

STATE OF WISCONSIN
Assembly Journal
October 1985 Special Session

THURSDAY, October 31, 1985.

11:00 A.M.

The assembly met.
Speaker Loftus in the chair.

The prayer was offered by Representative Grobschmidt.

Representative Hephner 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:

EXECUTIVE COMMUNICATIONS

Executive Order Number 84

I, Anthony S. Earl, Governor of the State of Wisconsin, pursuant to Section 11 of Article IV and Section 4 of Article V of the Constitution of Wisconsin, require the convening of a special session of the Legislature at the Capitol in Madison, beginning on October 31, 1985 at 11:00 a.m. solely to consider and act upon the following specific legislative business:

1. Exempting municipalities from civil liability arising from the consumption of alcohol beverages, exempting providers of alcohol beverages from civil liability arising from providing alcohol beverages to adults and imposing civil liability on providers of alcohol to underage persons, eliminating vicarious criminal liability for certain alcohol beverage law violations, making it an offense for an underage person to intentionally carry false documentation purporting to show the underage person has attained the legal drinking age and increasing the maximum forfeiture for violations by underage persons of certain alcohol beverage laws.

Present -- Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bolle, Bradley, Brist, Buettner, Byers, Carpenter, Clarenbach, Clements, Coggs, S., Coleman, Fergus, Foti, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hauke, Hephner, Holperin, Holschbach, Hubler, Huelsman, Jauch, Krug, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Looby, McEssy, Magnuson, Manske, Matty, Medinger, Menos, Merkt, Metz, Musser, Nelsen, Neubauer, Notestein, Ourada, Paulson, Plizka, Porter, Potter, Prosser, Radtke, Robinson, Rutkowski, Schmidt, Schneider, Schneiders, Schober, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, R., Thompson, T., Tregoning, Vanderperren, Van Gorden, Vergeront, Volk, Walling, Weeden, Welch, Williams, Wimmer, Wineke, Wood, York, Young, J., Young, R., Zeuske and Speaker Loftus -- 89.

Absent -- None.

Absent with leave -- Coggs, M., Cowles, Crawford, Johnsrud, Kasten, Panzer, Rosenzweig, Travis, D., Travis, R. and Turba -- 10.

Vacancies -- None.

In testimony whereof, I have set my hand and caused the Great Seal of the State of Wisconsin to be affixed at the Capitol in Madison this day, October 30, 1985.

ANTHONY S. EARL

Governor

By the Governor:

DOUGLAS La FOLLETTE

Secretary of State

LEAVES OF ABSENCE

Representative T. Thompson asked unanimous consent for a leave of absence for today's session for Representatives Cowles, Johnsrud, Kasten, Panzer, Rosenzweig, R. Travis and Turba. Granted.

Representative Becker asked unanimous consent for a leave of absence for today's session for Representatives M. Coggs, Crawford and D. Travis. Granted.

Representative Becker asked unanimous consent that the assembly stand recessed until 11:30 A.M. Granted.

The assembly stood recessed.

11:10 A.M.

RECESS

12:15 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 passed and asks concurrence in:

Senate Bill 1, October 1985 Special Session

ACTION ON THE SENATE MESSAGE

Senate Bill 1, October 1985 Special Session

Relating to civil and criminal liability relating to alcohol beverages and providing penalties.

By committee on Senate Organization, by request of Governor Anthony S. Earl.

To calendar.

Assembly amendment 1 to **Senate Bill 1, October 1985 Special Session** offered by Representatives Neubauer, Wood, Notestein and Krug.

Representative Hephner moved rejection of assembly amendment 1 to **Senate Bill 1, October 1985 Special Session**.

The question was: Shall assembly amendment 1 to **Senate Bill 1, October 1985 Special Session** be rejected?

The roll was taken.

The result follows:

Ayes -- Antaramian, Barca, Becker, Berndt, Bolle, Bradley, Brist, Buettner, Byers, Clarenbach, Clements, Coleman, Fergus, Foti, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hephner, Holperin, Holschbach, Hubler, Huelsman, Jauch, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Looby, McEssy, Manske, Matty, Merkt, Musser, Ourada, Paulson, Plizka, Porter, Potter, Prosser, Radtke, Robinson, Rutkowski, Schneider, Schober, Schultz, Shoemaker, Swoboda, Tesmer, Thompson, R., Thompson, T., Vanderperren, Van Gorden, Vergeront, Volk, Weeden, Welch, Williams, Wimmer, Wineke, York, Young, J., Zeuske and Speaker Loftus -- 67.

Noes -- Barrett, Bell, Black, Carpenter, Coggs, S., Hauke, Krug, Krusick, Magnuson, Medinger, Menos, Metz, Nelsen, Neubauer, Notestein, Schmidt, Schneiders, Seery, Tregoning, Walling, Wood and Young, R. -- 22.

Absent or not voting -- Coggs, M., Cowles, Crawford, Johnsrud, Kasten, Panzer, Rosenzweig, Travis, D., Travis, R. and Turba -- 10.

Motion carried.

Assembly amendment 2 to **Senate Bill 1, October 1985 Special Session** offered by Representatives Schober, Wimmer, Porter, Lepak, Margaret Lewis, Musser, Zeuske, Manske, Ourada, Radtke, York, Foti, Van Gorden, Plizka, Schneiders, Schultz, Tregoning, Coleman, Ladwig, Bradley, Vergeront, Larson, Welch, Berndt and T. Thompson.

Representative Hephner moved rejection of assembly amendment 2 to **Senate Bill 1, October 1985 Special Session**.

The question was: Shall assembly amendment 2 to **Senate Bill 1, October 1985 Special Session** be rejected?

The roll was taken.

The result follows:

Ayes -- Antaramian, Barca, Barrett, Becker, Bell, Black, Brist, Carpenter, Clarenbach, Coggs, S., Fergus, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hauke, Hephner, Holperin, Hubler, Jauch, Krug, Krusick, Kunicki, Mark Lewis, Looby, Magnuson, Metz, Neubauer, Notestein, Potter, Schneider, Seery, Swoboda, Tesmer, Thompson, R., Vanderperren, Williams, Wineke, Young, R. and Speaker Loftus -- 40.

Noes -- Berndt, Bolle, Bradley, Buettner, Byers, Clements, Coleman, Foti, Goetsch, Holschbach, Huelsman, Ladwig, Larson, Lepak, Margaret Lewis, McEssy, Manske, Matty, Medinger, Menos, Merkt, Musser, Nelsen, Ourada, Paulson, Plizka, Porter, Prosser, Radtke, Robinson, Rutkowski, Schmidt, Schneiders, Schober, Schultz, Shoemaker, Thompson, T., Tregoning, Van Gorden, Vergeront, Volk, Walling, Weeden, Welch, Wimmer, Wood, York, Young, J. and Zeuske -- 49.

Absent or not voting -- Coggs, M., Cowles, Crawford, Johnsrud, Kasten, Panzer, Rosenzweig, Travis, D., Travis, R. and Turba -- 10.

Motion failed.

Representative Hephner moved that assembly amendment 2 to **Senate Bill 1, October 1985 Special Session** be laid on the table.

The question was: Shall assembly amendment 2 to **Senate Bill 1, October 1985 Special Session** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Antaramian, Barca, Barrett, Becker, Bell, Black, Bolle, Carpenter, Clarenbach, Coggs, S., Fergus, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hauke, Hephner, Holperin, Holschbach, Hubler, Jauch,

Krug, Kunicki, Mark Lewis, Looby, Magnuson, Medinger, Menos, Metz, Neubauer, Notestein, Potter, Robinson, Rutkowski, Schneider, Seery, Shoemaker, Swoboda, Thompson, R., Vanderperren, Volk, Williams, Wineke, Young, R. and Speaker Loftus -- 45.

Noes -- Berndt, Bradley, Brist, Buettner, Byers, Clements, Coleman, Foti, Goetsch, Huelsman, Krusick, Ladwig, Larson, Lepak, Margaret Lewis, McEssy, Manske, Matty, Merkt, Musser, Nelsen, Ourada, Paulson, Plizka, Porter, Prosser, Radtke, Schmidt, Schneiders, Schober, Schultz, Tesmer, Thompson, T., Tregoning, Van Gorden, Vergeront, Walling, Weeden, Welch, Wimmer, Wood, York, Young, J. and Zeuske -- 44.

Absent or not voting -- Coggs, M., Cowles, Crawford, Johnsrud, Kasten, Panzer, Rosenzweig, Travis, D., Travis, R. and Turba -- 10.

Motion carried.

Representative T. Thompson moved that assembly amendment 2 to **Senate Bill 1**, October 1985 Special Session be taken from the table.

Speaker Loftus in the chair.

The question was: Shall assembly amendment 2 to **Senate Bill 1**, October 1985 Special Session be taken from the table?

The roll was taken.

The result follows:

Ayes -- Antaramian, Berndt, Bradley, Buettner, Byers, Clements, Coleman, Foti, Goetsch, Huelsman, Krusick, Ladwig, Larson, Lepak, Margaret Lewis, McEssy, Manske, Matty, Menos, Merkt, Musser, Nelsen, Ourada, Paulson, Plizka, Porter, Prosser, Radtke, Schmidt, Schneiders, Schober, Schultz, Thompson, T., Tregoning, Van Gorden, Vergeront, Walling, Weeden, Welch, Wimmer, Wood, York, Young, J. and Zeuske -- 44.

Noes -- Barca, Barrett, Becker, Bell, Black, Bolle, Brist, Carpenter, Clarenbach, Coggs, S., Fergus, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hauke, Hephner, Holperin, Holschbach, Hubler, Jauch, Krug, Kunicki, Mark Lewis, Looby, Magnuson, Medinger, Neubauer, Notestein, Potter, Robinson, Rutkowski, Schneider, Seery, Shoemaker, Swoboda, Tesmer, Thompson, R., Vanderperren, Volk, Williams, Wineke, Young, R. and Speaker Loftus -- 44.

Absent or not voting -- Coggs, M., Cowles, Crawford, Johnsrud, Kasten, Metz, Panzer, Rosenzweig, Travis, D., Travis, R. and Turba -- 11.

Motion failed.

Representative T. Thompson moved that **Senate Bill 1**, October 1985 Special Session be referred to the Joint Committee on Finance.

The question was: Shall **Senate Bill 1**, October 1985 Special Session be referred to the Joint Committee on Finance?

The roll was taken.

The result follows:

Ayes -- Berndt, Goetsch, Huelsman, Musser, Neubauer, Porter, Prosser, Schultz and Wood -- 9.

Noes -- Antaramian, Barca, Barrett, Becker, Bell, Black, Bolle, Bradley, Brist, Buettner, Byers, Carpenter, Clarenbach, Clements, Coggs, S., Coleman, Fergus, Foti, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hauke, Hephner, Holperin, Holschbach, Hubler, Jauch, Krug, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Looby, McEssy, Magnuson, Manske, Matty, Medinger, Menos, Merkt, Metz, Nelsen, Notestein, Ourada, Paulson, Plizka, Potter, Radtke, Robinson, Rutkowski, Schmidt, Schneider, Schneiders, Schober, Seery, Shoemaker, Swoboda, Tesmer, Thompson, R., Thompson, T., Tregoning, Vanderperren, Van Gorden, Vergeront, Volk, Walling, Weeden, Welch, Williams, Wimmer, Wineke, York, Young, J., Young, R., Zeuske and Speaker Loftus -- 80.

Absent or not voting -- Coggs, M., Cowles, Crawford, Johnsrud, Kasten, Panzer, Rosenzweig, Travis, D., Travis, R. and Turba -- 10.

Motion failed.

Representative T. Thompson moved that assembly amendment 2 to **Senate Bill 1**, October 1985 Special Session be taken from the table.

POINT OF ORDER

Representative Clarenbach rose to the point of order that the motion to take assembly amendment 2 to **Senate Bill 1**, October 1985 Special Session from the table was not proper under Assembly Rule 69 (2).

The speaker ruled the point of order not well taken.

The question was: Shall assembly amendment 2 to **Senate Bill 1**, October 1985 Special Session be taken from the table?

The roll was taken.

The result follows:

Ayes -- Berndt, Bradley, Buettner, Byers, Clements, Coleman, Foti, Goetsch, Huelsman, Krusick, Ladwig, Larson, Lepak, Margaret Lewis, McEssy, Manske, Matty, Menos, Merkt, Musser, Nelsen, Ourada, Paulson, Plizka, Porter, Prosser, Radtke, Schmidt, Schneiders, Schober, Schultz, Thompson, T., Tregoning, Van Gorden, Vergeront, Walling, Weeden, Welch, Wimmer, Wood, York, Young, J. and Zeuske -- 43.

Noes -- Antaramian, Barca, Barrett, Becker, Bell, Black, Bolle, Brist, Carpenter, Clarenbach, Coggs, S.,

Fergus, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hauke, Hephner, Holperin, Holschbach, Hubler, Jauch, Krug, Kunicki, Mark Lewis, Looby, Magnuson, Medinger, Metz, Neubauer, Notestein, Potter, Robinson, Rutkowski, Schneider, Seery, Shoemaker, Swoboda, Tesmer, Thompson, R., Vanderperren, Volk, Williams, Wineke, Young, R. and Speaker Loftus -- 46.

Absent or not voting -- Coggs, M., Cowles, Crawford, Johnsrud, Kasten, Panzer, Rosenzweig, Travis, D., Travis, R. and Turba -- 10.

Motion failed.

The question was: Shall **Senate Bill 1**, October 1985 Special Session be ordered to a third reading?

Motion carried.

Representative Becker asked unanimous consent that the rules be suspended and that **Senate Bill 1**, October 1985 Special Session be given a third reading. Granted.

The question was: **Senate Bill 1**, October 1985 Special Session having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes -- Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bolle, Bradley, Brist, Buettner, Byers, Carpenter, Clarenbach, Clements, Coggs, S., Coleman, Fergus, Foti, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hauke, Hephner, Holperin, Holschbach, Hubler, Huelsman, Jauch, Krug, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Looby, McEssy, Magnuson, Manske, Matty, Medinger, Menos, Merkt, Metz, Musser, Nelsen, Notestein, Ourada, Paulson, Plizka, Porter, Potter, Prosser, Radtke, Robinson, Rutkowski, Schmidt, Schneider, Schneiders, Schober, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, R., Thompson, T., Tregoning, Vanderperren, Van Gorden, Vergeront, Volk, Walling, Weeden, Welch, Williams, Wimmer, Wineke, York, Young, J., Young, R., Zeuske and Speaker Loftus -- 87.

Noes -- Neubauer and Wood -- 2.

Absent or not voting -- Coggs, M., Cowles, Crawford, Johnsrud, Kasten, Panzer, Rosenzweig, Travis, D., Travis, R. and Turba -- 10.

Motion carried.

Representative Becker asked unanimous consent that the rules be suspended and that **Senate Bill 1**, October 1985 Special Session be immediately messaged to the senate. Granted.

Representative T. Thompson introduced a privileged joint resolution.

Assembly Joint Resolution 1, October 1985 Special Session

Relating to the life and public service of Carl E. Steiger.

By Representatives T. Thompson, Buettner, Bradley, McEssy, Walling and all members of the assembly.

The question was: Shall **Assembly Joint Resolution 1**, October 1985 Special Session be adopted?

Motion carried.

Representative Becker asked unanimous consent that all members of the assembly be made coauthors of **Assembly Joint Resolution 1**, October 1985 Special Session. Granted.

Representative Becker asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 1**, October 1985 Special Session be immediately messaged to the senate. Granted.

Representative T. Thompson introduced a privileged joint resolution.

Assembly Joint Resolution 2, October 1985 Special Session

Relating to the life and public service of John Schneider.

By Representatives T. Thompson, Loftus, McEssy, Turba, Vanderperren, Hephner, Potter and all members of the assembly.

The question was: Shall **Assembly Joint Resolution 2**, October 1985 Special Session be adopted?

Motion carried.

Representative Becker asked unanimous consent that all members of the assembly be made coauthors of **Assembly Joint Resolution 2**, October 1985 Special Session. Granted.

Representative Becker asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 2**, October 1985 Special Session be immediately messaged to the senate. Granted.

Speaker pro tempore Clarenbach in the chair.

Representative Becker introduced a privileged joint resolution.

Assembly Joint Resolution 3, October 1985 Special Session

Relating to the final adjournment of the October 1985 special session.

By Representatives Loftus and Becker.

The question was: Shall **Assembly Joint Resolution 3**, October 1985 Special Session be adopted?

Motion carried.

Representative Becker asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 3**, October 1985 Special Session be immediately messaged to the senate. Granted.

Representative R. Thompson asked unanimous consent that the assembly adjourn in honor of Lisa Polzin who is leaving the assembly sergeant-at-arms staff. Granted.

Representative Schneiders asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Vergeront. Granted.

Representative Holschbach asked unanimous consent that the assembly adjourn in honor of the Manitowoc High School football team. Granted.

Representative Ourada asked unanimous consent that the assembly adjourn in honor of the Antigo High School football team. Granted.

Representative Ladwig asked unanimous consent that the assembly adjourn in honor of the Racine Washington Park High School football team. Granted.

Representative Wineke asked unanimous consent that the assembly adjourn in honor of the Verona High School football team. Granted.

Representative Matty asked unanimous consent that the assembly adjourn in honor of the Statue of Liberty. Granted.

Representative Gronemus asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Potter. Granted.

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 1, October 1985 Special Session

Assembly Joint Resolution 2, October 1985 Special Session

Assembly Joint Resolution 3, October 1985 Special Session

VISITORS

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

LaVon Zeman from Black River Falls and Terilyn Musser from Melrose, guests of Representative Musser.

Representative Becker moved that the assembly stand adjourned pursuant to **Assembly Joint Resolution 3**, October 1985 Special Session.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

1:35 P.M.