

STATE OF WISCONSIN

# Assembly Journal

Eighty-Fourth Regular Session

WEDNESDAY, November 19, 1980.

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

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## ADMINISTRATIVE RULES

Read and referred:

### **Clearinghouse Rule 79-49**

Relating to air emissions of particulate matter.  
Submitted by Department of Natural Resources.  
To committee on Environmental Resources.

### **Clearinghouse Rule 80-3**

Relating to control of volatile organic compound emissions.  
Submitted by Department of Natural Resources.  
To committee on Environmental Resources.

### **Clearinghouse Rule 80-48**

Relating to certification of ambulance providers under Title XIX  
of the Social Security Act.  
Submitted by Department of Health and Social Services.  
To committee on Health and Social Services.

### **Clearinghouse Rule 80-118**

Relating to commercial fishing relicensing criteria.  
Submitted by Department of Natural Resources.  
To committee on Tourism, Recreation and Economic  
Development.

### **Clearinghouse Rule 80-125**

Relating to rules of the Division of Personnel of the Department  
of Employment Relations.  
Submitted by Department of Employment Relations.  
To committee on Labor.

### **Clearinghouse Rule 80-133**

Relating to endangered species permit requirements.  
Submitted by Department of Natural Resources.

To committee on Environmental Resources.

**Clearinghouse Rule 80-137**

Relating to the active practice of pharmacy.

Submitted by Department of Regulation and Licensing.

To committee on Health and Social Services.

**Clearinghouse Rule 80-152**

Relating to agricultural and vegetable seeds.

Submitted by Department of Agriculture, Trade and Consumer Protection.

To committee on Agriculture.

**Clearinghouse Rule 80-153**

Relating to bovine animal import, brucellosis test requirements, identification of slaughter swine and livestock dealer and market operators' recordkeeping requirements.

Submitted by Department of Agriculture, Trade and Consumer Protection.

To committee on Agriculture.

**Clearinghouse Rule 80-154**

Relating to hours of work and overtime.

Submitted by Department of Industry, Labor and Human Relations.

To committee on Labor.

**Clearinghouse Rule 80-161**

Relating to motor carrier insurance certification requirements.

Submitted by Department of Transportation.

To committee on Transportation.

**Clearinghouse Rule 80-175**

Relating to rules concerning co-applicants for department loans and guarantors of department notes, substitution of courses by part-time study grant applicants, condominium requirements, income inclusion for housing loan analysis and elimination of the prohibition against housing loans on properties with mound-type septic systems.

Submitted by Department of Veterans Affairs.

To committee on Veterans and Military Affairs.

**Clearinghouse Rule 80-187**

Relating to the Wisconsin environmental policy act procedures for department actions.

Submitted by Department of Natural Resources.

To committee on Environmental Resources.

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**Clearinghouse Rule 80-209**

Relating to the M-team procedures specific to suspected learning disabled children and the learning disabilities definition and identification criteria.

Submitted by Department of Public Instruction.

To committee on Education.

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COMMUNICATIONS

October 16, 1980

Representative Ed Jackamonis  
Speaker of the Assembly  
Room 211 West  
State Capitol  
Madison, WI 53702

Dear Ed:

This is to inform you that I have appointed the Assembly membership that will participate in the "Subcommittee on Vocational, Technical and Adult Education Structure."

The Assembly members include Representatives Marlin Schneider (chair); Bill Broydrick, Marcia Cogs, Delmar DeLong, Mordecai Lee and John Merkt. This subcommittee will be reviewing basic issues of governance of this system and will be coordinating their efforts with the senate.

Sincerely,  
DICK FLINTROP  
State Representative

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Notice of Intent To Apply For Grants

Notice of Intent received from Division of Planning and Budget, Department of Transportation to apply for Federal Assistance for Jurisdictional Changes.

Comments due by October 27, 1980.

To committee on Highways.

JOURNAL OF THE ASSEMBLY [November 19, 1980]

Notice of Intent received from Wisconsin Council on Criminal Justice to apply for Federal Assistance for 1980 Criminal Justice Improvement Plan.

Comments due by October 25, 1980.

To committee on Criminal Justice and Public Safety.

Notice of Intent received from Division of Environmental Standards, Department of Natural Resources to apply for Federal Assistance for Air Pollution Control Program Grant.

Comments due by October 28, 1980.

To committee on Environmental Resources.

Notice of Intent received from Division of Resource Management, Department of Natural Resources to apply for Federal Assistance for Rural Community Fire Protection and Control.

Comments due by November 3, 1980.

To committee on Criminal Justice and Public Safety.

Notice of Intent received from Engineering Division, Public Service Commission to apply for Federal Assistance for Gas Pipeline Safety Program.

Comments due by November 3, 1980.

To committee on Energy.

Notice of Intent received from Division of Resource Management, Department of Natural Resources to apply for Federal Assistance for Urban Forestry Assistance.

Comments due by November 3, 1980.

To committee on Environmental Resources.

Notice of Intent received from Division of Planning and Budget, Department of Transportation to apply for Federal Assistance for Highway Planning and Research Work Program.

Comments due by November 16, 1980.

To committee on Highways.

Notice of Intent received from Bureau of Prevention, Department of Health and Social Services to apply for Federal Assistance for Venereal Disease Control.

Comments due by November 15, 1980.

To committee on Health and Social Services.

JOURNAL OF THE ASSEMBLY [November 19, 1980]

Notice of Intent received from Division of Handicapped Children, Department of Public Instruction to apply for Federal Assistance for Wisconsin Supplemental Security Income - Disabled Child Program.

Comments due by November 20, 1980.

To committee on Health and Social Services.

Notice of Intent received from Division of Community Services - Department of Health and Social Services to apply for Federal Assistance for Mental Health Services Manpower Systems Development.

Comments due by November 25, 1980.

To committee on Health and Social Services.

Notice of Intent received from Bureau of Water Quality, Department of Natural Resources to apply for Federal Assistance for FY 81 State Public Water System Supervision.

Comments due by November 25, 1980.

To committee on Environmental Resources.

Notice of Intent received from Bureau of Alcohol and Other Drug Abuse to apply for Federal Assistance for EAP/SAP and Adolescent Treatment Project.

Comments due by November 28, 1980.

To committee on Health and Social Services.

Notice of Intent received from Bureau of Alcohol and Other Drug Abuse, Department of Health and Social Services to apply for Federal Assistance for Alcoholism Services Development Program.

Comments due by November 28, 1980.

To committee on Health and Social Services.

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Summary of Requests for Formal Attorney General's Opinions

Summary: May law enforcement agencies furnish to prospective employers the arrest and conviction records of prospective employees?

Opinion ID Number: F80073001

Requested by: District Attorney of Wood County

Assigned to: Mr. Rice

Estimated Date of Issuance: October 30, 1980

To committee on Judiciary.

Summary: May municipalities, under home rule powers, lawfully limit powers of municipal library boards given by ch. 48, Stats.?

Opinion ID Number: F80101501

**JOURNAL OF THE ASSEMBLY [November 19, 1980]**

**Requested by:** Department of Public Instruction

**Assigned to:** Mr. Sensenbrenner's Unit

**Estimated Date of Issuance:** January 15, 1981

**To committee on Education.**

**Summary:** As between secs. 66.035 and 59.09(1), Stats., which controls county in publishing ordinances?

**Opinion ID Number:** F80102301

**Requested by:** Corporation Counsel of Kenosha County

**Assigned to:** Mr. Sensenbrenner's Unit

**Estimated Date of Issuance:** January 23, 1981

**To committee on Local Affairs.**

**Summary:** Is DILHR approval required for installing aerobic wastewater treatment unit on an existing septic tank?

**Opinion ID Number:** F80102101

**Requested by:** Department of Natural Resources

**Assigned to:** Ms. Bochert's Unit

**Estimated Date of Issuance:** January 21, 1981

**To committee on Environmental Resources.**

**Summary:** Is settlement of a county nursing home forfeiture subject to the county board approval requirement of sec. 59.07(3)?

**Opinion ID Number:** F80102902

**Requested by:** District Attorney of Waupaca County

**Assigned to:** Mr. Roder

**Estimated Date of Issuance:** January 29, 1981

**To committee on Health and Social Services.**

**Summary:** Under sec. 32.15(4m)(b) may tenants receive relocation benefits only if new lease is obtained after displacement?

**Opinion ID Number:** F80103001

**Requested by:** Senate

**Assigned to:** Mr. Hoornstra's Unit

**Estimated Date of Issuance:** January 30, 1981

**To committee on Local Affairs.**

**Summary:** Is sec. 5.15(1) and (2), Stats., inconsistent with the federal requirement of equal apportionment for representation?

**Opinion ID Number:** F80103002

**Requested by:** Assembly

**Assigned to:** Mr. Sensenbrenner's Unit

**Estimated Date of Issuance:** January 30, 1981

**To committee on Elections.**

JOURNAL OF THE ASSEMBLY [November 19, 1980]

Summary: Should institutionalized persons be counted for purposes of reapportionment?

Opinion ID Number: F80103003

Requested by: Assembly

Assigned to: Mr. Sensenbrenner's Unit

Estimated Date of Issuance: January 2, 1981

To committee on Elections.

Summary: What would be the effect of legislation relinquishing state's property rights to certain shorelands?

Opinion ID Number: F80103004

Requested by: Senate

Assigned to: Mr. Altman

Estimated Date of Issuance: January 30, 1981

To committee on Environmental Resources.

Summary: How are sec. 144.06 and sections H62.01(6) and H62.20 (1)(b), Wis. Adm. Code to be interpreted relating to sewer hookup?

Opinion ID Number: F80103101

Requested by: Assembly

Assigned to: Ms. Bochert's Unit

Estimated Date of Issuance: January 31, 1981

To committee on Environmental Resources.

Summary: Under sec. 443.01(6)(b)3, Stats., may the Department of Regulation and Licensing predicate licensing engineers on residency and competency requirements?

Opinion ID Number: F80102701

Requested by: Department of Regulation and Licensing

Assigned to: Mrs. Lampert

Estimated Date of Issuance: January 27, 1981

To committee on State Affairs.

Summary: Are persons committed under sec. 971.17(1), Stats., before May 17, 1978, entitled to credit for good time?

Opinion ID Number: F80102702

Requested by: Department of Health and Social Services

Assigned to: Ms. Albrink Fowler

Estimated Date of Issuance: January 27, 1981

To committee on Criminal Justice and Public Safety.

Summary: May a non-profit organization incorporate under Ch. 180 Stats.?

Opinion ID Number: F80102801

Requested by: Department of Business Development

JOURNAL OF THE ASSEMBLY [November 19, 1980]

Assigned to: Mr. Armstrong

Estimated Date of Issuance: January 28, 1981

To committee on Local Affairs.

Summary: May divisions of a county community human services department share confidential client information?

Opinion ID Number: F80073002

Requested by: District Attorney of Portage County

Assigned to: Mr. Johns

Estimated Date of Issuance: October 30, 1980

To committee on Health and Social Services.

Summary: Can relocation of persons from unsafe housing be conditioned upon their waiving relocation benefits under secs. 32.19-32.25, Stats.?

Opinion ID Number: F80102901

Requested by: Department of Industry, Labor and Human Relations

Assigned to: Mr. Sweeney

Estimated Date of Issuance: January 29, 1981

To committee on Local Affairs.

Anyone interested in a pending opinion may submit written briefs or comments to the Office of the Attorney General. Please indicate the opinion ID number. Copies of the request are available for inspection at 114 East, State Capitol.