



# STATE OF WISCONSIN

# Senate Journal

## January 2017 Special Session

12:18 P.M.

TUESDAY, May 2, 2017

The Senate met.

The Senate was called to order by Senate President Roth.

Senator Fitzgerald, with unanimous consent, asked that the roll call, prayer and pledge of the Regular Session be applied to the January 2017 Special Session.

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### 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, 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.

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

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### CHIEF CLERK'S ENTRIES

#### AMENDMENTS OFFERED

Senate Amendment 1 to **Assembly Bill 2, January 2017 Special Session** offered by Senators Erpenbach, L. Taylor, Carpenter, Vinehout, Johnson, Hansen, Wirch, Bewley, Shilling, Miller, Ringhand and Risser.

Senate Amendment 1 to **Assembly Bill 8, January 2017 Special Session** offered by Senators Erpenbach, L. Taylor, Hansen, Carpenter, Vinehout, Johnson, C. Larson, Wirch, Bewley, Shilling, Miller, Ringhand and Risser.

Senate Amendment 2 to **Assembly Bill 8, January 2017 Special Session** offered by Senators Erpenbach, Carpenter, Vinehout, Johnson, C. Larson, L. Taylor, Hansen, Wirch, Bewley, Shilling, Miller, Risser and Ringhand.

Senate Amendment 3 to **Assembly Bill 8, January 2017 Special Session** offered by Senator L. Taylor.

### SECOND READING AND AMENDMENTS OF ASSEMBLY JOINT RESOLUTIONS AND ASSEMBLY BILLS

#### Assembly Bill 1, January 2017 Special Session

Relating to: emergency administration of opioid antagonist to pupils and other persons.

Read a second time.

Ordered to a third reading.

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

#### Assembly Bill 1, January 2017 Special Session

Read a third time.

The question was: Concurrence of **Assembly Bill 1, January 2017 Special Session?**

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes - Senators Bewley, Carpenter, Cowles, Craig, Darling, Erpenbach, Feyen, Fitzgerald, Hansen, Harsdorf, Johnson, Kapenga, C. Larson, Lasee, LeMahieu, Marklein, Miller, Moulton, Nass, Olsen, Petrowski, Ringhand, Risser, Roth, Shilling, Stroebel, L. Taylor, Testin, Vinehout, Vukmir, Wanggaard and Wirch - 32.

Noes – None - 0.

Absent or not voting - Senator Tiffany - 1.

Concurred in.

Senator Tiffany, with unanimous consent, asked to be recorded as voting “Aye” on the question of concurrence of **Assembly Bill 1, January 2017 Special Session**.

#### Assembly Bill 2, January 2017 Special Session

Relating to: treatment and diversion programs and making appropriations.

Read a second time.

Senator Fitzgerald moved that Senate Amendment 1 to **Assembly Bill 2, January 2017 Special Session** be rejected.

The question was: Rejection of Senate Amendment 1 to **Assembly Bill 2, January 2017 Special Session?**

The ayes and noes were required and the vote was: ayes, 19; noes, 13; absent or not voting, 1; as follows:

Ayes - Senators Cowles, Craig, Darling, Feyen, Fitzgerald, Harsdorf, Kapenga, Lasee, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Vukmir and Wanggaard - 19.

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

Absent or not voting - Senator Tiffany - 1.

Rejected.

Senator Tiffany, with unanimous consent, asked to be recorded as voting "Aye" on the question of rejection of Senate Amendment 1 to **Assembly Bill 2, January 2017 Special Session**.

Ordered to a third reading.

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

**Assembly Bill 2, January 2017 Special Session**

Read a third time.

The question was: Concurrence of **Assembly Bill 2, January 2017 Special Session?**

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes - Senators Bewley, Carpenter, Cowles, Craig, Darling, Erpenbach, Feyen, Fitzgerald, Hansen, Harsdorf, Johnson, Kapenga, C. Larson, Lasee, LeMahieu, Marklein, Miller, Moulton, Nass, Olsen, Petrowski, Ringhand, Risser, Roth, Shilling, Stroebel, L. Taylor, Testin, Vinehout, Vukmir, Wanggaard and Wirch - 32.

Noes - None - 0.

Absent or not voting - Senator Tiffany - 1.

Concurred in.

Senator Tiffany, with unanimous consent, asked to be recorded as voting "Aye" on the question of concurrence of **Assembly Bill 2, January 2017 Special Session**.

**Assembly Bill 4, January 2017 Special Session**

Relating to: prohibiting certain schedule V controlled substances from being dispensed without a prescription.

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.

**Assembly Bill 4, January 2017 Special Session**

Read a third time.

The question was: Concurrence of **Assembly Bill 4, January 2017 Special Session?**

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes - Senators Bewley, Carpenter, Cowles, Craig, Darling, Erpenbach, Feyen, Fitzgerald, Hansen, Harsdorf,

Johnson, Kapenga, C. Larson, Lasee, LeMahieu, Marklein, Miller, Moulton, Nass, Olsen, Petrowski, Ringhand, Risser, Roth, Shilling, Stroebel, L. Taylor, Testin, Vinehout, Vukmir, Wanggaard and Wirch - 32.

Noes - None - 0.

Absent or not voting - Senator Tiffany - 1.

Concurred in.

Senator Tiffany, with unanimous consent, asked to be recorded as voting "Aye" on the question of concurrence of **Assembly Bill 4, January 2017 Special Session**.

**Assembly Bill 6, January 2017 Special Session**

Relating to: authorizing the director of the Office of Educational Opportunity in the University of Wisconsin System to contract for the operation of a recovery charter school, insurance coverage of mental health treatment provided by a recovery charter school, and making appropriations.

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.

**Assembly Bill 6, January 2017 Special Session**

Read a third time.

The question was: Concurrence of **Assembly Bill 6, January 2017 Special Session?**

The ayes and noes were required and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes - Senators Bewley, Carpenter, Cowles, Craig, Darling, Erpenbach, Feyen, Fitzgerald, Hansen, Harsdorf, Johnson, Kapenga, C. Larson, Lasee, LeMahieu, Marklein, Miller, Moulton, Olsen, Petrowski, Ringhand, Risser, Roth, Shilling, Stroebel, L. Taylor, Testin, Tiffany, Vinehout, Vukmir, Wanggaard and Wirch - 32.

Noes - Senator Nass - 1.

Absent or not voting - None - 0.

Concurred in.

**Assembly Bill 7, January 2017 Special Session**

Relating to: grants to establish and expand graduate training in an addiction specialty and making an appropriation.

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.

**Assembly Bill 7, January 2017 Special Session**

Read a third time.

The question was: Concurrence of **Assembly Bill 7, January 2017 Special Session?**

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, 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.

Concurred in.

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Senator Fitzgerald, with unanimous consent, asked that the Senate recess.

12:57 P.M.

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**RECESS**

1:28 P.M.

The Senate reconvened.

Senate President Roth in the chair.

**Assembly Bill 8, January 2017 Special Session**

Relating to: creating additional opioid treatment programs and making an appropriation.

Read a second time.

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**IN THE CHAIR**

President Pro Tempore Marklein in the chair.

1:32 P.M.

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**IN THE CHAIR**

Senate President Roth in the chair.

1:45 P.M.

Senator Harsdorf moved that Senate Amendment 1 to **Assembly Bill 8, January 2017 Special Session** be rejected.

The question was: Rejection of Senate Amendment 1 to **Assembly Bill 8, January 2017 Special Session?**

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, 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.

Rejected.

Senator Harsdorf moved that Senate Amendment 2 to **Assembly Bill 8, January 2017 Special Session** be rejected.

The question was: Rejection of Senate Amendment 2 to **Assembly Bill 8, January 2017 Special Session?**

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, 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.

Rejected.

Senator Taylor, with unanimous consent, asked that Senate Amendment 3 to **Assembly Bill 8, January 2017 Special Session** be withdrawn and returned to author.

Ordered to a third reading.

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

**Assembly Bill 8, January 2017 Special Session**

Read a third time.

The question was: Concurrence of **Assembly Bill 8, January 2017 Special Session?**

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, 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.

Concurred in.

**Assembly Bill 9, January 2017 Special Session**

Relating to: addiction medicine consultation program and making an appropriation.

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.

**Assembly Bill 9, January 2017 Special Session**

Read a third time.

The question was: Concurrence of **Assembly Bill 9, January 2017 Special Session?**

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, 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.

Concurred in.

**Assembly Bill 10, January 2017 Special Session**

Relating to: position authorization for criminal investigation agents at the Department of Justice.

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.

**Assembly Bill 10, January 2017 Special Session**

Read a third time.

The question was: Concurrence of **Assembly Bill 10, January 2017 Special Session?**

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, 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.

Concurred in.

**Assembly Bill 11, January 2017 Special Session**

Relating to: mental health training program and making an appropriation.

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.

**Assembly Bill 11, January 2017 Special Session**

Read a third time.

The question was: Concurrence of **Assembly Bill 11, January 2017 Special Session?**

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, 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.

Concurred in.

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

- Assembly Bill 1, January 2017 Special Session**
- Assembly Bill 2, January 2017 Special Session**
- Assembly Bill 4, January 2017 Special Session**
- Assembly Bill 6, January 2017 Special Session**
- Assembly Bill 7, January 2017 Special Session**
- Assembly Bill 8, January 2017 Special Session**
- Assembly Bill 9, January 2017 Special Session**
- Assembly Bill 10, January 2017 Special Session**
- Assembly Bill 11, January 2017 Special Session**

Messaged.

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**ADJOURNMENT**

Senator Fitzgerald, with unanimous consent, asked that the January 2017 Special Session of the Senate stand adjourned until Friday, May 5, 2017.

Adjourned.

2:36 P.M.