

**2001 DRAFTING REQUEST**

**Assembly Amendment (AA-AB579)**

Received: 10/30/2001

Received By: mdsida

Wanted: As time permits

Identical to LRB:

For: Sheryl Albers (608) 266-8531

By/Representing: Scott

This file may be shown to any legislator: NO

Drafter: mdsida

May Contact:

Addl. Drafters: kahlepj

Subject: Econ. Development - bus. dev.

Extra Copies:

Submit via email: YES

Requester's email: Rep.Albers@legis.state.wi.us ✓

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Prohibit qualified businesses from destroying embryos

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**Instructions:**

See Attached

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**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>
/?	mdsida 10/30/2001	jdye 10/30/2001		_____			
/1	mdsida 10/30/2001	jdye 10/30/2001	pgreensl 10/30/2001	_____	lrb_docadmin 10/30/2001	lrb_docadmin 10/30/2001	
/2	mdsida	hhagen	pgreensl	_____	lrb_docadmin	lrb_docadmin	

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	10/30/2001	10/30/2001	10/30/2001	_____	10/30/2001	10/30/2001	
/3			kfollet	_____	lrb_docadmin	lrb_docadmin	
			10/30/2001	_____	10/30/2001	10/30/2001	

FE Sent For:

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/2		13hmb 10/30/01	pgreensl KJ 10/30	self 10/30	lrb_docadmin	lrb_docadmin	

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/1		12/30 jld	pgreensl 10/30/2001	self	lrb_docadmin 10/30/2001	lrb_docadmin 10/30/2001	

10/30/01

10/30/2001 12:15:15 PM

Page 2

FE Sent For: . . .

<END>

**2001 DRAFTING REQUEST**

**Assembly Amendment (AA-AB579)**

Received: 10/30/2001

Received By: mdsida

Wanted: As time permits

Identical to I.R.B.:

For: Sheryl Albers (608) 266-8531

By/Representing: Scott

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May Contact:

Addl. Drafters: kahlepj

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See Attached

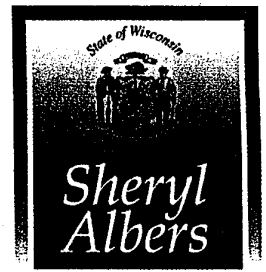
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1?	mdsida	1/10/01 30jld	10/30/01 P8	10/30/01 P8			

FE Sent For:

<END>



To: LRB – Drafting  
From: Representative Sheryl K. Albers

Date: October 26, 2001  
Subject: Amendment to 2001 AB 579

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On Tuesday, October 30, 2001 AB 579 (Ward) will come to the floor of the Assembly.

Although I support more investment in Wisconsin, I do not want to encourage investments in biotechnology companies that engage in the destruction of human embryos, or that utilize the stem cells taken from them – notably since the investors get tax breaks from the state. Thus, I would like a simple amendment to the bill that specifies that a “certified capital company” [§560.30 (2)] does NOT include any company that destroys living human embryos or uses the stem cells taken from living human embryos. Likewise, I believe I will need to modify §560.37(3) to ensure decertification of any company currently certified by the department that is engaging in these activities.

Please add to or modify the amendment in any way necessary to accomplish my intent. Thank you.

*Per Scott - applies to  
qualified businesses -  
not CAPCO's*



**Dsida, Michael**

---

**From:** Southworth, Scott  
**Sent:** Monday, October 29, 2001 6:45 PM  
**To:** Dsida, Michael  
**Subject:** RE: Non-viable embryos

No, we will need to remove that exception to the prohibition - it's a loophole that the businesses will use to make the amendment worthless - we can't have any exceptions to the living human embryo provision. Also, the definition for "human embryo" is different from those I've seen in the past; also, have not seen "in vitro human embryo" ever used..... Checking with pro-life expert on these - we don't want to have definitions that are different from other areas of the statutes..... Will let you know ASAP on Tuesday morning if we need definitional changes..... I'm pretty sure we will consolidate the two and go with the definition we used in the budget provision relating to human embryonic stem cell research..... however, certainly open to suggestions on modifying language..... Will talk to you tomorrow morning.....thanks for your work on this.

Scott

-----Original Message-----

**From:** Dsida, Michael  
**Sent:** Monday, October 29, 2001 4:29 PM  
**To:** Southworth, Scott  
**Subject:** Non-viable embryos

I added a provision so that the prohibition doesn't apply if the cells were derived from embryos that cannot be implanted because of a developmental abnormality. Is that okay?

Mike Dsida  
Legislative Reference Bureau  
608/266-9867  
michael.dsida@state.legis.wi.us

**Dsida, Michael**

---

**From:** Dsida, Michael  
**Sent:** Tuesday, October 30, 2001 11:02 AM  
**To:** Southworth, Scott  
**Subject:** Amdt requests

The definition of "human embryo" is gramatically unsound. Here's what I propose: "Human embryo" means a living human being, including a zygote, derived by any means..." That would include any stage from fertilization to the stage at which the major body structures are present. Is that okay?

In addition, as you may be aware, defining the term "human embryo" in this statute to mean a "human being" may have implications with respect to other statutes.

Mike Dsida  
Legislative Reference Bureau  
608/266-9867  
michael.dsida@state.legis.wi.us



State of Wisconsin  
2001 - 2002 LEGISLATURE

0879/1  
LRBa0856/D  
PJK&MGD:fmhpg  
+ jld

ASSEMBLY AMENDMENT,  
TO 2001 ASSEMBLY BILL 579

1 At the locations indicated, amend the bill as follows:

2 1. Page 1, line 5: before "qualified" insert "decertification of a certified capital  
3 company,".

4 2. Page 3, line 1: before that line insert:

5 "SECTION 1c. 560.30 (5g) of the statutes is created to read:

6 560.30 (5g) "Human embryo" means a living human <sup>being</sup> ~~organism~~, including a  
7 <sup>zygote</sup> ~~single-cell human organism~~, derived by any means from one or more human  
8 gametes but does not include a human organism at or beyond the stage of  
9 development at which the major body structures are present. "

10 ~~SECTION 1g. 560.30 (7g) of the statutes is created to read:~~

11 ~~560.30 (7g) "In vitro human embryo" means a human embryo, regardless of  
12 whether cryopreserved, located outside of a woman's body."~~

13 3. Page 3, line 1: delete "SECTION 1" and substitute "SECTION 1c".

1           **4.** Page 4, line 10: after that line insert:

2           **"SECTION 7m.** 560.33 (1) (h) of the statutes is created to read:

3           560.33 (1) (h) The business does not do any of the following:

4           1. Intentionally cause the death of <sup>a</sup>an in vitro human embryo.

5           2. For any purpose, intentionally use living cells that the person knows were  
6           obtained as a direct or indirect result of another person intentionally causing the  
7           death of <sup>a</sup>an in vitro human embryo, ~~including through cryopreservation.~~ This

8           subdivision does not apply to cells obtained as a result of another causing the death  
9           of an in vitro human embryo based on a physician's determination that the embryo,  
10           in all likelihood, could not successfully be implanted in a woman's uterus or develop  
11           to term after implantation because of developmental abnormalities in the embryo.".

12           ~~**5.** Page 5, line 16: after that line insert:~~

13           ~~**"SECTION 12m.** 560.37 (3) of the statutes is renumbered 560.37 (3) (a).~~

14           ~~**SECTION 13m.** 560.37 (3) (b) of the statutes is created to read:~~

15           ~~560.37 (3) (b) Notwithstanding s. 560.33 (1) (intro.), the department shall  
16           decertify any certified capital company that made an investment under this  
17           subchapter before the effective date of this paragraph ... [revisor inserts date], in a  
18           business that is in violation of s. 560.33 (1) (h), regardless of whether the business  
19           was a qualified business and the investment was a qualified investment when the  
20           investment was made. The department shall send notice of the decertification to the  
21           certified capital company and to the commissioner of insurance.~~

22           **SECTION 14m. Initial applicability.**

23           (1m) The treatment of section 560.33 (1) (h) 2. of the statutes first applies to  
24           the use of a cell obtained as a direct or indirect result of another person intentionally

✓  
Nsent  
PJK

1 causing the death of an in vitro human embryo occurring on the effective date of this  
2 subsection, regardless of the date on which the death of the in vitro human embryo  
3 occurred.”.

4 (END)

2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBa0879/?ins  
PJK:.....

INSERT PJK

1 1. Page 5, line 16: after that line insert:

2 "SECTION 12m. 560.37 (3) of the statutes is renumbered 560.37 (3) (a).

3 SECTION 13m. 560.37 (3) (b) of the statutes is created to read:

4 560.37 (3) (b) Notwithstanding s. 560.33 (1) (intro.), the department shall  
5 decertify any certified capital company that makes or holds an investment under this  
6 subchapter after the effective date of this paragraph .... [revisor inserts date], in a  
7 business that is in violation of s. 560.33 (1) (h), regardless of whether the business  
8 was a qualified business when the certified capital company, or any affiliate of the  
9 certified capital company, made ~~its~~ <sup>the investment or any</sup> investment in the business. The department  
10 shall send notice of the decertification to the certified capital company and to the  
11 commissioner of insurance.

(END OF INSERT PJK)



State of Wisconsin  
2001 - 2002 LEGISLATURE

NOW

LRBa0879①  
PJK&MGD:hmh&jld:pg

②

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7 derived by any means from one or more human gametes but does not include a  
8 human organism at or beyond the stage of development at which the major body  
9 structures are present."

10 3. Page 3, line 1: delete "SECTION 1" and substitute "SECTION 1r".

11 4. Page 4, line 10: after that line insert:

12 "SECTION 7m. 560.33 (1) (h) of the statutes is created to read:

13 560.33 (1) (h) The business does not do any of the following:

1 1. Intentionally cause the death of a human embryo.

2 2. For any purpose, intentionally use living cells that the person knows were  
3 obtained as a direct or indirect result of another person intentionally causing the  
4 death of a human embryo.

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11 business that is in violation of s. 560.33 (1) (h), regardless of whether the business  
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13 certified capital company, made the investment or any investment in the business.  
14 The department shall send notice of the decertification to the certified capital  
15 company and to the commissioner of insurance.

MOVE

16 ~~SECTION 14m. Initial applicability.~~

17 ~~(1m) The treatment of section 560.33 (1) (h) 2. of the statutes first applies to~~  
18 ~~the use of a cell obtained as a direct or indirect result of another person intentionally~~  
19 ~~causing the death of an *in vitro* human embryo occurring on the effective date of this~~

20 ~~subsection, regardless of the date on which the death of the *in vitro* human embryo~~  
21 ~~occurred.~~ ← plain

22 (END)





State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBa0879②  
PJK&MGD:hmh&jld:pg

L  
stay

③

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