



# STATE OF WISCONSIN

# Assembly Journal

## One-Hundred and Fifth Regular Session

12:50 P.M.

TUESDAY, June 8, 2021

The Assembly met in the Assembly Chamber located in the State Capitol.

Representative Summerfield in the chair.

The Assembly dispensed with the call of the roll.

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### AMENDMENTS OFFERED

Assembly Amendment 1 to **Assembly Bill 181** offered by Representative Novak.

Assembly Amendment 1 to **Assembly Bill 367** offered by Representative Krug.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 62**

Relating to: congratulating Fight Crime: Invest in Kids on their 25th anniversary.

By Representatives James, Armstrong, Cabral-Guevara, Horlacher, Moses, Murphy, Spiros and Subeck; cosponsored by Senator Jacque.

To committee on **Rules**.

#### **Assembly Bill 388**

Relating to: establishing the Wisconsin commission for the United States semiquincentennial commission to coordinate the commemoration of the 250th anniversary of the founding of the United States.

By Representatives Vos, Armstrong, Born, Cabral-Guevara, Callahan, Dallman, Dittrich, Duchow, Edming, Gundrum, Horlacher, James, Katsma, Krug, Kuglitsch, Kurtz, Moses, Murphy, Mursau, Novak, Plumer, Pronschinske, Ramthun, Rozar, Schraa, Spiros, Steffen, Subeck, Swearingen, Tauchen, Thiesfeldt, Tusler, Vorpapel, Vruwink and Zimmerman; cosponsored by Senators Kapenga, Ballweg, Darling, Felzkowski, Stroebel and Wanggaard.

To committee on **Tourism**.

#### **Assembly Bill 389**

Relating to: grants for the relocation of coal piles in the city of Green Bay.

By Representatives Steffen, Macco and Kitchens; cosponsored by Senators Wimberger and Cowles.

To committee on **State Affairs**.

#### **Assembly Bill 390**

Relating to: grants for the Memorial Hospital of Lafayette County, emergency medical services, and the city of Reedsburg community center.

By Representatives Novak, Kurtz and Tranel.

To committee on **State Affairs**.

#### **Assembly Bill 391**

Relating to: funding for historic sites of the State Historical Society.

By Representatives Novak, Tranel, Dallman, Oldenburg, Steffen, Ramthun, Cabral-Guevara, Dittrich, Horlacher, Edming, Thiesfeldt and Mursau; cosponsored by Senators Jacque, Wanggaard and Bernier.

To committee on **Tourism**.

#### **Assembly Bill 392**

Relating to: creating a PFAS municipal grant program.

By Representative Behnke.

To committee on **Energy and Utilities**.

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### COMMITTEE REPORTS

The joint committee for review of **Administrative Rules** reports and recommends:

#### **Assembly Clearinghouse Rule 20-089**

Relating to absence provisions.

Report objection in part on May 27, 2021:

Ayes: 6 - Senator Nass and Representative Neylon; Senators Stroebel and Bradley; Representatives August and Spiros.

Noes: 4 - Senators Roys and Larson; Representatives Subeck and Hebl.

*ADAM NEYLON*

Assembly Co-Chairperson

Joint Committee for Review of  
Administrative Rules

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The committee on **Colleges and Universities** reports and recommends:

#### **Assembly Bill 195**

Relating to: designating University of Wisconsin and technical college sports and athletic teams based on the sex of the participants.

Assembly Amendment 1 adoption:

Ayes: 10 - Representatives Murphy, Dallman, Tranel, Duchow, Wittke, Summerfield, Krug, Petryk, Cabral-Guevara and Moses.

Noes: 5 - Representatives Hesselbein, Anderson, Emerson, Shankland and Stubbs.

Passage as amended:

Ayes: 10 - Representatives Murphy, Dallman, Tranel, Duchow, Wittke, Summerfield, Krug, Petryk, Cabral-Guevara and Moses.

Noes: 5 - Representatives Hesselbein, Anderson, Emerson, Shankland and Stubbs.

To committee on **Rules**.

*DAVID MURPHY*

Chairperson

Committee on Colleges and Universities

The committee on **Corrections** reports and recommends:

**Assembly Bill 211**

Relating to: operation of drones over correctional institutions.

Assembly Amendment 1 adoption:

Ayes: 9 - Representatives Schraa, Callahan, Brandtjen, Snyder, James, Tittl, Bowen, Goyke and Stubbs.

Noes: 0.

Passage as amended:

Ayes: 9 - Representatives Schraa, Callahan, Brandtjen, Snyder, James, Tittl, Bowen, Goyke and Stubbs.

Noes: 0.

To committee on **Rules**.

*MICHAEL SCHRAA*

Chairperson

Committee on Corrections

The committee on **Criminal Justice and Public Safety** reports and recommends:

**Assembly Bill 69**

Relating to: expungement of records of certain crimes and discrimination based on expunged conviction.

Assembly Amendment 1 adoption:

Ayes: 8 - Representatives Spiros, Horlacher, Duchow, Novak, Schraa, James, Steffen and Callahan.

Noes: 6 - Representatives Sortwell, McGuire, Bowen, Drake, Emerson and Stubbs.

Passage as amended:

Ayes: 14 - Representatives Spiros, Horlacher, Sortwell, Duchow, Novak, Schraa, James, Steffen, Callahan, McGuire, Bowen, Drake, Emerson and Stubbs.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 91**

Relating to: throwing or expelling a bodily substance at a public safety worker or prosecutor.

Passage:

Ayes: 14 - Representatives Spiros, Horlacher, Sortwell, Duchow, Novak, Schraa, Krug, James, Steffen, Callahan, McGuire, Drake, Emerson and Stubbs.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 190**

Relating to: the responsibilities of the Law Enforcement Standards Board and disclosure of employment files when recruiting former or current officers.

Assembly Amendment 1 adoption:

Ayes: 13 - Representatives Spiros, Horlacher, Sortwell, Novak, Schraa, Krug, James, Callahan, McGuire, Bowen, Drake, Emerson and Stubbs.

Noes: 0.

Passage as amended:

Ayes: 13 - Representatives Spiros, Horlacher, Sortwell, Novak, Schraa, Krug, James, Callahan, McGuire, Bowen, Drake, Emerson and Stubbs.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 274**

Relating to: submission of human biological specimens to the state crime laboratories.

Passage:

Ayes: 14 - Representatives Spiros, Horlacher, Sortwell, Duchow, Novak, Schraa, James, Steffen, Callahan, McGuire, Bowen, Drake, Emerson and Stubbs.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 329**

Relating to: reporting the use of no-knock entry in the execution of a search warrant.

Passage:

Ayes: 11 - Representatives Spiros, Horlacher, Sortwell, Duchow, Novak, Schraa, Krug, James, Steffen, Callahan and Stubbs.

Noes: 4 - Representatives McGuire, Bowen, Drake and Emerson.

To committee on **Rules**.

**Assembly Bill 330**

Relating to: school resource officers.

Passage:

Ayes: 11 - Representatives Spiros, Horlacher, Sortwell, Duchow, Novak, Schraa, Krug, James, Steffen, Callahan and Stubbs.

Noes: 4 - Representatives McGuire, Bowen, Drake and Emerson.

To committee on **Rules**.

**Assembly Bill 331**

Relating to: requiring prospective law enforcement officers to complete a psychological examination prior to employment as a law enforcement officer and granting rule-making authority.

Assembly Substitute Amendment 1 adoption:

Ayes: 15 - Representatives Spiros, Horlacher, Sortwell, Duchow, Novak, Schraa, Krug, James, Steffen, Callahan, McGuire, Bowen, Drake, Emerson and Stubbs.

Noes: 0.

Passage as amended:

Ayes: 15 - Representatives Spiros, Horlacher, Sortwell, Duchow, Novak, Schraa, Krug, James, Steffen, Callahan, McGuire, Bowen, Drake, Emerson and Stubbs.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 332**

Relating to: crisis training for law enforcement officers.

Assembly Amendment 1 adoption:

Ayes: 15 - Representatives Spiros, Horlacher, Sortwell, Duchow, Novak, Schraa, Krug, James, Steffen, Callahan, McGuire, Bowen, Drake, Emerson and Stubbs.

Noes: 0.

Passage as amended:

Ayes: 15 - Representatives Spiros, Horlacher, Sortwell, Duchow, Novak, Schraa, Krug, James, Steffen, Callahan, McGuire, Bowen, Drake, Emerson and Stubbs.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 333**

Relating to: crisis program enhancement grants.

Assembly Amendment 1 adoption:

Ayes: 14 - Representatives Spiros, Sortwell, Duchow, Novak, Schraa, Krug, James, Steffen, Callahan, McGuire, Bowen, Drake, Emerson and Stubbs.

Noes: 1 - Representative Horlacher.

Passage as amended:

Ayes: 15 - Representatives Spiros, Horlacher, Sortwell, Duchow, Novak, Schraa, Krug, James, Steffen, Callahan, McGuire, Bowen, Drake, Emerson and Stubbs.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 334**

Relating to: drug testing of law enforcement officers involved in certain critical incidents while on duty.

Assembly Amendment 1 adoption:

Ayes: 15 - Representatives Spiros, Horlacher, Sortwell, Duchow, Novak, Schraa, Krug, James, Steffen, Callahan, McGuire, Bowen, Drake, Emerson and Stubbs.

Noes: 0.

Passage as amended:

Ayes: 15 - Representatives Spiros, Horlacher, Sortwell, Duchow, Novak, Schraa, Krug, James, Steffen, Callahan, McGuire, Bowen, Drake, Emerson and Stubbs.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 335**

Relating to: grants to law enforcement agencies for body cameras.

Assembly Amendment 1 adoption:

Ayes: 15 - Representatives Spiros, Horlacher, Sortwell, Duchow, Novak, Schraa, Krug, James, Steffen, Callahan, McGuire, Bowen, Drake, Emerson and Stubbs.

Noes: 0.

Passage as amended:

Ayes: 15 - Representatives Spiros, Horlacher, Sortwell, Duchow, Novak, Schraa, Krug, James, Steffen, Callahan, McGuire, Bowen, Drake, Emerson and Stubbs.

Noes: 0.

To committee on **Rules**.

*JOHN SPIROS*

Chairperson

Committee on Criminal Justice and Public Safety

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The committee on **Government Accountability and Oversight** reports and recommends:

**Assembly Bill 108**

Relating to: law enforcement agency policies on the use of force.

Assembly Amendment 1 to Assembly Substitute Amendment 1 adoption:

Ayes: 7 - Representatives Knodl, Kuglitsch, Steffen, Thiesfeldt, Krug, Drake and Neubauer.

Noes: 1 - Representative Emerson.

Assembly Substitute Amendment 1 adoption:

Ayes: 6 - Representatives Knodl, Kuglitsch, Steffen, Thiesfeldt, Krug and Drake.

Noes: 2 - Representatives Emerson and Neubauer.

Passage as amended:

Ayes: 6 - Representatives Knodl, Kuglitsch, Steffen, Thiesfeldt, Krug and Drake.

Noes: 2 - Representatives Emerson and Neubauer.

To committee on **Rules**.

**Assembly Bill 109**

Relating to: reporting of law enforcement use of force incidents.

Assembly Substitute Amendment 1 adoption:

Ayes: 8 - Representatives Knodl, Kuglitsch, Steffen, Thiesfeldt, Krug, Emerson, Drake and Neubauer.

Noes: 0.

Passage as amended:

Ayes: 8 - Representatives Knodl, Kuglitsch, Steffen, Thiesfeldt, Krug, Emerson, Drake and Neubauer.  
Noes: 0.

To committee on **Rules**.

**Assembly Bill 110**

Relating to: public access to policies regarding the use of force by law enforcement.

Passage:

Ayes: 8 - Representatives Knodl, Kuglitsch, Steffen, Thiesfeldt, Krug, Emerson, Drake and Neubauer.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 134**

Relating to: prohibiting use of choke holds by law enforcement officers in use of force policies.

Assembly Substitute Amendment 1 adoption:

Ayes: 8 - Representatives Knodl, Kuglitsch, Steffen, Thiesfeldt, Krug, Emerson, Drake and Neubauer.

Noes: 0.

Passage as amended:

Ayes: 7 - Representatives Knodl, Kuglitsch, Steffen, Thiesfeldt, Krug, Emerson and Drake.

Noes: 1 - Representative Neubauer.

To committee on **Rules**.

*DANIEL KNODL*

Chairperson  
Committee on Government  
Accountability and Oversight

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The committee on **Jobs and the Economy** reports and recommends:

**Assembly Clearinghouse Rule 20-043**

Relating to nonferrous metallic mineral exploration, bulk sampling, prospecting and mining and nonferrous mining waste management.

Modifications requested on May 4, 2021:

Ayes: 8 - Representatives Wittke, Armstrong, Dittrich, Neylon, Snyder, Magnafici, Tittl and Rozar.

Noes: 2 - Representatives Ohnstad and Shelton.

*ROBERT WITTKÉ*

Chairperson  
Committee on Jobs and the Economy

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The committee on **Local Government** reports and recommends:

**Assembly Bill 258**

Relating to: community-oriented policing-house grant program and making an appropriation.

Assembly Substitute Amendment 1 adoption:

Ayes: 7 - Representatives Novak, Gundrum, Skowronski, Brooks, Macco, Duchow and Spreitzer.

Noes: 2 - Representatives Baldeh and Conley.

Passage as amended:

Ayes: 6 - Representatives Novak, Gundrum, Skowronski, Brooks, Macco and Duchow.

Noes: 3 - Representatives Spreitzer, Baldeh and Conley.

To committee on **Rules**.

*TODD NOVAK*

Chairperson  
Committee on Local Government

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The committee on **Transportation** reports and recommends:

**Assembly Bill 97**

Relating to: designating the Bart Starr Memorial Bridge.

Passage:

Ayes: 14 - Representatives Plumer, Spiros, Vorpapel, Thiesfeldt, Skowronski, Ramthun, Brooks, Callahan, Rozar, Considine, Moore Omokunde, Ortiz-Velez, Shelton and Snodgrass.

Noes: 0.

To committee on **Rules**.

*JON PLUMER*

Chairperson  
Committee on Transportation

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**ACTION ON THE SENATE MESSAGE**

**Senate Bill 99**

Relating to: throwing or expelling a bodily substance at a public safety worker or prosecutor.

By Senators Bernier, Ballweg, Cowles, Jacque, Marklein and Wanggaard; cosponsored by Representatives James, Armstrong, Bowen, Brandtjen, Dittrich, Edming, Gundrum, Kitchens, Krug, Kuglitsch, Magnafici, Moses, Murphy, Oldenburg, Plumer, Ramthun, J. Rodriguez, Rozar, Subeck, Tittl, Tusler and Wichgers.

To committee on **Rules**.

**Senate Bill 101**

Relating to: designating the Bart Starr Memorial Bridge.

By Senators Wimberger, Cowles, Jacque, Marklein and Carpenter; cosponsored by Representatives Steffen, Macco, Shelton, Baldeh, Bowen, Brandtjen, Cabrera, Dittrich, Edming, Gundrum, Jagler, Kitchens, Kuglitsch, Milroy, Moses, Murphy, Mursau, Ramthun, Shankland, Sinicki, Spreitzer, Snyder, Tauchen, Thiesfeldt, Tittl, Tranel, Tusler, Vorpapel, Vruwink and Spiros.

To committee on **Rules**.

**Senate Bill 122**

Relating to: public access to policies regarding the use of force by law enforcement.

By Senators Wanggaard, L. Taylor, Darling, Cowles, Feyen, Jacque and Roys; cosponsored by Representatives Spiros, Armstrong, Brandtjen, Moses and Rozar.

To committee on **Rules**.

**Senate Bill 123**

Relating to: reporting of law enforcement use of force incidents.

By Senators Wanggaard, L. Taylor, Darling, Cowles, Feyen, Jacque and Roys; cosponsored by Representatives Spiros, Armstrong, Brandtjen, Brooks, Cabrera, Moses, Rozar, Thiesfeldt and Wichgers.

To committee on **Rules**.

**Senate Bill 124**

Relating to: community-oriented policing-house grant program and making an appropriation.

By Senators Wanggaard, L. Taylor, Darling and Cowles; cosponsored by Representatives Spiros, Armstrong, Brandtjen and Ortiz-Velez.

To committee on **Rules**.

**Senate Bill 165**

Relating to: the responsibilities of the Law Enforcement Standards Board and disclosure of employment files when recruiting former or current officers.

By Senators Testin, L. Taylor, Ballweg, Bernier, Cowles, Darling, Feyen, Jacque, Marklein, Nass and Wanggaard; cosponsored by Representatives Tusler, Cabral-Guevara, Sortwell, Bowen, Gundrum, Kuglitsch, Loudenbeck, Magnafici, Moses, Mursau, Plumer, Rozar, Snyder, Subeck and Thiesfeldt.

To committee on **Rules**.

**Senate Bill 237**

Relating to: operation of drones over correctional institutions.

By Senators Feyen, Ballweg, Felzkowski, Marklein, Nass, Ringhand, L. Taylor and Wanggaard; cosponsored by Representatives Callahan, Bowen, Brandtjen, Brooks, Goyke, Kitchens, Knodl, Murphy, Neylon, Rozar, Schraa, Snyder, Spiros and Thiesfeldt.

To committee on **Rules**.

**Senate Bill 299**

Relating to: submission of human biological specimens to the state crime laboratories.

By Senators Darling, Cowles, Jacque, Marklein and Wanggaard; cosponsored by Representatives Tittl, Brandtjen, Gundrum, Knodl, Moses, Mursau, Rozar, J. Rodriguez and Bowen.

To committee on **Rules**.

**COMMUNICATIONS**

June 8, 2021

Edward A. Blazel  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Blazel:

Please add my name as a co-author of Assembly Bill 336, relating to participation in federal unemployment benefit programs and work search requirements for unemployment insurance.

Sincerely,  
*DAVID STEFFEN*  
State Representative  
4th Assembly District

June 8, 2021

Edward A. Blazel  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Blazel:

Please add my name as a co-author of Assembly Bill 156, relating to state workforce housing income and franchise tax credit and requiring the exercise of rule-making authority.

Please add my name as a co-author of Assembly Bill 223, relating to exempting from taxation the pension benefits of certain federal employees.

Sincerely,  
*BARBARA DITTRICH*  
State Representative  
38th Assembly District

June 8, 2021

Edward A. Blazel  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Blazel:

Please add my name as a co-author of Assembly Bill 225, relating to reckless handling of a vaccine or drug and providing a penalty.

Sincerely,  
*LAKESHIA MYERS*  
State Representative  
12th Assembly District

June 8, 2021

Edward A. Blazel  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Blazel:

Please add my name as a co-author of Assembly Bill 299, relating to prohibiting proof of vaccination for COVID-19 as a condition of receiving business and government services.

Please add my name as a co-author of Assembly Bill 309, relating to prohibiting discrimination based on vaccination status.

Please add my name as a co-author of Assembly Bill 316, relating to prohibiting discrimination based on whether the person has received a COVID-19 vaccine.

Sincerely,  
*JAMES EDMING*  
State Representative  
87th Assembly District

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June 8, 2021

Edward A. Blazel  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Blazel:

I respectfully ask that my name be withdrawn as a co-author of Assembly Bill 271, relating to broadcasting election night proceedings.

I respectfully ask that my name be withdrawn as a co-sponsor of Senate Bill 292, relating to broadcasting election night proceedings.

Sincerely,  
*DAVID BOWEN*  
State Representative  
10th Assembly District

June 8, 2021

Edward A. Blazel  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Blazel:

Please add my name as a co-sponsor of Assembly Bill 325, relating to the Revised Uniform Unclaimed Property Act.

Sincerely,  
*JEFF SMITH*  
State Senator  
31st Senate District

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**ADJOURNMENT**

Representative Vorpapel moved that the Assembly stand adjourned until 10:00 A.M. on Wednesday, June 9.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

12:51 P.M.