

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **06/22/99**

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **Assembly Republican Caucus 266-1452**

By/Representing: **Dake**

This file may be shown to any legislator: **NO**

Drafter: **kenneda**

May Contact:

Alt. Drafters: **nelsorp1**

Subject: **Health - abortion**  
**Health - miscellaneous**

Extra Copies: **TAY**

**Pre Topic:**

ARC:.....Dake - Am #82

**Topic:**

Prohibit receipt of certain public funds to organization or affiliate that engages in abortion-related activities; change permitted activities

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	kenneda 06/23/99	chanaman 06/24/99	jfrantze 06/24/99	_____	lrb_docadmin 06/24/99		
/2	nelsorp1 06/25/99	wjackson 06/25/99	kfollet 06/26/99	_____	lrb_docadmin 06/26/99		

FE Sent For:

<END>

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/1	kenneda 06/23/99	chanaman 06/24/99 /2 Wlj 6/25	jfrantze 06/24/99 Kjf 6/25	_____	lrb_docadmin 06/24/99		
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**Instructions:**

See Attached

*6/25 - Gundrum's office  
Remove "notwithstanding" language only,  
on p 2, ls 6 & 7*

**Drafting History:**

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May Contact:

Alt. Drafters:

Subject: Health - abortion  
Health - miscellaneous

Extra Copies: TAY

Pre Topic:

ARC:.....Dake - Amdt. No. 82

Topic:

Prohibit receipt of certain public funds to organization or affiliate that engages in abortion-related activities;  
change permitted activities

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kenneda	cmr 6/27 /1	6/24	6/24			

FE Sent For:

<END>

DAK

ARC

# To Be Drafted

Agency DHFS

Amendment# 82

ARC Analyst Brian Dake

LRB#

Tax Cut

60872

### Summary

Current state law prohibits public funding of pregnancy programs which are engaged in abortion-related activities and prohibits these pregnancy programs from using program fund for abortion-related activities. In this law, a pregnancy program is defined as a program for pregnancy prevention, family planning, pregnancy testing, pregnancy counseling, prenatal care, pregnancy services and reproductive health care services that are related to pregnancy. Abortion-related activities include providing abortion services, promoting, encouraging, or counseling in favor of abortion services, or making abortion referrals either directly or through an intermediary.

The amendment prohibits any organization or its affiliate(s) which engage in abortion-related activities from receiving public funds for programs which are intended to aid pregnant women or to prevent pregnancy. Furthermore, the amendment clarifies that programs which are intended to aid pregnant women or to prevent pregnancy are permitted to promote, encourage, counsel in favor of and make referrals for prenatal care and delivery, infant care, foster care and adoption, but may not promote, encourage, counsel in favor of, or make referrals for an abortion.

### Fiscal Impact

The amendment has no fiscal effect.

### Statement of Intent

DHFS. Prohibit public funding to organizations that engage in abortion-related activities and clarify that organizations which receive state funds for pregnancy programs may promote, encourage, counsel in favor of, or make referrals for prenatal care and delivery, infant care, foster care and adoption, but may not promote, encourage, counsel in favor of, or make referrals for an abortion.

## Budget Amendments 1999-2000

RECEIVED JUN 14 1999

5:00pm

**Statement of Intent:** Health and Family Services - The amendment (1) prohibits any organization or affiliate of an organization which engages in abortion-related activities from receiving public funds for programs which are intended to aid pregnant women or to prevent pregnancy, and (2) clarifies that programs which are intended to aid pregnant women or to prevent pregnancy are permitted to promote, encourage, counsel in favor of and make referrals for prenatal care and delivery, infant care, foster care and adoption.

**Legislator:** Gundrum

**Agency:** Health and Family Services

**Summary:** The amendment modifies s. 20.9275, which was adopted last session as part of the annual state budget. Section 20.9275 prohibits public funding of pregnancy programs which are engaged in abortion-related activities and prohibits these pregnancy programs from using program funds for abortion-related activities. A *pregnancy program* is defined as a program for pregnancy prevention, family planning, pregnancy testing, pregnancy counseling, prenatal care, pregnancy services and reproductive health care services that are related to pregnancy. *Abortion-related activities* include providing abortion services, promoting, encouraging, or counseling in favor of abortion services, or making abortion referrals either directly or through an intermediary.

On February 8, 1999, the U.S. Court of Appeals for the 8th Circuit upheld a Missouri statute that prohibits organizations or affiliates of organizations which provide or promote abortion services from receiving state family planning funds. Currently, s. 20.9275 only relates to the pregnancy program, not the organization providing the pregnancy program. This amendment adds language similar to the Missouri provision to s. 20.9275 to prohibit any organization or affiliate of an organization which engages in abortion-related activities from receiving public funds for pregnancy programs. It also clarifies that any organization that receives funds for pregnancy programs may not *transfer* the program funds or any other public funds to another organization or affiliate of an organization which engages in abortion-related activities.

In addition, the amendment would delete the provisions in s. 20.9275 (prohibitions on funding abortion-related activities), s. 253.02 (maternal and child health), and s. 253.07 (family planning) which permit "nondirective information" explaining prenatal care and delivery, infant care, foster care or adoption, and pregnancy termination. The deleted provisions would be replaced with a provision which permits these pregnancy programs to promote, encourage, counsel in favor of and make referrals for prenatal care and delivery, infant care, foster care and adoption.

The reference to "nondirective information explaining . . . pregnancy termination" is being deleted because, in the real world, it is virtually impossible to be neutral on abortion. The amendment recognizes the constitutional right of the state of Wisconsin to favor childbirth over abortion and to implement this value judgment in its funding programs.

6/14/99

Debra,  
here is the language concerning the  
abortion-related provision we discussed

RECEIVED JUN 14 1999

**AMENDMENT**  
**TO [JFC] SUBSTITUTE AMENDMENT**  
**TO ASSEMBLY BILL 133**

At the locations indicated, amend the substitute amendment as follows:

1. Section 20.9275 (2m) (intro.) is amended to read:

"20.9275 (2m) Nothing in sub. (2) prohibits the ~~providing of nondirective information~~  
~~explaining promotion, encouragement or counseling in favor of, or referral either directly or through an~~  
~~intermediary for, any of the following:~~"

2. Section 20.9275 (2m) (c) is repealed.

3. Section 20.9275 (2n) is created to read:

"20.9275 (2n) None of the funds specified under sub. (2) (intro.) may be paid to an organization  
or affiliate of an organization which engages in any activity that is specified under sub. (2) (a) 1. to 3."

4. Section 20.9275 (3) is amended to read:

"20.9275 (3) Subject to sub. (3m), no organization that receives funds specified under sub. (2)  
(intro.) may use program funds or any other public funds for an activity that is specified under sub. (2)  
(a) 1. to 3. No organization that receives funds specified under sub. (2) (intro.) may transfer any  
program funds or any other public funds to an organization or affiliate of an organization which engages  
in any activity that is specified under sub. (2) (a) 1. to 3."

5. Section 253.02 (2m) is amended to read:

"253.02 (2m) Nothing in this section authorizes the performance, promotion, encouragement or  
counseling in favor of, or referral either directly or through an intermediary for, voluntary termination of  
pregnancy. Nothing in this section prohibits the ~~providing of nondirective information explaining~~

RECEIVED JUN 14 1999

promotion, encouragement or counseling in favor of, or referral either directly or through an intermediary for, any of the following:".

6. Section 253.02 (2m) (c) is repealed.

7. Section 253.07 (1) (a) is amended to read:

"253.07 (1) (a) "Family planning" means voluntary action by individuals to prevent or aid conception. "Family planning" does not include the performance, promotion, encouragement or counseling in favor of, or referral either directly or through an intermediary for, voluntary termination of pregnancy, but may include the ~~providing of nondirective information explaining~~ promotion, encouragement or counseling in favor of, or referral either directly or through an intermediary for, any of the following:".

8. Section 253.07 (1) (a) 3. is repealed.

9. Section 253.07 (1) (b) is amended to read:

"253.07 (1) (b) "Family planning services" mean counseling by trained personnel regarding family planning; distribution of information relating to family planning; and referral to licensed nurse practitioners within the scope of their practice, licensed physicians or local health departments for consultation, examination, medical treatment and prescriptions for the purpose of family planning. "Family planning" does not include the performance, promotion, encouragement or counseling in favor of, or referral either directly or through an intermediary for, voluntary termination of pregnancy, but may include the ~~providing of nondirective information explaining~~ promotion, encouragement or counseling in favor of, or referral either directly or through an intermediary for, any of the following:".

10. Section 253.07 (1) (b) 3. is repealed.

(End)





SOON - In edit 6/23  
State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0872/1  
DAK.....  
cmj

D-NOTE

ARC:.....Dake - Amndt. No. 82 Prohibit receipt of certain public funds to organization or affiliate that engages in abortion-related activities; change permitted activities

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 133

WPO  
please  
change  
topic  
line or  
request  
cover  
sheet

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 1. Page 419, line 12: after that line insert:
- 3 "SECTION 652d. 20.9275 (2m) (intro.) of the statutes is amended to read:
- 4 20.9275 (2m) (intro.) Nothing in sub. (2) prohibits the providing of nondirective
- 5 information explaining promotion, encouragement or counseling in favor of, or
- 6 referral either directly or through an intermediary for, any of the following:
- 7 SECTION 652e. 20.9275 (2m) (c) of the statutes is repealed.
- 8 SECTION 652f. 20.9275 (2n) of the statutes is created to read:



1 promotion, encouragement or counseling in favor of, or referral either directly or  
2 through an intermediary for, voluntary termination of pregnancy, but may include  
3 ~~the providing of nondirective information explaining promotion, encouragement or~~  
4 ~~counseling in favor of, or referral either directly or through an intermediary for, any~~  
5 of the following:

6 **SECTION 2435u.** 253.07 (1) (a) 3. of the statutes is repealed.

7 **SECTION 2435v.** 253.07 (1) (b) (intro.) of the statutes is amended to read:

8 253.07 (1) (b) (intro.) "Family planning services" mean counseling by trained  
9 personnel regarding family planning; distribution of information relating to family  
10 planning; and referral to licensed nurse practitioners within the scope of their  
11 practice, licensed physicians or local health departments for consultation,  
12 examination, medical treatment and prescriptions for the purpose of family  
13 planning. "Family planning" does not include the performance, promotion,  
14 encouragement or counseling in favor of, or referral either directly or through an  
15 intermediary for, voluntary termination of pregnancy, but may include the providing  
16 ~~of nondirective information explaining promotion, encouragement or counseling in~~  
17 ~~favor of, or referral either directly or through an intermediary for, any of the~~  
18 following:

19 **SECTION 2435w.** 253.07 (1) (b) 3. of the statutes is repealed."

20 (END)

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0872/1dn

DAK.....

cmf

1. As a pre-reconciliation action, I have omitted from this amendment any changes to s. 253.07 that had been proposed, because s. 253.07 is repealed under Amendment #78 (89 LRBb0773).

To Brian Dake:

2  
I have drafted, under s. 20.9275 (2n), the language for the amendment. As indicated in the motion for the Assembly Republican Caucus that was provided with the drafting instructions, the language is based on similar language enacted as section 10.715 (1), 89th Leg., 2d Sess. (Mo. 1998), which was reviewed by the 8th Circuit Court of Appeals in *Planned Parenthood of Mid-Missouri v. Dempsey*, 167 F.3d 458 (8th Cir. 1999). The language prohibits payment of the funds specified in s. 20.9275 (2), stats., to an organization or affiliate of an organization that provides abortions; promotes, encourages or counsels in favor of abortion services; or makes abortion referrals either directly or through an intermediary in any instance other than when an abortion is directly and medically necessary to save the life of the pregnant woman. (For simplicity, I will refer to the funds as "family planning funds" and to the prohibited activities as "abortion-related activities".) Under the language as drafted, then, organizations are prohibited from receiving family planning funds if they are organizations or affiliates of organizations that provide abortion-related activities; put another way, in order to receive the family planning funds, they may not have any affiliation with an organization that provides abortion-related activities. However, please note that, if this is your intent, as it is expressed in the motion, the court in *Planned Parenthood v. Dempsey* found the language *unconstitutional*:

"In addition, Tier I would cross the line established in *Rust*, *League of Women Voters*, and *Regan*, and hence be an unconstitutional condition, if we interpreted it to prohibit grantees from having any affiliation with abortion service providers. . . . Accordingly, we construe the language of Tier I to allow a grantee to maintain an affiliation with an abortion service provider, so long as that affiliation does not include direct referrals for abortion. Under this construction, Tier I is not an unconstitutional condition, because it allows grantees to exercise their constitutionally protected rights through independent affiliates.

Step. — To remain truly "independent" however, any affiliate that provides abortion services must not be directly or indirectly subsidized by a section 10.715 grantee. . . . No subsidy will exist if the affiliate that provides abortion services is separately incorporated, has separate facilities, and maintains adequate financial records to demonstrate that it receives no State family-planning funds." *Planned Parenthood v. Dempsey*, at 463.

The language proposed and drafted has none of the additions to it that the court in *Planned Parenthood v. Dempsey* finds necessary to make it constitutional. No opinion exists in the 7th Circuit (of which Wisconsin is a part) that construes the language to have these additions. Therefore, without more, the language appears under *Planned Parenthood v. Dempsey* to be unconstitutional.

3 ~~2~~. The proposed and drafted language does not amend s. 20.9275 (3m), stats., which states that restrictions under current law under s. 20.9275 (2) and (3), stats., on the authorization of payment and the use of federal funds passing through the state treasury shall apply only to the extent that the application of the restriction does not result in the loss of any federal funds. Thus, the bill provides no protection to the state if the restrictions in this bill under s. 20.9275 (2n) result in a loss of federal funds.

4 ~~2~~. Under the bill, the amendment to s. 20.9275 (3), stats., prohibits an organization that receives funds specified under s. 20.9275 (2), stats., from using any other public funds for an abortion-related activity, as specified under s. 20.9275 (2) (a), stats. Some of the organizations that receive these funds currently include organizations that are certified medical assistance providers. This prohibition appears to exceed the federal restrictions on the provision of medical assistance under the Hyde Amendment, since they make no exception for abortions in the case of rape; therefore, the prohibitions would place the state out of compliance with federal Title XIX (medicaid) requirements; potential loss to the state of federal medicaid money would not occur, however, under operation of s. 20.9275 (3m), stats.

Secondly, as proposed, the language is in conflict with s. 20.927, which permits use of public funds for performance of an abortion that is directly and medically necessary to save the life of the woman, in the case of sexual assault or incest (s. 20.927 (2) (a), stats.) or if the abortion is directly and medically necessary to prevent grave, long-lasting physical health damage to the woman (s. 20.927 (2) (b), stats.). I therefore have in s. 20.9275 (3) included the language "notwithstanding s. 20.927 (2) (a) and (b)", stats., with respect to the prohibited use of public funds.

Lastly, the breadth of the prohibition, especially with respect to counseling in favor of an abortion and referral for an abortion, may impinge on the doctor-patient relationship to a degree that violates the First Amendment to the U. S. Constitution and article I, section 3, of the Wisconsin Constitution. Restrictions on counseling or referrals for abortion that were at one time placed on recipients of Title X funds were upheld in *Rust v. Sullivan*, 500 U.S. 173, 111 S. Ct. 1759 (1991). With respect to the First Amendment challenge, the court found that programs covered by the restrictions did not significantly impinge on the doctor-patient relationship because that relationship was "not sufficiently all-encompassing" given that the program "does not provide post-conception medical care". *Rust*, 500 U.S. at 200, 111 S. Ct. at 1776. By going further than the regulations at issue in *Rust* and extending restrictions on abortion counseling and referral to all activities of a physician who provides care under the affected funding, including activities involving prenatal care and pregnancy

close space

services, the prohibitions created in this draft may be more susceptible to a free speech challenge.

Debora A. Kennedy  
Managing Attorney  
Phone: (608) 266-0137

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0872/1dn  
DAK:cmh:jf

June 24, 1999

To Brian Dake:

1. As a pre-reconciliation action, I have omitted from this amendment any changes to s. 253.07 that had been proposed, because s. 253.07 is repealed under Amendment #78 (1999 LRBb0773).

2. I have drafted, under s. 20.9275 (2n), the language for the amendment. As indicated in the motion for the Assembly Republican Caucus that was provided with the drafting instructions, the language is based on similar language enacted as section 10.715 (1), 89th Leg., 2d Sess. (Mo. 1998), which was reviewed by the 8th Circuit Court of Appeals in *Planned Parenthood of Mid-Missouri v. Dempsey*, 167 F.3d 458 (8th Cir. 1999). The language prohibits payment of the funds specified in s. 20.9275 (2), stats., to an organization or affiliate of an organization that provides abortions; promotes, encourages or counsels in favor of abortion services; or makes abortion referrals either directly or through an intermediary in any instance other than when an abortion is directly and medically necessary to save the life of the pregnant woman. (For simplicity, I will refer to the funds as "family planning funds" and to the prohibited activities as "abortion-related activities".) Under the language as drafted, then, organizations are prohibited from receiving family planning funds if they are organizations or affiliates of organizations that provide abortion-related activities; put another way, in order to receive the family planning funds, they may not have any affiliation with an organization that provides abortion-related activities. However, please note that, if this is your intent, as it is expressed in the motion, the court in *Planned Parenthood v. Dempsey* found the language *unconstitutional*:

"In addition, Tier I would cross the line established in *Rust*, *League of Women Voters*, and *Regan*, and hence be an unconstitutional condition, if we interpreted it to prohibit grantees from having any affiliation with abortion service providers. . . . Accordingly, we construe the language of Tier I to allow a grantee to maintain an affiliation with an abortion service provider, so long as that affiliation does not include direct referrals for abortion. Under this construction, Tier I is not an unconstitutional condition, because it allows grantees to exercise their constitutionally protected rights through independent affiliates.

"To remain truly "independent" however, any affiliate that provides abortion services must not be directly or indirectly subsidized by a section 10.715 grantee. . . . No subsidy will exist if the affiliate that provides abortion services is separately

incorporated, has separate facilities, and maintains adequate financial records to demonstrate that it receives no State family-planning funds." *Planned Parenthood v. Dempsey*, at 463.

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3. The proposed and drafted language does not amend s. 20.9275 (3m), stats., which states that restrictions under current law under s. 20.9275 (2) and (3), stats., on the authorization of payment and the use of federal funds passing through the state treasury shall apply only to the extent that the application of the restriction does not result in the loss of any federal funds. Thus, the bill provides no protection to the state if the restrictions in this bill under s. 20.9275 (2n) result in a loss of federal funds.

4. Under the bill, the amendment to s. 20.9275 (3), stats., prohibits an organization that receives funds specified under s. 20.9275 (2), stats., from using any other public funds for an abortion-related activity, as specified under s. 20.9275 (2) (a), stats. Some of the organizations that receive these funds currently include organizations that are certified medical assistance providers. This prohibition appears to exceed the federal restrictions on the provision of medical assistance under the Hyde Amendment, since they make no exception for abortions in the case of rape; therefore, the prohibitions would place the state out of compliance with federal Title XIX (medicaid) requirements; potential loss to the state of federal medicaid money would not occur, however, under operation of s. 20.9275 (3m), stats.

Secondly, as proposed, the language is in conflict with s. 20.927, which permits use of public funds for performance of an abortion that is directly and medically necessary to save the life of the woman, in the case of sexual assault or incest (s. 20.927 (2) (a), stats.) or if the abortion is directly and medically necessary to prevent grave, long-lasting physical health damage to the woman (s. 20.927 (2) (b), stats.). I therefore have in s. 20.9275 (3) included the language "notwithstanding s. 20.927 (2) (a) and (b)", stats., with respect to the prohibited use of public funds.

Lastly, the breadth of the prohibition, especially with respect to counseling in favor of an abortion and referral for an abortion, may impinge on the doctor-patient relationship to a degree that violates the First Amendment to the U.S. Constitution and article I, section 3, of the Wisconsin Constitution. Restrictions on counseling or referrals for abortion that were at one time placed on recipients of Title X funds were upheld in *Rust v. Sullivan*, 500 U.S. 173, 111 S. Ct. 1759 (1991). With respect to the First Amendment challenge, the court found that programs covered by the restrictions did not significantly impinge on the doctor-patient relationship because that relationship was "not sufficiently all-encompassing" given that the program "does not provide post-conception medical care". *Rust*, 500 U.S. at 200, 111 S. Ct. at 1776. By going further than the regulations at issue in *Rust* and extending restrictions on abortion counseling and referral to all activities of a physician who provides care under the affected funding, including activities involving prenatal care and pregnancy



services, the prohibitions created in this draft may be more susceptible to a free speech challenge.

Debra A. Kennedy  
Managing Attorney  
Phone: (608) 266-0137





State of Wisconsin  
1999 - 2000 LEGISLATURE

D-Note

LRBb0872/✓ 2  
DAK:cmh:jf

↓  
LRP/IV  
↓  
FWJ

ARC:.....Dake - Am #82 Prohibit receipt of certain public funds to organization or affiliate that engages in abortion-related activities; change permitted activities

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 419, line 12: after that line insert:

3 "SECTION 652d. 20.9275 (2m) (intro.) of the statutes is amended to read:

4 20.9275 (2m) (intro.) Nothing in sub. (2) prohibits the ~~providing of nondirective~~  
5 ~~information explaining promotion, encouragement or counseling in favor of, or~~  
6 ~~referral either directly or through an intermediary for,~~ any of the following:

7 SECTION 652e. 20.9275 (2m) (c) of the statutes is repealed.

8 SECTION 652f. 20.9275 (2n) of the statutes is created to read:

1           20.9275 (2n) None of the funds specified under sub. (2) (intro.) may be paid to  
2 an organization or affiliate of an organization that engages in an activity that is  
3 specified under sub. (2) (a) 1. to 3.

4           **SECTION 652g.** 20.9275 (3) of the statutes is amended to read:

5           20.9275 (3) Subject to sub. (3m), no organization that receives funds specified  
6 under sub. (2) (intro.) may use program funds ~~or notwithstanding s. 20.9275 (2) (a)~~  
7 ~~and (b), any other public funds~~ for an activity that is specified under sub. (2) (a) 1.  
8 to 3. No organization that receives funds specified under sub. (2) (intro.) may  
9 transfer any program funds or any other public funds to an organization or affiliate  
10 of an organization that engages in an activity that is specified under sub. (2) (a) 1.  
11 to 3."

12           **2.** Page 1215, line 4: after that line insert:

13           **"SECTION 2434n.** 253.02 (2m) (intro.) of the statutes is amended to read:

14           253.02 (2m) (intro.) Nothing in this section authorizes the performance,  
15 promotion, encouragement or counseling in favor of, or referral either directly or  
16 through an intermediary for, voluntary termination of pregnancy. Nothing in this  
17 section prohibits the ~~providing of nondirective information explaining~~ promotion,  
18 encouragement or counseling in favor of, or referral either directly or through an  
19 intermediary for, any of the following:

20           **SECTION 2434p.** 253.02 (2m) (c) of the statutes is repealed."

21           (END)

*D-Note*  
*This draft removes the "notwithstanding" language that was on page 2, lines 6 and 7 of the previous version.*

*RPN*

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0872/2dn  
RPN:cmh&wlj:kjf

June 25, 1999

This draft removes the "notwithstanding" language that was on page 2, lines 6 and 7 of the previous version.

Robert P. Nelson  
Senior Legislative Attorney  
Phone: (608) 267-7511

## Barman, Mike

---

**From:** Barman, Mike  
**Sent:** Monday, June 28, 1999 1:32 PM  
**To:** Churchill, Jolene  
**Cc:** Kennedy, Debora  
**Subject:** LRB 99b0872/2 (per your request)



99b0872/2



99b0872/2.dn

*Mike Barman*

Mike Barman - Program Asst. (PH. 608-266-3561)  
(E-Mail: [mike.barman@legis.state.wi.us](mailto:mike.barman@legis.state.wi.us)) (FAX: 608-264-6948)

State of Wisconsin  
Legislative Reference Bureau - Legal Section - Front Office  
100 N. Hamilton Street - 5th Floor  
Madison, WI 53703



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0872/2  
DAK&RPN:cmh&wj:kjf

ARC:.....Dake - Am #82 Prohibit receipt of certain public funds to organization or affiliate that engages in abortion-related activities; change permitted activities

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 1999 ASSEMBLY BILL 133**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 419, line 12: after that line insert:

3 **"SECTION 652d.** 20.9275 (2m) (intro.) of the statutes is amended to read:

4 20.9275 (2m) (intro.) Nothing in sub. (2) prohibits the ~~providing of nondirective~~  
5 ~~information explaining promotion, encouragement or counseling in favor of, or~~  
6 ~~referral either directly or through an intermediary for,~~ any of the following:

7 **SECTION 652e.** 20.9275 (2m) (c) of the statutes is repealed.

8 **SECTION 652f.** 20.9275 (2n) of the statutes is created to read:

