



STATE OF WISCONSIN Assembly Journal

December 2013 Special Session

9:48 A.M.

WEDNESDAY, December 4, 2013

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

Speaker Pro Tempore August in the Chair.

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

A quorum was present.

Speaker Vos in the chair.

The prayer was offered by Representative A. Ott.

Representative Zepnick 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 August, Ballweg, Barca, Barnes, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Billings, Born, Brooks, Clark, Craig, Czaja, Danou, Doyle, Endsley, Genrich, Goyke, Hebl, Hesselbein, Hintz, Hulsey, Hutton, Jacque, Jagler, Johnson, Jorgensen, Kahl, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knodl, Knudson, Kolste, Kooyenga, Kramer, Krug, Kuglitsch, Kulp, T. Larson, LeMahieu, Loudonbeck, Marklein, Mason, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, Nygren, Ohnstad, A. Ott, J. Ott, Pasch, Petersen, Petryk, Pope, Pridemore, Richards, Riemer, Ringhand, Ripp, Rodriguez, Sanfelippo, Sargent, Schraa, Severson, Shankland, Sinicki, Smith, Spiros, Steineke, Strachota, Stroebel, Swearingen, Tauchen, C. Taylor, Thiesfeldt, Tittl, Tranel, Vruwink, Wachs, Weatherston, Weininger, Williams, Wright, Young, Zamarripa, Zepnick and Speaker Vos - 96.

Absent with leave - Representatives Kapenga and Milroy - 2.

Vacancies - 82nd Assembly District - 1.

LEAVES OF ABSENCE

Representative Ballweg asked unanimous consent for a leave of absence for part of today's session for Representatives Kaufert and Severson. Granted.

LEAVES OF ABSENCE

Representative Ballweg asked unanimous consent for a leave of absence for today's session for Representative Kapenga. Granted.

Representative Jorgensen asked unanimous consent for a leave of absence for today's session for Representative Milroy. Granted.

COMMUNICATIONS

December 2, 2013

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

Dear Chief Clerk Fuller:

I am pleased to provide you with copies of the official canvasses of the November 19, 2013 Special Election vote for Representative to the Assembly in Districts 21 and 69, along with the determination by the designee of the Chairperson of the Government Accountability Board of the winners.

With this letter, I am also delivering original certificates of election, as well as copies for your files.

If the Government Accountability Board can provide you with further information or assistance, please contact our office.

Sincerely,
KEVIN J. KENNEDY
Director and General Counsel
Government Accountability Board

STATEMENT OF CANVASS FOR REPRESENTATIVE TO THE ASSEMBLY SPECIAL ELECTION NOVEMBER 19, 2013

I, Judge Gerald C. Nichol, Designee of the Chairperson of the Government Accountability Board, certify that the attached tabular statement, as compiled from the certified returns made to the Government Accountability Board by the Milwaukee County Election Commission, contains a correct abstract of the total number of votes given for the

election of a candidate for Representative to the Assembly, at a Special Election held in the several election districts in said county on the nineteenth day of November, 2013.

I DO, THEREFORE, DETERMINE AND CERTIFY that the following candidate, having received the greatest number of votes, is duly elected Representative to the Assembly:

District Elected
21st District **Jessie Rodriguez**

Done in the City of Madison, this 29th day of November, 2013

Sincerely,
JUDGE GERALD C. NICHOL
Designee of the Chairperson
Government Accountability Board

I, Judge Gerald C. Nichol, Designee of the Chairperson of the Government Accountability Board, certify that the attached tabular statement, as compiled from the certified returns made to the Government Accountability Board by the County Clerks of Clark, Marathon and Wood Counties, contains a correct abstract of the total number of votes given for the election of a candidate for Representative to the Assembly, at a Special Election held in the several election districts in said county on the nineteenth day of November, 2013.

I DO, THEREFORE, DETERMINE AND CERTIFY that the following candidate, having received the greatest number of votes, is duly elected Representative to the Assembly:

District Elected
69th District **Bob Kulp**

Done in the City of Madison, this 2nd day of December, 2013

Sincerely,
JUDGE GERALD C. NICHOL
Designee of the Chairperson
Government Accountability Board

CERTIFICATE OF ELECTION

I, Kevin J. Kennedy, Director and General Counsel of the Government Accountability Board of the State of Wisconsin, certify that

Jessie Rodriguez

was elected to the office of

REPRESENTATIVE TO THE ASSEMBLY

from the Twenty-first Assembly District of the State of Wisconsin, for the term of two years commencing on January 7, 2013, and ending on January 5, 2015, as shown on the official canvass of the votes cast at the Special Election held on November 19, 2013.

Done in the City of Madison, this 29th day of November, 2013

Sincerely,
KEVIN J. KENNEDY
Director and General Counsel
Government Accountability Board

CERTIFICATE OF ELECTION

I, Kevin J. Kennedy, Director and General Counsel of the Government Accountability Board of the State of Wisconsin, certify that

Bob Kulp

was elected to the office of

REPRESENTATIVE TO THE ASSEMBLY

from the Sixty-ninth Assembly District of the State of Wisconsin, for the term of two years commencing on January 7, 2013, and ending on January 5, 2015, as shown on the official canvass of the votes cast at the Special Election held on November 29, 2013.

Done in the City of Madison, this 2nd day of December, 2013

Sincerely,
KEVIN J. KENNEDY
Director and General Counsel
Government Accountability Board

OATH OF OFFICE

Pursuant to Article IV, Section 28 of the Wisconsin Constitution, the Honorable Robin Vos, Speaker of the Assembly, administered the oath of office to Jessie Rodriguez and Bob Kulp.

Representative August in the chair.

**CALENDAR OF WEDNESDAY, DECEMBER 4
December 2013 Special Session**

Assembly Bill 1, December 2013 Special Session

Relating to: delaying eligibility changes to BadgerCare Plus and BadgerCare Plus Core and delaying other changes to the Medical Assistance program; and extending coverage under, and the deadline for the dissolution of, the Health Insurance Risk-Sharing Plan.

Representative Kaufert asked unanimous consent that his leave of absence be lifted. Granted.

Assembly Substitute Amendment 1 to **Assembly Bill 1, December 2013 Special Session** offered by Representatives Barca, Berceau, Bernard Schaber, Bewley, Billings, Clark, Danou, Doyle, Genrich, Hebl, Hesselbein, Hintz, Johnson,

Jorgensen, Kahl, Kessler, Kolste, Mason, Ohnstad, Pasch, Pope, Richards, Riemer, Ringhand, Sargent, Shankland, Sinicki, Smith, C. Taylor, Wachs, Wright, Zamarripa, Zepnick, Goyke, Vruwink, Barnes, Hulsey and Young.

Representative Kramer moved that Assembly Substitute Amendment 1 to **Assembly Bill 1, December 2013 Special Session** be laid on the table.

The question was: Shall Assembly Substitute Amendment 1 to **Assembly Bill 1, December 2013 Special Session** be laid on the table?

The roll was taken.

The result follows:

Ayes - Representatives August, Ballweg, Bernier, Bies, Born, Brooks, Craig, Czaja, Endsley, Hutton, Jacque, Jagler, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, Kulp, T. Larson, LeMahieu, Loudenbeck, Marklein, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, Nygren, A. Ott, J. Ott, Petersen, Petryk, Pridemore, Ripp, Rodriguez, Sanfelippo, Schraa, Spiros, Steineke, Strachota, Stroebel, Swearingen, Tauchen, Thiesfeldt, Tittl, Tranel, Weatherston, Weininger, Williams and Speaker Vos - 57.

Noes - Representatives Barca, Barnes, Berceau, Bernard Schaber, Bewley, Billings, Clark, Danou, Doyle, Genrich, Goyke, Hebl, Hesselbein, Hintz, Hulsey, Johnson, Jorgensen, Kahl, Kessler, Kolste, Mason, Ohnstad, Pasch, Pope, Richards, Riemer, Ringhand, Sargent, Shankland, Sinicki, Smith, C. Taylor, Vruwink, Wachs, Wright, Young, Zamarripa and Zepnick - 38.

Absent or not voting - Representatives Kapenga, Milroy and Severson - 3.

Motion carried.

Representative Severson asked unanimous consent that his leave of absence be lifted. Granted.

The question was: Shall Assembly Amendment 3 to **Assembly Bill 1, December 2013 Special Session** be adopted?

Motion carried.

Representative Jorgensen moved that **Assembly Bill 1, December 2013 Special Session** be referred to the committee on **Health**.

The question was: Shall **Assembly Bill 1, December 2013 Special Session** be referred to the committee on **Health**?

The roll was taken.

The result follows:

Ayes - Representatives Barca, Barnes, Berceau, Bernard Schaber, Bewley, Billings, Clark, Danou, Doyle, Genrich, Goyke, Hebl, Hesselbein, Hintz, Hulsey, Johnson, Jorgensen, Kahl, Kessler, Kolste, Mason, Ohnstad, Pasch, Pope, Richards, Riemer, Ringhand, Sargent, Shankland,

Sinicki, Smith, C. Taylor, Vruwink, Wachs, Wright, Young, Zamarripa and Zepnick - 38.

Noes - Representatives August, Ballweg, Bernier, Bies, Born, Brooks, Craig, Czaja, Endsley, Hutton, Jacque, Jagler, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, Kulp, T. Larson, LeMahieu, Loudenbeck, Marklein, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, Nygren, A. Ott, J. Ott, Petersen, Petryk, Pridemore, Ripp, Rodriguez, Sanfelippo, Schraa, Severson, Spiros, Steineke, Strachota, Stroebel, Swearingen, Tauchen, Thiesfeldt, Tittl, Tranel, Weatherston, Weininger, Williams and Speaker Vos - 58.

Absent or not voting - Representatives Kapenga and Milroy - 2.

Motion failed.

Assembly Substitute Amendment 2 to **Assembly Bill 1, December 2013 Special Session** offered by Representatives Barca, Berceau, Bernard Schaber, Billings, Danou, Doyle, Genrich, Hesselbein, Hintz, Johnson, Jorgensen, Kessler, Mason, Pasch, Pope, Riemer, Ringhand, Sargent, Shankland, Sinicki, Smith, C. Taylor, Wachs, Wright, Zamarripa, Zepnick, Goyke, Richards, Hebl, Kahl, Clark, Bewley, Kolste, Young and Hulsey.

Representative Kramer moved that Assembly Substitute Amendment 2 to **Assembly Bill 1, December 2013 Special Session** be laid on the table.

The question was: Shall Assembly Substitute Amendment 2 to **Assembly Bill 1, December 2013 Special Session** be laid on the table?

The roll was taken.

The result follows:

Ayes - Representatives August, Ballweg, Bernier, Bies, Born, Brooks, Craig, Czaja, Endsley, Hutton, Jacque, Jagler, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, Kulp, T. Larson, LeMahieu, Loudenbeck, Marklein, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, Nygren, A. Ott, J. Ott, Petersen, Petryk, Pridemore, Ripp, Rodriguez, Sanfelippo, Schraa, Severson, Spiros, Steineke, Strachota, Stroebel, Swearingen, Tauchen, Thiesfeldt, Tittl, Tranel, Weatherston, Weininger, Williams and Speaker Vos - 58.

Noes - Representatives Barca, Barnes, Berceau, Bernard Schaber, Bewley, Billings, Clark, Danou, Doyle, Genrich, Goyke, Hebl, Hesselbein, Hintz, Hulsey, Johnson, Jorgensen, Kahl, Kessler, Kolste, Mason, Ohnstad, Pasch, Pope, Richards, Riemer, Ringhand, Sargent, Shankland, Sinicki, Smith, C. Taylor, Vruwink, Wachs, Wright, Young, Zamarripa and Zepnick - 38.

Absent or not voting - Representatives Kapenga and Milroy - 2.

Motion carried.

Assembly Amendment 4 to **Assembly Bill 1, December 2013 Special Session** offered by Representative Hulsey.

Representative Kramer moved that Assembly Amendment 4 to **Assembly Bill 1, December 2013 Special Session** be laid on the table.

The question was: Shall Assembly Amendment 4 to **Assembly Bill 1, December 2013 Special Session** be laid on the table?

The roll was taken.

The result follows:

Ayes - Representatives August, Ballweg, Barca, Barnes, Bernard Schaber, Bernier, Bewley, Bies, Born, Brooks, Clark, Craig, Czaja, Endsley, Genrich, Goyke, Hesselbein, Hintz, Hutton, Jacque, Jagler, Johnson, Jorgensen, Kahl, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knodl, Knudson, Kolste, Kooyenga, Kramer, Krug, Kuglitsch, Kulp, T. Larson, LeMahieu, Loudenbeck, Marklein, Mason, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, Ohnstad, A. Ott, J. Ott, Pasch, Petersen, Petryk, Pridemore, Richards, Riemer, Ripp, Rodriguez, Sanfelippo, Schraa, Severson, Shankland, Sinicki, Smith, Spiros, Steineke, Strachota, Stroebel, Swearingen, Tauchen, Thiesfeldt, Tittl, Tranel, Vruwink, Weatherston, Weininger, Williams, Zamarripa, Zepnick and Speaker Vos - 82.

Noes - Representatives Berceau, Billings, Danou, Doyle, Hebl, Hulsey, Nygren, Pope, Ringhand, Sargent, C. Taylor, Wachs, Wright and Young - 14.

Absent or not voting - Representatives Kapenga and Milroy - 2.

Motion carried.

Representative Nygren asked unanimous consent to be recorded as voting “**Aye**” on the previous question. Granted.

The question was: Shall **Assembly Bill 1, December 2013 Special Session** be ordered engrossed and read a third time?

Motion carried.

Representative Kramer asked unanimous consent that the rules be suspended and that **Assembly Bill 1, December 2013 Special Session** be given a third reading. Granted.

The question was: **Assembly Bill 1, December 2013 Special Session** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes - Representatives August, Ballweg, Bernier, Bewley, Bies, Born, Brooks, Craig, Czaja, Endsley, Hulsey, Hutton, Jacque, Jagler, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knodl, Knudson, Kooyenga, Kramer, Krug, Kuglitsch, Kulp, T. Larson, LeMahieu, Loudenbeck, Marklein, Murphy, Mursau, Murtha, Nass, Nerison, Neylon, Nygren, A. Ott, J. Ott, Petersen, Petryk, Pridemore, Richards, Ringhand, Ripp, Rodriguez, Sanfelippo, Schraa, Severson, Smith, Spiros, Steineke, Strachota, Stroebel,

Swearingen, Tauchen, Thiesfeldt, Tittl, Tranel, Vruwink, Weatherston, Weininger, Williams and Speaker Vos - 64.

Noes - Representatives Barca, Barnes, Berceau, Bernard Schaber, Billings, Clark, Danou, Doyle, Genrich, Goyke, Hebl, Hesselbein, Hintz, Johnson, Jorgensen, Kahl, Kessler, Kolste, Mason, Ohnstad, Pasch, Pope, Riemer, Sargent, Shankland, Sinicki, C. Taylor, Wachs, Wright, Young, Zamarripa and Zepnick - 32.

Absent or not voting - Representatives Kapenga and Milroy - 2.

Motion carried.

Representative Kramer asked unanimous consent that the rules be suspended and that **Assembly Bill 1, December 2013 Special Session** be immediately messaged to the Senate. Granted.

VISITORS

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

Caroline M. Russell, guest and intern of Representative Sargent.

Evan Horn, guest and intern of Representative Riemer.

ANNOUNCEMENTS

Representative Pasch asked unanimous consent that the Assembly adjourn in memory of Marge Shaw, who passed away recently. Granted.

Representative C. Taylor asked unanimous consent that the Assembly adjourn in memory of the victims of the Sandy Hook Elementary School shooting that occurred on December 14, 2012: Charlotte Bacon, Daniel Barden, Rachel D'Avino, Olivia Engel, Josephine Gay, Dawn Lafferty Hochsprung, Dylan Hockley, Madeleine F. Hsu, Catherine V. Hubbard, Chase Kowalski, Jesse Lewis, Ana Marquez-Greene, James Mattioli, Grace McDonnell, Anne Marie Murphy, Emilie Parker, Jack Pinto, Noah Pozner, Caroline Previdi, Jessica Rekos, Avielle Richman, Lauren Rousseau, Mary Sherlach, Victoria Soto, Benjamin Wheeler and Allison N. Wyatt. Granted.

Representative Strachota asked unanimous consent that the Assembly adjourn in honor of the recent birth of her grandson, Patrick Thomas Strachota. Granted.

Representative Ringhand asked unanimous consent that the Assembly adjourn in honor of Dr. Julio Rodriguez of Brodhead, the first Latino President of the 3200 member Wisconsin Dental Association. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Pete Simon of Sun Prairie,

for receiving the Sun Prairie Chamber of Commerce Community Business Leader Award. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Colonel Joni Mathews of Sun Prairie, who became the first Native American and first female Chief of Staff of the Wisconsin Army National Guard. Granted.

Representative Marklein asked unanimous consent that the Assembly adjourn in honor of his stepdaughter, Julie Bova of McFarland, who will be married in the Assembly Chambers on December 8. Granted.

Representative Marklein asked unanimous consent that the Assembly adjourn in honor of Coach Scott Zywicki and the Darlington High School Boys Football Team for their second place finish in the WIAA Division VI State Championship. Granted.

Representative Marklein asked unanimous consent that the Assembly adjourn in honor of Coach Cory Milz and the Black Hawk High School Boys Football Team, who won the WIAA Division VII State Championship. This is the first state championship in any sport in the school's history. Granted.

Representative Hintz asked unanimous consent that the Assembly adjourn in honor of the Oshkosh North Boys Football Team for their second place finish in the WIAA Division II State Championship. Granted.

Representative Wachs asked unanimous consent that the Assembly adjourn in honor of the Regis High School Girls Volleyball Team, who won the WIAA Division III State Championship. Granted.

Representative Murphy asked unanimous consent that the Assembly adjourn in honor of the Winneconne Wolves High School Boys Football team, who won the WIAA Division IV State Championship. Granted.

Representative Williams asked unanimous consent that the Assembly adjourn in honor of her daughter, Michelle

Lynn Williams Wiskerchen, on the occasion of her 45th birthday on December 23. Granted.

Representative Wright asked unanimous consent that the Assembly adjourn in honor of her husband, Joshua Wright, on the occasion of his birthday. Granted.

Representative Swearingen asked unanimous consent that the Assembly adjourn in honor of his daughter, Jennie Lynn Swearingen, on the occasion of her 20th birthday on December 16. Granted.

Representative Hulsey asked unanimous consent that the Assembly adjourn in honor of Alexander Schultz, for his service as his office intern. Granted.

Representative Tittl asked unanimous consent that the Assembly adjourn in honor of former State Representative Bob Ziegelbauer, who is recovering from a recent stroke. Granted.

Representative Richards asked unanimous consent that the Assembly adjourn in honor of his staff member, Adrienne Ramirez, on the occasion of her birthday. Granted.

Representative Wright asked unanimous consent that the Assembly adjourn in honor of her staff member, Terri Zimmerman, who is retiring after 32 years of service with the Wisconsin State Legislature. Granted.

ADJOURNMENT

Representative Kramer moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, December 5.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

1:30 P.M.