

Committee Name:

**JOINT SURVEY COMMITTEE – RETIREMENT SYSTEMS
(JSC–RS)**

Appointments

89hr_JSC–RS_Appt_pt00

Clearinghouse Rules

89hr_JSC–RS_CRule_89–

Committee Hearings

89hr_JSC–RS_CH_pt00

Committee Reports

89hr_JSC–RS_CR_pt0

Executive Sessions

89hr_JSC–RS_ES_pt00

Hearing Records

89hr_ab0382

89hr_sb0000

Misc.

89hr_JSC–RS_Misc_pt89

Record of Committee Proceedings

89hr_JSC–RS_RCP_pt00

CONSIDERATION OF AB 382
(BILL NUMBER)

DATE 8/3

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME Tom Boedd
ADDRESS 1314 E. Wilson
CITY Madison STATE WI ZIP 53703
ORGANIZATION, IF ANY Rep. Household (author)

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF AB 382
(BILL NUMBER)

DATE 8-3-89 ✓

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME MIKE MOSCHKAU
ADDRESS 4802 SHEBOYGAN AVE
CITY MADISON STATE WI ZIP 53711
ORGANIZATION, IF ANY STATE PATROL

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF 382
(BILL NUMBER)

DATE 8/3/89

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME Rudy Frechette

ADDRESS _____

CITY Washburn STATE Wis. ZIP 54891

ORGANIZATION, IF ANY Bayfield County Sheriff Dept.

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF AB 282
(BILL NUMBER)

DATE 8/3/89

APPEARING JOINTLY!

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME Marty Beil & Ron Distler

ADDRESS 5 Adams Ct.

CITY Madison STATE ND ZIP 53219

ORGANIZATION, IF ANY AFSCME Council 24 & State Patrol Local

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF AB 389
(BILL NUMBER)

DATE Aug 3, 1989

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME RONALD R. STUBBENDICK
ADDRESS 1473 MARQUETTE ST.
CITY JAMESVILLE STATE WI ZIP 53546
ORGANIZATION, IF ANY WIS SHERIFFS + DEPUTY SHERIFFS ASSOC

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF 382
(BILL NUMBER)

DATE 8/3/89

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME FRANK SLEETER
ADDRESS 5209 SCHFIELD AVE
CITY SCHFIELD STATE WIS ZIP 54476
ORGANIZATION, IF ANY WISCONSIN CHIEFS OF POLICE

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF AB 382
(BILL NUMBER)

DATE 8-3-89

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME HOWARD L. ERICKSON CHIEF OF POLICE CITY OF GREEN BAY

ADDRESS 307 S ADAMS ST.

CITY GREEN BAY, STATE WI ZIP 54301

ORGANIZATION, IF ANY GREEN BAY POLICE + WISCONSIN CHIEFS OF POLICE ASS.

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF AB 382
(BILL NUMBER)

DATE 7-3-89

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME Sheriff Jerome D Lacke

ADDRESS Dane Co Sheriff Dept

CITY Madison STATE WI ZIP 53709

ORGANIZATION, IF ANY Dane Co Sheriff Dept

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF 382
(BILL NUMBER)

DATE 8-3-89

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME STEVEN B. MAEL
ADDRESS 39 RUSTIC PARKWAY
CITY MADISON STATE WI ZIP 53713
ORGANIZATION, IF ANY WISCONSIN STATE PATROL

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

~~IN FAVOR~~ OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF AB382
(BILL NUMBER)

DATE AUG 3, 1989

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME COLONEL J. J. BIED
ADDRESS 504 S. MILLS ST
CITY MADISON STATE WI ZIP 53715
ORGANIZATION, IF ANY WISC STATE PATROL

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF 382
(BILL NUMBER)

DATE 4

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME MARK I BROWN
ADDRESS ~~18~~ 3021 CIMARRON TRAIL
CITY MADISON STATE WI ZIP 53719
ORGANIZATION, IF ANY WISCONSIN STATE PATROL

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF 382
(BILL NUMBER)

DATE 8-3-89

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME JOHN CARPENTER
ADDRESS 230 E. LEWIS ST
CITY PLATTEVILLE STATE WI ZIP 53218
ORGANIZATION, IF ANY W.S.P.

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF 382
(BILL NUMBER)

DATE 8-3-89

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME PETER J. CALLETTE

ADDRESS 2362 KRESS LANE

CITY POTOSI STATE WI ZIP 58320

ORGANIZATION, IF ANY WIS. STATE PATROL

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR

OPPOSED

INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR

OPPOSED

INFORMATION

CONSIDERATION OF 382
(BILL NUMBER)

DATE 8-3-89

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME W.C. DEGUIRE

ADDRESS 743 BRUCE ST

CITY FOND DU LAKE STATE WI ZIP 54935

ORGANIZATION, IF ANY _____

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR

OPPOSED

INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR

OPPOSED

INFORMATION

CONSIDERATION OF AB 382
(BILL NUMBER)

DATE 8-3-89

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME LESLYN ERICKSON
ADDRESS 709 BRUNDT
CITY MADISON STATE WI ZIP _____
ORGANIZATION, IF ANY STATE PATROL

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF 382
(BILL NUMBER)

DATE Aug. 03, 1989

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME Robert GORE
ADDRESS P.O. Box 66
CITY Windsor STATE Wisc. ZIP 53598
ORGANIZATION, IF ANY Wisconsin State Patrol

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF AB 382
(BILL NUMBER)

DATE 8-3-89

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME Rep. Harvey Stover
ADDRESS 13 E Capital
CITY Madison STATE _____ ZIP _____
ORGANIZATION, IF ANY _____

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF AB 382
(BILL NUMBER)

DATE 8-3-89

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME Steve Urso
ADDRESS 7 N. PINCKNEY #220
CITY MADISON, STATE WI ZIP 53703
ORGANIZATION, IF ANY WI PROFESS. POLICE ASSOC.

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR OPPOSED INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR OPPOSED INFORMATION

CONSIDERATION OF A B 382 DATE 9-12-89
(BILL NUMBER)

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

NAME Rep. Harvey Stawer
ADDRESS _____
CITY _____ STATE _____ ZIP _____
ORGANIZATION, IF ANY _____

WOULD LIKE TO TESTIFY (APPEAR BEFORE THE COMMITTEE)

IN FAVOR ___ OPPOSED ___ INFORMATION

WOULD LIKE TO REGISTER

IN FAVOR ___ OPPOSED ___ INFORMATION

SENATE HEARING SLIP

(Please Print Plainly)

DATE: Aug. 3, 1989

BILL NO. AB-382
OR
SUBJECT _____

Rep. Cletus Vanderperren
(Name)

2226 County Road C
(Street Address or Route Number)

Green Bay WI 54313-4503
(City and Zip Code)

Co-author 189th. A.D.
(Representing)

Speaking in favor:

Speaking Against:

Registering in favor:

Registering Against:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger **PROMPTLY.**

Senate Sergeant at Arms
Room 204-S
State Capitol
Madison, Wisconsin 53702

March 13, 1989

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director
Legislative Fiscal Bureau

SUBJECT: Assembly Substitute Amendment 1 to Assembly Bill 382: Powers,
Duties and Retirement Benefits of State Motor Vehicle Inspectors

Assembly Bill 382 was originally referred to the Joint Survey Committee on Retirement Systems, which developed Assembly Substitute Amendment 1. The Joint Survey Committee, on a vote of 7-1, found that the substitute amendment represented good public policy and recommended its passage. The substitute amendment was then referred to the Assembly Committee on Transportation, which recommended passage by a vote of 10-0.

BACKGROUND

Prior to the enactment of Chapter 355, Laws of 1967, motor vehicle inspectors were included as protective occupation participants under the state retirement system. That act lowered the normal retirement age for protective occupation participants from 60 to 55 and modified the occupations eligible for protective status. Pursuant to a study by the Retirement Research Committee at the time, it was determined that motor vehicle inspectors should not continue to be designated protective category employees because at that time they did not meet the basic statutory definition of requiring principal involvement in law enforcement or fire suppression. However, motor vehicle inspectors hired prior to January 1, 1968, were allowed to retain their protective status, while motor vehicles inspectors hired since that date currently have the status of general employees under the Wisconsin Retirement System.

Protective occupation employees are those employees whose principal duties meet all of the following requirements: (a) involvement in active law enforcement or active fire suppression or prevention; (b) frequent exposure to a high degree of danger or peril; and (c) a high degree of physical conditioning. The statutes contain specific occupations which are deemed to meet the above requirements [s. 40.02(48)]. However, other positions may also

qualify if the employer so determines unilaterally or by collective bargaining because they fall within the "law enforcement" requirement. The statutorily enumerated protective occupations are: police officer, firefighters, conservation warden, conservation patrol boat captain, conservation patrol boat engineer, conservation pilot, conservation patrol officer, forest fire control assistant, member of the state patrol, elected sheriff, undersheriff, deputy sheriff, county traffic police officer, state forest ranger, fire watcher employed by the Wisconsin Veterans Home, State Correctional-Psychiatric Officer, excise tax investigator employed by the Department of Revenue, special criminal investigation agent in the Department of Justice, assistant or deputy fire marshal.

After the early retirement window created by 1989 Wisconsin Act 13 closes on June 30, 1990, protective occupation employees will be able to retire with full benefits at age 53 with at least 25 years of service or at age 54 with less than 25 years of service. (For general employees, the normal retirement age is 65; however, under provisions of 1989 Wisconsin Act 13, depending on one's age and years of service, a general employee may retire with no actuarial reduction to his or her retirement annuity as early as age 57 with 30 years of service). In addition, protective occupation employees have a higher retirement formula multiplier (2.0 for those employees who also have Social Security coverage) than do general employees (1.6).

SUMMARY OF BILL

Assembly Substitute Amendment 1 to 1989 Assembly Bill 382 would expand the powers and duties of motor vehicle inspectors to authorize them: (a) to enforce laws governing the operation of motor vehicles while intoxicated; and (b) to arrest any person for whom a warrant has been issued in this state or a felony warrant has been issued in another state. The substitute amendment would also designate all motor vehicle inspectors (who are not already protective occupation participants) as protectives for retirement purposes. This change would apply prospectively to affected inspectors for all service rendered after the effective date of the substitute. Protective occupation status would not be granted to these employees for service between January 1, 1968, and the effective date of the substitute. As a result of this change, motor vehicle inspectors would also become eligible prospectively for benefits under the s. 40.65 duty disability program. Under this program, protective category employees may receive up to 80% of their salary (less certain offsets) as a result of duty-related injury or disease that is likely to be permanent and causes the employee to retire, accept reduced pay or light duty assignment or, in some cases, impairs promotional opportunities.

FISCAL EFFECT

The substitute amendment would provide an additional \$152,200 SEG in each fiscal year of the 1989-91 biennium to the Department of Transportation (DOT) to fund increased fringe benefits costs as a result of extending protective status to motor vehicle inspectors. Additional fringe benefits costs would be incurred by DOT because of: (a) the larger employer required contribution for protective category employees compared to general category employees, and (b) the employer required contribution for the s. 40.65 duty disability program. The additional amounts currently required for conversion of all general category motor vehicle inspectors to the protective category would be 5.2% of the applicable payroll for the 1990 calendar year. The employer required contribution for the s. 40.65 duty disability program would be 1.2% of the applicable payroll for the 1990 calendar year, based on DOT's current claims experience under the program.

The funding provided under the substitute also includes an additional \$43,200 SEG on a one-time basis in 1989-90 to purchase 96 pre-arrest breath testers (at \$450 per unit) for use by the motor vehicle inspectors to identify intoxicated drivers. Funding for these testers is not related to the question of the statutory extension of protective occupation status to all motor vehicle inspectors.

Currently, the total budgeted salary amount for DOT's 111.5 SEG motor vehicle inspectors is \$2,466,400 SEG annually. Of these inspectors, 11.0 SEG positions with an annual salary of \$323,300 SEG are grandfathered as protectives, since they were first employed prior to January 1, 1968. Thus, the total salary amount which would be affected by the proposed legislation amounts to \$2,143,100 SEG annually. Based on a 6.4% increase (calendar year 1990 rates) in fringe benefits costs (5.2% of payroll additional contribution for the new protective category employees plus 1.2% of payroll for the duty disability program) a total of \$137,200 SEG would actually appear to be required annually to fund the change made by the substitute amendment.

Effective Date. Inasmuch as it is unlikely that the substitute amendment would become effective prior to April 1, 1990, an amendment might be considered to adjust the appropriation amounts contained in the draft. Under such an amendment, the amounts appropriated to the Department could be changed to \$77,500 SEG in 1989-90 (\$34,300 SEG for fringe benefits costs and \$43,200 SEG for breath-testers) and \$137,200 SEG in 1990-91 (all for fringe benefits costs).

CORRESPONDENCE/MEMORANDUM

Date: July 26, 1989

File Ref:

To: Blair Testin, Research Director
Joint Survey Committee on Retirement Systems

AB 382
??

From: Michael C. Moschkau, Director
Bureau of Support Services
Division of State Patrol

Michael Moschkau

Subject: Inspector Authority

The attached position paper outlines the issues that the State Patrol believes to be pertinent to the discussion of increasing the statutory authority of the motor carrier inspectors. Although it is important to enhance the inspectors' authority in the area of alcohol, drug and warrant enforcement we also need to keep in mind that:

- the recent addition of computers to the permanent scales gives inspectors instant access to driver and vehicle records. Routine checks detect violations of registration and permitting in addition to outstanding warrants. This access increases an inspector's risk level and the need to be included in protective status.
- recent modifications to the Motor Carrier program include the addition of portable scales that allow inspectors to perform their functions in remote locations. This places inspectors at greater risk than when they work in stationary scales.
- the request for inclusion in protective status is not retroactive.
- the cost of inclusion in protective status will be funded from the Department of Transportation's segregated fund.
- the Division has received numerous letters of support from legislators and law enforcement officers statewide. These groups believe that the affectiveness of law enforcement statewide can be improved by granting this additional authority.

We believe that these issues outweigh the annual cost of including these people in protective status.

The following information should be helpful in determining the impact of this change on the retirement fund:

<u>Classification</u>	<u>Positions</u>	<u>Average Salary</u>
Supervisors	11	\$14.052
Inspector 1	34	9.669
Inspector 2	44	11.536
Vacant (Inspector 1)	<u>22.5</u>	9.669
Total	111.5 FTE	

Blair Testin
Page 2
July 26, 1989

I hope this information will be useful. If I can be of any help please
let me know.

MCM:ame

Attachment



Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Ronald R. Fiedler, PE
Secretary

DIVISION OF STATE PATROL
4802 Sheboygan Avenue
P.O. Box 7912
Madison, WI 53707-7912

WISCONSIN STATE PATROL MOTOR CARRIER INSPECTOR AUTHORITY

The Wisconsin State Patrol is seeking enhancements to the statutory authority provided to motor carrier inspectors in an effort to enhance the effectiveness of Wisconsin's efforts in the area of alcohol, drug and warrant enforcement. These enhancements are designed to allow inspectors to be more effective in their work in motor carrier enforcement. Over the last several months the State Patrol has outlined its plans to a variety of law enforcement associations and individual Chiefs and Sheriffs to assure that the proposal is acceptable to our fellow enforcement agencies. These efforts indicate that additional inspector authority will improve the effectiveness of law enforcement in Wisconsin in the area of alcohol, drug and criminal law enforcement.

MOTOR CARRIER INSPECTION PROGRAM FACTS:

- The State Patrol currently employs a total of 111.5 motor carrier inspectors. Of that number 86.0 are assigned to the Wisconsin size and weight enforcement program and 25.5 are assigned to the Motor Carrier Safety Assistance Program (MCSAP).
- Under their current authority motor carrier inspectors have full arrest authority in the areas of size and weight laws, drivers licensing, registration, titling, equipment violations and they enforce federal MCSAP laws.
- Motor carrier inspectors currently have fully equipped police cruisers assigned to them for use in their enforcement efforts.
- Inspectors receive full police training and are certified by the Department of Justice Training & Standards Bureau as active law enforcement officers. All physical agility, medical and psychological standards are the same for troopers and inspectors.
- In 1968 the Legislature removed inspectors from protective service. At that time inspectors agreed to the change to extend their employment past age 55 (the mandatory retirement age for law enforcement officers at that time).
- As of today there are 11 individuals in the inspector ranks who still are covered by protective retirement because they were employed prior to the law change in 1968.
- The motor carrier inspection program is conducted from 21 permanent scale facilities located along the State's major highways. They are also responsible for a mobile size and weight program that incorporates portable scales to weigh vehicles traveling on highways not served by the permanent scales.

50th Anniversary



1939-1989

ISSUES THAT NEED TO BE ADDRESSED:

- OPERATING UNDER THE INFLUENCE
Federal rules have been enacted related to commercial driver sobriety requiring all states to enforce a blood alcohol level of .04. Under their existing authority inspectors are unable to enforce Wisconsin's Operating While Under the Influence (OWI) laws let alone the new Federal rule. At this time an inspector must detain an individual he/she suspects to be OWI on some other premise and call a trooper, deputy, or municipal officer to perform a field sobriety test and take the appropriate action.
- "HITS" ON OUTSTANDING WARRANTS
The recently computerized Motor Carrier Enforcement System gives inspectors instant access to driver and vehicle records. Many times these routine checks indicate that there are outstanding warrants against drivers. In these situations the inspector must detain the individual on some other premise and call for assistance.
- MOTOR CARRIERS AND DRUGS
We anticipate that the Federal government will soon enact rules through the MCSAP program related to drug testing and inspection of vehicles for drug contraband. When this occurs our inspectors will be unable to act in these situations.
- PROTECTIVE OCCUPATION
Often inspectors work in remote locations, many times alone. Frequently the nature of their job duties requires them to deal with potentially dangerous situations, including hazardous materials shipments or roadside inspections. When inspectors may be required to enforce OWI laws, arrest for warrants and inspect vehicles for drug contraband, clearly they should fall within protective occupation status.

WHAT CAN BE DONE TO IMPROVE THE SITUATION

- Extend authority provided in s. 110.07(2m) which would give inspectors the ability to arrest individuals who have outstanding warrants and individuals who are committing crimes or have committed crimes in the past 24 hours.
- Allow inspectors to enforce the provisions of s. 346.63: Operating While Under the Influence of an intoxicant or other drug.
- Provide inspectors with the necessary equipment (sidearms, batons, handcuffs, Preliminary Breath Testers).
- Extend protective retirement status to these law enforcement officers.



City of Green Bay

DEPARTMENT OF POLICE
307 S. ADAMS ST.

WISCONSIN
5 4 3 0 1



GENL. INFORMATION 436-3800
EMERGENCY 911

HOWARD L. ERICKSON
CHIEF OF POLICE

July 31, 1989

Joint Survey Committee on Retirement Systems

I am appearing before you in support of Assembly Bill 382 which would authorize motor vehicle inspectors to make arrests under certain conditions and extend protective status to them. I have discussed this proposed legislation with my fellow Chiefs in the Fox Valley Police Chiefs Association as well as the Legislative Committee in the Wisconsin Chiefs of Police Association. Both groups have lent their support and endorsement to this legislation.

We base our support on information we have received concerning problems that inspectors now face and will continue to face, particularly in regards to operating while under the influence laws and persons wanted on warrants.

It also appears to us that inspectors face the same hazards and stresses as law enforcement officers, and thus should be entitled to the protective status that our officers receive.

Therefore, I respectfully request your support of this proposal.

Respectfully submitted,

HOWARD L. ERICKSON
CHIEF OF POLICE

HLE/sb



AUG 4 1989

Mark M. Rogacki, executive director
Darla M. Hium, assistant director
Lynda L. Bradstreet, office manager

802 W. Broadway, Suite 308
Madison, WI 53713-1897
608/266-6480

WISCONSIN COUNTIES ASSOCIATION

M E M O R A N D U M

TO: Honorable Members of the Joint Survey Committee on Retirement Systems

FROM: Mark D. O'Connell, Legislative Services Coordinator

DATE: August 2, 1989

SUBJECT: Support for Assembly Bill 382 Relating to Powers and Duties of State Motor Vehicle Inspectors.

Currently, the state motor carrier inspectors have limited statutory authority and arrest powers. Representative Hasenohrl and Senator Kincaid have introduced legislation to expand the statutory authorities of motor carrier inspectors.

The Wisconsin Counties Association supports legislation which will accomplish the following:

- Extend authority provided in s. 110.07(2m) which would give inspectors the ability to arrest individuals who have outstanding warrants and individuals who are committing crimes or have committed crimes in the past 24 hours.
- Allow inspectors to enforce the provisions of s. 346.63: Operating While under the Influence of an intoxicant or other drug.
- Provide inspectors with the necessary equipment (sidearms, batons, handcuffs, preliminary breath testers).

Thank you for considering our comments.

MDO/das

CHAIRMAN
Committee on Transportation

COMMITTEE MEMBER
*Highways
Excise & Fees
Tourism, Recreation
& Government Operations
Transportation Projects Commission*

State Representative
Donald Hasenohrl



Serving the 70th Assembly District

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Madison, WI 53708
(608) 266-8366

Statement to members of the
Joint Survey Committee on Retirement Systems

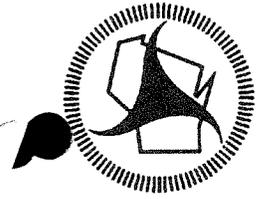
August 3, 1989

Mr. Chairman and members:

Assembly Bill 382 expands the authority of motor carrier inspectors and provides protective occupation status to these positions. Motor carrier inspectors receive the same training as other state patrol personnel and are certified law enforcement officers, but they currently don't have the authority to enforce laws such as the drunk driving statute, or to arrest persons with outstanding warrants, or to inspect vehicles for drugs. These are among the duties authorized by this proposal.

This bill is widely supported by the law enforcement community and was endorsed by an Assembly study committee for inclusion in the state budget. The fact that the bill hadn't yet been heard by this committee precluded its adoption as a budget amendment, however.

I believe that the inclusion of motor vehicle inspectors in the protective service category of the state retirement system is amply justified by the additional responsibilities placed on them by this legislation. I hope that you will give the bill your favorable consideration.



Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Ronald R. Fiedler, PE
Secretary

DIVISION OF STATE PATROL
4802 Sheboygan Avenue
P.O. Box 7912
Madison, WI 53707-7912

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS
HEARING ON ASSEMBLY BILL 382
STATE CAPITOL, ROOM 213NW
AUGUST 3, 1989

1. CHAIRPERSONS JAUCH AND GROBSCHMIDT, MEMBERS OF THE COMMITTEE, I'M MIKE MOSCHKAU APPEARING HERE TODAY ON BEHALF OF THE DIVISION OF STATE PATROL, DEPARTMENT OF TRANSPORTATION IN SUPPORT OF AB382.
2. AB382 EXPANDS THE ARREST AUTHORITY OF STATE PATROL INSPECTORS AND PLACES THEM BACK INTO PROTECTIVE OCCUPATION STATUS. WE CURRENTLY HAVE 111.5 INSPECTOR POSITIONS, AND 11 OF THESE ARE CURRENTLY IN PROTECTIVE. THE INSPECTORS HAD THEIR CLASSIFICATION CHANGED FROM MOTOR VEHICLE TO STATE PATROL INSPECTOR IN 1984.
3. THIS CHANGE COINCIDED WITH INCREASED DUTIES AND RESPONSIBILITIES PLACED ON THESE POSITIONS. INSPECTORS RECEIVE FULL POLICE TRAINING AND ARE CERTIFIED BY THE DEPARTMENT OF JUSTICE TRAINING AND STANDARDS BUREAU AS ACTIVE LAW ENFORCEMENT OFFICERS. ALL PHYSICAL AGILITY, MEDICAL AND PSYCHOLOGICAL STANDARDS ARE THE SAME FOR INSPECTORS AND TROOPERS.
4. INSPECTOR'S MAKE ARRESTS AND IN 1988 ISSUED OVER 20,000 CITATIONS RELATED TO MOTOR CARRIER OPERATIONS. ADDITIONALLY, OVER 8,500 VEHICLES AND 3,800 DRIVERS WERE PLACED OUT OF SERVICE FOR SAFETY VIOLATIONS.
5. INSPECTORS NEED THE ADDITIONAL AUTHORITY GRANTED IN AB382. THE NEW FEDERAL REGULATIONS ON COMMERCIAL DRIVER'S LICENSE REQUIRE ALL STATES TO ENFORCE A BLOOD ALCOHOL LEVEL (BAC) OF .04 FOR COMMERCIAL VEHICLE OPERATORS. INSPECTORS DO NOT PRESENTLY HAVE THE AUTHORITY TO DEAL WITH ALCOHOL OR DRUG RELATED DRIVING OFFENSES.
6. INSPECTORS ALSO NEED AUTHORITY TO ARREST INDIVIDUALS WHO HAVE OUTSTANDING WARRANTS AND INDIVIDUALS WHO ARE COMMITTING CRIMES OR HAVE COMMITTED CRIMES IN THE PAST 24 HOURS. SITUATIONS OCCUR IN THE NORMAL COURSE OF THEIR DUTIES WHERE INSPECTORS RUN COMPUTER CHECKS AND LEARN OF WARRANTS OR SEE A CRIME COMMITTED IN THEIR PRESENCE, AND DUE TO AUTHORITY LIMITATIONS CANNOT ACT DIRECTLY.
7. WE BELIEVE THAT STATE PATROL INSPECTORS PRESENTLY MEET THE REQUIREMENTS FOR PROTECTIVE OCCUPATION STATUS. THEY ROUTINELY PERFORM PATROL DUTIES, ARE FACED WITH PHYSICAL EXERTION DEMANDS AND FACE HIGH STRESS IN DEALING ALLEGED LAW VIOLATORS.
8. THE RETIREMENT AND AUTHORITY PARTS OF THIS BILL ARE PROSPECTIVE. FUNDING IS FROM THE SEGREGATED TRANSPORTATION FUND. THE BILL HAS NO EFFECT ON ACTUARIAL GOALS OR BALANCE OF THE WISCONSIN RETIREMENT SYSTEM.
9. I HAVE ADDITIONAL HANDOUT MATERIAL THAT GIVES MORE INFORMATION ON STATE PATROL INSPECTOR DUTIES & AUTHORITY. I'VE ALSO INCLUDED LETTERS OF SUPPORT.
10. I'D BE HAPPY TO ANSWER ANY QUESTIONS THAT I CAN.

50th Anniversary



1939 - 1989



AFSCME Council 24

AFL-CIO

WISCONSIN STATE EMPLOYEES UNION

The Union That Cares

5 Odana Court, Madison, WI 53719

Phone (608) 274-7200

Martin Beil
Executive Director

Leonard Cody
President

TO: Senator Robert Jauch, Co-Chair
Representative Richard Grobschmidt, Co-Chair
Members
Joint Survey Committee on Retirement Systems

FROM: Martin Beil
Executive Director *Martin C. Beil*

DATE: August 3, 1989

RE: AB 382/Arrest Powers and Benefit Status of State Vehicle Inspectors

State vehicle inspectors are directly responsible for the enforcement of vehicle standards in Wisconsin. These duties are vital to highway safety and to the efficient flow of commerce.

Vehicle inspectors frequently find themselves in law enforcement situations, not only in regard to vehicle standards but also in regard to criminal activities. Inspectors deal with the same array of situations that confront any law enforcement unit that engages in vehicle stops, searches, and inspections. Those situations run the gamut from discovery of drugs or other contraband, to discovery of fugitives, to violent refusal to submit to lawful authority.

Vehicle inspectors are on the front-lines of Wisconsin's highway enforcement efforts. Yet they are given neither the tools nor the status consistent with their assignment. Their training parallels that of the State Patrol officers with regard to public safety. Yet in terms of arrest powers, they are handicapped and the public is shortchanged.

Earlier this year, the State decided to put DNR conservation wardens into the middle of sensitive peacekeeping functions on boat landings in Northern Wisconsin. If policymakers can believe that expanded powers are necessary to deal with localized problems of a periodic nature, then certainly it is obvious that the year-round demands of safe travel also demands that those who are placed on the front-line be given full authority to enforce the laws of Wisconsin.

The current situation also has personnel dimensions to it. Because of the current limited powers and the new proposed expansion of arrest power, these vehicle inspectors meet the first criteria for inclusion in protective status. Further, they are exposed to the same dangers to life and limb as are the troopers and certainly meet that criteria. There should be no disparity between comparable categories of employees.

We believe that it is vital to the employees and the citizens of this State that you act favorably on AB 382.

MB/DB/rdw

AUG 8 1989



AFSCME®

WISCONSIN OFFICE • 5 Odana Court • Madison, Wisconsin 53719-1167 • Telephone 608/271-8850

August 3, 1989

Representative Richard Grobschmidt, Co-Chair
Joint Survey Committee on Retirement Systems
State Capitol
Madison, Wisconsin 53702

RE: AB 382

Dear Rep. Grobschmidt:

Thanks for letting AFSCME communicate its perspective and support on behalf of AB 382.

We are available for any further discussion on these issues deemed appropriate by the Committee.

Sincerely,

Dennis Boyer
Government Relations Counsel

DB:jk-opeiu/2

xc: Marty Beil

in the public service

American Federation of State, County and Municipal Employees, AFL-CIO



SEP 14 1989



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TO: Sen. Robert Jauch and Rep. Richard Grobschmidt, Co-chairs, Joint Survey
Committee on Retirement Systems and Committee Members

FROM: Dennis Boyer, Government Relations Counsel

SUBJECT: AB 382/Vehicle Inspector Status

DATE: September 8, 1989

We appreciate your interest in this subject.

We are hopeful that the bill will be approved and reported out for Assembly action.

Please contact us if you require additional information.

DB:jk-opeiu/2

xc: Marty Beil
Sandy Bloomfield
Sen. Andrea
Sen. Stitt
Rep. Hamilton
Rep. Walling

in the public service

American Federation of State, County and Municipal Employees. AFL-CIO 

August 14, 1989
2585 Laverde Ln.
Green Bay Wis.
54313

AUG 15 1989

Rep. Richard Grobschmidt
Madison State Capitol
Madison, Wis. 53708

Our representative, Cletus Vander-
Pevern suggested we contact you to
express our support for Assembly
Bill 382. Expanding the powers and
duties of inspectors would greatly
enhance the availability and
effectiveness of Wisconsin's
police force. We will be
anticipating the passage of this bill.

Sincerely,
Jean P. and
Donald L. Frey

August 16, 1989

Jean and Donald Frey
2585 Lavender Lane
Green Bay, WI 54313

Dear Mr. and Mrs. Frey:

Thank you for your recent letter regarding your support for Assembly Bill 382 which would expand the authority given to motor vehicle ^a inspectors and reclassify them as protectives. As Co-Chairmen of the Joint Survey Committee on Retirement Systems I certainly understand your concerns in this matter.

As you may know, the Committee held a public hearing on Thursday, August 3rd. There was a very positive turnout on this legislation. While the Committee did not vote on it at that time, we are planning on taking a final vote ~~on~~ in September. At this time a date and time have not yet been confirmed. However, you may be assured of my ~~by~~ support of AB 382 when final Committee action is taken.

Again, thank you for your interest and please feel free to contact me with any additional questions or comments which you may have.

Sincerely,

RICHARD GROBSCHMIDT
State Representative
21st Assembly District

RG:lm

WISCONSIN

**KEEP
21**

Ass 3-20 96-0
Sen 3-22 98-5

COALITION

April 17, 1990

Dear Rick,

It was great seeing you the other day at the high school in S. Milwaukee!

Thank you for sending me the pertinent things that we can work on! As I told you, we appreciate being able to work with you.

I will be State Representative for the Wis. Fed. of Women Clubs, taking that position after our State convention the 1st week in May, so I hope to "light a fire" when needed under our clubs as we work toward "making our highways safer" and "making a better state".

I don't think I told you that when Mike Prosky called me about AB 382 and we started to pursue it, as we did in our 1st attempt when I have been Rep., she did not tell me that you were the sponsor of it. Good for you!

Please let me know when you have bills that meet our criteria, so as State Rep. I can ask all the clubs in the state to write to their legislators to get passed.

What chance is there for AB 382? Is that coming up May 23rd session? sincerely,
Mae

Part of Phil's Budget of on
Denny Bill
Send letter

LEGISLATIVE ALERT

Because the Tavern League of Wis. is continuing to try and lower the minimum drinking age from 21 to 19, our Wis. Fed. of Womens Clubs, all over the state, as sponsors of the Keep 21 Coalition, must renew our efforts to "KEEP 21". Womans Club of Racine was the club initiating the coalition.

We congratulate the Wis. Legislature on passing this highway safety measure but they again need our support as the pressure of the tavern league is put upon them. Your letters and phone calls must be greater than those received by the tavern league. Because the legislators are elected to be "the voice of the people". Your letter, your phone call does count!

The "21" Bill is being challenged with 3 bills and one resolution. These need your letters and phone calls to oppose.

1. A.B. - 219 - to allow 19 & 20 year olds into taverns to socialize - entirely unenforceable.
2. S.B. 19 - to lower the drinking age to 19.
3. Rep. John Medingers bill (no number yet). He is from LaCross. He calls his bill " a viable solution to the continuing controversy surrounding Wisconsin's Drinking Age". He proposes a sort of drinking license - like a drivers license - to be issued to 19 & 20 year-olds, who pass a test on drinking laws etc. Those who pass the test (and 80 to 90% pass on the first try, the bill says), will receive a card allowing them to drink. There is also a waiver letting those physically or mentally not able to pass the written test, to receive this card without taking the test.
4. Please ask your legislators to also oppose Resolution 62. This Resolution eliminates the federal legislation that ties federal highway funding to the drinking age and sends it to our U.S.legislators and President Bush. It has already been passed by voice vote your Wis. Assembly and sent to the Senate. Senator Walter Chilsen (who had asked us for a coalition to back his "21" bill) had it sent back to committee because of incorrect statement. It will soon be back in the Senate.

Because we would have lost \$ 12,500,000 federal highway funds thru 1991 and in excess of \$ 20,000,000 after 1991, if the legislature did"nt raise our minimum drinking age to 21, we were able to convince the majority of our legislators to vote for 21. The saving of lives and making our highways safer, was our reason for responsoring the coalition, but that was not the priority of our legislators.

So it is imperative, that we write Wis. & U.S. legislators, asking them to oppose Resolution 62. We would not have the majority of our legislators voting for 21 if the federal highway funding was not tied to the drinking age. We must not lose the federal funding or let Wisconsin go back to 19.

The Wisconsin Dept. of transportation (DOT) reports the age - 21- drinking law, now in its fourth year, is preventing alcohol -related

(over)

accidents involving younger drivers and alcohol - related driver fatalities.

Lets keep the law - it is working to SAVE LIVES.

Also please ask your legislators to Support AB 382 to authorize motor vehicle inspectors to make arrests of drunk drivers - having to call in another officer to do this is not an efficient operation.

And last - ask your legislators to Support SB 466 - to confiscate cars of drunk drivers. This bill was supported by Lewis Mittness the former legislator from Janesville, who spoke to us. This bill will save lives and make roads safer!

Thank you

Mae Meldgaard, Legislative Ch.

for 1ST District
D.W.C. of Revenue

May 11, 1990

Mae Meldegard
3235 Gemini Court
Racine, WI 53406

Dear Mae:

Thank you for your recent letter. I would like to take this opportunity to update you on Assembly Bill 382 which relates to the powers, duties and retirement benefits of state motor vehicle inspectors. As you know, this legislation authorizes motor vehicle inspectors to arrest drunk drivers.

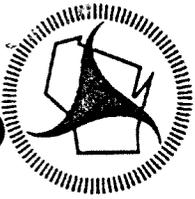
AB 382 was originally referred to the Joint Survey Committee on Retirement Systems, of which I am a Co-Chairman. During committee debate I authored the substitute amendment which was ultimately adopted by the full legislature. The Assembly passed AB 382 on March 20, 1990, on a 96-0 vote and the Senate concurred on March 22, 1990, on a 28-5 vote. The Governor proceeded to sign it into law on April 16, 1990, as Wisconsin Act 240.

Again, thank you for your interest in this matter and, as always, please do not hesitate to contact me with any additional questions or comments which you may have.

Sincerely,

RICHARD GROBSCHMIDT
State Representative
21st Assembly District

RG:lm



Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Ronald R. Fiedler, PE
Secretary

DIVISION OF STATE PATROL
4802 Sheboygan Avenue
P.O. Box 7912
Madison, WI 53707-7912

WISCONSIN STATE PATROL MOTOR CARRIER INSPECTOR AUTHORITY

Question: Is there need for additional statutory authority for Motor Carrier Inspectors to adequately perform their job duties and fulfill the mission of the State Patrol?

THE MISSION of the State Patrol is to serve and protect citizens and visitors of the State of Wisconsin and to provide for the safe and efficient movement of persons and property on the highways. State Patrol Inspectors are responsible for assisting that mission by enforcing the State's size and weight laws for motor carriers, by ensuring that vehicles are in safe operating condition, and by assuring that their operators are not impaired in any way under the Federal Motor Carrier Safety Assistance Program (MCSAP) laws.

ISSUES:

- OPERATING UNDER THE INFLUENCE

Federal rules have been enacted related to commercial driver sobriety requiring all states to enforce a blood alcohol level of .04. Under their existing authority inspectors are unable to enforce Wisconsin's Operating While Under the Influence (OWI) laws let alone the new Federal rule. At this time an inspector must detain an individual he/she suspects to be OWI on some other premise and call a "real cop" to perform a field sobriety test and take the appropriate action.

- "HITS" ON OUTSTANDING WARRANTS

The recently computerized Motor Carrier Enforcement System gives inspectors instant access to driver and vehicle records. Many times these routine checks indicate that there are outstanding warrants against drivers. In these situations the inspector must detain the individual on some other premise and call for assistance.

- MOTOR CARRIERS AND DRUGS

We anticipate that the Federal government will soon enact rules through the MCSAP program related to drug testing and inspection of vehicles for drug contraband. When this occurs our inspectors will be unable to act in these situations.

50th Anniversary



1939-1989

- PROTECTIVE OCCUPATION

Inspectors receive full police training and are certified as active law enforcement officers. Often they work in remote locations, many time alone. Frequently the nature of their job duties requires them to deal with potentially dangerous situations, including hazardous materials shipments or roadside inspections. The State Patrol has a physical agility test and physical fitness program. All physical standards are the same for troopers and inspectors. When inspectors may be required to enforce OWI laws, arrest for warrants and inspect vehicles for drug contraband, clearly they should fall within protective occupation status.

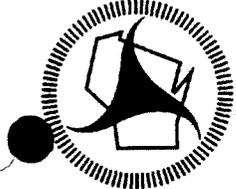
WHAT CAN BE DONE:

- Extend authority provided in s. 110.07(2m) which would give inspectors the ability to arrest individuals who have outstanding warrants and individuals who are committing crimes or have committed crimes in the past 24 hours.
- Allow inspectors to enforce the provisions of s. 346.63: Operating While Under the Influence of an intoxicant or other drug.
- Provide inspectors with the necessary equipment (sidearms, batons, handcuffs, Preliminary Breath Testers).
- Extend protective requirement status to these law enforcement officers.

The total cost of this change is anticipated to be:

	<u>Fiscal Year 1989-90</u>	<u>Fiscal Year 1990-91</u>
Protective Retirement:	\$152,200	\$152,200
Preliminary Breath Testers:	43,200*	
	<hr/>	<hr/>
Total	\$195,400	\$152,200

* Other needed equipment would be purchased from the Division's base budget.



Wisconsin Department of Transportation

AB 382
??

Tommy G. Thompson
Governor

Ronald R. Fiedler, PE
Secretary

DIVISION OF STATE PATROL
4802 Sheboygan Avenue
P. O. Box 7912
Madison, WI 53707-7912

WISCONSIN STATE PATROL
MOTOR CARRIER INSPECTOR AUTHORITY

The Wisconsin State Patrol is seeking enhancements to the statutory authority provided to motor carrier inspectors in an effort to enhance the effectiveness of Wisconsin's efforts in the area of alcohol, drug and warrant enforcement. These enhancements are designed to allow inspectors to be more effective in their work in motor carrier enforcement. Over the last several months the State Patrol has outlined its plans to a variety of law enforcement associations and individual Chiefs and Sheriffs to assure that the proposal is acceptable to our fellow enforcement agencies. These efforts indicate that additional inspector authority will improve the effectiveness of law enforcement in Wisconsin in the area of alcohol, drug and criminal law enforcement.

MOTOR CARRIER INSPECTION PROGRAM FACTS:

- The State Patrol currently employs a total of 111.5 motor carrier inspectors. Of that number 86.0 are assigned to the Wisconsin size and weight enforcement program and 25.5 are assigned to the Motor Carrier Safety Assistance Program (MCSAP).
- Under their current authority motor carrier inspectors have full arrest authority in the areas of size and weight laws, drivers licensing, registration, titling, equipment violations and they enforce federal MCSAP laws.
- Motor carrier inspectors currently have fully equipped police cruisers assigned to them for use in their enforcement efforts.
- Inspectors receive full police training and are certified by the Department of Justice Training & Standards Bureau as active law enforcement officers. All physical agility, medical and psychological standards are the same for troopers and inspectors.
- In 1968 the Legislature removed inspectors from protective service. At that time inspectors agreed to the change to extend their employment past age 55 (the mandatory retirement age for law enforcement officers at that time).
- As of today there are 11 individuals in the inspector ranks who still are covered by protective retirement because they were employed prior to the law change in 1968.
- The motor carrier inspection program is conducted from 21 permanent scale facilities located along the State's major highways. They are also responsible for a mobile size and weight program that incorporates portable scales to weigh vehicles traveling on highways not served by the permanent scales.

50th Anniversary

1939 -1989



ISSUES THAT NEED TO BE ADDRESSED:

- OPERATING UNDER THE INFLUENCE
Federal rules have been enacted related to commercial driver sobriety requiring all states to enforce a blood alcohol level of .04. Under their existing authority inspectors are unable to enforce Wisconsin's Operating While Under the Influence (OWI) laws let alone the new Federal rule. At this time an inspector must detain an individual he/she suspects to be OWI on some other premise and call a trooper, deputy, or municipal officer to perform a field sobriety test and take the appropriate action.
- "HITS" ON OUTSTANDING WARRANTS
The recently computerized Motor Carrier Enforcement System gives inspectors instant access to driver and vehicle records. Many times these routine checks indicate that there are outstanding warrants against drivers. In these situations the inspector must detain the individual on some other premise and call for assistance.
- MOTOR CARRIERS AND DRUGS
We anticipate that the Federal government will soon enact rules through the MCSAP program related to drug testing and inspection of vehicles for drug contraband. When this occurs our inspectors will be unable to act in these situations.
- PROTECTIVE OCCUPATION
Often inspectors work in remote locations, many times alone. Frequently the nature of their job duties requires them to deal with potentially dangerous situations, including hazardous materials shipments or roadside inspections. When inspectors may be required to enforce OWI laws, arrest for warrants and inspect vehicles for drug contraband, clearly they should fall within protective occupation status.

WHAT CAN BE DONE TO IMPROVE THE SITUATION

- Extend authority provided in s. 110.07(2m) which would give inspectors the ability to arrest individuals who have outstanding warrants and individuals who are committing crimes or have committed crimes in the past 24 hours.
- Allow inspectors to enforce the provisions of s. 346.63: Operating While Under the Influence of an intoxicant or other drug.
- Provide inspectors with the necessary equipment (sidearms, batons, handcuffs, Preliminary Breath Testers).
- Extend protective retirement status to these law enforcement officers.



Wisconsin Chiefs of Police Association, Inc.

JAMES L. ENFELT
President
Platteville

MARK F. HAYES
1st Vice President
St. Francis

GERALD R. BLUM
2nd Vice President
Clintonville

MICHAEL J. LIEN
3rd Vice President
Two Rivers

DONALD L. THAVES
Executive Secretary
Shawano

EDWARD A. RUDOLPH, JR.
Treasurer
Port Washington

David Steingraber, Legislative Chairman, P.O. Box 100, Menomonee Falls, WI 53051

Established 1907

May 10, 1989

Mr. James W. Van Sistine, Administrator
Division of State Patrol
P.O. Box 7912
Madison, WI 53707-7912

Dear Administrator Van Sistine:

I have recently been made aware that the Wisconsin State Patrol is seeking legislation to grant Motor carrier Inspectors broader law enforcement authority. Our Legislative Committee has reviewed this proposal in light of the additional responsibility assumed by motor carrier inspectors under the Federal Motor Carrier Safety Assistance Program and related laws.

The Wisconsin Chiefs of Police Association, representing over 300 law enforcement administrators in Wisconsin extends our support for this proposal. It seems to us that the additional responsibilities assumed by the Motor Carrier Inspectors and the obvious benefits to law enforcement in general gain from these individuals acquiring broader authority justifies this legislation. The Wisconsin State Patrol is a highly regarded organization with an excellent training program. It is my understanding that Motor Carrier Inspectors will receive training which is identical to State Troopers and therefore there should be no concern regarding the adequacy of training for these individuals as Law Enforcement Officers.

We welcome the assistance and expertise brought to this specialized area of law enforcement by Motor Carrier Inspectors and strongly believe that given these increased responsibilities, full law enforcement authority is appropriate.

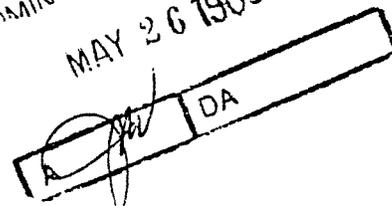
Sincerely,

James L. Enfelt
Chief James Enfelt
President

cc: Chief David Steingraber
Mr. Michael Vauhan

DIV. OF STATE PATROL
ADMINISTRATOR'S OFFICE

MAY 26 1989





Mark M. Rogacki, executive director
 Darla M. Hlum, assistant director
 Lynda L. Bradstreet, office manager

802 W. Broadway, Suite 308
 Madison, WI 53713-1897
 608/266-6480

WISCONSIN COUNTIES ASSOCIATION

M E M O R A N D U M

TO: Honorable Members of the Joint Survey Committee on Retirement Systems

FROM: Mark D. *Connell*, Legislative Services Coordinator

DATE: August 2, 1989

SUBJECT: Support for Assembly Bill 382 Relating to Powers and Duties of State Motor Vehicle Inspectors.

Currently, the state motor carrier inspectors have limited statutory authority and arrest powers. Representative Hasenohrl and Senator Kincaid have introduced legislation to expand the statutory authorities of motor carrier inspectors.

The Wisconsin Counties Association supports legislation which will accomplish the following:

- Extend authority provided in s. 110.07(2m) which would give inspectors the ability to arrest individuals who have outstanding warrants and individuals who are committing crimes or have committed crimes in the past 24 hours.
- Allow inspectors to enforce the provisions of s. 346.63: Operating While under the Influence of an intoxicant or other drug.
- Provide inspectors with the necessary equipment (sidearms, batons, handcuffs, preliminary breath testers).

Thank you for considering our comments.

MDO/das



EAU CLAIRE COUNTY
SHERIFF'S DEPARTMENT

728 2nd Ave., Eau Claire, WI 54703



Richard M. Hewitt, *Sheriff*

David A. Schultz, *Undersheriff*

(715) 839-4701

(715) 839-4706

July 26, 1989

Representative Jacquelyn Lahn
Capitol Building - Room 312 W
Madison, WI 53702

The Eau Claire County Traffic Safety Commission would like to express support for ASSEMBLY BILL 382, expanding authority for State Patrol vehicle inspectors.

Your support for this bill, when it comes before the assembly, is important to us. At present, inspectors lack arrest powers for certain offenses, including intoxicated driving.

While we do not recommend inspectors receive the full powers of troopers, the proposed legislation is adequate to meet the highway safety challenges of the future.

Thank you for your consideration of this legislation.

Sincerely,

Lt. Ken Berg
Chairman
Traffic Safety Commission
Eau Claire County

✓ c: Capt. Standiford

KB/s

MEMO

TO: Representative Barbara Linton
FROM: Rudy Frechette, Bayfield County Sheriff
RE: Assembly Bill AB382 - State Patrol Inspectors
DATE: June 15, 1989

The Democratic Caucus will be acting on the above captioned legislation within the next few weeks.

This bill expands the authority of the Wisconsin State Patrol Inspection Officers.

I perceive the legislation as being very beneficial to our area in that it will allow the Inspectors to have authority to make OWI arrests, allow them to assist and act in cases where warrants are filed by local authorities, and give them certain arrest powers in situations where such expanded authority is required.

I feel the legislation can help our law enforcement efforts throughout the State of Wisconsin in making our state a safer place to drive, as well as providing an additional means of apprehending criminals.

I would appreciate your support of AB382.

Respectfully submitted,

S//

Rudy Frechette
Bayfield County Sheriff



BARRON COUNTY SHERIFF'S DEPARTMENT

127 South Fourth Street
Barron, Wisconsin 54812
Telephone (715) 537-3106



JERRY J. JOHNSON
SHERIFF

RICHARD A. OLSON
CHIEF DEPUTY

June 21, 1989

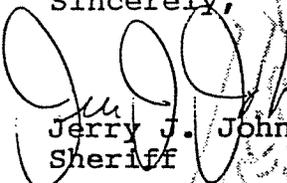
State Representative Mary Hubler
75th Assembly District
Room 30 West
State Capitol
P.O. Box 8952
Madison, WI 53708

Dear Ms. Hubler:

I am requesting your support for Assembly Bill 382 that increases the authority for the Wisconsin State Patrol Motor Vehicle Inspectors.

Thank you in advance for your consideration.

Sincerely,


Jerry J. Johnson
Sheriff

JJ/ws

Blind PC: Captain Fankhauser

LDE

NORMAN T. KNOLL, Sheriff

AARON R. HUETTTL, Chief Deputy

Forest County Sheriff Dept.

PHONE (715) 478-3331
CRANDON, WISCONSIN 54520

July 14, 1989

Lloyd Kincaid
Room 195
State Capitol
PO Box 7882
Madison, Wi. 53707-7882

Dear Lloyd:

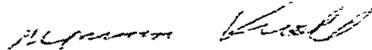
I am writing in regards to Assembly Bill AB382. This bill gives State Patrol Inspectors added authority to carry weapons and make arrests for OWI and Drugs.

I feel that Law Enforcement is spread thin here in the Northern Wisconsin and having a few more Officers would help with our work load.

Having Officers who deal with the Public on our Highways who are not armed is a dangerous situation. In this day and age an Officer does not know what type of person he may be dealing with.

As Sheriff of Forest County I see the need for this Legislation and would urge you to support Bill AB382.

Thank you.



Norman Knoll
Sheriff Forest County

NK/ajl



EDWARD J. BRANTNER



Sheriff's Department

BUFFALO COUNTY, WISCONSIN

ALMA, WISCONSIN 54610

Telephone 608-685-4433

NLET: WI0060000

July 17, 1989

Representative Barbara Gronemus
Room 105 West, State Capitol
P.O. Box 8952
Madison, WI 53708-8952

RE: Assembly Bill #382

Dear Representative Gronemus:

This letter is to inform you of my support for Assembly Bill 382. while I am against having a State Police force with full police powers, I think it only makes sense that the State Patrol and Inspectors do have some limited powers.

At this time a State Patrol officer can issue citations for Absolute Sobriety but could not issue Juvenile Alcohol citations to any underage person riding in the same vehicle. I have a small Sheriff's Department in Buffalo County and can not always manage to send a deputy to issue a Juvenile Alcohol citations to people the State Patrol already has stopped. In this manner there are a lot of juveniles who are breaking the law and not being punished for it.

I think this bill would serve two purposes, one, it would make for better enforcement of the laws and two, it would save time for both State Patrol and other law enforcement agencies. This is time that neither agency can spare and could be used for other aspects of law enforcement.

Basically the same argument can be used for the additional powers that the inspectors are asking for. In closing I ask that you seriously consider this bill and give it your approval.

Sincerely,

BUFFALO COUNTY SHERIFF DEPARTMENT

S//

Edward J. Brantner
Sheriff

EJB/Jmb



Office of the Sheriff

WAYNE WIRSING - SHERIFF
TIMOTHY R. GOULD - CHIEF DEPUTY
Ph. (715) 339-3011
P.O. Box B
Phillips, Wisconsin 54555

June 16, 1989

Senator Walter J. Chilsen
Room 40B South, State Capitol
Post Office Box 7882
Madison, Wisconsin 53708

COPY

Dear Senator Chilsen:

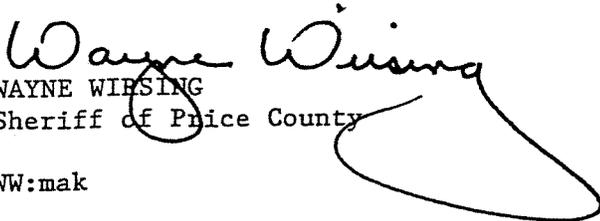
I would like to ask you to support Assembly Bill 382 when it comes before you in the very near future. AB 382 deals with giving additional authority to the State Motor Vehicle Inspectors.

There are a couple of reasons that I believe that the inspectors should have additional authority:

1. Extend protective retirement status to these individuals so they can be armed and carry the necessary equipment of a police officer.
2. Allow inspectors to enforce operating while under the influence of an intoxicant or other drug statutes.
3. Extend authority which would give inspectors the ability to arrest individuals who have outstanding warrants, and individuals who are committing crimes or have committed crimes in the last 24 hours.

In northern Wisconsin with the vast area and the limited number of police officers, we need all of the help that we can get. This authority would benefit all police officers as well as the general public.

Sincerely,


WAYNE WIRSING
Sheriff of Price County

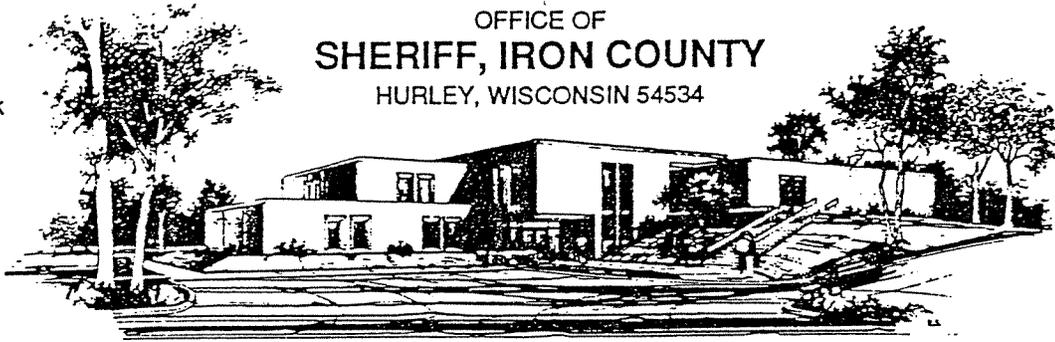
WW:mak

bcc: Captain Richard C. Fankhauser

Richard A. Ekmark
Sheriff

(715) 561-3800

OFFICE OF
SHERIFF, IRON COUNTY
HURLEY, WISCONSIN 54534



May 4, 1989

Governor Tommy Thompson
Room 115 East
State Capitol
Madison, WI 53702

Re: Proposed Bill to Amend the
Wisconsin Motor Vehicle
Inspectors' Authority Under
Sections 20.395(5)(d)(g),
40.02(48)(a) and 110.07(3)(4)
of the Wisconsin Statutes

Dear Governor Thompson:

As you are doubtless aware, Wisconsin Motor Vehicle Inspectors presently enforce laws relating to size and weights of motor vehicles and motor vehicle loads, and equipment violations pertaining to motor vehicles. In the course of their enforcement duties, inspectors encounter motor vehicle drivers operating under the influence of intoxicants or drugs, and motor vehicle operators who are wanted pursuant to valid warrants. However, Motor Vehicle Inspectors lack authority to make the necessary and proper arrests. This lack of authority not only places the lives of the inspectors in jeopardy, but also creates a serious gap in law enforcement throughout Wisconsin.

I support the proposed bill broadening the authority of Wisconsin Motor Vehicle Inspectors and empowering them to execute warrants, enforce Section 346.63 of the Wisconsin Statutes, and carry equipment, i.e. side arms, batons, handcuffs, PBT's, etc., necessary to facilitate and invoke their broadened authority. When the aforementioned proposed bill is introduced, I would greatly appreciate it if you would lend it your support, so that

Governor Tommy Thompson
May 4, 1989
Page Two

the gap in Wisconsin Law Enforcement can be filled, and the ability of Wisconsin Law Enforcement to protect the health and safety of Wisconsin citizens can be maximized.

Respectfully,

Richard Ekmark

Richard Ekmark
Iron County Sheriff

RE/slm

Rusk County Sheriff's Department

311 E. Miner Ave.
Ladysmith, Wisconsin 54848
(715) 532-2200

Dean C. Meyer, Sheriff
Terry B. Lelm, Chief Deputy

June 15, 1989

Senator Walter J. Chilson
29th Senate District
Room 40B South
State Capitol
Post Office Box 7882
Madison, Wisconsin 53707-7882

Dear Senator Chilson,

Please consider this letter a "letter of support" for AB382 which expands the authority of motor vehicle inspectors.

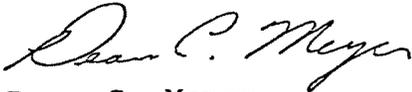
This bill authorizes motor vehicle inspectors to enforce the prohibition against operating while under the influence of an intoxicant and also to arrest persons when the inspector has reason to believe a warrant has been issued for the persons arrest. Also included is a provision to allow inspectors to carry sidearms.

I view this bill as common sense. We are all making an effort to keep our highways safe. Because of this fact, we should all have the authority to do so in an efficient and safe manner.

I would urge your support of this bill as presented.

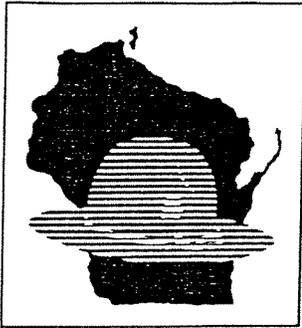
Thank you for your time and anticipated cooperation of this bill.

Sincerely,



Dean C. Meyer
Sheriff of Rusk County

cc: Captain Fankhauser
WSP, District 7



WISCONSIN STATE PATROL LOCAL UNION NO. 55

John Lundgren
F. Y. I.

- REPRESENTING:
- STATE TROOPERS
 - MOTOR VEHICLE SERVICE SPECIALISTS
 - DIVISION OF STATE PATROL EMPLOYEES
 - DEPARTMENT OF TRANSPORTATION EMPLOYEES

Ron Disher, President
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Chief Steward
C. "Bud" York
1721 New Pinery Road
Portage, WI 53901
ph. 608-742-2930

April 24, 1989

Representative Robert Thompson
State Capitol Room 13N
Madison, WI. 53702

Bob,

I wish you to address a very important issue soon to be introduced in the Assembly and Senate. This issue is very important to all of the employees that we represent. I have discussed with you on previous occasions the critical need for the State Patrol Inspectors to be properly equipped to do the job they must do without unnecessarily endangering themselves. These sworn officers need the additional authority and equipment to continue to perform their jobs without any drop in service to the citizens of Wisconsin.

Let me cite you an instance which occurs very frequently in Wisconsin. A semi-unit pulls onto the scale, the State Patrol Inspector working there detects alcohol on the drivers breath. He then must call a Trooper/Sheriffs Deputy to the scale to handle this matter. The Inspector does not have the authority to act here. As the current law now stand the Inspector could NOT EVEN STOP THIS DRIVER FROM DRIVING. This situation is one which needs some legislative action.

I have enclosed a draft copy of the bill and will await your response on this most important matter.

I will be available to discuss this matter at your request, call me at 635-4902

Sincerely,

Ron Disher
Ron Disher

DIV OF STATE PATROL
ADMINISTRATOR'S OFFICE

APR 28 1989

A DA

Office of Sheriff

L D E

SHERIFF



LEE C. LEDVINA

KEWAUNEE COUNTY
Safety Building
620 Juneau Street

Kewaunee, Wisconsin 54216
Telephone [414] 388-3100

UNDERSHERIFF



RUSSELL J. RODRIAN

June 21, 1989

Assemblyman Lary J. Swoboda
Room 13 West
State Capitol
P.O. Box 8953
Madison, WI 53708

Reference: 1989 Assembly Bill 382

Dear Lary;

I have reviewed, discussed and have taken a great interest in the 1989 Assembly Bill 382, regarding the State vehicle inspectors duties and powers.

As a Wisconsin Sheriff and an individual who has been in law enforcement for a number of years, I find it extremely critical that any individual in uniform or out of uniform representing a police agency and/or looked upon as police peace officer be properly equipped and also have the proper powers to take action when laws may be broken by citizens.

At the present time, the State scale and vehicle inspectors are extremely limited to their powers and duties when on duty. During the functions, they perform on a daily basis, it is very probable that they may see and hear more than many law enforcement officers with arrest powers in any given department.

Under the present law, due to regulations put on our inspectors in the State of Wisconsin, they are very limited in the actions that they can take, much less perform without calling either a Deputy Sheriff or Trooper to a scene when they see any type of wrongdoing. I also feel that it is a great security risk and life threatening risk for any peace officer to be mobile without the proper defensive tools used by regular law enforcement officers.

This brings forth my feelings and the feelings of many law enforcement officers and administrators in law enforcement that I have spoken to, that the extended authority provided in 110.07 of the Statutes, which would give the inspectors the ability to arrest individuals who have outstanding warrants and individuals who have committed crimes in the last 24 hours. I also feel that inspectors should be allowed to enforce the provisions under Statutes 346.63, operating while under the influence of an intoxicant and/or other drug. I would like to see that the inspectors are provided with the necessary equipment for the safety of themselves and others. I believe the necessary equipment could include side arms, batons, handcuffs and P.B.Ts.

To follow with these extended powers, I once again strongly urge this should be looked into and passed under Assembly Bill 382. I feel that the extended protective status be given to these law enforcement officers as applied to every other law enforcement officer in the State of Wisconsin.

In conclusion, Lary, I certainly hope that we have your support under this bill as you can see copies have been forwarded to all of the sponsors of the said bill.

STATE PATROL OFFICE
MADISON, WISCONSIN
JUN 21 1989
5 1003
JDA

page 2

I certainly hope that your input will help support the bill and get it passed.

If you have any questions and/or comments, please feel free to contact me at any time.

Deeply appreciated,

Lee C. Ledvina

Lee C. Ledvina
Sheriff, Kewaunee County

LCL:cmw

CC: Representative Donald W. Hasenohrl
Representative Cletus J. Vanderperren
Representative David J. Lepak
Representative Heron A. Van Gorden
Representative Terry M. Musser
Representative Louis G. Fortis
Representative Virgil Roberts
Representative John M. Antaramian
Representative Judith Robson
Representative Judas Klusman
Representative Peggy Lautenschlager
Representative Sue Rohan
Representative Harvey Stower
Representative Peter W. Barca
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Representative Susan B. Vergeront
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Representative Robert M. Thompson
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Representative Alvin R. Ott
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Senator Rodney C. Moen
Senator Joseph F. Andrea