 15, 1979]

STATE OF WISCONSIN

# Assembly Journal

Eighty-Fourth Regular Session

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TUESDAY, May 15, 1979.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Andrew Siedsma, Jr., of Janesville Free Methodist Church, 1509 South Grant Avenue, Janesville.

Representative Duren 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, 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, Leopold, Lewis, Lewison, 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, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 95.

Absent -- None.

Absent with leave -- DeLong and Travis, D. -- 2.

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AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 293** offered by committee on Judiciary.

Assembly amendment 1 to **Assembly Bill 311** offered by Representative Coggs.

Assembly amendment 1 to **Assembly Bill 350** offered by Representatives Coggs and Leopold.

Assembly amendment 1 to **Assembly Bill 564** offered by Representative Klicka.

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INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

**Assembly Joint Resolution 63**

Directing the attorney general to intervene in the California nuclear power plant moratorium case.

By Representatives Jackamonis and Munts.

To calendar.

**Assembly Bill 619**

Relating to arrests by county law enforcement officers while in fresh pursuit.

By Representatives Bradley, Vanderperren, Byers, Lewis, Hopkins, McEssy, Dorff, Behnke, Menos, Shoemaker, Metz and Shabaz, by request of Winnebago County Sheriff's Department.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 620**

Relating to requiring public and private high schools to provide instruction in cardiopulmonary resuscitation emergency life-support techniques.

By Representatives Duren, Andrea, Menos, Matty and Omernick, co-sponsored by Senator Swan.

To committee on Education.

**Assembly Bill 621**

Relating to privileges under a senior citizen recreation card.

By Representatives McEssy, Conradt and Byers.

To committee on Tourism, Recreation and Economic Development.

**Assembly Bill 622**

Relating to arrests by peace officers of suspected violators in cases of fresh pursuit.

By Representatives McEssy, Conradt, Byers and Bradley.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 623**

Relating to the circuit court for Rock county.

By Representatives Johnson, Wood and DeLong, co-sponsored by Senator Cullen.

To committee on Judiciary.

**Assembly Bill 624**

Relating to election of school board members at or on the day of the annual meeting in common and union high school districts.

By Representatives Rogers, Swoboda, Quackenbush, Coggs, Behnke, Lewison, Conradt and Dorff.

To committee on Education.

**Assembly Bill 625**

Relating to special license plates for emergency medical technicians.

By Representatives Duren, Behnke, Miller, Murray, Kincaid, Matty and Omernick, co-sponsored by Senator Swan.

To committee on Highways.

**Assembly Bill 626**

Relating to the state open housing law.

By Representatives Becker, Coggs, Lee, Kirby, Munts, Clarenbach, Tuczynski, D. Travis, Tesmer, Ferrall, Ward, Metz, Loftus, Kedrowski, Plewa, Rogers, Broydrick, Miller, Leopold, Soucie, Flintrop, Norquist and Ulichny, co-sponsored by Senators Braun, Berger, Swan and Moody.

To committee on Judiciary.

**Assembly Bill 627**

Relating to capital gains taxation on home sales by persons leaving Wisconsin.

By Representatives Barry, Helbach, Lingren, Hasenohrl, Rogers, Lewis, Smith, Radtke, Porter, Bradley, Gunderson, Merkt, Schmidt, Laatsch and Harsdorf.

To committee on Revenue.

**Assembly Bill 628**

Relating to payment by the prosecution to a defendant for expenses if a defendant ultimately prevails and making an appropriation.

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By Representatives Rogers, Kincaid, Dorff, Bradley, Medinger,  
Lewison and Conradt.

To committee on Criminal Justice and Public Safety.

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COMMITTEE REPORTS

The committee on Transportation reports and recommends:

**Assembly Bill 302**

Relating to the use of paths adjacent to roadways by bicycles and mopeds.

Passage: Ayes: (12) Noes: (0)

To committee on Rules.

KEVIN SOUCIE  
Chairperson

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COMMUNICATIONS

Notice of Intent received from Bureau of Research, Department of Natural Resources to apply for Federal Assistance for Statewide Fishery Research Amendment 3.

Comments due by May 18, 1979.

To committee on Tourism, Recreation and Economic Development.

Notice of Intent received from University of Wisconsin Board of Regents to apply for Federal Assistance for Geriatrics Health Area Manpower Education and Training Continuation Grant.

Comments due by May 20, 1979.

To committee on Health and Social Services.

Notice of Intent received from Division of Management, Planning and Federal Assistance, Department of Public Instruction to apply for Federal Assistance for Child Nutrition Programs.

Comments due by May 20, 1979.

To committee on Education.

To committee on Health and Social Services.

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Notice of Intent received from Division of Economic Opportunity, Department of Local Affairs and Development to apply for Federal Assistance for Community Food and Nutrition -- Regional Training and Technical Assistance.

Comments due by May 28, 1979.

To committee on Health and Social Services.

Notice of Intent received from Division for Handicapped Children, Department of Public Instruction to apply for Federal Assistance for Preschool Incentive Grant.

Comments due by May 28, 1979.

To committee on Education.

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May 15, 1979

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

Dear Marcel:

This is to inform you that I have, as of this date, made the following legislative appointment recommended to me by Representative Shabaz:

Representative Esther Luckhardt to the Committee on Labor to replace Representative Gary Dilweg who has resigned from the Committee.

ED JACKAMONIS  
Speaker

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LEAVES OF ABSENCE

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

Representative Shabaz asked unanimous consent for a leave of absence for today's session for Representative DeLong. Granted.

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CALENDAR OF TUESDAY, MAY 15, 1979

**Assembly Bill 509**

Relating to transferring the duty to appear in and prosecute paternity cases in counties having a population of 500,000 or more from the corporation counsel's office to the district attorney's office and retaining civil service status for employes transferred.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 509** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 509** be ordered engrossed and read a third time?

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 509** be given a third reading. Granted.

The question was: **Assembly Bill 509** 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, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, 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, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 94.

Noes -- None.

Absent or not voting -- DeLong, Harsdorf and Travis, D. -- 3.

Motion carried.

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Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 509** be immediately messaged to the senate. Granted.

**Assembly Bill 510**

Relating to allowing county board members to serve on the body designated by the county board to implement child support and paternity programs.

The question was: Shall **Assembly Bill 510** be ordered engrossed and read a third time?

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 510** be given a third reading. Granted.

The question was: **Assembly Bill 510** 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, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, 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, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 94.

Noes -- None.

Absent or not voting -- DeLong, Harsdorf and Travis, D. -- 3.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 510** be immediately messaged to the senate. Granted.

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**Assembly Bill 511**

Relating to permitting the court to convert arrearages on an agreement to pay child support or a judgment directing the father to pay child support to a money judgment without the necessity of the commencement of a new action, even though the support duty has ceased.

The question was: Shall **Assembly Bill 511** be ordered engrossed and read a third time?

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 511** be given a third reading. Granted.

The question was: **Assembly Bill 511** 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, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Goodrich, Gunderson, Harer, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewis, Lewison, 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, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 94.

Noes -- None.

Absent or not voting -- DeLong, Harsdorf and Travis, D. -- 3.

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 511** be immediately messaged to the senate. Granted.



**Assembly Bill 240**

Relating to modifications to the height of a vehicle and providing a penalty.

Assembly amendment 1 to **Assembly Bill 240** offered by Representative Jackamonis.

The question was: Shall assembly amendment 1 to **Assembly Bill 240** be adopted?

Motion carried.

Representative Gerlach asked unanimous consent that **Assembly Bill 240** be placed at the foot of today's calendar. Granted.

**Assembly Bill 248**

Relating to periods when vehicle lamps are required to be lighted and providing a penalty.

Assembly amendment 1 to **Assembly Bill 248** offered by Representative Shabaz.

The question was: Shall assembly amendment 1 to **Assembly Bill 248** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 248** be ordered engrossed and read a third time?

Motion carried.

Representative Ferrall asked unanimous consent that the rules be suspended and that **Assembly Bill 248** be given a third reading. Representative Goodrich objected.

Speaker pro tempore Kedrowski in the chair.

Representative Ferrall moved that the rules be suspended and that **Assembly Bill 248** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 248** be given a third reading?

The roll was taken.

The result follows:

Ayes -- Andrea, Behnke, Broydrick, Czerwinski, Donoghue, Dorff, Duren, Everson, Ferrall, Flintrop, Gerlach, Gunderson, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski,

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Kincaid, Laatsch, Ladwig, Lallensack, Larson, Leopold, Matty, Menos, Metz, Murray, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rutkowski, Schneider, Shoemaker, Smith, Swoboda, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 45.

Noes -- Barczak, Barry, Becker, Bradley, Byers, Clarenbach, Coggs, Conradt, Dilweg, Ellis, Fischer, Gagin, Goodrich, Harer, Hopkins, Kirby, Klicka, Lee, Lewis, Lewison, Lingren, Loftus, Lorman, Luckhardt, McClain, McEssy, Medinger, Merkt, Miller, Munts, Norquist, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Rooney, Schmidt, Shabaz, Snyder, Soucie, Tesmer, Thompson, Travis, R., Tregoning, Tuczynski, Ulichny and Young -- 49.

Absent or not voting -- DeLong, Harsdorf and Travis, D. -- 3.

Motion failed.

Representative Ferrall moved reconsideration of the vote by which **Assembly Bill 240** was ordered to a third reading. Entered.

#### **Assembly Bill 334**

Relating to requiring one blue light and one red light on police vehicles, prohibiting the use of flashing, oscillating or rotating blue lights along a highway and providing a penalty.

Assembly substitute amendment 1 to **Assembly Bill 334** offered by Representatives Wahner and Shabaz.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 334** offered by Representative Jackamonis.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 334** be adopted?

Motion carried.

Representative Rooney asked unanimous consent that **Assembly Bill 334** be laid on the table.

Representative Lallensack objected.

Representative Rooney moved that **Assembly Bill 334** be laid on the table.

Representative Lallensack asked unanimous consent to withdraw his objection. Granted.

Representative Rooney asked unanimous consent that **Assembly Bill 334** be laid on the table. Granted.

**Assembly Bill 240**

Relating to modifications to the height of a vehicle and providing a penalty.

Representative Ferrall asked unanimous consent that **Assembly Bill 240** be placed at the foot of the calendar of Thursday, May 17. Granted.

Representative Ferrall asked unanimous consent that **Assembly Bill 334** be taken from the table and placed at the foot of the calendar of Thursday, May 17. Granted.

The following motions under joint rule 7 were adopted pursuant to Assembly Rule 96.

A joint certificate of commendation by Representative Rooney for Bob Gall on the occasion of his retirement as director of the Racine YMCA Boys Choir.

A joint certificate of commendation by Representative Rooney; co-sponsored by Senator Strohl for Bart Ayers on the occasion of receiving the Junior Fire Marshall Silver Medal.

A joint certificate of commendation by Representative Gerlach; co-sponsored by Senator Frank for Frank Wellstein on his years of service as city engineer of Oak Creek.

A joint certificate of commendation by Representative Shoemaker for William Terrill on the occasion of his retirement after 35 years of educational service.

A joint certificate of commendation by Representative Potter for Werner Finke on the occasion of his retirement as coach at Plymouth High School.

A joint certificate of congratulations by Representatives Rogers, Andrea and Dorff for James Giordana on the occasion of his induction into the Kaukauna Athletic Hall of Fame.

A joint certificate of commendation by Representative Rogers for Fred Barribeau on the occasion of his retirement from Kaukauna High School.

A joint certificate of commendation by Representative DeLong for Leon Christiansen on the occasion of his retirement as Clinton village chairman.

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A joint certificate of commendation by Representative Barry for Charles Duerst on the occasion of his retirement as Primrose town clerk.

A joint certificate of congratulations by Representative Conradt for Elmer Seidl on the occasion of having been selected "Outstanding Seymour Citizen".

A joint certificate of congratulations by Representatives Miller, Munts and Clarenbach; co-sponsored by Senator Risser for Dr. William Ylitalo on the occasion of being selected "Outstanding Pediatrician of the Year".

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### LEGISLATIVE REFERENCE BUREAU CORRECTIONS

#### Assembly Bill 457

1. On page 64, line 7 delete "~~this~~" and substitute "this".

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### VISITORS

During today's session, the following visitors honored the assembly by their presence, and were welcomed by the presiding officer and the members:

Students from Saint Charles School in Milwaukee accompanied by Mrs. Larsen, Mrs. Downs, Mrs. Casassa and Mrs. Kooping, guests of Representative Plewa.

Eighth grade students from Saint Pius X School in Appleton accompanied by teacher David Schlegel, guests of Representative Prosser.

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Representative Ferrall moved that the assembly stand adjourned until 9:00 A.M. on Thursday, May 17.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

10:45 A.M.