

WISCONSIN  
LEGISLATIVE VOTING  
RECORD

2011-12  
*Legislative Session*



**WMC**

Wisconsin's Business Voice Since 1911  
WISCONSIN MANUFACTURERS & COMMERCE

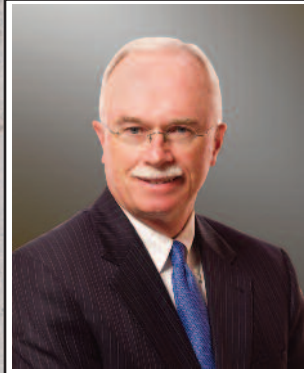
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## WISCONSIN BUSINESS SEES MAJOR GAINS IN HISTORIC 2011-12 SESSION

We are pleased to present the 2011-12 Legislative Voting Record, WMC's biennial business issue scorecard for the Wisconsin State Legislature. This report is designed to help the business community see how individual members of the legislature voted on key issues affecting the business climate in Wisconsin.



The 2011-12 legislative session was historic in many ways. The upward spiral of spending and taxes was reversed; the state's long-term structural deficit was eliminated; a solid foundation for responsible budgeting in the future was established and perhaps, most significantly, efforts to improve the state's business climate took a quantum leap forward. The legislature adopted sweeping legal reforms, comprehensive regulatory reforms and targeted business tax cuts that will help put Wisconsin on a path to robust economic growth and job creation in the years ahead.

The WMC lobbying team worked on 159 separate pieces of legislation during the session. Many of these bills originated as recommendations from WMC members who serve on our various policy committees and were developed by our in-house team of attorneys and policy experts. This report outlines the results of our lobbying effort on the most significant business legislation of the session.

For more information on any issues summarized here, contact the WMC Government Relations team at 608-258-3400.

Sincerely,

A handwritten signature in black ink that reads "James A. Buchen". The signature is written in a cursive, flowing style.







James A. Buchen  
Senior Vice President



**WMC**

BILL NAME	WHAT IT MEANS TO YOU	WMC POSITION	OUTCOME
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## STATE BUDGET, Wisconsin Act 28

<b>Creation of the Manufacturers Tax Credit</b>	The budget bill included a 7.5% tax credit for manufacturing undertaken in Wisconsin. When fully implemented, the credit will save Wisconsin businesses \$127 million per year.	WMC supported the creation of this tax credit to help encourage manufacturing in Wisconsin.	Passed both houses and signed into law. 
<b>No Tax-Increase Budget</b>	The budget bill avoided general fund tax increases and even resulted in a general fund tax reduction of \$23 million.	WMC supported the adoption of a budget that relies on growth in tax revenues from the expanding economy.	Passed both houses and signed into law. 
<b>Permanent Property Tax Cap</b>	The budget bill included a levy limit for county and municipal governments that only allows increases to be based on the value of new construction.	WMC supported the adoption of a levy limit to cap property taxes and reduce Wisconsin's ranking as one of the states with the highest property taxes.	Passed both houses and signed into law. 
<b>Phosphorus Regulation</b>	This item in the state budget requires the DNR to conduct a detailed cost/benefit analysis of its recent rule to regulate phosphorus discharges. Compliance costs are likely to exceed \$1 billion.	WMC supported the requirement to study the costs and benefits of stringent phosphorus regulations. Businesses and lawmakers deserve to know how much DNR regulations cost and whether the benefits justify the costs.	Passed both houses and signed into law. 
<b>Repeal Energy Tax Hike</b>	The budget bill repealed an energy tax hike passed in 2010 that would have nearly tripled the amount collected on monthly electricity and natural gas bills. When fully implemented, the tax hike would have exceeded \$256 million per year.	WMC supported eliminating this tax increase because higher energy costs make businesses less competitive.	Passed both houses and signed into law. 
<b>Use of Trapped Losses under Combined Reporting</b>	The budget bill included a provision allowing combined groups to share net business loss carry-forwards incurred prior to 2009 by group members of multi-state companies that file under combined reporting.	WMC supported the adoption of this provision because businesses with loss carry-forwards should be allowed to use them.	Passed both houses and signed into law. 

BILL NAME	WHAT IT MEANS TO YOU	WMC POSITION	OUTCOME
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## CIVIL JUSTICE

### Comprehensive Legal Reforms

Senate Bill 1  
WI Act 2  
January 2011  
Special Session

This legislation consisted of comprehensive product liability reform, capping punitive damages, establishing expert standards for witness testimony, and re-adopting the frivolous claims statute.

WMC supported this legislation because it enhances fairness and predictability in our legal system.

Passed both houses and signed into law.



### Trespasser Liability

Senate Bill 22  
WI Act 93  
September 2011  
Special Session

This legislation specifies that a property owner does not owe a duty of care to a trespasser.

WMC supported this bill because case law in other states threatened to create a duty of care to trespassers in Wisconsin.

Passed both houses and signed into law.



### Punitive and Compensatory Damages for Discrimination Claims under the WFEA

Senate Bill 202  
WI Act 219

This legislation repeals a 2009 law that allowed state courts to award punitive and compensatory damages under the Wisconsin Fair Employment Act (WFEA). Remedies still provided for under state law include reinstatement, back pay and legal costs.

WMC supported this bill because of the increased settlement costs incurred by employers under the 2009 law, the existing ability to file federal workplace discrimination claims, and the indexing factor included in the 2009 law which allowed for higher claims at the state level.

Passed both houses and signed into law.



## ECONOMIC DEVELOPMENT

### Local Development Moratoriums

Senate Bill 504  
WI Act 144

Senate Bill 504 places limitations on the authority of local governments to enact moratoriums to block certain development activities, including a demonstration of need and a one-year time limit.

WMC supported this proposal to clarify local regulatory authority and provide greater certainty to businesses in terms of the duration of development moratoriums.

Passed both houses and signed into law.



Right: Rebecca Hogan pictured with Governor Walker and Representative Van Wanggaard (R-Racine) at a bill signing.



Left: James Buchen and Jason Culotta discuss budget issues with Chairman of the Joint Committee on Finance, Representative Robin Vos (R-Burlington).

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## EDUCATION

### Authorizing a School Board to Grant a Technical Diploma

Senate Bill 335  
WI Act 156

Senate Bill 335 allows school districts to create a curriculum that will better serve students interested in gaining technical skills and preparing for the skilled trades.

WMC supported this bill because it will encourage youth to engage in technical learning and in the skilled trades.

Passed both houses and signed into law.



## ELECTIONS

### Recall Reform

Assembly Joint Resolution 63

This legislation would limit recall elections to cases when an elected officer was charged with a serious crime or violated the state ethics code.

WMC supported this constitutional amendment because recent recall elections have been about policy differences instead of malfeasance in office.

Passed the Assembly; no action taken in the Senate.



## ENERGY

### Renewable Energy

Senate Bill 81  
WI Act 34

Senate Bill 81 would remove limitations on utilities' use of hydroelectric power to satisfy the 10% renewable energy mandate.

WMC supported passage of this bill as a means to provide utilities with flexibility in meeting the 10% renewable energy mandate, and thereby reduce costs for electric ratepayers.

Passed both houses and signed into law.



### Energy Policy Reforms

Senate Bill 428  
WI Act 155

Senate Bill 428 makes numerous reforms to state energy policy to modernize Wisconsin energy regulation.

WMC supported these reforms, including the provision that allows utility customers to generate renewable energy credits.

Passed both houses and signed into law.







James Buchen and Senator Kathleen Vinehout (D-Alma) discuss health care reform.



Rebecca Hogan joins Governor Walker and the leaders at Multi-Products in Racine for the Technical Diploma bill signing.

BILL NAME	WHAT IT MEANS TO YOU	WMC POSITION	OUTCOME
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## ENVIRONMENT

<p><b>Iron Mining Reform</b></p> <p>Assembly Bill 426</p>	<p>Assembly Bill 426 would streamline the permitting process for iron mining while maintaining robust environmental standards. The bill would have established clear permitting timelines and other measures to enhance predictability.</p>	<p>WMC strongly supported passage of these important reforms as a means to capture a \$1.5 billion investment in our economy and create thousands of family-supporting jobs for generations to come.</p>	<p>Passed the Assembly. Rejected in the Senate.</p> 
<p><b>Air Permitting Reform</b></p> <p>Senate Bill 111 WI Act 121</p>	<p>Senate Bill 111 repeals Chapter NR 411 of the DNR code, which requires air permits for construction projects with large parking lots or parking ramps.</p>	<p>WMC supported the repeal of this outdated regulation that adds Wisconsin-only cost and delay to development projects without a meaningful benefit to the environment.</p>	<p>Passed both houses and signed into law.</p> 
<p><b>DNR Permit Reform</b></p> <p>Senate Bill 326 WI Act 167</p>	<p>Senate Bill 326 makes numerous reforms to streamline DNR permits, including Chapter 30 waterway permits, and minor source air permits.</p>	<p>WMC supported these important permit reforms and believes they will lead to a more timely and less cumbersome environmental review process in our state.</p>	<p>Passed both houses and signed into law.</p> 
<p><b>Wetland Permit Reform</b></p> <p>Senate Bill 368 WI Act 118</p>	<p>Senate Bill 368 streamlines the process for wetland permits by establishing clear timelines and approval standards under the bill. Increased mitigation opportunities will lead to the creation of more wetland acreage.</p>	<p>WMC supported these wetland reforms as a means to provide regulatory relief while ensuring a high level of protection for sensitive wetlands.</p>	<p>Passed both houses and signed into law.</p> 






Scott Manley testifies at a hearing on the mining bill in Hurley, WI.





Kurt Bauer discusses EPA overreach with Congressman Paul Ryan at the Decision 2012 briefing.

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## ENVIRONMENT

<p><b>Water Pollution Credit Training</b></p> <p>Senate Bill 557 WI Act 151</p>	<p>Senate Bill 557 requires the DNR to establish a statewide water pollution credit trading program for point-source dischargers.</p>	<p>WMC supported this bill because of its potential to create additional compliance flexibilities for businesses regulated by stringent water quality standards.</p>	<p>Passed both houses and signed into law.</p> 
<p><b>Disposal of Oil Absorbent Materials</b></p> <p>Assembly Bill 383 WI Act 152</p>	<p>Assembly Bill 383 repeals the ban on disposing oil absorbent materials in a landfill and replaces it with restrictions that mirror requirements under federal law.</p>	<p>WMC supported this reform to eliminate a costly and burdensome “Wisconsin only” regulation and thereby level the regulatory playing field.</p>	<p>Passed both houses and signed into law.</p> 
<p><b>Biogenic Greenhouse Gas Emissions</b></p> <p>Assembly Bill 467 WI Act 171</p>	<p>Assembly Bill 467 prohibits the DNR from counting CO2 emissions from biogenic sources like biomass for purposes of air permitting, unless required to do so under federal law.</p>	<p>WMC supported this proposal because it better aligns Wisconsin’s greenhouse gas permitting policies with those of the EPA under federal law, giving greater flexibility to businesses that burn biomass.</p>	<p>Passed both houses and signed into law.</p> 

## GOVERNMENT REFORM

<p><b>Administrative Rulemaking Reform</b></p> <p>Assembly Bill 8 WI Act 21 <i>January 2011 Special Session</i></p>	<p>Special Session Assembly Bill 8 made sweeping reforms to agency rulemaking, including giving the Governor authority to veto rules and requiring cost/benefit analyses of all new rules.</p>	<p>WMC supported these regulatory reforms as a means to provide greater accountability in the rulemaking process and rein in the unchecked authority of government agencies to regulate.</p>	<p>Passed both houses and signed into law.</p> 
<p><b>Collective Bargaining Reform</b></p> <p>Assembly Bill 11 WI Act 10 <i>January 2011 Special Session</i></p>	<p>In addition to a number of collective bargaining reforms for most state and local government workers, this legislation included requirements that most government employees contribute to the employee share of pension benefits and pay 12% of health insurance premiums.</p>	<p>WMC supported this bill because it allowed state and local governments to control costs while maintaining essential services without raising taxes.</p>	<p>Passed both houses and signed into law.</p> 



*Scott Manley with Senator Neal Kedzie (R-Elkorn) at Wetland Permit Reform bill signing.*






*James Buchen and Senator Jim Holperin (D-Conover) discuss the contentious iron-mining legislation.*



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## HEALTH CARE

<p><b>Health Care Apology</b></p> <p>Assembly Bill 147</p>	<p>This legislation would exempt certain statements by health care providers to patients from admission as evidence in civil and administrative proceedings.</p>	<p>WMC supported this bill because providers are currently subjected to many litigation threats. Adopting an apology law would allow health care providers to thoroughly discuss a patient's condition, without fear of litigation.</p>	<p>Passed the Assembly; no action taken in the Senate.</p> 
<p><b>Implementing Health Insurance Reform</b></p> <p>Assembly Bill 210</p>	<p>Assembly Bill 210 would have allowed the Office of the Commissioner of Insurance (OCI) to maintain oversight of laws already in place under the federal Patient Protection and Affordable Care Act.</p>	<p>WMC supported this bill in order to maintain OCI control of rate reporting requirements, internal grievance procedures, and medical loss ratio reporting rather than turn it over to the federal government.</p>	<p>Passed the Assembly but failed to pass the Senate.</p> 
<p><b>Health Savings Accounts</b></p> <p>Senate Bill 2 WI Act 1 January 2011 Special Session</p>	<p>This legislation created a state tax deduction for contributions to and earnings on health savings accounts. Such accounts have been federally tax exempt for a decade.</p>	<p>WMC supported this bill, arguing health savings accounts can give employees a strong financial stake in their health care purchasing decisions, giving them incentives to aggressively manage their health care costs by becoming more active, engaged consumers.</p>	<p>Passed both houses and signed into law.</p> 





Rebecca Hogan briefs Eric Schutt, Governor Walker's Chief of Staff, on WMC's opinion for health care reform.



James Buchen with Governor Walker; Senator Rich Zipperer (R-Pewaukee; left); Andy Cook (2nd from right) and Representative Robin Vos (R-Burlington; right) at a bill signing in the Governor's Office.

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## HUMAN RESOURCES




<p><b>Sick Leave Ordinances</b></p> <p>Senate Bill 23 WI Act 16</p>	<p>Senate Bill 23 prevents local units of government from mandating that an employer provide family, medical, or health issues leave to their employees.</p>	<p>WMC supported this bill because allowing local leave ordinances would result in a patchwork of confusing and conflicting ordinances statewide.</p>	<p>Passed both houses and signed into law.</p> 
<p><b>Various Changes in the Unemployment Insurance Law</b></p> <p>Senate Bill 219 WI Act 198</p>	<p>Senate Bill 219 made various changes to Wisconsin's unemployment insurance laws including provisions aimed at improving fraud detection and recovery. The bill was a product of the Unemployment Insurance Advisory Council on which WMC serves as the lead management negotiator.</p>	<p>WMC supported this bill because it was a balanced package of changes for both labor and management.</p>	<p>Passed both houses and signed into law.</p> 



*James Buchen shakes Governor Walker's hand after he signed Senate Bill 1, comprehensive legal reforms.*




*James Buchen and Rebecca Hogan discuss unemployment issues with Senator Michael Ellis (R-Neenah) and Senator Rich Zipperer (R-Pewaukee).*



<p><b>Repeal Tax on Adult Dependent Coverage</b></p> <p>Senate Bill 203 WI Act 49</p>	<p>This legislation repealed the state tax on the imputed income value of insurance coverage mandated by the state and federal government for adult dependents under the age of 27. Wisconsin was the last state in the nation to adopt this tax exemption.</p>	<p>WMC supported this bill because only Wisconsin workers would have been subject to this tax and employers were faced with the complexity of determining how much to assess employees.</p>	<p>Passed both houses and signed into law.</p> 
<p><b>Various Changes to the Worker's Compensation Law</b></p> <p>Senate Bill 409 WI Act 183</p>	<p>Senate Bill 409 made various changes to Wisconsin's worker's compensation law, including provisions aimed at controlling health care costs. The bill was a product of the Wisconsin Worker's Advisory Council on which WMC serves as a management negotiator.</p>	<p>WMC supported the work of the Wisconsin Worker's Compensation Council because it was a balanced package of changes for both labor and management.</p>	<p>Passed both houses and signed into law.</p> 
<p><b>Additional Changes in the Unemployment Insurance Law</b></p> <p>Senate Bill 417 WI Act 236</p>	<p>Senate Bill 417 made various technical changes to Wisconsin's unemployment insurance laws. The bill was another product of the unemployment insurance advisory council on which WMC serves.</p>	<p>WMC supported this bill because it was another balanced package of changes for both labor and management.</p>	<p>Passed both houses and signed into law.</p> 

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## TAXES

<p><b>Supermajority Tax Increase</b></p> <p>Assembly Bill 5 WI Act 9 January 2011 Special Session</p>	<p>This legislation requires a two-thirds legislative majority to approve increases in the state income, franchise, or sales taxes.</p>	<p>WMC supported this bill because Wisconsin is already among the highest taxed states in the nation.</p>	<p>Passed both houses and signed into law.</p> 
<p><b>Manufacturers Tax Credit Revisions</b></p> <p>Assembly Bill 638 WI Act 232</p>	<p>This remedial legislation corrects a circular computation error included in the budget language creating the manufacturers tax credit, as well as clarifying other definitions.</p>	<p>WMC supported this bill because it allows for the manufacturers tax credit to function properly when the credit begins in January 2013.</p>	<p>Passed both houses and signed into law.</p> 
<p><b>Tax Regulatory Reform</b></p> <p>Senate Bill 23 WI Act 68 September 2011 Special Session</p>	<p>This legislation creates certainty for taxpayers by requiring the Department of Revenue (DOR) to issue binding guidance to taxpayers and clarifying a number of administrative processes undertaken by the DOR.</p>	<p>WMC supported this bill because various long-standing practices in DOR procedures had left taxpayers without reliable guidance.</p>	<p>Passed both houses and signed into law.</p> 



*Jason Culotta listens to Senator Van Wanggaard (R-Racine) explain his position on the integrity of the Transportation Fund.*



*James Buchen, Jason Culotta and Rebecca Hogan discuss family and medical leave with Senator Luther Olsen (R-Ripon) and Representative Steve Kestell (R-Elkhart Lake). (Others pictured: Olsen and Kestell Staff.)*

## TRANSPORTATION

<p><b>Transportation Fund Integrity</b></p> <p>Senate Joint Resolution 23</p>	<p>This legislation would create constitutional protections for the money in the state Transportation Fund.</p>	<p>WMC supports this constitutional amendment to avoid the previous practice of raiding the Transportation Fund for other budgeting purposes.</p>	<p>Passed both houses; identical language must pass in the 2013 session, and a referendum question approved by voters to become law.</p>
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# Legislative Scorecard 2011-12



**WMC**

The following percentages reflect how often an individual legislator voted in support of WMC positions on legislation that would impact the Wisconsin business climate.

For the complete roll call go to: [www.wmc.org](http://www.wmc.org), click on WMC LEGISLATIVE SCORECARD

## Senate

Carpenter(D-3)	26 %
Coggs (D-6)	32%
Cowles (R-2)	96%
Cullen (D-15)	27%
Darling (R-8)	100%
Ellis (R-19)	100%
Erpenbach (D-27)	27%
Fitzgerald (R-13)	100%
Galloway (R-29)	96%
Grothman (R-20)	100%

Hansen (D-30)	35%
Harsdorf (R-10)	100%
Holperin(D-12)	39 %
Jauch (D-25)	22%
Kedzie (R-11)	100%
King (D-18)	45%
Larson (D-7)	22%
Lasee (R-1)	100%
Lassa (D-24)	29%
Lazich (R-28)	100%

Leibham (R-9)	100%
Miller (D-16)	22%
Moulton (R-23)	100%
Olsen (R-14)	100%
Risser (D-26)	17%
Schultz (R-17)	88%
Shilling (D-32)	50%
Taylor (D-4)	17%
Vinehout (D-31)	30%
Vukmir (R-5)	96%

Wanggaard (R-21)	100%
Wirch (D-22)	23%
Zipperer (R-33)	96%

## Assembly

August (R-32)	96%
Ballweg (R-41)	100%
Barca (D-64)	30%
Berceau (D-76)	4%
Bernard-Schaber (D-57)	25%
Bernier (R-68)	100%
Bewley (D-74)	22%
Bies (R-1)	100%
Billings (D-95)	40%
Brooks (R-50)	100%
Clark (D-42)	23%
Coggs (D-10)	22%
Craig (R-83)	91%
Cullen (D-13)	33%
Danou (D-91)	29%
Doyle (D-94)	35%
Endsley (R-26)	100%
Farrow (R-98)	100%
Fields (D-11)	17%
Fitzgerald (R-39)	100%
Grigsby (D-18)	6%
Hebl (D-46)	18%
Hintz (D-54)	29%
Honadel (R-21)	100%
Hulsey (D-77)	22%
Jacque (R-2)	96%
Jorgensen (D-37)	33%
Kapenga (R-33)	96%
Kaufert (R-55)	96%

Kerkman (R-66)	100%
Kessler (D-12)	20%
Kestell (R-27)	100%
Kleefisch (R-38)	100%
Klenke (R-88)	100%
Knilians (R-44)	100%
Knodl (R-24)	96%
Knudson (R-30)	100%
Kooyenga (R-14)	100%
Kramer (R-97)	96%
Krug (R-72)	100%
Krusick (D-7)	41%
Kuglitsch (R-84)	100%
Larson (R-67)	96%
LeMahieu (R-59)	100%
Litjens (R-56)	100%
Loudenbeck (R-45)	100%
Marklein (R-51)	100%
Mason (D-62)	24%
Meyer (R-34)	100%
Milroy (D-73)	28%
Molepske (D-71)	43%
Mursau (R-36)	100%
Murtha (R-29)	100%
Nass (R-31)	96%
Nerison (R-96)	96%
Nygren (R-89)	100%
Ott, A. (R-3)	100%
Ott, J. (R-23)	96%

Pasch (D-22)	19%
Petersen (R-40)	96%
Petrowski (R-86)	100%
Petryk (R-93)	100%
Pocan (D-78)	14%
Pope-Roberts (D-79)	16%
Pridemore (R-99)	96%
Radcliffe (D-92)	42%
Richards (D-19)	21%
Ringhand (D-80)	19%
Ripp (R-47)	100 %
Rivard (R-75)	100%
Roys (D-81)	15%
Seidel (D-85)	26%
Severson (R-28)	96%
Sinicki (D-20)	32%
Spanbauer (R-53)	93%
Staskunas (D-15)	40%
Steinbrink (D-65)	28%
Steineke (R-5)	100%
Stone (R-82)	100%
Strachota (R-58)	100%
Stroebel (R-60)	91%
Suder (R-69)	100%
Tauchen (R-6)	100%
Taylor (D-48)	29%
Thiesfeldt (R-52)	100%
Tiffany (R-35)	100%
Toles (D-17)	15%

Tranel (R-49)	96%
Turner (D-61)	26%
VanRoy (R-90)	100%
Vos (R-63)	100%
Vruwink (D-70)	41%
Weininger (R-4)	100%
Williams (R-87)	100%
Wynn (R-43)	96%
Young (D-16)	30%
Zimarripa (D-8)	19%
Zepnick (D-9)	26%
Ziegelbauer (I-25)	92%

# Legislative Scorecard 2011-12

## WORKING FOR WISCONSIN AWARD WINNERS



Legislators who supported Wisconsin business with a 75% or better voting record.

### SENATE

Rob Cowles	Glenn Grothman	Joe Leibham	Van Wanggaard
Alberta Darling	Sheila Harsdorf	Terry Moulton	Rich Zipperer
Michael Ellis	Neal Kedzie	Luther Olsen	
Scott Fitzgerald	Frank Lasee	Dale Schultz	
Pam Galloway	Mary Lazich	Leah Vukmir	

### ASSEMBLY

Tyler August	Joel Kleefisch	Jeff Mursau	Jim Steineke
Joan Ballweg	John Klenke	John Murtha	Jeff Stone
Kathy Bernier	Joe Knilans	Stephen Nass	Pat Strachota
Garey Bies	Dan Knodl	Lee Nerison	Duey Stroebel
Ed Brooks	Dean Knudson	John Nygren	Scott Suder
David Craig	Dale Kooyenga	Al Ott	Gary Tauchen
Mike Endsley	Bill Kramer	Jim Ott	Jeremy Thiesfeldt
Paul Farrow	Scott Krug	Kevin Petersen	Tom Tiffany
Jeff Fitzgerald	Mike Kuglitsch	Jerry Petrowski	Travis Tranel
Mark Honadel	Tom Larson	Warren Petryk	Karl Van Roy
Andre Jacque	Dan LeMahieu	Don Pridemore	Robin Vos
Chris Kapenga	Michelle Litjens	Keith Ripp	Chad Weininger
Dean Kaufert	Amy Loudenbeck	Roger Rivard	Mary Williams
Samantha Kerkman	Howard Marklein	Erik Severson	Evan Wynn
Steve Kestell	Dan Meyer	Dick Spanbauer	Bob Ziegelbauer

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