

GENERAL REPORT
OF THE JOINT
LEGISLATIVE COUNCIL
TO THE
2017-18 LEGISLATURE



Access to Civil Legal Services
Law Revision Committee
Preservation of Burial Sites
Publication of Government Documents and
Legal Notices
Reducing Recidivism and Removing
Impediments to Ex-Offender Employment
Rural Broadband
School Data
State-Tribal Relations
Volunteer Firefighter and Emergency
Medical Technician Shortages

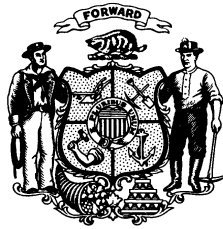
Wisconsin Legislative Council
One East Main Street, Suite 401
Madison, Wisconsin
July 2018

[Copies of this report are available at <http://www.legis.wisconsin.gov/lc/>.]

Co-Chairs

ROGER ROTH
Senate President

ROBERT BROOKS
Assistant Majority Leader



LEGISLATIVE COUNCIL STAFF

Terry C. Anderson
Director

Jessica Karls-Ruplinger
Deputy Director

July 2018

To the Honorable Governor Scott Walker
and Members of the 2017-18 Wisconsin Legislature:

We are pleased to submit this **General Report** of the Joint Legislative Council. This General Report summarizes the work of the Joint Legislative Council and its committees during the period from July 1, 2016 to June 30, 2018. These committees were established to examine major issues and problems identified by the Council or referred to the Council.

Sincerely,

Senator Roger Roth, Co-Chair
Joint Legislative Council

Representative Robert Brooks, Co-Chair
Joint Legislative Council

STATE OF WISCONSIN
JOINT LEGISLATIVE COUNCIL

GENERAL REPORT
OF THE
JOINT LEGISLATIVE COUNCIL
TO THE
2017-18 LEGISLATURE

JULY 2018

JOINT LEGISLATIVE COUNCIL
[Joint Legislative Council Members Who Received Final Committee Reports]
 [s. 13.81, Stats.]

<u>SENATE MEMBERS</u>	<u>ASSEMBLY MEMBERS</u>
Roger Roth, Co-Chair Senate President Appleton	Robert Brooks, Co-Chair Assistant Majority Leader Saukville
Alberta Darling JFC Co-Chair River Hills	Tyler August Speaker Pro Tempore Lake Geneva
Scott Fitzgerald Majority Leader Juneau	Joan Ballweg Markesan
Howard Marklein President Pro Tempore Spring Green	Peter Barca Minority Leader Kenosha
Mark Miller Monona	Dianne Hesselbein Assistant Minority Leader Middleton
Terry Moulton Chippewa Falls	Gordon Hintz JFC Ranking Minority Oshkosh
Jerry Petrowski Marathon	Cory Mason Racine
Fred A. Risser Madison	John Nygren JFC Co-Chair Marinette
Jennifer Shilling Minority Leader La Crosse	John Spiros Marshfield
Lena Taylor JFC Ranking Minority Milwaukee	Jim Steineke Majority Leader Kaukauna
Van Wanggaard Racine	Robin Vos Speaker Rochester

This 22-member committee consists of the majority and minority party leadership of both houses of the Legislature, the co-chairs and ranking minority members of the Joint Committee on Finance, and 5 Senators and 5 Representatives appointed as are members of standing committees.

Terry C. Anderson, Director, Legislative Council Staff
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PREFACE

This **General Report** of the Joint Legislative Council to the 2017-18 Legislature is prepared pursuant to s. 13.81 (3) of the Wisconsin Statutes. It summarizes the work of the Joint Legislative Council from July 1, 2016 to June 30, 2018, and of those statutory and study committees established by the Council to report to the 2017-18 Legislature.

The Joint Legislative Council continued two statutory committees and established seven study committees to conduct various studies and to make reports to the 2017-18 Legislature. [See list on page 1 of Part I.]

As of June 30, 2018, the following eight reports containing the recommendations of the study committees were submitted to the 2017-18 Legislature dealing with the substantive issues considered by these committees. These reports are listed below. Copies may be obtained from the Legislative Council staff offices or website (<http://www.legis.wisconsin.gov/lc>).

LCR 2017-01	Study Committee on School Data
LCR 2017-02	Study Committee on Publication of Government Documents and Legal Notices
LCR 2017-03	Study Committee on the Preservation of Burial Sites
LCR 2017-04	Study Committee on Rural Broadband
LCR 2017-05	Study Committee on Volunteer Firefighter and Emergency Medical Technician Shortages
LCR 2017-06	Study Committee on Reducing Recidivism and Removing Impediments to Ex-Offender Employment
LCR 2017-07	Special Committee on State-Tribal Relations
LCR 2017-08	Study Committee on Access to Civil Legal Services

The Council's Law Revision Committee does not report to the Council; rather, it introduces its legislation separately.

This General Report is organized into the following parts:

Part I describes the Joint Legislative Council, and particularly, the activities of the 2016-17 Council.

Part II contains a list of, and briefly describes the work of, each of the Council's committees, as well as the Joint Legislative Council and legislative actions on the committee recommendations.

The Appendix lists the members of the study committees that were established during the period covered by this report.

Complete information on each study committee from the 2016 interim, and previous interims, are available at the Council's website: <http://www.legis.wisconsin.gov/lc>.

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PART I

WORK OF THE 2017-18 JOINT LEGISLATIVE COUNCIL

WORK OF THE 2017-18 JOINT LEGISLATIVE COUNCIL

The Joint Legislative Council held two meetings between January 1, 2017 and June 30, 2018 (the period covered by this report), on the following dates:

February 1, 2017
February 15, 2017

The proposals introduced by the Joint Legislative Council and the Law Revision Committee are discussed in Part II of this report.

Council Study Committees

During the period covered by this report, the Council functioned with two statutory committees and seven study committees, that were established to report to the 2017-18 Joint Legislative Council.

The statutory committees were:

- Law Revision
- State-Tribal Relations

The study committees that the Council created to report to the 2017-18 Council were:

- Access to Civil Legal Services
- Preservation of Burial Sites
- Publication of Government Documents and Legal Notices
- Reducing Recidivism and Removing Impediments to Ex-Offender Employment
- Rural Broadband
- School Data
- Volunteer Firefighter and Emergency Medical Technician Services

Organization and Activities of the Joint Legislative Council

The Joint Legislative Council is composed of 22 legislators, 11 from the Senate and 11 from the Assembly. Twelve of these members are *ex officio* and serve on the Council because of their positions as legislative leaders. They are the following: the Speaker of the Assembly; the President of the Senate; the Speaker Pro Tempore of the Assembly; President Pro Tempore

of the Senate; the Assembly and Senate Majority and Minority Leaders; the two Co-Chairs of the Joint Committee on Finance; and the ranking minority member of the Joint Committee on Finance from each house. The other 10 members are appointed as are members of standing committees: five are appointed by the Chair of the Senate Committee on Organization; and five by the Speaker of the Assembly. [s. 13.81 (1), Stats.]

The Joint Legislative Council establishes study committees during the recess periods of the Legislature. The Council determines which studies will be conducted and assigns these studies to particular committees created by the Council for review, study, and recommendations. These studies generally are of four types:

1. Intensive examination of problems that are expected to confront a succeeding Legislature.
2. Review of controversial subjects that were unresolved by the previous Legislature.
3. Major codifications and revisions of portions of the law.
4. Methods of improving the operation and effectiveness of state agencies.

There are two continuing Council committees currently required by statute: the Special Committee on State-Tribal Relations and the Law Revision Committee. [s. 13.83, Stats.]

Under s. 13.82 (1), Stats., all studies or investigations that are proposed by the Legislature to be conducted are referred to the Council. Individual legislators and others often request that a particular study be undertaken. Also, the Council is given specific statutory authority to initiate such studies as it feels will be of value to the citizens of the state. The Council determines which of the studies will be conducted, based on its judgment of which studies should have priority within the limits of the Council appropriation and staff resources.

The end result of this study activity is the submission by the committees of reports and, in almost all cases, implementing legislation to the Joint Legislative Council. The Council reviews the legislative proposals and introduces in the Legislature those it approves by a majority of the membership of the Council (12 votes).

Operation of Council Staff

The Joint Legislative Council and the Council's study committees are staffed by a central nonpartisan legislative service agency. The Legislative Council staff serves in the unclassified service. As of June 30, 2018, the Council staff included, in addition to the Director, 17 attorneys, one analyst, and five administrative/support staff.

The basic duties of the staff include:

1. To provide legal and policy research, and administrative services for the Council and its committees.

2. To provide legal and policy research, and analysis services for the Legislature's substantive standing and joint committees.
3. To provide legal and policy research services for individual legislators.
4. To serve as the Administrative Rules Clearinghouse for review of all proposed administrative rules.
5. To provide information to the public.

Each of these activities is discussed briefly below.

Services for the Council and its Committees. The Council staff provides services for the Joint Legislative Council and its study committees.

Services for Legislative Committees. The Council staff provides nonpartisan legal counsel and policy research for standing committees and their subcommittees, select or special committees of the Legislature, and a number of joint statutory committees. The Council staff serves as the secretariat for the Joint Committee on Legislative Organization and for the Joint Committee on Employment Relations.

Services for Individual Legislators. Upon request, the Council staff provides legal analysis and other research to individual legislators.

Administrative Rules Clearinghouse. Prior to any public hearing on a proposed rule, or prior to notification of the chief clerks if no hearing is required, the agency proposing the rule must submit the proposed rule to the Council staff for review. The Council staff is required to review the rule for various technical requirements, such as statutory authority for promulgation of the rule and the form and clarity of the rule and issue a clearinghouse report with its comments on the rule. The Council staff also works with and assists the appropriate standing committees throughout the rule-making process. For additional information, see the Clearinghouse's 2017 Annual Report to the Legislature, which is available at <http://www.legis.wisconsin.gov/lc>. [See s. 227.15, Stats.]

Services to the Public. The Council staff is available to answer questions from members of the general public and from research agencies and legislators of other states. Information about the Council staff, as well as publications prepared by the staff, is available at <http://www.legis.wisconsin.gov/lc>.

PART II

JOINT LEGISLATIVE COUNCIL COMMITTEES

ACCESS TO CIVIL LEGAL SERVICES

[A summary of the Study Committee's meetings, materials, and membership, as well as the final report for the Study Committee, are available at [http://www.legis.wisconsin.gov/lc/.](http://www.legis.wisconsin.gov/lc/)]

Summary of Committee Activity

The Joint Legislative Council established the Study Committee on Access to Civil Legal Services and appointed the chairperson by an April 18, 2016 mail ballot. The committee's assignment was the following:

...review the funding and delivery of legal services for the indigent in civil cases. The committee shall: (1) review the need for legal services by indigent civil litigants; (2) identify additional non-GPR sources of revenue to provide civil legal services for the indigent; and (3) review current operations.

Membership of the Study Committee was appointed by a June 10, 2016 mail ballot. Final committee membership consisted of two Senators, four Representatives, and 10 public members. A list of the committee membership can be found in the **Appendix** to this report.

The Study Committee held four meetings on the following dates:

July 27, 2016

September 14, 2016

November 14, 2016

December 19, 2016

Actions of the Joint Legislative Council

At its February 15, 2017 meeting, the Joint Legislative Council voted to introduce the following legislation:

- 2017 Assembly Bill 115, relating to the authority of the departments of administration, children and families, workforce development, justice, and health services to allocate federal grant money for civil legal aid.
- 2017 Assembly Bill 116, relating to the creation of the Interagency Legal Aid Coordinating Council.
- 2017 Assembly Bill 117, relating to allowing district attorneys, deputy district attorneys, and assistant district attorneys to engage in the private practice of law for certain civil purposes.

Actions of the Legislature

The recommendations of the committee failed to be enacted during the 2017-18 Legislative Session.

LAW REVISION COMMITTEE

[A summary of the committee's meetings, materials, and membership are available at <http://www.legis.wisconsin.gov/lc/>.]

Summary of Committee Activity

The Law Revision Committee was first created by the Legislative Council at its May 30, 1980 meeting, as a statutory committee of the Council, pursuant to s. 13.83 (1), Stats., as created by Ch. 204, Laws of 1979. The membership of the committee is to be appointed in "each biennium." Members were most recently appointed on April 5, 2017. The membership of the committee consisted of four Senators and four Representatives. A list of the committee membership can be found in the **Appendix** to this report.

The statute directs the committee to:

1. Review remedial legislation based on nonsubstantive changes recommended by agencies;
2. Review court decisions and opinions of the Attorney General which state that a statute is unconstitutional, ambiguous, or otherwise in need of revision; and
3. Review correction bills and minor substantive revision bills prepared by the Legislative Reference Bureau.

The committee is also directed to introduce the bills prepared on these subjects directly, not through the Council, into the Legislature.

The committee's activity for the period covered by this report is summarized below.

During the period covered by this report, the committee held two meetings on the following dates:

December 12, 2017

January 11, 2018

Remedial Legislation and Correction Bills

<i>Bill Number</i>	<i>Recommended by</i>	<i>Subject Matter</i>	<i>Status</i>
<i>Remedial Legislation</i>			
A.B. 838/S.B. 723	Department of Revenue	changes to board of review proceedings and elimination of the property tax assessment freeze	2017 Wis. Act 358
A.B. 839/S.B. 722	State Public Defender	the determination of indigency prior to the state public defender appointing an attorney to represent a parent in a proceeding under chapters 48 and 938, the description of defendant indigency for public defender fees, and recusal	2017 Wis. Act 359

<i>Bill Number</i>	<i>Recommended by</i>	<i>Subject Matter</i>	<i>Status</i>
		from juvenile justice proceedings	
A.B. 840/S.B. 721	Legislative Technology Services Bureau	municipal boundary information	2017 Wis. Act 360
A.B. 841/S.B. 720	Department of Administration	various changes to bingo and raffles	2017 Wis. Act 361
A.B. 842/S.B. 719	Department of Employee Trust Funds	various changes to the Wisconsin Retirement System, cancelling coverage under the Wisconsin Public Employers Group Life Insurance Program, and Income Continuation Insurance Premiums for Certain Teachers Employed by the University of Wisconsin System	2017 Wis. Act 362
A.B. 843/S.B. 718	Department of Public Instruction	open enrollment and repealing outdated or expired reporting requirements and tuberculosis screening	2017 Wis. Act 143
A.B. 844/S.B. 717	Department of Public Instruction	planning for certain federal highway money distribution transfers; correcting a cross-reference related to penalties for drunk driving; penalties for violations of motor vehicle mileage disclosure requirements; certain references to obsolete federal motor carrier law, and providing a criminal penalty	2017 Wis. Act 363
<i>Correction Bills</i>			
A.B. 845/S.B. 716		revising various provisions of the statutes for the purpose of making corrections and reconciling conflicts	2017 Wis. Act 364
A.B. 846/S.B. 715		revising various provisions of the statutes for the purpose of making corrections and reconciling conflicts	2017 Wis. Act 365
A.B. 847/S.B. 714		revising various provisions of the statutes for the purpose of making corrections and reconciling conflicts	2017 Wis. Act 366

PRESERVATION OF BURIAL SITES

[A summary of the Study Committee's meetings, materials, and membership, as well as the final report for the Study Committee, are available at [http://www.legis.wisconsin.gov/lc/.](http://www.legis.wisconsin.gov/lc/)]

Summary of Committee Activity

The Joint Legislative Council established the Study Committee on the Preservation of Burial Sites and appointed the chairperson by an April 18, 2016 mail ballot. The committee's assignment was the following:

...review s. 157.70, Stats., to determine whether the statute adequately balances the interests of scientists, landowners, developers and others with an interest in a burial site, including those with a kinship interest and those with a general cultural, tribal or religious affiliation with the burial site. The Study Committee shall consider whether modifications to these procedures are necessary to protect all interests related to any human burial site encountered during archaeological excavation, metallic or nonmetallic mining, construction, agricultural activities, environmental impact assessments or other ground-disturbing activities, without causing avoidable or undue delay or hardship to any person who has an interest in using the land on which the burial site is located.

Membership of the Study Committee, appointed by a June 10, 2016 mail ballot, consisted of one Senator, three Representatives, and nine public members. Final committee membership can be found in the **Appendix** to this report.

The Study Committee held five meetings on the following dates:

August 2, 2016

September 8, 2016

October 5, 2016

November 10, 2016

December 8, 2016

Actions of the Joint Legislative Council

At its February 15, 2017 meeting, the Joint Legislative Council voted to introduce:

- 2017 Assembly Bill 118, relating to disclosure of burial sites located on residential real estate and various changes relating to the preservation and disturbance of burial sites.

Actions of the Legislature

2017 Assembly Bill 118 became 2017 Wisconsin Act 222 during the 2017-18 Legislative Session. Copies of the Act and a memorandum describing the Act are available at: <http://www.legis.wisconsin.gov/lc>.

PUBLICATION OF GOVERNMENT DOCUMENTS AND LEGAL NOTICES

[A summary of the Study Committee's meetings, materials, and membership, as well as the final report for the Study Committee, are available at [http://www.legis.wisconsin.gov/lc/.](http://www.legis.wisconsin.gov/lc/)]

Summary of Committee Activity

The Joint Legislative Council established the Study Committee on Publication of Government Documents and Legal Notices and appointed the chairperson by an April 18, 2016 mail ballot. The committee's assignment was the following:

...to update and recodify chs. 35 and 985, Stats., relating to the publication and distribution of government documents and legal notices, to reflect technological advances and remove obsolete provisions. The committee shall also study whether, and in what circumstances, current law regarding the publication and distribution of government documents and legal notices, including qualifications for official newspapers, should be modified to allow for information to be made available only electronically or through nontraditional media outlets, and the committee shall recommend legislation regarding any such modifications.

Membership of the Study Committee was appointed by a June 10, 2016 mail ballot. Final committee membership consisted of one Senator, three Representatives, and seven public members. A list of the final committee membership can be found in the **Appendix** to this report.

The Study Committee held three meetings on the following dates:

July 26, 2016
August 30, 2016
October 10, 2016

Actions of the Joint Legislative Council

At its February 15, 2017 meeting, the Joint Legislative Council voted to introduce the following legislation:

- 2017 Assembly Bill 119, relating to method of notification when a legal notice is provided electronically.
- 2017 Assembly Bill 120, relating to information required to be included in class 2 and class 3 legal notices.

Actions of the Legislature

2017 Assembly Bill 120 became 2017 Wisconsin Act 353 during the 2017-18 Legislative Session. Copies of the Act and a memorandum describing the Act are available at: <http://www.legis.wisconsin.gov/lc>. The remaining recommendation of the committee failed to be enacted during the 2017-18 Legislative Session.

REDUCING RECIDIVISM AND REMOVING IMPEDIMENTS TO EX-OFFENDER EMPLOYMENT

[A summary of the Study Committee's meetings, materials, and membership, as well as the final report for the Study Committee, are available at [http://www.legis.wisconsin.gov/lc/.](http://www.legis.wisconsin.gov/lc/)]

Summary of Committee Activity

The Joint Legislative Council established the Study Committee on Reducing Recidivism and Removing Impediments to Ex-Offender Employment and appointed the chairperson by an April 18, 2016 mail ballot. The committee's assignment was the following:

...review effective strategies and best practices for reducing recidivism. The committee shall: (a) consider evidence-based strategies to decrease recidivism that have achieved success in Wisconsin or in other states for possible expansion or implementation; (b) investigate systems of earned-time credits for possible implementation as part of a recidivism reduction program; and (c) explore existing impediments to reacclimating to society, including continuity of medication, impediments to occupational licensure and professional credentials, and other collateral consequences of conviction.

Membership of the Study Committee, appointed by a June 10, 2016 mail ballot, consisted of two Senators, four Representatives, and 10 public members. A list of the committee membership can be found in the **Appendix** to this report.

The Study Committee held four meetings on the following dates:

July 13, 2016

August 31, 2016

October 19, 2016

November 30, 2016

Actions of the Joint Legislative Council

The chairperson permanently adjourned the Study Committee. The Study Committee made no recommendation for legislation to the Joint Legislative Council.

The Joint Legislative Council received the final report of the Study Committee at its February 1, 2017 meeting, which made non-legislative recommendations.

RURAL BROADBAND

[A summary of the Study Committee's meetings, materials, and membership, as well as the final report for the Study Committee, are available at [http://www.legis.wisconsin.gov/lc/.](http://www.legis.wisconsin.gov/lc/)]

Summary of Committee Activity

The Joint Legislative Council established the Study Committee on Rural Broadband and appointed the chairperson by an April 18, 2016 mail ballot. The committee's assignment was the following:

..review the Wisconsin Broadband Expansion Grant Program and the extent to which it has encouraged construction of broadband infrastructure in areas of the state with few broadband service providers. The committee shall discuss the criteria used to evaluate applications and award grants, consider alternatives for determining eligibility and prioritizing proposed projects, consider alternative methods for encouraging construction of broadband infrastructure, and identify options to recommend.

Membership of the Study Committee, appointed by a June 10, 2016 mail ballot, consisted of one Senator, three Representatives, and nine public members. A list of the committee membership can be found in the **Appendix** to this report.

The Study Committee held three meetings on the following dates:

August 3, 2016
September 7, 2016
October 5, 2016

Actions of the Joint Legislative Council

At its February 1, 2017 meeting, the Joint Legislative Council voted to introduce:

- 2017 Senate Bill 26, relating broadband expansion grants and making an appropriation.

Actions of the Legislature

The recommendation failed to be enacted during the 2017-18 Legislative Session.

SCHOOL DATA

[A summary of the Study Committee's meetings, materials, and membership, as well as the final report for the Study Committee, are available at [http://www.legis.wisconsin.gov/lc/.](http://www.legis.wisconsin.gov/lc/)]

Summary of Committee Activity

The Joint Legislative Council established the Study Committee on School Data and appointed the chairperson by an April 18, 2016 mail ballot. The committee's assignment was the following:

....review all student data gathered by the Department of Public Instruction (DPI) and the data security measures that protect student privacy. The committee will study whether the data is required by federal law, state statute, or administrative rule and the purposes for which the data is utilized, and consider developing legislation to limit the types of student data collected by DPI and to improve the security of that data.

Membership of the Study Committee was appointed by a June 10, 2016 mail ballot. The final committee membership consisted of two Senators, four Representatives, and nine public members. A list of committee membership can be found in the **Appendix** to this report.

The Study Committee held four meetings on the following dates:

July 12, 2016

August 16, 2016

September 14, 2016

November 17, 2016

Actions of the Joint Legislative Council

At its February 1, 2017 meeting, the Joint Legislative Council voted to introduce the following legislation:

- 2017 Assembly Bill 71, relating to an inventory of pupil data.
- 2017 Assembly Bill 72, relating to responsibilities of state superintendent related to privacy and security of pupil data.

Actions of the Legislature

The recommendations of the committee failed to be enacted during the 2017-18 Legislative Session.

STATE-TRIBAL RELATIONS

[A summary of the Special Committee's meetings, materials, and membership, as well as the final report for the Special Committee, are available at <http://www.legis.wisconsin.gov/lc/>.]

Summary of Committee Activity

The Special Committee on State-Tribal Relations is a permanent committee of the Joint Legislative Council established under s. 13.83 (3), Stats. The committee is directed by statute to study issues related to American Indians and the American Indian tribes and bands in this state and develop specific recommendations and legislative proposals relating to these issues.

The membership of the committee, appointed by the Joint Legislative Council, consists of not fewer than six nor more than 12 legislator members of the Senate and Assembly, including at least one member of the majority party and at least one member of the minority party from each house, and not fewer than six nor more than 11 members selected from names submitted by the federally recognized American Indian tribes and bands in this state (tribes) or the Great Lakes Inter-Tribal Council (GLITC), including not more than one member based on the recommendation of any tribe or GLITC. The committee is assisted by a Technical Advisory Committee (TAC) composed of a representative of each of the following state departments: Children and Families; Health Services; Justice; Natural Resources; Public Instruction; Revenue; Transportation; and Workforce Development. A list of the committee membership and the TAC membership can be found in the **Appendix** to this report.

The Special Committee held two meetings on the following dates:

August 1, 2016

November 29, 2016

Actions of the Joint Legislative Council

At its February 15, 2017 meeting, the Joint Legislative Council voted to introduce the following legislation:

- 2017 Assembly Bill 112, relating to grants for treatment and diversion programs
- 2017 Assembly Bill 113, relating to the collection and sharing of information regarding an Indian child relinquished under the safe haven law and restoration of physical custody of an Indian child less than 11 days of age to a parent.
- 2017 Assembly Bill 114, relating to battery of a tribal judge, tribal prosecutor, or tribal law enforcement officer and providing criminal penalties.

Actions of the Legislature

2017 Assembly Bill 112 became 2017 Wisconsin Act 351 and 2017 Assembly Bill 114 became Wisconsin Act 352 during the 2017-18 Legislative Session. Copies of these Acts and memoranda describing the Acts are available at: <http://www.legis.wisconsin.gov/lc>. The remaining recommendation of the committee failed to be enacted during the 2017-18 Legislative Session.

VOLUNTEER FIREFIGHTER AND EMERGENCY MEDICAL TECHNICIAN SHORTAGES

[A summary of the Study Committee's meetings, materials, and membership, as well as the final report for the Study Committee, are available at [http://www.legis.wisconsin.gov/lc/.](http://www.legis.wisconsin.gov/lc/)]

Summary of Committee Activity

The Joint Legislative Council established the Study Committee on Volunteer Firefighter and Emergency Medical Technician Shortages and appointed the chairperson by an April 18, 2016 mail ballot. The committee's assignment was the following:

...examine issues related to the shortage of volunteer firefighters and emergency medical technicians (EMTs) in the state, particularly in rural areas, and propose measures to address the shortage. Specifically, the Study Committee shall study all of the following: (a) the magnitude of volunteer shortages, the areas of the state most affected, and the potential impact of shortages on public health and safety and economic development; (b) whether current training and continuing education requirements contribute to the shortage; (c) relationships between full-time and volunteer emergency response departments and the impact that the shortage of volunteers has on nonvolunteer departments in neighboring communities; and (d) whether the creation of organizations, particularly in rural areas, may help address the shortage. The committee shall develop legislative options to meet the needs of full time and volunteer fire departments, including proposals designed to increase the recruitment and retention of volunteer firefighters throughout the state.

Membership of the Study Committee was appointed by a June 10, 2016 mail ballot. The final committee membership consisted of two Senators, two Representatives, and 11 public members. A list of committee membership can be found in the **Appendix** to this report.

The Study Committee held five meetings on the following dates:

July 26, 2016

August 30, 2016

September 20, 2016

October 18, 2016

November 15, 2016

Actions of the Joint Legislative Council

At its February 1, 2017 meeting, the Joint Legislative Council voted to introduce the following legislation:

- 2017 Senate Bill 27, relating to intravenous technician endorsement for emergency medical technicians.
- 2017 Senate Bill 28, relating to licensure or certificate renewal for certain emergency medical services personnel.
- 2017 Senate Bill 29, relating to funding for first responder and emergency medical technician training and certification and making an appropriation.
- 2017 Senate Bill 31, relating to revising the length-of-service awards program in the Department of Administration for volunteer emergency response personnel.
- 2017 Senate Bill 32, relating to creating a refundable individual income tax credit for emergency responders and making an appropriation.
- 2017 Senate Bill 33, relating to creating an individual income tax credit for certain expenses incurred by an emergency responder and making an appropriation.

Actions of the Legislature

The recommendations of the committee failed to be enacted during the 2017-18 Legislative Session.

APPENDIX

COMMITTEE MEMBERSHIP LISTS

Access to Civil Legal Services

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David Prosser
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Madison, WI 53704

Amanda Stuck, Representative
1404 N. Harriman St.
Appleton, WI 54911

Robert Wirch, Senator
979 Wood Road #104
Kenosha, WI 53144

Glenn Yamahiro, Judge
Milwaukee County Courthouse
901 N. 9th Street
Room 402
Milwaukee, WI 53233

STUDY ASSIGNMENT: The Study Committee is directed to review the funding and delivery of legal services for the indigent in civil cases. The committee shall: (1) review the need for legal services by indigent civil litigants; (2) identify additional non-GPR sources of revenue to provide civil legal services for the indigent; and (3) review current operations.

16 MEMBERS: 4 Representatives; 2 Senators; and 10 Public Members.

LEGISLATIVE COUNCIL STAFF: David Moore, Senior Staff Attorney; Rachel Snyder, Staff Attorney; and Kelly Mautz, and Miranda Machgan, Support Staff.

Law Revision

Representative Jim Ott, **Co-Chair**
Room 317 North, State Capitol
Madison, WI 53703

Senator Van Wanggaard, **Co-Chair**
Room 319 South, State Capitol
Madison, WI 53703

Representative Tyler August
Room 119 West, State Capitol
Madison, WI 53703

Senator Devin LeMahieu
Room 323 South, State Capitol
Madison, WI 53703

Representative Daniel Riemer
Room 122 North, State Capitol
Madison, WI 53703

Senator Fred Risser
Room 130 South, State Capitol
Madison, WI 53703

Senator Lena Taylor
Room 5 South, State Capitol
Madison, WI 53703

Representative Dana Wachs
Room 107 North, State Capitol
Madison, WI 53703

STUDY ASSIGNMENT: The committee is directed, pursuant to s. 13.83 (1), Stats., to (a) review remedial legislation based on nonsubstantive changes recommended by agencies; (b) review court decisions and opinions of the Attorney General which state that a statute is unconstitutional, ambiguous or otherwise in need of revision; (c) review Legislative Reference Bureau correction bills; (d) review suggestions for major codifications and revisions of the statutes; and (e) perform functions related to interstate compacts and agreements.

8 MEMBERS: 4 Senators and 4 Representatives.

LEGISLATIVE COUNCIL STAFF: Katie Bender-Olson, and Michael Queensland, Senior Staff Attorneys, and Tracey Young, Support Staff.

Preservation of Burial Sites

Chair Amy Loudenbeck, Representative
10737 S. State Rd. 140
Clinton, WI 53525

Dave Considine, Representative
N6194 Breezy Hill Rd.
Baraboo, WI 53913

Conrad Goodkind, President, Board of Curators
Wisconsin Historical Society
Quarles and Brady, LLP
411 W. Wisconsin Ave., Ste. 2350
Milwaukee, WI 53202

David Grignon, Historic Preservation Dept. Director
Menominee Indian Tribe of WI
P.O. Box 910
Keshena, WI 54135

Justin Oeth, Attorney
Reinhart Attorneys at Law
22 East Mifflin Street, Suite 600
P.O. Box 2018
Madison, WI 53701

Bill Quackenbush, Preservation Representative
Ho-Chunk Nation
W7972 U.S. Highway 12
Black River Falls, WI 54615

Chad Wuebben, Owner/President
Encore Construction
6840 Schneider Rd.
Middleton, WI 53562

Vice Chair Robert Brooks, Representative
204 E. Dekora St.
Saukville, WI 53080

Jon Erpenbach, Senator
2316 Clark Street
Middleton, WI 53562

William Green, Director, Logan Museum of Anthropology
Beloit College
700 College Street
Beloit, WI 53511

Kira Kaufmann, Principal Investigator
Midwest Archaeological Research Services
10408 Coraggio Ct.
P.O. Box 203
Argonne, WI 54511

E. Glen Porter, Owner/Operator/Cematarian
Highland Memorial Park
14875 W. Greenfield Ave.
New Berlin, WI 53151

Robert Shea, President
Wingra Stone Company/Wingra Redi-Mix
P.O. Box 44284
Madison, WI 53744

STUDY ASSIGNMENT: The Study Committee is directed to review s. 157.70, Stats., to determine whether the statute adequately balances the interests of scientists, landowners, developers and others with an interest in a burial site, including those with a kinship interest and those with a general cultural, tribal or religious affiliation with the burial site. The Study Committee shall consider whether modifications to these procedures are necessary to protect all interests related to any human burial site encountered during archaeological excavation, metallic or nonmetallic mining, construction, agricultural activities, environmental impact assessments or other ground-disturbing activities, without causing avoidable or undue delay or hardship to any person who has an interest in using the land on which the burial site is located.

13 MEMBERS: 3 Representatives; 1 Senator; and 9 Public Members.

LEGISLATIVE COUNCIL STAFF: Anna Henning, Senior Staff Attorney; Amber Otis, Staff Attorney; and Tracey Young, Support Staff.

Publication of Government Documents and Legal Notices

Chair John Spiros, Representative
1406 E. Fillmore
Marshfield, WI 54449

Matt Blessing, Library/Archives Division Administrator
Wisconsin Historical Society
816 State St.
Madison, WI 53706

Eric Genrich, Representative
1089 Division Street
Green Bay, WI 54303

Tim Lyke, Publisher
Ripon Commonwealth Press
P.O. Box 6
Ripon, WI 54971

Michael Schlaak, Treasurer
Calumet County
2424 S. Kernan Ave.
Appleton, WI 54915

Maribeth Witzel-Behl, City Clerk
City of Madison
210 Martin Luther King, Jr. Blvd.
Room 103
Madison, WI 53703

Vice Chair Mark Miller, Senator
4903 Roigan Terrace
Monona, WI 53716

Caroline Burmaster, City Clerk
City of Onalaska
415 Main Street
Onalaska, WI 54650

André Jacque, Representative
1615 Lost Dauphin Rd.
DePere, WI 54115

Heather Rogge, Publisher
Conley Media
1058 Tuscola Lane
West Bend, WI 53095

Mark Stodder, President
Xcential Legislative Technologies
3820 Downer Ave.
Shorewood, WI 53211

STUDY ASSIGNMENT: The Study Committee is directed to update and recodify chs. 35 and 985, Stats., relating to the publication and distribution of government documents and legal notices, to reflect technological advances and remove obsolete provisions. The committee shall also study whether, and in what circumstances, current law regarding the publication and distribution of government documents and legal notices, including qualifications for official newspapers, should be modified to allow for information to be made available only electronically or through nontraditional media outlets, and the committee shall recommend legislation regarding any such modifications.

11 MEMBERS: 3 Representatives; 1 Senator; and 7 Public Members.

LEGISLATIVE COUNCIL STAFF: Scott Grosz, Principal Attorney, Steve McCarthy, Staff Attorney, and Kelly Mautz, Support Staff.

Reducing Recidivism and Removing Impediments to Ex-Offender Employment

Chair Alberta Darling, Senator
1325 West Dean Road
River Hills, WI 53217

John Nygren, Representative
N2118 Keller Rd.
Marinette, WI 54143

Edward Bailey, Inspector
Milwaukee County Sheriff's Office
821 West State Street
Milwaukee, WI 53233

David Borowski, Judge
Milwaukee Circuit Court
901 N. 9th St.
Milwaukee, WI 53233

Jerome Dillard, Re-Entry Coordinator
Dane County
P.O. Box 259234
Madison, WI 53725

Eric Johnson, District Attorney
Second Floor Room 2301, Convention Center
1101 Carmichael Rd.
Hudson, WI 54016

Amy Schabel, Milwaukee/Waukesha & Sheboygan Area
Supervisor
ATTIC Correctional Services Inc. & ACS Clinical Services
LLC
2266 N. Prospect Ave.
Milwaukee, WI 53203

Lena Taylor, Senator
1518 West Capitol
Milwaukee, WI 53206

Vice Chair Rob Hutton, Representative
17785 Marseille Dr.
Brookfield, WI 53045

Evan Goyke, Representative
2734 W. State St.
Milwaukee, WI 53208

Jill Billings, Representative
1403 Johnson St.
LaCrosse, WI 54601

Earl Buford, President and CEO
Employ Milwaukee, Inc.
2338 N. Milwaukee St.
Milwaukee, WI 53210

Sadique Isahaku, Dean of Liberal Arts and Sciences
Milwaukee Area Technical College, Room M214
700 W. State Street
Milwaukee, WI 53233

Mary Prosser, Clinical Associate Professor
UW Law School
975 Bascom Mall
Madison, WI 53706

Lisa Stark, Judge
Wisconsin Court of Appeals, Dist. III
2100 Stewart Avenue
Suite 310
Wausau, WI 54401

Kelli Thompson, State Public Defender
Wisconsin State Public Defender Office
315 N. Henry St.
2nd Floor
Madison, WI 53707

STUDY ASSIGNMENT: The Study Committee is directed to review effective strategies and best practices for reducing recidivism. The committee shall: (a) consider evidence-based strategies to decrease recidivism that have achieved success in Wisconsin or in other states for possible expansion or implementation; (b) investigate systems of earned-time credits for possible implementation as part of a recidivism reduction program; and (c) explore existing impediments to reacquainting to society, including continuity of medication, impediments to occupational licensure and professional credentials, and other collateral consequences of conviction.

16 MEMBERS: 4 Representatives; 2 Senators; and 10 Public Members.

LEGISLATIVE COUNCIL STAFF: Michael Queensland and Melissa Schmidt, Senior Staff Attorneys and Tracey Young, Support Staff.

Rural Broadband

Chair Howard Marklein, Senator
S11665 Soeldner Road
Spring Green, WI 53588

Scott Behn, Chief Executive Officer
Mosaic Telecom
P.O. Box 664
Cameron, WI 54822

Jim Costello, General Manager
LYNXX Lemonweir Valley Telcom
127 State Hwy. 12 & 16
Camp Douglas, WI 54618

Mike Hill, Senior Government Relations Manager
Charter Communications
1201 McCann Dr.
Altoona, WI 54720

Michelle Olson, Town Supervisor
Town of Harrison, Grant County
6676 Platte Rd.
Platteville, WI 53818

Ben Rivard, Realtor
Coldwell Bankers, Brenizer Realtors
Rice Lake, WI 54868

Mark Spreitzer, Representative
1718 Henderson Ave.
Beloit, WI 53511

Vice Chair Warren Petryk, Representative
S 9840 Hwy 93
Eleva, WI 54738

Ronald Brisbois, Executive Director
Grant County Economic Development Corp.
23759 CTH NN
Richland Center, WI 53581

Philip Hejtmanek
8443 Little Horsehead Hill Road
Harshaw, WI 54529

Beth Meyers, Representative
36505 Aiken Rd.
Bayfield, WI 54814

Jean Pauk, State Government Affairs Mgr.
TDS Telecom
525 Junction Road
Madison, WI 53717

Kelly Shipley, General Manager-Southern & Eastern WI
Frontier Communications
100 Communications Drive
Sun Prairie, WI 53590

STUDY ASSIGNMENT: The Study Committee is directed to review the Wisconsin Broadband Expansion Grant Program and the extent to which it has encouraged construction of broadband infrastructure in areas of the state with few broadband service providers. The committee shall discuss the criteria used to evaluate applications and award grants, consider alternatives for determining eligibility and prioritizing proposed projects, consider alternative methods for encouraging construction of broadband infrastructure, and identify options to recommend.

13 MEMBERS: 3 Representatives; 1 Senator; and 9 Public Members.

LEGISLATIVE COUNCIL STAFF: Larry Konopacki, Principal Attorney; Zach Ramirez and Julia Norsetter, Staff Attorneys; and Julie Learned, Support Staff.

School Data

Chair Jeremy Thiesfeldt, Representative
604 Sunset Lane
Fond du Lac, WI 54935

David Bowen, Representative
4080 N. 21st St. #3
Milwaukee, WI 53209

Sally Flaschberger, Lead Advocacy Specialist
Disability Rights Wisconsin
6737 W. Washington, Ste. 3230
Milwaukee, WI 53214

Nicole Hafele, Teacher
Monona Grove High School
1007 Sandpiper Trail
Cottage Grove, WI 53527

John Humphries, Director of Pupil
Services/Acting/Substitute Principal
Dodgeville School District
121 North Grove Street
Mount Horeb, WI 53572

Chris Larson, Senator
3261 S. Herman Street
Milwaukee, WI 53207

Margaret Murphy, Member
Neenah School Board
517 Maple Lane
Neenah, WI 54956

Ann Steenwyk, Principal
Sheboygan County Christian School
929 Greenfield Ave..
Sheboygan, WI 53081

Vice Chair Devin LeMahieu, Senator
21 S 8th Street
Oostburg, WI 53070

Kevin Bruggink, District Administrator
School District of Oostburg
410 New York Ave.
Oostburg, WI 53070

Wendy Greenfield, Director of Advancement
Saint Lucas Lutheran School
648 E. Dover St.
Milwaukee, WI 53207

Kelly Hoyland, Technology Director
Menomonie School District
E6447 836th Ave.
Colfax, WI 54730

Kim Kaukl, Executive Director
Wisconsin Rural Schools Alliance
1755 Oakwood Circle
Plain, WI 53577

David Murphy, Representative
1777 Ivy Lane
Greenville, WI 54942

Sondy Pope, Representative
317 Nesheim Trail
Mt. Horeb, WI 53572

STUDY ASSIGNMENT: The Study Committee is directed to review all student data gathered by the Department of Public Instruction (DPI) and the data security measures that protect student privacy. The committee will study whether the data is required by federal law, state statute, or administrative rule and the purposes for which the data is utilized, and consider developing legislation to limit the types of student data collected by DPI and to improve the security of that data.

15 MEMBERS: 4 Representatives; 2 Senators; and 9 Public Members.

LEGISLATIVE COUNCIL STAFF: Katie Bender-Olson, Senior Staff Attorney, Brian Larson, Staff Attorney, and Kelly Mautz, Support Staff.

State-Tribal Relations

Chair Jeffrey Mursau, Representative
4 Oak Street
Crivitz, WI 54114

Dee Ann Allen
Lac du Flambeau Band of Lake Superior Chippewa
Indians
P.O. Box 67
Lac du Flambeau, WI 54538

Russell “Rusty” Barber, Vice President
Lac Courte Oreilles Tribal Governing Board
13394 West Trepania Road
Hayward, WI 54843

Tim Carpenter, Senator
2957 South 38th Street
Milwaukee, WI 53215

Michael Decorah, Senior Intergovernmental Affairs
Specialist
St. Croix Chippewa Indians of Wisconsin
St. Croix Tribal Center
24663 Angeline Ave.
Webster, WI 54893

Harold “Gus” Frank, Chairman
Forest County Potawatomi Community
P.O. Box 340
Crandon, WI 54520

Mary Lazich, Senator
4405 South 129th Street
New Berlin, WI 53151

Beth Meyers, Representative
36505 Aiken Rd.
Bayfield, WI 54814

Vice Chair Kathleen Vinehout, Senator
W1490 Cesler Valley Road
Alma, WI 54610

Bryan Bainbridge, Vice Chairman
Red Cliff Band of Lake Superior Chippewa Indians
88385 Pike Road
Highway 13
Bayfield, WI 54814

Gary Besaw, Tribal Legislator
Menominee Indian Tribe of Wisconsin
P.O. Box 910
Keshena, WI 54135

Wilfrid Cleveland, President
Ho-Chunk Nation
W9814 Airport Rd.
P.O. Box 667
Black River Falls, WI 54615

James Edming, Representative
N4998 Edming Rd.
Glen Flora, WI 54526

Shannon Holsey, President
Stockbridge-Munsee Community
N8476 Moh He Con Nuck Rd.
Bowler, WI 54416

Chris McGeshick, Chairman
Sokaogon Chippewa Community
3160 Indian Route 10
Crandon, WI 54520

Lisa Summers, Secretary
Oneida Nation
P.O. Box 365
Oneida, WI 54155

STUDY ASSIGNMENT: The Special Committee is directed to study issues relating to American Indians and the American Indian tribes and bands in this state and develop specific recommendations and legislative proposals relating to these issues. [s. 13.83 (3), Stats.]

16 MEMBERS: 3 Representatives; 3 Senators; and 10 Public Members.

LEGISLATIVE COUNCIL STAFF: David Moore, Senior Staff Attorney, Jessica Ozalp, Staff Attorney, and Julie Learned, Support Staff.

STATE-TRIBAL RELATIONS TECHNICAL ADVISORY COMMITTEE

TOM BELLAVIA
Department of Justice
Assistant Attorney General
17 W. Main St., Rm. 707
INTER-D

DAVID O'CONNOR
Department of Public Instruction
125 South Webster St., 4th Flr.
INTER-D

ANDREW EVENSON
Department of Workforce Development
201 East Washington Ave., Rm. A300
INTER-D

GAIL NAHWAHQUAW
Department of Health Services
1 West Wilson St., Rm. 618
INTER-D

KELLY JACKSON
Department of Transportation
4802 Sheboygan Avenue
P.O. Box 7965
Madison, WI 53707-3761
INTER-D

MICHELE ALLNESS
Department of Natural Resources
101 South Webster LS/5
INTER-D

THOMAS D. OURADA
Department of Revenue
2135 Rimrock Rd., #624A
INTER-D

STEPHANIE LOZANO
Department of Children and Families
201 East Washington Avenue
Second Floor
INTER-D

ASSIGNMENT: Established pursuant to s. 13.83 (3) (f), Stats., to assist the Special Committee on State-Tribal Relations in performing its statutory functions.

8 MEMBERS: One representative designated by the following departments: Children and Families; Health Services; Justice; Natural Resources; Public Instruction; Revenue; Transportation; and Workforce Development.

Volunteer Firefighter and Emergency Medical Technician Shortages

Chair Stephen Nass, Senator
N8330 Jackson Road
Whitewater, WI 53190

Janet Bewley, Senator
60995 Pike River Road
Mason, WI 54856

J. Timothy Hillebrand, Coordinator, EMS
Dane County Emergency Management
2144 Hillebrand Dr.
Cross Plains, WI 53528

Gregory Michalek, Fire Chief
Watertown Fire Department
612 Hunter Oaks Blvd.
Watertown, WI 53094

Jeff Rickaby, Sheriff-CPA
Florence County Sheriff's Office
501 Lake Ave., P.O. Box 678
Florence, WI 54121

Dana Sechler, Chief/EMS Director
Baraboo District Ambulance Service
120 5th Street, P.O. Box 195
Baraboo, WI 53913

Jody Stoker, EMS Division Chief
Black River Falls Fire Department
P.O. Box 455
Black River Falls, WI 54615

Gene Wright, Fire Chief
Town of Beloit Fire Department
2445 S. Afton Rd.
Beloit, WI 53511

Vice Chair Jesse Kremer, Representative
119 Hillcrest Road
Kewaskum, WI 53040

John Eich, Director
Wisconsin Office of Rural Health, UW School of Medicine
and Public Health
310 N. Midvale Blvd., Suite 301
Madison, WI 53705

Debra Kolste, Representative
4105 Parkview Dr.
Janesville, WI 53546

Jodie Olson, City Administrator
City of Berlin
108 N. Capron St., P.O. Box 272
Berlin, WI 54923

David Seager, Jr., President
Milwaukee Professional Fire Fighters Assn.
10929 West Meadowcreek Ct.
Milwaukee, WI 53224

James Small, Chief
Palmyra Fire Department
126 N. 1st St.
Palmyra, WI 53156

Jay Tousey, President
Village of Suring
604 East Main Street, P.O. Box 31
Suring, WI 54174

STUDY ASSIGNMENT: The Study Committee is directed to examine issues related to the shortage of volunteer firefighters and emergency medical technicians (EMTs) in the state, particularly in rural areas, and propose measures to address the shortage. Specifically, the Study Committee shall study all of the following: (a) the magnitude of volunteer shortages, the areas of the state most affected, and the potential impact of shortages on public health and safety and economic development; (b) whether current training and continuing education requirements contribute to the shortage; (c) relationships between full-time and volunteer emergency response departments and the impact that the shortage of volunteers has on nonvolunteer departments in neighboring communities; and (d) whether the creation of organizations, particularly in rural areas, may help address the shortage. The committee shall develop legislative options to meet the needs of full time and volunteer fire departments, including proposals designed to increase the recruitment and retention of volunteer firefighters throughout the state.

15 MEMBERS: 2 Representatives; 2 Senators; and 11 Public Members.

LEGISLATIVE COUNCIL STAFF: Margit Kelley, Senior Staff Attorney; Andrea Brauer, Staff Attorney; and Julie Learned, Support Staff.