



# STATE OF WISCONSIN

# Senate Journal

## February 2021 Extraordinary Session

11:20 A.M.

FRIDAY, February 5, 2021

The Senate met.

The Senate was called to order by Senate President Kapenga.

The Chief Clerk made the following entries dated **Thursday, February 4, 2021.**

### REPORT OF COMMITTEES

The committee on **Senate Organization** reported:

In accordance with Joint Rule 81 (2) and Senate Rule 93, it is moved that the Committee on Senate Organization authorize the Legislature to meet in Extraordinary Session beginning at 11:00 a.m. on Friday, February 5, 2021, or at the time established in the Committee on Assembly Organization's call for Extraordinary Session, whichever is later, solely for the consideration of Assembly Bill 1, Assembly Joint Resolution 4, and Senate Joint Resolution 3.

Ayes: 3 – LeMahieu, Kapenga and Feyen.  
Noes: 2 - Senators Bewley and Ringhand.

*DEVIN LEMEHIEU*  
Chairperson

### 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 Agard, Ballweg, Bernier, Bewley, Bradley, Carpenter, Cowles, Darling, Erpenbach, Felzkowski, Feyen, Jacque, Johnson, Kapenga, Kooyenga, Larson, LeMahieu, Marklein, Nass, Petrowski, Pfaff, Ringhand, Roys, Smith, Stafsholt, Stroebel, L. Taylor, Testin, Wanggaard and Wimberger - 30.

Absent with leave - Senators Roth and Wirch - 2.  
Vacancies - 13th Senate District - 1.

Senator LeMahieu, with unanimous consent, asked that all members of the Senate who are attending today's session virtually be considered present and able to vote on today's business.

The Senate stood for the prayer which was offered by Senator Wanggaard.

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

### LEAVES OF ABSENCE

Senator LeMahieu, with unanimous consent, asked that Senator Roth be granted a leave of absence for today's session.

Senator Bewley, with unanimous consent, asked that Senator Wirch be granted a leave of absence for today's session.

Pursuant to Senate Rule 17 (6), the Chief Clerk makes the following entries under the above date.

### REPORT OF COMMITTEES

The committee on **Assembly Organization** reported:

In accordance with Joint Rule 81 (2) and Assembly Rule 93, it is moved that the Committee on Assembly Organization authorize the Legislature to meet in Extraordinary Session beginning at 11:00 a.m. on Friday, February 5, 2021, solely for the consideration of Assembly Bill 1, Assembly Joint Resolution 4, and Senate Joint Resolution 3.

Ayes: 5 – Representatives Vos, Steineke, Peterson, August and Vorpagel.

Noes: 3 – Representatives Hintz, Hesselbein and Spreitzer.

*ROBIN VOS*  
Chairperson

### MESSAGES FROM THE ASSEMBLY

Senator LeMahieu, with unanimous consent, asked to take up **Assembly Bill 1** off of the Assembly message.

#### Assembly Bill 1

Relating to: state government actions to address the COVID-19 pandemic, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, and granting rule-making authority.

Senator Carpenter moved nonconcurrence of Assembly Amendment 2 to Senate Amendment 1 to Assembly

Amendment 1 to Senate Substitute Amendment 1 to  
**Assembly Bill 1.**

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**IN THE CHAIR**

President Pro Tempore Testin in the chair.

12:03 P.M.

The question was: Nonconcurrency of Assembly  
Amendment 2 to Senate Amendment 1 to Assembly  
Amendment 1 to Senate Substitute Amendment 1 to  
**Assembly Bill 1?**

The ayes and noes were demanded and the vote was: ayes,  
11; noes, 19; absent or not voting, 2; as follows:

Ayes - Senators Agard, Bewley, Carpenter, Erpenbach,  
Johnson, Larson, Pfaff, Ringhand, Roys, Smith and L. Taylor  
- 11.

Noes - Senators Ballweg, Bernier, Bradley, Cowles,  
Darling, Felzkowski, Feyen, Jacque, Kapenga, Kooyenga,  
LeMahieu, Marklein, Nass, Petrowski, Stafsholt, Stroebel,  
Testin, Wanggaard and Wimberger - 19.

Absent or not voting - Senators Roth and Wirch - 2.

Refused to nonconcur.

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**IN THE CHAIR**

Senate President Kapenga in the chair.

12:39 P.M.

The question was: Concurrence in Assembly  
Amendment 2 to Senate Amendment 1 to Assembly  
Amendment 1 to Senate Substitute Amendment 1 to  
**Assembly Bill 1?**

The ayes and noes were demanded and the vote was: ayes,  
19; noes, 11; absent or not voting, 2; as follows:

Ayes - Senators Ballweg, Bernier, Bradley, Cowles,  
Darling, Felzkowski, Feyen, Jacque, Kapenga, Kooyenga,  
LeMahieu, Marklein, Nass, Petrowski, Stafsholt, Stroebel,  
Testin, Wanggaard and Wimberger - 19.

Noes - Senators Agard, Bewley, Carpenter, Erpenbach,  
Johnson, Larson, Pfaff, Ringhand, Roys, Smith and L. Taylor  
- 11.

Absent or not voting - Senators Roth and Wirch - 2.

Concurred in.

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

**Assembly Bill 1**

Messaged.

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

Senator Agard, with unanimous consent, asked that the  
Senate adjourn in honor of the health care providers in our  
community, and specifically the nurses who help our  
hospitals and clinics run during the most challenging health  
crisis in our lifetime. These selfless workers have endured  
long hours, witnessed unimaginable suffering, and helped  
keep our community safer during a pandemic that has taken  
too many lives. We need to honor these workers in our hearts  
and our actions. We need to honor them with the workplace  
protections they deserve and the wages they have earned.  
Senator Agard is grateful for each and every health care hero  
in our state, and she is proud to adjourn in their honor today.

Senator Wanggaard, with unanimous consent, asked that  
the Senate adjourn in honor of Jim and Jan O'Brien, life long  
friends of the Racine Community who succumbed to  
complications from COVID-19. The life they shared with so  
many, will be missed but not forgotten. May the Lord bless  
and keep them in the palm of his hand.

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**ADJOURNMENT**

Senator LeMahieu, with unanimous consent, asked that  
the February 2021 Extraordinary Session of the Senate stand  
adjourned until Tuesday, February 9, 2021.

Adjourned.

12:52 P.M.