

STATE OF WISCONSIN
Senate Journal
Eighty-Fourth Regular Session

THURSDAY, October 18, 1979.

10:00 A.M.

The senate met.

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

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

Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

The senate stood for the prayer which was offered by Reverend Frank R. Gaylord of Bethany United Methodist Church, 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.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 7

Relating to establishing a special energy committee.

By Senators Harnisch, Goyke, Braun, Kleczka, Bablitch, Strohl, Adelman, Bear and Van Sistine.

Read and referred to committee on Senate Organization.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 397

Relating to a sales and use tax exemption for advertising supplements to newspapers, periodicals and shoppers guides.

By Senators Goyke, Radosevich, Frank, Chilsen, Opitz, Bidwell, Bear and Krueger; cosponsored by Representatives Kedrowski, Schneider, Lorman, Barry, Wagner, Everson, Helbach, Porter, Byers, Swoboda, Kincaid, Goodrich, Rooney, Wood, Donoghue and Ellis.

To Joint Survey committee on Tax Exemptions.

Senate Bill 398

Relating to increasing the inheritance tax exemption for class A Distributees, other than spouses.

By Senators Adelman, Goyke, Frank, Krueger, Murphy and Johnston; cosponsored by Representatives Kincaid, Thompson, Shabaz, Andrea and Rutkowski.

To Joint Survey committee on Tax Exemptions.

Senate Bill 399

Relating to the definition of resident for the purposes of fish and game laws.

By Senators Lorge, Johnston, Krueger and Bablitch, by request of Paula J. Szatkowski, Mundelein, Illinois.

To committee on Natural Resources and Tourism.

Senate Bill 400

Relating to mandatory health insurance risk sharing plan, prohibiting discrimination in insurance coverage because of mental or physical disability and granting rule-making authority.

By Senators Radosevich, Thompson, Van Sistine, Roshell, Strohl, Moody, Adelman, Offner, Harnisch, Kleczka, Risser, Maurer, Bablitch, Flynn, Berger, McCallum, Theno, Lasee, Krueger and Kreul; cosponsored by Representatives Munts, McClain, Kirby, Schneider, Wahner, Lee, Leopold, Jackamonis, Goodrich, Ferrall, Larson, Donoghue, Harsdorf, Harer, Paulson and McEssy.

To joint committee on Finance.

Senate Bill 401

Relating to making a sum sufficient appropriation for income maintenance administration.

By Senators Swan and Frank, by request of Milwaukee County.

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To committee on Human Services.

Senate Bill 402

Relating to a mandatory health insurance risk sharing plan, granting rule-making authority and making an appropriation.

By Legislative Council.

To joint committee on Finance.

Senator Goyke objected to the referral of **Senate Bill 400** and **Senate Bill 402** to the joint committee on Finance.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 400** and **Senate Bill 402** were referred to committee on Senate Organization.

Senate Bill 403

Relating to the length of employment of certain limited-term employes.

By Senators Offner and Chilsen; cosponsored by Representatives Norquist and Ellis, by request of Governor Lee Sherman Dreyfus.

To committee on Agriculture, Labor and Local Affairs.

Senator Swan asked unanimous consent the **Senate Bill 403** be referred to committee on Governmental and Veterans Affairs.

Senator Bablitch objected.

By request of Senator Bablitch, with unanimous consent, **Senate Bill 403** was referred to committee on Senate Organization.

Senate Bill 404

Relating to granting authority to school boards to contract with private education services and making an appropriation.

By Senator Braun.

To committee on Education and Revenue.

COMMITTEE REPORTS

The committee on Human Services reports and recommends:

Senate Bill 134

Relating to mandatory examination of candidates for state office and voluntary examination of capitol news media representatives.

Adoption of senate amendment 1:

Ayes, 4 -- Senators Thompson, Cullen, Radosevich and Strohl;

Noes, 1 -- Senator Opitz.

Passage as amended:

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Ayes, 4 -- Senators Thompson, Cullen, Radosevich and Strohl;
Noes, 1 -- Senator Opitz.

Senate Bill 282

Relating to requiring health care providers to report cases of gunshot or knife wounds.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Thompson, Cullen, Strohl, Radosevich and Opitz;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Thompson, Cullen, Strohl, Radosevich and Opitz;

Noes, 0 -- None.

Senate Bill 229

Relating to approval of university of Wisconsin -- extension correspondence courses to meet real estate salespersons' initial and continuing education requirements.

Passage:

Ayes, 4 -- Senators Thompson, Strohl, Radosevich and Opitz;

Noes, 1 -- Senator Cullen.

Senate Bill 142

Relating to an earned income credit, an income tax credit for the employment of displaced homemakers, an income tax credit for wages paid as the result of increasing employment and making an appropriation.

Adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Thompson, Cullen, Strohl, Radosevich and Opitz;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Thompson, Cullen, Strohl, Radosevich and Opitz;

Noes, 0 -- None.

TYRE, TIMOTHY, Ph.D., of New Berlin, as a member of the Psychology Examining Board, to succeed Richard J. Brunkan, to serve for the term ending July 1, 1981.

Confirmation:

Ayes, 5 -- Senators Thompson, Cullen, Strohl, Radosevich and Opitz;

Noes, 0 -- None.

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PERCY, DONALD E., of Madison, as Secretary of the Department of Health and Social Services, to succeed himself, to serve for the term ending at the pleasure of the Governor.

Confirmation:

Ayes, 5 -- Senators Thompson, Cullen, Strohl, Radosevich and Opitz;

Noes, 0 -- None.

PERCY, DONALD, of Madison, as a member of the Wisconsin Health Facilities Authority, to succeed Manuel Carballo, to serve for the term ending June 30, 1980.

Confirmation:

Ayes, 5 -- Senators Thompson, Cullen, Strohl, Radosevich and Opitz;

Noes, 0 -- None.

RUSCH, DAVID L., of New London, as a member of the Funeral Directors and Embalmers Examining Board, to succeed Floyd Rhiel, to serve for the term ending July 1, 1982.

Confirmation:

Ayes, 5 -- Senators Thompson, Cullen, Strohl, Radosevich and Opitz;

Noes, 0 -- None.

SCHULTZ, JAMES, of Ladysmith, as a member of the Barbers Examining Board, to succeed Dune Clumpner, to serve for the term ending July 1, 1982.

Confirmation:

Ayes, 5 -- Senators Thompson, Cullen, Strohl, Radosevich and Opitz;

Noes, 0 -- None.

ECKBERG, RICHARD A., of Stevens Point, as a member of the Medical Examining Board, to succeed Thomas Henney, to serve for the term ending May 1, 1983.

Confirmation:

Ayes, 5 -- Senators Thompson, Cullen, Strohl, Radosevich and Opitz;

Noes, 0 -- None.

SPRAGUE, WILLIAM R., of Thorp, as a member of the Optometry Examining Board, to serve for the term ending July 1, 1981.

Confirmation:

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Ayes, 5 -- Senators Thompson, Cullen, Strohl, Radosevich and Opitz;

Noes, 0 -- None.

ENGLISH, LEON J., D.D.S., of Arcadia, as a member of the Dentistry Examining Board, to succeed Merrill T. Cina, to serve for the term ending July 1, 1984.

Confirmation:

Ayes, 5 -- Senators Thompson, Cullen, Strohl, Radosevich and Opitz;

Noes, 0 -- None.

CARL W. THOMPSON

Chair

The joint committee for Review of Administrative Rules reports and recommends:

Senate Bill 337

Relating to identification markers for vehicles in funeral processions and granting rule-making authority.

Introduction and adoption of senate substitute amendment 1:

Ayes, 7 -- Senators Berger, Bear, Moody, Murphy and Representatives Rogers, Clarenbach and Wagner;

Noes, 3 -- Senator Swan and Representatives McClain and Thompson.

Passage:

Ayes, 6 -- Senators Berger, Bear, Moody, Murphy and Representatives McClain and Wagner;

Noes, 4 -- Senator Swan and Representatives Rogers, Clarenbach and Thompson.

DAVID G. BERGER

Co-chair

WILLIAM J. ROGERS

Co-chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

October 9, 1979.

To the Honorable, the Senate

Senators:

I have the honor to transmit to you pursuant to s. 13.67 (2), the names of the registered lobbyists for the period beginning on October 3, 1979, and ending on October 9, 1979.

Yours very truly,
VEL PHILLIPS
Secretary of State

Lobbyist's name, address, telephone number; principal's name, address, telephone number; the code numbers indicating areas of Legislative action; the code numbers indicating areas of administrative action.

Beatty, Fred K., 329 W. Wilson St., Madison, WI 53703 (608) 258-8555; Wisconsin Chiropractic Assn., 22 S. Carroll St., Madison, WI 53703 (608) 256-7023; 1-25; 101-185.

Peterson, Richard E., Route 1, Box 67, Weyauwega, WI 54983 (414) 867-3513; School District of Mercer, P.O. Box C, Mercer, WI 54547 (715) 476-2154; 7; 148.

The chart of code numbers can be found on pages 99 and 100 of the Senate Journal of February 6, 1979.

Senate Petition 15

A petition by approximately 1700 residents of the Wausau area in support of raising Wisconsin's minimum drinking age to 19.

By Senator Chilsen.

Read and referred to committee on Senate Organization.

MESSAGE FROM THE ASSEMBLY

By Marcel Dandeneau, chief clerk.

Mr. President:

I am directed to inform you that the assembly has concurred in:

Senate Joint Resolution 30

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Senate Bill 85

Senate Bill 146

Assembly Bill 258, Senate amendment 1

Adopted and concurred in as amended:

Senate Bill 355, Assembly substitute amendment 1, assembly amendments 3, 4, 5, 6, 8, 9, 10, 13, 15, 16 and 22 to assembly substitute amendment 1, assembly amendment 1 to assembly amendment 6 to assembly substitute amendment 1.

Concurred in as amended:

Assembly Bill 330, Assembly amendment 1 to senate substitute amendment 1

Senate Bill 91, assembly amendment 1

Passed and asks concurrence in:

Assembly Bill 110

Assembly Bill 285

Assembly Bill 846

Assembly Bill 313

Assembly Bill 326

Assembly Bill 346

Assembly Bill 108

Assembly Bill 198

Assembly Bill 410

Assembly Bill 462

Assembly Bill 481

Assembly Bill 534

Assembly Bill 552

Assembly Bill 588

Assembly Bill 633

Assembly Bill 671

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Bill 110

Relating to claims against the state for wrongful imprisonment by persons who are convicted of a crime.

By Representatives Barry, Norquist, Wahner, Andrea, Lewis, Klicka, Becker, Coggs, Donoghue, Paulson, Plewa, Loftus, Fischer, Clarenbach, McClain, Everson and Behnke, co-sponsored by Senators Thompson, Risser, Bear and Offner.

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

Assembly Bill 285

Relating to requiring agencies to prepare fiscal estimates for bills affecting tax exemption, debt management and public retirement systems.

By Representatives Jackamonis, Wood, Lee, Becker, Hephner, Broydrick, DeLong, Clarenbach and Norquist, co-sponsored by Senators Risser, Chilsen, Lorge and Berger.

Read first time and referred to joint committee on Finance.

Assembly Bill 846

Relating to requirement for presidential electors to vote for the presidential and vice presidential candidates appearing on the ballot.

By Representatives Prosser, Potter, Schmidt, Behnke, Radtke, Broydrick, Ladwig and D. Travis, co-sponsored by Senators Swan and Johnston.

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

Assembly Bill 313

Relating to reimbursement for clothing for crime victims.

By Representatives Ulichny, Ferrall, Wahner, Kirby, Norquist, Munts and D. Travis, co-sponsored by Senators Flynn, Swan, Adelman and Cullen.

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

Assembly Bill 326

Relating to claim procedures against government entities and employes, and statutes of limitation.

By Representative Rutkowski, co-sponsored by Senator Adelman, by request of Judicial Council.

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

Assembly Bill 346

Relating to issuing special identification cards for disabled persons, providing motor vehicle parking privileges for disabled persons, granting rule-making authority and providing a penalty.

By Representatives Norquist, Wahner, McClain, Tregoning, Gunderson and Czerwinski, co-sponsored by Senators Maurer, Braun, Van Sistine and Adelman.

Read first time and referred to committee on Aging, Business and Financial Institutions and Transportation.

Senator Swan asked unanimous consent that **Assembly Bill 346** be referred to committee on Governmental and Veterans Affairs.

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Senator Bablitch objected.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 346** was referred to committee on Senate Organization.

Assembly Bill 108

Relating to regulating the harvest of wild ginseng, granting rule-making authority and providing a penalty.

By Representatives Duren, Lewison, Harsdorf, Barry, Lorman, Otte, Tregoning, Harer and Loftus, co-sponsored by Senators Harnisch, Bear, Lorge, Moody and Roshell.

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

Assembly Bill 198

Relating to minimum motor vehicle liability insurance requirements for school busses.

By Legislative Council.

Read first time and referred to committee on Insurance and Utilities.

Assembly Bill 410

Relating to reorganizing the law on appointment of members of the personnel board.

By Representative Jackamonis.

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

Assembly Bill 462

Relating to fees for the garnishment of the earnings of public officers and employes.

By Representatives Kirby, Tuczynski, Leopold, Wahner, Rutkowski, Klicka, Gerlach, Pabst, Lee and Behnke, by request of Milwaukee County.

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

Assembly Bill 481

Relating to parking school busses on streets adjacent to schoolhouses and providing a penalty.

By Representatives Soucie, Wood, Everson and Pabst.

Read first time and referred to committee on Aging, Business and Financial Institutions and Transportation.

Assembly Bill 534

Relating to permitting parents or guardians to contract with school districts for pupil transportation.

By Representatives Jackamonis and Duren, co-sponsored by Senators Bear and Moody.

Read first time and referred to committee on Aging, Business and Financial Institutions and Transportation.

Assembly Bill 552

Relating to absentee voting for aged confined persons.

By Representatives Ulichny, Kedrowski, Broydrick, Medinger, Flintrop, D. Travis, Duren, Lee, Leopold, Becker, Smith, Metz, Cogg, Hauke, Tuczynski, Lingren, Munts, Shoemaker, Omernick, Laatsch, Wahner, Otte, Luckhardt, Jackamonis, Miller, Lorman and Kincaid, co-sponsored by Senators Swan, Frank, Strohl and Moody.

Read first time and referred to committee on Aging, Business and Financial Institutions and Transportation.

Assembly Bill 588

Relating to establishing a 2-year statute of limitations for actions by a secured party to recover or for damages for certain sales of livestock and establishing a presumption of intent to defraud if secured livestock is transferred.

By Representatives Barry, Hephner, Swoboda, Hasenohrl, Everson, Fischer, Tregoning, Merkt, Harsdorf, Laatsch, Paulson, Shoemaker and Smith, co-sponsored by Senators Van Sistine, Kreul and Thompson.

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

Assembly Bill 633

Relating to permitting the use of special plates by disabled veterans for certain motor trucks.

By Representatives Lallensack, Kincaid, Schneider, Byers, Conradt, Kedrowski, Leopold, Quackenbush and Shoemaker, co-sponsored by Senator Swan.

Read first time and referred to committee on Aging, Business and Financial Institutions and Transportation.

Assembly Bill 671

Relating to a school board's authority to submit a resolution to issue bonds to the electors at a special or regular election.

By Representatives Kincaid and Donoghue, co-sponsored by Senator Krueger.

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

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Senator Adelman asked unanimous consent that **Assembly Bill 588** be referred to committee on Judiciary and Consumer Affairs.

Senator Bablitch objected.

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 588** was referred to committee on Senate Organization.

By request of Senator Cullen, with unanimous consent, **Assembly Bill 198** was referred to committee on Senate Organization.

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

By request of Senator Lasee, with unanimous consent, the Senate recessed until 11:33 A.M.

10:25 A.M.

RECESS

11:33 A.M.

The senate reconvened.

CALENDAR OF OCTOBER 18

Senate Bill 79

Relating to state finances and appropriations, constituting the executive budget bill of the 1979 legislature, and making appropriations.

Senator Bablitch asked unanimous consent that consideration of the Item Vetoes presented to the Chief Clerk be considered the order of the day.

Senator Krueger objected.

Senator Krueger asked unanimous consent that Item 2-A be placed at the foot of the calendar.

Senator Bablitch objected.

Senator Krueger moved that Item 2-A be placed at the foot of the calendar.

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The question was: Shall Item 2-A be placed at the foot of the calendar?

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

Ayes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lorge, McCallum, Murphy, Opitz and Theno -- 11.

Noes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

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

So the motion did not prevail.

Senator Bablitch asked unanimous consent that consideration of the Item Vetoes presented to the Chief Clerk be considered as the order of the day.

Senator Murphy objected.

Senator Bablitch moved that consideration of the Item Vetoes presented to the Chief Clerk be considered as the order of the day.

Senator Chilsen raised the point of order that it would take a two-thirds vote to consider the Item Vetoes presented to the Chief Clerk as the order of the day.

RULING OF THE CHAIR

Senate Rules are silent on the order in which partial vetoes of a bill are to be considered. However, Senate Rule 47(4) does state that the Senate by majority vote may direct the consideration of amendments. It is the chair's opinion that partial vetoes may be treated as amendments and the Senate may by majority vote direct the order of consideration.

The chair ruled the point of order not well taken.

Senator Bidwell appealed the ruling of the chair.

The question was: Shall the decision of the chair stand as the judgment of the Senate?

The ayes and noes were required and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

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Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasec, Lorge, McCallum, Murphy, Opitz and Theno -- 12.

Absent or not voting -- None.

More than a majority of the Senate having voted in the affirmative the decision of the chair shall stand as the judgment of the Senate.

The question was: Shall consideration of the Item Vetoes as presented to the Chief Clerk be considered as the order of the day?

The motion prevailed.

The question was: Shall Item 2-A pass notwithstanding the objection of the Governor?

Senator Bablitch moved that the Senate recess until 2:00 P.M.

The question was: Shall the Senate recess until 2:00 P.M.?

The motion prevailed.

12:05 P.M.

RECESS

2:00 P.M.

The senate reconvened.

By request of Senator Bablitch, with unanimous consent, the Senate recessed until 2:08 P.M.

2:01 P.M.

RECESS

2:08 P.M.

The senate reconvened.

The question was: Shall Item 2-A pass notwithstanding the objection of the Governor?

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QUORUM CALL

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

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

Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 30.

Absent -- None.

Absent with leave -- Senators Bear, Kleczka, Moody and -- 4.

The question was: Shall Item 2-A pass notwithstanding the objection of the Governor?

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Kreul, Krueger, Lasee, McCallum, Maurer, Moody, Murphy, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 29.

Noes -- Senators Hanaway, Johnston, Lorge and Opitz -- 4.

Absent or not voting -- None.

More than two-thirds having voted in the affirmative, the vetoed part of the bill passed notwithstanding the objections of the Governor.

The question was: Shall Item 3-F pass notwithstanding the objection of the Governor?

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Thompson and Van Sistine -- 20.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz, Swan and Theno -- 13.

Absent or not voting -- None.

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Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 3-E pass notwithstanding the objection of the Governor?

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Roshell, Strohl and Van Sistine -- 18.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz, Risser, Swan, Theno and Thompson -- 15.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

By request of Senator Lasee, with unanimous consent, the Senate recessed until 3:20 P.M.

3:10 P.M.

RECESS

3:20 P.M.

The senate reconvened.

Senator Bablitch asked unanimous consent that **Senate Bill 355** be withdrawn from committee on Senate Organization and taken up at this time.

Senator Krueger objected.

Senator Bablitch moved that **Senate Bill 355** be withdrawn from committee on Senate Organization and taken up at this time.

The question was: Shall **Senate Bill 355** be withdrawn from committee on Senate Organization and taken up at this time?

The ayes and noes were required and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

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Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz and Theno -- 12.
Absent or not voting -- None.

So the motion did not prevail.

The question was: Shall Item 3-B pass notwithstanding the objection of the Governor?

The ayes and noes were required and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz and Theno -- 12.
Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 3-D pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz and Theno -- 12.
Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 3-C pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Thompson and Van Sistine -- 20.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz, Swan and Theno -- 13.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 3-J pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Bidwell, Braun, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Maurer, Moody, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 29.

Noes -- Senators Chilsen, Lorge, McCallum and Murphy -- 4.

Absent or not voting -- None.

More than two-thirds having voted in the affirmative, the vetoed part of the bill passed notwithstanding the objections of the Governor.

By request of Senator Murphy, with unanimous consent, he was permitted to have the journal indicate his position on overriding the Governor's veto of Item 3-J should have been in the affirmative.

The question was: Shall Item 1-A pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Maurer, Moody, Offner, Radosevich, Risser, Strohl, Swan, Thompson and Van Sistine -- 18.

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Noes -- Senators Bidwell, Chilsen, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz, Roshell and Theno -- 15.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 3-H pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 24; noes, 9; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Chilsen, Cullen, Flynn, Frank, Goyke, Harnisch, Kreul, Krueger, McCallum, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 24.

Noes -- Senators Bidwell, Hanaway, Johnston, Kleczka, Lasee, Lorge, Murphy, Opitz and Theno -- 9.

Absent or not voting -- None.

More than two-thirds having voted in the affirmative, the vetoed part of the bill passed notwithstanding the objections of the Governor.

The question was: Shall Item 3-G pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 20.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Offner, Opitz and Theno -- 13.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 7-D pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Radosevich, Risser, Strohl, Swan, Thompson and Van Sistine -- 18.

Noes -- Senators Adelman, Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Offner, Opitz, Roshell and Theno -- 15.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 7-C pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 11; noes, 22; absent or not voting, 0; as follows:

Ayes -- Senators Bablitch, Berger, Braun, Moody, Offner, Radosevich, Risser, Roshell, Swan, Thompson and Van Sistine -- 11.

Noes -- Senators Adelman, Bear, Bidwell, Chilsen, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Murphy, Opitz, Strohl and Theno -- 22.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

Senator Bear in the chair.

4:45 P.M.

The question was: Shall Item 2-C pass notwithstanding the objection of the Governor?

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

Ayes -- Senators Bablitch, Bear, Berger, Braun, Cullen, Flynn, Goyke, Maurer, Moody, Risser, Strohl, Swan, Thompson and Van Sistine -- 14.

Noes -- Senators Adelman, Bidwell, Chilsen, Frank, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Offner, Opitz, Radosevich, Roshell and Theno -- 19.

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Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 3-A pass notwithstanding the objections of the Governor?

Senator Risser asked unanimous consent that Item 3-A be laid on the table.

Senator Krueger objected.

Senator Risser moved that Item 3-A be laid on the table.

The question was: Shall Item 3-A be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 25; noes, 8; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Braun, Cullen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, McCallum, Maurer, Moody, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 25.

Noes -- Senators Berger, Bidwell, Chilsen, Kreul, Krueger, Lasee, Lorge and Murphy -- 8.

Absent or not voting -- None.

So the motion prevailed.

The question was: Shall Item 5-A pass notwithstanding the objection of the Governor?

The ayes and noes were required and the vote was: ayes, 9; noes, 24; absent or not voting, 0; as follows:

Ayes -- Senators Bear, Berger, Flynn, Frank, Goyke, Risser, Swan, Thompson and Van Sistine -- 9.

Noes -- Senators Adelman, Bablitch, Bidwell, Braun, Chilsen, Cullen, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Murphy, Offner, Opitz, Radosevich, Roshell, Strohl and Theno -- 24.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

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The question was: Shall Item 4-B pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Maurer, Moody, Offner, Radosevich, Risser, Strohl, Swan, Thompson and Van Sistine -- 19.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz, Roshell and Theno -- 14.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

By request of Senator Van Sistine, with unanimous consent, he was permitted to have the journal indicate his position on overriding the Governor's veto of Item 7-C should have been in the affirmative.

The question was: Shall Item 4-C pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Strohl, Swan, Thompson and Van Sistine -- 20.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz, Roshell and Theno -- 13.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

Senator Bablitch moved that **Senate Bill 355** be taken up at this time.

The question was: Shall **Senate Bill 355** be taken up at this time?

The president of the Senate in the chair.

5:16 P.M.

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The ayes and noes were required and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz and Theno -- 12.

Absent or not voting -- None.

So the motion did not prevail.

Senator Lorge asked unanimous consent that **Senate Bill 355** be made a Special Order of Business at 10:00 A.M. on Friday, October 19.

Senator Bablitch objected.

The question was: Shall Item 6-A pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 20.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Offner, Opitz and Theno -- 13.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 8-A pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 9; noes, 24; absent or not voting, 0; as follows:

Ayes -- Senators Bear, Berger, Braun, Frank, Goyke, Harnisch, Kleczka, Strohl and Van Sistine -- 9.

Noes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Cullen, Flynn, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge,

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McCallum, Maurer, Moody, Murphy, Offner, Opitz, Radosevich, Risser, Roshell, Swan, Theno and Thompson -- 24.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 8-D pass notwithstanding the objection of the Governor?

The ayes and noes were required and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes -- Senators Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Maurer, Moody, Risser, Strohl, Swan, Theno, Thompson and Van Sistine -- 16.

Noes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Hanaway, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Offner, Opitz, Radosevich and Roshell -- 17.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 8-E pass notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz and Theno -- 12.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

Senator Bablitch moved that the rules be suspended and Item 8-D be reconsidered.

The question was: Shall the rules be suspended and Item 8-D be reconsidered?

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The ayes and noes were required and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasec, Lorge, McCallum, Murphy, Opitz and Theno -- 12.
Absent or not voting -- None.

So the motion did not prevail.

The question was: Shall Item 8-G pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Adelman, Bablitch, Bear, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 20.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasec, Lorge, McCallum, Murphy, Opitz and Theno -- 12.
Absent or not voting -- Senator Berger -- 1.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 8-C pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Maurer, Moody, Risser, Strohl, Swan, Thompson and Van Sistine -- 14.

Noes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasec, Lorge, McCallum, Murphy, Offner, Opitz, Radosevich, Roshell and Theno -- 19.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

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By request of Senator Berger, with unanimous consent, he was permitted to have the journal indicate his position on overriding the Governor's veto of Item 8-G would have been in the affirmative.

The question was: Shall Item 10-B pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 20.

Noes -- Senators Adelman, Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz and Theno -- 13.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 5-C pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Bablitch, Bear, Berger, Braun, Cullen, Flynn, Moody, Offner, Risser, Strohl, Swan, Thompson and Van Sistine -- 13.

Noes -- Senators Adelman, Bidwell, Chilsen, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Murphy, Opitz, Radosevich, Roshell and Theno -- 20.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 5-D pass notwithstanding the objections of the Governor?

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

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Ayes -- Senators Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Kleczka, Maurer, Moody, Strohl, Swan, Thompson and Van Sistine -- 14.

Noes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Offner, Opitz, Radosevich, Risser, Roshell and Theno -- 19.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

Senator Bablitch asked unanimous consent that Items 1-B, 2-B, 4-A, 4-D, 5-B, 6-B, 8-B, 8-F, 9-A, 9-B, 10-A, 10-C, 10-D, 10-E, 10-F, 10-G and 3-I be taken up at this time enmasse.

Senator Chilsen objected.

Senator Chilsen asked unanimous consent that Items 1-B, 2-B, 4-A, 4-D, 5-B, 6-B, 8-B, 8-F, 9-A, 9-B, 10-A, 10-C, 10-D, 10-E, 10-F, 10-G, 3-I, 7-A and 7-B be taken up at this time enmasse.

Senator Bablitch objected.

By request of Senator Maurer, with unanimous consent, the Senate recessed until 7:03 P.M.

6:35 P.M.

RECESS

7:03 P.M.

The senate reconvened.

Senator Bablitch asked unanimous consent that Item 4-A be taken up at this time.

Senator Maurer objected.

Senator Bablitch asked unanimous consent that Items 1-B, 2-B, 4-D, 5-B, 6-B, 8-B, 8-F, 9-A, 9-B, 10-A, 10-C, 10-D, 10-E, 10-F, 10-G and 3-I be taken up at this time.

Senator Maurer objected.

By request of Senator Maurer, with unanimous consent, the Senate recessed until 7:30 P.M.

7:08 P.M.

RECESS

7:30 P.M.

The senate reconvened.

Senator Bablitch asked unanimous consent that the rules be suspended and **Senate Bill 355** be taken up at this time.

Senator Krueger objected.

Senator Bablitch moved that the rules be suspended and **Senate Bill 355** be taken up at this time.

The question was: Shall the rules be suspended and **Senate Bill 355** taken up at this time?

The ayes and noes were required and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz and Theno -- 12.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Shall Items 1-B, 2-B, 4-A, 4-D, 5-B, 6-B, 8-B, 8-F, 9-A, 9-B, 10-A, 10-C, 10-D, 10-E, 10-F, 10-G, and 3-I pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Radosevich, Swan and Van Sistine -- 14.

Noes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Offner, Opitz, Risser, Roshell, Strohl, Theno and Thompson -- 19.

Absent or not voting -- None.

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Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 7-A pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Maurer, Moody, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 18.

Noes -- Senators Adelman, Bidwell, Chilsen, Hanaway, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Offner, Opitz and Theno -- 15.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

The question was: Shall Item 7-B pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Maurer, Moody, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 18.

Noes -- Senators Adelman, Bidwell, Chilsen, Hanaway, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Offner, Opitz and Theno -- 15.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the Senate refused to pass the vetoed part of the bill notwithstanding the objections of the Governor.

Senator Bablitch asked unanimous consent that the rules be suspended and **Senate Bill 355** be taken up at this time.

Senator Murphy objected.

By request of Senator Lasee, with unanimous consent, the Senate recessed until 8:38 P.M.

8:30 P.M.

RECESS

8:38 P.M.

The senate reconvened.

Senator Bablitch asked unanimous consent the rules be suspended and **Senate Bill 355** be taken up at this time.

Senator Murphy objected.

Senator Bablitch moved that the rules be suspended and **Senate Bill 355** be taken up at this time.

The question was: Shall the rules be suspended and **Senate Bill 355** be taken up at this time?

The ayes and noes were required and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz and Theno -- 12.

Absent or not voting -- None.

So the motion did not prevail.

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

Senator Bablitch moved that the rules be suspended and **Senate Bill 355** be taken up at this time.

The question was: Shall the rules be suspended and **Senate Bill 355** be taken up at this time?

The ayes and noes were required and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Bablitch, Bear, Berger, Braun, Cullen, Flynn, Frank, Goyke, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Thompson and Van Sistine -- 21.

Noes -- Senators Bidwell, Chilsen, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Murphy, Opitz and Theno -- 12.

Absent or not voting -- None.

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So the motion did not prevail.

By request of Senator Bablitch, with unanimous consent, the Senate recessed until 9:31 P.M.

9:28 P.M.

RECESS

9:31 P.M.

The senate reconvened.

By request of Senator Lasee, with unanimous consent, the Senate recessed until 10:03 P.M.

9:32 P.M.

RECESS

10:03 P.M.

The senate reconvened.

By request of Senator Bablitch, with unanimous consent, the Senate recessed until 12:06 A.M.

10:10 P.M.

RECESS

12:06 A.M.

The senate reconvened.

By request of Senator Bablitch, with unanimous consent, the rules were suspended and **Senate Bill 355** was taken up at this time.

Senate Bill 355

Relating to broadening the emergency fuel assistance law.
Read.

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

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

Senate amendment 2 to assembly substitute amendment 1 offered by Senators Flynn, Harnisch, Theno, Chilsen, Krueger, Kleczka and Braun.

By request of Senator Maurer, with unanimous consent, the Senate recessed until 12:45 A.M.

12:15 A.M.

RECESS

12:45 A.M.

The senate reconvened.

Senate amendment 1 to senate amendment 2 to assembly substitute amendment 1 offered by Senator Harnisch.

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

Adopted.

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

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

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

Adopted.

The question was: Adoption of senate amendment 2?

Adopted.

The question was: Concurrence in assembly substitute amendment 1 to **Senate Bill 355** as amended?

Concurred in as amended.

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

By request of Senator Bablitch, with unanimous consent, **Senate Bill 400** and **Senate Bill 402** were withdrawn from committee on Senate Organization and referred to joint committee on Finance.

By request of Senator Bablitch, with unanimous consent, the Senate recessed until 1:25 A.M.

12:55 P.M.

RECESS

1:25 P.M.

The senate reconvened.

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

MESSAGE FROM THE ASSEMBLY

By Marcel Dandeneau, chief clerk.

Mr. President:

I am directed to inform you that the assembly has concurred in:

Senate Bill 355, Senate Amendment 2 to Assembly Substitute Amendment 1

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 101** by Senator Goyke.

By request of Senator Theno, with unanimous consent, the Senate adjourned in honor of the birthday of Senator Bidwell, October 22.

Upon motion of Senator Bablitch the senate adjourned until 10:00 A.M. Tuesday, October 23.

1:27 A.M.