

JOURNAL OF THE SENATE [March 9, 1976]

STATE OF WISCONSIN

Senate Journal

Eighty-Second Regular Session

TUESDAY, March 9, 1976.

10:00 A.M.

The senate met.

The senate was called to order by the president of the senate.

Prayer was offered by Reverend James A. Knuth, Pastor of Calvary Lutheran Chapel, Missouri Synod, Madison.

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

LEAVE OF ABSENCE

By request of Senator Chilsen, with unanimous consent, Senator Knutson was granted a leave of absence for the balance of the week.

By request of Senator Whittow, with unanimous consent, Senator Swan was granted a leave of absence for the balance of the morning.

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

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

Absent -- None.

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Absent with leave -- Senators Knutson and Swan -- 2.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 66

Relating to internal improvements for transportation facilities.

By Senators Risser, Flynn, Dorman, Martin, Goyke, Cullen, and Thompson.

Read and referred to committee on Commerce.

BILLS INTRODUCED

Read first time and referred:

Senate Bill 825

Relating to fiscal notes for bills causing fiscal impact on the private sector and requiring preparation of an economic impact statement on proposed administrative rules.

By Senators Knowles, Berger, Murphy, Chilsen, Lorge, Theno, Bidwell, Hollander, LaFave, Bablitch, Kleczka, Keppler, McKenna, Devitt, Sensenbrenner, Petri, Goyke, Maurer, and Flynn.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

REPORT OF JOINT SURVEY COMMITTEE ON
TAX EXEMPTIONS

Appendix to **Senate Bill 697**

Recommendation

This bill is not desirable as public policy.

The major policy impact of this bill is a redistribution of the local tax burden from utilities to other general property taxpayers in the state. This is achieved in the following manner:

1. In general, as a result of this bill, light, heat and power companies will pay less in property taxes. Currently taxed as utilities they pay the statewide average tax rate on a tax base which is defined as fair market value of their property. As a result of this bill, the tax base for utilities would be reduced because taxing them as manufacturing establishments would result in machinery and equipment being exempt from local property taxes. In addition, the tax rate would be reduced. The reason for this being that, in

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general, utilities are located in municipalities in which the net tax rate is approximately 70% of the statewide average tax rate.

2. This bill will reduce general property tax relief by \$99.24 million in 1976-77.

Therefore, to the extent that the objective of the general property tax relief program is to reduce the tax burden of individual general property taxpayers this bill reduces this capability. This occurs at the same time that heat, light and power companies are afforded the tax benefits described in #1 above.

It is interesting to note that municipalities without a local levy would not receive any revenues from a proposal of this nature unless a local levy were enacted. This is the case even though they are presently receiving revenue from the utilities under the shared tax formula.

**JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS
GARY R. GOYKE**

Chairman

Read and rereferred to committee on Commerce.

Appendix to Senate Bill 702

Recommendation

Currently motion picture film processing facilities are not included in the list of classified properties included under s. 70.995 and thus are ineligible for the M & E exemption. It appears that the activities of a motion picture film processor may be defined as a manufacturing process since their business is to print and process motion picture film, a process which starts with raw materials and produces a finished product. Therefore, on the grounds of uniformity of treatment under the law it appears that this bill constitutes good public policy.

**JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS**

GARY R. GOYKE

Chairman

Read and referred to joint committee on Finance.

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Appendix to Senate Bill 767

Recommendation

It may be argued that current law is inconsistent in that it treats resident and non-resident watercraft owners differently. For example, a watercraft employed regularly in interstate commerce is exempt but once it is laid up for repairs under current law it is treated differently depending upon whether it belongs to a resident or non-resident. In the former case it would lose its exemption from the property tax and in the latter case it would not. The law does not specify where the watercraft must be when laid up to qualify for the exemptions.

It would be in the interest of the public to ensure consistent treatment under the law and to the extent this bill achieves this goal, it is desirable as public policy.

**JOINT SURVEY COMMITTEE
ON TAX EXEMPTIONS**

GARY R. GOYKE
Chairman

Read and referred to committee on Commerce.

The committee on Education reports and recommends:

Senate Bill 655

Relating to the establishment of model schools by private colleges and the board of regents of the university of Wisconsin system.

Adoption of senate substitute amendment 1; Ayes, 4; Noes, 0.

Passage as amended; Ayes, 4; Noes, 0.

BRUCE S. PELOQUIN
Chairman

The committee on Judiciary and Consumer Affairs reports and recommends:

Assembly Bill 506

Relating to threats against persons or property and providing penalties.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 546

Relating to circulation dates for nomination papers of independent candidates at partisan elections.

Concurrence; Ayes, 4; Noes, 1.

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Assembly Bill 568

Relating to awarding of costs and fees if an action, special proceeding, cross complaint or counterclaim is determined to be frivolous.

Concurrence; Ayes, 3; Noes, 2.

Assembly Bill 673

Relating to children's court center in counties having a population of 500,000 or more.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 727

Relating to permitting a public employe to designate a testamentary trust as beneficiary of the employe's interest in the retirement and public employe trust funds.

Concurrence; Ayes, 5; Noes, 0.

Senate Bill 786

Relating to permitting certain retired judges to perform marriages.

Passage; Ayes, 5; Noes, 0.

Senate Bill 811

Relating to trust funds of contractors and subcontractors and fiduciary duties in connection with trust funds.

Passage; Ayes, 5; Noes, 0.

Assembly Bill 92

Relating to rights of witnesses and secrecy at grand juries.

Concurrence; Ayes, 3; Noes, 1.

Assembly Bill 188

Relating to coroner's compensation, appointment of deputy coroners and coroner approval of autopsies in cases of unusual circumstances.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 219

Relating to certification by the clerk of circuit court of county judges' salaries in counties having a population of 500,000 or more.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 282

Relating to municipal administrative procedure and review.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 339

Relating to a general "good Samaritan" law.

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Concurrence; Ayes, 4; Noes, 1.

VISTE, MARION C., of Wausau, as a member of the Ethics Board, to succeed Judge Gerald Boileau, resigned, to serve for the balance of the unexpired term ending May 1, 1976, and to serve for a full term ending May 1, 1982.

Confirmation; Ayes, 4; Noes, 0.

MOONEY, RICHARD F., of Whitefish Bay, as a member of the Ethics Board, to succeed himself, to serve for the term ending May 1, 1981.

Confirmation; Ayes, 4; Noes, 0.

Senate Joint Resolution 52

Making an application to the Congress of the United States pursuant to article V of the constitution of the United States, for a convention for proposing an amendment to the constitution of the United States guaranteeing the right to life.

Adoption; Ayes, 4; Noes, 1.

Senate Bill 591

Relating to allowing county sheriffs to contract for service of process.

Passage; Ayes, 5; Noes, 0.

Senate Bill 713

Relating to authorizing court commissioners to hold preliminary examinations.

Introduction of senate amendment 1; Ayes, 5; Noes, 0.

Adoption of senate amendment 1; Ayes, 5; Noes, 0.

Passage as amended; Ayes, 5; Noes, 0.

Assembly Bill 794

Relating to the revision of civil and criminal contempt procedures and providing penalties.

Concurrence; Ayes, 5; Noes, 0.

JAMES T. FLYNN

Chairman

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The joint committee on Finance reports and recommends:

Senate Bill 796

Relating to miscellaneous changes requested by various state agencies, granting rule-making authority, making appropriations and altering penalties.

Introduction of senate amendment 1; Ayes, 14; Noes, 0.

Introduction of senate amendment 2; Ayes, 14; Noes, 0.

HENRY DORMAN

Chairman

The committee on Senate Organization reports and recommends:

Senate Bill 805

Relating to providing for cochairpersons for the joint committee for review of administrative rules.

Passage; Ayes, 5; Noes, 0.

FRED A. RISSER

Chairman

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

Assembly Bill 137

Relating to representation of minority and disadvantaged groups in the administration of programs affecting them, and granting rule-making power to the secretary of administration.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 765

Relating to use of the terms parent, guardian or spouse in the retail purchasing of alcoholic beverages, changes in the application procedure for licenses and the sale of intoxicating liquors in restaurants (suggested as remedial legislation by the department of justice).

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 175

Relating to making various changes in town laws.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 876

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

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Concurrence; Ayes, 5; Noes, 0.

Senate Bill 567

Relating to empowering electors at a town meeting to authorize the town board to select assessors by appointment.

Passage; Ayes, 5; Noes, 0.

Assembly Bill 620

Relating to extending closing hours for holders of retail Class "B" and "Class B" liquor licenses in counties under 500,000.

Concurrence; Ayes, 4; Noes, 0.

Assembly Bill 67

Relating to accounting for dedicated lands in determining assessments for public improvements in the city of Milwaukee.

Concurrence; Ayes, 5; Noes, 0.

Assembly Bill 433

Relating to increasing the maximum dollar amounts of contracts which certain housing authorities and redevelopment authorities may let without competitive bidding.

Concurrence; Ayes, 3; Noes, 2.

MONROE SWAN

Chairman

The committee on Commerce reports and recommends:

Senate Bill 651

Relating to regulating the recycling of oil, making appropriations, granting rule-making authority and providing a penalty.

Adoption of senate substitute amendment 1; Ayes, 8; Noes, 1.

Passage as amended; Ayes, 8; Noes, 1.

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Senate Bill 756

Relating to permitting school vehicles to use studded tires.

Introduction of senate amendment 1; Ayes, 7; Noes, 2.

Adoption of senate amendment 1; Ayes, 7; Noes, 2.

Passage as amended; Ayes, 7; Noes, 2.

RONALD G. PARYS

Chairman

PETITIONS AND COMMUNICATIONS

Senate Petition 123

A petition by 56 citizens of Walworth County in support of Senate Bill 692, relating to SSI payments and Senate Bill 622, the Omnibus Aging Services Bill.

By Senator Thompson.

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

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

March 4, 1976.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint Dr. Ben Lawton, of Marshfield, a member of the Board of Regents of the University of Wisconsin System, to succeed Mary Williams, resigned, to serve for the term ending May 1, 1977.

Sincerely,
PATRICK J. LUCEY
Governor

Read and referred to committee on Education.

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State of Wisconsin
Office of the Governor
Madison, Wisconsin

March 3, 1976.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint Robert L. Rybarczyk, of Schofield, a member of the Real Estate Examining Board, to serve for the term ending July 1, 1979.

Sincerely,
PATRICK J. LUCEY
Governor

Read and referred to committee on Judiciary and Consumer Affairs.

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 821
Assembly Bill 858
Assembly Bill 890
Assembly Bill 988
Assembly Bill 1013
Assembly Bill 1325
Assembly Bill 1373
Assembly Bill 421
Assembly Bill 1412

and

Concurred in:

Senate Bill 98
Senate Bill 137
Senate Bill 413
Senate Bill 531
Senate Bill 588
Senate Bill 600

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Concurred in as amended:

Senate Bill 306 (Assembly Substitute amendment 1)

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 821

Relating to permitting 2nd, 3rd and 4th class cities and villages to create community development authorities and making various changes with respect to certain housing authorities and redevelopment authorities.

By Representative Muntz; cosponsored by Senator Risser.

Read first time and referred to committee on Urban Affairs.

Assembly Bill 858

Relating to maximum contract amount for municipal soil conservation work.

By Representatives Lato, Kedrowski, Everson, Looby, Lallensack, Hasenohrl and Duren.

Read first time and referred to committee on Natural Resources.

Assembly Bill 890

Relating to vehicle speed limits on frozen waters and providing a penalty.

By Representatives Vanderperren, Metz, Swoboda, Lallensack, Menos, O'Malley, Matty, Groshek and Early; cosponsored by Senator Martin.

Read first time and referred to committee on Natural Resources.

Assembly Bill 988

Relating to issuance of commercial fishing licenses to nonresidents.

By Representative Swoboda, by request of Mr. Jake Ellefson, Washington Island.

Read first time and referred to committee on Natural Resources.

Assembly Bill 1013

Relating to permitting irrevocable burial trusts.

By Representatives Dandeneau, Soucie and Mittness.

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

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Assembly Bill 1325

Relating to allowing presiding judges in counties having a population of 500,000 or more to authorize judicial court commissioners to hold preliminary examinations.

By Representative Sicula.

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

Assembly Bill 1373

Relating to permitting county boards to establish the fiscal year of the county.

By Representative Rooney.

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

Assembly Bill 421

Relating to prohibiting state and local subsidy of abortions.

By Representatives Duren, Murray, Plewa, Swoboda, Otte, Rogers, Menos, Wackett, Gower, Giese, Klicka, Lasee, Ausman, Schroeder, L.F. Anderson, Opitz, Kincaid, Sensenbrenner, Roth, Azim, Kirby and DeLong; cosponsored by Senators Kleczka, Keppler, Petri, Devitt, Berger, Lorge, LaFave, Chilsen, Murphy and Martin.

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

Senator Petri asked unanimous consent that **Assembly Bill 421** be withdrawn from the committee on Agriculture, Human Services, Labor and Taxation and referred to committee on Judiciary and Consumer Affairs.

Senator Thompson objected.

Senator Petri moved that **Assembly Bill 421** be withdrawn from the committee on Agriculture, Human Services, Labor and Taxation and referred to committee on Judiciary and Consumer Affairs.

Senator Sensenbrenner moved a

CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

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

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

Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Petri, Risser, Sensenbrenner, Theno, Thompson and Whittow -- 30.

Absent -- Senator McKenna -- 1.

Absent with leave -- Senators Knutson and Swan -- 2.

By request of Senator Whittow, with unanimous consent, the call was raised.

The question was: Shall **Assembly Bill 421** be withdrawn from the committee on Agriculture, Human Services, Labor and Taxation and referred to the committee on Judiciary and Consumer Affairs?

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

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

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

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

So the motion did not prevail.

Assembly Bill 1412

Relating to the method of selection and apportionment of delegates to national presidential conventions.

By Representatives Kedrowski and Barczak; cosponsored by Senator Flynn.

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

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By request of Senators Whittow and Krueger, pursuant to senate rule 76, a 3 minute limit was placed on debate on each member for every question.

CALENDAR OF MARCH 9

LUECK, DR. JOHN, of Marshfield, as a member of the Dentistry Examining Board, to succeed Dr. John Schlick, to serve for the term ending July 1, 1980.

Read.

SMITH, MOWRY, of Neenah, as a member of the State Investment Board, to succeed himself, to serve for the term ending March 1, 1981.

Read.

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

The question was: Confirmation?

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

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

Noes -- None.

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

So the appointments were confirmed.

Senate Joint Resolution 40

Memorializing Congress and the President of the United States to aid in securing the release of Katherine Zenz and JoAnn McDaniel from imprisonment in Turkey.

The question was: Concurrence in Assembly substitute amendment 1?

Senator Kleczka moved nonconcurrency.

The ayes and noes were demanded and the vote was: ayes, 6; noes, 25; absent or not voting, 2; as follows:

Ayes -- Senators Bidwell, Chilsen, Kleczka, Krueger, Petri and Sensenbrenner -- 6.

Noes -- Senators Bablitch, Berger, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Knowles,

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LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Risser, Theno, Thompson and Whittow -- 25.

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

So the motion did not prevail.

Assembly substitute amendment 1 concurred in.

Senate Bill 62

Relating to permitting the shipment of branches and boughs outside a county without a Christmas tree dealer license.

The question was: Concurrence in assembly amendment 1?

Concurred in.

Senate Bill 189

Relating to the office of county executive in nonpopulous counties.

The question was: Concurrence in assembly amendment 1?

Concurred in.

Senate Bill 196

Permitting collectors to sell their unique liquor bottles.

The question was: Concurrence in assembly amendment 2?

Concurred in.

Senate Bill 198

Relating to revising the woodland tax law and providing a penalty.

The question was: Concurrence in assembly amendment 2?

Concurred in.

Senate Bill 338

Relating to regulation and licensing functions of the department of health and social services, granting rule-making authority and providing a penalty.

The question was: Concurrence in assembly amendment 1?

Concurred in.

By request of Senator Dorman, with unanimous consent, **Senate Bill 338** was placed after **Senate Bill 699**.

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Senate Bill 345

Relating to standards for outdoor advertising.

The question was: Concurrence in assembly substitute amendment 1?

Concurred in.

Senate Bill 356

Relating to permitting a lessor in a consumer lease to take a security interest in money.

The question was: Concurrence in assembly amendment 1?

Concurred in.

Senate Bill 368

Relating to contraceptive devices, and providing a penalty.

The question was: Concurrence in assembly amendment 1?

Concurred in.

Senate Bill 372

Relating to driving and parking near deployed fire fighting apparatus.

The question was: Concurrence in assembly amendment 1?

Concurred in.

Senate Bill 423

Relating to solid waste disposal and motor vehicle salvage dealers, imposing fees, granting rule-making authority and providing penalties.

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

Senate amendment 1 adopted.

Assembly substitute amendment 1 concurred in as amended.

Senate Bill 425

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

The question was: Concurrence in assembly amendment 1?

Concurred in.

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Senate Bill 470

Relating to annuity payments from additional deposits in public employe retirement funds and granting rule-making authority.

The question was: Concurrence in assembly amendment 1?

Concurred in.

Senate Bill 483

Relating to examinations for registration as an architect or professional engineer.

The question was: Concurrence in assembly amendment 1?

Concurred in.

Senate Bill 484

Relating to permitting the destruction of identification card applications.

The question was: Concurrence in assembly amendment 1?

Concurred in.

Senate Bill 614

Relating to the "organization of Wisconsin state government" preprint from the biennial Blue Book.

The question was: Concurrence in assembly amendment 1?

Senator Sensenbrenner moved nonconcurrence.

The motion prevailed.

Senate Bill 699

Relating to an interstate compact creating an interstate port authority commission to study the feasibility of merging the port authorities at Duluth, Minnesota, and Superior, Wisconsin, and making appropriations.

The question was: Concurrence in assembly amendment 1?

Concurred in.

Senate Bill 338

Relating to regulation and licensing functions of the department of health and social services, granting rule-making authority and providing a penalty.

The question was: Concurrence in assembly amendment 2?

Concurred in.

President pro tempore of the senate in the chair.

11:15 A.M.

The question was: Concurrence in assembly amendment 3?

Concurred in.

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The question was: Concurrence in assembly amendment 4?

Concurred in.

The question was: Concurrence in assembly amendment 7?

Concurred in.

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

President of the senate in the chair.

11:20 A.M.

Senate Joint Resolution 51

Memorializing congress to preserve railroad lines and rail traffic.

Read and adopted.

Senate Joint Resolution 63

Memorializing congress to establish a National Consumer Cooperative Bank.

Read and adopted.

Senate Joint Resolution 65

Relating to proclaiming the date of May 1, 1976, as "Law Day U.S.A." and to granting to the state bar of Wisconsin the use of the senate and assembly chambers.

Read and adopted.

Senate Bill 135

Relating to imposing limitations on the use of interest adjustment clauses in connection with certain first lien residential mortgage loans and creating a penalty.

Read a second time.

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

Senate amendment 1 adopted.

Senate amendment 2 to senate substitute amendment 1 to **Senate Bill 135** offered by Senators Bidwell and Martin.

Senator Parys raised the point of order that senate amendment 2 to senate substitute amendment 1 was not germane.

The chair ruled the point of order well taken.

Senate amendment 3 to senate substitute amendment 1 to **Senate Bill 135** offered by Senator Flynn.

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Senator Parys moved rejection.

The motion prevailed.

Senate amendment 4 to senate substitute amendment 1 to **Senate Bill 135** offered by Senator Flynn.

Senator Parys moved rejection.

The motion prevailed.

Senate substitute amendment 1 adopted.

President pro tempore of the senate in the chair.

12:00 Noon

Ordered to a third reading.

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

Senate Bill 135

Read a third time.

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

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

Noes -- None.

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

More than two-thirds having voted in the affirmative the bill passed.

Senate Bill 747

An act authorizing and directing the department of natural resources to sell or exchange certain state lands in the county of Oneida.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 747** was referred to the joint committee on Finance.

By request of Senator Dorman, with unanimous consent, **Senate Bill 747** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

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The question was: Adoption of senate amendment 1?

Adopted.

Senate amendment 2 to **Senate Bill 747** offered by Senator Krueger.

Senate amendment 2 adopted.

Ordered to a third reading.

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

Senate Bill 747

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 2; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Chilsen, Cullen, Devitt, Dorman, Flynn, Frank, Goyke, Harnisch, Hollander, Keppler, Kleczka, Knowles, Krueger, LaFave, Lorge, McKenna, Martin, Maurer, Morrison, Murphy, Parys, Peloquin, Risser, Theno, Thompson and Whittow -- 29.

Noes -- Senators Petri and Sensenbrenner -- 2.

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

So the bill passed.

Senate Bill 753

Relating to expanding regulation of outdoor advertising and regulation of junkyards in areas adjacent to interstate and primary highways, granting rule-making authority and increasing an appropriation.

Read a second time.

By request of Senator Dorman, with unanimous consent, **Senate Bill 753** was referred to joint committee on Finance.

Assembly Bill 635

Relating to exempting lands adjacent to certain farm drainage ditches from flood plain zoning jurisdiction.

Read a second time.

Ordered to a third reading.

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

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Assembly Bill 635

Read a third time and concurred in.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 792** by Senator Devitt.

Senate amendment 1 to **Senate Bill 800** by Senator Harnisch.

Upon motion of Senator Whittow the senate adjourned until
9:00 A.M. Wednesday, March 10.

12:08 P.M.