

JOURNAL OF THE ASSEMBLY [May 12, 1981]

STATE OF WISCONSIN

# Assembly Journal

Eighty-Fifth Regular Session

---

TUESDAY, May 12, 1981.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Joseph Washington, retired Baptist minister, 717 Regent Street, Madison.

Representative Johnson 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 -- Alberts, Andrea, Barczak, 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, 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 -- 96.

Absent -- None.

Absent with leave -- Otte and Williams -- 2.

Vacancies -- 47th District -- 1.

# JOURNAL OF THE ASSEMBLY [May 12, 1981]

---

## AMENDMENTS OFFERED

Assembly amendment 2 to **Assembly Bill 88** offered by Representatives Fischer and Radtke.

Assembly amendment 3 to **Assembly Bill 88** offered by Representatives Fischer and Radtke.

Assembly amendment 4 to **Assembly Bill 88** offered by Representatives Fischer and Radtke.

Assembly amendment 5 to **Assembly Bill 88** offered by Representatives Fischer and Radtke.

Assembly amendment 6 to **Assembly Bill 88** offered by Representatives Fischer and Radtke.

Assembly substitute amendment 1 to **Assembly Bill 144** offered by Representative Loftus.

Assembly substitute amendment 2 to **Assembly Bill 205** offered by Representative Loftus.

Assembly amendment 1 to **Assembly Bill 254** offered by Representative Kunicki.

Assembly amendment 2 to **Assembly Bill 285** offered by Representatives D. Travis and Schmidt.

Assembly amendment 2 to **Assembly Bill 370** offered by Representatives Munts, Rutkowski and Ulichny.

Assembly amendment 1 to **Assembly Bill 433** offered by Representative Johnson.

---

## ADMINISTRATIVE RULES

Read and referred:

### **Assembly Clearinghouse Rule 80-93**

Relating to regulation of hydraulic dredging projects on the beds of waterways.

Submitted by Department of Natural Resources.

To committee on Environmental Resources.

Referred on May 12, 1981.

JOURNAL OF THE ASSEMBLY [May 12, 1981]

**Assembly Clearinghouse Rule 80-210**

Relating to Lake Superior trout harvest regulations.

Submitted by Department of Natural Resources.

To committee on Environmental Resources.

Referred on May 11, 1981.

**Assembly Clearinghouse Rule 81-15**

Relating to definition of the federal and state construction grant priority ranking system for water pollution abatement projects.

Submitted by Department of Natural Resources.

To committee on Environmental Resources.

Referred on May 11, 1981.

**Assembly Clearinghouse Rule 81-42**

Relating to the use of preventive agents for gonococcal ophthalmia in newborns.

Submitted by Department of Health and Social Services.

To committee on Health and Human Services.

Referred on May 12, 1981.

**Assembly Clearinghouse Rule 81-48**

Relating to time limitations for mastitis retests, pasteurizing standards and pasteurizing equipment for the pasteurization of dairy products.

Submitted by Department of Agriculture, Trade & Consumer Protection.

To committee on Agriculture and Nutrition.

Referred on May 11, 1981.

**Assembly Clearinghouse Rule 81-70**

Relating to chub quotas for commercial fishing of Lake Michigan.

Submitted by Department of Natural Resources.

To committee on Environmental Resources.

Referred on May 11, 1981.

---

COMMITTEE REPORTS

The committee on Criminal Justice and Public Safety reports and recommends:

**Assembly Bill 127**

Relating to restricting possession of a firearm by a person previously convicted of a crime and providing a penalty.

## JOURNAL OF THE ASSEMBLY [May 12, 1981]

Adoption of assembly substitute amendment 1:

Ayes: (11) Noes: (1)

Passage: Ayes: (11) Noes: (1)

To Joint Committee on Finance.

### **Assembly Bill 295**

Relating to obtaining criminal identification data.

Adoption of assembly substitute amendment 1:

Ayes: (12) Noes: (0)

Passage: Ayes: (12) Noes: (0)

To committee on Rules.

### **Assembly Bill 296**

Relating to continuance of forfeiture proceedings under the uniform controlled substances act.

Passage: Ayes: (11) Noes: (1)

To committee on Rules.

### **Assembly Bill 297**

Relating to illegal possession of prescription drugs with intent to manufacture or deliver and providing a penalty.

Passage: Ayes: (12) Noes: (0)

To committee on Rules.

### **Assembly Bill 306**

Relating to elements of and defenses to criminal abandonment.

Passage: Ayes: (12) Noes: (0)

To committee on Rules.

### **Assembly Bill 341**

Relating to imposition of consecutive sentences.

Passage: Ayes: (12) Noes: (0)

To committee on Rules.

### **Senate Bill 44**

Relating to transferring a foreign juvenile delinquent or criminal to the foreign country upon request.

Concurrence: Ayes: (12) Noes: (0)

To committee on Rules.

DAVID TRAVIS  
Chairperson

JOURNAL OF THE ASSEMBLY [May 12, 1981]

The committee on Revenue reports and recommends:

**Assembly Bill 236**

Relating to the first level of certification of department of revenue assessment personnel and to temporary certification of assessment personnel.

Passage: Ayes: (9) Noes: (1)  
To committee on Rules.

**Assembly Bill 310**

Relating to distribution of taxes paid on new railroad ties.

Passage: Ayes: (7) Noes: (3)  
To Joint Committee on Finance.

**Assembly Bill 423**

Relating to monthly fees for motor vehicle dealers instead of use taxes and granting rule-making authority.

Passage: Ayes: (9) Noes: (1)  
To Joint Committee on Finance.

MARLIN SCHNEIDER  
Chairperson

The Joint Survey Committee on Tax Exemptions reports and recommends:

**Assembly Bill 268**

Relating to the net proceeds tax on the mining of metallic minerals and granting rule-making authority.

Adoption of Report: Ayes: (9) Noes: (0)  
To committee on Revenue.

GARY JOHNSON  
Assembly Chairperson

The committee on Transportation reports and recommends:

**Assembly Bill 232**

Relating to school busses stopping at railroad crossings.

Passage: Ayes: (8) Noes: (2)  
To committee on Rules.

**Assembly Bill 270**

Relating to warning lights on emergency vehicles and providing a penalty.

JOURNAL OF THE ASSEMBLY [May 12, 1981]

Passage: Ayes: (9) Noes: (1)  
To committee on Rules.

**Assembly Bill 281**

Relating to the definition of mopeds.

Passage: Ayes: (7) Noes: (3)  
To Joint Committee on Finance.

THOMAS MURRAY  
Chairperson

---

COMMUNICATIONS

May 1, 1981

Honorable Donald J. Schneider  
Honorable David R. Kedrowski

Gentlemen:

The following rules have been published and are in effect:

Clearinghouse Rule 79-42 effective 5-1-81  
Clearinghouse Rule 79-43 effective 5-1-81  
Clearinghouse Rule 79-45 effective 5-1-81  
Clearinghouse Rule 80-82 effective 5-1-81  
Clearinghouse Rule 80-96 effective 5-1-81  
Clearinghouse Rule 80-115 effective 5-1-81  
Clearinghouse Rule 80-131 effective 5-1-81  
Clearinghouse Rule 80-138 effective 5-1-81  
Clearinghouse Rule 80-139 effective 5-1-81  
Clearinghouse Rule 80-149 effective 5-1-81  
Clearinghouse Rule 80-171 effective 5-1-81  
Clearinghouse Rule 80-177 effective 5-1-81  
Clearinghouse Rule 80-178 effective 5-1-81  
Clearinghouse Rule 80-180 effective 5-1-81  
Clearinghouse Rule 80-183 effective 5-1-81  
Clearinghouse Rule 80-185 effective 5-1-81  
Clearinghouse Rule 80-189 effective 5-1-81  
Clearinghouse Rule 80-197 effective 5-1-81  
Clearinghouse Rule 80-198 effective 5-1-81  
Clearinghouse Rule 80-199 effective 5-1-81  
Clearinghouse Rule 80-201 effective 5-1-81  
Clearinghouse Rule 80-212 effective 5-1-81  
Clearinghouse Rule 80-213 effective 5-1-81

**JOURNAL OF THE ASSEMBLY [May 12, 1981]**

Clearinghouse Rule 80-222 effective 5-1-81  
Clearinghouse Rule 80-225 effective 5-1-81  
Clearinghouse Rule 81-21 effective 5-1-81

Sincerely,  
**GARY PAULSON**  
Assistant Revisor

---

May 6, 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 81-4      Legislation Relating to Product Liability  
                  (Assembly Bill 325)
- RL 81-5      Legislation Relating to Nonmetallic Mining  
                  (Senate Bill 283)
- RL 81-6      Legislation Relating to Small Business  
                  (Senate Bill 212)
- RL 81-7      Legislation Relating to Pretrial Release  
                  (Assembly Bill 388)
- RL 81-8      Legislation Relating to State Employment  
                  Relations (Assembly Bills 373 and 374)
- RL 81-9      Legislation Relating to Community Correctional  
                  Programs (Senate Bill 213)
- RL 81-11     Legislation Relating to Community Correctional  
                  Programs (Senate Bill 214)
- RL 81-13     Legislation Relating to Juvenile Corrections  
                  (Assembly Bill 299)
- RL 81-15     Legislation Relating to Constitutional Revision  
                  (Assembly Joint Resolutions 34, 35, 36, 37 and  
                  48)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are

JOURNAL OF THE ASSEMBLY [May 12, 1981]

available, on request, in the Legislative Council offices, Room 147 North, State Capitol.

Thank you.

Sincerely,  
BONNIE REESE  
Executive Secretary

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

The assembly stood recessed.

10:15 A.M.

---

RECESS

10:55 A.M.

The assembly reconvened.

---

LEAVES OF ABSENCE

Representative Loftus asked unanimous consent for a leave of absence for today's session for Representatives Otte and Williams. Granted.

---

CONSIDERATION OF SENATE ACTION ON  
PROPOSALS APPROVED BY THE ASSEMBLY

**Assembly Joint Resolution 7**

Relating to county responsibility for the acts of the sheriff (2nd consideration).

The question was: Shall senate amendment 1 to **Assembly Joint Resolution 7** be concurred in?

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Joint Resolution 7** be immediately messaged to the senate. Granted.

## JOURNAL OF THE ASSEMBLY [May 12, 1981]

Representative Alberts asked unanimous consent to be recorded as voting "Aye" on referring Assembly Bill 320 to the committee on Labor on Thursday, May 7. Granted.

---

### CALENDAR OF MONDAY, MAY 11, 1981

#### **Senate Bill 243**

Relating to limitation of state expenditure reductions, expenditure estimate procedure and state revenue shortfall procedure.

The question was: Shall senate amendment 1 to assembly amendment 3 to **Senate Bill 243** be concurred in?

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that the assembly's action on **Senate Bill 243** be immediately messaged to the senate. Granted.

#### **Assembly Bill 320**

Relating to eliminating the expiration date for collective bargaining impasse resolution procedures for local government employes other than law enforcement and fire fighting personnel.

The question was: Shall the vote by which **Assembly Bill 320** was ordered to a third reading be reconsidered?

The roll was taken.

The result follows:

Ayes -- Alberts, Berndt, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Goodrich, Harer, Hopkins, Jaronitzky, Klicka, Knox, Laatsch, Ladwig, Lewison, Luckhardt, Matty, Merkt, Nelsen, Panzer, Paulson, Prosser, Quackenbush, Schmidt, Schneiders, Shabaz, Stitt, Tesmer, Thompson, Travis, R., Tregoning and Young -  
- 34.

Noes -- Andrea, Barczak, Becker, Behnke, Broydrick, Clarenbach, Coggs, Crawford, Czarnecki, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Johnson, Kincaid, Kirby, Kunicki, Larson, Lee, Leopold, Loftus, Looby, McEssy, McEwen, Medinger, Menos, Metz, Miller, Munts, Murray, Neubauer, Norquist, Plewa, Plous, Porter, Potter, Radtke, Roberts, Robertson, Robinson, Rogers,

JOURNAL OF THE ASSEMBLY [May 12, 1981]

Rooney, Rutkowski, Schneider, Shoemaker, Smith, Swoboda, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wood and Mr. Speaker -- 62.

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

Motion failed.

The question was: **Assembly Bill 320** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Becker, Behnke, Broydrick, Clarenbach, Cogs, Crawford, Czarnecki, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Jaronitzky, Johnson, Kincaid, Kirby, Kunicki, Larson, Lee, Leopold, Loftus, Looby, McEssy, McEwen, Medinger, Menos, Metz, Miller, Munts, Murray, Neubauer, Norquist, Plewa, Plous, Porter, Potter, Radtke, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wood and Mr. Speaker -- 64.

Noes -- Alberts, Berndt, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Goodrich, Harer, Hopkins, Klicka, Knox, Laatsch, Ladwig, Lewison, Luckhardt, Matty, Merkt, Nelsen, Panzer, Paulson, Prosser, Quackenbush, Schmidt, Schneiders, Shabaz, Stitt, Thompson, Travis, R., Tregoning and Young -- 32.

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

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 320** be immediately messaged to the senate.

Representative Shabaz objected.

Representative Loftus moved that the rules be suspended and that **Assembly Bill 320** be immediately messaged to the senate.

The question was: Shall the rules be suspended and **Assembly Bill 320** be immediately messaged to the senate?

The roll was taken.

The result follows:

## JOURNAL OF THE ASSEMBLY [May 12, 1981]

Ayes -- Andrea, Barczak, Becker, Behnke, Broydrick, Byers, Clarenbach, Coggs, Crawford, Czarnezki, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Jaronitzky, Johnson, Kincaid, Kirby, Kunicki, Larson, Lee, Leopold, Loftus, Looby, McEssy, Medinger, Menos, Metz, Miller, Munts, Murray, Neubauer, Norquist, Plewa, Plous, Potter, Radtke, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wood and Mr. Speaker -- 64.

Noes -- Alberts, Berndt, Bradley, Conradt, DeLong, Dilweg, Goodrich, Harer, Hopkins, Klicka, Knox, Laatsch, Ladwig, Lewison, Luckhardt, McEwen, Matty, Merkt, Nelsen, Panzer, Paulson, Porter, Prosser, Quackenbush, Schmidt, Schneiders, Shabaz, Stitt, Thompson, Travis, R., Tregoning and Young -- 32.

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

Motion carried.

---

## CALENDAR OF TUESDAY, MAY 12, 1981

### **Assembly Joint Resolution 8**

Directing the legislative council to study the problem of battery to the elderly and to report recommended solutions to the legislature.

The question was: Shall assembly substitute amendment 1 to **Assembly Joint Resolution 8** be adopted?

Motion carried.

The question was: Shall **Assembly Joint Resolution 8** be adopted?

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 8** be immediately messaged to the senate. Granted.

### **Assembly Bill 85**

Relating to the maximum recovery level for tort actions against local governmental entities and agencies.

The question was: Shall assembly amendment 1 to **Assembly Bill 85** be adopted?

JOURNAL OF THE ASSEMBLY [May 12, 1981]

Motion carried.

Representative Hauke moved rejection of assembly amendment 2 to **Assembly Bill 85**.

The question was: Shall assembly amendment 2 to **Assembly Bill 85** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Becker, Behnke, Broydrick, Clarenbach, Coggs, Czarnezki, Dorff, Flintrop, Gerlach, Hauke, Johnson, Kincaid, Kirby, Kunicki, Lee, Leopold, Looby, Menos, Metz, Miller, Munts, Neubauer, Norquist, Plous, Potter, Robinson, Rogers, Rutkowski, Smith, Travis, D., Tuczynski, Ulichny and Wood -- 34.

Noes -- Barczak, Berndt, Bradley, Byers, Conradt, Crawford, DeLong, Dilweg, Donoghue, Duren, Ellis, Everson, Fischer, Goodrich, Harer, Hasenohrl, Helbach, Hephner, Holschbach, Hopkins, Jaronitzky, Klicka, Knox, Laatsch, Ladwig, Larson, Lewison, Loftus, Luckhardt, McEssy, Matty, Medinger, Merkt, Murray, Nelsen, Panzer, Paulson, Plewa, Porter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rooney, Schmidt, Schneider, Schneiders, Shabaz, Shoemaker, Stitt, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Vanderperren, Wagner, Young and Mr. Speaker -- 60.

Absent or not voting -- Alberts, McEwen, Otte and Williams -- 4.

Motion failed.

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

The question was: Shall assembly amendment 2 to **Assembly Bill 85** be adopted?

Motion carried.

Representative Thompson asked unanimous consent that **Assembly Bill 85** be laid on the table.

Representative Hauke objected.

Representative Hauke asked unanimous consent that **Assembly Bill 85** be placed at the foot of the twelfth order of business on the calendar of Thursday, May 14. Granted.

**Assembly Bill 261**

Relating to certification of school administrators and granting rule-making authority.

Assembly substitute amendment 2 to **Assembly Bill 261** offered by Representative R. Travis.

Representative Goodrich moved rejection of assembly substitute amendment 2 to **Assembly Bill 261**.

Representative Plous moved that **Assembly Bill 261** be re-referred to the committee on Education.

The question was: Shall **Assembly Bill 261** be re-referred to the committee on Education?

The roll was taken.

The result follows:

Ayes -- Becker, Berndt, Bradley, Broydrick, Cogs, Conradt, Everson, Harer, Hopkins, Larson, Looby, McEwen, Menos, Miller, Murray, Panzer, Paulson, Plous, Robertson, Schneiders, Travis, R., Ulichny and Vanderperren -- 23.

Noes -- Alberts, Andrea, Barczak, Behnke, Byers, Clarenbach, Crawford, Czarnecki, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Fischer, Flintrop, Gerlach, Goodrich, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Kunicki, Laatsch, Ladwig, Lee, Leopold, Lewison, Loftus, Luckhardt, McEssy, Matty, Medinger, Merkt, Metz, Munts, Nelsen, Neubauer, Norquist, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robinson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Tregoning, Tuczynski, Wagner, Wood, Young and Mr. Speaker -- 73.

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

Motion failed.

The question was: Shall assembly substitute amendment 2 to **Assembly Bill 261** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Andrea, Becker, Behnke, Broydrick, Byers, Clarenbach, Cogs, Conradt, Crawford, Czarnecki, DeLong,

JOURNAL OF THE ASSEMBLY [May 12, 1981]

Dilweg, Donoghue, Dorff, Duren, Ellis, Fischer, Flintrop, Gerlach, Goodrich, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, 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, Panzer, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robinson, Rogers, Rooney, Rutkowski, Schmidt, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wood, Young and Mr. Speaker -- 86.

Noes -- Barczak, Berndt, Bradley, Everson, Harer, Hopkins, Paulson, Robertson, Schneider and Travis, R. -- 10.

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

Motion carried.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 261** offered by Representative Plous.

Representative Flintrop moved rejection of assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 261**.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 261** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Andrea, Barczak, Behnke, Byers, Clarenbach, Conradt, Crawford, Czarnecki, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Fischer, Flintrop, Gerlach, Goodrich, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Kunicki, Laatsch, Ladwig, Larson, Lee, Leopold, Lewison, Loftus, Looby, Luckhardt, Matty, Medinger, Menos, Merkt, Metz, Munts, Murray, Nelsen, Norquist, Plewa, Porter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Tregoning, Tuczynski, Wagner, Wood, Young and Mr. Speaker -- 77.

Noes -- Becker, Berndt, Bradley, Broydrick, Cogs, Everson, Harer, Hopkins, McEssy, McEwen, Miller, Neubauer, Panzer, Paulson, Plous, Potter, Travis, R., Ulichny and Vanderperren -- 19.

JOURNAL OF THE ASSEMBLY [May 12, 1981]

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

Motion carried.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 261** offered by Representatives Stitt and Goodrich.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 261** be adopted?

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 261** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 261** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Alberts, Andrea, Barczak, Behnke, Broydrick, Byers, Clarenbach, Coggs, Conradt, Crawford, Czarnezki, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Jaronitzky, Johnson, Kincaid, Kirby, Knox, Kunicki, Laatsch, Ladwig, Lee, Leopold, Lewison, Loftus, Looby, Luckhardt, McEssy, Matty, Medinger, Menos, Merkt, Metz, Munts, Murray, Nelsen, Norquist, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robinson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Tregoning, Tuczynski, Ulichny, Wagner, Wood, Young and Mr. Speaker -- 80.

Noes -- Becker, Berndt, Bradley, Harer, Hopkins, Klicka, Larson, McEwen, Miller, Neubauer, Panzer, Paulson, Plous, Robertson, Travis, R. and Vanderperren -- 16.

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

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 261** be given a third reading. Granted.

Representative R. Travis moved indefinite postponement of **Assembly Bill 261**.

JOURNAL OF THE ASSEMBLY [May 12, 1981]

The question was: Shall **Assembly Bill 261** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes -- Becker, Berndt, Bradley, Broydrick, Coggs, Conradt, Harer, Hopkins, Kunicki, Larson, Miller, Neubauer, Panzer, Paulson, Plous, Robertson, Schneiders, Travis, R. and Ulichny -- 19.

Noes -- Alberts, Andrea, Barczak, Behnke, Byers, Clarenbach, Crawford, Czarnezki, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Laatsch, Ladwig, Lee, Leopold, Lewison, Loftus, Looby, Luckhardt, McEssy, McEwen, Matty, Medinger, Menos, Merkt, Metz, Munts, Murray, Nelsen, Norquist, Plewa, Potter, Prosser, Quackenbush, Radtke, Roberts, Robinson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Tregoning, Tuczynski, Vanderperren, Wagner, Wood, Young and Mr. Speaker -- 76.

Absent or not voting -- Otte, Porter and Williams -- 3.

Motion failed.

The question was: **Assembly Bill 261** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Andrea, Barczak, Behnke, Byers, Clarenbach, Conradt, Crawford, Czarnezki, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Kunicki, Laatsch, Ladwig, Lee, Leopold, Lewison, Loftus, Looby, Luckhardt, Matty, Medinger, Menos, Merkt, Metz, Munts, Murray, Nelsen, Norquist, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robinson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Travis, D., Tregoning, Tuczynski, Vanderperren, Wagner, Wood, Young and Mr. Speaker -  
- 76.

## JOURNAL OF THE ASSEMBLY [May 12, 1981]

Noes -- Becker, Berndt, Bradley, Broydrick, Coggs, Harer, Hopkins, Larson, McEssy, McEwen, Miller, Neubauer, Panzer, Paulson, Plous, Robertson, Schneiders, Thompson, Travis, R. and Ulichny -- 20.

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

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 261** be immediately messaged to the senate. Granted.

---

### SPECIAL ORDER OF BUSINESS AT 10:00 A.M. ON TUESDAY, MAY 12, 1981

#### **Assembly Bill 112**

Relating to declaring agricultural uses not to be nuisances.

Representative Hephner asked unanimous consent that assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 112** be taken up at this time. Granted.

Representative Thompson moved rejection of assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 112**.

The question was: Shall assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 112** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Berndt, DeLong, Ellis, Goodrich, Harer, Hopkins, Jaronitzky, Klicka, Knox, Ladwig, Lewison, Luckhardt, Matty, Nelsen, Paulson, Porter, Prosser, Radtke, Schmidt, Schneiders, Shabaz, Stitt, Thompson, Travis, R., Tregoning, Wood and Young -- 28.

Noes -- Andrea, Barczak, Becker, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Crawford, Czarnezki, Dilweg, Donoghue, Dorff, Duren, Everson, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Johnson, Kincaid, Kirby, Kunicki, Laatsch, Larson, Lee, Leopold, Loftus, Looby, McEssy, McEwen, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Neubauer, Norquist, Panzer, Plewa, Plous, Potter,

JOURNAL OF THE ASSEMBLY [May 12, 1981]

Quackenbush, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner and Mr. Speaker -- 68.

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

Motion failed.

The question was: Shall assembly amendment 6 to assembly substitute amendment 1 to **Assembly Bill 112** be adopted?

Motion carried.

Representative Hephner asked unanimous consent that assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 112** be laid on the table. Granted.

Representative Everson moved rejection of assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 112**.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 112** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Barczak, Behnke, Berndt, Bradley, Byers, Coggs, Conradt, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Flintrop, Goodrich, Harer, Hasenohrl, Hauke, Hephner, Holschbach, Hopkins, Jaronitzky, Johnson, Kincaid, Klicka, Knox, Laatsch, Ladwig, Larson, Lewison, Looby, Luckhardt, McEssy, McEwen, Matty, Menos, Merkt, Murray, Nelsen, Panzer, Paulson, Porter, Potter, Quackenbush, Radtke, Roberts, Robertson, Rooney, Schmidt, Schneider, Schneiders, Shabaz, Stitt, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Ulichny, Vanderperren, Wagner and Young -- 64.

Noes -- Andrea, Becker, Broydrick, Clarenbach, Crawford, Czarnecki, Fischer, Gerlach, Helbach, Kirby, Kunicki, Lee, Leopold, Loftus, Medinger, Metz, Miller, Munts, Neubauer, Norquist, Plewa, Plous, Prosser, Robinson, Rogers, Rutkowski, Shoemaker, Smith, Travis, D., Tuczynski, Wood and Mr. Speaker -- 32.

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

Motion carried.

JOURNAL OF THE ASSEMBLY [May 12, 1981]

Representative Hephner moved rejection of assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 112**.

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 112** be rejected?

The roll was taken.

The result follows:

Ayes -- Alberts, Andrea, Barczak, Behnke, Berndt, Bradley, Byers, Coggs, Conradt, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Gerlach, Goodrich, Harer, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Hopkins, Jaronitzky, Johnson, Kincaid, Klicka, Knox, Laatsch, Ladwig, Larson, Lewison, Luckhardt, McEssy, McEwen, Matty, Menos, Merkt, Murray, Nelsen, Norquist, Panzer, Paulson, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Schneider, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Thompson, Travis, R., Tregoning, Ulichny, Vanderperren, Wagner and Young -- 68.

Noes -- Becker, Broydrick, Clarenbach, Crawford, Czarnezki, Fischer, Flintrop, Kirby, Kunicki, Lee, Leopold, Loftus, Looby, Medinger, Metz, Miller, Munts, Neubauer, Plewa, Plous, Robinson, Rutkowski, Tesmer, Travis, D., Tuczynski, Wood and Mr. Speaker -- 27.

Absent or not voting -- Otte, Schmidt and Williams -- 3.

Motion carried.

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

Representative Crawford asked unanimous consent that assembly amendment 4 to assembly substitute amendment 1 to **Assembly Bill 112** be withdrawn and returned to the author. Granted.

Representative Hephner moved rejection of assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 112**.

The question was: Shall assembly amendment 5 to assembly substitute amendment 1 to **Assembly Bill 112** be rejected?

The roll was taken.

The result follows:

## JOURNAL OF THE ASSEMBLY [May 12, 1981]

Ayes -- Alberts, Andrea, Barczak, Behnke, Berndt, Bradley, Byers, Coggs, Conradt, DeLong, Dilweg, Donoghue, Ellis, Everson, Fischer, Flintrop, Goodrich, Harer, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Hopkins, Jaronitzky, Johnson, Kincaid, Klicka, Knox, Laatsch, Ladwig, Larson, Lewison, Looby, Luckhardt, McEssy, McEwen, Matty, Menos, Merkt, Murray, Nelsen, Norquist, Panzer, Paulson, Porter, Potter, Prosser, Radtke, Roberts, Robertson, Rogers, Rooney, Schmidt, Schneider, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Ulichny, Vanderperren, Wagner and Young -- 69.

Noes -- Becker, Broydrick, Clarenbach, Crawford, Czarnezki, Dorff, Duren, Gerlach, Kirby, Kunicki, Lee, Leopold, Loftus, Medinger, Metz, Miller, Munts, Neubauer, Plous, Quackenbush, Robinson, Rutkowski, Travis, D., Tuczynski, Wood and Mr. Speaker -- 26.

Absent or not voting -- Otte, Plewa and Williams -- 3.

Motion carried.

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

Assembly amendment 7 to assembly substitute amendment 1 to **Assembly Bill 112** offered by Representative Hephner.

The question was: Shall assembly amendment 7 to assembly substitute amendment 1 to **Assembly Bill 112** be adopted?

Motion carried.

---

### POINT OF ORDER

Representative Crawford rose to the point of order that assembly substitute amendment 1 to **Assembly Bill 112** was not germane under Assembly Rule 54 (3)(f).

The speaker took the point of order under advisement.

JOURNAL OF THE ASSEMBLY [May 12, 1981]

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

**Assembly Bill 88**

1. Page 10, lines 16 and 19: after "to" insert "section".
2. Page 10, line 19: substitute "(d)" for "(f)".

**Assembly Bill 282**

Page 1, line 2: before the period, insert "and providing a penalty".

---

VISITORS

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

Fourth grade students from Tower Rock School in Prairie du Sac accompanied by Mrs. Ward and Karen Markley, guests of Representative Laatsch.

Sixth grade students from Lincoln School in Racine accompanied by Mrs. Nemeth and Mrs. Dehne, guests of Representatives Neubauer, Rooney and Ladwig.

Robert Williams, Myra Harvey and Norman Groehler from Douglas County, guests of Representative Murray.

Students from L.C.O. Ojibwa High School in Hayward, guests of Representative Smith.

Fifth grade students from Huegel School in Madison accompanied by teachers Mrs. Murphy and Mrs. Blumenfeld, guests of Representative Munts.

Fifth and sixth grade students from Mazomanie Elementary School, guests of Representative Duren.

Students from Saint Anthony's School in Cazenovia, guests of Representative Duren.

Fifth grade students from Omro Junction School, guests of Representative Bradley.

---

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

**JOURNAL OF THE ASSEMBLY [May 12, 1981]**

**The question was: Shall the assembly stand adjourned?**

**Motion carried.**

**The assembly stood adjourned.**

**12:25 P.M.**