

JOURNAL OF THE SENATE [July 2]

STATE OF WISCONSIN

# Senate Journal

1980 Special Session

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WEDNESDAY, July 2, 1980.

2:00 P.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, 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, Thompson and Van Sistine -- 31.

Absent -- Senators Bear and Theno -- 2.

Absent with leave -- None.

The senate stood for the prayer which was offered by Reverend John Shield of Lake Edge United Church of Christ, Madison.

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

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## LEAVE OF ABSENCE

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

By request of Senator Bablitch, with unanimous consent, the calendar of Wednesday, July 2 was taken up at this time.

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CALENDAR OF JULY 2

**Senate Bill 4, Special Session**

Relating to payments for a comparable replacement business or farm upon condemnation, industrial revenue bonds and projects and making an appropriation.

Read.

Senate amendment 1 to assembly substitute amendment 1 offered by Senators Berger, Braun, Harnisch, Moody and Offner.

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

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

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

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LEAVE OF ABSENCE

By request of Senator Krueger, with unanimous consent, Senator Theno was granted a leave of absence for today's session.

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

Senator Cullen moved that senate amendment 1 to assembly substitute amendment 1 be laid on the table.

The question was: Shall senate amendment 1 to assembly substitute amendment 1 be laid on the table?

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

Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Engeleiter, Flynn, Frank, Goyke, Hanaway, Johnston, Kleczka, Kreul, Krueger, Maurer, Opitz, Radosevich, Roshell, Strohl and Van Sistine -- 19.

Noes -- Senators Adelman, Berger, Braun, Harnisch, Lasee, Lorge, McCallum, Moody, Offner, Risser, Swan and Thompson -- 12.

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

So the motion prevailed.

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Senate amendment 2 to assembly substitute amendment 1 offered by Senators Moody, Offner, Berger, Braun and Harnisch.

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

By request of Senator Moody, with unanimous consent, senate amendment 2 to assembly substitute amendment 1 was placed after senate amendment 8 to assembly substitute amendment 1.

Senate amendment 3 to assembly substitute amendment 1 offered by Senators Berger, Moody, Harnisch, Offner and Braun.

Senate amendment 4 to assembly substitute amendment 1 offered by Senator Braun.

Senate amendment 5 to assembly substitute amendment 1 offered by Senators Moody and Braun.

Senate amendment 6 to assembly substitute amendment 1 offered by Senators Braun and Offner.

Senate amendment 7 to assembly substitute amendment 1 offered by Senators Moody, Berger and Braun.

By request of Senator Berger, with unanimous consent, senate amendments 3, 4, 5, 6 and 7 to assembly substitute amendment 1 were placed after senate amendment 2 to assembly substitute amendment 1.

Senate amendment 8 to assembly substitute amendment 1 offered by Senators Cullen, Kleczka and Engeleiter.

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

Senate amendments 1 and 2 to senate amendment 8 to assembly substitute offered by Senator Adelman.

Senator Cullen moved rejection of senate amendment 1 to senate amendment 8 to assembly substitute amendment 1?

The question was: Rejection of senate amendment 1 to senate amendment 8 to assembly substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 27; noes, 4; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Engeleiter, Flynn, Frank, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lorge, McCallum, Maurer, Moody,

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Offner, Opitz, Radosevich, Risser, Roshell, Strohl, Thompson and Van Sistine -- 27.

Noes -- Senators Adelman, Goyke, Lasee and Swan -- 4.

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

So the motion prevailed.

The question was: Adoption of senate amendment 2 to senate amendment 8 to assembly substitute amendment 1?

Senator Cullen moved rejection of senate amendment 2 to senate amendment 8 to assembly substitute amendment 1.

The question was: Rejection of senate amendment 2 to senate amendment 8 to assembly substitute amendment 1?

By request of Senator Adelman, with unanimous consent, senate amendment 2 to senate amendment 8 to assembly substitute amendment 1 was returned to the author.

Senate amendment 3 to senate amendment 8 to assembly substitute amendment 1 offered by Senators Cullen, Kleczka and Engleiter.

The question was: Adoption of senate amendment 3 to senate amendment 8 to assembly substitute amendment 1?

Adopted.

Senate amendment 4 to senate amendment 8 to assembly substitute amendment 1 offered by Senator Berger.

Senator Cullen moved rejection of senate amendment 4 to senate amendment 8 to assembly substitute amendment 1?

The question was: Rejection of senate amendment 4 to senate amendment 8 to assembly substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 18; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Bidwell, Cullen, Frank, Goyke, Hanaway, Kleczka, Kreul, Lasee, Maurer, Radosevich, Thompson and Van Sistine -- 13.

Noes -- Senators Adelman, Berger, Braun, Chilsen, Engleiter, Flynn, Harnisch, Johnston, Krueger, Lorge, McCallum, Moody, Offner, Opitz, Risser, Roshell, Strohl and Swan -- 18.

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

So the motion did not prevail.

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**The question was: Adoption of senate amendment 4 to senate amendment 8 to assembly substitute amendment 1?**

**Adopted.**

**Senate amendment 5 to senate amendment 8 to assembly substitute amendment 1 to Senate Bill 4, Special Session offered by Senator Braun.**

**The question was: Adoption of senate amendment 5 to senate amendment 8 to assembly substitute amendment 1?**

**Adopted.**

**Senate amendments 6, 7 and 8 to senate amendment 8 to assembly substitute amendment 1 offered by Senator Moody.**

**By request of Senator Moody, with unanimous consent, senate amendments 6, 7 and 8 to senate amendment 8 to assembly substitute amendment 1 were returned to the author.**

**The question was: Adoption of senate amendment 8 to assembly substitute amendment 1?**

**Adopted.**

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

**Senator Cullen moved rejection of senate amendment 2 to assembly substitute amendment 1.**

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

**Senator Cullen moved that senate amendment 2 to assembly substitute amendment 1 be laid on the table.**

**The question was: Shall senate amendment 2 to assembly substitute amendment 1 be laid on the table?**

**The motion prevailed.**

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

**Senator Flynn in the chair.**

**3:47 P.M.**

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

**The motion did not prevail.**

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**Senator Berger moved reconsideration of the vote by which senate amendment 3 to assembly substitute amendment 1 failed adoption.**

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

**The motion did not prevail.**

**Senator Berger moved reconsideration of the vote by which senate amendment 4 to assembly substitute amendment 1 failed adoption.**

**The question was: Adoption of senate amendment 5 to assembly substitute amendment 1?**

**By request of Senator Offner, with unanimous consent, senate amendment 5 to assembly substitute amendment 1 was placed after reconsideration of senate amendment 4 to assembly substitute amendment 1.**

**Senator Bablitch asked unanimous consent that pursuant to Senate Rule 76 time limits of five minutes per question per member be placed on the Senate.**

**Senator Berger raised the point of order that pursuant to Senate Rule 76 only the committee on Senate Organization can place time limits on the Senate.**

**The chair ruled the point of order not well taken.**

**Senator Berger moved rejection of the time limit of the members.**

**By request of Senator Maurer, with unanimous consent, the senate recessed until 4:40 P.M.**

**4:00 P.M.**

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**RECESS**

**4:40 P.M.**

**The senate reconvened.**

**The president of the senate in the chair.**

**4:40 P.M.**

**By request of Senator Berger, with unanimous consent, he withdrew his motion to reject the time limits of five minutes per question per member.**

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The chair stated that pursuant to Senate Rule 76 time limits of five minutes per question per member were placed on the Senate.

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

The ayes and noes were demanded and the vote was: ayes, 8; noes, 22; absent or not voting, 3; as follows:

Ayes -- Senators Adelman, Berger, Braun, Harnisch, Moody, Offner, Risser and Swan -- 8.

Noes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Engeleiter, Flynn, Frank, Goyke, Hanaway, Johnston, Kleczka, Kreul, Lasee, Lorge, McCallum, Maurer, Opitz, Radosevich, Roshell, Strohl, Thompson and Van Sistine -- 22.

Absent or not voting -- Senators Bear, Krueger and Theno -- 3.

So the motion did not prevail.

The question was: Adoption of senate amendment 7 to assembly substitute amendment 1?

Senator Cullen moved rejection of senate amendment 7 to assembly substitute amendment 1.

The question was: Rejection of senate amendment 7 to assembly substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 23; noes, 8; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Engeleiter, Flynn, Frank, Goyke, Hanaway, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Opitz, Radosevich, Roshell, Strohl, Thompson and Van Sistine -- 23.

Noes -- Senators Adelman, Berger, Braun, Harnisch, Moody, Offner, Risser and Swan -- 8.

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

So the motion prevailed.

Senate amendment 9 to assembly substitute amendment 1 offered by Senators Moody and Offner.

The question was: Adoption of senate amendment 9 to assembly substitute amendment 1?

Senator Cullen moved rejection of senate amendment 9 to assembly substitute amendment 1.

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The question was: Rejection of senate amendment 9 to assembly substitute amendment 1?

By request of Senator Moody, with unanimous consent, senate amendment 9 to assembly substitute amendment 1 was returned to the author.

Senate amendment 10 to assembly substitute amendment 1 offered by Senators Offner and Moody.

The question was: Adoption of senate amendment 10 to assembly substitute amendment 1?

Senator Cullen moved rejection of senate amendment 10 to assembly substitute amendment 1.

The question was: Rejection of senate amendment 10 to assembly substitute amendment 1?

The motion prevailed.

Senate amendment 11 to assembly substitute amendment 1 offered by Senators Moody and Offner.

The question was: Adoption of senate amendment 11 to assembly substitute amendment 1?

Senator Cullen moved rejection of senate amendment 11 to assembly substitute amendment 1.

The question was: Rejection of senate amendment 11 to assembly substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 23; noes, 8; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Engeleiter, Flynn, Frank, Goyke, Hanaway, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Opitz, Radosevich, Roshell, Strohl, Thompson and Van Sistine -- 23.

Noes -- Senators Adelman, Berger, Braun, Harnisch, Moody, Offner, Risser and Swan -- 8.

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

So the motion prevailed.

Senator Flynn in the chair.

5:10 P.M.

Senate amendment 12 to assembly substitute amendment 1 offered by Senators Offner, Berger, Moody and Harnisch.

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The question was: Adoption of senate amendment 12 to assembly substitute amendment 1?

Senator Cullen moved rejection of senate amendment 12 to assembly substitute amendment 1.

The question was: Rejection of senate amendment 12 to assembly substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 9; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Engeleiter, Flynn, Frank, Goyke, Hanaway, Johnston, Kleczka, Kreul, Lasee, Lorge, McCallum, Maurer, Opitz, Radosevich, Roshell, Strohl, Thompson and Van Sistine -- 22.

Noes -- Senators Adelman, Berger, Braun, Harnisch, Krueger, Moody, Offner, Risser and Swan -- 9.

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

So the motion prevailed.

Senate amendment 13 to assembly substitute amendment 1 offered by Senators Moody, Offner, Braun, Berger and Harnisch.

The question was: Adoption of senate amendment 13 to assembly substitute amendment 1?

Senator Cullen moved rejection of senate amendment 13 to assembly substitute amendment 1.

The question was: Rejection of senate amendment 13 to assembly substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 9; absent or not voting, 2; as follows:

Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Engeleiter, Flynn, Frank, Goyke, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, McCallum, Maurer, Opitz, Radosevich, Roshell, Strohl, Thompson and Van Sistine -- 22.

Noes -- Senators Adelman, Berger, Braun, Hanaway, Harnisch, Moody, Offner, Risser and Swan -- 9.

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

So the motion prevailed.

Senate amendment 14 to assembly substitute amendment 1 offered by Senators Offner, Berger, Moody, Braun and Harnisch.

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**The question was: Adoption of senate amendment 14 to assembly substitute amendment 1?**

**By request of Senator Offner, with unanimous consent, senate amendment 14 to assembly substitute amendment 1 was placed after senate amendment 25 to assembly substitute amendment 1.**

**Senate amendment 15 to assembly substitute amendment 1 offered by Senators Moody, Harnisch, Braun, Berger and Offner.**

**The question was: Adoption of senate amendment 15 to assembly substitute amendment 1?**

**Senator Cullen moved rejection of senate amendment 15 to assembly substitute amendment 1.**

**The question was: Rejection of senate amendment 15 to assembly substitute amendment 1?**

**The motion prevailed.**

**Senate amendment 16 to assembly substitute amendment 1 offered by Senators Moody, Berger, Offner and Harnisch.**

**The question was: Adoption of senate amendment 16 to assembly substitute amendment 1?**

**Senator Cullen moved rejection of senate amendment 16 to assembly substitute amendment 1.**

**The question was: Rejection of senate amendment 16 to assembly substitute amendment 1?**

**The motion prevailed.**

**Senate amendment 17 to assembly substitute amendment 1 offered by Senator Moody.**

**The question was: Adoption of senate amendment 17 to assembly substitute amendment 1?**

**Senator Cullen moved rejection of senate amendment 17 to assembly substitute amendment 1.**

**The question was: Rejection of senate amendment 17 to assembly substitute amendment 1?**

**By request of Senator Moody, with unanimous consent, senate amendment 17 to assembly substitute amendment 1 was placed after senate amendment 5 to assembly substitute amendment 1.**

**Senate amendment 18 to assembly substitute amendment 1 offered by Senator Moody.**

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The question was: Adoption of senate amendment 18 to assembly substitute amendment 1?

Adopted.

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### AMENDMENTS OFFERED

Senate amendment 19 to assembly substitute amendment 1 to **Senate Bill 4, Special Session** by Senators Moody and Offner.

Senate amendment 20 to assembly substitute amendment 1 to **Senate Bill 4, Special Session** by Senators Moody, Berger and Offner.

Senate amendment 21 to assembly substitute amendment 1 to **Senate Bill 4, Special Session** by Senators Offner, Moody, Berger and Harnisch.

Senate amendment 22 to assembly substitute amendment 1 to **Senate Bill 4, Special Session** by Senator Offner.

Senate amendment 23 to assembly substitute amendment 1 to **Senate Bill 4, Special Session** by Senators Moody and Offner.

Senate amendment 24 to assembly substitute amendment 1 to **Senate Bill 4, Special Session** by Senators Offner and Moody.

Senate amendment 25 to assembly substitute amendment 1 to **Senate Bill 4, Special Session** by Senators Moody, Berger and Offner.

Senate amendment 26 to assembly substitute amendment 1 to **Senate Bill 4, Special Session** by Senators Harnisch, Offner, Moody and Berger.

Senate amendment 27 to assembly substitute amendment 1 to **Senate Bill 4, Special Session** by Senators Moody and Offner.

Senate amendment 28 to assembly substitute amendment 1 to **Senate Bill 4, Special Session** by Senators Moody, Offner and Harnisch.

Senate amendment 29 to assembly substitute amendment 1 to **Senate Bill 4, Special Session** by Senators Offner, Harnisch and Moody.

Senate amendment 30 to assembly substitute amendment 1 to **Senate Bill 4, Special Session** by Senators Harnisch, Berger, Moody and Offner.

Senate amendments 31, 32 and 33 to assembly substitute amendment 1 to **Senate Bill 4, Special Session** by Senators Harnisch and Berger.

Senate amendment 34 to assembly substitute amendment 1 to **Senate Bill 4, Special Session** by Senators Harnisch, Adelman, Braun and Berger.

Senate amendment 35 to assembly substitute amendment 1 to **Senate Bill 4, Special Session** by Senator Adelman.

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Senator Van Sistine moved non-concurrence of assembly substitute amendment 1 to **Senate Bill 4, Special Session** and requests a Committee of Conference.

By request of Senator Maurer, with unanimous consent, the senate recessed until 6:45 P.M.

5:55 P.M.

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RECESS

6:45 P.M.

The senate reconvened.

The president of the senate in the chair.

6:45 P.M.

Senator Bablitch moved that **Senate Bill 4, Special Session** be referred to committee on Aging, Business and Financial Institutions and Transportation.

Senator Chilsen raised the point of order that the motion to non-concur takes precedence over the motion to refer the bill to committee.

The chair ruled the point of order not well taken.

By request of Senator Chilsen, with unanimous consent, the senate recessed until 6:55 P.M.

6:48 P.M.

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RECESS

6:55 P.M.

The senate reconvened.

The question was: Shall **Senate Bill 4, Special Session** be referred to committee on Aging, Business and Financial Institutions and Transportation?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 17; absent or not voting, 2; as follows:

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**Ayes -- Senators Adelman, Bablitch, Berger, Braun, Harnisch, Krueger, Lasee, Maurer, Moody, Offner, Risser, Strohl, Swan and Thompson -- 14.**

**Noes -- Senators Bidwell, Chilsen, Cullen, Engeleiter, Flynn, Frank, Goyke, Hanaway, Johnston, Kleczka, Kreul, Lorge, McCallum, Opitz, Radosevich, Roshell and Van Sistine -- 17.**

**Absent or not voting -- Senators Bear and Theno -- 2.**

So the motion did not prevail.

The question was: Non-concurrence?

By request of Senator Van Sistine, with unanimous consent, he withdrew his motion for non-concurrence.

By request of Senator Bablitch, with unanimous consent, senate amendments 19, 20, 21, 22, 23, 24, 25, 14, 26, 27, 28, 29, 30, 31, 32, 33, 35, 3, 4, 5 and 17 to assembly substitute amendment 1 were laid on the table.

The question was: Adoption of senate amendment 34 to assembly substitute amendment 1?

Senator Cullen moved rejection of senate amendment 34 to assembly substitute amendment 1.

The question was: Rejection of senate amendment 34 to assembly substitute amendment 1?

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

**Ayes -- Senators Bablitch, Bidwell, Chilsen, Cullen, Engeleiter, Flynn, Frank, Goyke, Hanaway, Johnston, Kleczka, Kreul, Krueger, Lasee, Lorge, Maurer, Opitz, Radosevich, Roshell and Van Sistine -- 20.**

**Noes -- Senators Adelman, Berger, Braun, Harnisch, McCallum, Moody, Offner, Risser, Strohl, Swan and Thompson -- 11.**

**Absent or not voting -- Senators Bear and Theno -- 2.**

So the motion prevailed.

Senator Engeleiter moved reconsideration of the vote by which senate amendment 4 to senate amendment 8 to assembly substitute amendment 1 was adopted.

Senator Kleczka asked unanimous consent that the motion for reconsideration be laid on the table.

Senator McCallum objected.

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Senator Kleczka moved that the motion for reconsideration be laid on the table.

The question was: Shall the motion for reconsideration be laid on the table?

The motion prevailed.

The question was: Concurrence of assembly substitute amendment 1?

Concurred in as amended.

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

Senator Moody objected.

Senator Bablitch moved the rules be suspended and all action be ordered immediately messaged.

The ayes and noes were demanded and the vote was: ayes, 24; noes, 7; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Bablitch, Bidwell, Chilsen, Cullen, Engeleiter, Flynn, Frank, Goyke, Hanaway, Harnisch, Johnston, Kleczka, Kreul, Krueger, Lorge, McCallum, Maurer, Offner, Opitz, Radosevich, Roshell, Strohl and Van Sistine -- 24.

Noes -- Senators Berger, Braun, Lasee, Moody, Risser, Swan and Thompson -- 7.

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

Ordered immediately messaged.

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### LEAVE OF ABSENCE

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

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

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

Upon motion of Senator Bablitch the senate adjourned until 9:00 A.M. Thursday, June 3.

7:28 P.M.