

STATE OF WISCONSIN
Assembly Journal
Eighty-Seventh Regular Session

WEDNESDAY, October 2, 1985.

9:00 A.M.

The assembly met.

Speaker Loftus in the chair.

Prayers were offered by Steve Newman, chaplain of the Green Bay Packers and Reverend John Klindt of First Congregational Church, 1607 Larson Street, Bloomer.

Representative Brist 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 -- Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bolle, Bradley, Brist, Buettner, Byers, Carpenter, Clarenbach, Clements, Coggs, M., Coggs, S., Coleman, Cowles, Crawford, Fergus, Foti, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hauke, Hephner, Holperin, Holschbach, Hubler, Huelsman, Jauch, Johnsrud, Kasten, Krug, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Looby, McEssy, Magnuson, Manske, Matty, Medinger, Menos, Merkt, Metz, Musser, Nelsen, Neubauer, Notestein, Ourada, Panzer, Paulson, Plizka, Porter, Potter, Prosser, Radtke, Robinson, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schober, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, R., Thompson, T., Travis, D., Travis, R., Tregoning, Turba, Vanderperren, Van Gorden, Vergeront, Volk, Walling, Weeden, Welch, Williams, Wimmer, Wineke, Wood, York, Young, J., Young, R., Zeuske and Speaker Loftus -- 99.

Absent -- None.

Absent with leave -- None.

Vacancies -- None.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Joint Resolution 45** offered by committee on State Affairs.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Joint Resolution 45** offered by committee on State Affairs.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 92** offered by Representatives Radtke and Crawford.

Assembly amendment 3 to **Assembly Bill 125** offered by Representative Tregoning.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 150** offered by Representative R. Thompson.

Assembly amendment 3 to **Assembly Bill 196** offered by Representatives Manske, Robinson, Bell, Rosenzweig, Berndt, Merkt, Holperin, Black and Carpenter.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 473** offered by Representatives Metz, Neubauer, Krug and Wood.

Assembly amendment 7 to assembly substitute amendment 2 to **Assembly Bill 473** offered by Representatives Vergeront and Nelsen.

Assembly amendment 1 to assembly amendment 7 to assembly substitute amendment 2 to **Assembly Bill 473** offered by Representatives Barrett and Medinger.

Assembly amendment 2 to assembly amendment 7 to assembly substitute amendment 2 to **Assembly Bill 473** offered by Representatives Vergeront and Nelsen.

Assembly amendment 8 to assembly substitute amendment 2 to **Assembly Bill 473** offered by Representative Brist.

Assembly amendment 9 to assembly substitute amendment 2 to **Assembly Bill 473** offered by Representatives Neubauer and Wood.

Assembly amendment 1 to assembly amendment 9 to assembly substitute amendment 2 to **Assembly Bill 473** offered by Representative Neubauer.

Assembly amendment 1 to **Assembly Bill 475** offered by Representative Weeden.

COMMUNICATIONS

The chief clerk reports the following proposals correctly enrolled:

Assembly Bill 134
Assembly Bill 194

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Assembly Bill 209
Assembly Bill 260
Assembly Bill 265
Assembly Bill 266
Assembly Bill 424

JOANNE DUREN
Assembly Chief Clerk

September 27, 1985

Ms. Joanne Duren
Assembly Chief Clerk
126 West, State Capitol
Madison, Wisconsin 53702

Dear Joanne:

I am pleased to transmit to you the following reports to the 1985 Legislature on legislation introduced by the Legislative Council:

- RL 85-11 Legislation on Telecommunications (Senate Bill 318)
- RL 85-12 Legislation on Primary Prevention (Senate Bills 281, 282, 283 and 276)
- RL 85-13 Legislation on Custody Arrangements (Assembly Bill 474)

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

Sincerely,
BONNIE REESE
Executive Secretary

September 30, 1985

Ms. Joanne Duren
Assembly Chief Clerk
126 West, State Capitol
Madison, WI 53702

Dear Ms. Duren:

Enclosed is a copy of the Annual Report of the Commissioner of Banking describing the activities of this Office in the administration of the Wisconsin Consumer Act during 1984. The Report also contains a detailed description of the 1984 amendments to the Act.

I would appreciate it if you would publish the availability of the Report in your Bulletin advising members of the Legislature that interested persons may obtain copies of the Report from this office.

Sincerely,
RICHARD E. GALECKI
Commissioner

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

The assembly stood recessed.

9:20 A.M.

RECESS

9:45 A.M.

The assembly reconvened.

MOTIONS

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

Assembly Joint Resolution 51

Permitting the explanatory Notes contained in 1985 Senate Bill 150, relating to implementation of the marital property act, to be revised.

By Representatives T. Thompson and Rutkowski.

The question was: Shall **Assembly Joint Resolution 51** be adopted?

Motion carried.

Representative Medinger asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 51** be immediately messaged to the senate. Granted.

CALENDAR OF WEDNESDAY, OCTOBER 2

Assembly Bill 473

Relating to civil liability for furnishing alcohol beverages.

Assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 473** offered by Representatives R. Young and Wood.

Representative Hephner moved rejection of assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 473**.

Representative Hauke moved that **Assembly Bill 473** be laid on the table.

The question was: Shall **Assembly Bill 473** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Bell, Carpenter, Clarenbach, Coggs, M., Coggs, S., Crawford, Hauke, Menos, Metz, Neubauer, Notestein, Prosser, Schmidt, Seery, Tesmer, Weeden, Wood and Young, R. -- 19.

Noes -- Antaramian, Barca, Barrett, Becker, Berndt, Black, Bolle, Bradley, Brist, Buettner, Byers, Clements, Coleman, Cowles, Fergus, Foti, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hephner, Holperin, Holschbach, Hubler, Huelsman, Jauch, Johnsrud, Kasten, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Looby, McEssy, Magnuson, Manske, Matty, Medinger, Merkt, Musser, Nelsen, Ourada, Panzer, Paulson, Plizka, Porter, Potter, Radtke, Robinson, Rosenzweig, Rutkowski, Schneider, Schneiders, Schober, Schultz, Shoemaker, Swoboda, Thompson, R., Thompson, T., Travis, D., Travis, R., Tregoning, Turba, Vanderperren, Van Gorden, Vergeront, Volk, Walling, Welch, Wimmer, Wineke, York, Young, J., Zeuske and Speaker Loftus -- 79.

Absent or not voting -- Williams -- 1.

Motion failed.

The question was: Shall assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 473** be rejected?

The roll was taken.

The result follows:

Ayes -- Antaramian, Barca, Barrett, Becker, Berndt, Black, Bolle, Bradley, Brist, Buettner, Byers, Clements, Coleman, Cowles, Fergus, Foti, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hephner, Holperin, Holschbach, Hubler, Jauch, Johnsrud, Kasten, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Looby, McEssy, Manske, Matty, Medinger, Merkt, Musser, Ourada, Panzer, Paulson, Plizka, Porter, Potter, Radtke, Robinson, Rosenzweig, Schneider, Schneiders, Schober, Schultz, Shoemaker, Swoboda, Thompson, R., Thompson, T., Travis, D., Travis, R., Tregoning, Turba, Vanderperren, Van Gorden, Vergeront, Volk, Walling, Welch, Wimmer, Wineke, York, Young, J., Zeuske and Speaker Loftus -- 75.

Noes -- Bell, Carpenter, Clarenbach, Coggs, M., Coggs, S., Crawford, Hauke, Huelsman, Krug, Magnuson, Menos, Metz, Nelsen, Neubauer, Notestein, Prosser, Rutkowski, Schmidt, Seery, Tesmer, Weeden, Wood and Young, R. -- 23.

Absent or not voting -- Williams -- 1.

Motion carried.

Assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 473** offered by Representatives R. Young and Wood.

Representative Hephner moved rejection of assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 473**.

Representative R. Young asked unanimous consent that assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 473** be placed after assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 473**. Granted.

Assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 473** offered by Representatives R. Young, Notestein, Wood and Barrett.

Representative Hephner moved rejection of assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 473**.

Speaker pro tempore Clarenbach in the chair.

The question was: Shall assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 473** be rejected?

The roll was taken.

The result follows:

Ayes -- Barca, Berndt, Bolle, Bradley, Brist, Buettner, Byers, Clements, Coleman, Cowles, Fergus, Goetsch, Grobschmidt, Gronemus, Hasenohrl, Hephner, Holperin, Holschbach, Hubler, Jauch, Johnsrud, Kasten, Kunicki, Ladwig, Larson, Lepak, Looby, McEssy, Manske, Matty, Merkt, Musser, Neubauer, Ourada, Panzer, Paulson, Plizka, Porter, Potter, Radtke, Robinson, Schneider, Schober, Schultz, Shoemaker, Swoboda, Thompson, T., Travis, D., Travis, R., Tregoning, Turba, Vanderperren, Van Gorden, Vergeront, Volk, Welch, Wimmer, Wineke, York, Young, J., Zeuske and Speaker Loftus -- 62.

Noes -- Antaramian, Barrett, Becker, Bell, Black, Carpenter, Clarenbach, Coggs, M., Coggs, S., Crawford, Foti, Gruszynski, Hauke, Huelsman, Krug, Krusick, Margaret Lewis, Mark Lewis, Magnuson, Medinger, Menos, Metz, Nelsen, Notestein, Prosser, Rosenzweig, Rutkowski, Schmidt, Schneiders, Seery, Tesmer, Thompson, R., Walling, Weeden, Williams, Wood and Young, R. -- 37.

Absent or not voting -- None.

Motion carried.

Representative R. Young asked unanimous consent that assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 473** be placed after assembly amendment 8 to assembly substitute amendment 2 to **Assembly Bill 473**. Granted.

Assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 473** offered by Representatives R. Young, Barrett, Wood and Notestein.

Representative Hephner moved rejection of assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 473**.

The question was: Shall assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 473** be rejected?

The roll was taken.

The result follows:

Ayes -- Antaramian, Barca, Becker, Berndt, Bolle, Bradley, Brist, Buettner, Byers, Clements, Coleman, Cowles, Fergus, Foti, Goetsch, Grobschmidt, Gronemus, Hasenohrl, Hephner, Holperin, Holschbach, Hubler, Jauch, Johnsrud, Kasten, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Looby, McEssy, Manske, Matty, Medinger, Merkt, Musser, Ourada, Panzer, Paulson, Plizka, Porter, Potter, Radtke, Robinson, Schneider, Schneiders, Schober, Schultz, Shoemaker, Swoboda, Thompson, R., Thompson, T., Travis, D., Travis, R., Tregoning, Turba, Vanderperren, Van Gorden, Vergeront, Volk, Welch, Williams, Wimmer, Wineke, York, Young, J., Zeuske and Speaker Loftus -- 70.

Noes -- Barrett, Bell, Black, Carpenter, Clarenbach, Coggs, M., Coggs, S., Crawford, Gruszynski, Hauke, Huelsman, Krug, Krusick, Magnuson, Menos, Metz, Nelsen, Neubauer, Notestein, Prosser, Rosenzweig, Rutkowski, Schmidt, Seery, Tesmer, Walling, Weeden, Wood and Young, R. -- 29.

Absent or not voting -- None.

Motion carried.

Assembly amendment 5 to assembly substitute amendment 2 to **Assembly Bill 473** offered by Representatives Vergeront and Nelsen.

Representative Vergeront asked unanimous consent that assembly amendment 5 to assembly substitute amendment 2 to **Assembly Bill 473** be placed after assembly amendment 7 to assembly substitute amendment 2 to **Assembly Bill 473**. Granted.

Assembly amendment 6 to assembly substitute amendment 2 to **Assembly Bill 473** offered by Representatives Metz, Krug, Neubauer and Wood.

Representative Hephner moved rejection of assembly amendment 6 to assembly substitute amendment 2 to **Assembly Bill 473**.

The question was: Shall assembly amendment 6 to assembly substitute amendment 2 to **Assembly Bill 473** be rejected?

The roll was taken.

The result follows:

Ayes -- Barca, Berndt, Bolle, Bradley, Brist, Buettner, Byers, Clements, Coleman, Cowles, Fergus, Foti, Goetsch, Grobschmidt, Gronemus, Hasenohrl, Hephner, Holperin, Hubler, Jauch, Johnsrud, Kasten, Kunicki, Ladwig, Larson, Lepak, Looby, McEssy, Manske, Matty, Merkt, Musser, Ourada, Panzer, Paulson, Plizka, Porter, Potter, Radtke, Robinson, Schneider, Schneiders, Schober, Schultz, Shoemaker, Swoboda, Thompson, R., Thompson, T., Travis, D., Travis, R., Tregoning, Turba, Vanderperren, Van Gorden, Vergeront, Volk, Welch, Williams, Wimmer, Wineke, York, Young, J., Zeuske and Speaker Loftus -- 64.

Noes -- Antaramian, Barrett, Becker, Bell, Black, Carpenter, Clarenbach, Coggs, M., Coggs, S., Crawford, Gruszynski, Hauke, Holschbach, Huelsman, Krug, Krusick, Margaret Lewis, Mark Lewis, Magnuson, Medinger, Menos, Metz, Nelsen, Neubauer, Notestein, Prosser, Rosenzweig, Rutkowski, Schmidt, Seery, Tesmer, Walling, Weeden, Wood and Young, R. -- 35.

Absent or not voting -- None.

Motion carried.

Representative Becker asked unanimous consent that **Assembly Bill 473** be made a special order of business at 10:01 A.M. on Tuesday, October 8. Granted.

Representative Becker asked unanimous consent that **Assembly Bill 92**, **Assembly Bill 387** and **Assembly Bill 125** be withdrawn from the calendar of Wednesday, October 2 and placed on the twelfth order of business on the calendar of Wednesday, October 9. Granted.

Representative R. Travis asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Merkt. Granted.

Representative Clarenbach asked unanimous consent that the assembly adjourn in honor of the founding of the first Grange in Wisconsin on this date in 1870. Granted.

REFERENCE BUREAU CORRECTIONS

Senate amendment 5 to **Senate Bill 174**

In engrossing, the following correction was made:

Page 3, line 22: before "2nd" insert "the".

VISITORS

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

Government class students from Sheboygan Falls High School accompanied by instructor David Casper, guests of Representative Potter.

Members of the Union Grove Lioness Club, guests of Representative Ladwig.

Members of the Racine County Tavern League, guests of Representative Ladwig.

Pat Montalto and Herb James from Port Washington, guests of Representative Vergeront.

Representative Becker moved that the assembly stand adjourned until 10:00 A.M. tomorrow.

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The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

11:00 A.M.