



STATE OF WISCONSIN Senate Journal

One-Hundred and Third Regular Session

11:02 A.M.

TUESDAY, March 7, 2017

The Senate met.

The Senate was called to order by Senate President Roth.

CALL OF ROLL

The roll was called, disclosing the presence of a quorum.

Pursuant to Senate Rule 15, the official attendance for session was:

Senators Bewley, Carpenter, Cowles, Craig, Darling, Erpenbach, Feyen, S. Fitzgerald, Hansen, Harsdorf, Johnson, Kapenga, C. Larson, Lasee, LeMahieu, Marklein, Miller, Moulton, Nass, Olsen, Petrowski, Ringhand, Risser, Roth, Shilling, Stroebel, L. Taylor, Testin, Tiffany, Vinehout, Vukmir, Wanggaard and Wirch - 33.

Absent with leave – None - 0.

The Senate stood for the prayer which was offered by Pastor Derik Armstrong from Word of Grace Community Church in Sheboygan Falls.

The Senate remained standing and Senator LeMahieu led the Senate in the pledge of allegiance to the flag of the United States of America.

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

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate Substitute Amendment 1 to **Senate Joint Resolution 3** offered by Senators Miller, Ringhand, Risser, Erpenbach, Vinehout, Johnson, L. Taylor, Hansen, Wirch, Bewley, Shilling and C. Larson.

Senate Amendment 1 to **Senate Bill 12** offered by Senator Erpenbach.

Senate Amendment 1 to **Senate Bill 49** offered by Senator Marklein.

Senate Amendment 2 to **Senate Bill 49** offered by Senator Ringhand.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read and referred:

Senate Joint Resolution 15

Relating to: National Girl Scout Day in Wisconsin.

By Senator Bewley; cosponsored by Representative Felzkowski.

To the committee on **Senate Organization**.

Read first time and referred:

Senate Bill 95

Relating to: regulation of aquaculture and fish farms, providing an exemption from emergency rule procedures, and granting rule-making authority.

By Senators Tiffany, Testin, Moulton, Nass, LeMahieu, Marklein and Stroebel; cosponsored by Representatives Felzkowski, Stafsholt, Nygren, Mursau, Spiros, Quinn, Kulp, Jarchow, E. Brooks, Horlacher, Edming, Ripp, Skowronski, Murphy, Snyder, Tittl, Swearingen, Ballweg and Tauchen.

To the committee on **Sporting Heritage, Mining and Forestry**.

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Senator Bewley added as a co-author of **Senate Bill 35**.

Pursuant to Senate Rule 17 (5), Senator Hansen added as a co-author of **Senate Bill 35**.

Pursuant to Senate Rule 17 (5), Senator Miller added as a co-author of **Senate Bill 35**.

Pursuant to Senate Rule 17 (5), Senator Nass added as a co-author of **Senate Bill 7**.

Pursuant to Senate Rule 17 (5), Senator Nass added as a co-author of **Senate Joint Resolution 14**.

Pursuant to Senate Rule 17 (5), Representative Wichgers added as a co-sponsor of **Senate Bill 78**.

ADVICE AND CONSENT OF THE SENATE

Senator Fitzgerald, with unanimous consent, asked that all appointments be taken up en masse.

ARNESON, KENNETH D. of Oshkosh, as a Public Member within the Landscape Architect Section on the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2018.

BAUMGARTEN, ARLYN H. of Kenosha, as a Southern Area Representative on the Snowmobile Recreational Council, to serve for the term ending July 1, 2019.

CHWALA, THOMAS H. of Lake Mills, as a Southern Area Representative on the Snowmobile Recreational Council, to serve for the term ending July 1, 2018.

DITTMAR, BEVERLY A. of Eagle River, as a Northern Area Representative on the Snowmobile Recreational Council, to serve for the term ending July 1, 2019.

DRURY, DAVID J. of Brookfield, as a Private Sector Rep 5 on the Wisconsin Economic Development Corporation, to serve for the term ending at the pleasure of the Governor.

DUNKIN, REGINA of Beloit, as a Public Member on the Public Defender Board, to serve for the term ending May 1, 2019.

FRASCH, JOSEPH D. of Eden, as a Designer on the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2017.

HALLSTRAND, KURT of Prentice, as an Agriculture Representative on the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2021.

HEBERLING, MICHAEL J. of Big Bend, as a Designer Engineer on the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2019.

HILGENDORF, GARY L. of Tomahawk, as a Northern Area Representative on the Snowmobile Recreational Council, to serve for the term ending July 1, 2019.

HOLDEN, MICHAEL F. of Sheboygan Falls, as a Southern Area Representative on the Snowmobile Recreational Council, to serve for the term ending July 1, 2019.

JACOBS JR., GEORGE F. of Madison, as a Public Member on the Wisconsin Historical Society Board of Curators, to serve for the term ending July 1, 2019.

KREIER, KEVIN S. of Janesville, as a Veterinarian on the Veterinary Examining Board, to serve for the term ending July 1, 2020.

MARTIN, CHRISTINA C. of Spooner, as a Land Surveyor on the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2019.

MORAN, STEVE W. of Tomahawk, as a Northern Area Representative on the Snowmobile Recreational Council, to serve for the term ending July 1, 2019.

NAIR, DR. R.D. of Lodi, as a Private Sector Representative on the Wisconsin Economic Development Corporation, to serve for the term ending at the pleasure of the Governor.

OLSON, NANCY L. of La Crosse, as a Southern Area Representative on the Snowmobile Recreational Council, to serve for the term ending July 1, 2019.

STOCKWELL, RANDY J. of Dorchester, as a Professional Member on the Auctioneer Board, to serve for the term ending May 1, 2020.

WOLFERT, MATTHEW D. of Fox Point, as an Architect on the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2018.

The question was: Confirmation en masse?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes - Senators Bewley, Carpenter, Cowles, Craig, Darling, Erpenbach, Feyen, S. Fitzgerald, Hansen, Harsdorf, Johnson, Kapenga, C. Larson, Lasee, LeMahieu, Marklein, Miller, Moulton, Nass, Olsen, Petrowski, Ringhand, Risser, Roth, Shilling, Stroebel, L. Taylor, Testin, Tiffany, Vinehout, Vukmir, Wanggaard and Wirch - 33.

Noes – None - 0.

Absent or not voting – None - 0.

Confirmed.

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND JOINT RESOLUTIONS NOT REQUIRING A THIRD READING

Senate Joint Resolution 8

Relating to: the life and public service of Roger P. Murphy.

Read.

Adopted by unanimous rising vote.

Senator Fitzgerald, with unanimous consent, asked that all members of the Senate be added as coauthors of **Senate Joint Resolution 8**.

Senate Joint Resolution 12

Relating to: the life and public service of John Herschel Glenn Jr.

The question was: Adoption of **Senate Joint Resolution 12**?

Adopted.

Senate Joint Resolution 13

Relating to: celebrating March 25, 2017, as the 196th anniversary of Greek independence.

The question was: Adoption of **Senate Joint Resolution 13**?

Adopted.

Senate Joint Resolution 14

Relating to: recognizing March 6, 2017, as World Lymphedema Day.

The question was: Adoption of **Senate Joint Resolution 14**?

Adopted.

Senator Fitzgerald, with unanimous consent, asked that **Senate Joint Resolution 15** be withdrawn from the committee on **Senate Organization** and taken up at this time.

Senate Joint Resolution 15

Relating to: National Girl Scout Day in Wisconsin.

The question was: Adoption of **Senate Joint Resolution 15**?

Adopted.

Senator Fitzgerald, with unanimous consent, asked that all action be immediately messaged to the Assembly:

Senate Joint Resolution 8

Senate Joint Resolution 12

Senate Joint Resolution 13

Senate Joint Resolution 14

Senate Joint Resolution 15

Messaged.

**SECOND READING AND AMENDMENTS OF
SENATE JOINT RESOLUTIONS AND
SENATE BILLS**

Senate Joint Resolution 3

Relating to: deleting from the constitution the office of state treasurer (second consideration).

Read a second time.

Senator Feyen moved that Senate Substitute Amendment 1 to **Senate Joint Resolution 3** be laid on the table.

The question was: Tabling of Senate Substitute Amendment 1 to **Senate Joint Resolution 3**?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 13; absent or not voting, 0; as follows:

Ayes - Senators Cowles, Craig, Darling, Feyen, S. Fitzgerald, Harsdorf, Kapenga, Lasee, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 20.

Noes - Senators Bewley, Carpenter, Erpenbach, Hansen, Johnson, C. Larson, Miller, Ringhand, Risser, Shilling, L. Taylor, Vinehout and Wirch - 13.

Absent or not voting – None - 0.

Tabled.

Ordered to a third reading.

Senator Fitzgerald, with unanimous consent, asked that the rules be suspended and the bill be given its third reading.

Senate Joint Resolution 3

Read a third time.

The question was: Adoption of **Senate Joint Resolution 3**?

The ayes and noes were required and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes - Senators Cowles, Craig, Darling, Feyen, S. Fitzgerald, Lasee, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 18.

Noes - Senators Bewley, Carpenter, Erpenbach, Hansen, Harsdorf, Johnson, Kapenga, C. Larson, Miller, Ringhand, Risser, Shilling, L. Taylor, Vinehout and Wirch - 15.

Absent or not voting – None - 0.

Adopted.

Senate Bill 4

Relating to: a minimum limit on the amount of chubs that may be commercially harvested from the waters of Lake Michigan.

Senator Fitzgerald, with unanimous consent, asked that **Senate Bill 4** be referred to the committee on **Natural Resources and Energy**.

Senate Bill 5

Relating to: practice requirement for licensure as a clinical social worker.

Senator Fitzgerald, with unanimous consent, asked that **Senate Bill 5** be referred to the committee on **Health and Human Services**.

Senate Bill 6

Relating to: examinations for certification or licensure by the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board and requiring the exercise of rule-making authority.

Senator Fitzgerald, with unanimous consent, asked that **Senate Bill 6** be referred to the committee on **Health and Human Services**.

Senate Bill 7

Relating to: expiration dates of renewed licenses to carry a concealed weapon.

Read a second time.

Ordered to a third reading.

Senator Fitzgerald, with unanimous consent, asked that the rules be suspended and the bill be given its third reading.

Senate Bill 7

Read a third time and passed.

Senate Bill 12

Relating to: multiple jurisdiction health departments.

Read a second time.

Senator Stroebel moved that Senate Amendment 1 to **Senate Bill 12** be laid on the table.

The question was: Tabling of Senate Amendment 1 to **Senate Bill 12**?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 13; absent or not voting, 0; as follows:

Ayes - Senators Cowles, Craig, Darling, Feyen, S. Fitzgerald, Harsdorf, Kapenga, Lasee, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 20.

Noes - Senators Bewley, Carpenter, Erpenbach, Hansen, Johnson, C. Larson, Miller, Ringhand, Risser, Shilling, L. Taylor, Vinehout and Wirch - 13.

Absent or not voting – None - 0.

Tabled.

Ordered to a third reading.

Senator Fitzgerald, with unanimous consent, asked that the rules be suspended and the bill be given its third reading.

Senate Bill 12

Read a third time and passed.

Senate Bill 35

Relating to: mandatory reporting of child abuse and neglect by juvenile correctional officers.

Read a second time.

Ordered to a third reading.

Senator Fitzgerald, with unanimous consent, asked that the rules be suspended and the bill be given its third reading.

Senate Bill 35

Read a third time and passed.

Senate Bill 51

Relating to: technical changes to the tax incremental financing statutes.

Read a second time.

Ordered to a third reading.

Senator Fitzgerald, with unanimous consent, asked that the rules be suspended and the bill be given its third reading.

Senate Bill 51

Read a third time.

The questions was: Passage of **Senate Bill 51**?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes - Senators Bewley, Carpenter, Cowles, Craig, Darling, Erpenbach, Feyen, S. Fitzgerald, Hansen, Harsdorf, Johnson, Kapenga, C. Larson, Lasee, LeMahieu, Marklein, Miller, Moulton, Nass, Olsen, Petrowski, Ringhand, Risser, Roth, Shilling, Stroebel, L. Taylor, Testin, Tiffany, Vinehout, Vukmir, Wanggaard and Wirch - 33.

Noes – None - 0.

Absent or not voting – None - 0.

Passed.

Senator Fitzgerald, with unanimous consent, asked that all action be immediately messaged to the Assembly:

Senate Joint Resolution 3

Senate Bill 7

Senate Bill 12

Senate Bill 35

Senate Bill 51

Messaged.

**ANNOUNCEMENTS, ADJOURNMENT
HONORS, AND REMARKS UNDER
SPECIAL PRIVILEGE**

Senator Miller, with unanimous consent, asked that the Senate adjourn in honor of renowned Wisconsin naturalist Aldo Leopold and the first weekend in March, which honors his name and contributions to understanding our responsibility to the land.

Senator Wirch, with unanimous consent, asked that the Senate adjourn in honor of Byron Wright. He was the head of Kenosha Human Development Services for many years, where they contracted with Kenosha County to take care of human services for some of our most vulnerable citizens. He did an outstanding job, was frugal and accountable to taxpayers all while being creative in serving our citizens. Senator Wirch wishes him a happy retirement.

Senator Harsdorf, with unanimous consent, asked that the Senate adjourn in memory of Terry Shafer, who led the Spring Valley Area Fire Department for 30 years. Terry joined the department in 1979 and became chief in 1986. On January 1, 2017, Terry passed the torch to his longtime assistant, but remained an active member of the department. He was also a member of the Spring Valley Ambulance Service for 20 years. Terry dedicated his life to his community and leaves a long legacy of service to others.

Senator Harsdorf, with unanimous consent, asked the Senate adjourn in memory of Kevin Loux, the Assistant Fire Chief of the United Fire and Rescue District in Baldwin. In 1976, Kevin began his firefighting career with the Lower St. Croix Valley Fire Department in Lakeland, MN. Kevin moved home to Wisconsin and joined the Baldwin Fire Department, which later became United Fire and Rescue District. During his 40 year career, he earned the respect and

admiration of firefighters and citizens throughout St. Croix County and beyond.

Senator Bewley, with unanimous consent, asked that the Senate adjourn in honor of lifelong Bayfield resident Julian B. Nelson, who passed away at the age of 100 on February 17th. Julian was born in Bayfield in 1916, the second son to Norwegian immigrants. His father instilled in him his lifelong love for fishing and in 1937 he purchased his first fishing boat. After serving in the United States Marine Corps during World War II, Julian returned to Bayfield to fish in Lake Superior around the Apostle Islands. When he wasn't fishing, Julian served as the mayor of Bayfield and also as a captain on the Madeline Island Ferry Line. Julian was a lifelong supporter of both Lake Superior and the Apostle Islands. "The Lake is the Boss" was what he was often heard saying. He advocated for preserving the Apostle Islands and was a volunteer for numerous non-profits supporting the islands, and the Bayfield Heritage Association. Senator Bewley is proud to adjourn in honor of this grand ole' man, who gave so much to his community and will be missed by so many.

Senator Darling, with unanimous consent, asked that the Senate adjourn in honor of the Whitefish Bay Gymnastics team. Last weekend, the Dukes won the team title in Division 2 for the second consecutive season and for the eighth time in their history. Whitefish Bay was led by Senior Aly Yurkowitz who won the all-around competition for the second consecutive season.

Senator Hansen, with unanimous consent, asked that the Senate adjourn in honor of all of the Seanate Scholars who are here today, especially Aiden from Marinette.

Senator Ringhand, with unanimous consent, asked that the Senate adjourn in honor of the former mayor of Evansville, Robert Olsen, who passed away last week at the age of 93.

Senator Nass, with unanimous consent, asked that the Senate adjourn in honor of Benji Peak, who won the 126 pound class at WIAA state wrestling.

Senator Taylor, with unanimous consent, asked that the Senate adjourn in honor of Rhonda Stovall, volunteer extraordinaire for her work on planning the 1st annual Black

History Month lobby day, Cindy Marecek in the Chief Clerk's office, the page staff, Capitol Police, the Artists of "Beyond the Bars" art display: James Morgan, Luther Hall, Willy Weaver-Bey, Ken Brown and Alicia Christina, NAACP and Urban League for their help coordinating Black History Month lobby day, and her staff: Craig Trost, Greg Packnett, LaDette Austin, Revelle Williams and Courtney Beyer.

Senator Taylor, with unanimous consent, asked that the Senate adjourn in honor of the Rufus King Girls' Basketball team for making it to state.

Senator Taylor, with unanimous consent, asked that the Senate adjourn in honor women in honor of Wisconsin Women's History Month.

Senator Taylor, with unanimous consent, asked that the Senate adjourn in honor of Dr. Seuss for Read Across America Day.

Senator Larson, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Nathan Scafe, a former intern and LTE, who passed away last week at a young age.

Senator Stroebel, with unanimous consent, asked that the Senate adjourn in honor of Serenity Sunde, a 7-year old McLane Elementary student, notified her uncle of a fire at a car wash. Serenity's quick action allowed the fire to be extinguished quickly.

Senator Stroebel, with unanimous consent, asked that the Senate adjourn in honor of Slinger Fire Department, who lost dedicated member Jeff Retzlaff after a courageous battle with cancer on Monday, February 27, 2017. Firefighter Retzlaff is survived by his wife Mary and children, Tyler and Lindsey.

ADJOURNMENT

Senator Fitzgerald, with unanimous consent, asked that the 2017 Regular Session of the Senate stand adjourned until Thursday, March 9, 2017.

Adjourned.

12:52 P.M.