

STATE OF WISCONSIN

Senate Journal

Eighty-Eighth Regular Session

10:00 A.M.

TUESDAY, January 27, 1987

The senate met.

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

The senate stood for the prayer which was offered by Dr. James H. Shipley, pastor of New Life Baptist Church, Middleton.

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

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

Senators Adelman, Andrea, Chilsen, Chvala, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leman, Lorman, Moen, Norquist, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny and Van Sistine — 29.

Absent — Senator Jauch — 1.

Absent with leave — None.

LEAVE OF ABSENCE

By request of Senator Strohl, with unanimous consent, Senator Jauch was granted a leave of absence until 12:00 noon.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 11

Relating to abolishing the constitutional grant of legislative immunity from arrest and civil process (first consideration).

By Senator Jauch, Andrea, Rude, Lorman and Lee; cosponsored by Representatives Hubler, Krusick, Thompson, Barrett, Bock, Fergus, Goetsch, Grobschmidt, Buettner, Linton, Vergeront and Boyle.

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

Senate Joint Resolution 12

For the purpose of requesting appropriate action by the congress, either acting by consent of two-thirds of both houses, or, upon the application of the legislatures of two-thirds of the several states, calling a constitutional convention to propose an amendment to the federal constitution to require, with certain exceptions, that the total of all federal appropriations may not exceed the total of all estimated federal revenues in any fiscal year.

By Senators Roshell, Kreul, Harsdorf and Chilsen; cosponsored by Representatives Wineke, Porter, Buettner, Musser, Ladwig, Turba, Lepak, Goetsch, Schultz, Schober, Bolle, Van Gorden, Panzer and Schneiders.

Read and referred to committee on Housing, Government Operations and Cultural Affairs.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 38

Relating to elected officials serving on vocational, technical and adult education district boards.

By Senators Lee, Czarnezki, Davis, Lorman, Feingold, Norquist and Kincaid; cosponsored by Representatives Notestein, Volk, Radtke, Holschbach, Goetsch, Barca, Schneiders, Bell, Ladwig, Barrett, Krug, Carpenter, Seery and Mark Lewis.

To committee on Education.

Senate Bill 39

An act to direct expenditure of \$7,247.63 from the general fund for payment of a claim against the state made by Richard and Susan Stoltz.

By Senator George; cosponsored by Representative Schneider, by request of State Claims Board.

To joint committee on Finance.

Senate Bill 40

An act to direct expenditure of \$26,587.18 from the general fund for payment of a claim against the state by Shawano county.

By Senator George; cosponsored by Representative Schneider, by request of State Claims Board.

To joint committee on Finance.

Senate Bill 41

An act to direct expenditure of \$50,428.38 from the general fund for payment of a claim against the state by the city of Madison.

By Senators George and Risser; cosponsored by Representative Schneider, by request of State Claims Board.

To joint committee on Finance.

Senate Bill 42

An act to direct expenditure of \$2,202.54 from the general fund for payment of a claim against the state made by A. William Pollman.

By Senator George; cosponsored by Representative Schneider, by request of State Claims Board.

To joint committee on Finance.

Senate Bill 43

An act to direct expenditure of \$33,360 from the general fund for payment of a claim against the state made by Lester Rada.

By Senator George; cosponsored by Representative Schneider, by request of State Claims Board.

To joint committee on Finance.

Senate Bill 44

Relating to limiting personal liability and increasing indemnification of directors and officers of nonprofit corporations.

By Senators Van Sistine, Risser, Ulichny, Moen, Roshell, Lekan, Rude, Kincaid, Lasee, Lorman and Chilsen; cosponsored by Representatives Holperin, Vanderperren, Hauke, Volk, Potter, Zweck, Linton, Becker, Hasenohrl, Van Dreel, Barca, Hubler, Ladwig, Wood, Prosser, Porter, Goetsch, Thompson, Magnuson, Gronemus, Ourada, Schultz, Radtke, Schneiders, Zeuske, Cowles, Vergeront, Buettner, Panzer, Hamilton and Paulson.

To committee on Labor, Business, Insurance, Veterans and Military Affairs.

Senate Bill 45

Relating to age for obtaining alcohol beverage licenses.

By Senator Van Sistine, Ulichny, Czarnecki, Moen, Roshell, Kincaid, Helbach and Kreul; cosponsored by Representatives Robinson, Gronemus, Becker, Medinger, Shoemaker, Mark Lewis, Radtke, Antaramian, McEssy, Nelsen, Deininger, Prosser, Ourada, Berndt, Merkt and Porter.

To committee on Labor, Business, Insurance, Veterans and Military Affairs.

Senate Bill 46

Relating to location of correctional institutions.

By Senators Te Winkle and Lasee; cosponsored by Representatives Bolle and Holschbach.

To committee on Agriculture, Health and Human Services.

Senate Bill 47

Relating to abolishing certain requirements for establishing or relocating a motor vehicle dealership.

By Senator Adelman; cosponsored by Representative Krug.

To committee on Judiciary and Consumer Affairs.

Senate Bill 48

Relating to location of correctional institutions.

By Senators Moen and Rude; cosponsored by Representatives Medinger, Roberts, Musser, Van Gorden, Gronemus, Mark Lewis and Looby, by request of Jackson County Board, Buffalo County Board, Douglas County Board, Eau Claire County Board, Iron County Board, Langlade County Board, Marathon County Board, Marinette County Board, Polk County Board, Barron County Board, Monroe County Board, Pepin County Board, St. Croix County Board,

Trempealeau County Board, Vernon County Board, Walworth County Board, Richland County Board, the Cities of Black River Falls, Eau Claire, La Crosse, Whitehall, Wisconsin Rapids, Tomah and Sparta, Village of Merrillan, Town of Brockway, Black River Falls Area Chamber of Commerce, Jackson County Ministerial Association, and Great Lakes Inter-Tribal Council.

To committee on Agriculture, Health and Human Services.

Senate Bill 49

Relating to requiring state executive branch departments and agencies and state authorities to submit their budget requests at least once every 6 years using the principles of zero-based budgeting.

By Senators Roshell, Kincaid, Kreul, Davis, Harsdorf, Rude, Lorman and Lekan; cosponsored by Representatives Wineke, Welch, Ourada, Berndt, Porter, Buettner, Musser, Turba, Gronemus, Lepak, Radtke, Goetsch, Swoboda, Barca, Schober, Bolle, Van Gorden, Schneiders, Black and Mark Lewis.

To joint committee on Finance.

Senate Bill 50

Relating to allowing counties to create the position of welfare fraud investigator.

By Senators Roshell, Kincaid, Kreul, Davis, Harsdorf and Chilsen; cosponsored by Representatives Holperin, Hasenohrl, Swoboda, Bolle, Van Gorden, Musser, Wood, Goetsch, Schober, Coleman, Panzer, Schneiders and Paulson.

To committee on Agriculture, Health and Human Services.

Senate Bill 51

Relating to distribution of controlled substances to minors and providing a penalty.

By Senators Roshell, Van Sistine, Andrea, Kincaid, Lee, Kreul and Lasee; cosponsored by Representatives Volk, Hasenohrl, Gronemus, Barca, Bolle, Van Gorden, Potter, Porter, Vanderperren, Buettner, Musser, Turba, Goetsch, Huelsman, Panzer and Paulson.

To committee on Judiciary and Consumer Affairs.

Senate Bill 52

Relating to absconding without paying rent and providing a penalty.

By Senators Roshell, Moen, Andrea, Chilsen, Lasee and Kreul; cosponsored by Representatives Potter, Vanderperren, Holperin, Hasenohrl, Goetsch, Swoboda, Barca, Bolle, Porter, Buettner, Musser, Schultz, Van Gorden, Schneiders and Merkt.

To committee on Judiciary and Consumer Affairs.

By request of Senator Strohl, with unanimous consent, **Senate Bill 44** was withdrawn from the committee on Labor, Business, Insurance, Veterans and Military Affairs and referred to the committee on Senate Rules.

COMMITTEE REPORTS

The committee on Transportation, Tourism and Conservation reports and recommends for introduction:

Senate Bill 53

Relating to the council on tourism and making an appropriation.

By request of Governor Tommy G. Thompson.

Introduction:

Ayes, 6 -- Senators Kincaid, Moen, Roshell, Andrea, Kreul and Leean;

Noes, 0 -- None.

LLOYD H. KINCAID
Chair

Read first time and referred to committee on Transportation, Tourism and Conservation.

The committee on Senate Rules reports and recommends for introduction:

Senate Bill 54

Relating to correctional institutions, revising the state building program and providing for a study.

By request of Governor Tommy G. Thompson.

Introduction:

Ayes, 5 -- Senators Strohl, Risser, Norquist, Engeleiter and Ellis;

Noes, 0 -- None.

JOE STROHL
Chair

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

To the Honorable, the Senate:

Pursuant to Senate Rule 36(2) and section 13.50 of the Wisconsin Statutes, the Co-Chairs of the Joint Survey Committee on Debt Management shall prepare and submit a report in writing setting forth an opinion on the desirability of **Senate Bill 54** as a matter of public policy.

Sincerely,
Fred A. Risser
President

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Bill 32

Relating to operating a motor vehicle while under the influence of an intoxicant, drugs or both, administrative suspension and court-ordered revocation of operating privileges, chemical tests for intoxication, occupational licenses, granting rule-making authority and providing penalties.

Passage:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Lee and Lorman;

Noes, 0 -- None.

LYNN ADELMAN
Chair

By request of Senator Kincaid, with unanimous consent, **Senate Bill 53** was withdrawn from the committee on Transportation, Tourism and Conservation and referred to joint committee on Finance.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

January 22, 1987

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KAREN A. CASE of Hales Corners as Secretary of the Department of Revenue, to serve at the pleasure of the Governor.

Respectfully,
TOMMY THOMPSON
Governor

Read and referred to committee on Aging, Banking, Commercial Credit and Taxation.

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 86-203

Relating to unfair discrimination in life and disability insurance based on physical or mental impairment.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, January 12, 1987.

Referred to committee on Labor, Business, Insurance, Veterans and Military Affairs, January 27, 1987.

Senate Clearinghouse Rule 86-218

Relating to regulation of resellers which are determined to be alternative telecommunications utilities.

Submitted by Public Service Commission.

Report received from agency, January 26, 1987.

Referred to committee on Urban Affairs, Energy, Environmental Resources and Elections, January 27, 1987.

Senate Clearinghouse Rule 86-219

Relating to regulation of pay telephone service providers.

Submitted by Public Service Commission.

Report received from agency, January 26, 1987.

Referred to committee on Urban Affairs, Energy, Environmental Resources and Elections, January 27, 1987.

Senate Clearinghouse Rule 86-221

Relating to regulation of radio common carriers which are determined to be alternative telecommunications utilities.

JOURNAL OF THE SENATE [January 27, 1987]

Submitted by Public Service Commission.

Report received from agency, January 26, 1987.

Referred to committee on Urban Affairs, Energy, Environmental Resources and Elections, January 27, 1987.

Senator Norquist in the chair.

10:19 A.M.

CALENDAR OF JANUARY 27, 1987

Senate Joint Resolution 2

Relating to excepting pari-mutuel on-track betting as provided by law from the prohibition against legislative authorization of lotteries (2nd consideration).

Read a second time.

Senator Risser moved that **Senate Joint Resolution 2** be rejected.

The question was: Shall **Senate Joint Resolution 2** be rejected?

The ayes and noes were demanded and the vote was: ayes, 10; noes, 19; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Chvala, Czarnezki, Feingold, Lee, Leean, Norquist, Risser, Rude and Ulichny — 10.

Noes — Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, George, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lorman, Moen, Plewa, Roshell, Stitt, Strohl, Te Winkle and Van Sistine — 19.

Absent or not voting — Senator Jauch — 1.

So the motion prevailed.

Senate substitute amendment 1 offered by Senators Leean and Risser.

The question was: Adoption of senate substitute amendment 1?

Senator Roshell moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 12; absent or not voting, 1; as follows:

Ayes — Senators Andrea, Chilsen, Davis, Ellis, George, Helbach, Kincaid, Kreul, Lasee, Lorman, Moen, Plewa, Roshell, Strohl, Te Winkle, Ulichny and Van Sistine — 17.

Noes — Senators Adelman, Chvala, Czarnezki, Engeleiter, Feingold, Harsdorf, Lee, Leean, Norquist, Risser, Rude and Stitt — 12.

Absent or not voting — Senator Jauch — 1.

So the motion prevailed.

Senate substitute amendment 2 offered by Senators Leean and Risser.

The question was: Adoption of senate substitute amendment 2?

Senator Roshell moved rejection of senate substitute amendment 2.

The question was: Rejection of senate substitute amendment 2?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 8; absent or not voting, 1; as follows:

Ayes — Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, George, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lorman, Moen, Plewa, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny and Van Sistine — 21.

Noes — Senators Adelman, Chvala, Czarnezki, Feingold, Lee, Leean, Norquist and Risser — 8.

Absent or not voting — Senator Jauch — 1.

So the motion prevailed.

Senate substitute amendment 3 offered by Senators Leean and Risser.

The question was: Adoption of senate substitute amendment 3?

Senator Roshell moved rejection of senate substitute amendment 3.

The question was: Rejection of senate substitute amendment 3?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 8; absent or not voting, 1; as follows:

Ayes — Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, George, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lorman, Moen, Plewa, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny and Van Sistine — 21.

Noes — Senators Adelman, Chvala, Czarnezki, Feingold, Lee, Leean, Norquist and Risser — 8.

Absent or not voting — Senator Jauch — 1.

So the motion prevailed.

Senate substitute amendment 4 offered by Senators Leean and Risser.

The question was: Adoption of senate substitute amendment 4?

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

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

Adopted.

The question was: Adoption of senate substitute amendment 4?

Senator Roshell moved rejection of senate substitute amendment 4.

The question was: Rejection of senate substitute amendment 4?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 8; absent or not voting, 1; as follows:

Ayes — Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, George, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lorman, Moen, Plewa, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny and Van Sistine — 21.

Noes — Senators Adelman, Chvala, Czarnezki, Feingold, Lee, Leraan, Norquist and Risser — 8.

Absent or not voting — Senator Jauch — 1.

So the motion prevailed.

Senate substitute amendment 5 offered by Senators Leraan and Risser.

The question was: Adoption of senate substitute amendment 5?

Senator Roshell moved rejection of senate substitute amendment 5.

The question was: Rejection of senate substitute amendment 5?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 8; absent or not voting, 1; as follows:

Ayes — Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, George, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lorman, Moen, Plewa, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny and Van Sistine — 21.

Noes — Senators Adelman, Chvala, Czarnezki, Feingold, Lee, Leraan, Norquist and Risser — 8.

Absent or not voting — Senator Jauch — 1.

So the motion prevailed.

Senate substitute amendment 6 offered by Senator Risser.

The question was: Adoption of senate substitute amendment 6?

Senator Roshell moved rejection of senate substitute amendment 6.

The question was: Rejection of senate substitute amendment 6?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 7; absent or not voting, 1; as follows:

Ayes — Senators Andrea, Chilsen, Czarnezki, Davis, Ellis, Engeleiter, George, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lorman, Moen, Plewa, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny and Van Sistine — 22.

Noes — Senators Adelman, Chvala, Feingold, Lee, Leraan, Norquist and Risser — 7.

Absent or not voting — Senator Jauch — 1.

So the motion prevailed.

The Senator from the 26th, Senator Risser, raised a parliamentary inquiry as to the vote requirement for third reading and adoption of joint resolutions proposing amendments to the State Constitution. He

further asked unanimous consent that the President's answer be spread upon the Journal.

Without objection the request was so granted.

Senate Rule 39 reads as follows: "Minimum affirmative vote and special quorum. On the question on bills and resolutions ready for a 3rd reading in cases where a minimum affirmative vote or special quorum is required by constitution, statutes, rules or otherwise, and when there are permanent vacancies in the senate, the membership presently serving shall be the basis for determining such minimum affirmative vote or special quorum."

It is clear that with 3 permanent vacancies in the Senate at this time, 16 affirmative votes are required for final adoption of a joint resolution proposing amendments to the State Constitution. To order a joint resolution to a third reading only a majority of those present and voting, as long as a quorum is present, may order a joint resolution to a third reading.

JOHN NORQUIST
Presiding Officer

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

The ayes and noes were demanded and the vote was: ayes, 22; noes, 8; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Chilsen, Czarnezki, Davis, Ellis, Engeleiter, George, Harsdorf, Helbach, Jauch, Kincaid, Kreul, Lasee, Lorman, Moen, Plewa, Roshell, Stitt, Strohl, Te Winkle, Ulichny and Van Sistine — 22.

Noes — Senators Adelman, Chvala, Feingold, Lee, Leraan, Norquist, Risser and Rude — 8.

Absent or not voting — None.

So the joint resolution was ordered to a third reading.

Senator Strohl asked unanimous consent that the rules be suspended and the joint resolution be considered for final action at this time.

Senator Risser objected.

Senator Strohl moved that the rules be suspended and the joint resolution be considered for final action at this time.

The question was: Shall the rules be suspended and **Senate Joint Resolution 2** be considered for final action at this time?

The ayes and noes were required and the vote was: ayes, 22; noes, 8; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Chilsen, Czarnezki, Davis, Ellis, Engeleiter, George, Harsdorf, Helbach, Jauch, Kincaid, Kreul, Lasee, Lorman, Moen, Plewa, Roshell, Stitt, Strohl, Te Winkle, Ulichny and Van Sistine — 22.

Noes — Senators Adelman, Chvala, Feingold, Lee, Leraan, Norquist, Risser and Rude — 8.

Absent or not voting — None.

More than two-thirds having voted in the affirmative, the joint resolution was considered for final action at this time.

Senate Joint Resolution 2

Read a third time.

Senator Adelman in the chair.

12:17 P.M.

The question was: Shall **Senate Joint Resolution 2** be adopted?

The ayes and noes were required and the vote was: ayes, 19; noes, 11; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, George, Harsdorf, Jauch, Kincaid, Kreul, Lasee, Lorman, Moen, Plewa, Roshell, Stitt, Strohl, Te Winkle and Van Sistine — 19.

Noes — Senators Adelman, Chvala, Czarnezki, Feingold, Helbach, Lee, Leean, Norquist, Risser, Rude and Ulichny — 11.

Absent or not voting — None.

So the joint resolution was adopted.

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

Senator Risser objected.

Senator Strohl moved that all action be ordered immediately messaged.

The question was: Shall the rules be suspended and all action be ordered immediately messaged?

The ayes and noes were required and the vote was: ayes, 27; noes, 3; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Chilsen, Chvala, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Harsdorf, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Lorman, Moen, Norquist, Plewa, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny and Van Sistine — 27.

Noes — Senators Adelman, Leean and Risser — 3.

Absent or not voting — None.

More than two-thirds having voted in the affirmative, all action was ordered immediately messaged.

By request of Senator Strohl, with unanimous consent, the senate recessed until 2:30 P.M.

12:19 P.M.

RECESS

2:30 P.M.

The senate reconvened.

QUORUM CALL

Senator Strohl 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, Andrea, Chilsen, Chvala, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Harsdorf, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, Moen, Norquist, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Te Winkle, Ulichny and Van Sistine — 30.

Absent — None.

Absent with leave — None.

Senate Joint Resolution 6

Relating to authorizing the creation of a Wisconsin state lottery, with the net proceeds used for property tax relief as provided by law (2nd consideration).

Read a second time.

Senator Leean moved that **Senate Joint Resolution 6** be rejected.

The question was: Rejection of **Senate Joint Resolution 6**?

The ayes and noes were demanded and the vote was: ayes, 10; noes, 20; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Chvala, Engeleiter, Feingold, Harsdorf, Leean, Lorman, Risser, Stitt and Ulichny — 10.

Noes — Senators Andrea, Chilsen, Czarnezki, Davis, Ellis, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Moen, Norquist, Plewa, Roshell, Rude, Strohl, Te Winkle and Van Sistine — 20.

Absent or not voting — None.

So the motion did not prevail.

Senate substitute amendment 1 offered by Senator Adelman.

The question was: Adoption of senate substitute amendment 1?

Senator Van Sistine moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 9; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Chilsen, Czarnezki, Davis, Ellis, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Moen, Norquist, Plewa, Roshell, Rude, Strohl, Te Winkle, Ulichny and Van Sistine — 21.

Noes — Senators Adelman, Chvala, Engeleiter, Feingold, Harsdorf, Leean, Lorman, Risser and Stitt — 9.

Absent or not voting — None.

So the motion prevailed.

Senate amendment 1 offered by Senators Leean and Risser.

The question was: Adoption of senate amendment 1?

Senator Van Sistine moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 9; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Chilsen, Czarnezki, Davis, Ellis, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Moen, Norquist, Plewa, Roshell, Rude, Strohl, Te Winkle, Ulichny and Van Sistine — 21.

Noes — Senators Adelman, Chvala, Engeleiter, Feingold, Harsdorf, Lekan, Lorman, Risser and Stitt — 9.

Absent or not voting — None.

So the motion prevailed.

Senate substitute amendment 2 offered by Senators Lekan and Risser.

The question was: Adoption of senate substitute amendment 2?

Senator Van Sistine moved rejection of senate substitute amendment 2.

The question was: Rejection of senate substitute amendment 2?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 9; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Chilsen, Czarnezki, Davis, Ellis, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Moen, Norquist, Plewa, Roshell, Rude, Strohl, Te Winkle, Ulichny and Van Sistine — 21.

Noes — Senators Adelman, Chvala, Engeleiter, Feingold, Harsdorf, Lekan, Lorman, Risser and Stitt — 9.

Absent or not voting — None.

So the motion prevailed.

Senate substitute amendment 3 offered by Senators Lekan and Risser.

The question was: Adoption of senate substitute amendment 3?

Senator Van Sistine moved rejection of senate substitute amendment 3.

The question was: Rejection of senate substitute amendment 3?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 9; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Chilsen, Czarnezki, Davis, Ellis, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Moen, Norquist, Plewa, Roshell, Rude, Strohl, Te Winkle, Ulichny and Van Sistine — 21.

Noes — Senators Adelman, Chvala, Engeleiter, Feingold, Harsdorf, Lekan, Lorman, Risser and Stitt — 9.

Absent or not voting — None.

So the motion prevailed.

The question was: Shall Senate Joint Resolution 6 be ordered to a third reading?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 9; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Chilsen, Czarnezki, Davis, Ellis, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Moen, Norquist, Plewa, Roshell, Rude, Strohl, Te Winkle, Ulichny and Van Sistine — 21.

Noes — Senators Adelman, Chvala, Engeleiter, Feingold, Harsdorf, Lekan, Lorman, Risser and Stitt — 9.

Absent or not voting — None.

So the joint resolution was ordered to a third reading.

Senator Strohl asked unanimous consent that the rules be suspended and the joint resolution be considered for final action at this time.

Senator Risser objected.

Senator Strohl moved that the rules be suspended and the joint resolution be considered for final action at this time.

The question was: Shall the rules be suspended and the joint resolution be considered for final action at this time?

The ayes and noes were required and the vote was: ayes, 22; noes, 8; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Chilsen, Chvala, Czarnezki, Davis, Ellis, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Moen, Norquist, Plewa, Roshell, Rude, Strohl, Te Winkle, Ulichny and Van Sistine — 22.

Noes — Senators Adelman, Engeleiter, Feingold, Harsdorf, Lekan, Lorman, Risser and Stitt — 8.

Absent or not voting — None.

More than two-thirds having voted in the affirmative, the joint resolution was considered for final action at this time.

Senate Joint Resolution 6

Read a third time.

The question was: Shall Senate Joint Resolution 6 be adopted?

The ayes and noes were required and the vote was: ayes, 19; noes, 11; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Chilsen, Czarnezki, Davis, Ellis, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Moen, Plewa, Roshell, Rude, Strohl, Te Winkle and Van Sistine — 19.

Noes — Senators Adelman, Chvala, Engeleiter, Feingold, Harsdorf, Lekan, Lorman, Norquist, Risser, Stitt and Ulichny — 11.

Absent or not voting — None.

So the joint resolution was adopted.

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

Senator Leean objected.

Senator Strohl moved that all action be ordered immediately messaged.

The question was: Shall the rules be suspended and all action be ordered immediately messaged?

The ayes and noes were required and the vote was: ayes, 22; noes, 7; absent or not voting, 1; as follows:

Ayes — Senators Andrea, Chilsen, Chvala, Czarnezki, Davis, Ellis, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Moen, Norquist, Plewa, Roshell, Rude, Strohl, Te Winkle, Ulichny and Van Sistine — 22.

Noes — Senators Adelman, Engeleiter, Feingold, Leean, Lorman, Risser and Stitt — 7.

Absent or not voting — Senator Harsdorf — 1.

More than two-thirds having voted in the affirmative, all action was ordered immediately messaged.

MOTIONS

By request of Senator Strohl, with unanimous consent, the appointment of **Bruno Mauer** was withdrawn from the committee on Labor, Business, Insurance, Veterans and Military Affairs and referred to the committee on Economic Development and Financial Institutions.

By request of Senator Strohl, with unanimous consent, the appointment of **Karen Case** was withdrawn from the committee on Aging, Banking, Commercial Credit and Taxation and referred to the committee on Senate Rules.

By request of Senator Strohl, with unanimous consent, **Senate Bill 31** was withdrawn from the committee on Judiciary and Consumer Affairs and referred to the committee on Senate Rules.

STATEMENT OF POSITION

Pursuant to Senate Rule 74, I wish to be recorded as voting not in favor of rejection of **Senate Joint Resolution 2**, and as voting in favor of rejection of senate substitute amendments 2, 3, 4, 5 and 6 to **Senate Joint Resolution 2**.

BOB JAUCH
Senator

Upon motion of Senator Strohl the senate adjourned until 10:00 A.M. Wednesday, January 28.

4:47 P.M.