

STATE OF WISCONSIN

Senate Journal

1986 January Special Session

WEDNESDAY, January 29, 1986

10:28 A.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.

COMMITTEE REPORTS

REPORT OF JOINT SURVEY COMMITTEE ON DEBT MANAGEMENT

Appendix to Senate Bill 1, Special Session

Public Policy Involved

The borrowing related provisions of January 1986 Special Session Senate Bill 1 are desirable as a matter of public policy.

FRED A. RISSE
Co-Chair

JOHN M. ANTARAMIAN
Co-Chair

REPORT OF JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

Appendix to Senate Bill 1, Special Session

Public Policy Involved

1. Death Benefits

Section 102.475 now provides a special death benefit for surviving dependents of protective occupation employees who die because of an accidental injury. This special death benefit is defined as a sum equal to 75% of the primary death benefit payable under the regular worker's compensation program, but not less than \$50,000. However, this special benefit is reduced by any amount that is received from the Federal program found under 42 USC 3796 to 3796c. Essentially, the Federal law provides a death benefit of \$50,000 to surviving dependents of qualifying protective employees.

Accordingly, the awards under s. 102.475 vary widely depending upon whether or not the death also qualifies for the \$50,000 payable under Federal law. Data furnished by the Worker's Compensation Division indicates an average of about five claims per year under s. 102.475 and with an average cost of \$21,000 per claim. Hence, a repeal of this section will result in sum sufficient

appropriation reductions of slightly over \$100,000 annually.

On the other hand, the death benefits that are provided under sec. 40.65 of WRS law are now offset by any benefits payable under Chapter 102 of the statutes. Hence, this repeal could eventually lead to an increase in costs and employer contributions for the s. 40.65 death and disability program under the WRS. A subcommittee of the RRC is presently reviewing the death benefits payable to protective participants under the various programs established by state and Federal law. This subcommittee has not yet finalized its conclusions whether the multiple benefit programs represent over-protection or under-protection for surviving dependents.

2. Early Retirement

The state employee "early retirement window" provided by Section 3017 of this legislation is very similar to the early retirement program established during the 1981 session and in effect between June 1, 1982, and June 30, 1983. The major difference between that program and the current proposal is the change in normal retirement for general employees and teachers who have 30 years of service and have been granted age 62 normal in lieu of 65.

The Department of Administration submitted a study on February 23, 1984, of the early retirement window program enacted during the 1981 session. The summary conclusions of the DOA study included the following:

1. The early retirement program was generally accepted by state employees with almost one-third of those eligible electing to retire. However, the study noted that over 25% of those retiring early probably would have elected early retirement without the special program.

2. The early retirement program was expensive to the state agencies involved, with an average cost of \$10,320 per employee retiring. The individual costs ranged widely from a maximum of \$52,000 for one employee to only several hundred dollars for others.

3. Although most agencies and UW campuses attempted to generate funds to cover the costs of early retirement by holding positions vacant, the agencies also encountered serious problems paying for the added benefit costs.

4. The state managers were generally positive toward the early retirement program, but a few noted the lack of management flexibility and planning time.

The current early retirement proposal will not benefit general employees and teachers that are employed by

local government, and it may be argued that if this program represents good public policy for the state, it probably would also be good public policy for municipalities, counties and school districts. Also, this bill will not benefit state employees who have more than 30 years of service or who are over age 65, and this group represents nearly one-half of all state employees age 60 and over.

In addition, the early retirement proposal raises several other serious questions concerning retirement policy. It can be questioned whether this proposal will reduce state agency costs or possibly increase costs because of the early retirement funding. Also, the 13-month period will undoubtedly affect many state employees who would retire anyway regardless of the early retirement program. Also, this proposal will undoubtedly cause some state employees to delay their retirement until the program starts on June 1, 1986 and those who retired shortly before this concept was introduced may claim that their benefits should be increased to reflect the early retirement plan. Also, this retirement proposal is financed by terminal or "pay-as-you-go" funding which is normally construed as bad public policy if continued or repeated over long periods. Lastly, the early retirement program does not reflect in-depth planning by the retirement committees or affected employer and employee groups.

JOSEPH ANDREA
Co-Chair

JOHN VOLK
Co-Chair

By request of Senator Cullen, with unanimous consent, the senate recessed until 5:34 P.M.

10:31 A.M.

RECESS

5:34 P.M.

The senate reconvened.

By request of Senator Cullen, with unanimous consent, the senate recessed until 7:13 P.M.

5:35 P.M.

RECESS

7:13 P.M.

The senate reconvened.

The joint committee on Finance reports and recommends:

Senate Bill 1, Special Session

Relating to: adjustments in the budgets and programs of certain state departments and agencies and certain state aids to individuals and local governments for the

purpose of reducing state expenditures to reflect anticipated state revenues; intent concerning funding of federal assistance reductions; the general fund and transportation fund balances; creation of a budget stabilization fund and reallocation of state moneys; estimated tax payments; the homestead income tax credit; court chambers for the court of appeals; the preschool to grade 5 program; prohibiting a reduction in the number of class sections offered in the university of Wisconsin system during the 1986-87 fiscal year as a result of certain fiscal changes; plans and budgets of county departments which provide social services and mental health, developmental disability and alcohol and other drug abuse services; provision of mental health services under the medical assistance program; county carry forward of certain social services funds; policies and procedures manual for social services programs; facility reimbursement rate calculations; establishing fees for registrants of a seminar or workshop relating to nursing home or community-based residential facility service; providing for a study of state requirements in human services programs; limited term employee compensation; pay rate adjustments to correct pay inequities; early retirement for state employees; a single registration plate for motor vehicles; and granting rule-making authority, creating penalties and making appropriations.

Introduction and adoption of senate amendment 1:

Ayes, 16 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Passage as amended:

Ayes, 14 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala and Stitt, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen and Panzer;

Noes, 2 -- Senator Davis and Representative Prosser.

GARY R. GEORGE
Chair

By request of Senator Kreul, with unanimous consent, the senate recessed until 7:54 P.M.

7:15 P.M.

RECESS

7:54 P.M.

The senate reconvened.

By request of Senator Cullen, with unanimous consent, the rules were suspended and **Senate Bill 1, Special Session** was considered at this time.

Senate Bill 1, Special Session

Relating to: adjustments in the budgets and programs of certain state departments and agencies and certain

state aids to individuals and local governments for the purpose of reducing state expenditures to reflect anticipated state revenues; intent concerning funding of federal assistance reductions; the general fund and transportation fund balances; creation of a budget stabilization fund and reallocation of state moneys; estimated tax payments; the homestead income tax credit; court chambers for the court of appeals; the preschool to grade 5 program; prohibiting a reduction in the number of class sections offered in the university of Wisconsin system during the 1986-87 fiscal year as a result of certain fiscal changes; plans and budgets of county departments which provide social services and mental health, developmental disability and alcohol and other drug abuse services; provision of mental health services under the medical assistance program; county carry forward of certain social services funds; policies and procedures manual for social services programs; facility reimbursement rate calculations; establishing fees for registrants of a seminar or workshop relating to nursing home or community-based residential facility service; providing for a study of state requirements in human services programs; limited term employee compensation; pay rate adjustments to correct pay inequities; early retirement for state employees; a single registration plate for motor vehicles; and granting rule-making authority, creating penalties and making appropriations.

Read a second time.

Senate amendment 1 to senate amendment 1 offered by Senators Ellis, Engeleiter, Lasee, Kreul, Harsdorf, Rude, Lekan, Lorman, Theno, Hanaway, McCallum, Davis and Stitt.

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

Senator Norquist moved rejection of senate amendment 1 to senate amendment 1.

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

The ayes and noes were demanded and the vote was: ayes, 15; noes, 13; absent or not voting, 5; as follows:

Ayes -- Senators Andrea, Chvala, Cullen, Czarnetzki, Feingold, George, Helbach, Lee, Moen, Norquist, Otte, Plewa, Risser, Ulichny and Van Sistine -- 15.

Noes -- Senators Adelman, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Lorman, McCallum, Rude, Stitt and Theno -- 13.

Absent or not voting -- Senators Chilsen, Kincaid, Lekan, Roshell and Strohl -- 5.

So the motion prevailed.

LEAVE OF ABSENCE

By request of Senator Cullen, with unanimous consent, Senators Strohl and Kincaid were granted a leave of absence until 9:45 P.M.

By request of Senator Engeleiter, with unanimous consent, Senators Lekan and Chilsen were granted a leave of absence until 9:45 P.M.

Senate amendment 2 offered by Senator Feingold.

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

Senator Stitt moved rejection of senate amendment 2 to senate amendment 1.

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

The ayes and noes were demanded and the vote was: ayes, 21; noes, 8; absent or not voting, 4; as follows:

Ayes -- Senators Andrea, Czarnetzki, Davis, Ellis, Engeleiter, George, Hanaway, Harsdorf, Kreul, Lasee, Lee, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Roshell, Rude, Stitt and Theno -- 21.

Noes -- Senators Adelman, Chvala, Cullen, Feingold, Helbach, Risser, Ulichny and Van Sistine -- 8.

Absent or not voting -- Senators Chilsen, Kincaid, Lekan and Strohl -- 4.

So the motion prevailed.

Senator Feingold raised the point of order that senate amendment 1 to **Senate Bill 1, Special Session** was not germane.

The chair took the point of order under advisement.

Senate amendment 2 offered by Senators Chilsen, Davis and Kreul.

The question was: Adoption of senate amendment 2?

By request of Senator Engeleiter, with unanimous consent, senate amendment 2 was placed after senate amendment 15.

Senate amendment 3 offered by Senator Hanaway.

The question was: Adoption of senate amendment 3?

Senator Cullen moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?
The motion prevailed.

Senate amendment 4 offered by Senators Feingold and Czarnetzki.

The question was: Adoption of senate amendment 4?

Senator Cullen moved rejection of senate amendment 4.

The question was: Rejection of senate amendment 4?

By request of Senator Cullen, with unanimous consent, senate amendment 4 was placed after senate amendment 2.

Senate amendment 5 offered by Senator Feingold.

The question was: Adoption of senate amendment 5?

5. Senator Cullen moved rejection of senate amendment

The question was: Rejection of senate amendment 5?
The motion prevailed.

Senate amendment 6 offered by Senators Engeleiter, Ellis, Kreul, Lorman, McCallum, Davis, Hanaway and Stitt.

The question was: Adoption of senate amendment 6?

Senator George moved rejection of senate amendment 6.

The question was: Rejection of senate amendment 6?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 13; absent or not voting, 4; as follows:

Ayes -- Senators Andrea, Chvala, Cullen, Czarnezki, Feingold, George, Helbach, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Ulichny and Van Sistine -- 16.

Noes -- Senators Adelman, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Lorman, McCallum, Rude, Stitt and Theno -- 13.

Absent or not voting -- Senators Chilsen, Kincaid, Lekan and Strohl -- 4.

So the motion prevailed.

Senate amendment 7 offered by Senator Kreul.

The question was: Adoption of senate amendment 7?

Senate amendment 1 to senate amendment 7 offered by Senator Kreul.

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

Adopted.

The question was: Adoption of senate amendment 7?
Adopted.

Senate amendment 8 offered by Senators Adelman and Czarnezki.

The question was: Adoption of senate amendment 8?

By request of Senator Adelman, with unanimous consent, senate amendment 8 was placed after senate amendment 17.

Senate amendment 9 offered by Senators Hanaway, Theno, Stitt, McCallum and Harsdorf.

The question was: Adoption of senate amendment 9?

9. Senator Cullen moved rejection of senate amendment

The question was: Rejection of senate amendment 9?
The motion prevailed.

Senate amendment 10 offered by Senator Davis.

The question was: Adoption of senate amendment 10?

Senator George 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, 16; noes, 13; absent or not voting, 4; as follows:

Ayes -- Senators Adelman, Chvala, Cullen, Czarnezki, Ellis, Feingold, George, Helbach, Lee, Moen, Norquist, Otte, Plewa, Risser, Ulichny and Van Sistine -- 16.

Noes -- Senators Andrea, Davis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Lorman, McCallum, Roshell, Rude, Stitt and Theno -- 13.

Absent or not voting -- Senators Chilsen, Kincaid, Lekan and Strohl -- 4.

So the motion prevailed.

LEAVE OF ABSENCE

By request of Senator Cullen, with unanimous consent, Senators Kincaid and Strohl were granted a leave of absence until 10:30 P.M.

By request of Senator Engeleiter, with unanimous consent, Senators Chilsen and Lekan were granted a leave of absence 10:30 P.M.

Senate amendment 11 offered by Senators Davis, Engeleiter, Lasee, Lorman, Kreul and McCallum.

The question was: Adoption of senate amendment 11?

Senator Cullen moved rejection of senate amendment 11.

The question was: Rejection of senate amendment 11?

The motion prevailed.

Senate amendment 12 offered by Senators Davis, Rude, Lasee and McCallum.

The question was: Adoption of senate amendment 12?

Senator Cullen moved rejection of senate amendment 12.

The question was: Rejection of senate amendment 12?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 12; absent or not voting, 4; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Feingold, George, Helbach, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Ulichny and Van Sistine -- 17.

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

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Absent or not voting -- Senators Chilsen, Kincaid, Lekan and Strohl -- 4.

So the motion prevailed.

Senate amendment 13 offered by Senator Stitt.

The question was: Adoption of senate amendment 13?

Senate amendment 1 to senate amendment 13 offered by Senator Stitt.

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

Adopted.

The question was: Adoption of senate amendment 13?

Adopted.

Senate amendment 14 offered by Senators Stitt, Davis, Lasee, Engeleiter and McCallum.

The question was: Adoption of senate amendment 14?

Senator Cullen moved rejection of senate amendment 14.

The question was: Rejection of senate amendment 14?

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

Ayes -- Senators Adelman, Chvala, Cullen, Czarnecki, Feingold, George, Helbach, Lee, Moen, Norquist, Risser and Strohl -- 12.

Noes -- Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kincaid, Kreul, Lasee, Lekan, Lorman, McCallum, Otte, Plewa, Roshell, Rude, Stitt, Theno, Ulichny and Van Sistine -- 21.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 14?

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, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, McCallum, Plewa, Roshell, Rude, Stitt, Theno, Ulichny and Van Sistine -- 21.

Noes -- Senators Adelman, Chvala, Cullen, Czarnecki, Feingold, George, Helbach, Moen, Norquist, Otte, Risser and Strohl -- 12.

Absent or not voting -- None.

So the amendment was adopted.

Senate amendment 15 offered by Senators Czarnecki and Adelman.

The question was: Adoption of senate amendment 15?

By request of Senator Czarnecki, with unanimous consent, senate amendment 15 was placed after senate amendment 19.

The question was: Adoption of senate amendment 2?

Senator Norquist 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, 18; noes, 15; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnecki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Strohl, Ulichny and Van Sistine -- 18.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Lekan, Lorman, McCallum, Roshell, Rude, Stitt and Theno -- 15.

Absent or not voting -- None.

So the motion prevailed.

The question was: Rejection of senate amendment 4?

By request of Senator Cullen, with unanimous consent, senate amendment 4 was placed after senate amendment 15.

Senate amendment 16 offered by Senators Rude and Engeleiter.

The question was: Adoption of senate amendment 16?

Senator Norquist moved rejection of senate amendment 16.

The question was: Rejection of senate amendment 16?

The motion prevailed.

Senate amendment 17 offered by Senator Hanaway.

The question was: Adoption of senate amendment 17?

Adopted.

The question was: Adoption of senate amendment 8?

By request of Senator Adelman, with unanimous consent, senate amendment 8 was placed after senate amendment 20.

Senate amendment 18 offered by Senator Ellis.

The question was: Adoption of senate amendment 18?

Senator Norquist moved rejection of senate amendment 18.

The question was: Rejection of senate amendment 18?

The motion prevailed.

Senate amendment 19 offered by Senators Kreul and Rude.

The question was: Adoption of senate amendment 19?

By request of Senator Kreul, with unanimous consent, senate amendment 19 was returned to the author.

The question was: Adoption of senate amendment 15?

By request of Senator Adelman, with unanimous consent, senate amendment 15 was placed after senate amendment 8.

The question was: Rejection of senate amendment 4?

Senator Cullen asked unanimous consent that senate amendment 4 be laid on the table.

Senator Rude objected.

Senator Cullen moved that senate amendment 4 be laid on the table.

The question was: Shall senate amendment 4 be laid on the table?

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

Ayes -- Senators Andrea, Chvala, Cullen, Ellis, Engleiter, George, Helbach, Kincaid, Lee, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 19.

Noes -- Senators Adelman, Chilsen, Czarnezki, Davis, Feingold, Hanaway, Harsdorf, Kreul, Lasee, Lekan, Lorman, Rude, Stitt and Theno -- 14.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 20 offered by Senator Davis.

The question was: Adoption of senate amendment 20?

Senator Cullen moved rejection of senate amendment 20.

The question was: Rejection of senate amendment 20?

The motion prevailed.

The question was: Adoption of senate amendment 8?

Senator Norquist moved rejection of senate amendment 8.

The question was: Rejection of senate amendment 8?

Senator Cullen moved that senate amendment 8 be laid on the table.

The question was: Shall senate amendment 8 be laid on the table?

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, Davis, Ellis, George, Hanaway, Helbach, Kincaid, Kreul,

Lasee, Lee, Lekan, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Roshell, Stitt, Strohl, Theno and Van Sistine -- 24.

Noes -- Senators Adelman, Chvala, Czarnezki, Engleiter, Feingold, Harsdorf, Risser, Rude and Ulichny -- 9.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 15?

Senator Cullen moved that senate amendment 15 be laid on the table.

The question was: Shall senate amendment 15 to **Senate Bill 1, Special Session** be laid on the table?

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

Ayes -- Senators Andrea, Chilsen, Chvala, Cullen, Ellis, Feingold, George, Hanaway, Harsdorf, Helbach, Kreul, Lasee, Lee, Lekan, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno and Van Sistine -- 27.

Noes -- Senators Adelman, Czarnezki, Davis, Engleiter, Kincaid and Ulichny -- 6.

Absent or not voting -- None.

So the motion prevailed.

RULING OF THE CHAIR

The Senator from the 27th, Senator Feingold, raised the point of order that senate amendment 1 as it relates to the securities exemption is not germane.

The governor's call and the bill relate to reducing the cost of state government. The provisions in senate amendment 1 relating to the securities exemption appear to reduce the cost of government.

Therefore, it is the opinion of the chair that the provisions questioned are germane and the point of order is not well taken.

Senate amendment 3 and 4 to senate amendment 1 offered by Senator Czarnezki.

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

Senator Cullen moved rejection of senate amendment 3 to senate amendment 1?

The question was: Rejection of senate amendment 3 to senate amendment 1?

Senator Cullen moved that senate amendment 3 to senate amendment 1 be laid on the table.

The question was: Shall senate amendment 3 to senate amendment 1 be laid on the table?

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

Ayes -- Senators Andrea, Chilsen, Chvala, Cullen, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Kincaid, Kreul, Lasee, Leean, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Strohl, Theno, Ulichny and Van Sistine -- 26.

Noes -- Senators Adelman, Czarnezki, Davis, Helbach, Lee, Lorman and Stitt -- 7.

Absent or not voting -- None.

So the motion prevailed.

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

Senator Cullen moved that senate amendment 4 to senate amendment 1 be laid on the table.

The question was: Shall senate amendment 4 to senate amendment 1 be laid on the table?

The motion prevailed.

Senate amendment 5 to senate amendment 1 offered by Senators Ellis, Engeleiter, Davis, Lasee, Theno, Lorman, Stitt, Kreul and Hanaway.

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

Senator Norquist moved that senate amendment 5 to senate amendment 1 be laid on the table.

The question was: Shall senate amendment 5 to senate amendment 1 be laid on the table?

The motion prevailed.

Senate amendment 6 to senate amendment 1 offered by Senators Kincaid, Roshell, Norquist and Feingold.

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

By request of Senator Kincaid, with unanimous consent, senate amendment 1 was placed after senate amendment 7 to senate amendment 1.

Senate amendment 7 to senate amendment 1 offered by Senators George and Cullen.

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

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

Ayes -- Senators Andrea, Chvala, Cullen, George, Hanaway, Helbach, Kincaid, Kreul, Lee, Lorman, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Theno, Ulichny and Van Sistine -- 20.

Noes -- Senators Adelman, Chilsen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, Harsdorf, Lasee, Leean, McCallum, Rude and Stitt -- 13.

Absent or not voting -- None.

So the amendment was adopted.

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

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

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Leean, Lorman, McCallum, Moen, Norquist, Roshell, Rude, Stitt, Theno, Ulichny and Van Sistine -- 22.

Noes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, George, Lee, Otte, Plewa, Risser and Strohl -- 11.

Absent or not voting -- None.

So the amendment was adopted.

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

Senate amendment 21 offered by Senator Stitt.

The question was: Adoption of senate amendment 21?

By request of Senator Lasee, with unanimous consent, he was made a co-author of senate amendment 21.

Senator Cullen moved that senate amendment 21 be laid on the table.

The question was: Shall senate amendment 21 be laid on the table?

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

Ayes -- Senators Adelman, Chvala, Cullen, Czarnezki, Engeleiter, Feingold, George, Hanaway, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Strohl, Ulichny and Van Sistine -- 19.

Noes -- Senators Andrea, Chilsen, Davis, Ellis, Harsdorf, Kreul, Lasee, Leean, Lorman, McCallum, Roshell, Rude, Stitt and Theno -- 14.

Absent or not voting -- None.

So the motion prevailed.

By request of Senator George, with unanimous consent, the journal will expunge the record by which senate amendment 1 was adopted.

Senate amendment 8 to senate amendment 1 offered by Senator George.

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

Adopted.

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.

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Senate Bill 1, Special Session

Read a third time.

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

Ayes -- Senators Andrea, Chvala, Cullen, Ellis, Engleleiter, George, Hanaway, Helbach, Kincaid, Kreul, Lee, Leean, Lorman, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 24.

Noes -- Senators Adelman, Chilsen, Czarnezki, Davis, Feingold, Harsdorf, Lasee, McCallum and Theno -- 9.

Absent or not voting -- None.

So the bill passed.

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

By request of Senator George, with unanimous consent, the senate adjourned in honor of astronauts Francis R. Scobee, Michael J. Smith, Christa McAuliffe, Judith A. Resnik, Ronald E. McNair, Ellison S. Onizuka and Gregory B. Jarvis who were killed in flight aboard the space shuttle Challenger yesterday.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Friday, January 31.

12:40 A.M.