

JOURNAL OF THE ASSEMBLY [February 5, 1981]

STATE OF WISCONSIN

Assembly Journal

Eighty-Fifth Regular Session

THURSDAY, February 5, 1981.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Representative Goodrich.

Representative Gerlach 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, Berndt, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Crawford, Czarnezki, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Harer, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Hopkins, Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Kunicki, Laatsch, Ladwig, Larson, Lee, Leopold, Lewison, Loftus, Looby, Luckhardt, McEssy, McEwen, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Neubauer, Norquist, Otte, Panzer, Paulson, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood, Young and Mr. Speaker -- 97.

Absent -- None.

Absent with leave -- Berndt -- 1.

Vacancies -- 84th District -- 1.

LEAVES OF ABSENCE

Representative Thompson asked unanimous consent for a leave of absence for today's session for Representative Berndt. Granted.

CALENDAR OF THURSDAY, FEBRUARY 5, 1981

Assembly Resolution 7

Granting the use of the assembly chambers on February 28, 1981, to the 1981 Model Legislature of the Distributive Education Clubs of America.

The question was: Shall **Assembly Resolution 7** be adopted?

Motion carried.

Assembly Joint Resolution 5

Relating to revising the right to bail and authorizing the legislature to permit circuit courts to deny release on bail for a limited period to certain accused persons (2nd consideration).

The question was: Shall assembly amendment 1 to **Assembly Joint Resolution 5** be adopted?

Motion carried.

The question was: Shall **Assembly Joint Resolution 5** be ordered to a third reading?

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 5** be given a third reading. Granted.

The question was: **Assembly Joint Resolution 5** having been read three times, shall the joint resolution be adopted?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Behnke, Bradley, Byers, Conradt, Czarnezki, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Harer, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Hopkins,

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Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Laatsch, Ladwig, Larson, Lee, Leopold, Lewison, Loftus, Looby, Luckhardt, McEssy, McEwen, Matty, Medinger, Menos, Merkt, Metz, Murray, Nelsen, Neubauer, Norquist, Otte, Panzer, Paulson, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wood, Young and Mr. Speaker -- 88.

Noes -- Becker, Broydrick, Clarenbach, Coggs, Crawford, Kunicki, Miller, Munts and Williams -- 9.

Absent or not voting -- Berndt -- 1.

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 5** be immediately messaged to the senate. Granted.

Representative Rooney asked unanimous consent that the assembly stand recessed for fifteen minutes. Granted.

The assembly stood recessed.

10:35 A.M.

RECESS

11:20 A.M.

The assembly reconvened.

Senate Bill 10

Relating to revising the Wisconsin fund appropriation, revising the point source pollution abatement program, placing limitations upon disbursements from general purpose revenue sum sufficient appropriations, authorizing appropriations reestimates, authorizing expenditure of certain anticipated state revenues, priority for payment of state claims, a procedure for reduction of state expenditures in the event of insufficient revenues, reducing the primary guaranteed valuation for the 1980-81 school year, initial payment of aid to families with dependent children, authorizing bonding and making appropriations and appropriation changes.

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Representative DeLong asked unanimous consent that assembly amendment 1 to **Senate Bill 10** be placed after assembly amendment 4 to **Senate Bill 10**. Granted.

Assembly amendment 2 to **Senate Bill 10** offered by Representatives Thompson and Shabaz.

Representative Norquist moved rejection of assembly amendment 2 to **Senate Bill 10**.

The question was: Shall assembly amendment 2 to **Senate Bill 10** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Crawford, Czarnezki, Dilweg, Dorff, Duren, Everson, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Johnson, Kincaid, Kirby, Knox, Kunicki, Lee, Leopold, Loftus, Looby, Medinger, Menos, Metz, Miller, Munts, Murray, Nelsen, Neubauer, Norquist, Plewa, Plous, Porter, Potter, Roberts, Robinson, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wood and Mr. Speaker -- 61.

Noes -- Bradley, Byers, Conradt, DeLong, Donoghue, Ellis, Goodrich, Harer, Hopkins, Jaronitzky, Klicka, Laatsch, Ladwig, Larson, Lewison, Luckhardt, McEssy, McEwen, Matty, Merkt, Panzer, Paulson, Prosser, Quackenbush, Radtke, Robertson, Schmidt, Schneiders, Shabaz, Stitt, Thompson, Travis, R., Tregoning, Williams and Young -- 35.

Absent or not voting -- Berndt and Otte -- 2.

Motion carried.

Representative Williams asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Representative Otte asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Assembly amendment 3 to **Senate Bill 10** offered by Representatives Shabaz, DeLong, Knox, Thompson, Nelsen, Dilweg and Goodrich.

Representative Norquist moved rejection of assembly amendment 3 to **Senate Bill 10**.

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Representative Schneider in the chair.

The question was: Shall assembly amendment 3 to **Senate Bill 10** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Coggs, Crawford, Czarnezki, Dorff, Duren, Everson, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Johnson, Kincaid, Kirby, Kunicki, Lee, Leopold, Loftus, Looby, Medinger, Menos, Metz, Miller, Munts, Murray, Neubauer, Norquist, Otte, Plewa, Plous, Potter, Roberts, Robinson, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood and Mr. Speaker -- 59.

Noes -- Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Goodrich, Harer, Hopkins, Jaronitzky, Klicka, Knox, Laatsch, Ladwig, Larson, Lewison, Luckhardt, McEssy, McEwen, Matty, Merkt, Nelsen, Panzer, Paulson, Porter, Prosser, Quackenbush, Radtke, Robertson, Schmidt, Schneiders, Shabaz, Stitt, Thompson, Travis, R., Tregoning and Young -- 38.

Absent or not voting -- Berndt -- 1.

Motion carried.

Assembly amendment 4 to **Senate Bill 10** offered by Representatives Shoemaker, Looby, Hopkins and Harer.

Representative Norquist moved rejection of assembly amendment 4 to **Senate Bill 10**.

The question was: Shall assembly amendment 4 to **Senate Bill 10** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Bradley, Broydrick, Clarenbach, Coggs, Crawford, Czarnezki, Dilweg, Dorff, Fischer, Gerlach, Goodrich, Hauke, Helbach, Holschbach, Johnson, Kincaid, Kirby, Klicka, Kunicki, Lee, Leopold, Loftus, Medinger, Menos, Metz, Miller, Munts, Nelsen, Neubauer, Norquist, Otte, Plewa, Plous, Potter, Radtke, Roberts, Robinson, Rogers, Rooney, Rutkowski, Schneiders, Shabaz, Stitt, Swoboda, Tesmer, Travis, D.,

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Tuczynski, Ulichny, Wagner, Williams, Wood, Young and Mr. Speaker -- 58.

Noes -- Byers, Conradt, DeLong, Donoghue, Duren, Ellis, Everson, Flintrop, Harer, Hasenohrl, Hephner, Hopkins, Jaronitzky, Knox, Laatsch, Ladwig, Larson, Lewison, Looby, Luckhardt, McEssy, McEwen, Matty, Merkt, Murray, Panzer, Paulson, Porter, Prosser, Quackenbush, Robertson, Schmidt, Schneider, Shoemaker, Smith, Thompson, Travis, R., Tregoning and Vanderperren -- 39.

Absent or not voting -- Berndt -- 1.

Motion carried.

Representative Flintrop asked unanimous consent that assembly amendment 1 to **Senate Bill 10** be laid on the table. Granted.

Speaker Jackamonis in the chair.

Representative Shabaz moved nonconcurrency in **Senate Bill 10**.

The question was: Shall **Senate Bill 10** be nonconcurrent in?

The roll was taken.

The result follows:

Ayes -- Andrea, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Goodrich, Harer, Hopkins, Jaronitzky, Klicka, Knox, Laatsch, Ladwig, Larson, Lewison, Luckhardt, McEssy, McEwen, Matty, Medinger, Merkt, Nelsen, Panzer, Paulson, Porter, Prosser, Quackenbush, Radtke, Robertson, Rogers, Schmidt, Schneiders, Shabaz, Stitt, Thompson, Travis, R., Tregoning and Young -- 41.

Noes -- Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Cogs, Crawford, Czarnecki, Dorff, Duren, Everson, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Johnson, Kincaid, Kirby, Kunicki, Lee, Leopold, Loftus, Looby, Menos, Metz, Miller, Munts, Murray, Neubauer, Norquist, Otte, Plewa, Plous, Potter, Roberts, Robinson, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood and Mr. Speaker -- 56.

Absent or not voting -- Berndt -- 1.

Motion failed.

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The question was: Shall **Senate Bill 10** be ordered to a third reading?

The roll was taken.

The result follows:

Ayes -- Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Cogg, Crawford, Czarnecki, Dorff, Duren, Everson, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Johnson, Kincaid, Kirby, Kunicki, Lee, Leopold, Loftus, Looby, Menos, Metz, Miller, Munts, Murray, Neubauer, Norquist, Otte, Plewa, Plous, Potter, Roberts, Robinson, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood and Mr. Speaker -- 56.

Noes -- Andrea, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Goodrich, Harer, Hopkins, Jaronitzky, Klicka, Knox, Laatsch, Ladwig, Larson, Lewison, Luckhardt, McEssy, McEwen, Matty, Medinger, Merkt, Nelsen, Panzer, Paulson, Porter, Prosser, Quackenbush, Radtke, Robertson, Rogers, Schmidt, Schneiders, Shabaz, Stitt, Thompson, Travis, R., Tregoning and Young -- 41.

Absent or not voting -- Berndt -- 1.

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Senate Bill 10** be given a third reading. Granted.

The question was: **Senate Bill 10** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Barczak, Barry, Becker, Behnke, Broydrick, Clarenbach, Cogg, Crawford, Czarnecki, Dorff, Duren, Everson, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Johnson, Kincaid, Kirby, Kunicki, Lee, Leopold, Loftus, Looby, Menos, Metz, Miller, Munts, Murray, Neubauer, Norquist, Otte, Plewa, Plous, Potter, Roberts, Robinson, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood and Mr. Speaker -- 56.

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Noes -- Andrea, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Ellis, Goodrich, Harer, Hopkins, Jaronitzky, Klicka, Knox, Laatsch, Ladwig, Larson, Lewison, Luckhardt, McEssy, McEwen, Matty, Medinger, Merkt, Nelsen, Panzer, Paulson, Porter, Prosser, Quackenbush, Radtke, Robertson, Rogers, Schmidt, Schneiders, Shabaz, Stitt, Thompson, Travis, R., Tregoning and Young -- 41.

Absent or not voting -- Berndt -- 1.

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Senate Bill 10** be immediately messaged to the senate. Granted.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has passed and asks concurrence in:

Senate Bill 9

ACTION ON THE SENATE MESSAGE

Senate Bill 9

Relating to restricting the method of adoption of certain rules by the examining board of architects, professional engineers, designers and land surveyors.

By Joint Committee for Review of Administrative Rules.
To committee on Rules.

Representative Loftus asked unanimous consent to return to the third order of business. Granted.

COMMITTEE REPORTS

The committee on Government Operations reports and recommends:

Assembly Joint Resolution 13

Relating to removing obsolete provisions of the constitution regarding corporations and banking (2nd consideration).

Adoption: Ayes: (9) Noes: (0)

To calendar.

DAVID CLARENBACH

Chairperson

The committee on Local Affairs reports and recommends:

Senate Joint Resolution 5

To amend section 3 of article XI of the constitution, relating to indebtedness for sewage collection or treatment systems in counties, cities or sewerage districts over 150,000 population (2nd consideration).

Concurrence: Ayes: (13) Noes: (0)

To calendar.

MORDECAI LEE

Chairperson

The committee on Revenue reports and recommends:

Assembly Joint Resolution 15

Providing for an advisory referendum on the question of whether to increase state funding of elementary and secondary education costs.

Adoption of assembly amendment 1:

Ayes: (9) Noes: (0)

Adoption: Ayes: (8) Noes: (1)

To calendar.

MARLIN SCHNEIDER

Chairperson

Representative Murray asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Hephner. Granted.

Representative Thompson asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Lewison. Granted.

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Representative Loftus asked unanimous consent that the assembly adjourn in honor of Jason Scott Jackamonis, the newest member of the Jackamonis family. Granted.

VISITORS

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

Marie Roderick, Ron McGuire, Phyllis Posluszny and John Revolinski from Suamico, guests of Representative Vanderperren.

Jack Skaw from New Auburn, guest of Representative Hopkins.

Donald Miller, Dennis Schoen and Don Leidig from Sturgeon Bay, guests of Representative Swoboda.

Brian Miller from Madison, guest of Representative Swoboda.

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

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

12:40 P.M.