

STATE OF WISCONSIN

Senate Journal

Eighty-Eighth Regular Session

10:00 A.M.

THURSDAY, October 15, 1987

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

By request of the president of the senate, with unanimous consent, the calling of the roll was dispensed with.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 46

Relating to requesting a study of the need for the regulation of biotechnology in this state.

By Senators Harsdorf, Moen, Cowles, Andrea, Rude, Kreul, Roshell, Lorman, Chilsen and Weeden; cosponsored by Representatives Tregoning, Brancel, Berndt, Vergeront, Deininger, Porter Robson, Ott, Turba, Schneiders, Brandemuehl, Farrow, Boyle, Musser, Underheim, Magnuson, Johnsrud, Van Gorden, Hamilton, Rosenzweig, Barca, Ourada and Paulson.

Read first time and referred to committee on Agriculture, Health and Human Services.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 384

Relating to revising penalties for violations of fishing regulations.

By Senator Lasee; cosponsored by Representatives Bolle and Swoboda.

To committee on Transportation, Tourism and Conservation.

Senate Bill 385

Relating to requirements for public library systems.

By Senator Kreul; cosponsored by Representative Brandemuehl.

To committee on Education.

Senate Bill 386

Relating to ferry service assistance.

By Senator Kreul; cosponsored by Representative Brandemuehl.

To committee on Transportation, Tourism and Conservation.

Senate Bill 387

Relating to mayoral appointments, certain public offices, budget procedures and parking revenues in 1st class cities.

By Senators Lee, Czarnezki and Norquist; cosponsored by Representatives Krug, Barrett, Notestein, Bock and S. Coggs.

To committee on Urban Affairs, Energy, Environmental Resources and Elections.

COMMITTEE REPORTS

The committee on Education reports and recommends:

Senate Bill 121

Relating to a sales and use tax exemption for sales by parent-teacher organizations.

Passage:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach, Moen, Jauch, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Senate Bill 332

Relating to day care in schools.

Passage:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach, Moen, Jauch, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

Assembly Bill 89

Relating to use of certain school buses for nonpupil transportation.

Concurrence:

Ayes, 8 -- Senators Czarnezki, Adelman, Helbach, Moen, Jauch, Harsdorf, Lorman and Rude;

Noes, 0 -- None.

JOSEPH J. CZARNEZKI  
Chair

REPORT OF JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

Appendix to Senate Bill 333

Public Policy Involved

The provisions in this legislation relating to benefit programs for employees who are transferred from county employment to state employment are similar to those found in the 1977 legislation which provided for state trial court reorganization. Most affected employees are presently participants of the WRS, and hence, the retirement program would not be greatly affected by the transfer. On the other hand, county employees transferring to state employment would have access to other benefit programs administered by the DETF for state employees including sick leave conversion, life insurance, income continuation insurance and health

insurance. These benefit programs may or may not be similar to the benefit programs now in effect for county employees so transferred.

The bill also grants Milwaukee County employees an election to retain coverage under the Milwaukee County Retirement Plan in a manner similar to that provided county judges during the 1977 court reorganization legislation. However, if a Milwaukee County employee elects coverage under the WRS, said employee is prevented by this legislation from receiving benefits under the county system as long as state employment continues.

The following points should perhaps be raised concerning the provisions of this bill relating to employee benefit programs:

1) 978.12(3) of this bill provides for the transfer of sick leave that had been accumulated under a county plan to the state's sick leave program, but not to exceed the amount that could have been granted under the state plan. This represents new liabilities for the state's ASLCC program which pays for health insurance premiums after retirement under specified conditions. This state program is projected to have a cost of at least 1.6% of covered payroll per year of service. Because this bill does not provide for a transfer of assets from the counties relative to the liabilities transferred, it might be more equitable to limit the transfer of sick leave for sick leave purposes only and no for conversion credit under the ASLCC program.

(2) 978.12(5)(a) as created by this bill requires the use of separate WRS contribution rates for elected officials vs. other employees in determining state payments to the Milwaukee County Plan for those electing continued coverage under the county retirement plan. To be equitable, separate contribution rates should be used for both the WRS and the Milwaukee County Plan if such calculations are actuarially available.

(3) 978.12(5)(c) 2. provides that the state shall pay 50% of any difference in the costs between the Milwaukee County Plan and the state plan if the Milwaukee County Plan contribution rates are higher. Presently, the employer contribution rates for general employees and elected officials under the WRS are higher than similar contribution rates under the WRS County Plan. It would seem illogical to require the state to transfer monies to the Milwaukee County Plan at the state contribution rate if the Milwaukee County Plan is less expensive. Also, there seems to be little reason why the state should subsidize the Milwaukee County Plan if in the future it becomes more expensive than the state plan. Therefore, it may be more equitable to require the state to pay to the county treasurer the amount required for payments to the WRS, but not to

exceed the actuarially determined contribution rates of the Milwaukee County Plan.

978.12(5)(b) makes a general reference that "district attorneys and employees of the office of the district attorney" shall be included within the provisions of the WRS. This legislation requires the counties to continue to provide any required support staff for the district attorney and his or her assistants and deputies, and it is not entirely clear that such support staff are excluded from the term "employees of the office of district attorneys". To make sure that support staff are not also transferred to state employee status, this legislation should perhaps clearly define the term "employees of the office of district attorneys".

The Joint Survey committee on Retirement Systems is concerned only with the retirement provisions contained in Senate Bill 333. The committee finds that the retirement provisions represent good public policy if senate amendment 1 is adopted.

ROBERT JAUCH  
Co-chair

JOHN VOLK  
Co-chair

Read and referred to committee on Judiciary and Consumer Affairs.

## PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Office of the Secretary of State

October 13, 1987

To the Honorable the Senate

I have the honor to transmit to you the following information pursuant to s. 13.685(7):

Sincerely,  
DOUGLAS LAFOLLETTE  
Secretary of State

### NEWLY REGISTERED LOBBYISTS AND THEIR PRINCIPALS:

BOULLION, JR. JAMES A., 1973 Dolores Rd., Madison, WI 53716 (608) 222-4410

1) Wisconsin Builders Assn, 1438 N. Stoughton Rd., Madison, WI 53714 (608) 249-9912 (issues relating to the home building industry)

CHRISTIANSON, PETER C., 660 E. Mason St., Milwaukee, WI 53203 (414) 271-5900

1) Badger Racing Group, Inc., George Pl Chryst, 1020 Hollman St., Platteville, WI 53818 (608) 348-8598 (enactment of enabling legislation to permit construction and operation of a dog racing track in the State of Wisconsin and all matter relating thereto)

CHRNELICH, JOSEPH M., 1 S. Pinckney St., Ste. 313, Madison, WI 53703 (608) 258-9506

International Business Machines Corp., Susan Putnam, 1801 K St., N.W., Ste. 1200, Washington DC

20006 (202) 778-5018 (functions and activities of state and local government and units thereof, environment, taxation, regulation of business and finance, economic development, education)

COOK, SHARON D., 660 E. Mason St., Milwaukee, WI 53203 (414) 271-5900

1) Badger Racing Group, Inc., George Pl Chryst, 1020 Hollman St., Platteville, WI 53818 (608) 348-8598 (enactment of enabling legislation to permit construction and operation of a dog racing track in the State of Wisconsin and all matter relating thereto)

DACEY, SCOTT C., 817 N. Marshall St., Milwaukee, WI 53202 (414) 224-9393

1) Children's Health Systems of Wisconsin, Jon E. Vice, 1700 W. Wisconsin Ave., Milwaukee, WI 53233 (414) 931-4099 (health related legislation and rules)

RIPPLE, MARY ANNE, 30 W. Mifflin St., Ste. 302, Madison, WI 53703 (608) 257-0004

1) WI Catholic School Parents Organization, Charles M. Phillips, 30 W. Mifflin St., Ste. 302, Madison, WI 53703 (608) 257-0004 (anything to do with education)

TIMBERLAKE, ROBERT, 1700 W. Wisconsin Ave., Milwaukee, WI 53233 (414) 931-4099

1) Children's Health Systems of Wisconsin, Jon E. Vice, 1700 W. Wisconsin Ave., Milwaukee, WI 53233 (414) 931-4099 (health related legislation and rules) Falls, WI 53051 (414) 251-1138

#### TERMINATION OF LOBBYIST LICENSES:

Broydrick, Bill, Theda Clark, effective October 7, 1987

Martin, Larry, Cardinal Industries, Inc., MCI Communications Corp., Old Republic Surety Co., WI Automatic Merchandising Council, WI Builders Assn., WI Optometric Assn., WI Society of Podiatric Medicine, effective October 1, 1987

#### SENATE CLEARINGHOUSE ORDERS

##### Senate Clearinghouse Rule 87-113

Relating to teacher licensing.

Submitted by Department of Public Instruction.

Report received from agency, October 13, 1987.

Referred to committee on Education, October 15, 1987.

##### Senate Clearinghouse Rule 87-114

Relating to teacher education program approval standards.

Submitted by Department of Public Instruction.

Report received from agency, October 13, 1987.

Referred to committee on Education, October 15, 1987.

##### Senate Clearinghouse Rule 87-124

Relating to high school equivalency diplomas.

Submitted by Department of Public Instruction.

Report received from agency, October 13, 1987.

Referred to committee on Education, October 15, 1987.

##### Senate Clearinghouse Rule 87-127

Relating to definitions under the securities law; securities and franchise registration exemptions; securities and franchise registration standards, requirements and procedures; and securities broker-dealer and investment adviser licensing requirements and procedures.

Submitted by Office of the Commissioner of Securities.

Report received from agency, October 14, 1987.

Referred to committee on Economic Development, Financial Institutions and Fiscal Policies, October 15, 1987.

The committee on Education reports and recommends:

##### Senate Clearinghouse Rule 87-104

Relating to school district standards and education for employment.

No action taken.

JOSEPH H. CZARNEZKI  
Chair

#### MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in:

Assembly Bill 242

Assembly Bill 262

Assembly Bill 284

Assembly Bill 373

Assembly Bill 412

Assembly Bill 419

Assembly Bill 444

Assembly Bill 445

Assembly Bill 453

Assembly Bill 490

Assembly Bill 528

Assembly Bill 529

Assembly Bill 530

Concurred in:

Senate Bill 178

Senate Bill 196

Senate Bill 296

Assembly Bill 34, senate amendment 2

Assembly Bill 37, senate substitute amendment 1

Assembly Bill 180, senate substitute amendment 1

Amended and concurred in as amended:

Senate Bill 38, assembly substitute amendment 1

Senate Bill 274, assembly amendments 1 and 2, assembly amendment 1 to assembly amendment 2

**Senate Bill 7**, assembly amendments 4, 8, 9, 10, assembly amendment 1 to assembly amendment 11, 11, 12, 17, 18, 19 and 24

**Assembly Bill 34**, assembly amendment 1 to senate amendment 1

Nonconcurrent in:

**Assembly Bill 43**, senate amendment 1

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MESSAGE FROM THE ASSEMBLY  
CONSIDERED

**Assembly Bill 242**

Relating to witnesses who fail to appear in court and providing a penalty.

By Representatives Holperin, Barca, Barrett, Van Dreel, Zweck, Carpenter, Shoemaker, Linton, Panzer, Prosser, Ladwig, Goetsch, Schmidt and Tregoning, cosponsored by Senators Jauch and Davis.

Read first time and referred to committee on Judiciary and Consumer Affairs.

**Assembly Bill 262**

Relating to presence of persons on premises licensed to sell alcohol beverages for consumption off premises at certain times.

By Representatives Medinger, Merkt, Larson, Gruszynski, Bolle, Volk, Robinson, Looby, Potter, Wineke and Carpenter, cosponsored by Senators Roshell and Chvala.

Read first time and referred to committee on Labor, Business, Insurance, Veterans and Military Affairs.

**Assembly Bill 284**

Relating to flexible-time schedules, employe performance evaluations and authority to establish a state employe grievance procedure (suggested as remedial legislation by the department of employment relations).

By Law Revision Committee.

Read first time and referred to committee on Housing, Government Operations and Cultural Affairs.

**Assembly Bill 373**

Relating to issuing permits authorizing the sale of alcohol beverages by ski jumping clubs.

By Representatives Medinger and Johnsrud, cosponsored by Senator Rude.

Read first time and referred to committee on Labor, Business, Insurance, Veterans and Military Affairs.

**Assembly Bill 412**

Relating to the definition of motor vehicle and award of collateral costs under the new motor vehicle warranties law.

By Representatives Holschbach, Krug, Magnuson, Gruszynski, Boyle, Notestein, Hasenohrl, Vanderperren, McEssy, Carpenter, Holperin, Young, Brandemuehl, Seery, Hamilton, Matty and Van Dreel, cosponsored by Senators Czarnecki, Davis and Harsdorf.

Read first time and referred to committee on Judiciary and Consumer Affairs.

**Assembly Bill 419**

Relating to revising penalties for offenses related to endangered species of wild animals.

By Representative Bell, cosponsored by Senator Czarnecki.

Read first time and referred to committee on Transportation, Tourism and Conservation.

**Assembly Bill 444**

Relating to salaries for reserve judges.

By Law Revision Committee.

Read first time and referred to committee on Judiciary and Consumer Affairs.

**Assembly Bill 445**

Relating to: increasing the secretary of state's filing fee for marks of ownership on containers and for brands of beverages; changing the effective period of registrations and registration renewals of marks and brands of beverages; fees for filing certain documents with the secretary of state; changes to the laws regarding financing statements; the address requirements for incorporators; and certifications by the secretary of state (suggested as remedial legislation by the secretary of state).

By Law Revision Committee.

Read first time and referred to committee on Housing, Government Operations and Cultural Affairs.

**Assembly Bill 453**

Relating to annual fees of clerks of court for receiving and disbursing maintenance and support payments.

By Representatives Hauke and Nelsen.

Read first time and referred to committee on Judiciary and Consumer Affairs.

**Assembly Bill 490**

Relating to operation of certain emergency vehicles.

By Representatives Vanderperren, Krusick, Hasenohrl, Schultz, Fergus, Vergeront, Van Gorden, Brandemuehl, Wineke, Hauke, Prosser, Thompson, Volk, Shoemaker and Musser, cosponsored by Senators Kincaid, Andrea, Chilsen, Risser, Roshell and Davis.

Read first time and referred to committee on Transportation, Tourism and Conservation.

**Assembly Bill 528**

Relating to the confidentiality of pupil records.

By Representatives Potter, Grobschmidt, Roberts, Larson and York, cosponsored by Senator Czarnecki.

Read first time and referred to committee on Education.

**Assembly Bill 529**

Relating to bilingual-bicultural education programs.

By Representatives Potter, Grobschmidt, Roberts, Larson, York and Radtke, cosponsored by Senators Czarnecki, Helbach and Rude.

Read first time and referred to committee on Education.

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**Assembly Bill 530**

Relating to liability of pupil services personnel for referring a pupil to law enforcement authorities.

By Representatives Potter, Grobschmidt, Roberts, Larson, York and Radtke, cosponsored by Senators Czarnezki, Helbach and Rude.

Read first time and referred to committee on Education.

Senate amendment 1 to **Senate Bill 333** by Senator Jauch.

Upon motion of the president of the senate the senate adjourned until 10:00 A.M. Tuesday, October 20.

10:01 A.M.

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**AMENDMENTS OFFERED**

Senate amendment 1 to **Senate Bill 265** by Senator Ulichny.