

JOURNAL OF THE ASSEMBLY [January 16, 1980]

STATE OF WISCONSIN

# Assembly Journal

Eighty-Fourth Regular Session

WEDNESDAY, January 16, 1980.

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

## AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 139** offered by committee on Judiciary.

Assembly amendment 1 to **Assembly Bill 386** offered by Joint Committee on Finance.

Assembly amendment 4 to **Assembly Bill 446** offered by Joint Committee on Finance.

Assembly amendment 2 to **Assembly Bill 520** offered by committee on Revenue.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 596** offered by committee on Energy.

Assembly substitute amendment 1 to **Assembly Bill 681** offered by committee on Health and Social Services.

Assembly amendment 1 to **Assembly Bill 748** offered by committee on Revenue.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 807** offered by Joint Committee on Finance.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 807** offered by Joint Committee on Finance.

Assembly substitute amendment 1 to **Assembly Bill 841** offered by Representatives Leopold and Tuczynski.

Assembly substitute amendment 1 to **Assembly Bill 867** offered by committee on Health and Social Services.

Assembly amendment 1 to **Assembly Bill 873** offered by committee on Judiciary.

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Assembly amendment 1 to **Assembly Bill 885** offered by Representatives Barry, Andrea, Leopold and Larson, by request of Subcommittee on Municipal Authority and Operations.

Assembly amendment 2 to **Assembly Bill 885** offered by Representatives Barry, Andrea, Larson and Leopold, by request of Subcommittee on Municipal Authority and Operations.

Assembly substitute amendment 1 to **Assembly Bill 913** offered by Representative Czerwinski.

Assembly amendment 2 to **Assembly Bill 941** offered by Representatives Swoboda and Vanderperren, by request of Wisconsin Farm Equipment Association.

Assembly substitute amendment 2 to **Assembly Bill 966** offered by Joint Committee on Finance.

Assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 966** offered by Joint Committee on Finance.

Assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 966** offered by Joint Committee on Finance.

Assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 966** offered by Joint Committee on Finance.

Assembly amendment 1 to assembly amendment 1 to **Assembly Bill 1043** offered by Joint Committee on Finance.

Assembly amendment 4 to **Assembly Bill 1043** offered by Joint Committee on Finance.

Assembly substitute amendment 1 to **Assembly Bill 1089** offered by committee on State Affairs.

Assembly amendment 1 to **Assembly Bill 1116** offered by committee on Criminal Justice and Public Safety.

Assembly amendment 1 to **Senate Bill 244** offered by committee on Judiciary.

Assembly amendment 2 to **Senate Bill 244** offered by committee on Judiciary.

Assembly amendment 3 to **Senate Bill 244** offered by committee on Judiciary.

Assembly substitute amendment 1 to **Senate Bill 260** offered by committee on Health and Social Services.

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INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

**Assembly Joint Resolution 101**

Relating to nonuniform taxation of the homestead property of residents aged 62 or older (first consideration).

By Representatives R. Travis and Schneider.

To committee on Revenue.

**Assembly Joint Resolution 102**

Relating to an assessment freeze for owner-occupied homesteads occupied by any resident aged 65 or older or totally and permanently disabled (1st consideration).

By Representatives Menos, Swoboda, Kincaid, Duren, Barczak, Laatsch, Ward, Conradt, Matty, Smith, Andrea, McEssy, Klicka, Ladwig and Czerwinski, co-sponsored by Senators Roshell, Frank, Van Sistine, Goyke and Theno.

To committee on Revenue.

**Assembly Bill 1134**

Relating to requiring reports to the secretary of state regarding changes in officers or directors of nonstock nonprofit corporation and providing a penalty.

By Representative Czerwinski.

To committee on State Affairs.

**Assembly Bill 1135**

Relating to eliminating the flagging requirement for trains of agricultural vehicles crossing highway intersections.

By Representatives R. Travis, Schneider, Harsdorf and Harer.

To committee on Transportation.

**Assembly Bill 1136**

Relating to fermented malt beverage and intoxicating liquor licenses for veterans' organizations.

By Representatives Lallensack, Loftus, Menos, Byers, Murray, Smith, Conradt, Omernick, Lewison, Paulson, Kincaid and Porter, co-sponsored by Senators Swan, Thompson, Krueger, Hanaway and Lorge.

To committee on Excise and Fees.

**Assembly Bill 1137**

Relating to increasing the income tax exemption for military reserve duty pay.

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By Representatives Andrea, Medinger, Dorff, Potter, Swoboda, Shoemaker and Wagner.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 1138**

Relating to the appointment of school crossing guards, the requirement to stop a vehicle when directed by a school crossing guard and providing a penalty.

By Representatives Andrea, Medinger, Dorff, Potter, Barry, Swoboda, Wood and Wagner.

To committee on Highways.

**Assembly Bill 1139**

Relating to the costs of transmission of corrected assessment rolls to the department of revenue.

By Representatives Snyder, Conradt and Luckhardt, by request of city of Delafield.

To committee on Revenue.

**Assembly Bill 1140**

Relating to the establishment of the school calendar by a school board.

By Representatives Goodrich, DeLong, Matty, Schmidt and Hauke.

To committee on Education.

**Assembly Bill 1141**

Relating to immunity from liability for terminating a patient's artificial life support systems, if the patient's brain irreversibly ceases all functioning.

By Representative Medinger.

To committee on Judiciary.

**Assembly Bill 1142**

Relating to burial trusts and the accumulation of interest in irrevocable burial trusts.

By Representatives Hasenchril, Lallensack, Helbach, Rooney, Rogers, Shoemaker and Tuczynski, co-sponsored by Senators Risser, Lorge and Berger.

To committee on Commerce and Consumer Affairs.

**Assembly Bill 1143**

Relating to the issuance of motorized bicycle operators' permits and providing a penalty.

By Representative Helbach, co-sponsored by Senator Bear.

To committee on Transportation.

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**Assembly Bill 1144**

Relating to enforcing accuracy standards for liquid flow meters.

By Representatives Hopkins, Porter, Lallensack, Bradley, Stitt and Nelsen.

To committee on Commerce and Consumer Affairs.

**Assembly Bill 1145**

Relating to requiring the department of health and social services to broadcast radio and television announcements about fetal alcohol syndrome, imposing a tax on alcoholic beverages and making an appropriation.

By Representatives Metz, Leopold, Kirby, Wood, Otte, Munts, Flintrop, Rutkowski, Loftus, Ward, Coggs, Tesmer, McClain, Everson, Becker, Tregoning and Duren, co-sponsored by Senators Goyke and Moody.

To committee on Commerce and Consumer Affairs.

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ADMINISTRATIVE RULES

Read and referred:

**Clearinghouse Rule 79-51**

Relating to the rural public transportation assistance program.

Submitted by Department of Transportation.

To committee on Transportation.

**Clearinghouse Rule 80-6**

Relating to 1980 hunting regulations.

Submitted by Department of Natural Resources.

To committee on Tourism, Recreation and Economic Development.

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COMMITTEE REPORTS

The committee on Criminal Justice and Public Safety reports and recommends:

**Assembly Bill 732**

Relating to requiring payment of restitution as a requirement of probation.

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

To committee on Rules.

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**Assembly Bill 1065**

Relating to injury by improper use of a noxious substance and providing a penalty.

Adoption of assembly substitute amendment 1:

Ayes: (9) Noes: (1)

Passage: Ayes: (9) Noes: (1)

To committee on Rules.

**Assembly Bill 1116**

Relating to restricting ownership of short-barreled shotguns or short-barreled rifles, disposal of seized weapons and providing a penalty.

Adoption of assembly amendment 1:

Ayes: (10) Noes: (0)

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

To committee on Rules.

**Senate Bill 87**

Relating to prohibiting courts from placing persons convicted of first-degree murder on probation.

Concurrence: Ayes: (7) Noes: (3)

To committee on Rules.

ED McCLAIN

Chairperson

The committee on Energy reports and recommends:

**Assembly Bill 596**

Relating to exempting solar energy home heating systems and electricity generating devices from the property tax.

Adoption of assembly amendment 1 to assembly substitute amendment 1: Ayes: (6) Noes: (0)

Adoption of assembly substitute amendment 1:

Ayes: (6) Noes: (0)

Passage: Ayes: (5) Noes: (1)

To Joint Committee on Finance.

SHARON METZ

Chairperson

The Joint Committee on Finance reports and recommends:

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**Assembly Bill 5**

Relating to allowing capital gain deferment on the purchase of residences outside this state by Wisconsin residents who are members of the U.S. armed forces.

Adoption of assembly amendment 1 to assembly substitute amendment 1:

Ayes: (12) Noes: (0)

Adoption of assembly substitute amendment 1:

Ayes: (13) Noes: (0)

Passage: Ayes: (13) Noes: (0)

To committee on Rules.

**Assembly Bill 246**

Relating to instructing ambulance attendants on treatment for insect stings resulting in anaphylactic shock.

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

Adoption of assembly substitute amendment 1:

Ayes: (13) Noes: (0)

Passage: Ayes: (13) Noes: (0)

To committee on Rules.

**Assembly Bill 322**

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

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

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

Adoption of assembly amendment 3 to assembly substitute amendment 1: Ayes: (11) Noes: (2)

Adoption of assembly amendment 4 to assembly substitute amendment 1: Ayes: (11) Noes: (2)

Adoption of assembly substitute amendment 1:

Ayes: (10) Noes: (3)

Passage: Ayes: (9) Noes: (4)

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To committee on Rules.

**Assembly Bill 358**

Relating to inheritance and estate taxation of certain personalty in farming, trade or business held or leased in joint tenancy by spouses.

Passage: Ayes: (9) Noes: (4)  
To committee on Rules.

**Assembly Bill 359**

Relating to inheritance tax exclusions for property held in joint tenancy by spouses.

Passage: Ayes: (7) Noes: (5)  
To committee on Rules.

**Assembly Bill 369**

Relating to a property tax exemption for leased farm machinery and farm machinery used for custom farming services.

Passage: Ayes: (8) Noes: (3)  
To committee on Rules.

**Assembly Bill 386**

Relating to limitations on veterans' housing loans.

Adoption of assembly amendment 1:  
Ayes: (10) Noes: (0)

Passage: Ayes: (9) Noes: (2)  
To committee on Rules.

**Assembly Bill 446**

Relating to the tax status of property leased by tax-exempt organizations.

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

Adoption of assembly amendment 3:  
Ayes: (12) Noes: (0)

Adoption of assembly amendment 4:  
Ayes: (9) Noes: (2)

Passage: Ayes: (11) Noes: (0)  
To committee on Rules.

**Assembly Bill 503**

Relating to delinquent sales and use tax returns.



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Adoption of assembly amendment 2:

Ayes: (11) Noes: (0)

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

To committee on Rules.

**Assembly Bill 553**

Relating to creating a generation-skipping transfer tax.

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

To committee on Rules.

**Assembly Bill 650**

Relating to the deposit of contested tax amounts with the department of revenue.

Adoption of assembly amendment 1:

Ayes: (13) Noes: (0)

Passage: Ayes: (13) Noes: (0)

To committee on Rules.

**Assembly Bill 657**

Relating to law revision duties of the revisor of statutes, establishing a law revision committee in place of the remedial legislation and judiciary committees of the legislative council and of the joint committee on revisions, repeals and uniform laws and making an appropriation.

Adoption of assembly amendment 1:

Ayes: (12) Noes: (0)

Adoption of assembly amendment 2:

Ayes: (13) Noes: (0)

Adoption of assembly amendment 3:

Ayes: (12) Noes: (1)

Passage: Ayes: (13) Noes: (0)

To committee on Rules.

**Assembly Bill 682**

Relating to defining as mopeds power-driven cycles without pedals and providing for registration of such cycles at the fee for mopeds.

Adoption of assembly substitute amendment 1:

Ayes: (11) Noes: (0)

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

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To committee on Rules.

**Assembly Bill 699**

Relating to state payment of funeral expenses for persons who received supplemental security income or who received medical assistance due to medical indigence, and making an appropriation.

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

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

Passage: Ayes: (13) Noes: (0)  
To committee on Rules.

**Assembly Bill 764**

Relating to the calculation of license fees for electric cooperatives selling electric energy outside Wisconsin.

Adoption of assembly amendment 1 to assembly substitute amendment 1: Ayes: (11) Noes: (0)

Adoption of assembly substitute amendment 1:  
Ayes: (11) Noes: (0)

Passage: Ayes: (11) Noes: (0)  
To committee on Rules.

**Assembly Bill 767**

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

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

Adoption of assembly amendment 2:  
Ayes: (8) Noes: (5)

Adoption of assembly amendment 3:  
Ayes: (13) Noes: (0)

Passage: Ayes: (12) Noes: (1)  
To committee on Rules.

**Assembly Bill 795**

Relating to state aid for tuition payments by school districts and making an appropriation.

Adoption of assembly amendment 1:  
Ayes: (10) Noes: (0)

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Adoption of assembly amendment 2:

Ayes: (10) Noes: (0)

Passage: Ayes: (9) Noes: (1)

To committee on Rules.

**Assembly Bill 807**

Relating to establishment of American Indian language and culture education programs in schools, creating an American Indian language and culture education board, granting rule-making authority and making an appropriation.

Adoption of assembly amendment 1 to assembly substitute amendment 1: Ayes: (11) Noes: (0)

Adoption of assembly amendment 2 to assembly substitute amendment 1: Ayes: (11) Noes: (0)

Adoption of assembly substitute amendment 1:

Ayes: (12) Noes: (0)

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

To committee on Rules.

**Assembly Bill 859**

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

Passage: Ayes: (10) Noes: (3)

To committee on Rules.

**Assembly Bill 966**

Relating to creating a department of energy, and a division of public utility consumer affairs in the department of justice, reorganizing the public service commission and state energy functions, granting rule-making authority, making appropriations and providing a penalty.

Adoption of assembly amendment 1 to assembly substitute amendment 2: Ayes: (12) Noes: (0)

Adoption of assembly amendment 2 to assembly substitute amendment 2: Ayes: (9) Noes: (3)

Adoption of assembly amendment 3 to assembly substitute amendment 2: Ayes: (12) Noes: (0)

Adoption of assembly substitute amendment 2:

Ayes: (9) Noes: (3)

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Passage: Ayes: (9) Noes: (3)

To committee on Rules.

**Assembly Bill 1043**

Relating to rights of victims and witnesses of crimes, providing rule-making authority, and providing a penalty and making an appropriation.

Adoption of assembly amendment 1 to assembly amendment 1:

Ayes: (11) Noes: (0)

Adoption of assembly amendment 1:

Ayes: (11) Noes: (0)

Adoption of assembly amendment 4:

Ayes: (10) Noes: (0)

Passage: Ayes: (7) Noes: (3)

To committee on Rules.

**Assembly Bill 1063**

An act to appropriate \$12,800 from the general fund for payment of a claim made by Hector Luis Acosta against the state.

Indefinite postponement: Ayes: (10) Noes: (0)

To committee on Rules.

GARY JOHNSON  
Assembly Chairperson

The committee on Financial Institutions reports and recommends:

**Clearinghouse Rule 79-27**

Relating to filing financial statements for the patients compensation fund.

Rejection: Ayes: (11) Noes: (1)

To Joint Committee for Review of Administrative Rules.

THOMAS HAUKE  
Chairperson

The committee on Highways reports and recommends:

**Assembly Bill 1035**

Relating to permitting a \$1 annual registration fee for any motor vehicle of a charitable corporation.

Adoption of assembly substitute amendment 1:

Ayes: (10) Noes: (0) Not Voting: (1)

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Passage: Ayes: (11) Noes: (0)  
To Joint Committee on Finance.

**Assembly Bill 1050**

Relating to permitting transportation of firewood in excess of registered weight of certain motor trucks and trailers.

Adoption of assembly amendment 1:  
Ayes: (10) Noes: (0) Not Voting: (1)

Passage: Ayes: (9) Noes: (2)  
To committee on Rules.

CLETUS VANDERPERREN  
Chairperson

The committee on Judiciary reports and recommends:

**Assembly Bill 139**

Relating to restricting the use of polygraphs and similar tests and providing penalties.

Adoption of assembly substitute amendment 1:  
Ayes: (8) Noes: (0)

Without recommendation (Assembly Rule 19)  
To committee on Rules.

**Assembly Bill 873**

Relating to competency to proceed in criminal cases.

Adoption of assembly amendment 1:  
Ayes: (6) Noes: (2)

Passage: Ayes: (8) Noes: (0)  
To Joint Committee on Finance.

**Senate Bill 244**

Relating to the state open housing law.

Adoption of assembly amendment 1:  
Ayes: (8) Noes: (0)

Adoption of assembly amendment 2:  
Ayes: (8) Noes: (0)

Adoption of assembly amendment 3:  
Ayes: (8) Noes: (0)

Concurrence: Ayes: (5) Noes: (3)  
To committee on Rules.

**Senate Bill 312**

Relating to citation forms for municipal court.

Concurrence: Ayes: (7) Noes: (1)

To committee on Rules.

JAMES RUTKOWSKI

Chairperson

The committee on Revenue reports and recommends:

**Assembly Bill 976**

Relating to income and sales and use tax statutes, eliminating obsolete language, correcting cross-references, creating uniform definitions, reconciling conflicts and clarifying language (suggested as remedial legislation by the department of revenue).

Passage: Ayes: (8) Noes: (0)

To committee on Rules.

**Senate Bill 333**

Relating to the availability of real estate sales information used to determine property valuations.

Concurrence: Ayes: (8) Noes: (0)

To committee on Rules.

MARLIN SCHNEIDER

Chairperson

The committee on State Affairs reports and recommends:

**Assembly Bill 1057**

Relating to the observance of Arbor Day in public schools on the last Friday in April of each year.

Passage: Ayes: (8) Noes: (0)

To committee on Rules.

**Assembly Bill 1089**

Relating to the sale of beer or liquor to, and possession by, nonresidents and providing a penalty.

Adoption of assembly substitute amendment 1:

Ayes: (8) Noes: (0)

Passage: Ayes: (8) Noes: (0)

To Joint Committee on Finance.

JOHN PLEWA

Chairperson

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PETITIONS

**Assembly Petition 110**

Submitted by 77 citizens of Wisconsin in opposition to the proposed increase in the state park sticker rate from \$5.00 to \$10.00.

By Representative Vanderperren.

To committee on Tourism, Recreation and Economic Development.

**Assembly Petition 111**

Submitted by 40 citizens of Wisconsin in opposition to Assembly Bills 379, 441 and 701, relating to parental notification if unemancipated minors seek family planning services.

By Representative Czerwinski.

To committee on Health and Social Services.

**Assembly Petition 112**

Submitted by 79 citizens of Wisconsin in support of Assembly Bill 1075, relating to compulsory school attendance and truancy.

By Representative Flintrop.

To committee on Education.

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COMMUNICATIONS

Notice of Intent received from Division of Corrections, Department of Health and Social Services to apply for Federal Assistance for Administrative Rules Training Program.

Comments due by January 14, 1980.

To committee on Criminal Justice and Public Safety.

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LEGISLATIVE REFERENCE BUREAU CORRECTIONS

**Assembly Bill 767**

On page 5, line 1, after "sum", insert "of".

**Assembly Bill 913**

On page 4, line 2, delete "selfprotection" and substitute "self-protection".

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**Assembly Bill 1076**

On page 3, line 6, substitute "operate" for "operated".