



STATE OF WISCONSIN Senate Journal

One-Hundred and Second Regular Session

12:04 P.M.

THURSDAY, March 10, 2016

The Senate met.

The Senate was called to order by Senator Fitzgerald.

Pursuant to Senate Rule 17 (6), the Chief Clerk makes the following entries under the above date.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read and referred:

Senate Resolution 9

Relating to: requiring the appointment of a senate committee on water issues affecting Wisconsin.

By Senators C. Larson and Lassa.

To Committee on **Natural Resources and Energy**.

Read first time and referred:

Senate Bill 786

Relating to: alternative sentencing for certain drunken driving offenses and providing penalties.

By Senator Vinehout; cosponsored by Representatives Barca, Spreitzer, Considine, Berceau, Zamarripa and Kahl.

To committee on **Judiciary and Public Safety**.

Senate Bill 787

Relating to: authorizing local governments to collect and record information about firearms in a registry.

By Senators Harris Dodd and C. Larson; cosponsored by Representatives Barnes, Berceau, Subeck, Bowen and Brostoff.

To committee on **Judiciary and Public Safety**.

Senate Bill 788

Relating to: suspending or expelling a pupil from school.

By Senators L. Taylor and Harris Dodd; cosponsored by Representatives Kooyenga and Berceau.

To committee on **Education**.

Senate Bill 789

Relating to: medical use of marijuana, the regulation of marijuana distribution entities, requiring the exercise of rule-making authority, making appropriations, and providing a penalty.

By Senators Erpenbach and L. Taylor; cosponsored by Representatives C. Taylor, Barnes, Shankland, Johnson, Genrich, Sargent, Hebl, Kahl, Wachs, Subeck, Ohnstad, Berceau and Considine.

To committee on **Health and Human Services**.

REPORT OF COMMITTEES

The committee on **Elections and Local Government** reports and recommends:

Assembly Bill 624

Relating to: retaining invoices for the sale of malt beverages and intoxicating liquors and the local option for issuing liquor licenses.

Concurrence.

Ayes: 4 - Senators LeMahieu, Kapenga, Wanggaard and Miller.

Noes: 1 - Senator Risser.

Assembly Bill 704

Relating to: tribal college and county joint libraries.

Concurrence.

Ayes: 5 - Senators LeMahieu, Kapenga, Wanggaard, Risser and Miller.

Noes: 0.

Assembly Bill 730

Relating to: local regulation of certain containers.

Concurrence.

Ayes: 3 - Senators LeMahieu, Kapenga and Wanggaard.

Noes: 2 - Senators Risser and Miller.

Senate Bill 601

Relating to: local regulation of certain containers.

Senate Amendment 1 adoption.

Ayes: 3 - Senators LeMahieu, Kapenga and Wanggaard.

Noes: 2 - Senators Risser and Miller.

Senate Amendment 2 adoption.

Ayes: 5 - Senators LeMahieu, Kapenga, Wanggaard, Risser and Miller.

Noes: 0.

Passage as amended.

Ayes: 3 - Senators LeMahieu, Kapenga and Wanggaard.

Noes: 2 - Senators Risser and Miller.

Senate Bill 717

Relating to: tribal college and county joint libraries.

Passage.

Ayes: 5 - Senators LeMahieu, Kapenga, Wanggaard, Risser and Miller.

Noes: 0.

DEVIN LEMAHIEU

Chairperson
Committee on Elections and Local Government

The committee on **Judiciary and Public Safety** reports and recommends:

FIELDER, PATRICK, of Madison, as a Wisconsin Bar Representative on the Public Defender Board, to serve for the term ending May 1, 2017.

Confirmation.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

LITSCHER, JON, of Beaver Dam, as Secretary of the Department of Corrections, to serve for the term ending at the pleasure of the Governor.

Confirmation.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

Assembly Bill 201

Relating to: the duty to stop at the scene of a motor vehicle accident.

Concurrence.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

Assembly Bill 557

Relating to: including a heroin metabolite in the definition of a restricted controlled substance for the purpose of chemical testing for intoxication.

Concurrence.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

Assembly Bill 614

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

Concurrence.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

Assembly Bill 657

Relating to: treatment and diversion programs and making an appropriation.

Concurrence.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

Assembly Bill 745

Relating to: notification of a local law enforcement agency and the National Center for Missing and Exploited

Children when a child over whom the Department of Children and Families, the Department of Corrections, a county department of human services or social services, or a licensed child welfare agency has placement, care, or supervision responsibility is missing and granting rule-making authority.

Concurrence.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

Assembly Bill 776

Relating to: permits issued to a state crime laboratory to possess, manufacture, or use a controlled substance.

Concurrence.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

Assembly Bill 792

Relating to: referrals for subjects of alerts for missing adults and operator's license review.

Concurrence.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

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.

Concurrence.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

Assembly Bill 839

Relating to: participation in a sobriety program.

Concurrence.

Ayes: 5 - Senators Wanggaard, Vukmir, Lasee, Risser and L. Taylor.

Noes: 0.

VAN WANGGAARD

Chairperson
Committee on Judiciary and Public Safety

The committee on **Labor and Government Reform** reports and recommends:

Assembly Bill 533

Relating to: criminal penalties for fraud in obtaining unemployment insurance benefits and providing a criminal penalty.

Concurrence.

Ayes: 3 - Senators Nass, Wanggaard and Marklein.

Noes: 2 - Senators Wirch and C. Larson.

Assembly Bill 812

Relating to: material misstatements on applications for certain credentials and providing a criminal penalty.

Concurrence.

Ayes: 5 - Senators Nass, Wanggaard, Marklein, Wirch and C. Larson.

Noes: 0.

STEPHEN NASS

Chairperson

Committee on Labor and Government Reform

The committee on **Revenue, Financial Institutions, and Rural Issues** reports and recommends:

COON, DAVID, of Brookfield, as a commissioner on the Tax Appeals Commission, to serve for the term ending March 1, 2021.

Confirmation.

Ayes: 5 - Senators Marklein, Tiffany, Lassa, Ringhand and Stroebel.

Noes: 0.

SHEEHY, TIMOTHY, of Fox Point, as a Member with Investment Experience on the State of Wisconsin Investment Board, to serve for the term ending May 1, 2017.

Confirmation.

Ayes: 5 - Senators Marklein, Tiffany, Lassa, Ringhand and Stroebel.

Noes: 0.

Senate Bill 429

Relating to: determining equalized property values.

Passage.

Ayes: 5 - Senators Marklein, Tiffany, Lassa, Ringhand and Stroebel.

Noes: 0.

Senate Bill 430

Relating to: the special supervision of property tax assessments.

Passage.

Ayes: 5 - Senators Marklein, Tiffany, Lassa, Ringhand and Stroebel.

Noes: 0.

Senate Bill 657

Relating to: adopting revisions to the state's uniform partnership law, providing an exemption from emergency rule procedures, granting rule-making authority, and providing a criminal penalty.

Passage.

Ayes: 5 - Senators Marklein, Tiffany, Lassa, Ringhand and Stroebel.

Noes: 0.

Senate Bill 689

Relating to: the charge-back of rescinded or refunded property taxes.

Senate Substitute Amendment 1 adoption.

Ayes: 5 - Senators Marklein, Tiffany, Lassa, Ringhand and Stroebel.

Noes: 0.

Passage as amended.

Ayes: 5 - Senators Marklein, Tiffany, Lassa, Ringhand and Stroebel.

Noes: 0.

Senate Bill 715

Relating to: creating the Revised Uniform Fiduciary Access to Digital Assets Act.

Senate Amendment 1 to Senate Substitute Amendment 1 adoption.

Ayes: 5 - Senators Marklein, Tiffany, Lassa, Ringhand and Stroebel.

Noes: 0.

Senate Substitute Amendment 1 adoption.

Ayes: 5 - Senators Marklein, Tiffany, Lassa, Ringhand and Stroebel.

Noes: 0.

Passage as amended.

Ayes: 5 - Senators Marklein, Tiffany, Lassa, Ringhand and Stroebel.

Noes: 0.

Senate Bill 735

Relating to: the Department of Revenue collecting debt for a county and making an appropriation.

Senate Amendment 1 adoption.

Ayes: 5 - Senators Marklein, Tiffany, Lassa, Ringhand and Stroebel.

Noes: 0.

Senate Amendment 2 adoption.

Ayes: 5 - Senators Marklein, Tiffany, Lassa, Ringhand and Stroebel.

Noes: 0.

Senate Amendment 3 adoption.

Ayes: 5 - Senators Marklein, Tiffany, Lassa, Ringhand and Stroebel.

Noes: 0.

Passage as amended.

Ayes: 3 - Senators Marklein, Tiffany and Stroebel.

Noes: 2 - Senators Lassa and Ringhand.

HOWARD MARKLEIN

Chairperson

Committee on Revenue, Financial Institutions, and Rural Issues

The committee on **Transportation and Veterans Affairs** reports and recommends:

Assembly Bill 370

Relating to: operator's licenses held by, and registration of motor vehicles by, persons on active duty in the U.S. foreign service.

Concurrence.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Assembly Bill 616

Relating to: hauling restrictions for special interest motor vehicles.

Concurrence.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Assembly Bill 729

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

Concurrence.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Senate Bill 508

Relating to: hauling restrictions for special interest motor vehicles.

Senate Amendment 1 adoption.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Passage as amended.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Senate Bill 587

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

Passage.

Ayes: 5 - Senators Petrowski, Marklein, Cowles, Carpenter and Hansen.
Noes: 0.

Senate Bill 710

Relating to: insurance requirements for vehicle rental companies.

Passage.

Ayes: 3 - Senators Petrowski, Marklein and Cowles.
Noes: 2 - Senators Carpenter and Hansen.

JERRY PETROWSKI

Chairperson

Committee on Transportation and Veterans Affairs

The committee on **Universities and Technical Colleges** reports and recommends:

ERICKSON, LISA, of Osceola, as a Non-Traditional Student Representative on the Board of Regents of the University of Wisconsin System, to serve for the term ending May 1, 2018.

Confirmation.

Ayes: 5 - Senators Harsdorf, Nass, Gudex, Hansen and Bewley.
Noes: 0.

KLEIN, TRACEY, of Brookfield, as a Congressional District 5 Representative on the Board of Regents of the University of Wisconsin System, to serve for the term ending May 1, 2023.

Confirmation.

Ayes: 5 - Senators Harsdorf, Nass, Gudex, Hansen and Bewley.
Noes: 0.

STEIL, BRYAN, of Janesville, as a Congressional District 1 Representative on the Board of Regents of the University of Wisconsin System, to serve for the term ending May 1, 2023.

Confirmation.

Ayes: 5 - Senators Harsdorf, Nass, Gudex, Hansen and Bewley.
Noes: 0.

TOURDOT, KELLY, of Waunakee, as a Governor's Appointee on the Wisconsin Technical College System Board, to serve for the term ending May 1, 2021.

Confirmation.

Ayes: 5 - Senators Harsdorf, Nass, Gudex, Hansen and Bewley.
Noes: 0.

SHEILA HARSDORF

Chairperson

Committee on Universities and Technical Colleges

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Senators Tiffany, Wanggaard and Bewley added as co-sponsors of **Assembly Bill 704**.

Pursuant to Senate Rule 17 (5), Senator Lassa added as a co-author of **Senate Bill 2**.

Pursuant to Senate Rule 17 (5), Representative Ohnstad added as a co-sponsor of **Senate Bill 786**.

Pursuant to Senate Rule 17 (5), Representative Pope added as a co-sponsor of **Senate Bill 783**.

Pursuant to Senate Rule 17 (5), Representative Pope added as a co-sponsor of **Senate Bill 786**.

Pursuant to Senate Rule 17 (5), Representative Pope added as a co-sponsor of **Senate Bill 771**.

Pursuant to Senate Rule 17 (5), Representative Pope added as a co-sponsor of **Senate Bill 768**.

Pursuant to Senate Rule 17 (5), Representative Pope added as a co-sponsor of **Senate Bill 780**.

Pursuant to Senate Rule 17 (5), Representative Pope added as a co-sponsor of **Senate Bill 782**.

Pursuant to Senate Rule 17 (5), Representative Subeck added as a co-sponsor of **Senate Bill 759**.

Pursuant to Senate Rule 17 (5), Senator Taylor added as a co-sponsor of **Assembly Bill 839**.

Pursuant to Senate Rule 17 (5), Senator Taylor added as a co-sponsor of **Assembly Bill 745**.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

CORRECTIONS IN:

2015 SENATE BILL 434

Prepared by the Legislative Reference Bureau
(February 26, 2016)

In enrolling, the following correction was made:

1. Page 26, line 9: delete “(a) 1. and” and substitute “(a) (intro.), 1., and”.
2. Page 26, line 22: delete “(a) 1. and” and substitute “(a) (intro.), 1., and”.

**ASSEMBLY AMENDMENT 3,
TO 2015 ASSEMBLY BILL 885**

Prepared by the Legislative Reference Bureau
(March 9, 2016)

1. Page 1, line 10: delete “(cm)” and substitute “cm.”.

2015 ASSEMBLY BILL 885

Prepared by the Legislative Reference Bureau
(March 9, 2016)

1. Page 3, line 3: delete “debtor’s” and substitute “the debtor’s”.

**State of Wisconsin
Office of the Senate President**

March 10, 2016

The Honorable, the Senate:

Pursuant to Senate Rule 46 (2)(c), I am writing to inform you that I have directed the following proposals to be withdrawn from committee and rereferred. I have obtained the consent of the appropriate standing committee chairperson and the chairperson of the committee on Senate Organization.

Assembly Bill 575, relating to: determining equalized property values., withdrawn from Committee on **Revenue, Financial Institutions, and Rural Issues** and rereferred to Committee on **Senate Organization**.

Assembly Bill 576, relating to: the special supervision of property tax assessments., withdrawn from Committee on **Revenue, Financial Institutions, and Rural Issues** and rereferred to Committee on **Senate Organization**.

Assembly Bill 695, relating to: creating the Revised Uniform Fiduciary Access to Digital Assets Act., withdrawn from Committee on **Revenue, Financial Institutions, and Rural Issues** and rereferred to Committee on **Senate Organization**.

Assembly Bill 837, relating to: adopting revisions to the state's uniform partnership law, providing an exemption from emergency rule procedures, granting rule-making authority, and providing a criminal penalty., withdrawn from Committee on **Revenue, Financial Institutions, and Rural Issues** and rereferred to Committee on **Senate Organization**.

Assembly Bill 843, relating to: the charge-back of rescinded or refunded property taxes., withdrawn from Committee on **Revenue, Financial Institutions, and Rural Issues** and rereferred to Committee on **Senate Organization**.

Assembly Bill 885, relating to: the Department of Revenue collecting debt for a county and making an appropriation., withdrawn from Committee on **Revenue, Financial Institutions, and Rural Issues** and rereferred to Committee on **Senate Organization**.

Assembly Bill 739, relating to: creating an individual income tax deduction for certain interest paid on qualified education loans., withdrawn from Committee on **Universities and Technical Colleges** and rereferred to Committee on **Senate Organization**.

Assembly Bill 741, relating to: grants to students enrolled in technical colleges and University of Wisconsin college campuses to meet emergency financial need and making an appropriation., withdrawn from Committee on **Universities and Technical Colleges** and rereferred to Committee on **Senate Organization**.

Assembly Bill 742, relating to: requiring the Department of Workforce Development to provide student internship coordination and making an appropriation., withdrawn from Committee on **Universities and Technical Colleges** and rereferred to Committee on **Senate Organization**.

Assembly Bill 744, relating to: requiring institutions of higher education to provide information to students relating to educational costs and financial literacy., withdrawn from Committee on **Universities and Technical Colleges** and rereferred to Committee on **Senate Organization**.

Assembly Bill 793, relating to: the teacher loan program., withdrawn from Committee on **Universities and Technical Colleges** and rereferred to Committee on **Senate Organization**.

Assembly Bill 842, relating to: faculty development grant programs for technical colleges, the technical college instructor occupational competency program, modifying certain rules of the Technical College System Board, and eliminating outdated rules of the board., withdrawn from Committee on **Universities and Technical Colleges** and rereferred to Committee on **Senate Organization**.

Assembly Bill 848, relating to: modifying rules of the Board of Regents of the University of Wisconsin System regarding service of notice, updating outdated rules of the

board, and providing for consistent capitalization of certain terms in the board's rules., withdrawn from Committee on **Universities and Technical Colleges** and rereferred to Committee on **Senate Organization**.

Sincerely,
MARY LAZICH
Senate President

**State of Wisconsin
Office of the Senate Minority Leader**

March 10, 2016

The Honorable, the Senate:

Pursuant to §15.62 (1)(a), I appoint the following individual to serve on the Ethics Commission:

Pat Lautenschlager of Fond du Lac

Sincerely,
JENNIFER SHILLING
Senate Minority Leader

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

Senate Clearinghouse Rule 15-064

Relating to definitions and controlled substances.
Submitted by Pharmacy Examining Board .
Report received from Agency, March 7, 2016.
Referred to committee on **Health and Human Services**,
March 10, 2016.

Senate Clearinghouse Rule 15-067

Relating to grounds for denying a credential.
Submitted by Board of Nursing.
Report received from Agency, March 7, 2016.
Referred to committee on **Health and Human Services**,
March 10, 2016.

Senate Clearinghouse Rule 15-079

Relating to organization of the board.
Submitted by Optometry Examining Board .
Report received from Agency, March 7, 2016.
Referred to committee on **Health and Human Services**,
March 10, 2016.

Senate Clearinghouse Rule 15-081

Relating to renewal and reinstatement.

Submitted by Pharmacy Examining Board .
Report received from Agency, March 7, 2016.
Referred to committee on **Health and Human Services**,
March 10, 2016.

Senate Clearinghouse Rule 15-099

Relating to renewal, reinstatement and standards of practice.

Submitted by Board of Nursing.
Report received from Agency, March 7, 2016.
Referred to committee on **Health and Human Services**,
March 10, 2016.

Senate Clearinghouse Rule 15-100

Relating to prescribing hydrocodone combination products.

Submitted by Department of Safety and Professional Services.
Report received from Agency, March 7, 2016.
Referred to committee on **Health and Human Services**,
March 10, 2016.

Senate Clearinghouse Rule 15-101

Relating to the operation of the prescription drug monitoring program.

Submitted by Controlled Substances Board .
Report received from Agency, March 7, 2016.
Referred to committee on **Health and Human Services**,
March 10, 2016.

Senate Clearinghouse Rule 16-014

Relating to caregiver background checks.
Submitted by Department of Children and Families.
Report received from Agency, March 7, 2016.
Referred to committee on **Health and Human Services**,
March 10, 2016.

Senate Clearinghouse Rule 16-017

Relating to application and examination.
Submitted by Pharmacy Examining Board .
Report received from Agency, March 7, 2016.
Referred to committee on **Health and Human Services**,
March 10, 2016.

ADJOURNMENT

Senator Fitzgerald, with unanimous consent, asked that the Senate stand adjourned until Tuesday, March 15, 2016.

Adjourned.

12:05 P.M.