



STATE OF WISCONSIN

Senate Journal

January 2011 Special Session

11:06 A.M.

TUESDAY, April 5, 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 the prayer which was offered by Rev. Mark D. Clements of La Crosse.

“Abraham Lincoln, our 16th President, is recorded as having said during the darkest hours of our nation’s Civil War and I quote: “I have been driven many times to my knees by the overwhelming conviction that I had no where else to go. My own wisdom, and that of all about me seemed insufficient for the day”, end of quote. Often times when sensing the need for wisdom and direction, I remember President Lincoln’s statement, and I too go to my knees and ask for the Lord’s help on my own behalf. As a lifelong resident of this state, I am deeply honored to be here in our Capitol today to ask of Him on your behalf.

Almighty, Eternal, and Merciful God,

Those whom I stand before today in this chamber have been chosen as leaders to govern and guide in the affairs of our great state. Their deliberations and determinations impact many, and their decisions and actions affect us all. Therefore, gracious Lord, I humbly bow and ask for Your assistance. I ask that Your hand would be upon each of these our Senators, that you would grace them with wisdom, with understanding, and with divine guidance, that You would strengthen them for their work and bless their bodies with health, that You would provide protection and keep them in safety, that You would grant them supernatural contentment and an inner peace and a great sense of fulfillment and personal satisfaction for having served here.

May the work done here benefit all, and may You grace these proceedings with Your presence and with Your unending goodness.

In Your Holy and Majestic Name I pray, Amen.”

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

LEAVES OF ABSENCE

Senator Miller, with unanimous consent, asked that Senator Taylor be granted a leave of absence for part of today’s session.

CHIEF CLERK’S ENTRIES

The Chief Clerk makes the following entries dated **Friday, April 1, 2011**.

PETITIONS AND COMMUNICATIONS

State of Wisconsin Office of the Governor

March 31, 2011

The Honorable, The Legislature:

Special Session Senate Bill 12 relates to state finances, the Medical Assistance program, granting bonding authority, and making appropriations.

Special Session Senate Bill 12 contains a fiscal note in excess of \$10,000. Accordingly and pursuant to Wis. Stat. 16.47(2), I consider this bill an emergency bill, and I recommend that its passage be permitted prior to the passage of the budget bill.

Thank you for your attention on this matter.

Respectfully submitted,
SCOTT WALKER
Governor

The Chief Clerk makes the following entries dated **Monday, April 4, 2011**.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 12, January 2011 Special Session** offered by Senator Carpenter.

REPORT OF COMMITTEES

The committee on **Senate Organization** reports:

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

Senate Bill 12, January 2011 Special Session

Waived the public hearing requirement, pursuant to Senate Rule 18 (1m):

Senate Bill 12, January 2011 Special Session

Placed the following proposal on the January 2011 Special Session Senate Calendar of Tuesday, April 5, 2011:

Senate Bill 12, January 2011 Special Session

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

Noes: 0 – None.

SCOTT FITZGERALD

Chairperson

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

Senate Bill 12, January 2011 Special Session

Relating to: state finances, the Medical Assistance program, granting bonding authority, and making appropriations.

Read a second time.

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

The question was: Shall Senate amendment 1 to **Senate Bill 12, 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.

Senator Carpenter asked unanimous consent that Senate amendment 1 to **Senate Bill 12, January 2011 Special Session** be taken from the table and taken up.

Senator S. Fitzgerald objected.

Senator Carpenter moved that Senate amendment 1 to **Senate Bill 12, January 2011 Special Session** be taken from the table and taken up.

The question was: Shall Senate amendment 1 to **Senate Bill 12, January 2011 Special Session** be taken from the table and taken up?

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.

Refused to be taken from the table.

Senate amendment 2 to **Senate Bill 12, January 2011 Special Session** offered by Senators Miller, Risser, Carpenter, Vinehout, Hansen, Lassa, Erpenbach, C. Larson and Taylor.

Senator S. Fitzgerald moved that Senate amendment 2 to **Senate Bill 12, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendment 2 to **Senate Bill 12, 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 Bill 12, January 2011 Special Session** offered by Senators Miller, Risser, Carpenter, Vinehout, Hansen, Lassa, Erpenbach, C. Larson and Taylor.

Senator S. Fitzgerald moved that Senate amendment 3 to **Senate Bill 12** be laid on the table.

The question was: Shall Senate amendment 3 to **Senate Bill 12, 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 4 to **Senate Bill 12, January 2011 Special Session** offered by Senator Lassa.

Senator S. Fitzgerald moved that Senate amendment 4 to **Senate Bill 12, January 2011 Special Session** be laid on the table.

The question was: Shall Senate amendment 4 to **Senate Bill 12, 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 12, January 2011 Special Session

Read a third time.

The question was: Shall **Senate Bill 12, January 2011 Special Session** be passed?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 11; absent or not voting, 0; as follows:

Ayes – Senators Cowles, T. Cullen, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Holperin, Hopper, Jauch, Kapanke, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 22.

Noes – Senators Carpenter, S. Coggs, Erpenbach, Hansen, C. Larson, Lassa, Miller, Risser, Taylor, Vinehout and Wirch – 11.

Absent or not voting – None.

Passed.

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

Senate Bill 12, January 2011 Special Session

Messaged.

ADJOURNMENT

Senator S. Fitzgerald, with unanimous consent, asked that the January 2011 Special Session of the Senate stand adjourned until Thursday, April 7, 2011.

Adjourned.

12:45 P.M.

MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has concurred in:

Senate Bill 12, January 2011 Special Session