

Wisconsin State Legislature

**2017–2018 Session**

# Voting Record



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Wisconsin State AFL-CIO  
Voting Record  
of the 2017 - 2018

**WISCONSIN  
STATE  
SENATE**

	Project Labor Agreements	Constitutional Convention	Child Labor Work Permits	Unemployment Insurance Advisory Council Bill	Criminalizing Unemployment Errors	Restoring Wisconsin's Prevailing Wage	Fair Funding for Schools	Healthy Communities, Healthy Families Act	Wisconsin State Budget	Apprenticeship Uniform Ratio Bill	Preempting Local Control of Labor Standards	2017-18 Session Percent Right	Cumulative Lifetime Record		Lifetime Percent Right
	SB 3	AB 165	AB 25	SB 399	AB 710	AB 64, SA 6	AB 64, SA 5	AB 64, SA 3	AB 64	AB 508	AB 748		Right	Wrong	
Bewley, Janet (D-25)	R	R	R	R	R	R		R	R	R	R	100%	52	1	98%
Carpenter, Tim (D-3)	R	R	R	R	R	R	R	R	R	R	R	100%	185	5	97%
Cowles, Robert (R-2)	W	W	W	R	W	W	W	W	W	W	W	9%	51	143	26%
Craig, David (R-28)	W	W	W	R	W	W	W	W	R	W	W	18%	4	47	8%
Darling, Alberta (R-8)	W	W	W	R	W	W	W	W	W	W	W	9%	35	117	23%
Erpenbach, Jon (D-27)	R	R	R	R	R	R	R	R	R	R	R	100%	110	1	99%
Feyen, Daniel (R-18)	W	W	W	R	W	W	W	W	W	W	W	9%	1	10	9%
Fitzgerald, Scott (R-13)	W	W	W	R	W	W	W	W	W	W	W	9%	27	104	21%
Hansen, Dave (D-30)	R	R	R	R	R	R	R	R	R	R	R	100%	100	4	96%
Harsdorf, Sheila (R-10)*	W	W	W	R		W	W	W	W			13%	43	111	28%
Johnson, LaTonya (D-6)	R	R	R	R	R	R	R	R	R	R	R	100%	44	-	100%
Kapenga, Chris (R-33)		W	W	R	W		W	W	W	W	W	11%	2	43	4%
Larson, Chris (D-7)	R	R		R	R	R	R	R	R	R	R	100%	45	1	98%
Lasee, Frank (R-1)*	W	W	W	R		W	W	W	W			13%	21	97	18%
LeMahieu, Devin (R-9)	W	W	W	R	W	W	W	W	W	W	W	9%	2	23	8%
Marklein, Howard (R-17)	W	W	W	R	W	W	W	W	W	W	W	9%	6	47	11%
Miller, Mark (D-16)	R	R	R	R	R	R	R	R	R	R	R	100%	109	2	98%
Moulton, Terry (R-23)	W	W	W	R	W	W	W	W	W	W	W	9%	10	62	14%
Nass, Stephen (R-11)	W	W	W	R	W	W	W	W	W	W	W	9%	24	131	15%
Olsen, Luther (R-14)	W	W	W	R	W	W	W	W	W	W	W	9%	31	102	23%
Petrowski, Jerry (R-29)	W	W	W	R	W	W	W	W	W	W	W	9%	22	92	19%
Ringhand, Janis (D-15)	R	R	R	R	R	R	R	R	R	R	R	100%	53	-	100%
Risser, Fred (D-26)	R	R	R	R	R	R	R	R	R	R	R	100%	231	13	95%
Roth, Roger (R-19)	W	R	W	R	W	W	W	W	W	W	W	18%	3	21	13%
Schachtner, Patty (D-10)*					R					R	R	100%	3	-	100%
Shilling, Jennifer (D-32)	R	R	R	R	R	R	R	R	R	R	R	100%	103	1	99%
Stroebel, Duey (R-20)	W	W	W	R	W	W	W	W	W	W	W	9%	3	45	6%
Taylor, Lena (D-4)	R	R	R	R	R	R	R	R	R	R	R	100%	91	1	99%
Testin, Patrick (R-24)	W	W	W	R	W	W	W	W	W	W	W	9%	1	10	9%
Tiffany, Thomas (R-12)	W	W	W	R	W	W	W	W	W	W	W	9%	5	44	10%
Vinehout, Kathleen (D-31)	R	R	R	R	R	R	R	R	R	R	R	100%	66	2	97%
Vukmir, Leah (R-5)	W	W	W	R	W	W	W	W	W	W	W	9%	11	80	12%
Wanggaard, Van (R-21)	W	W	W	R	W	W	W	W	W	W	W	9%	4	30	12%
Wirch, Robert (D-22)	R	R	R	R	R	R	R	R	R	R	R	100%	135	4	97%

Blank Space - Absent or Not Voting    R - Means Voted Right    W - Means Voted Wrong    \* Served Partial Term or on Extended Leave

# Wisconsin State AFL-CIO Voting Record

## 2017-2018 Wisconsin State Legislature

### Summary of Bills

#### *STATE ASSEMBLY*

##### *Senate Bill 3* *Project Labor Agreements*

(Unfavorable upon Passage) Among the very first bills introduced this session was Senate Bill 3, which sought to prevent local governments from using Project Labor Agreements. Project Labor Agreements have been used in both the private and public sectors because they ensure that a project will be completed on-time and on-budget by providing a reliable supply of highly-qualified workers at predictable cost; improve worker safety by requiring that project safety standards are maintained on the jobsite; include binding dispute resolution procedures for the life of the agreement; and through included Community Workforce Agreements, they create career paths for women, minorities, veterans, and other under-represented workers. While Project Labor Agreements are not specifically mandated by state or federal law, local governments have used them to ensure that highly-qualified workers are on the job, the job is done safely, and completed on-time and within budget. With Project Labor Agreements, workers can trust that everyone on the jobsite has met high training standards, and that safety measures are taken seriously throughout the project. For the numerous benefits that Project Labor Agreements provide workers, it is the taxpayers that benefit the most, by guaranteeing a cost-effective project that is done right the first time and by encouraging investments in the local economy. This bill, introduced by Rep. Hutton (R-Brookfield) and Sen. Vukmir (R-Brookfield), prevents the use of project labor agreements by prohibiting local governments from requiring bidders to agree to enter into a project labor agreement, should they win the contract.

For all the benefits that come with using a project labor agreement, Republicans circulated, introduced, and quickly passed this bill in record time. **The recorded vote of 64-35 was on passage (March 9, 2017). A vote in favor is a “wrong” vote.** Senate Bill 3 passed the Legislature and was signed into law as Wisconsin Act 3.

##### *Assembly Bill 432* *Weakening Educational Requirements for Certified Nursing Assistants*

(Unfavorable upon Passage) Certified Nursing Assistants (CNAs) provide essential bedside care to patients and gather vital information necessary for nurses and physicians. They work in a wide variety of environments, from hospitals to nursing homes and even in patients’ own homes. In Wisconsin, CNAs must obtain 120 hours of classroom instruction and 32 hours of clinical training. This bill, introduced by Rep. Petryk (R-Eleva) and former Sen. Harsdorf (R-River Falls), would have cut the educational training for CNAs by nearly half: CNAs would only have to obtain only 75 hours of instructional training with 16 hours of clinical training (as opposed to the current 120 hours of classroom instruction and 32 hours of clinical training). **The recorded vote of 62-32 was on passage (November 2, 2017). A vote in favor is a “wrong” vote.** Fortunately, the State Senate did not take up the bill before the Legislative Session concluded and so the bill died at the end of the session.

***Assembly Bill 25***  
***Child Labor Work Permits***

(Unfavorable upon Passage) With this bill, Republicans rolled back the clock on Wisconsin's proud laws regulating child labor through the use of work permits. In 1899, Wisconsin developed a child labor permit system to ensure that employers could not take advantage of children, who were under 18 years old and wished to work. The permit approved work based on the child's age, hours of work, type of job, and working conditions, and required parental approval. Currently, the employer pays a \$10 fee for each child labor permit, with the funds going toward the enforcement of child labor laws. With this bill, introduced by Rep. Loudenbeck (R-Clinton) and Sen. Kapenga (R-Delafield), child labor permits are eliminated for 16- and 17-year olds and therefore must only be secured for children 15 years and younger. This will strip moms and dads of their right to sign off on their teenager's work permit, thereby eliminating the vital role parents play in setting priorities for and ensuring the safety of their children. It will also defund virtually all funds for the enforcement of child labor regulations across the state. The bill also replaces every reference to "child labor" in the statutes with "employment of minors." The bill's authors did this because "child labor" evokes a sense of responsibility different from the words "employment of minors."

This bill was introduced in January, and in order for it to have been passed before the State's Budget Bill, the Governor needed to declare child labor in Wisconsin - the issue that this bill addresses - a State emergency. To be sure, the Governor declared child labor in Wisconsin an emergency and the bill was passed shortly thereafter. **The recorded vote of 64-34 was on passage (May 2, 2017). A vote in favor is a "wrong" vote.** AB 25 passed the Legislature and was signed into law as Wisconsin Act 11.

***Senate Bill 399***  
***Unemployment Insurance Advisory Council's Agreed-Upon Bill***

(Favorable upon Passage) Over 85 years ago, Wisconsin became the first state to pass an unemployment insurance law. In an effort to maintain the overall stability of Wisconsin's unemployment insurance system, the Legislature created the Unemployment Insurance Advisory Council to advise the Legislature on the development and administration of the unemployment insurance law. The Unemployment Insurance Advisory Council is comprised of representatives from labor and management. This bill, SB 399, is the negotiated package of changes to the Unemployment Insurance System, which was agreed to by the Unemployment Insurance Advisory Council. **The recorded vote of 94-0 was on passage (January 16, 2018). A vote in favor is a "right" vote.** SB 399 passed the Legislature and was signed into law as Wisconsin Act 157.

***Assembly Bill 403***  
***Private Secure Retirement Act***

(Favorable upon Motion to Take Up Bill) Wisconsin's workers and our families face a retirement security crisis. A recent study found that one in five Wisconsin households with adults ages 55 to 64 had no retirement savings. This may be because many workplaces do not offer a pension or a retirement plan, such as a 401(k). This bill, introduced by Rep. Genrich (D-Green Bay) and Sen. Hansen (D-Green Bay), sought to help private sector workers who do not have an adequate employer-offered retirement plan by using the strengths of the Wisconsin Retirement System as a model to create a private secure retirement fund. This would provide an opportunity for all Wisconsin workers to save so that they can retire with dignity, using a similar retirement savings model as the one public workers and elected officials utilize. **The recorded vote of 34-59 was on a motion to bring AB 403 to the full Assembly for a vote (February 22, 2018). A vote in favor is a "right" vote.** Unfortunately, the motion was rejected and the bill died at the end of the session.

***Assembly Bill 212***  
***Restore the Equal Pay Enforcement Act***

(Favorable on Motion to Take Up Bill) Before 2012, Wisconsin afforded victims of employment discrimination (based on gender, race, religion, military service, sexual orientation, etc.) the right to take their cases to circuit court to seek justice in the form of compensatory and punitive damages. In Wisconsin, this law was known as the Equal Pay Enforcement Act – nationally it is often referred to an Equal Pay for Women Act – and was on the books until Gov. Walker repealed it in 2012. Under current law, victims of employment discrimination can file a claim with the state, but the remedy for such illegal discrimination is limited and neither addresses the actual harm committed by egregious employers nor deters employers from engaging in discrimination at work. This bill, AB 212, was introduced by Rep. Sinicki (D-Milwaukee) and Sen. Hansen (D-Green Bay) and would have restored the right of workers who are victims of employment discrimination to take their cases to circuit court to secure compensatory and punitive damages. Democrats moved to suspend the rules to take up AB 212 on the Assembly floor. **The recorded vote of 34-62 was on a motion to bring AB 212 for a vote (June 14, 2017). A vote in favor is a “right” vote.** Unfortunately, the motion was rejected and the bill died at the end of the session.

***Assembly Bill 45***  
***Create a “Buy Wisconsin” Preference for State Procurements***

(Favorable on Motion to Take Up Bill) When state and local governments buy products and contract for services, those products and services should be provided by Wisconsin companies that perform the work in our state, whenever possible. This bill, AB 45, was introduced by Rep. Subeck (D-Madison) and Sen. Hansen (D-Green Bay), and was a modest proposal that set a goal for the State Department of Administration and any state or local government unit to purchase 20% of its products and services from Wisconsin-based businesses. Local government units include cities, villages, towns, counties, and school and technical college districts. Democrats moved to suspend the rules to take up AB 45 for a vote on the Assembly floor. **The recorded vote of 34-64 was on a motion to bring AB 45 for a vote (March 7, 2017). A vote in favor is a “right” vote.** Unfortunately, the motion was rejected and the bill died at the end of the session.

***Assembly Bill 44***  
***Creates Non-Partisan Redistricting Board***

(Favorable Upon on Motion to Take Up Bill) In 2010, the Republicans gained control of the Legislature, and worked in secret to gerrymander legislative district lines directly with a private law firm to benefit Republicans for the next ten years. Instead of allowing voters to pick their representatives, Republicans went to great lengths to pick their voters. In the first state-wide election after the redistricting, the plan gave Republicans victories in 60 out of 99 Assembly districts even though Democratic candidates in the 2012 election won a majority of the overall statewide Assembly vote. Republicans have been able to rule as a majority party because they chose distorted lines for their own political benefit. In 2015, citizens from across Wisconsin sued the State, arguing that this plan violated their constitutional rights. At the time of printing, this case is currently before the United States Supreme Court. This bill, introduced by Rep. Vruwink (D-Milton) and Sen. Hansen (D-Green Bay), would have re-assigned the duty of redistricting to the non-partisan Legislative Reference Bureau and a newly created non-partisan Redistricting Advisory Commission. The bill would have required the new Commission to draw maps consistent with both the United States and Wisconsin Constitutions as well as the federal Voting Rights Act, barred it from drawing a district favoring any political party or politician, and required it to use contiguous territory to the greatest extent possible. **The recorded vote of 34-59 was on a motion to bring AB 44 for a vote (February 22, 2018). A vote in favor is a “right” vote.** Unfortunately, the motion was rejected and the bill died at the end of the session.

***Assembly Bill 64***  
***2017-2019 Wisconsin State Biennial Budget***

(Unfavorable upon Passage) Wisconsin's 2017-2019 Biennial Budget covers the fiscal period of July 2017 to June 2019. Gov. Walker drafted this budget to advance his own political ambitions at the expense of the interests of every working family in Wisconsin. Gov. Walker's drafted Budget deceptively and meagerly attempted to back-fill massive holes left by his last three budgets in the hopes that Wisconsinites had forgotten just how large the devastation to our public schools, roads, and UW System had grown over the past seven years. Gov. Walker's reckless indifference to our infrastructure needs halted the budget process in May 2017, when Republican in-fighting caused a 3-month delay, well over the State's deadline of June 30 to complete the State Budget. When the deadline came and went, the State kept running on prior budget levels. The Legislature finally reconvened in early September 2017 to pass the State Budget. **The recorded vote of 57-39 was on passage (September 13, 2017). A vote in favor is a "wrong" vote.**

When the Assembly finally passed AB 64, it sent the bill to the Senate for passage. However, news reports stated that Majority Leader Fitzgerald did not have the necessary 17 votes for passage in the 33-seat Senate. Four Republicans planned to vote no, including three (Senators Kapenga, Stroebel, and Nass) who were holding out to get what they personally wanted. Through secret negotiations with Gov. Walker, the three Senators were able to end-run the budget process and guarantee the Governor would use his veto power to give in to their demands. This highly unusual budget maneuver was widely criticized as being undemocratic, as it cut out the decision-making ability of every legislator, except for the band of three and Gov. Walker.

Although the secret deal was announced shortly after the Senate vote, the majority of the Governor's vetoes remained secret until September 20 - the day before the Governor actually signed the Budget. The Governor signed the Budget into law and formally issued his 99 vetoes on September 21. AB 64 passed the Legislature and the 2017-2019 Wisconsin State Biennial Budget was signed into law as Wisconsin Act 59, nearly 12 weeks late. Below you will find a few budget highlights of import to working people.

- **Full Repeal of Wisconsin's Prevailing Wage Laws:** Prevailing Wage laws set a wage floor for workers and ensure a level playing field for Wisconsin's workers and contractors alike. Repealing Wisconsin's Prevailing Wage laws do not produce any savings and likely cost the State more money when projects are built by contractors that undercut labor costs and safety standards. Until 2015, Wisconsin had three Prevailing Wage statutes: one for local governments, one for state government, and one for state transportation projects. In July 2015, Senate Republicans slipped a late-night amendment onto the 2015-17 State budget, eliminating Prevailing Wage for local government projects. In April 2017, when considering AB 64, the Joint Finance Committee removed Gov. Walker's proposal to eliminate Prevailing Wage, only to re-insert it into the budget hours before taking its last vote in September. The final budget, sitting on Gov. Walker's desk for signing into law, included the repeal of the remaining two prevailing wage laws, to take effect in 2018. However, Gov. Walker vetoed the effective date, meaning that the repeal occurred immediately on September 21, 2017.
- **Fails to Fully Fund our Schools:** While this Budget proposes increased funding for education, we must remember that Gov. Walker enacted the biggest cuts to public K-12 education in our State's history. In all, he has cut more than \$792 million from public schools. This Budget fails to restore this funding loss by only adding \$639.3 million. This Budget therefore keeps our schools woefully underfunded.
- **Guts the WERC:** This Budget gutted the Wisconsin Employment Relations Commission (WERC), by reducing its commissioners from three to one, and eliminating many critical staff.

- **Eliminates Regular Renewals for Teacher Licenses:** This Budget largely mirrors Gov. Walker’s initial proposal to wholly eliminate teacher re-licensing. This Budget created an initial 3-year probationary license, after which a one-time permanent teacher’s license will be handed out, with no conditions or requirements for professional development. This proposal joined other de-licensure measures in the Budget where Gov. Walker attempted to eliminate or weaken licensing standards, which weakens the quality of the profession and its wages.
- **Fails to Responsibly Fund and Fix Dire Infrastructure Needs:** Gov. Walker proposed borrowing \$500 million and putting the brakes on critical construction projects. The Legislature settled on borrowing \$402 million for transportation infrastructure and delaying projects. It also cut funds by eliminating 200 DOT positions and created a new, special fee for hybrid and electric vehicles. The Republican plan, however, did include a \$4 million earmark for upgrades at a tiny municipal airport that happens to be adjacent to a large Republican donor’s golf course.
- **Shutters Independent Educational Approval Board:** The Governor’s proposed budget sought to eliminate the Educational Approval Board (EAB), which is an important independent board that oversees for-profit colleges, often referred to as “drop out factories” and “diploma mills.” These proprietary schools frequently charge high tuition, recruit low- and middle-income young adults, and have terribly low job placement rates. The Legislature opted keep the EAB’s staff and independent board until July 2018, when the board would be disbanded and the EAB would be fully housed in the Department of Safety and Professional Services. However, Gov. Walker through his veto pen terminated the EAB’s independent board and its staff immediately. Therefore, there is no promise that all of the EAB duties in overseeing the many for-profit, proprietary colleges operating in Wisconsin will be performed without its knowledgeable staff or independent board.
- **Increases for Unaccountable Voucher Schools:** This Budget increases the enrollment for voucher schools by increasing the income cap from 125% to 220% of the federal poverty level, which is roughly \$45,000 for a family of three, almost reaching Wisconsin’s median family income of \$55,638. This Budget does not alter the income caps for the Milwaukee and Racine voucher schools, set at 300% of the federal poverty level, or \$62,340 for a family of three.
- **Establishes and Increases Important Dementia Specialists throughout the State:** Gov. Walker introduced his budget without renewing our State’s critical dementia care specialists, who operate in 26 counties. By not renewing their positions, Gov. Walker was proposing to eliminate them. After Wisconsinites spoke out on this issue, the Legislature fully funded the current dementia care specialists and, in the second year of the budget, approved an additional five specialists.

***Assembly Bill 710  
Criminalizing Unemployment Errors***

(Unfavorable upon Passage) Wisconsin already has high penalties for those who provide false or incomplete information on their unemployment insurance application – whether intentionally or unintentionally. This bill, introduced by Rep. Kerkman (R-Salem) and Sen. Kapenga (R-Delafield) significantly raises the penalties up to a felony charge: if convicted of wrongly receiving unemployment benefits, one could serve up to 10 years in prison. This bill did not go through the Unemployment Insurance Advisory Council, which the Legislature created to advise it on matters related to unemployment insurance law and which is comprised of representatives from labor and management. Choosing extreme partisan politics over reasoned policy, the legislature disregarded the Unemployment Insurance Advisory Council’s role in developing sound unemployment policy. **The recorded vote of 62-35 was on passage (February 15, 2018). A vote in favor is a “wrong” vote.** AB 710 passed the Legislature and was signed into law as Wisconsin Act 147.



***Assembly Bill 165  
Constitutional Convention***

(Unfavorable upon Passage) Written into our United States Constitution are two ways to offer amendments to our U.S. Constitution: 1) Congress can propose an amendment to the states by first passing it by two-thirds vote, or 2) two-thirds of the states can call for a constitutional convention, which would propose amendments. There is a national effort underway to lobby state legislatures to pass legislation calling for a constitutional convention so that special interests can rewrite the U.S. Constitution to sharply limit what the federal government can do to advance the nation's priorities, invest in the country's future, and protect the rights of all Americans. This bill, introduced by Rep. Bernier (R-Chippewa Falls) and Sen. Kapenga (R-Delafield) represented Wisconsin's call for Congress to convene a Constitutional Convention. If one were convened, the bill expressly called for all of Wisconsin's delegates to be appointed by the Governor, Speaker of the Assembly, Senate President, and the Majority and Minority Leaders. In passing this bill, Wisconsin became the 28<sup>th</sup> state to call for a Constitutional Convention; only six more states would have to follow. **The recorded vote of 58-37 was on passage (June 14, 2017). A vote in favor is a "wrong" vote.** AB 165 passed the Legislature and was signed into law as Wisconsin Act 83.

***Assembly Bill 748  
Preempting Local Control of Labor Standards***

(Unfavorable upon Passage) From 2011 through early 2018, the Republican legislature under Gov. Walker has passed 162 legislative proposals curbing local control. This bill, in no less than eight different ways, continues this attack on local control and merges it with the Republicans' disdain for proposals that might increase justice and fairness at work. This bill, introduced by Rep. Hutton (R-Brookfield) and Sen. Kapenga (R-Delafield) made sweeping changes to how working people are able to make change at the local level to ensure fairness and justice at work in the following ways:

1. This bill would end an opportunity that allows local governments to **set a minimum wage** for employees who are contracted to perform work for the local government.
2. This bill would prohibit local governments from **enforcing license regulations** that are more strict than the state standards for that license.
3. This bill not only prohibits local governments from **utilizing labor peace agreements**, but sets a criminal penalty if a municipality passes an ordinance requiring a labor peace agreement.
4. This bill would prohibit local governments from forcing **contractors to agree to a labor peace agreement** in order to receive a license or permit.
5. This bill would prohibit local governments from enacting their own standards for **scheduling of hours and overtime regulations**.
6. This bill would prohibit local governments from **setting a level of employment benefits** for employers, for example mandating certain **time off or retirement benefits**.
7. This bill would prohibit local governments from passing an ordinance to prohibit employers from asking about **salary history**.
8. This bill would prohibit local governments from creating agencies to handle **wage claims**, or complaints about wage theft.

In two weeks' time, this bill went from the public hearing to a vote before the full Assembly. **The recorded vote of 58-32 was on passage (February 23, 2018). A vote in favor is a "wrong" vote.** AB 748 passed the Legislature and was signed into law as Wisconsin Act 327.

***Assembly Bill 244  
Cesar Chavez Holiday for State Employees***

(Favorable upon Motion to Take Up Bill) This bill, introduced by Rep. Zamarripa (D-Milwaukee) and Sen. Larson (D-Milwaukee), would direct state agencies to allow employees to receive March 31, the birthday of American labor organizer and activist Cesar Chavez, as a paid holiday in lieu of another paid holiday that the employee would otherwise take during the year. **The recorded vote of 34-59 was on a motion to bring AB 244 for a vote (February 22, 2018). A vote in favor is a “right” vote.** Unfortunately, the motion was rejected and the bill died at the end of the session.

***Assembly Bill 64, Assembly Amendment 5-ASA 1  
Fair Funding for Schools***

(Unfavorable Upon Motion to Table Amendment) Wisconsin’s public education system continues to reel from the devastation caused by Gov. Walker’s first budget, which removed over \$1 billion from our public schools, Act 10, and his successive budgets. This amendment, introduced by Rep. Pope (D-Madison), would have prioritized our children’s education by fairly funding our schools by investing an additional \$525 million over Gov. Walker’s budget proposal, investing an additional \$26 million for rural districts, increasing funding for special education, increasing funding for summer school enrollment, creating a rural school teacher loan forgiveness program, funding full-day 4-year old kindergarten, and removing Gov. Walker’s proposal to eliminate regular re-licensing of teachers and school administrators. **The recorded vote of 61-34 was on a motion to kill Assembly Amendment 5 to AB 64 (September 13, 2017) by tabling it. A vote in favor is a “wrong” vote.** Unfortunately, the amendment was tabled.

***Assembly Bill 363  
Prohibiting Preexisting Condition Discrimination***

(Favorable upon Motion to Take Up Bill) Pre-existing conditions impact almost every family in our state, as over 852,000 Wisconsinites have a pre-existing condition. This bill, introduced by Rep. Riemer (D-Milwaukee) and Sen. Erpenbach (D-Middleton), would have ensured that health insurance companies could not deny anyone coverage because of a pre-existing health condition and could not consider whether anyone who would be covered under the plan has a preexisting condition for the purpose of setting any deductibles, copayments, or coinsurance costs. **The recorded vote of 34-59 was on a motion to bring AB 363 for a vote (February 22, 2018). A vote in favor is a “right” vote.** Unfortunately, the motion was rejected and the bill died at the end of the session.

***Assembly Bill 64, Assembly Amendment 6-ASA 1  
Securing our Environment and Safeguarding our Water***

(Unfavorable Upon Motion to Table Amendment) Too often in Gov. Walker’s budgets, our environment and DNR have been on the chopping block. At the very same time, Gov. Walker and his majority party have been open to corporations’ efforts to privatize our drinking water. This amendment, introduced by Rep. Shankland (D-Stevens Point) would have restored funding cuts to state parks, restored DNR oversight of high capacity wells, restored the many DNR scientist positions cut by Gov. Walker’s 2015-17 budget, fully restored the popular DNR magazine, and allowed water utilities to offer financial support to customers needing to replace their lead water service lines. In addition, it would finally put to rest the prospect of selling off our drinking water by prohibiting the privatization of our municipal water. **The recorded vote of 61-34 was on a motion to kill Assembly Amendment 6 to AB 64 (September 13, 2017) by tabling it. A vote in favor is a “wrong” vote.** Unfortunately, the amendment was tabled.



# Wisconsin State AFL-CIO Voting Record

## 2017-2018 Wisconsin State Legislature

### Summary of Bills

#### *STATE SENATE*

##### *Senate Bill 3* *Project Labor Agreements*

(Unfavorable upon Passage) Among the very first bills introduced this session was Senate Bill 3, which sought to prevent local governments from using Project Labor Agreements. Project Labor Agreements have been used in both the private and public sectors because they ensure that a project will be completed on-time and on-budget by providing a reliable supply of highly-qualified workers at predictable cost; improve worker safety by requiring that project safety standards are maintained on the jobsite; include binding dispute resolution procedures for the life of the agreement; and through included Community Workforce Agreements, they create career paths for women, minorities, veterans, and other under-represented workers. While Project Labor Agreements are not specifically mandated by state or federal law, local governments have used them to ensure that highly-qualified workers are on the job, the job is done safely, and completed on-time and within budget. With Project Labor Agreements, workers can trust that everyone on the jobsite has met high training standards, and that safety measures are taken seriously throughout the project. For the numerous benefits that Project Labor Agreements provide workers, it is the taxpayers that benefit the most, by guaranteeing a cost-effective project that is done right the first time and by encouraging investments in the local economy. This bill, introduced by Sen. Vukmir (R-Brookfield) and Rep. Hutton (R-Brookfield), prevents the use of project labor agreements by prohibiting local governments from requiring bidders to agree to enter into a project labor agreement, should they win the contract.

For all the benefits that come with using a project labor agreement, Republicans circulated, introduced, and quickly passed this bill in record time. **The recorded vote of 19-13 was on passage (February 8, 2017). A vote in favor is a “wrong” vote.** Senate Bill 3 passed the Legislature and was signed into law as Wisconsin Act 3.

##### *Assembly Bill 165* *Constitutional Convention*

(Unfavorable upon Passage) Written into our United States Constitution are two ways to offer amendments to our U.S. Constitution: 1) Congress can propose an amendment to the states by first passing it by two-thirds vote, or 2) two-thirds of the states can call for a constitutional convention, which would then convene to propose amendments. There is a national effort underway to lobby state legislatures to pass legislation calling for a constitutional convention so that special interests can rewrite the U.S. Constitution to sharply limit what the federal government can do to advance the nation’s priorities, invest in the country’s future, and protect the rights of all Americans. This bill, introduced by Sen. Kapenga (R-Delafield) and Rep. Bernier (R-Chippewa Falls), represented Wisconsin’s call for a Constitutional Convention. If one were convened, the bill expressly called for all of Wisconsin’s delegates to be appointed by the Governor, Speaker of the Assembly, Senate President, and the Majority and Minority Leaders. In passing this bill, Wisconsin became the 28<sup>th</sup> state to call for a Constitutional Convention; only six more states would have to follow. **The recorded vote of 19-14 was on passage (November 7, 2017). A vote in favor is a “wrong” vote.** AB 165 passed the Legislature and was signed into law as Wisconsin Act 83.

***Assembly Bill 25***  
***Child Labor Work Permits***

(Unfavorable upon Passage) With this bill, Republicans rolled back the clock on Wisconsin's proud laws regulating child labor through the use of work permits. In 1899, Wisconsin developed a child labor permit system to ensure that employers could not take advantage of children, who were under 18 years old and wished to work. The permit approved work based on the child's age, hours of work, type of job, and working conditions, and required parental approval. Currently, the employer pays a \$10 fee for each child labor permit, with the funds going toward the enforcement of child labor laws. With this bill, introduced by Sen. Kapenga (R-Delafield) and Rep. Loudenbeck (R-Clinton), child labor permits are eliminated for 16- and 17-year olds and therefore must only be secured for children 15 years and younger. This will strip moms and dads of their right to sign off on their teenager's work permit, thereby eliminating the vital role parents play in setting priorities for and ensuring the safety of their children. It will also defund virtually all funds for the enforcement of child labor regulations across the state. The bill also replaces every reference to "child labor" in the statutes with "employment of minors." The bill's authors did this because "child labor" evokes a sense of responsibility different from the words "employment of minors."

This bill was introduced in January, and in order for it to have been passed before the State's Budget Bill, the Governor needed to declare child labor in Wisconsin - the issue that this bill addresses - a State emergency. To be sure, the Governor declared child labor in Wisconsin an emergency and the bill was passed shortly thereafter. **The recorded vote of 20-12 was on passage (May 10, 2017). A vote in favor is a "wrong" vote.** AB 25 passed the Legislature and was signed into law as Wisconsin Act 11.

***Senate Bill 399***  
***Unemployment Insurance Advisory Council's Agreed-Upon Bill***

(Favorable upon Passage) Over 85 years ago, Wisconsin became the first state to pass an unemployment insurance law. In an effort to maintain the overall stability of Wisconsin's unemployment insurance system, the Legislature created the Unemployment Insurance Advisory Council to advise the Legislature on the development and administration of the unemployment insurance law. The Unemployment Insurance Advisory Council is comprised of representatives from labor and management. This bill, SB 399, is the negotiated package of changes to the Unemployment Insurance System, which was agreed to by the Unemployment Insurance Advisory Council. **The recorded vote of 33-0 was on passage (October 31, 2017). A vote in favor is a "right" vote.** SB 399 passed the Legislature and was signed into law as Wisconsin Act 157.

***Assembly Bill 710***  
***Criminalizing Unemployment Application Errors***

(Unfavorable upon Passage) Wisconsin has already set high penalties for the jobless who provide false or incomplete information on unemployment insurance applications, whether intentionally or unintentionally. This bill, introduced by Sen. Kapenga (R-Delafield) and Rep. Kerkman (R-Salem), significantly raises the penalties to where one could be charged with a felony, and if convicted of wrongly receiving unemployment benefits, could serve up to 10 years in prison. This bill did not go through the Unemployment Insurance Advisory Council, which was created by the Legislature to advise it on matters related to unemployment insurance law and which is comprised of representatives from labor and management. Once again choosing politics over reasoned policy, the manner in which the legislature disregarded the Unemployment Insurance Advisory Council's role in developing sound unemployment policy is disturbing and reckless. **The recorded vote of 18-14 was on passage (February 20, 2018). A vote in favor is a "wrong" vote.** AB 710 passed the Legislature and was signed into law as Wisconsin Act 147.

***Assembly Bill 64, Senate Amendment 6  
Restoring Prevailing Wage***

(Unfavorable Upon Motion to Table Amendment) Prevailing Wage laws set a wage floor for workers and ensure a level playing field for Wisconsin's workers and contractors alike. Until 2015, Wisconsin had three Prevailing Wage statutes: one for local governments, one for state government, and one for state transportation projects. In July 2015, Senate Republicans slipped a late-night amendment onto the 2015-17 State budget, eliminating Prevailing Wage for local government projects. In this Budget, AB 64, the Joint Finance Committee removed the Governor's proposal to fully repeal Wisconsin's Prevailing Wage statutes in April, only to re-insert it into the Budget hours before taking its last vote in September. Repealing Wisconsin's Prevailing Wage laws do not produce any savings and actually cost the State more money when projects are built by contractors that undercut labor costs and safety standards. This amendment, introduced by Sen. Shilling (D-La Crosse), would have fully restored all three of Wisconsin's Prevailing Wage statutes. **The recorded vote of 19-13 was on a motion to kill Senate Amendment 6 to AB 64 (September 15, 2017) by tabling it. A vote in favor is a "wrong" vote.** Unfortunately, the amendment was tabled.

***Assembly Bill 64, Senate Amendment 5  
Fair Funding for Schools***

(Unfavorable Upon Motion to Table Amendment) Wisconsin's public education system continues to reel from the devastation caused by Gov. Walker's first budget, which removed over \$1 billion from our public schools, Act 10, and his successive budgets. This amendment, introduced by Sen. Miller (D-Monona) would have prioritized our children's education by fairly funding our schools by investing an additional \$514 million over what Gov. Walker proposed in his Budget, increasing funding to special education, restoring the 2011 cuts to historically low-spending districts, further supports to rural districts, and would have eliminated the Governor's proposal to remove regular re-licensing of teachers and school administrators. By doing all of this, the amendment would have lowered property taxes by increasing state support for schools. **The recorded vote of 20-12 was on a motion to reject Senate Amendment 5 to AB 64 (September 15, 2017) by tabling it. A vote in favor is a "wrong" vote.** Unfortunately, the amendment was rejected.

***Assembly Bill 64, Senate Amendment 3  
Healthy Communities, Healthy Families Act***

(Unfavorable Upon Motion to Table Amendment) Breaking with Wisconsin's traditions and values, Gov. Walker has continually refused to prioritize affordable healthcare, our environment, and the safety of our water. This amendment, introduced by Sen. Shilling (D-La Crosse), would have accepted federal funds to expand BadgerCare, required healthcare companies to cover pre-existing conditions, and directed the State to seek a 4-year extension of SeniorCare. It also would have restored funding cuts to state parks, restored DNR oversight of high capacity wells, and allowed water utilities to offer customers financial support when replacing their lead water service lines. Last, it would have allowed Wisconsin families to claim a tax credit for childcare costs. **The recorded vote of 20-13 was on a motion to kill Senate Amendment 3 to AB 64 (September 15, 2017) by tabling it. A vote in favor is a "wrong" vote.** Unfortunately, the amendment was tabled.

***Assembly Bill 64***  
***2017-2019 Wisconsin State Biennial Budget***

(Unfavorable upon Passage) Wisconsin's 2017-2019 Biennial Budget covers the fiscal period of July 2017 to June 2019. Gov. Walker drafted this budget to advance his own political ambitions at the expense of the interests of every working family in Wisconsin. Gov. Walker's drafted Budget deceptively and meagerly attempted to back-fill massive holes left by his last three budgets in the hopes that Wisconsinites had forgotten just how large the devastation to our public schools, roads, and UW System had grown over the past seven years. Gov. Walker's reckless indifference to our infrastructure needs halted the budget process in May 2017, when Republican in-fighting caused a 3-month delay, well over the State's deadline of June 30 to complete the State Budget. When the deadline came and went, the State kept running on prior budget levels. The Legislature finally reconvened in early September 2017 to pass the State Budget.

After the Assembly passed the budget bill, it went to the Senate, where news reports stated that Majority Leader Fitzgerald did not have the necessary 17 votes for passage in the 33-seat State Senate. Four Republicans planned to vote no, including three (Senators Kapenga, Stroebel, and Nass) who were holding out to get what they personally wanted, in particular the immediate repeal of Prevailing Wage. Through secret negotiations with Gov. Walker, the three Senators were able to end-run the budget process and guarantee the Governor would use his veto power to give in to their demands. This budget maneuver is highly unusual and was criticized by many as being undemocratic, as it cut out the decision-making ability of every legislator, except for the band of three and Gov. Walker. None of the three Senators or Gov. Walker explained their secret deal prior to the Budget being voted on by the full Senate. **The recorded vote of 19-14 was on passage (September 15, 2017). A vote in favor is a "wrong" vote.**

Although the secret deal was announced shortly after the Senate vote, the majority of the Governor's vetoes remained secret until September 20 - the day before the Governor actually signed the Budget. The Governor signed the Budget into law and formally issued his 99 vetoes on September 21. AB 64 passed the Legislature and the 2017-2019 Wisconsin State Biennial Budget was signed into law as Wisconsin Act 59, nearly 12 weeks late. Below you will find a few budget highlights of import to working people.

- **Full Repeal of Wisconsin's Prevailing Wage Laws:** Prevailing Wage laws set a wage floor for workers and ensure a level playing field for Wisconsin's workers and contractors alike. Repealing Wisconsin's Prevailing Wage laws do not produce any savings and likely cost the State more money when projects are built by contractors that undercut labor costs and safety standards. Until 2015, Wisconsin had three Prevailing Wage statutes: one for local governments, one for state government, and one for state transportation projects. In July 2015, Senate Republicans slipped a late-night amendment onto the 2015-17 State budget, eliminating Prevailing Wage for local government projects. In April 2017, when considering AB 64, the Joint Finance Committee removed Gov. Walker's proposal to eliminate Prevailing Wage, only to re-insert it into the budget hours before taking its last vote in September. The final budget, sitting on Gov. Walker's desk for signing into law, included the repeal of the remaining two prevailing wage laws, to take effect in 2018. However, Gov. Walker vetoed the effective date, meaning that the repeal occurred immediately on September 21, 2017.
- **Fails to Fully Fund our Schools:** While this Budget proposes increased funding for education, we must remember that Gov. Walker enacted the biggest cuts to public K-12 education in our State's history. In all, he has cut more than \$792 million from public schools. This Budget fails to restore this funding loss by only adding \$639.3 million. This Budget therefore keeps our schools woefully underfunded.
- **Guts the WERC:** This Budget gutted the Wisconsin Employment Relations Commission (WERC), by reducing its commissioners from three to one, and eliminating many critical staff.

- **Eliminates Regular Renewals for Teacher Licenses:** This Budget largely mirrors Gov. Walker’s initial proposal to wholly eliminate teacher re-licensing. This Budget created an initial 3-year probationary license, after which a one-time permanent teacher’s license will be handed out, with no conditions or requirements for professional development. This proposal joined other de-licensure measures in the Budget where Gov. Walker attempted to eliminate or weaken licensing standards, which weakens the quality of the professions and its wages.
- **Fails to Responsibly Fund and Fix Dire Infrastructure Needs:** Gov. Walker proposed borrowing \$500 million and putting the brakes on critical construction projects. The Legislature settled on borrowing \$402 million for transportation infrastructure and delaying projects. It also cut funds by eliminating 200 DOT positions and created a new, special fee for hybrid and electric vehicles. The Republican plan, however, did include a \$4 million earmark for upgrades at a tiny municipal airport that happens to be adjacent to a large Republican donor’s golf course.
- **Shutters Independent Educational Approval Board:** The Governor’s proposed budget sought to eliminate the Educational Approval Board (EAB), which is an important independent board that oversees for-profit colleges, often referred to as “drop out factories” and “diploma mills.” These proprietary schools frequently charge high tuition, recruit low- and middle-income young adults, and have terribly low job placement rates. The Legislature opted keep the EAB’s staff and independent board until July 2018, when the board would be disbanded and the EAB would be fully housed in the Department of Safety and Professional Services. However, Gov. Walker through his veto pen terminated the EAB’s independent board and its staff immediately. Therefore, there is no promise that all of the EAB duties in overseeing the many for-profit, proprietary colleges operating in Wisconsin will be performed without its knowledgeable staff or independent board.
- **Increases for Unaccountable Voucher Schools:** This Budget increases the enrollment for voucher schools by increasing the income cap from 125% to 220% of the federal poverty level, which is roughly \$45,000 for a family of three, almost reaching Wisconsin’s median family income of \$55,638. This Budget does not alter the income caps for the Milwaukee and Racine voucher schools, set at 300% of the federal poverty level, or \$62,340 for a family of three.
- **Establishes and Increases Important Dementia Specialists throughout the State:** Gov. Walker introduced his budget without renewing our State’s critical dementia care specialists, who operate in 26 counties. By not renewing their positions, Gov. Walker was proposing to eliminate them. After Wisconsinites spoke out on this issue, the Legislature fully funded the current dementia care specialists and, in the second year of the budget, approved an additional five specialists.

***Assembly Bill 508  
Apprenticeship Uniform Ratio Bill***

(Unfavorable upon Passage) The State Department of Workforce Development (DWD) has always set the ratio of journeymen to apprentices. By regulation, and by necessity, it has set the ratio differently to fit the unique needs every trade. Under this bill, introduced by Sen. Kapenga (R-Delafield) and Rep. Hutton (R-Brookfield), the ratios would all be one-size-fits all, one apprentice to one journeyman, which will not meet the unique training needs for specific trades. However, the bill was amended to specify that a collective bargaining agreement may govern the applicable ratio for apprentices. **The recorded vote of 18-14 was on passage (February 20, 2018). A vote in favor is a “wrong” vote.** AB 508 passed the Legislature and was signed into law as Wisconsin Act 148.



***Assembly Bill 748***  
***Preempting Local Control of Labor Standards***

(Unfavorable upon Passage) From 2011 through early 2018, the Republican legislature under Gov. Walker has passed 162 legislative proposals curbing local control. This bill, in no less than eight different ways, continues this attack on local control and merges it with the Republicans' disdain for proposals that might increase justice and fairness at work. This bill, introduced by Sen. Kapenga (R-Delafield) and Rep. Hutton (R-Brookfield) made sweeping changes to how working people are able to make change at the local level to ensure fairness and justice at work in the following ways:

1. This bill would end an opportunity that allows local governments to **set a minimum wage** for employees who are contracted to perform work for the local government.
2. This bill would prohibit local governments from **enforcing license regulations** that are more strict than the state standards for that license.
3. This bill not only prohibits local governments from **utilizing labor peace agreements**, but sets a criminal penalty if a municipality passes an ordinance requiring a labor peace agreement.
4. This bill would prohibit local governments from forcing **contractors to agree to a labor peace agreement** in order to receive a license or permit.
5. This bill would prohibit local governments from enacting their own standards for **scheduling of hours and overtime regulations**.
6. This bill would prohibit local governments from **setting a level of employment benefits** for employers, for example mandating certain **time off or retirement benefits**.
7. This bill would prohibit local governments from passing an ordinance to prohibit employers from asking about **salary history**.
8. This bill would prohibit local governments from creating agencies to handle **wage claims**, or complaints about wage theft.

This bill was pushed through the Assembly in two weeks' time where it was then sent to the Senate. **The recorded vote of 18-14 was on passage (March 20, 2018). A vote in favor is a "wrong" vote.** AB 748 passed the Legislature and was signed into law as Wisconsin Act 327.

