

JOURNAL OF THE SENATE [June 16, 1976]

June 1976 Special Session

3:45 P.M.

The senate reconvened.

Assembly Bill 2, June 1976 Special Session

AN ACT to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin state attorneys association and authorizing an expenditure of funds.

Read a second time.

Senator Sensenbrenner moved nonconcurrency in the bill.

The motion did not prevail.

Ordered to a third reading.

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

Assembly Bill 2, Special Session

Read a third time.

The ayes and noes were required and the vote was: ayes, 22; noes, 9; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Knowles, Krueger, LaFave, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Risser and Thompson -- 22.

Noes -- Senators Berger, Bidwell, Chilsen, Hollander, Lorge, Petri, Sensenbrenner, Swan and Theno -- 9.

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

So the bill was concurred in.

Senate Bill 1, Special Session

Relating to open meetings of governmental bodies and notice of collective bargaining negotiations, and providing a penalty.

Read a second time.

By request of Senator Bablitch, with unanimous consent, Senate amendments 1 and 2 were laid aside.

The question was: Adoption of senate amendment 3?

Senate amendment 1 to senate amendment 3 to Senate Bill 1, special session offered by Senate Murphy.

Senator Goyke moved rejection of senate amendment 3.

Senator Bablitch moved that senate amendment 3 be laid on the table.

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The ayes and noes were demanded and the vote was: ayes, 18; noes, 12; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan and Thompson -- 18.

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Keppler, Knowles, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 12.

Absent or not voting -- Senators Knutson and Krueger -- 2.

So the motion prevailed.

By request of Senator Frank, with unanimous consent, senate amendments 1 and 2 were withdrawn and returned to the author.

The question was: Adoption of senate amendment 4?

Senator Goyke moved that senate amendment 4 be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan and Thompson -- 17.

Noes -- Senators Bidwell, Chilsen, Cullen, Devitt, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 14.

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

So the motion prevailed.

By request of Senator Sensenbrenner, with unanimous consent, his name was substituted for Senator Swan's as the author of senate amendment 5.

The question was: Adoption of senate amendment 5?

The amendment was not adopted.

By request of Senator Swan, with unanimous consent, senate amendment 6 was withdrawn and returned to the author.

Senate amendment 7 to **Senate Bill 1**, special session offered by Senators Knowles and Chilsen.

By request of Senator Keppler, with unanimous consent, he was added as a co-author of Senate amendment 7.

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The question was adoption.

The ayes and noes were demanded and the vote was: ayes, 12; noes, 19; absent or not voting, 1; as follows:

Ayes -- Senators Bidwell, Chilsen, Hollander, Keppler, Knowles, Krueger, Lorge, Murphy, Petri, Sensenbrenner, Swan and Theno -- 12.

Noes -- Senators Bablitch, Berger, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, LaFave, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser and Thompson -- 19.

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

So the amendment was not adopted.

Senate amendment 8 to **Senate Bill 1**, special session offered by Senator Sensenbrenner.

The question was: Adoption?

The motion did not prevail.

Senate amendment 9 to **Senate Bill 1**, special session offered by Senator Theno.

By request of Senator Keppler, with unanimous consent, he was added as a co-author of senate amendment 9.

The question was adoption.

The ayes and noes were demanded and the vote was: ayes, 13; noes, 18; absent or not voting, 1; as follows:

Ayes -- Senators Bidwell, Chilsen, Cullen, Devitt, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Petri, Sensenbrenner and Theno -- 13.

Noes -- Senators Bablitch, Berger, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Risser, Swan and Thompson -- 18.

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

So the amendment was not adopted.

Senate amendment 10 to **Senate Bill 1**, special session offered by Senator Chilsen.

By request of Senator Keppler, with unanimous consent, he was added as a co-author of senate amendment 10.

The question was: Adoption?

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Senator Bablitch moved that senate amendment 10 be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan and Thompson -- 17.

Noes -- Senators Bidwell, Chilsen, Cullen, Devitt, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 14.

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

So the motion prevailed.

Senate amendment 11 to Senate Bill 1, special session offered by Senators LaFave, Keppler and Devitt.

The question was: Adoption?

Senator Bablitch moved that senate amendment 11 be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 18; noes, 13; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan and Thompson -- 18.

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 13.

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

So the motion prevailed.

Ordered to a third reading.

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

Senate Bill 1, special session

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 28; noes, 3; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler,

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Kleccka, Knowles, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Thompson -- 28.

Noes -- Senators Chilsen, Krueger and Murphy -- 3.

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

So the bill passed.

Ordered immediately messaged.

Senate Bill 3, Special Session

Relating to increasing the number of members on property assessment boards of review and decreasing the number of members required to hear assessment reviews.

Read a second time.

Ordered to a third reading.

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

Senate Bill 3, special session

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 31; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleccka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Thompson -- 31.

Noes -- None.

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

So the bill passed.

Ordered immediately messaged.

Senate Bill 6, Special Session

Relating to creating a council on migrant labor, granting rule-making authority and providing a penalty.

Read a second time.

Senate amendments 1, 2, 3, 4, 5, 6, 7 and 8 to **Senate Bill 6**, special session offered by Senator Bablitch.

Senate amendment 9 to **Senate Bill 6**, special session offered by Senators Martin and Bidwell.

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Senate amendment 10 to **Senate Bill 6**, special session offered by Senator Martin.

Senate amendment 11 to **Senate Bill 6**, special session offered by Senators Martin and Bidwell.

Senator Hollander moved that **Senate Bill 6**, special session be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 10; noes, 20; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Devitt, Hollander, Knowles, Krueger, LaFave, Lorge, Murphy, Sensenbrenner, and Theno.--10.

Noes -- Senators Bablitch, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Swan and Thompson -- 20.

Absent or not voting -- Senators Berger and Knutson -- 2.

So the motion did not prevail.

The question was: Adoption of senate amendment 1?
Adopted.

The question was: Adoption of senate amendment 2?
Adopted.

The question was: Adoption of senate amendment 3?
Adopted.

The question was: Adoption of senate amendment 4?

Senator Chilsen moved that senate amendment 4 be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Berger, Bidwell, Chilsen, Devitt, Dorman, Frank, Hollander, Keppler, Knowles, LaFave, Lorge, Murphy, Petri, Risser, Sensenbrenner, Theno and Thompson -- 17.

Noes -- Senators Bablitch, Cullen, Flynn, Goyke, Harnisch, Kleczka, Krueger, McKenna, Martin, Maurer, Morrison, Parys, Peloquin and Swan -- 14.

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

So the motion prevailed.

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Senator Kleczka in the chair.

5:10 P.M.

Senator Bablitch asked unanimous consent that senate amendments 5, 6, 7 and 8 be withdrawn and returned to the author.

Senator Swan objected.

Senate substitute amendment 1 to **Senate Bill 6**, special session offered by Senator Hollander.

President of the senate in the chair.

5:20 P.M.

Senator Swan raised the point of order that senate substitute amendment 1 was not germane.

The chair ruled the point of order well taken.

Senator Hollander appealed the ruling of the chair.

The question was: Shall the ruling of the chair stand as the decision of the senate?

The ayes and noes were required and the vote was: ayes, 16; noes, 15; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, McKenna, Maurer, Morrison, Parys, Peloquin, Risser, Swan and Thompson -- 16.

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Murphy, Petri, Sensenbrenner and Theno -- 15.

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

So the ruling of the chair was sustained.

Senator Thompson moved that senate amendment 4 be taken from the table and considered for action at this time.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Cullen, Dorman, Flynn, Goyke, Harnisch, Kleczka, Krueger, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan and Thompson -- 17.

Noes -- Senators Berger, Bidwell, Chilsen, Devitt, Frank, Hollander, Keppler, Knowles, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 14.

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

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So the motion prevailed.

The question was: Adoption of senate amendment 4?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan and Thompson -- 17.

Noes -- Senators Berger, Bidwell, Chilsen, Devitt, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 14.

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

So the amendment was adopted.

The question was: Adoption of senate amendment 5?

Adopted.

The question was: Adoption of senate amendment 6?

The ayes and noes were demanded and the vote was: ayes, 27; noes, 4; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Bidwell, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Swan, Theno and Thompson -- 27.

Noes -- Senators Berger, Chilsen, LaFave and Lorge -- 4.

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

So the amendment was adopted.

The question was: Adoption of senate amendment 7?

Senator Sensenbrenner moved rejection.

The motion prevailed.

By request of Senator Bablitch, with unanimous consent, senate amendment 8 was withdrawn and returned to the author.

By request of Senator Martin, with unanimous consent, senate amendment 9 was withdrawn and returned to the author.

The question was: Adoption of senate amendment 10?

Senator Swan moved that senate amendment 10 be laid on the table.

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The ayes and noes were demanded and the vote was: ayes, 16; noes, 15; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Goyke, Harnisch, McKenna, Maurer, Morrison, Parys, Peloquin, Risser, Sensenbrenner, Swan and Thompson -- 16.

Noes -- Senators Bidwell, Chilsen, Devitt, Frank, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Murphy, Petri and Theno -- 15.

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

So the motion prevailed.

The question was: Adoption of senate amendment 11?

Senator Swan moved that senate amendment 11 be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 16; noes, 15; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, McKenna, Maurer, Morrison, Parys, Peloquin, Risser, Swan and Thompson -- 16.

Noes -- Senators Bidwell, Devitt, Frank, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Murphy, Petri, Sensenbrenner and Theno -- 15.

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

So the motion prevailed.

Senate amendment 12 to **Senate Bill 6**, special session offered by Senator Hollander.

Senator Swan moved that senate amendment 12 be laid on the table.

The motion prevailed.

Senator Sensenbrenner raised the point of order that **Senate Bill 6**, special session was required to be referred to the joint committee on Finance.

The chair ruled the point of order not well taken.

Senate amendment 13 to **Senate Bill 6**, special session offered by Senator Kleczka.

Senator Berger moved rejection.

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The ayes and noes were demanded and the vote was: ayes, 12; noes, 19; absent or not voting, 1; as follows:

Ayes -- Senators Babiitch, Berger, Cullen, Dorman, Flynn, Goyke, Harnisch, McKenna, Peloquin, Risser, Swan and Thompson -- 12.

Noes -- Senators Bidwell, Chilsen, Devitt, Frank, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Maurer, Morrison, Murphy, Parys, Petri, Sensenbrenner and Theno -- 19.

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

So the motion did not prevail.

Senate amendment 1 to senate amendment 13 to **Senate Bill 6**, special session offered by Senator Swan.

Senator Kleczka moved rejection.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 12; absent or not voting, 1; as follows:

Ayes -- Senators Bidwell, Devitt, Frank, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner and Theno -- 19.

Noes -- Senators Babiitch, Berger, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, McKenna, Risser, Swan and Thompson -- 12.

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

So the motion prevailed.

Senate amendment 13 adopted.

Senate amendments 14 and 15 to **Senate Bill 6**, special session offered by Senator Babiitch.

By request of Senator Babiitch, with unanimous consent, senate amendment 14 was withdrawn and returned to the author.

Senate amendment 15 adopted.

Senator Sensenbrenner moved indefinite postponement of **Senate Bill 6**, special session.

The ayes and noes were demanded and the vote was: ayes, 11; noes, 20; absent or not voting, 1; as follows:

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Ayes -- Senators Bidwell, Devitt, Hollander, Knowles, Krueger, LaFave, Lorge, Murphy, Petri, Sensenbrenner and Theno -- 11.

Noes -- Senators Bablitch, Berger, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Risser, Swan and Thompson -- 20.

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

So the motion did not prevail.

The question was: Shall the bill be ordered to a third reading?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 10; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Swan and Thompson -- 21.

Noes -- Senators Bidwell, Devitt, Hollander, Knowles, Krueger, LaFave, Lorge, Murphy, Sensenbrenner and Theno -- 10.

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

So the bill was ordered to a third reading.

Senator Bablitch asked unanimous consent that the bill be considered for final action at this time.

Senator Lorge objected.

Senator Bablitch moved that the bill be considered for final action at this time.

The ayes and noes were demanded and the vote was: ayes, 21; noes, 10; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, McKenna, Martin, Maurer, Morrison, Parys, Peloquin, Petri, Risser, Swan and Thompson -- 21.

Noes -- Senators Bidwell, Devitt, Hollander, Knowles, Krueger, LaFave, Lorge, Murphy, Sensenbrenner and Theno -- 10.

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

So the motion prevailed.

Senate Bill 6, special session

Read a third time.

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The ayes and noes were demanded and the vote was: ayes, 18; noes, 13; absent or not voting, 1; as follows:

Ayes -- Senators Bablitch, Berger, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, McKenna, Maurer, Morrison, Parys, Peloquin, Risser, Swan and Thompson -- 18.

Noes -- Senators Bidwell, Chilsen, Devitt, Hollander, Knowles, Krueger, LaFave, Lorge, Martin, Murphy, Petri, Sensenbrenner and Theno -- 13.

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

So the bill passed.

Ordered immediately messaged.

By request of Senator Bablitch with unanimous consent, the Senate returned to the fourth and seventh orders of business.

COMMITTEE REPORTS

The committee on Agriculture, Human Services, Labor and Taxation reports and recommends:

Assembly Bill 1, special session

Relating to influenza immunization and making an appropriation.

Concurrence; Ayes, 9; Noes, 0.

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Assembly Bill 6, June 1976 Special Session

Relating to a revision of the alcoholism and intoxication treatment act and providing a penalty.

Concurrence; Ayes, 9; Noes, 0.

CARL W. THOMPSON
Chairman

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

Assembly Bill 4, special session

Assembly Bill 7, special session

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 4, special session

Relating to miscellaneous changes in the laws pertaining to motor vehicles which transport the handicapped.

By Committee on Assembly Organization, by request of Governor Patrick J. Lucey.

Read first time and referred to committee on Commerce.

Assembly Bill 7, special session

Relating to recodification of the mental health act and related provisions, and making appropriations.

By Committee on Assembly Organization, by request of Governor Patrick J. Lucey.

Read first time and referred to committee on Agriculture, Human Services, Labor and Taxation.

President pro tempore of the senate in the chair.

7:00 P.M.

By request of Senator Dorman, with unanimous consent, **Assembly Bills 3 and 5**, special session were withdrawn from the joint committee on Finance and referred to committee on Senate Organization.

By request of Senator Bablitch, with unanimous consent, all actions were ordered immediately messaged.

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By request of Senator Parys, with unanimous consent, **Assembly Bill 4**, special session was withdrawn from the committee on Commerce and referred to committee on Senate Organization.

AMENDMENTS OFFERED

Senate amendments 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 to **Senate Bill 4**, special session by Senators Parys and LaFave, by request of the Wisconsin Association of Nursing Homes.

Senate substitute amendment 2 to **Senate Bill 2**, special session by Senators Sensenbrenner and Parys.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Thursday, June 17.

7:03 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to: **Senate Bill 2**, special session

1. On page 1, line 3, substitute "(h)" for "(g)".
2. On page 36, line 9, substitute "11.40" for "11.04".

Relating to: **Senate Bill 4**, special session

On page 10, line 11, substitute "(g)" for "(b)".