

STATE OF WISCONSIN

Assembly Journal

Eighty-Fourth Regular Session

WEDNESDAY, September 12, 1979.

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 328** offered by Representative Miller.

Assembly amendment 1 to **Assembly Bill 356** offered by committee on Revenue.

Assembly amendment 2 to **Assembly Bill 356** offered by committee on Revenue.

Assembly amendment 1 to **Assembly Bill 357** offered by committee on Revenue.

Assembly amendment 2 to **Assembly Bill 357** offered by committee on Revenue.

Assembly amendment 1 to **Assembly Bill 401** offered by Representative Dorff.

Assembly amendment 1 to **Assembly Bill 456** offered by Representative Miller.

Assembly amendment 1 to assembly amendment 1 to **Assembly Bill 459** offered by Representative Jackamonis.

Assembly substitute amendment 1 to **Assembly Bill 589** offered by committee on Commerce and Consumer Affairs.

Assembly substitute amendment 1 to **Assembly Bill 636** offered by committee on Revenue.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 636** offered by committee on Revenue.

Assembly substitute amendment 1 to **Assembly Bill 692** offered by Representative Wood.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 76

Relating to removal of obsolete provisions regarding transitions from territory to statehood, transitions in offices, legislative districting and elections, the school fund and masculine and feminine gender terminology (first consideration).

By Legislative Council.

To committee on State Affairs.

Assembly Joint Resolution 77

Relating to removing obsolete provisions regarding the eligibility to office of persons convicted of felonies and of persons in default to a unit of government (first consideration).

By Legislative Council.

To committee on State Affairs.

Assembly Joint Resolution 78

Relating to removing obsolete provisions regarding feudal tenures and restraints upon alienation of lands (first consideration).

By Legislative Council.

To committee on Commerce and Consumer Affairs.

Assembly Joint Resolution 79

Relating to removing an obsolete provision regarding the relocation of county seats (first consideration).

By Legislative Council.

To committee on Local Affairs.

Assembly Bill 858

Relating to dogs for the deaf.

By Representatives Wahner, Kirby, Broydrick and DeLong, co-sponsored by Senators Maurer and Berger.

To committee on Health and Social Services.

Assembly Bill 859

Relating to making an appropriation for renovation of the executive residence.

By Representatives Pabst, Ferrall and Donoghue, co-sponsored by Senator Maurer.

To Joint Committee on Finance.

Assembly Bill 860

Relating to financing sewerage costs of a metropolitan sewerage commission and a sewerage commission of a 1st class city.

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By Representatives Barczak, Rutkowski, Klicka, Kirby, Norquist, Ulichny, Plewa, Soucie, Gerlach, Behnke, Czerwinski, Tuczynski, Menos, Leopold, Broydrick, Ward, Lee, Becker, Pabst, Hauke, Tesmer, Wahner, Coggs and Nelsen, co-sponsored by Senators Braun, Johnston, Frank, Berger, Swan, Moody, Adelman, Flynn and Kleczka, by request of Milwaukee County.

To committee on Local Affairs.

Assembly Bill 861

Relating to regulation of blasting by the department of industry, labor and human relations, providing a penalty, granting rule-making authority and making an appropriation.

By Representatives Wood, Jackamonis, Metz and Everson, co-sponsored by Senator Braun.

To committee on State Affairs.

Assembly Bill 862

Relating to expulsion of a pupil from school for use or possession of an alcoholic beverage or controlled substance.

By Representatives Rooney, Ladwig, Porter, Matty, Andrea, Wagner, Schmidt, Quackenbush, Dilweg, Omernick, Goodrich, Hopkins, Dorff, Snyder, Gagin, Merkt, Harer and Conradt, co-sponsored by Senator Murphy, by request of Racine Unified School District.

To committee on Education.

Assembly Bill 863

Relating to the qualifications of directors of clinical treatment programs for community mental hygiene boards.

By Representatives Jackamonis, Lingren, Thompson, Kirby, Behnke, Metz, Matty, Pabst, Shoemaker, Omernick, Everson, Ladwig and Rutkowski, co-sponsored by Senators Berger, Offner, Swan, Braun, Murphy and Lorge, by request of the Legislative Committee of the Waukesha County Board.

To committee on Health and Social Services.

Assembly Bill 864

Relating to leaving persons in locked vehicles and providing a penalty.

By Representatives Medinger and McClain.

To committee on Criminal Justice and Public Safety.

Assembly Bill 865

Relating to periodic legislative review and automatic termination of certain regulatory departments and making an appropriation.

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By Representatives Kincaid, Lallensack, Menos, Omernick, Fischer, Lingren and Laatsch, co-sponsored by Senators Lorge and Krueger.

To committee on Government Operations.

Assembly Bill 866

Relating to a 4-year phase-in of a 60% income tax deduction for capital gains and relating to capital gains taxation on home sales by persons leaving Wisconsin.

By committee on Revenue.

To committee on Revenue.

Assembly Bill 867

Relating to making an appropriation to blood pressure programs in the state.

By Representatives Leopold and Ulichny.

To committee on Health and Social Services.

Assembly Bill 868

Relating to fall semester starting dates at the university of Wisconsin system and vocational, technical and adult education schools.

By Representatives Loftus, Thompson, Omernick, Stitt, Barry, Lorman, Duren and Donoghue, co-sponsored by Senators Bear, Krueger and Murphy.

To committee on Education.

Assembly Bill 869

Relating to the time period for filing homestead tax credit claims.

By Representative Broydrick, by request of Thomas Coddington.

To committee on Revenue.

Assembly Bill 870

Relating to increasing the penalty for violations of requirements upon striking an unattended vehicle or property on or along a highway.

By Representative Schneider.

To committee on Highways.

COMMITTEE REPORTS

The committee on Commerce and Consumer Affairs reports and recommends:

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Assembly Bill 589

Relating to enforcement of fraudulent advertising and unfair trade practices statutes and regulations, and imposing a penalty.

Adoption of assembly substitute amendment 1:

Ayes: (11) Noes: (0)

Passage: Ayes: (8) Noes: (3)

To committee on Rules.

Assembly Bill 690

Relating to prohibiting self-help repossession of residential rental units.

Passage: Ayes: (7) Noes: (4)

To committee on Rules.

Assembly Bill 737

Relating to storing and dispensing petroleum products.

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

To committee on Rules.

MIDGE MILLER

Chairperson

The committee on Education reports and recommends:

Assembly Bill 631

Relating to the annual meeting date of certain common school districts.

Adoption of assembly substitute amendment 1:

Ayes: (15) Noes: (0)

Passage: Ayes: (15) Noes: (0)

To committee on Rules.

RICHARD FLINTROP

Chairperson

The committee on Health and Social Services reports and recommends:

Assembly Bill 131

Relating to prevention of lead poisoning, making an appropriation and providing a penalty.

Adoption of assembly amendment 1 to assembly substitute amendment 1: Ayes: (8) Noes: (2)

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Adoption of assembly substitute amendment 1:

Ayes: (10) Noes: (1)

Passage: Ayes: (10) Noes: (1)

To Joint Committee on Finance.

Assembly Bill 315

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

Adoption of assembly amendment 1:

Ayes: (8) Noes: (3)

Passage: Ayes: (6) Noes: (5)

To Joint Committee on Finance.

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.

Adoption of assembly amendment 1:

Ayes: (11) Noes: (0)

Passage: Ayes: (6) Noes: (5)

To Joint Committee on Finance.

Assembly Bill 767

Relating to checkpoint immunization of school children, providing a penalty and granting rule-making authority.

Adoption of assembly amendment 1:

Ayes: (10) Noes: (1)

Adoption of assembly amendment 2:

Ayes: (10) Noes: (1)

Adoption of assembly amendment 3:

Ayes: (9) Noes: (2)

Passage: Ayes: (8) Noes: (3)

To Joint Committee on Finance.

JOSEPH CZERWINSKI

Chairperson

The committee on Highways reports and recommends:

Assembly Bill 629

Relating to permitting certain vehicles to be registered on a monthly basis.

Passage: Ayes: (12) Noes: (1)
To Joint Committee on Finance.

CLETUS VANDERPERREN
Chairperson

The committee on Local Affairs reports and recommends:

Assembly Bill 499

Relating to licensure of mobile home parks by local government.

Adoption of assembly amendment 1:
Ayes: (9) Noes: (0)

Passage: Ayes: (9) Noes: (0)
To committee on Rules.

Assembly Bill 578

Relating to remedial changes of the county zoning powers.

Passage: Ayes: (8) Noes: (1)
To committee on Rules.

Assembly Bill 608

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

Passage: Ayes: (9) Noes: (0)
To committee on Rules.

Assembly Bill 770

Relating to revision of requirements for official newspapers in 4th class cities.

Passage: Ayes: (7) Noes: (2)
To committee on Rules.

Assembly Bill 787

Relating to exemption from public inspection requirements of building plans submitted to the department of industry, labor and human relations.

Passage: Ayes: (8) Noes: (1)
To committee on Rules.

GARY BARCZAK
Chairperson

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The committee on Revenue reports and recommends:

Assembly Bill 636

Relating to revisions of the alternative energy system tax credit, making an appropriation and providing penalties.

Adoption of assembly amendment 1 to assembly substitute amendment 1: Ayes: (8) Noes: (2)

Adoption of assembly substitute amendment 1:
Ayes: (9) Noes: (1)

Passage: Ayes: (9) Noes: (1)
To Joint Committee on Finance.

Senate Bill 17

Relating to assessment appeals in counties with a county assessor system.

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

MARLIN SCHNEIDER
Chairperson

PETITIONS

Assembly Petition 67

Submitted by 35,000 citizens of Wisconsin in support of the recall of Milwaukee County Judge Christ Seraphim.

By Representative Clarenbach.
To committee on Judiciary.

Assembly Petition 68

Submitted by Don Burns consisting of signatures of 72 citizens of Wisconsin in opposition to increased hunting and fishing license fees by the DNR.

By Representative Omernick.
To committee on Tourism, Recreation and Economic Development.

Assembly Petition 69

Submitted by LeRoy Schell consisting of signatures of 207 citizens of Sauk County in support of opening Natural Bridge Park for deer hunting.

By Representative Laatsch.

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To committee on Tourism, Recreation and Economic Development.

Assembly Petition 70

Submitted by Reva Levenstein consisting of 19 signatures of citizens of Wisconsin in opposition to a constitutional convention to amend the U.S. Constitution with an anti-abortion amendment.

By Representative Munts.

To committee on Health and Social Services.

Assembly Petition 71

A resolution submitted by the Columbia County Board in opposition to DNR regulation of wetlands within protected shorelands.

By Representatives Radtke, Laatsch and Thompson.

To committee on Environmental Resources.

Assembly Petition 72

Submitted by J. Abramson consisting of signatures of 89 citizens of Wisconsin in support of prescriptive and legal access to marijuana for the purpose of therapeutic relief.

By Representative Clarenbach.

To committee on Health and Social Services.

Assembly Petition 73

Submitted by the Tavern League of Langlade County consisting of 300 signatures of citizens of Langlade County in support of the 18 year old liquor law.

By Representative Schmidt.

To committee on State Affairs.

Assembly Petition 74

Submitted by Lois Coakley consisting of 85 signatures of citizens of Wisconsin in opposition to Assembly Bill 315, relating to altering penalties for the possession and gift of marijuana and permitting the enactment of certain ordinances.

By Representative Quackenbush.

To committee on Health and Social Services.

Assembly Petition 75

Submitted by Lloyd Thomson consisting of signatures of 350 citizens of Wisconsin in support of maintaining the state inoculation program on a strictly voluntary basis.

By Representative Shabaz.

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To committee on Health and Social Services.

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:

Assembly Bill	Chapter No.	Date Approved
165 -----	37 -----	September 6, 1979
40 (partial veto) -----	38 -----	September 6, 1979
194 -----	39 -----	September 6, 1979
284 -----	40 -----	September 6, 1979
7 -----	41 -----	September 6, 1979
54 -----	42 -----	September 6, 1979

Respectfully submitted,
LEE SHERMAN DREYFUS
Governor

GOVERNOR'S VETO MESSAGE

September 6, 1979

To The Honorable Members of the Assembly:

I have approved **Assembly Bill 40** as Chapter 38, Laws of 1979, and deposited in the Office of the Secretary of State.

Though I am firmly committed to making agencies accountable and acknowledge the necessity for broad participation in the rule review process by both the Legislature and the public, I am vetoing that portion of Assembly Bill 40 which changes the administrative rule making process.

I do not believe in a piecemeal approach to reform. Changes in the administrative rule making process should not be tacked on to individual and unrelated bills. Similar review procedures should not be detailed in many sections of the statutes, but rather should be made at one time, in a comprehensive manner, and relate directly to the administrative rule sections of the Statutes in Chapter 227.

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I am also concerned that there be a constitutional role for each branch of government in the rule suspension process. Rules have the force of law, so the rule suspension procedure should closely parallel the law making procedures, including involvement by the full Legislature and the Governor. I have grave concern about delegating to a few the power that constitutionally belongs to the many.

As I have previously indicated, I am convinced that working together with the Legislature, we can develop rule review procedures that (1) avoid unnecessary delay, (2) involve greater public participation, (3) provide for selective review of rules, (4) do not overburden the Legislature or Legislative Council, (5) do not result in more unnecessary rules, (6) eliminate obsolete rules already on the books, and (7) avoid constitutional problems.

Respectfully submitted,
LEE SHERMAN DREYFUS
Governor

COMMUNICATIONS

Notice of Intent received from Division of Job Service, Department of Industry, Labor and Human Relations to apply for Federal Assistance for Annual Program and Fiscal Plan-Unemployment Service, Insurance.

Comments due by September 21, 1979.

To committee on Labor.