
Wisconsin Legislative Council

MINUTES



SPECIAL COMMITTEE ON STATE-TRIBAL RELATIONS

Virtual

August 18, 2022
10:00 a.m. – 12:50 p.m.

CALL TO ORDER AND ROLL CALL

Chair Mursau called the meeting to order and a quorum was determined present.

COMMITTEE MEMBERS PRESENT: Rep. Jeffrey Mursau, Chair; Sen. André Jacque; Reps. David Bowen, James Edming, Donna Rozar, Paul Tittl, and Robyn Vining; and Public Members Joey Awonohopay, Christopher Boyd, Michael Decorah, Lorraine Gouge, Conroy Greendeer, Jr., and Lisa Liggins.

COMMITTEE MEMBERS EXCUSED: Sen. Janet Bewley, Vice Chair; and Public Members Dee Ann Allen, Ned Daniels, Jr., Shannon Holsey, and Carmen McGeshick.

TECHNICAL ADVISORY COMMITTEE MEMBERS PRESENT: Jenifer Cole, Department of Workforce Development, Kris Goodwill, Department of Natural Resources, Stephanie Lozano, Department of Children and Families, Gail Nahwahquaw, Department of Health Services, David O'Connor, Department of Public Instruction, Sandy Stankevich, Department of Transportation, and Holly Wilmer, Department of Revenue.

TECHNICAL ADVISORY COMMITTEE MEMBERS EXCUSED: Tom Bellavia, Department of Justice.

COUNCIL STAFF PRESENT: Anne Sappenfield, Director; Steve McCarthy, Senior Staff Attorney; and Ben Kranner, Staff Analyst

OPENING REMARKS

Chair Mursau introduced himself and welcomed the committee members.

Anne Sappenfield, Director of the Legislative Council staff, welcomed committee members and thanked them for their service. She then presented a brief video featuring remarks from Wisconsin legislators, including the Joint Legislative Council Co-Chairs, regarding the work of the interim committees. Ms. Sappenfield then noted certain housekeeping items and procedures followed throughout the study committee process.

INTRODUCTION OF COMMITTEE MEMBERS

At the invitation of Chair Mursau, committee members introduced themselves and provided brief explanations of their backgrounds and interest in the committee's topic.

DISCUSSION OF TOPICS FOR COMMITTEE STUDY

LC Study Committee Memo No. 1, "Topics for Committee Discussion," August 10, 2022

Steve McCarthy, Legislative Council Senior Staff Attorney, and Ben Kranner, Staff Analyst, provided an overview of information provided in LC Study Committee Memo No. 1. Specifically, Mr. McCarthy noted that the memo describes three bill drafts prepared by Chair Mursau, provides relevant background information, and identifies issues that the committee may wish to take into consideration when discussing the bill drafts.

Mr. McCarthy explained that Chair Mursau put the bill drafts before the committee to prompt discussion to determine where there is committee consensus and if the committee would like to request modifications or additional information on any or all of the bill drafts.

At the beginning of the discussion of each of the three bill drafts, Mr. McCarthy and Mr. Kranner provided relevant background material and described the bill drafts.

LRB-6467/P1, relating to the membership of the Higher Educational Aids Board

Mr. McCarthy explained that LRB-6467/P1 is similar to 2021 Assembly Bill 428 and 2021 Senate Bill 421, which were recommended by the special committee last session. Assembly Bill 428 was amended during the 2021-22 legislative session, and passed the Assembly as amended, but the Senate took no action on that bill. LRB-6467/P1 is identical to the amended version of Assembly Bill 428 as passed by the Assembly.

Representative Rozar asked whether the bill allows the proposed tribal representative on the Higher Educational Aids Board (HEAB) to be a full voting member, and whether tribal members support the version of the bill amended in the Assembly last session. Senator Jacque noted that the issue of a toe vote on HEAB business is still a possibility under the amendment.

Ms. Gouge and Mr. Awonohopay noted that it would be preferable for both tribal colleges to have a representative on the HEAB, but acknowledged it would be acceptable to proceed with one alternating representative.

Ms. Liggins, Chair Mursau, and others voiced support for recommending the version of the bill presented to the committee, and members agreed to vote on recommending the bill draft at the committee's next meeting.

LRB-6468/P1, relating to adding a tribal representative to certain boards and councils in state government

Mr. Kranner noted that this bill draft was the product of efforts of certain committee members last session and that it was received by the special committee at the end of its work last meeting, but not with enough time for committee consideration. He then generally described the provisions of the bill and noted that a memorandum from the Legislative Reference Bureau included in the meeting materials identified which state agency oversees each board and council included in the bill.

Rep. Rozar, Mr. Boyd, and others noted that it may be difficult to find a person willing to serve on all 53 boards and councils proposed in the bill. Members generally agreed that the list of 53 boards should be cut down, and the bill should be broken down into a number of different bills roughly drafted to only include boards and councils within each relevant state agency. Mr. Decorah noted that the list of 53 boards and councils was already a shorter list than the original list of all boards and councils in state government reviewed by some tribal members last session.

Members signaled openness to further revisions to the substantive language of the bill, including Ms. Liggins, Ms. Gouge, and Chair Mursau agreeing that the bill should allow a person who is “endorsed” by the tribe, rather than only a tribal member, to serve in the roles created by the bill.

Mr. Kranner then invited members of the Technical Advisory Committee to weigh in on the bill. Ms. Cole and Ms. Lozano noted that some of the boards under their respective state agencies have concerns about creating tie vote situations.

Members generally agreed to delete a number of boards and councils from the bill. Members were directed to review the bill once more on their own and identify a small number of boards and councils that they prioritize. Members should then send their priorities directly to Chair Mursau in the coming few weeks.

LRB-6469/P1, relating to a lifetime license that authorizes an individual to teach an American Indian language in an American Indian language program and modifying rules promulgated by the Department of Public Instruction

Mr. McCarthy explained that LRB-6469/P1 is identical to LRB-0025/1, which was recommended for introduction by the special committee last session. However, the Joint Legislative Council declined to vote to introduce LRB-0025/1.

Rep. Rozar, Mr. Awonohopay, and Mr. O’Connor discussed how licensing of tribal language teachers works under current law, including a discussion of public and tribal school organization and operation.

Members voiced support for renewing the committee’s recommendation of the bill draft, and agreed to vote on recommending the bill draft at the committee’s next meeting.

COMMITTEE DISCUSSION AND PLANS FOR FUTURE MEETINGS

A number of members, including Reps. Bowen, Tittl, and Rozar, suggested that the committee hold at least one future meeting in person on tribal lands.

Mr. Decorah, Mr. Awonohopay, Ms. Liggins, and Ms. Gouge all raised revisiting the work the special committee did in the recent past on modifying Act 31 requirements.

Rep. Vining noted her interest and work on mental, infant, and maternal health issues, with a particular focus on tribal youth. She suggested the special committee could explore whether issues like tribal health care deserts in Wisconsin could be addressed.

Mr. Boyd raised looking at whether any adjustments to the law could be made regarding state fuel tax collection and remittance.

Mr. Greendeer suggested modifying s. 69.30, Stats., to include tribes in the list of entities not subject to certain penalties for copying a certified copy of a vital record for administrative use.

Mr. Awonohopay, Rep. Rozar, Rep. Vining, and others indicated an interest in the committee meeting more than three times this session.

Chair Mursau advised members that he will reach out with more information about future meetings, and will work to set up at least one future meeting in person on tribal lands.

ADJOURNMENT

The committee adjourned at 12:50 p.m.

SM:BK:jal