

JOURNAL OF THE SENATE [September 26, 1977]

STATE OF WISCONSIN

# Senate Journal

Eighty-Third Regular Session

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MONDAY, September 26, 1977.

2:00 P.M.

The senate met.

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

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## LEAVE OF ABSENCE

By request of Senator Kleczka, with unanimous consent, Senator Bablitch was granted a leave of absence until 3:00 P.M.

By request of Senator Kleczka, with unanimous consent, Senator Goyke was granted a leave of absence until 3:00 P.M.

By request of Senator Kleczka, with unanimous consent, Senator Frank was granted a leave of absence for the balance of the day.

By request of Senator Kleczka, with unanimous consent, Senator Maurer was granted a leave of absence for the balance of the day.

By request of Senator Kleczka, with unanimous consent, Senator Peloquin was granted a leave of absence for the balance of the day.

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

Senators Adelman, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 28.

Absent -- None.

JOURNAL OF THE SENATE [September 26, 1977]

Absent with leave -- Senators Bablitch, Frank, Goyke, Maurer and Peloquin -- 5.

The senate stood for the prayer which was offered by Reverend Daniel Olson, Associate Minister of Bethany United Methodist Church of Madison.

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

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BILLS INTRODUCED

Read first time and referred:

**Senate Bill 569**

Relating to exempting vehicles carrying certain commodities from special weight limitations.

By Senator Adelman; cosponsored by Representative Shabaz.  
To committee on Commerce.

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COMMITTEE REPORTS

The committee on Education and Revenue reports and recommends for introduction:

**Senate Bill 570**

Relating to polling places for certain referenda conducted by school districts.

By request of the commission on State-Local Relations and Financing Policy.

Introduction:

Ayes, 4 -- Senators Goyke, Braun, Berger and Cullen;  
Noes, 1 -- Senator Sensenbrenner.

Read first time and referred to committee on Governmental and Veterans' Affairs.

**GARY GOYKE**  
Chairman

The committee on Judiciary and Consumer Affairs reports and recommends:

**BABLITCH, MARTHA**, of Stevens Point, as a member of the Public Defender Board, to serve for the term ending May 1, 1980.

**JOURNAL OF THE SENATE [September 26, 1977]**

**Confirmation:**

**Ayes, 3 -- Senators Flynn, Harnisch and Adelman;**

**Noes, 0 -- None.**

**BRENNAN, ELEANOR, of Browntown, as a member of the Public Defender Board, to serve for the term ending May 1, 1979.**

**Confirmation:**

**Ayes, 3 -- Senators Flynn, Harnisch and Adelman;**

**Noes, 0 -- None.**

**KELLY, WALTER, of Milwaukee, as a member of the Public Defender Board, to serve for the term ending May 1, 1978.**

**Confirmation:**

**Ayes, 3 -- Senators Flynn, Harnisch and Adelman;**

**Noes, 0 -- None.**

**REMINGTON, FRANK, of Madison, as a member of the Public Defender Board, to serve for the term ending May 1, 1979.**

**Confirmation:**

**Ayes, 3 -- Senators Flynn, Harnisch and Adelman;**

**Noes, 0 -- None.**

**SYKES, DONALD, of Milwaukee, as a member of the Public Defender Board, to serve for the term ending May 1, 1980.**

**Confirmation:**

**Ayes, 3 -- Senators Flynn, Harnisch and Adelman;**

**Noes, 0 -- None.**

**HERRERA, ANITA, of Racine, as a member of the Public Defender Board, to serve for the term ending May 1, 1978.**

**Confirmation:**

**Ayes, 3 -- Senators Flynn, Harnisch and Adelman;**

**Noes, 0 -- None.**

**HEIM, PATRICIA, of La Crosse, as a member of the Public Defender Board, to serve for the term ending May 1, 1978.**

**Confirmation:**

**Ayes, 3 -- Senators Flynn, Harnisch and Adelman;**

**Noes, 0 -- None.**

JOURNAL OF THE SENATE [September 26, 1977]

COFFEY, WILLIAM, of Milwaukee, as a member of the Public Defender Board, to serve for the term ending May 1, 1979.

Confirmation:

Ayes, 3 -- Senators Flynn, Harnisch and Adelman;

Noes, 0 -- None.

JAMES T. FLYNN  
Chairman

The committee on commerce reports and recommends:

**Senate Bill 305**

Relating to highway signs.

Passage:

Ayes, 7 -- Senators Parys, Berger, Swan, Goyke, Keppler, Bidwell and Petri;

Noes, 0 -- None.

**Senate Bill 356**

Relating to approval of certain driver education courses by the department of public instruction and the division of motor vehicles.

Passage:

Ayes, 7 -- Senators Parys, Berger, Swan, Goyke, Keppler, Bidwell and Petri;

Noes, 0 -- None.

**Senate Bill 375**

Relating to requiring signs indicating brands sold from automatic liquor dispensers and providing a penalty.

Passage:

Ayes, 5 -- Senators Parys, Swan, Goyke, Keppler and Bidwell;

Noes, 2 -- Senators Berger and Petri.

**Senate Bill 528**

Relating to various regulations affecting loans made by certain licensees and oral requests for information under the uniform commercial code.

Introduction and adoption of senate amendment 1:

Ayes, 7 -- Senators Parys, Berger, Swan, Goyke, Keppler, Bidwell and Petri;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Parys, Berger, Swan, Goyke, Keppler, Bidwell and Petri;

Noes, 0 -- None.

**Assembly Bill 218**

Relating to cancellation of dealerships.

Introduction and adoption of senate amendment 2:

Ayes, 7 -- Senators Parys, Berger, Swan, Goyke, Keppler,  
Bidwell and Petri;

Noes, 0 -- None.

Introduction and adoption of senate amendment 3:

Ayes, 7 -- Senators Parys, Berger, Swan, Goyke, Keppler,  
Bidwell and Petri;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 6 -- Senators Parys, Berger, Swan, Goyke, Bidwell and  
Petri;

Noes, 1 -- Senator Keppler.

**Assembly Bill 487**

Relating to miscellaneous savings and loan provisions.

Adoption of senate amendment 1:

Ayes, 7 -- Senators Parys, Berger, Swan, Goyke, Keppler,  
Bidwell and Petri;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 7 -- Senators Parys, Berger, Swan, Goyke, Keppler,  
Bidwell and Petri;

Noes, 0 -- None.

**Assembly Bill 642**

Relating to regulation of securities (suggested as remedial  
legislation by the office of the commissioner of securities).

Concurrence:

Ayes, 7 -- Senators Parys, Berger, Swan, Goyke, Keppler,  
Bidwell and Petri;

Noes, 0 -- None.

**Assembly Bill 724**

Relating to permitting banks located on land surrounded by  
outlying waters to establish bank stations within 3 miles of other  
banks or branches across the outlying waters but within the same  
municipality.

Concurrence:

Ayes, 5 -- Senators Parys, Berger, Swan, Goyke and Bidwell;

Noes, 2 -- Senators Keppler and Petri.

**Assembly Bill 803**

Relating to certain restrictions on the amount of liquor that may be sold for off-premise consumption.

Concurrence:

Ayes, 7 -- Senators Parys, Berger, Swan, Goyke, Keppler, Bidwell and Petri;

Noes, 0 -- None.

**Senate Bill 405**

Relating to strobe lights on school busses and granting rule-making authority.

Passage:

Ayes, 6 -- Senators Parys, Berger, Swan, Goyke, Keppler and Bidwell;

Noes, 1 -- Senator Petri.

**Senate Bill 438**

Relating to creating a defense and excluding evidence in an action for damages caused by a defective product.

Introduction of senate amendment 2:

Ayes, 7 -- Senators Parys, Berger, Goyke, Swan, Keppler, Bidwell and Petri;

Noes, 0 -- None.

**Senate Bill 440**

Relating to the statute of limitations for damages based upon the theory of strict liability or breach of warranty.

Introduction of senate amendment 1:

Ayes, 7 -- Senators Parys, Berger, Goyke, Swan, Keppler, Bidwell and Petri;

Noes, 0 -- None.

**Senate Bill 441**

Relating to defenses to an action based on a defective product.

Introduction of senate amendment 1:

Ayes, 7 -- Senators Parys, Berger, Goyke, Swan, Keppler, Bidwell and Petri;

Noes, 0 -- None.

**Senate Bill 445**

Relating to punitive damages in a product liability action.

Introduction of senate amendment 1:

Ayes, 7 -- Senators Parys, Berger, Goyke, Swan, Keppler, Bidwell and Petri;

Noes, 0 -- None.

**Senate Bill 528**

Relating to various regulations affecting loans made by certain licensees and oral requests for information under the uniform commercial code.

Introduction of senate amendment 3:

Ayes, 7 -- Senators Parys, Berger, Goyke, Swan, Keppler,  
Bidwell and Petri;

Noes, 0 -- None.

**RONALD G. PARYS**

Chairman

The committee on Agriculture, Aging and Labor reports and recommends:

**Senate Bill 47**

Relating to discounting tips from employer minimum wage obligations and granting rule-making authority.

Passage:

Ayes, 7 -- Senators Cullen, Radosevich, Harnisch, Morrison,  
Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

**Senate Bill 118**

Relating to the required frequency of wage payments to certain employes.

Passage:

Ayes, 7 -- Senators Cullen, Radosevich, Harnisch, Morrison,  
Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

**Senate Bill 120**

Relating to homestead tax credits.

Adoption of senate substitute amendment 1:

Ayes, 4 -- Senators Cullen, Radosevich, Harnisch and Chilsen;  
Noes, 3 -- Senators Morrison, Van Sistine and McCallum.

Passage as amended:

Ayes, 4 -- Senators Cullen, Radosevich, Harnisch, and  
Chilsen;

Noes, 3 -- Senators Morrison, Van Sistine and McCallum.

**Senate Bill 368**

Relating to membership on the council on unemployment compensation.

Passage:

Ayes, 5 -- Senators Radosevich, Harnisch, Morrison, Chilsen and McCallum;

Noes, 2 -- Senators Cullen and Van Sistine.

**Assembly Bill 475**

Relating to authorizing the department of agriculture to weigh and certify weights of grain on a user fee basis and permitting the department to cooperate with any federal agency to carry out this function.

Concurrence:

Ayes, 7 -- Senators Cullen, Radosevich, Harnisch, Morrison, Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

**Assembly Bill 693**

Relating to revising the power of the department of agriculture to slaughter diseased animals.

Concurrence:

Ayes, 7 -- Senators Cullen, Radosevich, Harnisch, Morrison, Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

**Assembly Bill 707**

Relating to labeling quality cheese.

Concurrence:

Ayes, 7 -- Senators Cullen, Radosevich, Harnisch, Morrison, Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

**Senate Joint Resolution 10**

Urging congress to tighten federal inspection of imported dairy products.

Adoption:

Ayes, 7 -- Senators Cullen, Radosevich, Harnisch, Morrison, Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

**Assembly Bill 938**

Relating to unemployment compensation and the unemployment reserve fund.



JOURNAL OF THE SENATE [September 26, 1977]

Concurrence:

Ayes, 6 -- Senators Cullen, Radosevich, Morrison, Van Sistine,  
Chilsen and McCallum;

Noes, 0 -- None.

TIM CULLEN

Chairman

The committee on Natural Resources and Tourism reports and recommends:

**Senate Bill 409**

Relating to revising sport trolling and commercial fishing laws, granting rule-making authority and providing a penalty.

Introduction and adoption of senate substitute amendment 1:

Ayes, 4 -- Senators Harnisch, Van Sistine, Murphy and  
Theno;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Harnisch, Van Sistine, Murphy and  
Theno;

Noes, 0 -- None.

**Senate Bill 544**

Relating to deer hunting by practitioners of the Winnebago religion, granting rule-making authority and providing a penalty.

Passage:

Ayes, 4 -- Senators Harnisch, Van Sistine, Murphy and  
Theno;

Noes, 0 -- None.

**Assembly Bill 576**

Relating to permitting wardens to operate department vehicles without headlights at night for law enforcement.

Nonconcurrency:

Ayes, 2 -- Senators Murphy and Theno;

Noes, 2 -- Senators Harnisch and Van Sistine.

Concurrence:

Ayes, 2 -- Senators Harnisch and Van Sistine;

Noes, 2 -- Senators Murphy and Theno.

Without recommendation.

TOM HARNISCH

Chairman

JOURNAL OF THE SENATE [September 26, 1977]

The joint committee on Finance reports and recommends:

**Senate Bill 500**

An act to appropriate \$8,491.59 from the general fund for payment of a claim made by Dane county against the state.

Passage:

Ayes, 13 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen and Representatives Johnson, Otte, Roberts, Lingren, Norquist and Kirby.

Noes, 0 -- None.

**Senate Bill 501**

An act to appropriate \$1,260.76 from the general fund for payment of a claim made by Dodge county against the state.

Passage:

Ayes, 13 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen and Representatives Johnson, Otte, Roberts, Lingren, Norquist and Kirby.

Noes, 0 -- None.

**Senate Bill 502**

An act to appropriate \$5,033.86 from the general fund for payment of a claim made by Milwaukee county against the state.

Passage:

Ayes, 13 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen and Representatives Johnson, Otte, Roberts, Lingren, Norquist and Kirby.

Noes, 0 -- None.

**Senate Bill 490**

Relating to regulating waterfowl hunting blinds on state property, granting rule-making authority and providing a penalty.

Passage:

Ayes, 13 -- Senators Dorman, Kleczka, McKenna, Morrison, Maurer, Peloquin and Chilsen and Representatives Johnson, Otte, Roberts, Lingren, Norquist and Kirby.

Noes, 0 -- None.

HENRY DORMAN  
Chairman

JOURNAL OF THE SENATE [September 26, 1977]

The committee on Human Services reports and recommends:

**Assembly Bill 513**

Relating to restitution if a child is adjudged delinquent.

Concurrence:

Ayes, 5 -- Senators Thompson, Offner, Van Sistine, Braun and Petri;

Noes, 0 -- None.

CARL W. THOMPSON  
Chairman

The committee on Judiciary and Consumer Affairs reports and recommends:

**Senate Bill 414**

Relating to reporting of child abuse, mental injury or neglect and providing a penalty.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and Murphy;

Noes, 0 -- None.

Introduction and adoption of senate amendment 2:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and Murphy;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Flynn, Frank, Harnisch, Adelman and Murphy;

Noes, 0 -- None.

JAMES T. FLYNN  
Chairman

The committee on Governmental and Veterans' Affairs reports and recommends:

**FERRALL, RUSSELL**, of Shawano, as a member of the Wisconsin Arts Board, to succeed himself, to serve for the term ending May 1, 1979.

Confirmation:

Ayes, 5 -- Senators Swan, Adelman, Braun, Lasee and Offner;

Noes, 0 -- None.

JOURNAL OF THE SENATE [September 26, 1977]

**BERGAN, HAROLD**, of Madison, as Administrator of the Division of Emergency Government, to succeed Ronald SanFelippo, resigned, to serve for the term ending at the pleasure of the Governor.

**Confirmation:**

Ayes, 5 -- Senators Swan, Adelman, Braun, Lasee and Offner;  
Noes, 0 -- None.

**TOUSSAINT, CAROL**, of Madison, as Secretary of the Department of Local Affairs and Development, to succeed William Bechtel, resigned, to serve for the term ending at the pleasure of the Governor.

**Confirmation:**

Ayes, 5 -- Senators Swan, Adelman, Braun, Lasee and Offner;  
Noes, 0 -- None.

**SKORNICKA, JOEL L.**, of Madison, as a member of the Wisconsin Arts Board, to succeed himself, to serve for the term ending May 1, 1979.

**Confirmation:**

Ayes, 5 -- Senators Swan, Adelman, Braun, Lasee and Offner;  
Noes, 0 -- None.

**FINUCAN, REVEREND J. THOMAS**, of La Crosse, as a member of the Wisconsin Arts Board, to succeed Leslie Paffrath, resigned, to serve for the term ending May 1, 1977 and for a full term ending May 1, 1980.

**Confirmation:**

Ayes, 5 -- Senators Swan, Adelman, Braun, Lasee and Offner;  
Noes, 0 -- None.

**Senate Bill 222**

Relating to removal of certain local elective officers by recall election.

Introduction and adoption of senate amendment 2:

Ayes, 5 -- Senators Swan, Adelman, Braun, Lasee and Offner;  
Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Swan, Adelman, Braun, Lasee and Offner;  
Noes, 0 -- None.

JOURNAL OF THE SENATE [September 26, 1977]

**Assembly Bill 764**

Relating to authorizing cities of the 1st class to adopt executive budget procedures.

Concurrence:

Ayes, 5 -- Senators Swan, Adelman, Braun, Lasee and Offner;  
Noes, 0 -- None.

**Senate Bill 286**

Relating to regulation of lobbying, granting rule-making authority, providing penalties and making appropriations.

Introduction and adoption of senate amendment 1:

Ayes, 3 -- Senators Offner, Lasee and Adelman;  
Noes, 2 -- Senators Swan and Braun.

Introduction and adoption of senate amendment 2:

Ayes, 4 -- Senators Swan, Offner, Lasee and Braun;  
Noes, 1 -- Senator Adelman.

Introduction and adoption of senate amendment 3:

Ayes, 4 -- Senator Offner, Lasee, Braun and Adelman;  
Noes, 1 -- Senator Swan.

Passage as amended:

Ayes, 4 -- Senators Offner, Lasee, Braun and Adelman;  
Noes, 1 -- Senator Swan.

MONROE SWAN

Chairman

The committee on Senate Organization reports and recommends for introduction:

**Senate Resolution 12**

Relating to further consideration of matters pending in the senate.

Introduction:

Ayes, 4 -- Senators Risser, Krueger, Kleczka and  
Sensenbrenner;  
Noes, 0 -- None.

FRED A. RISSER

Chairman

**Senate Resolution 12**

Read.

Considered as privileged.

Adopted.

## JOURNAL OF THE SENATE [September 26, 1977]

The committee on Senate Organization, acting under Senate Rule 20(1) reports and recommends the following nominations to the committee for appointment by the Senate:

To the Joint Committee for Review of Administrative Rules, pursuant to section 13.56(1) Wisconsin Statutes Senator Radosevich.

FRED A. RISSER  
Chairman

The question was: Adoption of the committee report?  
Adopted.

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### CALENDAR OF SEPTEMBER 26

#### **Assembly Bill 96**

Relating to a general "good Samaritan" law.

The question was: Adoption of the conference committee report?

The ayes and noes were required and the vote was: ayes, 27; noes, 0; absent or not voting, 6; as follows:

Ayes -- Senators Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 27.

Noes -- None.

Absent or not voting -- Senators Adelman, Bablitch, Frank, Goyke, Maurer and Peloquin -- 6.

So the conference report was adopted.

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### PETITIONS AND COMMUNICATIONS

#### **Senate Petition 105**

A petition by 76 residents of the State of Wisconsin in opposition to Assembly Bill 321, relating to prohibiting and restricting state and local abortion subsidies.

By Senator Thompson.

Read and referred to the committee on Human Services.

JOURNAL OF THE SENATE [September 26, 1977]

**Senate Petition 106**

A petition by 18 residents of the State of Wisconsin in opposition to Senate Bill 117, relating to exempting the Young Women's Christian Association from day care licensing, and Senate Bill 263, relating to licensing of day care centers.

By Senator Thompson.

Read and referred to the committee on Human Services.

**Senate Petition 107**

A petition by 299 residents of the State of Wisconsin in support of Assembly Bill 659, relating to transportation of pupils in areas of unusual hazard.

By Senator Offner.

Read and referred to the committee on Education and Revenue.

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EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

September 21, 1977.

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Chapter No.	Date Approved
73 -----	102 -----	September 21, 1977
133 -----	103 -----	September 21, 1977
290 -----	104 -----	September 21, 1977

Sincerely,  
MARTIN J. SCHREIBER  
Governor

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CALENDAR OF SEPTEMBER 26

**BERGAN, HAROLD**, of Madison, as Administrator of the Division of Emergency Government, to succeed Ronald SanFelippo, resigned, to serve for the term ending at the pleasure of the Governor.

Read

**JOURNAL OF THE SENATE [September 26, 1977]**

**FERRALL, RUSSELL**, of Shawano, as a member of the Wisconsin Arts Board, to succeed himself, to serve for the term ending May 1, 1979.

Read.

**FINUCAN, REVEREND J. THOMAS**, of La Crosse, as a member of the Wisconsin Arts Board, to succeed Leslie Paffrath, resigned, to serve for the term ending May 1, 1977 and for a full term ending May 1, 1980.

Read.

**SKORNICKA, JOEL L.**, of Madison, as a member of the Wisconsin Arts Board, to succeed himself, to serve for the term ending May 1, 1979.

Read.

**TOUSSAINT, CAROL**, of Madison, as Secretary of the Department of Local Affairs and Development, to succeed William Bechtel, resigned, to serve for the term ending at the pleasure of the Governor.

Read.

By request of Senator Kleczka, with unanimous consent, the above appointments were considered enmasse.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 28; noes, 0; absent or not voting, 5; as follows:

Ayes -- Senators Adelman, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 28.

Noes -- None.

Absent or not voting -- Senators Bablitch, Frank, Goyke, Maurer and Peloquin -- 5.

So the appointments were confirmed.



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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 544**  
**Assembly Bill 564**  
**Assembly Bill 588**  
**Assembly Bill 620**  
**Assembly Bill 688**  
**Assembly Bill 794**  
**Assembly Bill 432**  
**Assembly Bill 149**  
**Assembly Bill 659**  
**Assembly Bill 383**  
**Assembly Bill 486**

Concurred in:

**Senate Bill 224**  
**Senate Bill 559**  
**Senate Joint Resolution 42**  
**Senate amendment 1 to Assembly Bill 100**  
**Senate amendment 11 to Assembly Bill 100**  
**Senate substitute amendment 1 to Assembly Bill 464**  
**Senate substitute amendment 1 to Assembly Bill 495**  
**Senate amendment 1 to Assembly Bill 726**

Adopted and asks concurrence in:

Motions Under Joint Rule 7:

A joint certificate of commendation by Representative Everson; cosponsored by Senator McKenna for DAVID G. FREDERICK on the occasion of being named "Wisconsin Fire Fighter of the Year".

A joint certificate of commendation by Representative Snyder; cosponsored by Senator Adelman for the OCONOMOWOC AMERICAN LEGION SENIOR CONCERT BAND on the occasion of winning first place in competition.

A joint certificate of congratulations by Representatives Medinger and Roberts; cosponsored by Senator Offner for E. CARL SCHAMS on the occasion of being named LaCrosse County's Outstanding Forester for 1977.

JOURNAL OF THE SENATE [September 26, 1977]

A joint certificate of congratulations by Representative Kedrowski; cosponsored by Senator Theno for W. PATRICK DONLIN on the occasion of his election as Knights of Columbus State Deputy.

A joint certificate of commendation by Representatives Day and McClain; cosponsored by Senator Chilsen for NICK ROCHON on the occasion of his recent acts of heroism.

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 544**

Relating to transfer of registration plates for automobiles and certain motor trucks.

By Representatives Groshek, Vanderperren, Mohn, Hasenohrl, Litscher, Lewison, Murray, Thompson, Lallensack, Andrea and Rogers.

Read first time and referred to committee on Commerce.

**Assembly Bill 564**

Relating to appointing the head of the county auditing department.

By Representatives Wahner, Barczak, Ward, Pabst, Menos and Cogs, cosponsored by Senator Braun, by request of Milwaukee County.

Read first time and referred to committee on Governmental and Veterans Affairs.

**Assembly Bill 588**

Relating to authorizing county referenda.

By Representatives Clarenbach, Rooney, Munts, Bear, Schricker, Barry, Loftus and Jackamonis, cosponsored by Senator Dorman.

Read first time and referred to committee on Governmental and Veterans Affairs.

**Assembly Bill 620**

Relating to publication of notice to cut noxious weeds.

By Representatives Roth, Conradt and Ellis.

Read first time and referred to committee on Natural Resources and Tourism.

**Assembly Bill 688**

Relating to permitting cities and villages to bond senior citizen centers without referendum.

JOURNAL OF THE SENATE [September 26, 1977]

By Representatives Lallensack, Vanderperren, Swoboda, Dandeneau, Menos, Roberts, Wood, Hasenohrl, Tesmer, Potter and Litscher.

Read first time and referred to committee on Governmental and Veterans Affairs.

**Assembly Bill 794**

Relating to creating a wetlands protection council, establishing a wetlands protection program, granting rule-making authority, making an appropriation and providing a penalty.

By Representatives Soucie, Dandeneau, Hasenohrl, Byers, Lewis, Loftus, Metz, Miller, Wahner and Munts.

Read first time and referred to committee on Natural Resources and Tourism.

**Assembly Bill 432**

Relating to establishing a nongame, threatened and endangered species conservation program in the department of natural resources, granting rule-making authority, providing penalties and making an appropriation.

By Representatives Loftus, Wahner, Munts, Dandeneau, Metz, Kedrowski, Fischer, Lorman, Soucie, Barry, Bear, Hasenohrl, McClain, Kirby, Medinger, Flintrop and Lee, cosponsored by Senators Berger, Risser and Thompson.

Read first time and referred to committee on Natural Resources and Tourism.

**Assembly Bill 149**

Relating to photographs on drivers' licenses, elimination of "race" from drivers' licenses, alteration of the license renewal period and license fees, authorizing issuance of an identification card, granting rule-making authority and making an appropriation.

By Representatives Vanderperren, Groshek, Metz, Day, Lallensack, Rooney, Swoboda, Conradt, Lewison, Menos, Bradley, Schricker and Murray, cosponsored by Senators VanSistine, Martin, Berger and Parys.

Read first time and referred to committee on Commerce.

**Assembly Bill 659**

Relating to transportation of pupils in areas of unusual hazard.

By Representative Dandeneau, cosponsored by Senator Dorman.

Read first time and referred to committee on Education and Revenue.

**Assembly Bill 383**

Relating to the effects of zoning and deed covenants on community living arrangements.

By Legislative Council.

Read first time and referred to committee on Human Services.

**Assembly Bill 486**

Relating to establishing an employment program for the developmentally disabled, granting rule-making authority and increasing an appropriation.

By Representatives Dandeneau, Wahner and Lingren, cosponsored by Senator Maurer.

Read first time and referred to committee on Agriculture, Aging and Labor.

**Motions Under Joint Rule 7:**

A joint certificate of commendation by Representative Everson; cosponsored by Senator McKenna for DAVID G. FREDERICK on the occasion of being named "Wisconsin Fire Fighter of the Year".

A joint certificate of commendation by Representative Snyder; cosponsored by Senator Adelman for the OCONOMOWOC AMERICAN LEGION SENIOR CONCERT BAND on the occasion of winning first place in competition.

A joint certificate of congratulations by Representatives Medinger and Roberts; cosponsored by Senator Offner for E. CARL SCHAMS on the occasion of being named LaCrosse County's Outstanding Forester for 1977.

A joint certificate of congratulations by Representative Kedrowski; cosponsored by Senator Theno for W. PATRICK DONLIN on the occasion of his election as Knights of Columbus State Deputy.

A joint certificate of commendation by Representatives Day and McClain; cosponsored by Senator Chilsen for NICK ROCHON on the occasion of his recent acts of heroism.

The above motions under joint rule 7 were read and concurred in enmasse.

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CALENDAR OF SEPTEMBER 26

**Assembly Bill 702**

Relating to special license plates for holders of amateur radio station licenses.

The question was: Concurrence in assembly amendment 1 to senate amendment 1?

Senator Sensenbrenner moved nonconcurrency.

The motion prevailed.

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MOTIONS UNDER SENATE RULE 97

A certificate of commendation by Senator Swan for MICHAEL HOLT on the occasion of Community Pride Expo for his efforts to strengthen the Milwaukee Black community.

Read and adopted.

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MOTIONS UNDER JOINT RULE 7

A joint certificate of congratulations by Senator Dorman; cosponsored by Representatives Dandeneau, Ferrall and Rooney for MR. KEITH GANZEL on the occasion of his citation by the Racine Journal Times.

A joint certificate of commendation by Senator Petri; cosponsored by Representative Hephner for GILBERT J. HIPKE on the occasion of his long career of leadership and service.

The above motions under joint rule 7 were read and adopted enmasse.

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CALENDAR OF SEPTEMBER 26

**Senate Joint Resolution 10**

Urging congress to tighten federal inspection of imported dairy products.

Read and adopted.

**Senate Bill 120**

Relating to homestead tax credits.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 120** was referred to the joint committee on Finance.

**Senate Bill 286**

Relating to regulation of lobbying, granting rule-making authority, providing penalties and making appropriations.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 286** was referred to the joint committee on Finance.

**Senate Bill 328**

Relating to the establishment and operation of a foster grandparent program under the department of health and social services, granting rule-making authority and making an appropriation.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 328** was referred to the joint committee on Finance.

**Senate Bill 355**

Relating to indigent persons' right to counsel in paternity actions.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 355** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 355** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 355** offered by Senator Flynn.

Senate amendment 1 adopted.

The question was: Adoption of senate substitute amendment 1?

Senator Sensenbrenner asked unanimous consent that **Senate Bill 355** be referred to the joint committee on Finance.

Senator Flynn objected.

JOURNAL OF THE SENATE [September 26, 1977]

Senator Sensenbrenner moved that **Senate Bill 355** be referred to the joint committee on Finance.

The ayes and noes were demanded and the vote was: ayes, 25; noes, 3; absent or not voting, 5; as follows:

Ayes -- Senators Adelman, Berger, Bidwell, Braun, Chilsen, Dorman, Flynn, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Petri, Radosevich, Risser, Sensenbrenner, Theno and Van Sistine -- 25.

Noes -- Senators Cullen, Swan and Thompson -- 3.

Absent or not voting -- Senators Bablitch, Frank, Goyke, Maurer and Peloquin -- 5.

So the motion prevailed.

**Senate Bill 356**

Relating to approval of certain driver education courses by the department of public instruction and the division of motor vehicles.

Read a second time.

Senate amendment 1 to **Senate Bill 356** offered by Senator Parys.

Senate amendment 1 adopted.

Ordered to a third reading.

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

**Senate Bill 356**

Read a third time and passed.

**Senate Bill 397**

Relating to permits to sell drugs and medicines.

Read a second time.

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

Ordered to a third reading.

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

**Senate Bill 397**

Read a third time and passed.

JOURNAL OF THE SENATE [September 26, 1977]

**Senate Bill 497**

An act to appropriate \$17,401.34 from the transportation fund for payment of a claim made by James Cape and Sons Company against the state.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 497**

Read a third time.

The ayes and noes were required and the vote was: ayes, 22; noes, 6; absent or not voting, 5; as follows:

Ayes -- Senators Adelman, Braun, Chilsen, Cullen, Dorman, Flynn, Harnisch, Keppler, Kleczka, Krueger, Lasee, McKenna, Morrison, Murphy, Offner, Parys, Radosevich, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 22.

Noes -- Senators Berger, Bidwell, Lorge, McCallum, Petri and Risser -- 6.

Absent or not voting -- Senators Bablitch, Frank, Goyke, Maurer and Peloquin -- 5.

So the bill passed.

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LEAVE OF ABSENCE

By request of Senator Kleczka, with unanimous consent, Senators Bablitch and Goyke were granted a leave of absence until 4:00 P.M.

**Senate Bill 498**

An act to appropriate \$2,787.88 from the general fund for payment of a claim made by the county and town of Menominee against the state.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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



JOURNAL OF THE SENATE [September 26, 1977]

**Senate Bill 498**

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 2; absent or not voting, 4; as follows:

Ayes -- Senators Adelman, Braun, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 27.

Noes -- Senators Berger and Bidwell -- 2.

Absent or not voting -- Senators Bablitch, Frank, Maurer and Peloquin -- 4.

So the bill passed.

**Senate Bill 499**

An act to appropriate \$1,958.71 from the general fund for payment of a claim made by Ann Reynolds against the state.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 499**

Read a third time.

The ayes and noes were required and the vote was: ayes, 25; noes, 4; absent or not voting, 4; as follows:

Ayes -- Senators Adelman, Braun, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lorge, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 25.

Noes -- Senators Berger, Bidwell, Lasee and Petri -- 4.

Absent or not voting -- Senators Bablitch, Frank, Maurer and Peloquin -- 4.

So the bill passed.

**Senate Bill 500**

An act to appropriate \$8,491.59 from the general fund for payment of a claim made by Dane county against the state.

Read a second time.

Ordered to a third reading.

JOURNAL OF THE SENATE [September 26, 1977]

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

**Senate Bill 500**

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 1; absent or not voting, 4; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 28.

Noes -- Senator Berger -- 1.

Absent or not voting -- Senators Frank, Krueger, Maurer and Peloquin -- 4.

So the bill passed.

**Senate Bill 501**

An act to appropriate \$1,260.76 from the general fund for payment of a claim made by Dodge county against the state.

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 501**

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 1; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 29.

Noes -- Senator Berger -- 1.

Absent or not voting -- Senators Frank, Maurer and Peloquin -- 3.

So the bill passed.

**Senate Bill 502**

An act to appropriate \$5,033.86 from the general fund for payment of a claim made by Milwaukee county against the state.

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 502**

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 1; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 29.

Noes -- Senator Berger -- 1.

Absent or not voting -- Senators Frank, Maurer and Peloquin -- 3.

So the bill passed.

**Senate Bill 503**

An act to appropriate \$11,050 from the general fund for payment of a claim made by A. D. and Gloria Jackson against the state.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 503**

Read a third time.

The ayes and noes were required and the vote was: ayes, 24; noes, 6; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Braun, Chilsen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lorge, McKenna, Morrison, Murphy, Offner, Parys, Petri, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine -- 24.

## JOURNAL OF THE SENATE [September 26, 1977]

Noes -- Senators Berger, Bidwell, Cullen, Lasee, McCallum and Sensenbrenner -- 6.

Absent or not voting -- Senators Frank, Maurer and Peloquin -- 3.

So the bill passed.

### **Senate Bill 543**

An act to repeal, renumber, amend and create various provisions of the statutes and session laws for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of departments and officers, correcting and clarifying references, renumbering for better location, eliminating duplications and unnecessary and obsolete provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

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 543**

Read a third time and passed.

### **Assembly Bill 475**

Relating to authorizing the department of agriculture to weigh and certify weights of grain on a user fee basis and permitting the department to cooperate with any federal agency to carry out this function.

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.

### **Assembly Bill 475**

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 30.

JOURNAL OF THE SENATE [September 26, 1977]

Noes -- None.

Absent or not voting -- Senators Frank, Maurer and Peloquin --

3.

So the bill was concurred in.

**Assembly Bill 764**

Relating to authorizing cities of the 1st class to adopt executive budget procedures.

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.

**Assembly Bill 764**

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Offner, Parys, Petri, Radosovich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 30.

Noes -- None.

Absent or not voting -- Senators Frank, Maurer and Peloquin --

3.

So the bill was concurred in.

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STATEMENT OF POSITION

Pursuant to senate rule 74, the journal showed that had Senator Goyke been present he would have voted as follows on the measures enumerated below:

Aye for confirmation of the following appointments:

Harold Bergan  
Russell Ferrall  
Reverend J. Thomas Finucan  
Joel S. Skornicka  
Carol Toussaint

JOURNAL OF THE SENATE [September 26, 1977]

Aye for adoption of the conference committee report on Assembly Bill 96.

Aye for passage of Senate Bill 497.

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

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INTRODUCTION OF RESOLUTIONS

**Senate Joint Resolution 53**

Memorializing Congress to investigate the grain market and grain monopolies and to guarantee small family farms an honest return.

By Senators McKenna, Cullen, Thompson, Adelman, Morrison, Radosevich, Offner and Harnisch; cosponsored by Representatives Hanson, Mohn, Potter, Brist and Medinger.

Read and referred to committee on Agriculture, Aging and Labor.

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BILLS INTRODUCED

Read first time and referred:

**Senate Bill 571**

Relating to confidential medical records of deceased persons.

By Senators Lorge and Cullen; cosponsored by Representative Gerlach, by request of Bernard H. Kemps, Secretary-Treasurer of the Wisconsin Coroners' Association.

To committee on Judiciary and Consumer Affairs.

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COMMITTEE REPORTS

The committee on Human Services reports and recommends for introduction:

**Senate Bill 572**

Relating to creating a child development coordinating board, granting rule-making authority and making an appropriation.

By request of the Task Force on Coordination of Services to Children and Families.

Introduction:

Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;

Noes, 0 -- None.

Read first time and referred to committee on Human Services.

CARL W. THOMPSON  
Chairman

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

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AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 362** by Senator Parys.

Senate amendment 2 to **Senate Bill 362** by Senator Berger.

Senate amendment 3 to **Senate Bill 414** by Senator Lorge, by request of Thomas F. Schmitt of New London, Wisconsin.

Senate amendments 1, 2 and 3 to assembly substitute amendment 2 to **Senate Bill 15** by Senator Sensenbrenner.

Senate amendment 3 to **Senate Bill 362** by Senator Kleczka.

Senate amendment 4 to **Assembly Bill 218** by Senator Chilsen.

Senate amendments 5, 6 and 7 to **Assembly Bill 664** by Senator Sensenbrenner.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Tuesday, September 27.

4:04 P.M.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to engrossed assembly substitute amendment 2 to **Senate Bill 15**:

1. On page 7, line 11, substitute "The" for "Upon".
2. On page 7, delete lines 24, 25 and 26.
3. On page 8, delete line 1 and delete "mediator-arbitrator and the commission." in line 2.

Relating to **Senate Bill 516**:

On page 27, lines 23 and 24, substitute "competent" for "competitive".

Relating to senate substitute amendment 2 to **Senate Bill 516**:

On page 9, line 15, substitute "to the" for the first "and".

Relating to **Assembly Bill 432**:

In engrossing 1977 Assembly Bill 432, the following corrections were made:

1. In assembly amendment 10, substitute "(3)" for "(2)" on page 1, line 10.
2. In assembly amendment 28, the words "to another to a habitat located" in lines 4 to 5 were corrected by substituting, in agreement with the handwritten manuscript draft on file in the legislative reference bureau, the words "to another appropriate habitat, preferably to a habitat located".
3. In assembly amendment 33, before "The" in line 2, insert "(c)".