



# STATE OF WISCONSIN

# Senate Journal

## January 2011 Special Session

2:10 P.M.

TUESDAY, January 18, 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.

Absent – None.

Absent with leave – None.

The Senate stood for a moment of silent meditation.

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

### CHIEF CLERK'S ENTRIES

#### AMENDMENTS OFFERED

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 2, January 2011 Special Session** offered by Senator Carpenter.

The Chief Clerk makes the following entries dated **Friday, January 14, 2011**.

#### AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 2, January 2011 Special Session** offered by Senator Carpenter.

### REPORT OF COMMITTEES

The committee on **Judiciary, Utilities, Commerce, and Government Operations** reports and recommends:

#### **Senate Bill 1, January 2011 Special Session**

Relating to: 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.

Adoption of Senate Amendment 1.

Ayes, 3 – Senators Zipperer, Kedzie and Galloway.

Noes, 2 – Senators Risser and Erpenbach.

Passage as amended.

Ayes, 3 – Senators Zipperer, Kedzie and Galloway.

Noes, 2 – Senators Risser and Erpenbach.

*RICH ZIPPERER*

Chairperson

The committee on **Senate Organization** reports:

Referred to the joint committee on **Finance**, pursuant to Senate Rule 41 (1)(e):

**Senate Bill 2, January 2011 Special Session**

**Senate Bill 3, January 2011 Special Session**

**Senate Bill 4, January 2011 Special Session**

**Senate Bill 7, January 2011 Special Session**

Ayes: 5 – Senators Fitzgerald, Ellis, Grothman, Miller and Hansen.

Noes: 0 – None.

Placed the following proposals on the Senate Calendar of Tuesday, January 18, 2011:

**Senate Bill 1, January 2011 Special Session**

Ayes: 3 – Senators Fitzgerald, Ellis, Grothman.

Noes: 2 – Senators Miller and Hansen.

*SCOTT FITZGERALD*

Chairperson

### REPORT OF COMMITTEES

The joint committee on **Finance** reports and recommends:

#### **Senate Bill 2, January 2011 Special Session**

Relating to: creating a nonrefundable individual income tax credit for certain amounts relating to health savings accounts that may be deducted from, or are exempt from, federal income taxes.

Introduction of Senate Substitute Amendment 1.

Ayes, 16 – Senators Darling, Olsen, Harsdorf, Grothman, Leibham, Hopper, Taylor and Jauch. Representatives Vos, Meyer, Strachota, LeMahieu, Nygren, Kleefisch, Grigsby and Shilling.

Noes, 0 – None.

Adoption of Senate Substitute Amendment 1.

Ayes, 12 – Senators Darling, Olsen, Harsdorf, Grothman, Leibham and Hopper. Representatives Vos, Meyer, Strachota, LeMahieu, Nygren and Kleefisch.

Noes, 4 – Senators Taylor and Jauch. Representatives Grigsby and Shilling.

Report Passage as amended, with emergency statement (s. 16.47 Wisconsin Statutes).

Ayes, 12 – Senators Darling, Olsen, Harsdorf, Grothman, Leibham and Hopper. Representatives Vos, Meyer, Strachota, LeMahieu, Nygren and Kleefisch.

Noes, 4 – Senators Taylor and Jauch. Representatives Grigsby and Shilling.

### Senate Bill 3, January 2011 Special Session

Relating to: an income and franchise tax credit for businesses that relocate to this state.

Introduction of Senate Amendment 2.

Ayes, 16 – Senators Darling, Olsen, Harsdorf, Grothman, Leibham, Hopper, Taylor and Jauch. Representatives Vos, Meyer, Strachota, LeMahieu, Nygren, Kleefisch, Grigsby and Shilling.

Noes, 0 – None.

Adoption of Senate Amendment 2.

Ayes, 13 – Senators Darling, Olsen, Harsdorf, Grothman, Leibham and Hopper. Representatives Vos, Meyer, Strachota, LeMahieu, Nygren, Kleefisch and Shilling.

Noes, 3 – Senators Taylor and Jauch. Representative Grigsby.

Introduction and adoption of Senate Amendment 3.

Ayes, 16 – Senators Darling, Olsen, Harsdorf, Grothman, Leibham, Hopper, Taylor and Jauch. Representatives Vos, Meyer, Strachota, LeMahieu, Nygren, Kleefisch, Grigsby and Shilling.

Noes, 0 – None.

Introduction and adoption of Senate Substitute Amendment 1.

Ayes, 16 – Senators Darling, Olsen, Harsdorf, Grothman, Leibham, Hopper, Taylor and Jauch. Representatives Vos, Meyer, Strachota, LeMahieu, Nygren, Kleefisch, Grigsby and Shilling.

Noes, 0 – None.

Introduction and adoption of Senate Substitute Amendment 2.

Ayes, 16 – Senators Darling, Olsen, Harsdorf, Grothman, Leibham, Hopper, Taylor and Jauch. Representatives Vos, Meyer, Strachota, LeMahieu, Nygren, Kleefisch, Grigsby and Shilling.

Noes, 0 – None.

Report Passage as amended, with emergency statement (s. 16.47 Wisconsin Statutes).

Ayes, 12 – Senators Darling, Olsen, Harsdorf, Grothman, Leibham and Hopper. Representatives Vos, Meyer, Strachota, LeMahieu, Nygren and Kleefisch.

Noes, 4 – Senators Taylor and Jauch. Representatives Grigsby and Shilling.

### Senate Bill 4, January 2011 Special Session

Relating to: increasing the amount of the credits under the economic development tax credit program.

Introduction and adoption of Senate Amendment 1.

Ayes, 16 – Senators Darling, Olsen, Harsdorf, Grothman, Leibham, Hopper, Taylor and Jauch. Representatives Vos,

Meyer, Strachota, LeMahieu, Nygren, Kleefisch, Grigsby and Shilling.

Noes, 0 – None.

Report Passage as amended, with emergency statement (s. 16.47 Wisconsin Statutes).

Ayes, 12 – Senators Darling, Olsen, Harsdorf, Grothman, Leibham and Hopper. Representatives Vos, Meyer, Strachota, LeMahieu, Nygren and Kleefisch.

Noes, 4 – Senators Taylor and Jauch. Representatives Grigsby and Shilling.

ALBERTA DARLING  
Senate Chairperson

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

### Senate Bill 1, January 2011 Special Session

Relating to: 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.

Read a second time.

Senate amendment 1 to Senate amendment 1 to **Senate Bill 1, January 2011 Special Session** offered by Senator Zipperer.

The question was: Adoption of Senate amendment 1 to Senate amendment 1 to **Senate Bill 1, January 2011 Special Session**?

Adopted.

Senate amendment 2 to Senate amendment 1 to **Senate Bill 1, January 2011 Special Session** offered by Senators Risser, Erpenbach, Miller, Taylor, C. Larson, Vinehout and Carpenter.

Senator Zipperer moved that Senate amendment 2 to Senate amendment 1 to **Senate Bill 1, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendment 2 to Senate amendment 1 to **Senate Bill 1, January 2011 Special Session** be laid on the table?

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.

Tabled.

Senate amendment 3 to Senate amendment 1 to **Senate Bill 1, January 2011 Special Session** offered by Senators Holperin,

T. Cullen, Taylor, Carpenter, Wirch, Hansen, S. Coggs, Vinehout, Erpenbach, Miller, Risser and Jauch.

Senator Zipperer moved that Senate amendment 3 to Senate amendment 1 to **Senate Bill 1, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendment 3 to Senate amendment 1 to **Senate Bill 1, January 2011 Special Session** be laid on the table?

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.

Tabled.

The question was: Adoption of Senate amendment 1 to **Senate Bill 1, January 2011 Special Session**?

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.

Adopted.

Senator Miller moved that **Senate Bill 1, January 2011 Special Session** be referred to the committee on **Judiciary, Utilities, Commerce, and Government Operations**.

The question was: Shall **Senate Bill 1, January 2011 Special Session** be referred to the committee on **Judiciary, Utilities, Commerce, and Government Operations**?

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

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

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

Absent or not voting – None.

Referral Refused.

Senate amendment 8 to **Senate Bill 1, January 2011 Special Session** offered by Senator Carpenter.

Senator Zipperer moved that Senate amendment 8 to **Senate Bill 1, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendment 8 to **Senate Bill 1, January 2011 Special Session** be laid on the table?

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.

Tabled.

Senate amendment 9 to **Senate Bill 1, January 2011 Special Session** offered by Senator Kedzie.

The question was: Adoption of Senate amendment 9 to **Senate Bill 1, January 2011 Special Session**?

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.

Adopted.

Senate amendment 10 to **Senate Bill 1, January 2011 Special Session** offered by Senators Risser, Erpenbach, Miller, Taylor, Carpenter and T. Cullen.

Senator Zipperer moved that Senate amendment 10 to **Senate Bill 1, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendment 10 to **Senate Bill 1, January 2011 Special Session** be laid on the table?

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.

Tabled.

Senate amendment 11 to **Senate Bill 1, January 2011 Special Session** offered by Senators Erpenbach, Risser, Miller, Wirch, Carpenter, T. Cullen, C. Larson, Holperin and Taylor.

Senator Zipperer moved that Senate amendment 11 to **Senate Bill 1, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendment 11 to **Senate Bill 1, January 2011 Special Session** be laid on the table?

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.

Tabled.

Senate amendment 12 to **Senate Bill 1, January 2011 Special Session** offered by Senators Erpenbach, Risser, Wirch, Carpenter and Taylor.

Senator Zipperer moved that Senate amendment 12 to **Senate Bill 1, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendment 12 to **Senate Bill 1, January 2011 Special Session** be laid on the table?

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.

Tabled.

Senate amendment 13 to **Senate Bill 1, January 2011 Special Session** offered by Senators Erpenbach, Risser, Wirch, Carpenter, S. Coggs and Taylor.

Senator Zipperer moved that Senate amendment 13 to **Senate Bill 1, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendment 13 to **Senate Bill 1, January 2011 Special Session** be laid on the table?

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.

Tabled.

Senate amendment 14 to **Senate Bill 1, January 2011 Special Session** offered by Senators Erpenbach, Risser and Miller.

Senator Zipperer moved that Senate amendment 14 to **Senate Bill 1, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendment 14 to **Senate Bill 1, January 2011 Special Session** be laid on the table?

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.

Tabled.

Senate amendment 15 to **Senate Bill 1, January 2011 Special Session** offered by Senators Vinehout, Taylor, C. Larson, Carpenter, Holperin, T. Cullen, Wirch, Risser, Miller and Hansen.

Senator Zipperer moved that Senate amendment 15 to **Senate Bill 1, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendment 15 to **Senate Bill 1, January 2011 Special Session** be laid on the table?

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.

Tabled.

Senate amendment 16 to **Senate Bill 1, January 2011 Special Session** offered by Senators Taylor, Lassa, Miller and Hansen.

Senator Zipperer moved that Senate amendment 16 to **Senate Bill 1, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendment 16 to **Senate Bill 1, January 2011 Special Session** be laid on the table?

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.

Tabled.

Senate amendment 17 to **Senate Bill 1, January 2011 Special Session** offered by Senator Miller.

Senate amendment 18 to **Senate Bill 1, January 2011 Special Session** offered by Senators Miller and Taylor.

Senate amendment 19 to **Senate Bill 1, January 2011 Special Session** offered by Senators Miller and Taylor.

Senator Miller, with unanimous consent, asked that Senate amendments 17, 18 and 19 to **Senate Bill 1, January 2011 Special Session** be taken up en masse.

Senator Zipperer moved that Senate amendments 17, 18 and 19 to **Senate Bill 1, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendments 17, 18 and 19 to **Senate Bill 1, January 2011 Special Session** be laid on the table?

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.

Tabled.

Senate amendment 20 to **Senate Bill 1, January 2011 Special Session** offered by Senators Risser, Erpenbach, Miller, Taylor, T. Cullen and Carpenter.

Senator Zipperer moved that Senate amendment 20 to **Senate Bill 1, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendment 20 to **Senate Bill 1, January 2011 Special Session** be laid on the table?

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

Ayes – Senators Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Hopper, Kapanke, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir and Zipperer – 17.

Noes – Senators Carpenter, S. Coggs, Cowles, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, C. Larson, Lassa, Miller, Risser, Taylor, Vinehout, Wanggaard and Wirch – 16.

Absent or not voting – None.

Tabled.

Senate amendment 21 to **Senate Bill 1, January 2011 Special Session** offered by Senators Taylor, Risser and Vinehout.

Senator Zipperer moved that Senate amendment 21 to **Senate Bill 1, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendment 21 to **Senate Bill 1, January 2011 Special Session** be laid on the table?

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.

Tabled.

Ordered to a third reading.

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

### **Senate Bill 1, January 2011 Special Session**

Read a third time.

The question was: Shall **Senate Bill 1, January 2011 Special Session** be passed?

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.

Passed.

---

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

### **Senate Bill 1, January 2011 Special Session**

Message.

---

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

Senator Coggs, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Dr. Martin Luther King, Jr. and the King Holiday. Dr. King helped to free the lives of millions of Americans and freed the minds of millions more by eliminating racial barriers in this the land of the free and the home of the brave. As a co-author of the King Holiday legislation, Senator Coggs knows these are harsh times, but to call for state employees to work on MLK Day as was said by a state Senator and not to call for state employees to have to work on Memorial Day, or other state holidays is, to say the least, racially insensitive in our current incendiary atmosphere. The Senate member said a number of state workers don't really observe the King holiday. The same is true for Memorial Day. That's the beauty of America. You can actively observe the holiday by attending the celebration or you can stay home and read a book, or, as in Memorial Day, attend a loved one's gravesite, or attend a picnic. Isn't it ironic that MLK fought for your right not to observe his holiday if you so choose? Senator Coggs chooses to adjourn in honor of the Rev. Dr. Martin Luther King, Jr.

Senator Schultz, with unanimous consent, asked that when the Senate adjourn, it do so in memory of Dr. Richard Edwards, who recently passed away at the age of 80.

Senator Wirch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Dr. Martin Luther King Jr.

Senator Leibham, with unanimous consent, asked that when the Senate adjourn, it do so in memory of former State Senator Carl Otte, who passed away on January 13, 2011.

---

**ADJOURNMENT**

Senator S. Fitzgerald, with unanimous consent, asked that the January 2011 Special Session of the Senate adjourn until Thursday, January 20, 2011 at 1:00 P.M.

5:37 P.M.

Adjourned.