



WISCONSIN LEGISLATIVE COUNCIL

JOINT LEGISLATIVE COUNCIL MINUTES

Room 412 East, State Capitol
Madison, Wisconsin

May 20, 2009
10:30 a.m. – 12:30 p.m.

[The following is a summary of the May 20, 2009 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 Schneider called the meeting to order and asked that the roll be taken. Since a quorum was not immediately present, the roll was directed to be left open.

Co-Chair Schneider gave a brief report on the status of the Joint Legislative Council study committees. He mentioned that with the completion of today's meeting, all of this interim's study committees will have reported. Noting that the selection process for the next interim's study committees will begin this Fall, Co-Chair Schneider said that both he and Co-Chair Risser welcome Council members' ideas for future study committees.

Next, Co-Chair Schneider noted that public testimony would not be received today and reminded the members that all bills recommended today will enter into the standard legislative process so there is ample time for testimony during the standing committee hearings. He added that amendments to bills are also better suited to the legislative process and standing committee activity.

Co-Chair Schneider clarified that members must be present to vote. Once the balloting begins, it will be held open until all members have arrived and voted or until the adjournment of the Council meeting. Members will not be allowed to register their vote until the co-chair calls for the roll call vote on the measure and must register their vote prior to the meeting's adjournment.

Co-Chair Schneider noted that a quorum was now recorded as present.

COMMITTEE MEMBERS
PRESENT: Rep. Marlin Schneider and Sen. Fred Risser, Co-Chairs; Reps. Joan Ballweg, Terese Berceau, Spencer Black, Jeff Fitzgerald, Dean Kaufert, Tom Nelson, Mark Pocan, Michael Sheridan, Tony Staskunas, and Robin Vos; and Sens. Spencer Coggs, Alberta Darling, Scott Fitzgerald, Sheila Harsdorf, Pat Kreitlow, Mark Miller, Judy Robson, Dale Schultz, and Robert Wirch.

COMMITTEE MEMBER
EXCUSED: Sen. Russell Decker.

COUNCIL STAFF PRESENT: Terry C. Anderson, Director; Laura Rose, Deputy Director; John Stolzenberg, Chief of Research Services; Anne Sappenfield, Pam Shannon, Ron Sklansky, Dick Sweet, and Russ Whitesel, Senior Staff Attorneys; Heidi Frechette, Scott Grosz, Larry Konopacki, and Melissa Schmidt, Staff Attorneys; and Kelly Mautz and Wendy Ulrich, Administrative Assistants.

APPEARANCES: Sen. Pat Kreitlow, Chair, Special Committee on Domestic Biofuels; Rep. Pat Strachota, Chair, Special Committee on Building Wisconsin's Workforce; Sen. Robert Jauch, Chair, and Rep. Joan Ballweg, Vice Chair, Special Committee on Emergency Management and Continuity of Government; Sen. Lena Taylor, Chair, Special Committee on Justice Reinvestment Initiative Oversight; and Marshall Clement, Project Director, Justice Reinvestment Initiative, Council of State Governments Justice Center.

Approval of the Minutes of the Committee's March 26, 2009 Meeting

Co-Chair Schneider asked for a motion to approve the March 26, 2009 minutes of the Joint Legislative Council.

Co-Chair Risser moved, seconded by Co-Chair Schneider, that the minutes of the March 26, 2009 meeting be approved. The motion was adopted by unanimous consent.

Committee Report No. 11 of the Special Committee on Domestic Biofuels

Senator Pat Kreitlow, Chair, reported on the work of the committee and described the bill draft and draft letters recommended to the Joint Legislative Council.

Co-Chair Schneider asked for a motion to approve introduction of WLC: 0431/1 and approval of the draft letters to Governor Doyle and the Wisconsin Congressional Delegation.

*Sen. Schultz moved, seconded by Sen. Miller, that **WLC: 0431/1**, relating to financial assistance related to bioenergy feedstocks, biorefineries, and conversion to biomass energy; the definition of “agricultural use” for purposes of determining the assessed value of a parcel of land; requiring a strategic bioenergy feedstock assessment; creation of a bioenergy advisory council; the agricultural diversification program; a biofuels training assessment; creation of a biofuels production facility regulation review council; exempting personal renewable fuel production and use from state taxes, fees, inspection requirements, and licensing requirements; an income tax credit for installing or retrofitting pumps that mix motor vehicle fuels from separate storage tanks; offering unblended gasoline to motor fuel dealers; state renewable motor vehicle fuels sales goals and required sales of renewable motor vehicle fuels; decreasing the use of petroleum-based transportation fuels by state vehicles, promoting the use of alternative fuels in flex fuel vehicles owned by the state, and promoting public alternative fuel refueling facilities; the duties of the office of energy independence; granting rule-making authority, making an appropriation and providing penalties, be introduced by the Joint Legislative Council. The motion also included the approval of letters being sent to Governor Doyle and the Wisconsin Congressional Delegation. The motion passed on a roll call vote as follows: Ayes, 20 (Reps. Schneider, Ballweg, Black, Berceau, Fitzgerald, Kaufert, Nelson, Pocan, Sheridan, and Staskunas; and Sens. Risser, Coggs, Darling, Fitzgerald, Harsdorf, Kreitlow, Miller, Robson, Schultz, and Wirch); Noes, 1 (Rep. Vos); and Absent, 1 (Sen. Decker).*

Committee Report No. 9 of the Special Committee on Building Wisconsin's Workforce

Representative Pat Strachota, Chair, Special Committee on Building Wisconsin's Workforce, highlighted the major points in the two drafts recommended to the Joint Legislative Council.

Co-Chair Schneider asked if there was a motion for introduction.

*Rep. Nelson moved, seconded by Co-Chair Risser, that **LRB-1323/1**, relating to collection of workforce data on registered nurse and licensed practical nurse license renewal forms, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 21 (Reps. Schneider, Ballweg, Black, Berceau, Fitzgerald, Kaufert, Nelson, Pocan, Sheridan, Staskunas, and Vos; and Sens. Risser, Coggs, Darling, Fitzgerald, Harsdorf, Kreitlow, Miller, Robson, Schultz, and Wirch); Noes, 0; and Absent, 1 (Sen. Decker).*

*Sen. Fitzgerald moved, seconded by Rep. Fitzgerald, that **LRB-2024/2**, relating to a lifelong learning accounts program and creating income tax modifications and an income tax credit for contributions and withdrawals related to lifelong learning accounts, providing an exemption from rule-*

making procedures, and requiring the exercise of rule-making authority, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 21 (Reps. Schneider, Ballweg, Black, Berceau, Fitzgerald, Kaufert, Nelson, Pocan, Sheridan, Staskunas, and Vos; and Sens. Risser, Coggs, Darling, Fitzgerald, Harsdorf, Kreitlow, Miller, Robson, Schultz, and Wirch); Noes, 0; and Absent, 1 (Sen. Decker).

Committee Report No. 10 of the Special Committee on Emergency Management and Continuity of Government

Senator Robert Jauch, Chair, and Representative Joan Ballweg, Vice Chair, Special Committee on Emergency Management and Continuity of Government, reported on the activities of the committee and described the six drafts recommended to the Joint Legislative Council.

Co-Chair Risser asked to make a motion for introduction *en masse*. Representative Vos asked to have LRB-2553/3 (levy limits) be voted on separately, but agreed to have the other five voted on *en masse*. There was no objection.

Co-Chair Risser moved, seconded by Co-Chair Schneider, that the following five drafts recommended by the Special Committee on Emergency Management and Continuity of Government, be introduced by the Joint Legislative Council:

1. **LRB-0166/2**, relating to emergency management, succession of public offices, liability and licensure of emergency volunteers, disaster relief, ratification of the pest control compact, transportation and disposal of animal carcasses, the plant industry, computation of school days, variance for hospital requirements, public works mutual assistance, emergencies related to computer or telecommunications systems, and providing penalties.
2. **LRB-2345/1**, relating to interim successors for legislators, meetings of the Legislature and legislative committees, and temporary seat of government for the Legislature.
3. **LRB-2572/1**, relating to continuity of government (first consideration).
4. **LRB-2409/3**, relating to disaster assistance and making an appropriation.
5. **LRB-2230/1**, relating to regional structural collapse teams and granting rule-making authority.

The motion passed on a roll call vote as follows: Ayes, 21 (Reps. Schneider, Ballweg, Black, Berceau, Fitzgerald, Kaufert, Nelson, Pocan,

Sheridan, Staskunas, and Vos; and Sens. Risser, Coggs, Darling, Fitzgerald, Harsdorf, Kreitlow, Miller, Robson, Schultz, and Wirch); Noes, 0; and Absent, 1 (Sen. Decker).

*Co-Chair Schneider moved, seconded by Co-Chair Risser, that **LRB-2553/3**, relating to creating an exception to local levy limits and the expenditure restraint program, be introduced by the Joint Legislative Council. The motion passed on a roll call vote of Ayes, 16 (Reps. Schneider, Ballweg, Black, Berceau, Nelson, Pocan, Sheridan, and Staskunas; and Sens. Risser, Coggs, Harsdorf, Kreitlow, Miller, Robson, Schultz, and Wirch); Noes, 5 (Reps. Fitzgerald, Kaufert, and Vos; and Sens. Darling and Fitzgerald); and Absent, 1 (Sen. Decker).*

Committee Report No. 12 of the Special Committee on Justice Reinvestment Initiative Oversight

Marshall Clement, Project Director, Justice Reinvestment Initiative, Council of State Governments Justice Center, discussed the work that the Justice Center has done in Wisconsin. He said that Wisconsin's prison population is projected to continue to grow and that the growth is primarily driven by revocations of extended supervision and parole. He also described the recommendations for policy change the Justice Center has proposed.

Senator Lena Taylor, Chair, Special Committee on Justice Reinvestment Initiative Oversight, answered questions relating to the committee's four recommended bill drafts.

Co-Chair Risser asked to make a motion for introduction *en masse*. There was no objection.

Co-Chair Risser moved, seconded by Sen. Coggs, that the following four drafts recommended by the Special Committee on Justice Reinvestment Initiative Oversight, be introduced by the Joint Legislative Council:

- 1. **WLC: 0425/3**, relating to maximum term of extended supervision.*
- 2. **WLC: 0426/3**, relating to the parole and extended supervision revocation process and time spent in prison after revocation.*
- 3. **WLC: 0427/3**, relating to community supervision services.*
- 4. **WLC: 0428/3**, relating to risk reduction sentence.*

The motion passed on a roll call vote as follows: Ayes, 13 (Reps. Schneider, Black, Berceau, Nelson, Pocan, Sheridan, and Staskunas; and Sens. Risser, Coggs, Harsdorf, Miller, Robson, and Wirch); Noes, 3 (Reps. Ballweg, Fitzgerald, and Kaufert); and Absent, 6 (Rep. Vos; and Sens. Darling, Decker, Fitzgerald, Kreitlow, and Schultz).

*[Sen. Schultz would have voted "Aye" had he been present;
and Rep. Vos and Sen. Fitzgerald would have voted "No"
had they been present.]*

Representative Kaufert stated that had the bills been voted on separately, he would have voted "Aye" on some of the bills.

Other Business

There was no other business to come before the Joint Legislative Council.

Adjournment

The meeting was adjourned at 12:30 p.m.

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