



# STATE OF WISCONSIN

# Senate Journal

## January 2011 Special Session

10:10 A.M.

TUESDAY, January 4, 2011

The Senate met.

The Senate was called to order by President Ellis.

**State of Wisconsin**  
**Office of the Governor**  
**EXECUTIVE ORDER #1**

***Relating to a Special Session of the Legislature***

WHEREAS, the State of Wisconsin is in an economic emergency caused by years of mismanagement;

WHEREAS, the business climate in Wisconsin has for too long been stifled by burdensome regulation, taxes, and costly litigation; and

WHEREAS, the people of Wisconsin elected me Governor to help create a new, healthy, and vibrant climate for private sector job creation;

**I, Scott Walker, Governor of the State of Wisconsin,** pursuant to Article IV, Section 11 and Article V, Section 4 of the Wisconsin Constitution, do hereby require the convening of a special session of the Legislature at the Capitol in Madison, beginning at 10:00 a.m. on January 4, 2011, solely to act upon legislation relating to the following:

1. Creation of an authority, to be known as the Wisconsin Economic Development Corporation, and making appropriations;
2. An income and franchise tax credit for small businesses;
3. Income and franchise tax exemptions for new businesses, providing an exemption from emergency rule procedures, and granting rule-making authority;
4. Adopting federal law as it relates to health savings accounts for state income and franchise tax purposes and providing a penalty;
5. Requiring a supermajority for passage of tax increase legislation;
6. The authority of a state agency to promulgate rules interpreting the provisions of a statute enforced or administered by the agency and to implement or enforce any standard, requirement, or threshold as a term or condition of a license issued by the state agency; gubernatorial approval

of proposed administrative rules; economic impact analyses of proposed rules and emergency rules; and venue in a declaratory judgment action seeking judicial review of the validity of an administrative rule and in an action in which the sole defendant is the state; exemptions from water quality certification and wetland mitigation requirements for certain nonfederal wetlands that are less than two acres in size; requirements for wind energy systems, providing an exemption from emergency rule procedures, and granting rule-making authority; and

7. Limiting noneconomic damages awarded in actions against long-term care providers; actions against manufacturers, distributors, sellers, and promoters of certain products; confidentiality of health care services reviews; use as evidence of information regarding health care providers; reporting of quality indicators identifying individual hospitals; homicide or injury by negligent handling of a dangerous weapon, explosives, or fire; criminal abuse of individuals at risk; criminal abuse and neglect of patients and residents; evidence of lay and expert witnesses; damages for frivolous claims; and punitive damage awards.

**IN TESTIMONY WHEREOF,** I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this third day of January, in the year two thousand eleven.

*SCOTT WALKER*  
Governor

BY THE GOVERNOR:  
*DOUGLAS LA FOLLETTE*  
Secretary of State

**ADJOURNMENT**

Senator S. Fitzgerald, with unanimous consent, asked that the January 2011 Special Session of the Senate stand adjourned until Thursday, January 6, 2011.

Adjourned.

10:11 A.M.