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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on ... Veterans, Homeland Security,
Military Affairs, Small Business and Government
Reform (SC-VHSMASBGR)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**



For Immediate Release
April 12, 2005

Contact: Robert Kraig
(414) 322-5324

Republican Bill Would Abolish Living Wage Requirements

Senate Republican Minimum Wage Preemption Bill (SB 147)

Also Repeals 5 Local Living Wage Ordinances in Wisconsin

Madison: A local minimum wage preemption bill that will be considered by the full Senate today--sponsored by Senate President Alan Lasee (R-De Pere), and co-sponsored by Senate Majority Leader Dale Schultz (R- Richland Center)--also overrides much more common local living wage ordinances. These ordinances require living wages for workers who are paid with public funds, including employees of government contractors or workers who are considered independent contractors, such as home care aides.

These ordinances provide substantially better than minimum wage rates for workers who provide vital services, such as working with frail elderly and disabled citizens. Abolition of these ordinances could cause some workers to take pay cuts of \$3 to \$4 an hour. This bill has been rushed to the floor with virtually no discussion of its implication for living wage ordinances.

The following local Wisconsin living wage ordinances would be abolished by SB 147:

- Eau Claire County: \$7.53 per hour with health benefits, or \$8.29 per hour without health benefits
- City of La Crosse: \$9.73 per hour, for at least half of employees
- Milwaukee Public Schools: \$7.70 per hour
- Milwaukee County: \$7.56 per hour
- City of Milwaukee: \$7.53 per hour
- Dane County: \$9.07 per hour
- City of Madison: \$9.74 per hour

Karen Foxgrover, a disabled citizen, had the following reaction to SB 147: "I am able to live independently in my own home because I have a qualified caregiver. My county decided a while back to make sure caregivers are paid a living wage. Now legislators in Madison want to tell counties and cities that they can't require a living wage to be paid for public services like homecare. I'm afraid that if this passes, I'll lose my caregiver and may have to go into a nursing home."





WWW.SEIUWI.ORG

For Immediate Release
April 12, 2005

Contact: Robert Kraig
(414) 322-5324

REPUBLICAN SENATORS IGNORE FLOOD OF CONSTITUENT CALLS AGAINST LIVING WAGE PREEMPTION BILL

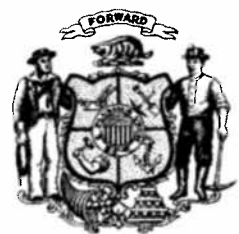
MADISON: The Senate passed a bill (SB 147) today that preempts both local minimum wage and living wage ordinances. Republicans supported the bill despite a flood of phone calls from constituents opposing the preemption of living wage ordinances.

The SEIU Wisconsin State Council Phone Center patched through 751 constituent calls to Senators Brown, Leibham, Reynolds, Schultz, Stepp, and Zien. In addition, SEIU members sent 152 separate emails and faxes to their state senators.

Unlike minimum wage ordinances, which apply to all employers, living wage ordinances only apply to private workers who are paid with public funds. Living wage ordinances cover workers who work for agencies with contracts to deliver public services, such as home care. SB 147 preempts living wage ordinances in 7 local units of government: Eau Claire County, the City of La Crosse, Milwaukee County, Dane County, the City of Madison, the City of Milwaukee, and the Milwaukee Public Schools. Some workers could face pay cuts of up to \$3 an hour, if the bill becomes law.



WISCONSIN STATE LEGISLATURE





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16 N. Carroll Street • Suite 600 • Madison, WI 53703 • (608) 284-0580 • FAX (608) 284-0583
1412 N. Farwell • Suite 508 • Milwaukee, WI 53202 • (414) 831-8880 • FAX (414) 298-0127
www.wccf.org



A MEMBER OF THE NATIONAL CO-OPERATION OF CHILD ADVOCATES

**For Immediate Release
April 12, 2005**

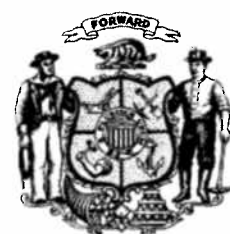
**Contact: Bob Andersen, 284-0580 ext 312
Julie Laundrie 284-0580 ext 303**

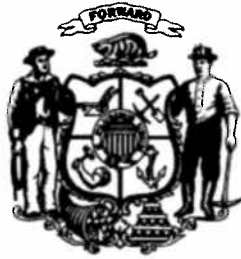
**Wisconsin Council on Children and Families Statement in Opposition to Senate Bill 147,
preemption of local wage ordinances**

“Long overdue, increases in the minimum wage achieve undeniable significance in the lives of low income children and families in Wisconsin. Because the Legislature has chosen to reject an increase of the minimum wage, across the state communities have determined their economic situation warrants an increase. Preemption of local laws undermines that democratic system. Ideally, the minimum wage would be raised statewide. However, that increase should not prohibit an individual community ability to determine, through a legal democratic process, that their economy is different and needs an increase in the living and minimum wage. A full time minimum wage worker makes about \$10,712 per year. According to the Department of Workforce Development, 47% of minimum wage workers are over 25. Nearly, 2 out of 3 minimum wage workers are women.”



WISCONSIN STATE LEGISLATURE





WISCONSIN SENATE

FOR IMMEDIATE RELEASE
April 12, 2005

CONTACT: Sen. Robson
Capitol: 800-334-1468
Home: 608-365-6587

Senate Democrats Blast Republicans for Intransigence on Minimum Wage *Senate Republicans Vote to Strip Communities of Home Rule*

Despite impassioned pleas from Senate Democrats to allow the minimum wage increase to go into effect, Senate Republicans today stubbornly clung to their opposition to a \$1.35 increase for Wisconsin's lowest-paid workers. Senate Republicans also moved toward approval of a bill that strips communities of home rule on minimum wage and living wage ordinances.

"Senate Republicans today once again showed their callous disregard for child care workers, cashiers and custodians who are doing vital, undervalued work," said Senate Democratic Leader Judy Robson. "The Republicans blocking this wage increase are out of touch with how real people struggle to keep their heads above water. They either don't care or don't know that the personal care worker who bathes and feeds their grandma is earning sub-poverty wages."

Robson (D-Beloit) noted that families need the \$1.35 wage increase to pay for essentials.

"These families don't go to Disneyland," Robson said. "This buck thirty-five is spent locally. This money recycles into the community. They buy milk. They buy baby food. They buy tennis shoes from the local shoe store. It's time for Republicans to move out of the way. Stop this mean-spirited game of playing politics with people's lives."

A dollar thirty-five is the difference between the current minimum wage of \$5.15 and the \$6.50 per hour wage recommended by a minimum wage advisory council representing business and labor.

Besides their intransigence on the minimum wage, Senate Republicans went a step further and gave preliminary approval to Senate Bill 147, which strips communities of their ability to enact a minimum wage and a living wage higher than the state minimum wage. Living wage ordinances apply to employees who provide services by contract, such as personal care workers for the elderly and employees at privately-run concession stands at a county-owned airport or ballpark.

-MORE-

“Senate Bill 147 continues a disturbing trend by Republicans of stripping home rule from cities and counties and centralizing decision-making in Madison,” Robson said. “The Republican Party is now officially the party of Big Government. They don’t care about the right of communities to govern themselves. They don’t trust local government. They want to act as county board, city council, and village board.”

Currently the counties of Eau Claire, Dane and Milwaukee; the cities of LaCrosse, Madison and Milwaukee; and Milwaukee Public Schools have living wage policies.

Republicans are expected to give final approval of Senate Bill 147 on Wednesday.

Prior to Senate floor debate, legislative Democrats held a press conference at which they displayed grocery items and common household bills to illustrate what a \$1.35 wage increase buys for Wisconsin families. The \$1.35 wage increase means an additional \$10.80 per day, \$54 per week, \$324 per month, and \$2,808 per year for minimum wage workers.

“A buck thirty-five can buy a half gallon of milk, a head of lettuce, a loaf of bread, or a box of baby cereal,” Robson said at the press conference. “Two days’ worth of the \$1.35 increase will fill up your car with gas. Two weeks’ worth will pay for a phone bill. Over 30 days, the increase alone will pay for a six-month car insurance premium.”

Assistant Senate Democratic Leader Dave Hansen (D-Green Bay) and Assistant Assembly Democratic Leader Jon Richards (D-Milwaukee) also spoke at the press conference.

“Maybe we should have a law that requires legislators to spend one month each year working a minimum wage job so they can experience the hardship that so many Wisconsin families face,” said Hansen, author of a Senate bill to increase the minimum wage as recommended by an advisory council consisting of business and labor representatives. “While the GOP plays politics, hoping to deny the Governor any type of political victory there are thousands of Wisconsin citizens who are working for less than poverty wages. It is politics at its most cynical and at its most cruel.”

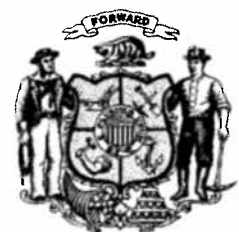
“Raising the minimum wage is an issue of survival for so many low-wage earners and we need to stop playing politics with their pocketbooks,” Richards said. “Our working families in Wisconsin are not going to spend this raise on champagne and caviar, they are going to buy milk, cheese, and bread and return that money to their local communities.”

Rep. Mike Sheridan (D-Janesville) is the Assembly author of a bill to increase the minimum wage as recommended by the advisory council.

“Republicans have blocked the minimum wage increase for far too long,” Sheridan said. “Enough is enough. It’s time to step out of the way.”



WISCONSIN STATE LEGISLATURE





WISCONSIN LEGISLATURE

P.O. BOX 8952 · MADISON, WI 53708

For Immediate Release
April 12, 2005

Contact: Rep. Mike Sheridan
608-266-7503

Rep. Sheridan: Assembly GOP Blocks Minimum Wage Increase

MADISON – Assembly Republicans, yet again, denied the attempts of Representative Mike Sheridan (D-Janesville) to increase Wisconsin's minimum wage during Assembly floor action today, on the same day that Republicans in the Senate moved to block local government's ability to set their own minimum wage. The rejected Assembly amendment would have raised Wisconsin's minimum wage to \$6.50 over the next two years.

"Something has to be done for workers at the bottom end of the wage scale. They are the people we are supposed to be looking out for, but time after time Republican leaders have turned their backs," said Rep. Sheridan.

Republican leaders continue to block a bipartisan proposal that would increase the minimum wage to \$6.50 an hour over the next two years despite overwhelming public support for the increase. The current minimum wage of \$5.15 an hour was put in place in 1997, Republican leaders want to leave it at \$5.15 until January of 2007.

The Wisconsin Senate today began debate on a bill to preempt local governments across the state from increasing their own minimum wage laws. Increases in Madison and Milwaukee and talk of an increase in LaCrosse have been added pressure on the legislature to act. If the preemption law were to become law the legislature could block an increase indefinitely.

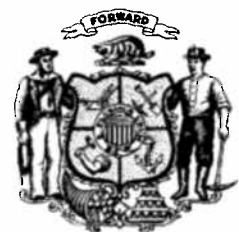
"How can we tie the hands of local governments and then turn our backs on the people they represent," said Sheridan. "Minimum wage workers have not had a raise in seven years and every day we delay we take money out of their pockets."

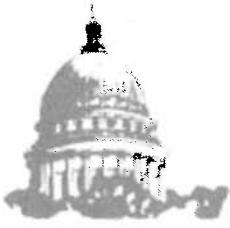
A statewide increase in the minimum wage has also been endorsed by labor leaders and several business groups including the Wisconsin Restaurant Association, the Wisconsin Merchants Federation, the Wisconsin chapter of the National Federation of Independent Business, the Wisconsin Grocers Association and Wisconsin Manufacturers & Commerce.

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WISCONSIN STATE LEGISLATURE





WISCONSIN STATE SENATE

DAVE HANSEN

SENATOR – 30TH DISTRICT

State Capitol P.O. Box 7882 Madison, Wisconsin 53707-7882 Phone: (608) 266-5670

For Immediate Release
April 13, 2005

Contact: Sen. Hansen
608-266-5670

Preemption of Local Minimum Wage Ordinances a Red Herring
If Republicans listened to the people in the first place there would be no movement at local level to increase minimum wage

(Madison)—If Republicans would have listened to the people and let the minimum wage go into effect as the Minimum Wage Council proposed there would have been no movement in Wisconsin to increase the minimum wage at the local level State Senator Dave Hansen (D-Green Bay) said today.

“The issue of preemption is a red herring. The reason there is so much action at the local level is because the Republicans have ignored the needs of working people in Wisconsin for too long. Had they not chosen to play politics with the minimum wage they wouldn’t have to worry issues like preemption,” said Hansen a member of the Senate Labor Committee and the minimum Wage council.

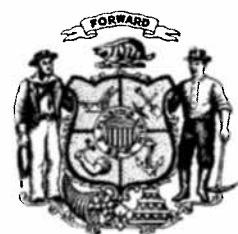
“The fact is they could likely end action at the local level if they would just do the right and fair thing—give our lowest paid workers the increase they deserve and need. Continuing to play politics, however, will only lead to more ordinances around the state because at this point no one believes the Republicans are for working families anymore.”

Hansen also said the argument that a patchwork of minimum wage laws would hinder economic growth is a false argument because businesses routinely pay differing property taxes, transportation costs, overhead and wages.

“To suggest that none of these variables matter, but that giving working families a wage they can live with would create problems is simply smoke and mirrors -- a way for Republicans to oppose the minimum wage without having to say that they don’t value low income workers. It is disingenuous on their part, especially when one of their most vocal opponents has said that minimum wage work is not worthy of an increase.”



WISCONSIN STATE LEGISLATURE



BOB JAUCH

WISCONSIN STATE SENATOR

FOR IMMEDIATE RELEASE:
April 13, 2005

Contact: Sen. Jauch
608.266.3510

Jauch Disappointed in GOP Failure to Compromise on Minimum Wage

Madison— State Senator Bob Jauch (D-Poplar) expressed his disappointment today in the latest GOP failure to increase the state minimum wage. Instead of increasing the wage for the first time in seven years, the Republican controlled Senate advanced a bill prohibiting local governments from setting a higher minimum wage.

“Republicans are acting like Scrooge to workers and Santa Claus to corporations,” Jauch said. “What do they have against these workers? Why do they continue to deny them a basic and long overdue increase in the minimum wage when they are willing to spend tens of millions of dollars to give big business a tax break?” an impassioned Jauch asked in debate of the same bill during Tuesday’s session.

Jauch noted that while some GOP lawmakers in the Senate privately acknowledged that it was time to raise the wage, the vote Wednesday moved further away from that goal. “The Senate failed to advance a compromise today, and I am fearful that the Assembly will not deal with minimum wage at all,” Jauch said. “It is incredibly irresponsible for a few out of touch legislators to ignore what the public supports while blocking the majority will of the legislature,” he added.

During the debate, Jauch offered a compromise proposal that preempted minimum wage ordinances while raising the hourly wage to \$6.50. Jauch’s amendment also protected living wage ordinances secured at the local level.

“As one who usually opposes any measure to preempt local control, I offered this compromise because it sickens me that every week we are keeping more than \$2 million out of the pockets of our lowest paid workers by refusing to raise the wage,” Jauch said, adding that to date \$64 million has been denied workers since October and another \$195 million will be withheld if the GOP is successful in blocking the increase until 2007.

“I was willing to accept a provision that I would usually oppose if it meant getting the job done for workers. I’m disappointed my Republican colleagues could not come to the same conclusion.”

“Instead,” Jauch continued, “Their proposal is nothing more than unilateral disarmament, seeking only to prohibit local government from recognizing the rights and needs of workers, without having the guts to even address the wage themselves,” the Poplar Democrat argued.

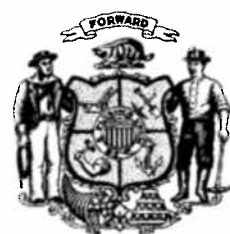
Jauch noted that this was just the latest GOP block of a widely accepted bipartisan agreement on a hike to the state’s minimum wage. In the previous legislative session, a bipartisan advisory council of economic experts, labor and business leaders recommended a two-step raise for minimum wage earners. The first 55-cent increase, scheduled for October 2004, was delayed by a Republican-controlled committee.

More recently, majority Republicans drafted the Legislative calendar in such a way that they could block any increase in the wage until 2007 without ever taking a vote.

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WISCONSIN STATE LEGISLATURE





1st Senate District
State Capitol • PO Box 7882
Madison, WI 53707-7882

Alan Lasee
Senate President

Tel 608 266 3512
Fax 608 267 6792
email: sen.lasee@legis.state.wi.us
web: www.legis.state.wi.us/senate/sen1/news/

FOR IMMEDIATE RELEASE
April 13, 2005

CONTACT: Sen. Lasee
(608) 266-3512

LASEE PASSES PREEMPTION THROUGH SENATE
STRONGLY URGES COLLEAGUES TO RESOLVE MINIMUM WAGE

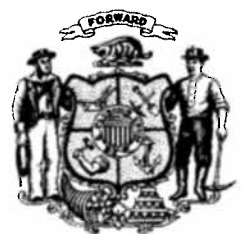
Madison—State Senator Alan Lasee (R-DePere) led the passage of a wage preemption bill through the Senate. “I am pleased that my Senate colleagues agreed with me that Wisconsin should not have a hodge podge, patch work of wage islands scattered throughout Wisconsin,” said Senator Lasee.

“It is now time that we move forward and resolve the minimum wage issue within the next several weeks. I urge the Governor and my colleagues in both the Senate and Assembly to take up the minimum wage issue and have preemption signed on the same day the minimum wage is raised,” stated Lasee. “Every business group that I have talked with is in favor of raising the minimum wage with preemption. It is time for my colleagues not to turn their back on the will of business and citizens in Wisconsin. Let’s solve this matter and move on with the peoples business of balancing the state budget, providing property tax relief, creating jobs and growing our economy,” exclaimed Lasee.

“Without preemption Wisconsin could literally have 395 different minimum wages in each city or village. I don’t believe anyone would agree that businesses that are located three doors apart should be required to pay their employees different wages. This would be an unfair disadvantage and an unequal playing field for business located in different cities and villages, said Lasee. The Senate needs to be discussing issues about expanding Wisconsin’s economy by creating and maintaining jobs, not about pitting businesses and communities against each other to destroy jobs,” concluded Lasee.



WISCONSIN STATE LEGISLATURE





The La Crosse County Democratic Party

Chair
Robert W. Johnson

Vice-Chair
Fabio Burgos

*****PRESS RELEASE*****
For Immediate Release

Secretary
Mark Seitz

Treasurer
Barb Clark

CITY OF LA CROSSE ONE STEP CLOSER TO STANDING UP FOR THE WORKING POOR

For Immediate Release
April 14, 2005

For more information contact:
Robert Johnson: (608) 796-1901

LA CROSSE – Tuesday night the La Crosse City Council took a promising step closer toward raising the minimum wage for working families as the La Crosse Common Council’s Committee of the Whole voted 12-5 to approve a plan raising the minimum wage incrementally from \$5.15 to \$6.50 per hour. Speaking at the open hearing was La Crosse County Democratic Party Chair Robert Johnson.

Johnson cited a 1998 Economic Policy Institute study which found no significant job loss associated with the 1996-97 minimum wage increase. Countering the republican notion that raising the minimum wage hurts small businesses Johnson said, “Studies of the 1990-91 federal minimum wage increase also found no measureable negative impact on employment, and a recent Fiscal Policy Institute study found no evidence of negative employment effects on small businesses.”

As President Bush’s economy slips further in to the abyss, working families need the extra income generated by a minimum wage adjustment. A wage adjustment would help reverse the trend of declining real wages for low-wage workers, and is part of broad strategy to end poverty.

Voting against the plan were council members Jon Olson, Doug Farmer, Bruce Ranis, Tom Sweeney and Joe Ledvina. Several of the opponents said they supported an increase in minimum wage but believe such legislation should be enacted at the state or federal level.

Johnson told the Council, “It is time for us to tell the folks in Madison that they cannot continue to assault what we have decided best benefits the residents in our cities, counties and townships.”

The La Crosse Common Council will take the issue up at their regular meeting Thursday, April 14. The La Crosse County Democratic Party urges all citizens to attend the meeting and show support for the La Crosse minimum wage architect Mayor John Medinger.

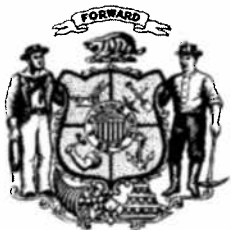
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*P.O. Box 1861, La Crosse, WI 54602-1861 Ph. (608) 792-9030
Email: laxdems@yahoo.com - Website: www.lcdp.net*

Authorized and paid for by the La Crosse County Democratic Party, Barb Clark - Treasurer



WISCONSIN STATE LEGISLATURE



MAIN STREET COALITION FOR ECONOMIC GROWTH

- A). Merchants Federation
- B). Restaurant Association
- C). Manufacturers and Commerce
- D). Greater Madison Chamber of Commerce

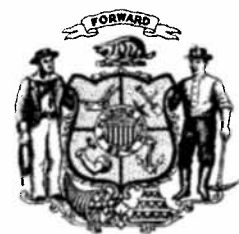
LITIGATION OVER MADISON MINIMUM WAGE ORDINANCE

- A). 90 year history
- B). Centralized State Process for Uniform Minimum Wage
State-wide
- C). Department and its wage council to consider Regional and
Local Interest but Legislature declared that driving factor
impact on economy of state as a whole

- D). Municipalities parochial interests but what one municipality does can affect other participants in State economy
- E). Madison, Milwaukee, La Crosse, Fox River Valley
- F). State clearing house
- G). Clarifying legislation
- H). Bill needed to make clear always been intent of legislature to expressly withdraw authority from cities
- I). Other Bills – Ambiguous
 - 1. Strictly Conform requirement
 - 2. Not less than



WISCONSIN STATE LEGISLATURE



Previous
Session Draft (Bill)

2003 ASSEMBLY BILL 633

October 30, 2003 - Introduced by Representatives GROTHMAN, NASS, LEMAHIEU, HAHN, OWENS, HINES, JENSEN, VRAKAS, STONE, FRISKE, SUDER, GUNDRUM and WEBER, cosponsored by Senators PANZER, REYNOLDS, WELCH and SCHULTZ. Referred to Committee on Labor.

1 AN ACT *to renumber and amend* 104.08 (1), 104.08 (2) and 104.08 (3); *to amend*
 2 104.01 (intro.), 104.01 (5), 104.02, 104.03, ~~104.04~~, 104.05, 104.06, 104.07 (1),
 3 104.07 (2), 104.10, 104.11 and 104.12; and *to create* 104.001 and 104.08 (1m)
 4 (b) of the statutes; **relating to:** preemption of county, city, village, or town living
 5 wage ordinances.

Analysis by the Legislative Reference Bureau

Under current constitutional and statutory home rule provisions, a city or village may determine its own local affairs subject only to the Wisconsin Constitution and to any enactment of the legislature that is of statewide concern and that affects every city or village with uniformity.

This bill requires that the state minimum wage law, under which an employer may not pay an employee less than a living wage, be construed as an enactment of statewide concern for the purpose of providing a living wage that is uniform throughout the state. As such, the bill permits a county, city, village, or town to enact an ordinance establishing a living wage only if the ordinance strictly conforms to the state minimum wage law.



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2003 Assembly Bill 633

Assembly Amendment 1

Memo published: November 14, 2003

Contact: Robert J. Conlin, Senior Staff Attorney (266-2298)

Generally, *2003 Assembly Bill 633* requires that the state's minimum wage law be construed as an enactment of statewide concern for the purpose of providing a living wage that is uniform throughout the state. As a result, this bill preempts, with limited exceptions, local ordinances establishing a living wage ordinance unless the ordinance strictly conforms to the state's minimum wage law.

Assembly Amendment 1 provides that the bill's preemptive effect does not apply to: (1) an ordinance that requires an employee of a county, city, village, or town to be paid at a minimum wage rate; (2) an ordinance that requires an employee who performs work under a contract for the provision of services to a county, city, village, or town to be paid at a minimum wage rate; or (3) an ordinance that requires an employee who performs work that is funded by financial assistance from a county, city, village, or town to be paid at a minimum wage rate.

Legislative History

Assembly Amendment 1 was offered by Representative Grothman and was adopted by the Assembly on November 13, 2003 on a voice vote.

The bill, as amended, was passed by the Assembly on November 13, 2003 on a vote of Ayes, 55; Noes, 40.

RJC:jal:tl;rv

2003

AB633

ASSEMBLY BILL 633

LC Amendment Memo

An Act to renumber and amend 104.08 (1), 104.08 (2) and 104.08 (3); to amend 104.01 (intro.), 104.01 (5), 104.02, 104.03, 104.04, 104.05, 104.06, 104.07 (1), 104.07 (2), 104.10, 104.11 and 104.12; and to create 104.001 and 104.08 (1m) (b) of the statutes; relating to: preemption of county, city, village, or town living wage ordinances. (FE)

2003

- 10-30-03. A. Introduced by Representatives Grothman, Nass, LeMahieu, Hahn, Owens, Hines, Jensen, Vrakas, Stone, Friske, Suder, Gundrum and Weber; cosponsored by Senators Panzer, Reynolds, Welch and Schultz.
- 10-30-03. A. Read first time and referred to committee on Labor. 472
- 11-03-03. A. Public hearing held.
- 11-04-03. A. Fiscal estimate received.
- 11-11-03. A. Executive action taken.
- 11-11-03. A. Report passage recommended by committee on Labor, Ayes 5, Noes 3. 521
- 11-11-03. A. Referred to calendar. 522
- 11-13-03. A. Read a second time. 543
- 11-13-03. A. Assembly amendment 1 offered by Representative Grothman. 543
- 11-13-03. A. Assembly amendment 1 adopted 543
- 11-13-03. A. Ordered to a third reading. 543
- 11-13-03. A. Rules suspended to read a third time, Ayes 57, Noes 39. 543
- 11-13-03. A. Read a third time and passed, Ayes 55, Noes 40. 544
- 11-13-03. A. Rules suspended to order immediately messaged, Ayes 57, Noes 38. 544
- 11-13-03. S. Received from Assembly. 483
- 11-13-03. S. Read first time and referred to committee on Labor, Small Business Development and Consumer Affairs. 485
- 12-08-03. S. Public hearing held.
- 12-08-03. S. Executive action taken.
- 12-10-03. S. Report concurrence recommended by committee on Labor, Small Business Development and Consumer Affairs, Ayes 3, Noes 2. 509
- 12-10-03. S. Available for scheduling.

2004

- 03-08-04. S. Placed on calendar 3-9-2004 by committee on Senate Organization.
- 03-09-04. S. Read a second time. 692
- 03-09-04. S. Refused to nonconcur in, Ayes 15, Noes 18. 692
- 03-09-04. S. Ordered to a third reading. 692
- 03-09-04. S. Rules suspended. 692
- 03-09-04. S. Read a third time and concurred in, Ayes 18, Noes 15 692
- 03-09-04. S. Ordered immediately messaged. 693
- 03-09-04. A. Received from Senate concurred in. 818
- 03-17-04. A. Report correctly enrolled. 902
- 03-17-04. A. Presented to the Governor on 3-16-2004. 902
- 03-17-04. A. Report vetoed by the Governor on 3-16-2004. 903
- 05-07-04. A. Placed on calendar 5-11-2004 pursuant to Joint Rule 82.
- 06-09-04. A. Failed to pass notwithstanding the objections of the Governor pursuant to Joint Rule 82



State of Wisconsin
Office of the Governor

March 16, 2004

TO THE HONORABLE MEMBERS OF THE ASSEMBLY:

I am vetoing Assembly Bill 633. This bill preempts, with certain exceptions, county, city, village, or town minimum wage ordinances.

AB 633

Last fall I called for the Department of Workforce Development to convene a wage council to consider raising Wisconsin's minimum wage. The current minimum wage of \$5.15 an hour had not been raised in seven years. On March 1st, the Minimum Wage Advisory Council voted 16-2 to increase the state's minimum wage to \$6.50 an hour over the next two years. Those increases will benefit more than 100,000 individuals in the first year and 150,000 in the second. Almost two-thirds of those earning the minimum wage are women, often single parents, and I am confident that the Council's recommendations, once implemented, will enhance the lives of those who must make ends meet at this income level. The proposal enjoyed the widespread support of labor, business and community leaders on the council, but it still must make its way through the administrative rules process to become a reality for Wisconsin workers.

AB 633

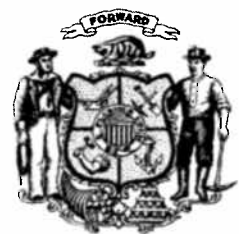
I still believe an adequate statewide minimum wage is the best policy. Substantial minimum wage disparities between communities may adversely impact economic development and foster uncertainty among businesses trying to plan investments and create jobs. However, with a minimum wage of \$5.15 an hour, I can understand why localities believe that they need to raise the minimum wage. Until the Republicans in the legislature join with the consensus of business, labor and community leaders and support raising Wisconsin's minimum wage, I see no reason to sign this bill.

Respectfully submitted,

JIM DOYLE
Governor



WISCONSIN STATE LEGISLATURE





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Judge says decision is near on Madison minimum wage

By DORIS HAJEWSKI
dhajewski@journalsentinel.com

Posted: March 30, 2005

Madison - Dane County Circuit Judge Maryann Sumi said Wednesday that she expects to make a decision by the end of April on whether the City of Madison's minimum wage law should be allowed to stand.

Madison enacted its own ordinance last year, raising the minimum wage in the city to \$5.70 as of Jan. 1. Madison's minimum is higher than the statewide minimum of \$5.15, which has been in effect since 1997.

A coalition of business associations called the Main Street Coalition for Economic Growth filed a lawsuit challenging the Madison ordinance, saying the city has no authority to set wage minimums.

Tuesday, state Sens. Alan Lasee and Dale Schultz, both Republicans, introduced a bill that supports the coalition's position. The bill is pending before the Senate's Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.

In court Tuesday, Thomas Pyper, an attorney representing the coalition, argued that state law does not give municipalities the authority to enact their own ordinances on issues of statewide concern unless such authority is specifically spelled out.

"It's so clear that you don't want separate competing minimum wage laws throughout the state," Pyper said.

Michael May, Madison's city attorney, said cities possess all powers not denied them by the Wisconsin Constitution. May said cities can go beyond the minimum wage set by the state to require more.

A year ago, a bipartisan advisory council appointed by Gov. Jim Doyle recommended that the state minimum be raised to \$5.70 an hour last October and to \$6.50 in October 2005. The council endorsed letting the minimum wage for tipped employees remain at \$2.33 an hour.

The Republican-controlled Legislature has stalled the measure, hoping to avoid a vote until after November 2006, when Doyle, a Democrat, is up for re-election.

The Madison ordinance includes incremental raises that will put the minimum in that city at \$7.75 per hour in 2008.

After Madison adopted its ordinance, the City of Milwaukee soon followed, raising the minimum wage from \$5.15 an hour to \$5.70 as of Oct. 1, 2005 - with another increase to \$6.50 by October 2006. Other cities around the state are considering similar measures, Ed Lump, president and chief executive officer of the Wisconsin Restaurant Association, said Wednesday.

The restaurant group, as well as the Wisconsin Merchants Federation, is part of the plaintiff coalition. But both groups support the proposal for a statewide minimum wage that is stalled in the Legislature.

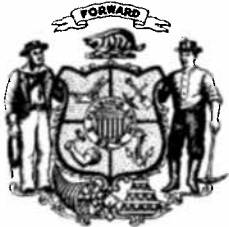
Sumi's ruling on the Madison ordinance will not affect other municipal wage ordinances around the state. It would take an appeals court ruling to set a statewide precedent.

Lump and Chris Tackett, chief executive officer of the Wisconsin Merchants Federation, said Wednesday that they would pursue the issue all the way to the state Supreme Court if they lose the battle in Madison.

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WISCONSIN STATE LEGISLATURE



Capitol Watch: Biz leaders seek deal on minimum wage

By Matt Pommer
April 11, 2005


Municipal minimum wage rates - like the pioneering one in Madison - may yet be killed as Republicans scramble to clear up the mess they have created on the issue.

The state could pre-empt local minimum wages if Republicans, who control the Legislature, were to accept the two-step state increase to \$6.50 per hour recommended by a labor-management committee and then formally proposed by the Doyle administration.

Gleeful Republicans suspended the rule, blocking any statewide increase. For added measure, the Republican leaders created a calendar that would technically keep the current Legislature in session late December of 2006. This all means the higher \$6.50 rate won't take effect until January of 2007.

Meanwhile, the growth in municipal wage rates is spreading. Milwaukee has established its own rate, and La Crosse appears on the verge of adopting its own minimum wage. Before 2007, other municipal governments may be acting.

Seeing these developments, business groups went to court to block municipal rates. Their first effort failed, and further legal efforts are going to take months and months. The legal bills will continue to mount, and business groups are indicating a renewed interest in solving the issue within the Capitol rather than the courts.

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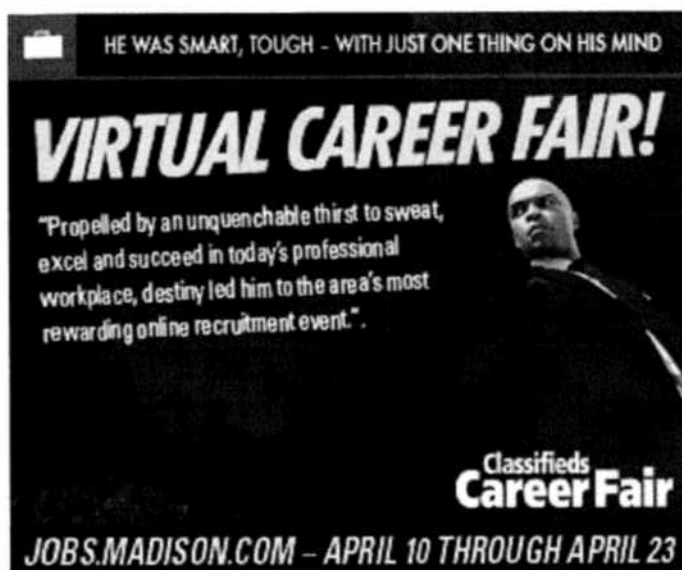
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Generally, the business interests are willing to take the higher statewide minimum wage if it comes with the pre-emption of any higher local rates.

That could be accomplished, it is whispered, if the Doyle administration were to send up the higher minimum wage rates again, this time as an emergency rule. Republicans would not object, and the governor would sign a pre-emption bill.

Not all Republicans appear on board for this effort. State Sen. Tom Reynolds, R-West Allis, has bottled up bills in his committee, so the Senate leadership sent another pre-emption bill to a different committee to get around Reynolds. Last week the committee headed by Sen. Ron Brown, R-Eau Claire, advanced the bill for full Senate action.

The committee action will allow the full Senate to take up the bill and send it to the Assembly.

There the issue is more tricky. Some conservatives, especially those from rural parts of the state, want exceptions for very small businesses. One suggestion is that any new higher rates not apply to employers with four or fewer full-time workers.

Organized labor, friends of the Doyle administration, doesn't like exceptions to the minimum wage rates even though few, if any, of unionized workers are getting \$6.50. At a hearing last week, there were polite exchanges between Sen. Bob Wirth, D-Kenosha, and several business lobbyists. Wirth urged them to help get the \$6.50 statewide rate, and they cited both the need for uniformity statewide and said some other states have created small employer exemptions.

While business is worried about local rules and small employers, Republicans may be starting to see the minimum wage as an albatross for the 2006 elections in which a governor, half the Senate and all of the Assembly will be elected.

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Republicans would like to campaign on themes of being against gay marriages, allowing the carrying of concealed weapons, and curbing stem cell research. But the minimum wage at the state level and Social Security at the national level are elbowing into that tidy agenda.

The minimum wage in Wisconsin is still \$5.15, and it hasn't been raised in 7 years. That may seem unfair to citizens, and Democrats will exploit the issue if the stalemate continues.

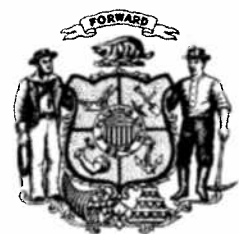
Put that with the GOP theme of "privatizing" Social Security, and the 2006 election may not be as nifty as Wisconsin Republicans had forecast.

E-mail: mpommer@madison.com

Published: 10:01 AM 4/11/05



WISCONSIN STATE LEGISLATURE



Madison mayor defends local minimum wage

April 11, 2005

With the Wisconsin Senate poised to vote Tuesday on a bill that would preempt Madison's local minimum wage increase, Mayor Dave Cieslewicz urges a No vote in a letter to senators.

"SB 147 is an attack on local control that would end the ability of local units of government, including the City of Madison, to enact minimum and living wage ordinances," Cieslewicz wrote.

Here is the text of the letter:

Dear Senators:


I am writing today to urge a **NO** vote on Senate Bill 147, which you are due to consider tomorrow. SB 147 is an attack on local control that would end the ability of local units of government, including the City of Madison, to enact minimum and living wage ordinances.

In 2004, the City of Madison enacted a local minimum wage ordinance. That ordinance, which went into effect January 1, 2005, provides for a minimum wage increase to \$5.70/hour in 2005, \$6.50/hour in 2006 and \$7.25/hour in 2007. In 2008 and thereafter, the rate is set a \$7.75/hour plus an annual inflationary adjustment to protect the purchasing power of low-income workers.

We did not take this action lightly. Like many others, our preference would have been to see a statewide, or even a nationwide increase in the minimum wage. But after seven years of inaction at the state and local level, we needed to do what was right for the hard-working families of Madison, without further delay.

I also ask that you oppose SB 147 because of the negative impact it would have on Madison's long-standing living wage ordinance, which has been in effect since 1999. It is our understanding that as currently drafted, SB 147 would preempt both our minimum wage and our living wage ordinances. Madison has made a clear policy decision that we will pay a living wage to contractors with whom we do business. The right to make this decision should not be infringed upon by the state.

Finally, I would urge you to reject any proposal that would

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forever trade away the right of local units of government to set the minimum wage locally, in exchange for a one-time concession on a statewide minimum wage increase. It is only because of the proliferation of local minimum wages that the legislative majority is even considering a statewide increase. It would be extremely short-sighted to forever surrender that leverage, in exchange for a one-time increase in the state minimum wage.

Since the beginning of this year, low-income workers in Madison have been enjoying the benefits of a higher minimum wage. Enactment of this legislation would literally take that money out of their pockets.

I respectfully urge a NO vote on SB 147.

Sincerely,

Dave Cieslewicz

Mayor

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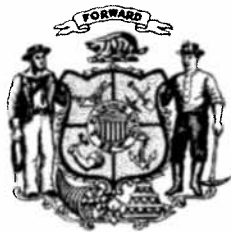


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WISCONSIN STATE LEGISLATURE



Wage issue on table again in state Senate

By Matt Pommer
April 12, 2005

The Republican-controlled state Senate was poised today to again pass a bill prohibiting municipal minimum wage ordinances. Gov. Jim Doyle, a Democrat, had vetoed similar legislation on March 16, 2004, and in that veto message indicated he wouldn't sign it until there was "an adequate statewide minimum wage."


Republicans have blocked administrative rules that would raise the statewide minimum wage to \$6.50 in two steps. The minimum is now \$5.15 per hour; it was last increased in 1997. The current impasse means the \$6.50 won't take effect until late December of 2006. The higher rate had been recommended by a business-labor committee on a 16-2 vote.

Senate Democrats today criticized Republicans, with Minority Leader Judy Robson, D-Beloit, calling for an end "to this mean-spirited game of playing politics with people's lives." She said there has been no progress on any deal to resolve the issue.

Most speculation has focused on a deal that might allow the statewide increase to take effect and higher municipal rates to be prohibited. Separate treatment for small businesses may be discussed in possible compromise talks.

Madison Mayor Dave Cieslewicz urged legislators to reject any deal that would prohibit municipal governments from establishing minimum wages for all workers, or so-called "living wages" for firms doing business with local governments.

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"I would urge you to reject any proposal that would forever trade away the right of local units of government to set the minimum wage locally in exchange for a one-time concession on a statewide minimum wage increase," the mayor said in a letter to senators.

"It is only because of the proliferation of local minimum wages that the legislative majority is even considering a statewide increase," his letter continued. "It would be extremely short-sighted to forever surrender that leverage in exchange for a one-time increase in the state minimum wage."

Madison adopted a "living wage" ordinance in 1999, "and the right to make this decision should not be infringed upon by the state," Cieslewicz wrote.

At least seven "living wage" rates would be eliminated if today's bill were to become law, according to information distributed by the Service Employees International Union.

They include \$9.74 per hour for Madison; \$9.07 for Dane County, \$7.70 for Milwaukee schools; \$7.56 for Milwaukee County; \$9.73 for La Crosse; and \$7.53 with health benefits for Eau Claire County.

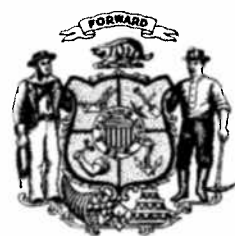
As debate unfolded in the Senate, Robson unsuccessfully tried to expand the preemption bill to get action on the stalled administrative rules raising the minimum wages. Robson said increasing the minimum wage would add \$2.2 million weekly in purchasing power in Wisconsin. An additional \$1.35 per hour "could buy a bottle of milk" or "maybe a half-gallon of gas," she said.

E-mail: mpommer@madison.com

Published: 12:21 PM 4/12/05



WISCONSIN STATE LEGISLATURE



Original URL: <http://www.jsonline.com/news/state/apr05/317916.asp>

Effort to ban local minimum wages in doubt

Assembly support not strong; Senate can't block Doyle veto

By STEVEN WALTERS
swalters@journalsentinel.com

Posted: April 12, 2005

Madison - A bill that would bar local governments from enacting minimum wages higher than the state-imposed wage was poised to pass the state Senate today, but its prospects of becoming law remain uncertain.

Senate Republicans put the controversial bill in final form Tuesday, assuring it would receive final passage today.

The measure would repeal Milwaukee and Madison ordinances that would raise the minimum wages in those cities from the current \$5.15 per hour to \$6.50 per hour in 2006. Madison's minimum wage would keep rising, to \$7.75 in 2008.

Democrats fought the bill (SB 147) at every turn Tuesday, delaying the final vote by one day.

All 19 Senate Republicans defeated a move by the 14 Democrats to kill the bill, which would pre-empt local ordinances requiring minimum wages higher than \$5.15 per hour. That vote showed that Republicans had enough votes to pass the bill in the Senate, but not the 22 needed to override a veto by Democratic Gov. Jim Doyle.

Doyle wants the statewide minimum wage raised to \$6.50, saying that rate was recommended by a bipartisan council created by state law to periodically study whether it should be increased.

Efforts to reach a compromise have so far failed, leaders of both parties said.

Senate President Alan Lasee (R-De Pere), sponsor of the bill, said the Legislature should step in and dictate a statewide minimum wage to prevent a "hodgepodge" of local communities acting as "wage islands" and requiring higher pay than their neighbors.

If businesses "only a few doors apart" must pay different minimum wages, jobs will be lost in the community with higher wages, Lasee said.

Democrats noted that the \$5.15 minimum wage has not been increased since 1997. They displayed bags of groceries Tuesday, illustrating how much food poor families could buy with an increase of \$1.35 per hour in the minimum wage.



"Everything is going up - except the minimum wage," said Sen. Jon Erpenbach (D-Middleton). "We shouldn't make people beg."

"It's mostly women who are impacted by the minimum wage," added Sen. Julie Lassa (D-Stevens Point).












Although the Senate was scheduled to pass the bill today, a key Assembly Republican, Rep. Steve Nass (R-Whitewater), said he won't push it any further.

Minimum Wage

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Lasee and other Senate Republicans "hijacked" his own bill to repeal higher minimum wages set by individual cities, Nass said, "and I'm not going to reward that" by pushing for a vote on any Senate-passed bill.

Instead, Nass said, Republicans have already blocked - until the end of 2006 - a \$6.50 minimum wage, which will then be set by a rule of the state Department of Workforce Development.

Also, Nass said, the bill of Republican senators is too broad, since it would wipe out "living wage" ordinances set by places like Madison and Dane County.

Dane County Executive Kathleen Falk said more than 1,000 home health care workers have had their wages raised since Dane County enacted its "living wage" ordinance six years ago. That ordinance requires that home health care workers now be paid \$9.07 per hour - a wage that Lasee's bill would pare back to \$5.15, Falk said.

Falk called the bill a "real attack" on the powers of local governments.

Sex offender measure advances

On a 31-2 vote, the Senate passed a bill (AB 99) that would let local police and sheriff's departments notify community leaders when a juvenile sex offender is living in their neighborhoods.

Now, law officers cannot warn local community leaders because the offenders are juveniles.

The vote sent the bill to Doyle, who is "generally receptive" to it, an aide said.

Sen. Alberta Darling (R-River Hills) said the bill would close a loophole in current law, which allows officials to disclose to neighbors and communities leaders the locations of only adult sex offenders on the statewide sex predator registry.

The so-called "Amie's Law" was named for 17-year-old Amie Zyla of Waukesha County, who was sexually assaulted by a 14-year-old boy when she was 8.


The girl and her father, Mark Zyla, said they were stunned to learn that the person who attacked her, Joshua Wade, now 23, had been charged with new attacks on children.


Those attacks could have been prevented if Waukesha police had been allowed to tell officials of school, church and non-profit groups about Wade's past, the Zylas say.


Mark Zyla and his daughter watched the Senate vote and asked that Doyle sign the change into law.


"I'm happy," Amie Zyla said after the vote.


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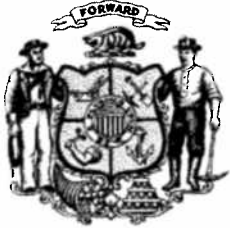
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WISCONSIN STATE LEGISLATURE



Published - Friday, April 15, 2005

Council approves minimum wage increase

By JOAN KENT | La Crosse Tribune

La Crosse's minimum wage workers will get a 55-cent per hour raise Dec. 1 and another 80-cent raise Dec. 1, 2006, under action taken Thursday by the La Crosse Common Council.

Supporters let out a howl of joy as they left city hall after the 11-4 vote, which makes

La Crosse the third Wisconsin city to increase its minimum wage.

"Hopefully this will be a sign to our state legislators that this is something Wisconsinites would like to happen," said Jeremy Jansen, spokesperson for the University of Wisconsin-La Crosse Progressives, which had about 20 supporters at the meeting.

The council's action will raise the minimum wage from \$5.15 per hour to \$5.70 per hour as of Dec. 1, and \$6.50 per hour as of Dec. 1, 2006.

Several Wisconsin cities are considering local increases to the minimum wage because the state Legislature has failed to act on a proposal by the Wisconsin Minimum Wage Advisory Commission.

The state Senate on Wed-nesday passed a bill 19-14 along party lines — Republicans for it, Democrats against — that would wipe out increases passed by individual municipalities by barring them from going beyond the \$5.15 per hour statewide wage.

But Gov. Jim Doyle, a Democrat, said he would veto the bill unless he is assured lawmakers will raise the statewide minimum wage.

A bill that corresponds to the Senate-approved measure has yet to start circulating in the Assembly, said a spokesperson for state Rep. Jennifer Shilling, D-La Crosse.

Before the meeting, about 30 supporters sat on the wall outside the entrance to city hall with signs that declared "La Crosse needs \$6.50" and "Support the people."

Council member Tom Sweeney attempted to add an amendment that any state increase would supercede the local increase if the Legislature acts, but it failed.

Voting for the increase were Andrea Richmond, Todd Olson, Andy Monfre, Bill Harnden, John Satory, Mark Johnsrud, Richard Becker, Audrey Kader, Bernie Maney, Marilyn Wigdahl and Larry Lebiecki.

Voting against it were Doug Farmer, Bruce Ranis, Sweeney and Joe Ledvina.

Jon Olson had an excused absence, while Mark Meyer, though at the meeting, was out of the council chamber during the vote.

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