

STATE OF WISCONSIN
Assembly Journal
Eighty-Sixth Regular Session

THURSDAY, October 27, 1983.

9:00 A.M.

The assembly met.

Speaker Loftus in the chair.

The prayer was offered by Reverend David Feldt of First Christian Church, 304 North Hamilton, Madison.

Representative Munts 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, Antaramian, Becker, Bell, Bolle, Bradley, Brist, Buettner, Byers, Chvala, Clarenbach, Coggs, M., Coggs, S., Coleman, Cowles, Crawford, Donoghue, Foti, Gerlach, Gilson, Goetsch, Goodrich, Gronemus, Hasenohrl, Hauke, Hephner, Holperin, Holschbach, Huelsman, Jaronitzky, Jauch, Johnson, Kasten, Krusick, Kunicki, Larson, Lewis, Looby, Luckhardt, McEssy, Manske, Matty, Meaux, Medinger, Menos, Merkt, Metz, Miller, Moyer, Munts, Nelsen, Neubauer, Panzer, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robinson, Rogers, Rooney, Rosenzweig, Rude, Rutkowski, Schneider, Schneiders, Schober, Schultz, Seery, Sell, Shoemaker, Smith, Stewart, Stitt, Stower, Swoboda, Tesmer, Thompson, R., Thompson, T., Travis, D., Travis, R., Tregoning, Turba, Ulichny, Vanderperren, Van Gorden, Volk, Walling, Williams, Wimmer, Wineke, Wood, Young, Zeuske and Speaker Loftus -- 98.

Absent -- None.

Absent with leave -- None.

Vacancies -- 71st Assembly District -- 1.

AMENDMENTS OFFERED

Assembly substitute amendment 2 to **Assembly Bill 24** offered by Representatives Plous, Prosser, D. Travis and Ulichny.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 236** offered by Representatives Hephner and Vanderperren.

Assembly amendment 1 to assembly amendment 1 to **Assembly Bill 256** offered by Representatives Crawford, Wood, Goodrich and Quackenbush.

Assembly amendment 2 to assembly amendment 1 to **Assembly Bill 256** offered by Representatives Crawford, Goodrich and Quackenbush.

**INTRODUCTION AND REFERENCE
OF PROPOSALS**

Read first time and referred:

Assembly Resolution 17

Relating to floorperiod IV consideration of proposals pending in the assembly.

By Representatives Loftus and T. Thompson.
To calendar.

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 9
Assembly Bill 25
Assembly Bill 235
Assembly Bill 404
Assembly Bill 556

Passed and asks concurrence in:

Senate Bill 255
Senate Bill 281
Senate Bill 315
Senate Bill 362
Senate Bill 369
Senate Bill 459

Concurred in as amended:

Assembly Bill 128 (senate substitute amendment 1 adopted)

Refused to concur in:

Assembly Bill 397

Appointed Senators George, Otte and Johnston as conferees on the part of the senate on **Assembly Bill 26**.

ACTION ON THE SENATE MESSAGE

Senate Bill 255

Relating to motor vehicle rustproofing, granting rule-making authority and providing a penalty.

By Senators Adelman, Hanaway, Van Sistine, Thompson, Chilsen, Johnston and Otte; co-sponsored by Representatives Plous, Gronemus, Young, D. Travis, S. Coggs, Rosenzweig and Holschbach, by request of Attorney General Bronson C. LaFollette.

To committee on Commerce and Consumer Affairs.

Senate Bill 281

Relating to authorizing credit unions to act as depositories for public funds and designating the higher education corporation as a public depositor.

By Senators Czarnecki, Van Sistine, Strohl, Otte, Ellis, Feingold, McCallum, Cullen, Kincaid, Norquist, George, Thompson, Kleczka and Moen; co-sponsored by Representatives Potter, Vanderperren, Hephner, Gilson, Smith, Van Gorden, Brist, Looby, Rogers, Plewa, Gerlach, Holschbach, Sell, Helbach, Hasenohrl, Schneider, Bell, Jauch, Ulichny, Matty, Wood, D. Travis, Shoemaker, Clarenbach, Loftus, Kunicki and Miller.

To committee on Consumer and Commercial Credit.

Senate Bill 315

Relating to burial agreements and the sale of funeral merchandise.

By Senators Van Sistine, Thompson, Cullen, Kincaid, Lorman, Otte, Kreul, Engeleiter, Chilsen, Moen, Theno, Lorge, Czarnecki and Davis; co-sponsored by Representatives Shoemaker, Hephner, Byers, Vanderperren, Swoboda, R. Travis, Porter, Hasenohrl, Rooney, Andrea, Larson, Plewa, Holschbach, Loftus, Smith, Quackenbush, Young, Looby, Meaux, McEssy, D. Travis, T. Thompson and Radtke.

To committee on Commerce and Consumer Affairs.

Senate Bill 362

Relating to limiting the admissibility of evidence in a sexual assault case.

By Senators Engeleiter, Cullen and Lorge; co-sponsored by Representatives Ulichny, Jaronitzky, Bell, Nelsen, Schneiders, Crawford, Gronemus, Donoghue, Goodrich, Rosenzweig and Schultz.

To committee on Judiciary.

Senate Bill 369

Relating to social service agency investigation of problems regarding child visitation or custody.

By Senators Davis, Lee, Engeleiter, Risser, Lorman, Lorge and Hanaway; co-sponsored by Representatives Buettner, Williams, Panzer, Rosenzweig, Young, Stewart, Luckhardt, Huelsman and Schober.

To committee on Judiciary.

Senate Bill 459

Relating to revising the 1983-85 state building program for the department of natural resources to add the military ridge state trail development and to reduce funds for minor projects.

By Senator Risser, by request of Wisconsin Building Commission.

To calendar.

Assembly Bill 128

Relating to rehabilitation of defective buildings in cities and villages.

By Representatives Becker, Williams, Czarnecki, Kunicki and Plous, by request of city of Milwaukee.

To calendar.

MOTIONS

Representative Johnson asked unanimous consent that the rules be suspended and that **Senate Bill 423** be taken from the calendar of Thursday, October 27 and made a special order of business at 1:31 P.M. today. Granted.

Representative Johnson asked unanimous consent that the rules be suspended and that **Senate Bill 460** be taken from the calendar of Friday, October 28 and made a special order of business at 1:32 P.M. today. Granted.

Representative Johnson asked unanimous consent that the rules be suspended and that **Senate Bill 459** be taken from the calendar and made a special order of business at 1:33 P.M. today. Granted.

Representative Johnson asked unanimous consent that the rules be suspended and that **Senate Bill 349** be withdrawn from the committee on Rules and made a special order of business at 1:34 P.M. today. Granted.

Representative Johnson moved that the rules be suspended and that **Senate Bill 410** be taken from the calendar of Friday, October 28 and made a special order of business at 1:35 P.M. today.

Representative Johnson withdrew his motion.

Representative T. Thompson asked unanimous consent that **Senate Bill 460** be taken from a special order of business at 1:32 P.M. today and made a special order of business at 1:35 P.M. today. Granted.

Representative T. Thompson introduced a privileged joint resolution.

Assembly Joint Resolution 73

Congratulating the 5 American winners of the 1983 Nobel Prizes in science.

By Representative Cowles and all members of the assembly.

The question was: Shall **Assembly Joint Resolution 73** be adopted?

Motion carried.

Representative T. Thompson asked unanimous consent that all members of the assembly be made co-authors of **Assembly Joint Resolution 73**. Granted.

Representative Johnson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 73** be immediately messaged to the senate. Granted.

Representative Tregoning introduced a privileged joint resolution.

Assembly Joint Resolution 74

Relating to the life and public service of John R. Petrus.

By Representative Tregoning and all members of the assembly.

The question was: Shall **Assembly Joint Resolution 74** be adopted?

Motion carried.

Representative Johnson asked unanimous consent that all members of the assembly be made co-authors of **Assembly Joint Resolution 74**. Granted.

Representative Johnson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 74** be immediately messaged to the senate. Granted.

Representative Johnson asked unanimous consent that the assembly stand recessed until 1:30 P.M. Granted.

The assembly stood recessed.

9:30 A.M.

RECESS

12:40 P.M.

The assembly reconvened.

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 Joint Resolution 59
Assembly Joint Resolution 72
Assembly Joint Resolution 74
Assembly Bill 272
Assembly Bill 459
Assembly Bill 655
Assembly Bill 703

Nonconcurrent in:

Assembly Bill 319

Adopted and asks concurrence in:
Senate Joint Resolution 42

Passed and asks concurrence in:
Senate Bill 353
Senate Bill 467

Adheres to its position on:

Senate amendment 2 to **Assembly Bill 260**, agrees to a committee of conference and appoints Senators Offner, Kleczka and Hanaway as conferees on its part.

Senate amendment 1 to **Assembly Bill 298** and requests a committee of conference.

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 42

Relating to commemorating the 500th anniversary of the birth of Martin Luther.

By Senators Otte, Lee, Risser, Kincaid and Engeleiter; co-sponsored by Representatives Potter, Rude, R. Thompson, M. Coggs, Wineke, Neubauer, Shoemaker, Stower, Smith, Stewart, Manske, Ulichny and Plewa.

To calendar.

Senate Bill 353

Relating to granting child custody and visitation in an action affecting the family.

By Senators Adelman, Czarnecki, Feingold and Norquist; co-sponsored by Representatives Bell and Neubauer.

To committee on Judiciary.

Senate Bill 467

Relating to garnishment of the proceeds from the sale of agricultural products.

By Senators Feingold, Chilsen and Moen; co-sponsored by Representative Stower.

To committee on Agriculture.

Assembly Bill 298

Relating to ownership of land by nonresident aliens and providing penalties.

By Legislative Council.

The speaker appointed Representatives Vanderperren, Roberts and Tregoning as conferees on the part of the assembly on **Assembly Bill 298**.

Representative Johnson asked unanimous consent that the assembly stand recessed until 1:59 P.M. Granted.

The assembly stood recessed.

12:45 P.M.

RECESS

The assembly reconvened.

2:10 P.M.

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Representative Johnson asked unanimous consent that the assembly stand recessed for twenty minutes. Granted.

The assembly stood recessed.

2:15 P.M.

RECESS

3:25 P.M.

The assembly reconvened.

Representative Johnson asked unanimous consent that the proposals on the calendars of October 26 and October 27 be re-referred to the committee on Rules. Granted.

Representative Johnson asked unanimous consent that the assembly stand recessed until 4:30 P.M. Granted.

The assembly stood recessed.

3:30 P.M.

RECESS

5:55 P.M.

The assembly reconvened.

Representative Johnson asked unanimous consent that the rules be suspended and that **Senate Bill 410** be taken from the calendar and taken up at this time. Granted.

Senate Bill 410

Relating to bifurcating the arbitration process for solid waste disposal facilities and hazardous waste treatment, storage and disposal facilities and including the need for the facility as a factor in the siting process.

Assembly amendment 1 to **Senate Bill 410** offered by Representatives Neubauer, Hephner, Panzer, Zeuske, Prosser, Stower, Wood, Bolle, Rude, McEssy, Stewart, Radtke, Luckhardt, T. Thompson and Holschbach.

The question was: Shall assembly amendment 1 to **Senate Bill 410** be adopted?

Motion carried.

The question was: Shall **Senate Bill 410** be ordered to a third reading?

Motion carried.

Representative Johnson asked unanimous consent that the rules be suspended and that **Senate Bill 410** be given a third reading. Granted.

The question was: **Senate Bill 410** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Johnson asked unanimous consent that the rules be suspended and that **Senate Bill 410** be immediately messaged to the senate. Granted.

SPECIAL ORDER OF BUSINESS
AT 1:31 P.M. ON
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Senate Bill 423

Relating to various changes in the worker's compensation laws.

The question was: Shall **Senate Bill 423** be ordered to a third reading?

Motion carried.

Representative Johnson asked unanimous consent that the rules be suspended and that **Senate Bill 423** be given a third reading. Granted.

The question was: **Senate Bill 423** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Johnson asked unanimous consent that the rules be suspended and that **Senate Bill 423** be immediately messaged to the senate. Granted.

SPECIAL ORDER OF BUSINESS
AT 1:33 P.M. ON
THURSDAY, OCTOBER 27, 1983

Senate Bill 459

Relating to revising the 1983-85 state building program for the department of natural resources to add the military ridge state trail development and to reduce funds for minor projects.

The question was: Shall **Senate Bill 459** be ordered to a third reading?

Motion carried.

Representative Johnson asked unanimous consent that the rules be suspended and that **Senate Bill 459** be given a third reading. Granted.

The question was: **Senate Bill 459** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Antaramian, Becker, Bell, Bolle, Bradley, Brist, Buettner, Byers, Chvala, Clarenbach, Coggs, M., Coggs, S., Coleman, Cowles, Crawford, Donoghue, Foti, Gerlach, Gilson, Goetsch, Goodrich, Hasenohrl, Hauke, Hephner, Holperin, Holschbach, Huelsman, Jaronitzky, Jauch, Johnson, Kasten, Krusick,

Kunicki, Larson, Lewis, Luckhardt, McEssy, Manske, Matty, Meaux, Medinger, Menos, Merkt, Metz, Miller, Moyer, Munts, Nelsen, Neubauer, Panzer, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robinson, Rogers, Rooney, Rosenzweig, Rude, Rutkowski, Schneider, Schneiders, Schober, Schultz, Seery, Sell, Shoemaker, Smith, Stewart, Stitt, Stower, Swoboda, Tesmer, Thompson, R., Thompson, T., Travis, D., Travis, R., Tregoning, Turba, Ulichny, Vanderperren, Van Gorden, Walling, Williams, Wimmer, Wineke, Wood, Young, Zeuske and Speaker Loftus -- 95.

Noes -- Volk -- 1.

Absent or not voting -- Gronemus and Looby -- 2.

Motion carried.

Representative Johnson asked unanimous consent that the rules be suspended and that **Senate Bill 459** be immediately messaged to the senate. Granted.

SPECIAL ORDER OF BUSINESS
AT 1:34 P.M. ON
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Senate Bill 349

Relating to various matters concerning the department of industry, labor and human relations (suggested as remedial legislation by the department of industry, labor and human relations).

Assembly amendment 1 to **Senate Bill 349** offered by Representative Wimmer.

The question was: Shall assembly amendment 1 to **Senate Bill 349** be adopted?

Motion carried.

The question was: Shall **Senate Bill 349** be ordered to a third reading?

Motion carried.

Representative Shoemaker asked unanimous consent that the rules be suspended and that **Senate Bill 349** be given a third reading. Granted.

The question was: **Senate Bill 349** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Shoemaker asked unanimous consent that the rules be suspended and that **Senate Bill 349** be immediately messaged to the senate. Granted.

Representative Johnson asked unanimous consent that the rules be suspended and that **Assembly Bill 128** be taken from the calendar and made a special order of business at 9:31 A.M. on Friday, October 28. Granted.

Representative Johnson asked unanimous consent that the rules be suspended and that **Assembly Bill 396** be withdrawn from the committee on Rules and made a special order of business at 9:32 A.M. on Friday, October 28. Granted.

Representative Rude asked unanimous consent that the assembly adjourn in recognition of Lance Cpl. Jesse James Ellison and all of the men who died for their country in Beirut, Lebanon on Sunday, October 23. Granted.

Representative T. Thompson asked unanimous consent that the assembly adjourn in honor of the birth today of nine and one-half pound John R. Kreuser, grandson of Representative McEssy. Granted.

Representative Tregoning asked unanimous consent that the assembly adjourn in honor of the wedding anniversary of Representative Bradley. Granted.

REFERENCE BUREAU CORRECTIONS

Assembly amendment 1 to **Assembly Bill 92**

Page 1, line 6: on lines 6 and 7, substitute "centers for independent living, as defined in s. 49.43 (12)," for "~~centers for independent living, as defined in s. 49.43 (12),~~".

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 255**

Page 1, line 16: substitute "rustproofing" for "restproofing".

VISITORS

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

Deana Grunewald and Justine Jacobs from Waterloo, guests of Representatives R. Thompson and Radtke.

Lynn Stalbaum from Washington D.C., guest of Representatives Moyer and Andrea.

Dean Dvorak and Steve Mleziva from Manitowoc, guests of Representative Bolle.

Pete Rosenzweig, Chris Stanek and Kevin Lamers from Wauwatosa, guests of Representative Rosenzweig.

Sharon and Renee Locey from Tomahawk, guests of Representative Donoghue.

Students from Milwaukee Area Technical College accompanied by teacher Al Vanderport, guests of Representative Plewa.

Girl Scout Troop 36 from Fort Atkinson accompanied by leader Mary Mog, guests of Representative Radtke.

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Girl Scout Troop 65 from Fort Atkinson accompanied by leader Elizabeth Meier, guests of Representative Radtke.

Harold, Jo Anne, Erik and Ben Rondestvedt from Elroy, guests of Representative T. Thompson.

Members of the "God'squad" youth group from Shepherd of the Hills Lutheran Church in Hubertus, accompanied by Brooke Kerns, guests of Representative Schneiders.

Mr. and Mrs. Dale Schmoock and Mrs. Ethelyn Bolle, guests of Representative Bolle.

Raymond and Marge Rupp from Kenosha, guests of Representative Andrea.

Max and Evelyn Jauch from Chicago, guests of Representative Jauch.

Representative Johnson moved that the assembly stand adjourned until 9:30 A.M. tomorrow.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

6:05 P.M.