



# STATE OF WISCONSIN

# Assembly Journal

## One-Hundred and First Regular Session

6:16 P.M.

WEDNESDAY, January 22, 2014

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 LeMahieu.

Representative Mason 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, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knodl, Knudson, Kolste, Kooyenga, Kramer, Krug, Kuglitsch, Kulp, T. Larson, LeMahieu, Loudenbeck, Marklein, Mason, Milroy, 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, Skowronski, Smith, Spiros, Steineke, Strachota, Stroebel, Swearingen, Tauchen, C. Taylor, Thiesfeldt, Tittl, Vruwink, Wachs, Weatherston, Weininger, Williams, Wright, Young, Zamarripa, Zepnick and Speaker Vos - 97.

Absent with leave - Representatives Kessler and Tranel - 2.

Vacancies - None.

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### LEAVES OF ABSENCE

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

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

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

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### AMENDMENTS OFFERED

Assembly Amendment 2 to **Assembly Bill 289** offered by Representative Stroebel.

Assembly Amendment 1 to **Assembly Bill 409** offered by Representative Goyke.

Assembly Substitute Amendment 1 to **Assembly Bill 409** offered by Representative Bies.

Assembly Amendment 1 to **Assembly Bill 639** offered by Representative Spiros.

Assembly Amendment 2 to **Senate Bill 252** offered by Representative Stroebel.

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### ADMINISTRATIVE RULES

#### Assembly Clearinghouse Rule 13-015

Relating to Wisconsin works case management services for job-ready individuals.

Submitted by Department of Children and Families.

Report received from Agency, January 9, 2014.

To committee on **Children and Families**.

Referred on January 22, 2014.

#### Assembly Clearinghouse Rule 13-039

Relating to the adoption of the 2012 Edition of the National Electrical Safety Code into Volume 1 of the State Electrical Code.

Submitted by Public Service Commission.

Report received from Agency, January 8, 2014.

To committee on **Energy and Utilities**.

Referred on January 22, 2014.

#### Assembly Clearinghouse Rule 13-054

Relating to certification of waterworks and wastewater treatment plant operators by the Department of Natural Resources.

Submitted by Department of Natural Resources.

Report received from Agency, January 8, 2014.

To committee on **Environment and Forestry**.

Referred on January 22, 2014.

**Assembly Clearinghouse Rule 13-060**

Relating to lab work authorizations.  
Submitted by Department of Safety and Professional Services.  
Report received from Agency, January 10, 2014.  
To committee on **Health**.  
Referred on January 22, 2014.

**Assembly Clearinghouse Rule 13-061**

Relating to sedation permits and classes of permits.  
Submitted by Department of Safety and Professional Services.  
Report received from Agency, January 10, 2014.  
To committee on **Health**.  
Referred on January 22, 2014.

**Assembly Clearinghouse Rule 13-069**

Relating to the Community Development Block Grant Program.  
Submitted by Department of Administration.  
Report received from Agency, January 9, 2014.  
To committee on **Housing and Real Estate**.  
Referred on January 22, 2014.

**Assembly Clearinghouse Rule 13-074**

Relating to training of unlicensed persons.  
Submitted by Department of Safety and Professional Services.  
Report received from Agency, January 10, 2014.  
To committee on **Health**.  
Referred on January 22, 2014.

**Assembly Clearinghouse Rule 13-079**

Relating to fishing tournaments on inland, outlying, and boundary waters of Wisconsin.  
Submitted by Department of Natural Resources.  
Report received from Agency, January 9, 2014.  
To committee on **Natural Resources and Sporting Heritage**.  
Referred on January 22, 2014.

**Assembly Clearinghouse Rule 13-082**

Relating to the number, placement, and removal of commercial fishing trap nets in the Restricted Use Area of Lake Superior.  
Submitted by Department of Natural Resources.  
Report received from Agency, January 8, 2014.  
To committee on **Natural Resources and Sporting Heritage**.  
Referred on January 22, 2014.

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**INTRODUCTION AND REFERENCE OF PROPOSALS**

Read first time and referred:

**Assembly Bill 646**

Relating to: motor vehicle fuel tax exemption certificates.  
By Representatives Kulp and Ripp; cosponsored by Senator Petrowski.  
To committee on **Transportation**.

**Assembly Bill 647**

Relating to: agricultural emergency permits issued by the Department of Transportation for vehicles transporting oversize loads.  
By Representatives Kulp, Murtha and Ripp; cosponsored by Senator Petrowski.  
To committee on **Transportation**.

**Assembly Bill 648**

Relating to: operation of agricultural vehicles on highways and providing a penalty.  
By Representatives Ripp, Bies, Born, Brooks, Czaja, Danou, Endsley, Jagler, Kahl, Krug, Kulp, T. Larson, Murphy, Mursau and A. Ott; cosponsored by Senators Petrowski, Cowles, Grothman, Gudex, Harsdorf, Moulton and Olsen.  
To committee on **Transportation**.

**Assembly Bill 649**

Relating to: rule-making procedures and modifying and repealing various rules promulgated by the Department of Financial Institutions.  
By Representatives Craig, Bies, Brooks, Kahl, Kapenga, Kaufert, Kooyenga, Krug, LeMahieu, Murphy, Sanfelippo, Tauchen, Wright and Hintz; cosponsored by Senators Lasee, Schultz and Grothman.  
To committee on **Financial Institutions**.

**Assembly Bill 650**

Relating to: counting low-income pupils for state school aid purposes; calculating the amount to be appropriated for state general school aid; school aid factors; special adjustment aids; hold harmless aid; per pupil aid; school district revenue limits; the first dollar and school levy property tax credits; and making an appropriation.  
By Representatives Pope, Wright, Clark, Hesselbein, Johnson, Sargent, Barnes, Hulsey, Berceau, Jorgensen, Hebl, Pasch, Kolste, Kahl, Sinicki, C. Taylor, Ohnstad, Vruwink, Billings, Bernard Schaber, Hintz, Richards, Bewley, Shankland and Zamarripa; cosponsored by Senators Lehman, Vinehout, T. Cullen, Schultz, Miller, Harris, Hansen and Lassa.  
To committee on **Education**.

**Assembly Bill 651**

Relating to: assisting counties to request to expand Medical Assistance eligibility.  
By Representatives Sargent, Doyle, Barnes, Johnson, Bernard Schaber, Kahl, Berceau, Genrich, Zepnick, Clark, Wright, Hesselbein, Hintz, Danou, Hebl, Billings, Ringhand, Kessler, Sinicki, C. Taylor, Ohnstad, Goyke and Shankland; cosponsored by Senators Hansen, Carpenter, Wirch, Harris, L. Taylor, Vinehout, Risser, Lassa and Miller.  
To committee on **Health**.

**Assembly Bill 652**

Relating to: the presumption of reasonableness in a criminal or civil case involving self-defense.  
By Representatives Barnes, C. Taylor, Johnson, Young, Sargent, Pasch, Berceau, Kessler, Sinicki, Ohnstad, Goyke,

Wachs and Kolste; cosponsored by Senators Harris, Risser and Miller.

To committee on **Judiciary**.

**Assembly Bill 653**

Relating to: personal property within repossessed motor vehicles and providing a penalty.

By Representatives Bies, Berceau, Hintz, Hulsey and T. Larson; cosponsored by Senator Lehman.

To committee on **Criminal Justice**.

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**COMMITTEE REPORTS**

The committee on **Education** reports and recommends:

**Assembly Bill 533**

Relating to: school district bonds, promissory notes, and state trust fund loans.

Passage:

Ayes: 7 - Representatives Kestell, Jagler, Nass, Pridemore, Marklein, Thiesfeldt and Rodriguez.

Noes: 4 - Representatives Pope, Clark, Wright and Hesselbein.

To committee on **Rules**.

**Assembly Bill 599**

Relating to: rule-making procedures and modifying and repealing various administrative rules promulgated by the Department of Public Instruction.

Passage:

Ayes: 11 - Representatives Kestell, Jagler, Nass, Pridemore, Marklein, Thiesfeldt, Rodriguez, Pope, Clark, Wright and Hesselbein.

Noes: 0.

To committee on **Rules**.

*STEVE KESTELL*  
Chairperson  
Committee on Education

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**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 63**

Passed and asks concurrence in:

- Senate Bill 375**
- Senate Bill 389**
- Senate Bill 416**
- Senate Bill 449**

Concurred in:

- Assembly Bill 17**
- Assembly Bill 360**
- Assembly Bill 435**
- Assembly Bill 450**
- Assembly Bill 452**
- Assembly Bill 453**
- Assembly Bill 454**
- Assembly Bill 455**
- Assembly Bill 456**
- Assembly Bill 458**
- Assembly Bill 459**
- Assembly Bill 460**
- Assembly Bill 488**
- Assembly Bill 594**
- Assembly Bill 595**
- Assembly Joint Resolution 29**
- Assembly Amendment 1 to **Senate Bill 223**

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**COMMUNICATIONS**

January 22, 2014

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 580, relating to authorizing the transfer of certain tax credits earned in connection with economic development in this state.

Sincerely,  
*TOD OHNSTAD*  
State Representative  
65<sup>th</sup> Assembly District

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January 22, 2014

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 481, relating to a minimum tax on tobacco products, placement of cigarettes or tobacco products by retailers, and providing a penalty.

Please add my name as a co-author of Assembly Bill 538, relating to modifying the jobs credit to provide an increased credit to small businesses.

Sincerely,  
*KATRINA SHANKLAND*  
State Representative  
71<sup>st</sup> Assembly District

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January 22, 2014

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 Joint Resolution 77, relating to appointment of treasurer in Milwaukee county (first consideration).

Sincerely,  
*JOEL KLEEFISCH*  
State Representative  
38<sup>th</sup> Assembly District

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**SPECIAL GUEST**

The Assembly Sergeant-at-Arms Anne Tonnon Byers introduced the recipient of the nation's highest military award, the Congressional Medal of Honor, Gary Wenzel.

The Assembly Sergeant-at-Arms Anne Tonnon Byers announced the arrival of Chief Justice Shirley Abrahamson and the Honorable Justices of the Wisconsin Supreme Court.

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

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**JOINT CONVENTION**

The houses went into joint convention.  
Senate President Ellis presiding.

Senator Ellis recognized the presence of Lieutenant Governor Rebecca Kleefisch, Attorney General J.B. Van Hollen, Superintendent of Public Instruction Tony Evers and State Treasurer Kurt Schuller; Chief Justice Shirley Abrahamson, Justice Ann Walsh Bradley, Justice N. Patrick Crooks, Justice David T. Prosser, Jr. and Justice Patience Drake Roggensack of the Wisconsin Supreme Court;.

The Assembly Sergeant-at-Arms Anne Tonnon Byers announced the arrival of Governor Scott Walker. Escorted by Senators Harris and Moulton, and Representatives Rodriguez and Smith, Governor Scott Walker took his place at the rostrum to deliver his state of the state address.

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

Representative Kramer moved that the joint convention arise.

The question was: Shall the joint convention arise?

Motion carried.

8:06 P.M.

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The Assembly reconvened.

Speaker Pro Tempore August in the chair.

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**ADJOURNMENT**

Representative Kramer 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.

8:07 P.M.