

Legislative Committee
Monday, August 24, 2009
JAMES P. COUGHLIN CENTER

Present: Stan Kline, Nancy Barker, Don Griesbach, Bill Wingren, Pat Brennand, Ken Robl, Jim Koziczowski, Tom Widener, Harvey Rengstorf, Tom Ellis, Jerry Finch, David Albrecht, Jef Hall and Jo Sievert.

Also

Present: John Casper – Oshkosh Chamber, State Senator Hopper, Representative Richard Spanbauer, Gregg Underheim – Congressman Petri’s Office, Cary Rowe – Planning & Zoning, John Bodnar – Corporation Counsel, Jim Macy- Grand Opera House Foundation, and Joseph Ferlo – Grand Opera House Director

Excused:

Absent: Patrick O’Brien, Kathy Lennon

The meeting was called to order at 8:33 A.M. The Pledge of Allegiance was recited. Chairman Kline had everyone introduce themselves.

It was moved by J. Finch and seconded by B. Wingren to approve the minutes of July 27, 2009.
CARRIED 14-0.

UPDATE ON THIS LEGISLATIVE SESSION

Senator Hopper talked to the committee regarding Mercury Marine. As of this point in time, the union has voted down the contract that the company is offering. Senator Hopper said there are still different parties trying to save the corporate jobs that are still in Fond du Lac. He plans to reach out to Governor Doyle, to see what help he can offer. Senator Hopper told the committee that to lose the 800 manufacturing jobs will be devastating to the economy in the Fond du Lac area. Senator Hopper told the committee that the Fond du Lac area would need 50 new businesses with an average of 25 employees to move into the Fond du Lac area to make up for Mercury Marine leaving.

Senator Hopper told the committee that he has introduced a new piece of legislation regarding education reform. President Obama has started a program called “Race to the Top”. This is an incentive program offered to the states that show true education reform. There is \$4.3 billion available in total. Wisconsin is eligible to get about \$612 million for K-12 education. Of that amount, 50% would be earmarked for low income parts of the state. The other 50% could be used for general purpose educational spending. If a state has on its books that they don’t allow test results to be used in teacher evaluations, the state is not eligible for the program. There are 7 states that do not allow test results to be used in teacher evaluations and Wisconsin is one of those. The bill that Senator Hopper authored does not require school districts to use the test scores as part of the evaluation. It simply states if they choose to, they can. That is all that has to be done to qualify for the money. He is looking for bi-partisan support and will be talking to the teacher’s union as well. Chairman Kline told Senator Hopper that we would put this piece of legislation on the agenda for next month.

Representative Spanbauer told the committee that he is supporting Senator Hopper’s bill. He told the committee there is not much going on currently in Madison, but he is continuing to meet with his committees. He told the committee that a bill regarding the Register of Deeds is making its way through the legislature now – it is in regards to raising the fees slightly and making the entity who filed the paperwork responsible for correcting any mistakes found on the filing. He told the committee they are many bills coming forward regarding drunk driving. There is also a bill to not allow parents let their underage children be served. The session starts on September 15.

Gregg Underheim told the committee that Congressman Petri is holding town hall meetings throughout his district. The topic that is coming up the most is health care. The views expressed are overwhelmingly against the plan. There have been plenty of amendments offered regarding the health care proposal. One amendment is that if and when a health care plan is passed, does not prohibit medical savings accounts. Congressman Petri offered this amendment. Manitowoc County has instituted medical savings accounts, and they are very well accepted. This amendment was adopted in Congressman Petri’s committee. In other committees, it has been defeated. Another amendment that was offered was

one regarding if the health care proposal passed, would not disallow a state to experiment with single payer. Congressman Petri supported this amendment as well.

Mr. Underheim told the committee that right now, without changes, he doubts any republican would vote for the health care proposal. It does not look like the democrats will not have enough votes to break a filibuster.

RESOLUTION TO OPPOSE THE LANGUAGE IN WISCONSIN STATUTE 84.06(12) PERTAINING TO BORROW PITS – Patrick Brennand and Cary Rowe

This law exempts borrow pits from regulatory functions of municipalities. This law was enacted to expedite construction as a result of the stimulus money, particularly Highway 41. The Winnebago County Zoning Department had approved 2 sites for borrow pits in the Town of Oshkosh. There was also a site in the City of Oshkosh that had not yet been approved. A contractor came in and indicated that they were exempt from all regulations for borrow pits. The concern of the Zoning Department is the law is vaguely written in regards to set backs and reclamation. This was all left out of the bill. The site for the City of Oshkosh was behind the jail and near a sub division in the Town of Oshkosh. The attorney for the contractor interpreted the law to include blasting and processing. It is the opinion of the City of Oshkosh and the County that constitutes quarry functions.

The contractor is honoring the 2 conditional use permits for the sites in the Town of Oshkosh. At the site in Oshkosh they are planning on taking 20 feet of rock out to use to build the highway across Lake Butte des Morts. Because of the possible disruption of services (such as 911) housed in the jail, the contractor has decided not to use that site. They are looking for other sites, and the bill is still out there with the present wording. If the contractor had insisted on going forward with his plan, the county would have requested a temporary restraining order and injunction against this type of work being done so close to the Sheriff's Department and a sub-division. John Bodnar felt there would be no problem getting that injunction granted.

Mr. Bodnar feels that the Wisconsin State Legislature needs to go back and define the wording and put controls on where this type of activity can occur.

The committee discussed the ramifications of this type of borrow pit.

Senator Hopper told the committee that the fastest way to get something going on the state level with this is through Representative Gordon Hintz. He told the committee that he and Representative Spanbauer would not be able to get this resolution to have a hearing anymore this year.

It was moved by P. Brennand and seconded by D. Albrecht to move this resolution forward to the County Board. This was carried 14 – 0.

RESOLUTION ENDORSING COUNTY SUPPORT FOR THE GRAND OPERA HOUSE IN OSHKOSH

Mr. Ferlo told the committee that the Grand Opera House is the oldest operating theatre in Wisconsin. It has been in use for over 125 years. 4 area high schools use the Grand for their musicals. There are over 100 performances a year. The Grand is in use 250 days a year. The average attendance per year is 40,000 to 50,000 people a year.

The Grand now needs major renovations on the roof. Because of this, 25 performances were moved to other venues. There has been a tremendous show of support from the community.

Jim Macy, President of the Grand opera House Foundation told the committee that the State of Wisconsin has helped with \$500,000. The foundation is willing to contribute \$250,000 to help get the project done. A ticket surcharge of \$.50 to \$1.50 for 10 years would also raise \$250,000. That is separate from the \$400,000 to \$500,000 that is raised from private sources every year. That is also separate from the \$300,000 raised for improvements to the retail section of the building.

Mr. Macy and Mr. Ferlo are appearing to ask if there is any support that they county can offer to help with this renovation problem. It was suggested that any funding support from the county – would go to the foundation, not the City of Oshkosh.

The Grand caters to the average person – tickets are accessible for all county residents. The grand is also good for tourism in this county.

Discussion for support of the Grand was held by the committee.

Bill Wingren moved and Jerry Finch seconded to support the Grand with a one time payment of \$30,000 to the Grand Opera House Foundation and support its mission. Discussion occurred with the committee. This was carried 12 – 2.

Jef Hall left the meeting at 9:34 A.M.

RESOLUTION TO SUPPORT COMPREHENSIVE FEDERAL HEALTH REFORM

Chairman Kline decided after with discussion with the committee to send this resolution back to the Human Services Board. They can go through the resolution and make recommendations (if needed) at a later meeting.

No committee member had any items to be put on the next agenda. The next meeting will be September 28, 2009 at 8:30.

It was moved by Jerry Finch and seconded by Pat Brennand to adjourn. The meeting was adjourned at 9:42 AM

Respectfully Submitted By:
Nancy Barker
Secretary

Recorded By:
Jean Mahy
County Clerk's Office