



STATE OF WISCONSIN

Senate Journal

One-Hundred and Sixth Regular Session

2:58 P.M.

TUESDAY, February 14, 2023

The Senate met.

The Senate was called to order by Senator LeMahieu.

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

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read and referred:

Senate Joint Resolution 12

Relating to: proclaiming February 2023 as Black History Month.

By Senators L. Johnson, Agard, Carpenter, Wirch, Larson, Spreitzer, Smith, Hesselbein, Roys and Pfaff; cosponsored by Representatives Drake, Baldeh, Myers, Haywood, Stubbs, Moore Omokunde, Madison, Neubauer, Ohnstad, Shelton, Snodgrass, Palmeri, Clancy, Hong, Goyke, Andraca, Sinicki, Ratcliff, Considine, C. Anderson, J. Anderson, Bare, Vining, Riemer, Allen, Murphy, Emerson, Joers, Subeck, Ortiz-Velez, Conley, Billings, Shankland, Cabrera, Jacobson, Doyle and McGuire.

To the committee on **Senate Organization**.

Read first time and referred:

Senate Bill 42

Relating to: repair and replacement of implements of husbandry under warranty.

By Senator Jacque; cosponsored by Representatives Tittl, Pronschinske, Edming, Murphy, Mursau, Rozar, Tusler and Wichgers.

To the committee on **Agriculture and Tourism**.

Senate Bill 43

Relating to: a time limitation for processing sexual assault kits.

By Senator Jacque; cosponsored by Representatives Murphy, Brandtjen, Behnke, Bodden, Donovan and Wichgers.

To the committee on **Judiciary and Public Safety**.

Senate Bill 44

Relating to: the disability rating at which veterans qualify for certain hunting and fishing authorizations and exemptions from state park and trail admission fees.

By Senators Jacque, Carpenter and Spreitzer; cosponsored by Representatives Kurtz, Novak, Ohnstad, C. Anderson, Behnke, Bodden, Brandtjen, Cabrera, Donovan,

Edming, Green, Gustafson, Kitchens, Knodl, Mursau, Ortiz-Velez, Wichgers and Shankland.

To the committee on **Financial Institutions and Sporting Heritage**.

Senate Bill 45

Relating to: selection of architects and engineers for state projects.

By Senators Stroebel, Marklein and Nass; cosponsored by Representatives Sortwell, Knodl and Duchow.

To the committee on **Government Operations, Elections and Consumer Protection**.

Senate Bill 46

Relating to: the responsibility of a property owner for discharge of a hazardous substance by another.

By Senators Jacque, Taylor and Hutton; cosponsored by Representatives Mursau, Armstrong, Behnke, Brooks, Dittrich, Spiros, Wichgers and Stubbs.

To the committee on **Economic Development and Technical Colleges**.

Senate Bill 47

Relating to: requiring notice to political subdivisions and landowners regarding proposed large solar energy facilities, requirements for applying for certificates for large solar electric generating facilities, joint development agreements related to large solar electric generating facilities, and granting rule-making authority.

By Senators Ballweg, Felzkowski and Marklein; cosponsored by Representatives Plumer, Mursau, Behnke, Bodden, Murphy, O'Connor and Schraa.

To the committee on **Utilities and Technology**.

Senate Bill 48

Relating to: public access to actions by Parole Commission.

By Senators Wanggaard, Bradley, James, Ballweg, Cabral-Guevara, Cowles, Jacque, Marklein, Nass and Stroebel; cosponsored by Representatives Spiros, Duchow, Schraa, Allen, Brandtjen, Dittrich, Donovan, Edming, Knodl, Michalski, Murphy, O'Connor, Rettinger, Rozar, Schutt, Steffen and Wichgers.

To the committee on **Judiciary and Public Safety**.

Senate Bill 49

Relating to: restricting local regulation of utility service based on the type or source of energy.

By Senators Bradley, Feyen, Nass, Stroebel, Testin, Tomczyk, Wanggaard and Wimberger; cosponsored by Representatives Knodl, Steffen, Armstrong, Behnke,

Brandtjen, Dallman, Dittrich, Donovan, Duchow, Gundrum, Kitchens, Kurtz, Macco, Murphy, Mursau, Rettinger, Rodriguez, Rozar, Snyder, Sortwell, Swearingen, Tittl, Tusler and Zimmerman.

To the committee on **Utilities and Technology**.

Senate Bill 50

Relating to: expenditure of \$201,197.70 from the general fund for payment of a claim against the state made by Pheifer Brothers Construction Co., Inc.

By Senators Cowles and Cabral-Guevara; cosponsored by Representatives Goeben and Gustafson.

To the committee on **Government Operations, Elections and Consumer Protection**.

Senate Bill 51

Relating to: annulment for marriage if less than one year and no pregnancy.

By Senators Cabral-Guevara, Ballweg, Spreitzer and Wirch; cosponsored by Representatives Tusler and Kitchens.

To the committee on **Mental Health, Substance Abuse Prevention, Children and Families**.

Senate Bill 52

Relating to: creating a deicer applicators certification program and making an appropriation.

By Senators Jacque, Hesselbein and Spreitzer; cosponsored by Representatives Behnke, Joers, Knodl, Andraca, Baldeh, Doyle, Gustafson, Murphy, O'Connor, Ratcliff, Subeck and Shankland.

To the committee on **Natural Resources and Energy**.

Senate Bill 53

Relating to: disabled parking privileges on University of Wisconsin System campuses.

By Senators Testin, Nass, Ballweg and Cowles; cosponsored by Representatives Penterman, S. Johnson, Allen, Bare, Behnke, Dittrich, Duchow, Edming, Murphy, Ortiz-Velez, Rettinger, Schmidt, Sinicki, Spiros, Myers and Brooks.

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

Senate Bill 54

Relating to: the amount of allowable cash withdrawal from a bingo account for the purpose of paying cash prizes.

By Senators Testin, Ballweg, Marklein, Nass, Stroebel, Taylor and Wanggaard; cosponsored by Representatives Krug, Dallman, Duchow, Gundrum, Mursau, Myers, Novak, Penterman, Pronschinske, Rozar, Sinicki, Steffen and Knodl.

To the committee on **Labor, Regulatory Reform, Veterans and Military Affairs**.

Senate Bill 55

Relating to: prosecuting or adjudicating delinquent a person under the age of 18 for committing an act of prostitution.

By Senators James, L. Johnson, Agard, Ballweg, Cowles, Felzkowski, Hesselbein, Larson, Roys, Smith, Spreitzer, Taylor and Wirch; cosponsored by Representatives Kitchens, Billings, J. Anderson, Andraca, Baldeh, Clancy, Conley, Considine, Drake, Emerson, Goyke, Green, Gundrum, Gustafson, Haywood, Joers, Madison, Myers, Ohnstad,

Ortiz-Velez, Palmeri, Riemer, Rodriguez, Rozar, Schraa, Shankland, Sinicki, Snyder, Subeck, Vining and Wittke.

To the committee on **Judiciary and Public Safety**.

Senate Bill 56

Relating to: requirements for adult-entertainment establishments and providing a penalty.

By Senator Jacque; cosponsored by Representatives Bodden, Wichgers, Behnke, Brandtjen, Donovan, Gundrum, Murphy, Ortiz-Velez, Penterman, Sinicki and Subeck.

To the committee on **Judiciary and Public Safety**.

Senate Bill 57

Relating to: providing victim compensation for damage to a building by means of fire or explosives.

By Senators Wanggaard and Taylor; cosponsored by Representatives Sortwell, Steffen, Behnke, Duchow, Green, Gundrum, Murphy, Mursau and Penterman.

To the committee on **Judiciary and Public Safety**.

Senate Bill 58

Relating to: nitrate contamination and the well compensation grant program.

By Senators Cowles, Testin, Ballweg, Cabral-Guevara, Pfaff, Roys and Spreitzer; cosponsored by Representatives Kitchens, Novak, Shankland, Krug, C. Anderson, J. Anderson, Andraca, Armstrong, Baldeh, Behnke, Considine, Donovan, Emerson, Green, Joers, Knodl, Moses, Mursau, Oldenburg, Petryk, Plumer, Rozar, Snodgrass, Snyder, Spiros and Subeck.

To the committee on **Agriculture and Tourism**.

Senate Bill 59

Relating to: eligibility for producer-led watershed, lake, and river protection grants.

By Senators Cowles, Ballweg, Cabral-Guevara, Feyen, Jacque, Marklein, Pfaff, Quinn, Spreitzer and Testin; cosponsored by Representatives Kitchens, Novak, Tranel, Shankland, Krug, J. Anderson, Andraca, Armstrong, Baldeh, Behnke, Considine, Dittrich, Donovan, Emerson, Green, Joers, S. Johnson, Knodl, Mursau, O'Connor, Oldenburg, Petryk, Plumer, Rozar, Sinicki, Snodgrass, Snyder, Spiros and VanderMeer.

To the committee on **Agriculture and Tourism**.

Senate Bill 60

Relating to: fees for certain motor vehicle certificate of title transfers.

By Senators Cowles, Wanggaard and Spreitzer; cosponsored by Representatives Duchow, Neylon, Behnke, Donovan, Emerson, Kitchens, Knodl, Moses, Murphy, Mursau, Nedweski, O'Connor, Penterman, Pronschinske, Rettinger, Rodriguez, Rozar, Snodgrass, Spiros, Steffen and Tusler.

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

Senate Bill 61

Relating to: requirements for children born alive following abortion or attempted abortion and providing a penalty.

By Senators Wimberger, Ballweg, Bradley, Felzkowski, Jagler, James, Marklein, Nass, Quinn, Stroebel and

Wanggaard; cosponsored by Representatives Rozar, Allen, Behnke, Brooks, Callahan, Dittrich, Donovan, Edming, Gundrum, Knodl, Moses, Murphy, Mursau, Neylon, O'Connor, Penterman, Schutt, Steffen, Tusler and Zimmerman.

To the committee on **Judiciary and Public Safety**.

Senate Bill 62

Relating to: the timing of equalization aid payments to school districts.

By Senators Jacque, Nass and Spreitzer; cosponsored by Representatives Gustafson, Rozar, C. Anderson, Baldeh, Behnke, Bodden, Brandtjen, Knodl, Murphy, Mursau, Rettinger and Schraa.

To the committee on **Education**.

Senate Bill 63

Relating to: assignment of dental benefits under health insurance.

By Senators Stroebel, Ballweg, Cowles, Felzkowski, Feyen, James, Marklein, Quinn and Wanggaard; cosponsored by Representatives Brooks, Green, Armstrong, Dittrich, Donovan, Duchow, Edming, Gundrum, Kitchens, Knodl, Macco, Michalski, O'Connor, Rettinger, Rozar, Schmidt, Spiros, Swearingen and Tittl.

To the committee on **Insurance and Small Business**.

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Representative Subeck added as a cosponsor of **Senate Bill 39**.

Pursuant to Senate Rule 17 (5), Representative Summerfield added as a cosponsor of **Senate Bill 40**.

Pursuant to Senate Rule 17 (5), Representative Allen added as a cosponsor of **Senate Bill 62**.

**State of Wisconsin
Wisconsin Ethics Commission**

February 14, 2023

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.

Burns, Nicole.....	Water Sports Industry Association
Christianson, Kyle.....	Motion Picture Association, Inc.
Daun, Eric.....	Milwaukee Professional Firefighters Association
Early, Annie.....	National Electrical Contractors Association - Wisconsin Chapter (NECA-WI)

Early, Annie.....	Water Sports Industry Association
Ermert, George.....	Water Sports Industry Association
Forrer, Adam.....	Audubon Great Lakes
Julius, Buddy.....	Brunswick Corporation
Moore, Thomas.....	Audubon Great Lakes
Murray, Ryan.....	Brunswick Corporation
Petersen, Eric.....	Motion Picture Association, Inc.
Phillips, Matt.....	Molson Coors Beverage Company USA LLC
Racine, Jarvis.....	Herzing University
Ramirez-White, Michelle.....	Wisconsin Farmers Union
Reef, Leor.....	GoBrands Inc.
Schooff, Susan.....	AHRI Air-Conditioning, Heating and Refrigeration Institute
Shepherd, Jeremy.....	NAIFA-Wisconsin, Inc
Shepherd, Jeremy.....	Water Sports Industry Association
Steineke, Jim.....	General Motors, LLC
Stenger, Scott.....	Molson Coors Beverage Company USA LLC
Vigue, Brian.....	Audubon Great Lakes
Welch, Robert.....	General Motors, LLC
White, Taylor.....	OurGov

Sincerely,
DANIEL A. CARLTON, JR.
Administrator

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

Senate Clearinghouse Rule 22-025

Relating to eligibility criteria for disaster fund grants. Submitted by the Department of Military Affairs. Report received from Agency, January 31, 2023. Referred to the committee on **Labor, Regulatory Reform, Veterans and Military Affairs**, February 14, 2023.

Senate Clearinghouse Rule 22-044

Relating to income, franchise, excise, sales, and use tax provisions and affecting small business. Submitted by the Department of Revenue. Report received from Agency, January 31, 2023. Referred to the committee on **Universities and Revenue**, February 14, 2023.

Senate Clearinghouse Rule 22-052

Relating to the processes for complaints and requests for advice.

Submitted by the Ethics Commission.

Report received from Agency, January 31, 2023.

Referred to the committee on **Government Operations, Elections and Consumer Protection**, February 14, 2023.

Senate Clearinghouse Rule 22-056

Relating to Wisconsin Fast Forward Workforce Training Grants.

Submitted by the Department of Workforce Development.

Report received from Agency, January 31, 2023.

Referred to the committee on **Labor, Regulatory Reform, Veterans and Military Affairs**, February 14, 2023.

Senate Clearinghouse Rule 22-084

Relating to qualified residential treatment programs.

Submitted by the Department of Children and Families.

Report received from Agency, January 30, 2023.

Referred to the committee on **Health**, February 14, 2023.

The committee on **Health** reported and recommended:

Senate Clearinghouse Rule 20-053

Relating to continuing medical education for physicians.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 21-016

Relating to telehealth.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 21-033

Relating to telehealth.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 21-074

Relating to name and address change, floor design, procedures for disciplinary proceedings, superseded references, and technical correction.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 21-086

Relating to requirements for class III permits for anesthesia.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-011

Relating to scheduling Crotonyl Fentanyl.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-014

Relating to scheduling Remimazolam.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-015

Relating to radiation protection requirements for radiation-producing machines and radioactive materials.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-016

Relating to scheduling Brophine.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-019

Relating to service fund for people who are deaf, deafblind or hard of hearing.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-026

Relating to long-term care services and Medical Assistance fair hearing process.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-032

Relating to scheduling Serdexmethylphenidate.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-033

Relating to scheduling ten (10) fentanyl related substances.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-034

Relating to scheduling Alfaxalone.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-035

Relating to Excluding 6-beta-Naltrexol.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-036

Relating to scheduling Fospropofol.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-037

Relating to scheduling Embutramide.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-038

Relating to scheduling Perampanel.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-039

Relating to scheduling Lacosamide.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-040

Relating to transferring 1-phenylcyclohexylamine and 1-piperidinocyclohexanecarbonitrile, immediate precursors to phencyclidine, also known as PCP.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-043

Relating to telehealth.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-046

Relating to SeniorCare Prescription Drugs.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-054

Relating to 4,4'-Dimethylaminorex.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-055

Relating to definitions.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

RACHAEL CABRAL-GUEVARA

Chairperson

The committee on **Labor, Regulatory Reform, Veterans and Military Affairs** reported and recommended:

Senate Clearinghouse Rule 22-041

Relating to general updates.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

Senate Clearinghouse Rule 22-042

Relating to the employment and entrepreneurship grants transition program.

No action taken on February 14, 2023.

Referred to the joint committee for review of **Administrative Rules**, February 14, 2023.

PATRICK TESTIN

Chairperson

ADVICE AND CONSENT OF THE SENATE

**State of Wisconsin
Office of the Governor**

February 14, 2023

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOAN M PRINCE, of Milwaukee, as a Congressional District 4 Representative on the Board of Regents of the University of Wisconsin System, to serve for the term ending May 1, 2023.

Respectfully Submitted,
TONY EVERS
Governor

Read and referred to the committee on **Universities and Revenue**.

**State of Wisconsin
Office of the Governor**

February 14, 2023

The Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GERALD PTACEK, of Racine, as a Legislative Joint Appointment on the Wisconsin Ethics Commission, to serve for the term ending May 1, 2026.

Respectfully Submitted,
TONY EVERS
Governor

Read and referred to the committee on **Government Operations, Elections and Consumer Protection.**

ADJOURNMENT

Senator LeMahieu, with unanimous consent, asked that the Senate stand adjourned until Wednesday, February 15, 2023.

Adjourned.

2:59 P.M.