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## WISCONSIN LEGISLATIVE COUNCIL

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### JOINT LEGISLATIVE COUNCIL MINUTES

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

January 18, 2012  
8:40 a.m. – 11:30 a.m.

[The following is a summary of the January 18, 2012 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>.]

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#### Call to Order and Roll Call

Co-Chair Ballweg 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 Ballweg 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:

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

COUNCIL STAFF PRESENT: Terry C. Anderson, Director; Jessica Karls-Ruplinger, Rachel Letzing, Mary Matthias, Don Salm and Anne Sappenfield, Senior Staff Attorneys; Melissa Schmidt, Staff Attorney; Dan Schmidt, Senior Analyst; and Julie Learned, Kelly Mautz, and Tracey Young, Senior Administrative Assistants.

APPEARANCES: Sen. Luther Olsen, Chair, Special Committee on Health Care Access; Richard Sweet, former Legislative Council Senior Staff Attorney; Rep. Ed Brooks, Chair, Special Committee on Review of Records Access of Circuit Court Documents; Rep. Cory Mason, Vice-Chair, Special Committee on Infant Mortality; and Rep. Gary Hebl, Chair, Special Committee on Judicial Discipline and Recusal.

### **Approval of the Minutes of the Committee's May 18, 2011 Meeting**

Noting that a quorum was present, Co-Chair Ballweg asked for a motion to approve the May 18, 2011 minutes of the Joint Legislative Council.

*Sen. Lazich moved, seconded by Rep. Berceau, that the minutes of the May 18, 2011 meeting be approved. The motion was adopted by voice vote.*

### **Reconsideration of WLC: 0037/3 Special Committee on Nanotechnology**

Co-Chair Ballweg opened the floor to discussion regarding reconsideration of WLC: 0037/3, relating to establishing a nanotechnology information hub and a nanotechnology council. After committee discussion, Co-Chair Ballweg asked for a motion to introduce WLC: 0037/3.

*Rep. Barca moved, seconded by Rep. Berceau, that WLC: 0037/3, relating to establishing a nanotechnology information hub and a nanotechnology council, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 12 (Reps. Ballweg, Barca, Berceau, Kaufert, Mason, Pasch and Suder; and Sens. Cullen, Erpenbach, Miller, Schultz and Taylor); Noes, 10 (Reps. Fitzgerald, Kramer, Nygren and Vos; and Sens. Lazich, Darling, Fitzgerald, Galloway, Lasee and Leibham).*

### **Committee Report No. 13 of the Special Committee on Health Care Access**

Senator Luther Olsen, Chair, Special Committee on Health Care Access, presented the report of the Special Committee. He indicated that he was appointed chairperson of the health care access committee in January 2011. Senator Olson stated that the committee was directed to study potential solutions to the shortage of health care providers, particularly in rural areas and inner cities, and the

adequacy of funding for public health and to study possible state assistance to underserved areas and an expansion of Wisconsin's capacity for training family practice physicians and nurses, and additional funding sources for public health.

After giving a brief description of the five drafts before the Council today, Senator Olsen, along with committee staff attorney Richard Sweet, answered questions from committee members.

After discussion, Co-Chair Ballweg asked for a motion for introduction on WLC: 0066/2.

*Rep. Berceau moved, seconded by Sen. Lazich, that **WLC: 0066/2**, relating to collecting workforce survey information from health care providers, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 13 (Reps. Ballweg, Barca, Berceau, Kaufert, Mason, Nygren and Pasch; and Sens. Cullen, Erpenbach, Leibham, Miller, Schultz and Taylor); and Noes, 9 (Reps. Fitzgerald, Kramer, Suder and Vos; and Sens. Lazich, Darling, Fitzgerald, Galloway and Lasee).*

Co-Chair Ballweg asked for a motion for introduction on WLC: 0096/2.

*Rep. Barca moved, seconded by Sen. Schultz, that **WLC: 0096/2**, relating to duties of local health departments, be introduced by the Joint Legislative Council. The motion failed on a roll call vote as follows: Ayes, 9 (Reps. Ballweg, Barca, Berceau, Mason and Pasch; and Sens. Cullen, Miller, Schultz and Taylor); Noes, 12 (Reps. Fitzgerald, Kaufert, Kramer, Nygren, Suder and Vos; and Sens. Lazich, Darling, Fitzgerald, Galloway, Lasee and Leibham); and Absent, 1 (Sen. Erpenbach).*

*Rep. Barca moved, seconded by Sen. Schultz, that **WLC: 0097/2**, relating to repayment of state aid by medical or dental school graduates, be introduced by the Joint Legislative Council. The motion was withdrawn.*

### **Committee Report No. 9 of the Special Committee on Review of Records Access of Circuit Court Documents**

Representative Brooks, Chair, Special Committee on Review of Records Access of Circuit Court Documents, thanked the committee for the opportunity to present the report of the committee. He noted that he served as a member of the committee until January 2011, when he became chair. He stated that the direction of the committee had been established by the previous chair and he had reservations about moving along the same path, but because the committee had made recommendations and approved a draft by mail ballot, he was reporting it.

Co-Chair Ballweg asked for a motion for introduction on LRB-1736/1.

*Rep. Pasch moved, seconded by Sen. Miller, that **LRB-1736/1**, relating to expungement of court records and granting rule-making authority, be introduced by the Joint Legislative Council. The motion failed on a roll*

*call vote as follows: Ayes, 6 (Reps. Barca, Mason and Pasch; and Sens. Cullen, Miller and Taylor); Noes, 13 (Reps. Ballweg, Fitzgerald, Kaufert, Kramer, Nygren and Suder; and Sens. Lazich, Darling, Fitzgerald, Galloway, Lasee, Leibham and Schultz); and Absent, 3 (Reps. Berceau and Vos; and Sen. Erpenbach).*

### **Committee Report No. 12 of the Special Committee on Infant Mortality**

Representative Cory Mason, Vice-Chair, Special Committee on Infant Mortality, reported on the committee's activities.

Representative Mason noted that the committee was comprised of medical and public health professionals, elected officials, community leaders, and policy experts. He noted that all the members came forward with thoughtful ideas in ways to reduce the infant mortality rate in Wisconsin.

After a discussion by committee members:

*Sen. Miller moved, seconded by Sen. Schultz, to vote on all the recommendations of the Special Committee on Infant Mortality en masse and to have the proposals rolled into one bill. The motion failed on a roll call vote as follows: Ayes, 8 (Reps. Barca, Berceau, Mason and Pasch; and Sens. Cullen, Miller, Schultz and Taylor); Noes, 12 (Reps. Ballweg, Fitzgerald, Kaufert, Kramer, Nygren and Suder; and Sens. Lazich, Darling, Fitzgerald, Galloway, Lasee and Leibham); and Absent, 2 (Rep. Vos and Sen. Erpenbach).*

*Rep. Barca moved that drafts **WLC: 0046/2, WLC: 0058/2, WLC: 0059/3, WLC: 0074/2, and WLC: 0099/1**, be introduced. Rep. Barca withdrew his motion prior to a second being noted.*

Co-Chair Ballweg asked for a motion for introduction on WLC: 0045/2. After a brief discussion:

*Rep. Barca moved, seconded by Sen. Schultz, that **WLC: 0045/2**, relating to cultural competency training for medical students and students enrolled in programs in a health care occupation in the University of Wisconsin-System and certain technical college students, be introduced by the Joint Legislative Council. The motion failed on a roll call vote as follows: Ayes, 8 (Reps. Barca, Berceau, Mason and Pasch; and Sens. Cullen, Miller, Schultz and Taylor); Noes, 12 (Reps. Ballweg, Fitzgerald, Kaufert, Kramer, Nygren and Suder; and Sens. Lazich, Darling, Fitzgerald, Galloway, Lasee and Leibham); and Absent, 2 (Rep. Vos and Sen. Erpenbach).*

Co-Chair Ballweg asked for a motion for introduction on WLC: 0046/2.

*Rep. Barca moved, seconded by Sen. Schultz, that **WLC: 0046/2**, relating to an electronic application and information system to determine eligibility and register for public assistance programs, be introduced by the Joint Legislative Council. The motion failed on a roll call vote as follows: Ayes, 8 (Reps. Barca, Berceau, Mason and Pasch; and Sens. Cullen, Miller, Schultz and Taylor); Noes, 12 (Reps. Ballweg, Fitzgerald, Kaufert, Kramer, Nygren and Suder; and Sens. Lazich, Darling, Fitzgerald, Galloway, Lasee and Leibham); and Absent, 2 (Rep. Vos and Sen. Erpenbach).*

Co-Chair Ballweg asked for a motion for introduction on WLC: 0055/2.

*Rep. Barca moved, seconded by Sen. Schultz, that **WLC: 0055/2**, relating to directing the department of health services to request a medical assistance waiver, be introduced by the Joint Legislative Council. The motion failed on a roll call vote as follows: Ayes, 8 (Reps. Barca, Berceau, Mason and Pasch; and Sens. Cullen, Miller, Schultz and Taylor); Noes, 12 (Reps. Ballweg, Fitzgerald, Kaufert, Kramer, Nygren and Suder; and Sens. Lazich, Darling, Fitzgerald, Galloway, Lasee and Leibham); and Absent, 2 (Rep. Vos and Sen. Erpenbach).*

Co-Chair Ballweg asked for a motion for introduction on WLC: 0059/3.

*Rep. Barca moved, seconded by Sen. Schultz, that **WLC: 0059/3**, relating to hospital best practices for postpartum patients and newborns requiring the exercise of rule-making authority, be introduced by the Joint Legislative Council. The motion failed on a roll call vote as follows: Ayes, 7 (Reps. Barca, Berceau, Mason and Pasch; and Sens. Miller, Schultz and Taylor); Noes, 11 (Reps. Ballweg, Fitzgerald, Kaufert, Kramer, Nygren and Suder; and Sens. Lazich, Darling, Fitzgerald, Lasee and Leibham); and Absent, 4 (Rep. Vos; and Sens. Cullen, Erpenbach and Galloway).*

After a brief discussion by committee members, by unanimous consent, one vote on the following drafts, WLC: 0072/2, WLC: 0074/2, and WLC: 0090/1, was called for.

Co-Chair Ballweg asked for a motion for introduction on WLC: 0072/2, WLC: 0074/2, and WLC: 0090/1.

*Rep. Kramer moved, seconded by Rep. Nygren, that **WLC: 0072/2**, **WLC: 0074/2** and **WLC: 0090/1**, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 18 (Reps. Ballweg, Barca, Berceau, Fitzgerald, Kaufert, Kramer, Mason, Nygren and Pasch; and Sens. Lazich, Cullen, Darling, Fitzgerald, Lasee, Leibham, Miller, Schultz and Taylor); Noes, 1 (Rep. Suder); and Absent, 3 (Rep. Vos; and Sens. Erpenbach, and Galloway).*

Co-Chair Ballweg asked for a motion for introduction on WLC: 0060/3.

*Rep. Barca moved, seconded by Sen. Schultz, that **WLC: 0060/3**, relating to a report on information related to infant morbidity and mortality, be introduced by the Joint Legislative Council. The motion failed on a roll call vote as follows: Ayes, 9 (Reps. Barca, Berceau, Mason, Nygren and Pasch; and Sens. Cullen, Miller, Schultz and Taylor); Noes, 10 (Reps. Ballweg, Fitzgerald, Kaufert, Kramer and Suder; and Sens. Lazich, Darling, Fitzgerald, Lasee, and Leibham); and Absent, 3 (Rep. Vos; and Sens. Erpenbach and Galloway).*

*Rep. Kramer moved, seconded by Sen. Schultz, that **WLC: 0063/3, WLC: 0069/3 and WLC: 0099/1**, be introduced by the Joint Legislative Council. The motion failed on a roll call vote as follows: Ayes, 8 (Reps. Barca, Berceau, Mason and Pasch; and Sens. Cullen, Miller, Schultz and Taylor); Noes, 11 (Reps. Ballweg, Fitzgerald, Kaufert, Kramer, Nygren and Suder; and Sens. Lazich, Darling, Fitzgerald, Lasee and Leibham); and Absent, 3 (Rep. Vos; and Sens. Erpenbach and Galloway).*

*Rep. Barca moved, seconded by Sen. Schultz, that **WLC: 0099/1**, relating to a report on information related to hospital neonatal intensive care units, be introduced by the Joint Legislative Council. The motion failed on a roll call vote as follows: Ayes, 9 (Reps. Barca, Berceau, Kaufert, Mason and Pasch; and Sens. Cullen, Miller, Schultz and Taylor); Noes, 9 (Reps. Ballweg, Fitzgerald, Kramer and Suder; and Sens. Lazich, Darling, Fitzgerald, Lasee, and Leibham); and Absent, 4 (Reps. Nygren and Vos; and Sens. Erpenbach and Galloway).*

### **Committee Report No. 8 of the Special Committee on Judicial Discipline and Recusal**

Representative Gary Hebl, Chair, Special Committee on Judicial Discipline and Recusal, gave an overview of the committee's activities and a summary of the committee's two recommendations. He stated that he feels these two proposals are an important first step in favor of accountability and promotion of transparency for the fairness of our state justice system.

Co-Chair Ballweg asked for a motion for introduction on LRB-1326/1 and LRB-1327/1.

*Rep. Pasch moved, seconded by Sen. Miller, that **LRB-1326/1 and LRB-1327/1**, be introduced by the Joint Legislative Council. The motion failed on a roll call vote as follows: Ayes, 6 (Reps. Barca, Mason and Pasch; and Sens. Cullen, Miller and Taylor); Noes, 10 (Reps. Ballweg, Fitzgerald, Kaufert, Kramer and Nygren; and Sens. Lazich, Darling, Fitzgerald, Leibham and Schultz); and Absent, 6 (Reps. Berceau, Suder and Vos; and Sens. Erpenbach, Galloway and Lasee).*

## **Legislative Council Symposium on Biofuels**

Co-Chair Ballweg reminded members of a symposium regarding biofuels that will be jointly sponsored with the Department of Agriculture, Trade and Consumer Protection and the State Energy Office to be held February 15 at 8:30 a.m. in Room 412 East.

## **Study Committee Nominations Requested**

Co-Chair Ballweg explained that, along with Co-Chair Lazich, the review of nominations for 2012 study topics will begin at the end of this month. Members are encouraged to forward their suggestions to the Legislative Council offices.

## **Adjournment**

The meeting was adjourned at 11:30 a.m.

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