



STATE OF WISCONSIN Senate Journal

One-Hundred and Fourth Regular Session

6:30 P.M.

WEDNESDAY, January 22, 2020

The Senate met.

The Senate was called to order by Senate President Roth.

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 Bill 497** offered by Senator Marklein.

Senate Substitute Amendment 1 to **Senate Bill 600** offered by Senator Epenbach.

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Representative Stubbs added as a cosponsor of **Senate Bill 34**.

Pursuant to Senate Rule 17 (5), Representative James added as a cosponsor of **Senate Bill 492**.

Pursuant to Senate Rule 17 (5), Representative Stubbs added as a cosponsor of **Senate Bill 592**.

State of Wisconsin Office of the Governor

January 22, 2020

The Honorable, the Senate:

The following bill(s), originating in the Senate, 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>
Senate Bill 214	70	January 21, 2020
Senate Bill 233	71	January 21, 2020
Senate Bill 247	72	January 21, 2020
Senate Bill 296	73	January 21, 2020
Senate Bill 297	74	January 21, 2020
Senate Bill 334	75	January 21, 2020

Sincerely,
TONY EVERS
Governor

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

<u>Act Number</u>	<u>Bill Number</u>	<u>Publication Date</u>
Wisconsin Act 70	214	January 22, 2020
Wisconsin Act 71	233	January 22, 2020
Wisconsin Act 72	247	January 22, 2020
Wisconsin Act 73	296	January 22, 2020
Wisconsin Act 74	297	January 22, 2020
Wisconsin Act 75	334	January 22, 2020

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

CORRECTIONS IN:

ASSEMBLY AMENDMENT 1, TO 2019 SENATE BILL 310

Prepared by the Legislative Reference Bureau
(January 21, 2020)

- Page 7, line 7: delete "(NO TAG) or (NO TAG)," and substitute "(a) or (b)."
- Page 7, line 9: on lines 8 and 14, delete "(NO TAG) and (NO TAG)" and substitute "(a) and (b)".
- Page 8, line 21: delete "(NO TAG):" and substitute "(a)".

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

The committee on **Transportation, Veterans and Military Affairs** reported and recommended:

Senate Clearinghouse Rule 17-024

Relating to the registered nurse education stipend assistance program.

No action taken on January 21, 2020.

Referred to the joint committee for review of **Administrative Rules**, January 21, 2020.

JERRY PETROWSKI
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 113
Assembly Joint Resolution 114
Assembly Joint Resolution 118
Assembly Joint Resolution 119

Passed and asks concurrence in:

Assembly Bill 26
Assembly Bill 169
Assembly Bill 258
Assembly Bill 310
Assembly Bill 327
Assembly Bill 428
Assembly Bill 435
Assembly Bill 437
Assembly Bill 439
Assembly Bill 442
Assembly Bill 457
Assembly Bill 458
Assembly Bill 544
Assembly Bill 581
Assembly Bill 644
Assembly Bill 645
Assembly Bill 646
Assembly Bill 647
Assembly Bill 648
Assembly Bill 650
Assembly Bill 651
Assembly Bill 654
Assembly Bill 692
Assembly Bill 704

Concurred in:

Senate Bill 125
Senate Bill 156
Senate Bill 158
Senate Bill 160
Senate Bill 163
Senate Bill 230
Senate Bill 231
Senate Bill 310
Senate Bill 335
Senate Bill 390
Senate Bill 438
Senate Amendment 1 to **Assembly Bill 119**

President Roth appointed Senators Kooyenga and Miller to escort his Excellency, the Governor, to the Joint Convention.

Senator Fitzgerald, with unanimous consent, asked that the Senate recess and proceed in a body to the Assembly Chamber to meet in Joint Convention to receive the Governor's State of the State Address, and further, that the Senate stand adjourned pursuant to **Senate Joint Resolution 1**, upon the rising of the Joint Convention.

6:30 P.M.

RECESS

The Senate proceeded in a body to the Assembly Chamber to meet in Joint Convention to receive the State of the State Message.

6:45 P.M.

IN ASSEMBLY CHAMBER
IN JOINT CONVENTION

7:00 P.M.

Senate President Roth in the chair.

The Committee to wait upon the Governor appeared with his Excellency, the Honorable Governor Tony Evers, who delivered his message as follows:

STATE OF THE STATE ADDRESS

“Honorable Supreme Court Justices, tribal nation leaders, Constitutional Officers, members of the Wisconsin National Guard and active and retired members of our armed forces, cabinet members, Senate President Roth, Majority Leader Fitzgerald, Minority Leader Shilling, Speaker Vos, and Minority Leader Hintz, legislators, distinguished guests, and, most importantly, people of Wisconsin, welcome, and thank you for being here.

My partner in mischief, Kathy, is up in the gallery tonight along with our daughter, Katie, our son-in-law Collin, our son, Nick, and our daughter-in-law Landa. Thank you for your love and support—I love you all.

I'm Tony Evers, and I'm incredibly proud to be here as the 46th governor of the great state of Wisconsin to deliver my second State of the State Address.

As I reflect on my first year in office, although there were setbacks and occasional political posturing—what I call ‘huffing and puffing’—we also had a lot of success, and I am proud of everything we accomplished in just a year's time.

One of the best parts of my job is getting out of the Capitol and visiting with people all across our state. And holy mackerel, that's what we did. Lieutenant Governor Barnes and I both visited all 72 Wisconsin counties this past year. Actually, the bad news is that Lieutenant Governor Barnes and I raced to see who could be the first to visit all 72 counties. He beat me by about five days. But the good news is that we're just a few weeks into 2020, and I've already got a head start on him this year.

This past year we also brought science back to the state of Wisconsin. And we acknowledged that climate change exists, and it's a threat we need to start taking seriously. Lieutenant Governor Barnes is the chair of the Climate Change Task Force, working with local governments, industry and business leaders, and people from across our state on our

environment, stewardship, and sustainability—thanks, Lieutenant Governor Barnes, for your good work.

I was also proud to sign executive orders affirming equity, inclusion, respect, and dignity for state workers in Wisconsin. Last year, I visited every single one of our agencies to thank our employees and hear about the good work they're doing for our state. We should be proud of the folks who serve Wisconsinites every day, and I look forward to continuing to listen and elevating their voices and work.

I also promised that criminal justice reform would be a central focus of my administration. Although we have a lot of work to do on this issue, we made some important progress this year. For the first time in more than eight years, a governor stepped foot inside of one of our correctional facilities—and actually, not just one, I visited 6. And the Wisconsin Parole Commission is working to make sure we get our parole system back on track. Our Parole Commission chair, John Tate II, is here with us in the gallery tonight, and has been doing a great job. Thanks for all your work on this important issue, John.

Part of reforming our criminal justice system is believing in forgiveness and the power of redemption—things that I think speak to the character of our state. This past year, I also made good on my campaign promise to reinstate the pardon review board. We granted the first pardons in our state in nine years, offering forgiveness and a second chance to folks who've made amends in their lives and communities. Congratulations to Katie and Annette who are two of the folks we've pardoned since taking office and they are up in the gallery—thank you for being here tonight.

In my last State of the State Address, I asked the legislature to set politics aside so we could work together on the issues facing our state. I said I expected bills to be passed with broad support and in the spirit of bipartisanship. So, one of the things I'm most proud of is that more than 95 percent of the bills I signed my first year in office had bipartisan support. And, by golly, folks worked together on some important issues.

Representative Loudenbeck, Representative Kolste, Senator Kooyenga, and Senator Bewley came together to work on expanding access to healthcare in rural areas by making sure that Medicaid covers telehealth services in Wisconsin. And thanks to Senator Bernier, Senator Schachtner, Representative Zimmerman, and Representative Brostoff, voters will not be denied their right to vote because they have a disability. Because of Representative Thiesfeldt, Representative Bowen, Senator Johnson, and Senator Darling's good work, we signed a bill to train commercial drivers on recognizing and preventing human trafficking in Wisconsin. These bills exemplify what we can accomplish when we're focused on what unites us rather than what divides us, so thank you all for your good work.

I believe, as I've often said, that there's more to an economy than just counting job creation. Ask job creators across our state, and they'll tell you that investing in the foundation of a good quality of life and a diverse workforce is critical to a growing economy. We have to connect the dots

and focus on the fundamentals of economic development. It's pretty simple stuff, folks: good roads, good schools, and good healthcare. And this year, we got back to the basics and we made a down payment on these important priorities.

Economic development starts with education—you know, what's best for our kids is what's best for our state. Although the budget I signed did not include my proposed \$1.4-billion for our kids, we still provided the largest increase in general aid to Wisconsin schools in more than a decade. Working together, we were able to invest more than \$500 million in K-12 education, including the first increase in special education in 10 years. I also used my veto authority to add nearly \$100 million more in per pupil aid than the budget passed by the legislature.

But when we talk about education, we can't continue to ignore the elephant in the room of student debt. So tonight I'm excited to announce that I will be signing an executive order creating a Task Force on Student Debt in Wisconsin.

We have to work on making higher education available to more folks in our state. We have to understand how education-related debt affects not just our students, but their families, too. And we have to address the fact that student debt is preventing folks from buying a car, starting a business, saving for retirement, and starting a family. Thank you to our Department of Financial Institutions Secretary Kathy Blumenfeld, who is going to be leading this effort—I'm excited for the task force to get to work.

In addition to investing in our kids, this year we got back to the basics of economic development by investing in our transportation system. The budget I proposed provided a sustainable, long-term solution to our transportation funding crisis—and, by the way, it didn't include raising the gas tax by a dollar. The budget I did sign, however, provided more than \$465 million in new funding for our highways, local roads, and transit aids—\$320 million of which will go to fixing highways across our state. And we did all of that while still keeping bonding at the lowest level in 20 years.

We were also able to do some important work in making healthcare more affordable and accessible. We weren't able to expand Medicaid, which would have allowed us to bring in \$1.6 billion in new federal investment into our healthcare system. But The People's Budget still made some important investments in lead testing and abatement, stabilizing the individual healthcare market and lowering health insurance premiums, and expanding access to rural healthcare.

Finally, I delivered on my campaign promise for a 10-percent tax cut for Wisconsin families. The People's Budget, together with Assembly Bill 251, provided more than \$500 million in tax relief for working, middle-class families. That's money back in your pockets, folks.

I know the budget I signed didn't include everything that everybody wanted—I know it didn't include everything I wanted—but because of the budget we proposed, we were able to move the needle on critically important issues, some for the first time in a generation.

Now, as 2019 came to a close, we also began a new

decade. And while there is time to contemplate ten years' worth of successes and failures, we must fight the temptation to cling to the nostalgia of yesterday—there is too much work to do to find comfort in complacency. We must set out into the new decade with a renewed sense of purpose. We must be resolved to confront the challenges we face today, and we must be eager to embrace what may come tomorrow.

The struggles we face will test both the depth of our empathy and the strength of our selflessness. But Wisconsinites, I know we are up to the task, because it is the depth of our empathy and the strength of our selflessness that have defined who we are as a people for generations.

People like Julie and John who, after losing a family member to suicide last year, decided to use the corn maze they host at their farm to raise awareness for suicide prevention. Julie and John are here with us tonight—thank you.

People like Reverend Mowers who, after the only homeless shelter in his area closed a few years ago, worked with the Department of Safety and Professional Services to expedite the new shelter and get it opened so his neighbors would have a place to stay. Reverend Mowers is up in the gallery as well—Reverend, thanks for helping make this happen.

People like Duaa who, when a gunshot rang out in the halls of her high school, ran to the nearby mosque where her father works and took more than 100 students with her to provide them shelter and cover. Thank you, Duaa, for your courage and bravery.

It is because of people like Duaa, Dave, Julie, and John, and people just like them all across Wisconsin, that I have never been more hopeful about the future we're going to create. We get to choose how we define the next decade, and folks, we're going to start here tonight.

In Wisconsin, we're known as America's Dairyland. Heck, it's on our license plates. And for good reason. In 2018, we produced more cheese than any other state, producing more than 26 percent of the nation's cheese, and we account for more than 14 percent of the nation's milk production. And all of that dairy production and processing boasts \$43.4 billion in economic activity and nearly 79,000 jobs.

And it's not just cheese and dairy, folks. Our agricultural diversity is one of the strengths of our state. We're one of the leading growers and processors of vegetables, from potatoes to green peas and snap beans to carrots, and we produce 62 percent of the nation's cranberry crop. In 2018, we exported more than \$3 billion in agricultural products to more than 140 countries. All in all, agriculture contributes nearly \$105 billion to our state's economy.

But at the end of the day, these numbers tell the story of the folks whose sweat, work, and pride have been the pillar of our state for generations. America's Dairyland is more than bushels, bales, and hundredweights—it's about people. Wisconsin was raised on the land of the Native Americans who came before us, built on the backs of the farmers who came after them, and survives by the hands of the kids and

grandkids who are the keepers of this legacy.

Yet, despite our history, this tradition has been challenged. Between 2011 and 2018, Wisconsin lost about a third of our dairy farms. We lead the nation in farm bankruptcies. We've endured the consequences of unnecessary and unproductive tariffs and trade wars. And we've heard people who've said there's no place for small farms anymore—they ought to go big or bust.

Well, they're wrong. They don't know Wisconsin. In this state, no one carries the burden alone. We have leaned on farmers and their families, we have depended on their dedication, and we have relied on their resilience. We have not forgotten those who have shared the harvest and bounty, feeding our families, our communities, our state, and our country for more than a century. And tonight, we say that we are ready to be a partner in the promise of posterity.

I am announcing a three-pronged plan to start addressing these challenges. First, tonight I am calling a special session of the legislature next week to take up legislation to invest in our farmers, agricultural industries, and our rural communities.

The package of bills we'll announce tomorrow includes a bill creating the Wisconsin Initiative for Dairy Exports. We have to start maximizing efficiency in our small and middle-sized farms, and we need to build Wisconsin's dairy brand in international markets and increase dairy exports. So, we're going to set a goal of increasing Wisconsin's dairy exports to 20 percent of the United States' milk supply by 2024.

Additionally, we are going to expand our Farm Center and increase staffing at UW Extension to ensure farmers and agricultural industries have partners and support closer to home. At the same time, we're also working to get the food our farmers produce to tables right here in Wisconsin. So, we're not only going to bolster our Farm-to-School program, but we're also announcing our Farm-to-Fork program that will help connect our farmers and the food they produce with our universities, technical colleges, hospitals, and local businesses across our state.

Finally, we're going to create a new program that will focus on getting our farmers access to mental health services in Wisconsin. Our Farm Center is doing important work in this area, but we know folks need access to these resources closer to home. Our mental health program will assist farmers in accessing mental health support. They will also help coordinate local and regional peer support programming, and provide confidential, one-on-one counseling and assistance to farmers.

The second prong of our plan is ensuring that investing in farmers, agriculture, and rural communities is part of our broader economic development strategy. So, tonight I am also announcing that I will be working with the Wisconsin Economic Development Corporation to establish the Office of Rural Prosperity. The office will provide a one-stop shop for folks to navigate state programs and resources tailored to rural communities, businesses, and workers.

Finally, the third prong of our plan is to develop long-term

strategies on this issue—not based on what folks in Madison think is best—but based on the feedback and input from folks across our state. So, tomorrow, I will make good on my campaign promise to create a blue-ribbon commission to help promote agriculture and rural economic prosperity.

Our Blue Ribbon Commission on Rural Prosperity will convene folks and different industries from across our state. They’ll work together to develop long-term strategies on how we can best support the needs of rural Wisconsinites and rural communities.

Some of these proposals aren’t new—many of them are a form of what I proposed in my budget that were unfortunately taken out. But here’s the bottomline folks: we’re losing more than two dairy farms a day. And for each day we delay, the challenges will get harder and harder.

So, I want to be clear: I am not under the misguided belief that what I’m proposing today is the silver bullet. In the coming months, it’s going to take more listening than talking to hear from our farmers and our rural communities about how we can continue to invest in agricultural and rural prosperity across our state. But we have to start somewhere, and we have to start today.

Finally, in addition to addressing these challenges, I’d like to talk about another issue folks in our state care about.

In 2017, Hans, who is a dairy farmer and Lincoln County board supervisor, introduced a resolution supporting nonpartisan redistricting, kicking off a trend across our state. Today, 50 counties, representing 78 percent of the people of Wisconsin, have passed similar resolutions. Hans is up in the gallery with us tonight—Hans, thank you for your work on this important issue.

Unfortunately, nonpartisan redistricting legislation has been introduced for years—it’s even received bipartisan support—but the bill has never even been given a public hearing.

Well, when more than 80 percent of our state supports medical marijuana, 80 percent support universal background checks and extreme risk protection orders, and 70 percent support expanding Medicaid, and elected officials can ignore those numbers without consequence, folks, something’s wrong. The people who work in this building, who sit in these seats, and who drive the policies for our state, should not be able to ignore the people who sent us here. The will of the people is the law of the land, and by golly, the people should not take no for an answer.

So, tonight, as promised, I am bringing the fight for nonpartisan redistricting to the Legislature.

In the coming days, I will be signing an executive order

to create a nonpartisan redistricting commission who will draw The People’s Maps.

Our nonpartisan redistricting commission will consist of the people of our state—not elected officials, not lobbyists, not high-paid consultants. The People’s Maps Commission will visit every congressional district, hear directly from folks across our state, and draw fair, impartial maps for the Legislature to take up next year.

I believe, and Wisconsinites do, too, that people should get to choose their elected officials, not the other way around. So, when The People’s Maps are presented to the Legislature next year, I hope they will receive unanimous, bipartisan support.

From nonpartisan redistricting and investing in our rural communities, to addressing youth vaping and capping the cost of insulin, to closing the dark store loophole and getting PFAS out of our water, we’ve got work to do. There’s no rest for the elected, folks, and we’ve got a lot to get done before anyone takes a vacation.

But as I stand here today, and we turn to face the horizon of the coming decade, I have never been more hopeful about us, Wisconsin. And it is up to us to decide what kind of state we will be ten years from now.

We can choose to relitigate past political tussles, or we can choose to transcend animosity to rise and greet the problems before us.

We can choose to resent the hand that helps another, or we can choose to celebrate our neighbor’s prosperity because therein lies our prosperity, too.

We can choose to say ‘in this state, you go it alone or you don’t go at all,’ or we can choose to say ‘in Wisconsin, when we move forward, we all go together.’

Yes, we will most certainly face challenges. Yes, we will face adversity. But let us choose to be defined, not by our indifference, but by our decency. Let us choose to be defined by the depth of our empathy and the strength of our selflessness. And let us plunge into the new decade chasing the charge of the bearers who came before us, let us move forward, together.

It’s time to get to work, folks!

Thank you, and On, Wisconsin!”

ADJOURNMENT

The Joint Convention arose.

7:40 P.M.