



# STATE OF WISCONSIN

# Assembly Journal

## One-Hundred and First Regular Session

THURSDAY, January 30, 2014

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

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### AMENDMENTS OFFERED

Assembly Amendment 4 to **Assembly Bill 369** offered by committee on Natural Resources and Sporting Heritage.

Assembly Amendment 2 to **Assembly Bill 385** offered by Representative Bies.

Assembly Substitute Amendment 1 to **Assembly Bill 432** offered by Representatives Clark and Smith.

Assembly Amendment 1 to Assembly Amendment 4 to **Assembly Bill 581** offered by committee on Family Law.

Assembly Amendment 2 to **Assembly Bill 620** offered by Representative Johnson.

Assembly Amendment 1 to **Assembly Bill 649** offered by Representative Craig.

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### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 13-038**

Relating to jails.

Submitted by Department of Corrections.

Report received from Agency, January 15, 2014.

To committee on **Corrections**.

Referred on January 30, 2014.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Joint Resolution 83**

Relating to: proclaiming the third week of June as Pollinator Week.

By Representatives Ballweg, Bernard Schaber, Bewley, Bies, Krug, Murtha, Nass, Ohnstad, A. Ott, Ripp, Shankland, Strachota and Tittl; cosponsored by Senators Olsen, Harsdorf, Lassa, Miller and Risser.

To committee on **Rules**.

#### **Assembly Bill 686**

Relating to: a state minimum wage, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, providing an

exemption from rule-making procedures, and requiring the exercise of rule-making authority.

By Representatives Mason, Genrich, Barnes, Riemer, Barca, Kolste, Pasch, Ohnstad, Goyke, Shankland, Sargent, C. Taylor, Wachs, Wright, Zamarripa, Pope, Kessler, Johnson, Billings, Clark, Berceau, Danou, Hebl, Young, Zepnick, Hesselbein, Hintz, Richards, Ringhand, Kahl, Hulsey, Milroy, Jorgensen and Sinicki; cosponsored by Senators Wirsch, Harris, C. Larson, Lehman, Hansen, Carpenter, Erpenbach, T. Cullen, Miller, Risser, Vinehout and L. Taylor.

To committee on **Labor**.

#### **Assembly Bill 687**

Relating to: payment of wages by electronic fund transfer to a payroll card account.

By Representatives Ohnstad, Barnes, Johnson, Kahl, Sargent, T. Larson, Mason, Goyke, Bewley, Shankland, Bernard Schaber, Bernier, Pope, Berceau, Ringhand, Genrich, Kessler, C. Taylor, Sinicki, Krug, Richards and Kolste; cosponsored by Senators Harris, Wirsch, Lehman, L. Taylor and C. Larson.

To committee on **Labor**.

#### **Assembly Bill 688**

Relating to: eligibility for a broker's or salesperson's license or a time-share salesperson's certificate of registration following a criminal conviction, immunity for employing real estate brokers in certain actions, granting rule-making authority, and providing a penalty.

By Representatives Knudson, Murtha, Brooks, Jacque, Kahl, Krug, A. Ott and Bernier; cosponsored by Senators Farrow and Schultz.

To committee on **Housing and Real Estate**.

#### **Assembly Bill 689**

Relating to: transferring responsibility over biennial updating of voter registration list to the Government Accountability Board.

By Representatives Thiesfeldt and Bernier; cosponsored by Senator Lazich.

To committee on **Campaigns and Elections**.

#### **Assembly Bill 690**

Relating to: reporting registration and voting statistics.

By Representatives Thiesfeldt, Bernier, Pridemore and Weininger; cosponsored by Senator Lazich.

To committee on **Campaigns and Elections**.

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## COMMITTEE REPORTS

The committee on **Children and Families** reports and recommends:

### Assembly Bill 554

Relating to: creating a statewide program to review child deaths and providing a penalty.

Passage:

Ayes: 10 - Representatives Krug, Loudenbeck, Schraa, Spiros, Kerkman, Neylon, C. Taylor, Billings, Johnson and Kahl.

Noes: 0.

To joint committee on **Finance**.

### Assembly Bill 570

Relating to: extended out-of-home care to 21 years of age for children with individualized education programs, providing an exemption from emergency rule procedures, providing an exemption from rule-making procedures, and granting rule-making authority.

Passage:

Ayes: 10 - Representatives Krug, Loudenbeck, Schraa, Spiros, Kerkman, Neylon, C. Taylor, Billings, Johnson and Kahl.

Noes: 0.

To joint committee on **Finance**.

*SCOTT KRUG*

Chairperson

Committee on Children and Families

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The committee on **Natural Resources and Sporting Heritage** reports and recommends:

### Senate Bill 321

Relating to: limitation of a property owner's liability when lands are used for noncommercial aviation.

Concurrence:

Ayes: 10 - Representatives A. Ott, Kleefisch, Williams, Mursau, Nerison, Petryk, Steineke, Born, Swearingen and Skowronski.

Noes: 4 - Representatives Clark, Danou, Hesselbein and Shankland.

To committee on **Rules**.

*ALVIN OTT*

Chairperson

Committee on Natural Resources and Sporting Heritage

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The committee on **Public Safety and Homeland Security** reports and recommends:

### Assembly Bill 464

Relating to: providing notice of firearm prohibition when serving notice for certain injunction hearings and

process for surrendering firearms following the granting of certain injunctions.

Assembly Amendment 1 adoption:

Ayes: 6 - Representatives Jacque, Brooks, Murtha, Swearingen, Zamarripa and Bewley.

Noes: 0.

Passage as amended:

Ayes: 6 - Representatives Jacque, Brooks, Murtha, Swearingen, Zamarripa and Bewley.

Noes: 0.

To committee on **Rules**.

*ANDRÉ JACQUE*

Chairperson

Committee on Public Safety and Homeland Security

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The committee on **State Affairs and Government Operations** reports and recommends:

### Assembly Bill 433

Relating to: the authority and responsibilities of the Department of Safety and Professional Services and the various boards under that department, the membership of the Cosmetology Examining Board, professional licensure of pharmacists, the Pharmacy Examining Board's operation of the prescription drug monitoring program, authorizing the construction, installation, alteration, operation, and inspection of elevators and other similar conveyances, and licensing requirements for elevator mechanics, inspectors, and contractors.

Assembly Amendment 1 adoption:

Ayes: 16 - Representatives Weininger, Swearingen, Craig, Kleefisch, Knodl, Ripp, Neylon, Kooyenga, Hutton, Nass, Sinicki, Zamarripa, Ringhand, Kessler, Kahl and Hulsey.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 16 - Representatives Weininger, Swearingen, Craig, Kleefisch, Knodl, Ripp, Neylon, Kooyenga, Hutton, Nass, Sinicki, Zamarripa, Ringhand, Kessler, Kahl and Hulsey.

Noes: 0.

Passage as amended:

Ayes: 16 - Representatives Weininger, Swearingen, Craig, Kleefisch, Knodl, Ripp, Neylon, Kooyenga, Hutton, Nass, Sinicki, Zamarripa, Ringhand, Kessler, Kahl and Hulsey.

Noes: 0.

To committee on **Rules**.

### Assembly Bill 439

Relating to: the public disclosure of licensed dry cleaners.

Passage:

Ayes: 15 - Representatives Weininger, Swearingen, Craig, Kleefisch, Knodl, Ripp, Kooyenga, Hutton, Nass, Sinicki, Zamarripa, Ringhand, Kessler, Kahl and Hulsey.

Noes: 1 - Representative Neylon.

To committee on **Rules**.

*CHAD WEININGER*  
Chairperson  
Committee on State Affairs and  
Government Operations

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The committee on **State and Local Finance** reports and recommends:

**Assembly Bill 593**

Relating to: rule-making procedures and repealing administrative rules relating to the estate tax and the county operating levy rate limit.

Passage:

Ayes: 9 - Representatives Stroebel, Born, Kestell, Weatherston, Nass, Tauchen, Zepnick, Hintz and Berceau.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 289**

Relating to: authorizing a city or village to require the Department of Revenue to redetermine the value of the tax incremental base of certain tax incremental districts.

Assembly Amendment 2 adoption:

Ayes: 7 - Representatives Stroebel, Born, Kestell, Weatherston, Nass, Tauchen and Zepnick.

Noes: 2 - Representatives Hintz and Berceau.

Passage as amended:

Ayes: 9 - Representatives Stroebel, Born, Kestell, Weatherston, Nass, Tauchen, Zepnick, Hintz and Berceau.

Noes: 0.

To committee on **Rules**.

**Senate Bill 252**

Relating to: authorizing a city or village to require the Department of Revenue to redetermine the value of the tax incremental base of certain tax incremental districts.

Assembly Amendment 2 adoption:

Ayes: 7 - Representatives Stroebel, Born, Kestell, Weatherston, Nass, Tauchen and Zepnick.

Noes: 2 - Representatives Hintz and Berceau.

Concurrence as amended:

Ayes: 9 - Representatives Stroebel, Born, Kestell, Weatherston, Nass, Tauchen, Zepnick, Hintz and Berceau.

Noes: 0.

To committee on **Rules**.

*DUEY STROEBEL*  
Chairperson  
Committee on State and Local  
Finance

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

**Assembly Bill 407**

Relating to: snowmobile registration, trail use sticker requirements, and funding for supplemental snowmobile trail aids.

Assembly Amendment 4 adoption:

Ayes: 14 - Representatives Kaufert, Bies, Czaja, Kleefisch, Endsley, Born, A. Ott, Swearingen, Ballweg, Billings, Hulsey, Doyle, Ohnstad and Hesselbein.

Noes: 0.

Assembly Amendment 5 adoption:

Ayes: 14 - Representatives Kaufert, Bies, Czaja, Kleefisch, Endsley, Born, A. Ott, Swearingen, Ballweg, Billings, Hulsey, Doyle, Ohnstad and Hesselbein.

Noes: 0.

Passage as amended:

Ayes: 14 - Representatives Kaufert, Bies, Czaja, Kleefisch, Endsley, Born, A. Ott, Swearingen, Ballweg, Billings, Hulsey, Doyle, Ohnstad and Hesselbein.

Noes: 0.

To joint committee on **Finance**.

*DEAN KAUFERT*  
Chairperson  
Committee on Tourism

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The committee on **Ways and Means** reports and recommends:

**Assembly Bill 484**

Relating to: the carry-back of net operating losses, the sales and use tax exemption for commercial printing, the jobs tax credit, the electronic medical records credit, the manufacturing and agriculture credit, and the relocated business credit.

Assembly Amendment 1 to Assembly Amendment 7 adoption:

Ayes: 11 - Representatives Marklein, Kerkman, Ripp, Spiros, Kestell, Kulp, Skowronski, Riemer, Hulsey, Barnes and Genrich.

Noes: 0.

Assembly Amendment 5 adoption:

Ayes: 7 - Representatives Marklein, Kerkman, Ripp, Spiros, Kestell, Kulp and Skowronski.

Noes: 4 - Representatives Riemer, Hulsey, Barnes and Genrich.

Assembly Amendment 7 adoption:

Ayes: 7 - Representatives Marklein, Kerkman, Ripp, Spiros, Kestell, Kulp and Skowronski.

Noes: 4 - Representatives Riemer, Hulsey, Barnes and Genrich.

Passage as amended:

Ayes: 7 - Representatives Marklein, Kerkman, Ripp, Spiros, Kestell, Kulp and Skowronski.

Noes: 4 - Representatives Riemer, Hulsey, Barnes and Genrich.

To committee on **Rules**.

#### **Assembly Bill 491**

Relating to: indexing for inflation of, and making other changes to, the college savings plan income tax deduction.

Assembly Amendment 1 adoption:

Ayes: 11 - Representatives Marklein, Kerkman, Ripp, Spiros, Kestell, Kulp, Skowronski, Riemer, Hulsey, Barnes and Genrich.

Noes: 0.

Passage as amended:

Ayes: 11 - Representatives Marklein, Kerkman, Ripp, Spiros, Kestell, Kulp, Skowronski, Riemer, Hulsey, Barnes and Genrich.

Noes: 0.

To committee on **Rules**.

*HOWARD MARKLEIN*  
Chairperson  
Committee on Ways and Means

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### **ACTION ON THE SENATE MESSAGE**

#### **Senate Joint Resolution 63**

Relating to: honoring the life and public service of James Jeskewitz.

By Senators Darling, Shilling, Vukmir, L. Taylor, Cowles, Lasee, Kedzie, Harsdorf, Lehman and Lazich; cosponsored by Representatives Strachota, Ballweg, Berceau, Bies, Hulsey, Hutton, Jorgensen, Kaufert, Kerkman, Kestell, Knodl, Murphy, Nass, Pridemore, Tittl, Vos, Williams and Zepnick.

To committee on **Rules**.

#### **Senate Bill 375**

Relating to: the use of an epinephrine auto-injector on school premises or at a school-sponsored activity.

By Senators Vukmir, Lazich, Grothman, Cowles and Lassa; cosponsored by Representatives Severson, Kerkman, Kuglitsch, Jacque, Nass, T. Larson, Bernier, A. Ott, Murphy, Knodl, Brooks, Ohnstad, Kooyenga and LeMahieu.

To committee on **Rules**.

#### **Senate Bill 389**

Relating to: indexing for inflation of, and making other changes to, the college savings plan income tax deduction.

By Senators Darling, Schultz, Petrowski, Harsdorf, Lassa, Moulton and Farrow; cosponsored by Representatives Nygren, Brooks, Endsley, Kapenga,

Kaufert, Knodl, Kooyenga, LeMahieu, Marklein, Murphy, Ohnstad, Strachota and Thiesfeldt.

To committee on **Rules**.

#### **Senate Bill 416**

Relating to: a pupil's possession and use of an epinephrine auto-injector.

By Senators Olsen and Gudex; cosponsored by Representatives Pasch, A. Ott, Berceau, Billings, T. Larson and Ohnstad.

To committee on **Rules**.

#### **Senate Bill 449**

Relating to: authorizing the transfer of certain tax credits earned in connection with economic development in this state.

By Senators Gudex, Petrowski, Lassa, Moulton, T. Cullen and Olsen; cosponsored by Representatives Loudenbeck, Krug, Czaja, Jacque, Kahl, Kleefisch, Kolste, Bernier, Sargent, Murphy, Wright, Jorgensen, Kuglitsch, Bies, Ringhand, Born, Kestell, Mason and Petryk.

To committee on **Rules**.

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### **ENROLLED BILLS**

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

**Assembly Bill 360**  
**Assembly Bill 435**  
**Assembly Bill 450**  
**Assembly Bill 452**  
**Assembly Bill 454**  
**Assembly Bill 455**  
**Assembly Bill 456**  
**Assembly Bill 458**  
**Assembly Bill 459**  
**Assembly Bill 460**  
**Assembly Bill 488**

*PATRICK E. FULLER*  
Assembly Chief Clerk

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### **CHIEF CLERK REPORTS**

The Chief Clerk records:

**Assembly Bill 450**  
**Assembly Bill 452**  
**Assembly Bill 454**  
**Assembly Bill 455**  
**Assembly Bill 458**  
**Assembly Bill 459**  
**Assembly Bill 460**

Presented to the Governor on Thursday, January 30.

*PATRICK E. FULLER*  
Assembly Chief Clerk

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**REFERENCE BUREAU CORRECTIONS**

**Assembly Bill 360**

1. Page 3, line 3: delete "(ar)" and substitute "(ar),".
2. Page 13, line 11: delete "(8)".

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**COMMUNICATIONS**

January 30, 2014

Patrick E. Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 633, relating to eligibility of persons with disabilities to receive annual fishing licenses at reduced fees.

Sincerely,  
*JOEL KLEEFISCH*  
State Representative  
38<sup>th</sup> Assembly District

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January 30, 2014

Patrick E. Fuller  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 480, relating to medical use of marijuana, the regulation of marijuana distribution organizations, requiring the exercise of rule-making authority, making appropriations, and providing a penalty.

Sincerely,  
*JOCASTA ZAMARRIPA*  
State Representative  
8<sup>th</sup> Assembly District