

WISCONSIN CATHOLIC CONFERENCE

EYE ON THE CAPITOL

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THE LEGISLATIVE SESSION WAS A “MIXED BAG”

By John Huebscher

No political leader can fulfill every promise, right every wrong, or solve every problem. Nor can a body like the Wisconsin Legislature achieve perfection over the course of its sixteen or so months of legislative activity. So it is no surprise that the 2009-10 legislative session that ended on April 22nd did so with a mixed record of accomplishments and disappointments.

Of course, how one measures success has a lot to do with expectations and how one defines good and bad public policy. A great session to one interest group may look like a disaster to another. This column evaluates the legislative session in light of the legislative interests of the Wisconsin Catholic Conference.

First the plus side.

Payday Lending. For the first time, legislators approved regulation of the payday lending industry. The bill did not go as far as some advocates wanted, but it did end Wisconsin's status as the only state not to have any regulation of an industry that many view as predatory. Hats off to staff at our Catholic Charities agencies and St. Vincent de Paul Society Councils who helped legislators appreciate the need to take action.

Mental Health Parity. For a number of years, the WCC and others have argued that health insurance plans should cover mental illness on par with coverage for physical health issues. After several attempts, a bill to provide such parity became law this spring.

Legal Services for the Indigent. The Legislature approved a bill to give the poor better access to legal representation through the State Public Defender. This bill is consistent with one of the reforms suggested in the WCC statement on crime and punishment.

Sometimes we measure success in terms of what did not happen. A number of bills that the WCC opposed did not become law. These include:

Private School Pupil Transportation. A proposal to allow school districts to restrict transportation funds to large families whose children attend the same private school passed the Assembly, but died in the Senate.

Abortion Law. Early in 2009, pro-choice advocates talked about introducing a bill to erase a law that prohibits most abortions in Wisconsin, but has not been enforced since *Roe v. Wade* was decided in 1973. Stiff opposition from pro-life groups urged legislators to forego introduction of the bill.

Statute of Limitations for Child Sexual Abuse. The bill to open a three-year “window” to revive old claims against child abusers and others (currently barred under the statute of limitations) did not pass. Concerns about the legislation’s constitutionality, its unequal treatment of government and nongovernmental organizations, and concerns about obtaining the truth decades after the fact all hindered the bill’s advancement.

And of course the session included some outright disappointments. Two of them were the following:

Sex Education Mandates. Sex education in public schools has long been the responsibility of local school boards who enjoyed wide discretion in deciding what approach is best for students in their community. The Legislature adopted a law that removes much of that discretion and ties the hands of local school officials, and their community advisory boards, who determine an “abstinence only” approach is best for them.

Insurance Mandate for Contraceptive Services. The Legislature imposed a mandate that any health insurance policy sold must include coverage for contraceptive services, even if the purchaser objects to it. The Legislature’s unwillingness to include an exemption for organizations with religious affiliation ranks as perhaps the greatest shortcoming of the session.

But as one session ends, another awaits. And as the longtime political advisor, Lawrence O’Brien, liked to say, “There are no final victories.” Every debate can be revisited and renewed. So as the memories of 2009-10 fade, the promise of the 2011-12 legislative session waits, and it provides another opportunity to fix the flaws and build on the gains of what happened in the session just ended.

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