



# STATE OF WISCONSIN

# Senate Journal

## April 2020 Extraordinary Session

11:00 A.M.

WEDNESDAY, April 15, 2020

The Senate met in a virtual session directed from Room 411 South in the State Capitol, pursuant to Section 13.42 of the Wisconsin Statutes.

The Senate was called to order by Senate President Roth.

### 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 Bernier, Bewley, Carpenter, Cowles, Craig, Darling, Erpenbach, Feyen, Fitzgerald, Hansen, Jacque, Johnson, Kapenga, Kooyenga, Larson, LeMahieu, Marklein, Miller, Nass, Olsen, Petrowski, Ringhand, Risser, Roth, Schachtner, Shilling, Smith, Stroebel, L. Taylor, Testin, Tiffany, Wanggaard and Wirch - 33.

Absent with leave – None - 0.

The Senate stood for the prayer which was offered by Senate President Roth.

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

Pursuant to Senate Rule 17 (6), the Chief Clerk made the following entries under the above date.

### CHIEF CLERK'S ENTRIES

#### AMENDMENTS OFFERED

Senate Amendment 1 to **Assembly Bill 1038** offered by Senators Bewley, Carpenter, Erpenbach, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, Smith, L. Taylor and Wirch.

Senate Amendment 2 to **Assembly Bill 1038** offered by Senators Bewley, Carpenter, Erpenbach, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, Smith, L. Taylor and Wirch.

Senate Substitute Amendment 1 to **Assembly Bill 1038** offered by Senators Bewley, Carpenter, Erpenbach, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, Smith, L. Taylor and Wirch.

### MESSAGES FROM THE ASSEMBLY

#### Assembly Bill 1038

Relating to: state government response to the COVID-19 pandemic.

Read a second time.

Senator Fitzgerald moved that **Assembly Bill 1038** be referred to, and withdrawn from, the joint committee on **Finance**.

The question was: Shall **Assembly Bill 1038** be referred to, and withdrawn from, the joint committee on **Finance**.

Referred and withdrawn.

Senator Fitzgerald moved that Senate Substitute Amendment 1 to **Assembly Bill 1038** be laid on the table.

The question was: Tabling of Senate Substitute Amendment 1 to **Assembly Bill 1038e**?

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

Ayes - Senators Bernier, Cowles, Craig, Darling, Feyen, Fitzgerald, Jacque, Kapenga, Kooyenga, LeMahieu, Marklein, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany and Wanggaard - 19.

Noes - Senators Bewley, Carpenter, Erpenbach, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, Smith, L. Taylor and Wirch - 14.

Absent or not voting – None - 0.

Tabled.

Senator Fitzgerald moved that Senate Amendment 1 to **Assembly Bill 1038** be laid on the table.

The question was: Tabling of Senate Amendment 1 to **Assembly Bill 1038**?

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

Ayes - Senators Bernier, Cowles, Craig, Darling, Feyen, Fitzgerald, Jacque, Kapenga, Kooyenga, LeMahieu, Marklein, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany and Wanggaard - 19.

Noes - Senators Bewley, Carpenter, Erpenbach, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, Smith and Wirch - 13.

Absent or not voting - Senator L. Taylor - 1.

Tabled.

Senator Roth, with unanimous consent, asked that the Senate stand informal.

Senator Fitzgerald moved that Senate Amendment 2 to **Assembly Bill 1038** be laid on the table.

The question was: Tabling of Senate Amendment 2 to **Assembly Bill 1038**?

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

Ayes - Senators Bernier, Cowles, Craig, Darling, Feyen, Fitzgerald, Jacque, Kapenga, Kooyenga, LeMahieu, Marklein, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany and Wanggaard - 19.

Noes - Senators Bewley, Carpenter, Erpenbach, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, Smith and Wirch - 13.

Absent or not voting - Senator L. Taylor - 1.

Tabled.

Senator Fitzgerald moved that the bill be ordered to a third reading and be given its third reading.

Ordered to a third reading.

**Assembly Bill 1038**

Read a third time.

Senator Roth, with unanimous consent, asked that the Senate stand informal.

Senator Fitzgerald moved to call the question.

The question was: Shall the Senate vote immediately on the current question?

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

Ayes - Senators Bernier, Cowles, Craig, Darling, Feyen, Fitzgerald, Jacque, Kapenga, Kooyenga, LeMahieu, Marklein, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany and Wanggaard - 19.

Noes - Senators Bewley, Carpenter, Erpenbach, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, Smith and Wirch - 13.

Absent or not voting - Senator L. Taylor - 1.

Question called.

The question was: Concurrence of **Assembly Bill 1038**?

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

Ayes - Senators Bernier, Bewley, Carpenter, Cowles, Craig, Darling, Erpenbach, Feyen, Fitzgerald, Hansen, Jacque, Johnson, Kapenga, Kooyenga, Larson, LeMahieu, Marklein, Miller, Nass, Olsen, Petrowski, Ringhand, Risser, Roth, Schachtner, Shilling, Smith, Stroebel, Testin, Tiffany, Wanggaard and Wirch - 32.

Noes – None - 0.

Absent or not voting - Senator L. Taylor - 1.

Concurred in.

Senator Fitzgerald moved that all action be immediately messaged to the Assembly.

The question was: Shall all action be immediately messaged to the Assembly?

**Assembly Bill 1038**

Messaged.

Senator Roth, with unanimous consent, asked that the Senate stand informal.

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

Senator Roth, with unanimous consent, asked that the Senate adjourn in honor of the Legislative Technology Services Bureau. Today's virtual session simply would not have been possible without their tireless dedication in creating the technological means to allow this body to meet in this way. Thank you for your dedicated service to the State Senate.

Senator Miller, with unanimous consent, asked that the Senate adjourn in honor of recognition of the accomplishments of Maya Jadhav of Fitchburg, winner of the 2020 Badger State Spelling Bee. For the second year in a row, Maya Jadhav, a sixth-grade student at Eagle School in Fitchburg, placed first out of nearly 50 students in the Badger State Spelling Bee on March 7, 2020 at Madison Area Technical College, following her third-place finish in 2018 and her first-place finish last year. By winning the state competition, Maya earned the honor to represent the state of Wisconsin in the Scripps National Spelling Bee, where in 2019 she advanced to the last round of the competition and finished tied for 41st in the country. This accomplishment displays tremendous determination and passion for learning and spelling, which will serve Maya well in her education and for the rest of her life. The Wisconsin State Legislature takes great pride in the dedicated young people of our communities who show commitment to learning. Please join Senator Miller in commending Maya Jadhav on winning the 2020 Badger State Spelling Bee, wish Maya continued success in all of her academic and personal endeavors.

Senators Miller and Erpenbach, with unanimous consent, asked that the Senate adjourn in honor of Maj Gen Albert Wilkening who served as Adjutant General of the Wisconsin National Guard from 2002-2007. General Wilkening entered US Air Force Pilot Training in 1968. In 1973, he moved to Wisconsin, home to his wife, Pat, where he joined the Wisconsin National Guard 115th Combat Support Squadron as a traditional citizen airman. His full-time civilian career began with American Bank and Trust and later with

Wisconsin Power and Light Company. As a traditional guardsman, General Wilkening rose through the ranks and several command positions with the flying unit at Truax Field in Madison. In 1991 he was appointed to the full-time position of Assistant Adjutant General for Air for the Wisconsin Air National Guard. As commander of the Wisconsin Air Guard, General Wilkening oversaw the regular deployments of Wisconsin Air Guard units in support of Operation Desert Shield and subsequent deployments to Afghanistan and Gulf War conflicts. The regular deployment of Guard personnel involved a dramatically new mission and readiness posture for the National Guard and employers of traditional guardsmen. In 2002 Gov. Scott McCallum appointed Gen Wilkening to Adjutant General, the top commander of the Wisconsin National Guard. Gen Wilkening retired in 2007 but continued to work in building support among employers of traditional guardsmen and women. On April 8, 2020, Maj Gen Al Wilkening succumbed to the ravages of cancer. He is survived by his wife, Pat, and their two daughters, Jessica and Allison. We adjourn in honor of General Wilkening and his service to his country and especially to the citizens of Wisconsin.

Senator Miller, with unanimous consent, asked that the senate adjourn in honor of the Stoughton High School wrestling team. The Stoughton High School Wrestling Team placed first in the 2020 WIAA State Wrestling Championship, their third consecutive state championship. Additionally, Nicolar Rivera, 48-0 overall, placed first in the 120-pound division and Brooks Empey, 53-1 overall, placed first in the 220-pound division. The Stoughton wrestling team ended the 2019-2020 season with a team record of 22-2 and entered the state championship tournament ranked third. In the Championship Finals, Stoughton defeated first ranked Mukwonago High School with a final score of 32-30. The exemplary leadership shown by Co-Head Coaches Bob

Empey and Dan Spilde, as well as the team of young athletes, propelled Stoughton High School to their ninth state championship. Senator Miller commends the Stoughton High School Wrestling Team on an outstanding season and wish them well in their future endeavors.

Senator Marklein, with unanimous consent, asked that the Senate adjourn in honor of 3 of his grandchildren, whose birthdays he missed in the past few weeks due to the lock down. Henry, Amelia and Simon.

Senator Carpenter, with unanimous consent, asked that the Senate adjourn in honor of the doctors, nurses, first responders, police officers, fire fighters, soldiers of the Wisconsin National Guard, poll workers, volunteers, ambulance personnel, and voters, who demonstrate their commitment to our communities at all times—but especially now; and also in memory of all those who have died as a result of the coronavirus.

Senator Bewley, with unanimous consent, asked that the Senate adjourn in honor of her daughter's 40th birthday, April 16. Timothy Anne Burnside took her cabin-in-the-woods upbringing in Bayfield to the cultural treasure-house of the Smithsonian in Washington DC. She is a Curatorial Specialist in music at the Museum of African American History and Culture.

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## ADJOURNMENT

Senator Fitzgerald, with unanimous consent, asked that the April 2020 Extraordinary Session of the Senate stand adjourned pursuant to **Senate Joint Resolution 1**.

Adjourned.

12:17 P.M.