



February 24, 2012

Senate Committee Advances Bill Disbanding MATC Milwaukee Board

- *Party-Line Votes Re-Write Boards Bill and Pass it Out of Committee. Bill Now Available for Scheduling in Full Senate.*
- *Bill Disbands MATC Milwaukee Board and Dramatically Reshapes New Board and its Appointing Authority.*
- *Despite Amendments to Improve the Senate Bill, it Remains Significantly Troubling.*
- *Assembly Bill Still in Original Form; May Be Acted Upon Next Week.*

On a series of 4-3 party-line votes yesterday, a Senate committee advanced SB 275, the Senate's district board composition bill. The original bill was completely rewritten and now disbands and re-casts only the MATC Milwaukee Board, while not affecting any other district boards. Yesterday's votes were taken on a confusing set of amendments, some of which were not shared with the public before or during the committee proceeding. No public hearing was held on these new measures despite the very different nature of the bill from its original terms. Because the bill technically is still a rewrite of SB 275, which received an earlier hearing, no additional public input was required.

The Senate Committee on Agriculture, Forestry and Higher Education yesterday adopted a verbal amendment to a written "Amendment 1" that then amended the "Substitute Amendment 1" that completely replaced the original bill's language. The Committee then voted in favor of passage overall. A series of motions was necessary to accomplish this. Each passed 4-3 as follows:

Senators voting in favor of each motion were Chair Dale Schultz (R-Richland Center), Sheila Harsdorf (R-River Falls), Neal Kedzie (R-Elkhorn) and Terry Moulton (R-Chippewa Falls). Senators voting against each motion were Dave Hansen (D-Green Bay), Jennifer Shilling (D-La Crosse) and Jessica King (D-Oshkosh).

The adoption of these amendments results in the following SB 275 provisions now ready for consideration by the full Senate:

- Disband the current MATC Milwaukee District Board upon the bill becoming law (There is still some ambiguity about the exact timing of this).
- Eliminate the longstanding current board appointment authority of more than 20 constituent school board presidents. Replace it with a new appointment committee of 4 members, comprised of the Milwaukee County Executive, the Milwaukee County Board Chair, the Washington County Board Chair (2% of population and 25% of

appointing committee) and the Ozaukee County Board Chair (7% of population and 25% of appointing authority). Milwaukee County has 50% of the appointing committee membership and 90% of the population under this model.

- Eliminate the board's 2 employer seats, 2 employee seats and 1 of the current at-large seats.
- Replace the 5 seats with 5 board members who must come from private "for-profit" businesses or from health care entities, credit unions or cooperatives. Among those 5 members, require that:
 - None of the 5 businesspersons may come from a business with less than 15 employees.
 - 2 of the 5 must come from entities of 100 or more employees;
 - 2 of the 5 must be from manufacturing entities.
- Maintain the elected official position, the school district administrator position, and 2 of the 3 at-large board positions.
 - Prior to yesterday's action, the bill was poised to eliminate the MATC Board's elected official position. This position was restored in the amendments to the first amendment.
 - Coincidentally, the incumbent currently serving in the elected official position, a retired machinist and Oak Creek Alderman, unsuccessfully challenged the lead sponsor of the Assembly version of this bill in Fall, 2010, elections.
- Maintain a district "plan of representation" and require the plan take into account minority populations in the City of Milwaukee. The amendments to the amendments restored requiring any "plan of representation," which was eliminated in the first amendment. It also restored current language that the appointing authority consider minority populations in the City of Milwaukee as well as in the district overall. This language was also to be removed.

The bill is now available for scheduling by the full Senate. We will seek to keep this bill from passing before the session adjourns. Any bill not passed in identical fashion by both houses expires upon adjournment.

The parallel Assembly bill, AB 353, remains intact in original form (changing the appointment of all district boards statewide by eliminating employer and employee seats and requiring 6 businesspersons on each board). The Assembly Colleges and Universities Committee is scheduled to take action on that bill on Thursday, March 1st. However, it is not clear if this will take place as scheduled because several committee members report they will be out of state.

Expect that similar (or the same) amendments will be presented to the Assembly committee as adopted yesterday in the Senate. We know that a number of Assembly committee members share concerns with the original bill. However, the extent of this concern is muddled by the

multiple possible amendments, as well as by the fact that bill voting generally tends to become less predictable and more volatile as a session accelerates rapidly toward the final bell.

While only a few session days remain, the Milwaukee Metropolitan Association of Commerce (MMAC) and the bills' lead sponsors, Senator Glenn Grothman (R-West Bend) and Representative Mark Honadel (R-South Milwaukee) appear to continue to support passage of a bill targeting the MATC Milwaukee Board.

While the bill was improved in the Senate compared with where we began yesterday, it remains unnecessary, misguided, and does not well serve the people of the MATC Milwaukee district or of Wisconsin. Based on the amended Senate version, the current bill:

- Disbands the MATC Milwaukee Board wholesale (all nine members) without continuity. This would leave one of the nation's largest urban colleges with an entirely new governing body with no experience at a crucial time.
- Makes several current board members practically unable to be reappointed and continue serving. The following 5 members appear to be outside the Senate bill's eligibility requirements, except for the 2 at-large seats:
 - Fred Royal, Jr. (District Boards Association Executive Committee member and our state Secretary/Treasurer), an employee of the Milwaukee Help in Re-Employment Center (not a private businessperson);
 - Lauren Baker (former ACCT Board member and longtime statewide Association Legislative Co-Chair), Director of Career and Technical Education for Milwaukee Public Schools (not a private businessperson);
 - Ann Wilson (newly elected member of the ACCT Diversity Committee), Director of the Hillside Family Resource Center, part of City of Milwaukee Public Housing (not a private businessperson);
 - Bobbie Webber, Captain, retired, Milwaukee Fire Department (not a private businessperson); and,
 - Peter Earle – Law Offices of Peter Earle (a private businessperson, but not qualified because his business has less than 15 employees).

In addition to representing state and national trustee leadership roles, these members represent important MATC District communities, businesses, education partners, and careers and training areas central to the college. These members also represent the board's entire current minority membership (3 African American members and 1 Latino member).

More broadly, the bill reflects a decision that the state should substitute itself for the longstanding local model of representation in terms of its process, its board composition, and, significantly, the individuals who may serve. This represents a major precedent for other local college boards and public bodies in the future.

- Replaces the longstanding appointing authority of more than 20 school board leaders with a less representative appointing body of 4. These provisions were just added and not subject to a public hearing, but change the authority of both elected school leaders and county leaders.
- Importantly, like the original bill language, eliminates the specific requirement that the board include employees and employers, a hallmark of our boards for 100 years.
- The bill eliminates the ability of leaders serving in 7 of 9 seats from employment in areas such as police, fire, the military, economic development organizations, community groups, education, charities, labor, and many other non-profit and public groups.
- Arbitrarily prohibits a private businessperson from being considered a businessperson if he/she works for an entity of less than 15 employees. Several well-known board members who have served in state and national leadership roles were CEOs of small firms, including a wood products company (the late David Logghe, Wisconsin Indianhead) and a commercial real estate management and development group (the late Joan Jenstead, Waukesha County). In addition to being dedicated business leader public servants as board members, both were state association presidents and Board Member of the Year. Joan was the longest-serving national ACCT Board member in history. Imagine putting into state statute that neither could be appointed as a “businessperson.”
- No longer provides for retirees to be considered for most board positions. It appears that any businessperson, including the CEO of a major private corporation, would cease to be eligible to continue as a board businessperson upon retirement.
- Creates a more complex appointing mandate that may be difficult to fulfill at a time when board applicant numbers are already modest. The plan of representation combined with complex limitations on business seats could make it challenging to find appropriate candidates.
- Finally, of course, the bill establishes the MATC Milwaukee board and its appointment and composition as different than 15 other college districts statewide for the first time in 100 years.

Stand by for additional advocacy requests early next week. At this time, our message is simply to oppose both bills as introduced or as amended.

This report was prepared by Paul Gabriel for the Wisconsin Technical College District Boards Association. Any opinion or analysis in this report is exclusively the author's.