



# STATE OF WISCONSIN Senate Journal January 2011 Special Session

12:00 P.M.

TUESDAY, January 25, 2011

The Senate met.

The Senate was called to order by President Ellis.

President Ellis, with unanimous consent, asked that the roll call, prayer and pledge of the Regular Session be applied to the January 2011 Special Session.

## 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.

## CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated **Monday, January 24, 2011.**

### BILLS PRESENTED TO THE GOVERNOR

The Chief Clerk records:

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

Presented to the Governor on 1-24-2011.

### PETITIONS AND COMMUNICATIONS

#### State of Wisconsin Office of the Governor

January 24, 2011

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

| <u>Bill Number</u> | <u>Act Number</u> | <u>Date Approved</u> |
|--------------------|-------------------|----------------------|
| Senate Bill 2, JR1 | ... Act 1         | January 24, 2011     |

Respectfully Submitted,  
*SCOTT WALKER*  
Governor

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

### Senate Bill 3, January 2011 Special Session

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

Read a second time.

Senator S. Fitzgerald, with unanimous consent, asked that **Assembly Bill 3, January 2011 Special Session** be withdrawn from the committee on **Senate Organization** and taken up at this time.

### Assembly Bill 3, January 2011 Special Session

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

Read a second time.

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 3, January 2011 Special Session

Read a third time.

The question was: Shall **Assembly Bill 3, January 2011 Special Session** be concurred in?

The ayes and noes were demanded and the vote was: ayes, 24; noes, 9; absent or not voting, 0; as follows:

Ayes – Senators Cowles, T. Cullen, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Hansen, Harsdorf, Holperin, Hopper, Kapanke, Kedzie, Lasee, Lassa, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard, Wirch and Zipperer – 24.

Noes – Senators Carpenter, S. Coggs, Erpenbach, Jauch, C. Larson, Miller, Risser, Taylor and Vinehout – 9.

Absent or not voting – None.

Concurred in.

Senator S. Fitzgerald, with unanimous consent, asked that **Senate Bill 3, January 2011 Special Session** be laid on the table.

### Senate Bill 4, January 2011 Special Session

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

Read a second time.

Senator S. Fitzgerald, with unanimous consent, asked that **Assembly Bill 4, January 2011 Special Session** be withdrawn from the committee on **Senate Organization** and taken up at this time.

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

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

Read a second time.

Senate amendment 1 to **Assembly Bill 4, January 2011 Special Session** offered by Senators Miller, Hansen, Lassa, Wirch, Vinehout, C. Larson, Holperin, Taylor and Erpenbach.

Senator Lazich moved that Senate amendment 1 to **Assembly Bill 4, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendment 1 to **Assembly Bill 4, January 2011 Special Session** 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 4, January 2011 Special Session**

Read a third time.

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**IN THE CHAIR**

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

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**IN THE CHAIR**

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

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**IN THE CHAIR**

Senate President Ellis in the chair.

The question was: Shall **Assembly Bill 4, January 2011 Special Session** be concurred in?

The ayes and noes were demanded and the vote was: ayes, 25; noes, 8; absent or not voting, 0; as follows:

Ayes – Senators Cowles, T. Cullen, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Hansen, Harsdorf, Holperin, Hopper, Kapanke, Kedzie, C. Larson, Lasee, Lassa, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard, Wirch and Zipperer – 25.

Noes – Senators Carpenter, S. Coggs, Erpenbach, Jauch, Miller, Risser, Taylor and Vinehout – 8.

Absent or not voting – None.

Concurred in.

Senator S. Fitzgerald, with unanimous consent, asked that **Senate Bill 4, January 2011 Special Session** be laid on the table.

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

**Assembly Bill 3, January 2011 Special Session  
Assembly Bill 4, January 2011 Special Session**

Messaged.

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

Senator Carpenter, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Senator Hopper, who celebrated his Birthday on January 23.

Senator Erpenbach, with unanimous consent, asked that when the Senate adjourn, it do so in memory of Sgt. Thomas Baitinger, a St. Petersburg, Florida police officer who was shot and killed in the line of duty on Monday, January 24th. Sgt. Baitinger, a former Dane County Sheriff's office employee, grew up in Middleton, Wisconsin. He is survived by his wife, and family in the Middleton area.

Senator Moulton, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Chippewa Valley Rally, which is taking place in Madison on Wednesday, January 26.

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of four members of the Ashland Fire Department; Lieutenant Tom Walters, Jonathan Paulson, Rayne Edinger and Tim Ciembronwicz, who risked their own lives to save the lives of two men who were trapped on the ice near Saxon Harbor during a terrible storm on Saturday. A number of individuals were ice fishing near the harbor when 30 mph winds began to break the ice apart. All but two men made it to shore safely. That is when the four Ashland firefighters, led by Lt. Walters, used the department's Ice Angel to navigate the waters to save the two men. The crew braved 12 foot waves and near white-out conditions to bring the two men safely to shore.

Senator Hansen, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Green Bay Packers, who will be playing in the Super Bowl on February 6.

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**ADJOURNMENT**

Senator Grothman, with unanimous consent, asked that the January 2011 Special Session of the Senate adjourn until Thursday, January 27, 2011.

1:02 P.M.

Adjourned.