

JOURNAL OF THE ASSEMBLY [May 26, 1981]

STATE OF WISCONSIN

Assembly Journal

Eighty-Fifth Regular Session

TUESDAY, May 26, 1981.

10:00 A.M.

The assembly met.

Representative Robinson in the chair.

The roll was dispensed with.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Joint Resolution 34** offered by Representative Goodrich.

Assembly amendment 1 to **Assembly Bill 45** offered by Representative Swoboda.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 62** offered by Representative Everson.

Assembly amendment 1 to **Assembly Bill 225** offered by Representative Rogers.

Assembly amendment 1 to **Assembly Bill 227** offered by Representative Klicka.

Assembly substitute amendment 1 to **Assembly Bill 441** offered by Representative Everson.

Assembly amendment 1 to **Assembly Bill 476** offered by Representative Tuczynski.

ADMINISTRATIVE RULES

Read and referred:

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Assembly Clearinghouse Rule 79-41

Relating to resources for inmates of correctional institutions.
Submitted by Department of Health and Social Services.
To committee on Criminal Justice and Public Safety.
Referred on May 22, 1981.

Assembly Clearinghouse Rule 81-11

Relating to exempting inland marine insurance from rate filing requirements.

Submitted by Office of the Commissioner of Insurance.

To committee on Insurance, Cooperatives and Risk Management.

Referred on May 22, 1981.

Assembly Clearinghouse Rule 81-73

Relating to risk limitations.

Submitted by Office of the Commissioner of Insurance.

To committee on Insurance, Cooperatives and Risk Management.

Referred on May 22, 1981.

COMMITTEE REPORTS

The committee on Children and Human Development reports and recommends:

Assembly Bill 246

Relating to disclosure of information related to parents whose rights have been terminated and granting rule-making authority.

Adoption of assembly substitute amendment 1:

Ayes: (9) Noes: (0)

Passage: Ayes: (9) Noes: (0)

To Joint Committee on Finance.

STEPHEN LEOPOLD
Chairperson

The committee on Education reports and recommends:

Assembly Bill 264

Relating to providing the names of pupils who have dropped out of high school to the local vocational, technical and adult education district board.

Passage: Ayes: (12) Noes: (3)

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To committee on Rules.

Assembly Bill 378

Relating to the adoption of textbooks for use in the elementary and secondary schools.

Passage: Ayes: (11) Noes: (3)
To committee on Rules.

Assembly Bill 384

Relating to the method of selecting school board members in city school districts.

Passage: Ayes: (13) Noes: (1)
To committee on Rules.

RICHARD FLINTROP
Chairperson

The committee on Insurance, Cooperatives and Risk Management reports and recommends:

Senate Bill 92

Relating to conflict of interest and nonpayment of fees by insurance intermediaries, eliminating licensing of and certain restrictions on fire insurance adjusters, eliminating regulation of insurance policy vending machines and the separate regulation of insurance brokers and consultants, eliminating the requirement that partnerships and corporations acting as intermediaries be licensed, miscellaneous changes in the insurance code and granting rule-making authority.

Concurrence: Ayes: (8) Noes: (0)
To committee on Rules.

Senate Bill 94

Relating to removing the limit on the amount of term life insurance which may be provided for an individual through group term life insurance.

Concurrence: Ayes: (8) Noes: (0)
To committee on Rules.

Assembly Bill 489

Relating to regulation of medicare supplement policies, required disclosures to prospective life and disability insurance buyers and granting rule-making authority.

Adoption of assembly substitute amendment 1:

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Ayes: (7) Noes: (1)

Passage: Ayes: (7) Noes: (1)

To committee on Rules.

CALVIN POTTER
Chairperson

The Joint Committee for Review of Administrative Rules reports and recommends:

Assembly Clearinghouse Rule 81-19

Relating to the removal from the department's list of authorized lenders of any lender which makes excessive number of errors on applications for direct veterans housing loans.

Nonconcurrence in objections of committee on Veterans and Military Affairs: Ayes: (8) Noes: (0)

Assembly Clearinghouse Rule 81-63

Relating to residency requirements for classified state employees.

Concurrence in objections of committee on Government Operations: Ayes: (8) Noes: (0)

WILLIAM ROGERS
Assembly Chairperson

The Joint Survey Committee on Tax Exemptions reports and recommends:

Assembly Bill 45

Relating to exempting interspousal transfers from inheritance taxes.

Adoption of report: Ayes: (8) Noes: (0)

To committee on Revenue.

Assembly Bill 284

Relating to property interests of married persons and providing penalties.

Adoption of report: Ayes: (8) Noes: (0)

To committee on Judiciary.

Assembly Bill 370

Relating to establishing a system of marital property shared by husband and wife and providing penalties.

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Adoption of report: Ayes: (7) Noes: (1)
To committee on Judiciary.

GARY JOHNSON
Assembly Chairperson

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

Assembly Bill 21
Assembly Bill 86
Assembly Bill 320

Passed and asks concurrence in:

Senate Bill 198

ACTION ON THE SENATE MESSAGE

Senate Bill 198

Relating to tax incremental financing.

By Joint Legislative Audit Committee.

To committee on Urban Affairs and Housing.

COMMUNICATIONS

State of Wisconsin
Department of State
Madison

To Whom It May Concern:

Dear Sir: Acts, joint resolutions and resolutions, deposited in this office, have been numbered and published as follows:

Bill, Jt. Res. or Res.	Enrolled No.	Publication date
Assembly Jt Res 41 -----	12 -----	Not Published
Assembly Jt Res 42 -----	13 -----	Not Published

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Assembly Jt Res 7 ----- 15 ----- May 23, 1981

VEL PHILLIPS
Secretary of State

The chief clerk reports the following proposal correctly enrolled:

Assembly Bill 320

DAVID KEDROWSKI
Chief Clerk

May 13, 1981

Mr. David Kedrowski
Assembly Chief Clerk
329 West, State Capitol
Madison, Wisconsin 53702

Dear Dave:

I am pleased to transmit to you the following reports to the 1981 Legislature on legislation introduced by the Legislative Council:

- RL 81-17 Legislation Relating to the State Hearing
 Examiner System (Senate Bill 324)

- RL 81-18 Legislation Relating to Insurance Laws
 Revision (Senate Bill 329)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available, on request, in the Legislative Council offices, Room 147 North, State Capitol.

Sincerely,
BONNIE REESE
Executive Secretary

State of Wisconsin
Department of Administration
Madison

April 27, 1981

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Honorable Fred A. Risser
President of the Senate
Room 235 South, State Capitol
Madison, WI 53702

Honorable Edward G. Jackamonis
Speaker of the House
Room 211 West, State Capitol
Madison, WI 53702

Dear Senator Risser and Speaker Jackamonis:

As required by Section 36, Chapter 1, Laws of 1981, this will serve to confirm that I found it necessary to exercise the "temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative balances in the general fund during the month of March.

As the attached report indicates, at no time during March was the general fund cash balance shortfall in excess of the authorized \$100 million reallocation ceiling. Also, inasmuch as the combined balances of the other funds in the Investment Pool were well in excess of this expected shortfall, and with the average daily "float" amounting to \$103.7 million, there was no need to utilize the additional proration/prioritization of payments authority provided by Sections 3, 4, and 5 of this Chapter.

Because of the general fund cash flow situation, it has also been necessary to continue the exercise of this special Section 36 authority during April; and it appears likely that similar action will also be necessary for brief periods in May and June. Furthermore, unless the revenue picture improves, it is also quite possible that the additional proration/prioritization action may be necessary during June.

Since the distribution of interest earnings to Investment Pool participants is based on the average daily balance in the Pool and each fund's share thereof, the quarterly calculation process by State Finance will automatically reflect the use of this temporary reallocation of balances authority.

In closing, I would like to repeat my request -- recently made to the Joint Committee on Finance -- that the present sunset provision contained in Section 36 and Sections 3 through 5 of Chapter 1, Laws of 1981, be removed. This authority must be available on a regular

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basis to meet what now appears to be an ongoing problem for state government.

Sincerely,
KENNETH LINDNER
Secretary

Summary of Requests for Formal Attorney General's Opinions

Summary: Nature and extent of exemption from arrest and civil liability for members of National Guard while performing duties.

Opinion ID Number: F81041701

Requested by: Department of Military Affairs

Assigned to: Mr. C. Larsen

Estimated Date of Issuance: July 17, 1981

To committee on Veterans and Military Affairs.

Summary: May s. 91.65 money flow to any other entity in assisting counties in developing agricultural preservation plans?

Opinion ID Number: F81043001

Requested by: Department of Business Development

Assigned to: Mr. Creeron

Estimated Date of Issuance: July 30, 1981

To committee on Environmental Resources.

Summary: If school psychologists lose their DPI certification may Psychology Examining Board revoke the psychologists private practice license?

Opinion ID Number: F81050101

Requested by: Department of Regulation and Licensing

Assigned to: Mr. Stier

Estimated Date of Issuance: August 1, 1981

To committee on Commerce and Consumer 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.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly Bill 110

Page 2, line 21: delete "(a)".

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Assembly Bill 215

Page 4, line 23: delete that line.

Assembly substitute amendment 1 to Assembly Bill 215

1. Page 4, line 16: delete that line.
2. Page 5, line 1: before the comma insert "to".
3. Page 6, line 12: after "value" insert "to".

Representative Loftus moved that the assembly stand adjourned until 10:00 A.M. on Thursday.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

10:01 A.M.