



# STATE OF WISCONSIN

# Senate Journal

## June 2011 Extraordinary Session

11:09 A.M.

THURSDAY, June 16, 2011

The Senate met.

The Senate was called to order by President Ellis.

### CALL OF ROLL

The roll was called, disclosing the presence of a quorum.

Pursuant to Senate Rule 15, the official attendance for session was:

Senators Carpenter, S. Coggs, Cowles, T. Cullen, Darling, Ellis, Erpenbach, S. Fitzgerald, Galloway, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kapanke, Kedzie, C. Larson, Lasee, Lassa, Lazich, Leibham, Miller, Moulton, Olsen, Risser, Schultz, Taylor, Vinehout, Vukmir, Wanggaard, Wirch and Zipperer – 33.

The Senate stood for a moment of silence.

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

Senator S. Fitzgerald, with unanimous consent, asked that the Senate recess.

11:14 A.M.

### MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

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

**Assembly Bill 40**

### MESSAGES FROM THE ASSEMBLY CONSIDERED

#### Assembly Bill 40

Relating to: state finances and appropriations, constituting the executive budget act of the 2011 legislature.

By joint committee on Finance.

Read first time and referred to committee on **Senate Organization**.

### RECESS

1:02 P.M.

The Senate reconvened.

President Ellis in the chair.

### SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

#### Senate Bill 27

Relating to: state finances and appropriations, constituting the executive budget act of the 2011 legislature.

Read a second time.

Senator S. Fitzgerald, with unanimous consent, asked that **Assembly Bill 40** be withdrawn from the committee on **Senate Organization** and taken up at this time.

#### Assembly Bill 40

Relating to: state finances and appropriations, constituting the executive budget act of the 2011 legislature.

Read a second time.

Senate amendment 1 to **Assembly Bill 40** offered by Senators Lassa, Hansen, Miller, Holperin, C. Larson, Carpenter, Wirch, S. Coggs, Erpenbach, Jauch, Risser, Taylor, Vinehout and T. Cullen.

### IN THE CHAIR

Pursuant to Senate Rule 2 (1), Senator Kedzie in the chair.

Senator Hopper moved that Senate amendment 1 to **Assembly Bill 40** be laid on the table.

The question was: Shall Senate amendment 1 to **Assembly Bill 40** be laid on the table?

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

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Hopper, Kapanke, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 19.

Noes – Senators Carpenter, S. Coggs, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, C. Larson, Lassa, Miller, Risser, Taylor, Vinehout and Wirch – 14.

Absent or not voting – None.

Tabled.

Senate amendment 2 to **Assembly Bill 40** offered by Senators Taylor, Hansen, Miller, Jauch, T. Cullen, Wirch, Carpenter, Erpenbach, S. Coggs, Vinehout, Risser, Lassa, C. Larson and Holperin.

**IN THE CHAIR**

Pursuant to Senate Rule 2 (1), President Pro Tempore Leibham in the chair.

Senator Darling moved that Senate amendment 2 to **Assembly Bill 40** be laid on the table.

The question was: Shall Senate amendment 2 to **Assembly Bill 40** be laid on the table?

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

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Hopper, Kapanke, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 19.

Noes – Senators Carpenter, S. Cogg, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, C. Larson, Lassa, Miller, Risser, Taylor, Vinehout and Wirch – 14.

Absent or not voting – None.

Tabled.

Senate amendment 3 to **Assembly Bill 40** offered by Senators Erpenbach, Carpenter, Wirch, C. Larson, Lassa, Miller, Holperin, Hansen, S. Cogg, Jauch, Risser, Taylor, Vinehout and T. Cullen.

Senator Darling moved that Senate amendment 3 to **Assembly Bill 40** be laid on the table.

The question was: Shall Senate amendment 3 to **Assembly Bill 40** be laid on the table?

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

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Hopper, Kapanke, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 19.

Noes – Senators Carpenter, S. Cogg, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, C. Larson, Lassa, Miller, Risser, Taylor, Vinehout and Wirch – 14.

Absent or not voting – None.

Tabled.

Senate amendment 4 to **Assembly Bill 40** offered by Senators C. Larson, Risser, S. Cogg, Holperin, Taylor, Erpenbach, Hansen, Miller, Wirch, T. Cullen, Vinehout, Carpenter, Jauch and Lassa.

Senator Darling moved that Senate amendment 4 to **Assembly Bill 40** be laid on the table.

The question was: Shall Senate amendment 4 to **Assembly Bill 40** be laid on the table?

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

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Hopper, Kapanke, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 19.

Noes – Senators Carpenter, S. Cogg, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, C. Larson, Lassa, Miller, Risser, Taylor, Vinehout and Wirch – 14.

Absent or not voting – None.

Tabled.

Senate amendment 5 to **Assembly Bill 40** offered by Senators Hansen, T. Cullen, Carpenter, Holperin, Wirch, Erpenbach, Jauch, C. Larson, Miller, Lassa, Risser and S. Cogg.

Senator Darling moved that Senate amendment 5 to **Assembly Bill 40** be laid on the table.

The question was: Shall Senate amendment 5 to **Assembly Bill 40** be laid on the table?

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

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Hopper, Kapanke, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 19.

Noes – Senators Carpenter, S. Cogg, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, C. Larson, Lassa, Miller, Risser, Taylor, Vinehout and Wirch – 14.

Absent or not voting – None.

Tabled.

Senate amendment 6 to **Assembly Bill 40** offered by Senators Holperin, S. Cogg, T. Cullen, Taylor, Miller, Wirch, Vinehout, C. Larson, Carpenter, Hansen, Jauch, Lassa, Risser and Erpenbach.

---

**IN THE CHAIR**

President Ellis in the chair.

Senator Lazich moved that Senate amendment 6 to **Assembly Bill 40** be laid on the table.

The question was: Shall Senate amendment 6 to **Assembly Bill 40** be laid on the table?

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

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Hopper, Kapanke, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 19.

Noes – Senators Carpenter, S. Cogg, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, C. Larson, Lassa, Miller, Risser, Taylor, Vinehout and Wirch – 14.

Absent or not voting – None.

Tabled.

Senate amendment 7 to **Assembly Bill 40** offered by Senators Risser, Miller, C. Larson, Carpenter, S. Cogg, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, Lassa, Taylor, Vinehout and Wirch.

---

**IN THE CHAIR**

Pursuant to Senate Rule 2 (1), Senator Kedzie in the chair.

Senator Darling moved that Senate amendment 7 to **Assembly Bill 40** be laid on the table.

The question was: Shall Senate amendment 7 to **Assembly Bill 40** be laid on the table?

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

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Hopper, Kapanke, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 19.

Noes – Senators Carpenter, S. Coggs, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, C. Larson, Lassa, Miller, Risser, Taylor, Vinehout and Wirch – 14.

Absent or not voting – None.

Tabled.

Senate amendment 8 to **Assembly Bill 40** offered by Senators Wirch, Hansen, Miller, Holperin, Carpenter, Taylor, Jauch, Lassa, Vinehout, S. Coggs, Erpenbach, C. Larson, T. Cullen and Risser.

---

**IN THE CHAIR**

Pursuant to Senate Rule 2 (1), President Pro Tempore Leibham in the chair.

Senator S. Fitzgerald moved that Senate amendment 8 to **Assembly Bill 40** be laid on the table.

The question was: Shall Senate amendment 8 to **Assembly Bill 40** be laid on the table?

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

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Hopper, Kapanke, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 19.

Noes – Senators Carpenter, S. Coggs, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, C. Larson, Lassa, Miller, Risser, Taylor, Vinehout and Wirch – 14.

Absent or not voting – None.

Tabled.

Ordered to a third reading.

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

**Assembly Bill 40**

Read a third time.

---

**IN THE CHAIR**

President Ellis in the chair.

The question was: Shall **Assembly Bill 40** be concurred in?

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

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Hopper, Kapanke, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 19.

Noes – Senators Carpenter, S. Coggs, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, C. Larson, Lassa, Miller, Risser, Taylor, Vinehout and Wirch – 14.

Absent or not voting – None.

Concurred in.

Senator Fitzgerald, with unanimous consent, asked that all action be immediately messaged to the Assembly:

**Assembly Bill 40**

Messaged.

Senator S. Fitzgerald, with unanimous consent, asked that **Senate Bill 27** be laid on the table.

---

**ANNOUNCEMENTS, ADJOURNMENT HONORS,  
AND REMARKS UNDER SPECIAL PRIVILEGE**

Senator Lassa, with unanimous consent, asked that when the Senate adjourn, it do so in honor of U.S. Army Private Ryan Larson, from the Adams–Friendship area, who was killed in Afghanistan on June 15th while proudly serving his country.

Senator Wanggaard, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Union Grove High School softball team. These talented players recently qualified for the WIAA Division 2 State Softball Tournament. Please join the Senator in congratulating them for their success!

Senator Wanggaard, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the first–ever graduating class of Sheperds College in Union Grove. The five students in the class – Jessica Gobeli, Scott Le Rette, Nikki Martin, Brian Meyers, and Gloria Pavuk – should be incredibly proud of their achievement. The Senator would like to congratulate them for their hard work and wish them the best of luck in the future.

---

**ADJOURNMENT**

Senator S. Fitzgerald, with unanimous consent, asked that the June 2011 Extraordinary Session of the Senate stand adjourned pursuant to **Senate Joint Resolution 1**.

Adjourned.

10:04 P.M.