

JOURNAL OF THE SENATE [March 14, 1978]

STATE OF WISCONSIN

# Senate Journal

**Eighty-Third Regular Session**

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TUESDAY, March 14, 1978, 1978.

10:00 A.M.

The senate met.

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

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

Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Thompson and Van Sistine -- 32.

Absent -- Senator Theno -- 1.

Absent with leave -- None.

The senate stood for the prayer which was offered by Reverend Richard E. Pritchard, Pastor of Heritage Congregational Church, Madison.

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

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## LEAVE OF ABSENCE

By request of Senator Sensenbrenner, with unanimous consent, Senator Theno was granted a leave of absence for this morning's session.

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## BILLS INTRODUCED

Read first time and referred:

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**Senate Bill 726**

An act to appropriate \$86,743.24 from the general fund for payment of 7 claims made by various claimants against the state relating to the state employes' strike.

By Senator Kleczka; cosponsored by Representative Roberts.  
To joint committee on Finance.

**Senate Bill 727**

An act to appropriate \$3,398.74 from the transportation fund for payment of a claim made by the Wisconsin Telephone Company against the state.

By Senator Kleczka; cosponsored by Representative Roberts.  
To joint committee on Finance.

**Senate Bill 728**

An act to appropriate \$2,252.07 from the general fund for payment of a claim made by Sheboygan county against the state.

By Senator Kleczka; cosponsored by Representative Roberts.  
To joint committee on Finance.

**Senate Bill 729**

An act to appropriate \$18,018.33 from the general fund for payment of 2 claims made by Dodge county against the state.

By Senator Kleczka; cosponsored by Representative Roberts.  
To joint committee on Finance.

**Senate Bill 730**

Relating to creating a division of the consumer advocate in the department of agriculture, trade and consumer protection, changing the procedure for utility rate increases and making appropriations.

By Senators Swan, Goyke, Van Sistine, Parys, Krueger, Peloquin, Murphy, Frank, Lasee, Keppler, Bidwell, Theno and McCallum; cosponsored by Representative Barczak.

To committee on Governmental and Veterans' Affairs.

**Senate Bill 731**

Relating to installation of braille numerals and letters on elevators in places of employment and public buildings.

By Senator Risser, by request of the third grade class of Orchard Ridge Elementary School in Madison.

To committee on Human Services.

**Senate Bill 732**

Relating to special death benefits for dependents of state traffic patrol police communications operators who are killed in action.

By Senator Murphy.

To committee on Governmental and Veterans' Affairs.

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**Senate Bill 733**

Relating to fraudulent conveyances or recorded nonpossessory interests in land.

By Senator Murphy.

To committee on Judiciary and Consumer Affairs.

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COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends:

**Assembly Bill 874**

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

Introduction and adoption of senate amendment 1:

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

Noes, 1 -- Senator Murphy.

Introduction and adoption of senate amendment 2:

Ayes, 4 -- Senators Flynn, Harnisch, Adelman and Murphy;

Noes, 0 -- None.

Introduction and adoption of senate amendment 3:

Ayes, 4 -- Senators Flynn, Harnisch, Adelman and Murphy;

Noes, 0 -- None.

Introduction and adoption of senate amendment 4:

Ayes, 4 -- Senators Flynn, Harnisch, Adelman and Murphy;

Noes, 0 -- None.

Introduction and adoption of senate amendment 5:

Ayes, 4 -- Senators Flynn, Harnisch, Adelman and Murphy;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 4 -- Senators Flynn, Harnisch, Adelman and Murphy;

Noes, 0 -- None.

JAMES T. FLYNN

Chairman

The committee for Review of Administrative Rules reports and recommends:

**Assembly Joint Resolution 93**

Approving under section 13.565 (1) of the statutes, Wis. Adm. Code chap. SWCD 10.

Concurrence:

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Ayes, 5 -- Senators Berger, Swan, Offner, Radosevich and  
Sensenbrenner;

Noes, 0 -- None.

**Assembly Bill 427**

Relating to registration for picketing and demonstrations in state  
fair park and providing a penalty.

Concurrence:

Ayes, 5 -- Senators Berger, Swan, Offner, Radosevich and  
Sensenbrenner;

Noes, 0 -- None.

DAVID G. BERGER

Chairman

The committee on Human Services reports and recommends:

VANDELIST, GARY, of West Bend, as a member of the Pharmacy  
Examining Board, to succeed Edward Farrell, to serve for the  
term ending July 1, 1982.

Confirmation:

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

Noes, 0 -- None.

ALLEN, LOYAL, of Chippewa Falls, as a member of the  
Chiropractic Examining Board, to succeed Dr. James Zander, to  
serve for the term ending July 1, 1983.

Confirmation:

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

Noes, 0 -- None.

CARL W. THOMPSON

Chairman

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

**Senate Bill 504**

Relating to restrictions on farming and ownership of agricultural  
land by business organizations.

Passage:

Ayes, 5 -- Senators Cullen, Morrison, Van Sistine, Chilsen and  
McCallum;

Noes, 0 -- None.

**Senate Bill 549**

Relating to restricting trust ownership and operation of farms.

Passage:

Ayes, 5 -- Senators Cullen, Morrison, Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

**Assembly Bill 112**

Relating to sales and use tax exemptions for meat wrapping paper and containers.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 220**

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

Concurrence:

Ayes, 4 -- Senators Cullen, Van Sistine, Chilsen and McCallum;

Noes, 0 -- None.

**Assembly Bill 944**

Relating to the registration of mobile meat processors and granting rule-making authority.

Introduction and adoption of senate amendment 1:

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

Noes, 0 -- None.

Introduction and adoption of senate amendment 2:

Ayes, 3 -- Senators Cullen, Van Sistine and McCallum;

Noes, 1 -- Senator Chilsen.

Concurrence as amended:

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

Noes, 0 -- None.

**Senate Bill 202**

Relating to a law enforcement officers' bill of rights and providing a penalty.

Introduction and adoption of senate substitute amendment 2:

Ayes, 3 -- Senators Cullen, Van Sistine and Chilsen;

Noes, 1 -- Senator McCallum.

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Passage as amended:

Ayes, 2 -- Senators Cullen and Van Sistine;

Noes, 2 -- Senators Chilsen and McCallum.

Without Recommendation

**Senate Bill 505**

Relating to restrictions on farming and ownership of agricultural land by business organizations and creating a penalty.

Passage:

Ayes, 5 -- Senators Cullen, Radosevich, Harnisch, Van Sistine and McCallum;

Noes, 2 -- Senators Morrison and Chilsen.

TIMOTHY F. CULLEN

Chairman

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

**Senate Bill 548**

Relating to state aid to municipalities containing state-owned lands.

Introduction and adoption of senate amendment 1:

Ayes, 4 -- Senators Swan, Adelman, Braun and Lasec;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Swan, Adelman, Braun and Lasec;

Noes, 0 -- None.

**Senate Bill 400**

Relating to law enforcement services in counties, cities, villages and towns.

Introduction and adoption of senate amendment 1:

Ayes, 4 -- Senators Swan, Adelman, Braun and Lasec;

Noes, 0 -- None.

Passage as amended:

Ayes, 2 -- Senators Braun and Adelman;

Noes, 2 -- Senators Swan and Lasec.

Without recommendation

**Assembly Bill 1103**

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

Concurrence:

Ayes, 3 -- Senators Swan, Lasec and Braun;

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Noes, 0 -- None.

**Assembly Bill 1223**

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

Concurrence:

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

Noes, 0 -- None.

**Senate Joint Resolution 56**

Directing the legislative council to study the state's special, private and local laws.

Adoption:

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

Noes, 0 -- None.

**Senate Bill 366**

Relating to providing public water access aids to federally recognized tribes of Indians.

Passage:

Ayes, 3 -- Senators Swan, Braun and Adelman;

Noes, 1 -- Senator Lasee.

**Senate Joint Resolution 66**

Memorializing the United States Congress to have the U.S. postal service issue a Veterans Day stamp for the November 11, 1978, Veterans Day.

Adoption:

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

Noes, 0 -- None.

**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.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 338**

Relating to compensation of party committee members in populous counties.

Concurrence:

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

Noes, 0 -- None.

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**Assembly Bill 889**

Relating to special elections to fill vacancies in city offices.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 1031**

Relating to registration to vote with identification card issuing officers.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 1081**

Relating to the date of board of review meetings.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 1099**

Relating to repeal of limits on appropriations by counties for advertising.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 1188**

Relating to the composition of school boards in cities of the 1st class and to the salary of board members.

Rejection of senate substitute amendment 1:

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

Noes, 1 -- Senator Adelman.

Concurrence:

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

Noes, 1 -- Senator Adelman.

MONROE SWAN

Chairman

The committee on Education and Revenue reports and recommends:

DOYLE, CATHERINE, of Madison, as a member of the Tax Appeals Commission, to serve for the term ending March 1, 1983.

Confirmation:

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Ayes, 5 -- Senators Goyke, Braun, Berger, Offner and Sensenbrenner;

Noes, 0 -- None.

**HANSON, LONNY**, of Omro, as a member of the Vocational, Technical and Adult Education Board, to succeed Marvin Boede, resigned, to serve for the term ending May 1, 1983.

Confirmation:

Ayes, 5 -- Senators Goyke, Braun, Berger, Offner and Sensenbrenner;

Noes, 0 -- None.

**HOLBROOK, BARBARA**, of Eau Claire, as a member of the Educational Communications Board, to succeed herself, to serve for the term ending May 1, 1981.

Confirmation:

Ayes, 5 -- Senators Goyke, Braun, Berger, Offner and Sensenbrenner;

Noes, 0 -- None.

**HOLDEN, JOAN HELEN**, of Wisconsin Rapids, as a member of the Educational Communications Board, to succeed Marilyn Langdon, to serve for the term ending May 1, 1981.

Confirmation:

Ayes, 5 -- Senators Goyke, Braun, Berger, Offner and Sensenbrenner;

Noes, 0 -- None.

**WISNEWSKI, REVEREND RICHARD A.**, of La Crosse, as a member of the Educational Communications Board, to succeed himself, to serve for the term ending May 1, 1981.

Confirmation:

Ayes, 5 -- Senators Goyke, Braun, Berger, Offner and Sensenbrenner;

Noes, 0 -- None.

**Senate Bill 667**

Relating to school district operation of public library facilities.

Passage:

Ayes, 5 -- Senators Goyke, Braun, Berger, Offner and Sensenbrenner;

Noes, 0 -- None.

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**Assembly Bill 199**

Relating to the reorganization of city school districts into common or unified districts.

Concurrence:

Ayes, 4 -- Senators Goyke, Braun, Berger and Offner;

Noes, 1 -- Senator Sensenbrenner.

**Assembly Bill 368**

Relating to support for girls' school athletic programs comparable to that provided for boys' school athletic programs, and providing a penalty.

Concurrence:

Ayes, 5 -- Senators Goyke, Braun, Berger, Offner and Sensenbrenner;

Noes, 0 -- None.

GARY R. GOYKE

Chairman

**Senate Bill 705**

Relating to collective bargaining units consisting of supervisors and providing a penalty.

Passage:

Ayes, 8 -- Senators Dorman, Kleczka, McKenna, Representatives Otte, Roberts, Lingren, Norquist and Kirby;

Noes, 5 -- Senators Morrison, Maurer, Chilsen, Representatives Johnson and Quackenbush.

HENRY DORMAN

Chairman

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EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

March 9, 1978.

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:

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Senate Bill	Chapter No.	Date Approved
543	203	March 9, 1978

Sincerely,  
MARTIN J. SCHREIBER  
Governor

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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 492**  
**Assembly Bill 634**  
**Assembly Bill 884**  
**Assembly Bill 885**  
**Assembly Bill 899**  
**Assembly Bill 900**  
**Assembly Bill 969**  
**Assembly Bill 1017**  
**Assembly Bill 656**  
**Assembly Bill 1019**  
**Assembly Bill 1077**  
**Assembly Bill 1130**  
**Assembly Bill 1170**  
**Assembly Bill 984**  
**Assembly Bill 1133**

Concurred in:

**Senate Bill 208**  
**Senate Bill 251**  
**Senate Bill 454**  
**Senate bill 585**

Senate amendment 1 to **Assembly Bill 149** as amended (Assembly amendment 1 and 2 to Senate amendment 1 adopted)

Senate amendment 2 to **Assembly Bill 149**

Amended and concurred in as amended:

**Senate Bill 383** (Assembly amendments 1, 2, 3 and 4 adopted)  
**Senate Bill 494**  
**Senate Bill 564**

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Agrees to a Committee of Conference on:

**Assembly Bill 468** and appoints Representatives Dueholm, Day and Goodrich as conferees on its part.

Nonconcurrent in:

Senate amendment 3 to **Assembly Bill 149**

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### MOTIONS UNDER JOINT RULE 7

A joint certificate of congratulations by Representative Conradt; cosponsored by Senator Lorge for SEYMOUR KIWANIS CLUB on their 50th anniversary.

A joint certificate of congratulations by Representative Jackamonis; cosponsored by Senator Murphy for LA CASA de ESPERANZA on its 12th anniversary.

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### MESSAGE FROM THE ASSEMBLY CONSIDERED

#### **Assembly Bill 492**

Relating to permitting statewide branching and lending by savings and loan associations.

By Representatives Hanson, Pabst, Rooney and Luckhardt, cosponsored by Senator Parys, by request of Bill Hotz, Gen. Counsel-Office of Savings and Loan Commissioner.

Read first time and referred to committee on Commerce.

By request of Senator Parys, with unanimous consent, **Assembly Bill 492** was withdrawn from the committee on Commerce and referred to the committee on Senate Organization.

#### **Assembly Bill 634**

Relating to nomination paper signature requirements for independent candidates for partisan office.

By Representative Clarenbach.

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

#### **Assembly Bill 884**

Relating to requirements for election officials, ballots, nominations, canvassing, recounts, administration of elections, prohibited election practices, granting rule-making authority, providing penalties and making an appropriation.

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By Representative Kedrowski, by request of Elections Board.

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

### **Assembly Bill 885**

Relating to registration and qualification of electors and absentee voting procedure and making an appropriation.

By Representative Kedrowski, by request of Elections Board.

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

### **Assembly Bill 899**

Relating to state income tax deduction for adoption fees, court costs and legal fees incurred in adopting a child.

By Representatives Early, Schneider, Vanderperren, Flintrop, Medinger, Swoboda, Brist, Plewa, Soucie, Dandeneau, Kirby, Metz, Luckhardt, Merkt, Rogers, Travis, Bear, Dorff and Ward, co-sponsored by Senators Petri, Frank and Lorge.

Read first time and referred to committee on Human Services.

### **Assembly Bill 900**

Relating to state assessment of recyclers of waste paper, fibers or plastics.

By Representatives Flintrop, Schneider, Travis, Hanson, Ellis and Elconin, co-sponsored by Senators Goyke and Van Sistine.

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

### **Assembly Bill 969**

Relating to making various changes in the law on eminent domain.

By Legislative Council.

Read first time and referred to committee on Judiciary and Consumer Affairs.

### **Assembly Bill 1017**

Relating to incineration of aborted fetus and providing a penalty.

By Representatives Behnke, Duren, Hephner, Plewa, Byers, Rooney, Mohn, Tesmer, Menos, Lewis, Andrea, Wood, Fischer, Ausman, Dorff, Gower, Snyder and Dandeneau, co-sponsored by Senators Berger, Sensenbrenner and Frank.

Read first time and referred to committee on Human Services.

### **Assembly Bill 656**

Relating to implementing merger of the Wisconsin retirement fund, the state teachers retirement system and the Milwaukee teachers retirement fund and granting rule-making authority.

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By Representative McClain, co-sponsored by Senator Thompson, by request Department of Employee Trust Funds.

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

Senator Cullen asked unanimous consent that **Assembly Bill 656** be withdrawn from the committee on Education and Revenue and referred to the committee on Agriculture, Aging and Labor.

Senator Goyke objected.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 656** was withdrawn from the committee on Education and Revenue and referred to committee on Senate Organization.

**Assembly Bill 1019**

Relating to tax credits and deductions for alternative energy systems and granting rule-making authority.

By Representatives Gerlach, Metz, Bear, Moody, Plewa, Schneider, Soucie, Lorman, Litscher, Everson, Brist, Munts, Donoghue, Andrea, Rooney Schmidt, Bradley, Dandeneau, Lato, Hanson, Day, Gower, Jackamonis, Otte, Tuczynski, Loftus, Medinger, Merkt, Ferrall, Travis, Wahner, Thompson, Hasenohrl, Kirby, Lingren, Kedrowski, Clarenbach, Barry, Flintrop and Rogers co-sponsored by Senators Harnisch, Sensenbrenner, Dorman, Lorge and Braun.

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

**Assembly Bill 1077**

Relating to requiring the department of agriculture, trade and consumer protection to prepare an agricultural impact statement on certain actual or proposed public projects, changing certain aspects of recovery of costs in certain condemnation actions and making other changes in the law on eminent domain.

By Legislative Council.

Read first time and referred to committee for Review of Administrative Rules.

**Assembly Bill 1130**

Relating to repealing the requirement that nursing home administrators have 2 years of college level study.

By Representatives Flintrop and Jackamonis, co-sponsored by Senator Berger.

Read first time and referred to committee for Review of Administrative Rules.

**Assembly Bill 1170**

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

By Representatives Rogers, Jackamonis, Norquist, Ausman, Bear, Czerwinski and Thompson, co-sponsored by Senator Berger.

Read first time and referred to committee for Review of Administrative Rules.

**Assembly Bill 984**

Relating to prepaid maintenance liens and providing a penalty.

By Representatives Barczak, Ward, Norquist, Leopold, Clarenbach, Plewa, Tesmer, Coggs, Rutkowski, Ausman, Moody, Soucie, Rogers, Czerwinski and Engeleiter, co-sponsored by Senators Swan, Braun, Parys, Flynn and Frank.

Read first time and referred to committee on Judiciary and Consumer Affairs.

**Assembly Bill 1133**

Relating to pay of officers of certain circuit courts.

By Representatives Metz and Vanderperren.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Senator Flynn asked unanimous consent that **Assembly Bill 1077** be withdrawn from the joint Committee for Review of Administrative Rules and referred to committee on Judiciary and Consumer Affairs.

Senator Cullen objected.

Senator Cullen asked unanimous consent that **Assembly Bill 1077** be withdrawn from the joint Committee for Review of Administrative Rules and referred to committee on Agriculture, Aging and Labor.

Senator Flynn objected.

Senator Bablitch asked unanimous consent that **Assembly Bill 1077** be withdrawn from the joint Committee for Review of Administrative Rules and referred to committee on Senate Organization.

Senator Parys objected.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 1077** was withdrawn from the joint Committee for Review of Administrative Rules and referred to committee on Senate Organization.

CALENDAR OF MARCH 14

**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.

Read a second time.

The question was: Rejection of senate amendment 1 to senate substitute amendment 1?

Senator Kleczka in the chair.

10:40 A.M.

President pro tempore of the senate in the chair.

11:00 A.M.

The question was: Rejection of senate amendment 1 to senate substitute amendment 1?

Senator Kleczka in the chair.

11:05 A.M.

The question was: Rejection of senate amendment 1 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 12; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Dorman, Frank, Goyke, Harnisch, Krueger, Lasee, McKenna, Maurer, Morrison, Murphy, Pelouquin, Risser, Swan, Thompson and Van Sistine -- 20.

Noes -- Senators Berger, Cullen, Flynn, Keppler, Kleczka, Lorge, McCallum, Offner, Parys, Petri, Radosevich and Sensenbrenner -- 12.

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

So the amendment was rejected.

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

Senator Pelouquin moved rejection of senate amendment 2 to senate substitute amendment 1.

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

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The ayes and noes were demanded and the vote was: ayes, 9; noes, 23; absent or not voting, 1; as follows:

9 Ayes -- Senators Bablitch, Frank, Goyke, Harnisch, Krueger, Lasee, McKenna, Murphy and Peloquin -- 9.

Noes -- Senators Adelman, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Keppler, Kleczka, Lorge, McCallum, Maurer, Morrison, Offner, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan, Thompson and Van Sistine -- 23.

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

So the amendment was not rejected.

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

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

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

Senator Berger moved rejection of senate amendment 1 to senate amendment 2 to senate substitute amendment 1.

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

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Berger, Chilsen, Flynn, Keppler, Kleczka, Lorge, McCallum, Morrison, Offner, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan and Van Sistine -- 17.

Noes -- Senators Bablitch, Bidwell, Braun, Cullen, Dorman, Frank, Goyke, Harnisch, Krueger, Lasee, McKenna, Maurer, Murphy, Peloquin and Thompson -- 15.

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

So the amendment was rejected.

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

Adopted.

Senate amendment 3 to senate substitute amendment 1 offered by Senator Radosevich.

The question was: Adoption of senate amendment 3 to senate substitute amendment 1?

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Senator Braun moved rejection of senate amendment 3 to senate substitute amendment 1.

The question was: Rejection of senate amendment 3 to senate substitute amendment 1?

Rejected.

Senate amendment 4 to senate substitute amendment 1 offered by Senator Offner.

The question was: Adoption of senate amendment 4 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 15; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Berger, Flynn, Frank, Keppler, Kleczka, McCallum, Morrison, Offner, Parys, Petri, Radosevich, Risser, Sensenbrenner, Swan and Thompson -- 16.

Noes -- Senators Bablitch, Bidwell, Braun, Chilsen, Dorman, Goyke, Harnisch, Krueger, Lasee, Lorge, McKenna, Maurer, Murphy, Peloquin and Van Sistine -- 15.

Absent or not voting -- Senators Cullen and Theno -- 2.

So the amendment was adopted.

Senate amendment 5 to senate substitute amendment 1 offered by Senator Berger.

The question was: Adoption of senate amendment 5 to senate substitute amendment 1?

Adopted.

Senate amendment 6 to senate substitute amendment 1 offered by Senator Sensenbrenner.

The question was: Adoption of senate amendment 6 to senate substitute amendment 1?

Senator Braun moved rejection of senate amendment 6 to senate substitute amendment 1.

The question was: Rejection of senate amendment 6 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 1; as follows:

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**Ayes -- Senators Bablitch, Bidwell, Braun, Chilsen, Dorman, Goyke, Harnisch, Krueger, Lasee, McKenna, Maurer, Morrison, Murphy, Peloquin, Swan, Thompson and Van Sistine -- 17.**

**Noes -- Senators Adelman, Berger, Cullen, Flynn, Frank, Keppler, Kleczka, Lorge, McCallum, Offner, Parys, Petri, Radosevich, Risser and Sensenbrenner -- 15.**

**Absent or not voting -- Senator Theno -- 1.**

**So the amendment was rejected.**

**Senate amendment 7 to senate substitute amendment 1 offered by Senator Lorge.**

**The question was: Adoption of senate amendment 7 to senate substitute amendment 1?**

**Senator Braun moved rejection of senate amendment 7 to senate substitute amendment 1.**

**The question was: Rejection of senate amendment 7 to senate substitute amendment 1?**

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

**Ayes -- Senators Adelman, Bablitch, Braun, Chilsen, Cullen, Dorman, Frank, Goyke, Harnisch, Kleczka, Krueger, McKenna, Maurer, Murphy, Offner, Parys, Peloquin, Risser, Sensenbrenner, Swan and Thompson -- 21.**

**Noes -- Senators Berger, Bidwell, Flynn, Keppler, Lasee, Lorge, McCallum, Morrison, Petri, Radosevich and Van Sistine -- 11.**

**Absent or not voting -- Senator Theno -- 1.**

**So the amendment was rejected.**

**Senate amendment 8 to senate substitute amendment 1 offered by Senator Chilsen.**

**The question was: Adoption of senate amendment 8 to senate substitute amendment 1?**

**Adopted.**

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

**President pro tempore of the senate in the chair.**

**12:05 P.M.**

**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.

**Senate Bill 197.**

Read a third time.

Senator Petri moved indefinite postponement of **Senate Bill 197.**

The question was: Indefinite postponement of **Senate Bill 197?**

The ayes and noes were demanded and the vote was: ayes, 12; noes, 20; absent or not voting, 1; as follows:

Ayes -- Senators Berger, Cullen, Flynn, Keppler, Lorge, McCallum, Morrison, Offner, Petri, Radosevich, Sensenbrenner and Van Sistine -- 12.

Noes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Dorman, Frank, Goyke, Harnisch, Kleczka, Krueger, Lasee, McKenna, Maurer, Murphy, Parys, Peloquin, Risser, Swan and Thompson -- 20.

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

So the motion did not prevail.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 22; noes, 10; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Frank, Goyke, Harnisch, Kleczka, Krueger, Lasee, McKenna, Maurer, Murphy, Parys, Peloquin, Risser, Swan and Thompson -- 22.

Noes -- Senators Flynn, Keppler, Lorge, McCallum, Morrison, Offner, Petri, Radosevich, Sensenbrenner and Van Sistine -- 10.

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

So the bill passed.

By request of Senator Bablitch, with unanimous consent, all action on **Senate Bill 197** was ordered immediately messaged.

By request of Senator Goyke, with unanimous consent, **Assembly Bill 656** was withdrawn from the committee on Senate Organization and referred to the committee on Agriculture, Aging and Labor.

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LEAVE OF ABSENCE

By request of Senator McKenna, with unanimous consent, he was granted a leave of absence starting at 5:15 P.M. for the balance of today's session.

By request of Senator Bablitch, with unanimous consent, the senate recessed until 4:00 P.M.

12:20 P.M.

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RECESS

4:00 P.M.

The senate reconvened.

QUORUM CALL

Senator Bablitch called the attention of the chair to the possible lack of a quorum.

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

Senators Adelman, Bablitch, Berger, Chilsen, Frank, Goyke, Keppler, Kleczka, Lasee, Lorge, McCallum, McKenna, Morrison, Murphy, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 23.

Absent -- Senators Bidwell, Braun, Cullen, Dorman, Flynn, Harnisch, Krueger, Maurer, Offner and Swan -- 10.

Absent with leave -- None.

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LEAVE OF ABSENCE

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

Senator Bablitch asked unanimous consent that **Assembly Bill 1077** be withdrawn from committee on Senate Organization and referred to committee on Agriculture, Aging and Labor.

Senator Keppler objected.

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Senator Kepler removed his objection and **Assembly Bill 1077** was withdrawn from committee on Senate Organization and referred to committee on Agriculture, Aging and Labor.

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CALENDAR OF MARCH 14

**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.

Read a second time.

The question was: Shall the bill be indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 10; noes, 22; absent or not voting, 1; as follows:

Ayes -- Senators Berger, Bidwell, Braun, Kleczka, McCallum, Morrison, Offner, Parys, Petri and Swan -- 10.

Noes -- Senators Adelman, Bablitch, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kepler, Lasee, Lorge, McKenna, Maurer, Murphy, Peloquin, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 22.

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

So the motion did not prevail.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Adoption of senate amendment 2?

Senator Bablitch moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

Senator Petri raised the point of order that senate amendment 2 was not germane.

The chair ruled the point of order well taken.

Senate amendment 3 offered by Senator Kleczka.

The question was: Adoption of senate amendment 3?

Adopted.

Senator Bablitch moved reconsideration of the vote by which senate amendment 3 was adopted.

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Senator Kleczka asked unanimous consent that the motion to reconsider the vote by which senate amendment 3 was adopted be laid on the table.

Senator Bablitch objected.

The question was: Reconsideration of the vote by which senate amendment 3 was adopted?

The motion prevailed.

The question was: Adoption of senate amendment 3?

Senator Bablitch moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

The ayes and noes were demanded and the vote was: ayes, 28; noes, 3; absent or not voting, 2; as follows:

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

Noes -- Senators Berger, Kleczka and Parys -- 3.

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

So the amendment was rejected.

Senate amendment 4 offered by Senator Berger.

The question was: Adoption of senate amendment 4?

Senator Bablitch moved rejection of senate amendment 4.

The question was: Rejection of senate amendment 4?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 12; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Lasee, Maurer, Murphy, Peloquin, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 19.

Noes -- Senators Berger, Bidwell, Braun, Chilsen, Kleczka, Lorge, McCallum, Morrison, Offner, Parys, Petri and Swan -- 12.

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

So the amendment was rejected.

Ordered to a third reading.

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Senator Bablitch asked unanimous consent that the rules be suspended and the bill be ordered to a third reading.

Senator Kleczka objected.

Senator Bablitch moved that the rules be suspended and the bill be ordered to a third reading.

The ayes and noes were required and the vote was: ayes, 21; noes, 10; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Lasee, Maurer, Morrison, Murphy, Offner, Peloquin, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 21.

Noes -- Senators Berger, Bidwell, Braun, Chilsen, Kleczka, Lorge, McCallum, Parys, Petri and Swan -- 10.

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

More than two-thirds having voted in the affirmative the bill was ordered to a third reading.

### **Senate Bill 413**

Read a third time.

Senator Offner asked unanimous consent that he be granted a leave of absence for the balance of today's session.

Senator Parys objected.

Senator Swan asked unanimous consent that he be granted a leave of absence for the balance of today's session.

Senator Parys objected.

By request of Senator Berger, with unanimous consent, **Senate Bill 413** was placed at the foot of the calendar.

### **Assembly Bill 130**

Relating to making theft of dangerous weapons a felony.

Read a second time.

By request of Senator Parys, with unanimous consent, the senate recessed until 6:05 P.M.

6:00 P.M.

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RECESS

6:05 P.M.

The senate reconvened.

**Assembly Bill 130**

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 130**

Read a third time and concurred in.

**Assembly Bill 165**

Relating to temporary appointments to fill new local elected offices.

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 165**

Read a third time and concurred in.

**Assembly Bill 246**

Relating to the statute of limitations for old-age assistance liens.

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 246**

Read a third time and concurred in.

**Assembly Bill 272**

Relating to the time and place and notice requirements for budget hearings.

Read a second time.

By request of Senator Bablitch, with unanimous consent, the bill was laid on the table.

**Assembly Bill 309**

Relating to filling vacancies in the office of county executive in counties having a population of 500,000 or more.

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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 309**

Read a third time and concurred in.

**Assembly Bill 346**

Relating to absentee ballot procedures for confined and disabled electors.

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 346**

Read a third time.

Senator McCallum moved non-concurrence in **Assembly Bill 346**.

The motion did not prevail.

The question was: Concurrence?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 7; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Cullen, Dorman, Flynn, Goyke, Harnisch, Kleczka, Lasee, Lorge, Maurer, Morrison, Murphy, Parys, Peloquin, Radosevich, Risser, Theno, Thompson and Van Sistine -- 22.

Noes -- Senators Bidwell, Chilsen, Frank, Keppler, McCallum, Petri and Sensenbrenner -- 7.

Absent or not voting -- Senators Krueger, McKenna, Offner and Swan -- 4.

So the bill was concurred in.

**Assembly Bill 375**

Relating to a uniform procedure for claims brought against local governments.

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 375**

Read a third time and concurred in.

JOURNAL OF THE SENATE [March 14, 1978]

**Assembly Bill 392**

Relating to payment for delivery of the tax roll by the county treasurer.

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 392**

Read a third time and concurred in.

**Assembly Bill 461**

Relating to municipal building permits.

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 461**

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 0; absent or not voting, 4; as follows:

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

Noes -- None.

Absent or not voting -- Senators Krueger, McKenna, Offner and Swan -- 4.

So the bill was concurred in.

**Assembly Bill 564**

Relating to appointing the head of the county auditing department.

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 564**

Read a third time and concurred in.

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**Assembly Bill 576**

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

Read a second time.

Senate amendment 1 to senate amendment 1 offered by Senator Bablitch.

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

Senator Sensenbrenner moved non-concurrence in **Assembly Bill 576**.

The question was: Non-concurrence in **Assembly Bill 576**?

The ayes and noes were demanded and the vote was: ayes, 11; noes, 18; absent or not voting, 4; as follows:

Ayes -- Senators Berger, Braun, Dorman, Flynn, Frank, Kleczka, Lasee, Murphy, Parys, Risser and Sensenbrenner -- 11.

Noes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Cullen, Goyke, Harnisch, Keppler, Lorge, McCallum, Maurer, Morrison, Peloquin, Petri, Radosevich, Theno, Thompson and Van Sistine -- 18.

Absent or not voting -- Senators Krueger, McKenna, Offner and Swan -- 4.

So the motion did not prevail.

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

Adopted.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Adoption of senate amendment 2?

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LEAVE OF ABSENCE

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

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

Senator Bablitch moved rejection of senate amendment 2.

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The question was: Rejection of senate amendment 2?

The amendment was not rejected.

The question was: Adoption of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 14; absent or not voting, 4; as follows:

Ayes -- Senators Berger, Braun, Dorman, Flynn, Frank, Goyke, Keppler, Kleczka, Lasee, Lorge, Morrison, Murphy, Parys, Risser and Sensenbrenner -- 15.

Noes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Cullen, Harnisch, McCallum, Maurer, Peloquin, Petri, Radosevich, Theno, Thompson and Van Sistine -- 14.

Absent or not voting -- Senators Krueger, McKenna, Offner and Swan -- 4.

So the amendment was 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 576**

Read a third time.

The ayes and noes were required and the vote was: ayes, 17; noes, 12; absent or not voting, 4; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Cullen, Goyke, Harnisch, Keppler, McCallum, Maurer, Morrison, Peloquin, Petri, Radosevich, Theno, Thompson and Van Sistine -- 17.

Noes -- Senators Berger, Braun, Dorman, Flynn, Frank, Kleczka, Lasee, Lorge, Murphy, Parys, Risser and Sensenbrenner -- 12.

Absent or not voting -- Senators Krueger, McKenna, Offner and Swan -- 4.

So the bill was concurred in as amended.

**Assembly Bill 610**

Relating to regulating health spa contracts, granting rule-making authority and providing a penalty.

Read a second time.

Senate substitute amendment 1 offered by Senators Goyke, Radosevich, Sensenbrenner, Van Sistine, Theno, Lasee, Keppler, Swan, Krueger, Chilsen, Frank, McKenna and Bidwell.

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Senate amendment 1 to senate substitute amendment 1 offered by Senators Flynn and Goyke.

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

Adopted.

Senate amendment 2 to senate substitute amendment 1 offered by Senators Flynn and Goyke.

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

Adopted.

Senate amendment 3 to senate substitute amendment 1 offered by Senator Petri.

The question was: Adoption of senate amendment 3 to senate substitute amendment 1?

Senator Flynn moved rejection of senate amendment 3 to senate substitute amendment 1.

The question was: Rejection of senate amendment 3 to senate substitute amendment 1?

Rejected.

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 610**

Read a third time and concurred in as amended.

### **Assembly Bill 638**

Relating to revising certain laws relating to government, law enforcement and the administration of justice (suggested as remedial legislation by the department of justice).

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 638**

Read a third time and concurred in.

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**Assembly Bill 678**

Relating to filling vacancies in the office of county executive in counties having a population of less than 500,000.

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 678**

Read a third time and concurred in.

**Assembly Bill 688**

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

Read a second time.

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

The motion did not prevail.

Senator Bablitch moved reconsideration of the vote by which **Assembly Bill 688** failed to be ordered to a third reading.

By request of Senator Bablitch, with unanimous consent, the motion to reconsider the vote by which **Assembly Bill 688** failed to be ordered to a third reading was laid on the table.

**Assembly Bill 720**

Relating to appointment of town assessors.

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 720**

Read a third time and concurred in.

**Assembly Bill 792**

Relating to the composition of municipal boards of canvassers for municipal elections and allegations necessary to obtain a recount.

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 792**

Read a third time and concurred in.

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**Assembly Bill 851**

Relating to county auditor positions.

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 851**

Read a third time and concurred in.

**Assembly Bill 923**

Relating to paroles for female inmates of the state prisons.

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 923**

Read a third time and concurred in.

**Assembly Bill 942**

Relating to meetings of state governmental bodies in locations accessible to persons in wheelchairs.

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 942**

Read a third time and concurred in.

**Assembly Bill 1075**

Relating to juries and providing penalties.

Read a second time.

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.

Senate amendment 4 offered by Senator Harnisch.

The question was: Adoption of senate amendment 4.

Adopted.

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Senate amendment 5 offered by Senator Adelman.

The question was: Adoption of senate amendment 5?

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 1075**

Read a third time.

Senator Berger asked unanimous consent that the bill be placed on the table.

Senator Adelman objected.

Senator Berger moved that the bill be placed on the table.

The ayes and noes were demanded and the vote was: ayes, 12; noes, 16; absent or not voting, 5; as follows:

Ayes -- Senators Berger, Chilsen, Goyke, Kleczka, Lasee, Lorge, McCallum, Murphy, Parys, Petri, Sensenbrenner and Theno -- 12.

Noes -- Senators Adelman, Bablitch, Braun, Cullen, Dorman, Flynn, Frank, Harnisch, Keppler, Maurer, Morrison, Peloquin, Radosevich, Risser, Thompson and Van Sistine -- 16.

Absent or not voting -- Senators Bidwell, Krueger, McKenna, Offner and Swan -- 5.

So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, the bill was returned to the second reading stage.

Senator Berger moved reconsideration of the vote by which senate amendment 3 was adopted.

The question was: Reconsideration of the vote by which senate amendment 3 was adopted.

The motion prevailed.

The question was: Adoption of senate amendment 3?

Senator Berger moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

Rejected.

Senator Petri moved non-concurrence.

The question was: Non-concurrence of **Assembly Bill 1075**?

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By request of Senator Petri, with unanimous consent, he withdrew his motion for non-concurrence.

Senate amendment 6 offered by Senator Berger.

The question was: Adoption of senate amendment 6?

Senator Lorge moved rejection of senate amendment 6.

The question was: Rejection of senate amendment 6?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 10; absent or not voting, 7; as follows:

Ayes -- Senators Adelman, Bablitch, Braun, Chilsen, Dorman, Flynn, Frank, Harnisch, Lorge, Maurer, Morrison, Murphy, Radosevich, Risser, Thompson and Van Sistine -- 16.

Noes -- Senators Berger, Goyke, Keppler, Kleczka, Lasee, McCallum, Parys, Petri, Sensenbrenner and Theno -- 10.

Absent or not voting -- Senators Bidwell, Cullen, Krueger, McKenna, Offner, Peloquin and Swan -- 7.

So the amendment was rejected.

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 1075**

Read a third time.

The ayes and noes were required and the vote was: ayes, 23; noes, 5; absent or not voting, 5; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Lasee, Maurer, Morrison, Parys, Peloquin, Radosevich, Risser, Theno, Thompson and Van Sistine -- 23.

Noes -- Senators Lorge, McCallum, Murphy, Petri and Sensenbrenner -- 5.

Absent or not voting -- Senators Bidwell, Krueger, McKenna, Offner and Swan -- 5.

So the bill was concurred in as amended.

### **Assembly Bill 1078**

Relating to the appointment of guardians ad litem for minors or incompetents having an interest in an estate containing total assets of \$1,000 or less.

Read a second time.

JOURNAL OF THE SENATE [March 14, 1978]

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 1078**

Read a third time and concurred in.

Senator Flynn asked unanimous consent to be granted a leave of absence beginning at 7:15 P.M. for the balance of today's session.

Senator Bablitch objected.

Senator Bablitch asked unanimous consent that a Call of the Senate be placed on **Senate Bill 413**.

Senator Sensenbrenner objected.

**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.

The question was: Shall the bill pass?

Senator Petri moved that **Senate Bill 413** be laid on the table.

The motion did not prevail.

The question was: Shall the bill pass?

Ayes -- Senators Adelman, Bablitch, Chilsen, Cullen, Dorman, Flynn, Goyke, Harnisch, Keppler, Lasee, Maurer, Murphy, Peloquin, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 19.

Noes -- Senators Berger, Braun, Kleczka, Lorge, McCallum, Morrison, Parys and Petri -- 8.

Absent or not voting -- Senators Bidwell, Frank, Krueger, McKenna, Offner and Swan -- 6.

So the bill passed.

Senator Bablitch asked unanimous consent that all action be ordered immediately messaged.

Senator Berger objected.

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By request of Senator Bablitch, with unanimous consent, all action with the exception of **Senate Bill 413** was ordered immediately messaged.

Senator Bablitch moved that the rules be suspended and **Senate Bill 413** be ordered immediately messaged.

The question was: Shall the rules be suspended and **Senate Bill 413** be ordered immediately messaged.

The ayes and noes were required and the vote was: ayes, 19; noes, 9; absent or not voting, 5; as follows:

Ayes -- Senators Adelman, Bablitch, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Lasee, Morrison, Murphy, Peloquin, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 19.

Noes -- Senators Berger, Braun, Chilsen, Kleczka, Lorge, McCallum, Maurer, Parys and Petri -- 9.

Absent or not voting -- Senators Bidwell, Krueger, McKenna, Offner and Swan -- 5.

More than two-thirds having voted in the affirmative, **Senate Bill 413** was ordered immediately messaged.

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### AMENDMENTS OFFERED

Senate amendment 6 to **Assembly Bill 349** by Senator Murphy.

Senate amendment 1 to **Assembly Bill 1024** by Senator Parys.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Thursday, March 16.

7:30 P.M.

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### CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to:

**Senate Joint Resolution 44**

1. On page 3, line 1, substitute a semicolon for the first comma.

Relating to:

**Assembly Bill 874, ENGROSSED**

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1. On page 11, line 33, substitute "she is" for "she in".