

From: Redell, Carol <Carol.Redell@legis.wisconsin.gov>
Sent: Wednesday, February 24, 2021 4:56 PM EST
To: AO Records <records@americanoversight.org>
CC: Rep.Born <Rep.Born@legis.wisconsin.gov>
Subject: Rep. Born: American Oversight Open Records Request- February 5, 2021
Attachment(s): "American Oversight- 2.5.21 #1.pdf", "American Oversight- 2.5.21 #2.pdf"

EXTERNAL SENDER

Emma Lewis
records@americanoversight.org

Dear Ms. Lewis:

Open records requests are processed through the Assembly Chief Clerk's office for billing purposes only. You submitted an open records request to Representative Born. The records are being provided in electronic format and, thus, there is no charge for any location or reproduction costs. Accordingly, all records that are responsive to your request are attached to this email.

Carol Redell
Office of the Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, Wisconsin 53703
608.266.1501
carol.redell@legis.wi.gov



February 5, 2021

VIA EMAIL

Representative Mark Born
Room 320 East
Wisconsin State Capitol
Madison, WI 53703
rep.born@legis.wi.gov

Re: Public Records Law Request

Dear Representative Born:

Pursuant to Wisconsin's public records law, Wis. Stat. §§ 19.31–19.39, American Oversight makes the following request for copies of records.

Following the 2020 elections, President Trump's campaign requested recounts in Wisconsin's Milwaukee and Dane Counties, a process that slightly increased then-President-Elect Joe Biden's lead in the state.¹ On December 11, 2020, after the conclusion of the recount, the state legislature's Joint Committee on Finance chose to withhold funds for conducting the recounts from these two counties, citing an unexplained objection from an unidentified member of the committee.² On January 8, 2021, the committee approved the \$2.4 million reimbursement, with committee leaders expressing satisfaction with receipts provided by both counties.³

American Oversight seeks records with the potential to shed light on the decision of the Joint Committee on Finance to withhold funds from Milwaukee and Dane Counties, including what factors may have influenced the committee.

¹ Patrick Marley, *GOP Committee Withholds Payments to Dane and Milwaukee Counties for Recount Costs*, Milwaukee J.-Sentinel (updated Dec. 11, 2020, 7:04 PM), https://www.jsonline.com/story/news/politics/elections/2020/12/11/republicans-withhold-trump-recount-funds-milwaukee-dane-counties/6514385002/?itm_medium=recirc&itm_source=taboola&itm_campaign=internal&itm_content=RightRailArticleThumbnails-Redesign.

² *Id.*

³ Mitchell Schmidt, *State Budget Committee Releases Election Recount Funds for Dane and Milwaukee Counties*, Wisc. State J., Jan. 9, 2021, https://madison.com/wsj/news/local/govt-and-politics/elections/state-budget-committee-releases-election-recount-funds-for-dane-and-milwaukee-counties/article_8293a514-72cd-52be-894d-f83257b3587e.html.



Requested Records

American Oversight requests that your office produce the following records “as soon as practicable and without delay”:⁴

All communications (including emails, email attachments, draft agreements, memoranda, and proposals) between (a) Rep. Born or his chief of staff, Nicole Borgerding and (b) the following Wisconsin state officials:

1. Wisconsin Elections Commission Administrator, Meagan Wolfe
2. Commissioner Dean Knudson (including at dean.knudson@wisconsin.gov, dean.knudson@wi.gov, dknudson@comcast.net, dean@deanknudson.com, or any other known email address)
3. Commissioner Robert Spindell (including at robert.spindell@wisconsin.gov, robert.spindell@wi.gov, cd4.chairman@wisgop.info, or any other known email address)
4. Wisconsin State Assembly Speaker, Rep. Robin Vos
5. Chief of Staff to Speaker Vos, Jenny Toftness
6. Sen. Alberta Darling
7. Chief of Staff to Sen. Darling, Jerry Ponio
8. Sen. Howard Marklein
9. Chief of Staff to Sen. Marklein, Katy Rusch Prange

Please provide all responsive records from November 3, 2020, through January 11, 2021.

Fee Waiver Request

In accordance with Wis. Stat. § 19.35(3)(e), American Oversight respectfully requests that the records be produced without charge. Providing American Oversight with a waiver of fees is in the “public interest” because American Oversight will, in accordance with its organizational mission, make the records available to the public without charge. These disclosures will likely contribute to a better understanding of relevant government procedures by the general public.

American Oversight’s work is aimed solely at serving the public interest. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight’s financial interest. Rather, American Oversight’s mission is to serve the public by promoting transparency in government, educating the public about government activities, and ensuring the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media.⁵ American Oversight also makes materials it gathers available on its public

⁴ Wis. Stat. § 19.35(4)(a).

⁵ *See generally News*, American Oversight, <https://www.americanoversight.org/blog>; *State Investigations*, American Oversight, <https://www.americanoversight.org/states>; *see, e.g., State Government Contacts with Voting-Restriction Activists*, American Oversight,

website⁶ and promotes their availability on social media platforms, such as Facebook and Twitter.⁷

The public has a significant interest in the Joint Committee on Finance's decision to withhold reimbursement for vote recounts in Milwaukee and Dane Counties.⁸ Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including whether the committee members withheld funds based on partisan motivations or other influences. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the public's understanding of the government's activities would be enhanced through American Oversight's analysis and publication of these records.

American Oversight asks that if its request for a fee waiver is denied in whole or in part, that you contact us prior to incurring any costs.

Guidance Regarding the Search & Processing of Requested Records

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term "record" in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

Please search all locations and systems likely to have responsive records regarding official business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts.** Emails conducting government business sent or received on the personal account of the authority's officer or employee constitutes a record for purposes of Wisconsin's public records laws.⁹

<https://www.americanoversight.org/investigation/state-government-contacts-with-voting-restriction-activists>; *Wisconsin Documents Offer Window into Early Uncertainty over COVID-19*, American Oversight, <https://www.americanoversight.org/wisconsin-documents-offer-window-into-early-uncertainty-over-covid-19>.

⁶ *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

⁷ American Oversight currently has approximately 15,600 page likes on Facebook and 105,600 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Feb. 1, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Feb. 1, 2021).

⁸ *See, e.g.*, Schmidt, *supra* note 3.

⁹ Wisc. Dep't of J., *Wisconsin Public Records Law Compliance Guide*, Oct. 2019, at 3, <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf>.

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.¹⁰ If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Emma Lewis at records@americanoversight.org or 202.919.6303. Also, if American Oversight's request

¹⁰ Wis. Stat. § 19.36(6).

for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Emma Lewis

Emma Lewis

On behalf of

American Oversight

Borgerding, Nicole

From: Rep.Vos
Sent: Friday, December 18, 2020 3:12 PM
To: *Legislative Assembly Republicans - Legislators; *Legislative Assembly Republicans - Representatives
Cc: *Legislative Assembly Republicans - Staff Members
Subject: Standing Committee Chairs and Vice-Chairs
Attachments: Vos_Committee.Chair.2021-2022.pdf; Vos_Committee.Chairs.2021-2022.docx

Good Afternoon,

Committee chairs and vice-chairs will be released to the media following this email. Please feel free to call if you have any questions.

Full committee membership will be released early next week.

| Committee | Chair | Vice-Chair |
|---|------------------------|----------------------------|
| Aging and Long-Term Care | Rep. Rick Gundrum | Rep. Warren Petryk |
| Agriculture | Rep. Gary Tauchen | Rep. Loren Oldenburg |
| Campaigns and Elections | Rep. Janel Brandtjen | Rep. Joe Sanfelippo |
| Children and Families | Rep. Pat Snyder | Rep. Timothy Ramthun |
| Colleges and Universities | Rep. Dave Murphy | Rep.-elect Alex Dallman |
| Constitution and Ethics | Rep. Chuck Wichgers | Rep. Jeremy Thiesfeldt |
| Consumer Protection | Rep. Barbara Dittrich | Rep. James Edming |
| Corrections | Rep. Michael Schraa | Rep.-elect Calvin Callahan |
| Criminal Justice and Public Safety | Rep. John Spiros | Rep. Cody Horlacher |
| Education | Rep. Jeremy Thiesfeldt | Rep. Joel Kitchens |
| Energy and Utilities | Rep. Mike Kuglitsch | Rep. David Steffen |
| Environment | Rep. Joel Kitchens | Rep. Ron Tusler |
| Family Law | Rep. Gae Magnafici | Rep. Jesse James |
| Financial Institutions | Rep. Cindi Duchow | Rep. Terry Katsma |
| Forestry, Parks and Outdoor Recreation | Rep. Jeff Mursau | Rep. Scott Krug |
| Government Accountability and Oversight | Rep. Dan Knodl | Rep. Janel Brandtjen |
| Health | Rep. Joe Sanfelippo | Rep. Rob Summerfield |
| Housing and Real Estate | Rep. John Jagler | Rep. Scott Allen |
| Insurance | Rep. David Steffen | Rep. Kevin Petersen |

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| Jobs and the Economy | Rep. Robert Wittke | Rep.-elect Dave Armstrong |
| Judiciary | Rep. Ron Tusler | Rep. Samantha Kerkman |
| Labor and Integrated Employment | Rep. James Edming | Rep. Nancy VanderMeer |
| Local Government | Rep. Todd Novak | Rep. Rick Gundrum |
| Mental Health | Rep. Paul Tittl | Rep.-elect Rachael Cabral-Guevara |
| Public Benefit Reform | Rep. Scott Krug | Rep. Michael Schraa |
| Regulatory Licensing Reform | Rep. Shae Sortwell | Rep. Scott Allen |
| Rules | Rep. Jim Steineke | |
| Rural Development | Rep. Nancy VanderMeer | Rep.-elect Clint Moses |
| Science, Technology and Broadband | Rep. Rob Summerfield | Rep. Michael Schraa |
| Small Business Development | Rep. Loren Oldenburg | Rep.-elect Donna Rozar |
| Sporting Heritage | Rep. Treig Pronschinske | Rep. Paul Tittl |
| State Affairs | Rep. Rob Swearingen | Rep. Tyler Vorpapel |
| Substance Abuse and Prevention | Rep. Jesse James | Rep. Gae Magnafici |
| Tourism | Rep. Travis Tranel | Rep. Rob Swearingen |
| Transportation | Rep. Jon Plumer | Rep. John Spiros |
| Veterans and Military Affairs | Rep. Ken Skowronski | Rep. Nancy VanderMeer |
| Ways and Means | Rep. John Macco | Rep. Robert Wittke |
| Workforce Development | Rep. Warren Petryk | Rep. Barbara Dittrich |
| Joint Committee for Review of Administrative Rules | Rep. Adam Neylon | Rep. Tyler August |
| Joint Committee on Finance | Rep. Mark Born | Rep. Amy Loudenberg |
| Joint Committee on Information Policy and Technology | Rep. Amy Loudenberg | Rep. Dan Knodl |
| Joint Law Revision Committee | Rep. Ron Tusler | |
| Joint Legislative Audit Committee | Rep. Samantha Kerkman | Rep. John Macco |
| Joint Legislative Council | Rep. Tyler Vorpapel | Rep. Jim Steineke |
| Joint Review Committee on Criminal Penalties | Rep. John Spiros | |
| Joint Survey Committee on Retirement Systems | Rep. Mike Kuglitsch | Rep. Rob Brooks |
| Joint Survey Committee on Tax Exemptions | Rep. Tyler August | Rep. Rob Swearingen |
| State Building Commission | Rep. Rob Swearingen Rep. Robert Wittke | |

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ROBIN J. VOS

SPEAKER OF THE WISCONSIN STATE ASSEMBLY

FOR IMMEDIATE RELEASE

December 18, 2020

For Further Information Contact:
Speaker Robin Vos (608) 266-3387

Speaker Vos Announces Assembly Standing Committees, Chairs

Madison... Speaker Robin Vos (R-Rochester) would like to announce the Assembly standing committees and their corresponding chairs and vice-chairs for the 2021-2022 legislative session.

The speaker will name the Assembly Republican members of the committees in the coming days. The 105th Wisconsin State Legislature begins with the inauguration of the 99 members on January 4, 2021.

| Committee | Chair | Vice-Chair |
|---|------------------------|----------------------------|
| Aging and Long-Term Care | Rep. Rick Gundrum | Rep. Warren Petryk |
| Agriculture | Rep. Gary Tauchen | Rep. Loren Oldenburg |
| Campaigns and Elections | Rep. Janel Brandtjen | Rep. Joe Sanfelippo |
| Children and Families | Rep. Pat Snyder | Rep. Timothy Ramthun |
| Colleges and Universities | Rep. Dave Murphy | Rep.-elect Alex Dallman |
| Constitution and Ethics | Rep. Chuck Wichgers | Rep. Jeremy Thiesfeldt |
| Consumer Protection | Rep. Barbara Ditrach | Rep. James Edming |
| Corrections | Rep. Michael Schraa | Rep.-elect Calvin Callahan |
| Criminal Justice and Public Safety | Rep. John Spiros | Rep. Cody Horlacher |
| Education | Rep. Jeremy Thiesfeldt | Rep. Joel Kitchens |
| Energy and Utilities | Rep. Mike Kuglitsch | Rep. David Steffen |
| Environment | Rep. Joel Kitchens | Rep. Ron Tusler |
| Family Law | Rep. Gae Magnafici | Rep. Jesse James |
| Financial Institutions | Rep. Cindi Duchow | Rep. Terry Katsma |
| Forestry, Parks and Outdoor Recreation | Rep. Jeff Mursau | Rep. Scott Krug |
| Government Accountability and Oversight | Rep. Dan Knodl | Rep. Janel Brandtjen |
| Health | Rep. Joe Sanfelippo | Rep. Rob Summerfield |
| Housing and Real Estate | Rep. John Jagler | Rep. Scott Allen |
| Insurance | Rep. David Steffen | Rep. Kevin Petersen |
| Jobs and the Economy | Rep. Robert Wittke | Rep.-elect Dave Armstrong |
| Judiciary | Rep. Ron Tusler | Rep. Samantha Kerkman |
| Labor and Integrated Employment | Rep. James Edming | Rep. Nancy VanderMeer |
| Local Government | Rep. Todd Novak | Rep. Rick Gundrum |

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| Mental Health | Rep. Paul Tittl | Rep.-elect Rachael Cabral-Guevara |
| Public Benefit Reform | Rep. Scott Krug | Rep. Michael Schraa |
| Regulatory Licensing Reform | Rep. Shae Sortwell | Rep. Scott Allen |
| Rules | Rep. Jim Steineke | |
| Rural Development | Rep. Nancy VanderMeer | Rep.-elect Clint Moses |
| Science, Technology and Broadband | Rep. Rob Summerfield | Rep. Michael Schraa |
| Small Business Development | Rep. Loren Oldenburg | Rep.-elect Donna Rozar |
| Sporting Heritage | Rep. Treig Pronschinske | Rep. Paul Tittl |
| State Affairs | Rep. Rob Swearingen | Rep. Tyler Vorpapel |
| Substance Abuse and Prevention | Rep. Jesse James | Rep. Gae Magnafici |
| Tourism | Rep. Travis Tranel | Rep. Rob Swearingen |
| Transportation | Rep. Jon Plumer | Rep. John Spiros |
| Veterans and Military Affairs | Rep. Ken Skowronski | Rep. Nancy VanderMeer |
| Ways and Means | Rep. John Macco | Rep. Robert Wittke |
| Workforce Development | Rep. Warren Petryk | Rep. Barbara Dittrich |
| Joint Committee for Review of Administrative Rules | Rep. Adam Neylon | Rep. Tyler August |
| Joint Committee on Finance | Rep. Mark Born | Rep. Amy Loudenbeck |
| Joint Committee on Information Policy and Technology | Rep. Amy Loudenbeck | Rep. Dan Knodl |
| Joint Law Revision Committee | Rep. Ron Tusler | |
| Joint Legislative Audit Committee | Rep. Samantha Kerkman | Rep. John Macco |
| Joint Legislative Council | Rep. Tyler Vorpapel | Rep. Jim Steineke |
| Joint Review Committee on Criminal Penalties | Rep. John Spiros | |
| Joint Survey Committee on Retirement Systems | Rep. Mike Kuglitsch | Rep. Rob Brooks |
| Joint Survey Committee on Tax Exemptions | Rep. Tyler August | Rep. Rob Swearingen |
| State Building Commission | Rep. Rob Swearingen Rep. Robert Wittke | |

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ROBIN J. VOS

SPEAKER OF THE WISCONSIN STATE ASSEMBLY

FOR IMMEDIATE RELEASE

December 18, 2020

For Further Information Contact:
Speaker Robin Vos (608) 266-3387

Speaker Vos Announces Assembly Standing Committees, Chairs

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| Insurance | Rep. David Steffen | Rep. Kevin Petersen |
| Jobs and the Economy | Rep. Robert Wittke | Rep.-elect Dave Armstrong |
| Judiciary | Rep. Ron Tusler | Rep. Samantha Kerkman |
| Labor and Integrated Employment | Rep. James Edming | Rep. Nancy VanderMeer |
| Local Government | Rep. Todd Novak | Rep. Rick Gundrum |

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| Public Benefit Reform | Rep. Scott Krug | Rep. Michael Schraa |
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| Rural Development | Rep. Nancy VanderMeer | Rep.-elect Clint Moses |
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| Sporting Heritage | Rep. Treig Pronschinske | Rep. Paul Tittl |
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| Substance Abuse and Prevention | Rep. Jesse James | Rep. Gae Magnafici |
| Tourism | Rep. Travis Tranel | Rep. Rob Swearingen |
| Transportation | Rep. Jon Plumer | Rep. John Spiros |
| Veterans and Military Affairs | Rep. Ken Skowronski | Rep. Nancy VanderMeer |
| Ways and Means | Rep. John Macco | Rep. Robert Wittke |
| Workforce Development | Rep. Warren Petryk | Rep. Barbara Dittrich |
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| Joint Committee on Finance | Rep. Mark Born | Rep. Amy Loudenbeck |
| Joint Committee on Information Policy and Technology | Rep. Amy Loudenbeck | Rep. Dan Knodl |
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| Joint Legislative Audit Committee | Rep. Samantha Kerkman | Rep. John Macco |
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| Joint Review Committee on Criminal Penalties | Rep. John Spiros | |
| Joint Survey Committee on Retirement Systems | Rep. Mike Kuglitsch | Rep. Rob Brooks |
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| State Building Commission | Rep. Rob Swearingen Rep. Robert Wittke | |

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ROBIN J. VOS

SPEAKER OF THE WISCONSIN STATE ASSEMBLY

FOR IMMEDIATE RELEASE
For Further Information Contact:
Speaker Robin Vos (608) 266-3387

December 29, 2020

Speaker Vos Announces Assembly Standing Committee Membership

Madison... Speaker Robin Vos (R-Rochester) would like to announce the membership of the Assembly standing committees. The 105th Wisconsin State Legislature begins with the inauguration of members on January 4, 2021.

| Committee | Chair | Vice-Chair | GOP Members |
|--------------------------|----------------------|----------------------|---|
| Aging and Long-Term Care | Rep. Rick Gundrum | Rep. Warren Petryk | Rep. Gae Magnafici Rep. Jon Plumer Rep. Treig Pronschinske Rep.-elect Donna Rozar |
| Agriculture | Rep. Gary Tauchen | Rep. Loren Oldenburg | Rep. Travis Tranel Rep. Joel Kitchens Rep. Nancy VanderMeer Rep. Jeff Mursau Rep. Todd Novak Rep. Treig Pronschinske Rep. Jon Plumer Rep.-elect Clint Moses |
| Campaigns and Elections | Rep. Janel Brandtjen | Rep. Joe Sanfelippo | Rep. Ron Tusler Rep. Jeremy Thiesfeldt Rep. Dave Murphy Rep.-elect Donna Rozar |
| Children and Families | Rep. Pat Snyder | Rep. Timothy Ramthun | Rep. Samantha Kerkman Rep. Tyler Vorpapel Rep. Treig Pronschinske Rep. Rick Gundrum Rep. Jesse James |

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| Children and Families continued | | | Rep. Barbara Dittrich |
| Colleges and Universities | Rep. Dave Murphy | Rep.-elect Alex Dallman | Rep. Travis Tranel Rep. Cindi Duchow Rep. Robert Wittke Rep. Rob Summerfield Rep. Scott Krug Rep. Warren Petryk Rep.-elect Rachael Cabral-Guevara Rep.-elect Clint Moses |
| Constitution and Ethics | Rep. Chuck Wichgers | Rep. Jeremy Thiesfeldt | Rep. Scott Allen Rep. Timothy Ramthun Rep. Gae Magnafici Rep. Dave Murphy |
| Consumer Protection | Rep. Barbara Dittrich | Rep. James Edming | Rep. Ken Skowronski Rep. Nancy VanderMeer Rep. Shae Sortwell Rep. John Macco |
| Corrections | Rep. Michael Schraa | Rep.-elect Calvin Callahan | Rep. Janel Brandtjen Rep. Pat Snyder Rep. Jesse James Rep. Shae Sortwell Rep. Paul Tittl |
| Criminal Justice and Public Safety | Rep. John Spiros | Rep. Cody Horlacher | Rep. Shae Sortwell Rep. Cindi Duchow Rep. Todd Novak Rep. Michael Schraa Rep. Scott Krug Rep. Jesse James Rep. David Steffen Rep.-elect Calvin Callahan |
| Education | Rep. Jeremy Thiesfeldt | Rep. Joel Kitchens | Rep. John Jagler Rep. Robert Wittke Rep. Timothy Ramthun Rep. Chuck Wichgers Rep. Ron Tusler Rep. Jeffrey Mursau Rep. Cindi Duchow |

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| Education continued | | | Rep.-elect Donna Rozar |
| Energy and Utilities | Rep. Mike Kuglitsch | Rep. David Steffen | Rep. Travis Tranel Rep. Loren Oldenburg Rep. Warren Petryk Rep. Adam Neylon Rep. Tyler Vorpapel Rep. Gary Tauchen Rep. Kevin Petersen Rep. Cody Horlacher |
| Environment | Rep. Joel Kitchens | Rep. Ron Tusler | Rep. Loren Oldenburg Rep. Todd Novak Rep. Scott Krug Rep. Mike Kuglitsch |
| Family Law | Rep. Gae Magnafici | Rep. Jesse James | Rep. Jon Plumer Rep. Pat Snyder Rep. James Edming Rep. Cindi Duchow |
| Financial Institutions | Rep. Cindi Duchow | Rep. Terry Katsma | Rep. Scott Allen Rep. Dave Murphy Rep. Warren Petryk Rep. Cody Horlacher |
| Forestry, Parks and Outdoor Recreation | Rep. Jeff Mursau | Rep. Scott Krug | Rep. Chuck Wichgers Rep. James Edming Rep. Treig Pronschinske Rep. Ron Tusler Rep. Rob Swearingen Rep. Paul Tittl Rep.-elect Clint Moses Rep.-elect Calvin Callahan |
| Government Accountability and Oversight | Rep. Dan Knodl | Rep. Janel Brandtjen | Rep. Mike Kuglitsch Rep. David Steffen Rep. Jeremy Thiesfeldt Rep. Scott Krug |
| Health | Rep. Joe Sanfelippo | Rep. Rob Summerfield | Rep. Chuck Wichgers Rep. Nancy VanderMeer |

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| Health Continued | | | Rep. Ken Skowronski Rep. Dave Murphy Rep. Gae Magnafici Rep. Barbara Dittrich Rep.-elect Donna Rozar Rep.-elect Clint Moses Rep.-elect Rachael Cabral-Guevara |
| Housing and Real Estate | Rep. John Jagler | Rep. Scott Allen | Rep. Rob Brooks Rep. Treig Pronschinske Rep. Dave Murphy Rep. Joel Kitchens |
| Insurance | Rep. David Steffen | Rep. Kevin Petersen | Rep. Cindi Duchow Rep. Ron Tusler Rep. Rob Brooks Rep. Travis Tranel Rep. Warren Petryk Rep. Rick Gundrum Rep. John Jagler |
| Jobs and the Economy | Rep. Robert Wittke | Rep.-elect Dave Armstrong | Rep. Barbara Dittrich Rep. Adam Neylon Rep. Pat Snyder Rep. Gae Magnafici Rep. Paul Tittl Rep. John Macco Rep.-elect Donna Rozar |
| Judiciary | Rep. Ron Tusler | Rep. Samantha Kerkman | Rep. Timothy Ramthun Rep. Jeremy Thiesfeldt Rep. Cody Horlacher Rep. Shae Sortwell |
| Labor and Integrated Employment | Rep. James Edming | Rep. Nancy VanderMeer | Rep. Dan Knodl Rep. Michael Schraa Rep. Warren Petryk Rep. Rick Gundrum |

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|-----------------------------|-----------------------|-----------------------------------|---|
| Local Government | Rep. Todd Novak | Rep. Rick Gundrum | Rep. Ken Skowronski Rep. Rob Brooks Rep. John Macco Rep. Cindi Duchow |
| Mental Health | Rep. Paul Tittl | Rep.-elect Rachael Cabral-Guevara | Rep. Jesse James Rep. John Jagler Rep. Pat Snyder Rep. Todd Novak Rep. Tyler Vorpapel Rep. Gae Magnafici Rep. Barbara Dittrich Rep. Nancy VanderMeer |
| Public Benefit Reform | Rep. Scott Krug | Rep. Michael Schraa | Rep. Scott Allen Rep. Janel Brandtjen Rep. John Jagler Rep.-elect Rachael Cabral-Guevara |
| Regulatory Licensing Reform | Rep. Shae Sortwell | Rep. Scott Allen | Rep. Cody Horlacher Rep. Dan Knodl Rep.-elect Rachael Cabral-Guevara Rep.-elect Alex Dallman |
| Rules | Rep. Jim Steineke | Speaker Robin Vos | Rep. Tyler August Rep. Kevin Petersen Rep. Tyler Vorpapel Rep. Mike Kuglitsch Rep. John Jagler Rep. Jon Plumer Rep. Barbara Dittrich |
| Rural Development | Rep. Nancy VanderMeer | Rep.-elect Clint Moses | Rep. Jon Plumer Rep. James Edming Rep. Todd Novak Rep. Loren Oldenburg Rep. Treig Pronschinske Rep. Rob Summerfield Rep.-elect Dave Armstrong Rep.-elect Calvin Callahan |

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| Science, Technology and Broadband | Rep. Rob Summerfield | Rep. Michael Schraa | Rep. Janel Brandtjen Rep. Cody Horlacher Rep. Dan Knodl Rep.-elect Alex Dallman |
| Small Business Development | Rep. Loren Oldenburg | Rep.-elect Donna Rozar | Rep. Pat Snyder Rep. Travis Tranel Rep. Rob Swearingen Rep. Ken Skowronski Rep. James Edming Rep. Jesse James Rep. Rob Summerfield Rep.-elect Dave Armstrong |
| Sporting Heritage | Rep. Treig Pronschinske | Rep. Paul Tittl | Rep. Ken Skowronski Rep. Jeff Mursau Rep. Shae Sortwell Rep. Chuck Wichgers Rep. Ron Tusler Rep. James Edming Rep.-elect Calvin Callahan Rep.-elect Alex Dallman |
| State Affairs | Rep. Rob Swearingen | Rep. Tyler Vorpapel | Rep. Mike Kuglitsch Rep. Gary Tauchen Rep. Rob Summerfield Rep. John Spiros Rep. Dan Knodl Rep. Rob Brooks Rep. Michael Schraa |
| Substance Abuse and Prevention | Rep. Jesse James | Rep. Gae Magnafici | Rep. Pat Snyder Rep. Jon Plumer Rep. Warren Petryk Rep. Rick Gundrum |
| Tourism | Rep. Travis Tranel | Rep. Rob Swearingen | Rep. Nancy VanderMeer Rep. Paul Tittl Rep. Gae Magnafici Rep. Joel Kitchens |

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|-------------------------------|---------------------|-----------------------|--|
| Tourism Continued | | | Rep. Jeff Mursau Rep. Rob Summerfield Rep. Gary Tauchen Rep. Jon Plumer Rep.-elect Alex Dallman |
| Transportation | Rep. Jon Plumer | Rep. John Spiros | Rep.-elect Tyler Vorpapel Rep. Joe Sanfelippo Rep. Jeremy Thiesfeldt Rep. Ken Skowronski Rep. Timothy Ramthun Rep. Rob Brooks Rep.-elect Calvin Callahan Rep.-elect Donna Rozar |
| Veterans and Military Affairs | Rep. Ken Skowronski | Rep. Nancy VanderMeer | Rep. James Edming Rep. Shae Sortwell Rep. Paul Tittl Rep. Scott Allen Rep. Jesse James Rep. Rob Summerfield Rep. Warren Petryk |
| Ways and Means | Rep. John Macco | Rep. Robert Wittke | Rep. Samantha Kerkman Rep. Dan Knodl Rep. Pat Snyder Rep. Barbara Dittrich Rep. Timothy Ramthun Rep. Rob Brooks Rep.-elect Dave Armstrong |
| Workforce Development | Rep. Warren Petryk | Rep. Barbara Dittrich | Rep. Rick Gundrum Rep. James Edming Rep. Dave Murphy Rep. Loren Oldenburg Rep.-elect Donna Rozar |

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| Workforce Continued | | | Rep.-elect Dave Armstrong |
| Joint Committee for Review of Administrative Rules | Rep. Adam Neylon | Rep. Tyler August | Rep. John Spiros |
| Joint Committee on Finance | Rep. Mark Born | Rep. Amy Loudenberg | Rep. Terry Katsma Rep. Shannon Zimmerman Rep. Jessie Rodriguez Rep. Tony Kurtz |
| Joint Committee on Information Policy and Technology | Rep. Amy Loudenberg | Rep. Dan Knodl | |
| Joint Law Revision Committee | Rep. Ron Tusler | | |
| Joint Legislative Audit Committee | Rep. Samantha Kerkman | Rep. John Macco | Rep. Mark Born |
| Joint Legislative Council | Rep. Tyler Vorpapel | Rep. Jim Steineke | Speaker Robin Vos Rep. Tyler August Rep. Mark Born Rep. John Spiros Rep. Cindi Duchow |
| Joint Review Committee on Criminal Penalties | Rep. John Spiros | | |
| Joint Survey Committee on Retirement Systems | Rep. Mike Kuglitsch | | Rep. Rob Brooks |
| Joint Survey Committee on Tax Exemptions | Rep. Tyler August | Rep. Rob Swearingen | |
| State Building Commission | Rep. Rob Swearingen Rep. Robert Wittke | | |

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Borgerding, Nicole

From: Rep.Vos
Sent: Thursday, December 31, 2020 3:11 PM
To: Borgerding, Nicole
Subject: Happy New Year!



ROBIN J. VOS
SPEAKER OF THE WISCONSIN STATE ASSEMBLY



While most of us would rather not look back at 2020, I can say some of my most enjoyable times have been talking to my friends and neighbors in Racine County. I recently looked up how many constituents reached out to my office this past year. We had roughly 3563 constituent contacts, nearly ten a day. My office and I worked through 267 constituent cases; most were issues with the Department of Workforce Development (DWD) and its lack of response to Unemployment Insurance claims. Due to the issues at DWD, my office also assisted roughly another 500 individuals from across the state. Here's a link to the legislative audit about the problems at DWD.

This past year I also spent hours on the phone talking to the people who I serve. We counted that I made more the 1500 phone calls to my constituents. I feel privileged to have the opportunity to represent the great people of Racine County and I'm honored that I will be returning to the Assembly for another legislative term to represent the 63rd Assembly District.

Wishing you and your family a very Happy New Year!

A handwritten signature in black ink that reads "Robin J. Vos". The signature is fluid and cursive, with a long horizontal stroke at the end.

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Fax: (608) 282-3663 | Rep.Vos@legis.wi.gov
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Borgerding, Nicole

From: Rep.Vos
Sent: Monday, January 4, 2021 3:00 PM
To: *Legislative All Assembly; *Legislative All Senate
Subject: CO-SPONSORSHIP of LRB-1132 relating to: state government actions to address the COVID-19 pandemic
Attachments: 21-1132_1.pdf

COVID-19 has affected every citizen of our state, from our loved ones who have become ill to the hospital staff working long hours with overflowing beds, to the parents who have become teachers, and businesses who are struggling to stay afloat. Even with the distribution of a vaccine, our state is in need of relief.

After months of conversations with Governor Evers, health care professionals, businesses, parents and citizens, the Assembly and Senate GOP are introducing a bill to support our local communities fight the virus. The bill contains 44 provisions with many agreed upon from our bipartisan discussions and extended from the previous COVID relief bill.

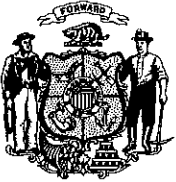
Assembly Bill 1 includes the following provisions:

- Medical Assistance payments for hospitals for nursing facility care
- Reimbursement for outpatient services provided by hospitals
- Coverage of vaccinations under SeniorCare
- Medical Assistance reimbursement for COVID-19 vaccines and tests administered by pharmacists
- Local health officer orders in response to communicable disease outbreak
- Authority to forbid public gatherings in places of worship
- Prohibiting mandatory vaccination against SARS-CoV-2
- Prohibiting vaccination against SARS-CoV2 as condition of employment
- Collection and reporting of public health emergency data
- Civil Liability exemption for certain entities relating to COVID-19 claims
- Full-time open enrollment; applications for the 2020-21 and 2021-22 school years
- School board reports on virtual instruction provided during the 2020-21 and 2021-22 school years
- School board requirements for virtual instruction
- Interscholastic athletic association; transfer rules in the 2020-21 and 2021-22 school years
- Interscholastic athletics and extracurricular activities; virtual charter school pupils
- Unemployment insurance; plan to address claims backlog
- Unemployment insurance; work-share programs
- Unemployment insurance; waiting periods
- Unemployment insurance; benefit charging
- Legislative oversight of federal COVID-19 funds
- Plan to reopen state capitol and for state employees to return to in-person employment
- Cremation permits and electronic signature of death certificates
- Death of an inmate
- Child Care and Development Fund block grant funding
- Nursing home or assisted living facility visitation by essential visitors
- Hospital services provided in a home setting
- Prescription order extensions

- Practice of emergency medical services personnel and providers with credentials from outside the state
- Liability insurance for physicians and nurse anesthetists
- Out-of-network costs related to health coverage
- Coverage of COVID-19 testing and vaccination without cost sharing
- Coverage limits on certain prescription drugs
- Transfer of moneys from sum sufficient appropriations up to \$100 million.
- Loans to assist municipal utilities in maintaining liquidity
- WRS annuities for certain annuitants returning to work during national emergency
- Occupancy permit when dwelling occupied before inspection
- Practice by health care providers from other states
- Authorizing first- and second-year pharmacy students to administer vaccines
- Authorizing dentists to administer COVID-19 and flu vaccines
- Optional registration of third-party logistics providers
- Extension of term or duration of certain approvals
- Interest and penalties on late property tax payments
- Claims to recover property taxes
- Utilization data in the Medical Assistance program

We ask everyone to join us in supporting this much-needed relief by signing on to LRB-1132. Please email Alicia Schweitzer, Alicia.schweitzer@legis.wi.gov, in my office with your request to be added as co-sponsor by Tuesday, January 5th at 10am.

Robin J. Vos
State Representative
63rd Assembly District



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1132/1
ALL:all

2021 BILL

1 **AN ACT** *to repeal* 153.23 (1); *to renumber and amend* 153.23 (2) and 450.11
2 (5) (br) 3.; *to amend* 13.101 (4d), 40.26 (5m), 40.26 (6) (intro.), 70.511 (2) (a),
3 74.35 (5) (c), 74.37 (4) (b), 108.04 (3) (b), 108.062 (20) (intro.), 108.07 (5) (bm) 1.,
4 108.07 (5) (bm) 2. a., 118.133 (1) (a), 118.133 (1) (b), 118.133 (2), 252.02 (3),
5 323.19 (3), 440.15, 450.01 (11m), 450.01 (21s), 450.02 (1), 450.035 (2g), 450.035
6 (2i) (a), 450.035 (2i) (b), 450.035 (3), 450.035 (4), 450.11 (5) (br) 2. d., 609.205 (2)
7 (intro.) and (a), 609.205 (3) (intro.), 632.895 (14g) (b) and 632.895 (16v) (a)
8 (intro.); and *to create* 49.45 (3) (e) 9m., 49.45 (4r), 49.45 (39n), 50.083, 50.33
9 (2d), 50.36 (5m), 50.49 (6m) (d), 101.643, 103.375, 108.07 (5) (bm) 1m., 252.02
10 (5m), 252.03 (2g), 252.03 (2m), 440.08 (2) (a) 69g., 440.094, 447.01 (1e), 447.01
11 (8) (az), 447.01 (11), 447.059, 450.01 (13w), 450.01 (23) (p), 450.03 (1) (fm),
12 450.075, 450.11 (5) (br) 3. b., 609.205 (3m), 655.0025 and 895.476 of the
13 statutes; **relating to:** state government actions to address the COVID-19
14 pandemic, extending the time limit for emergency rule procedures, providing

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1 an exemption from emergency rule procedures, and granting rule-making
2 authority.

Analysis by the Legislative Reference Bureau
CORRECTIONAL SYSTEM

Death of an inmate

Under current law, if an individual dies while he or she is in the legal custody of the Department of Corrections and confined to a correctional facility located in this state, an autopsy on the deceased individual must be performed. Under this bill, until the conclusion of a national emergency declared by the U.S. president in response to the 2019 novel coronavirus, if an individual who has been diagnosed with COVID-19 dies, the coroner or medical examiner may perform a limited examination of the deceased individual instead of a full autopsy, which may include an external examination of the body of the deceased individual, a review of the deceased individual's medical records, or a review of the deceased individual's radiographs. These changes were enacted in 2019 Wisconsin Act 185, but applied only during the state of emergency related to public health declared on March 12, 2020.

COURTS***Civil liability exemption for certain entities relating to COVID-19 claims***

The bill establishes a civil liability exemption for entities for any act or failure to act resulting in or relating to a person's exposure to the novel coronavirus identified as SARS-CoV-2 or COVID-19 in the course of or through the performance or provision of the entity's functions or services. Under the bill, entities are defined to include any legal entity, including businesses, associations, governmental entities, schools, institutions of higher education, or nonprofit organizations, as well as employers or business owners, employees, agents, or independent contractors of the entity, regardless of whether they are paid or volunteers. Under the bill, immunity does not apply if the act or omission involves reckless or wanton conduct or intentional misconduct. The bill provides that an entity's noncompliance with any national, state, or local order requiring entities to close or limit capacity does not constitute reckless or wanton conduct or intentional misconduct for purposes of immunity under the bill. The immunity granted in the bill applies retroactively to claims accruing on or after March 1, 2020, except that it does not apply to actions filed before the bill goes into effect.

EDUCATION***Full-time open enrollment; applications for the 2020-21 and 2021-22 school years***

Under current law, a pupil may attend a public school, including a virtual charter school, in a school district other than the pupil's resident school district (nonresident school district) under the full-time open enrollment program (OEP).

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For purposes of the OEP, a virtual charter school is located in the school district that authorized the virtual charter school.

The standard OEP application procedure requires a pupil's parent to apply to a nonresident school district during the spring semester immediately preceding the school year in which the pupil wishes to attend the nonresident school district. However, current law provides an alternative application procedure that allows a pupil's parent to apply to a nonresident school district at any time during the school year if certain circumstances apply. One of the circumstances under which a pupil may apply using the alternative application procedure is if the parent of the pupil and the nonresident school board agree that attending school in the nonresident school district is in the best interests of the pupil. Current law allows a resident school board to deny a pupil's application if the resident school board determines the circumstance relied upon by the pupil to use the alternative application procedure does not apply to the pupil. Current law also provides an appeal process in the event the resident school board denies a pupil's application.

Under the bill, during the 2020-21 and 2021-22 school years, if a pupil submits an OEP application using the alternative application procedure on the basis of the pupil's parent and nonresident school board agreeing that attending school in the nonresident school district is in the best interests of the pupil, the pupil's resident school board may not deny the application for any reason.

Current law also limits the number of nonresident school boards to which a pupil may apply to attend a public school under the OEP to no more than three nonresident school boards in any school year. Under the bill, this limitation does not apply to 1) applications for the 2020-21 school year that are submitted under the alternative application procedure; or 2) applications for the 2021-22 school year that are submitted under the standard or alternative application procedure.

School board reports on virtual instruction provided during the 2020-21 and 2021-22 school years

Under the bill, by 30 days after the end of each semester in the 2020-21 and 2021-22 school years, each school board must submit a report to the Department of Public Instruction that contains various information related to virtual instruction provided during the semester, including the amount of certain expenditure reductions or increases related to providing virtual instruction. Under the bill, DPI must compile and report to the legislature the information it receives from school boards for the first semester by the following April 1 and for the second semester by the following September 1. For the 2021-22 school year, a school board does not have to submit a report for a semester during which the school board does not provide virtual instruction in lieu of in-person instruction.

School boards were required to report similar information to DPI related to virtual instruction and school board operations while schools were closed by the Department of Health Services in the 2019-20 school year.

School board requirements for virtual instruction

Beginning on January 11, 2021, and ending on the last day of the 2021-22 school year, a school board may not provide virtual instruction to pupils instead of in-person instruction unless approved by a two-thirds vote of the school board

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members. Each school board approval of virtual instruction is valid for 14 days. A school board may reauthorize the virtual instruction only by subsequent two-thirds votes of the school board members.

Interscholastic athletic association; transfer rules in the 2020-21 and 2021-22 school years

This bill prohibits a school district from being a member of an interscholastic athletic association in the 2021-22 school year unless, during the 2020-21 and 2021-22 school years, the association allows an exception to the association's transfer rules based on the manner in which educational programming was delivered during the 2020-21 and 2021-22 school years. Specifically, under the bill, for purposes of eligibility in the 2020-21 and 2021-22 school years, the interscholastic athletic association must consider the method by which educational programming was delivered during the 2020-21 or 2021-22 school year to be an extenuating circumstance that justifies transferring schools. Under the bill, the "method of delivering educational programming" includes virtual instruction, in-person instruction, and a combination of both virtual and in-person instruction. Additionally, if a waiver is granted based on the method of delivering educational programming in the 2020-21 or 2021-22 school year, the association must allow the pupil to play any level of athletics, including varsity athletics.

Interscholastic athletics and extracurricular activities; virtual charter school pupils

The bill allows a pupil who attends a virtual charter school to participate in interscholastic athletics and extracurricular activities in the pupil's resident school district.

Under current law, a school board must allow a homeschooled pupil who resides in the school district to participate in interscholastic athletics and extracurricular activities. Current law further provides that a school board may charge a homeschooled pupil a participation fee on the same basis that the school board charges participation fees to pupils enrolled in the school district. The bill extends these provisions to pupils who attend a virtual charter school. Under the bill, a school board may charge a virtual charter school pupil a participation fee on the same basis it charges participation fees to pupils enrolled in the school district.

EMPLOYMENT***Unemployment insurance; plan to address claims backlog***

The bill requires the Department of Workforce Development to, within 30 days of the effective date of the bill, publish a plan to address the backlog of unemployment insurance claims, and also requires DWD to extend the hours of the unemployment insurance call center to 12 hours per day, seven days per week, until the backlog has been addressed. Under the bill, the backlog is considered to be addressed when the number of weekly claims in process are at levels comparable to those in January and February 2020.

Unemployment insurance; work-share programs

Current law allows an employer to create a work-share program within a work unit of the employer. Under a work-share program, the working hours of all of the

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full-time employees in the program are reduced in an equitable manner in lieu of a layoff of some of the employees and a continuation of full-time employment by the other employees. A claimant for UI benefits who is included in a work-share program may receive UI benefits during his or her continued employment with the work-share employer in an amount equal to the claimant's benefit for total unemployment multiplied by the same percentage reduction in normal working hours that the claimant incurs under the program. Current law also provides for the temporary modification of certain requirements that apply to work-share plans with respect to work-share plans submitted on or after April 17, 2020, and before December 31, 2020. The bill provides that these modifications also apply while a national emergency declared by the U.S. president in response to the 2019 novel coronavirus remains in effect, but not later than July 3, 2021.

Unemployment insurance; waiting period

Currently, a claimant must generally wait one week after becoming eligible to receive UI benefits before the claimant may receive benefits for a week of unemployment, but the application of the one-week waiting period is temporarily suspended for benefit years that began after March 12, 2020, and before February 7, 2021. This bill extends the end date for suspending the one-week waiting period to March 14, 2021.

Unemployment insurance; benefit charging

Current law, as enacted in 2019 Wisconsin Act 185, requires DWD, when processing claims for UI benefits and evaluating work-share plans, to determine whether a claim or plan is related to the public health emergency declared by the governor under Executive Order 72. If a claim is so related, current law provides that the regular benefits for that claim for weeks occurring after March 12, 2020, and before December 31, 2020, not be charged to the employers' accounts in the unemployment trust fund or to the employers directly, as is normally provided. Instead, the benefits for those weeks are, subject to numerous exceptions, to be charged to other accounts. This bill provides for this noncharging of benefits to continue through March 13, 2021, and requires DWD to presume that an initial claim for benefit years beginning on or after March 15, 2020, through March 13, 2021, relates to the public health emergency declared on March 12, 2020, by Executive Order 72 unless one of certain exceptions applies. The bill provides that an employer is not required to submit a request for charging relief for initial claims filed through March 13, 2021.

Prohibiting vaccination against SARS-CoV-2 as condition of employment

This bill prohibits an employer from requiring an individual to receive a vaccine against the SARS-CoV-2 coronavirus or show evidence of having received such a vaccine.

HEALTH AND HUMAN SERVICES***Medical Assistance payment for hospitals for nursing facility care***

The bill requires DHS to provide reimbursement or a supplemental payment to hospitals under the Medical Assistance program for providing nursing-facility-level custodial care. To receive reimbursement or supplemental

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payment, the hospital must notify DHS that it is participating as a swing bed hospital under the Medical Assistance program and providing custodial care for which federal financial participation is approved to an individual who is eligible for discharge after receiving inpatient care in the hospital, who needs nursing-facility-level care, and for whom the hospital is unable to locate a nursing facility that accepts the individual for admission. If providing reimbursement instead of supplemental payment, DHS must pay the hospital the statewide average per-diem rate paid to nursing facilities. DHS must use the same standards and eligibility criteria as the federal Medicare program uses to determine reimbursement for swing beds or, for hospitals that are not critical access hospitals, the terms of a federal waiver issued during the federally declared national emergency related to the 2019 novel coronavirus. This requirement to reimburse hospitals for providing nursing facility care applies until June 30, 2021, or until the termination of any public health emergency declared by the secretary of the federal Department of Health and Human Services related to the 2019 novel coronavirus, whichever is earlier.

Reimbursement for outpatient services provided by hospitals

The bill requires DHS to provide reimbursement through the Medical Assistance program to a hospital for services provided on an outpatient basis that are usually reimbursed when provided at the hospital's inpatient facility but are provided at the hospital's outpatient facility due to the 2019 novel coronavirus pandemic. To receive reimbursement under the bill, the outpatient services must be approved for federal financial participation and must be provided in a facility that is operated by the hospital and is certified for outpatient services under the federal Medicare program, including under the terms of a federal waiver issued during the federally declared national emergency related to the 2019 novel coronavirus. DHS must seek any federal approval necessary to provide the reimbursement. The reimbursement requirement applies until the conclusion of a public health emergency declared by the secretary of the federal Department of Health and Human Services in response to the 2019 novel coronavirus or until June 30, 2021, whichever is earlier.

Coverage of vaccinations under SeniorCare

DHS administers the SeniorCare program, which provides assistance to individuals who are elderly in the purchase of prescription drugs. 2019 Wisconsin Act 185 requires DHS to include under the SeniorCare program coverage of vaccinations that are recommended for administration to adults by the federal Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices and approved by DHS. DHS must also provide payments to health care providers that administer the vaccinations and submit claims for payment in the manner required. SeniorCare is operated under a waiver of federal Medicaid laws, but DHS is required to operate the program regardless of whether a waiver is received from the federal government. The bill clarifies that DHS must cover and reimburse vaccinations under SeniorCare as required under 2019 Wisconsin Act 185 by January 15, 2021, regardless of whether a federal waiver is received.

BILL***Medical Assistance reimbursement for COVID-19 vaccines and tests administered by pharmacists***

The bill requires DHS to ensure that vaccines against SARS-CoV-2 coronavirus and tests for COVID-19 that are otherwise covered and reimbursed under the Medical Assistance program are covered and reimbursed when administered by a pharmacist acting under the scope of practice, which currently includes the administration of vaccines by pharmacists that meet certain criteria. DHS must certify pharmacists as Medical Assistance providers as necessary to cover and reimburse pharmacists for administering COVID-19 vaccines and tests as the bill requires. Current law requires DHS to reimburse pharmacists for administering vaccines to children if the federal Department of Health and Human Services has approved the request by DHS to amend the state's Medical Assistance plan to allow such reimbursement and if the pharmacist enrolls in the federal Vaccines for Children Program.

Utilization data in the Medical Assistance program

This bill requires DHS to provide, semiannually, to any health care data aggregator all fee-for-service and managed care encounter claims data and data specifications for the Medical Assistance program. A health care data aggregator is a data organization or entity that collects, analyzes, and disseminates health care information under current law and requests that DHS provide the data to it. Current law provides that a data organization contracts with the state to analyze and report health care claims information collected from insurers and administrators and provides that an entity is under contract to collect, analyze, and disseminate claims and other health information from hospitals and ambulatory surgery centers. Either the data organization, the entity, or both could be a health care data aggregator under the bill.

Under the bill, after DHS provides a health care data aggregator with the Medical Assistance data, the health care data aggregator, within five days or a longer period specified by DHS, must create a data set with information that has eliminated the ability to trace the information back to a specific patient and then destroy the original data. Once the patient information cannot be traced back to a specific patient the information is known as de-identified health information. The health care data aggregator must make the de-identified data set available to the public and may disseminate custom data sets and reports containing de-identified health information. This de-identified health information must meet the requirements in the federal Health Insurance Portability and Accountability Act, or HIPAA, for ensuring that patient information is not individually identifiable. HIPAA generally requires that health information that identifies a specific individual be kept confidential except for treatment, billing, and other limited purposes but allows the use of health information if it cannot identify the individual. The health care data aggregator, in its treatment of the Medical Assistance data received under the bill, must comply with the same patient confidentiality requirements as apply to its collection of data under current law.

BILL***Local health officer orders in response to communicable disease outbreak***

Currently, local health officers have the statutory authority to do what is reasonable and necessary for the prevention and suppression of disease and forbid public gatherings when necessary to control outbreaks or epidemics among other public health powers. In addition, local health officers must take all measures necessary to prevent, suppress, and control communicable diseases and report those measures to the appropriate governing body along with the progress of the communicable disease. Under this bill, a local health officer may enforce an order to close or restrict capacity of businesses to control outbreaks and epidemics of the 2019 novel coronavirus for a maximum of 14 days unless the governing body of the local governmental unit in which the order is intended to apply approves an extension of the order. Each extension may not exceed 14 days.

Authority to forbid public gatherings in places of worship

DHS currently has statutory authority to control and suppress communicable diseases, including authority to close schools and forbid public gatherings in schools, churches, and other places to control outbreaks and epidemics and authorize and implement all emergency measures necessary to control communicable diseases. This bill prohibits DHS and local health officers from closing or forbidding gatherings in places of worship to control outbreaks and epidemics of the 2019 novel coronavirus.

Prohibiting mandatory vaccination against SARS-CoV-2

The bill prohibits DHS and local health officers from requiring individuals to receive a vaccine against the SARS-CoV-2 coronavirus, which causes COVID-19. Under current law, during a state of emergency related to public health declared by the governor, DHS may order any individual to receive a vaccination, except under certain medical circumstances or if the individual objects for religious or conscience reasons, and may isolate or quarantine an individual who is unwilling or unable to be vaccinated.

Collection and reporting of public health emergency data

Current law, as created in 2019 Wisconsin Act 185, requires the entity that is under contract to collect, analyze, and disseminate the health care information of hospitals and ambulatory surgery centers to prepare and publish a public health emergency dashboard. The public health emergency dashboard uses health care emergency preparedness program information collected from acute care hospitals and includes information to assist in emergency response planning activities. The requirement created in Act 185 to prepare and publish the public health emergency dashboard applies during any of the following emergencies declared in response to the 2019 novel coronavirus: the national emergency declared by the U.S. president on March 13, 2020; the public health emergency declared by the secretary of the federal Department of Health and Human Services on January 31, 2020; or the now expired state of emergency related to public health declared by the governor on March 12, 2020. The bill eliminates the currently specified periods during which the requirement applies and instead requires the preparation and publication of the public health emergency dashboard during any public health emergency declared by

BILL

the secretary of the federal Department of Health and Human Services that is related to an outbreak or epidemic of communicable disease.

Cremation permits and electronic signature of death certificates

Under current law, a coroner or medical examiner must view the corpse of a deceased person before issuing a cremation permit, and the corpse may not be cremated within 48 hours after the death unless the death was caused by a contagious or infectious disease. Under this bill, until the conclusion of a national emergency declared by the U.S. president in response to the 2019 novel coronavirus, if a physician, coroner, or medical examiner has signed the death certificate of a deceased person and listed COVID-19 as the cause of death, a coroner or medical examiner must issue a cremation permit without viewing the corpse of a deceased person and a coroner or medical examiner must issue the permit within 48 hours after the time of death. The bill also requires that if the underlying cause of a death is determined to be COVID-19, the person required to sign the death certificate shall provide an electronic signature on the death certificate within 48 hours after the death occurs. These changes to the requirements were enacted in 2019 Wisconsin Act 185, but applied only during the state of emergency related to public health declared on March 12, 2020.

Child Care and Development Fund block grant funding

Under this bill, federal Child Care and Development Fund block grant funds received by the state under the federal Consolidated Appropriations Act of 2021 are credited to federal block grant appropriations, and the purposes for the expenditure of those funds are subject to passive review by the Joint Committee on Finance.

Nursing home or assisted living facility visitation by essential visitors

The bill allows a nursing home or assisted living facility resident to designate an essential visitor to visit and provide support for the resident. A health care agent under the resident's power of attorney for health care is also considered an essential visitor. A nursing home or assisted living facility must allow an essential visitor, who agrees to comply with the public health policies of the nursing home or assisted living facility, to enter the nursing home or assisted living facility to visit the resident in compassionate care situations. If the federal Centers for Medicare and Medicaid Services (CMS) issues guidance that restricts visitation more than this bill does, a nursing home or assisted living facility is allowed to comply with that guidance instead of the bill. The requirement to allow visitation of an essential visitor in this bill applies when the nursing home or assisted living facility limits visitors to the nursing home or assisted living facility due to an outbreak or epidemic of communicable disease in the community.

Hospital services provided in a home setting

This bill generally specifies standards for certain services provided by hospitals in a home setting and reimbursement under the Medical Assistance program for those services. These "hospital-associated services" are defined in the bill as health care services that are the same type of services as those provided by a hospital in an inpatient or outpatient facility, that are of the type for which a federal Medicare payment could be claimed as a hospital service, and that are provided in a home

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setting and not in a setting that is approved as a hospital by DHS. If CMS has approved a hospital to provide any hospital-associated service, DHS may apply and enforce the CMS rule or standard on the hospital as the state standard for the service. A hospital that complies with the bill is not required to be licensed as a home health agency to provide hospital-associated services.

The Medical Assistance program is a joint federal and state program that provides health services to individuals who have limited financial resources, and the Medical Assistance program certifies and provides reimbursement to providers, including hospitals, for those health services that are covered by the program. The bill specifies that hospital-associated services provided by a hospital in accordance with the bill and that are of the type for which Medicare payment could be claimed as inpatient hospital services must be included and reimbursed or paid as inpatient services under the Medical Assistance program.

Prescription order extensions

Current law allows a pharmacist to extend a prescription order under certain circumstances in the event that the prescription cannot otherwise be refilled, subject to certain criteria and limitations. However, current law also includes an alternative authorization for a pharmacist to extend a prescription during the public health emergency declared on March 12, 2020, by executive order 72, and for 30 days after the conclusion of that public health emergency. Under this alternative authorization, a pharmacist is exempt from having to contact the prescribing practitioner or his or her office, the pharmacist may extend the prescription by up to a 30-day supply, and certain other requirements also do not apply. The bill provides that this alternative authorization to extend a prescription order also applies beginning on the bill's effective date and continuing until the conclusion of a national emergency declared by the U.S. president in response to the 2019 novel coronavirus or until June 30, 2021, whichever is earlier.

Practice of emergency medical services personnel and providers with credentials from outside the state

Currently, with certain exceptions, an individual must have a certification as an emergency medical responder or a license as emergency medical services practitioner to provide emergency medical services in this state. "Emergency medical services practitioners" is the collective term for licensed emergency medical technicians, emergency medical technicians — intermediate, advanced emergency medical technicians, and paramedics. Also, with certain exceptions, a provider of ambulance services in this state must hold a license as an ambulance service provider. Each of the following are exceptions to the licensing or certification requirements: 1) if the individual or provider has a credential from another state and is involved in 10 or fewer patient transports or patient care episodes per year that begin and end in Wisconsin; 2) if the individual or provider has a credential from another state and is responding from that state in response to a request for mutual aid; and 3) the individual had a Wisconsin license as an emergency medical services practitioner or certification as an emergency medical responder at any time in the previous 10 years that was never revoked, limited, suspended, or denied or a valid, unexpired credential from another state and is acting during a state of emergency

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declared by the federal, the state, or a local government on behalf of a health care facility, mass clinic, or state or local health department as an emergency volunteer health care practitioner. Currently, DHS may issue a license as an emergency medical services practitioner or a certification as an emergency medical responder to an individual who holds a credential from another state if the credentialing standards are at least substantially equivalent to Wisconsin standards and the individual meets other qualifications, except the individual does not need to take an examination.

This bill allows individuals and providers who hold a current, valid credential from another state that allows them to perform substantially the same services as the applicable Wisconsin license or certification to practice or provide services in Wisconsin within the scope of that credential under criteria specified in the bill, if the individual or provider is not under investigation and there are no restrictions or limitations on the credential. Those criteria are the following: the practice or provision of services is necessary to ensure continued and safe delivery of emergency medical or health care services; the need for emergency medical services reasonably prevented obtaining a Wisconsin license or certification before beginning practice; the individual applies for a license or certification within 10 days of first practicing or providing services; and the provider or facility for which the individual or provider is providing services notifies DHS within five days. Individuals or providers who satisfy one of the current exceptions to licensure do not need to comply with the criteria specified in the bill in order to practice or provide services in Wisconsin. The authorization to practice or provide services under this bill applies through June 30, 2021.

INSURANCE***Liability insurance for physicians and nurse anesthetists***

The bill specifies that, until the conclusion of a national emergency declared by the U.S. president in response to the 2019 novel coronavirus or until June 30, 2021, whichever is earlier, a physician or nurse anesthetist for whom Wisconsin is not a principal place of practice but who is temporarily authorized to practice in Wisconsin may fulfill financial responsibility requirements by filing with the commissioner of insurance a certificate of insurance for a policy of health care liability insurance issued by an insurer authorized in a certain jurisdiction specified in the bill. Additionally, under those same circumstances, the physician or nurse anesthetist may elect to be covered by Wisconsin's health care liability laws. These liability insurance provisions were enacted in 2019 Wisconsin Act 185 but expired with the expiration of the state of emergency related to public health declared on March 12, 2020, by the governor.

Out-of-network costs related to health coverage

The bill prohibits, until the conclusion of a national emergency declared by the U.S. president in response to the 2019 novel coronavirus or until June 30, 2021, whichever is earlier, a defined network plan, including a health maintenance organization, or preferred provider plan from requiring an enrollee of the plan to pay more for a service, treatment, or supply provided by an out-of-network provider than if the service, treatment, or supply is provided by an in-network provider. This

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prohibition applies to any service, treatment, or supply that is related to the diagnosis of or treatment for COVID-19 and that is provided by an out-of-network provider because a participating provider is unavailable due to the emergency. For a service, treatment, or supply provided under those circumstances, the bill requires the plan to reimburse the out-of-network provider at 225 percent of the federal Medicare program rate. Also, under those circumstances, any health care provider or facility that provides a service, treatment, or supply to an enrollee of a plan but is not a participating provider of that plan shall accept as payment in full any payment by a plan that is at least 225 percent of the federal Medicare program rate and may not charge the enrollee an amount that exceeds the amount that the provider or facility is reimbursed by the plan. Similar prohibitions and requirements to these were created in 2019 Wisconsin Act 185, but those prohibitions and requirements applied only during the state of emergency related to public health declared on March 12, 2020, by the governor and for 60 days following the termination of that state of emergency.

Coverage of COVID-19 testing and vaccination without cost sharing

Current law, as created in 2019 Wisconsin Act 185, requires health insurance policies and self-insured governmental health plans to cover, until March 13, 2021, testing for COVID-19 without imposing any copayment or coinsurance. A health insurance policy is referred to in the bill as a disability insurance policy. The bill extends the Act 185 coverage requirement for testing and adds a requirement to cover vaccines against SARS-CoV-2, which causes COVID-19, until the conclusion of a national emergency declared by the U.S. president in response to the 2019 novel coronavirus or until June 30, 2021, whichever is earlier.

Coverage limits on certain prescription drugs

The bill prohibits insurers that offer health insurance, self-insured governmental health plans, and pharmacy benefit managers from requiring, until the conclusion of a national emergency declared by the U.S. president in response to the 2019 novel coronavirus or until June 30, 2021, whichever is earlier, prior authorization for early refills of a prescription drug or otherwise restricting the period in which a prescription drug may be refilled and from imposing a limit on the quantity of prescription drugs that may be obtained if the quantity is no more than a 90-day supply. These prohibitions do not apply if the prescription drug is a controlled substance. The bill reinstates the prohibitions that were enacted in 2019 Wisconsin Act 185 but that expired with the termination of the state of emergency related to public health declared on March 12, 2020, by the governor.

LEGISLATURE***Transfer of moneys from sum sufficient appropriations***

JCF may currently transfer moneys between sum certain and continuing appropriations if JCF finds that unnecessary duplication of functions can be eliminated, more efficient and effective methods for performing programs will result, or legislative intent will be more effectively carried out because of the transfer.

The bill authorizes JCF to transfer moneys from sum sufficient appropriations until the conclusion of a national emergency declared by the U.S. president in

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response to the 2019 novel coronavirus or until June 30, 2021, whichever is earlier. The total amount that may be transferred from all sum sufficient appropriations may not exceed \$100,000,000.

PUBLIC UTILITIES***Loans to assist municipal utilities in maintaining liquidity***

Under current law, the Board of Commissioners of Public Lands manages the common school fund, the normal school fund, the university fund, and the agricultural college fund (trust funds). Current law authorizes BCPL to manage and invest moneys belonging to the trust funds in good faith and with the care an ordinary prudent person in a like position would exercise under similar circumstances.

This bill authorizes BCPL to loan moneys belonging to the trust funds to cities, villages, and towns to ensure that a municipal utility under the control of the city, village, or town is able to maintain liquidity. A municipal utility is a public utility that is a city, village, or town, or that is wholly owned or operated by a city, village, or town. Each trust fund loan BCPL awards to a city, village, or town under the bill is secured in the same manner as other trust fund loans BCPL awards to cities, villages, and towns under current law. BCPL may not award a loan under the bill after April 15, 2021.

RETIREMENT AND GROUP INSURANCE***WRS annuities for certain annuitants returning to work during national emergency***

The bill allows an annuitant who is hired during the period of a national emergency declared by the U.S. president in response to the 2019 novel coronavirus and ending when the national emergency is no longer in effect or 60 days after the effective date of the bill, whichever is earlier, by a public employer as an employee or to provide employee services to elect to not suspend his or her annuity for the duration of the declared national emergency or until 60 days after the effective date of the bill, whichever is earlier, if the position for which the annuitant is hired is a critical position. Under current law, if a Wisconsin Retirement System annuitant, or a disability annuitant who has attained his or her normal retirement date, is appointed to a position with a WRS-participating employer, or provides employee services to a WRS-participating employer in which he or she is expected to work at least two-thirds of what is considered full-time employment by the Department of Employee Trust Funds, the annuity must be suspended and no annuity payment is payable until after the participant again terminates covered employment.

Also under current law, a WRS participant who has applied to receive a retirement annuity must wait at least 75 days between terminating covered employment with a WRS employer and returning to covered employment again as a participating employee. The bill reduces that period to 15 days for individuals who are hired to a critical position during the period of a national emergency declared by the U.S. president in response to the 2019 novel coronavirus and ending when the national emergency is no longer in effect or 60 days after the effective date of the bill, whichever is earlier.

BILL**SAFETY AND PROFESSIONAL SERVICES*****Occupancy permit when dwelling occupied before inspection***

The bill specifies that a dwelling that is occupied before undergoing all inspections for compliance with the uniform dwelling code may be granted an occupancy permit if the dwelling later passes a uniform dwelling code final inspection. Also, if an occupancy permit for a dwelling is granted after it is occupied, any missed inspection of the dwelling may not be listed as a finding on the occupancy permit.

Current rules promulgated by the Department of Safety and Professional Services generally allow a dwelling to be occupied without a uniform dwelling code final inspection if the inspection is not completed by DSPS or a municipality within five business days of an applicant's notification.

Practice by health care providers from other states

The bill authorizes, in certain situations, health care providers licensed in another state or territory to provide services for which they are licensed or certified. Under the bill, a person who satisfies certain requirements and holds a valid, unexpired credential in another state or territory as any of the following may provide services in this state: 1) a physician, physician assistant, or perfusionist; 2) a nurse; 3) a dentist; 4) a pharmacist; 5) a psychologist; 6) a social worker, marriage and family therapist, professional counselor, or clinical substance abuse counselor; 7) a chiropractor; 8) a physical therapist; 9) a podiatrist; 10) a dietitian; 11) an athletic trainer; 12) an occupational therapist; 13) an optometrist; 14) an acupuncturist; 15) a speech-language pathologist or audiologist; or 16) a massage or bodywork therapist. Generally, these practitioners may practice in this state and DSPS must grant them a temporary credential if they apply for a temporary credential within 30 days of beginning to practice for a health care employer.

The bill also specifies that a health care provider granted a temporary credential under the bill may provide services through telehealth to a patient located in this state.

Current law generally prohibits a person from engaging in certain health care-related practices without holding a required credential.

Authorizing first- and second-year pharmacy students to administer vaccines

Current law authorizes pharmacy students who have completed two years of pharmacy school to administer vaccines under the supervision of a pharmacist. The bill authorizes pharmacy students in their first or second year of pharmacy school to administer vaccines under the supervision of a pharmacist. A first- or second-year pharmacy student must complete 12 hours of training in vaccine storage, protocols, administration technique, emergency procedures, and record keeping to administer vaccines under the bill.

Authorizing dentists to administer COVID-19 and flu vaccines

The bill authorizes dentists to administer COVID-19 and flu vaccines. Under current law, generally, vaccines may be administered only by physicians, physician assistants, nurses, pharmacists, and certain pharmacy students.

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To administer COVID-19 and flu vaccines under the bill, a dentist must complete 12 hours of training on vaccine storage, protocols, administration technique, emergency procedures, and record keeping and must have in effect liability insurance meeting certain requirements. A dentist may not administer a COVID-19 or flu vaccine to a child under the age of six unless the vaccine is administered pursuant to a prescription order and the dentist completes training that includes administering vaccines to children under the age of six. The bill also requires a dentist who administers a COVID-19 or flu vaccine to update the Wisconsin Immunization Registry established by DHS within seven days of administering the vaccine.

Optional registration of third-party logistics providers

The bill creates an optional license for third-party logistics providers that are located in the state or are located outside the state but provide third-party logistics provider services in the state. A third-party logistics provider is defined under current law as a person that contracts with a prescription drug manufacturer to provide or coordinate warehousing, distribution, or other services on behalf of the manufacturer but that does not take title to the manufacturer's prescription drug or have general responsibility to direct the prescription drug's sale or disposition.

The bill requires an applicant for a third-party logistics provider license to submit certain information prior to licensure, including proof of a recent facility inspection, and a personal statement relating to a designated representative of the facility. The license created by this bill will no longer apply if the federal Food and Drug Administration establishes a licensing program for third-party logistics providers under federal law and the Pharmacy Examining Board determines that state licensure is not required for a resident third-party logistics provider to provide third-party logistics services in another state.

The bill also directs the Pharmacy Examining Board to promulgate rules that regulate third-party logistics providers and out-of-state third-party logistics providers consistent with federal law. The authority of the Pharmacy Examining Board to promulgate rules is restricted to only rules that are equivalent to requirements under federal law, and only rules that do not mandate licensing under state law.

The bill requires the Pharmacy Examining Board to issue interim licenses for third-party logistics providers and out-of-state third-party logistics providers between the date of enactment until permanent or emergency rules take effect, whichever is sooner, if, in the opinion of the board, the applicant is currently in compliance with federal law relating to third-party logistics providers. An interim license to act as a third-party logistics provider or out-of-state third-party logistics provider expires 90 days after the date that emergency rules take effect, or 90 days after the date that permanent rules take effect, whichever is sooner. No fee is required for an interim license to act as a third-party logistics provider or an out-of-state third-party logistics provider.

Finally, the bill requires third-party logistics providers, whether or not licensed under the bill, to cooperate with inspections of their facilities and delivery vehicles.

BILL**STATE AND LOCAL GOVERNMENT*****Extension of term or duration of certain approvals***

The bill extends the term or duration of certain approvals that are the subject of administrative or judicial proceedings that may result in the invalidation, reconsideration, or modification of the approval. The terms or durations are extended by an amount of time equal to 36 months plus the duration of the administrative or judicial proceeding to which the covered approval is subject. The approvals covered under the bill are, with certain exceptions, 1) unexpired permits or approvals for construction projects issued by DSPS, the Department of Natural Resources, the Department of Transportation, a political subdivision, or a special purpose district and 2) plats or certified survey map approvals. The extension is exercised by the holder of the approval notifying the governmental unit that issued the approval of the person's decision to exercise the extension not less than 90 days before the expiration of the unextended term or duration of the approval. In general, the laws, regulations, ordinances, rules, or other properly adopted requirements that were in effect at the time the approval was issued continue to apply to the construction project, plat, or certified survey map during the period of extension.

Legislative oversight of federal COVID-19 funds

Under current law, with exceptions, the governor is authorized to receive and direct the expenditure of all federal funds received by the state. The bill increases the legislature's role in approving the expenditure of federal funds that are received by the state between the effective date of this bill and June 30, 2021 that relate to COVID-19 activities. Under the bill, as soon as practical after the receipt of any federal funds related to COVID-19 that are made available to the state, the governor must submit to JCF for a 14-day passive review a plan for the expenditure of the funds.

Plan to reopen state capitol and for state employees to return to in-person employment

This bill requires the governor to submit to the legislature by January 31, 2021, a plan to open the state capitol to the public and to have state employees return to in-person employment.

TAXATION***Interest and penalties on late property tax payments***

Under current law, a late installment payment of property taxes is subject to interest and penalties, with the interest accruing from February 1 of the year in which the taxes are due. For property taxes payable in 2020, if an installment payment due after April 1, 2020, is late, current law allows a municipality to temporarily waive the interest and penalties in cases of hardship. The entire amount due must be paid no later than October 1, 2020, and both the county and municipality must adopt resolutions authorizing the waiver.

The bill allows municipalities to similarly waive interest and penalties on late installment payments of property taxes payable in 2021. Under the bill, for an installment payment due after April 1, 2021, that is late, a municipality may waive the interest and penalties if the municipality makes a general or case-by-case

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finding of hardship and the total amount due is paid no later than October 1, 2021. A municipality may waive the interest and penalties only if the county first adopts a resolution authorizing the waiver and establishing criteria for determining hardship and the municipality then adopts a similar resolution. Under the bill, interest and penalties will accrue from October 1, 2021, for any property taxes payable in 2021 that are delinquent after that date.

The bill requires a county that adopts a waiver resolution to settle the taxes, interest, and penalties collected before August 1, 2021, on August 20, 2021, and to settle the remaining unpaid taxes, interest, and penalties on September 20, 2021. The August 20, 2021, settlement must be distributed proportionally to the underlying taxing jurisdictions.

Claims to recover property taxes

Current law allows a person to file a claim to recover the unlawful imposition of property taxes, a claim for the excessive assessment of property taxes, or a claim to recover property taxes paid in protest due to an outstanding contested assessment. However, no person may file a claim unless the person has paid his or her property taxes on time. Current law provides an exception from this requirement for taxes due and payable in 2020 if paid by October 1, 2020, or a later applicable installment date.

The bill creates a similar exception for property taxes due and payable in 2021. Under the bill, the timely payment requirement does not apply to these taxes if paid by October 1, 2021, or a later applicable installment date.

This proposal may contain a health insurance mandate requiring a social and financial impact report under s. 601.423, stats.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 1 **SECTION 1.** 13.101 (4d) of the statutes is amended to read:
- 2 13.101 (4d) ~~During the public health emergency declared on March 12, 2020,~~
- 3 ~~by executive order 72, and for a period of 90 days after termination of the emergency~~
- 4 Until the conclusion of a national emergency declared by the U.S. president under
- 5 50 USC 1621 in response to the 2019 novel coronavirus or June 30, 2021, whichever
- 6 is earlier, the committee may transfer under sub. (4) an amount not to exceed

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1 ~~\$75,000,000~~ \$100,000,000 from sum sufficient appropriations, as defined under s.
2 20.001 (3) (d), to be used for expenditures related to the emergency.

3 **SECTION 2.** 40.26 (5m) of the statutes is amended to read:

4 40.26 (5m) During ~~the public health~~ a national emergency declared ~~on March~~
5 ~~12, 2020, by executive order 72~~ the U.S. president under 50 USC 1621 in response
6 to the 2019 novel coronavirus and ending when the national emergency is no longer
7 in effect or 60 days after the effective date of this subsection [LRB enters date],
8 whichever is earlier, sub. (5) does not apply if at least 15 days have elapsed between
9 the termination of employment with a participating employer and becoming a
10 participating employee if the position for which the participant is hired is a critical
11 position, as determined by ~~the secretary of health services~~ under s. 323.19 (3).

12 **SECTION 3.** 40.26 (6) (intro.) of the statutes is amended to read:

13 40.26 (6) (intro.) A participant who is hired during ~~the public health~~ a national
14 emergency declared ~~on March 12, 2020, by executive order 72~~ the U.S. president
15 under 50 USC 1621 in response to the 2019 novel coronavirus and ending when the
16 national emergency is no longer in effect or 60 days after the effective date of this
17 subsection [LRB enters date], whichever is earlier, may elect to not suspend his
18 or her retirement annuity or disability annuity under sub. (1m) for the duration of
19 ~~the state of emergency~~ that period if all of the following conditions are met:

20 **SECTION 4.** 49.45 (3) (e) 9m. of the statutes is created to read:

21 49.45 (3) (e) 9m. a. In this subdivision, "hospital-associated service" has the
22 meaning given in s. 50.33 (2d).

23 b. Any hospital-associated service that is provided by a hospital in accordance
24 with s. 50.36 (5m) that is of the type for which payment could be claimed as an
25 inpatient hospital service under the federal Medicare program, 42 USC 1395 et seq.,

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1 shall be included as part of and reimbursed or paid as an inpatient service under this
2 section.

3 **SECTION 5.** 49.45 (4r) of the statutes is created to read:

4 49.45 (4r) UTILIZATION DATA. (a) In this subsection, "health care data
5 aggregator" means a data organization or entity that collects, analyzes, and
6 disseminates health care information under subch. I of ch. 153 and that requests the
7 department to provide data under this subsection.

8 (b) Semiannually, the department shall provide to any health care data
9 aggregator all Medical Assistance program fee-for-service and managed care
10 encounter claims data and data specifications maintained by the department.

11 (c) Within 5 business days or a longer period specified by the department, of the
12 receipt of data under par. (b), a health care data aggregator shall create a data set
13 from the data received that is de-identified health information, as described in 42
14 CFR 164.514 (a), and that meets the requirements for de-identification described in
15 42 CFR 164.514 (b) and then shall destroy the original data provided by the
16 department under par. (b). The health care data aggregator shall make the
17 de-identified data set available to the public and may disseminate custom data sets
18 and reports if the data sets and reports contain only de-identified health
19 information.

20 (d) Data provided by the department to a health care data aggregator under
21 par. (b) is not subject to inspection or copying under s. 19.35. A health care data
22 aggregator shall comply with the requirements under s. 153.50 (3) to ensure
23 protection of patient identity with regard to data received and made available or
24 disseminated under this subsection.

25 **SECTION 6.** 49.45 (39n) of the statutes is created to read:

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1 **49.45 (39n) PHARMACIST REIMBURSEMENT FOR VACCINES AND COVID-19 TESTS.** The
2 department shall ensure that any vaccine against SARS-CoV-2 coronavirus and
3 any test for COVID-19, which is the infection caused by the SARS-CoV-2
4 coronavirus, that are covered under this subchapter and for which reimbursement
5 for administration is made to any provider, are covered and reimbursed when the
6 vaccine or test is administered by a pharmacist acting under his or her scope of
7 practice, including under s. 450.035. As necessary to comply with this subsection,
8 the department shall certify pharmacists as providers of Medical Assistance services
9 for the purposes of covering and reimbursing pharmacists for administering vaccines
10 and tests described in this subsection.

11 **SECTION 7.** 50.083 of the statutes is created to read:

12 **50.083 Visitation by essential visitor. (1)** In this section, “essential visitor”
13 means an individual designated by a nursing home resident or assisted living facility
14 resident to visit and provide support to the resident in the nursing home or assisted
15 living facility or the resident’s health care agent under a power of attorney for health
16 care.

17 **(2)** Each nursing home and assisted living facility shall allow an essential
18 visitor, who agrees to comply with any public health policies of the nursing home or
19 assisted living facility, to enter the nursing home or assisted living facility to visit the
20 resident in compassionate care situations, including any of the following:

21 (a) The resident has recently been admitted to the nursing home or assisted
22 living facility and is experiencing difficulty in adjusting to the change in
23 environment and lack of family presence.

24 (b) The resident is grieving the recent death of a friend or family member.

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1 (c) The resident is experiencing weight loss or dehydration due to lack of
2 support from family or caregivers when eating or drinking.

3 (d) The resident is experiencing emotional distress or a decline in ability or
4 willingness to communicate.

5 (3) If the federal centers for medicare and medicaid services issues guidance
6 that is more restrictive in allowing visitation than sub. (2), a nursing home or
7 assisted living facility may comply with that guidance instead of complying with sub.
8 (2).

9 (4) This section applies at any time the nursing home or assisted living facility
10 limits visitors to the nursing home or assisted living facility due to an outbreak or
11 epidemic of communicable disease in the community in which the nursing home or
12 assisted living facility is located.

13 **SECTION 8.** 50.33 (2d) of the statutes is created to read:

14 50.33 (2d) "Hospital-associated service" means a health care service that
15 meets all of the following conditions:

16 (a) The service is of the same type as those furnished by a hospital in an
17 inpatient or outpatient facility.

18 (b) The service is of a type for which a payment could be claimed as a hospital
19 service under the federal Medicare program, 42 USC 1395 et seq.

20 (c) The service is provided at a location other than in a facility approved by the
21 department under s. 50.35.

22 (d) The service is provided in a home setting.

23 **SECTION 9.** 50.36 (5m) of the statutes is created to read:

24 50.36 (5m) If the federal centers for medicare and medicaid services has
25 approved a hospital to provide any hospital-associated service, the department may

BILL**SECTION 9**

1 apply to and enforce upon the hospital as the state standard for the
2 hospital-associated service any rule or standard that is required by the centers for
3 medicare and medicaid services for the service.

4 **SECTION 10.** 50.49 (6m) (d) of the statutes is created to read:

5 50.49 (6m) (d) A hospital that is providing hospital-associated services in
6 accordance with s. 50.36 (5m).

7 **SECTION 11.** 70.511 (2) (a) of the statutes is amended to read:

8 70.511 (2) (a) If the reviewing authority has not made a determination prior
9 to the time of the tax levy with respect to a particular objection to the amount,
10 valuation or taxability of property, the tax levy on the property or person shall be
11 based on the contested assessed value of the property. A tax bill shall be sent to, and
12 paid by, the person subject to the tax levy as though there had been no objection filed,
13 except that the payment shall be considered to be made under protest. The entire
14 tax bill shall be paid when due under s. 74.11, 74.12 or 74.87 even though the
15 reviewing authority has reduced the assessment prior to the time for full payment
16 of the tax billed. The requirement to pay a tax timely under this paragraph does not
17 apply to taxes due and payable in 2020 if paid by October 1, 2020, or by any
18 installment date for which taxes are due after October 1, 2020, nor to taxes due and
19 payable in 2021 if paid by October 1, 2021, or by any installment date for which taxes
20 are due after October 1, 2021.

21 **SECTION 12.** 74.35 (5) (c) of the statutes is amended to read:

22 74.35 (5) (c) No claim may be filed or maintained under this section unless the
23 tax for which the claim is filed, or any authorized installment payment of the tax, is
24 timely paid under s. 74.11, 74.12 or 74.87. This paragraph does not apply to taxes
25 due and payable in 2020 if paid by October 1, 2020, or by any installment date for

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1 which taxes are due after October 1, 2020, nor to taxes due and payable in 2021 if paid
2 by October 1, 2021, or by any installment date for which taxes are due after October
3 1, 2021.

4 **SECTION 13.** 74.37 (4) (b) of the statutes is amended to read:

5 74.37 (4) (b) No claim or action for an excessive assessment may be brought or
6 maintained under this section unless the tax for which the claim is filed, or any
7 authorized installment of the tax, is timely paid under s. 74.11 or 74.12. This
8 paragraph does not apply to taxes due and payable in 2020 if paid by October 1, 2020,
9 or by any installment date for which taxes are due after October 1, 2020, nor to taxes
10 due and payable in 2021 if paid by October 1, 2021, or by any installment date for
11 which taxes are due after October 1, 2021.

12 **SECTION 14.** 101.643 of the statutes is created to read:

13 **101.643 Occupancy before inspection; permit. (1)** A dwelling unit that
14 is occupied in accordance with local ordinances before undergoing all inspections for
15 compliance with the one- and 2-family dwelling code may be granted an occupancy
16 permit if the dwelling unit later passes a final inspection for compliance with the
17 one- and 2-family dwelling code.

18 **(2)** If an occupancy permit for a dwelling unit is granted after the dwelling unit
19 is occupied as described in sub. (1), any missed inspection of the dwelling unit may
20 not be listed as a finding on the occupancy permit.

21 **SECTION 15.** 103.375 of the statutes is created to read:

22 **103.375 Mandatory vaccination for employment prohibited.** No
23 employer may require an employee or prospective employee to receive a vaccine
24 against the SARS-CoV-2 coronavirus, which causes COVID-19, or show proof of

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1 having received such a vaccine, as a condition of an offer of employment or continued
2 employment with the employer.

3 **SECTION 16.** 108.04 (3) (b) of the statutes is amended to read:

4 108.04 (3) (b) Paragraph (a) does not apply with respect to benefit years that
5 begin after March 12, 2020, and before ~~February 7~~ March 14, 2021. The department
6 shall seek the maximum amount of federal reimbursement for benefits that are,
7 during the time period specified in this paragraph, payable for the first week of a
8 claimant's benefit year as a result of the application of this paragraph.

9 **SECTION 17.** 108.062 (20) (intro.) of the statutes is amended to read:

10 108.062 (20) SUSPENSIONS OF CERTAIN PROVISIONS. (intro.) Notwithstanding sub.
11 (2), this subsection, and not sub. (2), applies to work-share plans submitted on or
12 after April 17, 2020, and before December 31, 2020, and to work-share plans
13 submitted during each week that begins while a national emergency declared by the
14 U.S. president under 50 USC 1621 in response to the 2019 novel coronavirus remains
15 in effect, subject to sub. (19), except that this subsection does not apply to work-share
16 plans submitted on or after July 4, 2021. During that period those periods, prior to
17 implementing a work-share program, an employer shall submit a work-share plan
18 for the approval of the department. In its submittal, the employer shall certify that
19 its plan is in compliance with all requirements under this section. Each plan shall:

20 **SECTION 18.** 108.07 (5) (bm) 1. of the statutes is amended to read:

21 108.07 (5) (bm) 1. The Subject to subd. 1m., the department shall, when
22 processing initial claims for regular benefits, determine whether a claim or plan is
23 related to the public health emergency declared on March 12, 2020, by executive
24 order 72. If a claim is so related, the regular benefits for that claim shall, except as
25 provided in subd. 2., be paid as provided in subd. 3.

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1 **SECTION 19.** 108.07 (5) (bm) 1m. of the statutes is created to read:

2 108.07 (5) (bm) 1m. For purposes of this paragraph, the department shall
3 presume that an initial claim for benefit years beginning on or after March 15, 2020,
4 through March 13, 2021, relates to the public health emergency declared on March
5 12, 2020, by Executive Order 72 unless the claimant's most recent separation from
6 employment is due to a labor dispute, voluntary termination of work, discharge for
7 misconduct, or discharge for substantial fault. An employer is not required to submit
8 a request for charging relief under this paragraph for initial claims described in this
9 subdivision.

10 **SECTION 20.** 108.07 (5) (bm) 2. a. of the statutes is amended to read:

11 108.07 (5) (bm) 2. a. Subdivision 1. applies only with respect to benefits payable
12 for weeks beginning after March 12, 2020, and beginning before ~~December 31, 2020~~
13 March 14, 2021.

14 **SECTION 21.** 118.133 (1) (a) of the statutes is amended to read:

15 118.133 (1) (a) A school board shall permit a pupil who resides in the school
16 district and is enrolled in a home-based private educational program or a virtual
17 charter school to participate in interscholastic athletics in the school district on the
18 same basis and to the same extent that it permits pupils enrolled in the school district
19 to participate.

20 **SECTION 22.** 118.133 (1) (b) of the statutes is amended to read:

21 118.133 (1) (b) Upon request, the home-based educational program or virtual
22 charter school in which the pupil is enrolled shall provide the school board with a
23 written statement that the pupil meets the school board's requirements for
24 participation in interscholastic athletics based on age and academic and disciplinary
25 records. No person may provide a false statement under this paragraph. The school

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1 board may not question the accuracy or validity of the statement or request
2 additional information.

3 **SECTION 23.** 118.133 (2) of the statutes is amended to read:

4 118.133 (2) **EXTRACURRICULAR ACTIVITIES.** A school board shall permit a pupil
5 who resides in the school district and is enrolled in a home-based private educational
6 program or a virtual charter school to participate in extracurricular activities in the
7 school district on the same basis and to the same extent that it permits pupils
8 enrolled in the school district to participate.

9 **SECTION 24.** 153.23 (1) of the statutes is repealed.

10 **SECTION 25.** 153.23 (2) of the statutes is renumbered 153.23 and amended to
11 read:

12 **153.23 Public health emergency dashboard.** During the a public health
13 emergency related to the 2019 novel coronavirus declared under 42 USC 247d by the
14 secretary of the federal department of health and human services that is related to
15 an outbreak or epidemic of communicable disease and that applies to any portion of
16 this state, the entity under contract under s. 153.05 (2m) (a) shall prepare and
17 publish a public health emergency dashboard using health care emergency
18 preparedness program information collected by the state from acute care hospitals.
19 A dashboard published under this section shall include information to assist
20 emergency response planning activities. For purposes of this section, the entity and
21 the department shall enter into a data use agreement and mutually agree to the
22 health care emergency preparedness program information the department will
23 provide to the entity, the information the entity will include in the dashboard, any
24 publication schedule, and any other terms considered necessary by the entity or the
25 department.

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1 **SECTION 26.** 252.02 (3) of the statutes is amended to read:

2 252.02 (3) The department may close schools and forbid public gatherings in
3 schools, churches, and other places to control outbreaks and epidemics. The
4 department may not order the closure of or forbid gatherings in places of worship to
5 control outbreaks and epidemics of the 2019 novel coronavirus.

6 **SECTION 27.** 252.02 (5m) of the statutes is created to read:

7 252.02 (5m) Notwithstanding sub. (6) and s. 252.041, the department may not
8 require individuals to receive a vaccine against the SARS-CoV-2 coronavirus, which
9 causes COVID-19.

10 **SECTION 28.** 252.03 (2g) of the statutes is created to read:

11 252.03 (2g) (a) A local health officer may not order the closure of or forbid
12 gatherings in places of worship to control outbreaks and epidemics of the 2019 novel
13 coronavirus.

14 (b) The duration of any order issued by a local health officer to close or restrict
15 capacity of businesses to control outbreaks and epidemics of the 2019 novel
16 coronavirus may not exceed 14 days unless the governing body of the local
17 governmental unit in which the order is intended to apply approves by a vote of
18 two-thirds of the elected members an extension of the order, with each extension not
19 to exceed 14 days. In this paragraph, "local governmental unit" means a city, village,
20 town, or county.

21 **SECTION 29.** 252.03 (2m) of the statutes is created to read:

22 252.03 (2m) Notwithstanding sub. (2), a local health officer may not require
23 individuals to receive a vaccine against the SARS-CoV-2 coronavirus, which causes
24 COVID-19.

25 **SECTION 30.** 323.19 (3) of the statutes is amended to read:

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1 323.19 (3) Based on guidance provided by the secretary of health services, the
2 head of each state agency and each local health department shall determine which
3 public employee positions within the respective state agency or local government are
4 critical during the public health a national emergency declared on March 12, 2020,
5 by executive order 72 the U.S. president under 50 USC 1621 in response to the 2019
6 novel coronavirus and ending when the national emergency is no longer in effect or
7 60 days after the effective date of this subsection [LRB enters date], whichever
8 is earlier, for the purposes of s. 40.26 (5m) and (6) (b).

9 **SECTION 31.** 440.08 (2) (a) 69g. of the statutes is created to read:

10 440.08 (2) (a) 69g. Third-party logistics provider: July 1 of each
11 even-numbered year.

12 **SECTION 32.** 440.094 of the statutes is created to read:

13 **440.094 Practice by health care providers from other states. (1)**

14 DEFINITIONS. In this section:

15 (a) "Credential" means a license, permit, certificate, or registration.

16 (b) "Health care employer" means a system, care clinic, care provider,
17 long-term care facility, or any entity whose employed, contracted, or affiliated staff
18 provide health care service to individuals in this state.

19 (c) "Health care provider" means an individual who holds a valid, unexpired
20 credential granted by another state or territory that authorizes or qualifies the
21 individual to perform acts that are substantially the same as the acts that any of the
22 following are licensed or certified to perform:

23 1. A registered nurse, licensed practical nurse, or nurse midwife licensed under
24 ch. 441, or advanced practice nurse prescriber certified under ch. 441.

25 2. A chiropractor licensed under ch. 446.

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1 3. A dentist licensed under ch. 447.

2 4. A physician, physician assistant, perfusionist, or respiratory care
3 practitioner licensed or certified under subch. II of ch. 448.

4 5. A physical therapist or physical therapist assistant licensed under subch. III
5 of ch. 448 or who holds a compact privilege under subch. IX of ch. 448.

6 6. A podiatrist licensed under subch. IV of ch. 448.

7 7. A dietitian certified under subch. V of ch. 448.

8 8. An athletic trainer licensed under subch. VI of ch. 448.

9 9. An occupational therapist or occupational therapy assistant licensed under
10 subch. VII of ch. 448.

11 10. An optometrist licensed under ch. 449.

12 11. A pharmacist licensed under ch. 450.

13 12. An acupuncturist certified under ch. 451.

14 13. A psychologist licensed under ch. 455.

15 14. A social worker, marriage and family therapist, or professional counselor
16 certified or licensed under ch. 457 or a clinical substance abuse counselor certified
17 under s. 440.88.

18 15. A speech-language pathologist or audiologist licensed under subch. II of ch.
19 459.

20 16. A massage therapist or bodywork therapist licensed under ch. 460.

21 **(2) PRACTICE BY HEALTH CARE PROVIDERS FROM OTHER STATES.** (a)
22 Notwithstanding ss. 441.06 (4), 441.15 (2), 441.16, 446.02 (1), 447.03 (1) and (2),
23 448.03 (1) (a), (b), and (c) and (1m), 448.51 (1), 448.61, 448.76, 448.961 (1) and (2),
24 449.02 (1), 450.03 (1), 451.04 (1), 455.02 (1m), 457.04 (4), (5), (6), and (7), 459.02 (1),
25 459.24 (1), and 460.02, a health care provider may provide services within the scope

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1 of the credential that the health care provider holds and the department shall grant
2 the health care provider a temporary credential to practice under this section if all
3 of the following apply:

4 1. The health care provider applies to the department for a temporary
5 credential under this section within 30 days of beginning to provide health care
6 services for a health care employer. The health care provider shall include in the
7 application an attestation of all of the following:

8 a. The date on which the health care provider first provided health care services
9 in this state under this section.

10 b. That the health care provider holds a valid, unexpired, credential granted
11 in another state.

12 c. The health care provider is not currently under investigation and no
13 restrictions or limitations are currently placed on the health care provider's
14 credential by the credentialing state or any other jurisdiction.

15 d. The health care provider has applied for a permanent credential granted by
16 the department or an examining board, as applicable, under chs. 440 to 480. This
17 subd. 1. d. does not apply to a health care provider who provides health care services
18 only during the period covered by a national emergency declared by the U.S.
19 president under 50 USC 1621 in response to the 2019 novel coronavirus or during
20 the 30 days immediately after the national emergency ends.

21 2. If the health care provider provides services other than services provided
22 through telehealth as described in sub. (3), the health care employer of the health
23 care provider attests all of the following to the department within 10 days of the date
24 on which the health care provider begins providing health care services in this state
25 under this section:

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1 a. The health care employer has confirmed that the health care provider holds
2 a valid, unexpired credential granted by another state.

3 b. To the best of the health care employer's knowledge and with a reasonable
4 degree of certainty, the health care provider is not currently under investigation and
5 no restrictions or limitations are currently placed on the health care provider's
6 credential by the credentialing state or any other jurisdiction.

7 (b) A health care provider who practices within the scope of a temporary
8 credential granted under this section has all rights and is subject to all
9 responsibilities, malpractice insurance requirements, limitations on scope of
10 practice, and other provisions that apply under chs. 440 to 480 to the practice of the
11 health care provider.

12 (c) 1. A temporary credential granted under this section becomes effective on
13 the date identified in the attestation under par. (a) 1. a. that the health care provider
14 first provided health care services in this state under this section.

15 2. a. Except as provided in subd. 2. b., a temporary credential granted under
16 this section expires on the date that the department, or an examining board in the
17 department, as applicable, grants or denies the application under par. (a) 1. d. for a
18 permanent credential submitted by the health care provider.

19 b. If a health care provider provides health care services only during the period
20 covered by a national emergency declared by the U.S. president under 50 USC 1621
21 in response to the 2019 novel coronavirus or during the 30 days immediately after
22 the national emergency ends, a temporary credential granted under this section to
23 the health care provider expires 30 days after the national emergency ends.

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1 **(3) TELEHEALTH.** A health care provider who practices within the scope of a
2 temporary credential granted under this section may provide services through
3 telehealth to a patient located in this state.

4 **SECTION 33.** 440.15 of the statutes is amended to read:

5 **440.15 No fingerprinting.** Except as provided under ss. 440.03 (13) (c),
6 441.51 (5) (a) 5., 448.980 (5) (b) 3., and 448.985 (3) (a) 4., 450.071 (3) (c) 9., and 450.075
7 (3) (c) 9., the department or a credentialing board may not require that an applicant
8 for a credential or a credential holder be fingerprinted or submit fingerprints in
9 connection with the department's or the credentialing board's credentialing.

10 **SECTION 34.** 447.01 (1e) of the statutes is created to read:

11 447.01 (1e) "Administer" means to directly apply a vaccine to the body of a
12 patient by any means.

13 **SECTION 35.** 447.01 (8) (az) of the statutes is created to read:

14 447.01 (8) (az) "Dentistry" includes administering vaccines against
15 SARS-CoV-2 coronavirus and influenza under s. 447.059 (1).

16 **SECTION 36.** 447.01 (11) of the statutes is created to read:

17 447.01 (11) "Prescription order" has the meaning given in s. 450.01 (21).

18 **SECTION 37.** 447.059 of the statutes is created to read:

19 **447.059 Administering certain vaccines. (1)** A dentist may administer
20 without a prescription order a vaccine against SARS-CoV-2 coronavirus or
21 influenza only if he or she satisfies all of the following:

22 (a) The dentist successfully completes 12 hours in a course of study and
23 training approved by the examining board in vaccination storage, protocols,
24 administration technique, emergency procedures, and record keeping.

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1 (b) The dentist has in effect liability insurance that covers the dentist against
2 loss, expense, and liability resulting from errors, omissions, or neglect in the
3 administration of vaccines against SARS-CoV-2 coronavirus and influenza in an
4 amount that is not less than \$1,000,000 for each occurrence and \$2,000,000 for all
5 occurrences in any one policy year.

6 (c) The dentist maintains proof of completing a course of study and training
7 specified in par. (a) and satisfying the requirement specified in par. (b).

8 (2) A dentist may not administer a vaccine under sub. (1) to a child who is under
9 the age of 6 unless all of the following apply:

10 (a) The vaccine is administered pursuant to a prescription order issued within
11 the 29 days immediately preceding the day on which the vaccine is administered.

12 (b) The dentist successfully completes a course of instruction approved by the
13 examining board that includes the administration of vaccines against SARS-CoV-2
14 coronavirus and influenza to children under the age of 6.

15 (c) The dentist maintains proof of completing a course of instruction specified
16 in par. (b).

17 (3) Upon request, a dentist shall provide copies of proof required under subs.
18 (1) (c) and (2) (c) to the department or the examining board.

19 (4) A dentist who administers a vaccine under sub. (1) shall update the
20 Wisconsin Immunization Registry established by the department of health services
21 within 7 days of administering the vaccine.

22 **SECTION 38.** 450.01 (11m) of the statutes is amended to read:

23 450.01 (11m) "Facility" means a location where a wholesale distributor or
24 3rd-party logistics provider stores, distributes, handles, repackages, or offers ~~for~~
25 sale other services related to prescription drugs.

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1 **SECTION 39.** 450.01 (13w) of the statutes is created to read:

2 450.01 (13w) “Out-of-state 3rd-party logistics provider” means a person
3 located outside this state that contracts with a prescription drug manufacturer to
4 provide or coordinate warehousing, distribution, or other services within this state
5 on behalf of the manufacturer but that does not take title to the manufacturer’s
6 prescription drug or have general responsibility to direct the prescription drug’s sale
7 or disposition.

8 **SECTION 40.** 450.01 (21s) of the statutes is amended to read:

9 450.01 (21s) “~~Third party~~ Third-party logistics provider” means a person that
10 contracts with a prescription drug manufacturer to provide or coordinate
11 warehousing, distribution, or other services on behalf of the manufacturer but that
12 does not take title to the manufacturer’s prescription drug or have general
13 responsibility to direct the prescription drug’s sale or disposition.

14 **SECTION 41.** 450.01 (23) (p) of the statutes is created to read:

15 450.01 (23) (p) The services of a 3rd-party logistics provider or out-of-state
16 3rd-party logistics provider.

17 **SECTION 42.** 450.02 (1) of the statutes is amended to read:

18 450.02 (1) The department shall keep a record of the proceedings and a register
19 of the names and places of practice or business of pharmacies, manufacturers,
20 wholesale distributors, 3rd-party logistics providers, out-of-state 3rd-party
21 logistics providers, and other persons licensed under this chapter, and the books,
22 registers and records of the department shall be prima facie evidence of the matters
23 recorded.

24 **SECTION 43.** 450.03 (1) (fm) of the statutes is created to read:

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1 450.03 (1) (fm) A person who is enrolled at an accredited school of pharmacy
2 and whose practice of pharmacy is limited to administering vaccines under the direct
3 supervision of a person licensed as a pharmacist by the board.

4 **SECTION 44.** 450.035 (2g) of the statutes is amended to read:

5 450.035 (2g) A person engaged in the practice of pharmacy under s. 450.03 (1)
6 (f), ~~(fm)~~, or (g) may not administer a vaccine unless he or she acts under the direct
7 supervision of a pharmacist and he or she and the supervising pharmacist have
8 successfully completed 12 hours in a course of study and training, approved by the
9 Accreditation Council for Pharmacy Education or the board, in vaccination storage,
10 protocols, administration technique, emergency procedures, and record keeping and
11 the supervising pharmacist has satisfied the requirements specified in sub. (2t). A
12 person engaged in the practice of pharmacy under s. 450.03 (1) (f), ~~(fm)~~, or (g) may
13 not administer a vaccine under this subsection to a person who is under the age of
14 6.

15 **SECTION 45.** 450.035 (2i) (a) of the statutes is amended to read:

16 450.035 (2i) (a) Subject to subs. (2) and (2g), a pharmacist or a person engaged
17 in the practice of pharmacy under s. 450.03 (1) (f), ~~(fm)~~, or (g) may administer without
18 a prescription order any vaccine listed in the current immunization schedules
19 recommended by the federal advisory committee on immunization practices and
20 published by the federal centers for disease control and prevention.

21 **SECTION 46.** 450.035 (2i) (b) of the statutes is amended to read:

22 450.035 (2i) (b) Subject to subs. (2) and (2g), a pharmacist or a person engaged
23 in the practice of pharmacy under s. 450.03 (1) (f), ~~(fm)~~, or (g) may initiate and
24 administer any vaccine not listed in the current immunization schedules
25 recommended by the federal advisory committee on immunization practices and

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1 published by the federal centers for disease control and prevention if the vaccine is
2 administered pursuant to a prescription order, vaccination protocol, or standing
3 order.

4 **SECTION 47.** 450.035 (3) of the statutes is amended to read:

5 450.035 (3) A pharmacist or a person engaged in the practice of pharmacy
6 under s. 450.03 (1) (f), (fm), or (g) who successfully completes a course of study and
7 training specified in sub. (1r), (1t), (2), or (2g) shall maintain proof of completion and,
8 upon request, provide copies of such proof to the department or the board.

9 **SECTION 48.** 450.035 (4) of the statutes is amended to read:

10 450.035 (4) A pharmacist or person engaged in the practice of pharmacy under
11 s. 450.03 (1) (f), (fm), or (g) who administers a vaccine to a person under this section
12 shall update, or cause a pharmacy to update, the Wisconsin Immunization Registry
13 established by the department of health services within 7 days of administering the
14 vaccine.

15 **SECTION 49.** 450.075 of the statutes is created to read:

16 **450.075 Third-party logistics providers; licensure. (1) LICENSE ALLOWED.**

17 A person acting as a 3rd-party logistics provider or an out-of-state 3rd-party
18 logistics provider of any drug or device may apply to obtain a license from the board
19 under this section. Where operations are conducted at more than one facility, a
20 person acting as a 3rd-party logistics provider or out-of-state 3rd-party logistics
21 provider may apply to obtain a license from the board for each such facility.

22 **(2) APPLICATION.** An applicant for a license under this section shall submit a
23 form provided by the board showing all of the following and swear or affirm the
24 truthfulness of each item in the application:

25 (a) The name, business address, and telephone number of the applicant.

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1 (b) All trade or business names used by the applicant.

2 (c) Names, addresses, and telephone numbers of contact persons for all
3 facilities used by the applicant for the warehousing, distribution, or other services
4 on behalf of the manufacturer of prescription drugs.

5 (d) The type of ownership or operation for the applicant's business.

6 (e) If the applicant's 3rd-party logistics provider business is a partnership, the
7 name of each partner and the name of the partnership.

8 (f) If the applicant's 3rd-party logistics provider business is a corporation, the
9 name of each corporate officer and director, the name of the corporation, and the state
10 of incorporation.

11 (g) If the applicant's 3rd-party logistics provider business is a sole
12 proprietorship, the name of the sole proprietor and the name of the business entity.

13 (h) A list of all licenses and permits issued to the applicant by any other state
14 that authorizes the applicant to warehouse or distribute prescription drugs.

15 (i) The name, address, and telephone number of a designated representative.

16 (j) For the person identified as the designated representative in par. (i), a
17 personal information statement that contains all of the following:

18 1. The person's date and place of birth.

19 2. The person's place of residence for the 7-year period immediately preceding
20 the date of the application.

21 3. The person's occupations, positions of employment, and offices held during
22 the 7-year period immediately preceding the date of the application.

23 4. The name and addresses for each business, corporation, or other entity listed
24 in subd. 3.

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1 5. A statement indicating whether the person has been, during the 7-year
2 period immediately preceding the date of the application, the subject of any
3 proceeding for the revocation of any business or professional license and the
4 disposition of the proceeding.

5 6. A statement indicating whether the person has been, during the 7-year
6 period immediately preceding the date of the application, enjoined by a court, either
7 temporarily or permanently, from possessing, controlling, or distributing any
8 prescription drug, and a description of the circumstances surrounding the
9 injunction.

10 7. A description of any involvement by the person during the past 7 years with
11 any business, including investments other than the ownership of stock in a publicly
12 traded company or mutual fund, that manufactured, administered, prescribed,
13 distributed, or stored pharmaceutical products or drugs, and a list of any lawsuits
14 in which such a business was named as a party.

15 8. A description of any misdemeanor or felony criminal offense of which the
16 person was, as an adult, found guilty, whether adjudication of guilt was withheld or
17 the person pleaded guilty or no contest. If the person is appealing a criminal
18 conviction, the application shall include a copy of the notice of appeal, and the person
19 shall submit a copy of the final disposition of the appeal not more than 15 days after
20 a final disposition is reached.

21 9. A photograph of the person taken within the 12-month period immediately
22 preceding the date of the application.

23 (k) A statement that each facility used by the applicant for 3rd-party logistics
24 provider services has been inspected in the 3-year period immediately preceding the
25 date of the application by the board, a pharmacy examining board of another state,

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1 the National Association of Boards of Pharmacy, or another accrediting body
2 recognized by the board, with the date of each such inspection.

3 (3) LICENSURE. The board shall grant a license to an applicant to act as a
4 3rd-party logistics provider or an out-of-state 3rd-party logistics provider if all of
5 the following apply:

6 (a) The applicant pays the fee specified in s. 440.05 (1).

7 (b) The inspections conducted pursuant to sub. (2) (k) satisfy requirements
8 adopted by the board for 3rd-party logistics providers or out-of-state 3rd-party
9 logistics providers.

10 (c) All of the following apply to each person identified by the applicant as a
11 designated representative:

12 1. The person is at least 21 years old.

13 2. The person has been employed full time for at least 3 years in a pharmacy
14 or with a wholesale prescription drug distributor in a capacity related to the
15 dispensing of and distribution of, and record keeping related to, prescription drugs.

16 3. The person is employed by the applicant full time in a managerial position.

17 4. The person is physically present at the 3rd-party logistics provider's or
18 out-of-state 3rd-party logistics provider's facility during regular business hours
19 and is involved in and aware of the daily operation of the 3rd-party logistics provider
20 or the out-of-state 3rd-party logistics provider. This subdivision does not preclude
21 the person from taking authorized sick leave and vacation time or from being absent
22 from the facility for other authorized business or personal purposes.

23 5. The person is actively involved in and aware of the daily operation of the
24 3rd-party logistics provider or the out-of-state 3rd-party logistics provider.

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1 6. The person is a designated representative for only one applicant at any given
2 time. This subdivision does not apply if more than one 3rd-party logistics provider
3 or out-of-state 3rd-party logistics provider is located at the facility and the
4 3rd-party logistics providers or out-of-state 3rd-party logistics providers located at
5 the facility are members of an affiliated group.

6 7. The person has not been convicted of violating any federal, state, or local law
7 relating to distribution of a controlled substance.

8 8. The person has not been convicted of a felony.

9 9. The person submits to the department 2 fingerprint cards, each bearing a
10 complete set of the applicant's fingerprints. The department of justice shall provide
11 for the submission of the fingerprint cards to the federal bureau of investigation for
12 purposes of verifying the identity of the person and obtaining the person's criminal
13 arrest and conviction record.

14 (d) The applicant satisfies any other requirements established by the board by
15 rule.

16 (4) RULES. The board shall promulgate rules implementing this section. The
17 rules shall ensure compliance with the federal drug supply chain security act, 21
18 USC 360eee, et seq. The board may not promulgate rules that impose requirements
19 more strict than the federal drug supply chain security act, or any regulations passed
20 under the federal drug supply chain security act. The board may not promulgate
21 rules that require a license under this section.

22 (5) ACCESS TO RECORDS. Applications for licensure under this section are not
23 subject to inspection or copying under s. 19.35, and may not be disclosed to any
24 person except as necessary for compliance with and enforcement of the provisions of
25 this chapter.

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1 **(6) INSPECTIONS.** A 3rd-party logistics provider or an out-of-state 3rd-party
2 logistics provider shall allow the board and authorized federal, state, and local law
3 enforcement officials to enter and inspect its facilities and delivery vehicles, to audit
4 its records and written operating procedures, and to confiscate prescription drugs
5 and records to the extent authorized by law, rule, or regulation.

6 **(7) APPLICABILITY.** This section does not apply if the board determines that the
7 federal food and drug administration has established a licensing program for
8 3rd-party logistics providers under 21 USC 360eee-3 and that licensing by this state
9 of resident 3rd-party logistics providers is not required for a resident 3rd-party
10 logistics provider to provide 3rd-party logistics provider services in another state.

11 **SECTION 50.** 450.11 (5) (br) 2. d. of the statutes is amended to read:

12 450.11 **(5)** (br) 2. d. A pharmacist may not extend a prescription order under
13 subd. 1. for a particular patient if a prescription order was previously extended under
14 subd. 1. for that patient during the applicable period described in subd. 3.

15 **SECTION 51.** 450.11 (5) (br) 3. of the statutes is renumbered 450.11 (5) (br) 3.
16 (intro.) and amended to read:

17 450.11 **(5)** (br) 3. (intro.) This paragraph applies only during as follows:

18 a. During the public health emergency declared on March 12, 2020, by
19 executive order 72, and for 30 days after the conclusion of that public health
20 emergency. ~~During that time,~~

21 4. While this paragraph applies as specified in subd. 3., it supersedes par. (bm)
22 to the extent of any conflict.

23 **SECTION 52.** 450.11 (5) (br) 3. b. of the statutes is created to read:

24 450.11 **(5)** (br) 3. b. During the period beginning on the effective date of this
25 subd. 3. b. [LRB inserts date], and ending at the conclusion of a national

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1 emergency declared by the U.S. president under 50 USC 1621 in response to the 2019
2 novel coronavirus or on June 30, 2021, whichever is earlier.

3 **SECTION 53.** 609.205 (2) (intro.) and (a) of the statutes are amended to read:

4 609.205 (2) (intro.) All of the following apply to a defined network plan or
5 preferred provider plan ~~during the state of emergency related to public health~~
6 ~~declared under s. 323.10 on March 12, 2020, by executive order 72, and for the 60 days~~
7 ~~following the date that the state of emergency terminates~~ until the conclusion of a
8 national emergency declared by the U.S. president under 50 USC 1621 in response
9 to the 2019 novel coronavirus or until June 30, 2021, whichever is earlier:

10 (a) The plan may not require an enrollee to pay, including cost sharing, for a
11 service, treatment, or supply provided by a provider that is not a participating
12 provider in the plan's network of providers more than the enrollee would pay if the
13 service, treatment, or supply is provided by a provider that is a participating
14 provider. This subsection applies to any service, treatment, or supply that is related
15 to diagnosis or treatment for COVID-19 and to any service, treatment, or supply that
16 is provided by a provider that is not a participating provider because a participating
17 provider is unavailable due to the ~~public health~~ emergency.

18 **SECTION 54.** 609.205 (3) (intro.) of the statutes is amended to read:

19 609.205 (3) (intro.) ~~During the state of emergency related to public health~~
20 ~~declared under s. 323.10 on March 12, 2020, by executive order 72, and for the 60 days~~
21 ~~following the date that the state of emergency terminates~~ Until the conclusion of a
22 national emergency declared by the U.S. president under 50 USC 1621 in response
23 to the 2019 novel coronavirus or until June 30, 2021, whichever is earlier, all of the
24 following apply to any health care provider or health care facility that provides a

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1 service, treatment, or supply to an enrollee of a defined network plan or preferred
2 provider plan but is not a participating provider of that plan:

3 **SECTION 55.** 609.205 (3m) of the statutes is created to read:

4 609.205 (3m) This section does not apply to a service, treatment, or supply that
5 is a dental service, treatment, or supply.

6 **SECTION 56.** 632.895 (14g) (b) of the statutes is amended to read:

7 632.895 (14g) (b) ~~Before March 13, 2021~~ Until the conclusion of a national
8 emergency declared by the U.S. president under 50 USC 1621 in response to the 2019
9 novel coronavirus or until June 30, 2021, whichever is earlier, every disability
10 insurance policy, and every self-insured health plan of the state or of a county, city,
11 town, village, or school district, that generally covers vaccination and testing for
12 infectious diseases shall provide coverage of testing for COVID-19 and vaccination
13 against the SARS-CoV-2 coronavirus without imposing any copayment or
14 coinsurance on the individual covered under the policy or plan.

15 **SECTION 57.** 632.895 (16v) (a) (intro.) of the statutes is amended to read:

16 632.895 (16v) (a) (intro.) ~~During the period covered by the state of emergency~~
17 ~~related to public health declared by the governor on March 12, 2020, by executive~~
18 ~~order 72~~ Until the conclusion of a national emergency declared by the U.S. president
19 under 50 USC 1621 in response to the 2019 novel coronavirus or until June 30, 2021,
20 whichever is earlier, an insurer offering a disability insurance policy that covers
21 prescription drugs, a self-insured health plan of the state or of a county, city, town,
22 village, or school district that covers prescription drugs, or a pharmacy benefit
23 manager acting on behalf of a policy or plan may not do any of the following in order
24 to maintain coverage of a prescription drug:

25 **SECTION 58.** 655.0025 of the statutes is created to read:

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1 **655.0025 Participation during COVID-19 national emergency.** Until
2 the conclusion of a national emergency declared by the U.S. president under 50 USC
3 1621 in response to the 2019 novel coronavirus or until June 30, 2021, whichever is
4 earlier, all of the following apply to a physician or nurse anesthetist for whom this
5 state is not a principal place of practice but who is authorized to practice in this state
6 on a temporary basis:

7 (1) The physician or nurse anesthetist may fulfill the requirements of s. 655.23
8 (3) (a) by filing with the commissioner a certificate of insurance for a policy of health
9 care liability insurance issued by an insurer that is authorized in a jurisdiction
10 accredited by the National Association of Insurance Commissioners.

11 (2) The physician or nurse anesthetist may elect, in the manner designated by
12 the commissioner by rule under s. 655.004, to be subject to this chapter.

13 **SECTION 59.** 895.476 of the statutes is created to read:

14 **895.476 Civil liability exemption; exposure to the novel coronavirus**
15 **SARS-CoV-2 or COVID-19.** (1) In this section:

16 (a) "COVID-19" means the infection caused by the novel coronavirus
17 SARS-CoV-2 or by any viral strain originating from SARS-CoV-2, and conditions
18 associated with the infection.

19 (b) "Entity" means a partnership, corporation, association, governmental
20 entity, or other legal entity, including a school, institution of higher education, or
21 nonprofit organization. "Entity" includes an employer or business owner, employee,
22 agent, or independent contractor of the entity, regardless of whether the person is
23 paid or an unpaid volunteer.

24 (2) Beginning March 1, 2020, an entity is immune from civil liability for the
25 death of or injury to any individual or damages caused by an act or omission resulting

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1 in or relating to exposure, directly or indirectly, to the novel coronavirus identified
2 as SARS-CoV-2 or COVID-19 in the course of or through the performance or
3 provision of the entity's functions or services.

4 (3) Subsection (2) does not apply if the act or omission involves reckless or
5 wanton conduct or intentional misconduct. Noncompliance with any national, state,
6 or local order requiring entities to close or limit capacity does not constitute reckless
7 or wanton conduct or intentional misconduct for purposes of this section.

8 (4) Immunity under this section is in addition to, not in lieu of, other immunity
9 granted by law, and nothing in this section limits immunity granted under any other
10 provision of law, including immunity granted under s. 893.80 (4).

11 **SECTION 9101. Nonstatutory provisions; Administration.**

12 (1) LOANS TO MUNICIPAL UTILITIES.

13 (a) *Definitions.* In this subsection:

- 14 1. "Board" means the board of commissioners of public lands.
15 2. "Municipal utility" has the meaning given in s. 196.377 (2) (a) 3.
16 3. "Trust funds" has the meaning given in s. 24.60 (5).

17 (b) *Loans.*

18 1. The board may loan moneys under its control or belonging to the trust funds
19 to a city, village, or town to ensure that a municipal utility under the control of the
20 city, village, or town is able to maintain liquidity. The loan shall be for the sum of
21 money, for the time, and upon the conditions as may be agreed upon between the
22 board and the borrower.

23 2. Each loan under this subsection shall be considered a state trust fund loan
24 for purposes of s. 24.70.

25 3. The board may not award a loan under this subsection after April 15, 2021.

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1 4. The legislature finds and determines that the loans authorized under this
2 subsection serve a public purpose.

3 **SECTION 9106. Nonstatutory provisions; Children and Families.**

4 (1) CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT FUNDS. The federal Child
5 Care and Development Fund block grant funds received under the federal
6 Consolidated Appropriations Act, 2021, P.L. 116-[H.R. 133], shall be credited to the
7 appropriations under s. 20.437 (1) (mc) and (md). No moneys credited under this
8 subsection may be encumbered or expended except as provided under s. 16.54 (2) (a)
9 2.

10 **SECTION 9117. Nonstatutory provisions; Governor.**

11 (1) PLAN FOR REOPENING THE CAPITOL AND STATE EMPLOYEES RETURN TO IN-PERSON
12 WORK.

13 (a) *Definitions.* In this subsection:

14 1. “Agency” has the meaning given in s. 230.03 (3).

15 2. “State employee” has the meaning given in s. 230.03 (10h).

16 (b) *Capitol building reopened.* By January 31, 2021, the governor shall submit
17 to the legislature a plan to allow public access to the capitol building.

18 (c) *In-person work.* By January 31, 2021, the governor shall submit to the
19 legislature a plan for when all state employees holding positions with duties that
20 were required to be performed at the offices of their places of employment with an
21 agency on March 1, 2020, will return to and perform those duties at the offices with
22 that agency.

23 **SECTION 9119. Nonstatutory provisions; Health Services.**

24 (1) AUTOPSIES AND CREMATION OF BODIES OF PERSONS WHO DIED OF COVID-19.

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1 (a) *Definition.* In this subsection, “COVID-19” means an infection caused by
2 the SARS-CoV-2 coronavirus.

3 (b) *Viewing of a corpse to be cremated following death from COVID-19.*
4 Notwithstanding s. 979.10 (1) (b), until the conclusion of a national emergency
5 declared by the U.S. president under 50 USC 1621 in response to the 2019 novel
6 coronavirus, if any physician, coroner, or medical examiner has signed the death
7 certificate of a deceased person and listed COVID-19 as the underlying cause of
8 death, a coroner or medical examiner shall issue a cremation permit to cremate the
9 corpse of that deceased person without viewing the corpse.

10 (c) *Time for cremation of a person who has died of COVID-19.* Notwithstanding
11 s. 979.10 (1) (a) (intro.), until the conclusion of a national emergency declared by the
12 U.S. president under 50 USC 1621 in response to the 2019 novel coronavirus, if a
13 physician, coroner, or medical examiner has signed the death certificate of a deceased
14 person and listed COVID-19 as the underlying cause of death, a coroner or medical
15 examiner shall issue, within 48 hours after the time of death, a cremation permit for
16 the cremation of a corpse of a deceased person.

17 (d) *Examination of the body of an inmate who has died of COVID-19.*
18 Notwithstanding s. 979.025, until the conclusion of a national emergency declared
19 by the U.S. president under 50 USC 1621 in response to the 2019 novel coronavirus,
20 if an individual who has been diagnosed with COVID-19 dies while he or she is in
21 the legal custody of the department of corrections and confined to a correctional
22 facility located in this state, the coroner or medical examiner may perform a limited
23 examination of the deceased individual instead of a full autopsy, which may include
24 an external examination of the body of the deceased individual, a review of the

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1 deceased individual's medical records, or a review of the deceased individual's
2 radiographs.

3 (e) *Requiring electronic signature on death certificates with 48 hours if death*
4 *is caused by COVID-19.* Notwithstanding s. 69.18 or any other requirements to the
5 contrary, until the conclusion of a national emergency declared by the U.S. president
6 under 50 USC 1621 in response to the 2019 novel coronavirus, if the underlying cause
7 of a death is determined to be COVID-19, the person required to sign the death
8 certificate shall provide an electronic signature on the death certificate within 48
9 hours after the death occurs.

10 (2) PAYMENT FOR HOSPITALS FOR NURSING FACILITY CARE.

11 (a) In this subsection, "public health emergency period" means the period
12 ending on June 30, 2021, or the termination of any public health emergency declared
13 under 42 USC 247d by the secretary of the federal department of health and human
14 services in response to the 2019 novel coronavirus, whichever is earlier.

15 (b) During the public health emergency period, subject to par. (c), the
16 department of health services shall provide, under the Medical Assistance program,
17 reimbursement at the statewide average per-diem rate paid to nursing facilities or
18 a supplemental payment to hospitals for providing nursing-facility-level care when
19 all of the following criteria apply:

20 1. The individual for whom the hospital provided nursing-facility-level care
21 is enrolled in the Medical Assistance program, has been admitted on an inpatient
22 basis to the hospital, is eligible for discharge after receiving care in the hospital,
23 requires nursing-facility-level care upon discharge, and due to the hospital being
24 unable to locate a nursing facility that accepts the individual for admission, is unable
25 to be transferred to a nursing facility.

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1 2. The services provided to the individual described under subd. 1. are custodial
2 care for which federal financial participation is approved.

3 3. The hospital notifies the department of health services that it is
4 participating as a swing bed hospital under the Medical Assistance program.

5 (c) The department of health services shall use the same standards and criteria
6 for determining whether a hospital is eligible for reimbursement or a supplemental
7 payment under par. (a) as are used by the federal Medicare program under 42 USC
8 1395 et seq. for the payment for use of swing beds or, for any hospital that is not a
9 critical access hospital, under the terms of a federal waiver approved under section
10 1135 of the federal social security act. The department shall seek any approval from
11 the federal government necessary to implement the reimbursement under this
12 subsection.

13 (3) REIMBURSEMENT FOR OUTPATIENT SERVICES PROVIDED BY HOSPITALS.

14 (a) Until the conclusion of a public health emergency declared under 42 USC
15 247d by the secretary of the federal department of health and human services in
16 response to the 2019 novel coronavirus or until June 30, 2021, whichever is earlier,
17 the department of health services shall provide reimbursement under the Medical
18 Assistance program to a hospital for any outpatient service if all of the following
19 criteria are satisfied:

20 1. The facility at which the outpatient service is performed is operated by the
21 hospital and certified under the Medicare program under 42 USC 1395 et seq.,
22 including under the terms of a federal waiver approved under section 1135 of the
23 federal social security act, for outpatient services.

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1 2. The outpatient service is reimbursable when provided in the hospital's
2 inpatient facility but is not provided at the inpatient facility due to reasons
3 associated with the 2019 novel coronavirus pandemic.

4 3. The outpatient service is one for which federal financial participation is
5 approved.

6 (b) The department of health services may not include in a reimbursement
7 under par. (a) payments under s. 49.45 (3) (e) 11. or 12. or (59).

8 (c) The department of health services shall seek any approval from the federal
9 department of health and human services that is necessary to provide the
10 reimbursement in accordance with this subsection.

11 (4) **COVERAGE OF VACCINATIONS UNDER SENIORCARE.** By January 15, 2021, the
12 department of health services shall cover and provide reimbursement for
13 vaccinations under the program under s. 49.688 in accordance with 2019 Wisconsin
14 Act 185, sections 15 to 17, regardless of whether a waiver related to coverage or
15 reimbursement of vaccinations is granted by the federal department of health and
16 human services.

17 (5) **DENTIST ENROLLMENT IN COVID-19 VACCINE PROGRAM.** The department of
18 health services shall allow dentists eligible to administer vaccines under s. 447.059
19 (1) to participate in the COVID-19 vaccine program, including as a volunteer.

20 (6) **PRACTICE OF EMERGENCY MEDICAL SERVICES PERSONNEL AND PROVIDERS WITH**
21 **CREDENTIALS FROM OUTSIDE THIS STATE.**

22 (a) *Definitions.* In this subsection:

23 1. "Ambulance service provider" has the meaning given in s. 256.01 (3).

24 2. "Credential" means a license, permit, certification, or registration that
25 authorizes or qualifies any of the following:

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1 a. An individual to perform acts that are substantially the same as those acts
2 that an individual who holds a certification as an emergency medical responder or
3 license as an emergency medical services practitioner in this state is authorized to
4 perform.

5 b. A provider to perform acts that are substantially the same as those acts that
6 an ambulance service provider that is licensed in this state is authorized to perform.

7 3. "Emergency medical responder" has the meaning given in s. 256.01 (4p).

8 4. "Emergency medical services practitioner" has the meaning given in s.
9 256.01 (5).

10 (b) *Practice authorized.* Unless the person qualifies for an exemption under s.
11 256.15 (2) (b) or (c) or is acting under s. 257.03, any individual with a current, valid
12 credential issued by another state may practice under that credential and within the
13 scope of that credential in this state without first obtaining a temporary or
14 permanent license as an emergency medical services practitioner or certification as
15 an emergency medical responder from the department of health services if all of the
16 following are satisfied:

17 1. The practice is necessary to ensure the continued and safe delivery of
18 emergency medical or health care services.

19 2. The individual is not currently under investigation and does not currently
20 have any restrictions or limitations placed on the credential by the state that issued
21 the credential or any other jurisdiction.

22 3. The need for emergency medical services reasonably prevented obtaining a
23 license or certification in this state in advance of practice.

24 4. The individual practicing under this subsection applies for a license,
25 including under s. 256.15 (7), as an emergency medical services practitioner or

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1 certification, including under s. 256.15 (8) (f), as an emergency medical responder
2 within 10 days of first practicing in this state.

3 5. A provider of ambulance services or a health care facility for which the
4 individual is providing services in this state notifies the department of health
5 services within 5 days of the individual first practicing in this state.

6 (c) *Practice authorized.* Unless the provider qualifies for an exemption under
7 s. 256.15 (2) (b) or (c) or is acting under s. 257.03, any provider of ambulance services
8 with a current, valid credential issued by another state may practice under that
9 credential and within the scope of that credential in this state without first obtaining
10 a temporary or permanent license as an ambulance service provider from the
11 department of health services if all of the following are satisfied:

12 1. The provision of services is necessary to ensure the continued and safe
13 delivery of emergency medical or health care services.

14 2. The provider is not currently under investigation and does not currently
15 have any restrictions or limitations placed on the credential by the state that issued
16 the credential or any other jurisdiction.

17 3. The need for emergency medical services reasonably prevented obtaining a
18 license in this state in advance of providing services.

19 4. The provider practicing under this subsection applies for a license as an
20 ambulance service provider within 10 days of first providing services in this state.

21 5. An ambulance service provider or a health care facility for which the provider
22 is providing services in this state notifies the department of health services within
23 5 days of the provider first providing services in this state.

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1 (d) *Withdrawal of authority.* The department of health services may withdraw
2 the ability for an individual to practice under par. (b) or for a provider to provide
3 services under par. (c) for good cause.

4 (e) *Authority termination date.* The authorization to practice under par. (b) or
5 provide services under par. (c) does not apply after June 30, 2021.

SECTION 9128. Nonstatutory provisions; Legislature.

7 (1) LEGISLATIVE OVERSIGHT OF FEDERAL FUNDS RELATED TO COVID-19.

8 (a) *Definitions.* In this section:

- 9 1. "COVID-19" means an infection caused by the SARS-CoV-2 coronavirus.
10 2. "Federal funds related to COVID-19" means federal moneys received by the
11 state beginning on the effective date of this subdivision and ending on June 30, 2021,
12 pursuant to federal legislation enacted during the 116th or 117th Congress for the
13 purpose of COVID-19 related activities.

14 (b) *Expenditure of federal funds related to COVID-19.* Notwithstanding s.
15 16.54, as soon as practical after the receipt of any federal funds related to COVID-19,
16 the governor shall submit to the joint committee on finance a plan for the expenditure
17 of the federal funds related to COVID-19. If the cochairpersons of the committee do
18 not notify the governor that the committee has scheduled a meeting for the purpose
19 of reviewing the plan within 14 working days after the date the governor submits the
20 plan, the governor may implement the plan. If, within 14 working days after the date
21 the governor submits the plan, the cochairpersons of the committee notify the
22 governor that the committee has scheduled a meeting for the purpose of reviewing
23 the proposed plan, the governor may implement the plan only as approved by the
24 committee.

25 **SECTION 9134. Nonstatutory provisions; Public Instruction.**

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1 (1) FULL-TIME OPEN ENROLLMENT APPLICATIONS; UNLIMITED APPLICATIONS IN THE
2 2020-21 AND 2021-22 SCHOOL YEARS.

3 (a) In this subsection:

4 1. "Nonresident school board" has the meaning given in s. 118.51 (1) (b).

5 2. "Nonresident school district" has the meaning given in s. 118.51 (1) (c).

6 3. "Parent" has the meaning given in s. 118.51 (1) (d).

7 (b)

8 1. Notwithstanding s. 118.51 (3) (a) 1., there is no limitation on the number of
9 nonresident school boards to which the parent of a pupil may submit an application
10 under s. 118.51 (3) (a) during the 2020-21 school year for the pupil to attend a public
11 school in a nonresident school district under s. 118.51 in the 2021-22 school year.

12 2. Notwithstanding s. 118.51 (3m) (a), there is no limitation on the number of
13 nonresident school boards to which the parent of a pupil may submit an application
14 under s. 118.51 (3m) (a) during the 2020-21 or 2021-22 school year for the pupil to
15 attend a public school in a nonresident school district under s. 118.51 in the 2020-21
16 or 2021-22 school year.

17 (c) During the 2020-21 and 2021-22 school years, if a pupil submits an
18 application to a nonresident school board under s. 118.51 (3m) (a) on the basis of the
19 criteria under s. 118.51 (3m) (b) 8., the pupil's resident school board, as defined in s.
20 118.51 (1) (e), may not reject the application for any reason, including under s. 118.51
21 (3m) (d).

22 (2) VIRTUAL INSTRUCTION IN LIEU OF IN-PERSON INSTRUCTION; SCHOOL BOARD
23 REQUIREMENTS. Beginning on January 11, 2021, and ending June 30, 2022, a school
24 board may not provide virtual instruction to pupils in lieu of in-person instruction
25 unless approved by a two-thirds vote of the members of the school board. An

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1 approval under this subsection is valid for 14 days. A school board may extend
2 virtual instruction only by two-thirds vote of the members of the school board and
3 each extension may not be for more than 14 days.

4 (3) SCHOOL DISTRICT SEMESTER REPORTS RELATED TO PROVIDING VIRTUAL
5 INSTRUCTION.

6 (a) *Definitions.* In this subsection:

7 1. "Department" means the department of public instruction.

8 2. "End of semester" means the last day on which instruction is provided to
9 pupils in a semester, as indicated on a school district's calendar. If a school district
10 provides instruction to pupils on a basis other than semesters, the "end of the
11 semester" means the last day of the first half of the school term, as defined in s.
12 115.001 (12), and the last day of the school term.

13 3. "Virtual instruction" means instruction provided through means of the
14 Internet if the pupils participating in and instructional staff providing the
15 instruction are geographically remote from each other.

16 (b) *School board reports.* By no later than 30 days after the end of each semester
17 in the 2020-21 and 2021-22 school years, each school board shall report to the
18 department all of the following:

19 1. Whether or not virtual instruction was implemented in the school district
20 during the semester and, if implemented, in which grades it was implemented. If
21 virtual instruction was implemented in the school district during the semester, the
22 process for implementing the virtual instruction.

23 2. Whether or not in-person instruction was provided in the school district
24 during the semester and, if provided, in which grades was it provided. If in-person
25 instruction was provided during the semester, for each grade in which in-person

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1 instruction was provided, the number of school days in-person instruction was
2 provided to pupils during the semester.

3 3. Any challenges or barriers the school board faced related to implementing
4 virtual instruction during the semester.

5 4. The total amount by which the school board reduced or increased
6 expenditures in each of the following categories because the school board provided
7 virtual instruction during the semester:

8 a. Utilities.

9 b. Transportation.

10 c. Food service.

11 d. Salary and fringe benefits for personnel, including teachers, support staff,
12 and administrators. This category includes expenditure reductions that result from
13 layoffs.

14 e. Contract terminations.

15 (c) *2021-22 school year; exception.* In the 2021-22 school year, a school board
16 is not required to submit a report under par. (b) for a semester in which the school
17 board does not provide virtual instruction to pupils in lieu of in-person instruction.

18 (d) *Reports to the legislature.*

19 1. By April 1, 2021, the department shall compile and submit the information
20 it received under par. (b) for the first semester of the 2020-21 school year to the
21 appropriate standing committees of the legislature in the manner provided under s.
22 13.172 (3). By September 1, 2021, the department shall compile and submit the
23 information it received under par. (b) for the 2nd semester of the 2020-21 school year
24 to the appropriate standing committees of the legislature in the manner provided
25 under s. 13.172 (3).

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1 2. By April 1, 2022, the department shall compile and submit the information
2 it received under par. (b) for the first semester of the 2021-22 school year to the
3 appropriate standing committees of the legislature in the manner provided under s.
4 13.172 (3). By September 1, 2022, the department shall compile and submit the
5 information it received under par. (b) for the 2nd semester of the 2021-22 school year
6 to the appropriate standing committees of the legislature in the manner provided
7 under s. 13.172 (3).

8 (4) INTERSCHOLASTIC ATHLETIC ASSOCIATION MEMBERSHIP; 2021-22 SCHOOL YEAR. In
9 the 2021-22 school year, no school district may be a member of an interscholastic
10 athletic association unless, for purposes of determining pupil eligibility during the
11 2020-21 and 2021-22 school years, the interscholastic athletic association does all
12 of the following:

13 (a) If a request to waive the association's transfer rules is submitted on behalf
14 of a pupil, considers the method by which educational programming was delivered
15 during the 2020-21 and 2021-22 school years to be an *extenuating circumstance*
16 that justifies the pupil transferring schools. For purposes of this paragraph, the
17 method by which educational programming was delivered includes virtual
18 instruction, in-person instruction, or a combination of virtual and in-person
19 instruction.

20 (b) If a waiver is granted based on the extenuating circumstance described in
21 par. (a), allows the pupil to participate in all levels of competition, including varsity
22 competition, during the 2020-21 and 2021-22 school years.

SECTION 9137. Nonstatutory provisions; Revenue.

24 (1) INTEREST AND PENALTIES ON LATE PROPERTY TAX PAYMENTS. Notwithstanding
25 ss. 74.11, 74.12, and 74.87, for property taxes payable in 2021, after making a general

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1 or case-by-case finding of hardship, a taxation district may provide that an
2 installment payment that is due and payable after April 1, 2021, and is received after
3 its due date shall not accrue interest or penalties if the total amount due and payable
4 in 2021 is paid on or before October 1, 2021. Interest and penalties shall accrue from
5 October 1, 2021, for any property taxes payable in 2021 that are delinquent after
6 October 1, 2021. A taxation district may not waive interest and penalties as provided
7 in this subsection unless the county board of the county where the taxation district
8 is located first adopts a resolution authorizing such waiver and establishing criteria
9 for determining hardship, and the taxation district subsequently adopts a similar
10 resolution. A county that has adopted a resolution authorizing the waiver of interest
11 and penalties under this subsection shall settle any taxes, interest, and penalties
12 collected on or before July 31, 2021, on August 20, 2021, as provided under s. 74.29
13 (1), and settle the remaining unpaid taxes, interest, and penalties on September 20,
14 2021. The August 20, 2021, settlement shall be distributed proportionally to the
15 underlying taxing jurisdictions.

16 **SECTION 9138. Nonstatutory provisions; Safety and Professional**
17 **Services.**

18 (1) EMERGENCY RULES. The pharmacy examining board may promulgate
19 emergency rules under s. 227.24 implementing s. 450.075. Notwithstanding s.
20 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in
21 effect until June 30, 2023, or the date on which permanent rules take effect,
22 whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the board is not
23 required to provide evidence that promulgating a rule under this subsection as an
24 emergency rule is necessary for the preservation of the public peace, health, safety,

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1 or welfare and is not required to provide a finding of emergency for a rule
2 promulgated under this subsection.

3 (2) INTERIM LICENSURE.

4 (a) In this subsection, the definitions under s. 450.01 apply.

5 (b) The board shall grant an interim license to an applicant to act as a 3rd-party
6 logistics provider or an out-of-state 3rd-party logistics provider if, in the opinion of
7 the board, the applicant is currently in compliance with federal law relating to
8 3rd-party logistics providers. The holder of an interim license under this subsection
9 shall apply for a license under s. 450.075 on or after the date that emergency rules
10 take effect under sub. (1), or the date on which permanent rules take effect,
11 whichever is sooner. An interim license granted under this subsection expires 90
12 days after the date that emergency rules take effect under sub. (1), or 90 days after
13 the date on which permanent rules take effect, whichever is sooner.
14 Notwithstanding s. 440.05, no fee is required for an interim license issued under this
15 subsection.

16 **SECTION 9150. Nonstatutory provisions; Workforce Development.**

17 (1) UNEMPLOYMENT INSURANCE; PLAN TO ADDRESS CLAIMS BACKLOG.

18 (a) *Definitions.* In this subsection, the definitions in s. 108.02 apply.

19 (b) *Plan to address backlog of unemployment insurance claims.* Not later than
20 30 days after the effective date of this paragraph, the department shall develop a
21 plan to reduce the number of weekly claims for benefits in process to levels
22 comparable to those in January and February 2020. The plan shall include measures
23 to ensure maintenance of program integrity and fraud detection. The department
24 shall submit the plan to the appropriate standing committees of the legislature
25 under s. 13.172 (3) and shall publish the plan on its Internet site.

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1 (c) *Call center.* The department shall maintain a call center to provide services
2 and support to claimants for benefits under ch. 108 or federal pandemic
3 unemployment assistance benefits via telephone. The department shall operate the
4 call center for 12 hours per day, 7 days per week, until the number of weekly claims
5 in process is comparable to those in January and February 2020, as determined by
6 the department.

7 (d) *Report.* No later than 30 days after the effective date of this paragraph, the
8 department shall submit a report to the joint committee on finance on the status of
9 the activities described in pars. (b) and (c).

SECTION 9151. Nonstatutory provisions; Other.**(1) EXTENSION OF CERTAIN APPROVALS.****(a) Definitions.** In this subsection:

13 1. "Challenged permit" means a permit or other approval to which all of the
14 following apply:

15 a. The permit or other approval authorizes a construction project or a portion
16 of a construction project.

17 b. The application for the permit or other approval includes a description of the
18 construction project.

19 c. The permit or other approval was issued by a governmental unit.

20 d. The permit or other approval has a finite term or duration and has not
21 expired.

22 e. The permit or other approval is the subject of administrative or judicial
23 proceedings that may result in the invalidation, reconsideration, or modification of
24 the permit or approval.

BILL

1 2. "Challenged plat or survey" means a plat or certified survey map approval
2 that is the subject of administrative or judicial proceedings that may result in the
3 invalidation, reconsideration, or modification of the approval.

4 3. "Construction project" means organized improvements to real property that
5 include the construction or redevelopment of buildings.

6 4. "Covered approval" means a challenged permit or challenged plat or survey.

7 5. "Governmental unit" means the department of safety and professional
8 services, the department of natural resources, the department of transportation, a
9 city, a village, a town, a county, or a special purpose district.

10 (b) *Exercise of extension.* A person who has received a covered approval may
11 obtain a term or duration extension by notifying the governmental unit that issued
12 the covered approval of the person's decision to exercise the extension not less than
13 90 days before the expiration of the unextended term or duration of the covered
14 approval. A notification under this paragraph shall be in writing and shall specify
15 the covered approval extended.

16 (c) *Term of extension.* The term or duration of a covered approval extended
17 under par. (b) is extended by an amount of time equal to 36 months plus the duration
18 of the administrative or judicial proceeding to which the covered approval is subject.
19 For purposes of calculating the duration of an administrative or judicial proceeding
20 under this paragraph, the proceeding begins on the date of the initial filing leading
21 to the commencement of the proceeding and ends on the date of the final order
22 disposing of the proceeding.

23 (d) *Change of law.* Except as provided in s. 66.10015, the laws, regulations,
24 ordinances, rules, or other properly adopted requirements that were in effect at the
25 time the covered approval was issued shall apply to the construction project, plat, or

BILL**SECTION 9151**

1 certified survey map during the period of extension. This paragraph does not apply
2 to the extent that a governmental unit demonstrates application of this paragraph
3 will create an immediate threat to public health or safety.

4 (e) *Regulation of safety and sanitation.* This subsection does not limit any state
5 or local unit of government from requiring that property be maintained and secured
6 in a safe and sanitary condition in compliance with applicable laws, administrative
7 rules, or ordinances.

8 (f) *Exceptions.* This subsection does not apply to any of the following:

9 1. A covered approval under any programmatic, regional, or nationwide
10 general permit issued by the U.S. army corps of engineers.

11 2. The holder of a covered approval who is determined by the issuing
12 governmental unit to be in significant noncompliance with the conditions of the
13 covered approval as evidenced by written notice of violation or the initiation of a
14 formal enforcement action.

15 (2) CIVIL LIABILITY EXEMPTION FOR CERTAIN ENTITIES. The immunity granted
16 under s. 895.476 does not apply to actions filed before the effective date of this
17 subsection.

SECTION 9334. Initial applicability; Public Instruction

19 (1) FULL-TIME OPEN ENROLLMENT APPLICATIONS. SECTION 9134 (1) (b) 2. and (c) of
20 this act first applies to an application submitted under s. 118.51 (3m) on the effective
21 date of this subsection.

22 **SECTION 9400. Effective dates.** This act takes effect on the day after
23 publication, except as follows:

24 (1) MEDICAL ASSISTANCE PROGRAM UTILIZATION DATA. The treatment of s. 49.45
25 (4r) takes effect on the first day of the 6th month beginning after publication.

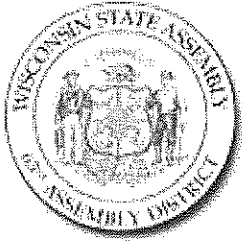
BILL

1 (2) PUBLIC INSTRUCTION; INTERSCHOLASTIC ATHLETICS AND EXTRACURRICULARS;
2 VIRTUAL CHARTER SCHOOL PUPILS. The treatment of s. 118.133 (1) (a) and (b) and (2)
3 takes effect on the July 1 after publication.

4 (END)

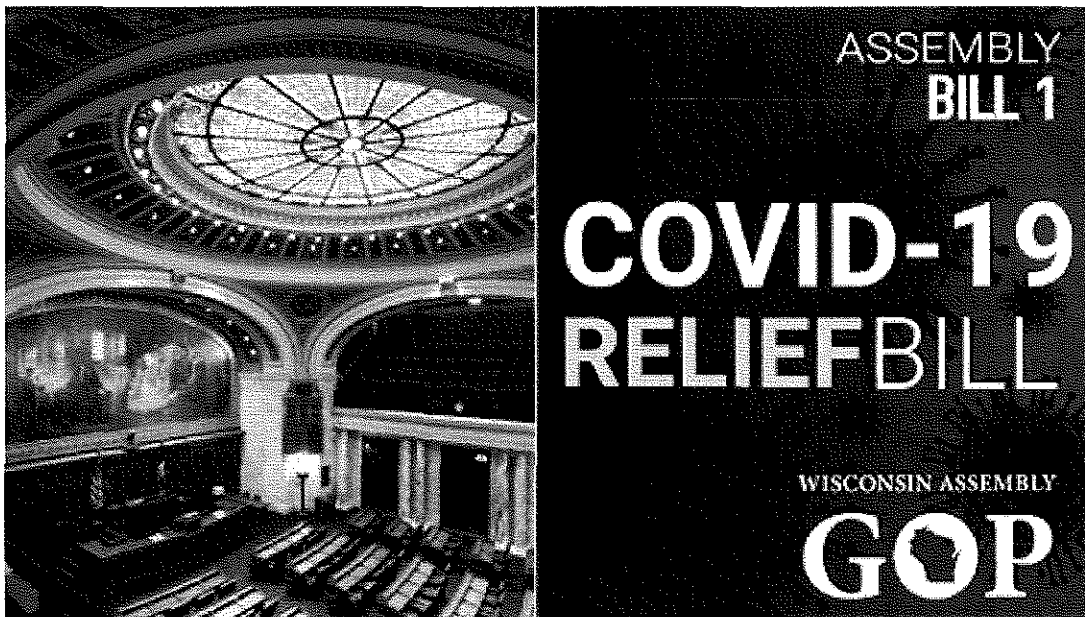
Borgerding, Nicole

From: Rep.Vos
Sent: Friday, January 8, 2021 3:51 PM
To: Borgerding, Nicole
Subject: COVID-19 Relief Bill Approved



ROBIN J. VOS
SPEAKER OF THE WISCONSIN STATE ASSEMBLY

COVID-19 Relief Bill Approved



This week the Wisconsin State Assembly approved the COVID-19 Relief Bill during its second floor day of the 2021-2022 legislative session. I'm proud that Assembly Republicans fast tracked a comprehensive bill that will help families, businesses and the health care industry. It provides certainty for parents of school children and ensures everyone has access to treatment, tests and vaccines. The bill also limits government overreach.

Here are more provisions from Assembly Bill 1.

- Coverage of vaccinations under SeniorCare
- Continued collection and reporting of public health emergency data
- Civil liability exemption for schools, local governments and nonprofits relating to COVID-19 claims
- Full-time open enrollment application extension
- School board reports on virtual instruction
- School board requirements for virtual instruction
- Prohibiting employers and health departments from mandating a vaccine
- Limiting governments' powers to shut down businesses without oversight
- Prohibiting government agents from closing places of worship
- Legislative oversight of federal COVID-19 funds
- Requiring an Unemployment Insurance plan to address claims backlog
- Nursing home or assisted living facility visitation by an essential visitor
- Prescription order extensions
- Practice of emergency medical services personnel and providers with credentials from outside the state
- Practice by health care providers from other states
- Coverage of COVID-19 testing and vaccination without cost sharing
- Coverage limits on certain prescription drugs
- Access to \$100 million for the state's coronavirus response
- Authorization of first- and second-year pharmacy students to administer vaccines
- Authorization of dentists to administer COVID-19 and flu vaccines
- Optional registration of third-party logistics providers

Assembly Bill 1 has 44 provisions to help fight the virus and reopen our economy. Our state needs to have more tools to fight the coronavirus and this bill delivers a comprehensive plan to move our state forward.



Inauguration Day



The 105th Legislative Session of the Wisconsin State Assembly began on Monday with the official Inaugural Ceremony in the Assembly Chambers. Republicans hold a 60-38 majority with one seat vacant due to a recent retirement. There are 16 new state representatives this session.

I was honored to be sworn in as the Assembly Speaker for another term. It's a position that I have held since 2013. During my inaugural address, I focused on the importance of the legislative branch. It's the first branch mentioned in our state Constitution and given the most attention. Many Founding Fathers believed this branch is superior because it's the one closest to the people. I also spoke about the important job ahead for the legislature this session as we navigate the effects of the pandemic.

As you saw earlier in this communication, a second coronavirus relief bill is a top priority for us this session. We also want to continue to help small businesses during the pandemic, reform the election process and pass a responsible budget that prioritizes education and health care.

It's a privilege to represent Racine County for another term in the Assembly. I'm excited to once again have the opportunity to serve on their behalf. It is my job to listen to my constituents and protect the best-interests of Wisconsin taxpayers.

Condemning Violence

What happened in our nation's capital on Wednesday was appalling. Violent protests have no place in our democratic republic. In response to the events, Majority Leader Jim Steineke and I authored Assembly Resolution 4 to condemn political violence. The

resolution received unanimous support during our floor session on Thursday. The Assembly also paused to remember the lives that were lost that day. Here's what the resolution said:

Whereas, the members of the Wisconsin State Assembly support the people's right to peacefully assemble and exercise their First Amendment right to freedom of speech; and

Whereas, peaceful political protest has a long and consequential history in this country and has contributed to making the United States of America a better and more just nation; and

Whereas, during this past year violence has erupted during political demonstrations and protests, causing serious harm to persons and the destruction of property; and

Whereas, individuals engaging in violent acts during protests and demonstrations undermine the very political and social causes that they profess to support; and

Whereas, political violence is strongly condemned by all responsible citizens regardless of party affiliation; now, therefore, be it

Resolved by the assembly, That political violence in any form has no place in the American system of government and should never be tolerated.

Area COVID-19 Testing

REGIONAL
COVID-19 DRIVE-THRU TESTING 2021
For Wisconsin residents ages 9 or older (minors must be accompanied by a parent/guardian)
PREREGISTER HERE TO REDUCE WAIT TIME AND KEEP LINES MOVING!

TUESDAYS

When: Each Tuesday, January 5 – March 9
Time: 9:00 AM – 5:00 PM
Where: Walworth County Fairgrounds
411 E Court St, Elkhorn, WI 53121
ENTER NORTH GATE OFF HWY 11



WEDNESDAYS

When: Each Wednesday, January 6 – March 10
Time: 10:00 AM – 5:00 PM
Where: Racine County Fair Grounds
19805 Durand Av, Union Grove, WI 53182
ENTER FROM MAIN STREET



THURSDAYS

When: Each Thursday, January 7 – March 4
Time: 9:00 AM – 5:00 PM
Where: Festival Hall
5 Fifth Street, Racine, WI 53402
ENTER FROM ELEVENTH AND MAIN



01/05/21

State Capitol-Room 217 West | Post Office Box 8953
Madison, Wisconsin 53708
(608) 266-3387 | Toll Free: (888) 534-0063
Fax: (608) 282-3663 | Rep.Vos@legis.wi.gov
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Borgerding, Nicole

From: Rep.Vos
Sent: Tuesday, January 12, 2021 2:17 PM
To: *Legislative Assembly Republicans - Staff Members
Subject: SOTS Comms
Attachments: SOTS-General.png; Schmoe_Statement State of State.2021.docx;
SOTS_General_Twitter.png

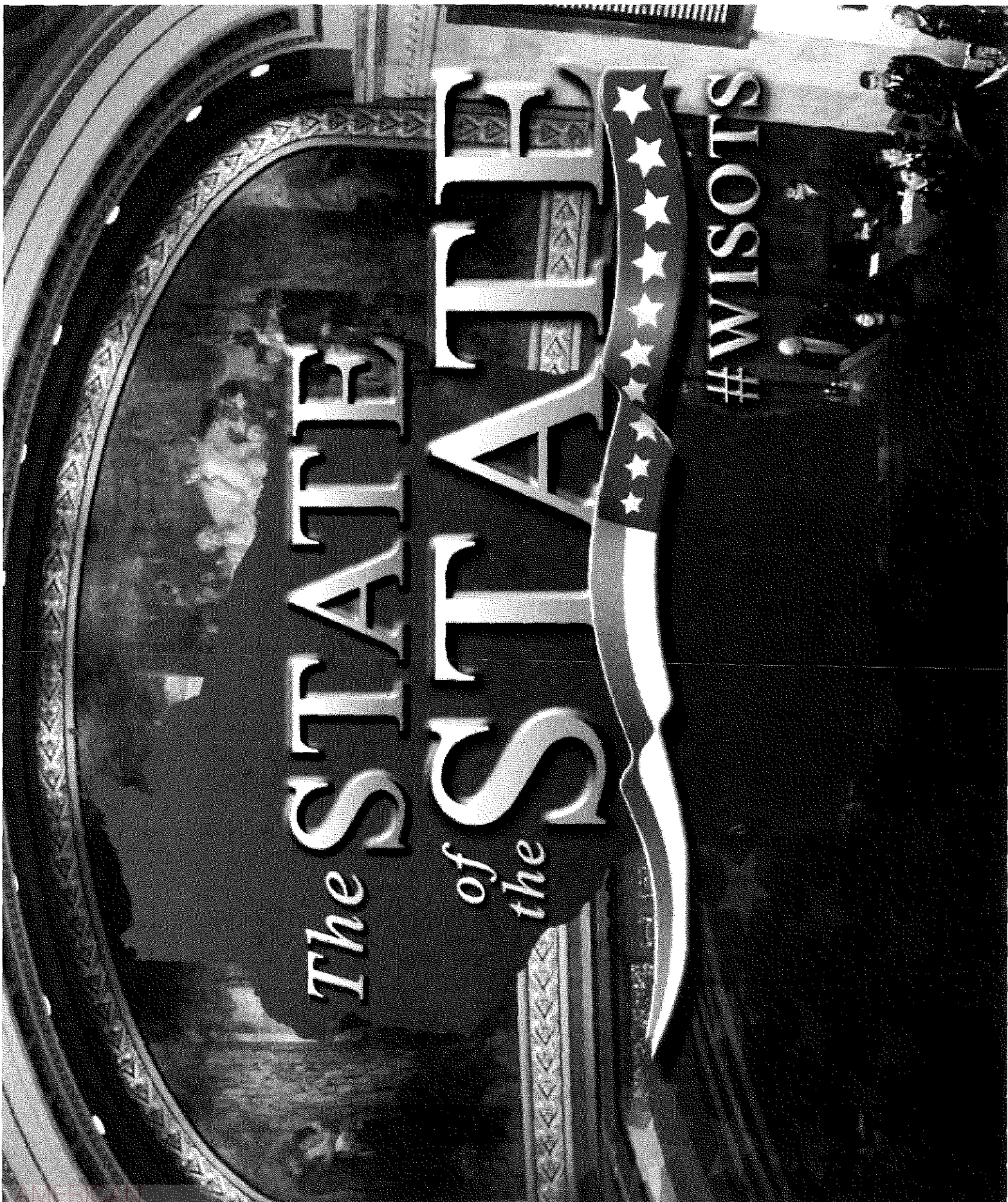
Good afternoon,

The schmoe and a graphic for tonight's State of the State session are attached.

We currently have limited video capabilities, but if you would like to shoot a reaction video on a phone to post, we have several tripods and mobile phone mics available. Let me know if you would like to check one out.

Thanks,

Adam King Director of Social Media
Office of Assembly Speaker, Robin Vos
Adam.King@legis.wisconsin.gov
(608) 266-9171





Joe Schmoe

State Representative • 100th Assembly District

For Immediate Release
January 12, 2021

Contact: Rep. Joe Schmoe
(608) 266-xxxx

Rep. Schmoe Statement on State of the State Address

Anytown lawmaker promises to work to keep Wisconsin moving forward

Madison...State Representative Joe Schmoe (R- Anytown) issued the following statement after Governor Tony Evers' State of the State address, which was given virtually to members of the Wisconsin State Legislature and the state on Tuesday evening.

"The state of our state is improving. It's been a difficult ten months during the pandemic but I couldn't be more proud of how Wisconsin communities have come together to help one another.

"I have been disappointed with how the Evers' administration responded to the massive backlog of Unemployment Insurance claims early on in the pandemic. Tens of thousands of families and individuals were forced to go without benefits or even an answer from the state for months.

"I also join the chorus of Wisconsinites who are frustrated with the poor planning and distribution of the coronavirus vaccine throughout the state. With lives on the line, there simply is no room for error or mismanagement. The governor must start doing a better job.

"While voters chose divided government, they didn't choose inaction. Just last week, Assembly Republicans approved a comprehensive COVID-19 Relief Bill to give the state more tools to fight the coronavirus and help families and businesses during the pandemic. A large number of ideas came out of bipartisan discussions and I am optimistic that we can send the legislation to the governor in the near future.

"In the next few weeks, we will begin the process of developing the state budget. Because of the good fiscal decisions by legislative Republicans, our state is in a better position to deal with the effects of the pandemic. As we work to set priorities and balance the budget, I promise to continue my efforts to keep taxes low and health care accessible.

"I look forward to hearing from my constituents about their views on this address. I'm committed to protecting Wisconsin taxpayers, working to rebuild the state economy and being a voice for my constituents in Madison."

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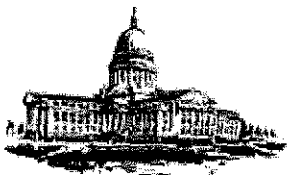
The XXth Assembly District includes portions of Many County including the communities of Brokaw, Marathon City, Rib Mountain, Mosinee, Weston, Auburndale and Hewitt.

The STATES of the STATES

#WISO

Borgerding, Nicole

From: Rep.Vos
Sent: Wednesday, January 13, 2021 3:53 PM
To: Rep.Vos
Subject: Legislative Republican Leaders Respond to Special Session Request
Attachments: LFB.Memo.Born.pdf; Joint.Statement.UI.Special.Session.Final.pdf



WISCONSIN LEGISLATURE

P.O. Box 7882 • Madison, WI 53707-7882

FOR IMMEDIATE RELEASE

For more information:

Speaker Robin Vos: (608) 266-9171
Majority Leader Jim Steineke: (608) 266-2401
Rep. Tyler August: (608) 266-1190
Rep. Mark Born: (608) 266-2540

Majority Leader Devin LeMahieu: (608) 266-2056
President Chris Kapenga: (608) 266-9174
Sen. Dan Feyen: (608) 266-5300
Sen. Howard Marklein: (608) 266-0703

Legislative Republican Leaders Respond to Special Session Request

Madison...Legislative Republican leaders call on Governor Evers to take ownership of the problems with the Unemployment Insurance (UI) system. Legislative audits have shown the major issues with the backlog at the Department of Workforce Development (DWD) during the pandemic were not due to an old computer system but rather mismanagement of the agency itself. In addition, a new Legislative Fiscal Bureau memo states that the Evers administration has the authority to initiate these IT upgrades on its own.

“Governor Evers continues to cast blame on others and accepts little fault himself,” said Speaker Robin Vos (R-Rochester). “We are always open to passing necessary legislation, but unfortunately, this Special Session call is about politics; not about policy.”

“Governor Evers already has the funding and tools he needs to fix the problems at DWD,” said Senate Majority Leader Devin LeMahieu (R-Oostburg). “Now, instead of effectively using his resources, he's scrambling to shift blame while people are still left waiting.”

“We are unfortunately seeing the same song and dance from Governor Evers that we’ve come to expect: a lack of leadership,” said Majority Leader Jim Steineke (R-Kaukauna). “The governor has consistently slapped down the legislature’s extended hand to address the unemployment backlog, and now is trying to pass the buck when ownership of the UI failure is both needed and warranted.”

“The Governor calling us into a Special Session is pure political grandstanding,” said Rep. Mark Born (R-Beaver Dam), Co-Chair of the Joint Committee on Finance. “Governor Evers has had the ability to initiate an IT system upgrade at any time over the past two years. This is just another example of failed leadership and finger pointing that has harmed tens of thousands of the unemployed across Wisconsin.”

“Suddenly, the Governor decides there is urgency for an IT upgrade that should already be started,” said Sen. Howard Marklein (R-Spring Green), Co-Chair of the Joint Committee on Finance. “The Governor has ample resources, right now, to be preparing the plan and RFP to modernize the UI system so that he can incorporate a solution in his next biennial budget proposal. What is he waiting for?”

According to a Legislative Fiscal Bureau memo, the Evers administration has numerous current appropriations that could potentially be used for IT upgrades.

- Finance a system through the state master lease program (which is how IT upgrades are typically financed)
- Expedite the procurement of a new system and any contractors needed to successfully implement a new system
- Utilize past or future federal funds made available to the administration
- Existing appropriations which the governor has the authority to prioritize
- Request expenditure authority through the Joint Committee on Finance review process

The GOP leaders also point out the falsehood that Governor Evers continues to claim that former administrations and legislatures left the UI system alone. In fact, Governor Scott Walker’s administration made many significant upgrades. According to the DWD Annual Report of 2018, the modernization projects under Governor Walker improved online claim applications from 53% in 2014 to 98% in 2017.

The report states: “Due to enhancements to the online filing system and retirement of the antiquated telephone filing system (IVR) finalized in 2017, approximately 98% of initial and weekly claims are currently filed online.”

“Governor Evers chose to shut down the state, and was woefully unprepared to handle the crisis he played a part in creating,” said Senator Chris Kapenga (R-Delafield), Senate President. “Ten months later, after firing his own DWD secretary and a damning audit by the nonpartisan Legislative Audit Bureau, Gov. Evers has finally found it convenient to have enough urgency to address his own management failures.”

“At a time when Wisconsinites need leadership more than ever, Governor Evers is once again shifting blame and playing politics,” said Representative Tyler August (R-Lake Geneva). “Families that need this money to survive have had to wait up to 6 months for their claims to be processed. This is unacceptable and it is due directly to the gross incompetence of this administration.”

###



MARK BORN

STATE REPRESENTATIVE • 39TH ASSEMBLY DISTRICT

FOR IMMEDIATE RELEASE
Contact: Rep. Born – (608) 266-2540

February 23, 2021

Rep. Born Directs Gov. Evers to Upgrade UI IT System

Madison, WI – Rep. Mark Born (R-Beaver Dam) and his colleagues in the State Assembly voted to approve legislation directing Governor Evers to upgrade the Unemployment Insurance (UI) IT system. The legislation was also amended to include provisions to protect, businesses, schools and local government from frivolous lawsuits.

“This bill provides a roadmap for Governor Evers to upgrade the UI IT system,” said Rep. Born. “As I have mentioned over and over again, Governor Evers does not need legislative approval to start this process and could have already initiated it on his own. We are directing the Governor to take action now, because he has so far refused to do so.”

The legislation requires Governor Evers’ DWD and DOA to work together to initiate an IT system upgrade. It directs DWD to issue a request for proposals (RFP) within 30 days after the effective date of the bill and the upgrade project must begin by June 30, 2021. It also requires federal funds to be used first, before utilizing state funds.

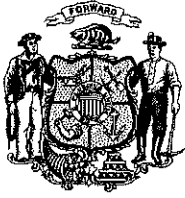
This bill includes common sense initiatives from the Coronavirus Relief Bill that the Governor vetoed earlier this year:

- Exempts the unemployment insurance one-week waiting period through March 14th
- Includes civil liability exemption language
- Incorporates benefit charging, work-share, and extended benefits provisions

“If upgrading the unemployment system is a priority for Governor Evers, he will support this legislation,” said Rep. Born. “Not only does this bill prioritize the modernization of our unemployment IT system, it also includes a number of common sense provisions that the Governor has expressed support for in the past.”

The legislation passed the Assembly and received bipartisan support in both houses. It now heads to the governor for his signature.

###



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873
Email: fiscal.bureau@legis.wisconsin.gov • Website: <http://legis.wisconsin.gov/lfb>

January 13, 2021

TO: Representative Mark Born
Room 308 East, State Capitol

FROM: Ryan Horton, Fiscal Analyst

SUBJECT: Unemployment Insurance Benefits System Replacement Financing Questions

As you requested, the following paragraphs provide additional information on your questions regarding financing the replacement of the Department of Workforce Development's (DWD) unemployment insurance (UI) benefits system.

1. What current appropriations could be used to fund the replacement of DWD's UI benefits system?

See the attachment for a list of appropriations that could potentially be used to fund UI information technology (IT) expenditures. For appropriations with regular revenues or expenditure authority, the column under "Notes" discusses the expenditures allowed in each appropriation as provided by statute.

2. What revenues could be used for the replacement costs of the UI benefits system and how much in revenue is available each year from the revenue sources for the project?

See the attachment for revenues sources and closing balances for 2019-20. Highlighted appropriations indicate that these appropriations have relatively stable, ongoing revenues.

Federal "Reed Act" revenue is referenced in two instances in the attachment. Federal law restricts states to using Reed Act distributions to cover the cost of state UI benefits, employment services (ES), labor market information, and administration of state UI and ES programs. In March 2002, the Job Creation and Worker Assistance Act provided for a one-time special Reed Act distribution of \$8 billion to state UI Trust Fund accounts (Wisconsin received \$166.2 million). The American Recovery and Reinvestment Act (ARRA) of 2009 designated a total of \$500 million for the administration of state UI programs. The 2009 transfer, from the federal Employment Security Administration Account (ESAA) to the states' UI Trust Fund accounts, was made using Reed Act

distribution calculations. Currently, DWD has \$1,607,328 in ARRA ESAA funding that remains in the UI Trust Fund. The continuing budget authority for these federal administrative funds is carried in the appropriation under s. 20.445 (1)(nd) for DWD's Division of Employment and Training, as specified by the Legislature in the 2009-11 budget act. Legislative action is likely required to move the budget authority for these funds to the DWD appropriation under s. 20.445 (1)(n), so as to accommodate UI administrative expenditures.

3. Could the master lease program be used to finance the UI benefits system replacement project?

The Department of Administration (DOA) administers both the state's procurement process and master lease program. The master lease program is an alternative financing mechanism that is available to state agencies to fund large procurements over a specified period of time, rather than funding such procurements with significant short-term commitments of other appropriations and revenues.

Procurement Process. DOA is responsible for purchasing necessary materials, supplies, equipment, personal property, miscellaneous capital, contractual services, and other consumable items for agencies. Although DOA is the state's primary purchasing authority, the Department is permitted to delegate such authority to state agencies. The Department of Workforce Development is one such delegated agency, meaning that DWD employs a designated purchasing agent and staff to implement procurement laws and conduct agency-specific procurement solicitations.

Under the standard delegated purchasing agreement with DOA, a delegated agency assumes responsibility for: (a) bidding of commodities and printing for any dollar amount unless the purchase is covered by a statewide mandatory contract; (b) bidding of contractual services under \$50,000 unless the services would be covered under a statewide mandatory contract; (c) bidding of contractual services over \$50,000 unless covered by a statewide mandatory contract, following the submittal and approval of a procurement plan; (d) issuing requests for proposals of any dollar amount following the submittal and approval of a procurement plan; (e) waiving the bidding process for commodities and contractual services of \$25,000 or less, except printing, motor vehicle purchases, and legal services; (f) administering the purchasing card program and ensuring proper usage controls; (g) bidding and administering any statewide contract that is mutually agreed upon by DOA and the agency; (h) utilizing optional contracts when applicable; and (i) establishing agency-specific policies and procedures for procurements that meet or exceed those contained in the state procurement manual.

It should be noted that, under s. 16.71(1)(m) of the statutes, no agency (other than the University of Wisconsin System) may enter into a contract related to IT prior to the review and approval of the contract by DOA. Further, under s. 16.973(13) of the statutes, large, high-risk IT projects or those with a projected cost over \$1.0 million are subject to additional requirements, such as specifying in contracts with vendors that DOA be allowed to review amendments that would change the scope of the contract or increase the price.

Further, purchases are subject to procedures provided under state statute, administrative rules,

and the state procurement manual. For example, projects over \$50,000 must be awarded through a competitive negotiation (request for proposal) process. However, agencies may receive a waiver from the competitive negotiation process if certain considerations or circumstances preclude bidding, including: (a) uniqueness, when a product or service is only available from one supplier; (b) patent or proprietary, when the features of a product or service are available only from one source; (c) intrinsic value, when a product has historic, artistic, or educational value; (d) substantial time pressure, when a time pressure exists beyond the agency's control; and (e) an emergency, in which risk of human suffering or damage to state property require immediate action. For projects over \$25,000, a waiver requires the approval of either the Governor or the Secretary of DOA, depending on the type of waiver requested.

Master Lease Program. The state master lease program was created in 1992 to acquire equipment for state agencies through installment payments. In 1994, the program was expanded to include, in limited circumstances, the acquisition of prepaid services. Examples of current leased items include the state's accounting system, expansion of the state's central mainframe computer, and various information technology items. The state's obligation to make lease payments is not a general obligation debt of the state, but rather the payments are subject to the annual appropriation of funds sufficient to cover the costs of the annual lease payments.

The program implements a two-phased financing structure: (a) the financing of all leased items with proceeds from a revolving line of credit for which the state pays interest based on a variable taxable interest rate; and (b) the state, at various times, issues certificates of participation to refinance the revolving credit with a fixed rate and most often tax-exempt financing.

The master lease program is administered through DOA and is available for all state agencies, and any association, society, or other body of the state entitled to expend appropriated funds, including the Legislature and Courts. Under the master lease program, state agencies submit requests to DOA for approval. The Department's review includes a determination as to whether lease financing is the best alternative for acquiring the equipment and the state agency has the resources to make the required lease payments. An agency's master lease payments are not included in the state budget as a separate line item, but rather are included with other expenditures in one or more of an agency's existing appropriations.

From July, 2014, through December, 2019, \$157.9 million of master lease funding was approved by DOA, of which 90% (\$142.1 million) was related to 28 information technology projects. During the same time period, state agencies made \$154.4 million in master lease payments, including repayment of principal, interest, and administrative fees. As of December, 2019, \$88.6 million in certificates of participation was outstanding.

It should be noted that DWD assumes a UI benefit system upgrade project could cost between \$48 million and \$70 million. It is also thought the development of a new UI benefits system would require both a substantial period of planning prior to executing a purchase, as well as funding to complete such processes. Once a purchase agreement is in effect, it is not immediately clear how long a master lease term would last for such a purchase and what DWD's annual cost would be.

4. In addition to current revenues, could DWD request a 13.101(4) transfer into one or more of their appropriation accounts to fund the project through a master lease if approved?

A s. 13.101(4) request may be made for the Joint Committee on Finance to transfer between two appropriations, two fiscal years of the same biennium, or between an appropriation of one agency and an appropriation of a different agency "if the committee finds...more efficient and effective methods for performing programs will result" or if the Committee finds that "legislative intent will be more effectively carried out because of such transfer, if legislative intent will not be changed as the result of such transfer and the purposes for which the transfer is requested have been authorized or directed by the legislature." The Joint Committee on Finance under s. 13.101(3) may also supplement PR or SEG appropriations from available balances, or supplement GPR appropriations from amounts appropriated to the Committee under s. 20.865(4)(a), if an unforeseen emergency exists or funding is otherwise insufficient to accomplish the purposes for which the appropriation is made. The Committee must find an emergency exists, no funds are available for such purposes, and the purposes for which a supplemental appropriation have been requested have been authorized or directed by the Legislature.

Assuming that these statutory requirements are satisfied by the request, and an appropriation account with an adequate unencumbered balance is found, the Joint Committee on Finance may approve such a transfer or supplement if funding to pay master lease costs is required in 2020-21. However, if the Committee takes action under s. 13.101, it would be incumbent on the Legislature during the budget process to approve monies in subsequent biennia sufficient to fulfill the annual master lease costs over its term.

RH/lb
Attachment

ATTACHMENT

Unemployment Insurance Administrative Appropriations

| Alpha | Appropriation Name | Source | Appropriation Type | Numeric | Schedule Type | Revenue Source(s) | 2019-20 | | | Closing Balance | Note |
|---------|---|--------|--------------------|---------|-------------------------|--|-----------------|--------------|--------------|-----------------|--|
| | | | | | | | Ch. 20 Schedule | Revenues | Expenditures | | |
| (1)(a) | General program operations | GPR | A | 101 | Amounts in the schedule | General Fund | \$8,464,700 | --- | \$8,409,200 | --- | General program operations appropriations are typically a flexible source of funding. Currently, approximately \$6.3 million is budgeted annually for salary and fringe and \$2.2 million for supplies and services. |
| (1)(gc) | Unemployment administration | PR | C | 134 | All monies received | All UI administrative fees collected under 108.19 not otherwise appropriated. | \$0 | \$0 | \$0 | \$0 | |
| (1)(gd) | Unemployment interest and penalty payments | PR | C | 136 | All monies received | Various interest and penalty payments paid by employers. This is the so-called "I&P fund." However, it is not a separate segregated fund, but rather an appropriation account in the general fund. | \$1,965,200 | \$3,513,700 | \$734,900 | \$15,616,500 | The appropriation references "for the administration of the unemployment insurance program." The Department has estimated an \$85 million liability to this appropriation account once DWD has completed non-charging reimbursable employers, as specified under 2019 Act 185. |
| (1)(gg) | UI information technology systems; interest and penalties | PR | C | 124 | All monies received | This appropriation is effectively an "amounts in the schedule" appropriation as it only receives revenue from the interest and fees collected under (1)(gd) if monies are appropriated here. | \$0 | \$0 | \$0 | \$0 | |
| (1)(gh) | UI information technology systems; assessments | PR | C | 125 | All monies received | UI administrative fees that are now expired. | \$0 | \$1,100 | \$0 | \$22,200 | DWD may transfer funds from this appropriation account to the appropriation account under (1)(gd). |
| (1)(n) | Employment assistance and UI administration | FED | C | 151 | All monies received | Federal UI admin. funding and Reed Act funds. | \$55,000,000 | \$63,711,200 | \$63,220,900 | -\$1,798,600 | Funds can be used "for the administration of employment assistance and unemployment insurance programs of the department." |

WI-REP-21-0178-A-000124

| Alpha | Appropriation Name | Source | Appropriation Type | Numeric | Schedule Type | Revenue Source(s) | 2019-20 | | | Closing Balance | Note |
|---------|---|--------|--------------------|---------|---------------------|---|-----------------|-------------|--------------|-----------------|---|
| | | | | | | | Ch. 20 Schedule | Revenues | Expenditures | | |
| (1)(na) | Employment security buildings and equipment | FED | C | 150 | All monies received | This appropriation is effectively an "amounts in the schedule" appropriation as it only receives revenue from (1)(n) if monies are appropriated in (1)(na). | \$0 | \$0 | \$0 | \$0 | |
| (1)(nb) | UI administration; information technology systems | FED | C | 149 | All monies received | This appropriation is effectively an "amounts in the schedule" appropriation as it only receives Reed Act revenue from (1)(n) if monies are appropriated here. | \$0 | \$0 | \$0 | \$0 | |
| (1)(v) | Unemployment program integrity | SEG | C | 172 | All monies received | Benefit concealment penalty payments and a 0.01% assessment of employers to fund program integrity efforts. All revenues accrue to the segregated, non-lapsable unemployment program integrity fund (DWD Fund 298). | \$321,200 | \$4,526,200 | \$4,774,700 | \$14,452,000 | Monies received from Fund 298 are for the "payment of costs associated with program integrity activities." This language may be broad enough to encompass certain UI IT expenditures. Currently, this fund is used for fraud investigation, worker classification enforcement and outreach, identity verification and cross-matching, and investigation and prosecution of criminal UI fraud. |



WISCONSIN LEGISLATURE

P.O. Box 7882 • Madison, WI 53707-7882

FOR IMMEDIATE RELEASE
For more information:

January 13, 2021

Speaker Robin Vos: (608) 266-9171
Majority Leader Jim Steineke: (608) 266-2401
Rep. Tyler August: (608) 266-1190
Rep. Mark Born: (608) 266-2540

Majority Leader Devin LeMahieu: (608) 266-2056
President Chris Kapenga: (608) 266-9174
Sen. Dan Feyen: (608) 266-5300
Sen. Howard Marklein: (608) 266-0703

Legislative Republican Leaders Respond to Special Session Request

Madison... Legislative Republican leaders call on Governor Evers to take ownership of the problems with the Unemployment Insurance (UI) system. Legislative audits have shown the major issues with the backlog at the Department of Workforce Development (DWD) during the pandemic were not due to an old computer system but rather mismanagement of the agency itself. In addition, a [new Legislative Fiscal Bureau memo](#) states that the Evers administration has the authority to initiate these IT upgrades on its own.

"Governor Evers continues to cast blame on others and accepts little fault himself," said Speaker Robin Vos (R-Rochester). "We are always open to passing necessary legislation, but unfortunately, this Special Session call is about politics; not about policy."

"Governor Evers already has the funding and tools he needs to fix the problems at DWD," said Senate Majority Leader Devin LeMahieu (R-Oostburg). "Now, instead of effectively using his resources, he's scrambling to shift blame while people are still left waiting."

"We are unfortunately seeing the same song and dance from Governor Evers that we've come to expect: a lack of leadership," said Majority Leader Jim Steineke (R-Kaukauna). "The governor has consistently slapped down the legislature's extended hand to address the unemployment backlog, and now is trying to pass the buck when ownership of the UI failure is both needed and warranted."

"The Governor calling us into a Special Session is pure political grandstanding," said Rep. Mark Born (R-Beaver Dam), Co-Chair of the Joint Committee on Finance. "Governor Evers has had the ability to initiate an IT system upgrade at any time over the past two years. This is just another example of failed leadership and finger pointing that has harmed tens of thousands of the unemployed across Wisconsin."

"Suddenly, the Governor decides there is urgency for an IT upgrade that should already be started," said Sen. Howard Marklein (R-Spring Green), Co-Chair of the Joint Committee on Finance. "The Governor has ample resources, right now, to be preparing the plan and RFP to modernize the UI system so that he can incorporate a solution in his next biennial budget proposal. What is he waiting for?"

According to a Legislative Fiscal Bureau memo, the Evers administration has numerous current appropriations that could potentially be used for IT upgrades.

- Finance a system through the state master lease program (which is how IT upgrades are typically financed)

- Expedite the procurement of a new system and any contractors needed to successfully implement a new system
- Utilize past or future federal funds made available to the administration
- Existing appropriations which the governor has the authority to prioritize
- Request expenditure authority through the Joint Committee on Finance review process

The GOP leaders also point out the falsehood that Governor Evers continues to claim that former administrations and legislatures left the UI system alone. In fact, Governor Scott Walker's administration made many significant upgrades. According to the DWD Annual Report of 2018, the modernization projects under Governor Walker improved online claim applications from 53% in 2014 to 98% in 2017.

The report states: "*Due to enhancements to the online filing system and retirement of the antiquated telephone filing system (IVR) finalized in 2017, approximately 98% of initial and weekly claims are currently filed online.*"

"Governor Evers chose to shut down the state, and was woefully unprepared to handle the crisis he played a part in creating," said Senator Chris Kapenga (R-Delafield), Senate President. "Ten months later, after firing his own DWD secretary and a damning audit by the nonpartisan Legislative Audit Bureau, Gov. Evers has finally found it convenient to have enough urgency to address his own management failures."

"At a time when Wisconsinites need leadership more than ever, Governor Evers is once again shifting blame and playing politics," said Representative Tyler August (R-Lake Geneva). "Families that need this money to survive have had to wait up to 6 months for their claims to be processed. This is unacceptable and it is due directly to the gross incompetence of this administration."

###

Borgerding, Nicole

From: Borgerding, Nicole
Sent: Monday, December 21, 2020 10:10 AM
To: Toftness, Jenny; Handrick, Joe
Subject: Proposed LFB Briefing Schedule
Attachments: Assembly Republican LFB Briefing Proposed Schedule.docx

Good morning Jenny and Joe,

Find attached a proposed LFB briefing schedule for the members that we discussed last week. Again, this would be new finance members, new Assembly GOP members, and in the past, the Speaker has also invited standing committee chairs to relevant topics.

Take a look and let me know if you see any issues. We kept the same *topics* as previous sessions, but added COVID-19. I thought it would be helpful for LFB to go over *federal funding* to this point, and what (possibly) could be coming in the future.

Thanks!

Nicole Borgerding
Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

Assembly Republican
Briefing Schedule
Legislative Fiscal Bureau

| | | |
|------------------------|--------------------|---|
| Wednesday, January 13 | 12:00 to 1:30-2PM | Medical Assistance COVID-19 |
| Wednesday, January 20 | 12:00 to 1:30-2 PM | K12 Higher Education |
| Wednesday, January 27 | 12:00 to 1:30-2 PM | State Debt and Bonding Transportation |
| Wednesday, February 3 | 12:00 to 1:30-2 PM | Shared Revenues Property Tax Relief |
| Wednesday, February 10 | 12:00 to 1:30-2 PM | General Fund Taxes Individual Income Tax |

Borgerding, Nicole

From: Borgerding, Nicole
Sent: Tuesday, December 22, 2020 11:53 AM
To: Toftness, Jenny
Subject: FYI: January 25th SCERB Meeting

Hi Jenny,

Mark might have mentioned it to you already but he'll need to be replaced on SCERB. He mentioned that Cindi was interested in taking his place, just FYI.

Thanks!

Nicole Borgerding

Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

From: Rep.Loudenbeck <Rep.Loudenbeck@legis.wisconsin.gov>
Sent: Tuesday, December 22, 2020 11:40 AM
To: Loudenbeck, Amy <Amy.Loudenbeck@legis.wisconsin.gov>; Arlan Kay <arlan@eak.com>; Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>; Overland, Christian W - WHS <christian.overland@wisconsinhistory.org>; Cindy Torstveit <cindy.torstveit@wisc.edu>; John Fernholz <fernholzdj@gmail.com>; Kathryn Neitzel <neitzelhouse@gmail.com>; Lesley Sager <lhsager@wisc.edu>; Marijo Reed <mjreed@wi.rr.com>; Veltum, Paula R - DOA <Paula.Veltum@wisconsin.gov>; Rafeeq Asad <rafeeq.asad@gmail.com>; Rep.Born <Rep.Born@legis.wisconsin.gov>; Ron Siggelkow <rsiggelkow@dimensionIVmadison.com>; Sen.Roth <Sen.Roth@legis.wisconsin.gov>; Vessely, Jillian - DOA <Jillian.Vessely@wisconsin.gov>; Vick, Jason <Jason.Vick@legis.wisconsin.gov>; Vicki Halverson <vicki.halverson@wisconsinhistory.org>; Zimmerman, Danielle <Danielle.Zimmerman@legis.wisconsin.gov>
Subject: January 25th SCERB Meeting

Dear SCERB Members-

We are looking to hold our first meeting of 2021 on January 25th at 1pm. The meeting will be virtual, with further details and an agenda coming closer to the meeting date.

We'll be welcoming several new members to the board at this meeting, so we'll try to keep the agenda short.

As you may have seen in the news, the Department of Administration applied for and was awarded federal chairman's grant opportunities with the National Endowment for the Humanities (NEH) as well as the National Endowment for the Arts (NEA) for the restoration costs of the damaged statuary on the State Capitol grounds. Each grant was awarded at \$30,000 totaling \$60,000 towards the restoration of both the Forward and Hans Christian Heg statues. The restoration process for both statues is currently in process by Venus Bronze Works Inc. with an anticipated completion and reinstallation in the summer of 2021. I wanted to share this quick update with you now, and we'll expect to have a full update during our meeting.

A quick reminder- board members are to complete public records training by the end of this calendar year. If you have specific questions regarding the training, please reach out to Paula at paula.veltum@wisconsin.gov

If there is another individual or different email address that should be included on this on your behalf, please reach out to Danielle in my office at danielle.zimmerman@legis.wi.gov

Merry Christmas and Happy New Year!

Amy Loudenbeck
Representing Wisconsin's 31st Assembly District
Rep.Loudenbeck@Legis.WI.Gov
(608) 266-9967

Borgerding, Nicole

From: Borgerding, Nicole
Sent: Monday, December 28, 2020 9:56 AM
To: Handrick, Joe; Toftness, Jenny
Subject: FW: Proposed LFB Briefing Schedule
Attachments: Assembly Republican LFB Briefing Proposed Schedule.docx

Hi Jenny and Joe,

Just circling back to see if I'm good to go to schedule these briefings with Bob.

Thanks!

Nicole Borgerding
Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

From: Borgerding, Nicole
Sent: Monday, December 21, 2020 10:10 AM
To: Toftness, Jenny <Jenny.Toftness@legis.wisconsin.gov>; Handrick, Joe <Joe.Handrick@legis.wisconsin.gov>
Subject: Proposed LFB Briefing Schedule

Good morning Jenny and Joe,

Find attached a proposed LFB briefing schedule for the members that we discussed last week. Again, this would be new finance members, new Assembly GOP members, and in the past, the Speaker has also invited standing committee chairs to relevant topics.

Take a look and let me know if you see any issues. We kept the same topics as previous sessions, but added COVID-19. I thought it would be helpful for LFB to go over federal funding to this point, and what (possibly) could be coming in the future.

Thanks!

Nicole Borgerding
Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

Borgerding, Nicole

From: Toftness, Jenny
Sent: Friday, January 8, 2021 2:47 PM
To: Borgerding, Nicole
Subject: Re: Senate Committee on Finance Executive Session - January 11 at 11:01am

I don't remember that. Robin was on the committee then.

Sent from my iPhone

On Jan 8, 2021, at 2:45 PM, Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov> wrote:

FYI- last time was 2008.

Nicole Borgerding
Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

From: Hurlburt, Waylon <Waylon.Hurlburt@legis.wisconsin.gov>
Sent: Friday, January 8, 2021 2:38 PM
To: Born, Mark <Mark.Born@legis.wisconsin.gov>; Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>; Clark, Tyler <Tyler.Clark@legis.wisconsin.gov>; Neuwohner, Michael <Michael.Neuwohner@legis.wisconsin.gov>
Subject: FW: Senate Committee on Finance Executive Session - January 11 at 11:01am

The last time this happened was in 2008, with split houses, when they had a budget repair situation during a special session. Both houses passed a version of the bill and there was a conference committee bill that ended up becoming law.

From: Champagne, Rick <Rick.Champagne@legis.wisconsin.gov>
Sent: Friday, January 8, 2021 2:30 PM
To: Hurlburt, Waylon <Waylon.Hurlburt@legis.wisconsin.gov>
Subject: RE: Senate Committee on Finance Executive Session - January 11 at 11:01am

Looks like March 20, 2008, was last time Senate Finance Committee met:

<https://docs.legis.wisconsin.gov/2007/proposals/mr8/ab1>

From: Hurlburt, Waylon <Waylon.Hurlburt@legis.wisconsin.gov>
Sent: Friday, January 08, 2021 1:18 PM
To: Champagne, Rick <Rick.Champagne@legis.wisconsin.gov>
Subject: FW: Senate Committee on Finance Executive Session - January 11 at 11:01am

Just out of curiosity, when was the last time the Senate or Assembly finance committee met on its own? I don't remember a time.

From: Sen.Marklein <Sen.Marklein@legis.wisconsin.gov>
Sent: Friday, January 8, 2021 12:56 PM
To: Gillitzer, Erin <Erin.Gillitzer@legis.wisconsin.gov>; Beighley, Jeffrey <Jeffrey.Beighley@legis.wisconsin.gov>; Anderson, Cyrus <Cyrus.Anderson@legis.wisconsin.gov>; Franke, Alex <Alex.Franke@legis.wisconsin.gov>; Queensland, Michael <Michael.Queensland@legis.wisconsin.gov>; Macaulay, Lisa <Lisa.Macaulay@legis.wisconsin.gov>; *Legislative Everyone <LegEveryone@legis.wisconsin.gov>
Subject: Senate Committee on Finance Executive Session - January 11 at 11:01am

The Committee on Finance has scheduled a meeting on January 11, 2021 at 11:01 AM.

Senate

EXECUTIVE SESSION

Committee on Finance

The committee will hold an executive session on the following items at the time specified below:

Monday, January 11, 2021
11:01 AM
412 East

****The Executive Session will begin at 11:01 AM or upon adjournment of the Public Hearing.****

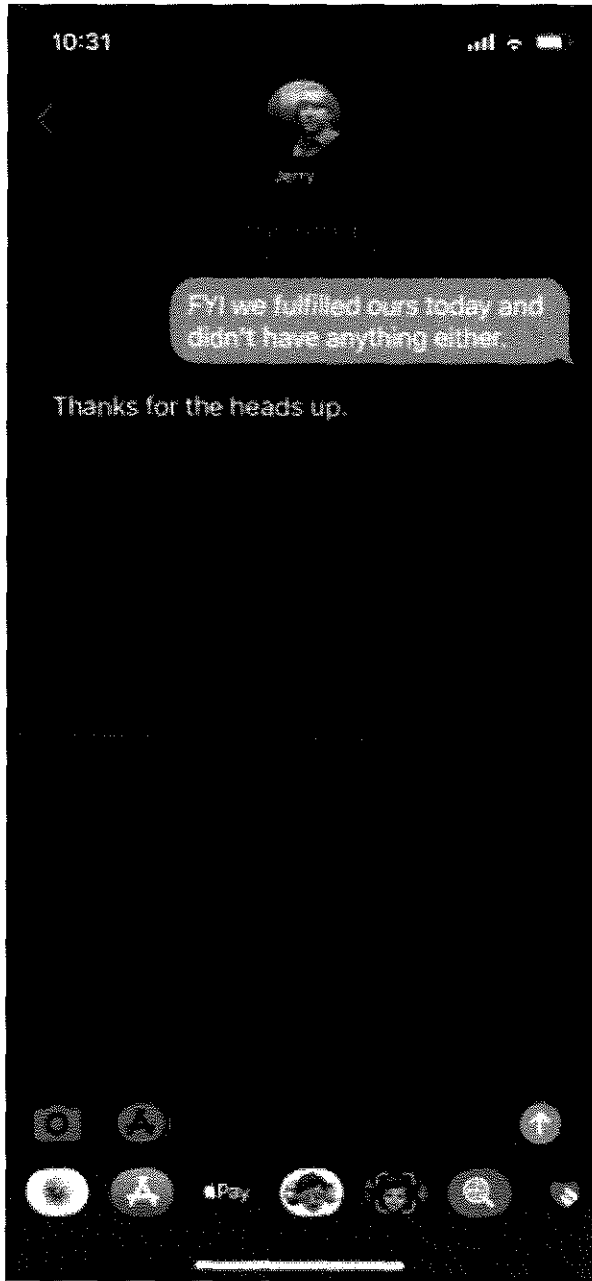
- *Due to the utilization of social distancing guidelines, seating in room 412 East may be limited.*
- *An overflow room will be available in Room 400 Southeast.*
- *Members of the public may observe the hearing in the State Capitol Rotunda or through WisconsinEye coverage available at <https://wiseye.org/>.*

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.

By Representatives Vos, Summerfield, James, Tusler, Cabral-Guevara, Born, Steineke, Wichgers, Magnafici, Dallman, Katsma, Callahan, Kuglitsch, J. Rodriguez, Vorpapel, Snyder, Duchow, Schraa, Petersen, Thiesfeldt, Swearingen, Zimmerman, Edming, Wittke and Moses.

Senator Howard Marklein
Chair
WI-REP-21-0178-A-000140



Borgerding, Nicole

From: Borgerding, Nicole
Sent: Monday, December 7, 2020 3:08 PM
To: Ponio, Jerry
Cc: Hurlburt, Waylon
Subject: RE: Passive Reviews

Hi Jerry,

OK on the Molson Coors and let me get back to you on the Elections Commission request at some tomorrow.

Thanks!

Nicole

From: Hurlburt, Waylon <Waylon.Hurlburt@legis.wisconsin.gov>
Sent: Monday, December 7, 2020 3:00 PM
To: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Subject: FW: Passive Reviews

From: Ponio, Jerry <Jerry.Ponio@legis.wisconsin.gov>
Sent: Monday, December 7, 2020 2:51 PM
To: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Cc: Hurlburt, Waylon <Waylon.Hurlburt@legis.wisconsin.gov>
Subject: Passive Reviews

Just checking in to see if you anticipate any issues or objections on WEDC-Molson Coors or the Election Commission Passive Review.

Let me know. I'll be around. Thanks.

Jerry Ponio
Chief of Staff
Office of Senator Alberta Darling
608.266.5830

Borgerding, Nicole

From: Ponio, Jerry
Sent: Monday, December 21, 2020 10:17 AM
To: Borgerding, Nicole
Subject: RE: Letter to DOA

can you give me a quick call when you have a chance. Ill be in the office.

Jerry Ponio
Chief of Staff
Office of Senator Alberta Darling
608.266.5830

From: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Sent: Monday, December 21, 2020 10:11 AM
To: Ponio, Jerry <Jerry.Ponio@legis.wisconsin.gov>
Subject: Letter to DOA

Hi there,

Sounds like RJ gave you the background on this. Let me know if you would like this to be a joint letter. I plan on sending early afternoon if we can.

Thanks, Jerry!

Nicole

Nicole Borgerding
Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

Borgerding, Nicole

From: Ponio, Jerry
Sent: Monday, December 21, 2020 12:26 PM
To: Borgerding, Nicole
Subject: follow up
Attachments: Letter to Sec. Brennan 12.21.docx

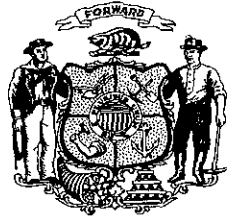
We are good to sign on. Make edits wherever you see fit. Let me know when you need our signature.

Jerry Ponio
Chief of Staff
Office of Senator Alberta Darling
608.266.5830

State of Wisconsin

SENATE CHAIR
Alberta Darling

122 South, State Capitol
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-5830



ASSEMBLY CHAIR
Mark Born

308 East, State Capitol
P.O. Box 8593
Madison, WI 53708-8953
Phone: (608) 266-2540

Joint Committee on Finance

VIA EMAIL

December 21, 2020

Secretary Joel Brennan
101 E. Wilson Street
10th Floor
Madison, WI 53703

Dear Secretary Brennan,

The following is our response to your letter to the Co-chairs dated December 17, 2020. As you know, the process of the Joint Committee on Finance reviewing expenditure increase requests by state agencies is nothing new. An objection is a tool in the process sometimes used by committee members who are awaiting further details on a review.

In your letter you make reference to the 2016 presidential recount in Wisconsin for Jill Stein. In that instance *payments* to reimburse counties did not occur until February of the following year. It also took the Elections Commission until the second week of January to receive the actual submitted costs of the recount from the counties which underscores there is no immediate urgency to approve the request and is not as problematic as you claim. It is worth noting that to our knowledge Dane and Milwaukee counties have yet to submit their final receipts to the state.

We included a letter from the non-partisan Legislative Reference Bureau to address some of the additional concerns you raised. As you will see, there is no statutorily mandated deadline to provide the reimbursement to the counties.

We hope your letter to the Co-chairs was not meant to unnecessarily politicize an action taken by the committee. We continue to welcome you to contact us directly at any time if further information is needed to alleviate your concerns.

Sincerely,

Alberta Darling
Co-chair, Joint Finance
8th Senate District

Mark Born
Co-chair, Joint Finance
39th Assembly District
WI-REP-21-0178-A-000152

Borgerding, Nicole

From: Ponio, Jerry
Sent: Monday, December 21, 2020 12:44 PM
To: Borgerding, Nicole
Subject: RE: follow up

Just double check I had the right info for Born in the header and under his sig. Abby will pop and stamp

Jerry Ponio
Chief of Staff
Office of Senator Alberta Darling
608.266.5830

From: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Sent: Monday, December 21, 2020 12:42 PM
To: Ponio, Jerry <Jerry.Ponio@legis.wisconsin.gov>
Subject: RE: follow up

We're good to go. I have the letter printed up here. Do you need me to bring down to get stamped?

Nicole Borgerding
Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

From: Ponio, Jerry <Jerry.Ponio@legis.wisconsin.gov>
Sent: Monday, December 21, 2020 12:26 PM
To: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Subject: follow up

We are good to sign on. Make edits wherever you see fit. Let me know when you need our signature.

Jerry Ponio
Chief of Staff
Office of Senator Alberta Darling
608.266.5830

Borgerding, Nicole

From: Ponio, Jerry
Sent: Monday, December 21, 2020 12:53 PM
To: Borgerding, Nicole
Subject: RE: follow up

Sure..... We can restamp if you want to switch.

On Dec 21, 2020 12:50 PM, "Borgerding, Nicole" <Nicole.Borgerding@legis.wisconsin.gov> wrote:
You meant to italicize payments, correct?

Nicole Borgerding
Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

From: Ponio, Jerry <Jerry.Ponio@legis.wisconsin.gov>
Sent: Monday, December 21, 2020 12:44 PM
To: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Subject: RE: follow up

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Jerry Ponio
Chief of Staff
Office of Senator Alberta Darling
608.266.5830

From: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Sent: Monday, December 21, 2020 12:42 PM
To: Ponio, Jerry <Jerry.Ponio@legis.wisconsin.gov>
Subject: RE: follow up

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Nicole Borgerding
Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

From: Ponio, Jerry <Jerry.Ponio@legis.wisconsin.gov>
Sent: Monday, December 21, 2020 12:26 PM
To: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Subject: follow up

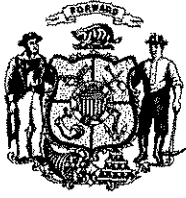
We are good to sign on. Make edits wherever you see fit. Let me know when you need our signature.

Jerry Ponio
Chief of Staff
Office of Senator Alberta Darling
608.266.5830

Borgerding, Nicole

From: Ponio, Jerry
Sent: Wednesday, December 30, 2020 8:46 AM
To: Borgerding, Nicole
Cc: Lambert, RJ
Subject: FW: LFB: 29 Darling AM
Attachments: 29 Darling AM.pdf

LFB Memo you may find useful



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873
Email: fiscal.bureau@legis.wisconsin.gov • Website: <http://legis.wisconsin.gov/lfb>

December 29, 2020

TO: Senator Alberta Darling
Room 317 East, State Capitol

FROM: Angela Miller, Fiscal Analyst

SUBJECT: Presidential Recount Costs in 2016 and 2020

At your request, this memorandum provides information on costs associated with the Presidential election recounts in 2016 and 2020.

Under s. 9.01 of the statutes, if the petitioner trails the leading candidate by more than 0.25 percent of the total votes cast in an election, the petitioner must pay a fee equal to the actual cost of performing the recount in each ward for which the petitioner requests a recount, plus associated costs incurred by the Elections Commission. The estimated fee must be prepaid to the Commission at the time of filing the petition. Under s. 9.01(1)(ag)(4) and s. 20.510(1)(g) of the statutes, the Commission is required to reimburse local units of government for all costs associated with conducting the recount. In submitting a request for reimbursement, each county clerk must sign a statement confirming that the identified costs "are reasonable and necessary, wholly due to the recount process, not otherwise reimbursed, and possess proper documentation." Under s. 9.01(1)(ag)(3m) of the statutes, the Commission is also required to refund any unspent amounts to the petitioner within 45 days after the board of canvassers makes its determination in the recount. If the actual cost to conduct the recount exceeds the initial fee that was paid, the petitioner must pay the difference within 45 days after the entity receiving the petition provides a written statement of the amount due.

On November 25, 2016, a recount petition was filed to conduct a recount of votes cast for President in the general election held on November 8, 2016. The petitioner requested a recount of all ballots in all wards in the state. The recount was completed on December 12, 2016. Counties were reimbursed a total of \$2.0 million for expenses incurred based on documentation submitted to the Commission, as shown in Table 1 of the Appendix. Table 2 provides detailed expenditures for the 10 counties with the highest 2016 recount costs.

On November 16, 2020, the Elections Commission released cost estimates for a statewide recount of the 2020 general election. Table 3 provides estimated 2020 recount costs submitted to the

Commission by each county. Table 4 provides detailed estimates for the 10 counties with the highest estimated costs for the 2020 recount.

According to the Elections Commission, the increase in recount costs between 2016 and 2020 reflects: (a) the need for larger spaces to permit public observation and social distancing due to the COVID-19 public health emergency; (b) security for those spaces; (c) the higher number of absentee ballots, also due to the COVID-19 public health emergency; (d) a compressed timeframe over the Thanksgiving holiday, relative to the 2016 recount, which was conducted after Thanksgiving; and (e) the rental of high-speed ballot scanning equipment. For example, Dane County did not utilize security staff in 2016. However, in 2020, Dane County reported that compensation for the Madison Police Department for security cost \$104,300. In 2016, Milwaukee County did not have space rental costs; however, in 2020, Milwaukee reported space rental costs of \$550,500. In addition, absentee ballots cast in the 2020 general election in each of the 72 counties were between 1.9 times and 4.5 times the number of absentee ballots cast in those counties in the 2016 general election. During the recount process, in addition to recounting each ballot, staff are required to separate absentee ballots, determine the number of absentee voters, examine absentee requests, review rejected absentee ballots, and examine defective absentee ballot envelopes.

On November 18, 2020, the Elections Commission received a recount petition to conduct a partial recount of votes cast for President in the general election held on November 3, 2020. The petitioner requested a recount for Dane and Milwaukee counties only and paid the Commission \$3.0 million based on: (a) costs estimated by the counties totaling \$2,779,800; (b) an estimate that the Commission would incur state costs of \$29,800; and (c) \$190,400 for potential unanticipated costs. [Under 2017 Act 120, statute was modified to allow the Commission to retain the amount necessary to pay for the actual costs incurred by the Commission for the recount.]

The recount was completed on November 27 in Milwaukee County and November 30 in Dane County. Dane County submitted a reimbursement request for \$729,700 on December 22, 2020, and Milwaukee County submitted a reimbursement request for \$1,719,200 on December 29, 2020. In addition, the Commission reported state costs of \$6,200. Actual 2020 recount costs are provided in Table 5. Because actual expenditures were less than the estimated cost of \$3.0 million, the Commission is required to reimburse the petitioner for the difference (approximately \$544,900) by January 14, 2021 (45 days from November 30, 2020).

Also attached are the reimbursement request forms provided to the Elections Commission by Dane and Milwaukee Counties in 2016 and 2020.

AM/lb
Attachment

ATTACHMENT

TABLE 1

2016 Recount Costs

| <u>County</u> | <u>Cost</u> | <u>County</u> | <u>Cost</u> |
|---------------|-------------|---------------|--------------------|
| Adams | \$3,300 | Manitowoc | \$25,200 |
| Ashland | 7,700 | Marathon | 53,100 |
| Barron | 13,100 | Marinette | 10,000 |
| Bayfield | 4,600 | Marquette | 17,900 |
| Brown | 146,100 | Menominee | 700 |
| Buffalo | 8,300 | Milwaukee | 271,500 |
| Burnett | 10,000 | Monroe | 6,600 |
| Calumet | 11,300 | Oconto | 31,000 |
| Chippewa | 20,400 | Oneida | 9,100 |
| Clark | 5,400 | Outagamie | 66,900 |
| Columbia | 31,800 | Ozaukee | 28,900 |
| Crawford | 1,900 | Pepin | 4,700 |
| Dane | 201,700 | Pierce | 20,100 |
| Dodge | 20,900 | Polk | 14,200 |
| Door | 10,100 | Portage | 31,400 |
| Douglas | 20,800 | Price | 3,200 |
| Dunn | 15,800 | Racine | 53,500 |
| Eau Claire | 19,700 | Richland | 2,100 |
| Florence | 5,400 | Rock | 39,200 |
| Fond | 13,300 | Rusk | 4,500 |
| Forest | 4,300 | Sauk | 24,200 |
| Grant | 19,100 | Sawyer | 6,300 |
| Green | 6,000 | Shawano | 33,600 |
| Green | 5,000 | Sheboygan | 40,100 |
| Iowa | 7,900 | St. Croix | 24,200 |
| Iron | 700 | Taylor | 2,700 |
| Jackson | 4,600 | Trempealeau | 5,400 |
| Jefferson | 25,100 | Vernon | 5,500 |
| Juneau | 5,200 | Vilas | 8,700 |
| Kenosha | 54,400 | Walworth | 38,400 |
| Kewaunee | 10,300 | Washburn | 8,700 |
| La Crosse | 3,900 | Washington | 35,000 |
| Lafayette | 3,600 | Waukesha | 267,300 |
| Langlade | 3,600 | Waupaca | 12,300 |
| Lincoln | 10,400 | Waushara | 10,800 |
| | | Winnebago | 35,500 |
| | | Wood | 17,400 |
| | | Total | \$2,005,600 |

TABLE 2

2016 Recount Costs, 10 Highest Counties

| <u>County</u> | <u>Salaries and Benefits</u> | <u>Space Rental</u> | <u>Supplies and Equipment</u> | <u>Travel and Meals</u> | <u>Other</u> | <u>Total</u> |
|---------------|----------------------------------|-------------------------|-----------------------------------|-----------------------------|--------------|--------------|
| Milwaukee | \$201,100 | \$0 | \$49,600 | \$13,100 | \$7,700 | \$271,500 |
| Waukesha | 190,400 | 0 | 63,200 | 13,700 | 0 | 267,300 |
| Dane | 174,200 | 8,000 | 2,800 | 16,600 | 100 | 201,700 |
| Brown | 83,900 | 4,000 | 53,600 | 4,600 | - | 146,100 |
| Outagamie | 45,400 | 0 | 10,800 | 10,400 | 300 | 66,900 |
| Kenosha | 49,300 | 900 | 400 | 3,500 | 300 | 54,400 |
| Racine | 46,800 | 0 | 6,100 | 600 | - | 53,500 |
| Marathon | 45,600 | 0 | 600 | 6,800 | 100 | 53,100 |
| Sheboygan | 23,600 | 0 | 900 | 4,900 | 10,700 | 40,100 |
| Rock | 30,000 | 0 | 6,700 | 2,500 | 0 | 39,200 |

TABLE 3

Estimated 2020 Recount Costs

| <u>County</u> | <u>Cost</u> | <u>County</u> | <u>Cost</u> |
|---------------|-------------|---------------|--------------------|
| Adams | \$12,600 | Manitowoc | \$95,800 |
| Ashland | 17,300 | Marathon | 105,200 |
| Barron | 27,100 | Marinette | 20,300 |
| Bayfield | 7,000 | Marquette | 22,200 |
| Brown | 469,900 | Menominee | 900 |
| Buffalo | 10,400 | Milwaukee | 2,039,000 |
| Burnett | 17,400 | Monroe | 60,200 |
| Calumet | 17,200 | Oconto | 36,300 |
| Chippewa | 45,900 | Oneida | 56,500 |
| Clark | 8,000 | Outagamie | 263,000 |
| Columbia | 209,600 | Ozaukee | 132,200 |
| Crawford | 11,200 | Pepin | 8,900 |
| Dane | 740,800 | Pierce | 20,000 |
| Dodge | 138,900 | Polk | 42,100 |
| Door | 52,100 | Portage | 71,800 |
| Douglas | 91,600 | Price | 5,000 |
| Dunn | 60,100 | Racine | 250,000 |
| Eau Claire | 54,500 | Richland | 3,000 |
| Florence | 15,800 | Rock | 220,100 |
| Fond du Lac | 60,900 | Rusk | 13,900 |
| Forest | 5,400 | Sauk | 93,100 |
| Grant | 72,600 | Sawyer | 6,100 |
| Green | 37,000 | Shawano | 40,100 |
| Green Lake | 8,700 | Sheboygan | 29,800 |
| Iowa | 31,400 | St. Croix | 79,100 |
| Iron | 2,000 | Taylor | 13,700 |
| Jackson | 7,000 | Trempealeau | 34,100 |
| Jefferson | 88,000 | Vernon | 14,100 |
| Juneau | 45,300 | Vilas | 37,500 |
| Kenosha | 356,100 | Walworth | 140,600 |
| Kewaunee | 36,500 | Washburn | 11,000 |
| La Crosse | 63,200 | Washington | 133,500 |
| Lafayette | 16,800 | Waukesha | 653,400 |
| Langlade | 7,100 | Waupaca | 47,400 |
| Lincoln | 12,100 | Waushara | 15,600 |
| | | Winnebago | 142,400 |
| | | Wood | <u>66,200</u> |
| | | Total | \$7,881,600 |

TABLE 4**Estimated 2020 Recount Costs, 10 Highest Counties**

| <u>County</u> | <u>Salaries and Benefits</u> | <u>Space Rental</u> | <u>Supplies and Equipment</u> | <u>Travel and Meals</u> | <u>Other</u> | <u>Total</u> |
|---------------|----------------------------------|-------------------------|-----------------------------------|-----------------------------|--------------|--------------|
| Milwaukee | \$503,300 | \$649,600 | \$423,200 | \$170,000 | \$292,900 | \$2,039,000 |
| Dane | 392,600 | 88,500 | 136,600 | 23,100 | 100,000 | 740,800 |
| Waukesha | 459,400 | 82,000 | 109,000 | 3,000 | 0 | 653,400 |
| Brown | 366,300 | 11,100 | 64,100 | 28,400 | 0 | 469,900 |
| Kenosha | 226,000 | 36,900 | 88,100 | 5,000 | 100 | 356,100 |
| Outagamie | 152,000 | 26,300 | 47,700 | 14,900 | 22,100 | 263,000 |
| Racine | 218,800 | 10,000 | 3,900 | 12,300 | 5,000 | 250,000 |
| Rock | 167,600 | 32,700 | 8,800 | 11,000 | 0 | 220,100 |
| Columbia | 184,800 | 7,400 | 2,200 | 8,300 | 6,900 | 209,600 |
| Winnebago | 120,400 | 0 | 1,500 | 20,500 | 0 | 142,400 |

TABLE 5**Actual 2020 Recount Costs**

| | <u>Salaries and Benefits</u> | <u>Space Rental</u> | <u>Supplies and Equipment</u> | <u>Travel and Meals</u> | <u>Other</u> | <u>Total</u> |
|------------------|----------------------------------|-------------------------|-----------------------------------|-----------------------------|---------------|------------------|
| Dane County | \$444,300 | \$119,100 | \$138,100 | \$27,900 | \$300 | \$729,700 |
| Milwaukee County | <u>549,700</u> | <u>550,400</u> | <u>519,600</u> | <u>74,300</u> | <u>25,200</u> | <u>1,719,200</u> |
| County Total | \$994,000 | \$669,500 | \$657,700 | \$102,200 | \$25,500 | \$2,448,900 |
| Elections | | | | | | |
| Commission | <u>\$6,200</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$6,200</u> |
| Total | \$1,000,200 | \$669,500 | \$657,700 | \$102,200 | \$25,500 | \$2,455,100 |

2016 Dane County Recount Reimbursement Request

| Dane Recount, WI Recount by Hand | | | | |
|---|---------------|---------------|--------------|---------------|
| Recount Salaries | No. | Dec. 1-10 | | Wages |
| | | Hrs. | Pay & Bene | Per Day |
| 8:30 am to 8:30 pm | | | | |
| Canvassers/Tabulators | | 5100.25 | 20.00 | \$ 102,005.00 |
| Board of Canvass | 3 | 10.00 | 55.00 | \$ 1,650.00 |
| County Staff | | | | \$ - |
| Sherri Endres | | 80.00 | 23.77 | \$ 1,901.60 |
| Lila Walsh | OT | 99.50 | 35.66 | \$ 3,548.17 |
| Scott McDonnell | OT | 80.00 | 24.31 | \$ 1,944.80 |
| Rita Gahagan | | 79.00 | 36.47 | \$ 2,881.13 |
| Lauren Kuhl | | 160.00 | 44.00 | \$ 7,040.00 |
| Teresa Chrismore | | 32.00 | 20.00 | \$ 640.00 |
| Attorney | | 25.00 | 30.00 | \$ 750.00 |
| Municipal expense | OT | 40.00 | 23.77 | \$ 950.80 |
| | | 32.90 | 35.66 | \$ 1,173.21 |
| | | 12.00 | 65.00 | \$ 1,020.00 |
| | | | | \$ 25,611.80 |
| | | | | \$ 151,116.51 |
| Salaries Total | 3 | 5750.65 | 433.64 | \$ 151,116.51 |
| Wkst. Balancing | | | | |
| | <u>People</u> | <u>Cost</u> | <u>Total</u> | |
| Meals & Bev. | | | \$3,959.82 | \$ 3,959.82 |
| Parking | | 5,100.25 | \$2.00 | \$ 10,200.50 |
| | <u>Days</u> | <u>Charge</u> | <u>Total</u> | |
| Recount Room Rental | 12 | \$250.00 | \$3,000.00 | \$ 3,000.00 |
| Facility Room Set Up | 2 | \$100.00 | \$200.00 | \$ 200.00 |
| Staff Room Rental | 12 | \$400.00 | \$4,800.00 | \$ 4,800.00 |
| Supplies | | \$2,771.03 | \$2,771.03 | \$ 2,771.03 |
| Municipal Expenses | | | | \$ 25,611.80 |
| Recount Total | | | | \$ 201,659.66 |
| Ballots Cast | 316263 | | | |
| Reporting units | 238 | | | |

2016 Dane County Recount Reimbursement Request, Continued

| Municipality | Personnel Costs | Space Rental | Transportation Fees | Equipment Rent Fees | Allowable Mileage | Supp | Related Exp | Meal | Travel Expense | Travel Expense Description | Sum all Columns left |
|---------------------|-----------------|--------------|---------------------|---------------------|-------------------|--------|-------------|----------|----------------|----------------------------|----------------------|
| C. Edgerton | | | 1.80 parking | | 66 miles @ .54 | | | | | | 37.44 |
| C. Fitchburg | 2426.36 | | | 47.1 | | | | | | | 2473.46 |
| C. Madison | 2,647.09 | | | | | | | | | | \$ 2,647.09 |
| C. Middleton | 1367.6 | | | | 64.22 | | | | | | \$ 1,421.82 |
| C. Monona | 167.64 | | | | 7.24 | | | | | | \$ 184.88 |
| C. Stoughton | \$461.76 | \$0.00 | \$0.00 | \$0.00 | \$28.56 | \$0.00 | \$0.00 | \$14.12 | \$19.80 | Parking Fee | \$514.24 |
| C. Sun Prairie | 876.16 | | 75.25 | | | | | | | | \$ 1,051.36 |
| C. Verona | 821 | | | | 40.5 | | | | | | 861.5 |
| T. Albion | 99.00 | | 57.20 | | | | | | | | 156.20 |
| T. Berry | 193.34 | | 16 | | 43.2 | | | | | | \$ 259.54 |
| T. Black Earth | | | | | | | | | | | |
| T. Blooming Grove | \$70.00 | | \$13.50 | | \$4.32 | | | | | | \$87.82 |
| T. Blue Mounds | 115.39 | | | | 60.48 | | | 12.47 | 3.55 | Parking | 191.89 |
| T. Bristol | 255 | | | | 61 | | | | 16 | Parking | 332 |
| T. Durke | 319.64 | | 7.2 | | 9.72 | | | | | | 336.56 |
| T. Christiansa | | | | | | | | | | | |
| T. Cottage Grove | 78.1 | | | | 23.76 | | | | 6.3 | parking | \$ 108.16 |
| T. Cross Plains | 280 | | | | 112.5 | | | | | | \$ 402.50 |
| T. Dane | | | | | | | | | | | |
| T. Deerfield | 130 | | 21.5 | | | | | | | | \$ 151.50 |
| T. Dunkirk | 168.4 | | 4 | | 92 (\$56.82) | | | | | | \$ 227.92 |
| T. Duane | 466.12 | | | | 31.32 | | | | 20.6 | Parking | 518.04 |
| T. Madison | \$70.81 | | 21.5 | | 12.96 | | | | | | \$ 1,04.37 |
| T. Monona | \$72.00 | | \$9.00 | | 50 | | | | | | \$77.00 |
| T. Medina | \$86.75 | 0 | 0 | 0 | \$43.88 | 0 | 0 | 0 | \$9.00 | Parking | \$146.93 |
| T. Middleton | \$152.26 | | | | \$143.75 | | | | | | \$296.01 |
| T. Monroe | \$ 835.00 | | | | 20 | | | | | | 336.56 |
| T. Oregon | | | | | | | | | | | |
| T. Perry | 334.88 | | 7 | | 69.12 | | | | | | \$ 411.00 |
| T. Pleasant Springs | \$254.00 | | 30.89 | | 57.2 miles | | | | | | \$284.89 |
| T. Primrose | 202.18 | | | | | | | | | | \$ 202.18 |
| T. Roxbury | | | | | | | | | | | |
| T. Rutland | \$81.00 | | | | \$52.00 | | | | | | \$133.00 |
| T. Springdale | \$41.53 | | \$22.17 | | | | | | | | \$63.70 |
| T. Springfield | 392 | | | | 57.24 | | | | | | \$ 449.24 |
| T. Sun Prairie | \$ 436.60 | | \$ 126.73 | | 138 | | | | \$ 16.20 | parking | \$ 679.53 |
| T. Vermont | | | | | | | | | | | |
| T. Verona | 410.91 | | | | 43.25 | | | | 16 | | \$ 470.16 |
| T. Vienna | 416.61 | | | | 36.72 | | | | 6.3 | Parking Fee | 459.63 |
| T. Westport | | | 14.25 | | 9.72 | | | | | | 408.65 |
| T. Windsor | 511 | | | | 72.91 | | | | | | \$ 683.91 |
| T. York | 750 | | | | \$28.50 | 26.4 | | | | | 178.5 |
| V. Belleville | 556.38 | | | | 22.79 | | | | 9.90 | parking fee | 589.07 |
| V. Black Earth | 461.92 | | | | | | | | | | \$ 461.92 |
| V. Blue Mounds | 216.44 | | | | | | | | | | \$ 216.44 |
| V. Brookton | \$53.06 | | | | \$46.44 | | | | \$3.00 | Parking | \$ 142.50 |
| V. Cambridge | 203 | | 12.55 | | | | | | | | \$ 286.75 |
| V. Cottage Grove | 237.56 | | | | 45.8 | | | | | | \$ 343.36 |
| V. Cross Plains | \$ 292.97 | \$ - | \$ 6.20 | \$ - | \$ 56.70 | \$ - | \$ - | \$ - | \$ - | | \$ 355.87 |
| V. Dane | 432.91 | | 8 | 0 | 98.32 | 8.5 | 0 | 0 | 0 | | 0 \$ 607.73 |
| V. Deerfield | 265.13 | | | | | | | | | | \$ 265.13 |
| V. DeForest | | | | | | | | | | | |
| V. Maple Bluff | 391.8 | | | | 3.78 | | | | | | 395.58 |
| V. Marshall | | | | | | | | | | | |
| V. Monona | \$438.19 | \$0.00 | \$11.70 | \$0.00 | \$64.80 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$515.69 |
| V. McFarland | 489.81 | | | | | | | | | | 489.81 |
| V. Mount Herzog | 592.77 | 0 | 0 | 0 | 49.49 | 0 | 0 | 19.76 | 0.50 | Parking | 660.52 |
| V. Oregon | \$ 1563.65 | | \$ 95.60 | | \$ 100.71 | | | \$ 54.93 | | | \$ 1634.89 |
| V. Rockdale | 62.50 | | | | 54.00 | | | | 8.30 | Parking Fee | 114.80 |
| V. Shorewood Hills | 382.94 | | 6.15 | | 7.56 | | | | | | \$ 396.65 |
| V. Wausaukee | | | | | | | | | | | |
| TOTALS | | | | | | | | | | | \$ 25,611.80 |

2016 Milwaukee County Recount Reimbursement Request

| | Personnel Costs | Space Rental | Transportation Fees | Equipment Rental | Allowable Mileage | Supplies | It Related Expenses | Meals | Other Allowable Expense | Other explanation | Total |
|--------------------|---------------------|---------------|---------------------|--------------------|-------------------|-------------------|---------------------|-------------------|-------------------------|---|---------------------|
| 4 Bayside | \$ 1,470.45 | | | | \$ 28.73 | | | | | | \$1,499.18 |
| Brown Deer | \$ 2,543.19 | | | | \$ 41.04 | | | \$ 67.50 | | Copies of absentee ballot log | \$2,651.73 |
| Cudahy | \$ 4,443.46 | | | | | | | | | | \$4,443.46 |
| Fox Point | \$ 2,432.97 | | | | \$ 64.80 | | | | | | \$2,497.77 |
| Franklin | \$ 4,204.11 | | | | \$ 28.08 | | | \$ 26.35 | | publication of notice of recount | \$4,258.54 |
| Glendale | \$ 3,143.14 | | | | \$ 96.12 | | | | | | \$3,239.26 |
| Greendale | \$ 3,282.57 | | | | \$ 45.90 | | | | | | \$3,328.47 |
| Greenfield | \$ 8,273.43 | | | | \$ 218.16 | | | \$ 32.26 | | snacks for breaks | \$8,523.85 |
| Hales corner | \$ 1,733.77 | | | | \$ 25.92 | | | | | | \$1,759.69 |
| | | | | | | | | | | Supplies = tapes, copies, rest room supplies. Rental of 2 machines @ \$17,180 each included in equipment rental | \$93,782.00 |
| Milwaukee | \$ 57,222.00 | | \$ 700.00 | \$34,360.00 | | \$ 1,500.00 | | | | | |
| Oak Creek | \$ 6,415.76 | | | | | | | | | | \$6,415.76 |
| River Hills | \$ 814.07 | | | | \$ 25.07 | | | | | | \$839.14 |
| Shorewood | \$ 2,931.16 | | | | | | | | | | \$2,931.16 |
| South Milwaukee | \$ 3,875.46 | | | | \$ 57.67 | | | | | | \$3,933.13 |
| St. Francis | \$ 2,055.12 | | | | | | | | | | \$2,055.12 |
| Wauwatosa | \$ 14,178.58 | | | | \$ 368.28 | | | \$ 24.70 | | Snacks & water | \$14,571.56 |
| | | | | | | | | | | Supplies = postage copies | \$12,461.76 |
| West Allis | \$ 11,763.32 | | | | \$ 363.37 | \$ 335.07 | | | | | \$12,461.76 |
| West Milwaukee | \$ 1,351.60 | | | | \$ 10.80 | | | | | | \$1,362.40 |
| Whitefish Bay | \$ 1,900.06 | | | | | | | | | | \$1,900.06 |
| 5 Milwaukee County | \$ 67,030.00 | \$ - | \$ 3,456.00 | \$ 146.07 | \$ - | \$ 2,227.19 | \$ 11,025.00 | \$ 7,544.33 | \$ 7,572.00 | | \$99,000.59 |
| Total | \$201,064.22 | \$0.00 | \$4,156.00 | \$34,506.07 | \$1,373.94 | \$4,062.26 | \$11,025.00 | \$7,544.33 | \$7,722.81 | | \$271,454.63 |

| | Daily Poll Worker | Hourly Poll Worker | Municipal Employee | Total Personnel | Other Charge | Mileage | Actual Costs | # of Poll Wrk | Estimated Costs | Act - Est |
|---------------------------|--------------------|---------------------|---------------------|----------------------|---------------------|--------------------|----------------------|---------------|----------------------|------------------------|
| 1 Bayside | | \$ 557.10 | \$ 913.35 | \$ 1,470.45 | | \$ 28.73 | \$ 1,499.18 | 4.00 | \$ 800.00 | \$ 699.18 |
| 2 Brown Deer | | \$ 1,755.00 | \$ 788.19 | \$ 2,543.19 | \$ 67.50 | \$ 41.04 | \$ 2,651.73 | 9.00 | \$ 3,000.00 | \$ (348.27) |
| 3 Cudahy | | \$ 2,662.50 | \$ 1,780.96 | \$ 4,443.46 | | | \$ 4,443.46 | 15.00 | \$ 7,905.00 | \$ (3,461.54) |
| 4 Fox Point | \$ 573.75 | \$ 618.75 | \$ 1,240.47 | \$ 2,432.97 | | \$ 64.80 | \$ 2,497.77 | 8.00 | \$ 3,892.30 | \$ (1,394.53) |
| 5 Franklin | | \$ 2,892.60 | \$ 1,311.51 | \$ 4,204.11 | \$ 26.35 | \$ 28.08 | \$ 4,258.54 | 19.00 | \$ 10,278.00 | \$ (6,019.46) |
| 6 Hales corner | | \$ 990.00 | \$ 743.77 | \$ 1,733.77 | | \$ 25.92 | \$ 1,759.69 | 6.00 | \$ 2,086.64 | \$ (326.95) |
| 7 Glendale | | \$ 1,488.71 | \$ 1,654.43 | \$ 3,143.14 | | \$ 96.12 | \$ 3,239.26 | 9.00 | \$ 4,858.76 | \$ (1,619.50) |
| 8 Greendale | | \$ 1,703.57 | \$ 1,579.00 | \$ 3,282.57 | | \$ 45.90 | \$ 3,328.47 | 10.00 | \$ 4,400.00 | \$ (1,071.53) |
| 9 Greenfield | | \$ 4,916.93 | \$ 3,356.50 | \$ 8,273.43 | \$ 32.26 | \$ 218.16 | \$ 8,523.85 | 20.00 | \$ 4,955.00 | \$ 3,568.85 |
| 10 Milwaukee | | \$ 34,770.00 | \$ 22,452.00 | \$ 57,222.00 | \$ 36,560.00 | | \$ 93,782.00 | 33.00 | \$ 163,254.00 | \$ (69,472.00) |
| 11 Oak Creek | | \$ 3,015.00 | \$ 3,400.76 | \$ 6,415.76 | | | \$ 6,415.76 | 19.00 | \$ 10,274.00 | \$ (3,858.24) |
| 12 River Hills | | \$ 570.00 | \$ 244.07 | \$ 814.07 | | \$ 25.07 | \$ 839.14 | 4.00 | \$ 420.00 | \$ 419.14 |
| 13 Shorewood | | \$ 937.50 | \$ 1,993.66 | \$ 2,931.16 | | | \$ 2,931.16 | 7.00 | \$ 2,734.74 | \$ 196.42 |
| 14 South Milwaukee | | \$ 2,640.00 | \$ 1,235.46 | \$ 3,875.46 | | \$ 57.67 | \$ 3,933.13 | 16.00 | \$ 10,820.00 | \$ (6,886.87) |
| 15 St. Francis | \$ 1,350.00 | | \$ 705.12 | \$ 2,055.12 | | | \$ 2,055.12 | 12.00 | | \$ 2,055.12 |
| 16 Wauwatosa | | \$ 8,961.86 | \$ 5,216.72 | \$ 14,178.58 | \$ 24.70 | \$ 368.28 | \$ 14,571.56 | | \$ 9,000.00 | \$ 5,571.56 |
| 17 West Allis | | \$ 6,913.50 | \$ 4,849.82 | \$ 11,763.32 | \$ 335.07 | \$ 363.37 | \$ 12,461.76 | 25.00 | \$ 15,010.00 | \$ (2,548.24) |
| 18 West Milwaukee | | \$ 480.00 | \$ 871.60 | \$ 1,351.60 | | \$ 10.80 | \$ 1,362.40 | 4.00 | \$ 885.50 | \$ 376.90 |
| 19 Whitefish Bay | | \$ 888.10 | \$ 1,011.96 | \$ 1,900.06 | | | \$ 1,900.06 | 5.00 | \$ 8,726.00 | \$ (6,825.94) |
| Total Munis | \$ 1,923.75 | \$ 76,761.12 | \$ 55,349.35 | \$ 134,034.22 | \$ 37,045.88 | \$ 1,373.94 | \$ 172,454.04 | 225.00 | \$ 263,399.94 | (90,946) |
| Milwaukee County | | | | \$ 67,030.00 | \$ 31,970.59 | \$ - | \$ 99,000.59 | | \$ 273,334.20 | \$ (174,333.61) |
| Munis and MC Total | \$ 1,923.75 | \$ 76,761.12 | \$ 55,349.35 | \$ 201,064.22 | \$ 69,016.47 | \$ 1,373.94 | \$ 271,454.63 | 225 | \$ 536,734.14 | \$ (265,279.51) |

2020 Dane County Recount Reimbursement Request

2020 Recount Costs

Estimate to WEC \$ 740,808.24

Board of Canvass & Tabulators

LTE Tabulators \$ 243,122.87
Board of Canvass \$ 1,358.75

County Staff Assigned to the Recount

Corporation Counsel \$ 9,227.98
County Clerk's Office \$ 10,406.32
Human Resources (Employee Relations) \$ 14,373.57
Information Technology (Information Management) \$ 904.58

Security Staff

Madison Police Department \$ 104,306.40
Contemporary Services Corporation \$ 8,694.57

Election Systems and Software

ES&S - Staff \$ 22,100.00
ES&S - High Speed Scanners \$ 129,530.00

Monona Terrace

Facility Rental \$ 119,105.32
Catering for Tabulators, County Staff \$ 24,969.00

Supplies

PPE - From Emergency Management \$ 3,180.00
Ballot Bags - Waukesha County \$ 1,755.00
IT Equipment - Cameras and License \$ 1,595.00
Office Supplies \$ 1,684.31

Municipal Expenses \$33,419.78

| | |
|--------------------|----------------------|
| Total Costs | \$ 729,733.46 |
|--------------------|----------------------|

2020 Dane County Recount Reimbursement Request (continued)

| MUNICIPALITY | PERSONNEL | TRANSPORTATION | ALLOWABLE MILEAGE | MEALS | OTHER ALLOWABLE EXPENSES | ALLOWABLE EXPENSE DESCRIPTION | TOTAL |
|----------------------------|--------------------|-----------------|-------------------|-----------------|--------------------------|-------------------------------|--------------------|
| City of Fitchburg | \$1,086.08 | | | | | | \$1,086.08 |
| City of Monona | \$914.29 | | \$23.70 | | | | \$937.99 |
| City of Verona | \$2,924.16 | | \$59.80 | \$184.60 | | | \$3,168.56 |
| Town of Berry | \$363.06 | | \$75.90 | | | \$35.60 Parking Fees | \$474.56 |
| Town of Blooming Grove | \$48.00 | | | | | | \$48.00 |
| Town of Bristol | \$300.00 | | \$86.25 | | | | \$386.25 |
| Town of Cottage Grove | \$352.36 | | \$97.06 | | | \$30.00 Parking Fees | \$479.42 |
| Town of Dane | \$356.00 | | \$84.53 | | | \$48.00 Parking Fees | \$488.53 |
| Town of Deerfield | \$200.00 | \$16.00 | | | | Parking Fees | \$216.00 |
| Town of Dunkirk | \$480.00 | | \$66.70 | | | | \$546.70 |
| Town of Dunn | \$497.45 | \$28.80 | \$23.58 | | | \$5.00 Parking Fees | \$554.83 |
| Town of Madison | \$1,466.00 | \$5.00 | \$4.00 | \$33.00 | | | \$1,508.00 |
| Town of Marshall | \$447.85 | | \$33.35 | | | | \$481.20 |
| Town of Mazomanie | | | | | | \$16.00 Parking Fees | \$16.00 |
| Town of Montrose | | | \$45.08 | | | \$12.00 Parking Fees | \$57.08 |
| Town of Oregon | \$1,245.90 | | \$87.40 | \$46.00 | | | \$1,379.30 |
| Town of Perry | \$540.00 | \$16.00 | \$127.65 | | | Parking Fees | \$683.65 |
| Town of Pleasant Springs | \$621.81 | \$15.00 | \$81.19 | | | | \$718.00 |
| Town of Primrose | \$50.00 | | \$29.67 | | | \$16.00 Parking Fees | \$95.67 |
| Town of Rutland | \$690.00 | | \$71.25 | | | \$5.00 Parking Fees | \$766.25 |
| Town of Springdale | \$600.00 | | \$46.00 | | | \$10.00 Parking Fees | \$656.00 |
| Town of Springfield | \$685.12 | \$16.00 | \$69.00 | | | | \$770.12 |
| Town of Sun Prairie | \$577.50 | | \$18.56 | | | \$5.00 Parking Fees | \$601.06 |
| Town of Vermont | | | \$75.90 | | | | \$75.90 |
| Town of Verona | \$615.16 | \$73.27 | | \$25.48 | | | \$713.91 |
| Town of Vienna | \$517.13 | | \$18.40 | | | \$16.00 Parking Fees | \$551.53 |
| Town of York | \$210.00 | \$15.00 | \$74.88 | | | Parking Fees | \$299.88 |
| Village of Belleville | \$699.90 | | \$51.76 | | | | \$751.66 |
| Village of Black Earth | \$550.00 | | \$23.80 | | | | \$573.80 |
| Village of Blue Mounds | \$284.54 | | \$77.51 | | | \$15.00 Parking Fees | \$378.05 |
| Village of Brooklyn | \$423.82 | \$14.00 | \$46.40 | | | Parking Fees | \$484.22 |
| Village of Cambridge | \$416.97 | \$3.00 | \$96.60 | | | | \$516.57 |
| Village of Cottage Grove | \$1,311.02 | \$10.00 | \$71.34 | \$51.39 | | | \$1,443.75 |
| Village of Dane | \$449.61 | \$86.25 | | | | \$16.00 Parking Fees | \$551.86 |
| Village of Deerfield | \$639.79 | \$5.00 | \$67.62 | | | | \$712.41 |
| Village of Maple Bluff | \$473.88 | \$28.00 | \$13.80 | | | | \$515.68 |
| Village of Mazomanie | \$870.00 | | \$142.60 | | | | \$1,012.60 |
| Village of McFarland | \$751.93 | | \$42.32 | \$37.02 | | | \$831.27 |
| Village of Mount Horeb | \$1,331.20 | | \$228.28 | | | | \$1,559.48 |
| Village of Oregon | \$1,465.94 | | \$148.35 | | | \$49.00 Parking Fees | \$1,663.29 |
| Village of Shorewood Hills | \$1,861.18 | \$15.00 | \$23.00 | | | | \$1,899.18 |
| Village of Waunakee | \$1,574.45 | | \$119.60 | | | | \$1,694.05 |
| Village of Windsor | \$963.57 | | \$107.87 | | | | \$1,071.44 |
| TOTAL | \$29,855.67 | \$346.32 | \$2,560.70 | \$377.49 | \$279.60 | | \$33,419.78 |

2020 Milwaukee County Recount Reimbursement Request

**Wisconsin Elections Commission
2020 Presidential Recount**

County Reimbursement Request (AMENDED 12/29/2020)
Estimate due Friday, November 13, 2020 / Actuals due December 31, 2020

Wisconsin County: Milwaukee County
 Check if submitted Form is: An Estimate: *Estimate due Friday, November 13, 2020*
 Actual Costs: *Actuals due December 31, 2020*

Check whether you plan to have: Hand Counted:
 Machine Counted:
 Combined Hand and Machine Counted:

| | LABOR (Salaries/Wages & Fringe) | | | | Other Allowable Expenses | | | | | | | | Total of column to left | |
|---|--|-----------------------|-------------------|-------------------|--------------------------|---------------------|-----------------------|--|---|---------------------|------------------|-------------------------|--|-------------------------------------|
| | Total Labor Cost for Board of Canvassers & Tabulators (Poll Workers) | Outside Legal Counsel | Safety/Security | Other Personnel | Space Rental | Transportation Fees | Equipment Rental Fees | Allowable Travel Costs (Mileage & Parking) | Supplies, including PPE & Other Safety Supplies | IT Related Expenses | Meals | Other Allowable Expense | | Other Allowable Expense Description |
| Costs by Municipality: | | | | | | | | | | | | | | |
| Bayside | 642.04 | | | 2,614.51 | | | | 54.78 | | | 48.72 | | | 3,379.57 |
| Brown Deer | 3,580.00 | | | 2,323.58 | | | | 265.55 | | | | | | 6,169.13 |
| Cudahy | 2,528.68 | | | 3,022.72 | | | | | 1,250.00 | | | 282.74 | poll worker transportation to downtown (bus rental) | 12,584.15 |
| Park Point | 1,202.21 | | | 903.54 | | | | 95.55 | | | | | | 2,331.30 |
| Franklin | 4,979.66 | | | 5,517.92 | | | | 64.40 | | | | | | 8,556.98 |
| Glendale | 1,275.00 | | | 1,269.98 | | | | 183.54 | | | | | | 3,028.22 |
| Greenfield | 1,357.80 | | | 2,393.40 | | | | 39.00 | | | | | | 4,596.20 |
| Greenfield | 5,676.81 | | | 3,360.47 | | | | 267.72 | | | 12.00 | | | 9,248.10 |
| Hales Corners | 1,427.46 | | | 2,882.49 | | | | 56.20 | | | 118.50 | | | 4,586.15 |
| Milwaukee | 135,988.18 | | | 14,264.94 | | | 117,250.00 | | 2,716.89 | | | 7,500.00 | Wear & tear charges to County for moving and usage of 300 alexglass shields valued at \$475 each | 276,829.32 |
| Oak Creek | 4,872.48 | | | 4,074.33 | | | | | | | | | | 8,946.87 |
| River Hills | 728.97 | | | 580.56 | | | | 114.08 | | | | | | 1,423.61 |
| Shorewood | 3,232.73 | | | 4,280.03 | | | | 118.22 | | | 38.83 | | | 7,670.87 |
| South Milwaukee | 2,807.28 | | | 1,925.13 | | | | 57.60 | | | | | | 4,789.94 |
| St. Francis | 1,140.00 | | | 333.94 | | | | | | | | | | 1,473.94 |
| Wauwatosa* | 26,598.24 | | | 4,551.14 | | | | | | | | | | 29,149.38 |
| West Allis | 5,845.57 | | | 10,946.20 | | | | 426.64 | | | | | | 17,318.51 |
| West Milwaukee | 735.00 | | | 816.31 | | | | 5.18 | | | | | | 1,556.49 |
| Wilderich Bv | 1,593.75 | | | | | | | | | | | | | 1,593.75 |
| County Costs (separate and in addition to Municipality costs) | | 7,240.00 | 106,821.25 | 121,959.77 | | 12,900.00 | | | 3,814.83 | 26,713.80 | | 17,457.50 | Court Reporter | 237,041.95 |
| County Costs specific to expenses incurred with Wisconsin Center (event venue) | | | 34,306.00 | 4,335.24 | 350,450.00 | | | | | 355,141.38 | 72,328.68 | | | 1,016,955.70 |
| County-Wide Expense Totals | 210,004.94 | 7,240.00 | 140,921.25 | 191,021.46 | 350,450.00 | 12,900.00 | 117,250.00 | 1,716.96 | 7,681.77 | 381,854.68 | 72,548.29 | 29,235.24 | | 1,719,720.75 |

I declare I have examined this statement and the underlying documentation and to the best of my knowledge and belief, these costs are true, correct and accurately list all amounts and sources. I further declare that all submitted costs are reasonable and necessary, wholly due to the recount process, not otherwise reimbursable, and possess proper documentation.

County Clerk's Name: George L. Christenson
 Signature (or e-Signature): George L. Christenson Amended 12/29/2020*

Reimbursement funds will be sent via electronic transfer to a jurisdiction's shared revenues account (if available) or via a physical check sent to a jurisdiction's treasurer's mailing address.

County Treasurer's Name: David Cullen
 Treasurer's Mailing Address: David.Cullen@milwaukeeelections.gov

Please submit completed form to both:
 elections@milwaukeeelections.gov
 elections@wi.gov

2020 Milwaukee County Recount Reimbursement Request (continued)

Supporting Details to Accompany Reimbursement Form
County Costs

Row C Details (Outside Legal Counsel Fees)

| | |
|---------------------|-------------------|
| Hansen Reynolds LLC | \$7,740.00 |
| Total | \$7,740.00 |

Row D Details (Safety/Security)

| | |
|---|---------------------|
| Milwaukee County Sheriff's Department Labor | \$53,887.80 |
| City of Milwaukee Police Department Labor | \$52,733.45 |
| Total | \$106,621.25 |

Row E Details (Other Personnel)

| | |
|--|---------------------|
| County Staff | \$34,359.27 |
| ES&S Operators | \$74,800.00 |
| Temporary County Staffing (Personnel Specialists, Ltd) | \$12,840.50 |
| Total | \$121,999.77 |

Row H Details (Transportation)

| | |
|--------------|--------------------|
| Coakley | \$12,900.00 |
| Total | \$12,900.00 |

Row K Details (Supplies)

| | |
|---|-------------------|
| Great Impressions for Posters | \$354.00 |
| Plastic ballot bags | \$1,826.00 |
| Easystore Desktop DRI (WD 14TB) - hard drive to save recorded event | \$259.99 |
| Easystore Desktop DRI (WD 14TB) - hard drive to save recorded event | \$259.99 |
| Labels (5164) - 3 purchased on 11/21 | \$157.47 |
| Badge, Clips | \$183.32 |
| Labels (5164) - 2 additional boxes purchased on 11/24 | \$105.48 |
| Banker boxes | \$141.50 |
| Red pencils | \$327.18 |
| Total | \$3,614.93 |

Row L Details (IT Related) - Outside Wisconsin Center Expenses

| | |
|---|--------------------|
| Redaction of Central Count Ballot Images (ES&S) | \$26,713.50 |
| Total | \$26,713.50 |

Row N Details (Other Allowable Expenses)

| | |
|----------------|--------------------|
| Court Reporter | \$17,452.50 |
| Total | \$17,452.50 |

Borgerding, Nicole

From: Schulze Connie R <CSchulze@uwhealth.org>
Sent: Monday, January 4, 2021 11:11 AM
To: Prange, Katy; Borgerding, Nicole
Cc: Fabian Andrea
Subject: Email address for UW School of Medicine and Public Health Dean and his Assistant

Follow Up Flag: Follow up
Flag Status: Completed

Hi Katy and Nicole. As COS to two legislators who are also UWHCA board members, you will probably have the occasion to send a message to the board chair. That being, Dean Golden. He can be reached at rngolden@wisc.edu and his assistant is Andrea Fabian at afabian@wisc.edu. I recommend copying Andrea on anything you send to him so she can make sure information gets routed efficiently given his very busy schedule. Feel free to copy me as well if it's not confidential information. Again, I can help get answers in a pinch. Thanks!

Connie Schulze
Director, Government Affairs
UW Health & UW School of Medicine and Public Health
749 University Row – Suite 233
Madison, WI 53705
PHONE: 608/422-8063 (office); 608/516-2552 (mobile)
EMAIL: cschulze@uwhealth.org

Borgerding, Nicole

From: Prange, Katy
Sent: Wednesday, December 16, 2020 10:34 AM
To: Jeff Mayers; Borgerding, Nicole
Subject: RE: Thurs Feb 18

Looks good to us!

Thanks,

Katy Prange
Chief of Staff
Office of Senator Howard Marklein
(608) 266-0703
www.legis.wi.gov/senate/17/marklein

From: Jeff Mayers <mayers@wispolitics.com>
Sent: Tuesday, December 15, 2020 7:38 PM
To: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Cc: Prange, Katy <Katy.Prange@legis.wisconsin.gov>
Subject: Thurs Feb 18

Hi Nicole,
No prob
Feb 18 is best as long as gov does his speech on Feb 16.
Would be from noon to 1 pm with an 11:30 am check in.
Ok?
Tnx
Jeff

On Tue, Dec 15, 2020, 4:52 PM Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov> wrote:

Hi Jeff,

I apologize for the delayed response on this. We are still getting set up in the office.

Rep. Born cannot do the 26th but could do the 18th. Does that still work?

Thanks!

-----Original Message-----

From: Jeff Mayers <mayers@wispolitics.com>
Sent: Wednesday, December 9, 2020 9:29 AM
To: Rep.Born <Rep.Born@legis.wisconsin.gov>
Subject: Thurs Feb. 18 or Thrus 25? Fwd: WisPolitics.com virtual event in late February, early March?

Hi,
Sen. Marklein's office recommends Feb. 18 or 25?

Either, both work?

Thanks.

Jeff

----- Forwarded message -----

From: Prange, Katy <Katy.Prange@legis.wisconsin.gov>

Date: Tue, Dec 8, 2020 at 3:43 PM

Subject: RE: WisPolitics.com virtual event in late February, early March?

To: Jeff Mayers <mayers@wispolitics.com>

Jeff -

Thanks for your email.

I have no idea what the calendar will hold in February and March - so I guess we can just pick one and hope for the best. How about February 18 or 25? I think a Thursday is probably safer than a Tuesday on our end.

Katy Prange

Chief of Staff

Office of Senator Howard Marklein

(608) 266-0703

www.legis.wi.gov/senate/17/marklein

-----Original Message-----

From: Jeff Mayers <mayers@wispolitics.com>

Sent: Friday, December 4, 2020 3:16 PM

To: Sen.Marklein <Sen.Marklein@legis.wisconsin.gov>; Rep.Born <Rep.Born@legis.wisconsin.gov>

Subject: WisPolitics.com virtual event in late February, early March?

Hi,

Congratulations on your co-chair appointments!

Traditionally WisPolitics.com has invited the JFC co-chairs in for a luncheon every two years around budget introduction time.

We hope to do that again in late February or early March 2021 but in a virtual format over the lunch hour. We usually do events on Tues or Thurs, noon to 1 p.m.

Are there some good dates that work for you?

Thanks!

Jeff Mayers

President

WisPolitics.com

608-212-9422

Borgerding, Nicole

From: Sen.Marklein
Sent: Wednesday, January 6, 2021 3:42 PM
To: David Zeug
Subject: RE: JFC - Stewardship

David:

Thank you for your email. As the new session begins, nearly the entire membership of the Joint Committee on Finance (JFC) has changed or is new to their roles, including Rep. Mark Born and I serving as co-chairs. We will be evaluating all of the outstanding stewardship requests that have not been approved and make a decision about how we will move forward. One of the projects you referenced is nearly two years old. The other is more recent. Neither was submitted under the current membership of the committee.

Again, thank you for your email.

Sincerely,

Howard Marklein
State Senator
17th Senate District
(608) 255-0703

-----Original Message-----

From: David Zeug <djzeug@charter.net>
Sent: Monday, January 4, 2021 4:13 PM
To: Prange, Katy <Katy.Prange@legis.wisconsin.gov>
Subject: JFC - Stewardship

Good afternoon.....I'm writing an article for WI Outdoor News re: a couple Stewardship projects in Bayfield and Ashland counties that were shelved by JF. I've contacted Sen Darling and Sen Strobel on this already and was referred to Sen Marklien, who was on JF last year and I understand is now Chair of the committee.

My questions involves a proposed Bayfield county forest purchase and another for Kerher Park/Boat Landing in the city of Ashland at a former Superfund site.

Both proposals were supported by WDNR and the Natural Resources Board. Specifically, I'd like to know if the projects are still viable or not and what, if anything, the people who wrote the projects can do at this point.

I'd appreciate a response to this query and a phone number if I have any followup questions.....thank you for your time.

Dave Zeug

O/H: 715/468-7432
C: 715/271-1911

Borgerding, Nicole

From: Prange, Katy
Sent: Wednesday, January 6, 2021 3:43 PM
To: Borgerding, Nicole
Subject: Just CC'd you

Hey there --

Just CC'd you on a response to Outdoor News. Wanted you to know what we were telling him.

Katy Prange
Chief of Staff
Office of Senator Howard Marklein
(608) 266-0703
www.legis.wi.gov/senate/17/marklein

Borgerding, Nicole

From: Prange, Katy
Sent: Wednesday, January 6, 2021 4:27 PM
To: Borgerding, Nicole
Subject: press release
Attachments: 1.7.21 CoChairs - Press Release - Recount Reimbursement Objection.doc

Follow Up Flag: Follow up
Flag Status: Completed

Katy Prange
Chief of Staff
Office of Senator Howard Marklein
(608) 266-0703
www.legis.wi.gov/senate/17/marklein

STATE OF WISCONSIN

SENATE CHAIR
Howard Marklein

316 East, State Capitol
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-0703



ASSEMBLY CHAIR
Mark Born

308 East, State Capitol
P.O. Box 8952
Madison, WI 53708-8952
Phone: (608) 266-2540

JOINT COMMITTEE ON FINANCE

FOR IMMEDIATE RELEASE – January 7, 2021

JFC Withdraws Objection on Recount Election Reimbursement for Dane and Milwaukee Counties

The Joint Committee on Finance (JFC) has withdrawn the objection to the passive review related to reimbursement for the recount process in Wisconsin. The Wisconsin Elections Commission (WEC) may now reimburse Dane and Milwaukee counties for all expenses related to the recount in November 2020.

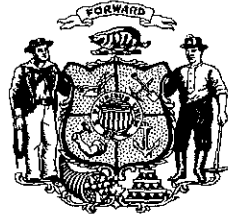
“The JFC initially objected to the passive review because we did not have enough information to approve the reimbursement,” Co-Chair Rep. Mark Born (R-Beaver Dam) said. “We were provided enough information to withdraw the objection. The WEC may now reimburse the counties for their expenses.”

“While there are still concerns about the actual receipts for the recount, the JFC decided to withdraw our objections,” Co-Chair Howard Marklein (R-Spring Green) said. “We continue to have concerns about the high hourly rate paid to workers, expensive rental costs when we have county-owned buildings sitting empty and inflated operational expenses. We plan to consider options for the future. This committee will protect the state’s checkbook.”

STATE OF WISCONSIN

SENATE CHAIR
Howard Marklein

316 East, State Capitol
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-0703



ASSEMBLY CHAIR
Mark Born

308 East, State Capitol
P.O. Box 8952
Madison, WI 53708-8952
Phone: (608) 266-2540

JOINT COMMITTEE ON FINANCE

FOR IMMEDIATE RELEASE – January 7, 2021

JFC Withdraws Objection on Recount Election Reimbursement for Dane and Milwaukee Counties

The Joint Committee on Finance (JFC) has withdrawn the objection to the passive review related to reimbursement for the recount process in Wisconsin. The Wisconsin Elections Commission (WEC) may now reimburse Dane and Milwaukee counties for all expenses related to the recount in November 2020.

“The JFC initially objected to the passive review because we did not have enough information to approve the reimbursement,” Co-Chair Rep. Mark Born (R-Beaver Dam) said. “We were provided enough information to withdraw the objection. The WEC may now reimburse the counties for their expenses.”

“While there are still concerns about the actual receipts for the recount, the JFC decided to withdraw our objections,” Co-Chair Howard Marklein (R-Spring Green) said. “We continue to have concerns about the high hourly rate paid to workers, expensive rental costs when we have county-owned buildings sitting empty and inflated operational expenses. We plan to consider options for the future. This committee will protect the state’s checkbook.”

Borgerding, Nicole

From: Borgerding, Nicole
Sent: Wednesday, January 6, 2021 4:30 PM
To: Prange, Katy
Subject: RE: press release

Thank you!

Nicole Borgerding
Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

From: Prange, Katy <Katy.Prange@legis.wisconsin.gov>
Sent: Wednesday, January 6, 2021 4:27 PM
To: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Subject: press release

Katy Prange
Chief of Staff
Office of Senator Howard Marklein
(608) 266-0703
www.legis.wi.gov/senate/17/marklein

Borgerding, Nicole

From: Prange, Katy
Sent: Thursday, January 7, 2021 10:00 AM
To: Borgerding, Nicole
Subject: RE: Press Release

Nicole – nothing is attached... 😊

Katy Prange
Chief of Staff
Office of Senator Howard Marklein
(608) 266-0703
www.legis.wi.gov/senate/17/marklein

From: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Sent: Thursday, January 7, 2021 9:58 AM
To: Prange, Katy <Katy.Prange@legis.wisconsin.gov>
Subject: Press Release

Here are my edits to Mark's quote. Thanks again for putting this together. I'll pop by shortly to chat about timing.

Thanks!

Nicole Borgerding
Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

Borgerding, Nicole

From: Borgerding, Nicole
Sent: Thursday, January 7, 2021 3:21 PM
To: Prange, Katy
Subject: RE: Press Release
Attachments: 1.7.21 CoChairs - Press Release - Recount Reimbursement Objection.doc

Attached ☺

Nicole Borgerding
Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

From: Prange, Katy <Katy.Prange@legis.wisconsin.gov>
Sent: Thursday, January 7, 2021 10:00 AM
To: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Subject: RE: Press Release

Nicole – nothing is attached... ☺

Katy Prange
Chief of Staff
Office of Senator Howard Marklein
(608) 266-0703
www.legis.wi.gov/senate/17/marklein

From: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Sent: Thursday, January 7, 2021 9:58 AM
To: Prange, Katy <Katy.Prange@legis.wisconsin.gov>
Subject: Press Release

Here are my edits to Mark's quote. Thanks again for putting this together. I'll pop by shortly to chat about timing.

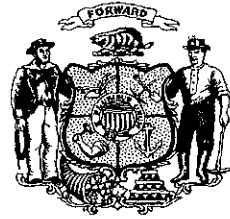
Thanks!

Nicole Borgerding
Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

STATE OF WISCONSIN

SENATE CHAIR
Howard Marklein

316 East, State Capitol
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-0703



ASSEMBLY CHAIR
Mark Born

308 East, State Capitol
P.O. Box 8952
Madison, WI 53708-8952
Phone: (608) 266-2540

JOINT COMMITTEE ON FINANCE

FOR IMMEDIATE RELEASE – January 7, 2021

JFC Lifts Objection on Recount Election Reimbursement for Dane and Milwaukee Counties

Madison... The Joint Committee on Finance (JFC) has withdrawn the objection to the passive review related to reimbursement for the recount process in Wisconsin. The Wisconsin Elections Commission (WEC) may now reimburse Dane and Milwaukee counties for all expenses related to the recount in November 2020.

“When the request came before the committee, we did not have enough information to approve the reimbursements at that time,” said Co-Chair Rep. Mark Born (R-Beaver Dam). “Although the receipts from Dane and Milwaukee counties have raised concerns, we now have the information we need to approve their request. At this time, the Wisconsin Elections Commission can reimburse them for their recount expenses.”

“While there are still concerns about the actual receipts for the recount, the JFC decided to withdraw our objections,” Co-Chair Howard Marklein (R-Spring Green) said. “We continue to have concerns about the high hourly rate paid to workers, expensive rental costs when we have county-owned buildings sitting empty and inflated operational expenses. We plan to consider options for the future. This committee will protect the state’s checkbook.”

Borgerding, Nicole

From: Prange, Katy
Sent: Friday, January 8, 2021 10:09 AM
To: Borgerding, Nicole
Subject: lists for presser thsi morning
Attachments: 1.8.21 Capitol Press Corps.xlsx; 1.8.21 Right Media List.xlsx

Includes Right media and the Capitol press corps.

A-OK?

Katy Prange
Chief of Staff
Office of Senator Howard Marklein
(608) 266-0703
www.legis.wi.gov/senate/17/marklein

| Outlet | Name | Email Address |
|-------------------------------|--------------------|--|
| Appleton Post Crescent | | pcnews@postcrescent.com |
| Associated Press | Scott Bauer | sbauer@ap.org |
| Associated Press | Todd Richmond | trichmond@ap.org |
| Capital Times | Jessie Opoien | jopoien@madison.com |
| Capital Times | Katelyn Ferral | kferral@madison.com |
| Daily Reporter/WI Law Journal | Ericka Strebel | erika.strebel@dailyreporter.com |
| Isthmus | Judith Davidoff | jdavidoff@isthmus.com |
| Milwaukee Journal Sentinel | Molly Beck | mabeck@gannett.com |
| Milwaukee Journal Sentinel | Patrick Marley | patrick.marley@jrn.com |
| USA Today Network - WI | Keegan Kyle | kkyle@gannett.com |
| Wheeler Report | Gwyn Guenther | wheeler@thewheelerreport.com |
| Wisconsin Catholic Newspapers | Kim Wadas | info@madisoncatholicherald.org |
| Wisconsin State Journal | Riley Vetterkind | rvetterkind@madison.com |
| Wisconsin State Journal | Mark Sommerhauser | msommerhauser@madison.com |
| Wispolitics | JR Ross | ross@wispolitics.com |
| Wispolitics | Briana Reilly | reilly@wispolitics.com |
| Wispolitics - WisBusiness | Alex Moe | moe@wispolitics.com |
| WIBA Radio - Madison | | wibanews@yahoo.com |
| WIBA Radio - Madison | Robin Colbert | robincolbert@clearchannel.com |
| Wisconsin Public Radio | Shawn Johnson | shawn.johnson@wpr.org |
| Wisconsin Public Radio | Laurel White | laurel.white@wpr.org |
| Wisconsin Radio Network | Bob Hague | bhague@wrn.com |
| Wisconsin Radio Network | Raymond Neupert | rneupert@wrn.com |
| WOLX Radio | Kitty Dunn | kdunn@entercom.com |
| WisconsinEye | John Henkes | jon.henkes@wiseye.org |
| WisconsinEye | Steve Walters | steven.walters@wiseye.org |
| WisconsinEye | John Schroeder | john.schroeder@wiseye.org |
| Wisconsin Public Television | Kathy Bissen | kathy.bissen@wpt.org |
| Wisconsin Public Television | Frederica Freyberg | frederica.freyberg@wpt.org |
| Wisconsin Public Television | Andy Moore | andy.moore@wpt.org |
| Wisconsin Public Television | Zac Schultz | zac.schultz@wpt.org |
| Wisconsin Public Television | Andy Soth | andy.soth@wpt.org |
| Wisconsin Public Television | Joel Waldinger | joel.waldinger@wpt.org |
| WISC TV (Madison) | | tips@channel3000.com |
| WISC TV (Madison) | Jessica Arp | jarp@wisctv.com |
| WISC TV (Madison) | Rose Schmidt | rschmidt@wisctv.com |
| WKOW-TV (ABC 27 Madison) | | news@wkow.co |
| WKOW-TV (ABC 27 Madison) | Tony Galli | tgalli@wkow.com |
| WKOW-TV (ABC 27 Madison) | Emilee Fannon | efannon@wkow.com |
| WMTV (NBC15 Madison) | Ryan Lobenstein | news@nbc15.com |
| WMTV (NBC15 Madison) | Morgan Wolfe | mwolfe@nbc15.com |
| WMTV (NBC15 Madison) | Caroline Peterson | caroline.peterson@nbc15.com |

| Outlet | Name | Email |
|----------------------|----------------|--|
| WISN | Dan O'Donnell | DanODonnell@iheartmedia.com |
| WISN/WIBA | Vicki McKenna | VickiMcKenna@iheartmedia.com |
| WISN | Jay Weber | JayWeber@iheartmedia.com |
| WISN | Mark Belling | markbelling@iheartmedia.com |
| Boots and Sabers | Owen Robinson | owen@bootsandsabers.com |
| Empower Wisconsin | Matt Kittle | matt.kittle@empowerwisconsin.org |
| MacIver News Service | Bill Osmulski | wosmulski@maciverinstitute.com |
| MacIver News Service | Lexi Dittrich | ldittrich@maciverinstitute.com |
| The Center Square | Benjamin Yount | benyount98@gmail.com |
| Right Wisconsin | J Wigderson | jameswigderson@gmail.com |

Borgerding, Nicole

From: Borgerding, Nicole
Sent: Friday, January 8, 2021 10:10 AM
To: Prange, Katy
Subject: RE: lists for presser thsi morning

Works for me! Thanks for sending.

I'm around to stamp it when ready. Just give me a heads up so I can call to our members.

Thanks!

Nicole Borgerding

Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

From: Prange, Katy <Katy.Prange@legis.wisconsin.gov>
Sent: Friday, January 8, 2021 10:09 AM
To: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Subject: lists for presser thsi morning

Includes Right media and the Capitol press corps.

A-OK?

Katy Prange
Chief of Staff
Office of Senator Howard Marklein
(608) 266-0703
www.legis.wi.gov/senate/17/marklein

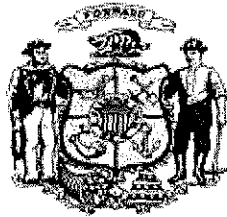
Borgerding, Nicole

From: Sen.Marklein
Sent: Friday, January 8, 2021 10:25 AM
To: Sen.Marklein; Rep.Born
Subject: FOR IMMEDIATE RELEASE: JFC Lifts Objection on Recount Election Reimbursement for Dane and Milwaukee Counties
Attachments: 1.8.21 CoChairs - Press Release - Recount Reimbursement Objection.pdf

STATE OF WISCONSIN

SENATE CHAIR
Howard Marklein

316 East, State Capitol
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-0703



ASSEMBLY CHAIR
Mark Born

308 East, State Capitol
P.O. Box 8952
Madison, WI 53708-8952
Phone: (608) 266-2540

JOINT COMMITTEE ON FINANCE

FOR IMMEDIATE RELEASE – January 8, 2021

JFC Lifts Objection on Recount Election Reimbursement for Dane and Milwaukee Counties

Madison... The Joint Committee on Finance (JFC) has withdrawn the objection to the passive review related to reimbursement for the recount process in Wisconsin. The Wisconsin Elections Commission (WEC) may now reimburse Dane and Milwaukee counties for all expenses related to the recount in November 2020.

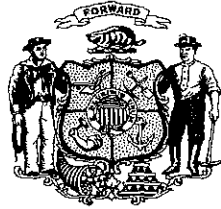
“When the request came before the committee, we did not have enough information to approve the reimbursements at that time,” said Co-Chair Rep. Mark Born (R-Beaver Dam). “Although the receipts from Dane and Milwaukee counties have raised concerns, we now have the information we need to approve their request. At this time, the Wisconsin Elections Commission can reimburse them for their recount expenses.”

“While there are still concerns about the actual receipts for the recount, the JFC decided to withdraw our objections,” Co-Chair Howard Marklein (R-Spring Green) said. “We continue to have concerns about the high hourly rate paid to workers, expensive rental costs when we have county-owned buildings sitting empty and inflated operational expenses. We plan to consider options for the future. This committee will protect the state’s checkbook.”

STATE OF WISCONSIN

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Howard Marklein

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Madison, WI 53707-7882
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JOINT COMMITTEE ON FINANCE

FOR IMMEDIATE RELEASE – January 8, 2021

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Borgerding, Nicole

From: Prange, Katy
Sent: Friday, January 8, 2021 10:34 AM
To: Borgerding, Nicole
Subject: staff coverage list

Nicole –

I am going to put together a quick cut/paste spreadsheet for staff/internal people who should get any future Press releases. My whole team gets them so they are on the same page.

Do you want your whole team added? Other members?

Katy Prange
Chief of Staff
Office of Senator Howard Marklein
(608) 266-0703
www.legis.wi.gov/senate/17/marklein

Borgerding, Nicole

From: Borgerding, Nicole
Sent: Friday, January 8, 2021 10:36 AM
To: Prange, Katy
Subject: RE: staff coverage list

That's a good idea. Sure, let's do our whole team. And then we can add our JFC Republican members as well so they know what we're saying.

Nicole Borgerding

Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

From: Prange, Katy <Katy.Prange@legis.wisconsin.gov>
Sent: Friday, January 8, 2021 10:34 AM
To: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
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www.legis.wi.gov/senate/17/marklein

Borgerding, Nicole

From: Borgerding, Nicole
Sent: Friday, January 8, 2021 10:44 AM
To: Prange, Katy
Subject: RE: staff coverage list

Absolutely. Thanks, Katy!

Nicole Borgerding
Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

From: Prange, Katy <Katy.Prange@legis.wisconsin.gov>
Sent: Friday, January 8, 2021 10:43 AM
To: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Subject: RE: staff coverage list

I will add them and all of the rep offices for the future.

Would you be able to send this to them in the mean time?

Katy Prange
Chief of Staff
Office of Senator Howard Marklein
(608) 266-0703
www.legis.wi.gov/senate/l7/marklein

From: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
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Katy Prange
Chief of Staff
Office of Senator Howard Marklein
(608) 266-0703
www.legis.wi.gov/senate/17/marklein

Borgerding, Nicole

From: Sen.Marklein
Sent: Friday, January 8, 2021 12:56 PM
To: Gillitzer, Erin; Beighley, Jeffrey; Anderson, Cyrus; Franke, Alex; Queensland, Michael; Macaulay, Lisa; *Legislative Everyone
Subject: Senate Committee on Finance Public Hearing - January 11 at 11:00am
Attachments: Public_Notice_1-11-21_Finance.docx

The Committee on Finance has scheduled a meeting on January 11, 2021 at 11:00 AM.

Senate

PUBLIC HEARING

Committee on Finance

The committee will hold a public hearing on the following items at the time specified below:

Monday, January 11, 2021
11:00 AM
412 East

- *Due to the utilization of social distancing guidelines, seating in room 412 East may be limited.*
- *An overflow room will be available in Room 400 Southeast.*
- *Members of the public may observe the hearing in the State Capitol Rotunda or through WisconsinEye coverage available at <https://wiseye.org/>.*
- *Individuals who testify may be asked to leave the room following their testimony, allowing other people to enter the room for testimony.*
- *Time limits may be imposed to allow all registrants an opportunity to testify.*

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.

By Representatives Vos, Summerfield, James, Tusler, Cabral-Guevara, Born, Steineke, Wichgers, Magnafici, Dallman, Katsma, Callahan, Kuglitsch, J. Rodriguez, Vorpapel, Snyder, Duchow, Schraa, Petersen, Thiesfeldt, Swearingen, Zimmerman, Edming, Wittke and Moses.

Senator Howard Marklein
Chair

Borgerding, Nicole

From: Sen.Marklein
Sent: Friday, January 8, 2021 12:56 PM
To: Gillitzer, Erin; Beighley, Jeffrey; Anderson, Cyrus; Franke, Alex; Queensland, Michael; Macaulay, Lisa; *Legislative Everyone
Subject: Senate Committee on Finance Executive Session - January 11 at 11:01am
Attachments: Executive_Notice_1-11-21_Finance.docx

The Committee on Finance has scheduled a meeting on January 11, 2021 at 11:01 AM.

Senate

EXECUTIVE SESSION

Committee on Finance

The committee will hold an executive session on the following items at the time specified below:

Monday, January 11, 2021
11:01 AM
412 East

****The Executive Session will begin at 11:01 AM or upon adjournment of the Public Hearing.****

- *Due to the utilization of social distancing guidelines, seating in room 412 East may be limited.*
- *An overflow room will be available in Room 400 Southeast.*
- *Members of the public may observe the hearing in the State Capitol Rotunda or through WisconsinEye coverage available at <https://wiseye.org/>.*

Assembly Bill 1

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Senator Howard Marklein
Chair

Borgerding, Nicole

From: Sen.Marklein
Sent: Friday, January 8, 2021 3:23 PM
To: Gillitzer, Erin; Beighley, Jeffrey; Anderson, Cyrus; Franke, Alex; Queensland, Michael; Macaulay, Lisa; *Legislative Everyone
Cc: The-Wheeler-Report
Subject: REVISED: Senate Committee on Finance Public Hearing - January 11 at 11:00am
Attachments: Revised_Public_Notice_1-11-21_Finance.docx

The Committee on Finance has REVISED its meeting scheduled for January 11, 2021 at 11:00 AM.

Senate

PUBLIC HEARING

Committee on Finance

The committee will hold a public hearing on the following items at the time specified below:

Monday, January 11, 2021

11:00 AM

412 East

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The Committee will hear testimony from invited speakers followed by public testimony.

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.

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01/08/2021: The top notes were changed.

Senator Howard Marklein
Chair

Borgerding, Nicole

From: Sen.Marklein
Sent: Monday, January 11, 2021 8:08 AM
To: Gillitzer, Erin; Beighley, Jeffrey; Anderson, Cyrus; Franke, Alex; Queensland, Michael; Macaulay, Lisa; *Legislative Everyone
Cc: The-Wheeler-Report
Subject: CANCELLED: Senate Committee on Finance Executive Session - January 11 at 11:01am
Attachments: Cancelled_Executive_Notice_1-11-21_Finance.docx

The Committee on Finance has CANCELLED its meeting scheduled for January 11, 2021 at 11:01 AM.

Senate

EXECUTIVE SESSION CANCELLED

Committee on Finance

The committee will hold an executive session on the following items at the time specified below:

Monday, January 11, 2021
11:01 AM
412 East

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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.

By Representatives Vos, Summerfield, James, Tusler, Cabral-Guevara, Born, Steineke, Wichgers, Magnafici, Dallman, Katsma, Callahan, Kuglitsch, J. Rodriguez, Vorpapel, Snyder, Duchow, Schraa, Petersen, Thiesfeldt, Swearingen, Zimmerman, Edming, Wittke and Moses.

Senator Howard Marklein
Chair

Borgerding, Nicole

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To: Gillitzer, Erin; Beighley, Jeffrey; Anderson, Cyrus; Franke, Alex; Queensland, Michael; Macaulay, Lisa; *Legislative Everyone
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Subject: CANCELLED: Senate Committee on Finance Public Hearing - January 11 at 11:00am
Attachments: Cancelled_Public_Notice_1-11-21_Finance.docx

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Senate

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01/08/2021: The top notes were changed.

Senator Howard Marklein
Chair

Borgerding, Nicole

From: Prange, Katy
Sent: Monday, January 11, 2021 12:17 PM
To: Borgerding, Nicole
Subject: RE: staff coverage list
Attachments: 1.8.21 JFC Staff.Capitol Distribution List.xlsx

In case you need something like this...

Katy Prange
Chief of Staff
Office of Senator Howard Marklein
(608) 266-0703
www.legis.wi.gov/senate/17/marklein

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Chief of Staff
Office of Representative Mark Born
Co-Chair, Joint Committee on Finance
608-266-2540

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Office

Sen. Howard Marklein
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 Sen. Howard Marklein
 Sen. Duey Stroebel
 Sen. Duey Stroebel
 Sen. Duey Stroebel
 Sen. Duey Stroebel
 Sen. Dale Kooyenga
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 Sen. Dale Kooyenga
 Sen. Mary Felzkowski
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 Sen. Joan Ballweg
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 Sen. Kathy Bernier
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Staff

Senator
 Katy Prange
 Peter Hienz
 Eileen O'Neill
 Andrea Brooks
 Vince Williams
 Ryan Ring
 Senator
 John Soper
 Brian Sikma
 Mark Radcliffe
 Tyler Livesey
 Senator
 Sandy Lonergan
 Nick Bentz
 Rachel Vander Wiele
 Chris Rochester
 Senator
 Liz Portz
 Stamena Ivanov
 Collin Driscoll
 Christopher Seitz
 Senator
 Bethany Rasmussen
 Amanda Graham
 Ben Karbowski
 David Specht-Boardman
 Senator
 Michael Luckey
 Nathan Duerkop
 Zachary Stollfus
 Denise Richter

Email Address

sen.marklein@legis.wisconsin.gov
katy.prange@legis.wisconsin.gov
peter.hienz@legis.wisconsin.gov
eileen.o'neill@legis.wisconsin.gov
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john.soper@legis.wisconsin.gov
brian.sikma@legis.wi.gov
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tyler.livesey@@legis.wi.gov
Sen.Kooyenga@@legis.wi.gov
sandy.lonergan@@legis.wi.gov
nick.bentz@@legis.wi.gov
rachel.vanderwiele@@legis.wi.gov
chris.rochester@@legis.wi.gov
Sen.Felzkowski@legis.wi.gov
elisabeth.portz@legis.wi.gov
stamena.ivanov@legis.wi.gov
collin.driscoll@legis.wi.gov
christoperh.seitz@legis.wi.gov
Sen.Ballweg@legis.wi.gov
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amanda.graham@legis.wi.gov
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david.specht-boardman@legis.wi.gov
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denise.richter@legis.wi.gov

Rep. Mark Born
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 Rep. Jessie Rodriguez

Representative
 Nicole Borgerding
 Tyler Clark
 Waylon Hurlburt
 RJ Lambert
 Michael Neuwohner
 Representative
 Danielle Zimmerman
 Emily Anderson
 Representative
 Nick Krueger
 Storm Linger
 Representative

Rep.born@legis.wisconsin.gov
nicole.borgerding@legis.wisconsin.gov
tyler.clark@legis.wi.gov
waylon.hurlburt@legis.wi.gov
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danielle.zimmerman@legis.wi.gov
emily.anderson@legis.wi.gov
rep.katsma@legis.wi.gov
nick.krueger@legis.wisconsin.gov
storm.linger@legis.wi.gov
rep.rodriguez@legis.wi.gov

| | | |
|------------------------|-------------------------|--|
| Rep. Jessie Rodriguez | Mitch Sands | mitch.sands@legis.wi.gov |
| Rep. Jessie Rodriguez | Kaitlyn Wender | kaitlyn.wender@legis.wi.gov |
| Rep. Tony Kurtz | Representative | rep.kurtz@legis.wi.gov |
| Rep. Tony Kurtz | Kathryn Heitman | kathryn.heitman@legis.wi.gov |
| Rep. Tony Kurtz | Alex Braaten | alex.braaten@legis.wi.gov |
| Sen. Jon Erpenbach | Senator | Sen.Erpenbach@legis.wi.gov |
| Sen. Jon Erpenbach | Kelly Becker | kelly.becker@legis.wi.gov |
| Sen. Jon Erpenbach | Kate Constalie | kate.constalie@legis.wi.gov |
| Sen. Jon Erpenbach | Geoff Gaston | geoff.gaston@legis.wi.gov |
| Sen. Jon Erpenbach | Tryg Knutson | tryg.knutson@legis.wi.gov |
| Sen. Jon Erpenbach | Terry Tuschen | terry.tuschen@legis.wi.gov |
| Sen. LaTonya Johnson | Senator | sen.johnson@legis.wi.gov |
| Sen. LaTonya Johnson | Lacy Fox | lacy.fox@legis.wi.gov |
| Sen. LaTonya Johnson | Kadijah Marquardt-Davis | kadijah.marquardt-davis@legis.wi.gov |
| Sen. LaTonya Johnson | Shannon McCoy | shannon.mccoy@legis.wi.gov |
| Sen. LaTonya Johnson | Christian Ullsvik | christian.ullsvik@legis.wi.gov |
| Rep. Evan Goyke | Representative | rep.goyke@legis.wi.gov |
| Rep. Evan Goyke | Katie Jaeger | kathryn.jaeger@legis.wi.gov |
| Rep. Evan Goyke | Ryan Knocke | ryan.knocke@legis.wi.gov |
| Rep. Greta Neubauer | Representative | rep.neubauer@legis.wi.gov |
| Rep. Greta Neubauer | Robby Abrahamian | robby.abrahamian@legis.wi.gov |
| Rep. Greta Neubauer | Elizabeth Shimek | elizabeth.shimek@legis.wisconsin.gov |
| Senate Majority Leader | Nathan Schwanz | nathan.schwanz@legis.wi.gov |
| Senate Majority Leader | Adam Gibbs | adam.gibbs@legis.wi.gov |
| Assembly Speaker | Kit Beyer | kit.beyer@legis.wi.gov |

Born, Mark

From: Vos, Robin
Sent: Saturday, January 09, 2021 7:05 AM
To: Born, Mark; Steineke, Jim; August, Tyler
Subject: Fwd: Senate Amendment breakdown
Attachments: Senate amendment breakdown.docx

Follow Up Flag: Follow up
Flag Status: Flagged

From: Schweitzer, Alicia <Alicia.Schweitzer@legis.wisconsin.gov>
Sent: Friday, January 8, 2021, 6:00 PM
To: Vos, Robin; Toftness, Jenny
Cc: Fabick, Abbey
Subject: Senate Amendment breakdown

Good Evening,

Please find attached a list of what is in the Senate amendment. We are waiting for some clarifications from leg council on a couple items.

Have a good weekend!

Alicia

What they included: *assembly's bill

- Civil Liability – Pg 31*
 - Senate added more restrictive language
 - “if the entity was in substantial compliance with or was consistently operating under any state statute, state rule, or state order related to COVID-19 that applied to the entity at the time of alleged exposure
 - Senate Removed:*
 - Does not apply if the act or omission involves reckless or wanton conduct or international misconduct.
 - Noncompliance with national, state or local order requiring entities to close or limit capacity does not constitute reckless or wanton do conduct or intentional misconduct for purposes of this section
- UW Program – Pg 12
 - Senate asked us to take it out
- Annuitants – 13*
 - Extended till June 30th 2021
 - Ours was 60 days after – due to stroebel we were told*
- Pharmacists of all levels administering vaccines – Pag 13*
 - S: only covid
 - A: any vaccine, we repeatedly told them the language needed to be for all/any vaccines, not just COVID
- Any health care provider is immune from any liability for death, injury, damages related to SARS-CoV2
 - We did not include
 - Their language is the scaled back version, NOT the original language included in Act 185 that some had concerns about being too expansive
- Education:
 - waiving instruction requirements
 - Done in Act 185 – leg council is getting a list of things included but it will most likely be testing deadlines etc
 - virtual reporting*
- DOA may transfer employees
- UI
 - Backlog*
 - Call Center*
 - Workshare*
 - Waiting period*
 - Benefit sharing*
- Limited term employees
- Coverage of Vaccinations under SeniorCare*
- MA reimbursement*
 - Covid vaccines and tests by pharmacists
 - Reimbursement for SWING beds, SNF beds, and outpatient*

- Cremation guidelines extension act 185*
- Child Care and Development Fund Block grant funding*
- Coverage limits prescription drugs*
- Prescription extensions*
- Liability for physicians and nurse anesthetists*
- Out-of-network costs related to health coverage*
- Coverage of COVID-19 testing without cost sharing
- BCPL loans*
- 3pls*
- Out of state health care providers*
- Transfer \$100 million JFC approval

They did not include:

- Nursing home essential visitors
- Gov plan to return to the office
- Local public health officer restrictions
 - WMC ask
- JFC oversight of COVID
- Prohibiting mandatory vaccines
- Open enrollment for schools
- WIAA allowing students to participate in sports
- School going virtual for 14days – board approval for longer
- Short-term substitutes
- Public health dashboard
- Enable Wisconsin Hospitals to participate in CMS hospital program
- Medicaid claims data
- Ambulances to travel across state lines
- Dentists to administer vaccines
- Dwelling unit extensions
- Waive property taxes

Gov's Compromised bill that have been removed:

- Broadband language

Born, Mark

From: Rep.Vos
Sent: Tuesday, December 29, 2020 3:52 PM
To: *Legislative Assembly Republicans
Subject: 2021-2022 Committee Membership
Attachments: Vos_Committee.Membership.2021-2022.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon,

Please find attached the 2021-2022 committee membership roster. Please let my office know if you have any questions.

Happy New Year!

Robin



ROBIN J. VOS

SPEAKER OF THE WISCONSIN STATE ASSEMBLY

FOR IMMEDIATE RELEASE

December 29, 2020

For Further Information Contact:
Speaker Robin Vos (608) 266-3387

Speaker Vos Announces Assembly Standing Committee Membership

Madison...Speaker Robin Vos (R-Rochester) would like to announce the membership of the Assembly standing committees. The 105th Wisconsin State Legislature begins with the inauguration of members on January 4, 2021.

| Committee | Chair | Vice-Chair | GOP Members |
|--------------------------|----------------------|----------------------|---|
| Aging and Long-Term Care | Rep. Rick Gundrum | Rep. Warren Petryk | Rep. Gae Magnafici Rep. Jon Plumer Rep. Treig Pronschinske Rep.-elect Donna Rozar |
| Agriculture | Rep. Gary Tauchen | Rep. Loren Oldenburg | Rep. Travis Tranel Rep. Joel Kitchens Rep. Nancy VanderMeer Rep. Jeff Mursau Rep. Todd Novak Rep. Treig Pronschinske Rep. Jon Plumer Rep.-elect Clint Moses |
| Campaigns and Elections | Rep. Janel Brandtjen | Rep. Joe Sanfelippo | Rep. Ron Tusler Rep. Jeremy Thiesfeldt Rep. Dave Murphy Rep.-elect Donna Rozar |
| Children and Families | Rep. Pat Snyder | Rep. Timothy Ramthun | Rep. Samantha Kerkman Rep. Tyler Vorpapel Rep. Treig Pronschinske Rep. Rick Gundrum Rep. Jesse James |

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|------------------------------------|------------------------|----------------------------|---|
| Children and Families continued | | | Rep. Barbara Dittrich |
| Colleges and Universities | Rep. Dave Murphy | Rep.-elect Alex Dallman | Rep. Travis Tranel Rep. Cindi Duchow Rep. Robert Wittke Rep. Rob Summerfield Rep. Scott Krug Rep. Warren Petryk Rep.-elect Rachael Cabral-Guevara Rep.-elect Clint Moses |
| Constitution and Ethics | Rep. Chuck Wichgers | Rep. Jeremy Thiesfeldt | Rep. Scott Allen Rep. Timothy Ramthun Rep. Gae Magnafici Rep. Dave Murphy |
| Consumer Protection | Rep. Barbara Dittrich | Rep. James Edming | Rep. Ken Skowronski Rep. Nancy VanderMeer Rep. Shae Sortwell Rep. John Macco |
| Corrections | Rep. Michael Schraa | Rep.-elect Calvin Callahan | Rep. Janel Brandtjen Rep. Pat Snyder Rep. Jesse James Rep. Shae Sortwell Rep. Paul Tittl |
| Criminal Justice and Public Safety | Rep. John Spiros | Rep. Cody Horlacher | Rep. Shae Sortwell Rep. Cindi Duchow Rep. Todd Novak Rep. Michael Schraa Rep. Scott Krug Rep. Jesse James Rep. David Steffen Rep.-elect Calvin Callahan |
| Education | Rep. Jeremy Thiesfeldt | Rep. Joel Kitchens | Rep. John Jagler Rep. Robert Wittke Rep. Timothy Ramthun Rep. Chuck Wichgers Rep. Ron Tusler Rep. Jeffrey Mursau Rep. Cindi Duchow |

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|---|---------------------|----------------------|--|
| Education continued | | | Rep.-elect Donna Rozar |
| Energy and Utilities | Rep. Mike Kuglitsch | Rep. David Steffen | Rep. Travis Tranel Rep. Loren Oldenburg Rep. Warren Petryk Rep. Adam Neylon Rep. Tyler Vorpapel Rep. Gary Tauchen Rep. Kevin Petersen Rep. Cody Horlacher |
| Environment | Rep. Joel Kitchens | Rep. Ron Tusler | Rep. Loren Oldenburg Rep. Todd Novak Rep. Scott Krug Rep. Mike Kuglitsch |
| Family Law | Rep. Gae Magnafici | Rep. Jesse James | Rep. Jon Plumer Rep. Pat Snyder Rep. James Edming Rep. Cindi Duchow |
| Financial Institutions | Rep. Cindi Duchow | Rep. Terry Katsma | Rep. Scott Allen Rep. Dave Murphy Rep. Warren Petryk Rep. Cody Horlacher |
| Forestry, Parks and Outdoor Recreation | Rep. Jeff Mursau | Rep. Scott Krug | Rep. Chuck Wichgers Rep. James Edming Rep. Treig Pronschinske Rep. Ron Tusler Rep. Rob Swearingen Rep. Paul Tittl Rep.-elect Clint Moses Rep.-elect Calvin Callahan |
| Government Accountability and Oversight | Rep. Dan Knodl | Rep. Janel Brandtjen | Rep. Mike Kuglitsch Rep. David Steffen Rep. Jeremy Thiesfeldt Rep. Scott Krug |
| Health | Rep. Joe Sanfelippo | Rep. Rob Summerfield | Rep. Chuck Wichgers Rep. Nancy VanderMeer |

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|------------------------------------|--------------------|------------------------------|---|
| Health Continued | | | Rep. Ken Skowronski Rep. Dave Murphy Rep. Gae Magnafici Rep. Barbara Dittrich Rep.-elect Donna Rozar Rep.-elect Clint Moses Rep.-elect Rachael Cabral-Guevara |
| Housing and Real Estate | Rep. John Jagler | Rep. Scott Allen | Rep. Rob Brooks Rep. Treig Pronschinske Rep. Dave Murphy Rep. Joel Kitchens |
| Insurance | Rep. David Steffen | Rep. Kevin Petersen | Rep. Cindi Duchow Rep. Ron Tusler Rep. Rob Brooks Rep. Travis Tranel Rep. Warren Petryk Rep. Rick Gundrum Rep. John Jagler |
| Jobs and the Economy | Rep. Robert Wittke | Rep.-elect Dave Armstrong | Rep. Barbara Dittrich Rep. Adam Neylon Rep. Pat Snyder Rep. Gae Magnafici Rep. Paul Tittl Rep. John Macco Rep.-elect Donna Rozar |
| Judiciary | Rep. Ron Tusler | Rep. Samantha Kerkman | Rep. Timothy Ramthun Rep. Jeremy Thiesfeldt Rep. Cody Horlacher Rep. Shae Sortwell |
| Labor and Integrated Employment | Rep. James Edming | Rep. Nancy VanderMeer | Rep. Dan Knodl Rep. Michael Schraa Rep. Warren Petryk Rep. Rick Gundrum |

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|-----------------------------|-----------------------|-----------------------------------|---|
| Local Government | Rep. Todd Novak | Rep. Rick Gundrum | Rep. Ken Skowronski Rep. Rob Brooks Rep. John Macco Rep. Cindi Duchow |
| Mental Health | Rep. Paul Tittl | Rep.-elect Rachael Cabral-Guevara | Rep. Jesse James Rep. John Jagler Rep. Pat Snyder Rep. Todd Novak Rep. Tyler Vorpapel Rep. Gae Magnafici Rep. Barbara Dittrich Rep. Nancy VanderMeer |
| Public Benefit Reform | Rep. Scott Krug | Rep. Michael Schraa | Rep. Scott Allen Rep. Janel Brandtjen Rep. John Jagler Rep.-elect Rachael Cabral-Guevara |
| Regulatory Licensing Reform | Rep. Shae Sortwell | Rep. Scott Allen | Rep. Cody Horlacher Rep. Dan Knodl Rep.-elect Rachael Cabral-Guevara Rep.-elect Alex Dallman |
| Rules | Rep. Jim Steineke | Speaker Robin Vos | Rep. Tyler August Rep. Kevin Petersen Rep. Tyler Vorpapel Rep. Mike Kuglitsch Rep. John Jagler Rep. Jon Plumer Rep. Barbara Dittrich |
| Rural Development | Rep. Nancy VanderMeer | Rep.-elect Clint Moses | Rep. Jon Plumer Rep. James Edming Rep. Todd Novak Rep. Loren Oldenburg Rep. Treig Pronschinske Rep. Rob Summerfield Rep.-elect Dave Armstrong Rep.-elect Calvin Callahan |

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|-----------------------------------|-------------------------|------------------------|---|
| Science, Technology and Broadband | Rep. Rob Summerfield | Rep. Michael Schraa | Rep. Janel Brandtjen Rep. Cody Horlacher Rep. Dan Knodl Rep.-elect Alex Dallman |
| Small Business Development | Rep. Loren Oldenburg | Rep.-elect Donna Rozar | Rep. Pat Snyder Rep. Travis Tranel Rep. Rob Swearingen Rep. Ken Skowronski Rep. James Edming Rep. Jesse James Rep. Rob Summerfield Rep.-elect Dave Armstrong |
| Sporting Heritage | Rep. Treig Pronschinske | Rep. Paul Tittl | Rep. Ken Skowronski Rep. Jeff Mursau Rep. Shae Sortwell Rep. Chuck Wichgers Rep. Ron Tusler Rep. James Edming Rep.-elect Calvin Callahan Rep.-elect Alex Dallman |
| State Affairs | Rep. Rob Swearingen | Rep. Tyler Vorpapel | Rep. Mike Kuglitsch Rep. Gary Tauchen Rep. Rob Summerfield Rep. John Spiros Rep. Dan Knodl Rep. Rob Brooks Rep. Michael Schraa |
| Substance Abuse and Prevention | Rep. Jesse James | Rep. Gae Magnafici | Rep. Pat Snyder Rep. Jon Plumer Rep. Warren Petryk Rep. Rick Gundrum |
| Tourism | Rep. Travis Tranel | Rep. Rob Swearingen | Rep. Nancy VanderMeer Rep. Paul Tittl Rep. Gae Magnafici Rep. Joel Kitchens |

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|-------------------------------|---------------------|-----------------------|--|
| Tourism Continued | | | Rep. Jeff Mursau Rep. Rob Summerfield Rep. Gary Tauchen Rep. Jon Plumer Rep.-elect Alex Dallman |
| Transportation | Rep. Jon Plumer | Rep. John Spiros | Rep.-elect Tyler Vorpapel Rep. Joe Sanfelippo Rep. Jeremy Thiesfeldt Rep. Ken Skowronski Rep. Timothy Ramthun Rep. Rob Brooks Rep.-elect Calvin Callahan Rep.-elect Donna Rozar |
| Veterans and Military Affairs | Rep. Ken Skowronski | Rep. Nancy VanderMeer | Rep. James Edming Rep. Shae Sortwell Rep. Paul Tittl Rep. Scott Allen Rep. Jesse James Rep. Rob Summerfield Rep. Warren Petryk |
| Ways and Means | Rep. John Macco | Rep. Robert Wittke | Rep. Samantha Kerkman Rep. Dan Knodl Rep. Pat Snyder Rep. Barbara Dittrich Rep. Timothy Ramthun Rep. Rob Brooks Rep.-elect Dave Armstrong |
| Workforce Development | Rep. Warren Petryk | Rep. Barbara Dittrich | Rep. Rick Gundrum Rep. James Edming Rep. Dave Murphy Rep. Loren Oldenburg Rep.-elect Donna Rozar |

| | | | |
|--|---|---------------------|---|
| Workforce Continued | | | Rep.-elect Dave Armstrong |
| Joint Committee for Review of Administrative Rules | Rep. Adam Neylon | Rep. Tyler August | Rep. John Spiros |
| Joint Committee on Finance | Rep. Mark Born | Rep. Amy Loudenbeck | Rep. Terry Katsma Rep. Shannon Zimmerman Rep. Jessie Rodriguez Rep. Tony Kurtz |
| Joint Committee on Information Policy and Technology | Rep. Amy Loudenbeck | Rep. Dan Knodl | |
| Joint Law Revision Committee | Rep. Ron Tusler | | |
| Joint Legislative Audit Committee | Rep. Samantha Kerkman | Rep. John Macco | Rep. Mark Born |
| Joint Legislative Council | Rep. Tyler Vorpapel | Rep. Jim Steineke | Speaker Robin Vos Rep. Tyler August Rep. Mark Born Rep. John Spiros Rep. Cindi Duchow |
| Joint Review Committee on Criminal Penalties | Rep. John Spiros | | |
| Joint Survey Committee on Retirement Systems | Rep. Mike Kuglitsch | | Rep. Rob Brooks |
| Joint Survey Committee on Tax Exemptions | Rep. Tyler August | Rep. Rob Swearingen | |
| State Building Commission | Rep. Rob Swearingen Rep. Robert Wittke | | |

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Born, Mark

From: Rep.Vos
Sent: Friday, December 18, 2020 3:12 PM
To: *Legislative Assembly Republicans - Legislators; *Legislative Assembly Republicans - Representatives
Cc: *Legislative Assembly Republicans - Staff Members
Subject: Standing Committee Chairs and Vice-Chairs
Attachments: Vos_Committee.Chair.2021-2022.pdf; Vos_Committee.Chairs.2021-2022.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon,

Committee chairs and vice-chairs will be released to the media following this email. Please feel free to call if you have any questions.

Full committee membership will be released early next week.

| Committee | Chair | Vice-Chair |
|---|------------------------|----------------------------|
| Aging and Long-Term Care | Rep. Rick Gundrum | Rep. Warren Petryk |
| Agriculture | Rep. Gary Tauchen | Rep. Loren Oldenburg |
| Campaigns and Elections | Rep. Janel Brandtjen | Rep. Joe Sanfelippo |
| Children and Families | Rep. Pat Snyder | Rep. Timothy Ramthun |
| Colleges and Universities | Rep. Dave Murphy | Rep.-elect Alex Dallman |
| Constitution and Ethics | Rep. Chuck Wichgers | Rep. Jeremy Thiesfeldt |
| Consumer Protection | Rep. Barbara Dittrich | Rep. James Edming |
| Corrections | Rep. Michael Schraa | Rep.-elect Calvin Callahan |
| Criminal Justice and Public Safety | Rep. John Spiros | Rep. Cody Horlacher |
| Education | Rep. Jeremy Thiesfeldt | Rep. Joel Kitchens |
| Energy and Utilities | Rep. Mike Kuglitsch | Rep. David Steffen |
| Environment | Rep. Joel Kitchens | Rep. Ron Tusler |
| Family Law | Rep. Gae Magnafici | Rep. Jesse James |
| Financial Institutions | Rep. Cindi Duchow | Rep. Terry Katsma |
| Forestry, Parks and Outdoor Recreation | Rep. Jeff Mursau | Rep. Scott Krug |
| Government Accountability and Oversight | Rep. Dan Knodl | Rep. Janel Brandtjen |
| Health | Rep. Joe Sanfelippo | Rep. Rob Summerfield |

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|--|-------------------------|-----------------------------------|
| Housing and Real Estate | Rep. John Jagler | Rep. Scott Allen |
| Insurance | Rep. David Steffen | Rep. Kevin Petersen |
| Jobs and the Economy | Rep. Robert Wittke | Rep.-elect Dave Armstrong |
| Judiciary | Rep. Ron Tusler | Rep. Samantha Kerkman |
| Labor and Integrated Employment | Rep. James Edming | Rep. Nancy VanderMeer |
| Local Government | Rep. Todd Novak | Rep. Rick Gundrum |
| Mental Health | Rep. Paul Tittl | Rep.-elect Rachael Cabral-Guevara |
| Public Benefit Reform | Rep. Scott Krug | Rep. Michael Schraa |
| Regulatory Licensing Reform | Rep. Shae Sortwell | Rep. Scott Allen |
| Rules | Rep. Jim Steineke | |
| Rural Development | Rep. Nancy VanderMeer | Rep.-elect Clint Moses |
| Science, Technology and Broadband | Rep. Rob Summerfield | Rep. Michael Schraa |
| Small Business Development | Rep. Loren Oldenburg | Rep.-elect Donna Rozar |
| Sporting Heritage | Rep. Treig Pronschinske | Rep. Paul Tittl |
| State Affairs | Rep. Rob Swearingen | Rep. Tyler Vorpapel |
| Substance Abuse and Prevention | Rep. Jesse James | Rep. Gae Magnafici |
| Tourism | Rep. Travis Tranel | Rep. Rob Swearingen |
| Transportation | Rep. Jon Plumer | Rep. John Spiros |
| Veterans and Military Affairs | Rep. Ken Skowronski | Rep. Nancy VanderMeer |
| Ways and Means | Rep. John Macco | Rep. Robert Wittke |
| Workforce Development | Rep. Warren Petryk | Rep. Barbara Dittrich |
| Joint Committee for Review of Administrative Rules | Rep. Adam Neylon | Rep. Tyler August |
| Joint Committee on Finance | Rep. Mark Born | Rep. Amy Loudenberg |
| Joint Committee on Information Policy and Technology | Rep. Amy Loudenberg | Rep. Dan Knodl |
| Joint Law Revision Committee | Rep. Ron Tusler | |
| Joint Legislative Audit Committee | Rep. Samantha Kerkman | Rep. John Macco |
| Joint Legislative Council | Rep. Tyler Vorpapel | Rep. Jim Steineke |
| Joint Review Committee on Criminal Penalties | Rep. John Spiros | |
| Joint Survey Committee on Retirement Systems | Rep. Mike Kuglitsch | Rep. Rob Brooks |
| Joint Survey Committee on Tax Exemptions | Rep. Tyler August | Rep. Rob Swearingen |
| State Building Commission | Rep. Rob Swearingen | |

Rep. Robert Wittke

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ROBIN J. VOS

SPEAKER OF THE WISCONSIN STATE ASSEMBLY

FOR IMMEDIATE RELEASE

December 18, 2020

For Further Information Contact:
Speaker Robin Vos (608) 266-3387

Speaker Vos Announces Assembly Standing Committees, Chairs

Madison...Speaker Robin Vos (R-Rochester) would like to announce the Assembly standing committees and their corresponding chairs and vice-chairs for the 2021-2022 legislative session.

The speaker will name the Assembly Republican members of the committees in the coming days. The 105th Wisconsin State Legislature begins with the inauguration of the 99 members on January 4, 2021.

| Committee | Chair | Vice-Chair |
|---|------------------------|----------------------------|
| Aging and Long-Term Care | Rep. Rick Gundrum | Rep. Warren Petryk |
| Agriculture | Rep. Gary Tauchen | Rep. Loren Oldenburg |
| Campaigns and Elections | Rep. Janel Brandtjen | Rep. Joe Sanfelippo |
| Children and Families | Rep. Pat Snyder | Rep. Timothy Ramthun |
| Colleges and Universities | Rep. Dave Murphy | Rep.-elect Alex Dallman |
| Constitution and Ethics | Rep. Chuck Wichgers | Rep. Jeremy Thiesfeldt |
| Consumer Protection | Rep. Barbara Dittrich | Rep. James Edming |
| Corrections | Rep. Michael Schraa | Rep.-elect Calvin Callahan |
| Criminal Justice and Public Safety | Rep. John Spiros | Rep. Cody Horlacher |
| Education | Rep. Jeremy Thiesfeldt | Rep. Joel Kitchens |
| Energy and Utilities | Rep. Mike Kuglitsch | Rep. David Steffen |
| Environment | Rep. Joel Kitchens | Rep. Ron Tusler |
| Family Law | Rep. Gae Magnafici | Rep. Jesse James |
| Financial Institutions | Rep. Cindi Duchow | Rep. Terry Katsma |
| Forestry, Parks and Outdoor Recreation | Rep. Jeff Mursau | Rep. Scott Krug |
| Government Accountability and Oversight | Rep. Dan Knodl | Rep. Janel Brandtjen |
| Health | Rep. Joe Sanfelippo | Rep. Rob Summerfield |
| Housing and Real Estate | Rep. John Jagler | Rep. Scott Allen |
| Insurance | Rep. David Steffen | Rep. Kevin Petersen |
| Jobs and the Economy | Rep. Robert Wittke | Rep.-elect Dave Armstrong |
| Judiciary | Rep. Ron Tusler | Rep. Samantha Kerkman |
| Labor and Integrated Employment | Rep. James Edming | Rep. Nancy VanderMeer |
| Local Government | Rep. Todd Novak | Rep. Rick Gundrum |

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|--|---|-----------------------------------|
| Mental Health | Rep. Paul Tittl | Rep.-elect Rachael Cabral-Guevara |
| Public Benefit Reform | Rep. Scott Krug | Rep. Michael Schraa |
| Regulatory Licensing Reform | Rep. Shae Sortwell | Rep. Scott Allen |
| Rules | Rep. Jim Steineke | |
| Rural Development | Rep. Nancy VanderMeer | Rep.-elect Clint Moses |
| Science, Technology and Broadband | Rep. Rob Summerfield | Rep. Michael Schraa |
| Small Business Development | Rep. Loren Oldenburg | Rep.-elect Donna Rozar |
| Sporting Heritage | Rep. Treig Pronschinske | Rep. Paul Tittl |
| State Affairs | Rep. Rob Swearingen | Rep. Tyler Vorpapel |
| Substance Abuse and Prevention | Rep. Jesse James | Rep. Gae Magnafici |
| Tourism | Rep. Travis Tranel | Rep. Rob Swearingen |
| Transportation | Rep. Jon Plumer | Rep. John Spiros |
| Veterans and Military Affairs | Rep. Ken Skowronski | Rep. Nancy VanderMeer |
| Ways and Means | Rep. John Macco | Rep. Robert Wittke |
| Workforce Development | Rep. Warren Petryk | Rep. Barbara Dittrich |
| Joint Committee for Review of Administrative Rules | Rep. Adam Neylon | Rep. Tyler August |
| Joint Committee on Finance | Rep. Mark Born | Rep. Amy Loudenbeck |
| Joint Committee on Information Policy and Technology | Rep. Amy Loudenbeck | Rep. Dan Knodl |
| Joint Law Revision Committee | Rep. Ron Tusler | |
| Joint Legislative Audit Committee | Rep. Samantha Kerkman | Rep. John Macco |
| Joint Legislative Council | Rep. Tyler Vorpapel | Rep. Jim Steineke |
| Joint Review Committee on Criminal Penalties | Rep. John Spiros | |
| Joint Survey Committee on Retirement Systems | Rep. Mike Kuglitsch | Rep. Rob Brooks |
| Joint Survey Committee on Tax Exemptions | Rep. Tyler August | Rep. Rob Swearingen |
| State Building Commission | Rep. Rob Swearingen Rep. Robert Wittke | |

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Born, Mark

From: Toftness, Jenny
Sent: Thursday, November 19, 2020 11:34 AM
To: *Legislative Assembly Republicans - Legislators
Cc: Fawcett, Steve; ccallahan@friendsofcalvincallahan.com; donnarozar@gmail.com; rachaelcg55th@gmail.com; drclint@redcedarchiro.com; dallmanforassembly@gmail.com; dbrucearmstrong@gmail.com
Subject: FW: Presidential electors
Attachments: The electoral college process in Wisconsin.pdf; VosElectoralCollege.11-16-20.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

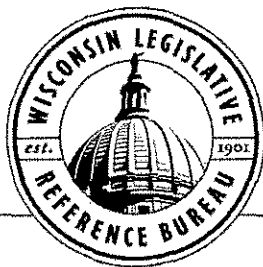
Good morning,

Attached are two memos written by Legislative Counsel regarding the electoral college process in Wisconsin.

If you have questions, feel free to reach out to Steve Fawcett – Legal Counsel in the Speaker’s office.

Sincerely,

Jenny Toftness
Chief of Staff
Speaker Robin Vos



MEMORANDUM

TO: Speaker Robin Vos

FROM: Michael Gallagher, senior coordinating attorney

DATE: November 16, 2020

SUBJECT: The electoral college process in Wisconsin

You requested an overview of the electoral college process in Wisconsin. As this memorandum outlines, the U.S. Constitution vests the *Wisconsin Legislature* with the power to direct how the state's presidential electors are appointed. The legislature has exercised that power by passing laws that govern the appointment of *presidential electors*, and the legislature has also passed laws that pertain to the convening and voting of presidential electors, although the Twelfth Amendment to the U.S. Constitution dictates the procedures these electors must follow when they convene and vote.

Background

The electoral college was fashioned at the Constitutional Convention of 1787 as a compromise on the question James Wilson, a Pennsylvania delegate to the convention, said was actually the *most difficult one the convention faced*—how to choose a president. Article II, section 1, clause 2 of the U.S. Constitution gives the states the power to appoint presidential electors and requires state legislatures to determine the manner of appointment:

Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of senators and representatives to which the state may be entitled in the Congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.¹

The U.S. Supreme Court has repeatedly held that this clause gives “plenary power to the state legislatures in the matter of the appointment of electors.”² While for a number of years after the Constitution was ratified several state legislatures reserved to themselves the choosing of the

¹ U.S. Const. art. II, §1, cl. 2.

² *McPherson v. Blacker*, 146 U.S. 1, 35 (1892); *Bush v. Gore*, 531 U.S. 98, 104 (2000).

states' presidential electors, today every state, including Wisconsin, allows the citizens of the state to elect presidential electors.

The electoral college process in Wisconsin

Based on its plenary power under U.S. Const. art. II, §1, cl. 2, the Wisconsin Legislature has directed by statute that the manner of appointment of the state's presidential electors shall be by a vote of the people of the state at the presidential election. Wisconsin has 10 electoral college votes—equal to the number of senators and representatives to which the state is entitled in the Congress, as required under U.S. Const. art. II, §1, cl. 2. Wisconsin, like most states, is “winner-take-all” based on the November presidential election.³

Nomination of the electors

However, the process for choosing presidential electors in Wisconsin begins a month earlier on the first Tuesday of October in each presidential election year, when representatives of each political party appearing on the ballot meet in the Wisconsin Capitol to nominate their party's presidential electors.⁴ One presidential elector is nominated from each congressional district and two presidential electors are nominated to represent the state at large.⁵ Each party's nominees for presidential elector are then certified to the chairperson of the Wisconsin Elections Commission.⁶

Election of the electors

On election day, the people of the state cast their ballots for candidates for the offices of president and vice president, but voters are actually voting for the slate of presidential electors nominated by those candidates' parties. Under Wis. Stat. § 5.10, “Although the names of the electors do not appear on the ballot and no reference is made to them, a vote for the president and vice president named on the ballot is a vote for the electors of the candidates for whom an elector's vote is cast.”⁷

After the election, the Wisconsin Elections Commission prepares a certificate that certifies the results of the presidential election, which the governor then signs, seals with the great seal of the state, and transmits to the U.S. General Services Administration.⁸ The governor also prepares six duplicate originals of the certificate and delivers them to one of the presidential electors on or

³ Wis. Stat. § 7.75 (2). All but two states currently use a winner-take-all popular election for selecting their presidential electors. Maine and Nebraska split their electoral college votes based on which candidates win the overall popular vote in the state, as well as which candidates win the vote in each congressional district.

⁴ Wis. Stat. § 8.18 (1). The party representatives convening at the state capitol consist of candidates for the state senate and assembly nominated by each political party at the primary, the state officers, i.e. members of the political party holding a constitutional office, such as the governor, and the holdover state senators of each political party. *Id.* Independent candidates' electors are nominated under a process set forth in Wis. Stat. § 8.20, and write-in candidates' electors are nominated under a process established in Wis. Stat. § 8.185.

⁵ Wis. Stat. § 8.18 (2).

⁶ *Id.*

⁷ See also Wis. Stat. § 5.64 (1) (em) (“The names of the presidential electors for the candidates supplied under ss. 8.18 (2) and 8.20 (2) (d) are not listed on the ballot but a vote for the candidates for president and vice president is a vote for them through their named presidential electors.”).

⁸ Wis. Stat. 7.70 (5) (b).

before the date the presidential electors convene to cast their votes for president and vice president.⁹

Convening of the electors

The winning presidential and vice presidential candidates' slate of electors convenes at the state capitol "at 12:00 noon the first Monday after the 2nd Wednesday in December," or December 14, 2020, in the current election cycle.¹⁰ Should there be a vacancy in the office of presidential elector when the electors convene, "due to death, refusal to act, failure to attend or other cause," the electors themselves must "immediately proceed to fill by ballot, by a plurality of votes, the electoral college vacancy."¹¹ The electors are then required to vote for their party's candidates for president and vice president.¹² A presidential elector is not required to vote for a candidate who is deceased at the time of convening, but the statutes do not provide any further guidance with respect to how an elector should vote in that situation.¹³

The Twelfth Amendment to the U.S. Constitution governs the process after the electors have convened. The electors are required to cast separate ballots for president and vice president.¹⁴ The electors then must make separate lists of the persons voted for as president and the persons voted for as vice president and the number of electoral votes cast for each.¹⁵ Once the lists are completed, the electors are required to sign and certify the lists and "transmit [the lists] sealed to the seat of the government of the United States, directed to the President of the Senate," who opens and reads the electoral college votes of each state before a joint session of Congress.¹⁶

Conclusion

The appointment of Wisconsin's presidential electors, as well as the process by which the electors convene and vote, is governed by the Wisconsin Statutes and the U.S. Constitution. Political parties nominate electors to represent their party; the people of the state appoint the electors by voting for candidates for president and vice president at the presidential election; the electors so appointed are required by law to convene and vote for the candidates of the party that nominated them; and once those votes are tallied, the electors must transmit the results of the vote to the president of the U.S. Senate to be opened and read before a joint session of Congress.

I hope this information is helpful. Please let me know if the LRB can provide any additional assistance.

⁹ *Id.*

¹⁰ Wis. Stat. § 7.75 (1).

¹¹ *Id.*

¹² Wis. Stat. § 7.75 (2).

¹³ *Id.*

¹⁴ U.S. Const. amend. XII.

¹⁵ *Id.*

¹⁶ *Id.* The vice president is the president of the U.S. Senate.



MEMORANDUM

TO: Speaker Robin Vos
FROM: Michael Gallagher, senior coordinating attorney
DATE: November 16, 2020
SUBJECT: Presidential electors

You have asked whether the legislature, after a presidential election, may affect the selection or actions of the state's presidential electors. For the reasons discussed in this memorandum, the legislature may determine the manner of selection of presidential electors but may not affect the selection or actions of presidential electors after the election.

Discussion

The appointment of Wisconsin's presidential electors is governed by statute, and the Wisconsin State Legislature has no current statutory role in the appointment and certification of the state's presidential electors following a presidential election. Additionally, as further discussed below, because Wisconsin law vests the power to appoint presidential electors in the people of the state at a presidential election, the equal protection clause of the Fourteenth Amendment to the U.S. Constitution would prevent any government entity or official from interfering with a duly elected presidential elector's legitimate exercise of his or her statutory duties with respect to voting for a presidential and vice presidential candidate.

Article II, section 1, clause 2 of the U.S. Constitution requires each state to appoint presidential electors "in such manner as the legislature thereof may direct." In Wisconsin, the legislature has directed that presidential electors be appointed by a vote of the people at the presidential election. Under Wis. Stat. § 5.10, a vote for the candidates for president and vice president named on the ballot is a vote for those candidates' electors. After the presidential election, the Wisconsin Elections Commission must certify the slate of presidential electors of the presidential and vice presidential candidates winning the election (Wis. Stat. § 7.70 (5) (b)). Wisconsin is a "winner-take-all" state. Under Wis. Stat. § 7.52 (2), when the state's presidential electors convene, they are generally required to "vote by ballot for that person for president and that person for vice president who are, respectively, the candidates of the political party which nominated them." Under current law, the state legislature has no role in this process.

While the U.S. Supreme Court has repeatedly held—most recently in *Chiafalo v. Washington*, 140 S. Ct. 2316 (2020)—that U.S. Const. art. II, § 1, cl. 2. confers upon state legislatures the “broadest power of determination” with respect to the manner of appointment of presidential electors, that power is couched in the lawmaking process. A state legislature may reserve to itself by law the authority to appoint the state’s presidential electors, and several states did just that for a number of years following ratification of the U.S. Constitution. Conversely, a state legislature may, again by law, give the people of the state the power to appoint presidential electors at an election, as is the case now in Wisconsin and every other state.

However, if, as in Wisconsin, state law gives the people of the state the power to appoint presidential electors at an election, the legislature has no unilateral authority to reverse the choice of the people of the state. While it is true that the state legislature, “after granting the franchise in the special context of Article II, can take back the power to appoint electors” (*Bush v. Gore*, 531 U.S. 98, 104 (2000)), once the state legislature gives the people the franchise with respect to the appointment of presidential electors, equal protection rules governing the right to vote apply, especially the rule of one person, one vote. As a result, the state legislature may not arbitrarily reverse or otherwise interfere with the choice of the people of the state at a presidential election. The U.S. Supreme Court spoke to this point directly in *Bush v. Gore*:

When the state legislature vests the right to vote for President in its people, the right to vote as the legislature has prescribed is fundamental; and one source of its fundamental nature lies in the equal weight accorded to each vote and the equal dignity owed to each voter. . . . The right to vote is protected in more than the initial allocation of the franchise. Equal protection applies as well to the manner of its exercise. Having once granted the right to vote on equal terms, the State may not, by later arbitrary and disparate treatment, value one person’s vote over that of another. See, e.g., *Harper v. Virginia Bd. of Elections*, 383 U.S. 663, 665, 16 L. Ed. 2d 169, 86 S. Ct. 1079 (1966) (“Once the franchise is granted to the electorate, lines may not be drawn which are inconsistent with the Equal Protection Clause of the Fourteenth Amendment.”).

Id. at 104–05.

In summary, while the legislature has broad power under the U.S. Constitution to determine by law the manner of appointment of the state’s presidential electors, because the Wisconsin Legislature, by statute, has given the people of the state the power to elect presidential electors at the presidential election, the legislature has no power to affect the selection or actions of presidential electors after the election.

I hope this information is helpful. Please let me know if the LRB can provide any additional assistance.



February 5, 2021

VIA EMAIL

Representative Mark Born
Room 320 East
Wisconsin State Capitol
Madison, WI 53703
rep.born@legis.wi.gov

Re: Public Records Law Request

Dear Representative Born:

Pursuant to Wisconsin's public records law, Wis. Stat. §§ 19.31–19.39, American Oversight makes the following request for copies of records.

Following the 2020 elections, President Trump's campaign requested recounts in Wisconsin's Milwaukee and Dane Counties, a process that slightly increased then-President-Elect Joe Biden's lead in the state.¹ On December 11, 2020, after the conclusion of the recount, the state legislature's Joint Committee on Finance chose to withhold funds for conducting the recounts from these two counties, citing an unexplained objection from an unidentified member of the committee.² On January 8, 2021, the committee approved the \$2.4 million reimbursement, with committee leaders expressing satisfaction with receipts provided by both counties.³

American Oversight seeks records with the potential to shed light on the decision of the Joint Committee on Finance to withhold funds from Milwaukee and Dane Counties, including what factors may have influenced the committee.

¹ Patrick Marley, *GOP Committee Withholds Payments to Dane and Milwaukee Counties for Recount Costs*, Milwaukee J.-Sentinel (updated Dec. 11, 2020, 7:04 PM), https://www.jsonline.com/story/news/politics/elections/2020/12/11/republicans-withhold-trump-recount-funds-milwaukee-dane-counties/6514385002/?itm_medium=recirc&itm_source=taboola&itm_campaign=internal&itm_content=RightRailArticleThumbnails-Redesign.

² *Id.*

³ Mitchell Schmidt, *State Budget Committee Releases Election Recount Funds for Dane and Milwaukee Counties*, Wisc. State J., Jan. 9, 2021, https://madison.com/wsj/news/local/govt-and-politics/elections/state-budget-committee-releases-election-recount-funds-for-dane-and-milwaukee-counties/article_8293a514-72cd-52be-894d-f83257b3587e.html.



Requested Records

American Oversight requests that your office produce the following records “as soon as practicable and without delay”:⁴

Any records reflecting the objection cited in the withholding of funds from Milwaukee and Dane Counties,⁵ including but not limited to any written complaints, as well as any records memorializing the objection, such as: meeting notes; communications with the complainant, or other committee members; or policy documents or guidance.

Please provide all responsive records from November 3, 2020, through December 11, 2020.

Fee Waiver Request

In accordance with Wis. Stat. § 19.35(3)(e), American Oversight respectfully requests that the records be produced without charge. Providing American Oversight with a waiver of fees is in the “public interest” because American Oversight will, in accordance with its organizational mission, make the records available to the public without charge. These disclosures will likely contribute to a better understanding of relevant government procedures by the general public.

American Oversight’s work is aimed solely at serving the public interest. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight’s financial interest. Rather, American Oversight’s mission is to serve the public by promoting transparency in government, educating the public about government activities, and ensuring the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media.⁶ American Oversight also makes materials it gathers available on its public

⁴ Wis. Stat. § 19.35(4)(a).

⁵ *Id.*

⁶ *See generally* News, American Oversight, <https://www.americanoversight.org/blog>; *State Investigations*, American Oversight, <https://www.americanoversight.org/states>; *see, e.g., State Government Contacts with Voting-Restriction Activists*, American Oversight, <https://www.americanoversight.org/investigation/state-government-contacts-with-voting-restriction-activists>; *Wisconsin Documents Offer Window into Early Uncertainty over COVID-19*, American Oversight, <https://www.americanoversight.org/wisconsin-documents-offer-window-into-early-uncertainty-over-covid-19>.

website⁷ and promotes their availability on social media platforms, such as Facebook and Twitter.⁸

The public has a significant interest in the Joint Committee on Finance's decision to withhold reimbursement for vote recounts in Milwaukee and Dane Counties.⁹ Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including whether the committee members withheld funds based on partisan motivations or other influences. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the public's understanding of the government's activities would be enhanced through American Oversight's analysis and publication of these records.

American Oversight asks that if its request for a fee waiver is denied in whole or in part, that you contact us prior to incurring any costs.

Guidance Regarding the Search & Processing of Requested Records

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term "record" in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

Please search all locations and systems likely to have responsive records regarding official business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts.** Emails conducting government business sent or received on the personal account of the authority's officer or employee constitutes a record for purposes of Wisconsin's public records laws.¹⁰

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the

⁷ *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

⁸ American Oversight currently has approximately 15,600 page likes on Facebook and 105,600 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Feb. 1, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Feb. 1, 2021).

⁹ See, e.g., Schmidt, *supra* note 3.

¹⁰ Wisc. Dep't of J., *Wisconsin Public Records Law Compliance Guide*, Oct. 2019, at 3, <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf>.

requested records.¹¹ If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Emma Lewis at records@americanoversight.org or 202.919.6303. Also, if American Oversight's request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Emma Lewis

Emma Lewis

On behalf of

American Oversight

¹¹ Wis. Stat. § 19.36(6).

Borgerding, Nicole

From: Miller, Angela
Sent: Tuesday, December 8, 2020 3:33 PM
To: Borgerding, Nicole
Subject: RE: December 31st

Hi Nicole,

The deadline of December 31 was provided to the counties by the Elections Commission. It's not in statute.

All the best,

Angela Miller

Fiscal Analyst
Wisconsin Legislative Fiscal Bureau
(608) 266-3847 | Angela.Miller@legis.wi.gov
Available directly at (608) 504-5763

From: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Sent: Tuesday, December 8, 2020 3:20 PM
To: Miller, Angela <Angela.Miller@legis.wisconsin.gov>
Subject: December 31st

Is that date required in statute? If so, can you please point me to where?

Thank you!

Nicole

Borgerding, Nicole

From: Miller, Angela
Sent: Tuesday, December 8, 2020 3:51 PM
To: Borgerding, Nicole
Subject: RE: December 31st

Nicole,

Receipts have not yet been submitted, that is correct.

Angela

From: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Sent: Tuesday, December 8, 2020 3:38 PM
To: Miller, Angela <Angela.Miller@legis.wisconsin.gov>
Subject: RE: December 31st

And receipts haven't been submitted yet, correct?

From: Miller, Angela <Angela.Miller@legis.wisconsin.gov>
Sent: Tuesday, December 8, 2020 3:33 PM
To: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Subject: RE: December 31st

Hi Nicole,

The deadline of December 31 was provided to the counties by the Elections Commission. It's not in statute.

All the best,

Angela Miller

Fiscal Analyst
Wisconsin Legislative Fiscal Bureau
(608) 266-3847 | Angela.Miller@legis.wi.gov
Available directly at (608) 504-5763

From: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Sent: Tuesday, December 8, 2020 3:20 PM
To: Miller, Angela <Angela.Miller@legis.wisconsin.gov>
Subject: December 31st

Is that date required in statute? If so, can you please point me to where?

Thank you!

Nicole

Borgerding, Nicole

From: Borgerding, Nicole
Sent: Monday, December 7, 2020 3:08 PM
To: Ponio, Jerry
Cc: Hurlburt, Waylon
Subject: RE: Passive Reviews

Hi Jerry,

OK on the Molson Coors and let me get back to you on the Elections Commission request at some tomorrow.

Thanks!

Nicole

From: Hurlburt, Waylon <Waylon.Hurlburt@legis.wisconsin.gov>
Sent: Monday, December 7, 2020 3:00 PM
To: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Subject: FW: Passive Reviews

From: Ponio, Jerry <Jerry.Ponio@legis.wisconsin.gov>
Sent: Monday, December 7, 2020 2:51 PM
To: Borgerding, Nicole <Nicole.Borgerding@legis.wisconsin.gov>
Cc: Hurlburt, Waylon <Waylon.Hurlburt@legis.wisconsin.gov>
Subject: Passive Reviews

Just checking in to see if you anticipate any issues or objections on WEDC-Molson Coors or the Election Commission Passive Review.

Let me know. I'll be around. Thanks.

Jerry Ponio
Chief of Staff
Office of Senator Alberta Darling
608.266.5830

