



STATE OF WISCONSIN Senate Journal

One-Hundred and Third Regular Session

11:01 A.M.

THURSDAY, March 9, 2017

The Senate met.

The Senate was called to order by Senator Fitzgerald.

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

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read and referred:

Senate Joint Resolution 16

Relating to: the life and public service of Kirby Hendee.

By Senators Darling, L. Taylor, Ringhand, Risser, Olsen, C. Larson and Marklein; cosponsored by Representatives E. Brooks, Anderson, Berceau, Crowley, Fields, Hesselbein, Murphy, Pope, Ripp and Sinicki.

To the committee on **Senate Organization**.

Senate Joint Resolution 17

Relating to: the life and public service of Richard A. Grobschmidt.

By Senators C. Larson, L. Taylor, Nass, Risser, Hansen, Miller, Vinehout and Ringhand; cosponsored by Representatives Sinicki, Barca, Brostoff, Skowronski, Jagler, Zepnick, Kessler, E. Brooks, Mason, Murphy, Anderson, Berceau, Pope, Vruwink, Crowley, Ripp, Young, Hesselbein and Wachs.

To the committee on **Senate Organization**.

Read first time and referred:

Senate Bill 96

Relating to: the commencement of fall classes in public schools.

By Senators Darling, Kapenga, L. Taylor, Johnson, Vukmir, Stroebel, Harsdorf, Nass, Hansen, C. Larson and Vinehout; cosponsored by Representatives Ott, Kooyenga, Hutton, Crowley, Nerison, Duchow, Brandtjen, Zepnick, Neylon, Felzkowski, Skowronski, Rodriguez, Riemer, Vruwink, Bernier, Sinicki, Petryk, Bowen, Allen, Considine, Hebl, VanderMeer, Spreitzer and Pope.

To the committee on **Education**.

Senate Bill 97

Relating to: requiring the payment of health insurance premiums, and establishing a loan program, for survivors of a law enforcement officer, emergency medical technician, or fire fighter who dies in the line of duty and making appropriations.

By Senators Wanggaard, Bewley, Darling, Carpenter, Erpenbach, Feyen, Hansen, Harsdorf, Johnson, Lasee, Marklein, Olsen, Petrowski, Testin, Vukmir and Wirch; cosponsored by Representatives Spiros, Barca, Edming, Anderson, Ballweg, Berceau, Bernier, Billings, Bowen, Brandtjen, E. Brooks, R. Brooks, Brostoff, Crowley, Doyle, Hebl, Hesselbein, Horlacher, Jacque, Kleefisch, Kolste, Kremer, Krug, Macco, Meyers, Murphy, Mursau, Nerison, Novak, Ohnstad, Ott, Pronschinske, Quinn, Rohraste, Sargent, Schraa, Skowronski, Snyder, Spreitzer, Subeck, Tauchen, C. Taylor, Tittl, Tranel, Tusler, Vruwink, Wichgers, Zimmerman and Goyke.

To the committee on **Insurance, Housing and Trade**.

Senate Bill 98

Relating to: the safe-ride grant program.

By Senators Testin, Feyen, Cowles, Ringhand, Craig, Wanggaard and Vinehout; cosponsored by Representatives Pronschinske, Swearingen, Kitchens, Jagler, Schraa, Tittl, Horlacher, Ballweg, E. Brooks, Knodl, Edming, Katsma, Allen, R. Brooks, Thiesfeldt, Ripp, Summerfield, Tranel and Tusler.

To the committee on **Transportation and Veterans Affairs**.

Senate Bill 99

Relating to: designating and marking the Richard A. Grobschmidt Memorial Bridge.

By Senators Darling, C. Larson, Vukmir, Wirch, Carpenter, Cowles, Erpenbach, L. Taylor, Harsdorf and Olsen; cosponsored by Representatives Jagler, Sinicki, Rodriguez, Milroy, Brostoff, Berceau, Pope, Vruwink, Crowley, Fields, Allen, E. Brooks and Anderson.

To the committee on **Transportation and Veterans Affairs**.

Senate Bill 100

Relating to: expiration of statements of scope for administrative rules.

By Senators Nass, Kapenga, LeMahieu, Stroebel, Tiffany, Craig and Lasee; cosponsored by Representatives Neylon, Jarchow, Allen, Bernier, Brandtjen, E. Brooks, R. Brooks, Jacque, Kremer, Krug, Murphy, Skowronski, Spiros, Thiesfeldt, Tusler, Hutton and Schraa.

To the committee on **Government Operations, Technology and Consumer Protection**.

Senate Bill 101

Relating to: the transfer by affidavit option for small estates.

By Senators Feyen, Wanggaard and Olsen; cosponsored by Representatives Thiesfeldt, Doyle, Katsma, Horlacher and Bernier.

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

Senate Bill 102

Relating to: aggrieved parties petitioning for a recount and making an appropriation.

By Senators LeMahieu, Craig, Kapenga, Marklein, Stroebel and Vukmir; cosponsored by Representatives Tusler, Thiesfeldt, Allen, Bernier, Brandtjen, E. Brooks, R. Brooks, Edming, Gannon, Horlacher, Katsma, Kerkman, Kremer, Krug, Kulp, Macco, Murphy, Mursau, Ott, Petersen, Quinn, Rohrkaste, Sanfelippo, Schraa, Skowronski, Spiros, Steffen, Tittl and Weatherston.

To the committee on **Elections and Utilities**.

Senate Bill 103

Relating to: the exemption of bona fide administrative, executive, and professional employees from the overtime pay requirements of the wage and hours laws, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, providing an exemption from rule-making procedures, and requiring the exercise of rule-making authority.

By Senators Hansen, Ringhand, Carpenter, Johnson, C. Larson, Miller, Risser, Vinehout, Wirch and Shilling; cosponsored by Representatives Mason, Anderson, Berceau, Brostoff, Fields, Genrich, Goyke, Hintz, Kolste, Ohnstad, Pope, Riemer, Sargent, Sinicki, Spreitzer, Subeck, C. Taylor, Vruwink, Wachs, Zamarripa and Zepnick.

To the committee on **Labor and Regulatory Reform**.

Senate Bill 104

Relating to: production and possession of cannabidiol for treatment of a medical condition and providing a penalty.

By Senators C. Larson, Wirch, Vinehout and Hansen; cosponsored by Representatives Anderson, Sargent, Sinicki, Billings, Subeck, Hesselbein, Ohnstad, Crowley, Berceau, Pope, Doyle, C. Taylor and Zepnick.

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

Senate Bill 105

Relating to: creating a pilot program under which certain school districts are not required to provide a minimum number of hours of direct pupil instruction.

By Senators Olsen and Feyen; cosponsored by Representatives Kremer, Rohrkaste, Felzkowski, Horlacher, Kleefisch, Kulp and Quinn.

To the committee on **Education**.

Senate Bill 106

Relating to: an income and franchise tax credit for businesses that recycle mattresses.

By Senator Shilling; cosponsored by Representatives Doyle, Pope, Sargent, Considine, Crowley, Billings and Sinicki.

To the committee on **Revenue, Financial Institutions and Rural Issues**.

REPORT OF COMMITTEES

The committee on **Natural Resources and Energy** reported and recommended:

BIRSCHBACH, ERIC D., of Verona, as a Public Member on the Land and Water Conservation Board, to serve for the term ending May 1, 2018.

Confirmation.

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

Noes: 0 - None.

BROWN, RITCHIE, of Black River Falls, as a Recreational User Group Representative on the Lower Wisconsin State Riverway Board, to serve for the term ending May 1, 2018.

Confirmation.

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

Noes: 0 - None.

CUPP, MARK E., of Muscoda, as a Government Unit River Representative on the Land and Water Conservation Board, to serve for the term ending May 1, 2020.

Confirmation.

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

Noes: 0 - None.

CURREN, KATHRYN A., of Suamico, as a Brown County Representative on the Fox River Navigational System Authority, to serve for the term ending July 1, 2019.

Confirmation.

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

Noes: 0 - None.

DEKEYSER, JEANETTE P., of Neenah, as a Town Official on the Waste Facilities Siting Board, to serve for the term ending May 1, 2018.

Confirmation.

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

Noes: 0 - None.

MAXWELL, DAVID M., of Westby, as a Non-Resident, Tourism Representative on the Kickapoo Reserve Management Board, to serve for the term ending May 1, 2019.

Confirmation.

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

Noes: 0 - None.

ROONEY, JAMES F., of Racine, as a Lake Michigan Representative on the Wisconsin Waterways Commission, to serve for the term ending March 1, 2019.

Confirmation.

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

Noes: 0 - None.

VETTE, JOHN L., of Oshkosh, as a Winnebago County Representative on the Fox River Navigational System Authority, to serve for the term ending July 1, 2019.

Confirmation.

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

Noes: 0 - None.

WALSH, ROGER E., of Wauwatosa, as an Inland Lakes Representative on the Wisconsin Waterways Commission, to serve for the term ending March 1, 2018.

Confirmation.

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

Noes: 0 - None.

ROBERT COWLES

Chairperson

The committee on **Revenue, Financial Institutions and Rural Issues** reported and recommended:

Senate Bill 49

Relating to: the information technology block grant program, the broadband expansion grant program, waiving certain fees and appraisals, and making appropriations.

Senate Amendment 1 adoption.

Ayes: 5 - Senators Marklein, LeMahieu, Tiffany, Ringhand and Vinehout.

Noes: 0 - None.

Passage as amended.

Ayes: 5 - Senators Marklein, LeMahieu, Tiffany, Ringhand and Vinehout.

Noes: 0 - None.

HOWARD MARKLEIN

Chairperson

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Representative Berceau added as a co-sponsor of **Senate Bill 48**.

Pursuant to Senate Rule 17 (5), Representative Bernier added as a co-sponsor of **Senate Bill 95**.

Pursuant to Senate Rule 17 (5), Representative Tusler added as a co-sponsor of **Senate Bill 101**.

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

The committee on **Government Operations, Technology and Consumer Protection** reported and recommended:

Senate Clearinghouse Rule 16-067

Relating to the hours worked and vacation calculations.

No action taken on March 9, 2017.

Referred to the joint committee for review of **Administrative Rules**, March 9, 2017.

DUEY STROEBEL

Chairperson

MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has adopted and asks concurrence in:

Assembly Joint Resolution 14

Assembly Joint Resolution 15

Concurred in:

Senate Bill 3

Senate Bill 7

Senate Joint Resolution 3

Senate Joint Resolution 4

Senate Joint Resolution 8

Senate Joint Resolution 12

Senate Joint Resolution 13

Senate Joint Resolution 14

Senate Joint Resolution 15

MESSAGES FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 8

Relating to: proclaiming February 26, 2017, to March 4, 2017, as Eating Disorders Awareness Week in Wisconsin.

By Representatives C. Taylor, Horlacher, Pope, Hesselbein, Zamarripa, Milroy, Sargent, Ohnstad, Spreitzer, Brostoff, Wachs and Berceau; cosponsored by Senators L. Taylor, Wirch, Ringhand, Risser and C. Larson.

Read and referred to the committee on **Senate Organization**.

Assembly Joint Resolution 13

Relating to: honoring the life and public service of Representative Thomas Larson.

By Representatives Petryk, Bernier, Summerfield, Kulp and Spiros; cosponsored by Senator Moulton.

Read and referred to the committee on **Senate Organization**.

Assembly Bill 56

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

By Representatives Felzkowski, Brandtjen, E. Brooks, R. Brooks, Jagler, Kleefisch, Knodl, Kooyenga, Kremer, Krug, Kulp, Loudenbeck, Murphy, Mursau, Quinn, Ripp, Steffen, Summerfield, Swearingen, Tauchen, Thiesfeldt and Weatherston; cosponsored by Senators Tiffany, Feyen, Kapenga, Marklein and Petrowski.

Read first time and referred to the committee on **Transportation and Veterans Affairs**.

Assembly Bill 59

Relating to: terminology change and corrections for emergency medical technicians and first responders.

By Representatives Loudenbeck, Shankland, Anderson, Bernier, Mursau, Spiros and Zepnick; cosponsored by Senators Moulton, Harsdorf, Nass, Olsen, Petrowski and Ringhand.

Read first time and referred to the committee on **Health and Human Services**.

Assembly Bill 69

Relating to: access to investigational drugs, devices, and biological products and limitations on liability related to their use.

By Representatives Snyder, Kleefisch, Hesselbein, Krug, Skowronski, Steffen, Milroy, Kremer, Brandtjen, Pope, Kooyenga, Edming, Mursau, Tittl, Sargent, Horlacher, Kulp, Mason, E. Brooks, Spiros, Bernier, C. Taylor, Vruwink, Novak, R. Brooks, VanderMeer, Jagler, Knodl, Quinn, Anderson, Ballweg, Tauchen, Berceau, Murphy, Subeck, Gannon, Sinicki, Ripp, Katsma, Allen, Doyle, Zamarripa, Tusler, Hutton and Loudenbeck; cosponsored by Senators Moulton, Risser, Carpenter, Johnson, L. Taylor, Cowles, Feyen, Lasee, Craig, Kapenga, Darling, Marklein, Miller, Petrowski, LeMahieu, Harsdorf and Vinehout.

Read first time and referred to the committee on **Health and Human Services**.

ADJOURNMENT

Senator Fitzgerald, with unanimous consent, asked that the 2017 Regular Session of the Senate stand adjourned pursuant to **Senate Joint Resolution 1**.

Adjourned.

11:02 A.M.