



WISCONSIN LEGISLATIVE COUNCIL

JOINT LEGISLATIVE COUNCIL MINUTES

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

May 4, 2011

8:40 a.m. – 11:00 a.m.

[The following is a summary of the May 4, 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 Ballweg called the meeting to order. She welcomed members to the first Joint Legislative Council meeting of this biennium. She listed the membership changes made to the previous Council that established these special study committees:

Senators Lazich, Cullen, Erpenbach, Galloway, Lasee, Leibham and Taylor; and Representatives Barca, Grigsby, Kramer, Nygren, Pasch and Suder.

Co-Chair Ballweg gave a brief report on the status of the Joint Legislative Council study committees. She stated that the previous Council established 16 special study committees in addition to the State-Tribal Relations committee. Six committees were reporting at this meeting.

Next, Co-Chair Ballweg noted that public testimony would not be received today and reminded the members that all 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. She also noted that due to the lateness of this legislative session, if some bills do not advance in the process, they may be considered for reintroduction next year.

Last, 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.

The roll was called and a quorum noted present.

COMMITTEE MEMBERS PRESENT: Rep. Joan Ballweg and Sen. Mary Lazich, Co-Chairs; Reps. Peter Barca, Terese Berceau, Jeff Fitzgerald, Tamara Grigsby, Dean Kaufert, John Nygren, Scott Suder, and Robin Vos; and Sens. Tim Cullen, Alberta Darling, Jon Erpenbach, Scott Fitzgerald, Frank Lasee, Mark Miller, Dale Schultz, and Lena Taylor.

COMMITTEE MEMBERS EXCUSED: Reps. Bill Kramer and Sandy Pasch; and Sens. Pam Galloway and Joe Leibham.

COUNCIL STAFF PRESENT: Terry C. Anderson, Director; Laura Rose, Deputy Director; Scott Grosz, Jessica Karls-Ruplinger, Rachel Letzing, Don Salm, and Anne Sappenfield, Senior Staff Attorneys; Katie Bender-Olson, Chad Brown, Anna Henning, Margit Kelley, and Melissa Schmidt, Staff Attorneys; Dan Schmidt, Senior Analyst; Kelly Mautz and Wendy Ulrich, Senior Administrative Assistants.

APPEARANCES: Sen. Dale Schultz, Chair and Rep. Fred Clark, Vice-Chair, Special Committee on Review of the Managed Forest Land Program; Rep. Josh Zepnick, Chair, Special Committee on Local Service Consolidation; Rep. Joan Ballweg, Chair, Special Committee on Review of Higher Education Financial Aid Programs; Rep. Tony Staskunas, Chair, Special Committee on Review of Spousal Maintenance Awards in Divorce Proceedings; Rep. Pat Strachota, Chair, Special Committee on Strategic Job Creation; and Rep. Ed Brooks, Chair, Special Committee on Criminal Justice Funding and Strategies.

Approval of the Minutes of the Committee's February 24, 2010 Meeting

Co-Chair Ballweg asked for a motion to approve the February 24, 2010 minutes of the Joint Legislative Council.

Sen. Schultz moved, seconded by Sen. Darling, that the minutes of the February 24, 2010 meeting be approved. The motion was adopted by unanimous consent.

Committee Report No. 2 of the Special Committee on Review of the Managed Forest Land Program

Senator Dale Schultz, Chair, and Representative Fred Clark, Vice-Chair, Special Committee on Review of the Managed Forest Land Program, reported on the activities of the committee and described the seven drafts recommended to the Joint Legislative Council.

Senator Schultz reported that if the drafts are approved by the Council, the Special Committee recommends that these drafts be consolidated into a single draft for introduction to the Legislature.

After a brief discussion regarding a few technical changes made to WLC: 0061/2 and WLC: 0067/2, which were redistributed to members at this meeting, Co-Chair Ballweg asked for a motion for introduction *en masse*. Representative Vos asked to have WLC: 0050/1 and WLC: 0062/1 voted on separately, but agreed to have the other five voted on *en masse*. There was no objection.

Rep. Barca moved, seconded by Rep. Berceau, that the following five drafts recommended by the Special Committee on Review of the Managed Forest Land Program, be introduced by the Joint Legislative Council:

1. **WLC: 0044/1**, relating to leasing of managed forest land.
2. **WLC: 0054/2**, relating to the taxation of managed forest land.
3. **WLC: 0056/1**, relating to modification of management plans for large ownerships of managed forest land and group enrollments, and requiring the exercise of rule-making authority.
4. **WLC: 0061/2**, relating to creating forest enterprise areas, requiring the exercise of rule-making authority and making an appropriation.
5. **WLC: 0067/2**, relating to the creation of a managed forest land board of review and requiring the exercise of rule-making authority.

The motion passed on a roll call vote as follows: Ayes, 17 (Reps. Ballweg, Barca, Berceau, Fitzgerald, Grigsby, Kaufert, Nygren, Suder and Vos; and Sens. Lazich, Cullen, Darling, Erpenbach, Fitzgerald, Miller, Schultz and Taylor); Noes, 1 (Sen. Lasee); and Absent, 4 (Reps. Kramer and Pasch; and Sens. Galloway and Leibham).

[Sen. Galloway indicated that she would have voted “aye” had she been present.]

Rep. Barca moved, seconded by Rep. Grigsby, that the following two drafts recommended by the Special Committee on Review of the Managed Forest Land Program, be introduced by the Joint Legislative Council:

1. **WLC: 0050/1**, relating to designation of additional managed forest land.
2. **WLC: 0062/1**, relating to annual allowable timber harvests, modification of management plans for large ownerships of managed forest land and group enrollments, and requiring the exercise of rule-making authority.

The motion passed on a roll call vote as follows: Ayes, 13 (Reps. Ballweg, Barca, Berceau, Grigsby and Kaufert; and Sens. Lazich, Cullen, Darling, Erpenbach, Fitzgerald, Miller, Schultz and Taylor); Noes, 5 (Reps. Fitzgerald, Nygren, Suder and Vos; and Sen. Lasee); and Absent, 4 (Reps. Kramer and Pasch; and Sens. Galloway and Leibham).

[Sen. Galloway indicated that she would have voted “aye” had she been present.]

Committee Report No. 4 of the Special Committee on Local Service Consolidation

Representative Josh Zepnick, Chair, Special Committee on Local Service Consolidation, discussed the activity of the committee and highlighted the major points in the four drafts recommended to the Joint Legislative Council.

Co-Chair Ballweg asked if there was a motion for introduction *en masse*. Co-Chair Lazich asked to have LRB-1430/1 voted on separately but agreed to have the other three voted on *en masse*. There was no objection.

Rep. Barca moved, seconded by Sen. Schultz, that the following three drafts recommended by the Special Committee on Local Service Consolidation, be introduced by the Joint Legislative Council:

- 1. WLC: 0002/1, relating to different property tax levy rates for parts of cities, villages, towns, counties, and school districts added by attachments to school districts, consolidations, and boundary changes under cooperative agreements (first consideration).*
- 2. LRB-0654/1, relating to loans to study or implement the consolidation, or cooperation for the provision, of local governmental unit services or the consolidation of local governmental units, and granting rule-making authority.*
- 3. WLC: 0075/1, relating to exceptions to county and municipal levy limits and school district revenue limits for expenditures related to the implementation of service consolidation or cooperation, or to the implementation of political subdivision or school district consolidation.*

The motion passed on a roll call vote as follows: Ayes, 13 (Reps. Ballweg, Barca, Berceau, Fitzgerald, Grigsby, Kaufert and Nygren; and Sens. Cullen, Darling, Erpenbach, Miller, Schultz and Taylor); Noes, 3 (Rep. Suder; and Sens. Lazich and Lasee); and Absent, 6 (Reps. Kramer, Pasch and Vos; and Sens. Fitzgerald, Galloway and Leibham).

[Sens. Fitzgerald and Galloway noted that had they been present, they would have voted “aye.”]

Sen. Lazich moved, seconded by Sen. Schultz, that LRB-1430/1, relating to county and municipal expenditures for emergency services, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 16 (Reps. Ballweg, Barca, Berceau, Fitzgerald, Grigsby, Kaufert, Nygren and Suder; and Sens. Lazich, Cullen, Darling, Erpenbach, Lasee, Miller, Schultz and Taylor); Noes, 0; and Absent, 6 (Reps. Kramer, Pasch and Vos; and Sens. Fitzgerald, Galloway and Leibham).

[Sens. Fitzgerald and Galloway noted that had they been present, they would have voted “aye.”]

Committee Report No. 3 of the Special Committee on Review of Higher Education Financial Aid Programs

Representative Joan Ballweg, Chair, Special Committee on Review of Higher Education Financial Aid Programs, turned the gavel over to Speaker Fitzgerald, while she presented her remarks on the four drafts recommended to the Joint Legislative Council.

Prior to stepping out temporarily, Co-Chair Lazich asked that the four recommended drafts be voted on separately; there was no objection.

Rep. Kaufert moved, seconded by Rep. Barca, that WLC: 0052/2, relating to the Minnesota-Wisconsin student reciprocity agreement, the Wisconsin higher education grant, and making an appropriation, be introduced by the Joint Legislative Council. The motion passed on a roll call vote of Ayes, 16 (Reps. Ballweg, Barca, Berceau, Fitzgerald, Grigsby, Kaufert, Nygren and Suder; and Sens. Lazich, Cullen, Darling, Erpenbach, Lasee, Miller, Schultz and Taylor); Noes, 0; and Absent, 6 (Reps. Kramer, Pasch and Vos; and Sens. Fitzgerald, Galloway and Leibham).

[Sens. Fitzgerald and Galloway noted that had they been present, they would have voted “aye.”]

Sen. Taylor moved, seconded by Rep. Berceau, that WLC: 0064/2, relating to enrollment requirements for recipients of talent incentive program grants, be introduced by the Joint Legislative Council. The motion passed on a roll call vote of Ayes, 16 (Reps. Ballweg, Barca, Berceau, Fitzgerald, Grigsby, Kaufert, Nygren and Suder; and Sens. Lazich, Cullen, Darling, Erpenbach, Lasee, Miller, Schultz and Taylor); Noes, 0; and Absent, 6 (Reps. Kramer, Pasch and Vos; and Sens. Fitzgerald, Galloway and Leibham).

[Sens. Fitzgerald and Galloway noted that had they been present, they would have voted “aye.”]

*Sen. Taylor moved, seconded by Rep. Grigsby, that **WLC: 0065/3**, relating to the Wisconsin higher education grant program, tuition grant program, Lawton minority undergraduate grant program, minority undergraduate retention grant program, and making appropriations, be introduced by the Joint Legislative Council. The motion passed on a roll call vote of Ayes, 14 (Reps. Ballweg, Barca, Berceau, Fitzgerald, Grigsby, Kaufert, Nygren and Suder; and Sens. Cullen, Darling, Erpenbach, Miller, Schultz and Taylor); Noes, 2 (Sens. Lazich and Lasee); and Absent, 6 (Reps. Kramer, Pasch and Vos; and Sens. Fitzgerald, Galloway and Leibham).*

[Sens. Fitzgerald and Galloway noted that had they been present, they would have voted “aye.”]

*Sen. Taylor moved, seconded by Rep. Berceau, that **WLC: 0076/2**, relating to creating a commission on financial aid consolidation and modernization, be introduced by the Joint Legislative Council. The motion passed on a roll call vote of Ayes, 14 (Reps. Ballweg, Barca, Berceau, Fitzgerald, Grigsby, Kaufert, Nygren and Suder; and Sens. Cullen, Darling, Erpenbach, Miller, Schultz and Taylor); Noes, 2 (Sens. Lazich and Lasee); and Absent, 6 (Reps. Kramer, Pasch and Vos; and Sens. Fitzgerald, Galloway and Leibham).*

[Sens. Fitzgerald and Galloway noted that had they been present, they would have voted “aye.”]

Co-Chair Ballweg returned to her role as Chair of the meeting.

Committee Report No. 6 of the Special Committee on Review of Spousal Maintenance Awards in Divorce Proceedings

Representative Tony Staskunas, Chair, Special Committee on Review of Spousal Maintenance Awards in Divorce Proceedings, reported on the actions of the committee and described LRB-1401/1, relating to termination of maintenance upon the payee’s or payer’s death and notices relating to maintenance.

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

*Rep. Kaufert moved, seconded by Sen. Schultz, that **LRB-1401/1**, relating to termination of maintenance upon the payee’s or payer’s death and notices relating to maintenance, be introduced by the Joint Legislative Council. The motion passed on a roll call vote of Ayes, 13 (Reps. Ballweg, Barca, Fitzgerald, Grigsby, Kaufert, Nygren and Suder; and Sens. Lazich, Cullen, Erpenbach, Miller, Schultz and Taylor); Noes, 2 (Rep. Berceau*

and Sen. Lasee); and Absent, 7 (Reps. Kramer, Pasch and Vos; and Sens. Darling, Fitzgerald, Galloway and Leibham).

[Sens. Fitzgerald and Galloway noted that had they been present, they would have voted “aye.”]

Committee Report No. 1 of the Special Committee on Strategic Job Creation

Representative Pat Strachota, Chair, Special Committee on Strategic Job Creation described the committee and its activities of the last interim session. She stated that the State of Wisconsin faces a number of economic challenges, including a shortage of good quality jobs. The Special Committee on Strategic Job Creation was established by the Joint Legislative Council to address this issue.

Representative Strachota noted that on January 3, 2011, Governor Scott Walker issued an executive order calling the Wisconsin Legislature into special session to focus on job creation. The Governor outlined a comprehensive plan for promoting the expansion of Wisconsin employers and the relocation of employers to Wisconsin through improvement in the business climate. Representative Strachota indicated that the Governor’s plan mirrored the types of job-creating proposals she would have asked this committee to develop. As a result, she said she decided not to reconvene the committee. She thanked the staff for the work on this committee and noted that even though it did not result in the introduction of any legislation, many of the ideas explored in the presentation by the Department of Commerce were similar to ideas adopted in the Governor’s job plan.

Committee Report No. 5 of the Special Committee on Criminal Justice Funding and Strategies

Representative Ed Brooks, Chair, Special Committee on Criminal Justice Funding and Strategies, thanked the Council for the opportunity to present the informational report of the Special Committee.

He began by stating that the full committee met three times and formed subcommittees which also met several times. The committee received testimony from the major stakeholders in the justice system and from national experts on court funding and approaches to increase the effectiveness and efficiency of the criminal justice system.

Representative Brooks said that many of the concerns raised in the committee’s deliberations related to funding of courts, district attorneys, and public defenders. He chose not to forward recommendations from the committee to the Council. He hopes the work of the committee will be considered as the Legislature continues to consider the needs of the justice system in Wisconsin.

Other Business

Co-Chair Ballweg reminded the Council members that the next meeting will be on May 18, beginning at 8:30 a.m., in Room 412 East, State Capitol.

Adjournment

The meeting was adjourned at 11:00 a.m.

TCA:wu;ksm