



WISCONSIN LEGISLATIVE COUNCIL

JOINT LEGISLATIVE COUNCIL MINUTES

Room 412 East (Joint Finance), State Capitol
Madison, Wisconsin

May 18, 2011
8:40 a.m. – 10:00 a.m.

[The following is a summary of the May 18, 2011 meeting of the Joint Legislative Council. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting and a copy of the registration form listing those who attended. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc>.]

Call to Order and Roll Call

Co-Chair Lazich called the meeting to order. The roll was called. She stated that because of the limited time, it would not be possible to accommodate any public appearances. She reminded the Council members that bills recommended today will be introduced by the Council to the Legislature. These bills will follow the traditional process in the Legislature. Public hearings will be held on these bills in their assigned standing committees.

Co-Chair Lazich reminded the Council members that all Council recommendations require at least 12 votes. The period for voting will not be held open past the scheduled adjournment of today's meeting. Members must be present to vote.

COMMITTEE MEMBERS
PRESENT:

Sen. Mary Lazich and Rep. Joan Ballweg, Co-Chairs; Sens. Alberta Darling, Jon Erpenbach, Pam Galloway, Frank Lasee, Joe Leibham, Mark Miller, Dale Schultz and Lena Taylor; and Reps. Peter Barca, Terese Berceau, Jeff Fitzgerald, Tamara Grigsby, Dean Kaufert, John Nygren, Sandy Pasch, Scott Suder and Robin Vos.

COMMITTEE MEMBERS
EXCUSED:

Sens. Tim Cullen and Scott Fitzgerald; and Rep. Bill Kramer.

COUNCIL STAFF PRESENT: Terry C. Anderson, Director; Laura Rose, Deputy Director; Jessica Karls-Ruplinger, Mary Matthias, Anne Sappenfield, Pam Shannon and Dick Sweet, Senior Staff Attorneys; Katie Bender-Olson, Anna Henning, Larry Konopacki and Melissa Schmidt, Staff Attorneys; David Lovell, Senior Analyst; Kelly Mautz and Wendy Ulrich, Senior Administrative Assistants.

APPEARANCES: Sen. Jim Holperin, Vice-Chair, Special Committee on Single-Use Plastics; Sen. Sheila Harsdorf, Chair, Special Committee on Nanotechnology; and Kristen Wall, Aide to Sen. Alberta Darling, Chair, Special Committee on Public Assistance Program Integrity.

Approval of the Minutes of the Committee's May 4, 2011 Meeting

Noting that a quorum was present, Co-Chair Lazich asked for a motion to approve the May 4, 2011 minutes of the Joint Legislative Council.

Rep. Ballweg moved, seconded by Sen. Schultz, that the minutes of the May 4, 2011 meeting be approved. The motion was adopted by unanimous consent.

Committee Report No. 7 of the Special Committee on Single-Use Plastics

Senator Jim Holperin, Vice-Chair of the Special Committee on Single-Use Plastics, presented the report. He described the Special Committee's charge and explained that the committee focused on three categories of single-use plastic products that make up a significant portion of the solid waste generated in Wisconsin: food and beverage containers; plastic film such as that used to wrap pallets of goods for shipping; and agricultural plastics, in particular, the white silo bags that we have all seen on dairy farms throughout the state.

LRB-1376/1 relates to plastic beverage bottles at public events. Under current law, municipal recycling ordinances require public places to recycle various materials, but have had poor compliance at large public facilities, such as Miller Park. This draft simply repeats the requirement in statute. It applies to public events such as fairs, sporting events, and concerts. Senator Holperin observed that this is a simple requirement – as long as you are putting out trash cans for your patrons, this bill would require you to put out recycling containers along with them, and take their contents to a recycler.

LRB-1377/1 renames and revises the focus of the old Recycling Efficiency Incentive Grant Program to make grants to municipal recycling programs to help them improve their effectiveness, especially at capturing recyclable materials in nonresidential settings. The draft restores \$1.9 million annually for this program, and also restores \$1.5 million annually to the Waste Reduction and Recycling Demonstration Grant Program.

In closing, Senator Holperin pointed out that the statutes and programs these recommendations relate to are repealed by Governor Walker's biennial budget bill. To his knowledge, there is no move by the Joint Finance Committee to restore the two grant programs, but he said that it appears possible that the budget will be amended to retain the basics of the current recycling program.

Co-Chair Lazich asked if there was a motion for introduction on both drafts.

Sen. Schultz moved, seconded by Sen. Miller, that the following two drafts recommended by the Special Committee on Single-Use Plastics, be introduced by the Joint Legislative Council:

- 1. LRB-1376/1, relating to the collection and recycling of beverage containers at public events and granting rule-making authority.*
- 2. LRB-1377/1, relating to recycling effectiveness improvement grants and making an appropriation.*

The motion failed on a roll call vote as follows: Ayes, 8 (Sens. Erpenbach, Miller, Schultz and Taylor; and Reps. Barca, Berceau, Grigsby and Pasch); Noes, 11 (Sens. Lazich, Darling, Galloway, Lasee and Leibham; and Reps. Ballweg, Fitzgerald, Kaufert, Nygren, Suder and Vos); and Absent, 3 (Sens. Cullen and Fitzgerald; and Rep. Kramer).

[Sen. Fitzgerald indicated that he would have voted "no" had he been present.]

Committee Report No. 10 of the Special Committee on Nanotechnology

Senator Sheila Harsdorf, Chair, Special Committee on Nanotechnology, reported on the committee's activities.

She went on to state that although she was a member of this committee throughout this process, she only took over as committee chair as its work was nearing completion. As chair, she felt that it was important to continue the committee's work without any major change in direction and to give effect to all of the time and hard work that the committee members and others put into this effort. She said she would be providing a very brief description of the three recommendations approved by the majority of the members of this committee.

Senator Harsdorf noted that the committee recommended that a letter be sent to the Wisconsin Congressional Delegation and relevant federal agency heads and officials urging them to expand their efforts to evaluate risks to human health and the environment that nanotechnology may pose, and to develop and implement regulations, as needed, to address those risks. She said this letter reflects the consensus of the committee that the federal government should play the lead role in developing and implementing any needed regulation of nanotechnology.

She concluded by stating that it was a pleasure to serve on the committee. She added that while she did not personally support all of the committee's recommendations, she appreciated the effort that committee members dedicated to this task.

Co-Chair Lazich asked for a motion for introduction on both drafts. Co-Chair Ballweg asked to have WLC: 0037/3 and WLC: 0101/2 voted on separately.

After a brief discussion:

*Rep. Ballweg moved, seconded by Rep. Barca, that **WLC: 0037/3**, relating to establishing a nanotechnology information hub and a nanotechnology council, be introduced by the Joint Legislative Council. The motion failed on a roll call vote as follows: Ayes, 11 (Sens. Erpenbach, Miller, Schultz and Taylor; and Reps. Ballweg, Barca, Berceau, Grigsby, Kaufert, Pasch and Suder); Noes, 8 (Sens. Lazich, Darling, Galloway, Lasee and Leibham; and Reps. Fitzgerald, Nygren and Vos); and Absent, 3 (Sens. Cullen and Fitzgerald; and Rep. Kramer).*

[Sen. Fitzgerald indicated that he would have voted "no" had he been present.]

*Rep. Pasch moved, seconded by Rep. Barca, that **WLC: 0101/2**, relating to a Wisconsin interagency nanotechnology council, be introduced by the Joint Legislative Council. The motion failed on a roll call vote as follows: Ayes, 9 (Sens. Erpenbach, Leibham, Miller, Schultz and Taylor; and Reps. Barca, Berceau, Grigsby, and Pasch); Noes, 10 (Sens. Lazich, Darling, Galloway and Lasee; and Reps. Ballweg, Fitzgerald, Kaufert, Nygren, Suder and Vos); and Absent, 3 (Sens. Cullen and Fitzgerald; and Rep. Kramer).*

[Sen. Fitzgerald indicated that he would have voted "no" had he been present.]

Committee Report No. 11 of the Special Committee on Public Assistance Program Integrity

Legislative Council staff members Anne Sappenfield, Pam Shannon, and Anna Henning, along with Kristen Wall from Senator Darling's office, explained the committee's activities.

Co-Chair Lazich asked for a motion for introduction on WLC: 0106/1.

*Rep. Ballweg moved, seconded by Rep. Kaufert, that **WLC: 0106/1**, relating to reorganization of ch. 49 and changes affecting public assistance programs, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 18 (Sens. Lazich, Darling, Erpenbach, Galloway, Lasee, Leibham, Miller, Schultz and Taylor; and Reps. Ballweg, Barca, Berceau, Fitzgerald, Grigsby, Kaufert,*

Nygren, Pasch and Vos); Noes, 0; and Absent, 4 (Sens. Cullen and Fitzgerald; and Reps. Kramer and Suder).

[Sen. Fitzgerald indicated that he would have voted "aye" had he been present.]

Adjournment

The meeting was adjourned at 10:00 a.m.

TCA:wu;ksm