



WISCONSIN LEGISLATIVE COUNCIL

JOINT LEGISLATIVE COUNCIL MINUTES

Room 411 South, State Capitol
Madison, Wisconsin

February 13, 2013
8:30 a.m. – 10:40 a.m.

[The following is a summary of the February 13, 2013 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 Olsen called the meeting to order. The roll was called. Council members were reminded 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 Olsen noted 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.

COMMITTEE MEMBERS
PRESENT:

Sen. Luther Olsen and Rep. Joan Ballweg, Co-Chairs; Sens. Alberta Darling, Paul Farrow, Scott Fitzgerald, Chris Larson, Joe Leibham, Mark Miller, Jerry Petrowski, Fred Risser, Jennifer Shilling, and Dale Schultz; and Reps. Peter Barca, Terese Berceau, Bill Kramer, Amy Loudenberg, Cory Mason, John Nygren, Sandy Pasch, Jeff Stone, Scott Suder, and Robin Vos.

COUNCIL STAFF PRESENT: Terry C. Anderson, Director; Mary Matthias, Larry Konopacki, and Anne Sappenfield, Senior Staff Attorneys; David Lovell, Senior Analyst; Chad Brown, Margit Kelley, Brian Larson, David Moore, Jessica Ozalp, and Melissa Schmidt, Staff Attorneys; and Julie Learned, Kelly Mautz, and Tracey Young, Senior Administrative Assistants.

APPEARANCES: Rep. Dan Knodl, Chair, Special Committee on Legal Interventions for Persons With Alzheimer's Disease and Related Dementias; Rep. Joan Ballweg, Chair, and Sen. Bob Jauch, Vice Chair, Special Committee on 911 Communications; Rep. Samantha Kerkman, Chair, Special Committee on Permanency for Young Children in the Child Welfare System; and Rep. Jeffrey Mursau, Chair, Special Committee on State-Tribal Relations.

Approval of the Minutes of the Committee's January 16, 2013 Meeting

Noting that a quorum was present, Co-Chair Olsen asked for a motion to approve the January 16, 2013 minutes of the Joint Legislative Council.

Sen. Schultz moved, seconded by Sen. Petrowski, that the minutes of the January 16, 2013 meeting be approved. The motion was adopted by voice vote.

Committee Report No. 8 of the Special Committee on Legal Interventions for Persons With Alzheimer's Disease and Related Dementias

Representative Dan Knodl, Chair, Special Committee Legal Interventions for Persons With Alzheimer's Disease and Related Dementias, accompanied by Mary Matthias and Brian Larson, Legislative Council staff, presented the report of the Special Committee. Representative Knodl stated that the committee was charged with reviewing and developing legislation to clarify the statutes regarding guardianship, protective placement, involuntary commitment, and involuntary treatment as they apply to vulnerable adults with a dementia diagnosis who may or may not have a co-occurring psychiatric diagnosis.

After discussion, Co-Chair Olsen asked for a motion to introduce WLC: 0061/2.

*Sen. Risser moved, seconded by Sen. Miller, that **WLC: 0061/2**, relating to psychiatric and behavioral care and treatment for individuals with dementia, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 21 (Sens. Olsen, Darling, Farrow, Fitzgerald, Larson, Leibham, Miller, Petrowski, Risser, Shilling, and Schultz; and Reps. Ballweg, Barca, Berceau, Kramer, Loudenbeck, Mason, Nygren, Pasch, Stone, and Vos); and Noes, 1 (Rep. Suder).*

Committee Report No. 7 of the Special Committee on 911 Communications

Representative Ballweg, Chair, Special Committee on 911 Communications, accompanied by Senator Bob Jauch, Vice Chair, and Larry Konopacki and Chad Brown, Legislative Council staff, outlined the work of the Special Committee and described the committee's recommendations. She noted that the committee was charged with studying statewide coordination and planning, funding, training, service standards, best practices from around the United States, and other system improvements.

After discussion from committee members, Co-Chair Olsen asked for a motion to introduce LRB-0919/1, LRB-0920/1, LRB-0922/1, LRB-0923/1 and LRB-0924/1.

*Sen. Risser moved, seconded by Sen. Schultz, that **LRB-0919/1, LRB-0920/1, LRB-0922/1, LRB-0923/1 and LRB-0924/1**, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 15 (Sens. Olsen, Fitzgerald, Larson, Leibham, Miller, Risser, Shilling, and Schultz; and Reps. Ballweg, Barca, Berceau, Loudenbeck, Mason, Pasch, and Stone); Noes, 6 (Sens. Darling, Farrow, and Petrowski; and Reps. Kramer, Nygren, and Suder); and Not Voting, 1 (Rep. Vos).*

*Sen. Risser moved, seconded by Sen. Schultz, that **LRB-0921/1**, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 13 (Sens. Olsen, Fitzgerald, Larson, Miller, Risser, Shilling, and Schultz; and Reps. Ballweg, Barca, Berceau, Mason, Pasch, and Vos); and Noes, 9 (Sens. Darling, Farrow, Leibham, and Petrowski; and Reps. Kramer, Loudenbeck, Nygren, Stone, and Suder).*

Committee Report No. 6 of the Special Committee on Permanency for Young Children in the Child Welfare System

Representative Kerkman, Chair, Special Committee on Permanency for Young Children in the Child Welfare System, accompanied by Melissa Schmidt and Margit Kelley, Legislative Council staff, reported on the committee's activities. She stated the committee was charged with studying whether modifications could be made to current law to reduce the length of time it takes to achieve permanency and to improve outcomes for children under the age of eight who are placed or at risk of being placed outside of their home, such as in foster care. The committee was also directed to study whether modifications could be made to current law to encourage the placement of younger children with a relative as an option for permanency or support. Representative Kerkman explained the committee's three bill drafts.

After discussion by committee members, it was decided to vote on the three drafts individually. Co-Chair Olsen asked for a motion to introduce WLC: 0066/1.

*Rep. Barca moved, seconded by Sen. Darling, that **WLC: 0066/1**, relating to adoptions and posttermination contact agreements, be introduced by*

the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 19 (Sens. Olsen, Darling, Fitzgerald, Larson, Leibham, Miller, Petrowski, Shilling, and Schultz; and Reps. Ballweg, Barca, Berceau, Loudenbeck, Mason, Nygren, Pasch, Stone, Suder, and Vos); Noes, 2 (Sens. Farrow and Risser); and Absent, 1 (Rep. Kramer).

After a lengthy discussion regarding WLC: 0068/1, a motion was made to amend the draft and to remove the section of the draft relating to jury trials.

*Rep. Barca moved, seconded by Sen. Larson, that **WLC: 0068/1**, relating to the right to counsel and the right to a jury trial in proceedings for a child in need of protection or services and for an involuntary termination of parental rights, be amended and that language regarding jury trials be removed. The motion failed on a roll call vote as follows: Ayes, 4 (Sens. Larson and Risser; and Reps. Barca and Berceau); Noes, 12 (Sens. Olsen, Darling, Farrow, Leibham, Miller, and Shilling; and Reps. Ballweg, Loudenbeck, Mason, Pasch, Stone, and Suder); and Absent, 6 (Sens. Fitzgerald, Petrowski, and Schultz; and Reps. Kramer, Nygren, and Vos).*

*Rep. Ballweg moved, seconded by Sen. Darling, that **WLC: 0068/1**, relating to the right to counsel and the right to a jury trial in proceedings for a child in need of protection or services and for an involuntary termination of parental rights, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 14 (Sens. Olsen, Darling, Fitzgerald, Leibham, and Petrowski; and Reps. Ballweg, Berceau, Loudenbeck, Mason, Nygren, Pasch, Stone, Suder, and Vos); Noes, 7 (Sens. Farrow, Larson, Miller, Risser, Shilling, and Schultz; and Rep. Barca); and Absent, 1 (Rep. Kramer).*

Co-Chair Olsen asked for a motion to introduce WLC: 0069/1, relating to proceedings for a child in need of protection or services and for an involuntary termination of parental rights.

*Rep. Stone moved, seconded by Sen. Darling, that **WLC: 0069/1**, relating to proceedings for a child in need of protection or services and for an involuntary termination of parental rights, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 18 (Sens. Olsen, Darling, Fitzgerald, Larson, Leibham, Miller, Petrowski, and Shilling; and Reps. Ballweg, Barca, Berceau, Loudenbeck, Mason, Nygren, Pasch, Stone, Suder, and Vos); Noes, 3 (Sens. Farrow, Risser, and Schultz); and Absent, 1 (Rep. Kramer).*

Committee Report No. 9 of the Special Committee on State-Tribal Relations

Representative Jeffrey Mursau, Chair, Special Committee on State-Tribal Relations, accompanied by David Lovell and David Moore, Legislative Council staff, briefly described the unique role of this Special Committee and the committee's recommendations.

Co-Chair Olsen asked for a motion for introduction on LRB-0778/2, LRB-0794/1, and LRB-0793/1.

*Sen. Darling moved, seconded by Sen. Miller, that **LRB-0778/2, LRB-0794/1, and LRB-0793/1**, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 18 (Sens. Olsen, Darling, Fitzgerald, Larson, Leibham, Miller, Petrowski, Risser, Shilling, and Schultz; and Reps. Ballweg, Barca, Berceau, Loudenbeck, Mason, Nygren, Pasch, and Vos); Noes, 2 (Sen. Farrow; and Rep. Suder); and Absent, 2 (Reps. Kramer and Stone).*

Adjournment

The meeting was adjourned at 10:40 a.m.

TCA:ksm