



# STATE OF WISCONSIN

# Assembly Journal

## One-Hundred and Sixth Regular Session

WEDNESDAY, April 3, 2024

The Chief Clerk makes the following entries under the above date:

### ADMINISTRATIVE RULES

#### Assembly Clearinghouse Rule 23-040

Relating to continuing education.  
Submitted by Optometry Examining Board.  
Report received from Agency, March 18, 2024.  
To committee on **Health, Aging and Long-Term Care**.  
Referred on April 1, 2024.

### GOVERNOR'S VETO MESSAGE

April 2, 2024

To the Honorable Members of the Assembly:

The following bill, originating in the Assembly, has been vetoed in its entirety, and was returned to its house of origin, together with the objections in writing:

Bill Number

**Assembly Bill 377**

Date of Veto

April 2, 2024

I am vetoing **Assembly Bill 377** in its entirety.

This bill requires school boards, independent charter schools, and private schools participating in a parental choice program (“educational institutions”) that offer athletic teams to designate each team as male, female, or male and female (coed), based on the sex of allowed participants, defined as the sex as determined at birth and reflected on the participants' birth certificate.

This bill ignores a transgender student-athlete policy created by the Wisconsin Interscholastic Athletic Association in 2015. The policy vests power at the member school level to determine which sports a student may participate in after consideration of written statements from the student, peers, teachers, and medical professionals, and in consideration of therapies relating to gender confirmation.

Further, this bill may conflict with existing federal law. In 2020, the U.S. Supreme Court case *Bostock v. Clayton County* concluded that discrimination based on sexual orientation or gender identity inherently involves treating individuals differently due to their sex in the context of employment under Title VII of the Civil Rights Act of 1964. Due to similarities between Title VII and Title IX, on June 16, 2021, the U.S. Department of Education released a notice of interpretation declaring that the Title IX prohibition on discrimination on the basis of sex is inclusive

of sexual orientation and gender identity, which is inclusive of transgender students. Additionally, the U.S. Department of Education has proposed a rule to clarify the role of gender identity in sports participation for schools receiving federal funding (including K-12 schools), developed in consideration of thousands of comments from parents, schools, coaches, and students. The proposed rule would prohibit schools from categorically banning transgender students from participating in athletics consistent with those students' gender identity. Although not yet final, the proposed rule reflects the intent and spirit of Title IX protections for student athletes. Therefore, ultimately, this bill may be a violation of Title IX's guarantee of rights to athletic participation for all students, not a protection of the rights of a subset of students.

Finally, and importantly, I believe this bill fails to comport with our Wisconsin values. We expect our kids to treat each other with kindness, respect, empathy, and compassion, and we should be able to expect adults to lead by example. I urge the Republican majority to do so while fully considering the harmful consequences its efforts and actions have on our kids prior to introducing similar legislation in the future.

I am vetoing this bill in its entirety because I object to codifying discrimination into state statute and the Wisconsin State Legislature's ongoing efforts to perpetuate hateful and discriminatory rhetoric and policies targeting LGBTQ Wisconsinites, including our transgender and gender nonconforming kids. LGBTQ kids, including transgender and gender nonconforming kids, deserve our love and respect and support just like any other kid. I restate again today: this type of legislation, and the harmful rhetoric beget by pursuing it, harms LGBTQ Wisconsinites' and kids' mental health, emboldens anti-LGBTQ harassment, bullying, and violence, and threatens the safety and dignity of LGBTQ Wisconsinites, especially our LGBTQ kids. I will veto any bill that makes Wisconsin a less safe, less inclusive, and less welcoming place for LGBTQ people and kids, and I will continue to keep my promise of using every power available to me to defend them, protect their rights, and keep them safe.

States across this country may give way to radical policies targeting LGBTQ individuals and families and threatening LGBTQ folks' everyday lives and their ability to be safe, valued, supported, and welcome being who they are. As long as I am the governor of this great state, Wisconsin will not be among them.

Respectfully submitted,  
**TONY EVERS**  
Governor

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**COMMUNICATIONS**

April 3, 2024

Edward A. Blazel  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Blazel:

Please add my name as a coauthor of Assembly Bill 820, relating to a tax credit for recipients of deferred action under the Deferred Action for Childhood Arrivals program.

Please add my name as a coauthor of Assembly Bill 821, relating to a University of Wisconsin System nonresident tuition exemption.

Please add my name as a coauthor of Assembly Bill 822, relating to eligibility to receive occupational credentials for recipients of deferred action under the Deferred Action for Childhood Arrivals program.

Sincerely,  
*ROBYN VINING*  
State Representative  
14th Assembly District

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April 3, 2024

Edward A. Blazel  
Assembly Chief Clerk  
17 West Main Street, Suite 401  
Madison, WI 53703

Dear Chief Clerk Blazel:

Please add my name as a coauthor of Assembly Bill 1066, relating to expanding alerts for missing adults to include certain missing children.

Please add my name as a coauthor of Assembly Bill 1130, relating to requiring coverage of the dispensing of an extended supply of contraceptives.

Please add my name as a coauthor of Assembly Bill 1132, relating to restricting a person's operating privilege to vehicles equipped with an ignition interlock device.

Please add my name as a coauthor of Assembly Bill 1135, relating to suspending remote access to motor vehicles upon request from survivors of domestic abuse, human trafficking, and related acts.

Please add my name as a coauthor of Assembly Bill 1138, relating to a retirement plan marketplace, granting rule-making authority, and making an appropriation.

Please add my name as a coauthor of Assembly Bill 1141, relating to creating a journalism fellowship program in the University of Wisconsin System and making an appropriation.

Please add my name as a coauthor of Assembly Bill 1143, relating to creating a baby bond program and baby bond fund, granting rule-making authority, and making an appropriation.

Please add my name as a coauthor of Assembly Bill 1146, relating to a state minimum wage, allowing the enactment of local minimum wage ordinances, and granting rule-making authority.

Please add my name as a coauthor of Assembly Bill 1158, relating to disclaimer required when interacting with generative artificial intelligence that simulates conversation.

Please add my name as a coauthor of Assembly Bill 1159, relating to the restrictiveness of shoreland zoning ordinances.

Please add my name as a coauthor of Assembly Bill 1175, relating to the Public Service Commission's authority to obtain information about Internet service availability.

Please add my name as a coauthor of Assembly Bill 1176, relating to requirements for broadband expansion grants, granting rule-making authority, and making an appropriation.

Please add my name as a coauthor of Assembly Bill 1177, relating to advertising broadband and other Internet speeds and providing a standardized broadband label.

Please add my name as a coauthor of Assembly Bill 1178, relating to installation of empty conduit lines as part of a digging project in a right-of-way and offers of service from fiber optic cable broadband lines installed in rights-of-way.

Please add my name as a coauthor of Assembly Bill 1180, relating to broadband expansion grants for cities, villages, towns, and counties and telecommunications-related construction projects of cities, villages, and towns.

Please add my name as a coauthor of Assembly Bill 1182, relating to grants to match county investments in the health care, public health, and care provider workforce and making an appropriation.

Please add my name as a coauthor of Assembly Bill 1183, relating to creating the water fund for our future, granting rule-making authority, and making an appropriation.

Please add my name as a coauthor and cosponsor of Assembly Joint Resolution 119 and Senate Joint Resolution 116, relating to declaring March 3, 2024, to March 9, 2024, as Women in Construction Week and celebrating the countless contributions of women in construction.

Please add my name as a coauthor of Assembly Joint Resolution 122, relating to proclaiming March 26, 2024 as Purple Day for epilepsy.

Please add my name as a coauthor of Assembly Joint Resolution 134, relating to designating the month of March as Endosalpingiosis Awareness Month.

Sincerely,  
*DARRIN MADISON*  
State Representative  
10th Assembly District