



STATE OF WISCONSIN

Senate Journal

July 2011 Extraordinary Session

12:21 P.M.

TUESDAY, July 19, 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 silence.

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

EXTRAORDINARY SESSION

The committee on **Senate Organization** reports:

In accordance with Joint Rule 81(2) and Senate Rule 93, it is moved that the Senate Committee on Organization authorize the Legislature to meet in Extraordinary Session at 11:00 A.M. on Tuesday, July 19, 2011, solely for the consideration of Assembly Bill 87, Assembly Bill 105, Assembly Bill 197, Senate Bill 55, Senate Bill 144, Senate Bill 147, Senate Bill (LRB 2266/1), Senate Bill (LRB-2265/2) and Senate Bill (LRB-2296/1).

Ayes, 3 – Senators Fitzgerald, Ellis, and Grothman.

Noes, 2 – Senators Miller and Hansen.

SCOTT FITZGERALD
Chairperson

The committee on **Assembly Organization** reports:

In accordance with Joint Rule 81(2) and Assembly Rule 93, it is moved that the Assembly Committee on Organization authorize the Legislature to meet in Extraordinary Session beginning at 11:00 A.M. on Tuesday, July 19, 2011, solely for the consideration of Assembly Bill 87, Assembly Bill 105, Assembly Bill 197, Senate Bill 55, Senate Bill 144, Senate Bill

147, Senate Bill 148 (LRB-2266), Senate Bill 149 (LRB-2265) and Senate Bill 150 (LRB-2296).

Ayes, 4 – Representatives J. Fitzgerald, Suder, Kramer and Ballweg.

Noes, 3 – Representatives Barca, Roys and Hulsey.

JEFF FITZGERALD
Chairperson

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Senator Carpenter added as a coauthor of **Senate Bill 147**.

ADVICE AND CONSENT OF THE SENATE

Senator Fitzgerald, with unanimous consent, asked that the appointments of Perry Armstrong, Mark Braden, Gary Brown, Andrew Diercks, Raymond Dreger, Pamela Garvey, George Gary, Bradley Guse, Robert Holmes, Corey Hoze, Daniel Lee, Miranda Leis, Ellen Nowak, James Olson, Paul Radspinner, Mark Schleitwiler, Charles Schmalz, Thomas Spitz and Lee Swanson be withdrawn from the committee on **Senate Organization** and taken up at this time.

Senator Fitzgerald, with unanimous consent, asked that all the appointments be taken up en masse, with the exception of Ellen Nowak.

PERRY ARMSTRONG of Madison, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 2014.

MARK BRADEN of Lake Geneva, as a member of the Dentistry Examining Board, to serve for the term ending July 1, 2014.

GARY BROWN of Kenosha, as a member of the Podiatrists Affiliated Credentialing Board, to serve for the term ending July 1, 2014.

ANDREW DIERCKS of Coloma, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2017.

RAYMOND DREGER of Colfax, as a member of the Wisconsin Economic Development Corporation Authority, to serve for the term ending at the pleasure of the Governor.

PAMELA GARVEY of Centuria, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2017.

GEORGE GARY of Milwaukee, as a member of the Savings Institutions Review Board, to serve for the term ending May 1, 2014.

BRADLEY GUSE of Arpin, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 2014.

ROBERT HOLMES of Tomah, as a member of the Savings Institutions Review Board, to serve for the term ending May 1, 2014.

COREY HOZE of Milwaukee, as a member of the Wisconsin Economic Development Corporation Authority, to serve for the term ending at the pleasure of the Governor.

DANIEL LEE of Waunakee, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 2015.

MIRANDA LEIS of Cashton, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2017.

JAMES OLSON of Appleton, as a member of the Savings Institutions Review Board, to serve for the term ending May 1, 2014.

PAUL RADSPINNER of Madison, as a member of the Wisconsin Economic Development Corporation Authority, to serve for the term ending at the pleasure of the Governor.

MARK SCHLEITWILER of Green Bay, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2017.

CHARLES SCHMALZ of Appleton, as a member of the Savings Institutions Review Board, to serve for the term ending on May 1, 2012.

THOMAS SPITZ of Sun Prairie, as a member of the Banking Review Board, to serve for the term ending May 2, 2016.

LEE SWANSON of Cross Plains, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 2015.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – 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.

Noes – None.

Absent or not voting – None.

Confirmed.

ELLEN NOWAK of Mequon, as a member of the Public Service Commission, to serve for the term ending March 1, 2013.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 26; noes, 7; absent or not voting, 0; as follows:

Ayes – Senators Cowles, Darling, Ellis, Erpenbach, S. Fitzgerald, Galloway, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kapanke, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Risser, Schultz, Taylor, Vinehout, Vukmir, Wanggaard and Zipperer – 26.

Noes – Senators Carpenter, S. Coggs, T. Cullen, C. Larson, Lassa, Miller and Wirch – 7.

Absent or not voting – None.

Confirmed.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Bill 147

Relating to: payment of extended unemployment insurance benefits during certain periods in this state.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 147**?

Adopted.

Senate amendment 2 to **Senate Bill 147** offered by Senators Wirch, Hansen, Holperin, Carpenter, S. Coggs, T. Cullen, C. Larson, Vinehout, Taylor, Erpenbach, Jauch, Lassa, Miller and Risser.

The question was: Adoption of Senate amendment 2 to **Senate Bill 147**?

Adopted.

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 147

Read a third time.

The question was: Shall **Senate Bill 147** be passed?

The ayes and noes were demanded and the vote was: ayes, 30; noes, 3; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, S. Coggs, Cowles, T. Cullen, Darling, Ellis, Erpenbach, S. Fitzgerald, Galloway, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kapanke, Kedzie, C. Larson, Lasee, Lassa, Leibham, Miller, Moulton, Olsen, Risser, Schultz, Taylor, Vinehout, Vukmir, Wanggaard and Wirch – 30.

Noes – Senators Grothman, Lazich and Zipperer – 3.

Absent or not voting – None.

Passed.

Senate Bill 148

Relating to: legislative redistricting.

Read a second time.

IN THE CHAIR

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

Senator Miller moved that **Senate Bill 148** be referred to the committee on **Senate Organization**.

The question was: Shall **Senate Bill 148** be referred to the committee on **Senate Organization**?

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.

The question was: Adoption of Senate amendment 2 to **Senate Bill 148**?

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.

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 148

Read a third time.

Senator Erpenbach, with unanimous consent, asked that **Senate Bill 148** be placed behind **Senate Bill 150** on today's calendar.

Senator Fitzgerald objected.

The question was: Shall **Senate Bill 148** 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 messaged to the Assembly:

Senate Bill 147

Senate Bill 148

Messaged.

Senate Bill 149

Relating to: congressional redistricting.

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.

Senate Bill 149

Read a third time.

The question was: Shall **Senate Bill 149** 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 messaged to the Assembly:

Senate Bill 149

Messaged.

Senate Bill 150

Relating to: division of municipalities into wards and redistricting of supervisory and aldermanic districts and appointing a panel to hear challenges to the apportionment of a congressional or legislative district, and hearing certain appeals.

Read a second time.

The question was: Adoption of Senate amendment 4 to **Senate Bill 150**?

Adopted.

Senate amendment 5 to **Senate Bill 150** offered by Senator Zipperer.

The question was: Adoption of Senate amendment 5 to **Senate Bill 150**?

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.

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 150

Read a third time.

The question was: Shall **Senate Bill 150** 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 messaged to the Assembly:

Senate Bill 150

Messaged.

Senator S. Fitzgerald, with unanimous consent, asked that **Senate Bill 144** be withdrawn from the committee on **Economic Development and Veterans and Military Affairs** and taken up at this time.

Senate Bill 144

Relating to: creating an exception to certain requirements in the creation of or amendment to a tax incremental financing district in the village of Pleasant Prairie.

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.

Senate Bill 144

Read a third time.

The question was: Shall **Senate Bill 144** be passed?

The ayes and noes were demanded and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – 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.

Noes – None.

Absent or not voting – None.

Passed.

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

Senate Bill 144

Messaged.

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

Senator Hansen, with unanimous consent, asked that when the Senate adjourn, it do so in memory of Elliana Zaidel, who would have been six years old on Monday, July 18th. Ellie died tragically four years ago on July 13th.

Senator Miller, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the legislative support agencies, the Office of the Senate Chief Clerk and the Office of the Senate Sergeant at Arms, for their professional support during one of the most tumultuous six months in the history of the Legislature.

Senator Schultz, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Nick Gorman. Nick has served as an intern in Senator Schultz’s office this summer, as a part of the Cullen Intern Scholarship Program, which is sponsored by the Senator from the 15th. Nick has impressed the Senator with his writing skills, maturity and ability to have an impact in the Senator’s office. Senator Schultz has no doubt his leadership skills will serve him well. He’ll be returning to Janesville Craig High School this fall where he competes in football, and plans to attend UW–La Crosse or UW–Madison next year to pursue a degree in medicine, or God help him, in politics. Senator Schultz wishes him all the best on behalf of the State Senate.

Senator Wanggaard, with unanimous consent, asked the when the Senate adjourn, it do so in honor of Senator Moulton, who is celebrating the 36th anniversary of his 29th Birthday today.

Senator Coggs, with unanimous consent, asked the when the Senate adjourn, it do so in honor of Nelson Mandela’s Birthday, which was yesterday.

Senator Taylor, with unanimous consent, asked the when the Senate adjourn, it do so in honor of the many interns who have helped in her office since 2011 began.

Senator Carpenter, with unanimous consent, asked the when the Senate adjourn, it do so in honor of his constituent Donald W. Almquist, in appreciation of his public service in the United States Marine Corps, and for his decades of service to Greenfield Wisconsin as an elected official and as a tireless worker to better the lives of those in our community.

ADJOURNMENT

Senator S. Fitzgerald, with unanimous consent, asked that July 2011 Extraordinary Session of the Senate stand adjourned until Thursday, July 21, 2011.

Adjourned.

3:33 P.M.