

JOURNAL OF THE ASSEMBLY [April 7, 1981]

STATE OF WISCONSIN

Assembly Journal

Eighty-Fifth Regular Session

TUESDAY, April 7, 1981.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Richard Sisson of Middleton Baptist Church, 6101 University Avenue, Madison.

Representative Roberts 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, Czarnecki, 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, 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 -- Panzer -- 1.

Vacancies -- 84th District -- 1.

JOURNAL OF THE ASSEMBLY [April 7, 1981]

AMENDMENTS OFFERED

Assembly amendment 3 to **Assembly Bill 39** offered by Representatives Broydrick, Wood and Thompson.

Assembly amendment 1 to **Assembly Bill 130** offered by Representative Hephner.

Assembly amendment 1 to **Assembly Bill 231** offered by committee on Environmental Resources.

Assembly substitute amendment 1 to **Assembly Bill 240** offered by Representative Duren.

Assembly amendment 1 to **Assembly Bill 267** offered by Representative Robinson.

COMMITTEE REPORTS

The committee on Education reports and recommends:

Assembly Bill 230

Relating to the computation of a school district's controllable cost in the 1980-81 school year.

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

To Joint Committee on Finance.

RICHARD FLINTROP
Chairperson

COMMUNICATIONS

April 1, 1981

Honorable Donald J. Schneider

Honorable David R. Kedrowski

Gentlemen:

The following rules have been published and are in effect:

Clearinghouse Rule 79-65 effective 4-1-81

Clearinghouse Rule 80-3 effective 4-1-81

Clearinghouse Rule 80-42 effective 4-1-81

JOURNAL OF THE ASSEMBLY [April 7, 1981]

Clearinghouse Rule 80-109 effective 4-1-81
Clearinghouse Rule 80-118 effective 4-1-81
Clearinghouse Rule 80-151 effective 4-1-81
Clearinghouse Rule 80-190 effective 4-1-81
Clearinghouse Rule 80-220 effective 4-1-81
Clearinghouse Rule 80-221 effective 4-1-81
Clearinghouse Rule 80-223 effective 4-1-81
Clearinghouse Rule 80-224 effective 4-1-81
Clearinghouse Rule 80-229 effective 4-1-81
(MVD 11.05)

Sincerely,
GARY L. POULSON
Assistant Revisor

LEAVES OF ABSENCE

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

MOTIONS

Representative Smith asked unanimous consent to be made a co-author of **Assembly Bill 238**. Granted.

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

The assembly stood recessed.

10:20 A.M.

RECESS

10:55 A.M.

The assembly reconvened.

JOURNAL OF THE ASSEMBLY [April 7, 1981]

CALENDAR OF TUESDAY, APRIL 7, 1981

Assembly Bill 19

Relating to permitting minors to enter premises licensed to sell beer and liquor to attend dances or to engage in marching or drilling.

The question was: Shall **Assembly Bill 19** be ordered engrossed and read a third time?

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 19** be given a third reading. Granted.

The question was: **Assembly Bill 19** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Berndt, Broydrick, Byers, Clarenbach, Coggs, Conradt, Crawford, Czarnecki, DeLong, Dilweg, Donoghue, Dorff, Duren, Everson, Fischer, Flintrop, Gerlach, Harer, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Hopkins, Jaronitzky, Johnson, Kincaid, Kirby, Knox, Kunicki, Larson, Lee, Loftus, Looby, Luckhardt, McEwen, Matty, Medinger, Menos, Merkt, Miller, Munts, Murray, Neubauer, Otte, Paulson, Plewa, Plous, Potter, Prosser, Radtke, Roberts, Robinson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schneiders, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Young and Mr. Speaker -- 77.

Noes -- Bradley, Ellis, Goodrich, Laatsch, Ladwig, Lewison, Metz, Nelsen, Norquist, Porter, Quackenbush, Shabaz, Thompson, Travis, R., Tregoning and Wood -- 16.

Absent or not voting -- Klicka, Leopold, McEssy, Panzer and Robertson -- 5.

Motion carried.

Representative Robertson asked unanimous consent to be recorded as voting "No" on the previous question. Granted.

JOURNAL OF THE ASSEMBLY [April 7, 1981]

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 19** be immediately messaged to the senate. Granted.

Assembly Bill 17

Relating to the sale of fermented malt beverages and intoxicating liquor on interstate vessels carrying passengers.

The question was: Shall assembly amendment 1 to **Assembly Bill 17** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 17** be ordered engrossed and read a third time?

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 17** be given a third reading. Granted.

The question was: **Assembly Bill 17** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Berndt, Bradley, Broydrick, Byers, Clarenbach, Coggs, Crawford, Czarnezki, Donoghue, Dorff, Everson, Fischer, Flintrop, Gerlach, Hauke, Helbach, Holschbach, Hopkins, Johnson, Kirby, Klicka, Knox, Kunicki, Lee, Lewison, Loftus, Looby, Luckhardt, McEssy, Medinger, Menos, Merkt, Munts, Murray, Nelsen, Neubauer, Otte, Paulson, Plewa, Plous, Potter, Radtke, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Tregoning, Ulichny, Vanderperren, Wagner, Williams and Mr. Speaker -- 67.

Noes -- Conradt, DeLong, Dilweg, Duren, Ellis, Goodrich, Harer, Hasenohrl, Hephner, Jaronitzky, Kincaid, Laatsch, Ladwig, Larson, McEwen, Matty, Metz, Miller, Norquist, Porter, Prosser, Quackenbush, Schmidt, Schneiders, Shabaz, Travis, R., Tuczynski, Wood and Young -- 29.

Absent or not voting -- Leopold and Panzer -- 2.

Motion carried.

JOURNAL OF THE ASSEMBLY [April 7, 1981]

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 17** be immediately messaged to the senate. Granted.

Assembly Bill 27

Relating to cooperative educational service agency annual meetings and termination of membership on a CESA board of control.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 27** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 27** be ordered engrossed and read a third time?

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 27** be given a third reading. Granted.

The question was: **Assembly Bill 27** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Berndt, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Crawford, Czarnecki, 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, Lewison, Loftus, Looby, Luckhardt, McEssy, McEwen, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Neubauer, Norquist, Otte, 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 -- 96.

Noes -- None.

Absent or not voting -- Leopold and Panzer -- 2.

JOURNAL OF THE ASSEMBLY [April 7, 1981]

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 27** 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 adopted and asks concurrence in:

Senate Joint Resolution 8

Senate Joint Resolution 11

Senate Joint Resolution 15

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 8

Relating to the centennial of the American labor movement.

By Senators Thompson, Krueger and Van Sistine.

To calendar.

Senate Joint Resolution 11

Relating to the life and public service of Irving P. Mehigan.

By Senator Moody.

Representative Loftus asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 11** be taken from the senate message and taken up at this time. Granted.

The question was: Shall **Senate Joint Resolution 11** be concurred in?

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 11** be immediately messaged to the senate. Granted.

Senate Joint Resolution 15

Granting the use of the senate and assembly chambers to the Wisconsin Legion Auxiliary Badger Girls State in 1981 and 1982 to hold a practice legislative session.

Representative Loftus asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 15** be taken from the senate message and taken up at this time. Granted.

The question was: Shall **Senate Joint Resolution 15** be concurred in?

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 15** be immediately messaged to the senate. Granted.

Assembly Bill 39

Relating to eligibility for appointment to the board of harbor commissioners.

Assembly amendment 1 to **Assembly Bill 39** offered by Representatives Thompson and Broydrick.

The question was: Shall assembly amendment 1 to **Assembly Bill 39** be adopted?

Motion carried.

Representative Shabaz moved indefinite postponement of **Assembly Bill 39**.

Assembly amendment 2 to **Assembly Bill 39** offered by Representative Prosser.

The question was: Shall assembly amendment 2 to **Assembly Bill 39** be adopted?

Motion carried.

Representative Barczak asked unanimous consent that **Assembly Bill 39** be laid on the table.

Representative Broydrick objected.

Representative Barczak moved that **Assembly Bill 39** be laid on the table.

Representative Dilweg asked unanimous consent to make a statement.

JOURNAL OF THE ASSEMBLY [April 7, 1981]

Representative Rogers objected.

Representative Loftus moved that the rules be suspended to allow Representative Dilweg to make a statement.

The question was: Shall the rules be suspended to allow Representative Dilweg to make a statement?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Berndt, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Crawford, Czarnecki, 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, Lewison, Loftus, Looby, Luckhardt, McEssy, McEwen, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Neubauer, Norquist, Otte, Paulson, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Robinson, Rutkowski, Schmidt, Schneider, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wood, Young and Mr. Speaker -- 92.

Noes -- Rogers and Rooney -- 2.

Absent or not voting -- Leopold, Panzer, Wagner and Williams -- 4.

Motion carried.

The question was: Shall **Assembly Bill 39** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Barczak, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Everson, Goodrich, Harer, Hauke, Hephner, Hopkins, Jaronitzky, Klicka, Knox, Laatsch, Ladwig, Larson, Lewison, Luckhardt, McEssy, McEwen, Matty, Menos, Merkt, Murray, Nelsen, Paulson, Porter, Prosser, Quackenbush, Radtke, Robertson, Schmidt, Shabaz, Stitt, Tesmer, Thompson, Travis, R., Tregoning, Vanderperren, Wood and Young -- 44.

Noes -- Andrea, Barry, Becker, Behnke, Berndt, Broydrick, Clarenbach, Coggs, Crawford, Czarnecki, Dorff, Duren, Ellis,

JOURNAL OF THE ASSEMBLY [April 7, 1981]

Fischer, Flintrop, Gerlach, Hasenohrl, Helbach, Holschbach, Johnson, Kincaid, Kirby, Kunicki, Lee, Loftus, Looby, Medinger, Metz, Miller, Munts, Neubauer, Norquist, Otte, Plewa, Plous, Potter, Roberts, Robinson, Rogers, Rooney, Rutkowski, Schneider, Schneiders, Shoemaker, Smith, Swoboda, Travis, D., Tuczynski, Ulichny, Wagner, Williams and Mr. Speaker -- 52.

Absent or not voting -- Leopold and Panzer -- 2.

Motion failed.

Representative Wood asked unanimous consent that **Assembly Bill 39** be laid on the table. Granted.

Representative Loftus asked unanimous consent that the rules be suspended to introduce and take up a joint resolution. Granted.

Assembly Joint Resolution 41

Relating to the accomplishments of the Amery High School band.

By Representative Paulson, co-sponsored by Senator Harsdorf.

The question was: Shall **Assembly Joint Resolution 41** be adopted?

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 41** be immediately messaged to the senate. Granted.

Assembly Bill 86

Relating to allowing municipalities to issue either annual or biennial bartenders' licenses.

The question was: Shall **Assembly Bill 86** be ordered engrossed and read a third time?

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 86** be given a third reading. Granted.

The question was: **Assembly Bill 86** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

JOURNAL OF THE ASSEMBLY [April 7, 1981]

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Berndt, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Crawford, Czarnecki, DeLong, Dilweg, Donoghue, Dorff, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Harer, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Hopkins, Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Kunicki, Laatsch, Ladwig, Larson, Lee, Lewison, Loftus, Looby, Luckhardt, McEssy, McEwen, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Neubauer, Norquist, Otte, Paulson, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, 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 -- 94.

Noes -- Duren and Robertson -- 2.

Absent or not voting -- Leopold and Panzer -- 2.

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 86** be immediately messaged to the senate. Granted.

Assembly Bill 104

Relating to absconding without paying for motor fuel and providing a penalty.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 104** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 104** be ordered engrossed and read a third time?

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 104** be given a third reading. Granted.

The question was: **Assembly Bill 104** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

JOURNAL OF THE ASSEMBLY [April 7, 1981]

Ayes -- Andrea, Barczak, Barry, Becker, Behnke, Berndt, Bradley, Broydrick, Byers, Clarenbach, 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, 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, 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 -- 95.

Noes -- Coggs and Robertson -- 2.

Absent or not voting -- Leopold -- 1.

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 104** be immediately messaged to the senate. Granted.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 31** be taken from the calendar of Wednesday, April 8 and taken up at this time. Granted.

Assembly Joint Resolution 31

Relating to granting the use of the legislative chambers on April 10 and 11, 1981, to the YMCA for its Youth in Government program.

The question was: Shall **Assembly Joint Resolution 31** be adopted?

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 31** be immediately messaged to the senate. Granted.

Representative Loftus asked unanimous consent that the assembly adjourn in honor of the birthdays of Representatives Behnke and Coggs. Granted.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly Bill 65

1. Page 1, line 1: delete "(a)".
2. Page 1, line 4: delete "(a)".

Assembly Bill 231

Page 3, line 9: substitute "ON" for the second "IN".

Assembly Bill 240

Page 2, line 4: delete ""Obscene" device" and substitute ""Obscene device".

Assembly Bill 292

Page 1, line 2: before the period, insert "and granting rule-making authority".

Assembly Bill 300

Page 137, line 16: substitute "SECTION 17m." for "SECTION 2201."

VISITORS

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

Students from Antigo High School accompanied by teachers Ron Nye and Jon Schmidt, guests of Representatives Schmidt, Donoghue and McEwen.

Sandra Hoeh and Marlene Johnson, members of the Milwaukee City Council, guests of Representative Ulichny.

Florence Toney and Mary Jones from Richland Center, guests of Representative Duren.

Frank and Alma Bujalski from Chippewa Falls, guests of Representative Hopkins.

Members of the Amery High School Marching Band, guests of Representative Paulson.

JOURNAL OF THE ASSEMBLY [April 7, 1981]

Representative Loftus moved that the assembly stand adjourned until 10:00 A.M. on Thursday, April 9.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

11:35 A.M.