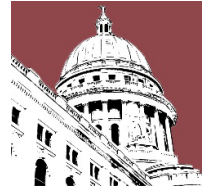

Wisconsin Legislative Council

MINUTES



SPECIAL COMMITTEE ON STATE-TRIBAL RELATIONS

Room 411 South
State Capitol, Madison

November 2, 2022
10:00 a.m. – 11:05 a.m.

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

COMMITTEE MEMBERS
EXCUSED: Dee Ann Allen, Shannon Holsey, Ned Daniels, Jr., Lorraine Gouge, and Carmen McGeshick.

TECHNICAL ADVISORY
COMMITTEE MEMBERS
PRESENT: Kris M. 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; Danielle Williams and Cara Connors, Department of Workforce Development; and Holly Wilmer, Department of Revenue.

TECHNICAL ADVISORY
COMMITTEE MEMBERS
EXCUSED: Tom Bellavia, Department of Justice; Sandy Stankevich, Department of Transportation.

COUNCIL STAFF PRESENT: Steve McCarthy, Senior Staff Attorney; and Ben Kranner, Staff Analyst.

CALL TO ORDER AND ROLL CALL

Chair Mursau called the meeting to order and welcomed committee members. A quorum was determined to be present.

APPROVAL OF THE MINUTES FROM THE SEPTEMBER 27, 2022 MEETING

Representative Rozar moved to approve the minutes of the Special Committee's September 27, 2022 meeting. The motion was seconded by Representative Edming and passed by unanimous consent.

DISCUSSION OF TOPICS FOR COMMITTEE STUDY

2021 LRB-6467/1, Relating to the Membership of the Higher Educational Aids Board

Mr. McCarthy described the bill draft, noting that the committee discussed it at its first meeting and that it is identical to the version that passed the Assembly last session.

Representatives Rozar and Tittl asked about the composition of the board under the bill, including whether an even-numbered board would cause any issues with tie votes. Mr. McCarthy noted that board staff affirmed last session that an even-numbered board would not raise any issues.

Mr. Awonohopay stated his support for the bill. Representative Rozar asked why the Senate did not act on the bill last session and Chair Mursau said they ran out of time.

Senator Bewley moved, seconded by Representative Tittl, that the committee recommend that the Joint Legislative Council introduce LRB-6467/1. The motion passed on a vote of Ayes, 13 (Reps. Mursau, Vining, Rozar, Tittl, Edming, and Bowen; Sens. Bewley and Jacque; and Public Members Awonohopay, Boyd, Decorah, Greendeer, and Liggins); Noes, 0; and Not Voting, 5 (Public Members Allen, Holsey, Daniels, Jr., Gouge, and McGeshick).

2023 LRB-0014/1, Relating to Requiring School Districts to Report Information Related to American Indian Children Attending School in the School District

Mr. Kranner described the bill draft, and responded to a question from Senator Bewley noting that the Department of Public Instruction (DPI) suggested the bill draft idea. Senator Bewley and Representative Tittl asked questions about whether the bill draft affects private schools and DPI staff in the room noted that it did not.

Senator Rozar moved, seconded by Public Member Liggins, that the committee recommend that the Joint Legislative Council introduce LRB-0014/1. The motion passed on a vote of Ayes, 13 (Reps. Mursau, Vining, Rozar, Tittl, Edming, and Bowen; Sens. Bewley and Jacque; and Public Members Awonohopay, Boyd, Decorah, Greendeer, and Liggins); Noes, 0; and Not Voting, 5 (Public Members Allen, Holsey, Daniels, Jr., Gouge, and McGeshick).

2023 LRB-0393/P1, Relating to Indigenous Peoples' Day

Mr. Kranner described the bill draft, noting that the bill draft only adds Indigenous Peoples' Day to the list of special observance days for schools, and does not delete the school special observance day for Columbus Day currently in state law as the previous bill draft did.

There was no further committee discussion on the bill draft.

2023 LRB-0012/P2, Relating to Pupils Wearing Traditional Tribal Regalia at a Graduation Ceremony or School-Sponsored Event

Mr. McCarthy described the bill draft, noting a number of expansions to the scope of the bill. These include the following:

- Expanding the bill draft's definition of a "tribe" to include tribes not located in this state, and the Brothertown Indian Nation by including any "American Indian tribe or band that was previously a federally recognized American Indian tribe or band."

- Expands the events the bill draft applies to from “a high school graduation ceremony” to “graduation ceremonies and school-sponsored events.”
- Expands eligibility to include a pupil who is a “descendent” of a member of a tribe or a person who is eligible to be enrolled as a member of a tribe.

Representative Tittl asked whether the bill draft’s protections apply to colleges, and Mr. McCarthy noted that it does not. Representatives Rozar and Vining and Mr. Awonohopay voiced support for such an expansion to the bill. Chair Mursau urged caution at expanding the bill draft’s scope at this stage, and Mr. Boyd, Senator Bewley, Representative Tittl, and Senator Jacque agreed with that approach. A number of members agreed the idea could be pursued as separate legislation.

Ms. Liggins noted that there was an error in one of the titles of the bill that still only referred to a high school graduation ceremony, and Mr. McCarthy said that error would be corrected before the committee votes on the bill.

2023 LRB-0013/P1, Relating to Authorization for Tribal Governments to Copy Certified Copies of Vital Records for Administrative Use

Mr. McCarthy described the bill draft. Representative Rozar asked if the bill draft creates a new exception to the law against unauthorized copying of certified copies of vital records. Mr. McCarthy said that the bill draft adds tribal governments and employees of tribal governments to the list of entities and persons who are already authorized under current law to copy a certified copy of a vital record for administrative use by the authorized entity.

Representative Bowen confirmed with staff that the committee will be able to vote on the bill draft at a future meeting.

COMMITTEE DISCUSSION AND PLANS FOR FUTURE MEETINGS

Ms. Liggins asked that the committee still take action on the Act 31 bill draft the committee heard at its last meeting (LRB-0011/P1, relating to model academic standards related to American Indian studies, informational materials related to a school board’s obligation to provide instruction on American Indians, and the American Indian studies requirement for teacher licensure). Specifically, Ms. Liggins asked that the bill draft be modified to incorporate changes suggested by the Wisconsin Association of School Boards regarding certain electronic notification.

Chair Mursau confirmed that the committee will have one more meeting, likely to occur in December, in which the committee could vote on the three bill drafts discussed by the committee at the current meeting, the bill draft relating to Act 31, and possibly the bill draft relating to a lifetime license to teach an American Indian language.

Representative Rozar asked about the Joint Legislative Council (JLC) process with bill drafts recommended by the committee, and Mr. McCarthy explained that the bill drafts will be presented to the new JLC early next session for that committee to vote on whether to introduce the bills. If introduced, JLC is the official author of the bill, and the bill goes through the legislative process the same as any other bill. He also noted that all members will be invited to participate in any legislative hearings that occur next session.

ADJOURNMENT

The committee adjourned at 11:05 a.m.

SM:BK:jal