

# STATE OF WISCONSIN

# Senate Journal

## One-Hundred and Second Regular Session

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MONDAY, February 8, 2016

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

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### CHIEF CLERK'S ENTRIES

#### AMENDMENTS OFFERED

Senate Amendment 1 to **Senate Bill 487** offered by Senator Moulton.

Senate Amendment 2 to **Senate Bill 487** offered by Senator Moulton.

Senate Amendment 3 to **Senate Bill 487** offered by Senator Moulton.

Senate Amendment 4 to **Senate Bill 487** offered by Senator Moulton.

Senate Amendment 5 to **Senate Bill 487** offered by Senator Moulton.

Senate Amendment 6 to **Senate Bill 487** offered by Senator Moulton.

Senate Amendment 1 to **Senate Bill 500** offered by Senator Olsen.

Senate Amendment 1 to **Senate Bill 507** offered by Senator Wanggaard.

Senate Amendment 1 to **Senate Bill 697** offered by Senator Stroebel.

Senate Amendment 1 to **Senate Bill 699** offered by Senator Marklein.

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### INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Senate Bill 707**

Relating to: prohibiting a legislator from concurrently holding office as county executive.

By Senators S. Fitzgerald, LeMahieu, Gudex, Vukmir and Nass; cosponsored by Representatives Vos, A. Ott and Tittl.

To committee on **Government Operations and Consumer Protection**.

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### REPORT OF COMMITTEES

The joint committee on **Finance** reports and recommends:

#### **Senate Bill 434**

Relating to: taxes on managed forest lands, eligibility for the managed forest land program, management plans for managed forest land, sale or transfer of managed forest land, productivity of managed forest land, closed managed forest land, forest production areas, natural heritage inventory, wildlife action plans, providing an exemption from emergency rule procedures, and granting rule-making authority.

Senate Amendment 1 to Senate Amendment 1 adoption.

Ayes: 12 - Senators Darling, Olsen, Harsdorf, Vukmir, Tiffany, Marklein; Representatives Nygren, Kooyenga, Loudenbeck, Knudson, Schraa and Czaja.

Noes: 3 - Senators L. Taylor; Representatives C. Taylor and Hintz.

Senate Amendment 1 adoption.

Ayes: 12 - Senators Darling, Olsen, Harsdorf, Vukmir, Tiffany, Marklein; Representatives Nygren, Kooyenga, Loudenbeck, Knudson, Schraa and Czaja.

Noes: 3 - Senators L. Taylor; Representatives C. Taylor and Hintz.

Senate Amendment 1 to Senate Amendment 3 introduction.

Ayes: 15 - Senators Darling, Olsen, Harsdorf, Vukmir, Tiffany, Marklein and L. Taylor; Representatives Nygren, Kooyenga, Loudenbeck, Knudson, Schraa, Czaja, C. Taylor and Hintz.

Noes: 0 - None.

Senate Amendment 1 to Senate Amendment 3 adoption.

Ayes: 12 - Senators Darling, Olsen, Harsdorf, Vukmir, Tiffany, Marklein; Representatives Nygren, Kooyenga, Loudenbeck, Knudson, Schraa and Czaja.

Noes: 3 - Senators L. Taylor; Representatives C. Taylor and Hintz.

Senate Amendment 3 adoption.

Ayes: 12 - Senators Darling, Olsen, Harsdorf, Vukmir, Tiffany, Marklein; Representatives Nygren, Kooyenga, Loudenbeck, Knudson, Schraa and Czaja.

Noes: 3 - Senators L. Taylor; Representatives C. Taylor and Hintz.

Senate Amendment 4 introduction.

Ayes: 16 - Senators Darling, Olsen, Harsdorf, Vukmir, Tiffany, Marklein, L. Taylor and Erpenbach; Representatives Nygren, Kooyenga, Loudenbeck, Knudson, Schraa, Czaja, C. Taylor and Hintz.

Noes: 0 - None.

Senate Substitute Amendment 1 introduction.

Ayes: 15 - Senators Darling, Olsen, Harsdorf, Vukmir, Tiffany, Marklein and L. Taylor; Representatives Nygren, Kooyenga, Loudenbeck, Knudson, Schraa, Czaja, C. Taylor and Hintz.

Noes: 0 - None.

Senate Substitute Amendment 1 adoption.

Ayes: 12 - Senators Darling, Olsen, Harsdorf, Vukmir, Tiffany, Marklein; Representatives Nygren, Kooyenga, Loudenbeck, Knudson, Schraa and Czaja.

Noes: 3 - Senators L. Taylor; Representatives C. Taylor and Hintz.

Passage as amended.

Ayes: 12 - Senators Darling, Olsen, Harsdorf, Vukmir, Tiffany, Marklein; Representatives Nygren, Kooyenga, Loudenbeck, Knudson, Schraa and Czaja.

Noes: 3 - Senators L. Taylor; Representatives C. Taylor and Hintz.

*ALBERTA DARLING*

Senate Chairperson  
Joint Committee on Finance

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The committee on **Natural Resources and Energy** reports and recommends:

**Senate Bill 567**

Relating to: the review of water quality standards and variances to water quality standards by the Department of Natural Resources and exempting certain actions of the Department of Natural Resources and the Department of Administration from the requirement to promulgate rules relating to the statewide water quality variance for phosphorus.

Passage.

Ayes: 5 - Senators Cowles, Lasee, Olsen, Miller and Wirch.

Noes: 0.

*ROBERT COWLES*

Chairperson  
Committee on Natural Resources and Energy

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The committee on **Senate Organization** reports:

Referred to, and withdrawn from, the Joint Committee on Finance, pursuant to Senate Rule 41 (1)(e):

**Assembly Bill 612**  
**Senate Bill 192**  
**Senate Bill 289**  
**Senate Bill 418**

**Senate Bill 419**  
**Senate Bill 511**  
**Senate Bill 538**  
**Senate Bill 596**

Ayes: 3 - Senators S. Fitzgerald, Lazich and Vukmir.  
Noes: 2 – Senators Shilling and Hansen.

Public hearing requirement waived, pursuant to Senate Rule 18 (1m):

**Assembly Bill 547**  
**Assembly Bill 580**  
**Assembly Bill 612**  
**Assembly Bill 676**  
**Assembly Bill 677**  
**Assembly Bill 678**  
**Assembly Bill 679**  
**Assembly Bill 680**  
**Assembly Bill 681**  
**Assembly Bill 682**  
**Assembly Bill 683**  
**Assembly Bill 684**  
**Assembly Bill 685**  
**Assembly Bill 686**  
**Assembly Bill 687**  
**Assembly Bill 688**  
**Assembly Bill 689**  
**Assembly Bill 690**

Ayes: 3 - Senators S. Fitzgerald, Lazich and Vukmir.  
Noes: 2 – Senators Shilling and Hansen.

Placed the following appointments and proposals on the Senate Calendar of Tuesday, February 09, 2016:

**Andrew Albright**  
**Raymond Allen**  
**Todd Craft**  
**Tim Garland**  
**Corey Hoze**  
**Susan Shore**  
**Yash Wadhwa**  
**McArthur Weddle**  
**Representative Mary Williams**  
**Senate Joint Resolution 79**  
**Senate Joint Resolution 83**  
**Senate Joint Resolution 84**  
**Senate Joint Resolution 86**  
**Senate Joint Resolution 87**  
**Senate Joint Resolution 89**  
**Senate Joint Resolution 90**  
**Senate Joint Resolution 91**  
**Assembly Joint Resolution 27**  
**Assembly Joint Resolution 93**  
**Senate Bill 134**  
**Senate Bill 192**  
**Senate Bill 249**  
**Senate Bill 289**  
**Senate Bill 295**  
**Senate Bill 298**  
**Senate Bill 300**  
**Senate Bill 302**

Senate Bill 333  
Senate Bill 344  
Senate Bill 358  
Senate Bill 360  
Senate Bill 372  
Senate Bill 383  
Senate Bill 387  
Senate Bill 402  
Senate Bill 418  
Senate Bill 419  
Senate Bill 422  
Senate Bill 434  
Senate Bill 449  
Senate Bill 462  
Senate Bill 466  
Senate Bill 481  
Senate Bill 485  
Senate Bill 486  
Senate Bill 488  
Senate Bill 494  
Senate Bill 509  
Senate Bill 511  
Senate Bill 517  
Senate Bill 527  
Senate Bill 532  
Senate Bill 538  
Senate Bill 541  
Senate Bill 567  
Senate Bill 571  
Senate Bill 575  
Senate Bill 581  
Senate Bill 591  
Senate Bill 596  
Senate Bill 628  
Assembly Bill 39  
Assembly Bill 40  
Assembly Bill 41  
Assembly Bill 42  
Assembly Bill 547  
Assembly Bill 580  
Assembly Bill 612  
Assembly Bill 676  
Assembly Bill 678  
Assembly Bill 679  
Assembly Bill 680  
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Assembly Bill 682  
Assembly Bill 683  
Assembly Bill 684  
Assembly Bill 685  
Assembly Bill 686  
Assembly Bill 687  
Assembly Bill 688  
Assembly Bill 689  
Assembly Bill 690

Ayes: 3 - Senators S. Fitzgerald, Lazich and Vukmir.  
Noes: 2 – Senators Shilling and Hansen.

*SCOTT FITZGERALD*  
Chairperson

Committee on Senate Organization

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The joint survey committee on **Tax Exemptions** reports and recommends:

**Senate Bill 300**

Relating to: the sales and use tax imposed on a jukebox.

Report of Joint Survey Committee on Tax Exemptions received.

Ayes: 8 - Senators LeMahieu and Tiffany; Representatives August, Swearingen and Hesselbein; Public Members Shaul and Meany; Secretary Chandler.

Noes: 1 – Senator Carpenter.

**Senate Bill 322**

Relating to: resolution of claims against the state for wrongful imprisonment of innocent persons, exempting from taxation certain amounts an individual receives from the claims board or legislature, health benefits for wrongfully imprisoned persons, and making appropriations.

Report of Joint Survey Committee on Tax Exemptions received.

Ayes: 9 - Senators LeMahieu, Tiffany and Carpenter; Representatives August, Swearingen and Hesselbein; Public Members Shaul and Meany; Secretary Chandler.

Noes: 0 – None.

**Senate Bill 421**

Relating to: the sales tax exemption for occasional sales by nonprofit organizations.

Report of Joint Survey Committee on Tax Exemptions received.

Ayes: 9 - Senators LeMahieu, Tiffany and Carpenter; Representatives August, Swearingen and Hesselbein; Public Members Shaul and Meany; Secretary Chandler.

Noes: 0 – None.

**Senate Bill 443**

Relating to: the sales tax imposed on ecosystem restoration services.

Report of Joint Survey Committee on Tax Exemptions received.

Ayes: 8 - Senators LeMahieu and Tiffany; Representatives August, Swearingen and Hesselbein; Public Members Shaul and Meany; Secretary Chandler.

Noes: 1 – Senator Carpenter.

**Senate Bill 503**

Relating to: individual and corporate income and franchise taxes; sales and use taxes; administration of tax laws; providing an exemption from emergency rule procedures; and requiring the exercise of rule-making authority.

Report of Joint Survey Committee on Tax Exemptions received.

Ayes: 6 - Senators LeMahieu and Tiffany; Representatives August and Swearingen; Public Member Meany; Secretary Chandler.

Noes: 3 – Senator Carpenter; Representative Hesselbein; Public Member Shaul.

**Senate Bill 506**

Relating to: a sales and use tax exemption for federal excise tax imposed on a sale of a heavy truck or trailer.

Report of Joint Survey Committee on Tax Exemptions received.

Ayes: 8 - Senators LeMahieu and Tiffany; Representatives August, Swearingen and Hesselbein; Public Members Shaul and Meany; Secretary Chandler.

Noes: 1 – Senator Carpenter.

**Senate Bill 604**

Relating to: repealing the authority to create ABLE accounts in this state and creating tax benefits for contributions to ABLE accounts in other states.

Report of Joint Survey Committee on Tax Exemptions received.

Ayes: 9 - Senators LeMahieu, Tiffany and Carpenter; Representatives August, Swearingen and Hesselbein; Public Members Shaul and Meany; Secretary Chandler.

Noes: 0 – None.

**Senate Bill 622**

Relating to: creating an individual income tax deduction for certain interest paid on qualified education loans.

Report of Joint Survey Committee on Tax Exemptions received.

Ayes: 7 - Senators LeMahieu and Tiffany; Representatives August and Swearingen; Public Members Shaul and Meany; Secretary Chandler.

Noes: 2 – Senator Carpenter; Representative Hesselbein.

**Senate Bill 627**

Relating to: a sales tax holiday in August.

Report of Joint Survey Committee on Tax Exemptions received.

Ayes: 7 - Senators LeMahieu and Tiffany; Representatives August and Swearingen; Public Members Shaul and Meany.

Noes: 1 – Senator Carpenter.

*DEVIN LEMAHIEU*

Senate Chairperson

Joint Survey Committee on Tax Exemptions

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**PETITIONS AND COMMUNICATIONS**

Pursuant to Senate Rule 17 (5), Representative Bernier added as a co-sponsor of **Senate Bill 601**.

Pursuant to Senate Rule 17 (5), Representative Taylor added as a co-sponsor of **Senate Bill 700**.

Pursuant to Senate Rule 17 (5), Representative Taylor added as a co-sponsor of **Senate Bill 705**.

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a co-author of **Senate Bill 697**.

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**REFERRALS AND RECEIPT OF  
COMMITTEE REPORTS CONCERNING  
PROPOSED ADMINISTRATIVE RULES**

The committee on **Workforce Development, Public Works, and Military Affairs** reports and recommends:

**Senate Clearinghouse Rule 15-055**

Relating to appeal procedures for vocational rehabilitation services.

No action taken on February 8, 2016.

Referred to joint committee for review of **Administrative Rules**, February 8, 2016.

*ROGER ROTH*

Chairperson