

WAPA LEGISLATIVE UPDATE

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The following legislative perspective was prepared by Jordan Lamb, an attorney at DeWitt Ross & Stevens who, as many of you will fondly remember, formerly served as WAPA's former legislative. Following Jordan's piece is a brief update on the Legislature's recent Study Committee activity.

A. General Perspectives on the Wisconsin Elections

The ability of Wisconsin Republicans to pass a conservative agenda and the ability of Wisconsin Democrats to pass a liberal agenda has been tempered by the continuing Republican majority in one house (the Assembly) and the new Democratic majority in the other house (the Senate). This will create tension and will likely result in moderate measures being approved by both houses. However, the Democrats in the Senate can now pass measures that are popular with the public, such as universal health care, which will put pressure on the Assembly Republicans to deal with the issues.

In addition, it will be easier for Governor Doyle to be Governor Doyle. The Democrats in the Senate will provide protection for his budget initiatives and will provide the first line of defense against conservative measures coming from the Assembly. The likely result will be that Governor Doyle will use his veto pen far less than he has in the last four years.

The State of Wisconsin is not likely as liberal as the Democratic landslide suggests. Note that the overwhelming majority of citizens approved both the gay marriage ban and the death penalty referendum. These votes are not reflective of Wisconsin's Democratic leadership or the attitude of most, if not all, of the new Democrats who were just elected to the Wisconsin legislature.

The ranking Republican in the State of Wisconsin is now J.B. Van Hollen, an attorney at DeWitt Ross & Stevens and the former U.S. Attorney for the United States District Court for the Western district of Wisconsin. He now moves to the head of the list of possible Republican nominees for Governor in 2010. Don't be surprised to see his recently defeated opponent, Kathleen Falk, take an appointed position in the new Doyle administration.

All Senate committees have Democratic majorities and Democratic chairpersons. In addition, the Assembly lost seven Republicans from their majority, therefore, the composition of the Assembly committees will also change although Republican chairs and committee majorities will remain.

There will be a conference committee between the Senate Democrats and the Assembly Republicans before the Legislature will pass the 2007-09 state budget bill. We have not had a conference committee since the last time the Democrats controlled the Senate.

In caucuses on November 9, the Senate elected leaders for the 2007 Legislature. The Senate Democrats designated Fred Risser as Senate President, Tim Carpenter as President

Pro Tempore, Judy Robson as Senate Majority Leader, Dave Hansen as Assistant Majority Leader, Mark Miller as Senate Majority Caucus Chairperson, Jeff Plale as Assistant Majority Caucus chair, Spencer Cogg as Senate Majority Caucus Sergeant at Arms, and Jim Sullivan as Senate Majority Caucus Secretary. Senate Republicans designated Scott Fitzgerald as Senate Minority Leader, Joseph Leibham as Assistant Minority Leader, and Glenn Grothman as Minority Caucus Chairperson.

On November 14, Assembly party caucuses elected the Assembly leadership for the 2007 Legislature. Republicans elected Michael Huebsch as Speaker, Mark Gottlieb as Speaker Pro Tempore, Jeff Fitzgerald as Majority Leader, Mark Gundrum as Assistant Majority Leader, Mark Honadel as Majority Caucus Chairperson, Pat Strachota as Majority Caucus Vice Chairperson, Mary Williams as Majority Caucus Secretary, and Jerry Petrowski as Majority Caucus Sergeant at Arms. Democrats elected James Kreuser as Minority Leader, Jon Richards as Assistant Minority Leader, Tony Staskunas as Minority Caucus Chairperson, Tamara Grigsby as Minority Caucus Vice Chairperson, Donna Seidel as Minority Caucus Secretary, and Ann Hraychuck as Minority Caucus Sergeant at Arms.

B. Election Wrap Up 2006

I. State Legislative Races

There has been a significant shift in Wisconsin's political landscape as a result of this fall's general election. The Democrats have claimed the majority in the State Senate by winning four seats that were previously held by Republicans. This gives the Democrats an 18-15 majority as we look toward the 2007-08 Legislative Session.

- Democratic State Representative John Lehman defeated Republican Bill McReynolds in the 21st district (Racine) vacated by former Republican Senator Cathy Stepp.
- In the 5th district (West Allis/Wauwatosa/Brookfield), Democrat Jim Sullivan defeated incumbent Republican Tom Reynolds by a margin of less than 700 votes.
- In the 23rd District (Eau Claire), Democrat Pat Kreitlow defeated Republican incumbent, Dave Zien by only about 1,000 votes.
- In the 31st district (Trempealeau/Jackson Counties), Democrat Kathleen Vinehout defeated Republican incumbent Ron Brown with a vote of 31,946 to 29,865.

In the Assembly, the Democrats narrowed the Republican majority to 53-46 from 60-39 by winning two open seats and by defeating five Republican incumbents.

- In the 28th District (Polk/Burnett Counties), Democrat Ann Hraychuck defeated incumbent Republican Mark Pettis 10,450 to 10,150.
- In the open 37th District (Fort Atkinson), Democrat Andy Jorgensen defeated Republican Greg Gasper, 11,028 to 9,942. (Republican David Ward did not seek re-election and has resigned.)

- In the 49th District (Lancaster/Platteville), Democrat Phil Garthwaite defeated incumbent Republican Gabe Loeffelholz, 9,281 to 8,297.
- In the 51st District (Dodgeville/Mineral Point), Democrat Steve Hilgenberg defeated incumbent Republican Steve Freese, 11,182 to 9,719.
- In the open 54th District (Oshkosh), Democrat Gordon Hintz defeated Republican Julie Pung Leschke, 13,353 to 8,111. (Republican Gregg Underheim did not seek re-election.)
- In the 88th District (Green Bay), Democrat Jim Soletski defeated incumbent Republican Judy Krawczyk, 8,927 to 8,849.
- In the 93rd District (Eau Claire), Democrat Jeff Smith defeated incumbent Republican Rob Kreibich 11,878 to 11,562.
- In the 43rd District (Edgerton/Rock County), incumbent Republican Debi Towns defeated Democrat Kim Hixon **by six votes**. (We expect to see a recount in this district.)

II. Governor

Governor Jim Doyle became the first Democrat to be re-elected governor in more than 30 years by defeating Republican Congressman Mark Green with a vote of 1,135,714 to 976,670.

III. Attorney General

Republican J.B. Van Hollen defeated Democrat Dane County Executive Kathleen Falk by a narrow 0.44% margin (1,061,991 to 1,052,652). J.B. Van Hollen is the former U.S. Attorney from the United States District Court for the Western District of Wisconsin and is currently an attorney at DeWitt Ross & Stevens in Madison, Wisconsin.

IV. Congress

Democrat Steve Kagen defeated Republican John Gard in the 8th Congressional District seat vacated by Republican Mark Green, who ran unsuccessfully for governor. Kagen won with a 51% to 49% margin of victory.

Incumbents Republican Paul Ryan (1st), Democrat Tammy Baldwin (2nd), Democrat Ron Kind (3rd), Democrat Gwen Moore (4th), Republican F. James Sensenbrenner (5th), Democrat Dave Obey (7th) all won re-election.

Incumbent Republican Tim Petri (6th) was unopposed.

V. Referendum Questions

- (Statewide) Should the death penalty be enacted in Wisconsin for cases involving a person who is convicted of first-degree intentional homicide, if the conviction is supported by DNA evidence? Yes (1,162,249 to 931,592)

- (Statewide) Shall section 13 of article XIII of the constitution be created to provide that only a marriage between one man and one woman shall be valid or recognized as a marriage in this state and that a legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized in this state?“ Yes (1,259,489 to 860,996)
- (Dane County) “Should the state Legislature plan to reduce health care costs by 15 percent and guarantee access to affordable health care by 2008”? Yes (159,336 to 31,954)

C. Study Committee on State Trails

The Study Committee on State Trails held a meeting on November 10, 2006. The Committee considered materials on trail budgets and trail usage. Included in the materials were detailed revenue and expenditure reports prepared by the Legislative Council, particularly with regard to the use of All Terrain Vehicles and Snowmobiles. This meeting was also a public hearing, and the Committee heard testimony from a number of interested citizens and special interest groups on the use (and abuse) of trails in Wisconsin. All of the documents, including testimony, the minutes of the meeting and audio files, are available at:

http://www.legis.state.wi.us/lc/3_COMMITTEES/special%20COMMITTEES/2006/TRAIL/index.htm

The next State Trails Study Committee meeting is scheduled for January 4, 2007.

D. Study Committee on Great Lakes Water Resource Compact

The Study Committee on Great Lakes Water Resources Compact met on November 13, 2006. The Committee heard presentations on the Great Lakes hydrology and water conservation and efficiency programs, and conducted discussions on water resource inventory, registry of withdrawals and diversions, baseline volume determination, and alternates and advisors to the Governor, as Wisconsin’s member of the Great Lakes-St. Lawrence River Basin Water Council.

The Committee facilitated a two-sided panel discussion on water conservation, which consisted of a “State Agency Panel” and a “Responders Panel.” Some of the issues specifically discussed by panel members include: Plumbing: Options and Requirements for Sustainable Development (Dept. of Commerce); Water Rates, Conservation, Opting Out, Metering, Loss Prevention, Data Collection and Benchmarks (Public Service Comm.); Demand Side Initiatives for Water Utilities (Public Service Comm.); and Great Lakes Hydrology (U.S. Army Corps of Engineers).

All of the documents, including the PowerPoint presentations, minutes of the meeting and audio files, are available at:

http://www.legis.state.wi.us/lc/3_COMMITTEES/special%20COMMITTEES/2006/GLAKE/index.htm

E. Other Study Committees

Other Study Committees, including *Disaster Preparedness Planning; Navigability and Draining Ditches; Nuclear Power; Placement of Sex Offenders; and Review of State School Aid Formula* can be monitored at the following website:

http://www.legis.state.wi.us/lc/3_COMMITTEES/special%20COMMITTEES/2006/2006_special_committees.htm

This website contains the scope of study, the agendas, meeting minutes, documents and audio files for each Study Committee. This website also provides notices for each Committee's upcoming meeting.