

STATE OF WISCONSIN

Senate Journal

Eighty-Ninth Regular Session

10:00 A.M.

THURSDAY, February 2, 1989

The senate met.

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

The roll was called and the following senators answered to their names:

Senators Adelman, Andrea, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Shoemaker, Stitt, Strohl, Te Winkle, Van Sistine and Weeden — 32.

Absent — Senator Ulichny — 1.

Absent with leave — None.

The senate stood for the prayer which was offered by Reverend Larry Bremer of Christ Church in Milwaukee.

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 14

Relating to the life and public service of state senator Clifford Krueger.

By Senators Risser, Chilsen, Adelman, Van Sistine, Lasee, Kreul, Roshell, Strohl, Engeleiter, Lorman, George, Ellis, Lee, Davis, Moen, Feingold, Czarnecki, Helbach, Rude, Plewa, Andrea, Stitt, Ulichny, Chvala, Lekan, Jauch, Te Winkle, Buettner, Cowles, Weeden, Burke and Shoemaker; cosponsored by Representatives Ourada, Loftus, Prosser, Holperin, Tregoning, Vanderperren, Swoboda, Panzer, Zeuske, Porter, Radtke, Larson and Schneider.

Read.

Considered privileged and taken up.

The question was: Adoption?

Adopted by unanimous rising vote.

LEAVE OF ABSENCE

Senator Strohl, with unanimous consent, asked that Senator Ulichny be granted a leave of absence until noon.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 28

Relating to increasing the amount of certain fines and forfeitures related to the regulation of public utilities and providing a penalty.

By Senator Lee; cosponsored by Representative Seery, by request of Public Service Commission.

To committee on Urban Affairs, Environmental Resources, Utilities and Elections.

Senate Bill 29

Relating to public utility customer service.

By Senator Lee; cosponsored by Representative Seery, by request of Public Service Commission.

To committee on Urban Affairs, Environmental Resources, Utilities and Elections.

Senate Bill 30

Relating to restitution in civil actions involving forfeitures.

By Senators VAN Sistine, Cowles, Moen, Roshell, Plewa, Shoemaker, Lee, Burke, Rude, Lekan and Davis; cosponsored by Representatives Hinkfuss, Van Dreel, Bolle, Lautenschlager, Robson, Barca, Notestein, Lewis, Duff, Schmidt, Schneiders, Musser, Ourada, Porter, Goetsch, Gard and Radtke.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

Senate Bill 31

An act relating to state finances and appropriations, constituting the general executive budget bill of the 1989 legislature, and making appropriations.

By request of Governor Tommy G. Thompson.

Introduction:

Ayes, 15 -- Senators George, Helbach, Chvala, Andrea, Czarnecki, Davis and Lekan and Representatives Kunicki, Travis, Coggs, Bell, Holperin, Hubler, Panzer and Nelsen;

Noes, 0 -- None.

Read first time and referred to joint committee on Finance.

Pursuant to Senate Rule 36(2) and Section 13.49 of the Wisconsin Statutes, the Co-Chairs of the Joint Survey Committee on Debt Management shall prepare

and submit a report in writing setting forth an opinion on the desirability of **Senate Bill 31** as a matter of public policy.

Pursuant to Senate Rule 36(2) and Section 13.49 of the Wisconsin Statutes, the Co-Chairs of the Joint Survey Committee on Retirement Systems shall prepare and submit a report in writing setting forth an opinion on the desirability of **Senate Bill 31** as a matter of public policy.

Pursuant to Senate Rule 36(2) and Section 13.49 of the Wisconsin Statutes, the Co-Chairs of the Joint Survey Committee on Tax Exemptions shall prepare and submit a report in writing setting forth an opinion on the desirability of **Senate Bill 31** as a matter of public policy.

Senate Bill 32

An act relating to state finances and appropriations, constituting the natural resources executive budget bill of the 1989 legislature, and making appropriations.

By request of Governor Tommy G. Thompson.

Introduction:

Ayes, 15 -- Senators George, Helbach, Chvala, Andrea, Czarnecki, Davis and Leean and Representatives Kunicki, Travis, Coggs, Bell, Holperin, Hubler, Panzer and Nelsen;

Noes, 0 -- None.

Read first time and referred to joint committee on Finance.

Pursuant to Senate Rule 36(2) and Section 13.49 of the Wisconsin Statutes, the Co-Chairs of the Joint Survey Committee on Debt Management shall prepare and submit a report in writing setting forth an opinion on the desirability of **Senate Bill 32** as a matter of public policy.

Senate Bill 33

An act relating to state finances and appropriations, constituting the transportation executive budget bill of the 1989 legislature, and making appropriations.

By request of Governor Tommy G. Thompson.

Introduction:

Ayes, 15 -- Senators George, Helbach, Chvala, Andrea, Czarnecki, Davis and Leean and Representatives Kunicki, Travis, Coggs, Bell, Holperin, Hubler, Panzer and Nelsen;

Noes, 0 -- None.

Read first time and referred to joint committee on Finance.

Pursuant to Senate Rule 36(2) and Section 13.49 of the Wisconsin Statutes, the Co-Chairs of the Joint Survey Committee on Debt Management shall prepare and submit a report in writing setting forth an opinion on the desirability of **Senate Bill 33** as a matter of public policy.

Gary R. George
Co-chair

Walter Kunicki
Co-chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Bill 27

An act relating to reimbursement of attorneys and investigators for providing services under the state public defender program and making an appropriation.

Passage:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Buettner;

Noes, 1 -- Senator Stitt.

Lynn S. Adelman
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin

Department of Public Instruction

January 30, 1989

To the Honorable the Legislature:

The enclosed report was prepared in response to Section 3044(2h) of 1987 Wisconsin Act 399 which requires me to submit a report to you for distribution to the appropriate standing committees which includes recommendations on borrowing agreements between library systems including reimbursement provisions when justified by usage.

Copies of the report have also been sent to the co-chairs of the Joint Finance Committee and the chairs of the Assembly and Senate Education Committees. Please call Leslyn M. Shires, Assistant Superintendent, Division for Library Services at 266-2205 if you need additional copies.

Sincerely,
HERBERT J. GROVER
Secretary

Read and referred to committee on Education, Economic Development, Financial Institutions and Fiscal Policies.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

January 26, 1989

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GARNET M. SHONG of Augusta, as a member of the Veterinary Examining Board pursuant to the statute governing, to serve for the interim term ending July 1, 1992.

Respectfully,
TOMMY THOMPSON
Governor

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

CALENDAR OF February 2, 1989

Senator Strohl, with unanimous consent, asked that the appointments be considered enmasse except for Patricia Goodrich.

DUWELL, L. MELODI, of Waupaca, as a member of the Dentistry Examining Board, to serve for the term ending July 1, 1992.

FAHEY, JOHN, of Madison, as a member of the Barbering and Cosmetology Examining Board, to serve for the term ending July 1, 1991.

FLOWERS, JAMES, of Mequon, as a member of the Nursing Home Administrator's Examining Board, to serve for the remainder of the term ending July 1, 1989.

GILL, NORMAN N., of Fox Point, as a member of the Funeral Directors Examining Board, to serve for the interim term ending July 1, 1989.

MARTIN, M. E., of Boscobel, as a member of the Veterinary Examining Board, to serve for the term ending July 1, 1992.

MAXSON, PAMELA A., of Hartland, as a member of the Board of Nursing, to serve for the term ending July 1, 1992.

SCHELLINGER, JACQUELINE DAVIDS, of Elm Grove, as a member of the Council on Domestic Abuse, to serve an interim term ending July 1, 1989.

THOMAS, SANDRA F., of Milwaukee, as a member of the Medical Examining Board, to serve for the interim term ending July 1, 1992.

TRAVIS, JANE A., of Onalaska, as a member of the Board of Nursing, to serve for the interim term ending July 1, 1990.

VANDEN BRANDEN, DON, of Green Bay, as a member of the Barbering and Cosmetology Examining Board, to serve for the term ending July 1, 1991.

WILLIAMS, J. T., of Mequon, as a member of the Psychology Examining Board, to serve for the term ending July 1, 1992.

Read.

The question was: Shall the appointments be confirmed?

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

Ayes — Senators Adelman, Andrea, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Engelciter, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasec, Lee, Lecan, Lorman, Moen, Plewa, Risser,

Roshell, Rude, Shoemaker, Stitt, Strohl, Te Winkle, Van Sistine and Weeden — 32.

Noes — None.

Absent or not voting — Senator Ulichny — 1.

Senator Strohl, with unanimous consent, asked that the appointment of Patricia Goodrich be placed at the end of the 11th order of business.

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 87-133

Relating to community support programs for persons with chronic mental illness.

Submitted by Department of Health and Social Services.

Report received from agency, February 1, 1989.

Referred to committee on Agriculture, Health and Human Services, February 2, 1989.

Senate Clearinghouse Rule 88-109

Relating to aid to 18-year old high school students who become ineligible for aid to families with dependent children.

Submitted by Department of Health and Social Services.

Report received from agency, January 31, 1989.

Referred to committee on Agriculture, Health and Human Services, February 2, 1989.

MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

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

Assembly Bill 1
Assembly Bill 36

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Bill 1

Relating to establishing a minimum wage for certain employes.

By Representatives Barca, Ourada, M. Coggs, Ladwig, Loftus, Antaramian, Carpenter, Vanderperren, Clarenbach, Van Dreel, Zweck, Seery, Bell, Grobschmidt, Medinger, Barrett, Bock, Gruszynski, Young, Holschbach, Krug, Roberts, Boyle, Notestein, Fortis, Tesmer, S. Coggs, Williams, Black, Hauke, Travis, Gronemus, Wood, Robson, Rohan, Plache, Huber and Linton, cosponsored by Senators Chvala, Andrea, Burke, Czarnecki, Risser, Feingold, Strohl, Kincaid, Plewa, Te Winkle, George, Jauch and Helbach.

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

Assembly Bill 36

Relating to employes of the board of school directors of a 1st class city school district.

By Representative Notestein, cosponsored by Senators Czarnecki and Ulichny, by request of Milwaukee Public Schools.

Read first time and referred to committee on Education, Economic Development, Financial Institutions and Fiscal Policies.

Senator Strohl, with unanimous consent, asked that **Assembly Bill 36** be withdrawn from the committee on Education, Economic Development, Financial Institutions and Fiscal Policies and referred to the committee on Senate Rules.

CALENDAR OF February 2, 1989

Senate Resolution 3

Relating to miscellaneous changes in the senate rules.
Read.

The question was: Adoption?

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

Ayes — Senators Adelman, Andrea, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasec, Lee, Leraan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Shoemaker, Stitt, Strohl, Te Winkle, Van Sistine and Weeden — 32.

Noes — None.

Absent or not voting — Senator Ulichny — 1.

Adopted.

Senate Bill 4

Relating to disturbing burial sites on public land.

Read a second time.

Ordered to a third reading.

Senator Helbach, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 4

Read a third time and passed.

Senate Bill 11

Relating to suspension, revocation or cancellation of a motor vehicle operator's license.

Read a second time.

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

Adopted.

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

Adopted.

Senate amendment 3 to senate substitute amendment 1 to **Senate Bill 11** offered by Senator Leraan.

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

Senator Adelman moved rejection of senate amendment 3 to senate substitute amendment 1.

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

The ayes and noes were demanded and the vote was: ayes, 24; noes, 8; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Burke, Chvala, Czarnecki, Davis, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasec, Lee, Lorman, Moen, Plewa, Risser, Roshell, Shoemaker, Stitt, Strohl, Te Winkle and Van Sistine — 24.

Noes — Senators Buettner, Chilsen, Cowles, Ellis, Engeleiter, Leraan, Rude and Weeden — 8.

Absent or not voting — Senator Ulichny — 1.

Rejected.

Senate amendment 4, 5, 6 and 7 to senate substitute amendment 1 to **Senate Bill 11** offered by Senator Te Winkle.

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

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

Ayes — Senators Adelman, Burke, Chilsen, Chvala, Czarnecki, Davis, Engeleiter, Feingold, George, Jauch, Lee, Leraan, Lorman, Risser, Shoemaker, Stitt, Strohl and Weeden — 18.

Noes — Senators Andrea, Buettner, Cowles, Ellis, Helbach, Kincaid, Kreul, Lasec, Moen, Plewa, Roshell, Rude, Te Winkle and Van Sistine — 14.

Absent or not voting — Senator Ulichny — 1.

Rejected.

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

Senator Adelman moved rejection of senate amendment 5 to senate substitute amendment 1.

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

Rejection refused.

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

The ayes and noes were demanded and the vote was: ayes, 15; noes, 17; absent or not voting, 1; as follows:

Ayes — Senators Andrea, Davis, Feingold, George, Helbach, Kincaid, Kreul, Lasee, Lorman, Plewa, Risser, Roshell, Shoemaker, Te Winkle and Van Sistine — 15.

Noes — Senators Adelman, Buettner, Burke, Chilsen, Chvala, Cowles, Czarneski, Ellis, Engeleiter, Jauch, Lee, Leraan, Moen, Rude, Stitt, Strohl and Weeden — 17.

Absent or not voting — Senator Ulichny — 1.
Adoption refused.

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

Senator Adelman moved rejection of senate amendment 6 to senate substitute amendment 1.

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

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

Ayes — Senators Adelman, Andrea, Buettner, Burke, Chilsen, Chvala, Cowles, Czarneski, Davis, Ellis, Engeleiter, Feingold, Helbach, Jauch, Lee, Leraan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Shoemaker, Stitt, Strohl, Van Sistine and Weeden — 27.

Noes — Senators George, Kincaid, Kreul, Lasee and Te Winkle — 5.

Absent or not voting — Senator Ulichny — 1.
Rejected.

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

Senator Adelman 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 Te Winkle, with unanimous consent, asked that senate amendment 7 to senate substitute amendment 1 be returned to the author.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

Senator Helbach, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 11

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 3; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Buettner, Burke, Chilsen, Chvala, Cowles, Czarneski, Davis, Engeleiter, Feingold, George, Helbach, Jauch, Lasee, Lee, Leraan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Shoemaker, Stitt, Strohl, Te Winkle, Van Sistine and Weeden — 29.

Noes — Senators Ellis, Kincaid and Kreul — 3.

Absent or not voting — Senator Ulichny — 1.

Passed.

Senate Bill 13

Relating to changes to the agricultural production drought assistance loan guarantee program.

Read a second time.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 13

Read a third time.

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

Ayes — Senators Adelman, Andrea, Buettner, Burke, Chilsen, Chvala, Cowles, Czarneski, Davis, Ellis, Engeleiter, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Leraan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Shoemaker, Stitt, Strohl, Te Winkle, Van Sistine and Weeden — 32.

Noes — None.

Absent or not voting — Senator Ulichny — 1.

Passed.

GOODRICH, PATRICIA A., of Madison, as Secretary of the Department of Health and Social Services, to serve for the term ending at the pleasure of the Governor.

The question was: Confirmation of the appointment?

Senator Strohl, with unanimous consent, asked that all action be ordered immediately messaged.

Senator Roshell, with unanimous consent, asked that the senate recessed until 12:12 P.M..

11:16 A.M.

RECESS

12:12 P.M.

The senate reconvened.

Senator Strohl, with unanimous consent, asked that the senate recessed until 1:34 P.M.

12:13 P.M.

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RECESS

1:34 P.M.

The senate reconvened.

Senator Ellis, with unanimous consent, asked that the senate recessed until 2:16 P.M..

1:35 P.M.

RECESS

2:16 P.M.

The senate reconvened.

Senator Strohl, with unanimous consent, asked that the appoint of **Patricia Goodrich** be laid on the table.

Senator Strohl, with unanimous consent, asked that the Senate return to the 4th order of business.

COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

Senate Bill 6

Relating to increasing payment for certain facilities that provide care to medical assistance recipients with respect to certain direct care costs, active treatment and operating deficits and making an appropriation.

Introduction and adoption of Senate amendment 2:

Ayes, 12 -- Senators George, Roshell, Helbach, Chvala, Andrea and Czarnezki and Representatives Kunicki, Travis, Coggs, Bell, Holperin and Hubler;

Noes, 4 -- Senators Davis and Lcean Representatives Panzer and Nelsen.

Introduction and adoption of Senate amendment 3:

Ayes, 13 -- Senators George, Helbach, Chvala, Andrea, Czarnezki, Davis and Lcean and Representatives Kunicki, Travis, Coggs, Bell, Holperin and Hubler;

Noes, 2 -- Representatives Panzer and Nelsen.

Introduction and adoption of Senate amendment 4:

Ayes, 9 -- Senators Helbach, Chvala, Andrea and Czarnezki and Representatives Travis, Coggs, Bell, Holperin and Hubler;

Noes, 6 -- Senators George, Davis and Lcean Representatives Kunicki, Panzer and Nelsen.

Introduction and adoption of Senate amendment 5:

Ayes, 13 -- Senators George, Helbach, Chvala, Andrea, Czarnezki and Lcean and Representatives Kunicki, Travis, Coggs, Bell, Holperin, Hubler and Panzer;

Noes, 2 -- Senator Davis and Representative Nelsen.

Introduction and adoption of Senate amendment 6:

Ayes, 15 -- Senators George, Helbach, Chvala, Andrea, Czarnezki, Davis and Lcean and Representatives Kunicki, Travis, Coggs, Bell, Holperin, Hubler, Panzer and Nelsen;

Noes, 0 -- None.

Passage as amended:

Ayes, 15 -- Senators George, Helbach, Chvala, Andrea, Czarnezki, Davis and Lcean and Representatives Kunicki, Travis, Coggs, Bell, Holperin, Hubler, Panzer and Nelsen;

Noes, 0 -- None.

Gary R. George
Co-chair

Walter Kunicki
Co-chair

MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

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

Assembly Joint Resolution 5
Assembly Joint Resolution 14
Assembly Joint Resolution 15

Passed and asks concurrence in:

Assembly Bill 6
Assembly Bill 14
Assembly Bill 15
Assembly Bill 16

Concurred in:

Senate Joint Resolution 9
Senate Bill 13

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Joint Resolution 5

Relating to designating April 23 to 29, 1989, as 'Wisconsin Science and Technology Education Week'.

By Representatives Young, Potter, Black, Rohan and Travis, cosponsored by Senators Ulichny and Risser.

Read and referred to committee on Senate Organization.

Assembly Joint Resolution 14

Relating to the life and public service of Norman E. 'Ole' Anderson.

By Representatives Harsdorf, Baldus and Stower, cosponsored by Senator Shoemaker.

Read and referred to committee on Senate Organization.

Assembly Joint Resolution 15

Relating to the life and public service of James T. Cavanaugh.

By Representative Ourada, cosponsored by Senator Kincaid.

Read.

Considered as privileged and taken up.

The question was: Concurrence?

Concurred in by unanimous rising vote.

Assembly Bill 6

Relating to disturbing burial sites on public land.

By Representatives Medinger and Roberts, cosponsored by Senators Rude, Moen, Shoemaker, Risser and Ulichny.

Read first time and referred to committee on Housing, Government Operations and Cultural Affairs.

Assembly Bill 14

Relating to notification of the release into the environment of genetically engineered organisms and providing penalties.

By Representatives Black, Ourada, Barca, Fergus, Bell, Goetsch, Bock, Medinger, Porter, M. Coggs, Musser, Roberts, Notestein, Ott, Fortis, Plache, Rosenzweig and Gronemus, cosponsored by Senators Te Winkle, Chilsen and Buettner.

Read first time and referred to committee on Science, Technology, Communications and Energy.

Assembly Bill 15

Relating to the expiration of and total amount guaranteed under the agricultural production loan guarantee program.

By Representatives Gronemus, Linton, Stower, Roberts, Coleman, Medinger, Swoboda, Clarenbach, Loftus, Van Gorden, Volk and Tregoning, cosponsored by Senators Moen, Te Winkle and Feingold.

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

Assembly Bill 16

Relating to creating fees for a boat titling program and granting rule-making authority.

By Representative Black.

Read first time and referred to committee on Transportation, Conservation and Mining.

Senator Moen, with unanimous consent, asked that **Assembly Bill 15** be withdrawn from the committee on Agriculture, Health and Human Services and referred to the committee on Senate Rules.

Senator Strohl, with unanimous consent, asked that **Assembly Bill 6** be withdrawn from the committee on Housing, Government Operations and Cultural Affairs and taken up.

Assembly Bill 6

Relating to disturbing burial sites on public land.

Read a second time.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 6

Read a third time and concurred in.

Senator Strohl, with unanimous consent, asked that the senate recessed until 2:38 P.M..

2:26 P.M.

RECESS

2:38 P.M.

The senate reconvened.

Senator Strohl, with unanimous consent, asked that the supplemental calendar be taken up.

Senator Strohl, with unanimous consent, asked that **Assembly Bill 36** be taken up.

Assembly Bill 36

Relating to employes of the board of school directors of a 1st class city school district.

Read a second time.

Senate amendment 1 to **Assembly Bill 36** offered by Senator George.

The question was: Adoption of senate amendment 1?

Senator Czarnecki moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

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

Ayes — Senators Adelman, Andrea, Buettner, Burke, Chvala, Cowles, Czarnecki, Davis, Ellis, Feingold, Jauch, Kreul, Lasee, Lee, Lecan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Shoemaker, Stitt, Ulichny and Weeden — 25.

Noes — Senators Chilsen, George, Helbach, Kincaid, Strohl, Te Winkle and Van Sistine — 7.

Absent or not voting - - Senator Engleleiter — 1.
Rejected.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 36

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 28; noes, 5; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Buettner, Burke, Chvala, Cowles, Czarnecki, Davis, Ellis, Engleleiter, Feingold, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Lecan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Weeden — 28.

Noes — Senators Chilsen, George, Shoemaker, Te Winkle and Van Sistine — 5.

Absent or not voting — None.

Concurred in.

Senate Bill 6

Relating to increasing payment for certain facilities that provide care to medical assistance recipients with respect to certain direct care costs, active treatment and operating deficits and making an appropriation.

Read a second time.

The question was: Adoption of senate amendment 1? Senator Strohl, with unanimous consent, asked to take up senate amendment 5.

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

The question was: Adoption of senate amendment 1? Senator Feingold, with unanimous consent, asked that senate amendment 1 be returned to the author.

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

Senate amendment 1 to senate amendment 3 to **Senate Bill 6** offered by Senators Jauch, Moen and Chvala.

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

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

Senate amendment 1 to senate amendment 4 to **Senate Bill 6** offered by Senators Chvala, Jauch and Moen.

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

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

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

Senate amendment 7 to **Senate Bill 6** offered by Senators Jauch and Moen.

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

Senate amendment 8 to **Senate Bill 6** offered by Senator Davis.

The question was: Adoption of senate amendment 8?

Senator Chvala moved rejection of senate amendment 8.

The question was: Rejection of senate amendment 8? Senator Jauch raised that point of order that senate amendment 8 was not germane to the bill.

The Chair rule the point of order well taken.

Senator Davis moved reconsideration of the vote by which senate amendment 5 was adopted.

The question was: Shall the vote by which senate amendment 5 was adopted be reconsidered?

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

Ayes — Senators Buettner, Chilsen, Cowles, Davis, Ellis, Engeleiter, Lasee, Leean, Lorman, Rude, Stitt and Weeden — 12.

Noes — Senators Adelman, Andrea, Burke, Chvala, Czarnezki, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lee, Moen, Plewa, Risser, Roshell, Shoemaker, Strohl, Te Winkle, Ulichny and Van Sistine — 21.

Absent or not voting — None.

Refused reconsideration.

Ordered to a third reading.

Senator Strohl, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 6

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, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, Moen, Plewa, Risser, Roshell, Rude, Shoemaker, Stitt, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden — 33.

Noes — None.

Absent or not voting — None.

Passed.

Senate Bill 27

An act relating to reimbursement of attorneys and investigators for providing services under the state public defender program and making an appropriation.

Read a second time.

Senator George, with unanimous consent, asked that **Senate Bill 27** be referred to the joint committee on Finance

Assembly Bill 15

Relating to the expiration of and total amount guaranteed under the agricultural production loan guarantee program.

Read a second time.

Ordered to a third reading.

Senator Helbach, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 15

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 3; absent or not voting, 0; as follows:

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Ayes -- Senators Andrea, Buettner, Burke, Chilsen, Chvala, Cowles, Czarnezki, Ellis, Engeleiter, Feingold, George, Helbach, Jauch, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, Moen, Plewa, Risser, Roshell, Rude, Shoemaker, Strohl, Te Winkle, Ulichny, Van Sistine and Weeden -- 30.

Noes -- Senators Adelman, Davis and Stitt -- 3.

Absent or not voting -- None.

Concurred in.

Senator Strohl, with unanimous consent, asked that all action be ordered immediately messaged.

Senator Lee, with unanimous consent, asked that **Assembly Bill 5** be withdrawn from the committee on Science, Technology, Communications and Energy and referred to the committee on Senate Rules.

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

3:32 P.M.