

STATE OF WISCONSIN

Senate Journal

1986 May Special Session

THURSDAY, May 22, 1986

12:14 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 opening prayer, pledge and roll call of the Regular Session was applied to the Special Session.

By request of Senator Cullen, with unanimous consent, the senate recessed until 12:57 P.M.

12:15 P.M.

RECESS

12:57 P.M.

The senate reconvened.

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends for introduction:

Senate Bill 20, Special Session

Relating to operating motor vehicles, blood alcohol concentration, operating privileges and providing penalties.

By request of Senator Cullen and Representative Jauch.

Introduction:

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

Noes, 0 -- None.

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

Senate Bill 21, Special Session

Relating to requiring motor vehicle operators and passengers to wear safety belts, granting rule-making authority, requesting a study and providing a penalty.

By request of Senator Czarnecki and Representative Barrett.

Introduction:

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

Noes, 0 -- None.

Read first time and referred to committee on Transportation.

TIM CULLEN  
Chair

The committee on Economic Development reports and recommends:

Senate Bill 7, Special Session

Relating to reservation of corporate name by telephone, expeditious processing of documents, records and certifications by the secretary of state, increasing annual report fees for corporations and cooperatives, requiring the legislative audit bureau to conduct a performance audit and making appropriations.

Introduction and adoption of senate amendment 1:

Ayes, 4 -- Senators Ulichny, Cullen, Czarnecki and Hanaway;

Noes, 1 -- Senator McCallum.

Passage as amended:

Ayes, 5 -- Senators Ulichny, Cullen, Czarnecki, Hanaway and McCallum;

Noes, 0 -- None.

Senate Bill 8, Special Session

Relating to export loans, economic development loans and investments, authorization for increasing the total principal amount of agricultural production loans, disclosure of investment, grant or loan information, requesting an audit and making an appropriation.

Introduction and adoption of senate amendment 1:

Ayes, 4 -- Senators Ulichny, Cullen, Czarnecki and Hanaway;

Noes, 1 -- Senator McCallum.

Introduction and adoption of senate amendment 2:

Ayes, 4 -- Senators Ulichny, Cullen, Czarnecki and Hanaway;

Noes, 1 -- Senator McCallum.

Passage as amended:

Ayes, 5 -- Senators Ulichny, Cullen, Czarnecki, Hanaway and McCallum;

Noes, 0 -- None.

BARBARA L. ULICHNY  
Chair

The committee on Energy and Environmental Resources reports and recommends:

Senate Bill 6, Special Session

Relating to uses of certain lands, partly submerged in Lake Michigan, by the city of Milwaukee.

Introduction of senate substitute amendment 1:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Adelman, Ellis, Hanaway and Theno;

Noes, 0 -- None.

Introduction and adoption of senate amendment 1 to senate substitute amendment 1:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Adelman, Ellis, Hanaway and Theno;

Noes, 0 -- None.

Adoption of senate substitute amendment 1 as amended:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Adelman, Ellis, Hanaway and Theno;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Strohl, Chvala, Lee, Ellis, Hanaway and Theno;

Noes, 1 -- Senator Adelman.

JOE STROHL  
Chair

The joint committee on Finance reports and recommends:

**Senate Bill 2, Special Session**

Relating to fees of the register in probate.

Introduction and adoption of senate amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

**Senate Bill 3, Special Session**

Relating to an indoor practice facility for athletic programs at the university of Wisconsin-Madison and making an appropriation.

Introduction and adoption of senate amendment 1:

Ayes, 15 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen and Prosser;

Noes, 0 -- None.

Introduction and adoption of senate amendment 2:

Ayes, 15 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen and Prosser;

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

**Senate Bill 11, Special Session**

Relating to payment for injury and damages caused by foster children and granting rule-making authority.

Introduction and adoption of senate amendment 1:

Ayes, 8 -- Senators Roshell, Stitt and Davis, Representatives Schneider, Metz, Kunicki, Nelsen and Prosser;

Noes, 7 -- Senators George, Norquist, Helbach, Strohl and Chvala, Representatives Jauch and Travis.

Passage as amended:

Ayes, 15 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen and Prosser;

Noes, 0 -- None.

GARY R. GEORGE  
Senate Chair

The committee on Labor, Business, Veterans Affairs and Insurance reports and recommends:

**Senate Bill 1, Special Session**

Relating to raising the legal drinking age to 21.

Introduction and adoption of senate amendment 1:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;

Noes, 0 -- None.

Introduction and adoption of senate amendment 2:

Ayes, 4 -- Senators Van Sistine, Roshell, Otte and Kreul;

Noes, 2 -- Senators Plewa and Leean.

Passage as amended:

Ayes, 1 -- Senator Otte;

Noes, 5 -- Senators Van Sistine, Roshell, Plewa, Kreul and Leean.

JEROME VAN SISTINE  
Chair

REPORT OF JOINT SURVEY COMMITTEE ON  
DEBT MANAGEMENT

Appendix to **Senate Bill 8, Special Session**

Public Policy Involved

The proposal is desirable as a matter of public policy.

FRED A. RISSER  
Co-Chair

JOHN ANTARAMIAN  
Co-Chair

CALENDAR OF MAY 22

**Senate Bill 1, Special Session**

Relating to raising the legal drinking age to 21.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 1, Special Session** was referred to joint committee on Finance.

**Senate Bill 7, Special Session**

Relating to reservation of corporate name by telephone, expeditious processing of documents, records and certifications by the secretary of state, increasing annual report fees for corporations and cooperatives, requiring the legislative audit bureau to conduct a performance audit and making appropriations.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 7, Special Session** was referred to joint committee on Finance.

**Senate Bill 8, Special Session**

Relating to export loans, economic development loans and investments, authorization for increasing the total principal amount of agricultural production loans, disclosure of investment, grant or loan information, requesting an audit and making an appropriation.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 8, Special Session** was referred to joint committee on Finance.

By request of Senator Cullen, with unanimous consent, the senate recessed until 2:30 P.M.

1:05 P.M.

RECESS

2:30 P.M.

The senate reconvened.

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

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

**Assembly Joint Resolution 1, Special Session**

Passed and asks concurrence in:

- Assembly Bill 2, Special Session**
- Assembly Bill 4, Special Session**
- Assembly Bill 6, Special Session**

MESSAGE FROM THE ASSEMBLY  
CONSIDERED

**Assembly Joint Resolution 1, Special Session**

Relating to the life and public service of Kenneth E. Priebe.

By Representatives Prosser, T. Thompson, McEssy, Vanderperren, Byers, Hephner, Bradley and Walling.

Read.

Considered as privileged and taken up.

Concurred in by unanimous rising vote.

**Assembly Bill 2, Special Session**

Relating to an indoor practice facility for athletic programs at the university of Wisconsin-Madison and making an appropriation.

By committee on Assembly Organization, by request of Governor Anthony S. Earl.

Read first time and referred to committee on Education and Government Operations.

**Assembly Bill 4, Special Session**

Relating to revising the laws governing the patients compensation fund, eliminating the patients compensation panels, creating a medical malpractice mediation system, revising the laws governing medical malpractice and health care provider professional discipline, providing for studies, granting rule-making authority and making appropriations.

By committee on Assembly Organization, by request of Governor Anthony S. Earl.

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

**Assembly Bill 6, Special Session**

Relating to fees of the register in probate.

By committee on Assembly Organization, by request of Governor Anthony S. Earl.

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

CALENDAR OF MAY 22

**Senate Bill 2, Special Session**

Relating to fees of the register in probate.

Read a second time.

By request of Senator Cullen, with unanimous consent, the senate recessed until 3:06 P.M.

2:43 P.M.

RECESS

3:06 P.M.

The senate reconvened.

The question was: Adoption of senate 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 2, Special Session**

Read a third time and passed.

**Senate Bill 3, Special Session**

Relating to an indoor practice facility for athletic programs at the university of Wisconsin-Madison and making an appropriation.

Read a second time.

By request of Senator Cullen, with unanimous consent, **Senate Bill 3, Special Session** was placed after **Senate Bill 11, Special Session**.

**Senate Bill 6, Special Session**

Relating to uses of certain lands, partly submerged in Lake Michigan, by the city of Milwaukee.

Read a second time.

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

Adopted.

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

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

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

The question was: Rejection of senate amendment 2 to senate substitute 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, Chvala, Cullen, Czarnezki, Ellis, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lee, Leean, Moen, Norquist, Otte, Plewa, Roshell, Strohl, Theno, Ulichny and Van Sistine -- 24.

Noes -- Senators Adelman, Davis, Engeleiter, Lasee, Lorman, McCallum, Risser, Rude and Stitt -- 9.

Absent or not voting -- None.

So the motion prevailed.

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 6, Special Session**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes -- Senators 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 -- 32.

Noes -- Senator Adelman -- 1.

Absent or not voting -- None.

So the bill passed.

**Senate Bill 9, Special Session**

Relating to establishing liability insurance risk sharing plans; insurance company surplus requirements; cancellations, nonrenewals and renewals on altered terms of insurance policies; and participation in the local government property insurance fund.

Read a second time.

Senate amendment 1 offered by Senators Van Sistine, Leean and Roshell.

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

Senate amendment 2 offered by Senator Van Sistine.

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

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

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 9, Special Session**

Read a third time and passed.

**Senate Bill 11, Special Session**

Relating to payment for injury and damages caused by foster children and granting rule-making authority.

Read a second time.

By request of Senator Otte, with unanimous consent, **Senate Bill 21, Special Session** was withdrawn from committee on Transportation and referred to committee on Senate Organization.

By request of Senator Cullen, with unanimous consent, the Senate returned to the eighth order of business.

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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 8, Special Session**

**Assembly Bill 11, Special Session**

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MESSAGE FROM THE ASSEMBLY  
CONSIDERED

**Assembly Bill 8, Special Session**

Relating to establishing liability insurance risk sharing plans; insurance company surplus requirements; cancellations, nonrenewals and renewals on altered terms of insurance policies; and participation in the local government property insurance fund.

By committee on Assembly Organization, by request of Governor Anthony S. Earl.

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

**Assembly Bill 11, Special Session**

Relating to payment for injury and damages caused by foster children and granting rule-making authority.

By committee on Assembly Organization, by request of Governor Anthony S. Earl.

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

By request of Senator Van Sistine, with unanimous consent, **Assembly Bill 11, Special Session** was withdrawn from committee on Labor, Business, Veterans Affairs and Insurance and considered at this time.

By request of Senator Cullen, with unanimous consent, the senate recessed until 3:55 P.M.

3:42 P.M.

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RECESS

3:55 P.M.

The senate reconvened.

**Assembly Bill 11, Special Session**

Relating to payment for injury and damages caused by foster children and granting rule-making authority.

Read a second time.

Senate amendment 1 offered by Senators Leraan and Engeleiter.

The question was: Adoption of senate 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.

**Assembly Bill 11, Special Session**

Read a third time and concurred in as amended.

**Senate Bill 11, Special Session**

Relating to payment for injury and damages caused by foster children and granting rule-making authority.

Read a second time.

By request of Senator Norquist, with unanimous consent, **Senate Bill 11, Special Session** was laid on the table.

**Senate Bill 3, Special Session**

Relating to an indoor practice facility for athletic programs at the university of Wisconsin-Madison and making an appropriation.

Read a second time.

The question was: Adoption of senate amendment 1?

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

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

Senate amendment 3 offered by Senator George.

The question was: Adoption of senate amendment 3?

By request of Senator George, with unanimous consent, senate amendment 3 was laid on the table.

Senate amendment 4 offered by Senator Risser.

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

Senate amendment 5 offered by Senator Czarnecki.

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

Senate amendment 6 offered by Senator Adelman.

The question was: Adoption of senate amendment 6?

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

Senate amendment 7 offered by Senator Cullen.

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

The question was: Adoption of senate amendment 1?

By request of Senator Cullen, with unanimous consent, senate 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 3, Special Session**

Read a third time.

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

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leraan, 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 passed.

**Senate Bill 10, Special Session**

Relating to revising the laws governing the patients compensation fund, eliminating the patients compensation panels, creating a medical malpractice mediation system, revising the laws governing medical malpractice and health care provider professional

discipline, providing for studies, granting rule-making authority and making appropriations.

Read a second time.

By request of Senator Van Sistine, with unanimous consent, **Assembly Bill 4, Special Session** was withdrawn from committee on Labor, Business, Veterans Affairs and Insurance and considered at this time.

#### **Assembly Bill 4, Special Session**

Relating to revising the laws governing the patients compensation fund, eliminating the patients compensation panels, creating a medical malpractice mediation system, revising the laws governing medical malpractice and health care provider professional discipline, providing for studies, granting rule-making authority and making appropriations.

Read a second time.

Senate amendment 1 offered by Senator Helbach.

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

By request of Senator Hanaway, with unanimous consent, **Assembly Bill 4, Special Session** was placed after **Assembly Bill 21, Special Session**.

By request of Senator Cullen, with unanimous consent, **Senate Bill 10, Special Session** was placed after **Assembly Bill 4, Special Session**.

#### **Senate Bill 21, Special Session**

Relating to requiring motor vehicle operators and passengers to wear safety belts, granting rule-making authority, requesting a study and providing a penalty.

Read a second time.

Senator Roshell raised the point of order that the bill was not properly before the Senate.

The chair ruled the point of order well taken.

#### **Assembly Bill 4, Special Session**

Relating to revising the laws governing the patients compensation fund, eliminating the patients compensation panels, creating a medical malpractice mediation system, revising the laws governing medical malpractice and health care provider professional discipline, providing for studies, granting rule-making authority and making appropriations.

Read a second time.

By request of Senator Kreul, with unanimous consent, the senate recessed until 5:22 P.M.

4:27 P.M.

RECESS

5:22 P.M.

The senate reconvened.

Senate amendments 2, 3 and 4 offered by Senator Helbach.

The question was: Adoption of senate amendment 2?

Senator Van Sistine 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, Czarnezki, Davis, Feingold, George, Kincaid, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 18.

Noes -- Senators Chilsen, Ellis, Engeleiter, Hanaway, Harsdorf, Helbach, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Rude, Stitt and Theno -- 15.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 3?

Senator Van Sistine moved rejection of senate amendment 3.

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

The question was: Adoption of senate amendment 4?

By request of Senator Helbach, with unanimous consent, senate amendment 4 was returned to the author.

Senate amendment 5 offered by Senator Hanaway.

The question was: Adoption of senate amendment 5?

Senator Van Sistine 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, 16; noes, 17; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Feingold, George, Kincaid, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 16.

Noes -- Senators Chilsen, Czarnezki, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Helbach, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Rude, Stitt and Theno -- 17.

Absent or not voting -- None.

So the motion did not prevail.

Senator Van Sistine moved that senate amendment 5 be laid on the table.

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

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

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnecki, Feingold, George, Kincaid, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 17.

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

Absent or not voting -- None.

So the motion prevailed.

Senate amendments 6 and 7 offered by Senator Czarnecki.

The question was: Adoption of senate amendment 6?

Senator Van Sistine 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, 25; noes, 8; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Ellis, Feingold, George, Hanaway, Helbach, Kincaid, Lasee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 25.

Noes -- Senators Chilsen, Czarnecki, Davis, Engeleiter, Harsdorf, Kreul, Lee and Theno -- 8.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 7?

Senator Van Sistine moved rejection of senate amendment 7.

The question was: Rejection of senate amendment 7?  
The motion prevailed.

Senate amendment 8 offered by Senator McCallum.

The question was: Adoption of senate amendment 8?

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

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

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 4, Special Session**

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 2; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee,

Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 31.

Noes -- Senators Chilsen and Theno -- 2.

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.

#### **Senate Bill 10, Special Session**

Relating to revising the laws governing the patients compensation fund, eliminating the patients compensation panels, creating a medical malpractice mediation system, revising the laws governing medical malpractice and health care provider professional discipline, providing for studies, granting rule-making authority and making appropriations.

Read a second time.

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

### COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends:

#### **Senate Bill 20, Special Session**

Relating to operating motor vehicles, blood alcohol concentration, operating privileges and providing penalties.

Introduction and adoption of senate substitute amendment 1:

Ayes, 3 -- Senators Adelman, Feingold and Chvala;  
Noes, 2 -- Senators Hanaway and Lorman.

Passage as amended:

Ayes, 3 -- Senators Adelman, Feingold and Chvala;  
Noes, 2 -- Senators Hanaway and Lorman.

By request of Senator Adelman, with unanimous consent, **Senate Bill 20, Special Session** was withdrawn from committee on Senate Organization and referred to joint committee on Finance.

#### **Senate Bill 12, Special Session**

Relating to creating assessment procedures and revising penalties for crimes involving cocaine or ecgonine.

Introduction and adoption of senate substitute amendment 1:

Ayes, 3 -- Senators Adelman, Feingold and Lorman;

Noes, 2 -- Senators Chvala and Hanaway.

Passage as amended:

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

Noes, 0 -- None.

By request of Senator Adelman, with unanimous consent, **Senate Bill 12, Special Session** was withdrawn from committee on Senate Organization and referred to joint committee on Finance.

LYNN S. ADELMAN  
Chair

The joint committee on Finance reports and recommends:

**Senate Bill 1, Special Session**

Relating to raising the legal drinking age to 21.

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.

Introduction and adoption of senate amendment 3?

Ayes, 15 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 1 -- Senator Stitt.

Introduction and adoption of senate amendment 4?

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

Noes, 0 -- None.

Introduction and adoption of senate amendment 5?

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, 10 -- Senators Norquist, Strohl, Stitt and Davis, Representatives Schneider, Metz, Jauch, Nelsen, Panzer and Prosser;

Noes, 6 -- Senators George, Roshell, Helbach and Chvala, Representatives Travis and Kunicki.

**Senate Bill 8, Special Session**

Relating to export loans, economic development loans and investments, authorization for increasing the total principal amount of agricultural production loans, disclosure of investment, grant or loan information, requesting an audit and making an appropriation.

Introduction and adoption of senate amendment 3:

Ayes, 13 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki and Panzer;

Noes, 3 -- Senator Stitt, Representatives Nelsen and Prosser.

Passage as amended:

Ayes, 12 -- Senators George, Roshell, Strohl, Helbach, Chvala and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki and Panzer;

Noes, 4 -- Senators Norquist and Stitt, Representatives Nelsen and Prosser.

**Senate Bill 10, Special Session**

Relating to revising the laws governing the patients compensation fund, eliminating the patients compensation panels, creating a medical malpractice mediation system, revising the laws governing medical malpractice and health care provider professional discipline, providing for studies, granting rule-making authority and making appropriations.

Introduction and adoption of senate amendment 1:

Ayes, 10 -- Senators George, Roshell, Norquist, Helbach and Davis, Representatives Schneider, Jauch, Travis, Kunicki and Prosser;

Noes, 6 -- Senators Strohl, Chvala and Stitt, Representatives Metz, Nelsen and Panzer.

Passage as amended:

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

Noes, 2 -- Senator Helbach, Representative Prosser.

GARY R. GEORGE  
Senate Chair

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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 3, Special Session**

Concurred in:

**Senate Bill 2, Special Session**

**Senate Bill 6, Special Session**

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MESSAGE FROM THE ASSEMBLY  
CONSIDERED

**Assembly Bill 3, Special Session**

Relating to export loans, economic development loans and investments, authorization for increasing the total principal amount of agricultural production loans, disclosure of investment, grant or loan information, requesting an audit and making an appropriation.

By committee on Assembly Organization, by request of Governor Anthony S. Earl.

Read first time and referred to committee on Economic Development.



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By request of Senator Cullen, with unanimous consent, **Senate Bill 10** was laid on the table.

By request of Senator Cullen, with unanimous consent, the senate recessed until 8:10 P.M.  
6:16 P.M.

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RECESS

8:10 P.M.

The senate reconvened.

By request of Senator Cullen, with unanimous consent, the senate recessed until 8:22 P.M.  
8:11 P.M.

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RECESS

8:22 P.M.

The senate reconvened.

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CALENDAR OF MAY 22

**Senate Bill 8, Special Session**

Relating to export loans, economic development loans and investments, authorization for increasing the total principal amount of agricultural production loans, disclosure of investment, grant or loan information, requesting an audit and making an appropriation.

Read a second time.

By request of Senator Ulichny, with unanimous consent, the rules were suspended and **Assembly Bill 3, Special Session** was withdrawn from committee on Economic Development and considered at this time.

**Assembly Bill 3, Special Session**

Relating to export loans, economic development loans and investments, authorization for increasing the total principal amount of agricultural production loans, disclosure of investment, grant or loan information, requesting an audit and making an appropriation.

Read a second time.

Senate amendment 1 offered by Senators Norquist and Stitt.

The question was: Adoption of senate amendment 1?

Senator Ulichny 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, 21; noes, 10; absent or not voting, 2; as follows:

Ayes -- Senators Andrea, Cullen, Davis, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Leean, Lorman, Moen, Otte, Plewa, Risser, Roshell, Strohl, Theno, Ulichny and Van Sistine -- 21.

Noes -- Senators Adelman, Chvala, Czarnezki, Engeleiter, Lasee, Lee, McCallum, Norquist, Rude and Stitt -- 10.

Absent or not voting -- Senators Chilsen and Ellis -- 2.

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 3, Special Session**

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 5; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Leean, Lorman, Moen, Otte, Plewa, Risser, Roshell, Rude, Strohl, Theno, Ulichny and Van Sistine -- 27.

Noes -- Senators Adelman, Lee, McCallum, Norquist and Stitt -- 5.

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

So the bill was concurred in.

By request of Senator Cullen, with unanimous consent, **Senate Bill 8** was laid on the table.

By request of Senator Cullen, with unanimous consent, the senate recessed until 9:06 P.M.

8:57 P.M.

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RECESS

9:06 P.M.

The senate reconvened.

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

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COMMITTEE REPORTS

The committee on Judiciary and Consumer Affairs reports and recommends:

**Assembly Bill 6, Special Session**

Relating to fees of the register in probate.

Concurrence:

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

Noes, 0 -- None.

LYNN S. ADELMAN  
Chair

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MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

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

**Assembly Bill 4, Special Session**, senate amendment 1

By request of Senator Cullen, with unanimous consent, the senate recessed until 10:55 P.M.

9:12 P.M.

---

RECESS

10:55 P.M.

The senate reconvened.

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

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COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

**Senate Bill 4, Special Session**

Relating to removing the termination date for the folk arts coordinator position for the arts board.

Introduction and adoption of senate amendment 1:

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

Noes, 0 -- None.

Passage as amended:

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

Noes, 0 -- None.

**Senate Bill 12, Special Session**

Relating to creating assessment procedures and revising penalties for crimes involving cocaine or ecgonine.

Adoption of senate substitute amendment 1:

Ayes, 11 -- Senators George, Helbach, Strohl and Chvala, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Panzer and Prosser;

Noes, 5 -- Senators Roshell, Norquist, Stitt and Davis, Representative Nelsen.

Passage as amended:

Ayes, 15 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala and Davis, Representatives Schneider, Metz, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 1 -- Senator Stitt.

**Senate Bill 13, Special Session**

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

Passage:

Ayes, 10 -- Senators George, Strohl, Chvala and Davis, Representatives Schneider, Metz, Jauch, Travis, Nelsen and Panzer;

Noes, 6 -- Senators Roshell, Norquist, Helbach and Stitt, Representatives Kunicki and Prosser.

GARY GEORGE  
Senate Chair

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MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

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

**Senate Bill 3, Special Session**

By request of Senator Cullen, with unanimous consent, the senate recessed until 11:06 P.M.

10:56 P.M.

---

RECESS

11:06 P.M.

The senate reconvened.

---

CALENDAR OF MAY 22

**Senate Bill 4, Special Session**

Relating to removing the termination date for the folk arts coordinator position for the arts board.

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.

**Senate Bill 4, Special Session**

Read a third time and passed.

**Senate Bill 12, Special Session**

Relating to creating assessment procedures and revising penalties for crimes involving cocaine or ecgonine.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

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By request of Senator Davis, with unanimous consent, **Senate Bill 12, Special Session** was placed after **Senate Bill 13, Special Session**.

**Senate Bill 13, Special Session**

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

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.

**Senate Bill 13, Special Session**

Read a third time and passed.

**Senate Bill 12, Special Session**

Relating to creating assessment procedures and revising penalties for crimes involving cocaine or ecgonine.

Read a second time.

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 12, Special Session**

Read a third time and passed.

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 11:27 P.M.

11:13 P.M.

RECESS

11:27 P.M.

The senate reconvened.

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

COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

**Senate Bill 20, Special Session**

Relating to operating motor vehicles, blood alcohol concentration, operating privileges and providing penalties.

Introduction and adoption of senate amendment 1 to senate substitute amendment 1:

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

Noes, 2 -- Representatives Nelsen and Prosser.

Adoption of senate substitute amendment 1 as amended:

Ayes, 11 -- Senators George, Roshell, Norquist, Helbach, Strohl and Chvala, Representatives Schneider, Metz, Jauch, Travis and Kunicki;

Noes, 5 -- Senators Stitt and Davis, Representatives Nelsen, Panzer and Prosser.

Passage as amended:

Ayes, 11 -- Senators George, Roshell, Norquist, Helbach, Strohl and Chvala, Representatives Schneider, Metz, Jauch, Travis and Kunicki;

Noes, 5 -- Senators Stitt and Davis, Representatives Nelsen, Panzer and Prosser.

GARY R. GEORGE

Senate Chair

By request of Senator Roshell, with unanimous consent, the senate recessed until 12:31 A.M.

11:28 P.M.

RECESS

12:31 A.M.

The senate reconvened.

**Senate Bill 1, Special Session**

Relating to raising the legal drinking age to 21.

Read a second time.

Senate substitute amendment 1 offered by Senator Leean.

The question was: Adoption of senate substitute amendment 1?

Senator Strohl moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

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

The chair ruled the point of order not well taken.

The question was: Rejection of senate substitute amendment 1?

The motion prevailed.

Senate substitute amendment 2 offered by Senator Rude.

The question was: Adoption of senate substitute amendment 2?

Senator Chilsen raised the point of order that senate substitute amendment 2 was not germane.

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The chair ruled the point of order well taken.

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

The question was: Adoption of senate amendment 2?  
Senator Strohl moved rejection of senate amendment

2.

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

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

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

Senate amendment 1 to senate amendment 5 offered  
by Senator Strohl.

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

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

Senate amendment 6 offered by Senator Davis.

The question was: Adoption of senate amendment 6?  
Senator Strohl 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, 13; noes, 20; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Cullen, Helbach, Kincaid,  
Kreul, Lasee, Lee, Moen, Otte, Plewa, Stitt, Strohl and  
Van Sistine -- 13.

Noes -- Senators Adelman, Chilsen, Chvala,  
Czarnezki, Davis, Ellis, Engeleiter, Feingold, George,  
Hanaway, Harsdorf, Leean, Lorman, McCallum,  
Norquist, Risser, Roshell, Rude, Theno and Ulichny --  
20.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 6?

Senator Van Sistine moved that senate amendment 6  
be laid on the table.

The question was: Shall senate amendment 6 be laid  
on the table?

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

Ayes -- Senators Andrea, Cullen, Harsdorf, Helbach,  
Kincaid, Kreul, Lasee, Lee, Moen, Plewa, Roshell, Stitt,  
Strohl, Ulichny and Van Sistine -- 15.

Noes -- Senators Adelman, Chilsen, Chvala,  
Czarnezki, Davis, Ellis, Engeleiter, Feingold, George,

Hanaway, Leean, Lorman, McCallum, Norquist, Otte,  
Risser, Rude and Theno -- 18.

Absent or not voting -- None.

So the motion did not prevail.

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

Senate amendment 7 offered by Senators Davis and  
Engeleiter.

The question was: Adoption of senate amendment 7?

Senator Strohl raised the point of order that senate  
amendment 7 was not germane.

The chair ruled the point of order well taken.

Senate amendment 8 offered by Senators Roshell and  
Van Sistine.

The question was: Adoption of senate amendment 8?

Senator Strohl moved rejection of senate amendment

8.

The question was: Rejection of senate amendment 8?  
The motion did not prevail.

The question was: Adoption of senate amendment 8?  
Adopted.

Senate amendment 9 offered by Senators Otte,  
Roshell and Kreul.

The question was: Adoption of senate amendment 9?

Senator Andrea moved rejection of senate  
amendment 9.

The question was: Rejection of senate amendment 9?

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

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala,  
Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold,  
George, Hanaway, Harsdorf, Helbach, Kincaid, Lee,  
Leean, Lorman, McCallum, Moen, Norquist, Plewa,  
Risser, Stitt, Strohl, Theno and Ulichny -- 27.

Noes -- Senators Kreul, Lasee, Otte, Roshell, Rude  
and Van Sistine -- 6.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 10 offered by Senators Van  
Sistine and Roshell.

The question was: Adoption of senate amendment  
10?

Senator Strohl 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, 20; noes, 13; absent or not voting, 0; as follows:

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Ayes -- Senators Chilsen, Cullen, Davis, Ellis, Engeleiter, George, Hanaway, Harsdorf, Helbach, LEEAN, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Stitt, Strohl, Theno and Ulichny -- 20.

Noes -- Senators Adelman, Andrea, Chvala, Czarnezki, Feingold, Kincaid, Kreul, Lasee, Lee, Risser, Roshell, Rude and Van Sistine -- 13.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 11 offered by Senator Czarnezki.

The question was: Adoption of senate amendment 11?

Senator Davis raised the point of order that senate amendment 11 was not germane.

The chair ruled the point of order not well taken.

Senator Strohl moved rejection of senate amendment 11.

The question was: Rejection of senate amendment 11?

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, Cullen, Davis, Ellis, Engeleiter, Hanaway, Helbach, Lee, LEEAN, Lorman, McCallum, Moen, Otte, Plewa, Stitt, Strohl, Theno and Ulichny -- 19.

Noes -- Senators Adelman, Chvala, Czarnezki, Feingold, George, Harsdorf, Kincaid, Kreul, Lasee, Norquist, Risser, Roshell, Rude and Van Sistine -- 14.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 12 offered by Senator Adelman.

The question was: Adoption of senate amendment 12?

Adopted.

Senate amendment 13 offered by Senators Davis and Engeleiter.

The question was: Adoption of senate amendment 13?

Senator Strohl moved rejection of senate amendment 13.

The question was: Rejection of senate amendment 13?

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, George, Harsdorf, Helbach, Kincaid, Kreul, Lorman, McCallum, Moen, Otte, Plewa, Risser, Rude, Strohl, Ulichny and Van Sistine -- 19.

Noes -- Senators Adelman, Chilsen, Czarnezki, Davis, Engeleiter, Feingold, Hanaway, Lasee, Lee, LEEAN, Norquist, Roshell, Stitt and Theno -- 14.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 14 offered by Senators Lee, Van Sistine and Lasee.

The question was: Adoption of senate amendment 14?

Senator Strohl 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, 14; noes, 19; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Chilsen, Cullen, Engeleiter, Hanaway, Harsdorf, Kincaid, McCallum, Moen, Norquist, Plewa, Stitt, Strohl and Ulichny -- 14.

Noes -- Senators Adelman, Chvala, Czarnezki, Davis, Ellis, Feingold, George, Helbach, Kreul, Lasee, Lee, LEEAN, Lorman, Otte, Risser, Roshell, Rude, Theno and Van Sistine -- 19.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 14?

Adopted.

Senate amendment 15 offered by Senator Czarnezki.

The question was: Adoption of senate amendment 15?

Senator Andrea raised the point of order that senate amendment 15 was not germane.

The chair ruled the point of order well taken.

Senate amendment 16 offered by Senator Hanaway.

The question was: Adoption of senate amendment 16?

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 1, Special Session**

Read a third time.

Senator Helbach in the chair.

1:58 A.M.

The question was: Shall the bill pass?

The president of the Senate in the chair.

2:44 A.M.

The question was: Shall the bill pass?

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

Ayes -- Senators Adelman, Andrea, Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Stitt, Strohl and Ulichny -- 18.

Noes -- Senators Chvala, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Lasee, Lee, Leraan, Risser, Roshell, Rude, Theno and Van Sistine -- 15.

Absent or not voting -- None.

So the bill passed.

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

### Senate Bill 20, Special Session

Relating to operating motor vehicles, blood alcohol concentration, operating privileges and providing penalties.

Read a second time.

Senate amendment 1 to senate amendment 1 to senate substitute amendment 1 offered by Senator Davis.

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

Adopted.

Senate amendments 2, 3 and 4 to senate substitute amendment 1 offered by Senator Davis.

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.

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

Senator Chvala moved rejection of senate amendment 4 to senate substitute amendment 1.

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

The motion did not prevail.

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

Adopted.

Senate amendment 5 to senate substitute amendment 1 offered by Senator Adelman.

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

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

Ayes -- Senators Czarnezki, Feingold, Lee, Norquist, Otte and Strohl -- 6.

Noes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Davis, Ellis, Engeleiter, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Leraan, Lorman, McCallum, Moen, Plewa, Risser, Roshell, Rude, Stitt, Theno, Ulichny and Van Sistine -- 17.

Absent or not voting -- None.

So the amendment failed to be adopted.

Senator Adelman moved reconsideration of the vote by which senate amendment 5 to senate substitute amendment 1 failed to be adopted.

Senate amendment 6 to senate substitute amendment 1 offered by Senator Davis.

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

Adopted.

Senate amendments 7 and 8 to senate substitute amendment 1 offered by Senator Otte.

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

Senator Chvala moved rejection of senate amendment 7 to senate substitute amendment 1.

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

Senator Kincaid raised the point of order that senate amendment 7 to senate substitute amendment 1 was not germane.

The chair ruled the point of order not well taken.

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

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, Cullen, Davis, Ellis, Engeleiter, George, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lorman, Moen, Plewa, Risser and Strohl -- 17.

Noes -- Senators Adelman, Chilsen, Czarnezki, Feingold, Hanaway, Lee, Leraan, McCallum, Norquist, Otte, Roshell, Rude, Stitt, Theno, Ulichny and Van Sistine -- 16.

Absent or not voting -- None.

So the motion prevailed.

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

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

The question was: Reconsideration of the vote by which senate amendment 5 to senate substitute amendment 1 failed to be adopted?

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

Ayes -- Senators Adelman, Chvala, Czarnecki, Davis, Ellis, Engleiter, Feingold, Hanaway, Lee, Lorman, Moen, Norquist, Otte, Risser and Strohl -- 15.

Noes -- Senators Andrea, Chilsen, Cullen, George, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Llean, McCallum, Plewa, Roshell, Rude, Stitt, Theno, Ulichny and Van Sistine -- 18.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate substitute amendment 1?

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

The chair ruled the point of order not well taken.

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 20, Special Session**

Read a third time.

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

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnecki, Davis, Helbach, Lee, McCallum, Moen, Norquist, Otte, Plewa and Strohl -- 14.

Noes -- Senators Chilsen, Ellis, Engleiter, Feingold, George, Hanaway, Harsdorf, Kincaid, Kreul, Lasee, Llean, Lorman, Risser, Roshell, Rude, Stitt, Theno, Ulichny and Van Sistine -- 19.

Absent or not voting -- None.

So the bill failed to pass.

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

### COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

#### **Senate Bill 14, Special Session**

Relating to operating a motor vehicle while under the influence of an intoxicant, drugs or both, administrative and court-ordered revocation of operating privileges and chemical tests for intoxication, making an appropriation and granting rule-making authority.

Introduction and adoption of senate amendment 2:

Ayes, 11 -- Senators George, Roshell, Norquist, Helbach, Strohl, Chvala, Stitt and Davis,

Representatives Schneider, Travis and Kunicki;

Noes, 4 -- Representatives Metz, Nelsen, Panzer and Prosser.

Introduction and adoption of senate amendment 3:

Ayes, 15 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Metz, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Introduction and adoption of senate amendment 4:

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

Noes, 1 -- Representative Metz.

Introduction and adoption of senate amendment 5:

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, 9 -- Senators Roshell, Norquist, Strohl, Chvala and Davis, Representatives Metz, Jauch, Travis and Nelsen;

Noes, 7 -- Senators George, Helbach and Stitt, Representatives Schneider, Kunicki, Panzer and Prosser.

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

Relating to reservation of corporate name by telephone, expeditious processing of documents, records and certifications by the secretary of state, increasing annual report fees for corporations and cooperatives, requiring the legislative audit bureau to conduct a performance audit and making appropriations.

Introduction and adoption of senate amendment 2:

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

Noes, 0 -- None.

GARY R. GEORGE  
Senate Chair

### MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

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

**Senate Bill 4, Special Session**

**Senate Bill 13, Special Session**

Amended and concurred in as amended:

**Senate Bill 9, Special Session**, assembly amendment 1

**Senate Bill 12, Special Session**, assembly amendments 1, 2, 3 and 4

Nonconcurring in:

**Assembly Bill 11, Special Session**, senate amendment 1

By request of Senator Cullen, with unanimous consent, the senate recessed until 3:37 A.M.

3:29 A.M.

RECESS

3:37 A.M.

The senate reconvened.

**Senate Bill 9, Special Session**

Relating to establishing liability insurance risk sharing plans; insurance company surplus requirements; cancellations, nonrenewals and renewals on altered terms of insurance policies; and participation in the local government property insurance fund.

Read.

The question was: Concurrence of assembly amendment 1?

Concurred in.

**Senate Bill 12, Special Session**

Relating to creating assessment procedures and revising penalties for crimes involving cocaine or ecgonine.

Read.

The question was: Concurrence of assembly amendment 1?

Senator Adelman moved non-concurrence of assembly amendment 1.

The question was: Non-concurrence of assembly amendment 1?

The motion did not prevail.

Senator Lekan moved reconsideration of the vote by which assembly amendment 1 to **Senate Bill 9, Special Session** was concurred in.

The question was: Concurrence of assembly amendment 1?

Concurred in.

The question was: Concurrence of assembly amendment 2?

Concurred in.

The question was: Concurrence of assembly amendment 3?

Concurred in.

The question was: Concurrence of assembly amendment 4?

Senator Adelman moved non-concurrence of assembly amendment 4.

The question was: Non-concurrence of assembly amendment 4?

The motion did not prevail.

The question was: Concurrence of assembly amendment 4?

Concurred in.

**Senate Bill 9, Special Session**

Relating to establishing liability insurance risk sharing plans; insurance company surplus requirements; cancellations, nonrenewals and renewals on altered terms of insurance policies; and participation in the local government property insurance fund.

Read.

The question was: Reconsideration of the vote by which assembly amendment 1 was concurred in?

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

Ayes -- Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Helbach, Kreul, Lasee, Lekan, Lorman, McCallum, Plewa, Rude, Stitt, Theno and Ulichny -- 18.

Noes -- Senators Adelman, Chvala, Cullen, Czarnecki, Feingold, George, Kincaid, Lee, Moen, Norquist, Otte, Risser, Roshell, Strohl and Van Sistine -- 15.

Absent or not voting -- None.

So the motion prevailed.

The question was: Concurrence of assembly amendment 1?

Senator Lekan moved non-concurrence of assembly amendment 1.

The question was: Non-concurrence of assembly amendment 1?

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

Ayes -- Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Helbach, Kreul, Lasee, Lekan, Lorman, McCallum, Plewa, Rude, Stitt, Theno and Ulichny -- 18.

Noes -- Senators Adelman, Chvala, Cullen, Czarnecki, Feingold, George, Kincaid, Lee, Moen, Norquist, Otte, Risser, Roshell, Strohl and Van Sistine -- 15.

Absent or not voting -- None.

So the amendment was non-concurred in.

**Assembly Bill 11, Special Session**

Relating to payment for injury and damages caused by foster children and granting rule-making authority.

Read.



The question was: Shall the senate adhere to its position on senate amendment 1?

Senator Feingold moved the senate recede from its position on senate amendment 1.

The question was: Shall the senate recede from its position on senate amendment 1?

The motion prevailed.

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**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 12, Special Session**  
**Assembly Bill 13, Special Session**

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**MESSAGE FROM THE ASSEMBLY  
CONSIDERED**

**Assembly Bill 12, Special Session**

Relating to reservation of corporate name by telephone, expeditious processing of documents, records and certifications by the secretary of state, increasing annual report fees for corporations and cooperatives, requiring the legislative audit bureau to conduct a performance audit and making appropriations.

By committee on Assembly Organization, by request of Governor Anthony S. Earl.

Read first time and referred to committee on Economic Development.

**Assembly Bill 13, Special Session**

Relating to operating a motor vehicle while under the influence of an intoxicant, drugs or both, administrative and court-ordered revocation of operating privileges and chemical tests for intoxication, making an appropriation and granting rule-making authority.

By committee on Assembly Organization, by request of Representatives Becker, D. Travis, Rutkowski, Jauch, Metz, Magnuson, Ourada, Huelsman, Carpenter, Barrett, Goetsch, Bell, Black, Krug, Schmidt, Manske and Rosenzweig, cosponsored by Senators Chvala, Otte, McCallum, Lee, Czarnecki and Adelman.

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

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**CALENDAR OF MAY 22**

**Senate Bill 7, Special Session**

Relating to reservation of corporate name by telephone, expeditious processing of documents, records and certifications by the secretary of state, increasing annual report fees for corporations and cooperatives, requiring the legislative audit bureau to conduct a performance audit and making appropriations.

Read a second time.

The question was: Adoption of senate amendment 1?

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

The question was: Adoption of senate amendment 2?

By request of Senator Ulichny, with unanimous consent, **Assembly Bill 12, Special Session** was withdrawn from committee on Economic Development and considered at this time.

**Assembly Bill 12, Special Session**

Relating to reservation of corporate name by telephone, expeditious processing of documents, records and certifications by the secretary of state, increasing annual report fees for corporations and cooperatives, requiring the legislative audit bureau to conduct a performance audit and making appropriations.

Read a second time.

By request of Senator Strohl, with unanimous consent, **Assembly Bill 12, Special Session** was placed after **Senate Bill 7, Special Session**.

**Senate Bill 7, Special Session**

Relating to reservation of corporate name by telephone, expeditious processing of documents, records and certifications by the secretary of state, increasing annual report fees for corporations and cooperatives, requiring the legislative audit bureau to conduct a performance audit and making appropriations.

Read a second time.

The question was: Adoption of senate amendment 2?  
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 7, Special Session**

Read a third time.

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

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, 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 bill passed.

**Assembly Bill 12, Special Session**

Relating to reservation of corporate name by telephone, expeditious processing of documents, records and certifications by the secretary of state, increasing annual report fees for corporations and cooperatives, requiring the legislative audit bureau to conduct a performance audit and making appropriations.

Read a second time.

By request of Senator Cullen, with unanimous consent, **Assembly Bill 12, Special Session** was laid on the table.

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 5:32 A.M.

4:23 A.M.

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RECESS

5:32 A.M.

The senate reconvened.

By request of the president of the Senate, with unanimous consent, the Senate returned to the eighth order of business.

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MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

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

**Senate Bill 7, Special Session**

Amended and concurred in as amended:

**Senate Bill 1, Special Session**, assembly substitute amendment 2

Refused to recede from its position on:

**Senate Bill 9, Special Session**, assembly amendment 1

By request of Senator Cullen, with unanimous consent, **Senate Bill 1, Special Session**, was withdrawn from committee on Senate Organization and taken up at this time.

**Senate Bill 1, Special Session**

Relating to raising the legal drinking age to 21.

Read.

The question was: Concurrence of assembly substitute amendment 2?

Senator Cullen moved non-concurrence of assembly substitute amendment 2.

The question was: Non-concurrence of assembly substitute amendment 2?

The motion prevailed.

By request of Senator Cullen, with unanimous consent, a Committee of Conference on **Senate Bill 1, Special Session** was appointed.

The chair appointed Senator from the 3rd, Senator Norquist, Senator from the 21st, Senator Strohl and

Senator from the 29th, Senate Chilsen as conferees on its part to the Committee of Conference.

The question was: Shall the conferees be confirmed?  
Confirmed.

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 in honor of the birthday of Dan Fields, the Sergeant-at-Arms.

By request of Senator Cullen, with unanimous consent, the senate recessed until 12:28 P.M.

5:45 A.M.

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RECESS

12:28 P.M.

The senate reconvened.

By request of the president of the Senate, with unanimous consent, the Senate returned to the eighth order of business.

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MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has:

Agreed to a Committee of Conference on **Senate Bill 1, Special Session**, and appoints Representatives Shoemaker, Schneider and Matty as conferees on its part.

By request of Senator Cullen, with unanimous consent, the senate recessed until 3:52 P.M.

12:30 P.M.

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RECESS

3:52 P.M.

The senate reconvened.

By request of Senator Van Sistine, with unanimous consent, the rules were suspended and **Assembly Bill 8, Special Session** was withdrawn from committee on Labor, Business, Veterans Affairs and Insurance and considered at this time.

**Assembly Bill 8, Special Session**

Relating to establishing liability insurance risk sharing plans; insurance company surplus requirements; cancellations, nonrenewals and renewals on altered terms of insurance policies; and participation in the local government property insurance fund.

Read a second time.

Senate amendment 1 offered by Senator Van Sistine.

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 8, Special Session**

Read a third time and concurred in as amended.

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 5:30 P.M.

4:00 P.M.

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RECESS

5:30 P.M.

The senate reconvened.

By request of the president of the senate, with unanimous consent, the Senate returned to the eighth order of business.

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MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

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

**Assembly Bill 8, Special Session**, senate amendment 1

Refused to adopt:

**Senate Bill 1, Special Session**, Committee of Conference Report

By request of Senator Roshell, with unanimous consent, the senate recessed until 6:17 P.M.

5:32 P.M.

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RECESS

6:17 P.M.

The senate reconvened.

By request of Senator Cullen, with unanimous consent, the chair appointed conferees to the Committee of Conference on **Senate Bill 1, Special Session**.

The chair appointed the Senator from the 15th, Senator Cullen, the Senator from the 26th, Senator Risser, and the Senator from the 33rd, Senator Engeleiter, as conferees on its part.

The question was: Shall the conferees be confirmed?

Senator Chilsen moved that the Senator from the 18th, Senator McCallum, be substituted for the Senator from the 26th, Senator Risser, on the Committee of Conference.

The question was: Shall Senator McCallum be substituted for Senator Risser on the Committee of Conference?

The ayes and noes were demanded and the vote was: ayes, 10; noes, 16; absent or not voting, 7; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Harsdorf, Kreul, Leraan, McCallum, Rude and Theno -- 10.

Noes -- Senators Andrea, Chvala, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Lee, Moen, Otte, Plewa, Risser, Strohl, Ulichny and Van Sistine -- 16.

Absent or not voting -- Senators Adelman, Hanaway, Lasee, Lorman, Norquist, Roshell and Stitt -- 7.

So the motion did not prevail.

The question was: Shall the conferees be confirmed?  
Confirmed.

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

By request of Senator Chilsen, with unanimous consent, the journal showed that he would have voted "aye" for rejection of senate amendment 1 to **Assembly Bill 3, Special Session** and "aye" for concurrence of **Assembly Bill 3, Special Session**.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Tuesday, May 28.

7:00 P.M.

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AMENDMENTS OFFERED

Senate amendment 2 to **Senate Bill 10, Special Session** by Senator McCallum.

Senate substitute amendment 1 to **Senate Bill 11, Special Session** by Senator Rude.

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 11, Special Session** by Senators Leraan and Engeleiter.

Senate amendment 1 to **Assembly Bill 2, Special Session** by Senator Cullen.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Bill 19, Special Session**

1. Page 5, line 25: substitute "1." for "(a)".
2. Page 5, line 26: substitute "2." for "(b)".