

STATE OF WISCONSIN Senate Journal

One-Hundred and Fifth Regular Session

4:00 P.M.

The Senate met.

The Senate was called to order by Chief Clerk Queensland, pursuant to Senate Rule 5 (4)(b).

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 **Senate Bill 201** offered by Senator Nass.

Senate Substitute Amendment 1 to **Senate Bill 840** offered by Senator Stafsholt.

Senate Amendment 1 to **Senate Bill 852** offered by Senators Darling, Wanggaard and Jacque.

Senate Amendment 1 to **Senate Bill 945** offered by Senator Wimberger.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read and referred:

Senate Joint Resolution 109

Relating to: celebrating the 155th anniversary of the Leinenkugel's brewery.

By Senators Bernier and Darling; cosponsored by Representatives Summerfield, Swearingen, Conley, Edming, Gundrum, James, Moses, Mursau, Pronschinske, Shankland, Sinicki, Skowronski, Spiros, Spreitzer and Tauchen.

To the committee on Senate Organization.

Read first time and referred:

Senate Bill 978

Relating to: reports and district attorney charging decisions concerning allegations of fraud or misconduct at an election.

By Senators Testin, Nass and Ballweg; cosponsored by Representatives Behnke, Armstrong, Dittrich, Gundrum and Magnafici.

To the committee on **Elections**, **Election Process Reform and Ethics**.

THURSDAY, February 17, 2022

Senate Bill 979

Relating to: online dashboards reporting on the performance of certain state agencies with respect to core agency functions.

By Senators Testin and Marklein; cosponsored by Representatives Kurtz, Dittrich, Duchow, Edming, Kuglitsch, Magnafici, Moses, Skowronski, Tranel and Zimmerman.

To the committee on Government Operations, Legal Review and Consumer Protection.

Senate Bill 980

Relating to: an online dashboard relating to the state's receipt and expenditure of federal COVID-19 relief funds.

By Senators Testin, Ballweg, Darling and Felzkowski; cosponsored by Representatives Cabral-Guevara, Dittrich, Duchow, Edming, Kerkman, Kuglitsch, Magnafici, Thiesfeldt, Tranel, Skowronski, Zimmerman and Brandtjen.

To the committee on Government Operations, Legal Review and Consumer Protection.

Senate Bill 981

Relating to: apprenticeship and youth apprenticeship completion awards, career and technical education incentive grants and completion awards, technical preparation programs in school districts and technical colleges, creating an individual income tax subtraction for expenses paid for apprenticeship programs, and making an appropriation.

By Senators Stafsholt, Feyen and Ballweg; cosponsored by Representatives Oldenburg, Zimmerman, Petryk, Armstrong, Dittrich, Drake, Gundrum, James, Moses, Mursau, Novak, Schraa, Skowronski, Swearingen, Tranel, VanderMeer, Vorpagel, Wittke, Kuglitsch and Vruwink.

To the committee on **Economic and Workforce Development**.

Senate Bill 982

Relating to: prohibiting discrimination or retaliation against health care providers by health care entities and credentialing boards for ordering or discussing innovative or novel therapies.

By Senators Stroebel and Nass; cosponsored by Representatives Sortwell, Murphy, Behnke, Cabral-Guevara, Moses, Rozar, Wichgers, Thiesfeldt, Brandtjen, Brooks, Horlacher, James and Schraa.

To the committee on **Insurance**, **Licensing and** Forestry.

Senate Bill 983

Relating to: phasing out parental choice programs and the Special Needs Scholarship Program, repealing the achievement gap reduction program and the student achievement guarantee program, creating a new student achievement guarantee program, granting rule-making authority, and making an appropriation.

By Senators Larson, Roys and Smith; cosponsored by Representatives Brostoff, Bowen, Shelton, Sinicki, Baldeh, Cabrera, Conley, Considine, Emerson, Goyke, Hebl, Hong and Snodgrass.

To the committee on **Education**.

Senate Bill 984

Relating to: grants to technical college districts for nurse aide training, special education funding, and making an appropriation.

By Senators Smith, Agard, Carpenter and Roys; cosponsored by Representatives Subeck, Andraca, Baldeh, Billings, Bowen, Cabrera, Considine, Hebl, Hesselbein, Hong, Milroy, Pope, Shankland, Shelton, Sinicki, Spreitzer, Vruwink and Stubbs.

To the committee on Universities and Technical Colleges.

Senate Bill 985

Relating to: creating an individual income tax credit for certified nursing assistant training costs and making an appropriation.

By Senators Smith, Agard, Carpenter and Roys; cosponsored by Representatives Subeck, Andraca, Billings, Bowen, Cabrera, Considine, Hebl, Hong, Milroy, Ohnstad, Pope, Shankland, Shelton, Sinicki, Spreitzer, Vruwink and Stubbs.

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

Senate Bill 986

Relating to: teen dating violence and sexual violence prevention education and training.

By Senators Petrowski, Agard and Roys; cosponsored by Representatives Kerkman, Emerson, Hong, Milroy, Moses, Sinicki, Subeck, Stubbs and Allen.

To the committee on **Education**.

Senate Bill 987

Relating to: representations depicting nudity and providing a penalty.

By Senator Jacque; cosponsored by Representatives Wichgers, Cabrera and Allen.

To the committee on Judiciary and Public Safety.

Senate Bill 988

Relating to: automatic voter registration, deceptive election practices, voter intimidation and suppression, voter rights, polling place posting and language requirements, election manual requirements, granting rule-making authority, and providing a penalty.

By Senators Smith, L. Taylor, Roys, Agard, Larson and Johnson; cosponsored by Representatives S. Rodriguez, Emerson, Moore Omokunde, Baldeh, Bowen, Brostoff, Cabrera, Conley, Considine, Drake, Goyke, Hebl, Ohnstad, Pope, Shelton, Sinicki, Spreitzer, Stubbs and Subeck.

To the committee on **Elections**, **Election Process Reform and Ethics**.

Senate Bill 989

Relating to: revising various provisions of the statutes for the purpose of making corrections and reconciling conflicts (Correction Bill).

By the Law Revision Committee.

To the committee on Senate Organization.

Senate Bill 990

Relating to: revising various provisions of the statutes for the purpose of making corrections and reconciling conflicts (Correction Bill).

By the Law Revision Committee.

To the committee on Senate Organization.

Senate Bill 991

Relating to: revising various provisions of the statutes for the purpose of making corrections and reconciling conflicts (Correction Bill).

By the Law Revision Committee.

To the committee on Senate Organization.

Senate Bill 992

Relating to: eliminating obsolete references relating to credit unions, the commissioner of banking, certain federal agencies, and a mortgage rate index (suggested as remedial legislation by the Department of Financial Institutions).

By the Law Revision Committee.

To the committee on Senate Organization.

Senate Bill 993

Relating to: removal of fingerprint records of individuals arrested or taken into custody and subsequently released without charge or cleared of the offense and service by electronic mail of decisions by the Division of Hearings and Appeals (suggested as remedial legislation by the Department of Justice).

By the Law Revision Committee.

To the committee on Senate Organization.

Senate Bill 994

Relating to: providing equipment under 1989 Wisconsin Act 31, hazardous substances safety data sheets, and the designation of a head of emergency management for cities, villages, and towns (suggested as remedial legislation by the Department of Military Affairs).

By the Law Revision Committee.

To the committee on Senate Organization.

Senate Bill 995

Relating to: certain permit fees, registration weight limits, the emission control equipment grant program, and specific information sign enumerations (suggested as remedial legislation by the Department of Transportation).

By the Law Revision Committee.

To the committee on Senate Organization.

Senate Bill 996

Relating to: changes required by the federal SECURE Act; named survivors under the Wisconsin Retirement

System; domestic relations orders executed by the Department of Employee Trust Funds; the purchase of other governmental service under the Wisconsin Retirement System; disability annuities under the Wisconsin Retirement System; employee-funded reimbursement accounts; references to the administrator of the Division of Personnel Management; and abandoned accounts (suggested as remedial legislation by the Department of Employee Trust Funds).

By the Law Revision Committee.

To the committee on Senate Organization.

Senate Bill 997

Relating to: incorporation of standards by reference into agency administrative rules and the nurse licensure compact (suggested as remedial legislation by the Department of Safety and Professional Services).

By the Law Revision Committee.

To the committee on Senate Organization.

Senate Bill 998

Relating to: the official oath and bond of wardens and superintendents of the state correctional institutions (suggested as remedial legislation by the Department of Corrections).

By the Law Revision Committee.

To the committee on Senate Organization.

Senate Bill 999

Relating to: Medical Assistance program coverage of home health services and durable medical equipment; definition of institution for mental diseases under the Medical Assistance program; and independent living core services (suggested as remedial legislation by the Department of Health Services).

By the Law Revision Committee.

To the committee on Senate Organization.

Senate Bill 1000

Relating to: actions by local health officers.

By Senators Jagler, Marklein, Roth and Ballweg; cosponsored by Representatives Penterman, Dittrich, James, Schraa and Allen.

To the committee on **Transportation and Local Government**.

Senate Bill 1001

Relating to: prohibiting cat declawing procedures.

By Senators Carpenter, Erpenbach and Smith; cosponsored by Representatives Emerson, Shelton, Pope, Sinicki, Snodgrass, Baldeh, Billings, Cabral-Guevara, Doyle, Riemer, Spreitzer and Stubbs.

To the committee on Agriculture and Tourism.

Senate Bill 1002

Relating to: grants for testing privately owned wells and providing education, providing an exemption from emergency rule procedures, granting rule-making authority, and making an appropriation.

By Senators Cowles and Jacque; cosponsored by Representatives Novak, Tranel, Shankland, Kitchens, Andraca, Billings, Cabrera, Dittrich, Emerson, Oldenburg, Petryk, Plumer, Spreitzer, Stubbs and Subeck.

To the committee on Natural Resources and Energy.

Senate Bill 1003

Relating to: waiting period for purchase of handguns.

By Senators Agard, Larson, Johnson, Roys, Carpenter and Ringhand; cosponsored by Representatives Stubbs, Sinicki, Brostoff, Hesselbein, Snodgrass, Andraca, Shelton, Vining, Hong, Hebl, Emerson, Spreitzer, Goyke, Conley, Subeck, Baldeh, Cabrera, Hintz, Riemer, Considine, Bowen and Pope.

To the committee on Judiciary and Public Safety.

Senate Bill 1004

Relating to: substitute teacher permits issued by the Department of Public Instruction.

By Senator Darling; cosponsored by Representative Thiesfeldt.

To the committee on **Education**.

Senate Bill 1005

Relating to: online clearinghouse of information for small businesses in Wisconsin.

By Senators Agard, Pfaff, Carpenter and Johnson; cosponsored by Representatives Vining, Hong, Haywood, Andraca, Baldeh, Bowen, Brostoff, Considine, Drake, Emerson, Hebl, L. Myers, Moore Omokunde, Pope, S. Rodriguez, Shankland, Shelton, Sinicki, Snodgrass, Spreitzer, Vruwink, Goyke and Subeck.

To the committee on Sporting Heritage, Small Business and Rural Issues.

Senate Bill 1006

Relating to: authorizing electors to vote in the primary of more than one political party.

By Senators Carpenter, Agard and Bewley; cosponsored by Representatives Spreitzer, Andraca, Cabrera, Conley, Considine, Hebl, Hong, Ohnstad, Ortiz-Velez, Shelton, Stubbs and Vruwink.

To the committee on **Elections**, **Election Process Reform and Ethics**.

Senate Bill 1007

Relating to: outdoor recreation vehicles used as emergency vehicles or operated on bridges, utility terrain vehicle trail maintenance aid, and making an appropriation.

By Senators Marklein and Ballweg; cosponsored by Representatives Kurtz, Edming, Considine, Milroy, Moses, Mursau, Oldenburg and Rozar.

To the committee on **Transportation and Local Government**.

Senate Bill 1008

Relating to: contents of the Wisconsin Blue Book.

By Senators Wimberger, Ballweg, Marklein and Nass; cosponsored by Representatives Allen, Dittrich, Brandtjen, Brooks, Cabral-Guevara, Edming, Moses, Rozar and Wichgers.

To the committee on Government Operations, Legal Review and Consumer Protection.

Senate Bill 1009

Relating to: proof of residence for voter registration.

By Senators Roys, Johnson, Ringhand and Smith; cosponsored by Representatives Subeck, Spreitzer, Andraca, Baldeh, Cabrera, Conley, Considine, Hebl, Hesselbein, Milroy, Ohnstad, Shelton, Sinicki, Snodgrass and Stubbs.

To the committee on **Elections**, **Election Process Reform and Ethics**.

Senate Bill 1010

Relating to: spinal cord injury research grants and symposia and making an appropriation.

By Senators Wanggaard, Carpenter, Larson and Ringhand; cosponsored by Representatives Tittl, Wittke, Anderson, Andraca, Cabral-Guevara, Conley, Duchow, Hebl, Hintz, Hong, Magnafici, Vining, Vruwink, Shelton and Sinicki.

To the committee on Health.

REPORT OF COMMITTEES

The committee on **Government Operations**, Legal **Review and Consumer Protection** reported and recommended:

Senate Bill 829

Relating to: distributing the proceeds from the sale of tax delinquent property to the former owner.

Passage.

Ayes: 3 - Senators Stroebel, Felzkowski and Bradley. Noes: 2 - Senators Roys and Smith.

Senate Bill 900

Relating to: use of fill in commercial waterways and establishing shorelines of Great Lakes waters.

Senate Amendment 1 adoption. Ayes: 3 - Senators Stroebel, Felzkowski and Bradley. Noes: 2 - Senators Roys and Smith.

Passage as amended.

Ayes: 3 - Senators Stroebel, Felzkowski and Bradley. Noes: 2 - Senators Roys and Smith.

Senate Joint Resolution 102

Relating to: applying to Congress under the provisions of Article V of the Constitution of the United States for a convention to propose an amendment establishing term limits for members of the United States House of Representatives and the United States Senate.

Adoption. Ayes: 3 - Senators Stroebel, Felzkowski and Bradley. Noes: 2 - Senators Roys and Smith.

DUEY STROEBEL Chairperson

The committee on Judiciary and Public Safety reported and recommended:

Assembly Bill 824

Relating to: battery of a corrections employee by a person in custody and providing a penalty.

Concurrence.

Ayes: 5 - Senators Wanggaard, Wimberger, Darling, Jacque and Bradley.

Noes: 2 - Senators L. Taylor and Roys.

Assembly Bill 827

Relating to: multiple acts of theft committed in concert and providing a penalty.

Concurrence.

Ayes: 5 - Senators Wanggaard, Wimberger, Darling, Jacque and Bradley.

Noes: 2 - Senators L. Taylor and Roys.

Assembly Bill 829

Relating to: mandatory minimum sentence for three or more convictions for retail theft and providing a penalty.

Senate Amendment 1 adoption.

Ayes: 5 - Senators Wanggaard, Wimberger, Darling, Jacque and Bradley.

Noes: 2 - Senators L. Taylor and Roys.

Concurrence as amended.

Ayes: 5 - Senators Wanggaard, Wimberger, Darling, Jacque and Bradley.

Noes: 2 - Senators L. Taylor and Roys.

Assembly Bill 841

Relating to: prosecuting a violent felon for the crime of illegal possession of a firearm.

Concurrence.

Ayes: 4 - Senators Wanggaard, Darling, Jacque and Bradley.

Noes: 3 - Senators Wimberger, L. Taylor and Roys.

Senate Bill 844

Relating to: battery of a corrections employee by a person in custody and providing a penalty.

Passage.

Ayes: 5 - Senators Wanggaard, Wimberger, Darling, Jacque and Bradley.

Noes: 2 - Senators L. Taylor and Roys.

Senate Bill 852

Relating to: prosecuting a violent felon for the crime of illegal possession of a firearm.

Passage.

Ayes: 4 - Senators Wanggaard, Darling, Jacque and Bradley.

Noes: 3 - Senators Wimberger, L. Taylor and Roys.

Senate Bill 857

Relating to: Department of Justice collection of data on the use of appearance bonds and cash in lieu of appearance bonds.

Senate Amendment 1 adoption.

Ayes: 5 - Senators Wanggaard, Wimberger, Darling, Jacque and Bradley.

Noes: 2 - Senators L. Taylor and Roys.

Passage as amended.

Ayes: 5 - Senators Wanggaard, Wimberger, Darling, Jacque and Bradley.

Noes: 2 - Senators L. Taylor and Roys.

Senate Joint Resolution 82

Relating to: eligibility and conditions for release prior to conviction of persons accused of certain crimes and considerations for imposing bail (first consideration).

Senate Substitute Amendment 2 adoption.

Ayes: 5 - Senators Wanggaard, Wimberger, Darling, Jacque and Bradley.

Noes: 2 - Senators L. Taylor and Roys.

Adoption as amended.

Ayes: 5 - Senators Wanggaard, Wimberger, Darling, Jacque and Bradley.

Noes: 2 - Senators L. Taylor and Roys.

VAN WANGGAARD Chairperson

The committee on **Transportation and Local Government** reported and recommended:

Senate Bill 881

Relating to: traffic control signal priority devices for snow removal vehicles.

Passage.

Ayes: 5 - Senators Petrowski, Cowles, Wimberger, Carpenter and Pfaff.

Noes: 0 - None.

Senate Bill 888

Relating to: registration periods for certain motor vehicles and reuse of registration plates.

Passage.

Ayes: 5 - Senators Petrowski, Cowles, Wimberger, Carpenter and Pfaff.

Noes: 0 - None.

Senate Bill 969

Relating to: authorizing Purple Heart Reservation highway signs on the Oneida Reservation.

Senate Amendment 1 adoption.

Ayes: 5 - Senators Petrowski, Cowles, Wimberger, Carpenter and Pfaff.

Noes: 0 - None.

Passage as amended.

Ayes: 5 - Senators Petrowski, Cowles, Wimberger, Carpenter and Pfaff.

Noes: 0 - None.

JERRY PETROWSKI Chairperson

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Representative Mursau added as a coauthor of **Assembly Joint Resolution 97**.

Pursuant to Senate Rule 17 (5), Senator Stafsholt added as a coauthor of **Senate Bill 677**.

Pursuant to Senate Rule 17 (5), Senator Stafsholt added as a coauthor of **Senate Bill 679**.

Pursuant to Senate Rule 17 (5), Representative James withdrawn as a cosponsor of **Senate Bill 958**.

Pursuant to Senate Rule 17 (5), Representative Allen added as a cosponsor of **Senate Bill 962**.

Pursuant to Senate Rule 17 (5), Representative Allen added as a cosponsor of **Senate Bill 978**.

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

Senate Clearinghouse Rule 21-062

Relating to veterinarians and veterinary technicians. Submitted by the Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, February 15, 2022. Referred to the committee on **Insurance, Licensing and Forestry**, February 17, 2022.

Senate Clearinghouse Rule 21-071

Relating to requirements for controlled substances. Submitted by the Pharmacy Examining Board. Report received from Agency, February 11, 2022. Referred to the committee on **Insurance, Licensing and Forestry**, February 17, 2022.

Senate Clearinghouse Rule 21-075

Relating to eligibility criteria and appropriate purposes for competitive grants to public safety answering points Submitted by the Department of Military Affairs. Report received from Agency, February 11, 2022. Referred to the committee on **Judiciary and Public Safety**, February 17, 2022.

Senate Clearinghouse Rule 21-078

Relating to the 2021 Wildlife Management spring hearing rule related to hunting, trapping, and target shooting.

Submitted by the Department of Natural Resources. Report received from Agency, February 16, 2022.

Referred to the committee on Sporting Heritage, Small

Business and Rural Issues, February 17, 2022.

Senate Clearinghouse Rule 21-085

Relating to income and franchise tax provisions. Submitted by the Department of Revenue. Report received from Agency, February 10, 2022. Referred to the committee on **Government Operations**, Legal Review and Consumer Protection, February 17, 2022.

Senate Clearinghouse Rule 21-093

Relating to county and district fairs.

Submitted by the Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, February 15, 2022.

Referred to the committee on Agriculture and Tourism, February 17, 2022.

Senate Clearinghouse Rule 21-097

Relating to bone marrow donation leave and organ donation leave.

Submitted by the Department of Workforce Development.

Report received from Agency, February 15, 2022.

Referred to the committee on Labor and Regulatory Reform, February 17, 2022.

Senate Clearinghouse Rule 21-099

Relating to Lake Michigan whitefish management and Great Lakes commercial harvest reporting and affecting small business.

Submitted by the Department of Natural Resources.

Report received from Agency, February 14, 2022.

Referred to the committee on **Sporting Heritage, Small Business and Rural Issues**, February 17, 2022.

Senate Clearinghouse Rule 22-003

Relating to updated standards to implement the Uniform Real Property Electronic Recording Act.

Submitted by the Department of Administration.

Report received from Agency, February 16, 2022.

Referred to the committee on **Government Operations**, Legal Review and Consumer Protection, February 17, 2022.

The joint committee for review of **Administrative Rules** reported and recommended:

Senate Clearinghouse Rule 21-058

Relating to minor changes to fishing regulations on inland, outlying and boundary waters.

No action taken on February 11, 2022.

Senate Clearinghouse Rule 21-059

Relating to the potato industry.

No action taken on February 11, 2022.

STEPHEN NASS Senate Chairperson

Messages from the Assembly

By Edward A. Blazel, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has

Adopted and asks concurrence in:

Assembly Joint Resolution 5 Assembly Joint Resolution 116 Assembly Joint Resolution 131

Assembly Bill 730 Assembly Bill 883 Assembly Bill 888 Assembly Bill 910 Assembly Bill 911 Assembly Bill 912 Assembly Bill 913
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Assembly Bill 913
Assembly Bill 914
Assembly Bill 932
Assembly Bill 934
Assembly Bill 935
Assembly Bill 936
Assembly Bill 937
Assembly Bill 938
Assembly Bill 939
Assembly Bill 940
Assembly Bill 941
Assembly Bill 942
Assembly Bill 973

Passed and asks concurrence in:

Concurred in:

Senate Bill 252 Senate Bill 564 Senate Joint Resolution 90 Senate Joint Resolution 93 Senate Joint Resolution 95 Senate Joint Resolution 100 Senate Joint Resolution 107

Amended and concurred in as amended: Senate Bill 259 (Assembly Amendment 1 adopted) Senate Bill 394 (Assembly Amendment 1 adopted)

MESSAGES FROM THE Assembly Considered

Assembly Joint Resolution 97

Relating to: congratulating and commending the athletes, coaches, and staff at the University of Wisconsin-Whitewater on their accomplishments.

By Representatives Vruwink, Horlacher and Loudenbeck; cosponsored by Senators Ringhand and Nass.

Read and referred to the committee on Senate Organization.

Assembly Joint Resolution 107

Relating to: eligibility and conditions for release prior to conviction of persons accused of certain crimes and considerations for imposing bail (first consideration).

By Representatives Duchow, Neylon, Allen, Brandtjen, Brooks, Cabral-Guevara, Dittrich, Gundrum, Horlacher, James, Kitchens, Krug, Kuglitsch, Magnafici, Murphy, Novak, Rozar, Sortwell, Thiesfeldt, Tusler, VanderMeer, Vorpagel, Wichgers and Wittke; cosponsored by Senators Wanggaard, Darling, Jacque, Kooyenga, Roth, Stroebel and Testin.

Read first time and referred to the committee on **Senate Organization**.

Adjourned.

ADJOURNMENT

Chief Clerk Queensland, with unanimous consent, asked that the Senate stand adjourned until Tuesday, February 22, 2022.