



STATE OF WISCONSIN

Assembly Journal

One-Hundred and Fourth Regular Session

FRIDAY, February 28, 2020

The Chief Clerk makes the following entries under the above date:

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 19-082

Relating to the generation, transportation, recycling, treatment, storage, and disposal of hazardous waste, universal waste, pharmaceuticals, and used oil and affecting small business.

Submitted by Department of Natural Resources.
Report received from Agency, February 14, 2020.
To committee on **Environment**.
Referred on February 28, 2020.

Assembly Clearinghouse Rule 19-018

Relating to mental health day treatment services for children.

No action taken by committee on **Mental Health** on February 25, 2020.

To joint committee for review of **Administrative Rules** pursuant to s. 227.19 (5) (a), Wisconsin Statutes.
Referred on February 26, 2020.

Assembly Clearinghouse Rule 19-035

Relating to campaign finance.

No action taken by committee on **Campaigns and Elections** on February 25, 2020.

To joint committee for review of **Administrative Rules** pursuant to s. 227.19 (5) (a), Wisconsin Statutes.
Referred on February 26, 2020.

Assembly Clearinghouse Rule 19-075

Relating to professional engineer registration.

No action taken by committee on **Housing and Real Estate** on February 25, 2020.

To joint committee for review of **Administrative Rules** pursuant to s. 227.19 (5) (a), Wisconsin Statutes.
Referred on February 26, 2020.

Assembly Clearinghouse Rule 19-087

Relating to personal care providers.

No action taken by committee on **Aging and Long-Term Care** on February 25, 2020.

To joint committee for review of **Administrative Rules** pursuant to s. 227.19 (5) (a), Wisconsin Statutes.
Referred on February 26, 2020.

Assembly Clearinghouse Rule 19-092

Relating to Hospices.

No action taken by committee on **Aging and Long-Term Care** on February 21, 2020.

To joint committee for review of **Administrative Rules** pursuant to s. 227.19 (5) (a), Wisconsin Statutes.
Referred on February 26, 2020.

Assembly Clearinghouse Rule 19-115

Relating to education equivalent to a graduate degree in marriage and family therapy from a program accredited by COAMFTE.

No action taken by committee on **Children and Families** on February 24, 2020.

To joint committee for review of **Administrative Rules** pursuant to s. 227.19 (5) (a), Wisconsin Statutes.
Referred on February 26, 2020.

Assembly Clearinghouse Rule 19-116

Relating to discrimination based on arrest or conviction record.

No action taken by committee on **Children and Families** on February 24, 2020.

To joint committee for review of **Administrative Rules** pursuant to s. 227.19 (5) (a), Wisconsin Statutes.
Referred on February 26, 2020.

Assembly Clearinghouse Rule 19-118

Relating to the Wisconsin conveyance safety code.

No action taken by committee on **Consumer Protection** on February 24, 2020.

To joint committee for review of **Administrative Rules** pursuant to s. 227.19 (5) (a), Wisconsin Statutes.
Referred on February 26, 2020.

Assembly Clearinghouse Rule 19-134

Relating to commercial fisheries of lake whitefish in Lake Michigan and affecting small business.

No action taken by committee on **Small Business Development** on February 11, 2020.

To joint committee for review of **Administrative Rules** pursuant to s. 227.19 (5) (a), Wisconsin Statutes.
Referred on February 25, 2020.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 152

Relating to: recognizing June 2020 as LGBT Pride Month.

By Representatives Zamarripa, Spreitzer, Novak, Cabrera, Anderson, Billings, Bowen, Brostoff, Considine, Crowley, Emerson, Gruszynski, Hebl, Hesselbein, Kitchens, Kolste, Milroy, Neubauer, Ohnstad, Pope, Sargent,

Shankland, Stubbs, Stuck, Subeck, C. Taylor, Tranel, Tusler, Goyke, Vruwink, Fields, Sinicki, Riemer, McGuire and Hintz; cosponsored by Senators Carpenter, Johnson, Bewley, Larson, Ringhand, Risser, Schachtner and Shilling.

To committee on **Rules**.

Assembly Joint Resolution 153

Relating to: proclaiming March 2020 as women's history month.

By Representatives Zamarripa, C. Taylor, Subeck, Sinicki, Anderson, Billings, Bowen, Brostoff, Cabrera, Considine, Crowley, Emerson, Hebl, Hesselbein, B. Meyers, Milroy, Neubauer, Ohnstad, Pope, Sargent, Shankland, Spreitzer, Stubbs, Tusler, Vining, Goyke, Vruwink, Fields, Riemer and McGuire; cosponsored by Senators Johnson, Schachtner, L. Taylor, Bernier, Bewley, Larson, Ringhand, Risser, Shilling and Wirch.

To committee on **Rules**.

Assembly Bill 960

Relating to: prohibition against undetectable firearms, possessing a frame or receiver of a firearm without a serial number, and providing a penalty.

By Representatives Hesselbein, Subeck, Stubbs, C. Taylor, Sargent, Hebl, Anderson, Brostoff, Kolste, Zamarripa, Pope, Sinicki and Emerson; cosponsored by Senators Erpenbach, Smith, Carpenter, L. Taylor, Risser and Larson.

To committee on **Criminal Justice and Public Safety**.

Assembly Bill 961

Relating to: a state minimum wage, allowing the enactment of local minimum wage ordinances, and requiring the exercise of rule-making authority.

By Representatives Sargent, Subeck, Anderson, Bowen, Brostoff, Crowley, Goyke, Hesselbein, Ohnstad, Pope, Riemer, Sinicki, Spreitzer, Stuck, C. Taylor, Zamarripa, Cabrera, Considine, Fields, Hebl, Neubauer and Stubbs; cosponsored by Senators Wirch, Carpenter, Larson, Johnson, Ringhand, Risser, Smith and L. Taylor.

To committee on **Labor and Integrated Employment**.

Assembly Bill 962

Relating to: examination of building plans for public buildings, public structures, and places of employment; examination of plumbings plans; and requiring the exercise of rule-making authority.

By Representatives Rodriguez, Dittrich, Ballweg, Felzkowski, Gundrum, Kulp, Magnafici, Sortwell and Wichgers; cosponsored by Senators Roth, Stroebel, Feyen, Nass and Tiffany.

To committee on **Government Accountability and Oversight**.

Assembly Bill 963

Relating to: preference in state and local government contracts and procurement for materials manufactured in the United States and requiring the exercise of rule-making authority.

By Representatives McGuire, Doyle, Stuck, Anderson, Billings, Bowen, Considine, Emerson, Fields, Gruszynski, Hesselbein, Hintz, Kolste, B. Meyers, Neubauer, Ohnstad,

Pope, Sargent, Shankland, Sinicki, Spreitzer, C. Taylor, Vruwink and Zamarripa; cosponsored by Senators Shilling, Schachtner, Bewley, Carpenter, Johnson, Larson, Ringhand, Smith and Wirch.

To committee on **State Affairs**.

Assembly Bill 964

Relating to: body cameras on law enforcement officers.

By **Joint Legislative Council**

To committee on **Rules**.

Assembly Bill 965

Relating to: school safety plans.

By Representatives Kerkman, Dittrich, Sargent, Edming, Milroy and Wichgers; cosponsored by Senators Cowles, Carpenter and L. Taylor.

To committee on **Education**.

Assembly Bill 966

Relating to: disinfection of drinking water supplied by a municipal water system.

By Representative Pope; cosponsored by Senator Miller.

To committee on **Environment**.

Assembly Bill 967

Relating to: testing audible devices of fire alarm systems in the state capitol building.

By Representatives Allen, Horlacher and Skowronski; cosponsored by Senator Nass.

To committee on **Government Accountability and Oversight**.

Assembly Bill 968

Relating to: a limitation on the manufacturing component of the manufacturing and agriculture credit, a onetime increase in aids for special education, and making an appropriation.

By Representatives C. Taylor, Stubbs, Emerson, Hebl, Pope, Sargent, Anderson, Considine, Brostoff, Kolste, Hesselbein, Ohnstad and Bowen; cosponsored by Senators Erpenbach, Carpenter, Wirch and Smith.

To committee on **Ways and Means**.

Assembly Bill 969

Relating to: increasing certain individual income tax rates and expanding the number of brackets, a one-time increase in the general program operations appropriation of the University of Wisconsin System, and making an appropriation.

By Representatives C. Taylor, Stubbs, Sargent, Anderson, Cabrera, Considine, Brostoff, Kolste, Sinicki and Bowen; cosponsored by Senators Carpenter and Smith.

To committee on **Ways and Means**.

Assembly Bill 970

Relating to: special registration deputies.

By Representatives Brostoff, Cabrera, Hebl, C. Taylor, Stubbs, Anderson, Emerson, Bowen, Spreitzer, Zamarripa, Shankland, Neubauer, Considine and Sinicki; cosponsored by Senators Larson, Smith and Carpenter.

To committee on **Campaigns and Elections**.

Assembly Bill 971

Relating to: closing state offices and not holding University of Wisconsin System classes on election days.

By Representatives Brostoff, Cabrera, Crowley, Hebl, Stubbs, Anderson, Zamarripa, Neubauer and Sinicki; cosponsored by Senators Larson and Smith.

To committee on **Colleges and Universities**.

Assembly Bill 972

Relating to: the definition of political action committee for campaign finance purposes, public financing of campaigns, and making an appropriation.

By Representatives Brostoff, Cabrera, Anderson, Hebl, Stubbs, Emerson, Bowen, Spreitzer, Shankland, Neubauer, Considine and Sinicki; cosponsored by Senators Larson and Smith.

To committee on **Campaigns and Elections**.

CHIEF CLERK REPORTS

The Chief Clerk records:

- Assembly Bill 30
- Assembly Bill 47
- Assembly Bill 75
- Assembly Bill 86
- Assembly Bill 293
- Assembly Bill 310
- Assembly Bill 327
- Assembly Bill 344
- Assembly Bill 357
- Assembly Bill 435
- Assembly Bill 437
- Assembly Bill 454
- Assembly Bill 470
- Assembly Bill 472
- Assembly Bill 502
- Assembly Bill 522
- Assembly Bill 532
- Assembly Bill 576
- Assembly Bill 581
- Assembly Bill 607
- Assembly Bill 645
- Assembly Bill 646
- Assembly Bill 647
- Assembly Bill 650
- Assembly Bill 661
- Assembly Bill 691
- Assembly Bill 692
- Assembly Bill 699
- Assembly Bill 704
- Assembly Bill 731
- Assembly Bill 734
- Assembly Bill 736
- Assembly Bill 818

Presented to the Governor on Friday, February 28.

PATRICK E. FULLER
Assembly Chief Clerk

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

February 28, 2020

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, have been approved, signed and deposited in the office of the Secretary of State:

| <u>Bill Number</u> | <u>Act Number</u> | <u>Date Approved</u> |
|--------------------------------|-------------------|----------------------|
| Assembly Bill 47 | 109 | February 28, 2020 |
| Assembly Bill 49 | 110 | February 28, 2020 |
| Assembly Bill 86 | 113 | February 28, 2020 |
| Assembly Bill 222 | 107 | February 28, 2020 |
| Assembly Bill 633 | 105 | February 28, 2020 |
| Assembly Bill 691 | 114 | February 28, 2020 |
| Assembly Bill 704 | 115 | February 28, 2020 |
| Assembly Bill 804 | 112 | February 28, 2020 |

Respectfully submitted,
TONY EVERS
Governor

Pursuant to s. 35.095 (1)(b), Wisconsin Statutes, the following 2019 Acts have been published:

| <u>Act Number</u> | <u>Bill Number</u> | <u>Publication Date</u> |
|--------------------------------|-------------------------|-------------------------|
| Wisconsin Act 105 | Assembly Bill 633 | February 29, 2020 |
| Wisconsin Act 107 | Assembly Bill 222 | February 29, 2020 |
| Wisconsin Act 109 | Assembly Bill 47 | February 29, 2020 |
| Wisconsin Act 110 | Assembly Bill 49 | February 29, 2020 |
| Wisconsin Act 112 | Assembly Bill 804 | February 29, 2020 |
| Wisconsin Act 113 | Assembly Bill 86 | February 29, 2020 |
| Wisconsin Act 114 | Assembly Bill 691 | February 29, 2020 |
| Wisconsin Act 115 | Assembly Bill 704 | February 29, 2020 |

GOVERNOR'S VETO MESSAGES

February 28, 2020

To the Honorable Members of the Assembly:

I am vetoing **2019 Assembly Bill 26** in its entirety.

This bill relates to direct primary care agreements, which is an arrangement where a health care provider agrees to provide primary care services to a patient in exchange for a subscription fee. Under the bill, requirements would be established for a valid direct primary care agreement and valid direct primary care agreements would be exempt from Wisconsin's insurance laws. Originally, the bill would have prohibited a health care provider, when selecting patients for a direct primary care agreement, from discriminating on the basis of age, citizenship status, color, disability, gender, gender identity, genetic information, health status, existence of a preexisting medical condition, national origin, race, religion, sex, sexual orientation, or any other protected class. However, many of these protections were removed by an

amendment. The current bill provides that a health care provider would only be prohibited from discriminating based on a preexisting medical condition, health status, age, race, creed, color, sex, or disability.

I am vetoing this bill in its entirety because I object to the Legislature removing discrimination protections for certain individuals. In addition, I object to allowing a health care provider to choose not to enter into a direct primary care agreement with a patient based on the patient's genetics, national origin, gender identity, citizenship status, or whether the patient is LGBTQ. I believe that all individuals should be treated equally.

Respectfully submitted,
 TONY EVERS
 Governor of Wisconsin

February 28, 2020

To the Honorable Members of the Assembly:

I am vetoing **2019 Assembly Bill 805** in its entirety.

This bill requires that the Department of Corrections recommend revoking a person's extended supervision, parole, or probation if the person is charged with a crime while on extended supervision, parole, or probation. Individuals who are participating in the alternatives to revocation program at the Department of Corrections are exempt from the sanctions of this bill.

I am vetoing this bill in its entirety because I object to this unfunded mandate on the Department of Corrections that moves Wisconsin in the wrong direction on criminal justice reform. This bill is estimated to have a fiscal impact of more than \$200 million in just the first two years and hundreds of millions of dollars in unknown, ongoing costs to state taxpayers in the years to follow. This significant price tag does not include construction costs to build additional state correctional facilities, which would likely be needed, or take into account the fiscal impact on local governments.

Investing in evidence-based programming that addresses barriers to reentry, enhances educational and vocational opportunities for returning citizens, and provides treatment for mental health and substance use issues has shown to be an effective way to reduce recidivism and save taxpayer money while improving public safety. My budget made strides by investing in the Opening Avenues to Reentry Success and Treatment, Alternatives, and Diversion programs. My budget also proposed a two-percent increase in shared revenues for our local governments that would have helped them manage public safety costs. Sadly, this funding increase for local governments was removed by the legislature.

Research also indicates that early childhood education and after school programs have been shown to reduce crime and improve outcomes for kids. I would support additional investments in evidence-based programming, our public schools, and our local governments as an effective way to improve public safety and strengthen our communities. I

welcome a conversation with legislators about these investments and hope to see broad, bipartisan support for these commonsense ideas.

Leaders at the federal level and in states like Pennsylvania, Mississippi, and Texas have been able to enact meaningful and bipartisan criminal justice reform through policies that focus on rehabilitation and reduce incarceration, particularly the over-incarceration of poor people and people of color. A massive and costly expansion of our prison system would take Wisconsin down the wrong path.

I also object to removing the discretion of the Department of Corrections to recommend whether to revoke an individual's extended supervision, parole, or probation and to the lack of due process the bill provides. Even if the new charges against the individual are dismissed or the person is found not guilty, the person could still have his or her extended supervision, probation, or parole revoked.

The provisions included in **2019 Assembly Bill 805** revert to antiquated policies which resulted in mass incarceration. I will not move Wisconsin in the wrong direction on criminal justice reform and public safety.

Respectfully submitted,
 TONY EVERS
 Governor of Wisconsin

February 28, 2020

To the Honorable Members of the Assembly:

I am vetoing **2019 Assembly Bill 806** in its entirety.

The bill would expand eligibility for placement in the serious juvenile offender program to include all offenses that, if committed by an adult, would constitute a Class G felony or higher.

I am vetoing this bill in its entirety because I object to increasing the number of youths that could be placed in the serious juvenile offender program when science informs us that a punitive disposition system leads to worse outcomes. As I have said, what's best for our kids is what's best for our state, and it is vital that our efforts in reforming our criminal justice system recognize that our kids are worth much more than the worst decision they ever made. In addition, the Legislature has chosen not to provide the necessary funding for facilities to replace the Lincoln Hills and Copper Lake schools. A youth offender has the greatest opportunity to redeem themselves and be rehabilitated only when the appropriate investment is made in programs and facilities that enable success.

Respectfully submitted,
 TONY EVERS
 Governor of Wisconsin

February 28, 2020

To the Honorable Members of the Assembly:

I am vetoing **2019 Assembly Bill 808** in its entirety.

The bill would prohibit a prosecutor from dismissing or amending a charge of illegally possessing a firearm or placing the individual in a deferred prosecution program if an individual has been previously convicted, or found not guilty by reason of mental disease or defect, of committing a violent crime, unless the dismissal or amending of the charge is approved by the court. The bill would further require the court to notify the Legislature if the court approves the dismissal or amending of a charge of illegally possessing a firearm.

I am vetoing this bill in its entirety because I object to restricting the discretion of prosecutors and judges to address the alleged violation before them. I also object because the bill restricts the availability of deferred prosecution programs. As I have said, we need to be smarter on crime. Evidence suggests that diversion programs, including deferred prosecution programs, are more cost-effective and have better outcomes than traditional incarceration. I further object because the bill would create an administratively burdensome reporting requirement.

Respectfully submitted,
TONY EVERS
Governor of Wisconsin

February 28, 2020

To the Honorable Members of the Assembly:

I am vetoing **2019 Assembly Bill 809** in its entirety.

This bill further limits who is eligible to participate in prison early release programs and who is eligible for early discharge from probation.

I am vetoing this bill in its entirety because I object to further restricting the Department of Corrections' discretion to determine who is eligible for certain early release programs and who is a good candidate for early discharge from probation. The Department of Corrections has an important role to play in working to improve public safety while also providing opportunities for meaningful rehabilitation. That includes identifying when people have paid their debt to society for prior actions and ensuring fair and compassionate decisions are made when they are able to safely return to our communities. We should be coming up with ways to reduce prison populations and incentivize rehabilitation, not the other way around.

Respectfully submitted,
TONY EVERS
Governor of Wisconsin

COMMUNICATIONS

February 28, 2020

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 577, relating to the possession of a firearm by a person who has committed a misdemeanor crime of domestic violence or by a fugitive from justice and providing a penalty.

Sincerely,
KATRINA SHANKLAND
State Representative
71st Assembly District

February 28, 2020

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 548, relating to creating a task force on missing and murdered tribal women and girls and making an appropriation.

Sincerely,
AMY LOUDENBECK
State Representative
31st Assembly District