

STATE OF WISCONSIN

Senate Journal

1985 October Special Session

THURSDAY, October 31, 1985

11:00 A.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

United States of America
State of Wisconsin
Executive Department

A Proclamation

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, do 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 knowingly attempt to enter licensed premises, making it an offense for an underage person to knowingly attempt to enter licensed premises, 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.

In testimony whereof I have hereunto 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

The senate stood for the prayer which was offered by Reverend Larry A. Moody of Trinity Methodist Church, Madison.

The senate remained standing and Senator Roshell led the senate in the pledge of allegiance to the flag of the United States of America.

The roll was called and the following senators answered to their names:

Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasec, Lee, Lekan, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

LEAVE OF ABSENCE

By request of Senator Cullen, with unanimous consent, Senator Strohl was granted a leave of absence for the balance of today's session.

By request of Senator Cullen, with unanimous consent, the senate recessed until 11:15 A.M.

11:10 A.M.

RECESS

11:15 A.M.

The senate reconvened.

The committee on Senate Organization reports and recommends for introduction:

Senate Bill 1, Special Session

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

By request of Governor Anthony S. Earl.

Introduction:

Ayes, 5 -- Senators Cullen, Risser, Norquist, Engeleiter and Ellis;
Noes, 0 -- None.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

TIMOTHY F. CULLEN
Chair

By request of Senator Van Sistine, with unanimous consent, Senate Bill 1, Special Session was withdrawn

from committee on Labor, Business, Veterans Affairs and Insurance and taken up at this time.

**Senate Bill 1, Special Session**

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

Read a second time.

Senate amendment 1 offered by Senator Chilsen.

The question was: Adoption of senate amendment 1?

Senator Van Sistine moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 11; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Chvala, Cullen, Ellis, Feingold, George, Helbach, Kincaid, Kreul, Lasee, Lee, Lekan, Moen, Norquist, Otte, Plewa, Roshell, Rude, Theno, Ulichny and Van Sistine -- 21.

Noes -- Senators Adelman, Chilsen, Czarnecki, Davis, Engeleiter, Hanaway, Harsdorf, Lorman, McCallum, Risser and Stitt -- 11.

Absent or not voting -- Senator Strohl -- 1.

So the motion prevailed.

Senate amendment 2 offered by Senator Stitt.

The question was: Adoption of senate amendment 2?

Senator Van Sistine moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Chvala, Cullen, Czarnecki, Feingold, Helbach, Kincaid, Kreul, Lasee, Lekan, Moen, Otte, Plewa, Roshell, Rude, Theno, Ulichny and Van Sistine -- 18.

Noes -- Senators Adelman, Chilsen, Davis, Ellis, Engeleiter, George, Hanaway, Harsdorf, Lee, Lorman, McCallum, Norquist, Risser and Stitt -- 14.

Absent or not voting -- Senator Strohl -- 1.

So the motion prevailed.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

**Senate Bill 1, Special Session**

Read a third time and passed.

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly is organized and ready to proceed to the business of the October 1985 Special Session.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

By request of Senator Cullen, with unanimous consent, the senate recessed until 1:30 P.M.

11:53 A.M.

RECESS

1:30 P.M.

The senate reconvened.

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in:

**Assembly Joint Resolution 1, Special Session**

**Assembly Joint Resolution 2, Special Session**

**Assembly Joint Resolution 3, Special Session**

Concurred in:

**Senate Bill 1, Special Session**

MESSAGE FROM THE ASSEMBLY  
CONSIDERED

**Assembly Joint Resolution 1**

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.

Read.

Considered as privileged and taken up.

By request of Senator McCallum, with unanimous consent, the entire membership of the senate was made co-authors of **Assembly Joint Resolution 1, Special Session**.

Concurred in by unanimous rising vote.

**Assembly Joint Resolution 2**

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.

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Read.

Considered as privileged and taken up.

By request of Senator McCallum, with unanimous consent, the entire membership of the senate was made co-authors of **Assembly Joint Resolution 1, Special Session**.

Concurred in by unanimous rising vote.

**Assembly Joint Resolution 3**

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

By Representatives Loftus and Becker.

Read.

Concurred in.

By request of Senator McCallum, with unanimous consent, the senate adjourned in honor of Carl Steiger and John Schneider.

Upon motion of Senator Cullen the senate adjourned pursuant to **Assembly Joint Resolution 3, Special Session**.  
1:53 P.M.