



STATE OF WISCONSIN

Assembly Journal

One-Hundred and Third Regular Session

2:27 P.M.

WEDNESDAY, January 24, 2018

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

Speaker Vos in the Chair.

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

A quorum was present.

The prayer was offered by Pastor Mike Beresford of the High Point Church in Madison.

Representative Berceau 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 Allen, Anderson, August, Ballweg, Barca, Berceau, Bernier, Billings, Born, Bowen, Brandtjen, E. Brooks, Brostoff, Considine, Crowley, Doyle, Duchow, Edming, Felzkowski, Genrich, Goyke, Hebl, Hesselbein, Hintz, Horlacher, Hutton, Jacque, Jagler, Katsma, Kerkman, Kessler, Kitchens, Kleefisch, Knodl, Kolste, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, Loudenbeck, Macco, Meyers, Milroy, Murphy, Mursau, Nerison, Neylon, Novak, Nygren, Ohnstad, Ott, Petersen, Petryk, Pope, Pronschinske, Quinn, Riemer, Rodriguez, Rohrkaste, Sanfelippo, Sargent, Schraa, Shankland, Sinicki, Skowronski, Snyder, Spiros, Spreitzer, Stafholt, Steffen, Steineke, Stuck, Subeck, Summerfield, Swearingen, Tauchen, C. Taylor, Thiesfeldt, Tittl, Tusler, VanderMeer, Vorpapel, Vruwink, Wachs, Weatherston, Wichgers, Young, Zamarripa, Zepnick, Zimmerman and Speaker Vos - 92.

Absent with leave - Representatives R. Brooks, Fields, Jarchow and Tranel - 4.

Vacancies - 42nd, 58th and 66th Assembly Districts - 3.

LEAVES OF ABSENCE

Representative Knodl asked unanimous consent for a leave of absence for today's session for Representatives R. Brooks, Jarchow and Travel. Granted.

Representative Spreitzer asked unanimous consent for a leave of absence for today's session for Representative Fields. Granted.

AMENDMENTS OFFERED

Assembly Amendment 1 to **Assembly Bill 737** offered by Representative Ballweg.

COMMITTEE REPORTS

The committee on **Consumer Protection** reports and recommends:

Assembly Bill 577

Relating to: grants to support donation of farm and food products to food banks and making an appropriation.

Assembly Amendment 2 adoption:

Ayes: 9 - Representatives Duchow, Tittl, Skowronski, Nerison, Macco, VanderMeer, Berceau, Sinicki and Pope.

Noes: 0.

Passage as amended:

Ayes: 6 - Representatives Duchow, Tittl, Skowronski, Nerison, Macco and VanderMeer.

Noes: 3 - Representatives Berceau, Sinicki and Pope.

To committee on **Rules**.

CINDI DUCHOW

Chairperson

Committee on Consumer Protection

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

Assembly Bill 634

Relating to: administrative subpoenas for the investigation of human trafficking crimes and Internet crimes against children.

Passage:

Ayes: 10 - Representatives Spiros, Kremer, Ott, Jacque, Horlacher, Novak, Krug, Goyke, Zamarripa and Crowley.

Noes: 1 - Representative Kessler.

To committee on **Rules**.

Assembly Bill 642

Relating to: pretrial detention and denial and revocation of release.

Passage:

Ayes: 7 - Representatives Spiros, Kremer, Ott, Jacque, Horlacher, Novak and Krug.

Noes: 4 - Representatives Goyke, Kessler, Zamarripa and Crowley.

To committee on **Rules**.

JOHN SPIROS
Chairperson
Committee on Criminal Justice and
Public Safety

The committee on **Energy and Utilities** reports and recommends:

Assembly Bill 583

Relating to: a sales and use tax exemption for services performed during a disaster period by electric cooperatives or telecommunications utilities.

Assembly Amendment 1 adoption:

Ayes: 13 - Representatives Kuglitsch, Steffen, Rodriguez, Weatherston, Petersen, Tauchen, Tranel, Petryk, Neylon, Sargent, Stuck, Meyers and Crowley.

Noes: 0.

Passage as amended:

Ayes: 13 - Representatives Kuglitsch, Steffen, Rodriguez, Weatherston, Petersen, Tauchen, Tranel, Petryk, Neylon, Sargent, Stuck, Meyers and Crowley.

Noes: 0.

To committee on **Rules**.

MIKE KUGLITSCH
Chairperson
Committee on Energy and Utilities

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

Assembly Bill 558

Relating to: sales of reformulated gasoline.

Assembly Amendment 1 adoption:

Ayes: 7 - Representatives Mursau, Krug, Pronschinske, Kitchens, Swearingen, Edming and Wichgers.

Noes: 3 - Representatives Hebl, Milroy and Anderson.

Passage as amended:

Ayes: 7 - Representatives Mursau, Krug, Pronschinske, Kitchens, Swearingen, Edming and Wichgers.

Noes: 3 - Representatives Hebl, Milroy and Anderson.

To committee on **Rules**.

Assembly Bill 599

Relating to: determinations of navigability of a stream.

Assembly Amendment 1 adoption:

Ayes: 7 - Representatives Mursau, Krug, Pronschinske, Kitchens, Swearingen, Edming and Wichgers.

Noes: 3 - Representatives Hebl, Milroy and Anderson.

Passage as amended:

Ayes: 7 - Representatives Mursau, Krug, Pronschinske, Kitchens, Swearingen, Edming and Wichgers.

Noes: 3 - Representatives Hebl, Milroy and Anderson.

To committee on **Rules**.

Assembly Bill 789

Relating to: exempting certain facilities from solid waste facility regulations.

Assembly Amendment 1 adoption:

Ayes: 11 - Representatives Mursau, Krug, Pronschinske, Kitchens, Swearingen, Edming, Wichgers, Tusler, Hebl, Milroy and Anderson.

Noes: 0.

Passage as amended:

Ayes: 8 - Representatives Mursau, Krug, Pronschinske, Kitchens, Swearingen, Edming, Wichgers and Tusler.

Noes: 3 - Representatives Hebl, Milroy and Anderson.

To committee on **Rules**.

JEFFREY MURSAU
Chairperson
Committee on Environment and
Forestry

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

Assembly Bill 768

Relating to: tax-exempt property of housing authorities.

Assembly Amendment 1 adoption:

Ayes: 9 - Representatives Jagler, Allen, Katsma, R. Brooks, Murphy, Pronschinske, Stuck, Young and Goyke.

Noes: 0.

Passage as amended:

Ayes: 9 - Representatives Jagler, Allen, Katsma, R. Brooks, Murphy, Pronschinske, Stuck, Young and Goyke.

Noes: 0.

To committee on **Rules**.

Assembly Bill 770

Relating to: workforce housing development tax incremental districts; local fees and charges; local levy limits; subdivision approval conditions; plat approval conditions; expiration of certain project approvals; division of land by certified survey map; erosion control and storm water management; limiting certain local regulatory authority; relocation benefits in condemnation proceedings; and zoning ordinance amendments.

Assembly Substitute Amendment 1 adoption:

Ayes: 9 - Representatives Jagler, Allen, Katsma, R. Brooks, Murphy, Pronschinske, Stuck, Young and Goyke.

Noes: 0.

Passage as amended:

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

Noes: 3 - Representatives Stuck, Young and Goyke.

To committee on **Rules**.

JOHN JAGLER
Chairperson
Committee on Housing and Real
Estate

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

Assembly Bill 570

Relating to: obtaining crime victim mental health treatment records.

Assembly Amendment 1 adoption:

Ayes: 5 - Representatives Ott, Horlacher, Thiesfeldt, Jacque and Wachs.

Noes: 2 - Representatives Kerkman and C. Taylor.

Passage as amended:

Ayes: 5 - Representatives Ott, Horlacher, Thiesfeldt, Jacque and Wachs.

Noes: 2 - Representatives Kerkman and C. Taylor.

To committee on **Rules**.

JIM OTT
Chairperson
Committee on Judiciary

The committee on **Mental Health** reports and recommends:

Assembly Bill 628

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

Passage:

Ayes: 12 - Representatives Tittl, Jagler, Ballweg, Novak, Sanfelippo, Snyder, VanderMeer, Spiros, Considine, Sargent, Brostoff and Stuck.

Noes: 0.

To committee on **Rules**.

Assembly Bill 629

Relating to: uniform adult guardianship jurisdiction.

Passage:

Ayes: 12 - Representatives Tittl, Jagler, Ballweg, Novak, Sanfelippo, Snyder, VanderMeer, Spiros, Considine, Sargent, Brostoff and Stuck.

Noes: 0.

To committee on **Rules**.

Assembly Bill 630

Relating to: dementia specialist certification.

Assembly Amendment 1 adoption:

Ayes: 10 - Representatives Tittl, Jagler, Ballweg, Novak, Sanfelippo, Snyder, VanderMeer, Spiros, Considine and Brostoff.

Noes: 2 - Representatives Sargent and Stuck.

Passage as amended:

Ayes: 8 - Representatives Tittl, Ballweg, Novak, Sanfelippo, Snyder, VanderMeer, Spiros and Brostoff.

Noes: 4 - Representatives Jagler, Considine, Sargent and Stuck.

To committee on **Rules**.

Assembly Bill 631

Relating to: creating a nonrefundable individual income tax credit for certain expenses incurred by a family caregiver to assist a qualified family member.

Passage:

Ayes: 12 - Representatives Tittl, Jagler, Ballweg, Novak, Sanfelippo, Snyder, VanderMeer, Spiros, Considine, Sargent, Brostoff and Stuck.

Noes: 0.

To committee on **Rules**.

PAUL TITTL
Chairperson
Committee on Mental Health

The committee on **Rural Development and Mining** reports and recommends:

Assembly Bill 730

Relating to: student loan reimbursements for certain individuals domiciled in rural counties, granting rule-making authority, and making an appropriation.

Passage:

Ayes: 8 - Representatives VanderMeer, Kulp, Novak, R. Brooks, Quinn, E. Brooks, Kuglitsch and Pronschinske.

Noes: 4 - Representatives Spreitzer, Milroy, Shankland and Vruwink.

To committee on **Rules**.

Assembly Bill 731

Relating to: qualification of newspapers to receive compensation for publication of legal notice.

Passage:

Ayes: 12 - Representatives VanderMeer, Kulp, Novak, R. Brooks, Quinn, E. Brooks, Kuglitsch, Pronschinske, Spreitzer, Milroy, Shankland and Vruwink.

Noes: 0.

To committee on **Rules**.

NANCY VANDERMEER
Chairperson
Committee on Rural Development and
Mining

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

Assembly Bill 443

Relating to: special registration plate fees for fire fighter, rescue squad member, and emergency medical technician and first responder special registration plates.

Passage:

Ayes: 12 - Representatives Spiros, Thiesfeldt, Weatherston, Kulp, Vorpapel, E. Brooks, Macco, Meyers, Wachs, Kolste, Billings and Crowley.

Noes: 0.

To committee on **Rules**.

Senate Bill 360

Relating to: special registration plate fees for fire fighter, rescue squad member, and emergency medical technician and first responder special registration plates.

Concurrence:

Ayes: 12 - Representatives Spiros, Thiesfeldt, Weatherston, Kulp, Vorpapel, E. Brooks, Macco, Meyers, Wachs, Kolste, Billings and Crowley.

Noes: 0.

To committee on **Rules**.

JOHN SPIROS
Chairperson
Committee on Transportation

The committee on **Ways and Means** reports and recommends:

Assembly Bill 108

Relating to: creating a corporate income and franchise tax credit for amounts contributed by an employer into an employee's college savings account.

Assembly Amendment 1 adoption:

Ayes: 7 - Representatives Macco, Kerkman, Novak, Jacque, Petersen, Kulp and Zimmerman.

Noes: 5 - Representatives Steffen, Sargent, C. Taylor, Ohnstad and Doyle.

Passage as amended:

Ayes: 8 - Representatives Macco, Kerkman, Novak, Jacque, Petersen, Kulp, Zimmerman and Doyle.

Noes: 4 - Representatives Steffen, Sargent, C. Taylor and Ohnstad.

To committee on **Rules**.

Assembly Bill 265

Relating to: a sales and use tax exemption for material used to construct a war memorial owned by a veterans organization.

Assembly Amendment 1 adoption:

Ayes: 13 - Representatives Macco, Kerkman, Novak, Steffen, Jacque, Petersen, Kulp, Zimmerman, Sargent, C. Taylor, Ohnstad, Doyle and Spreitzer.

Noes: 0.

Passage as amended:

Ayes: 13 - Representatives Macco, Kerkman, Novak, Steffen, Jacque, Petersen, Kulp, Zimmerman, Sargent, C. Taylor, Ohnstad, Doyle and Spreitzer.

Noes: 0.

To committee on **Rules**.

Assembly Bill 735

Relating to: creating a penalty applicable to a seller that continues to collect sales tax erroneously on a product after receiving two or more written notices that the product is not taxable; certification of property assessors; use of social security numbers on certain tax documents; electronic delivery of notices by the Department of Revenue; and the responsibility for fees and disbursements in garnishment actions.

Assembly Amendment 1 adoption:

Ayes: 14 - Representatives Macco, Kerkman, Novak, Steffen, Jacque, Petersen, Kulp, Hutton, Zimmerman, Sargent, C. Taylor, Ohnstad, Doyle and Spreitzer.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 14 - Representatives Macco, Kerkman, Novak, Steffen, Jacque, Petersen, Kulp, Hutton, Zimmerman, Sargent, C. Taylor, Ohnstad, Doyle and Spreitzer.

Noes: 0.

Passage as amended:

Ayes: 14 - Representatives Macco, Kerkman, Novak, Steffen, Jacque, Petersen, Kulp, Hutton, Zimmerman, Sargent, C. Taylor, Ohnstad, Doyle and Spreitzer.

Noes: 0.

To committee on **Rules**.

Senate Bill 75

Relating to: creating a corporate income and franchise tax credit for amounts contributed by an employer into an employee's college savings account.

Concurrence:

Ayes: 8 - Representatives Macco, Kerkman, Novak, Jacque, Petersen, Kulp, Zimmerman and Doyle.

Noes: 3 - Representatives Steffen, C. Taylor and Ohnstad.

To committee on **Rules**.

JOHN MACCO
Chairperson
Committee on Ways and Means

The committee on **Workforce Development** reports and recommends:

Assembly Bill 124

Relating to: marketing of employment and training opportunities to former University of Wisconsin System students and making an appropriation.

Passage:

Ayes: 10 - Representatives Petryk, Weatherston, Murphy, Allen, Katsma, Kulp, E. Brooks, Brandtjen, Snyder and Ohnstad.

Noes: 4 - Representatives Billings, Spreitzer, Riemer and Crowley.

To committee on **Rules**.

Assembly Bill 617

Relating to: the supervised business initiatives program.

Passage:

Ayes: 14 - Representatives Petryk, Weatherston, Murphy, Allen, Katsma, Kulp, E. Brooks, Brandtjen, Snyder, Billings, Spreitzer, Riemer, Ohnstad and Crowley.

Noes: 0.

To committee on **Rules**.

Assembly Bill 625

Relating to: competitive integrated employment of persons with a disability and granting rule-making authority.

Passage:

Ayes: 14 - Representatives Petryk, Weatherston, Murphy, Allen, Katsma, Kulp, E. Brooks, Brandtjen, Snyder, Billings, Spreitzer, Riemer, Ohnstad and Crowley.

Noes: 0.

To committee on **Rules**.

Assembly Bill 745

Relating to: participation in an apprenticeship program by a high school senior and granting rule-making authority.

Passage:

Ayes: 14 - Representatives Petryk, Weatherston, Murphy, Allen, Katsma, Kulp, E. Brooks, Brandtjen, Snyder, Billings, Spreitzer, Riemer, Ohnstad and Crowley.

Noes: 0.

To committee on **Rules**.

WARREN PETRYK
Chairperson
Committee on Workforce
Development

EXECUTIVE COMMUNICATIONS

January 19, 2018

The Honorable Robin Vos
Speaker of the Assembly
211 West, State Capitol
Madison, WI 53708

The Honorable Roger Roth
President of the Senate
220 South, State Capitol
Madison, WI 53707

Dear Speaker Vos and Senate President Roth:

I respectfully request a joint session of the Wisconsin State Legislature for January 24, 2018, at 3:00 p.m. This joint session will be for the purpose of delivering the 2018 State of the State Address.

Thank you for your consideration of this request. I look forward to addressing the full Legislature as well as the citizens of Wisconsin.

Sincerely,
SCOTT WALKER
Governor

COMMUNICATIONS

January 24, 2018

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 850, relating to transfer of hunting, fishing, and trapping approvals to persons with disabilities.

Sincerely,
PAUL TITTL
State Representative
25th Assembly District

January 24, 2018

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 777, relating to University of Wisconsin and technical college tuition remissions for and grants to support foster care and other out-of-home placement students and making an appropriation.

Sincerely,
DANA WACHS
State Representative
91st Assembly District

January 24, 2018

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

Jeffrey Renk
Senate Chief Clerk
B20 Southeast, State Capitol
Madison, WI 53707

Dear Chief Clerk Fuller and Chief Clerk Renk:

Due to Substitute Amendment 1 to Assembly Bill 365 including a provision that would allow health insurance companies to charge people with pre-existing health conditions more, I am requesting that my name be removed as a coauthor of AB 365. Thank you for your assistance.

If you have any questions about this request, please do not hesitate to contact my office.

Sincerely,
PETER W. BARCA
State Representative
64th Assembly District

January 24, 2018

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

Dear Chief Clerk Fuller:

The following Representatives have requested that the Senate Chief Clerk remove their names as co-sponsors of 2017 Assembly Bill 365: Riemer, Hintz, Sargent, Young, Spreitzer, Brostoff, Crowley, Kolste, Goyke, Sinicki, Ohnstad, Stuck, Considine, Meyers, Zamarripa, Taylor, Wachs, Subeck, Billings, Bowen, Pope, Doyle, Shankland, Kessler, Vruwink, Milroy, Berceau, Hesselbein, Genrich, Anderson, Fields and Hebl.

Assembly Substitute Amendment 1 to AB 365 completely changes the original intent of the bill by removing important protections for individuals with pre-existing conditions. As such, my colleagues and I can no longer support the bill in its amended form.

I am hereby requesting that you record the removal of their names as co-sponsors in the Assembly Journal.

Please do not hesitate to contact me with any questions.

Sincerely,
GORDON HINTZ
Assembly Democratic Leader
54th Assembly District

January 24, 2018

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-sponsor of Assembly Joint Resolution 93, relating to eligibility and conditions for release prior to conviction of persons accused of certain crimes and considerations for imposing bail (first consideration).

Sincerely,
PATRICK TESTIN
State Senator
24th Senate District

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

The Assembly stood informal.

Assembly Sergeant-at-Arms Anne Tonnon Byers announced the arrival of the Honorable Justices of the Wisconsin Supreme Court.

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

JOINT CONVENTION

The houses went into joint convention.

Senate President Roth presiding.

Senator Roth recognized the presence of Lieutenant Governor Rebecca Kleefisch, Attorney General Brad Schimel, Superintendent of Public Instruction Tony Evers, and State Treasurer Matt Adamczyk; Chief Justice Patience Roggensack, Justice Shirley Abrahamson, Justice Ann Walsh Bradley, Justice Rebecca Bradley, and Justice Daniel Kelly of the Wisconsin Supreme Court.

Assembly Sergeant-at-Arms Anne Tonnon Byers announced the arrival of Governor Scott Walker.

Escorted by Senators Vinehout and Vukmir, and Representatives Summerfield and Wachs, 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 Steineke moved that the joint convention arise.

The question was: Shall the joint convention arise?

Motion carried.

4:13 P.M.

The Assembly reconvened.

Speaker Vos in the chair.

ADJOURNMENT

Representative Steineke 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.

4:14 P.M.