

JOURNAL OF THE SENATE [March 16, 1978]

STATE OF WISCONSIN  
**Senate Journal**  
**Eighty-Third Regular Session**

THURSDAY, March 16, 1978.

9:00 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, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 32.

Absent -- None.

Absent with leave -- Senator McKenna -- 1.

The senate stood for the prayer which was offered by Father Thomas Coyle of St. Paul's Catholic Church-University of Wisconsin Catholic Center Chapel of Madison.

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

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**BILLS INTRODUCED**

Read first time and referred:

**Senate Bill 734**

Relating to exempting hay, grain and other fees on farms from the general property tax.

By Senator Cullen.

To Joint Survey Committee on Tax Exemptions.

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**Senate Bill 735**

Relating to additions to the state trunk highway system.

By Senator Cullen.

To committee on Commerce.

**Senate Bill 736**

Relating to removing certain limitations on awards to victim of crimes.

By Senator Cullen.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 737**

Relating to the amount of supplemental benefit payable to a person receiving a survivor annuity and benefits payable under retirement programs for municipal police officers and fire fighters after merger with the Wisconsin retirement fund.

By Senator Cullen; cosponsored by Representatives Looby and McClain.

To Joint Survey Committee on Retirement Systems.

**Senate Bill 738**

Relating to permitting public agencies to withdraw from the federal social security system, withdrawing the state from participation in that system, a study of the actuary costs of withdrawal and necessary revisions of public retirement funds, and increasing an appropriation.

By Senator Petri.

To Joint Survey Committee on Retirement Systems.

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COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends for introduction:

**Senate Joint Resolution 68**

Relating to initiative-referendum for state and local law-making and for constitutional amendments, and providing a penalty (1st consideration).

Introduction:

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

Noes, 0 -- None.

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

**Senate Bill 739**

Relating to hearings for reexamination of persons found not guilty by reason of mental disease or defect.

Introduction:

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

Noes, 0 -- None.

Read first time and referred to committee on Human Services.

And further recommends:

**Assembly Joint Resolution 65**

Directing the legislative council to study the Wisconsin criminal justice system as it relates to the developmentally disabled.

Concurrence:

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

Noes, 0 -- None.

**Assembly Joint Resolution 69**

Directing the legislative council to conduct a review of the Wisconsin constitution.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 947**

Relating to criminal trespass to land by use of a vehicle and providing a penalty.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 969**

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

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 1056**

Relating to proof of possession with intent to transfer a gambling device.

Concurrence:

Ayes, 3 -- Senators Flynn, Frank and Murphy;

Noes, 2 -- Senators Harnisch and Adelman.

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**Assembly Bill 1118**

Relating to holding certain agreements to limit or eliminate tort liability void.

Concurrence:

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

Noes, 1 -- Senator Harnisch.

JAMES T. FLYNN

Chairman

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

**Assembly Bill 518**

Relating to requiring smoke detectors in residential buildings and dwellings and providing a penalty.

Introduction and adoption of senate amendment 1:

Ayes, 2 -- Senators Swan and Braun;

Noes, 1 -- Senator Lasee.

Concurrence as amended:

Ayes, 2 -- Senators Swan and Braun;

Noes, 1 -- Senator Lasee.

MONROE SWAN

Chairman

The committee on Senate Organization reports and recommends:

**Senate Bill 725**

An act to appropriate \$21,505.07 from the transportation fund for payment of a claim made by the Lakeside Bridge and Steel Company against the state.

Indefinite postponement:

Ayes, 5 -- Senators Risser, Bablitch, Kleczka, Krueger and Sensenbrenner;

Noes, 0 -- None.

FRED A. RISSER

Chairman

The committee for Review of Administrative Rules reports and recommends:

**Assembly Bill 1130**

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

Concurrence:

Ayes, 4 -- Senators Berger, Swan, Offner and Radosevich;

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Noes, 1 -- Senator Sensenbrenner.

**Assembly Bill 1170**

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

Concurrence:

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

Noes, 0 -- None.

DAVID G. BERGER

Chairman

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

**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.

Concurrence:

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

Noes, 0 -- None.

**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.

Concurrence:

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

Noes, 0 -- None.

TIMOTHY F. CULLEN

Chairman

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**REPORT OF JOINT SURVEY COMMITTEE ON  
RETIREMENT SYSTEMS**

**Appendix to Senate Bill 720**

**Recommendation**

The Joint Survey Committee on Retirement Systems is concerned only with the provisions of Senate Bill 720 relating to public retirement matters which include sections 50 to 61, 310, 314, 332, 356, 496, and 497. The committee finds that the retirement provisions in this bill are not in the public interest, and recommends against passage unless senate amendment #3 to Senate Bill 720 is adopted. This amendment was introduced at the request of the committee to address the concerns noted in this report. If senate amendment 3 is adopted, this committee would find the retirement provisions in Senate Bill 720 to be in the public interest.

Read and referred to committee on Judiciary and Consumer Affairs.

By request of Senator Flynn, with unanimous consent, **Senate Bill 720** was withdrawn from committee on Judiciary and Consumer Affairs and referred to joint committee on Finance.

**REPORT OF JOINT SURVEY COMMITTEE ON  
TAX EXEMPTIONS**

**Appendix to Senate Bill 675**

**Recommendation**

This bill is desirable public policy.

Read and referred to committee on Education and Revenue.

**REPORT OF JOINT SURVEY COMMITTEE ON  
TAX EXEMPTIONS**

**Appendix to Senate Bill 654**

**Recommendation**

This bill is desirable public policy.

Read and referred to committee on Education and Revenue.

**GARY R. GOYKE**

Chairman

**MARCEL DANDENEAU**

Chairman

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**PETITIONS AND COMMUNICATIONS**

**March 7, 1978**

**Wisconsin State Senate**

**State Capitol**

**Madison, WI**

**Honorable State Senators:**

Thanks a million for the plaque containing your birthday greeting, which brought back many pleasant memories of the Senate. Nothing could have pleased me more than to be remebered in this way.

Thanking you again for your birthday greeting and all that it meant to me, I remain

**Most sincerely**

**ALLEN J. BUSBY**

By request of Senator Lorge, with unanimous consent, Senator Busby's letter was spread on the journal.

**Senate Petition 171**

A petition by 72 residents of the 14th Senate District opposing the small trailer license fee.

By Senator Lorge.

Read and referred to committee on Commerce.

**Senate Petition 172**

A petition by 477 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.

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**EXECUTIVE COMMUNICATIONS**

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State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

March 9, 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 Keith R. Clifford, of Madison, as a member of the Tax Appeals Commission, to serve for the term ending March 1, 1981.

Sincerely,  
**MARTIN J. SCHREIBER**  
Governor

Read and referred to committee on Education and Revenue.

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**LEAVE OF ABSENCE**

By request of Senator Sensenbrenner, with unanimous consent, Senator Chilsen was granted a leave of absence until 9:45 A.M..

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**CALENDAR OF MARCH 16**

By request of Senator Bablitch, with unanimous consent, all the appointments were taken up enmasse.

**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.

Read.

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

Read.

**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.

Read.

**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.



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Read.

**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.

Read.

**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.

Read.

**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.

Read.

The question was: Confirmation of the appointments?

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

Noes -- None.

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

So the appointments were confirmed.

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MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

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

**Assembly Bill 1159**  
**Assembly Bill 445**  
**Assembly Bill 855**  
**Assembly Bill 1113**  
**Assembly Bill 251**  
**Assembly Bill 946**  
**Assembly Bill 1004**  
**Assembly Bill 1146**  
**Assembly Bill 1235**

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**Assembly Bill 1260**

**Assembly Bill 995**

Adopted and asks concurrence in:

**Assembly Joint Resolution 83**

Passed notwithstanding the objections of the Governor:

**Senate Bill 49**

Refused to order to a third reading:

**Senate Bill 355**

Amended and concurred in as amended:

**Senate Joint Resolution 22**, assembly amendment 1 adopted.

**Senate Bill 71**, assembly substitute amendment 2 adopted.

Concurred in:

**Senate Joint Resolution 65.**

Adheres to its position on:

Assembly substitute amendment 1 to **Senate Bill 292**, requests a committee of conference and appoints Representatives Gerlach, Rooney and Andrea as conferees on its part.

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MESSAGE FROM THE ASSEMBLY CONSIDERED

**Assembly Bill 1159**

Relating to mandatory leave from employment for persons serving as election officials.

By Representative Behnke.

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

**Assembly Joint Resolution 83**

Relating to memorializing congress to appropriate funds to establish schools of veterinary medicine.

By Representatives Barry, Hephner, Mohn, Fischer, Lato, Luckhardt and Day.

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

**Assembly Bill 855**

Relating to continuing education of licensed intermediaries and granting rule-making authority.

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By Representatives Rooney and Andrea, by request of The Wisconsin Association of Life Underwriters.

Read first time and referred to committee on Commerce.

### **Assembly Bill 445**

Relating to making the honey bee the state insect.

By Representatives Hephner, Mohn, Matty, Potter, Swoboda, Plewa, Medinger, Brist, Fischer, Barry, Litscher and Lato, by request of The Wisconsin Honey Producers Association., Inc.

Read first time and referred to committee on Human Services.

### **Assembly Bill 1113**

Relating to illegal entry into a motor home or trailer home.

By Representative Kirby, co-sponsored by Senator Berger, by request of Thomas H. Doehling.

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

### **Assembly Bill 251**

Relating to authorizing towns to furnish road machine work and materials to private landowners.

By Representatives Vanderperren, Day, Hasenohrl, Byers, Gunderson, Schricker, Potter, Conradt and Duren, co-sponsored by Senators Martin, Cullen and Krueger.

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

### **Assembly Bill 946**

Relating to prior creditable service credits for employes of school districts which elect to participate in the Wisconsin retirement fund.

By Representatives Potter, Gunderson, Thompson, Swoboda, Kincaid, DeLong, Lorman and Conradt, co-sponsored by Senators McKenna and Lorge.

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

### **Assembly Bill 1004**

Relating to creating a waterways commission, establishing boating facilities and boating safety assistance programs, granting rule-making authority and making an appropriation.

By Representatives Rooney, Andrea, Kedrowski, Roth, Bradley, Murray, Czerwinski, Kirby, Elconin, Vanderperren, Otte, Wahner, McClain, Kincaid, Plewa, Lallensack, Tesmer, Menos, Byers, Pabst, Medinger, Munts, Mohn, Clarenbach, Roberts, Schneider, Dorff, Moody, Rogers, Matty, Dandeneau, Olson, Gerlach, Gunderson, Dueholm, Thompson, Hanson, Porter, Schricker, Opitz, Lewison,

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Engleiter, Behnke, McEssy, Norquist, DeLong, Hauke, Flintrop, Brist, Johnson, Everson, Litscher, Barry, Hasenohrl, Potter, Looby, Wood, Lato, Swoboda, Conradt, Donoghue, Coggs, Barczak, Groshek, Ferrall, Metz, Loftus, Soucie, Leopold, Lee, Lingren, Lewis, Klicka, Tuczynski, Rutkowski, Johnston, Merkt, Ellis and Schmidt, co-sponsored by Senators Maurer, Dorman, Chilsen, Berger and Cullen.

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

**Assembly Bill 1146**

Relating to the income taxation of gains or losses on the disposition of property acquired from a decedent.

By Representatives Munts and Thompson, co-sponsored by Senators Berger and Murphy, by request of The Special Committee on Inheritance Taxation.

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

**Assembly Bill 1235**

Relating to declaring certain farm drainage ditches to be nonnavigable waters.

By Representatives Groshek, Day, Thompson, Lallensack, Everson, Vanderperren, Schricker, Bradley, Conradt, Litscher and Travis.

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

**Assembly Bill 1260**

Relating to revisions in the metalliferous mineral mining tax and granting rule-making authority.

By Representatives Kedrowski, Schneider, Kincaid, Lato and Donoghue, by request of Acting Governor Martin J. Schreiber and the Wisconsin Counties Minerals Resources Association.

Read first time and referred to joint committee on Finance.

By request of Senator Parys, with unanimous consent, **Assembly Bill 855** was withdrawn from committee on Commerce and referred to committee on Senate Organization.

**Assembly Bill 995**

Relating to legislative approval of proposed administrative rules.

By Representatives Lee, Andrea, Lorman, Engleiter, Johnston, Jackamonis, Plewa, Vanderperren, Wahner, Rooney, Ferrall, Ausman, Kedrowski, Kirby, Fischer, Elconin, Flintrop, McClain, Johnson, Rutkowski, Lingren, Clarenbach, Roberts, Hanson, Metz,

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Kincaid, Brist, Mohn, Schricker, Roth and Lallensack, co-sponsored by Senators Adelman, Keppler, Krueger, Van Sistine and McKenna.

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

### Senate Bill 292

Relating to changing the register of deeds fees.

Read.

The chair stated that it is his intention to appoint a Committee of Conference on **Senate Bill 292** later.

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## CALENDAR OF MARCH 16

### Senate Joint Resolution 51

To amend sections 1m and 1n of article V so as in effect to repeal said sections; and to amend section 9 of article IV, sections 1, 7 and 8 of article V and section 10 of article XIII, relating to gubernatorial succession (1st consideration).

Read.

Senate amendment 1 to assembly substitute amendment 1 offered by Senator Lorge.

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

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

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

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

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

Noes -- Senators Bidwell, Keppler, Krueger and Lorge -- 4.

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

So the amendment was rejected.

The question was: Concurrence in assembly substitute amendment 1?

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

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

The ayes and noes were demanded and the vote was: ayes, 7; noes, 25; absent or not voting, 1; as follows:

Ayes -- Senators Bidwell, Cullen, Lorge, McCallum, McKenna, Murphy and Swan -- 7.

Noes -- Senators Adelman, Bablitch, Berger, Braun, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Kleczka, Krueger, Lasee, Maurer, Morrison, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Sensenbrenner, Theno, Thompson and Van Sistine -- 25.

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

So the motion did not prevail.

The question was: Concurrence in assembly substitute amendment 1?

Concurred in.

### **Senate Bill 55**

Relating to exempting loans of \$100,000 or more from the usury statutes.

Read.

The question was: Concurrence in assembly amendment 1?

Senator Lorge moved rejection of assembly amendment 1.

The question was: Rejection of assembly amendment 1?

By request of Parys, with unanimous consent, **Senate Bill 55** was laid on the table.

### **Senate Bill 159**

Relating to the computation of criminal sentences and granting rule-making authority.

Read.

The question was: Concurrence in assembly substitute amendment 1?

Concurred in.

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**Senate Bill 294**

Relating to management, discipline and release of certain veterans, patients and probationers, and granting rule-making authority.

Read.

The question was: Concurrence in assembly amendment 1?

Concurred.

**Senate Bill 383**

Relating to condominium ownership and regulation.

Read.

The question was: Concurrence in assembly amendment 1?

Concurred in.

The question was: Concurrence in assembly amendment 2?

Concurred in.

The question was: Concurrence in assembly amendment 3?

Concurred in.

The question was: Concurrence in assembly amendment 4?

Concurred in.

**Senate Bill 451**

Relating to sexual exploitation of children and providing a penalty.

Read.

The question was: Concurrence in assembly substitute amendment 1?

Concurred in.

**Senate Bill 494**

Relating to sentencing a person after a probation revocation.

Read.

The question was: Concurrence in assembly amendment 1?

Concurred in.

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**Senate Bill 564**

Relating to the procedure used by a creditor to attach property of his or her debtor.

Read.

The question was: Concurrence in assembly amendment 1?  
Concurred in.

**Assembly Bill 149**

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

Read.

By request of Senator Parys, with unanimous consent, assembly amendment 1 to senate amendment 1 and assembly amendment 2 to senate amendment 1 were taken up enmasse.

Senator Parys moved non-concurrence in assembly amendment 1 to senate amendment 1 and assembly amendment 2 to senate amendment 1.

The question was: Non-concurrence in assembly amendment 1 to senate amendment 1 and assembly amendment 2 to senate amendment 1?

Non-concurred in.

The question was: Shall the senate adhere to its' position on senate amendment 3?

The senate adheres to its' position.

Senator Parys asked unanimous consent that the chair appoint a Committee of Conference on **Assembly Bill 149**.

The chair appointed Senators Van Sistine, Parys and Keppler to the Committee of Conference on **Assembly Bill 149**.

By request of Senator Bablitch, with unanimous consent, the appointments to the Committee of Conference on **Assembly Bill 149** were confirmed.

**Assembly Bill 868**

Relating to requiring the use of water conserving water closets, sink faucets and showerheads in buildings, prohibiting the sale of plumbing fixtures which are not water-conserving, granting rule-making authority and providing a penalty.

Read.



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Senator Berger moved non-concurrence in assembly amendment 2 to senate substitute amendment 1.

The question was: Non-concurrence in assembly amendment 2 to senate substitute amendment 1?

Non-concurred in.

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

The senate adheres to its' position.

Senator Berger asked unanimous consent that the chair appoint a Committee of Conference on **Assembly Bill 868**.

The chair stated that it is his intention to appoint a Committee of Conference on **Assembly Bill 868** later today.

**Senate Joint Resolution 56**

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

Read.

The question was: Adoption of **Senate Joint Resolution 56**?

Adopted.

**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.

Read.

The question was: Adoption of **Senate Joint Resolution 66**?

Senator Braun moved rejection of **Senate Joint Resolution 66**.

The question was: Rejection of **Senate Joint Resolution 66**?

Rejected.

**Senate Bill 202**

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

Read a second time.

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

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

Senator Murphy asked unanimous consent that **Senate Bill 202** be placed at the foot of the calendar.

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Senator Dorman objected.

By request of Senator Dorman, with unanimous consent, **Senate Bill 202** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 202** was withdrawn from the joint committee on Finance and considered for action at this time.

By request of Senator Dorman, with unanimous consent, **senate Bill 202** was placed at the foot of the calendar.

**Senate Bill 366**

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

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 366** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 366** was withdrawn from the joint committee on Finance and considered for action at this time.

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 366**

Read a third time.

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

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

Noes -- None.

Absent or not voting -- Senators Cullen, Harnisch and Swan -- 3.

So the bill passed.

**Senate Bill 400**

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

Read a second time.

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

Senator Sensenbrenner asked unanimous consent that **Senate Bill 400** be referred to the Joint Survey Committee on Tax Exemptions.

Senator Theno objected.

Senator Sensenbrenner moved indefinite postponement of **Senate Bill 400**.

The question was: Indefinite postponement of **Senate Bill 400**?

By request of Senator Sensenbrenner, with unanimous consent, **Senate Bill 400** was placed at the foot of the calendar.

**Senate Bill 504**

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

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 504** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 504** was withdrawn from the joint committee on Finance and considered for action at this time.

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

Adopted.

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 Theno.

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

Adopted.

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

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

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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 504**

Read a third time.

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

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

Noes -- Senators Keppler, Murphy and Sensenbrenner -- 3.

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

So the bill passed.

**Senate Bill 505**

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

Read a second time.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 505** was laid on the table.

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**Senate Bill 521**

Relating to creating a land surveyors examining board and granting rule-making authority.

Senate amendment 1 offered by Senator Berger.

Senator Murphy 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.

By request of Senator Dorman, with unanimous consent, **Senate Bill 521** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 521** was withdrawn from the joint committee on Finance and considered for action at this time.

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 521**

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

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

Noes -- None.

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

So the bill passed.

**Senate Bill 548**

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

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 548** was referred to joint committee on Finance.

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**Senate Bill 549**

Relating to restricting trust ownership and operation of farms.

Read a second time.

Ordered to a third reading.

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

**Senate Bill 549**

Read a third time and passed.

**Senate Bill 667**

Relating to school district operation of public library facilities.

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 667**

Read a third time and passed.

**Senate Bill 725**

An act to appropriate \$21,505.07 from the transportation fund for payment of a claim made by the Lakeside Bridge and Steel Company against the state.

Read a second time.

The question was: Shall the bill be indefinitely postponed.

Indefinitely postponed.

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

Senator Bablitch called the chair's attention to the Special Order of business at 10:00 A.M.

**Assembly Bill 898**

Relating to various changes in the state mental health act and related provisions, granting rule-making authority and providing penalties.

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Adoption of senate amendment 2?

Senator Sensenbrenner moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

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The ayes and noes were demanded and the vote was: ayes, 7; noes, 26; absent or not voting, 0; as follows:

**Ayes -- Senators Bidwell, Kleczka, Krueger, Lasee, Murphy, Parys and Sensenbrenner -- 7.**

**Noes -- Senators Adelman, Bablitch, Berger, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Keppler, Lorge, McCallum, McKenna, Maurer, Morrison, Offner, Peloquin, Petri, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine -- 26.**

**Absent or not voting -- None.**

**So the amendment was not rejected.**

**The question was: Adoption of senate amendment 2?**

**Adopted.**

**The question was: Adoption of senate amendment 3?**

**Adopted.**

**Senate amendment 4 offered by Senator Morrison.**

**The question was: Adoption of senate amendment 4?**

**Adopted.**

**Senate amendment 5 offered by Senator Murphy.**

**The question was: Adoption of senate amendment 5?**

**Senator Morrison moved rejection of senate amendment 5.**

**The question was: Rejection of senate amendment 5?**

**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 898**

**Read a third time and concurred in as amended.**

### **Assembly Bill 159**

**Relating to equal insurance coverage of psychologists services.**

**Read a second time.**

**The question was: Non-concurrence in Assembly Bill 159?**

**The ayes and noes were demanded and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:**

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Ayes -- Senators Bablitch, Dorman, Frank, Goyke, Keppler, Krueger, McCallum, Maurer, Murphy, Offner, Petri, Risser, Sensenbrenner, Theno and Van Sistine -- 15.

Noes -- Senators Adelman, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Harnisch, Kleczka, Lasee, Lorge, McKenna, Morrison, Parys, Peloquin, Radosevich, Swan and Thompson -- 18.

Absent or not voting -- None.

So the motion did not prevail.

Senate amendment 1 offered by Senator Berger.

The question was: Adoption of senate amendment 1?

Senator Goyke moved that **Assembly Bill 159** be referred to the committee on Human Services.

The question was: Shall **Assembly Bill 159** be referred to the committee on Human Services?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 20; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Cullen, Frank, Goyke, Krueger, McCallum, Maurer, Murphy, Offner, Petri, Risser, Theno and Van Sistine -- 13.

Noes -- Senators Adelman, Berger, Bidwell, Braun, Chilsen, Dorman, Flynn, Harnisch, Keppler, Kleczka, Lasee, Lorge, McKenna, Morrison, Parys, Peloquin, Radosevich, Sensenbrenner, Swan and Thompson -- 20.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate 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 159**

Read a third time.

The ayes and noes were required and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Berger, Bidwell, Braun, Cullen, Dorman, Flynn, Harnisch, Kleczka, Krueger, Lasee, Lorge,



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McKenna, Morrison, Parys, Peloquin, Radosevich, Swan and Thompson -- 19.

Noes -- Senators Bablitch, Chilsen, Frank, Goyke, Keppler, McCallum, Maurer, Murphy, Offner, Petri, Risser, Sensenbrenner, Theno and Van Sistine -- 14.

Absent or not voting -- None.

So the bill was concurred in as amended.

**Assembly Bill 663**

Relating to limitations on giving information relating to general relief, requiring record-keeping of relief paid and providing a penalty.

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 663**

Read a third time and concurred in.

**Senate Bill 202**

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

Read.

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

By request of Senator Bablitch, with unanimous consent, senate amendment 1 to senate substitute amendment 2 was returned to the author.

Senate amendment 2 to senate substitute amendment 2 offered by Senator Braun.

The question was: Adoption of senate amendment 2 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 202**

Read a third time.

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harnisch, Kleczka, Krueger, Lasee, Lorge, McKenna, Maurer, Offner, Parys, Peloquin, Petri, Radosevich, Risser, Swan, Theno, Thompson and Van Sistine - - 28.

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

Absent or not voting -- None.

So the bill passed.

### **Senate Bill 400**

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

Read.

The question was: Indefinite postponement of **Senate Bill 400**?

Senator Sensenbrenner asked unanimous that **Senate Bill 400** be referred to the Joint Survey Committee on Tax Exemptions.

Senator Theno objected.

Senator Sensenbrenner raised the point of order that **Senate Bill 400** is required to be referred to the Joint Survey Committee on Tax Exemptions.

The chair took the point of order under advisement.

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

## COMMITTEE REPORTS

The committee on Commerce reports and recommends:

### **Assembly Bill 1092**

Relating to the use of electronic devices in telephone solicitation and providing a penalty.

Concurrence:

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

Noes, 0 -- None.

### **Assembly Bill 1112**

Relating to duties of a motor vehicle operator upon approaching a pedestrian using a dog guide and providing a penalty.

Concurrence:

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

Noes, 0 -- None.

**Senate Bill 301**

Relating to regulating the collecting and recycling of waste oil, making appropriations, granting rule-making authority and providing penalties.

Passage:

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

Noes, 0 -- None.

**Assembly Bill 966**

Relating to adverse claims to depositors' accounts with financial institutions.

Concurrence:

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

Noes, 0 -- None.

YOUNG, E. GORDON, of Madison, as a member of the Transportation Commission, to succeed John Fuller, to serve for the term ending March 1, 1979.

Confirmation:

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

Noes, 0 -- None.

**Senate Bill 693**

Relating to licensing requirements under the motor vehicle salvage dealer law.

Passage:

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

Noes, 1 -- Senator Bidwell.

**Assembly Bill 714**

Relating to confidentiality of motor and special fuel, cigarette and intoxicating beverage tax information, procedures in demanding tax reports from motor and special fuel nonfilers, cigarette tax enforcement, transferring oleomargarine regulation from the department of revenue to the department of agriculture and providing penalties.

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Concurrence:

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

Noes, 0 -- None.

RONALD G. PARYS  
Chairman

The committee for Review of Administrative Rules reports and recommends:

**Assembly Bill 995**

Relating to legislative approval of proposed administrative rules.

Concurrence:

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

Noes, 0 -- None.

DAVID G. BERGER  
Chairman

The committee on Governmental and Veterans Affairs reports and recommends:

**Assembly Bill 606**

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

Concurrence:

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

MONROE SWAN  
Chairman

The committee on Education and Revenue reports and recommends:

**Senate Bill 668**

Relating to permitting school districts to enter into contracts with other school districts to provide educational services.

Passage:

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

Noes, 0 -- None.

**Assembly Bill 900**

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

Concurrence:

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

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Noes, 0 -- None.

**Assembly Bill 940**

Relating to age of admission to kindergarten and first grade.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 1019**

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

Concurrence:

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

Noes, 0 -- None.

GARY R. GOYKE

Chairman

The committee on Human Services reports and recommends:

LAZAR, KATHLEEN, of Sun Prairie, as a member of the Cosmetology Examining Board, to succeed Vernice Marousek, to serve for the term ending July 1, 1980.

Confirmation:

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

Noes, 0 -- None.

SCHULTZ, FERDINAND W., of Waukesha, as a member of the Cosmetology Examining Board, to succeed Mary Schneider, to serve for the term ending July 1, 1980.

Confirmation:

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

Noes, 0 -- None.

**Senate Bill 698**

Relating to authorization for the department of health and social services to approved limited use of experimental private domestic sewage treatment and disposal systems during the next five years.

Passage:

Ayes, 3 -- Senators Thompson, Van Sistine and Petri;

Noes, 1 -- Senator Braun.

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**Senate Bill 731**

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

Passage:

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

Noes, 0 -- None.

**Assembly Bill 612**

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

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 899**

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

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 1039**

Relating to expanding the membership of county boards of health and county health commissions to include registered nurses experienced in county health functions.

Concurrence:

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

Noes, 0 -- None.

**Assembly Bill 1141**

Relating to clarifying penalties for food stamp fraud.

Concurrence:

**Assembly Bill 722**

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

Concurrence:

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

Noes, 0 -- None.

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

Noes, 0 -- None.

**Assembly Joint Resolution 79**

Relating to directing the legislative council to study the concept of definite term sentencing of criminals.

Concurrence:

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

Noes, 0 -- None.

CARL W. THOMPSON

Chairman

Senator Parys asked unanimous consent that **Senate Bill 55** be removed from the table and taken up at this time.

Senator Sensenbrenner objected.

Senator Thompson moved reconsideration of the vote by which **Assembly Bill 159** was concurred in.

By request of Senator Thompson, with unanimous consent, the motion to reconsider the vote by which **Assembly Bill 159** was concurred in was laid on the table.

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

**Assembly Bill 868**

Relating to requiring the use of water conserving water closets, sink faucets and showerheads in buildings, prohibiting the sale of plumbing fixtures which are not water-conserving, granting rule-making authority and providing a penalty.

The chair appointed Senators Harnisch, Berger and Petri to the Committee of Conference on **Assembly Bill 868**.

By request of Senator Bablitch, with unanimous consent, the appointments to the Committee of Conference were confirmed.

By request of Senator Swan, with unanimous consent, **Assembly Bill 1148** was withdrawn from committee on Governmental and Veterans' Affairs and referred to committee on Senate Organization.

LEAVE OF ABSENCE

By request of Senator Flynn, with unanimous consent, he was granted a leave of absence for March 20, 21 and 22.

By request of Senator Frank, with unanimous consent, **Assembly Bill 394** was withdrawn from committee on Urban Affairs and referred to committee on Senate Organization.

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By request of Senator Muphy, with unanimous consent, the motion to reconsider the vote by which **Senate Bill 646** was indefinitely postponed was removed from the table and referred to the committee on Senate Organization.

Senator Radosevich asked unanimous consent that **Senate Bill 724** be withdrawn from the committee on Agriculture, Aging and Labor and be referred to committee on Senate Organization.

Senator Sensenbrenner objected.

By request of Senator Berger, with unanimous consent, the motion to reconsider the vote by which **Assembly Bill 814** was refused concurrence was removed from the table and referred to committee on Senate Organization.

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AMENDMENTS OFFERED

Senate amendment 1 to senate substitute amendment 2 to **Senate Bill 301** by Senator Murphy.

Senate amendment 1 to **Senate Bill 695** by Senator Parys.

Senate amendment 2 to **Senate Bill 705** by Senator Murphy.

Senate amendment 2 to **Assembly Bill 139** by Senator Murphy.

By request of Senator Bablitch, with unanimous consent, the senate adjourned in honor of Wisconsin Women for Agriculture.

By request of Senator Theno, with unanimous consent, the senate adjourned in honor of St. Patrick and St. Urho, patron saint of Finland, and their respective nationalities.

By request of Senator Sensenbrenner, with unanimous consent, the senate adjourned in honor of the 227th birthday of James Madison.

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Tuesday, March 21.

12:50 P.M.



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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to:

**Senate Joint Resolution 65**

1. On page 2, line 6, substitute "counsel" for "council".

Relating to:

**Assembly Bill 1260**

1. On page 5, line 5, after "(d)" insert "(intro.)".
2. On page 6, line 2, delete "to".

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CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Joint Resolution 52**

Correctly enrolled and deposited in the Office of the Secretary of State on March 15, 1978.

**Senate Bill 49**

Deposited in the office of the Secretary of State on Thursday, March 16, 1978, after passage by both houses notwithstanding the objections of the Governor, and has been assigned Chapter No. 204.