



STATE OF WISCONSIN

Assembly Journal

One-Hundred and Third Regular Session

12:40 P.M.

WEDNESDAY, February 8, 2017

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Vos in the Chair.

Representative Duchow asked unanimous consent for a quorum call. Granted.

A quorum was present.

The prayer was offered by Pastor Wayne Van Gelderen of Falls Baptist Church in Menomonee Falls.

Representative Kuglitsch led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present - Representatives Allen, Anderson, August, Ballweg, Barca, Berceau, Bernier, Billings, Born, Bowen, Brandtjen, E. Brooks, R. Brooks, Brostoff, Considine, Crowley, Doyle, Duchow, Edming, Felzkowski, Fields, Gannon, Genrich, Goyke, Hebl, Hesselbein, Hintz, Hutton, Jacque, Jagler, Katsma, Kerkman, Kessler, Kitchens, Kleefisch, Knodl, Kolste, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, Loudenbeck, Macco, Mason, Meyers, Milroy, Murphy, Mursau, Nerison, Neylon, Novak, Nygren, Ohnstad, Ott, Petersen, Petryk, Pope, Pronschinske, Quinn, Riemer, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Sargent, Schraa, Shankland, Sinicki, Skowronski, Snyder, Spiros, Spreitzer, Stafsholt, Steffen, Steineke, Stuck, Subeck, Summerfield, Swearingen, Tauchen, C. Taylor, Thiesfeldt, Tittl, Tranel, Tusler, VanderMeer, Vorpapel, Vruwink, Wachs, Weatherston, Wichgers, Young, Zamarripa, Zepnick, Zimmerman and Speaker Vos - 97.

Absent with leave - Representatives Horlacher and Jarchow - 2.

Vacancies - None.

LEAVES OF ABSENCE

Representative Knodl asked unanimous consent for a leave of absence for today's session for Representatives Horlacher and Jarchow. Granted.

MESSAGE FROM THE SENATE

From: Jeffrey Renk, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 4

Senate Joint Resolution 5

Senate Joint Resolution 7

Passed and asks concurrence in:

Senate Bill 2

Senate Bill 3

Senate Bill 9

Senate Bill 10

EXECUTIVE COMMUNICATIONS

January 24, 2017

The Honorable Robin Vos
Speaker of the Assembly
211 West, State Capitol
Madison, WI 53708

The Honorable Roger Roth
President of the Senate
220 South, State Capitol
Madison, WI 53707

Dear Speaker Vos and President Roth:

I respectfully request a joint session of the Wisconsin State Legislature for February 8, 2017, at 4:00 PM. This joint session will be for the purpose of delivering an address on the 2017-2019 Biennial Budget.

Thank you for your consideration of this request. I look forward to addressing the full Legislature as well as the citizens of Wisconsin.

Sincerely,
SCOTT WALKER
Governor

SPEAKER'S COMMUNICATIONS

February 8, 2017

The Honorable Scott Walker
Governor
State of Wisconsin
Room 115 East, State Capitol
Madison, WI 53702

Dear Governor Walker:

Pursuant to Wisconsin State Statute Section 13.55 (1)(a) I.d, I am appointing Representative Ron Tusler to the Uniform State Laws Commission.

I am sure Representative Tusler will be a valuable member on this commission.

Sincerely,
ROBIN J. VOS
Assembly Speaker

COMMUNICATIONS

February 8, 2017

Patrick E. Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53703

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 53, relating to time periods for the abatement of late blight of potatoes.

Please add my name as a co-author of Assembly Bill 54, relating to seed potato certification and use and providing penalties.

Sincerely,
KEITH RIPP
State Representative
42nd Assembly District

February 8, 2017

Patrick E. Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53703

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 59, relating to terminology change and corrections for emergency medical technicians and first responders.

Sincerely,
DAVID STEFFEN
State Representative
4th Assembly District

CALENDAR OF WEDNESDAY, FEBRUARY 8

MESSAGE FROM THE SENATE

From: Jeffrey Renk, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

- Senate Joint Resolution 2**
- Senate Joint Resolution 6**

ACTION ON THE SENATE MESSAGE

Representative Steineke asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 6** be withdrawn from the Senate message and taken up at this time. Granted.

Senate Joint Resolution 6

Relating to: proclaiming February 2017 to be American Heart Month in Wisconsin.

By Senators Darling, Harsdorf, Bewley, Carpenter, Cowles, Erpenbach, Feyen, Hansen, Marklein, Ringhand, Shilling, L. Taylor and Wirch; cosponsored by Representative Ballweg.

The question was: Shall **Senate Joint Resolution 6** be concurred in?

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 6** be immediately messaged to the Senate. Granted.

Assembly Joint Resolution 4

Relating to: proclaiming February 2017 to be American Heart Month in Wisconsin.

Representative Steineke asked unanimous consent that **Assembly Joint Resolution 4** be laid on the table. Granted.

Representative Steineke asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 2** be withdrawn from the Senate message and taken up at this time. Granted.

Senate Joint Resolution 2

Relating to: the public service of Army Staff Sergeant Matthew Thompson.

By Senator Vukmir; cosponsored by Representative Kooyenga.

The question was: Shall **Senate Joint Resolution 2** be concurred in?

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 2** be immediately messaged to the Senate. Granted.

Speaker Pro Tempore August in the chair.

Representative Steineke asked unanimous consent that **Senate Bill 1** be withdrawn from today's calendar and taken up at this time. Granted.

Senate Bill 1

Relating to: changing the 12 percent rule regarding the total value of taxable property included in the creation of, or amendment to, a tax incremental financing district in the village of Oostburg.

The question was: Shall **Senate Bill 1** be ordered to a third reading?

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Senate Bill 1** be given a third reading. Granted.

The question was: **Senate Bill 1** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes - Representatives Allen, Anderson, August, Ballweg, Barca, Berceau, Bernier, Billings, Born, Bowen, Brandtjen, E. Brooks, R. Brooks, Brostoff, Considine, Crowley, Doyle, Duchow, Edming, Felzkowski, Fields, Gannon, Genrich, Goyke, Hebl, Hesselbein, Hintz, Hutton, Jacque, Jagler, Katsma, Kerkman, Kessler, Kitchens, Kleefisch, Knodl, Kolste, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, Loudenbeck, Macco, Mason, Meyers, Milroy, Murphy, Mursau, Nerison, Neylon, Novak, Nygren, Ohnstad, Ott, Petersen, Petryk, Pope, Pronschinske, Quinn, Riemer, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Sargent, Schraa, Shankland, Sinicki, Skowronski, Snyder, Spiros, Spreitzer, Stafsholt, Steffen, Steineke, Stuck, Subeck, Summerfield, Swearingen, Tauchen, C. Taylor, Thiesfeldt, Tittl, Tranel, Tusler, VanderMeer, Vorpapel, Wachs, Weatherston, Wichgers, Young, Zamarripa, Zepnick, Zimmerman and Speaker Vos - 97.

Noes - None.

Absent or not voting - Representatives Horlacher and Jarchow - 2.

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Senate Bill 1** be immediately messaged to the Senate. Granted.

Assembly Bill 1

Relating to: changing the 12 percent rule regarding the total value of taxable property included in the creation of, or amendment to, a tax incremental financing district in the village of Oostburg.

Representative Steineke asked unanimous consent that **Assembly Bill 1** be laid on the table. Granted.

Speaker Vos introduced a privileged resolution.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 3

Relating to: the assembly rules.
By Representatives Vos and Steineke.
Privileged and read.

The question was: Shall **Assembly Resolution 3** be adopted?

The roll was taken.

The result follows:

Ayes - Representatives Allen, Anderson, August, Ballweg, Barca, Berceau, Bernier, Billings, Born, Brandtjen, E. Brooks, R. Brooks, Considine, Crowley, Doyle, Duchow, Edming, Felzkowski, Fields, Gannon, Hebl, Hesselbein, Hintz, Hutton, Jacque, Jagler, Katsma, Kerkman, Kessler, Kitchens, Kleefisch, Knodl, Kolste, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, Loudenbeck, Macco, Mason, Meyers, Milroy, Murphy, Mursau, Nerison, Neylon, Novak, Nygren, Ohnstad, Ott, Petersen, Petryk, Pope, Pronschinske, Quinn, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Sargent, Schraa, Shankland, Skowronski, Snyder, Spiros, Spreitzer, Stafsholt, Steffen, Steineke, Subeck, Summerfield, Swearingen, Tauchen, Thiesfeldt, Tittl, Tranel, Tusler, VanderMeer, Vorpapel, Wachs, Weatherston, Wichgers, Young, Zamarripa, Zepnick, Zimmerman and Speaker Vos - 88.

Noes - Representatives Bowen, Brostoff, Genrich, Goyke, Riemer, Sinicki, Stuck, C. Taylor and Vruwink - 9.

Absent or not voting - Representatives Horlacher and Jarchow - 2.

Motion carried.

Representative Kessler introduced a privileged resolution.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 4

Relating to: prohibiting the Committee on Assembly Organization from entering into contracts for private legal services and authorizing the expenditure of public funds for private legal services related to legislative redistricting.

By Representative Kessler.

Read and referred to Committee on **Assembly Organization**.

Representative Spreitzer asked unanimous consent that the rules be suspended and that **Assembly Resolution 4** be withdrawn from the committee on **Assembly Organization** and taken up at this time.

The question was: Shall **Assembly Resolution 4** be withdrawn from the committee on **Assembly Organization** and taken up at this time?

The roll was taken.

The result follows:

Ayes - Representatives Anderson, Barca, Berceau, Billings, Bowen, Brostoff, Considine, Crowley, Doyle, Fields, Genrich, Goyke, Hebl, Hesselbein, Hintz, Kessler, Kolste, Mason, Meyers, Milroy, Ohnstad, Pope, Riemer, Sargent, Shankland, Sinicki, Spreitzer, Stuck, Subeck, C. Taylor, Vruwink, Wachs, Young, Zamarripa and Zepnick - 35.

Noes - Representatives Allen, August, Ballweg, Bernier, Born, Brandtjen, E. Brooks, R. Brooks, Duchow, Edming,

Felzkowski, Cannon, Hutton, Jacque, Jagler, Katsma, Kerkman, Kitchens, Kleefisch, Knodl, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, Loudenbeck, Macco, Murphy, Mursau, Nerison, Neylon, Novak, Nygren, Ott, Petersen, Petryk, Pronschinske, Quinn, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Schraa, Skowronski, Snyder, Spiros, Stafsholt, Steffen, Steineke, Summerfield, Swearingen, Tauchen, Thiesfeldt, Tittl, Tranel, Tusler, VanderMeer, Vorpapel, Weatherston, Wichgers, Zimmerman and Speaker Vos - 62.

Absent or not voting - Representatives Horlacher and Jarchow - 2.

Motion failed.

Representative Steineke asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

2:00 P.M.

RECESS

3:37 P.M.

The Assembly reconvened.

Speaker Vos in the chair.

Representative Steineke asked unanimous consent for a quorum call. Granted.

A quorum was present.

LEAVES OF ABSENCE

Representative Spreitzer asked unanimous consent for a leave of absence for part of today's session for Representative Young. Granted.

Speaker Vos appointed Representatives Pronschinske and Crowley to escort Governor Scott Walker from his office to the Assembly Chamber.

The Assembly stood informal.

Assembly Sergeant-at-Arms Anne Tonnon Byers announced the arrival of the Honorable Justices of the Wisconsin Supreme Court.

Assembly Sergeant-at-Arms Anne Tonnon Byers announced the arrival of the members of the Wisconsin State Senate.

JOINT CONVENTION

The houses went into joint convention.

Senate President Roth presiding.

Senator Roth recognized the presence of Lieutenant Governor Rebecca Kleefisch, Superintendent of Public Instruction Tony Evers and Attorney General Brad Schimel; Chief Justice Patience Roggensack, Justice Annette Ziegler, and Justice Daniel Kelly of the Wisconsin Supreme Court.

Assembly Sergeant-at-Arms Anne Tonnon Byers announced the arrival of Governor Scott Walker.

Escorted by Representatives Pronschinske and Crowley and Senators Feyen and Taylor, Governor Scott Walker took his place at the rostrum to deliver his budget address.

Pursuant to Joint Rule 73, the governor's message is printed in the Senate journal only.

Representative Steineke moved that the joint convention arise.

The question was: Shall the joint convention arise?

Motion carried.

4:31 P.M.

The Assembly reconvened.

Speaker Vos in the chair.

VISITORS

During today's session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Sun Prairie Chief of Police, Pat Anhalt, guest of Representative Hebl.

ANNOUNCEMENTS

Representative Jacque asked unanimous consent that the Assembly adjourn in memory of his uncle Jay Peter Jacque of Cedar Grove, who passed away on January 24. Granted.

Representative Wachs asked unanimous consent that the Assembly adjourn in memory of Al Baldus, former Wisconsin State Representative and United States Representative, who passed away on February 2. Granted.

Representative Vorpapel asked unanimous consent that the Assembly adjourn in memory of his grandfather, Alfred Meerstein of Plymouth, who passed away on April 22, 2016. Mr. Meerstein was a United States Navy Sailor stationed on the USS Bremerton during WWII, spending time in the South Pacific. Granted.

Representative Kuglitsch asked unanimous consent that the Assembly adjourn in memory of Steve Spencer of New Berlin, father of his staff member Matt Spencer, who passed away on February 2. Granted.

Representative Berceau asked unanimous consent that the Assembly adjourn in memory of Judy Wilcox of Madison, who passed away on December 31, 2016. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in memory of Dr. Joseph Syty, who passed away on November 26, 2016 at the age of 84. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in memory of Laura Blaska, who passed away on December 3, 2016 at the age of 90. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in memory of Dolores Carey, who passed away on December 9, 2016 at the age of 91. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in memory of Helen Maasch, who passed away on December 20, 2016 at the age of 84. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in memory of Harold Wendler, who passed away on December 26, 2016 at the age of 82. Granted.

Representative Sinicki asked unanimous consent that the Assembly adjourn in honor of her first grandchild, Joanna Lynn Sinicki, who was born on October 27, 2016. Granted.

Representative Tittl asked unanimous consent that the Assembly adjourn in honor of his daughter, Heidi Naber, on the occasion of her 33rd birthday today. Granted.

Representative Pope asked unanimous consent that the Assembly adjourn in honor of her father, Dale Pope, on the occasion of his 93rd birthday on February 22. Granted.

Representative Zamarripa asked unanimous consent that the Assembly adjourn in honor of her sister, MollyJo Bautch, a graduate student at the University of Wisconsin at Madison. Granted.

Representative Shankland asked unanimous consent that the Assembly adjourn in honor of every woman who stood up for herself when she was warned, given an explanation and nevertheless, she persisted. Granted.

Representative Barca asked unanimous consent that the Assembly adjourn in honor of his daughter, Abrianna Barca and her husband Eric Wiesman, on the occasion of their marriage on December 31, 2016. Granted.

Representative Kuglitsch asked unanimous consent that the Assembly adjourn in honor of his daughter-in-law, Nicole Kuglitsch, on the occasion of her birthday on February 9. Granted.

Representative Meyers asked unanimous consent that the Assembly adjourn in honor of her son-in-law, Captain Ross Geske, who serves in the United States Marine Corp and was commissioned as Captain in November, 2016. Granted.

Representative Young asked unanimous consent that the Assembly adjourn in honor of Black History Month. Granted.

Representative Spreitzer asked unanimous consent that the Assembly adjourn in honor of his mother, Carole Spreitzer, on the occasion of her 74th birthday on February 9. Granted.

Representative Bowen asked unanimous consent that the Assembly adjourn in honor of his staff member Jon Knudson, on the occasion of the recent birth of his son. Granted.

Representative Vos asked unanimous consent that the Assembly adjourn in honor of newly elected United States Secretary of Education Betsy DeVos. Granted.

Representative C. Taylor asked unanimous consent that the Assembly adjourn in honor of her niece, Hannah Lilian, who is the first girl born on her husband's side of the family in 30 years. Granted.

ADJOURNMENT

Representative Steineke moved that the Assembly stand adjourned pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

4:32 P.M.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 62

Relating to: creditable military service under the Wisconsin Retirement System.

By Representatives Hebl, Anderson, Berceau, Bowen, Brostoff, Doyle, Genrich, Goyke, Hesselbein, Kolste, Meyers, Ohnstad, Riemer, Sargent, Shankland, Sinicki, Spreitzer, Stuck, Subeck, C. Taylor, Tittl, Vruwink, Wachs, Zamarripa, Zepnick and Fields; cosponsored by Senators Hansen, Bewley, Carpenter, Erpenbach, Johnson, C. Larson, Miller, Ringhand, L. Taylor and Wirch.

To committee on **Veterans and Military Affairs**.

Assembly Bill 63

Relating to: exempting utility activities in a highway right-of-way from wetland permitting requirements.

By Representatives Weatherston, Bernier, E. Brooks, Kremer, Quinn, Murphy and Mursau; cosponsored by Senator Tiffany.

To committee on **Energy and Utilities**.

Assembly Bill 64

Relating to: state finances and appropriations, constituting the executive budget act of the 2017 legislature.

By joint committee on **Finance**

To joint committee on **Finance**.

To joint survey committee on **Tax Exemptions**.