

STATE OF WISCONSIN  
**Senate Journal**  
Eighty-Seventh Regular Session

---

FRIDAY, October 18, 1985

2:00 P.M.

The senate met.

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

By request of Senator Cullen, with unanimous consent, the roll call, prayer, and pledge of the Regular Session will be applied to the Special Session.

The president of the senate, Fred A. Risser, declared a quorum present.

---

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution 9**

Denouncing the anti-Semitic statements of Louis Farrakhan.

By Senator George.

Read and referred to committee on Senate Organization.

**Senate Resolution 10**

Relating to the life and public service of David F. Nelson.

By Senator George.

Read and referred to committee on Senate Organization.

**Senate Resolution 11**

Requesting State Representative Gervase Hephner to assist the Department of Revenue in collecting and disbursing certain taxes.

By Senators Lasee, Harsdorf, Kreul and Stitt.

Read and referred to committee on Senate Organization.

Senator Lasee asked unanimous consent that **Senate Resolution 11** be withdrawn from committee on Senate Organization and taken up at this time.

Senator Cullen objected.

---

**INTRODUCTION OF BILLS**

Read first time and referred:

**Senate Bill 400**

Relating to regulation of intrastate transportation of hazardous material, the response to hazardous material emergencies, granting rule-making authority and creating a penalty.

By Senator Ellis.

To committee on Transportation.

---

**COMMITTEE REPORTS**

The committee on Tourism, Revenue, Financial Institutions and Forestry reports and recommends:

**Assembly Bill 368**

Relating to the year when assessment districts must begin to assess within 10% of fair market value and requesting a study.

Concurrence:

Ayes, 5 -- Senators Kincaid, Helbach, Ulichny, Ellis and Leraan;

Noes, 0 -- None.

**Assembly Bill 520**

Relating to rescinding dissolution of nonstock corporations dissolved for failure to designate registered agent.

Concurrence:

Ayes, 5 -- Senators Kincaid, Helbach, Ulichny, Ellis and Leraan;

Noes, 0 -- None.

LLOYD H. KINCAID

Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

**Assembly Bill 426**

Relating to habitual traffic offenders.

Concurrence:

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

Noes, 0 -- None.

LYNN ADELMAN

Chair

The committee on Transportation reports and recommends:

**Senate Bill 121**

Relating to requiring cabooses on trains and creating a penalty.

Introduction and adoption of senate amendment 1:

Ayes, 6 -- Senators Otte, Roshell, Moen, Andrea, Kreul and Theno;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Otte, Roshell, Moen, Andrea and Theno;

JOURNAL OF THE SENATE [October 18, 1985]

Noes, 1 -- Senator Kreul.

CARL OTTE  
Chair

CALENDAR OF OCTOBER 18

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

**BIDWELL, EVERETT V.**, of Portage, as a member of the Banking Review Board, to serve for the term ending May 1, 1986.  
Read.

**BINA, ELAINE**, of Coon Valley, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1991.  
Read.

**ELLIOTT, JAMES N.**, of Milwaukee, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1989.  
Read.

**FROMSTEIN, DAVID**, of Antigo, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1987.  
Read.

**HASSETT, PAUL E.**, of Madison, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1991.  
Read.

**LEYVA, FERDINAND**, of Milwaukee, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1989.  
Read.

**ORTMAN, PATRICIA**, of Ashland, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1987.  
Read.

**QUADRACCI, BETTY EWENS**, of Shorewood, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1989.  
Read.

**SAUNDERS, PHILIP T.**, of Brookfield, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1987.  
Read.

**WILSON, ANN**, of Kenosha, as a member of the Board of Vocational, Technical and Adult Education, to serve for the term ending May 1, 1991.  
Read.

The question was: Shall the appointments be confirmed?

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

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the appointments were confirmed.

**Assembly Bill 85**

Relating to state finances and appropriations, constituting the executive budget bill of the 1985 legislature, and making appropriations.

Read.

Senator Norquist in the chair.

2:30 P.M.

By request of Senator Andrea, with unanimous consent, Item 1-I was divided into three parts: Item 1-I, Part 1; Item 1-I, Part 2; and Item 1-I, Part 4.

The question was: Shall the vetoed portion of the bill, Item 1-I, Part 1, pass notwithstanding the objections of the Governor?

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

Ayes -- Senators Andrea, Chilsen, Ellis, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lekan, McCallum, Otte, Plewa, Roshell, Rude, Stitt and Van Sistine -- 17.

Noes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Lee, Lorman, Moen, Norquist, Risser, Strohl, Theno and Ulichny -- 16.

Absent or not voting -- None.

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

The question was: Shall the vetoed portion of the bill, Item 1-I, Part 2, 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 Andrea, Chilsen, Ellis, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lekan, McCallum, Moen, Otte, Plewa, Roshell, Rude, Stitt, Theno and Van Sistine -- 19.

Noes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Lee, Lorman, Norquist, Risser, Strohl and Ulichny -- 14.

Absent or not voting -- None.

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

The question was: Shall the vetoed portion of the bill, Item 1-I, Part 4, 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 Andrea, Chilsen, Ellis, George, Hanaway, Harsdorf, Kincaid, Kreul, Lasee, Lcean, McCallum, Otte, Plewa, Roshell, Rude, Stitt, Theno and Van Sistine -- 18.

**Noes --** Senators Adelman, Chvala, Cullen, Czarnecki, Davis, Engeleiter, Feingold, Helbach, Lee, Lorman, Moen, Norquist, Risser, Strohl and Ulichny -- 15.

Absent or not voting -- None.

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

#### SENATE CLEARINGHOUSE ORDERS

##### Clearinghouse Rule 83-139

AN ORDER to create Ind 80.025, relating to inspection and copying of worker's compensation records.

Submitted by Department of Industry, Labor & Human Relations.

Report received from agency, October 17, 1985.

Referred to committee on Labor, Business, Veterans Affairs and Insurance, October 18, 1985.

##### Clearinghouse Rule 85-120

AN ORDER to repeal SEC 2.01 (10) and 4.07 (1) (c); to renumber SEC 2.01 (11) and 4.07 (1) (d) and (e); to amend SEC 2.01 (1) (a) 3, 2.02 (3) (b) and (10) (f) 4, 3.01 (1), 3.03 (5), 3.09 (1) (b) and (c) and (2) (intro.) and (b), 3.16 (2) (a), 3.18, 3.23 (3), 3.27 (1) and (2), 4.03 (1) (r), 4.05 (7), 4.07 (1) (a), 7.01 (2) (c) and (d) and (5) (b), 31.01 (2) (b), 32.02, 32.05 (1) (b), 32.11, 35.01 (1) (a) and (c) and 35.02 (1) (b); to repeal and recreate SEC 4.07 (1) (b) and 32.05 (1) (c); and to create SEC 4.01 (8), 4.04 (10), 9.01 (1) (b) 14 and 32.05 (1) (d), relating to securities and franchise registration exemptions; securities registration standards, requirements and procedures; securities broker-dealer and agent licensing requirements and procedures; and securities and franchise examination fees.

Submitted by Office of the Commissioner of Securities.

Report received from agency, October 17, 1985.

Referred to committee on Tourism, Revenue, Financial Institutions and Forestry, October 18, 1985.

#### MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in:

**Assembly Bill 177**  
**Assembly Bill 303**  
**Assembly Bill 306**  
**Assembly Bill 310**  
**Assembly Bill 440**  
**Assembly Bill 434**  
**Assembly Bill 155**  
**Assembly Bill 230**  
**Assembly Bill 412**  
**Assembly Bill 460**  
**Assembly Bill 481**  
**Assembly Bill 510**  
**Assembly Bill 586**  
**Assembly Bill 596**  
**Assembly Bill 490**  
**Assembly Bill 514**

Concurred in:

**Senate Bill 27**  
**Senate Bill 34**  
**Senate Bill 219**  
**Senate Bill 226**  
**Senate Bill 262**  
**Senate Bill 321**  
**Senate Bill 284**

Amended and concurred in as amended:

**Assembly Bill 473**, assembly amendment 1 to senate amendment 2

**Senate Bill 376**, assembly amendment 1

Nonconcurred in:

**Assembly Bill 473**, senate amendment 3

Adopted and asks concurrence in:

**Assembly Joint Resolution 57**

#### MESSAGE FROM THE ASSEMBLY CONSIDERED

##### Assembly Bill 177

Relating to relevancy of evidence concerning alleged crime victims.

By Representatives Fergus, Magnuson, Grobschmidt, Carpenter, Seery, Welch, Porter, Cowles, Buettner, Bolle, Manske, Ladwig, Merkt, Lepak, Panzer, Musser, Berndt, Volk and S. Coggs, cosponsored by Senators Ulichny, Lee, Theno, Hanaway, Chilsen and Andrea, by request of Wisconsin Crime Victims Council.

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

**Assembly Bill 303**

Relating to technical and minor policy changes in respect to the income and franchise taxes.

By committee on Ways and Means, by request of Department of Revenue.

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

**Assembly Bill 306**

Relating to formation of a limited partnership.

By Representatives Brist and Fergus, cosponsored by Senator Ulichny.

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

**Assembly Bill 310**

Relating to registration of antique motor vehicles.

By Representatives Hasenohrl and Vanderperren, cosponsored by Senator Otte.

Read first time and referred to committee on Transportation.

**Assembly Bill 440**

Relating to a preferential rate for veterans for care and services at the university of Wisconsin hospital and clinics and making an appropriation.

By Representatives Wood, Menos, Swoboda, Berndt, Bolle, Buettner, Hubler, Vergeront, Gronemus, Paulson, Schultz, Williams, Brist, Grobschmidt, Musser, Ladwig, Van Gorden, M. Coggs, Johnsrud, Plizka, Magnuson, Schneiders and Tregoning, cosponsored by Senators Van Sistine, Harsdorf, Andrea, Otte, Kreul, Roshell and Stitt.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

**Assembly Bill 434**

Relating to various changes in the law governing repair, replacement and refund under new motor vehicle warranties.

By Representatives Holschbach, Williams, Hasenohrl, Metz, Neubauer, Magnuson, Seery, Crawford, Gronemus, Medinger, M. Coggs, Manske, Bell and Plizka, cosponsored by Senators Adelman, Otte, Czarnecki, Feingold, Lee, Chvala, Andrea, Plewa, Moen and Lorman.

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

**Assembly Bill 155**

Relating to the transfer of interests in motor vehicles to a surviving spouse.

By Representatives Manske, Rutkowski, Radtke, Merkt, Huelsman, Schneiders, Schober, Goetsch, Walling, T. Thompson, Tesmer, Lepak, Hubler and Volk, cosponsored by Senator Davis.

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

**Assembly Bill 230**

Relating to appointment of guardians for minors receiving gifts.

By Representatives Huelsman, Rutkowski, J. Young, Nelsen, Schneiders, Walling, Hauke, Panzer,

Rosenzweig, Schober, Berndt, Weeden, Lepak; Manske, Merkt and T. Thompson, cosponsored by Senators Risser, Davis, Engeleiter, Hanaway, Plewa and Lorman.

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

**Assembly Bill 412**

Relating to duty to report crimes and providing penalties.

By Representatives Rutkowski, Grobschmidt, Lepak, Potter, Goetsch, Seery, Krug, R. Thompson and Barrett, cosponsored by Senators Lee and Hanaway.

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

**Assembly Bill 460**

Relating to prohibiting basement insulation requirements in rental unit energy efficiency regulation.

By Joint Committee for Review of Administrative Rules.

Read first time and referred to committee on Energy and Environmental Resources.

**Assembly Bill 481**

Relating to donation of bone marrow by a minor.

By Representatives Kunicki, Rosenzweig, Robinson, Medinger, Antaramian, Wineke, S. Coggs, Bolle, Krug, Merkt, J. Young and Ourada, cosponsored by Senators Cullen and Moen.

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

By request of Senator Moen, with unanimous consent, **Assembly Bill 481** was withdrawn from committee on Agriculture, Health and Human Services and referred to committee on Senate Organization.

By request of Senator Strohl, with unanimous consent, **Assembly Bill 460** was withdrawn from committee on Energy and Environmental Resources and referred to committee on Senate Organization.

**Assembly Bill 510**

Relating to adolescent pregnancy prevention programs and services, human growth and development instruction programs, a school age parents program, a state adoption center, criminal trespass to medical facilities, grandparents' support of children of their minor children, maternity coverage in group disability insurance policies, informed consent to obtaining an abortion, abortion prohibitions, nonprescription contraceptives, granting rule-making authority, providing a penalty and making appropriations.

By Legislative Council.

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

**Assembly Bill 586**

Relating to home mortgage loans from the Wisconsin housing and economic development authority.

By committee on Economic Development.

Read first time and referred to committee on Economic Development.

**Assembly Bill 596**

Relating to the interstate acquisition and merger of banks, credit unions and savings and loan associations, the powers of banks, credit unions and savings and loan associations, regulating control of certain deposit-taking institutions, granting rule-making authority and providing penalties.

By Representative Hauke.

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

By request of Senator Ulichny, with unanimous consent, **Assembly Bill 586** was withdrawn from committee on Economic Development and referred to committee on Senate Organization.

**Assembly Bill 490**

Relating to double jeopardy.

By Representatives Tesmer and Grobschmidt, cosponsored by Senator Roshell.

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

**Assembly Bill 514**

Relating to granting bonding authority and revising the 1985-87 state building program.

By Representative Shoemaker, cosponsored by Senator Van Sistine, by request of Governor Anthony S. Earl and the State Building Commission.

Read first time and referred to committee on Senate Organization.

**Assembly Joint Resolution 57**

Relating to the life and public service of Floyd E. Shurbert.

By Representatives Bradley, McEssy, T. Thompson and All Members of the Assembly.

Read.

Considered as privileged and taken up.

Concurred in by unanimous rising vote.

The president of the senate in the chair.

3:04 P.M.

Senator Otte asked unanimous consent that **Assembly Bill 310** be withdrawn from committee on Transportation and referred to committee on Senate Organization.

Senator Engeleiter objected.

CALENDAR OF OCTOBER 18

**Senate Bill 178**

Relating to minimum shared revenue payments for decommissioned utility plants, distributions of property tax collections, real estate transfer fee exemptions, settlement of Wisconsin state property tax relief credits, discontinuing the authorization to counties to make adjustments of real estate transfer fees, revenue bonding for construction and maintenance of joint civic facilities, appeals to the department of revenue of determinations

made by a board of review and requiring notice by cities upon termination of a tax incremental district.

Read.

The question was: Concurrence of assembly amendment 1?

Concurred in.

**Senate Bill 298**

Relating to grants to the city of Kenosha of certain submerged and filled lands lying along the shore of Lake Michigan on the eastern frontage of the city of Kenosha.

Read.

The question was: Concurrence of assembly amendment 1?

Concurred in.

The question was: Concurrence of assembly amendment 2?

Concurred in.

SPECIAL ORDER

**Assembly Bill 413**

Relating to commencement of fall semester classes at the university of Wisconsin system.

Read a second time.

The question was: Shall the bill be non-concurred in?

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

Ayes -- Senators Adelman, Chvala, Czarnecki, Helbach, Lee, Lorman, Moen, Otte and Risser -- 9.

Noes -- Senators Andrea, Chilsen, Cullen, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Kincaid, Kreul, Lasee, Leean, McCallum, Norquist, Plewa, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 24.

Absent or not voting -- None.

So the bill failed to be non-concurred in.

The question was: Adoption of senate amendment 1?

Senator Kincaid moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

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

Ayes -- Senators Andrea, Chilsen, Cullen, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Leean, Norquist, Otte, Plewa, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 24.

Noes -- Senators Adelman, Chvala, Czarnecki, Davis, Lee, Lorman, McCallum, Moen and Risser -- 9.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 2 offered by Senator Lasee.

The question was: Adoption of senate amendment 2?

Senator Kincaid moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

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

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lee, Lorman, Moen, Norquist, Otte, Plewa, Roshell, Rude, Strohl, Theno, Ulichny and Van Sistine -- 24.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Lasee, Leean, McCallum, Risser and Stitt -- 9.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 3 offered by Senators Czarnezki and Chvala.

The question was: Adoption of senate amendment 3?

Senator Kincaid 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, 22; noes, 10; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Ellis, Engeleiter, Feingold, George, Hanaway, Kincaid, Kreul, Lasee, Leean, Norquist, Otte, Plewa, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 22.

Noes -- Senators Andrea, Chvala, Czarnezki, Davis, Harsdorf, Lee, Lorman, McCallum, Moen and Risser -- 10.

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

So the motion prevailed.

Senate amendments 4 and 5 offered by Senator Czarnezki.

The question was: Adoption of senate amendment 4?

Senator Kincaid 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, 24; noes, 8; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Cullen, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Leean, McCallum, Norquist, Otte, Plewa, Roshell, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 24.

Noes -- Senators Chvala, Czarnezki, Davis, Lee, Lorman, Moen, Risser and Rude -- 8.

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

So the motion prevailed.

The question was: Adoption of senate amendment 5?

Senator Kincaid moved rejection of senate amendment 5.

The question was: Rejection of senate amendment 5?

The motion prevailed.

Senate substitute amendment 1 offered by Senator Czarnezki.

The question was: Adoption of senate substitute amendment 1?

Senator Theno raised the point of order that senate substitute amendment 1 was not germane.

The chair ruled the point of order well taken.

Ordered to a third reading.

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

#### Assembly Bill 413

Read a third time.

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

Ayes -- Senators Andrea, Chilsen, Cullen, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Kincaid, Kreul, Lasee, Lee, Leean, McCallum, Norquist, Plewa, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 25.

Noes -- Senators Adelman, Chvala, Czarnezki, Helbach, Lorman, Moen, Otte and Risser -- 8.

Absent or not voting -- None.

So the bill was concurred in.

By request of Senator Roshell, with unanimous consent, the senate recessed until 5:25 P.M.

4:25 P.M.

---

#### RECESS

5:25 P.M.

The senate reconvened.

By request of Senator Cullen, with unanimous consent, **Assembly Bill 310** was withdrawn from the committee on Transportation and referred to committee on Senate Organization.

By request of Senator Cullen, with unanimous consent, the senate recessed until 5:44 P.M.

5:26

RECESS

5:44 P.M.

The senate reconvened.

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

By request of Senator Cullen, with unanimous consent, the senate recessed until 7:59 P.M.

5:45 P.M.

RECESS

7:59 P.M.

The senate reconvened.

**Senate Joint Resolution 33**

Creating a committee on the budget to study the budget process.

Read.

Senate amendment 1 offered by Senator Hanaway.

The question was: Adoption of senate amendment 1?  
Adopted.

Senate amendment 2 offered by Senators Lee and Hanaway.

The question was: Adoption of senate amendment 2?  
Adopted.

The question was: Shall the joint resolution be adopted?

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

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Helbach, Kreul, Lasee, Leean, Lorman, McCallum, Moen, Rude, Stitt and Theno -- 16.

Noes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Feingold, George, Kincaid, Lee, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 17.

Absent or not voting -- None.

So the joint resolution failed to be adopted.

**Senate Bill 52**

Relating to job impact requirements applied to certain private activity bonds issued by the Wisconsin housing and economic development authority and cities, villages and towns and granting rule-making authority.

Read a second time.

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

Adopted.

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

Adopted.

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

Adopted.

Senate amendment 1 to senate amendment 4 to senate substitute amendment 1 offered by Senators Stitt and Norquist.

Senate amendment 4 to senate substitute amendment 1 offered by Senators Stitt and Norquist.

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

Adopted.

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

**Senate Bill 52**

Read a third time and passed.

**Senate Bill 118**

Relating to penalties for persons who violate the alcohol beverage laws, to dealings between brewers, wholesalers and retailers, to technical and minor policy changes in regard to alcohol beverages, and alcohol beverage, tobacco, cigarette and fuel taxes, and providing a penalty.

Read a second time.

Senate amendment 1 to senate amendment 1 offered by Senator Van Sistine.

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

Adopted.

The question was: Adoption of senate amendment 1?  
Adopted.

The question was: Adoption of senate amendment 2?  
Adopted.

Ordered to a third reading.

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

**Senate Bill 118**

Read a third time and passed.

**Senate Bill 205**

Relating to intoxicated boating, implied consent, samples and tests related to intoxicants, granting rule-making authority and providing and revising penalties.

Read a second time.

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

Adopted.

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

Adopted.

Senate amendment 3 to senate substitute amendment 1 offered by Senator Stitt.

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

Adopted.

Senator McCallum moved reconsideration of the vote by which senate amendment 1 to senate substitute amendment 1 was adopted.

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

The ayes and noes were demanded and the vote was: ayes, 7; noes, 26; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Ellis, Harsdorf, Lee, McCallum, Risser and Rude -- 7.

Noes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Helbach, Kincaid, Kreul, Lasee, Leean, Lorman, Moen, Norquist, Otte, Plewa, Roshell, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 26.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

**Senate Bill 205**

Read a third time and passed.

**Senate Bill 282**

Relating to establishing a pregnancy exposure project, granting rule-making authority and making an appropriation.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 282** was referred to joint committee on Finance.

**Senate Bill 299**

Relating to dismissal of proceedings for improperly refusing to submit to a test for intoxication, prosecution

of certain repeat offenders, suspension and revocation of operating privileges, failure to stop and render aid or provide information under certain circumstances, municipal court authority to suspend operating privileges for failing to respond to a citation for violating a traffic ordinance and providing penalties for offenses concerning alcohol beverages in motor vehicles.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 299** was referred to the joint committee on Finance.

By request of Senator George, with unanimous consent, **Senate Bill 299** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

**Senate Bill 299**

Read a third time and passed.

**Senate Bill 301**

Relating to permits to capture or destroy deer causing damage to land.

Read a second time.

The question was: Shall the bill be indefinitely postponed?

By request of Senator George, with unanimous consent, **Senate Bill 301** was placed after **Assembly Bill 138**.

**Assembly Bill 55**

Relating to coverage of teaching, project and program assistants employed by the university of Wisconsin system under the state employment labor relations act and making appropriations.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 55**

Read a third 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, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Lee, McCallum, Moen, Norquist, Otte, Plewa, Risser, Strohl, Theno, Ulichny and Van Sistine -- 21.



Noes -- Senators Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Llean, Lorman, Roshell, Rude and Stitt -- 12.

Absent or not voting -- None.

So the bill was concurred in.

**Assembly Bill 138**

Relating to decertification of law enforcement and jail officers.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

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

**Assembly Bill 138**

Read a third time and concurred in as amended.

**Senate Bill 301**

Relating to permits to capture or destroy deer causing damage to land.

Read a second time.

The question was: Shall the bill be indefinitely postponed?

Senator Strohl asked unanimous consent that **Senate Bill 301** be referred to joint committee on Finance.

Senator Harsdorf objected.

Senator Strohl moved that **Senate Bill 301** be referred to joint committee on Finance.

The question was: Shall **Senate Bill 301** be referred to joint committee on Finance?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 19; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Czarnecki, Davis, George, Lee, Norquist, Plewa, Risser, Strohl, Theno and Ulichny -- 13.

Noes -- Senators Chilsen, Ellis, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Llean, Lorman, McCallum, Moen, Otte, Roshell, Rude, Stitt and Van Sistine -- 19.

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

So the motion did not prevail.

The question was: Shall the bill be indefinitely postponed?

By request of Senator Roshell, with unanimous consent, the senate recessed until 10:09 P.M.

9:45 P.M.

RECESS

10:09 P.M.

The senate reconvened.

The question was: Shall the bill be indefinitely postponed?

The motion did not prevail.

Senate substitute amendment 1 offered by Senators Otte and Lasee.

The question was: Adoption of senate substitute amendment 1?

Senator Strohl raised the point of order that senate substitute amendment 1 was not germane.

The chair took the point of order under advisement.

**Assembly Bill 139**

Relating to increasing the penalty for personating a peace officer.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 139**

Read a third time and concurred in.

**Assembly Bill 359**

Relating to battery.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senators Lorman, Ulichny and Hanaway.

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

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

**Assembly Bill 359**

Read a third time and concurred in as amended.

**Assembly Bill 426**

Relating to habitual traffic offenders.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 426**

Read a third time and concurred in.

**Assembly Bill 520**

Relating to rescinding dissolution of nonstock corporations dissolved for failure to designate registered agent.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 520**

Read a third time and concurred in.

**Assembly Bill 597**

Relating to waiver of requirements for community based residential facilities.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 597**

Read a third time and concurred in.

By request of the president of the Senate, with unanimous consent, the Senate returned to the fourth and eighth orders of business.

—————  
**COMMITTEE REPORTS**

The committee on Senate Organization reports and recommends:

**Senate Resolution 9**

Denouncing the anti-Semitic statements of Louis Farrakhan.

Adoption:

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

Noes, 0 -- None.

**Senate Resolution 10**

Relating to the life and public service of David F. Nelson.

Adoption:

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

Noes, 0 -- None.

TIMOTHY F. CULLEN  
Chair

—————  
**MESSAGE FROM THE ASSEMBLY**

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in:

**Assembly Bill 492**

Amended and concurred in as amended:

**Senate Bill 370**, assembly amendment 2

Concurred in:

**Senate Bill 54**

**Senate Bill 322**

**Senate Bill 389**

—————  
**MESSAGE FROM THE ASSEMBLY  
CONSIDERED**

**Assembly Bill 492**

Relating to restraining orders and injunctions to stop harassment.

By Representatives Tesmer, Hauke, Rutkowski and Crawford, cosponsored by Senator Chvala.

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

By request of Senator Cullen, with unanimous consent, the rules were suspended and the Supplemental Calendar of October 18 was taken up at this time.

—————  
**CALENDAR OF OCTOBER 18**

**Senate Bill 370**

Relating to motorcycle and automobile definitions and equipment standards.

Read.

The question was: Concurrence of assembly amendment 2?

Concurred in.

**Senate Bill 376**

Relating to the administration of the county sales and use taxes and making an appropriation.

Read.

The question was: Concurrence of assembly amendment 1?

Concurred in.

**Assembly Bill 460**

Relating to prohibiting basement insulation requirements in rental unit energy efficiency regulation.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 460**

Read a third time and concurred in.

By request of Senator Roshell, with unanimous consent, the senate recessed until 10:45 P.M.

10:25 P.M.

—————  
**RECESS**

10:45 P.M.

The senate reconvened.

**Assembly Bill 473**

Relating to civil liability for furnishing alcohol beverages.

Read.

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

Concurred in.

Senator Adelman moved that the senate adhere to its position on senate amendment 3.

The question was: Shall the senate adhere to its position on senate amendment 3?

Senator Van Sistine moved that the senate recede from its position on senate amendment 3.

The question was: Shall the senate recede from its position on senate amendment 3?

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

Ayes -- Senators Andrea, Chvala, Ellis, George, Helbach, Kincaid, Kreul, Lasee, Lekan, Moen, Otte, Plewa, Roshell, Rude, Stitt, Ulichny and Van Sistine -- 17.

Noes -- Senators Adelman, Chilsen, Cullen, Czarnecki, Davis, Engeleiter, Feingold, Hanaway, Harsdorf, Lee, Lorman, McCallum, Norquist, Risser, Strohl and Theno -- 16.

Absent or not voting -- None.

So the senate recedes from its position on senate amendment 3.

**Assembly Bill 481**

Relating to donation of bone marrow by a minor.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 481**

Read a third time and concurred in.

**Assembly Bill 514**

Relating to granting bonding authority and revising the 1985-87 state building program.

Read a second time.

Senate amendment 1 offered by Senator Stitt.

Senator Theno moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

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

Ayes -- Senators Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Engeleiter, Feingold, George, Hanaway, Helbach, Kincaid, Lee, Lorman, McCallum, Moen, Otte, Plewa, Risser, Roshell, Rude, Strohl, Theno, Ulichny and Van Sistine -- 25.

Noes -- Senators Adelman, Ellis, Harsdorf, Kreul, Lasee, Lekan, Norquist and Stitt -- 8.

Absent or not voting -- None.

So the motion prevailed.

Ordered to a third reading.

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

**Assembly Bill 514**

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 6; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lee, Lorman, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Strohl, Theno, Ulichny and Van Sistine -- 27.

Noes -- Senators Davis, Ellis, Lasee, Lekan, McCallum and Stitt -- 6.

Absent or not voting -- None.

So the bill was concurred in.

**Assembly Bill 586**

Relating to home mortgage loans from the Wisconsin housing and economic development authority.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 586**

Read a third time.

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

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lekan, Lorman, McCallum, Moen, Otte, Plewa, Risser, Roshell, Rude, Stitt, Theno, Ulichny and Van Sistine -- 29.

Noes -- Senators Lasee, Lee, Norquist and Stitt -- 4.

Absent or not voting -- None.

So the bill was concurred in.

**Senate Resolution 9**

Denouncing the anti-Semitic statements of Louis Farrakhan.

Read.

By request of Senator Lee, with unanimous consent, the entire membership of the senate was made co-authors of **Senate Resolution 9**.

The question was: Shall the resolution be adopted?  
Adopted.

**Senate Resolution 10**

Relating to the life and public service of David F. Nelson.

Read.

Adopted.

**Assembly Bill 310**

Relating to registration of antique motor vehicles.

Read a second time.

Ordered to a third reading.

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

**Assembly Bill 310**

Read a third time and concurred in.

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

**RULING OF THE CHAIR**

The chair ruled the point of order raised by the Senator from the 21st, Senator Strohl, that senate substitute amendment 1 to **Senate Bill 301** was not germane is not well taken.

**Senate Bill 301**

Relating to permits to capture or destroy deer causing damage to land.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

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

**Senate Bill 301**

Read a third time.

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

Ayes -- Senators Andrea, Chilsen, Cullen, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Leraan, Lorman, McCallum, Moen, Otte, Roshell, Rude, Stitt and Van Sistine -- 20.

Noes -- Senators Adelman, Chvala, Czarnezki, Davis, Ellis, George, Lee, Norquist, Plewa, Risser, Strohl, Theno and Ulichny -- 13.

Absent or not voting -- None.

So the bill passed.

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

**MOTIONS**

By request of Senator Plewa, with unanimous consent, his name was removed as a co-author of **Assembly Bill 427**.

By request of Senator Lasee, with unanimous consent, **Senate Resolution 11** was returned to the author.

By request of Senator Cullen, with unanimous consent, **Assembly Bill 510** was withdrawn from the committee on Judiciary and Consumer Affairs and referred to the committee on Senate Organization.

By request of Senator Cullen, with unanimous consent, the senate recessed until 12:07 A.M.

11:22 P.M.

**RECESS**

12:07 A.M.

The senate reconvened.

By request of Senator Cullen, with unanimous consent, the rules were suspended and the Supplemental Calendar of October 18 was taken up at this time.

**CALENDAR OF OCTOBER 18**

**Assembly Bill 510**

Relating to adolescent pregnancy prevention programs and services, human growth and development instruction programs, a school age parents program, a state adoption center, criminal trespass to medical facilities, grandparents' support of children of their minor children, maternity coverage in group disability insurance policies, informed consent to obtaining an abortion, abortion prohibitions, nonprescription contraceptives, granting rule-making authority, providing a penalty and making appropriations.

Read a second time.

Senate amendments 1 and 2 offered by Senator Harsdorf.

The question was: Adoption of senate amendment 1?

Senator George moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1? The motion prevailed.

The question was: Adoption of senate amendment 2?

Senator George moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2? The motion prevailed.

Senate amendment 3 offered by Senator Davis.

The question was: Adoption of senate amendment 3?

By request of Senator Davis, with unanimous consent, senate amendment 3 was returned to the author.

Senate amendment 4 offered by Senator Adelman.

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

Senator Davis asked unanimous consent that senate amendment 3 be revived.

The question was: Shall senate amendment 3 be revived?

The motion did not prevail.

Senate amendments 5 and 6 offered by Senator Chvala.

The question was: Adoption of senate amendment 5?

Senator Chilsen moved rejection of senate amendment 5.

The question was: Rejection of senate amendment 5?

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

Ayes -- Senators Andrea, Chilsen, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Otte, Plewa, Roshell, Stitt, Strohl and Van Sistine -- 19.

Noes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Norquist, Risser, Rude, Theno and Ulichny -- 14.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 6?

Senator Stitt moved rejection of senate amendment 6.

The question was: Rejection of senate amendment 6?

By request of Senator Chvala, with unanimous consent, senate amendment 6 was returned to the author.

Senate amendment 7 offered by Senator Chvala.

The question was: Adoption of senate amendment 7?

Senator Chilsen 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, 21; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Chilsen, Ellis, Feingold, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, Moen, Otte, Plewa, Roshell, Rude, Stitt, Strohl and Van Sistine -- 21.

Noes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Engeleiter, George, McCallum, Norquist, Risser, Theno and Ulichny -- 12.

Absent or not voting -- None.

So the motion prevailed.

Ordered to a third reading.

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

### **Assembly Bill 510**

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, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the bill was concurred in as amended.

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

### **RULING OF THE CHAIR**

The chair ruled the point of order raised by the Senator from the 28th, Senator Adelman, that senate amendment 3 to senate substitute amendment 1 was not germane is not well taken.

### **Senate Bill 285**

Relating to revising the statutes governing the pharmacy examining board, granting rule-making authority and providing penalties.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Otte, with unanimous consent, senate substitute amendment 1 was placed after senate substitute amendment 2.

Senate substitute amendment 2 offered by Senator Otte.

Senate amendment 1 to senate substitute amendment 2 offered by Senator Rude.

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

Senator Otte moved rejection of senate amendment 1 to senate substitute amendment 2.

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

Senator Chilsen moved that senate amendment 1 to senate substitute amendment 2 be laid on the table.

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

JOURNAL OF THE SENATE [October 18, 1985]

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

Ayes -- Senators Andrea, Chilsen, Ellis, Hanaway, Harsdorf, Kincaid, Kreul, Lasee, Lekan, Moen, Otte, Plewa, Roshell, Stitt and Van Sistine -- 15.

Noes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Helbach, Lee, Lorman, McCallum, Norquist, Risser, Rude, Strohl, Theno and Ulichny -- 18.

Absent or not voting -- None.

So the motion did not prevail.

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

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

Ayes -- Senators Andrea, Chilsen, Ellis, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lekan, Moen, Otte, Plewa, Roshell, Stitt and Van Sistine -- 16.

Noes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Lee, Lorman, McCallum, Norquist, Risser, Rude, Strohl, Theno and Ulichny -- 17.

Absent or not voting -- None.

So the motion did not prevail.

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

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

Ayes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Lee, Lorman, McCallum, Norquist, Risser, Rude, Strohl and Ulichny -- 16.

Noes -- Senators Andrea, Chilsen, Ellis, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lekan, Moen, Otte, Plewa, Roshell, Stitt, Theno and Van Sistine -- 17.

Absent or not voting -- None.

So the amendment failed to be adopted.

The question was: Adoption of senate substitute amendment 2?

Senator Chvala moved rejection of senate substitute amendment 2.

The question was: Rejection of senate substitute amendment 2?

The motion did not prevail.

The question was: Adoption of senate substitute amendment 2?

Adopted.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Otte, with unanimous consent, senate substitute amendment 1 was laid on the table.

Ordered to a third reading.

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

**Senate Bill 285**

Read a third time and passed.

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

STATEMENT OF POSITION

Pursuant to Senate Rule 75, Senator Lee wished to be recorded as he would have voted Tuesday, October 15, on the following:

Aye for passage of Senate Bills 319, 344 and 370 and Assembly Bills 44, 90, 158 and 211.

Aye for adoption of senate amendment 1 to Assembly Bill 44, senate amendments 1 and 2 to senate substitute amendment 1 to Senate Bill 376, senate substitute amendment 1 to Senate Bill 376, and passage of Senate Bill 376.

Aye to withdraw Senate Bill 361 from committee on Agriculture, Health and Human Services, and for adoption of senate amendments 2 and 3 to senate substitute amendment 1 to Senate Bill 361, senate amendment 1 to senate amendment 4 to senate substitute amendment 1 to Senate Bill 361, senate amendment 4 to senate substitute amendment 1 to Senate Bill 361, senate substitute amendment 1 to Senate Bill 361, and for passage of Senate Bill 361.

Aye for rejection of senate amendment 5 to senate substitute amendment 1 to Senate Bill 361.

No for rejection of senate amendment 4 to senate substitute amendment 1 to Senate Bill 376, and no for adoption of senate amendment 2 to senate amendment 4 to senate substitute amendment 1 to Senate Bill 361.

Upon motion of Senator Cullen the senate adjourned pursuant to **Assembly Joint Resolution 1**.

1:10 A.M.