



# STATE OF WISCONSIN

# Assembly Journal

## One-Hundred and Second Regular Session

WEDNESDAY, February 3, 2016

The Chief Clerk makes the following entries under the above date:

### AMENDMENTS OFFERED

Assembly Amendment 3 to **Assembly Bill 521** offered by Representative Spiros.

Assembly Amendment 1 to **Assembly Bill 626** offered by Representative Krug.

Assembly Amendment 2 to **Assembly Bill 626** offered by Representative Krug.

Assembly Substitute Amendment 2 to **Assembly Bill 657** offered by Representative Nygren.

Assembly Amendment 4 to **Assembly Bill 666** offered by Representative Kleefisch.

Assembly Amendment 1 to **Assembly Bill 709** offered by Representative Tittl.

Assembly Amendment 1 to **Assembly Bill 734** offered by Representative Kitchens.

Assembly Amendment 1 to **Assembly Bill 751** offered by Representative Vos.

Assembly Amendment 2 to **Assembly Bill 751** offered by Representative Vos.

### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 15-039**

Relating to practice, conduct, and continuing education.

No action taken by committee on **State Affairs and Government Operations** on January 29, 2016.

To joint committee for review of **Administrative Rules** pursuant to s. 227.19 (5) (a), Wisconsin Statutes.

Referred on February 2, 2016.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 105**

Relating to: commending the Legislative Audit Bureau on the occasion of its 50th year of service to the legislature.

By Representatives Kerkman, Macco, Nygren, Sargent and Berceau; cosponsored by Senators Cowles, Darling, Bewley, Vinehout and Lazich.

To committee on **Rules**.

#### **Assembly Bill 849**

Relating to: eliminating the preemption of firearm regulations.

By Representatives Sargent, Berceau, Goyke, Zepnick, C. Taylor, Pope, Sinicki, Brostoff, Johnson, Considine, Ohnstad and Subeck; cosponsored by Senators Risser, Ringhand, Harris Dodd and C. Larson.

To committee on **State Affairs and Government Operations**.

#### **Assembly Bill 850**

Relating to: the appointment of the student members of the Board of Regents of the University of Wisconsin System.

By Representatives Hesselbein, C. Taylor, Kahl, Brostoff, Berceau, Spreitzer, Shankland, Pope, Sinicki, Considine, Ohnstad and Subeck; cosponsored by Senators Risser, Miller, Wirsch, Vinehout, C. Larson and Harris Dodd.

To committee on **Colleges and Universities**.

#### **Assembly Bill 851**

Relating to: making unemployed veterans eligible for the Transform Milwaukee Jobs and Transitional Jobs programs.

By Representatives Riemer, Genrich, Barca, Barnes, Bowen, Brostoff, Berceau, Considine, Danou, Doyle, Goyke, Hebl, Hesselbein, Johnson, Kahl, Kessler, Kolste, Mason, Meyers, Neylon, Ohnstad, Pope, Shankland, Spreitzer, Subeck, Wachs, Young and Zepnick; cosponsored by Senators Harris Dodd and Carpenter.

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

#### **Assembly Bill 852**

Relating to: expanding eligibility for the earned income tax credit; hospital best practices for postpartum patients and newborns; hospital staff privileges and written agreements required for nurse-midwives; coverage of nurse-midwives under the injured patients and families compensation fund; a report on information related to hospital neonatal intensive care units; an electronic application and information system to determine eligibility and register for public assistance programs; directing the Department of Health Services to request a Medical Assistance waiver; evidence-based home visitation program services for persons who are at risk of poor birth outcomes or of abusing or neglecting their children; designating race and ethnicity on birth certificates; a report on fetal and infant mortality and birth outcomes; requiring informed consent for performance on pregnant women of certain elective procedures prior to the full gestational term of a fetus; cultural competency training for certain students enrolled in the University of Wisconsin System and the technical college system; granting rule-making authority; and requiring the exercise of rule-making authority.

By Representatives Mason, Barnes, Barca, Berceau, Brostoff, Considine, Genrich, Goyke, Hebl, Jorgensen, Kahl, Kessler, Kolste, Milroy, Ohnstad, Pope, Sinicki, C. Taylor, Wachs, Zamarripa, Subeck and Spreitzer; cosponsored by Senators Harris Dodd, C. Larson, Carpenter, Lassa, Ringhand, L. Taylor and Wirch.

To committee on **State Affairs and Government Operations**.

**Assembly Bill 853**

Relating to: use of wireless telephones while driving and providing a penalty.

By Representatives Barca, Subeck, Ohnstad, Wachs and Spreitzer; cosponsored by Senators Vinehout and L. Taylor.

To committee on **Transportation**.

**Assembly Bill 854**

Relating to: Medicaid expansion and eligibility for BadgerCare Plus and BadgerCare Plus Core, accountability provisions for private schools participating in a parental choice program, requiring the exercise of rule-making authority, and making an appropriation.

By Representatives Pope and Barca.

To committee on **State Affairs and Government Operations**.

**Assembly Bill 855**

Relating to: fraud in parental choice programs, Medicaid expansion, eligibility for BadgerCare Plus and BadgerCare Plus Core, and providing a criminal penalty.

By Representatives Pope and Barca.

To committee on **State Affairs and Government Operations**.

**Assembly Bill 856**

Relating to: long-term care districts and care management organizations.

By Representatives Krug, Novak, Bernier, Edming, Knodl, Mursau, A. Ott, Petryk, Quinn, Rohrkaste, Tauchen, Tittl, Tranel, VanderMeer and Knudson; cosponsored by Senators Marklein, Cowles, Lasee, Lassa, Petrowski, Roth, Vukmir and Olsen.

To joint committee on **Finance**.

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**COMMITTEE REPORTS**

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

**Assembly Bill 497**

Relating to: residency requirements for sexually violent persons on supervised release.

Assembly Amendment 1 to Assembly Substitute Amendment 1 adoption:

Ayes: 8 - Representatives Hutton, Brandtjen, Gannon, Nygren, Kleefisch, Barnes, Pope and Bowen.

Noes: 0.

Assembly Substitute Amendment 1 adoption:

Ayes: 8 - Representatives Hutton, Brandtjen, Gannon, Nygren, Kleefisch, Barnes, Pope and Bowen.

Noes: 0.

Passage as amended:

Ayes: 5 - Representatives Hutton, Brandtjen, Gannon, Nygren and Kleefisch.

Noes: 3 - Representatives Barnes, Pope and Bowen.

To committee on **Rules**.

**Assembly Bill 614**

Relating to: creating a procedure for granting certificates of qualification for employment.

Assembly Amendment 1 adoption:

Ayes: 5 - Representatives Hutton, Brandtjen, Gannon, Nygren and Kleefisch.

Noes: 3 - Representatives Barnes, Pope and Bowen.

Passage as amended:

Ayes: 8 - Representatives Hutton, Brandtjen, Gannon, Nygren, Kleefisch, Barnes, Pope and Bowen.

Noes: 0.

To committee on **Rules**.

*ROB HUTTON*

Chairperson

Committee on Corrections

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The committee on **Criminal Justice and Public Safety** reports and recommends:

**Assembly Bill 35**

Relating to: alerts for hit-and-run incidents.

Assembly Amendment 1 adoption:

Ayes: 12 - Representatives Kleefisch, Kremer, Spiros, J. Ott, Rodriguez, Horlacher, Novak, Born, Duchow, Goyke, Zamarripa and Johnson.

Noes: 0.

Passage as amended:

Ayes: 10 - Representatives Kleefisch, Kremer, Spiros, J. Ott, Rodriguez, Horlacher, Novak, Duchow, Goyke and Johnson.

Noes: 2 - Representatives Born and Zamarripa.

To committee on **Rules**.

**Assembly Bill 341**

Relating to: making a terrorist threat and providing a penalty.

Passage:

Ayes: 9 - Representatives Kleefisch, Kremer, Spiros, J. Ott, Rodriguez, Horlacher, Novak, Born and Duchow.

Noes: 3 - Representatives Goyke, Zamarripa and Johnson.

To committee on **Rules**.

**Assembly Bill 630**

Relating to: capturing and distributing a representation of a nude child and providing a criminal penalty.

Passage:

Ayes: 12 - Representatives Kleefisch, Kremer, Spiros, J. Ott, Rodriguez, Horlacher, Novak, Born, Duchow, Goyke, Zamarripa and Johnson.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 643**

Relating to: compensating victims of crime.

Passage:

Ayes: 12 - Representatives Kleefisch, Kremer, Spiros, J. Ott, Rodriguez, Horlacher, Novak, Born, Duchow, Goyke, Zamarripa and Johnson.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 652**

Relating to: providing to a victim notification when an offender's extended supervision or parole is revoked.

Passage:

Ayes: 12 - Representatives Kleefisch, Kremer, Spiros, J. Ott, Rodriguez, Horlacher, Novak, Born, Duchow, Goyke, Zamarripa and Johnson.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 767**

Relating to: injunctions against harrasment and abuse.

Assembly Amendment 1 adoption:

Ayes: 12 - Representatives Kleefisch, Kremer, Spiros, J. Ott, Rodriguez, Horlacher, Novak, Born, Duchow, Goyke, Zamarripa and Johnson.

Noes: 0.

Passage as amended:

Ayes: 12 - Representatives Kleefisch, Kremer, Spiros, J. Ott, Rodriguez, Horlacher, Novak, Born, Duchow, Goyke, Zamarripa and Johnson.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 808**

Relating to: prohibiting issuance of citations for alcohol beverages violations to certain underage persons in connection with sexual assault or certain other crimes and prohibiting certain disciplinary sanctions if the underage person is a student.

Passage:

Ayes: 12 - Representatives Kleefisch, Kremer, Spiros, J. Ott, Rodriguez, Horlacher, Novak, Born, Duchow, Goyke, Zamarripa and Johnson.

Noes: 0.

To committee on **Rules**.

*JOEL KLEEFISCH*

Chairperson

Committee on Criminal Justice and Public Safety

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The committee on **Environment and Forestry** reports and recommends:

**Assembly Bill 600**

Relating to: the regulation of navigable waters and wetlands.

Assembly Substitute Amendment 2 adoption:

Ayes: 10 - Representatives Mursau, Krug, Czaja, Kitchens, Swearingen, Edming, R. Brooks, Allen, Stuck and Considine.

Noes: 3 - Representatives Mason, Milroy and Hebl.

Passage as amended:

Ayes: 8 - Representatives Mursau, Krug, Czaja, Kitchens, Swearingen, Edming, R. Brooks and Allen.

Noes: 5 - Representatives Mason, Milroy, Hebl, Stuck and Considine.

To committee on **Rules**.

*JEFFREY MURSAU*

Chairperson

Committee on Environment and Forestry

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The committee on **Family Law** reports and recommends:

**Senate Bill 202**

Relating to: appeals of denials of kinship care payments based on arrest or conviction record.

Concurrence:

Ayes: 8 - Representatives T. Larson, Thiesfeldt, Craig, Mursau, Kleefisch, Hebl, Johnson and Subeck.

Noes: 0.

To committee on **Rules**.

*THOMAS LARSON*

Chairperson

Committee on Family Law

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The committee on **Housing and Real Estate** reports and recommends:

**Assembly Bill 563**

Relating to: authorizing towns located in populous counties to withdraw from county zoning; requiring certain towns to enact a zoning ordinance and a comprehensive plan; removing plat and certified survey map approval authority from a county if the town in which the subdivision or land is located has withdrawn from county zoning; farmland preservation ordinances of towns that withdraw from county zoning and eligibility in those towns for the farmland preservation tax credit; and prohibiting restrictions on land that is not shoreland or that is not within a floodplain.

Assembly Amendment 2 adoption:

Ayes: 7 - Representatives Jagler, Allen, R. Brooks, Katsma, Murphy, Murtha and Young.

Noes: 2 - Representatives Genrich and Stuck.

Assembly Amendment 4 adoption:

Ayes: 7 - Representatives Jagler, Allen, R. Brooks, Katsma, Murphy, Murtha and Young.

Noes: 2 - Representatives Genrich and Stuck.

Passage as amended:

Ayes: 6 - Representatives Jagler, Allen, R. Brooks, Katsma, Murphy and Murtha.

Noes: 3 - Representatives Young, Genrich and Stuck.

To committee on **Rules**.

*JOHN JAGLER*  
Chairperson  
Committee on Housing and Real Estate

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The committee on **Natural Resources and Sporting Heritage** reports and recommends:

**Assembly Bill 700**

Relating to: the date on which the annual open season for hunting and trapping wolves begins.

Passage:

Ayes: 14 - Representatives A. Ott, Quinn, Mursau, Nerison, Ripp, Born, Tittl, Skowronski, Edming, Milroy, Danou, Hesselbein, Shankland and Spreitzer.

Noes: 0.

To committee on **Rules**.

*ALVIN OTT*  
Chairperson  
Committee on Natural Resources and Sporting Heritage

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The committee on **State Affairs and Government Operations** reports and recommends:

**Assembly Bill 633**

Relating to: copies of certain vital records.

Passage:

Ayes: 13 - Representatives Swearingen, Craig, Jagler, Brandtjen, Ripp, Kulp, Tauchen, Vorpapel, Sinicki, Zamarripa, Kahl, Ohnstad and Brostoff.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 648**

Relating to: seasonal placement of a Christmas tree in the rotunda of the state capitol building or in a church.

Passage:

Ayes: 13 - Representatives Swearingen, Craig, Jagler, Brandtjen, Kleefisch, Gannon, Ripp, Kulp, Tauchen, Vorpapel, Kahl, Ohnstad and Brostoff.

Noes: 2 - Representatives Sinicki and Zamarripa.

To committee on **Rules**.

**Assembly Bill 724**

Relating to: various changes to the worker's compensation law, granting rule-making authority, and making an appropriation.

Passage:

Ayes: 15 - Representatives Swearingen, Craig, Jagler, Brandtjen, Kleefisch, Gannon, Ripp, Kulp, Tauchen, Vorpapel, Sinicki, Zamarripa, Kahl, Ohnstad and Brostoff.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 729**

Relating to: advertising motor fuel prices by the half-gallon.

Passage:

Ayes: 14 - Representatives Swearingen, Craig, Jagler, Brandtjen, Kleefisch, Gannon, Ripp, Kulp, Tauchen, Vorpapel, Zamarripa, Kahl, Ohnstad and Brostoff.

Noes: 1 - Representative Sinicki.

To committee on **Rules**.

*ROB SWEARINGEN*  
Chairperson  
Committee on State Affairs and Government Operations

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**ENROLLED BILLS AND JOINT RESOLUTIONS**

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

- Assembly Bill 367**
- Assembly Bill 424**
- Assembly Bill 426**
- Assembly Bill 439**
- Assembly Bill 451**
- Assembly Bill 574**
- Assembly Joint Resolution 96**

*PATRICK E. FULLER*  
Assembly Chief Clerk

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**CHIEF CLERK REPORTS**

The Chief Clerk records:

- Assembly Bill 13**
- Assembly Bill 98**
- Assembly Bill 223**
- Assembly Bill 291**
- Assembly Bill 297**
- Assembly Bill 319**
- Assembly Bill 372**
- Assembly Bill 424**
- Assembly Bill 426**
- Assembly Bill 439**
- Assembly Bill 451**
- Assembly Bill 574**

Presented to the Governor on Wednesday, February 3.

**Assembly Bill 460:** Referred to committee on **Rules**.

*PATRICK E. FULLER*  
Assembly Chief Clerk

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**REFERENCE BUREAU CORRECTIONS**

**Assembly Bill 90**

1. Page 78, line 10: delete “under s. ~~971.17~~” and substitute “under s. ~~971.17~~”.
2. Page 235, line 4: delete “IS amended” and substitute “is amended”.

**Assembly Bill 367**

In enrolling, the following correction was made:

1. Page 1, line 2: delete the material beginning with “and requiring review” and ending with “database” on line 3.

**Assembly Bill 574**

In enrolling, the following correction was made:

1. Page 1, line 4: delete “depositional” and substitute “dispositional”.

**SPEAKER'S COMMUNICATIONS**

February 3, 2016

Representative Joel Kleefisch  
Room 216 North, State Capitol  
Madison, WI 53708

Dear Representative Kleefisch:

Pursuant to Assembly Rule 42 (3)(c), with your permission as Chair of the Criminal Justice and Public Safety committee, I will remove Assembly Bill 771 from the committee and refer the bill to the Finance committee.

Please contact my office with any questions.

Sincerely,  
*ROBIN J. VOS*  
Assembly Speaker

**COMMUNICATIONS**

February 3, 2016

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 737, relating to the crime of child sex trafficking, the inclusion of child sex trafficking in the definition of child abuse, the investigation of a child abuse report in which a person who is not a caregiver of the child is suspected of permitting, allowing, or encouraging the child to engage in prostitution or of child sex trafficking for purposes of a commercial sex act, and providing a penalty.

Sincerely,  
*DANA WACHS*  
State Representative  
91st Assembly District

February 3, 2016

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 700, relating to the date on which the annual open season for hunting and trapping wolves begins.

Sincerely,  
*KEN SKOWRONSKI*  
State Representative  
82nd Assembly District

February 3, 2016

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 522, relating to reimbursement of counties for probationers, parolees, and persons on extended supervision who are placed with the county pending disposition of revocation proceedings.

Sincerely,  
*JEFFREY MURSAU*  
State Representative  
36th Assembly District

February 3, 2016

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 611, relating to grants to support donation of farm and food products to food banks and making an appropriation.

Sincerely,  
*ROBB KAHL*  
State Representative  
47th Assembly District