

JOURNAL OF THE ASSEMBLY [November 7, 1977]

STATE OF WISCONSIN

Assembly Journal

November 1977 Special Session

MONDAY, November 7, 1977.

2:00 P.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Mark Thomas of 140 Iota Court, Madison.

Representative Becker 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, Barczak, Barry, Bear, Becker, Behnke, Bradley, Brist, Byers, Clarenbach, Coggs, Conradt, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Elconin, Ellis, Engeleiter, Everson, Ferrall, Fischer, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Harsdorf, Hasenohrl, Hauke, Hephner, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lato, Lee, Leopold, Lewis, Lewison, Lingren, Litscher, Loftus, Looby, Lorman, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Mohn, Moody, Munts, Norquist, Olson, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Schmidt, Schneider, Schricker, Shabaz, Snyder, Soucie, Swoboda, Tesmer, Thompson, Travis, Tregoning, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 96.

Absent -- None.

Absent with leave -- Ausman, Czerwinski and Murray -- 3.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 1**, November 1977 Special Session offered by Representative Rutkowski.

LEAVES OF ABSENCE

Representative Wahner asked unanimous consent for a leave of absence for today's session for Representatives Czerwinski and Murray. Granted.

Representative Thompson asked unanimous consent for a leave of absence for today's session for Representative Ausman. Granted.

EXECUTIVE COMMUNICATIONS

A Proclamation

I, Martin J. Schreiber, Acting Governor of the State of Wisconsin, pursuant to Section 11 of Article IV of the Constitution of Wisconsin, do hereby require the convening of a special session of the Legislature of the State, said special session to take place at the Capitol in Madison, on the seventh day of November, A.D., 1977, at two o'clock p.m., solely for the purpose of considering and acting upon the following specific subjects of legislative business, to wit:

To provide for changes in the law relating to the implementation of a court of appeals and making an appropriation.

To provide for eliminating the personnel functions of the Department of Administration, altering the functions of the Personnel Board, creating a Department of Employment Relations, a Division of Personnel, an Affirmative Action Council and a Personnel Commission, making diverse changes in the statutes relating to state personnel procedures, changing the award of veterans preference points in state and local civil service examination, granting rule-making authority and transferring and making appropriations.

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To provide for changes in the laws relating to operating a motor vehicle while under the influence of an intoxicant or controlled substance, suspension or revocation of an operators' license on refusal to submit to tests for being under the influence of an intoxicant or controlled substance, occupational licenses, providing penalties, and making appropriations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this eighteenth day of October in the year of Our Lord one thousand nine hundred and seventy-seven.

MARTIN J. SCHREIBER
Acting Governor

By the Acting Governor:

DOUGLAS LaFOLLETTE
Secretary of State

A Proclamation

I, Martin J. Schreiber, Acting Governor of the State of Wisconsin, under and by virtue of Section 11 of Article IV of the Constitution of Wisconsin, which provides that the Governor shall have power to convene the Legislature on extraordinary occasions, do issue this, my proclamation expanding the purposes for which the Legislature of the State shall convene at the seat of government at Madison, on the seventh day of November, A.D., 1977, at two o'clock p.m., to include, along with the consideration of the legislative business specified in my proclamation of the eighteenth day of October, A.D., 1977, the following additional subjects of legislative business, to wit:

Obtaining advice and consent to the following gubernatorial nominations for appointment:

Gordon Polder, Eau Claire, Psychology Examining Board

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Douglas Henderson, Stevens Point, Psychology
Examining Board

Mark Converse, Green Bay, Psychology Examining
Board

Changes in the state reimbursement to counties for children
who are in shelter care facilities.

Worker's compensation.

IN TESTIMONY WHEREOF, I
have hereunto set my hand and
caused the Great Seal of the State
of Wisconsin to be affixed. Done
at the Capitol in the City of
Madison this fourth day of
November in the year of Our Lord
one thousand nine hundred and
seventy-seven.

MARTIN J. SCHREIBER
Acting Governor

By the Acting Governor:
DOUGLAS LaFOLLETTE
Secretary of State

Representative Wahner introduced a privileged resolution.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Resolution 1, November 1977 Special Session
Relating to the rules of the assembly in the November 1977
special session.

By Representatives Jackamonis, Wahner and Ferrall.

The question was: Shall **Assembly Resolution 1**, November
1977 Special Session be adopted?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bear, Becker, Behnke, Brist,
Clarenbach, Coggs, Dandeneau, Dorff, Ducholm, Duren, Elconin,
Everson, Ferrall, Fischer, Flintrop, Gerlach, Groshek, Hanson.

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Hasenohrl, Hauke, Hephner, Johnson, Kincaid, Kirby, Lallensack, Lato, Lee, Leopold, Lingren, Litscher, Loftus, Looby, McClain, Medinger, Menos, Metz, Miller, Mohn, Moody, Munts, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Soucie, Swoboda, Tesmer, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 62.

Noes -- Bradley, Byers, Conradt, Day, DeLong, Donoghue, Ellis, Engeleiter, Goodrich, Gower, Gunderson, Johnston, Klicka, Lewis, Lewison, Lorman, Luckhardt, McEssy, Matty, Merkt, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Schrieker, Shabaz, Snyder, Thompson, Travis and Tregoning -- 32.

Absent or not voting -- Ausman, Czerwinski, Kedrowski and Murray -- 4.

Motion carried.

COMMITTEE REPORTS

The committee on Assembly Organization reports and recommends:

Assembly Bill ———, November 1977 Special Session

Relating to operating a motor vehicle while under the influence of an intoxicant or controlled substance, revocation of an operators' license on refusal to submit to tests for being under the influence of an intoxicant or controlled substance, occupational licenses, providing penalties, providing rule-making authority and increasing an appropriation.

Introduction: Ayes: (3) Noes: (0)

Assembly Bill ———, November 1977 Special Session

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

Introduction: Ayes: (3) Noes: (0)

Assembly Bill ———, November 1977 Special Session

Relating to shelter care reimbursement.

Introduction: Ayes: (3) Noes: (0)

ED JACKAMONIS
Chairperson

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INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1, November 1977 Special Session

Relating to operating a motor vehicle while under the influence of an intoxicant or controlled substance, revocation of an operators' license on refusal to submit to tests for being under the influence of an intoxicant or controlled substance, occupational licenses, providing penalties, providing rule-making authority and increasing an appropriation.

By Committee on Assembly Organization, by request of Acting Governor Martin J. Schreiber.

To committee on Judiciary.

Assembly Bill 2, November 1977 Special Session

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

By Committee on Assembly Organization, by request of Acting Governor Martin J. Schreiber.

To committee on Labor.

Assembly Bill 3, November 1977 Special Session

Relating to shelter care reimbursement.

By Committee on Assembly Organization, by request of Acting Governor Martin J. Schreiber.

To Joint Committee on Finance.

COMMUNICATIONS

State of Wisconsin
Elections Board
Madison

November 3, 1977

To the Honorable the Assembly:

Please be advised that James E. Harsdorf, Republican, Route 1, Beldenville, Wisconsin 54003, was elected Representative to the Assembly at the Special Election held in the 30th Assembly District on October 25, 1977.

Enclosed is a copy of the signed official canvass.

Sincerely
GERALD FERWERDA
Executive Secretary

OATH OF OFFICE

Escorted to the rostrum by Representatives Thompson and Tregoning, Representative-elect James Harsdorf was sworn in by Chief Justice Beilfuss of the Wisconsin Supreme Court.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate is organized and ready to proceed to the business of the November 1977 special session.

Representative Wahner asked unanimous consent that the assembly stand recessed until 5:00 P.M. Granted.

The assembly stood recessed.

2:35 P.M.

RECESS

5:05 P.M.

The assembly reconvened.

Representative Wahner asked unanimous consent to return to the fifth order of business. Granted.

COMMITTEE REPORTS

The Joint Committee on Finance reports and recommends:

Assembly Bill 3, November 1977 Special Session
Relating to shelter care reimbursement.

Passage: Ayes: (13) Noes: (0)

To calendar.

GARY K. JOHNSON
Assembly Chairperson

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Representative Wahner asked unanimous consent that the assembly stand recessed until 6:00 P.M. Granted.

The assembly stood recessed.

5:10 P.M.

RECESS

6:15 P.M.

The assembly reconvened.

Representative Wahner asked unanimous consent to return to the fifth order of business. Granted.

COMMITTEE REPORTS

The committee on Judiciary reports and recommends:

Assembly Bill 1, November 1977 Special Session

Relating to operating a motor vehicle while under the influence of an intoxicant or controlled substance, revocation of an operators' license on refusal to submit to tests for being under the influence of an intoxicant or controlled substance, occupational licenses, providing penalties, providing rule-making authority and increasing an appropriation.

Introduction of assembly substitute amendment 2:

Ayes: (11) Noes: (2)

Adoption of assembly substitute amendment 2:

Ayes: (12) Noes: (1)

Passage: Ayes: (12) Noes: (1)

To Joint Committee on Finance.

JAMES RUTKOWSKI
Chairperson

Representative Norquist asked unanimous consent to suspend the rules to introduce a joint resolution. Granted.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

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Assembly Joint Resolution 1, November 1977 Special Session

Relating to the life and public service of Clemens F. Michalski.

By Representative Norquist and all members of the Assembly, co-sponsored by Senator Kleczka.

Representative Norquist asked unanimous consent that the rules be suspended to take up **Assembly Joint Resolution 1, November 1977 Special Session** at this time. Granted.

The question was: Shall **Assembly Joint Resolution 1, November 1977 Special Session** be adopted?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 1, November 1977 Special Session** be immediately messaged to the senate. Granted.

Representative Thompson asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Harsdorf. Granted.

VISITORS

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

Mrs. Esther Williams from Phelps, guest of Representative Kincaid.

Randy Kaminski, Henry Rodriguez, Chris Bornhafer, Kerry Sharpe, Carol Kassel, Cindy Kassel, Fran Tropman, Steve Cook, Dana Hershey, Sue Baumann and Debbie Kulbacke from the Independent Learning Center in Milwaukee, guests of Representative Tuczynski.

Sandy Lloyd, Rotary Foreign Exchange Student, from Auckland, New Zealand, guest of Representative Schneider.

Representative Wahner moved that the assembly stand adjourned until 11:30 A.M. tomorrow.

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The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

6:25 P.M.