



# STATE OF WISCONSIN

# Senate Journal

## One-Hundred and Fifth Regular Session

11:11 A.M.

TUESDAY, January 12, 2021

The Senate met.

The Senate was called to order by Senate President Kapenga.

### 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 Agard, Ballweg, Bernier, Bewley, Bradley, Carpenter, Cowles, Darling, Erpenbach, Felzkowski, Feyen, Jacque, Johnson, Kapenga, Kooyenga, Larson, LeMahieu, Marklein, Nass, Petrowski, Pfaff, Ringhand, Roth, Roys, Smith, Stafsholt, Stroebel, Testin, Wanggaard, Wimberger and Wirsch - 31.

Absent with leave - Senator L. Taylor - 1.

Vacancies - 13th Senate District - 1.

Senator LeMahieu, with unanimous consent, asked that all members of the Senate who are attending today's session virtually be considered present and able to vote on today's business.

### LEAVES OF ABSENCE

Senator Bewley, with unanimous consent, asked that Senator L. Taylor be granted a leave of absence for today's session.

Senator Bewley, with unanimous consent, asked that for a moment of silence for those killed or harmed during the assault on our nation's capital on January 6<sup>th</sup>.

The Senate stood for the prayer which was offered by Senate President Kapenga.

The Senate remained standing and Senator Bradley led the Senate in the pledge of allegiance to the flag of the United States of America.

Senator Bewley, with unanimous consent, asked that the Senate stand informal.

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

### CHIEF CLERK'S ENTRIES

#### AMENDMENTS OFFERED

Senate Amendment 1 to Senate Substitute Amendment 1 to **Assembly Bill 1** offered by Senators LeMahieu and Testin.

Senate Amendment 2 to Senate Substitute Amendment 1 to **Assembly Bill 1** offered by Senators LeMahieu and Testin.

Senate Substitute Amendment 2 to **Assembly Bill 1** offered by Senators Roys, Agard, Erpenbach, Johnson, Larson and Smith.

### INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read first time and referred:

#### Senate Bill 1

Relating to: modifications to the tax treatment of tax-option corporations that elect to pay tax at the entity level.

By Senators Marklein, Kooyenga and Kapenga; cosponsored by Representatives Wittke and Macco.

To the committee on **Financial Institutions and Revenue**.

#### Senate Bill 2

Relating to: various changes to the laws administered and enforced by the Department of Revenue.

By Senators Marklein, Kooyenga and Kapenga; cosponsored by Representatives Wittke, Macco, Katsma and Zimmerman.

To the committee on **Financial Institutions and Revenue**.

### PETITIONS AND COMMUNICATIONS

#### State of Wisconsin Wisconsin Ethics Commission

January 12, 2021

The Honorable, the Senate:

Pursuant to Wis. Stats. §13.685 (7), we are providing the enclosed information. Please visit the Wisconsin Ethics Commission's *Eye on Lobbying* website, <https://lobbying.wi.gov>, for more detailed information about

lobbyists, lobbying principals (organizations), and state agency liaisons.

Abrams, William.....	Wisconsin Health Care Association Inc.	Dennik-Champion,.....	Wisconsin Nurses Association Georgina
Avery, Kelsey.....	Wisconsin Association of Health Plans	Duffy, Melissa.....	Common Ground Healthcare Cooperative
Bautch, JoAnna.....	Citizen Action of Wisconsin	Early, Annie.....	American Physical Therapy Association (APTA) Wisconsin
Brooks, Bryan.....	Alkermes, Inc.	Early, Annie.....	Gulfstream Aerospace
Brooks, Bryan.....	InState Partners	Early, Annie.....	Wisconsin Fire Protection Coalition
Brooks, Bryan.....	Schneider Electric	Early, Annie.....	Wisconsin Pipe Trades Association
Brooks, Bryan.....	Secure Democracy	Engel, Andrew.....	3M Company
Brooks, Bryan.....	SmileDirectClub	Engel, Andrew.....	Wisconsin Academy of Physician Assistants
Brooks, Bryan.....	Wisconsin Association of Health Plans	Engel, Andrew.....	Wisconsin Interscholastic Athletic Association
Brunsvold, Elizabeth.....	Vertex Pharmaceuticals Incorporated	Ermert, George.....	American Physical Therapy Association (APTA) Wisconsin
Cascone, Heather.....	Pharmaceutical Care Management Association (PCMA)	Ermert, George.....	Gulfstream Aerospace
Childress, Jason.....	Advocate Aurora Health Care	Ermert, George.....	Wisconsin Fire Protection Coalition
Childress, Jason.....	Boys & Girls Clubs of Wisconsin	Ermert, George.....	Wisconsin Pipe Trades Association
Childress, Jason.....	Johnsonville, LLC	Fenley, James.....	Arts Wisconsin
Childress, Jason.....	Literacy Lab Inc.	Finger-Warmuth, Sara.....	Wisconsin Alliance for Women's Health, Inc.
Clark, James.....	Pediatric Home Respiratory Services, LLC dba Pediatric Home Service	Fish, Corydon.....	Wisconsin Manufacturers & Commerce
Cliffe, Elizabeth.....	Ascension Wisconsin	Fitzgerald, Jeff.....	Alkermes, Inc.
Cruz, Annette.....	IBM	Fitzgerald, Jeff.....	InState Partners
Cruz, Annette.....	LeadingAge Wisconsin	Fitzgerald, Jeff.....	Schneider Electric
Cruz, Annette.....	NIC-Wisconsin	Fitzgerald, Jeff.....	SmileDirectClub
Cruz, Annette.....	Standard Process Inc.	Fitzgerald, Jeff.....	Wisconsin Association of Health Plans
Cruz, Annette.....	Sunshine Health Freedom Foundation	Fitzgerald, Jeff.....	Wisconsin Wine and Spirit Institute
Cruz, Annette.....	TC Energy (Formerly TransCanada US Pipeline Central)	Fonfara, Thomas.....	Microsoft Corporation
Cruz, Annette.....	Wireless Infrastructure Association	Fonfara, Thomas.....	Wisconsin Craft Beverage Coalition
Cruz, Annette.....	Wisconsin Autism Providers Association	Foti, Steven.....	Diageo North America
Cruz, Annette.....	Wisconsin Health Freedom Coalition	Foti, Steven.....	Hoffman Construction Co.
Culotta, Jason.....	Midwest Food Products Association Inc	Foti, Steven.....	Invenergy LLC
Dennik, Robert.....	VJS Construction Services	Foti, Steven.....	MyPath
		Foti, Steven.....	Network for Innovation in Senior Care

Foti, Steven.....	Rogers Behavioral Health, Inc.	Halbach, Nathan.....	Lumen (formerly CenturyLink)
Foti, Steven.....	Wine Institute	Halbach, Nathan.....	NIC-Wisconsin
Foti, Tyler.....	America's Health Insurance Plans (AHIP)	Halbach, Nathan.....	Standard Process Inc.
Foti, Tyler.....	Diageo North America	Halbach, Nathan.....	Sunshine Health Freedom Foundation
Foti, Tyler.....	MyPath	Halbach, Nathan.....	TC Energy (Formerly TransCanada US Pipeline Central)
Foti, Tyler.....	Network Health Plan	Halbach, Nathan.....	Wireless Infrastructure Association
Foti, Tyler.....	Serve You Custom Prescription Management, Inc.	Halbach, Nathan.....	Wisconsin Autism Providers Association
Foti, Tyler.....	United Community Center	Halbach, Nathan.....	Wisconsin Health Freedom Coalition
Foti, Tyler.....	Wine Institute	Hanus, Andrew.....	Advocate Aurora Health Care
Foti, Tyler.....	Wisconsin Health Information Organization	Hayward, Courtney.....	Planned Parenthood of Wisconsin Inc
Foti, Tyler.....	WISHIN	Herkert, Toni.....	League of Wisconsin Municipalities
Gard, John.....	Milwaukee Metropolitan Sewerage District	Hogan, Rebecca.....	3M Company
Gilkes, Kristin.....	Customers First! Coalition	Hogan, Rebecca.....	Wisconsin Manufacturers & Commerce
Goyke, Gary.....	All Aboard Wisconsin	Hoven, Timothy.....	Clean Grid Alliance
Goyke, Gary.....	Bicycle Federation of Wisconsin	Hoven, Timothy.....	EDP Renewables
Goyke, Gary.....	Locksmith Alliance of Wisconsin	Hoven, Timothy.....	Milwaukee Metropolitan Sewerage District
Goyke, Gary.....	Scenic Wisconsin (formerly Citizens for a Scenic Wisconsin)	Hoven, Timothy.....	NextEra Energy Resources
Goyke, Gary.....	SEIU Wisconsin State Council	Hubbard, Gregory.....	Milwaukee Metropolitan Sewerage District
Goyke, Gary.....	Specialized Medical Vehicle Association of Wisconsin	Jacquart, Steve.....	Milwaukee Metropolitan Sewerage District
Goyke, Gary.....	Wisconsin Apartment Association (formerly Wisconsin Rental Housing Legislative Council)	Johnson, Dan.....	Wisconsin Motor Carriers Association
Goyke, Gary.....	Wisconsin Association of Mobility Managers	Johnson, Greta.....	American Cancer Society Cancer Action Network (ACS CAN)
Goyke, Gary.....	Wisconsin Association of Taxicab Owners	Julius, Buddy.....	American Society of Interior Designers
Goyke, Gary.....	Wisconsin Coordinated Transportation Cooperative	Julius, Buddy.....	CVS Health
Gundermann, Robert.....	Coalition of Wisconsin Aging Groups	Julius, Buddy.....	Greater Milwaukee Convention & Visitors Bureau, Inc. DBA VISIT Milwaukee
Gussert, Andrew.....	Boys & Girls Clubs of Wisconsin	Julius, Buddy.....	REM Wisconsin
Haas, Larry.....	Wisconsin Catholic Conference	Julius, Buddy.....	Stockbridge-Munsee Community
Haffenbredl, Mary.....	America's Health Insurance Plans (AHIP)	Julius, Buddy.....	Union Pacific Railroad Company
Halbach, Nathan.....	Archdiocese of Milwaukee	Julius, Buddy.....	Wisconsin Mortgage Bankers Association
Halbach, Nathan.....	IBM		
Halbach, Nathan.....	LeadingAge Wisconsin		

Kanter, Erik.....	Clean Grid Alliance	Maroney, Lisa.....	WI Airport Management Association
Kanter, Erik.....	EDP Renewables	McCoshen, William.....	Stride, Inc.
Kanter, Erik.....	Milwaukee Metropolitan Sewerage District	McDermott, Catherine.....	Wisconsin Academy of Physician Assistants
Kanter, Erik.....	NextEra Energy Resources	McDowell, Kelly.....	Arts Wisconsin
Kedzie, Neal.....	Wisconsin Motor Carriers Association	McHenry, Kevin.....	The College Entrance Examination Board
Kerksick, Julie.....	Community Advocates, Inc.	Meyer, Scott.....	Wisconsin Craft Beverage Coalition
Klaetsch, George.....	GoBrands Inc.	Miller, Daniel.....	Pro-Life Wisconsin
Knight, Eric.....	Wisconsin Swimming, Inc.	Morrison, Katrina.....	Wisconsin Alliance for Women's Health, Inc.
Knight, Jeffery.....	Wisconsin Swimming, Inc.	Murray, Ryan.....	American Society of Interior Designers
Kobza, Lawrie.....	Municipal Environmental Group - Water Division	Murray, Ryan.....	CVS Health
Kussow, Michelle.....	Friends of PBS Wisconsin	Murray, Ryan.....	Greater Milwaukee Convention & Visitors Bureau, Inc. DBA VISIT Milwaukee
Kussow, Michelle.....	Wisconsin Public Radio Association	Murray, Ryan.....	REM Wisconsin
Lamb, Jordan.....	Customers First! Coalition	Murray, Ryan.....	Stockbridge-Munsee Community
Langenohl, Tony.....	Stride, Inc.	Murray, Ryan.....	Union Pacific Railroad Company
Larson, Rebecca.....	Wisconsin Association of Independent Colleges and Universities	Murray, Ryan.....	Wisconsin Mortgage Bankers Association
Lauer, Michael.....	SEIU Wisconsin State Council	Nygren, John.....	Wisconsin Association of Health Plans
Lazarski, Katherine.....	Milwaukee Metropolitan Sewerage District	O'Connor, Alice.....	Explore Information Services LLC
Lee, Misha.....	Pre-Paid Legal Services d/b/a LegalShield	Peacock, Jon.....	Kids Forward
Legreid, Brad.....	Wisconsin Dairy Products Association Inc	Pfaff, Shawn.....	Stride, Inc.
Leibham, Joe.....	Advocate Aurora Health Care	Phillips, Matt.....	Tavern League of Wisconsin, Inc.
Leibham, Joe.....	Boys & Girls Clubs of Wisconsin	Pirlot, Randall.....	Wisconsin Academy of Physician Assistants
Leibham, Joe.....	Johnsonville, LLC	Pirlot, Randall.....	Wisconsin Manufacturers & Commerce
Leibham, Joe.....	Literacy Lab Inc.	Purtell, Brian.....	Wisconsin Health Care Association Inc.
Liedl, Kimber.....	WI Early Childhood Association	Radtke, Randall.....	American Lung Association, dba American Lung Association in Wisconsin
Lundquist, Tim.....	Wisconsin Association of Health Plans	Rapos, Brent.....	LeadingAge Wisconsin
Lyons, Steve.....	Arts Wisconsin	Reader, Chris.....	Wisconsin Manufacturers & Commerce
Manke, Gary.....	Midwest-SouthEastern Equipment Dealers Association Inc	Reef, Leor.....	GoBrands Inc.
Marchant, Robert.....	Hoffman Construction Co.	Richards, Michael.....	SSM Health
Marchant, Robert.....	Kohler Co.		
Marchant, Robert.....	Serve You Custom Prescription Management, Inc.		

Rogowski, Michael.....	Archdiocese of Milwaukee	Schreibel, Thomas.....	Incourage
Rogowski, Michael.....	IBM	Schreibel, Thomas.....	Kohler Co.
Rogowski, Michael.....	LeadingAge Wisconsin	Schreibel, Thomas.....	Newtrient
Rogowski, Michael.....	Lumen (formerly CenturyLink)	Schreibel, Thomas.....	Serve You Custom Prescription Management, Inc.
Rogowski, Michael.....	NIC-Wisconsin	Schreibel, Thomas.....	Wisconsin Alumni Research Foundation
Rogowski, Michael.....	Standard Process Inc.	Sella, Barbara.....	Wisconsin Catholic Conference
Rogowski, Michael.....	Sunshine Health Freedom Foundation	Sellen, Jayme.....	Fox Cities Chamber of Commerce & Industry
Rogowski, Michael.....	TC Energy (Formerly TransCanada US Pipeline Central)	Shafer, Kevin.....	Milwaukee Metropolitan Sewerage District
Rogowski, Michael.....	Wireless Infrastructure Association	Shepherd, Jeremy.....	American Physical Therapy Association (APTA) Wisconsin
Rogowski, Michael.....	Wisconsin Autism Providers Association	Shepherd, Jeremy.....	Gulfstream Aerospace
Rogowski, Michael.....	Wisconsin Health Freedom Coalition	Shepherd, Jeremy.....	Wisconsin Fire Protection Coalition
Romportl, Daniel.....	Concerned Auto Recyclers of Wisconsin	Shepherd, Jeremy.....	Wisconsin Pipe Trades Association
Romportl, Daniel.....	Eli Lilly and Company (formerly Lilly USA)	Sickel, Paul.....	SEIU Wisconsin State Council
Romportl, Daniel.....	Fix the System Wisconsin - Action Inc. (DBA Democracy Found Action)	Sisson, Karen.....	3M Company
Romportl, Daniel.....	McKinstry Essention, LLC	Skewes, William.....	Wisconsin Utilities Association Inc
Romportl, Daniel.....	Milwaukee Metropolitan Sewerage District	Smith, Jared.....	Municipal Environmental Group - Water Division
Romportl, Daniel.....	Wisconsin Dental Association	Spangler, Toby.....	Diageo North America
Romportl, Daniel.....	Wisconsin Society of Anesthesiologists	Springer, Carrie.....	Dane County
Ryan, Maureen.....	Wisconsin Coalition of Independent Living Centers	Stenger, Scott.....	Tavern League of Wisconsin, Inc.
Sahli, Sara.....	American Cancer Society Cancer Action Network (ACS CAN)	Summerfield, Craig.....	Wisconsin Manufacturers & Commerce
Sande, Matthew.....	Pro-Life Wisconsin	Sweeney, Rebekah.....	Wisconsin Cheese Makers Association
Sauer, John.....	LeadingAge Wisconsin	Szabo, Carl.....	NetChoice
Schmidt, Ruth.....	WI Early Childhood Association	Taffora, Brian.....	Bus Patrol
Scholz, Brandon.....	Friends of PBS Wisconsin	Taffora, Brian.....	Dimensions Renewable Energy
Scholz, Brandon.....	Wisconsin Public Radio Association	Taffora, Brian.....	Earnin
Schreibel, Thomas.....	Bus Patrol	Taffora, Brian.....	Hoffman Construction Co.
Schreibel, Thomas.....	Dimensions Renewable Energy	Taffora, Brian.....	Housing Authority of the City of Milwaukee
Schreibel, Thomas.....	Earnin	Taffora, Brian.....	Kohler Co.
Schreibel, Thomas.....	Housing Authority of the City of Milwaukee	Taffora, Brian.....	United Community Center
		Timberlake, Karen.....	Incourage
		Timberlake, Karen.....	Kohler Co.
		Timberlake, Karen.....	MyPath

Timberlake, Karen.....Network for Innovation in Senior Care

Timberlake, Karen.....Newtrient

Timberlake, Karen.....Rogers Behavioral Health, Inc.

Timberlake, Karen.....Wisconsin Health Information Organization

Timberlake, Karen.....WISHIN

Tyre, Scott WISCONSIN CABLE COMMUNICATIONS ASSOCIATION

Vercauteren, Kimberly.....Wisconsin Catholic Conference

Voigt, Molly.....Giffords

Walsh, Kenneth.....ATC Management Inc.

Walsh, Kenneth.....Wisconsin Fire Protection Coalition

Walsh, Kenneth.....Wisconsin Pipe Trades Association

Wegenke, Rolf.....Wisconsin Association of Independent Colleges and Universities

Welch, Robert.....Stride, Inc.

Werner, Allison.....River Alliance of Wisconsin

White, Katie.....Milwaukee Metropolitan Sewerage District

White, Natalie.....Professional Insurance Agents of Wisconsin

Williams, Conor.....Community Advocates, Inc.

Wilson, A.J.....McKinstry Essention, LLC

Wilson, A.J.....Milwaukee Metropolitan Sewerage District

Winters, Amy.....CropLife America

Zelenkova, Ramie.....Milwaukee Metropolitan Sewerage District

Zenk, Ann.....Wisconsin Hospital Association

Zordani, John.....America's Health Insurance Plans (AHIP)

Zordani, John.....Dimensions Renewable Energy

Zordani, John.....Invenergy LLC

Zordani, John.....Network Health Plan

Zordani, John.....Serve You Custom Prescription Management, Inc.

Zordani, John.....Wisconsin Alumni Research Foundation

Zordani, John.....Wisconsin Health Information Organization

Zordani, John.....Wisconsin Reading Corps

Zordani, John.....WISHIN

Sincerely,  
*DANIEL A. CARLTON, JR.*  
 Administrator

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**REFERRALS AND RECEIPT OF  
 COMMITTEE REPORTS CONCERNING  
 PROPOSED ADMINISTRATIVE RULES**

**Senate Clearinghouse Rule 19-097**

Relating to updating ETF rules to reflect the closure of the Long-Term Disability Insurance program to new claims and making technical changes to the ETF rules related to the Duty Disability Program established by s. 40.65, Stats.

Submitted by the Department of Employee Trust Funds.  
 Report received from Agency, January 4, 2021.

Referred to the committee on **Financial Institutions and Revenue**, January 12, 2021.

**Senate Clearinghouse Rule 19-110**

Relating to certification for identification, removal, and reduction of lead-based paint hazards.

Submitted by the Department of Health Services.  
 Report received from Agency, January 4, 2021.

Referred to the committee on **Health**, January 12, 2021.

**Senate Clearinghouse Rule 19-126**

Relating to technical changes to update ETF rules.

Submitted by the Department of Employee Trust Funds.  
 Report received from Agency, January 4, 2021.

Referred to the committee on **Financial Institutions and Revenue**, January 12, 2021.

**Senate Clearinghouse Rule 19-136**

Relating to administration of the crime victims compensation program.

Submitted by the Department of Justice.  
 Report received from Agency, January 4, 2021.

Referred to the committee on **Judiciary and Public Safety**, January 12, 2021.

**Senate Clearinghouse Rule 19-158**

Relating to requests for predeterminations regarding license eligibility due to conviction records.

Submitted by the Department of Revenue.  
 Report received from Agency, January 4, 2021.

Referred to the committee on **Financial Institutions and Revenue**, January 12, 2021.

**Senate Clearinghouse Rule 20-009**

Relating to professional land surveyors licensure.

Submitted by the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors.

Report received from Agency, January 4, 2021.

Referred to the committee on **Insurance, Licensing and Forestry**, January 12, 2021.

**Senate Clearinghouse Rule 20-010**

Relating to campaign finance.  
Submitted by the Ethics Commission.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Elections, Election Process Reform and Ethics**, January 12, 2021.

**Senate Clearinghouse Rule 20-014**

Relating to designer permits.  
Submitted by the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Insurance, Licensing and Forestry**, January 12, 2021.

**Senate Clearinghouse Rule 20-016**

Relating to biennial registration.  
Submitted by the Occupational Therapists Affiliated Credentialing Board.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Insurance, Licensing and Forestry**, January 12, 2021.

**Senate Clearinghouse Rule 20-017**

Relating to continuing podiatric medical education.  
Submitted by the Podiatry Affiliated Credentialing Board.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Insurance, Licensing and Forestry**, January 12, 2021.

**Senate Clearinghouse Rule 20-019**

Relating to settlement of potential campaign finance, lobbying, and ethics violations.  
Submitted by the Ethics Commission.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Elections, Election Process Reform and Ethics**, January 12, 2021.

**Senate Clearinghouse Rule 20-021**

Relating to electric weapons.  
Submitted by the Department of Safety and Professional Services.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Judiciary and Public Safety**, January 12, 2021.

**Senate Clearinghouse Rule 20-022**

Relating to scheduling MMB-FUBICA and 4F-MDMB-BINACA.  
Submitted by the Controlled Substances Board.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Health**, January 12, 2021.

**Senate Clearinghouse Rule 20-023**

Relating to scheduling isotonitazene and 1P-LSD.  
Submitted by the Controlled Substances Board.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Health**, January 12, 2021.

**Senate Clearinghouse Rule 20-024**

Relating to changes to rules governing substitute educational interpreter licenses.

Submitted by the Department of Public Instruction.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Education**, January 12, 2021.

**Senate Clearinghouse Rule 20-025**

Relating to cosmetology licensure and practice outside of a licensed establishment.  
Submitted by the Cosmetology Examining Board.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Insurance, Licensing and Forestry**, January 12, 2021.

**Senate Clearinghouse Rule 20-026**

Relating to certification courses for funeral director apprentices.  
Submitted by the Funeral Directors Examining Board.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Insurance, Licensing and Forestry**, January 12, 2021.

**Senate Clearinghouse Rule 20-029**

Relating to athlete agents.  
Submitted by the Department of Safety and Professional Services.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Insurance, Licensing and Forestry**, January 12, 2021.

**Senate Clearinghouse Rule 20-037**

Relating to reciprocal credentials for service members, former service members, and their spouses.  
Submitted by the Chiropractic Examining Board.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Insurance, Licensing and Forestry**, January 12, 2021.

**Senate Clearinghouse Rule 20-042**

Relating to reciprocal credentials for service members, former service members, and their spouses.  
Submitted by the Accounting Examining Board.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Insurance, Licensing and Forestry**, January 12, 2021.

**Senate Clearinghouse Rule 20-049**

Relating to scheduling of brexanolone and solriamfetol.  
Submitted by the Controlled Substances Board.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Health**, January 12, 2021.

**Senate Clearinghouse Rule 20-050**

Relating to scheduling of N-Ethylhexedrone, a-PHP, 4-MEAP, MPHP, PV8 and 4-chloro-a-PVP.  
Submitted by the Controlled Substances Board.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Health**, January 12, 2021.

**Senate Clearinghouse Rule 20-051**

Relating to scheduling of noroxymorphone.  
Submitted by the Controlled Substances Board.  
Report received from Agency, January 4, 2021.  
Referred to the committee on **Health**, January 12, 2021.

**Senate Clearinghouse Rule 20-054**

Relating to reciprocal credentials for service members, former service members, and their spouses.

Submitted by the Physical Therapy Examining Board.

Report received from Agency, January 4, 2021.

Referred to the committee on **Insurance, Licensing and Forestry**, January 12, 2021.

**Senate Clearinghouse Rule 20-057**

Relating to private residence elevators.

Submitted by the Department of Safety and Professional Services.

Report received from Agency, January 4, 2021.

Referred to the committee on **Insurance, Licensing and Forestry**, January 12, 2021.

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

**Assembly Bill 1**

Relating to: state government actions to address the COVID-19 pandemic, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, and granting rule-making authority.

Read a second time.

Senator Bewley, with unanimous consent, asked that the rules be suspended and Senate Substitute Amendment 2 be taken up at this time.

Senator Bewley, with unanimous consent, asked that the Senate stand informal.

Senator LeMahieu moved that Senate Substitute Amendment 2 to **Assembly Bill 1** be rejected.

The question was: Rejection of Senate Substitute Amendment 2 to **Assembly Bill 1**?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 11; absent or not voting, 1; as follows:

Ayes - Senators Ballweg, Bernier, Bradley, Cowles, Darling, Felzkowski, Feyen, Jacque, Kapenga, Kooyenga, LeMahieu, Marklein, Nass, Petrowski, Roth, Stafsholt, Stroebel, Testin, Wanggaard and Wimberger - 20.

Noes - Senators Agard, Bewley, Carpenter, Erpenbach, Johnson, Larson, Pfaff, Ringhand, Roys, Smith and Wirch - 11.

Absent or not voting - Senator L. Taylor - 1.

Rejected.

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Senator Carpenter submitted a resolution for introduction as a privileged resolution.

Senator Kapenga, with unanimous consent, asked that the Senate stand informal.

**Senate Resolution 2**

Relating to: mandatory wearing of masks in state capitol.

Considered as privileged and taken up.

Senator LeMahieu moved that **Senate Resolution 2** be laid on the table.

The question was: Tabling of **Senate Resolution 2**?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 11; absent or not voting, 1; as follows:

Ayes - Senators Ballweg, Bernier, Bradley, Cowles, Darling, Felzkowski, Feyen, Jacque, Kapenga, Kooyenga, LeMahieu, Marklein, Nass, Petrowski, Roth, Stafsholt, Stroebel, Testin, Wanggaard and Wimberger - 20.

Noes - Senators Agard, Bewley, Carpenter, Erpenbach, Johnson, Larson, Pfaff, Ringhand, Roys, Smith and Wirch - 11.

Absent or not voting - Senator L. Taylor - 1.

Tabled.

Senator Smith submitted a resolution for introduction as a privileged resolution.

The Chair ruled the resolution was not privileged, pursuant to Senate Rule 69 and will not be taken up.

Senator Smith appealed the ruling of the Chair.

The question was: Shall the ruling of the Chair stand as the judgment of the Senate?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 11; absent or not voting, 1; as follows:

Ayes - Senators Ballweg, Bernier, Bradley, Cowles, Darling, Felzkowski, Feyen, Jacque, Kapenga, Kooyenga, LeMahieu, Marklein, Nass, Petrowski, Roth, Stafsholt, Stroebel, Testin, Wanggaard and Wimberger - 20.

Noes - Senators Agard, Bewley, Carpenter, Erpenbach, Johnson, Larson, Pfaff, Ringhand, Roys, Smith and Wirch - 11.

Absent or not voting - Senator L. Taylor - 1.

Ruling of the Chair stands.

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

1:37 P.M.

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**RECESS**

2:01 P.M.

The Senate reconvened.

Senate President Kapenga in the chair.

Senator LeMahieu, with unanimous consent, asked that Senate Amendment 1 to Senate Substitute Amendment 1 to **Assembly Bill 1** be withdrawn and returned to author.



The question was: Adoption of Senate Amendment 2 to Senate Substitute Amendment 1 to **Assembly Bill 1**?

Adopted.

The question was: Adoption of Senate Substitute Amendment 1 to **Assembly Bill 1**?

The ayes and noes were demanded and the vote was: ayes, 29; noes, 2; absent or not voting, 1; as follows:

Ayes - Senators Agard, Ballweg, Bernier, Bewley, Bradley, Carpenter, Cowles, Darling, Erpenbach, Felzkowski, Feyen, Jacque, Johnson, Kapenga, Kooyenga, LeMahieu, Marklein, Petrowski, Pfaff, Ringhand, Roth, Roys, Smith, Stafsholt, Stroebel, Testin, Wanggaard, Wimberger and Wirch - 29.

Noes - Senators Larson and Nass - 2.

Absent or not voting - Senator L. Taylor - 1.

Adopted.

Ordered to a third reading.

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

**Assembly Bill 1**

Read a third time and concurred in as amended.

Senators Nass and Larson, with unanimous consent, asked to be recorded as voting “No” on the question of concurrence as amended of **Assembly Bill 1**.

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

**Assembly Bill 1**

Messaged.

Senator LeMahieu, with unanimous consent, asked that the Senate recess until 6:45 P.M. for the purpose of awaiting the Governor’s State of the State address.

2:09 P.M.

**RECESS**

6:45 P.M.

The Senate reconvened.

Senate President Kapenga in the chair.

Due to the Coronavirus pandemic, Governor Tony Evers delivered his State of the State address virtually. The Senate received the address from the Senate Chamber.

**STATE OF THE STATE ADDRESS**

“Good evening, Wisconsinites.

Welcome, and thank you for tuning in this evening.

I’m Tony Evers, and I’m incredibly proud to be the 46th governor of the great state of Wisconsin and to deliver my 2021 State of the State Address to you tonight.

The Wisconsin Constitution requires that each year the governor communicate the condition of our state. Now, tonight is probably the first time in our state’s history a governor has delivered a state of the state address virtually and without a live audience. That means there’s good news and bad news: the bad news is there won’t be any applause or boos here tonight, but the good news is that means tonight’s speech will take a heckuva lot less time and since you’re watching at home, you can be as rowdy as you’d like from the comfort of your couch.

To begin tonight, I’d like to acknowledge some individuals who aren’t here with us. The first person’s name is Ben Belzer.

Ben worked in my office, traveling with me about everywhere I went during my first two years as governor. If you’ve seen me out and about, there’s a good chance Ben was by my side—you might’ve even talked to him. And for a good portion of this pandemic, Ben was also in my circle of five until we lost him tragically this past summer. My team and I think of him often, striving always to be more like Ben in word, in deed, and in service. We sure wish he could be with us here tonight. We miss him every day.

Also not with us tonight are the more than 5,000 Wisconsinites who have died due to COVID-19. They were firefighters, healthcare workers, nuns, educators, entrepreneurs, community pillars, students, veterans, volunteers, bird watchers, card players, and Packers, Brewers, and Bucks fans. They were moms and dads, brothers and sisters, friends, and coworkers, and they are loved and missed by many.

So, tonight, I’d like to dedicate this address to those who we’ve lost this year and the families—the sons and daughters, moms and dads, grandparents and grandkids, friends, and neighbors left behind—who, on top of everything else this past year, have had to mourn the loss of someone they love.

And I’d ask you to join me briefly in a moment of silence to honor the lives of these Wisconsinites we lost to COVID-19.

Thank you.

As I stood before you and delivered my second state of the state address last year, the world and our state looked much different than it does now.

We were coming off a successful year making a down payment on our priorities like fully funding our public schools, fixing our crumbling roads and bridges, and making healthcare more accessible and affordable. We put \$330 million in general school aids—the largest in more than a decade— and funded a \$97-million increase for special education—the largest ever. We provided more than

\$465 million in new funding for our local roads, highways, and transit aids. And even though my efforts to expand healthcare were rejected by Republicans in the

Legislature, we made critical investments in improving mental health treatment, supporting our direct care workforce, and increasing funding for our rural healthcare providers.

So, we began 2020 with our sights set high.

We were announcing a three-pronged plan to address our dairy crisis and support rural communities across our state. We were looking ahead to redistricting on the horizon, creating the People's Maps Commission to draw our state's next maps after the 2020 Census and ensure that people choose their elected officials, not the other way around. We were pushing to return to our state's commitment to two-thirds funding for our kids and our schools, and we were going to increase aid to our most rural school districts while providing \$130 million toward reducing property taxes through equalization aid.

Then things changed overnight.

We were going about our daily lives when a novel coronavirus hit, and we had to take urgent, necessary steps to prevent the COVID-19 pandemic from spreading.

Suddenly, states and countries were asking folks to shelter in place, kids and educators were learning and teaching from their kitchen tables, and so many began working from home, and those that weren't were worried about what this virus might mean for them if they went to work each day.

When I delivered my last state of the state address, no one could have predicted the rest of the year would go quite like it did. What we now know about 2020 is that it was among the most unrelenting years many of us have ever experienced.

If someone had said then that our special sessions to address our dairy crisis and provide funding for our schools and property tax relief would be met with inaction—if someone had said then that after visiting all 72 counties my first year in office, last year we'd only be visiting each other virtually and learning to use a thing called Zoom—if someone had said then that in a year's time, we'd have lost more than 5,000 of our family members, friends, and neighbors due to the worst public health crisis in a century—we wouldn't have believed them.

I said then that the year would challenge the depth of our empathy and the strength of our selflessness—and it did, but in more and different ways than we could have ever imagined.

Just take a look.

It's tempting to look back on the year and see a year rife with heartbreak, setbacks, and loss.

Because it was.

From our healthcare workers to our students, Wisconsinites have been stretched to the limit—making immeasurable sacrifices for our neighbors, for our families, for our loved ones, and I know so many are tired.

Our statewide efforts to contain this virus were met with costly litigation and resistance nearly every step of the way.

We were grateful to be able to invest nearly \$2 billion in our state's response. We distributed more than 26 million pieces of PPE and sanitizing supplies to hospitals, long-term care facilities, veteran's homes, and frontline workers. We provided more than \$379 million to help stabilize our economy and support nearly 53,000 of our small businesses, more than 15,000 farms, and our lodging, hospitality, and tourism industries. We invested more than \$200 million in helping communities across Wisconsin recover, but we know we have a long way to go to get our economy back on track.

And unfortunately, many of the challenges of 2020 will no doubt carry into this new year.

But as we reflect on these challenges—the magnitude of what this past year presented us, and the work we did together to prepare, adapt, and respond—let us also remember to grant ourselves grace, to permit ourselves perspective, to recognize our own resilience.

Yes, our reverence and our patience and our tolerance have been tested by the times and by each other. Yes, sometimes doing what's best and what is right lost out to elected officials who chose politics and political interests instead. Yes, there were moments where we could've offered a greater empathy, more humility, and better community than what we gave to those who, too, were carrying the burden of the last year.

But despite all of this, we also managed to find strength in the struggles we shared.

We found faith in the kindness of strangers—who brought food and groceries to those who couldn't leave their homes, packing meals for kids so they wouldn't go hungry even if they weren't in school, sewing and donating masks for others who couldn't afford their own.

We found resolve in the voices of thousands marching and echoing the call and repeat of generations in demand of the equity and justice we promised and have not yet delivered.

We found perseverance in our farmers, growers and farm workers, and producers who kept working to make sure we kept food on our tables, in our Main Street businesses and restaurants who reimaged and retooled to keep customers and our communities safe, in the men and women of our Wisconsin National Guard who have heeded the call to serve time and again—from our statewide testing to working the polls—during what's been the longest Guard activation in our history.

We found courage in hospital rooms and hallways—in the doctors and nurses and healthcare workers who've braced themselves on the way to work and walked through the door anyway, who've comforted our loved ones when we couldn't, who, even today, have never stopped showing up for us.

This past year asked a lot of us, and we've asked a lot of one another. But when we did, we found that the strength of our state is in what we are willing to face together—what we are willing to do for each other, especially when our neighbors need us the most.

Although the year is behind us, the remnants and hardship of 2020 remain.

I know folks are eager to put this virus in the past—frankly, I am, too. I know so many are ready to get vaccinated and get back to life as we knew it, and we are working to distribute vaccine doses as quickly and as fairly as we can.

And while Congress recently provided additional resources to help support families and our state's response, we know it will likely not be enough to continue fighting this virus until we're through distributing the vaccine.

There's always more work to do, and just as we have this past year, we're going to get it done. Now two years into my first term as governor, we're not going to slow down. In fact, we're just getting started.

Our forebearers gave us a mandate to go forward. And we have, as we must.

But "forward" was a challenge to us then just as it is here today not to move for movement's sake. In this state, forward isn't a metric of those who've moved the fastest, it's the measure of the strides we make when we all go together.

As this past year has underscored, our course over the past decade has proven unsteady and uneven. For years, our state has plowed ahead unencumbered by the hopes of those we might leave behind.

We are reminded now that in the fight for progress and prosperity we each share responsibility. And it begins with broadband.

This pandemic has underscored—and in some ways, exacerbated—the digital divide that exists across our state. This pandemic has shown us firsthand that lack of access to high-speed internet continues to be a setback for kids, families, and businesses across our state.

Students, educators, and schools making the shift to virtual learning were faced with a lack of access or unreliable connections that made it difficult to teach, engage, and learn. Folks trying to stay healthy and access basic healthcare services had trouble using telemedicine or other alternatives to visit with their doctor when they couldn't go in-person. And businesses working to adapt and provide online ordering or payment options didn't have the technological tools or lacked connectivity in their area. And in some communities, consumers didn't have the internet connection to take advantage, even if they could have.

According to the FCC, more than 430,000 people who make up 25 percent of our state's rural population lack access to high-speed internet. Our state ranks 36th in the country for accessibility in rural areas. Earlier this year, our Wisconsin Economic Development Corporation released its "Wisconsin Tomorrow" report. It highlighted broadband as one of three priorities to begin our economic recovery saying this: "Fixing broadband in Wisconsin is not a moon shot; it's not insurmountable. But it is critical to economic development and recovery and must happen now." So, tonight, I'm excited to declare 2021 the Year of Broadband Access.

I'm proud that my first biennial budget invested \$54 million into broadband across our state—the largest state investment in broadband in our state's history. Well, not to be outdone, we're going to do it again in this budget—except this time we're going to nearly quadruple it.

My 2021-23 biennial budget will invest nearly \$200 million over the biennium into broadband—that's five times the amount invested in the 2013, 2015, and 2017 budgets combined.

It's 2021, folks—having access to high-speed internet is no longer a luxury, it's a necessity. Every Wisconsinite across our state should have access to reliable, high-speed internet. Period.

Now, lack of broadband access isn't the only issue this pandemic brought to the forefront this past year.

The last two months of the year, I worked with Republican leaders on a COVID compromise. And I called on the Legislature to pass that compromise as the very first bill this session and to send it to my desk without delay. But tonight, I'd like to talk about the very second bill that should be passed by the Legislature this session, and that's a bill to fix our broken unemployment system.

Since the beginning of this pandemic, we saw an unprecedented influx of unemployment claims—it exceeded the number of claims even during the Great Recession. To put it in perspective, over the course of four years from 2016 through 2019, the Department of Workforce Development handled 7.2 million claims. Well, since March, the DWD received 8.8 million claims alone—1.6 million more claims than the four previous years combined.

So, as we saw a massive number of new, incoming claims, we got to work reassigning state employees from other divisions or agencies and hiring and contracting new workers. We brought our staffing up from about 500 employees in our Unemployment Insurance Division to more than 1,800 to answer phone calls, process claims, and follow up with folks who'd applied for benefits. And during that time, the DWD paid nearly 600,000 claimants more than \$4.6 billion in unemployment insurance benefits to folks across our state.

But the bottomline is that our unemployment system isn't designed to handle the massive numbers of modern days, which has contributed to delays in processing claims, required more time to implement new federal programs, and made it harder to get benefits out the door.

Our antiquated system isn't quite as old as I am, but it has been around since Richard Nixon was president—this system isn't new, and these problems aren't, either. And Republicans and Democrats alike are to blame. The fact of the matter is that previous administrations and more than a decades' worth of legislators have known this system was outdated and couldn't handle an economic crisis like the one this pandemic presented, and they never took the time to fix it. And to make matters worse, the Legislature spent the last decade passing laws deliberately making it even harder for people to access these critical supports when they need it the most, exacerbating the problems with our already-outdated system.

This past year brought to bear the inaction of my predecessors and members of this and previous legislatures who avoided their responsibility and duty for far too long. Well, I'll tell you this: it's gone on long enough. It ends tonight.

I'm announcing today I will be calling a special session of the Legislature to take up a plan to modernize our unemployment system and help ensure nothing like this happens to the people of Wisconsin again.

We know that replacing this system will take years—that's why it should've been done sooner, but it's also why we now have not another moment to waste. No politics, no posturing, send me the bill and let's just get it done.

And I want to make myself clear: if the Legislature continues to ignore this problem—if they gavel in and gavel out like they've done before, if they leave this problem for another administration, another generation—the people of this state will hold them accountable at the ballot box.

Because this year, we're also going to fix another problem that's plagued our state for more than a decade: our gerrymandered maps.

Last year during my State of the State address, I announced I would be creating the People's Maps Commission—a nonpartisan redistricting committee of Wisconsinites from each congressional district who would draw fair, impartial maps based on the 2020 Census.

So, for the past several months, The People's Maps Commission, selected by a panel of three retired judges, has gotten to work. They're hosting virtual hearings in every congressional district to hear feedback and input from people across our state to begin drawing The People's Maps.

Now, Republicans in the Legislature said right away they'd ignore any maps the Commission created. That's not a surprise given that in 2011 the Legislature hired private attorneys to draw our maps in secret and behind closed doors. And because the Legislature wrote themselves out of Wisconsin's public records law, they were able to destroy many of the public records from that process.

Well, I believe—and I know many of you at home do—that the people should get to choose their elected officials, not the other way around. Wisconsinites don't want maps that favor any political candidate or party—we just want maps where either candidate can win. Folks, that's just common sense.

So, tonight, I'm announcing that my biennial budget is going to make sure that the Legislature draws our maps in the light of day, in the public eye, and with public input by requiring public meetings for the map-drawing process. And that's why we're also going to prevent the Legislature from destroying records from the map-drawing process because the people of our state deserve to know how these maps are drawn and by whom. And finally, and most importantly, we are going to require the Legislature to take up The People's Maps, which will be drawn not by any political party or high-paid consultants, but by the people of our state.

Folks, it's time we look to the people, not politicians, to draw maps that are fair and impartial.

Now, make no mistake: I do not underestimate the challenges that this new year may bring, or the grief we're still grappling with, the ramifications we've yet to fully realize, the new problems that may arise still this year.

But as sure as we will face struggles, we will take them on together.

We've made it through a difficult year, folks. While it was discouraging, we aren't defeated. While it was trying, we're tough. Wisconsin, we've never been known for being timid, and we're sure not going to start today. Our people, our state, and our democracy have withstood tests before, and we will again answer the call to go forward unfazed.

Be well, be healthy, and stay safe. Let's get to work. Let's move forward, together.

Thank you, and On, Wisconsin!

UW-Madison Marching Band, take it away!"

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## **ANNOUNCEMENTS, ADJOURNMENT HONORS AND REMARKS UNDER SPECIAL PRIVILEGE**

Senator Agard, with unanimous consent, asked that the Senate adjourn in honor of Eugene Goodman, the Capitol Police officer who saved the U.S. Senate from violence and destruction. The events of Wednesday, January 6, 2021 have shaken the core of our nation. We grieve the lives lost, and our thoughts are with those who were physically injured or suffered severe trauma as a result of the violent insurrection prompted by President Trump. While this will be remembered as a dark day in our country's history, the actions of Officer Goodman stand out as a beacon of light. Rioters who broke into the Capitol were chasing Officer Goodman up the stairs, the video then shows him glancing towards the Senate entrance before luring the extremists in the opposite direction at his own peril. He risked his own life to save those locked down in the U.S. Senate chamber. He, very literally, protected our democracy. Senator Agard thanks Officer Goodman for his service, honor the sacrifices he was willing to make for his country, and she proudly adjourns in his honor today in the Wisconsin State Senate.

Senator Wanggaard, with unanimous consent, asked that the Senate adjourn in honor of the fallen United States Capitol Police officers that gave their lives in service of their country following the January 6th breach at the U.S. Capitol. As a former law enforcement officer himself, he knows he is not alone in saying he feels as though he lost a brother. Police officers keep the public safe and are an irreplaceable part of our community. The effects of the loss of a single officer reverberates throughout the entire community and state.

Senator Carpenter, with unanimous consent, asked that the Senate adjourn in honor and memory of US Capitol Police Officer Brian Sicknick who died on January 6th in

Washington, DC as a result of injuries sustained while engaging with demonstrators during the insurrection.

Senator Carpenter, with unanimous consent, asked that the Senate adjourn in honor of US Capitol Police Officer Eugene Goodman, who induced the angry mob to chase him alone up several stair wells away from the US Senate Chambers. Officer Goodman acted bravely and wisely using his talents to prevent dozens of possible severe injuries and to save many lives.

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**ADJOURNMENT**

Senator LeMahieu, with unanimous consent, asked that the Senate stand adjourned pursuant to **Senate Joint Resolution 1**.

Adjourned.

7:30 P.M.