



# STATE OF WISCONSIN

# Assembly Journal

## One-Hundred and Sixth Regular Session

12:54 P.M.

TUESDAY, September 12, 2023

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

Representative August in the chair.

Representative Spiros asked unanimous consent for a quorum call. Granted.

A quorum was present.

Speaker Vos in the chair.

The prayer was offered by Reverend Carol McArdell of Stoughton.

Representative Steffen led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present - Representatives Allen, C. Anderson, J. Anderson, Andraca, Armstrong, August, Baldeh, Bare, Behnke, Billings, Binsfeld, Bodden, Born, Brandtjen, Brooks, Cabrera, Callahan, Clancy, Conley, Considine, Dallman, Dittrich, Donovan, Doyle, Drake, Duchow, Edming, Emerson, Goeben, Goyke, Green, Gundrum, Gustafson, Haywood, Hong, Hurd, Jacobson, Joers, S. Johnson, Katsma, Kitchens, Krug, Kurtz, Macco, Madison, Magnafici, Maxey, McGuire, Melotik, Michalski, Moore Omokunde, Moses, Murphy, Mursau, Myers, Nedweski, Neubauer, Neylon, Novak, O'Connor, Ohnstad, Oldenburg, Ortiz-Velez, Palmeri, Penterman, Petersen, Petryk, Plumer, Pronschinske, Ratcliff, Rettinger, Riemer, Rodriguez, Rozar, Sapik, Schmidt, Schraa, Schutt, Shankland, Shelton, Sinicki, Snodgrass, Snyder, Sortwell, Spiros, Steffen, Stubbs, Subeck, Summerfield, Swearingen, Tittl, Tranel, Tusler, VanderMeer, Vining, Wichgers, Wittke, Zimmerman and Speaker Vos - 99.

Absent with leave - None.

Vacancies - None.

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### LEAVES OF ABSENCE

Representative Subeck asked unanimous consent for a leave of absence for part of today's session for Representative Myers. Granted.

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### SPECIAL GUEST

Representative Subeck introduced Hometown Hero Award recipient, Ms. Margaret Zutter, recognized for her dedicated service to RSVP of Dane County and older adults across the state and country. Ms. Zutter addressed the members from the rostrum.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### Assembly Joint Resolution 71

Relating to: proclaiming September 17, 2023, as Kleefstra Syndrome Awareness Day in Wisconsin.

By Representative Vos; cosponsored by Senator Wanggaard.

To committee on **Rules**.

#### Assembly Bill 415

Relating to: legislative redistricting.

By Representatives Oldenburg, Novak, Tranel, Plumer, Mursau and Kitchens.

To committee on **Rules**.

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### COMMITTEE REPORTS

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

#### Assembly Bill 388

Relating to: creating a child care center renovations loan program.

Assembly Substitute Amendment 1 adoption:

Ayes: 12 - Representatives Snyder, Goeben, Bodden, Dittrich, Gundrum, Penterman, Pronschinske, Wichgers, Billings, Vining, Snodgrass and Madison.

Noes: 0.

Passage as amended:

Ayes: 8 - Representatives Snyder, Goeben, Bodden, Dittrich, Gundrum, Penterman, Pronschinske and Wichgers.

Noes: 4 - Representatives Billings, Vining, Snodgrass and Madison.

To committee on **Rules**.

#### Assembly Bill 389

Relating to: the regulation of large family child care centers.

Assembly Amendment 1 adoption:

Ayes: 12 - Representatives Snyder, Goeben, Bodden, Dittrich, Gundrum, Penterman, Pronschinske, Wichgers, Billings, Vining, Snodgrass and Madison.

Noes: 0.

Passage as amended:

Ayes: 8 - Representatives Snyder, Goeben, Bodden, Dittrich, Gundrum, Penterman, Pronschinske and Wichgers.

Noes: 4 - Representatives Billings, Vining, Snodgrass and Madison.

To committee on **Rules**.

#### **Assembly Bill 390**

Relating to: modifying administrative rules relating to assistant child care teachers.

Assembly Amendment 1 adoption:

Ayes: 12 - Representatives Snyder, Goeben, Bodden, Dittrich, Gundrum, Penterman, Pronschinske, Wichgers, Billings, Vining, Snodgrass and Madison.

Noes: 0.

Passage as amended:

Ayes: 8 - Representatives Snyder, Goeben, Bodden, Dittrich, Gundrum, Penterman, Pronschinske and Wichgers.

Noes: 4 - Representatives Billings, Vining, Snodgrass and Madison.

To committee on **Rules**.

#### **Assembly Bill 391**

Relating to: modifying administrative rules regarding the number of child care workers and children in group child care centers.

Passage:

Ayes: 8 - Representatives Snyder, Goeben, Bodden, Dittrich, Gundrum, Penterman, Pronschinske and Wichgers.

Noes: 4 - Representatives Billings, Vining, Snodgrass and Madison.

To committee on **Rules**.

#### **Assembly Bill 392**

Relating to: allowing certified child care operators to provide care to up to six children.

Passage:

Ayes: 8 - Representatives Snyder, Goeben, Bodden, Dittrich, Gundrum, Penterman, Pronschinske and Wichgers.

Noes: 4 - Representatives Billings, Vining, Snodgrass and Madison.

To committee on **Rules**.

*PATRICK SNYDER*  
Chairperson  
Committee on Children and Families

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

#### **Assembly Bill 387**

Relating to: creating a child care reimbursement account program, providing an income tax subtraction for certain

contributions to a child care reimbursement account, and granting rule-making authority.

Assembly Amendment 1 adoption:

Ayes: 10 - Representatives Macco, Brooks, Armstrong, Binsfeld, Callahan, Dittrich, Gustafson, Snyder, Conley and Baldeh.

Noes: 2 - Representatives Ohnstad and Riemer.

Passage as amended:

Ayes: 8 - Representatives Macco, Brooks, Armstrong, Binsfeld, Callahan, Dittrich, Gustafson and Snyder.

Noes: 4 - Representatives Conley, Ohnstad, Riemer and Baldeh.

To committee on **Rules**.

*JOHN MACCO*  
Chairperson  
Committee on Ways and Means

### **REFERENCE BUREAU CORRECTIONS**

#### **Assembly Bill 382**

1. Page 10, line 14: delete “i” and substitute “id.”
2. Page 20, line 14: on lines 14 and 23, delete “docile” and substitute “domicile”.
3. Page 21, line 8: delete “docile” and substitute “domicile”.
4. Page 30, line 12: delete “2.” and substitute “1.”
5. Page 30, line 20: delete “3.” and substitute “2.”
6. Page 31, line 1: delete “4.” and substitute “3.”

#### Assembly Substitute Amendment 1 to **Assembly Bill 388**

1. Page 3, line 12: on lines 12 and 13, delete “licensed”.

### **COMMUNICATIONS**

September 12, 2023

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

Dear Chief Clerk Blazel:

Please add my name as a coauthor of Assembly Joint Resolution 70, relating to recognizing September 2023 as Family Meals Month.

Sincerely,  
*SHELIA STUBBS*  
State Representative  
77th Assembly District

September 12, 2023

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

Dear Chief Clerk Blazel:

Please add my name as a coauthor of Assembly Joint Resolution 68, relating to honoring the life and legacy of Ada Deer.

Sincerely,  
*KATRINA SHANKLAND*  
State Representative  
71st Assembly District

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## CALENDAR OF TUESDAY, SEPTEMBER 12

Representative August asked unanimous consent that **Assembly Resolution 10** be withdrawn from today's calendar and taken up at this time. Granted.

### **Assembly Resolution 10**

Relating to: honoring the life and public service of Representative Karl Van Roy.

The question was: Shall **Assembly Resolution 10** be adopted?

Motion carried.

Representative August asked unanimous consent that **Assembly Resolution 12** be withdrawn from today's calendar and taken up at this time. Granted.

### **Assembly Resolution 12**

Relating to: honoring the life and public service of Representative Arthur L. Peterson.

The question was: Shall **Assembly Resolution 12** be adopted?

Motion carried.

Representative Myers asked unanimous consent that her leave of absence be lifted. Granted.

Speaker Pro Tempore Petersen in the chair.

### **Assembly Bill 386**

Relating to: lowering the individual income tax rates in the third bracket and increasing and expanding the retirement income subtraction.

Assembly Amendment 1 to **Assembly Bill 386** offered by Representatives Ohnstad, Cabrera, Palmeri, Sinicki, Ratcliff, Joers, Myers, C. Anderson, Stubbs, Bare, Jacobson, Snodgrass, Conley, Emerson, Billings, Subeck, Considine, Riemer, Neubauer, J. Anderson, Shankland, Shelton, Goyke, Moore Omokunde, Andraca, Haywood, Baldeh, Ortiz-Velez, Drake, McGuire and Vining.

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## POINT OF ORDER

Representative August rose to the point of order that Assembly Amendment 1 to **Assembly Bill 386** was not germane under Assembly Rule 54 (3)(f).

Speaker Pro Tempore Petersen ruled the point of order **well taken**.

Representative Subeck appealed the decision of the Chair.

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

The roll was taken.

The result follows:

Ayes - Representatives Allen, Armstrong, August, Behnke, Binsfeld, Bodden, Born, Brandtjen, Brooks, Callahan, Dallman, Dittrich, Donovan, Duchow, Edming, Goeben, Green, Gundrum, Gustafson, Hurd, S. Johnson, Katsma, Kitchens, Krug, Kurtz, Macco, Magnafici, Maxey, Melotik, Michalski, Moses, Murphy, Mursau, Nedweski, Neylon, Novak, O'Connor, Oldenburg, Penterman, Petersen, Petyk, Plumer, Pronschinske, Rettinger, Rodriguez, Rozar, Sapik, Schmidt, Schraa, Schutt, Snyder, Sortwell, Spiros, Steffen, Summerfield, Swearingen, Tittl, Tranel, Tusler, VanderMeer, Wichgers, Wittke, Zimmerman and Speaker Vos - 64.

Noes - Representatives C. Anderson, J. Anderson, Andraca, Baldeh, Bare, Billings, Cabrera, Clancy, Conley, Considine, Doyle, Drake, Emerson, Goyke, Haywood, Hong, Jacobson, Joers, Madison, McGuire, Moore Omokunde, Myers, Neubauer, Ohnstad, Ortiz-Velez, Palmeri, Ratcliff, Riemer, Shankland, Shelton, Sinicki, Snodgrass, Stubbs, Subeck and Vining - 35.

Absent or not voting - None.

Motion carried.

The question was: Shall **Assembly Bill 386** be ordered engrossed and read a third time?

Motion carried.

Representative August asked unanimous consent that the rules be suspended and that **Assembly Bill 386** be given a third reading. Granted.

The question was: **Assembly Bill 386** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes - Representatives Allen, Armstrong, August, Behnke, Binsfeld, Bodden, Born, Brandtjen, Brooks, Callahan, Dallman, Dittrich, Donovan, Duchow, Edming, Goeben, Green, Gundrum, Gustafson, Hurd, S. Johnson, Katsma, Kitchens, Krug, Kurtz, Macco, Magnafici, Maxey, Melotik, Michalski, Moses, Murphy, Mursau, Nedweski, Neylon, Novak, O'Connor, Oldenburg, Penterman, Petersen, Petyk, Plumer, Pronschinske, Rettinger, Rodriguez, Rozar, Sapik, Schmidt, Schraa, Schutt, Snyder, Sortwell, Spiros, Steffen, Summerfield, Swearingen, Tittl, Tranel, Tusler, VanderMeer, Wichgers, Wittke, Zimmerman and Speaker Vos - 64.

Noes - Representatives C. Anderson, J. Anderson, Andraca, Baldeh, Bare, Billings, Cabrera, Clancy, Conley, Considine, Doyle, Drake, Emerson, Goyke, Haywood, Hong, Jacobson, Joers, Madison, McGuire, Moore Omokunde,

Myers, Neubauer, Ohnstad, Ortiz-Velez, Palmeri, Ratcliff, Riemer, Shankland, Shelton, Sinicki, Snodgrass, Stubbs, Subeck and Vining - 35.

Absent or not voting - None.

Motion carried.

Representative August asked unanimous consent that the rules be suspended and that **Assembly Bill 386** be immediately messaged to the Senate. Granted.

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Representative Summerfield asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

3:18 P.M.

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### RECESS

4:09 P.M.

The Assembly reconvened.

Speaker Pro Tempore Petersen in the chair.

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### LEAVES OF ABSENCE

Representative Summerfield asked unanimous consent for a leave of absence for part of today's session for Representative Neylon. Granted.

#### **Assembly Joint Resolution 66**

Relating to: requiring a supermajority in each house of the legislature for passage of tax increase legislation (first consideration).

The question was: Shall **Assembly Joint Resolution 66** be ordered engrossed and read a third time?

Motion carried.

Representative August asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 66** be given a third reading. Granted.

The question was: **Assembly Joint Resolution 66** having been three times, shall the joint resolution be adopted?

The roll was taken.

The result follows:

Ayes - Representatives Allen, Armstrong, August, Behnke, Binsfeld, Bodden, Born, Brandtjen, Brooks, Callahan, Dallman, Dittrich, Donovan, Duchow, Edming, Goeben, Green, Gundrum, Gustafson, Hurd, S. Johnson, Katsma, Kitchens, Krug, Kurtz, Macco, Magnafici, Maxey, Melotik, Michalski, Moses, Murphy, Mursau, Nedweski, Novak, O'Connor, Oldenburg, Penterman, Petersen, Petryk, Plumer, Pronschinske, Rettinger, Rodriguez, Rozar, Sapik, Schmidt, Schraa, Schutt, Snyder, Sortwell, Spiros, Steffen, Summerfield, Swearingen, Tittl, Tranel, Tusler, VanderMeer, Wichgers, Wittke, Zimmerman and Speaker Vos - 63.

Noes - Representatives C. Anderson, J. Anderson, Andraca, Baldeh, Bare, Billings, Cabrera, Clancy, Conley, Considine, Doyle, Drake, Emerson, Goyke, Haywood, Hong, Jacobson, Joers, Madison, McGuire, Moore Omokunde, Myers, Neubauer, Ohnstad, Ortiz-Velez, Palmeri, Ratcliff, Riemer, Shankland, Shelton, Sinicki, Snodgrass, Stubbs, Subeck and Vining - 35.

Absent or not voting - Representative Neylon - 1.

Motion carried.

Representative Plumer asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 66** be immediately messaged to the Senate. Granted.

#### **Assembly Joint Resolution 6**

Relating to: the appropriation authority of the legislature and the allocation of moneys Wisconsin receives from the federal government (second consideration).

The question was: Shall Assembly Amendment 1 to **Assembly Joint Resolution 6** be adopted?

Motion carried.

The question was: Shall **Assembly Joint Resolution 6** be ordered engrossed and read a third time?

Motion carried.

Representative Plumer asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 6** be given a third reading. Granted.

The question was: **Assembly Joint Resolution 6** having been read three times, shall the joint resolution be adopted?

The roll was taken.

The result follows:

Ayes - Representatives Allen, Armstrong, August, Behnke, Binsfeld, Bodden, Born, Brandtjen, Brooks, Callahan, Dallman, Dittrich, Donovan, Duchow, Edming, Goeben, Green, Gundrum, Gustafson, Hurd, S. Johnson, Katsma, Kitchens, Krug, Kurtz, Macco, Magnafici, Maxey, Melotik, Michalski, Moses, Murphy, Mursau, Nedweski, Novak, O'Connor, Oldenburg, Penterman, Petersen, Petryk, Plumer, Pronschinske, Rettinger, Rodriguez, Rozar, Sapik, Schmidt, Schraa, Schutt, Snyder, Sortwell, Spiros, Steffen, Summerfield, Swearingen, Tittl, Tranel, Tusler, VanderMeer, Wichgers, Wittke, Zimmerman and Speaker Vos - 63.

Noes - Representatives C. Anderson, J. Anderson, Andraca, Baldeh, Bare, Billings, Cabrera, Clancy, Conley, Considine, Doyle, Drake, Emerson, Goyke, Haywood, Hong, Jacobson, Joers, Madison, McGuire, Moore Omokunde, Myers, Neubauer, Ohnstad, Ortiz-Velez, Palmeri, Ratcliff, Riemer, Shankland, Shelton, Sinicki, Snodgrass, Stubbs, Subeck and Vining - 35.

Absent or not voting - Representative Neylon - 1.

Motion carried.

Representative Plumer asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 6** be immediately messaged to the Senate. Granted.

**Senate Joint Resolution 48**

Relating to: honoring 2023 as the 100th anniversary of the Green Bay & De Pere Antiquarian Society.

The question was: Shall **Senate Joint Resolution 48** be concurred in?

Motion carried.

Representative Plumer asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 48** be immediately messaged to the Senate. Granted.

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Speaker Pro Tempore Petersen asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

4:40 P.M.

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**RECESS**

4:57 P.M.

The Assembly reconvened.

Speaker Pro Tempore Petersen in the chair.

The committee on **Rules** introduced a privileged resolution.

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**INTRODUCTION AND REFERENCE OF PROPOSALS**

Read first time and referred:

**Assembly Resolution 17**

Relating to: establishing a special order of business for Thursday, September 14, 2023.

By committee on **Rules**

Privileged and read.

The question was: Shall **Assembly Resolution 17** be adopted?

Motion carried.

The following proposal was made a special order of business on Thursday, September 14, pursuant to the adoption of **Assembly Resolution 17**:

**Assembly Bill 415** at 1:01 PM

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**VISITORS**

During today's session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Keith Zutter, Katie Zutter, Deborah Speckmann, and Diana Jost, guests of Representative Subeck.

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**ANNOUNCEMENTS**

Representative Swearingen asked unanimous consent that the Assembly adjourn in honor of his wife Amy, on the occasion of their 31st wedding anniversary today. Granted.

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**ADJOURNMENT**

Representative August moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, September 14.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

4:58 P.M.