

JOURNAL OF THE SENATE [June 25]

STATE OF WISCONSIN

# Senate Journal

1980 Special Session

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WEDNESDAY, June 25, 1980.

9:00 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, Engeleiter, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Moody, Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

The senate stood for a moment of silent prayer.

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

By request of Senator Bablitch, with unanimous consent, the rules were suspended and that portion of Senate Rule 8 relating to the wearing of coats was dispensed with.

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COMMITTEE REPORTS

The committee on Senate Organization reports and recommends for introduction:

**Senate Joint Resolution 3, Special Session**

Relating to the final adjournment of the June 1980 special session.

Introduction:

Ayes, 5 -- Senators Risser, Bablitch, Flynn, Krueger and Chilsen;

Noes, 0 -- None.

Read and referred to committee on Senate Organization.

FRED A. RISSER

Chair

REPORT OF JOINT SURVEY COMMITTEE ON  
DEBT MANAGEMENT

Appendix to **Senate Bill 5, Special Session**

Public Policy Involved

**Senate Bill 5, Special Session** is desirable as a matter of public policy, with the following changes:

1. The bill should be amended to provide definitions of terms such as adjusted gross "income" and "funds", and in developing such definitions, the Legislature should consider the definitions of such terms in statutes and administrative rules relating to the Veterans Housing Loan Program.

2.(a) The proposed priorities and the prohibition on loans for purchases of mobile homes contained in s. 234.045 (3), Wis. Stats., as created by SECTION 5, should be deleted.

(b) There should be no such priorities in the operation of the program, which should be administered in the same manner as the Veterans Housing Loan Program.

(c) The prohibition against refinancing contained in s. 234.045 (1) (e), Wis. Stats., as created by SECTION 5, should be amended to provide that refinancing is permitted if necessary to prevent the loss of the home through legal action.

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3. The content of assembly amendment 1 to **Senate Bill 5, Special Session** should be adopted as an amendment to this bill by the Legislature.

In addition, the program should not be expanded to include two-family dwellings, such as is proposed in assembly amendment 2 to **Assembly Bill 5, Special Session**.

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

FRED A. RISSER  
Co-Chair

DANIEL FISCHER  
Co-Chair

The committee on Aging, Business and Financial Institutions and Transportation reports and recommends:

**Assembly Bill 13, June 1980 Special Session**

Relating to allowing Kenosha, Wisconsin, to use lands submerged in Lake Michigan and deeded to the city for a neighborhood reinvestment program or other purposes.

Concurrence:

Ayes, 7 -- Senators Thompson, Moody, Roshell, Maurer, Bidwell, Engeleiter and Cullen;

Noes, 0 -- None.

TIM CULLEN  
Chair

By request of Senator Bablitch, with unanimous consent, the rules were suspended and the calendar of June 25 was taken up at this time.

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CALENDAR OF JUNE 25

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

BUCKLEY, AGNES, of Racine, as a member of the Board of Nursing, to succeed Pamela Wegner, to serve for the term ending May 1, 1982.

Read.

SKYLES, ADA, of Madison, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 1982.

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**Read.**

**The question was: Confirmation of the appointments?**

**The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:**

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

**Noes -- None.**

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

**So the appointments were confirmed.**

**By request of Senator Lasee, with unanimous consent, the senate recessed until 9:29 A.M.**

**9:17 A.M.**

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**RECESS**

**9:29 A.M.**

**The senate reconvened.**

**Senate Bill 3, Special Session**

**Relating to eliminating the departments of business development and local affairs and development, creating the department of development, making various changes in the statutes relating to the functions of those departments, including the elimination of community training services, the small business investment fund and council and the councils on emergency government, economic development and local affairs, the creation of a council on economic and community development, transferring the division of emergency government and the weatherization program and management services program to the department of administration, the housing relocation function to the department of industry, labor and human relations, and certain community and economic planning assistance programs of the department of administration to the department of**

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development, granting rule-making authority and making appropriations.

Read.

The question was: Concurrence of assembly amendment 3?

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

Ayes -- Senators Bablitch, Bear, Bidwell, Chilsen, Engeleiter, Flynn, Frank, Hanaway, Harnisch, Johnston, Kreul, Krueger, Lorge, Offner, Radosevich, Risser, Roshell, Strohl, Swan, Theno, Thompson and Van Sistine -- 22.

Noes -- Senators Adelman, Berger, Braun, Cullen, Goyke, Kleczka, Lasee, McCallum, Maurer, Moody and Opitz -- 11.

Absent or not voting -- None.

So the amendment was concurred in.

The question was: Concurrence of assembly amendment 9?

Concurred in.

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

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### SPECIAL ORDERS

#### **Senate Bill 7, Special Session**

An act to amend and create various provisions of the statutes and session laws for the purpose of providing effective dates, correcting errors, supplying omissions, correcting references and repelling unintended repeals (Revisor's Correction Bill).

Read a second time.

The question was: Adoption of senate amendment 1?

Adopted.

Ordered to a third reading.

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

#### **Senate Bill 7, Special Session**

Read a third time and passed.

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

SPECIAL ORDERS

**Assembly Bill 9, June 1980 Special Session**

Relating to payments for a comparable replacement business or farm upon condemnation.

The question was: Non-concurrence?

The motion did not prevail.

By request of Senator Kleczka, with unanimous consent, **Assembly Bill 9, Special Session** was referred to the joint committee on Finance.

By request of Senator Kleczka, with unanimous consent, **Assembly Bill 9, Special Session** was withdrawn from the joint committee on Finance and considered for action at this time.

Senate amendment 1 offered by Senators Van Sistine and Chilsen.

The question was: Adoption of senate amendment 1?

Adopted.

Senate amendment 2 offered by Senator Hanaway.

The question was: Adoption of senate amendment 2?

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

Ordered to a third reading.

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

**Assembly Bill 9, Special Session**

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

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

Noes -- None.

Absent or not voting -- None.

So the bill was concurred in as amended.

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

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**SPECIAL ORDERS**

**Assembly Bill 3, January 1980 Special Session**

Relating to revising battery provisions and providing penalties.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Maurer, with unanimous consent, the senate recessed until 10:05 A.M.

9:55 A.M.

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**RECESS**

10:05 A.M.

The senate reconvened.

The question was: Adoption of senate amendment 1?

Adopted.

The question was: Adoption of senate amendment 2?

Adopted.

The question was: Adoption of senate amendment 3?

Senator Bidwell moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

The ayes and noes were demanded and the vote was: ayes, 10; noes, 19; absent or not voting, 4; as follows:

Ayes -- Senators Bidwell, Engeleiter, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz and Roshell -- 10.

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

Absent or not voting -- Senators Bear, Chilsen, Hanaway and Harnisch -- 4.

So the motion did not prevail.

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

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

**Senator McCallum moved rejection of senate amendment 4.**

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

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

**Ayes -- Senators Bidwell, Chilsen, Engeleiter, Goyke, Hanaway,  
Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz, Roshell  
and Theno -- 14.**

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

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

**So the motion did not prevail.**

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

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

**The question was: Adoption of senate amendment 6?  
Adopted.**

**The question was: Adoption of senate amendment 7?**

**Senator Flynn moved rejection of senate amendment 7.**

**The question was: Rejection of senate amendment 7?**

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

**Ayes -- Senators Adelman, Berger, Bidwell, Chilsen, Engeleiter,  
Flynn, Frank, Hanaway, Harnisch, Johnston, Kleczka, Lasee, Lorge,  
Maurer, Moody, Offner, Opitz, Roshell and Strohl -- 19.**

**Noes -- Senators Bablitch, Bear, Braun, Cullen, Goyke, Kreul,  
Krueger, McCallum, Radosevich, Risser, Swan, Theno, Thompson  
and Van Sistine -- 14.**

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

**So the motion prevailed.**

**The question was: Adoption of senate amendment 8?**



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Senator Flynn moved rejection of senate amendment 8.

The question was: Rejection of senate amendment 8?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 11; absent or not voting, 2; as follows:

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

Noes -- Senators Chilsen, Engleiter, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz and Theno -- 11.

Absent or not voting -- Senators Bear and Harnisch -- 2.

So the motion prevailed.

The question was: Adoption of senate amendment 9?

Senator Flynn moved rejection of senate amendment 9.

The question was: Rejection of senate amendment 9?

The motion prevailed.

Senate amendment 10 offered by Senator Opitz.

The question was: Adoption of senate amendment 10?

Senator Flynn moved rejection of senate amendment 10.

The question was: Rejection of senate amendment 10?

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

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

Noes -- Senators Bidwell, Chilsen, Engleiter, Goyke, Johnston, Kreul, Lasee, Lorge, McCallum, Opitz, Roshell and Theno -- 12.

Absent or not voting -- Senators Hanaway and Harnisch -- 2.

So the motion prevailed.

Senator Theno moved reconsideration of the vote by which senate amendment 1 was adopted.

The question was: Reconsideration of the vote by which senate amendment 1 was adopted?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 18; absent or not voting, 1; as follows:

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**Ayes** -- Senators Bidwell, Chilsen, Engeleiter, Goyke, Hanaway, Johnston, Kreul, Krueger, Lasee, Lorge, McCallum, Opitz, Roshell and Theno -- 14.

**Noes** -- Senators Adelman, Bablitch, Bear, Berger, Braun, Flynn, Frank, Harnisch, Kleczka, Maurer, Moody, Offner, Radosevich, Risser, Strohl, Swan, Thompson and Van Sistine -- 18.

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

So the motion did not prevail.

**Ordered to a third reading.**

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

### **Assembly Bill 3, Special Session**

**Read a third time.**

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

**Ayes** -- Senators Adelman, Bablitch, Bear, Berger, Braun, Chilsen, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lorge, Maurer, Moody, Offner, Radosevich, Risser, Strohl, Swan, Thompson and Van Sistine -- 25.

**Noes** -- Senators Bidwell, Engeleiter, Lasee, McCallum, Opitz, Roshell and Theno -- 7.

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

So the bill was concurred in as amended.

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

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## SPECIAL ORDERS

### **Assembly Bill 13, June 1980 Special Session**

Relating to allowing Kenosha, Wisconsin, to use lands submerged in Lake Michigan and deeded to the city for a neighborhood reinvestment program or other purposes.

**Read a second time.**

**Ordered to a third reading.**

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

### **Assembly Bill 13, Special Session**

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

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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, the senate recessed until 11:55 A.M.

11:17 A.M.

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### RECESS

11:55 A.M.

The senate reconvened.

By request of Senator Bablitch, with unanimous consent, the senate recessed until 2:00 P.M.

11:56 A.M.

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### RECESS

2:00 P.M.

The senate reconvened.

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

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## COMMITTEE REPORTS

The committee on Aging, Business and Financial Institutions and Transportation reports and recommends:

### **Senate Bill 5, Special Session**

Relating to issuance of Wisconsin housing finance authority bonds and notes for, and providing, home ownership mortgage and housing rehabilitation loans.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Thompson, Roshell, Bidwell, Engeleiter and Cullen;

Noes, 1 -- Senator Moody.

Passage:

Ayes, 4 -- Senators Thompson, Roshell, Engeleiter and Cullen;

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Noes, 2 -- Senators Moody and Bidwell.

TIM CULLEN

Chair

By request of Senator Flynn, with unanimous consent, the senate recessed until 3:45 P.M.

2:06 P.M.

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RECESS

3:45 P.M.

The senate reconvened.

COMMITTEE OF CONFERENCE

on

**Assembly Joint Resolution 2, Special Session**

The members of the Committee of Conference on **Assembly Joint Resolution 2, Special Session** report and recommend:

1. The Senate and Assembly recede from their prior positions.
2. The Senate and the Assembly, respectively, adopt and concur in conference substitute amendment 1 which is attached to and made a part of this report.
3. Both houses concur in **Assembly Joint Resolution 2, Special Session** as affected by Items 1 and 2 of this report.

Senator Harnisch

Dismas Becker

Peter D. Bear

Thomas A. Hauke

Senator Hanaway and Representative Prosser voted no for adoption of this report.

Read and referred to committee on Senate Organization.

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LEAVE OF ABSENCE

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

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

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

By request of Senator Bablitch, with unanimous consent, the rules were suspended and **Senate Joint Resolution 4, Special Session** was introduced at this time.

### **Senate Joint Resolution 4, Special Session**

Urging a one-year moratorium on all uranium exploration drilling in Wisconsin.

By Senators Cullen, Bablitch, Harnisch, Braun, Theno, Krueger and Chilsen.

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

By request of Senator Cullen, with unanimous consent, **Senate Joint Resolution 4, Special Session** was withdrawn from committee on Aging, Business and Financial Institutions and Transportation and referred to committee on Senate Organization.

By request of Senator Bablitch, with unanimous consent, the senate recessed until 4:15 P.M.

3:52 P.M.

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### RECESS

4:15 P.M.

The senate reconvened.

### **Assembly Joint Resolution 2, June 1980 Special Session**

Relating to revising the right to bail and authorizing the legislature to permit circuit courts to deny release on bail for a limited period to certain accused persons (first consideration).

The question was: Adoption of the Committee of Conference report on **Assembly Joint Resolution 2, Special Session?**

The ayes and noes were required and the vote was: ayes, 26; noes, 5; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Chilsen, Cullen, Engeleiter, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lorge, McCallum, Offner, Opitz, Radosevich, Roshell, Strohl, Theno, Thompson and Van Sistine -- 26.

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Noes -- Senators Bear, Braun, Moody, Risser and Swan -- 5.

Absent or not voting -- Senators Lasee and Maurer -- 2.

So the Committee of Conference report was adopted.

**Senate Joint Resolution 4, Special Session**

Urging a one-year moratorium on all uranium exploration drilling in Wisconsin.

Read.

The question was: Adoption?

Senator Cullen asked unanimous consent that the journal show four Representatives listed as cosponsors of **Senate Joint Resolution 4, Special Session**.

Senator Adelman objected.

The question was: Adoption?

Adopted.

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

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

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**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 7, Special Session**

**Assembly Bill 9, Special Session, senate amendment 1**

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**CALENDAR OF JUNE 25**

**Senate Joint Resolution 3, Special Session**

Relating to the final adjournment of the June 1980 special session.

**Read.**

The question was: Adoption?

Adopted.

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

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**LEAVE OF ABSENCE**

By request of Senator Lorge, with unanimous consent, he was granted a leave of absence for the balance of the session.

By request of Senator Bablitch, with unanimous consent, the senate recessed until 6:00 P.M.

4:32 P.M.

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**RECESS**

6:25 P.M.

The senate reconvened.

MESSAGE FROM THE ASSEMBLY

By Marcel Dandeneau, chief clerk.

Mr. President:

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

**Assembly Bill 3, Special Session**, assembly amendment 1 to senate amendment 1, assembly amendment 2 to senate amendment 2, assembly amendment 1 to senate amendment 3, assembly amendment 1 to senate amendment 5, assembly amendment 1 to senate amendment 6

By request of Senator Bablitch, with unanimous consent, **Assembly Bill 3, Special Session** was taken up at this time.

**Assembly Bill 3, June 1980 Special Session**

Relating to legal representation of indigents and making appropriations.

Read.

The question was: Concurrence of assembly amendment 1 to senate amendment 1?

Concurred in.

The question was: Concurrence of assembly amendment 2 to senate amendment 2?

Concurred in.

The question was: Concurrence of assembly amendment 1 to senate amendment 3?

Concurred in.

The question was: Concurrence of assembly amendment 1 to senate amendment 5?

Concurred in.

The question was: Concurrence of assembly amendment 1 to senate amendment 6?

Concurred in.

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



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**Upon motion of Senator Bablitch the senate adjourned until  
10:00 A.M. Thursday, June 26.**

**6:40 P.M.**