



STATE OF WISCONSIN

JOINT LEGISLATIVE COUNCIL

MEETING MINUTES

JOINT LEGISLATIVE COUNCIL

Room 412 East, State Capitol
Madison, WI
February 26, 2025
2:05 p.m. – 3:25 p.m.

CALL TO ORDER AND ROLL CALL

Co-Chair Vos called the meeting to order. The roll was taken and it was determined that a quorum was present. Co-Chair Vos welcomed members and stated that today we will hear the recommendations of the six Joint Legislative Council study committees that met over the interim last session.

COMMITTEE MEMBERS PRESENT: Rep. Vos and Sen. Felzkowski, Co-Chairs; Reps. Anderson, August, Born, Duchow, Haywood, McGuire, Neubauer, Petersen, and VanderMeer; and Sens. Feyen, Hesselbein, Jagler, Johnson, LeMahieu, Marklein, Quinn, Smith, and Wall.

COMMITTEE MEMBER EXCUSED: Sen. Cabral-Guevara.

COUNCIL STAFF PRESENT: Anne Sappenfield, Director; Katie Bender-Olson, Scott Grosz, Margit Kelley, Brian Larson, David Moore, and Melissa Schmidt, Principal Attorneys; Ethan Lauer, Senior Staff Attorney; Abby Gorzlancyk, Emily Hicks, Tom Koss, Kelly McGraw, and Patrick Ward, Staff Attorneys; Kelly Mautz, Executive Assistant to the Director, and Katie Patyk, Administrative Assistant.

APPEARANCES: Rep. Amanda Nedweski, Chair, Study Committee on the Future of the University of Wisconsin System (UWS); Sen. Julian Bradley, Chair, Study Committee on the Regulation of Artificial Intelligence (AI) in Wisconsin; Rep. Paul Tittl, Chair, Study Committee on Sandhill Cranes; Rep. Jeff Mursau, Chair, Special Committee on State-Tribal Relations; Sen. Jesse James, Chair, Study Committee on Emergency Detention and Civil

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Co-Chairs

Mary Felzkowski | Senate President
Robin Vos | Speaker

Legislative Council Staff

Anne Sappenfield | Director

Commitment of Minors; and Sen. Van Wanggaard, Chair, Study Committee on Recodification of Battery Statutes.

APPROVAL OF THE MINUTES OF THE COMMITTEE'S MARCH 23, 2023 MEETING

Co-Chair Vos asked for a motion to approve the minutes from the committee's March 23, 2023 meeting. Sen. Smith moved, seconded by Co-Chair Vos, to approve the committee's March 23, 2023 minutes. The motion passed by unanimous consent.

REMARKS BY ANNE SAPPENFIELD, DIRECTOR, LEGISLATIVE COUNCIL STAFF

Anne Sappenfield, Director, Legislative Council, stated that the Joint Legislative Council co-chairs tasked the staff with six study committees. She gave a brief summary of the process the committees followed to develop their recommendations.

REPORT OF STUDY COMMITTEE ON THE FUTURE OF THE UNIVERSITY OF WISCONSIN SYSTEM

Representative Amanda Nedweski, Chair, summarized the work of the study committee. She stated that throughout the summer and fall of 2024, the committee heard testimony from a variety of speakers including the UWS and the Legislative Fiscal Bureau, and experts in higher education policy such as the Wisconsin Policy Forum, and the National Center for Higher Education Management Systems. Committee discussion followed, focusing on funding for the UWS, including UWS's process for determining how state general purpose revenue (GPR) is allocated to each campus. The committee also discussed demographic challenges faced by UWS, bonding authority for UWS, and whether UWS's current governance structure could be improved.

The committee considered a number of proposals and voted to recommend that the Legislature further explore 17 policy ideas, without specifically endorsing implementation of each policy. For example, the committee recommended exploring separate governance and a separate appropriation for UW-Madison, as well as limited bonding authority for UW-Madison. The committee also made recommendations relating to increased transparency in UWS's budgeting process, like requiring the Board of Regents to publish and review the formula used to allocate state GPR to each of the campuses. Other recommendations related to campus flexibility to set differential tuition by program, gathering information from students who do not complete their degrees, regionalizing academic programming, creating results-oriented incentives, and streamlining credit transfers.

After questions from committee members, she thanked the committee for the opportunity to have chaired the committee.

REPORT OF STUDY COMMITTEE ON THE REGULATION OF ARTIFICIAL INTELLIGENCE IN WISCONSIN

Senator Julian Bradley, Chair, gave a summary of the committee's work and summarized their recommendations to the Legislature.

He stated that from the outset that the goal of the committee would not necessarily be legislation. Instead, the committee focused on creating guidelines that he said he hopes will help direct the work of future legislatures. The committee's recommendations suggest some areas where lawmakers may want to take action, and just as importantly, areas where regulation should be avoided.

Sen. Bradley summarized the committee's recommendations:

- The first recommendation is for the Legislature to focus on the data that powers AI and not on the AI technology itself. AI systems rely on vast amounts of data to function—data that often includes personal information. Mishandled data could put a person's privacy at risk. By focusing on data privacy, the Legislature can help ensure that Wisconsin residents are shielded from the potential harms of data misuse, without stifling technological innovation.
- The second recommendation is that Legislature must learn from the experiences of other states. Some have rushed to enact comprehensive AI legislation, and now, many of those same states are rushing to implement changes to those bills—sometimes before the initial legislation has even taken effect. Wisconsin should avoid this trap by focusing on high-risk areas where AI can be easily exploited or abused. Rather than blanket regulation, lawmakers should take a targeted approach that protects vulnerable individuals while allowing innovation to flourish.
- Next, he stated that it's vital to make sure that existing laws apply to AI models in the same way that they apply to individuals or businesses. Many AI technologies already fall under the scope of existing laws concerning consumer protection, discrimination, and liability. Rather than creating duplicative statutes that single out AI, the Legislature should confirm that AI is governed by these established frameworks. This approach would prevent confusion while making it clear that AI, like any other technology, is subject to accountability.
- The next recommendation focused on suggesting that education and workforce development should be a priority. Wisconsin has already shown a commitment to workforce training through initiatives like the Fast Forward program, which provides funding for skills development. As AI reshapes industries, the state should expand the scope of existing programs to include AI upskilling and education. Being proactive in this regard will help ensure that Wisconsin is prepared for the future.
- Public safety is another area where AI can offer significant benefits. The Legislature should examine how AI can be leveraged to enhance public safety while ensuring proper oversight to avoid misuse or overreach.
- Finally, the state must ensure that AI governance is transparent and accountable. The Legislature and executive agencies should work together to ensure the establishment of clear, consistent guiding principles for state-level AI governance and to provide for legislative oversight regarding the state's procurement, development, and use of AI.

Sen. Bradley stated that by focusing on recommendations, the Legislature can position Wisconsin to be an AI leader and help shape a future where AI serves the public good while safeguarding individual rights.

After discussion and questions from committee members, Sen. Bradley thanked the study committee members and Legislative Council staff for their hard work and commitment to the work of the committee.

REPORT OF STUDY COMMITTEE ON SANDHILL CRANES

Representative Paul Tittl, Chair, stated that he served as the chair of the Study Committee on Sandhill Cranes and that Sen. Quinn served as the committee's vice-chair. He said that the committee had a good mix of members, including farmers, conservationists, hunters, crane and waterfowl experts, and legislators, and that all members brought valuable perspectives to the table.

He summarized the work of the committee over their five meetings and stated that the committee seized the challenge of creating solutions to safely and effectively manage the crane population, while also providing financial relief to farmers who lose crops to those cranes.

He was pleased to report that the committee approved a comprehensive bill draft addressing each of those challenges and that the bill draft accomplishes three things:

- Creates a new program in the Department of Agriculture, Trade and Consumer Protection to help farmers prevent damage to corn crops.
- Authorizes hunting of sandhill cranes, subject to federal approval, with provisions designed to avoid harm to whooping cranes.
- Provides new revenue for an existing program in the Department of Natural Resources that compensates farmers for crops that are damaged by wild animals.

He went on to say that in addition to recommending LRB-0815/1, the committee also approved two documents, titled “Summary of Findings” and “Conclusions,” and sent a letter to the U.S. Fish and Wildlife Service.

After questions from committee members, he thanked the council members for considering introduction of the bill draft and also thanked the study committee members for their time and commitment to this process.

REPORT OF SPECIAL COMMITTEE ON STATE-TRIBAL RELATIONS

Representative Jeff Mursau, Chair, stated that he had again chaired the Special Committee on State-Tribal Relations and appreciated the opportunity to present five bill drafts that were recommended by the committee for the council’s consideration.

He began by saying that the Special Committee on State-Tribal Relations is unique relative to the other study committees because it is a permanent committee that must meet each biennium. The committee met four times this interim, with one of those meetings hosted at the Oneida Nation following a tour of various Oneida Nation sites. The committee discussed several issues important to the tribes, including education, housing, and tribal government administration.

He stated that this session the committee recommends five bill drafts:

- LRB-0122/1, which protects the ability of students to wear traditional tribal regalia at graduation ceremonies or school-sponsored events;
- LRB-0123/1, which requires school districts to report the numbers, ages, and tribal affiliation of American Indian pupils;
- LRB-0124/1, which provides an option for a tribe to decide whether a person looking to teach an American Indian language is qualified to receive a lifetime license;
- LRB-0541/1, which allows any tribal school teacher to serve on the Professional Standards Council for Teachers; and
- LRB-0585/1, which adds tribal governments to the list of entities and persons who are authorized to copy a certified copy of a vital record for administrative use.

After comments and questions from committee members, Rep. Mursau thanked the committee for the opportunity to once again chair the special committee and for considering introduction of the bill drafts.

REPORT OF STUDY COMMITTEE ON EMERGENCY DETENTION AND CIVIL COMMITMENT OF MINORS

Sen. Jesse James stated it was his pleasure to serve as chair of the Study Committee on Emergency Detention and Civil Commitment of Minors. He thanked members for the opportunity to provide an overview of six bill drafts that the committee recommends for introduction by the Joint Legislative Council.

Sen. James started off by saying as many of the members know, the issues this committee was tasked with addressing are deeply personal to him. As a law enforcement officer, some of the most challenging moments on the job come when he's called to assist someone in the midst of a mental health crisis. It's always difficult, but it's especially heartbreaking when that person is a child. From the start, he hoped this committee would accomplish at least two things. The first was to provide a process to have psychiatric residential treatment facilities (PRTFs) in Wisconsin so children can get the help they need without having to be sent out of the state. The second was to find ways to minimize the involvement of law enforcement in mental health crises so that children in crisis are not further traumatized by being placed in handcuffs.

Sen. James stated that after careful study and thoughtful consideration, the committee crafted a package of bill drafts that he believes will move the ball closer to these goals. He said that throughout the process, the committee received assistance from a wide variety of stakeholders and experts, including the Department of Health Services (DHS), the Department of Children and Families (DCF), and the Wisconsin Counties Association (WCA), among many others.

He stated that the committee voted to advance the following six bill drafts:

- LRB-0613 provides a process that would allow for the establishment of PRTFs in Wisconsin. A PRTF provides psychiatric services to individuals under the age of 21, but is not a hospital. For that reason, a PRTF can provide intensive psychiatric treatment in an environment that is less restrictive than a psychiatric hospital. Wisconsin does not currently certify or otherwise regulate PRTFs, so there are none in Wisconsin. He said that this bill draft provides a framework for PRTFs to operate in Wisconsin. The framework is largely based on federal law, but incorporates some additional state-specific aspects, based on feedback from stakeholders.
- LRB-0615/1 revises requirements to obtain a minor's consent for mental health services to make it easier for a parent to get their child mental health treatment they know their child needs in circumstances in which the child may be unwilling to consent to treatment. The bill draft allows either a minor age 14 or older, or the minor's parent or guardian, to consent to begin outpatient or inpatient mental health treatment for the minor. If a parent consents to treatment without the minor's agreement, a petition must be filed for review of the appropriateness of the treatment.
- LRB-0616/1 establishes a framework for minors to develop and share safety plans to provide guidance to law enforcement, mental health providers, schools, and other persons or entities when they experience a mental health crisis. This bill draft is modeled on a successful program currently operating in Ashland and Bayfield Counties.
- LRB-0629/1 provides counties with the option to allow certain behavioral health clinicians to initiate the emergency detention of a minor. Most emergency detentions currently begin with a law enforcement officer taking a person into custody. This bill draft would provide a procedure that would minimize law enforcement involvement and permit emergency detention decisions to be made by approved behavioral health clinicians in consultation with the county human services department. This process is optional for counties under the bill draft. A county that elects to use the procedure would have the authority to approve individual clinicians and to review and approve each emergency detention. This new procedure would only apply to emergency detentions involving minors.

- LRB-0947/1 authorizes DHS to create a new youth behavioral health Medical Assistance program. The goal of the program is to keep families supported in the community and to prevent institutionalism and out-of-home placement. The program would do this by providing services such as mobile response and stabilization, intensive home-based treatment, and outpatient treatment services. The department would need a federal waiver to use Medicaid funding to support these services. The bill draft authorizes the department to request that waiver.
- LRB-0965/1 is the committee's recommendation for the simplest, most straightforward method to keep children who might still need an emergency detention from the traumatizing experience of being handcuffed and transported in the back of a squad car during a mental health crisis. The bill draft specifies that a county is responsible for the transportation of a minor to an emergency detention facility, including placing the minor in custody and the cost of transportation, and specifies that law enforcement should be used for the transportation only as a last resort. Full implementation is contingent upon receiving federal Medicaid funding, which the counties would need to develop the alternative transportation services.

Sen. James took a moment to thank the members of the study committee for their time and dedication. He stated that their insights and expertise were invaluable to this process and he truly appreciated the effort, thoughtfulness, and commitment that each of them brought to the work of the committee. He also extended his gratitude to the teams at DHS, DCF, the WCA, all the other stakeholders who provided essential feedback throughout this process, as well as Legislative Council's David, Margit, and Kelly for all their assistance along the way.

After discussion and questions from committee members, Co-Chair Vos thanked Sen. James and the committee for their hard work on a complicated and difficult issue.

REPORT OF STUDY COMMITTEE ON RECODIFICATION OF BATTERY STATUTES

Sen. Wanggaard, Chair, said that the committee was charged with recodifying ss. 940.19 through 940.208, Stats., Wisconsin's battery statutes. The goal was to reorganize, consolidate, modernize, and resolve any conflicts or ambiguities in the laws.

He stated that because the committee's task was to recodify statutes, the committee's work did not depend on public testimony. Rather, the committee was composed of members from organizations that have experience working with these laws and will be affected by a change to them. Those members included a member from the state public defender office, a circuit court judge, a district attorney, and a county sheriff.

He summarized the work of the committee which met four times between September and December 2024. During the first meeting, the committee came to an agreement on the overall framework of the statutes and how they would prefer to see it organized. At each subsequent meeting, adjustments were made to that framework so that the laws were as concise and practical as possible.

He highlighted a few changes the bill draft makes and does not make. He said the bill draft would condense the current 10 battery statutes into the following five: general battery; battery by certain people; battery to certain people; battery to an unborn child; and battery to an elder person. Battery to an unborn child and elder person were kept separate due to the unique elements of those crimes. He also noted that there are no substantive changes to any elements of any crime that is included in this recodification.

He concluded by thanking the members that served on the committee and the staff of the Legislative Council and Legislative Reference Bureau who all played vital roles in helping this committee reach its consensus.

VOTES

Upon conclusion of the study committee reports, Co-Chair Vos asked for a motion to introduce the following drafts *en masse*: LRB-0122/1, LRB-0123/1, LRB-0124/1, LRB-0541/1, and LRB-0585/1 as recommended by the Special Committee State-Tribal Relations; LRB-0613/1, LRB-0615/1, LRB-0629/1, LRB-0947/1, and LRB-0965/1 as recommended by the Study Committee on Emergency Detention and Civil Commitment of Minors; and LRB-0418/1 as recommended by the Study Committee on Recodification of Battery Statutes.

Co-Chair Felzkowski moved, seconded by Co-Chair Vos, that the above-listed bill drafts be approved for introduction by the Joint Legislative Council. The motion passed by a vote of Ayes, 20 (Reps. Vos, Anderson, August, Born, Duchow, Haywood, McGuire, Neubauer, Petersen, and VanderMeer; and Sens. Felzkowski, Feyen, Hesselbein, Jagler, Johnson, LeMahieu, Marklein, Quinn, Smith, and Wall); Noes, 0; and Excused, 1 (Sen. Cabral-Guevara).

Co-Chair Vos stated that committee members had requested separate votes on the following drafts. He asked for motions for introduction.

Co-Chair Felzkowski moved, seconded by Co-Chair Vos, that LRB-0815/1, relating to hunting of sandhill cranes, programs related to sandhill crane damage, providing an exemption from emergency rule procedures, granting rule-making authority, and making an appropriation, be approved for introduction by the Joint Legislative Council. The motion passed by a vote of Ayes, 12 (Reps. Vos, August, Born, Duchow, Petersen, and VanderMeer; and Sens. Felzkowski, Feyen, Jagler, LeMahieu, Marklein, and Quinn); Noes, 8 (Reps. Anderson, Haywood, McGuire, and Neubauer; and Sens. Hesselbein, Johnson, Smith, and Wall); and Excused, 1 (Sen. Cabral-Guevara).

Co-Chair Felzkowski moved, seconded by Co-Chair Vos, that LRB-0616/1, relating to sharing minors' safety plans, be approved for introduction by the Joint Legislative Council. The motion passed by a vote of Ayes, 12 (Reps. Vos, August, Born, Duchow, Petersen, and VanderMeer; and Sens. Felzkowski, Feyen, Jagler, LeMahieu, Marklein, and Quinn); Noes, 8 (Reps. Anderson, Haywood, McGuire, and Neubauer; and Sens. Hesselbein, Johnson, Smith, and Wall); and Excused, 1 (Sen. Cabral-Guevara).

ADJOURNMENT

Co-Chair Vos thanked the members for their participation. The meeting was adjourned at 3:25 p.m.

AS:ksm