

CAPITOL UPDATE

VOLUME 6, ISSUE 1

SUMMER, 2005

INSIDE THIS ISSUE:

Budget Update	1
Conceal Carry	1
Clergy Abuse	2
WJC Board Update	2
TABOR	3
Prison Wine	3
Conscience Clause	3

Governor Signs State Budget WJC Priorities Fare Well

Governor Jim Doyle signed the two-year state budget into law on July 25th, after using his veto pen 139 times to change the budget that passed the Republican-controlled Legislature.



Here are some highlights of WJC priority issues.

Medicaid: Eligibility, benefits and recipient cost-sharing were left unchanged in Medicaid's three main programs: Medical Assistance, BadgerCare and SeniorCare.

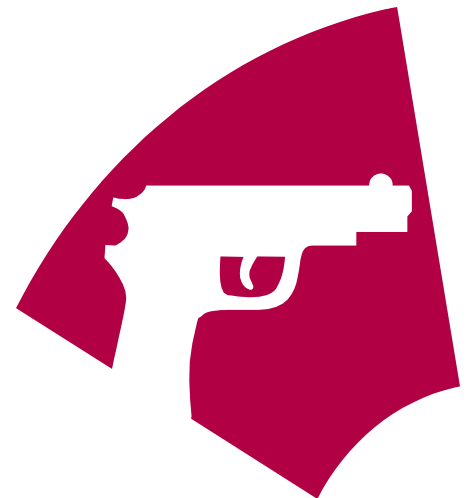
Long-Term Care: The budget includes the Governor's "community relocations" initiative that will move 1440 additional nursing home residents to the community over the next two years. The Legislature approved the proposal but added an additional requirement that a person must reside in a nursing home for 100 days before becoming eligible for a community placement. Governor Doyle vetoed that provision.

(Continued on page 2)

Conceal Carry is Back

The issue of permitting citizens to carry concealed weapons has surfaced again at the Capitol. Proponents of concealed carry legislation, including Representative Scott Gunderson (R-Waterford) and Senator Dave Zien (R-Eau Claire) are drafting a new bill for introduction.

According to the Milwaukee Journal Sentinel, Gunderson hopes to introduce his proposal in the next few weeks and would like to see it considered by the Legislature in late October or early November. As you may recall, Governor Doyle vetoed a concealed carry bill last session. While the Senate voted to override the veto, the override attempt failed in the Assembly by one vote. The new legislation is reportedly even less restrictive than the vetoed measure.



Budget Signed

(continued from page 1)

Elderly and Disabled Transportation: The Legislature approved the Governor's proposal to add \$6 million in aids to counties to enhance their transportation programs for the elderly and people with disabilities. This is a significant increase for the program.

School Finance: The Governor made creative (and controversial) use of his veto pen to redirect funds to increase state spending on K-12 education. Through the veto, he redirected roughly \$324 million in transportation revenue and \$92 million in Medical Assistance funding to provide an additional \$330 million in general equalization aids and an additional \$74 million in school levy tax credits, compared to the bill sent to the Governor by the Legislature. The Medical Assistance funds were made available by eliminating reimbursement increases or cutting reimbursement for various health care providers.

Cemetery Board: The Legislature added a provision to the budget that creates a six-member Cemetery Board under the Department of Regulation and Licensing. The Board is authorized to investigate and impose disciplinary actions against cemetery authorities, cemetery salespersons, and preneed sellers that violate statutory requirements and administrative rules promulgated by the Board. However, the Board will have no authority over municipal, or nonprofit or religious cemeteries, cemetery salespersons who work for such cemeteries, and preneed sellers who work for such cemeteries, unless they choose to be regulated.

WJC Board Update

The WJC board of directors made the following decisions at its most recent meeting in April.

Same Sex Marriage: Voted not to take a position on the policy adopted by the Madison Jewish Community Council that affirmatively supports the concept of same sex marriage. The board previously voted to oppose the proposed amendment to the Wisconsin constitution that would prohibit recognition of same sex marriage.

Conscience Protection Act: Voted to oppose Assembly Bill 207, which allows health care providers to refuse various treatments because of their personal moral objections.

(continued on page 4)

Clergy Abuse Bill Introduced

An effort to make it easier to sue clergy for sexual misconduct has been launched at the state capitol.

Assembly Bill 612 and its companion, Senate Bill 287, allow a person who alleges injury as the result of sexual contact by a member of the clergy to bring an action for damages resulting from sexual contact that has occurred at any time in the past (as opposed to before the person alleging assault turns 35 under current law).

The lead cosponsors are Representative David Cullen (D-Milwaukee) and Senator Tim Carpenter (D-Milwaukee). The only other sponsors are Representative Terese Berceau (D-Madison) and Senator Alan Lasee (R-De Pere). The bill has been referred to the Assembly Committee on Criminal Justice and Homeland Security and to the Senate Committee on the Judiciary, Corrections and Privacy, which has not taken any action at this time.

PUBLIC HEARINGS ON TABOR COMING SOON

On August 12, 2005, Representative Don Pridemore (R-Hartford) told Waukesha County Municipal Executives that public hearings on the Taxpayer Bill of Rights (TABOR) will be held in the month of September, at various to-be-announced locations.

TABOR is a proposed amendment to the Wisconsin constitution that would impose severe con-

straints on spending by state and local governments. In the last legislative session, a TABOR proposal failed because it never came up for a vote in either house. A new TABOR proposal was introduced this session as Assembly Joint Resolution (AJR) 40.

Representative Pridemore said there are two amendments included in the "new language" on TABOR: one dealing with unfunded mandates (AJR 40 provides that a

(continued on page 4)

Prison Wine Legislation Introduced

Bills are currently in committee in the Wisconsin Assembly and Senate that allow reasonable amounts of wine to be used in a religious service in a prison, jail or house of correction.

The bills, AB 616 and SB 174 are cosponsored by Representative Pat Strachota (R-West Bend) and Senator Glenn Grothman (R-West Bend). WJC has been involved in interfaith efforts to ease correctional facility rules regarding religious practices and religious property.



“Conscience Clause” Bills Advance

Should a health care provider be allowed to refuse legal treatment options for their patients based on the provider’s own moral beliefs? If yes, should that provider be required to provide the patient with a referral? Bills currently in the Legislature would allow certain providers to refuse treatment and referrals to providers who would provide the treatment.

AB 285 and its Senate companion, SB 155, provides that a pharmacist may not be required to dispense a prescribed drug or device if the pharmacist believes that the drug or device would be used for causing an abortion. Employers would be prohibited from discrimination by refusing to hire a pharmacist, terminating a pharmacist’s employment, and discriminating against a pharmacist with respect to promotions, compensation, or terms, conditions, or privileges of employment. The bills have caused a great deal of concern among people concerned with access to drugs such as the “morning after” pill, especially in rural areas. The bill has yet to be scheduled for a public hearing by the Assembly labor committee. However, the Senate version has passed the committee process and is ready to be scheduled for a vote before the full body. The Senate proposal has been

(continued on page 4)



Chair: Joel Pittelman
Co-Chair: Mark Laufman

Past Chairs:
Doris Chortek
Daniel Chudnow
Adrian Cohen
Robert Friebert
James Fromstein
Mark Laufman
Tom Schneider

Executive Director: Michael Blumenfeld

Member Communities:

Antigo
Appleton
Beloit
Green Bay
Janesville
Kenosha
Madison
Manitowoc
Marshfield
Milwaukee
Oshkosh
Racine
Sheboygan
Stevens Point
Waukesha
Wausau

16 North Carroll Street, Suite 800
Madison, WI 53703

Phone: 608-257-1888
Fax: 608-257-2172

Email: mblumenfeld@mblumenfeld.com

TABOR

(continued from page 3)

local governmental unit may exempt itself from any new mandate imposed by the state that is not fully funded or from any mandate for which the state reduces the percentage of the costs the state pays for the mandate) and the other allowing contingency funds to have a 15% balance before excess amounts are returned to the taxpayer.

WJC Board Update

(continued from page 2)

Cigarette Tax: Voted to support a \$1 increase in the cigarette tax and use the revenue to fund Medicaid and tobacco cessation programs. This proposal did not make it into the state budget. However, companion bills have been introduced in the Assembly (AB 451) and Senate (SB 211) that raise the tobacco tax from 77 cents to \$1.77 and earmarks the first \$15 million in revenue generated for tobacco cessation programs and the remainder for Medicaid. Both bills are in committee with no action taken.

Voter ID: The board decided not to take a position on measures proposed to require a photo ID in order to vote.

Conscience Clause

(continued from page 3)

amended to specifically exclude the refusal to dispense contraception from its employment protections. But the future of this provision is uncertain, and the bill could result in the lawful refusal to provide contraception if the pharmacist believes birth control causes abortion.

Meanwhile, AB 207 prohibits employment discrimination based on creed and provides an exemption from liability and discipline for health care professionals and health care facility employees who refuse to participate in sterilization, abortion, assisted suicide, and other procedures on moral or religious grounds. However, this bill does not apply to pharmacists. AB 207 has passed the Assembly and has been referred to the Senate Committee on Health, Children, Aging, Families and Long-Term Care, which has not taken any action on the measure.

THE WISCONSIN JEWISH CONFERENCE:

- *Serves as a clearinghouse to address important public policy issues*
- *Actively continues efforts to preserve the separation of church and state*
- *Works with local communities to respond to acts of discrimination and anti-Semitic incidents*
- *Monitors legislative activity and engage in coalition building*