

JOURNAL OF THE SENATE [March 2, 1978]

STATE OF WISCONSIN

Senate Journal

Eighty-Third Regular Session

THURSDAY, March 2, 1978.

9:00 A.M.

The senate met.

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

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

Absent -- None.

Absent with leave -- Senators Berger, Krueger and Thompson -- 3.

The senate stood for the prayer which was offered by Reverend William Koehler, Senior Minister of Lake Edge United Church of Christ, Madison.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 716

Relating to exempting military retirement pay from the income tax.

By Senators Krueger and Frank.

To Joint Survey Committee on Tax Exemptions.

Senate Bill 717

Relating to increasing the limit on unsecured loans by banks to officers and employees from \$2,500 to \$10,000.

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By Senator Bidwell.
To committee on Commerce.

Senate Bill 718

Relating to rate structures of public utilities supplying gas and electricity and providing a penalty.

By Senators Braun, Berger, Lorge, McKenna, Parys, Bablitch, Thompson and Risser co-sponsored by Representatives Becker, Andrea, Cogs, Norquist, Czerwinski and Tuczynski.

To committee on Governmental and Veterans' Affairs.

Senate Bill 719

Relating to inspection of employe records by employe.

By Senators Chilsen and Maurer.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

Senate Bill 197

Relating to licensure of social workers, creating a social workers examining board, granting rule-making authority, making an appropriation and providing penalties.

Rejection of senate amendment 1 to senate substitute amendment 1:

Ayes, 9 -- Senators Dorman, Morrison, Maurer, Peloquin, Chilsen and McKenna, Representatives Roberts, Lingren and Quackenbush.

Noes, 5 -- Senator Kleczka, Representatives Johnson, Otte, Norquist and Kirby.

Adoption of senate substitute amendment 1:

Ayes, 12 -- Senators Dorman, McKenna, Maurer, Peloquin and Chilsen, Representatives Johnson, Otte, Roberts, Lingren, Norquist, Kirby and Quackenbush

Noes, 2 -- Senators Kleczka and Morrison.

Passage as amended:

Ayes, 12 -- Senators Dorman, Kleczka, McKenna, Maurer, Peloquin and Chilsen, Representatives Otte, Roberts, Lingren, Norquist, Kirby and Quackenbush.

Noes, 2 -- Senator Morrison, Representative Johnson.

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Senate Bill 401

Relating to gift tax on interspousal transfers of property.

Passage:

Ayes, 12 -- Senators Dorman, McKenna, Morrison, Maurer and Chilsen, Representatives Johnson, Otte, Roberts, Lingren, Norquist, Kirby and Quackenbush.

Noes, 0 -- None.

Senate Bill 413

Relating to creating a council on and establishing a program for gifted and talented pupils, making appropriations and granting rule-making authority.

Adoption of senate amendment 1:

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

Noes, 0 -- None.

Indefinite postponement:

Ayes, 8 -- Senators Kleczka and Morrison, Representatives Johnson, Otte, Roberts, Norquist, Kirby and Quackenbush.

Noes, 6 -- Senators Dorman, McKenna, Maurer, Peloquin and Chilsen; Representative Lingren.

HENRY DORMAN

Chairman

The committee on Commerce reports and recommends for introduction:

Assembly Bill 765

Relating to permitting opticians and optometrists to advertise the cost of eyeglasses and contact lenses.

Introduction of senate amendment 1 to senate substitute amendment 1:

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

Noes, 0 -- None.

RONALD G. PARYS

Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 163

A petition by 1,664 residents of the 25th Senate District in support of Senate Bill 629, relating to registration of certain trailers and semitrailers.

By Senator Theno.

Read and referred to joint committee on Finance.

Senate Petition 164

A petition by 12 residents of the State of Wisconsin in opposition to Assembly Bill 796, relating to exempting cleansing and beautifying work on the face from the definition of cosmetology.

By Senator Thompson.

Read and referred to committee on Human Services.

Senate Petition 165

A petition by 59 residents of the state of Wisconsin in support of Assembly Bill 802, relating to increasing benefits for early retirement of teachers.

By Senator Thompson.

Read and referred to committee on Education and Revenue.

Senate Petition 166

A petition in the form of a resolution by the Pierce County Farmers Union recommending changes in the Wisconsin Farmland Preservation Act, a moratorium on the construction of nuclear power plants and changes in the federal law prohibiting automatic shut-off nozzles on self-service gasoline pumps.

By Senator Radosevich.

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

Senate Petition 167

A petition by 410 residents of the state of Wisconsin in support of Senate Bill 629, relating to registration of certain trailers and semitrailers.

By Senator Theno.

Read and referred to joint committee on Finance.

Senate Petition 168

A petition by 47 residents of the State of Wisconsin in support of Senate Joint Resolution 55.

By Senator Lorge.

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

RULING OF THE CHAIR

On Thursday, February 23, 1978, Senator Braun moved reconsideration of the vote by which senate amendment 3 to Senate Bill 324 was adopted.

At the time the reconsideration motion was made, the question before the Senate was: Shall Senate Bill 324 be referred to the committee on Commerce?

Senator Bablitch raised the point of order that the motion to refer to committee should take precedence over the motion to reconsider the amendment.

Senate Rule 67(6) states that "reconsideration of amendments...shall have the same priority as to order of action as to amend under rule 63."

Since a motion to refer is listed before a motion to amend under Senate Rule 63, the point of order raised by Senator Bablitch is well taken and the question before the Senate is: Shall Senate Bill 324 be referred to the committee on Commerce?

FRED A. RISSER

President Pro Tempore

By request of Senator Bablitch, with unanimous consent, **Senate Bill 324** was placed at the foot of the calendar.

Senator Kleczka objected.

By request of Senator Kleczka, with unanimous consent, he withdrew his objection.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

February 28, 1978.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint E. Gordon Young, of Madison, as a member of the Transportation

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Commission, to succeed John Fuller, resigned, to serve for the term ending March 1, 1979.

Sincerely,
MARTIN J. SCHREIBER
Governor

Read and referred to committee on Commerce.

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 220
Assembly Bill 612
Assembly Bill 722
Assembly Bill 940
Assembly Bill 1103
Assembly Bill 606
Assembly Bill 1044
Assembly Bill 1223

Adopted and asks concurrence in:

Assembly Joint Resolution 75

Concurred in:

Assembly Bill 458, senate amendment 1
Assembly Bill 458, senate amendment 2
Assembly Bill 519, senate amendments 2, 3, 4, 5, 6, and 8
Assembly Bill 593, senate substitute amendment 1
Senate Bill 94
Assembly Bill 468, senate amendment 2

Nonconcurrent in:

Assembly Bill 468, senate amendment 1
Assembly Bill 523, senate amendment 1

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MOTIONS UNDER JOINT RULE 7:

A joint certificate of congratulations by Representative Thompson; co-sponsored by Senator Bidwell for JACK WHIRRY on his selection for the Natural Future Farmers of America Hall of Honors;

A joint certificate of congratulations by Representative Thompson; co-sponsored by Senator Bidwell for CLAYTON NICHOLS on his recognition by the UW-Madison College of Agriculture and Life Sciences.

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 220

Relating to a sales and use tax exemption for food sold in retirement homes to retired persons.

By Representatives Dandeneau, Soucie, Potter and Looby, co-sponsored by Senator Dorman.

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

Assembly Bill 612

Relating to medical assistance for children adopted through subsidized adoption programs.

By Representatives Moody, Leopold and Coggs, by request of Milwaukee County.

Read first time and referred to committee on Human Services.

Assembly Bill 722

Relating to revising an appropriation to allow land improvements at correctional institutions.

By Representatives Vanderperren, Conradt, Schricker, Lewison, Rogers, Hanson and Plewa, co-sponsored by Senators VanSistine, Lorge, Petri and Bidwell.

Read first time and referred to committee on Human Services.

Assembly Bill 940

Relating to age of admission to kindergarten and first grade.

By Representatives Flintrop, DeLong, Goodrich, Merkt, Potter, Rogers, Early and Ferrall.

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

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Assembly Bill 1103

Relating to membership of the state capitol and executive residence board.

By Representative Barry.

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

Assembly Bill 606

Relating to direct grants of state funds to Indian tribal councils.

By Representatives Metz, Rogers, Coggs, Tropman, Miller and Vanderperren.

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

Assembly Bill 1044

Relating to regulating water withdrawal for purposes of metallic mineral mining.

By Representatives Munts, Hasenohrl, Dueholm, Lato, Kincaid, Wahner, Kedrowski, Ferrall, Moody, Fischer, Metz, Schneider, Loftus, Day, Lorman, Jackamonis, Dandeneau, Bear, Gerlach and Flintrop, co-sponsored by Senators Radosevich, Braun, Dorman, Cullen, Berger, Risser, Bablitch, Krueger and Bidwell, by request of Special Study Committee on Mineral Taxation and Senate Select Committee on Mining Development.

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

Assembly Bill 1223

Relating to filing of termination statements with the secretary of state's office.

By Representatives Kedrowski, Johnson, Lingren and Kirby, co-sponsored by Senator Dorman.

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

Assembly Joint Resolution 75

Directing the legislative council to establish a special committee to determine the need for a formal mechanism for continuing review of the statutes.

By Representatives Miller, Wahner, Ferrall, Moody, Metz, Dueholm, Kedrowski, Donoghue, Byers, Otte, Hephner, Dorff, Schneider, Goodrich, Roberts, Thompson, Dandeneau, Potter, Day, Rooney, Jackamonis, Medinger, Travis, Lewison, Hasenohrl, Schricker, Opitz, Brist, Luckhardt, Mohn, Snyder, Kincaid, DeLong, Clarenbach, Bear, Plewa, Gunderson, Loftus, Coggs, Barczak, Lee, Soucie, Gerlach, Tesmer, Wood, Rogers, Flintrop, Munts, Johnson.

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Murray, Leopold, Ausman, Johnston, Merkt, Schmidt and Fischer, co-sponsored by Senators Offner, Morrison, Radosevich, Thompson, Risser, Goyke, Bablitch, Dorman, Krueger and McKenna.

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

By request of Senator Swan, with unanimous consent, **Assembly Joint Resolution 75** was withdrawn from the committee on Judiciary and Consumer Affairs and referred to the committee on Governmental and Veterans' Affairs.

CALENDAR OF MARCH 2

Senate Bill 127

Relating to authorizing school districts to determine and vary the length of a school day.

Read.

The question was: Concurrence in assembly amendment 5?

Concurred in.

The question was: Concurrence in assembly amendment 7?

Concurred in.

Senate Bill 277

Relating to specifying the dealer's labor rate for automobile warranty repairs.

Read.

The question was: Concurrence in assembly amendment 1?

Concurred in.

Senate Bill 397

Relating to permits to sell drugs and medicines.

Read.

The question was: Concurrence in assembly amendment 1?

Concurred in.

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Senate Bill 409

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

Read.

The question was. Concurrence in assembly amendment 2?

Concurred in.

The question was: Concurrence in assembly amendment 3?

Senator Radosevich moved non-concurrence in assembly amendment 3.

The question was: Non-concurrence in assembly amendment 3?

The ayes and noes were demanded and the vote was: ayes, 11; noes, 19; absent or not voting, 3; as follows:

Ayes -- Senators Bablitch, Braun, Dorman, Flynn, Frank, Kleczka, McKenna, Morrison, Offner, Radosevich and Risser -- 11.

Noes -- Senators Adelman, Bidwell, Chilsen, Cullen, Goyke, Harnisch, Keppler, Lasee, Lorge, McCallum, Maurer, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno and Van Sistine -- 19.

Absent or not voting -- Senators Berger, Krueger and Thompson -
- 3.

So the motion did not prevail.

The question was: Concurrence in assembly amendment 3?

Concurred in.

The question was: Concurrence in assembly amendment 18?

Concurred in.

The question was: Concurrence in assembly amendment 21?

Concurred in.

Senate Bill 414

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

Read.

The question was: Concurrence in assembly amendment 5 to assembly substitute amendment 1?

Senator Bablitch moved non-concurrence in assembly substitute amendment 1.

The question was: Non-concurrence in assembly substitute amendment 1?

The motion prevailed.

Senator Bablitch requested that the chair appoint a Committee on Conference on **Senate Bill 414**.

The chair appointed Senators Bablitch, Radosevich and McCallum to the Committee on Conference on **Senate Bill 414**.

The question was: Confirmation of the appointments to the Committee on Conference on **Senate Bill 414**?

Confirmed.

Senate Bill 490

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

Read.

The question was: Concurrence in assembly amendment 3?

Concurred in.

Assembly Bill 894

Relating to issuing waterfowl stamps for wetland habitat improvement and waterfowl propagation, and making an appropriation.

Read.

The question was: Shall the senate adhere to its' position?

Senator Sensenbrenner moved that the senate recede from its' position.

The question was: Shall the senate recede from its' position?

The motion prevailed.

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MOTIONS

Senator Cullen moved that the motion for reconsideration of the vote by which **Assembly Bill 878** was refused concurrence be removed from the table.

The question was: Shall the motion for reconsideration of the vote by which **Assembly Bill 878** was refused concurrence be removed from the table?

The motion prevailed.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 878** was placed at the foot of the calendar.

By request of Senator Flynn, with unanimous consent, **Assembly Bill 1081** was withdrawn from the committee on Judiciary and Consumer Affairs and referred to committee on Governmental and Veterans Affairs.

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

MOTIONS UNDER JOINT RULE 7:

A joint certificate of congratulations by Senator Kleczka; co-sponsored by Representative Tuczynski for IRENE KNAAK for being named Woman of the Year;

A joint certificate of congratulations by Senator Lasee; co-sponsored by Representative Fischer for RICHARD and MARY JANE HERRMANN for being named J.C.'s Outstanding Young Farmers of 1977.

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Senate Bill 246

Relating to allowing savings and loan associations to make consumer loans.

Read a second time.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 246** was placed at the foot of the calendar.

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Senate Bill 408

Relating to establishing multipurpose centers for displaced homemakers, granting rule-making authority and making an appropriation.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 408** was referred to joint committee on Finance.

Senate Bill 467

Relating to the powers of judicial court commissioners in populous counties and changes in procedures of small claims type actions.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Flynn, with unanimous consent, senate substitute amendment 1 was laid on the table.

Senate amendment 1 to senate substitute amendment 2 offered by Senator Flynn.

The question was: Adoption of senate amendment 1 to senate substitute amendment 2?

Adopted.

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

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 467

Read a third time and passed.

Senate Bill 664

Relating to a general revision of occupational licensing statutes, abolishing the examining boards for athletics, hearing aid dealers and fitters, nursing home administrators and watchmaking, the pharmacy internship board and the examining councils for podiatrists, physical therapists, licensed practical nurses and registered nurses, transferring the regulation of athletics and hearing aid dealers and fitters to the department of regulation and licensing, transferring the pharmacy internship program to the department of regulation and licensing, transferring the regulation of nursing home administrators to the department of health and social services, eliminating the regulation of watchmaking, creating a joint survey committee on occupational licensing, making appropriations, granting rule-making authority and providing penalties.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 664** was referred to joint committee on Finance.

Senate Bill 680

Relating to making scholarship assessments for licensed occupations voluntary and making an appropriation.

Read a second time.

By request of Senator Dorman with unanimous consent, **Senate Bill 680** was referred to joint committee on Finance.

Senate Bill 682

Relating to increasing from one to 2 the number of barber apprentices that may be supervised by a barber shop manager.

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 682

Read a third time and passed.

Senate Bill 706

AN ACT to repeal, renumber, amend, reenact, reenact and 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 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 706

Read a third time and passed.

Senate Bill 707

AN ACT to amend various provisions of the statutes for the purpose of correcting errors, clarifying language and eliminating distinctions based upon sex as directed by section 13.93 (1) (m) of the statutes. (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 707

Read a third time and passed.

Senate Bill 710

Relating to personalized printing for members and officers of the legislature.

Read a second time.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 710** was placed at the foot of the calendar.

Assembly Bill 37

An act to appropriate \$3,934 from the general fund for payment of a claim made by Johnnie Mae and Arthur Johnson against the state.

Read a second time.

Ordered to a third reading.

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

Assembly Bill 37

Read a third time.

The ayes and noes were required and the vote was: ayes, 26; noes, 5; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Lasee, Lorge, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Swan, Thompson and Van Sistine -- 26.

Noes -- Senators Keppler, McCallum, Murphy, Sensenbrenner and Theno -- 5.

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

So the bill was concurred in.

Assembly Bill 281

Relating to the definition of optometry and permitting the use of pharmaceutical agents for diagnostic purposes.

Read a second time.

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

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 281

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 31.

Noes -- None.

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

So the bill was concurred in as amended.

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Assembly Bill 594

Relating to reimbursement of 50% of preinspection fees to local agent.

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 594

Read a third time and concurred in.

Assembly Bill 685

Relating to various revisions in the law regulating trusts and monopolies and providing penalties.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Kleczka, with unanimous consent, senate amendment 1 was placed after senate amendment 4.

The question was: Adoption of senate amendment 2?

Adopted.

The question was: Adoption of senate amendment 3?

Adopted.

Senate amendment 4 to **Assembly Bill 685** offered by Senator Goyke.

The question was: Adoption of senate amendment 4?

Senator Flynn moved rejection of senate amendment 4.

The question was: Rejection of senate amendment 4?

Senator Murphy asked unanimous consent that **Assembly Bill 685** be referred to committee on Commerce.

Senator Flynn objected.

Senator Murphy moved that **Assembly Bill 685** be referred to committee on Commerce.

The question was: Shall **Assembly Bill 685** be referred to committee on Commerce?

The ayes and noes were demanded and the vote was: ayes, 23; noes, 8; absent or not voting, 2; as follows:

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Ayes -- Senators Bablitch, Bidwell, Braun, Chilsen, Cullen, Dorman, Frank, Goyke, Keppler, Kleczka, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Parys, Peloquin, Petri, Sensenbrenner, Swan, Theno and Van Sistine -- 23.

Noes -- Senators Adelman, Flynn, Harnisch, Maurer, Offner, Radosevich, Risser and Thompson -- 8.

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

So the motion prevailed.

Assembly Bill 705

Relating to time limitations on actions against health providers brought by or on behalf of minors.

Read a second time.

Senate amendment 1 to **Assembly Bill 705** offered by Senators Morrison, Offner, McCallum and VanSistine.

The question was: Adoption of senate amendment 1?

Senator Flynn 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, 14; noes, 16; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Bablitch, Chilsen, Dorman, Flynn, Frank, Harnisch, Kleczka, Lorge, McKenna, Maurer, Parys, Peloquin and Risser -- 14.

Noes -- Senators Bidwell, Braun, Cullen, Goyke, Keppler, Lasee, McCallum, Morrison, Murphy, Offner, Petri, Radosevich, Sensenbrenner, Theno, Thompson and Van Sistine -- 16.

Absent or not voting -- Senators Berger, Krueger and Swan -- 3.

So the amendment was not rejected.

The question was: Adoption of senate amendment 1?

Senator Flynn moved that **Assembly Bill 705** be referred to committee on Judiciary and Consumer Affairs.

The question was: Shall **Assembly Bill 705** be referred to committee on Judiciary and Consumer Affairs?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 15; absent or not voting, 3; as follows:

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Ayes -- Senators Adelman, Bablitch, Braun, Dorman, Flynn, Frank, Harnisch, Kleczka, Lorge, McKenna, Murphy, Parys, Peloquin, Petri and Swan -- 15.

Noes -- Senators Bidwell, Chilsen, Cullen, Goyke, Keppler, Lasee, McCallum, Maurer, Morrison, Offner, Radosevich, Risser, Sensenbrenner, Theno and Van Sistine -- 15.

Absent or not voting -- Senators Berger, Krueger and Thompson -
- 3.

So the motion did not prevail.

The question was: Adoption of senate amendment 1?

Senator Flynn moved non-concurrence of **Assembly Bill 705**.

The question was: Non-concurrence of **Assembly Bill 705**?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 18; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Dorman, Flynn, Frank, Harnisch, Kleczka, Lorge, McKenna, Parys, Peloquin, Petri and Swan -- 13.

Noes -- Senators Bidwell, Braun, Chilsen, Cullen, Goyke, Keppler, Lasee, McCallum, Maurer, Morrison, Murphy, Offner, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 18.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 1?

Adopted.

Senate amendment 2 to **Assembly Bill 705** offered by Senator McKenna.

The question was: Adoption of senate amendment 2?

Adopted.

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 705

Read a third time and concurred in as amended.

Assembly Bill 903

Relating to authorizing the medical examining board to grant a permanent license to practice medicine and surgery to certain professors.

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 903

Read a third time and concurred in.

Assembly Bill 981

Relating to mutual savings banks.

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 981

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, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 30.

Noes -- None.

Absent or not voting -- Senators Berger, Kleczka and Krueger -- 3.

More than two-thirds having voted in the affirmative, the bill was concurred in.

Assembly Bill 1067

Relating to closing estates by sworn statement.

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 1067

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Read a third time and concurred in.

Senate Bill 324

Relating to authorizing credit unions as public depositories.

Read.

The question was: Shall **Assembly Bill 324** be referred to committee on Commerce?

The motion prevailed.

Assembly Bill 878

Relating to the sale of liquefied petroleum gas in vapor form.

Read.

The question was: Reconsideration of the vote by which **Assembly Bill 878** was refused concurrence?

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

Ayes -- Senators Adelman, Bablitch, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, McCallum, McKenna, Maurer, Morrison, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine -- 25.

Noes -- Senators Bidwell, Lasee, Lorge, Murphy and Sensenbrenner -- 5.

Absent or not voting -- Senators Berger, Kleczka and Krueger -- 3.

So the motion prevailed.

The question was: Concurrence in **Assembly Bill 878**?

Concurred in.

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Senate Bill 246

Relating to allowing savings and loan associations to make consumer loans.

Read.

Senate amendment 1 to **Senate Bill 246** offered by Senator Braun.

The question was: Adoption of senate amendment 1?

Senator Parys moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The amendment was not rejected.

The question was: Adoption of senate amendment 1?

Adopted.

Senator Radosevich moved that **Senate Bill 246** be referred to committee on Commerce.

The question was: Shall **Senate Bill 246** be referred to committee on Commerce?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 18; absent or not voting, 3; as follows:

Ayes -- Senators Bidwell, Frank, Goyke, Keppler, Lasee, McCallum, Morrison, Murphy, Offner, Radosevich, Risser and Van Sistine -- 12.

Noes -- Senators Adelman, Bablitch, Braun, Chilsen, Cullen, Dorman, Flynn, Harnisch, Kleczka, Lorge, McKenna, Maurer, Peloquin, Petri, Sensenbrenner, Swan, Theno and Thompson -- 18.

Absent or not voting -- Senators Berger, Krueger and Parys -- 3.

So 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.

Senate Bill 246

Read a third time.

Senator Petri raised the point of order that **Senate Bill 246** is banking legislation and therefore requires a two-thirds vote to pass.

The chair took the point of order under advisement.

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Senate Bill 710

Relating to personalized printing for members and officers of the legislature.

Read.

By request of Senator Dorman, with unanimous consent, **Senate Bill 710** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 710** was withdrawn from the joint committee on Finance and considered for action at this time.

Senate Bill 710

Relating to personalized printing for members and officers of the legislature.

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 710

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, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 30.

Noes -- None.

Absent or not voting -- Senators Berger, Krueger and Parys -- 3.

So the bill passed.

By request of the president pro tempore with unanimous consent, the Senate returned to the second, fourth and seventh orders of business.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 65

Relating to the life and public service of A. Matt. Werner, former member of the board of regents.

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By Senator Keppler; cosponsored by Representatives Otte and Potter.

Read and referred to committee on Senate Organization.

COMMITTEE REPORTS

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

Senate Joint Resolution 33

To amend section 5 of article VIII of the constitution, relating to limiting the total biennial appropriation which the legislature may enact to the growth rate of adjusted gross personal income (1st consideration).

Adoption:

Ayes, 3 -- Senators Swan, Cullen and Lasee;

Noes, 1 -- Senator Braun.

Assembly Bill 449

Relating to the granting of the powers of a peace officer to certain arson investigators.

Concurrence:

Ayes, 4 -- Senators Adelman, Braun, Cullen and Lasee;

Noes, 1 -- Senator Swan.

Assembly Bill 779

Relating to fence construction on boundaries of town subdivisions.

Concurrence:

Ayes, 4 -- Senators Swan, Braun, Cullen and Lasee;

Noes, 0 -- None.

Assembly Bill 588

Relating to authorizing county referenda.

Concurrence:

Ayes, 4 -- Senators Swan, Braun, Cullen and Lasee;

Noes, 0 -- None.

MONROE SWAN

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 874

Adopted and asks concurrence in:

Assembly Joint Resolution 98

Amended and concurred in as amended:

Senate Bill 292, assembly substitute amendment 1 adopted

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 874

Relating to revision of the children's code and providing penalties.

By Representatives Tropman, Munts, Loftus, Hauke, Metz, Moody, Elconin, Flintrop, Schricker, Leopold, Coggs, Clarenbach and Miller, co-sponsored by Senators Flynn, McKenna and Morrison.

Read first time and referred to committee on Human Services.

Senator Flynn asked unanimous consent that **Assembly Bill 874** be withdrawn from committee on Human Services and be referred to committee on Judiciary and Consumer Affairs.

Senator Bablitch objected.

Senator Bablitch asked unanimous consent that **Assembly Bill 874** be withdrawn from committee on Human Services and be referred to committee on Senate Organization.

Senator Parys objected.

By request of Senator Parys, with unanimous consent, he withdrew his objection and **Assembly Bill 874** was referred to committee on Senate Organization.

Assembly Joint Resolution 98

Relating to the life and public service of Kenneth Schricker.

By The Entire Membership of the Assembly, co-sponsored by The Entire Membership of the Senate.

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Read.

Considered as privileged and taken up.

Adopted by unanimous rising vote.

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

Senator Thompson moved that **Assembly Bill 159** be withdrawn from the committee on Human Services and referred to the committee on Senate Organization.

Senator Sensenbrenner raised the point of order that the motion to withdraw **Assembly Bill 159** from the committee on Human Services and refer it to the committee on Senate Organization was not timely.

Senator Thompson asked unanimous consent to proceed to the eighth order of business.

Senator Sensenbrenner objected.

Senator Thompson moved to proceed to the eighth order of business.

Senator Thompson withdrew his motion to proceed to the eighth order of business.

By request of Senator Lasee, with unanimous consent, he removed his name as a co-author of **Senate Bill 705**.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 314** by Senator Murphy.

Senate amendment 13 to **Senate Bill 664** by Senator Risser.

Senate amendments 14, 15 and 16 to **Senate Bill 664** by Senators McKenna and Goyke.

Senate amendment 1 to senate amendment 1 to **Assembly Bill 685** by Senator Kleczka.

By request of Senator Theno, with unanimous consent, the senate adjourned in memory of Representative Kenneth Schricker.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Tuesday, March 7.

12:15 P.M.

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• CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 49

Correctly enrolled and presented to the Governor on March 2, 1978.