

Ninetieth Regular Session

WEDNESDAY, September 4, 1991

The chief clerk makes the following entries under the above date.

INTRODUCTION OF BILLS

Senate Bill 254

Relating to juvenile court orders applicable to parents, guardians and legal custodians.

By Senators Buettner, Potter, Huelsman, Breske, Berndt and Stitt; cosponsored by Representatives Krusick, Panzer, Klusman, Lautenschlager, Bolle, Duff, Deininger, Goetsch, Silbaugh, Hahn, Musser, Schneiders, Radtke, Vergeront and Ladwig.

To committee on Judiciary and Consumer Affairs.

Senate Bill 255

Relating to veterans preference in state and local employment and affirmative action in state employment.

By Legislative Council.

To committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

Senate Bill 256

Relating to expanding eligibility for state veterans benefits and participation in state programs for veterans and information to be included in the biennial report of the department of veterans affairs.

By Legislative Council.

To committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

Senate Bill 257

Relating to veterans retraining grants and making an appropriation.

By Legislative Council.

To committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

Senate Bill 258

Relating to establishment of a program to encourage participation of veteran-owned businesses in the state purchasing program, review of participation by veteran-owned and minority-owned businesses in the state purchasing program and renaming and changing the membership and qualifications of members of the council on small and minority business opportunities.

By Legislative Council.

To committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

COMMITTEE REPORTS

The committee on Higher Education reports and recommends:

GREBE, MICHAEL W., of Milwaukee, as a member of the University of Wisconsin System Board of Regents, to serve for the term ending May 1, 1998.

Confirmation:

Ayes, 5 -- Senators Potter, Jauch, Czarnecki,

Lorman and Berndt;
Noes, 0 -- None.

Senate Joint Resolution 51

Relating to commemorating the 25th anniversary of the University of Wisconsin Center-Waukesha County.

Adoption:

Ayes, 5 -- Senators Potter, Jauch, Czarnecki,

Lorman and Berndt;

Noes, 0 -- None.

Calvin Potter
Chair

Report of the Joint Survey Committee on
Retirement Systems

Appendix to Senate Bill 20

Public Policy Involved

Senate Bill 20 would repeal the present five-year limitation on the escrowing of accumulated sick leave credits for state employees who terminate covered employment and apply for an immediate annuity, or who are age 55 and have 20 years of creditable service. The bill also provides that terminated state employees who originally elected to delay deductions from their accumulated sick leave credits and have not yet forfeited their sick leave account may elect to be covered by the indefinite escrowing provisions. During committee testimony on this bill, some concerns were raised as to administrative costs and possible negative selection if sick leave credits could be escrowed indefinitely -- up to 15, 20 or more years.

S.S.A. 1 was introduced to address concerns of administrative costs, possible negative selection and certain other issues requiring clarification. Instead of allowing indefinite escrowing of sick leave credits, the substitute extends the present five-year limit to 10 years. The substitute also clarifies that terminated employees who have not yet forfeited their sick leave credits because of the five-year limit may elect to come under the new provisions. However, the election process would be a one-time event during the retirement years, and the application to commence deductions from sick leave credits would newly require a two-month waiting period before deductions commenced.

Neither the original bill nor the substitute amendment are intended to effect those terminated state employees who have already forfeited their sick leave credits because they chose to delay deductions beyond the existing five-year limitation. To do otherwise presumably would invoke the provisions of Article IV, Section 26 of the State Constitution which establishes certain voting requirements and funding sources if legislation is enacted which increases benefits for public employees who already terminated covered employment.

Recommendation

The JOINT SURVEY COMMITTEE ON

JOURNAL OF THE SENATE [September 4, 1991]

RETIREMENT SYSTEMS finds that Senate Substitute Amendment 1 to Senate Bill 20 represents good public policy and recommends its passage.

Senator Jauch Representative Grobschmidt
Co-chair Co-chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of Industry,
Labor and Human Relations

August 29, 1991

To the Honorable the Legislature:

On behalf of the Task Force on Minimum wage, I am pleased to forward that task force report for your review and analysis.

When I appointed the advisory panel in March of 1991, I requested the Wisconsin data be ascertained to document the impact of raising the state minimum wage. The task force has carried out its charge well and provided contemporary, useful information.

Based on the recommendation of the task force, and in consultation with Governor Thompson, the department will submit an administrative rule to the Legislature to raise the state adult minimum wage from \$3.80 to \$4.25 an hour. I look forward to working with you in promulgating the rule.

Please contact me or Sheehan Donoghue, Task Force Chair, if you have any questions regarding the report.

Sincerely,
Carol Skornicka
Secretary

State of Wisconsin
Board of Vocational, Technical,
and Adult Education

August 20, 1991

To the Honorable the Legislature:

Pursuant to 1989 Wisconsin Act 186, s. 36.12(3)(a)(b), Wisconsin Statutes (effective April 10, 1990), the Board is required to submit a report to the chief clerk of each house of the legislature on the number of complaints received from students alleging discrimination at each technical college and the disposition of each such complaint. Also to be reported are the numbers of requests for review received by the Board and the disposition of each such request.

The enclosed report shows the number of complaints received by each institution broken down by numbers and types of alleged discrimination followed by the disposition of each complaint.

A total of 73 complaints were received during the academic year (1990-91). Of that number 44 have been resolved, 16 were dropped by the student filing the

complaint or there was no discrimination found, and 13 are pending.

The Wisconsin Board of Vocational, Technical and Adult Education has not received any requests for review.

Sincerely,
Dwight A. York
State Director

State of Wisconsin
Department of Administration

August 16, 1991

To the Honorable the Legislature:

This report is transmitted as required by ss. 20.002(11)(f) of the Wisconsin Statutes, (for distribution to the appropriate standing committees under section 13.172(3), stats.), and confirms that the Department of Administration has found it necessary to exercise the "Temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative balances during the month of July, 1991.

On July 1, 1991, the Recycling Fund (Fund 79) balance was \$-3.5 million. This one day shortfall was due to a delayed June transfer from the General Fund to the Recycling Fund.

On July 25, 1991, the Agrichemical Management Fund (Fund 59) balance was \$-18 thousand. This one day shortfall was due to a delay in the transfer of start-up monies to the fund.

The Agrichemical Management Fund, and Recycling Fund shortfalls were not in excess of the \$400 million ceiling and did not exceed the balance of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund's share. Therefore, the quarterly calculation by State Finance will automatically reflect the use of these temporary reallocations of balance authority.

Sincerely,
James R. Klauser
Secretary

STATE OF WISCONSIN
ETHICS BOARD

August 27, 1991

To the Honorable the Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am furnishing you with the following changes in the Ethics

JOURNAL OF THE SENATE [September 4, 1991]

Board's records of licensed lobbyists and their employers.

Organization's authorization of additional lobbyists: The following organizations previously registered with the Ethics Board as employers of lobbyists have authorized to act on their behalf these additional licensed lobbyists:

Counties Association, Wisconsin

Thompson, Craig

Organization's termination of lobbyists: Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist has withdrawn, on the date indicated, its authorization for the lobbyist identified to act on the organization's behalf.

Cerebral Palsy of WI, United

Nispel, David 8/19/91

Johnson Controls, Inc.

Kennedy, John 8/23/91

Tobacco Institute, The

O'Connor, Alice 8/26/91

Organization's cessation of lobbying activity: Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist indicates a cessation of all lobbying activity effective on the date shown.

Amex Life Assurance Company 6/30/91

Quarles & Brady 8/21/91

Organization's modification or amendment of records: The organizations listed below have previously registered with the Ethics Board and now indicate the following modifications to their records:

Paralegal Association of WI New Address: 11524 Theo Trecker Way Milwaukee, Wi 53214 Phone: 414-256-5709

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,
R. Roth Judd
Executive Director

STATE OF WISCONSIN
ETHICS BOARD

August 27, 1991

To the Honorable the Senate:

At the direction of § 13.685(7), Wisconsin Statutes, I am furnishing you with the names of organizations recently

registered with the Ethics Board as employing one or more individuals to affect state legislation or administrative rules. For each organization I have noted the general area of legislative or administrative action which the organization has described as the object of its lobbying activity and the name of each licensed lobbyist that the organization has authorized to act on its behalf.

Health Underwriters, Wisconsin Association of

Subjects: Any legislative or administrative action relating to insurance agents, especially agents who sell health insurance, the insurance industry, health care, social services, consumer affairs, taxation, trade and commerce, regulation of business, finance or insurance, and general health and welfare.

Blume, Edward

J.P. Cullen & Sons, Inc.

Subjects: Written and oral communications with officials from state departments and agencies regarding construction projects and legislation/administrative rules which affect J.P. Cullen & Sons, Inc.'s business.

Steil, George K., Sr.

Tibbetts, Margery Mebane

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,
R. Roth Judd
Executive Director

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

August 19, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOAN SERAMUR of Minocqua, as a member of the Real Estate Examining Board pursuant to the statute governing, to serve for the term ending July 1, 1995.

Respectfully,
Tommy Thompson
Governor

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

State of Wisconsin
Office of the Governor

August 19, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint RALPH J. JR. STUKEL of Pewaukee, as a member of the Snowmobile

JOURNAL OF THE SENATE [September 4, 1991]

Recreational Council pursuant to the statute governing, to serve for the term ending July 1, 1994.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

State of Wisconsin
Office of the Governor

August 19, 1991

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HAROLD FLATER of Holcombe, as a member of the Snowmobile Recreational Council pursuant to the statute governing, to serve for the term ending July 1, 1994.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 91-101

Relating to allowing the operation of double bottoms and certain other combination vehicles greater than 60 feet in overall length on specified highways.

Submitted by Department of Transportation.

Report received from agency, September 3, 1991.

Referred to committee on Transportation and Utilities, September 4, 1991.

The committee on Tourism, Commerce, Labor, Veterans' and Military Affairs reports and recommends:

Senate Clearinghouse Rule 91-56

Relating to the cooperative tourism advertising program.

No action taken.

Jerome Van Sistine
Chair

The committee on Transportation and Utilities reports and recommends:

Senate Clearinghouse Rule 91-77

Relating to allowing the operation of double bottoms and certain other combination vehicles greater than 60 feet in overall length on the specified highways.

No action taken.

Senate Clearinghouse Rule 91-85

Relating to qualifications for commercial driver licenses.

No action taken.

Thomas Barrett
Chair

The committee on Higher Education reports and recommends:

Senate Clearinghouse Rule 91-86

Relating to conduct on university lands and to penalties for violations.

No action taken.

Calvin Potter
Chair