

**Wisconsin State AFL-CIO Voting Record
2005-2006 Wisconsin State Legislature
Summary of Bills**

STATE SENATE

**SENATE RESOLUTION 4
Protect Social Security**

(Favorable on Motion to Withdraw from Committee) This resolution calls on Congress to reject any proposal to privatize Social Security. State legislators can express their views on national issues by passing such a resolution. Privatization would allow individuals to take part of their Social Security contributions and place them in risky private accounts where investments are subject to the whims of a fickle stock market. Any privatization scheme will require cuts in retirement benefits because payroll taxes will be diverted from the Social Security Trust Fund. **The recorded vote of 13 to 16 was on a motion to pull SR 4 from a committee where it was being denied action. A vote in favor of this pulling motion was a “right” vote.** The motion failed on a party-line vote and SR 4 died at the end of the session.

**SENATE BILL 426
Unemployment Insurance**

(Favorable on Passage) This is the balanced package of changes to the Unemployment Compensation Law negotiated by labor and management representatives on the Unemployment Insurance Advisory Council. SB 426 increases the maximum weekly benefit rate from \$329 to \$341 as of January 2006, and to \$355 in January 2007, plus other changes. **The recorded vote of 31 to 2 was on passage and a vote in favor was a “right” vote.** SB 426 passed both houses of the Legislature and was signed into law by the Governor.

**SENATE BILL 440
Fair Share Health Care**

(Favorable on Motion to Withdraw From Committee) The Wisconsin State AFL-CIO joined a nationwide campaign to expose and address the failure of large profitable firms like Wal-Mart to provide affordable health care for their employees. SB 440 requires a firm of 10,000 or more employees to pay at least 80 percent of the cost of family health insurance, or pay an assessment into the state’s Medical Assistance Trust Fund. The assessment would cover the cost to Wisconsin taxpayers for providing health care to employees of the firm who enroll in BadgerCare or Medicaid for health coverage. **The recorded vote of 14 to 19 was on a motion to pull SB 440 from a committee where it was being denied action. A vote in favor of this pulling motion was a “right” vote.** The motion failed on a party-line vote and the Fair Share Health Care legislation died at the end of the session.

**SENATE BILL 447
Victims’ Rights**

(Unfavorable on Passage) This legislation would make it virtually impossible for workers who are severely injured or killed on the job as a result of reckless corporate conduct to be awarded punitive damages. A court awarded punitive damages to the families of three ironworkers killed during the construction of Miller Park Stadium, and the purpose of such punitive damage awards is to help deter

future reckless decisions by corporations. Currently, an injured party can show that a corporation acted with “intentional disregard” for workers’ safety. If SB 447 becomes law, a worker needs to prove that the corporation “intended” the accident or death to happen, which is a legal standard virtually impossible to prove. **The recorded vote of 19 to 14 was on passage and a vote in favor was a “wrong” vote.** SB 447 passed both houses of the Legislature but was vetoed by the Governor.

SENATE BILL 474 **Worker’s Compensation**

(Favorable on Passage) This is the balanced package of changes to the Worker’s Compensation Law negotiated by labor and management representatives on the Worker’s Compensation Advisory Council. SB 474 includes two \$10 increases in the weekly benefit level for those receiving Permanent Partial Disability. Minimum payments for Permanent Total Disability will also be raised. **The recorded vote of 33 to 0 was on passage.** SB 474 passed the Assembly on a voice vote and was signed into law by the Governor.

SENATE JOINT RESOLUTION 53 **Ban on Civil Unions and Domestic Partner Benefits: Constitutional Amendment (Second Consideration)**

(Unfavorable on Passage) This amendment to the Wisconsin State Constitution will not only ban civil unions for lesbian and gay couples, but also jeopardize domestic partner benefits for all employees and probably make such benefits illegal. This applies to partner relationships that are heterosexual as well as committed gay and lesbian families. Unions have negotiated domestic partner benefits for employees they represent, which can include access to health care, family and medical leave and bereavement leave, and this amendment threatens these negotiated benefits. This would be the first time in history that the Wisconsin Constitution is amended to deny some citizens rights that are afforded to all others. **The recorded vote of 19 to 14 was on passage and a vote in favor was a “wrong” vote.** SJR 53 passed the Legislature and will appear on the November 2006 ballot as part of the required process for amending the Wisconsin Constitution. The Governor cannot veto a constitutional amendment.

ASSEMBLY BILL 49 **Minimum Wage Ordinances**

(Unfavorable on Passage) This bill prohibits a municipality from setting a minimum wage that is higher than the state minimum wage for private sector workers employed in its jurisdiction. AB 49 was initiated by business interests to stop the successful campaigns by labor and community groups in Madison, Milwaukee and other cities to enact local minimum wage ordinances to raise the wages of low-income workers. [AB 49 does allow a local government to establish a living wage ordinance that applies to employees who work for a private firm under government contract to provide services, or work that is funded with financial assistance from the municipality. Prevailing wage laws can also still be enforced.] **The recorded vote of 20 to 13 was on passage and a vote in favor was a “wrong” vote.** AB 49 passed the Legislature and was signed into law by the Governor.

ASSEMBLY BILL 100 **2005-07 State Budget: Privatization of State Power Plants**

(Favorable on Senate Amendment 21 to Delete Privatization) The Assembly Republican leadership added a last-minute amendment to the 2005-07 State Budget to privatize 32 taxpayer-owned heating, cooling and wastewater treatment plants at various state institutions. This attempted transfer of \$150

million in state assets to private hands and the loss of 270 public sector jobs was done without debate and with possible increased costs for taxpayers in the future, based on the for-profit operation of the plants. Senate Amendment 21 would have deleted the privatization and restored funding for the jobs. **The recorded vote of 17 to 16 was on a motion to table SA 21 and a vote in favor of tabling was a “wrong” vote.** The motion passed and SA 21 was tabled. The Governor later vetoed the privatization of the power plants, but funding for the positions must still be restored.

ASSEMBLY BILL 105

State Contractual Procedures

(Favorable on Passage) The State of Wisconsin can contract out public sector work to private firms under current law, but AB 105 requires a fairer, uniform framework to do the cost-benefit analysis in the future. State agencies often fail to account for the full costs to taxpayers of privatizing public services, wrongly assuming that tax dollars can be saved by contracting out work now done by public employees. Private firms later raise the rates charged to taxpayers when experienced public employees are no longer employed to perform the work. **The recorded vote of 33 to 0 was on passage and a vote in favor was a “right” vote.** AB 105 passed the Legislature and was signed into law by the Governor.

ASSEMBLY BILL 441

Power-the-Future Energy Needs

(Favorable on Passage) This legislation clarifies Public Service Commission practice related to the approval process for constructing large electric generating facilities. One such project is the power plant being constructed in Oak Creek by Wisconsin Energy Corporation which will create nearly 1,000 construction jobs and 200 permanent utility jobs. **The recorded vote of 24 to 8 was on passage and a vote in favor was a “right” vote.** AB 441 passed the Legislature and was signed into law by the Governor.

ASSEMBLY BILL 766

Medical Malpractice

(Unfavorable on Passage) Limiting the rights of victims in cases of medical malpractice is not a workplace issue for the labor movement, but it is an important health care consumer issue. AB 766 set a cap on non-economic damages (pain and suffering and loss of companionship) caused by medical malpractice of \$550,000 for children and \$450,000 for adults, limits which penalize those most seriously harmed. **The recorded vote of 19 to 14 was on passage.** AB 766 passed the Legislature but was vetoed by the Governor, and an attempt in the Assembly to override the veto failed. A bill that established a higher cap of \$750,000 was later passed and signed into law by the Governor.

ASSEMBLY BILL 926

Affordable Health Care Action Plan

(Favorable on Senate Amendment 1) State legislators must make reform of our health care system a top priority because the federal government is failing to respond to the health care crisis. Democratic Senators tried to pass their Affordable Health Care Action Plan through an amendment to AB 926, a bill which relates to health care purchasing cooperatives. Democrats proposed an amendment that would require the Wisconsin Legislature to introduce and pass a health care financing plan by January 2008 that will provide health coverage for 98 percent of the people in our state and reduce overall health care costs by 15 percent. SB 416, a bill that would accomplish the Action Plan, was being held in committee so this procedural tactic was necessary to try to move the legislation forward. **The recorded vote of 19 to 14**

was to reject Senate Amendment 1 which would have added the Affordable Health Care Action Plan to AB 926, and a vote to reject the amendment was a “wrong” vote. The amendment was rejected on a party-line vote and the Affordable Health Care Action Plan died at the end of the session.

ASSEMBLY JOINT RESOLUTION 36

Voter Photo ID Requirement: Constitutional Amendment (First Consideration)

(Unfavorable on Passage) For many people, a requirement to produce a photo ID to vote is simple because they have a driver’s license. For thousands of seniors, the disabled, students and many low-income workers who use public transit, it will discourage and restrict participation and basically deny the constitutional right to vote to untold numbers of people. AJR 36 is a Constitutional Amendment that requires each person to present a state or federal photo ID to register to vote or vote at the polls. The integrity of our election process would be better assured and addressed with adequate staffing by trained poll workers, rather than deny certain people the right to vote. **The recorded vote of 19 to 14 was on passage and a vote in favor was a “wrong” vote.** AJR 36 passed the Legislature, but an amendment to the State Constitution must pass two consecutive sessions before it appears on the ballot, so AJR 36 will be given Second Consideration in the 2007-08 session. The Governor cannot veto a constitutional amendment.

ASSEMBLY JOINT RESOLUTION 77

Taxpayer Protection Amendment/TABOR: Constitutional Amendment (First Consideration)

Applies to State Government: SSA 1

(Unfavorable on Senate Substitute Amendment 1) This amendment to the Wisconsin Constitution is similar to the disastrous “Taxpayer Bill of Rights” TABOR constitutional experiment in the state of Colorado. Voters there suspended TABOR because it had decimated public services and education. AJR 77 would embed in the State Constitution rigid limits on how much revenue the state can collect each year. The so-called “Taxpayer Protection Amendment” is a risky tax gimmick that will take fiscal responsibility away from elected representatives and cripple the ability of all levels of government to provide vital services and public education. Under this version of TPA/TABOR the reduction in state revenue would result in major cuts in aid to local governments and substantially reduce property tax relief for schools as well, so public services provided by state and local government and quality public education would be severely diminished. **The recorded vote of 12 to 20 was on a motion to adopt SSA 1 and a vote against adoption was a “right” vote.** SSA 1 was rejected and its defeat ended efforts to pass such legislation during the 2005-06 session.

