

# Eighty-Seventh Regular Session

WEDNESDAY, September 11, 1985

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

## INTRODUCTION OF BILLS

Read first time and referred:

### Senate Bill 306

Relating to paying interdistrict pupil transfer aid on a current-year basis.

By Senators Adelman, Czarnezki and Plewa; cosponsored by Representatives Hauke, Grobschmidt, Rutkowski, Nelsen and Rosenzweig.

To committee on Education and Government Operations.

### Senate Bill 307

Relating to wage scale compliance on public works projects.

By Senators Van Sistine, Chvala, Kincaid, Moen, Andrea, Norquist, Helbach, Otte and Feingold; cosponsored by Representatives Looby, M. Coggs, Hasenohrl, Schneider, McEssy, Wineke and D. Travis.

To committee on Labor, Business, Veterans Affairs and Insurance.

### Senate Bill 308

Relating to a preferential rate for veterans for care and services at the university of Wisconsin hospital and clinics and making an appropriation.

By Senators Harsdorf, Andrea, Kreul, Kincaid and Stitt; cosponsored by Representatives Wood, Berndt, Hubler, Paulson, Gronemus, T. Thompson, Buettner, Grobschmidt, Vergeront, Bolle, Musser, Johnsrud, Van Gorden, Plizka, Coleman and Schultz, by request of Wisconsin American Legion, Wisconsin Disabled American Veterans.

To committee on Labor, Business, Veterans Affairs and Insurance.

### Senate Bill 309

Relating to changes in the laws governing town mutuals.

By Senators Moen, Kreul and Van Sistine; cosponsored by Representatives Hephner, Shoemaker, Crawford, Goetsch and Tregoning, by request of Wisconsin Association of Town Mutual Insurance Companies.

To committee on Labor, Business, Veterans Affairs and Insurance.

### Senate Bill 310

Relating to the eligibility requirements for protective occupation participants applying for a retirement annuity under the Wisconsin retirement system.

By Senator Risser.

To Joint Survey committee on Retirement Systems.

### Senate Bill 311

Relating to agreements between boards of school directors and organizations representing administrators and supervisors in 1st class cities.

By Senators Czarnezki, Ulichny, Van Sistine and Engeleiter; cosponsored by Representatives Krusick, Becker, Notestein, Potter, Nelsen, Merkt and Krug, by request of Milwaukee Public Schools and Administrators' and Supervisors' Council.

To committee on Education and Government Operations.

### Senate Bill 312

Relating to student membership on the higher educational aids board.

By Senators Czarnezki and Harsdorf; cosponsored by Representative Clarenbach, by request of Governor Anthony S. Earl.

To committee on Education and Government Operations.

### Senate Bill 313

Relating to the regulation of boxing by the department of regulation and licensing, providing penalties and granting rule-making authority.

By Senators Helbach, Andrea, Hanaway, Strohl, Van Sistine and Harsdorf; cosponsored by Representatives Hasenohrl, Gruszynski, Radtke, Shoemaker and Ladwig, by request of Charlie Gust, Secretary/Treasurer of the Wisconsin Amateur Boxing Federation.

To committee on Education and Government Operations.

### Senate Bill 314

Relating to disqualification from receipt of unemployment compensation benefits as a result of inability to work.

By Senators Kincaid, Andrea and Kreul; cosponsored by Representatives Metz, Grobschmidt, Weeden and Magnuson.

To committee on Labor, Business, Veterans Affairs and Insurance.

### Senate Bill 315

Relating to various changes in the regulation of lobbying, making appropriations and providing penalties.

By Senators Chvala, Adelman, Feingold, Risser, Lee, Strohl, Czarnezki and Rude; cosponsored by Representatives Brist, Black, Gruszynski, Bell, Crawford, Medinger, M. Coggs, Manske, Ourada, Cowles, Volk, Hubler and Krug.

To committee on Judiciary and Consumer Affairs.

### Senate Bill 316

Relating to housing discrimination against certain handicapped persons assisted by animals.

By Senator Adelman; cosponsored by Representative Medinger.

To committee on Judiciary and Consumer Affairs.

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**Senate Bill 317**

Relating to law books for circuit judges.  
By Senator Adelman; cosponsored by Representative Rutkowski.  
To committee on Judiciary and Consumer Affairs.

**Senate Bill 318**

Relating to various changes in the law regulating public utilities, making an appropriation and granting rule-making authority.  
By Legislative Council.  
To committee on Urban Affairs, Utilities and Elections.

**Senate Bill 319**

Relating to costs of certain airport projects involving federal aid.  
By Senator Strohl; cosponsored by Representatives Neubauer, Fergus and Ladwig.  
To committee on Transportation.

**Senate Bill 320**

Relating to wrongful death actions for deaths due to cigarette-induced diseases.  
By Senators Adelman and Risser; cosponsored by Representatives R. Young and Notestein.  
To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

The committee on Labor, Business, Veterans Affairs and Insurance reports and recommends for introduction:

**Senate Bill 321**

Relating to payment of unemployment compensation upon failure of an employer to question eligibility, eligibility for small amounts of partial unemployment benefits, initial unemployment compensation contribution rates for certain new employers and use of unemployment compensation interest and penalty assessment moneys.

Introduction:  
Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;  
Noes, 0 -- None.

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

**Senate Bill 322**

Relating to various changes in the worker's compensation laws.

Introduction:  
Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Plewa, Kreul and Leean;  
Noes, 0 -- None.

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

JEROME VAN SISTINE  
Chair

The joint committee for Review of Administrative Rules reports and recommends:

**Senate Bill 323**

Relating to prohibiting basement insulation requirements in rental unit energy efficiency regulation.

Introduction:  
Ayes, 6 -- Senators Plewa, Kincaid and Rude, Representatives Holschbach, Cowles and Welch;  
Noes, 3 -- Senator Norquist, Representatives Brist and Black.

Read first time and referred to committee on Energy and Environmental Resources.

JOHN R. PLEWA  
Co-chair

STEVEN C. BRIST  
Co-chair

The committee on Urban Affairs, Utilities and Elections reports and recommends:

**Senate Bill 174**

Relating to special elections, ballots, nominations, canvassing, election officials, referenda, recall, registration and voting procedure, vacancies, eligibility for office, election notices and forms, administration of elections and prohibited election practices.

Introduction and adoption of senate amendment 6:  
Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasec and Rude;  
Noes, 0 -- None.  
Passage as amended:  
Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasec and Rude;  
Noes, 0 -- None.

**Senate Bill 196**

Relating to authorizing counties and towns to appoint alternate members of zoning appeals bodies.

Passage:  
Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasec and Rude;  
Noes, 0 -- None.

MORDECAI LEE  
Chair

The committee on Senate Organization reports and recommends the following nomination to committee for appointment by the Senate:

Joint committee on Finance, Senator Davis.  
TIMOTHY F. CULLEN  
Chair

REPORT OF JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

Appendix to **Senate Bill 157**

Public Policy Involved

Prior to July 1, 1966, the major retirement funds governed by state statute were essentially money purchase plans under which the annuities were

determined from the amount of accumulated contributions and earnings. The Retirement Research Committee (RRC) carried out a major actuarial study as to the adequacy of the money purchase plans, and the committee developed and recommended a formula plan based upon years of service and final average salary concepts. The formula plans were passed into law by the 1965 legislature -- Chapter 250, Laws of 1965, for the former state teacher system.

This change to a formula plan provided higher benefits for participants and higher employer contribution rates of about 1% of payroll. S. 42.245 (1), 1965 Stats., provided that "the creditable service of each member anytime prior to July 1, 1966, shall be the number of years of service as a teacher in Wisconsin teaching (including prior service) theretofor credited to him pursuant to the applicable statutes and rules."

Hence, the RRC and the legislature at that time made a decision to credit teaching service before 7/1/66 under the new formula plan only if the number of teaching days met the definition of a school year -- 120 teaching days. On the other hand, teachers with part-time service had some protection under the statutory "money purchase guarantee", which provides that formula benefits shall not be less than the benefit that could be provided from the employees accumulation account times 2.

Senate Bill 157 would add new liabilities and costs for employers of teachers which are not presently recognized. It can perhaps be argued that the current legislature should not correct prior decisions of the legislature relative to service credit recognition. Also, passage of this bill might set a precedent for the crediting of other types of public employment which are not now credited under the WRS.

On the other hand, both employee and employer contributions were made for the pre-1966 teaching service which is not presently recognized because it did not meet the 120-day requirement. Hence, there may be some equity in the granting of this credit.

JOSEPH ANDREA

Co-chair

JOHN VOLK

Co-chair

Read and referred to committee on Education and Government Operations.

**REPORT OF JOINT SURVEY COMMITTEE ON  
RETIREMENT SYSTEMS  
Appendix to Senate Bill 271  
Public Policy Involved**

The 1983 Wisconsin Act 141 created major benefit changes in the WRS program as administered by the DETF. Most of the changes in this bill reflect technical corrections and repeals of obsolete language that are necessary because of the passage of this 1983 Act. The amendments to the social security provisions of Chapter 40 bring state statutes into conformance with the governing state-federal agreement as to social security coverage for public employees. None of the provisions of

this bill have a material effect upon how the benefit programs are now being administered by the DETF.

JOSEPH ANDREA

Co-chair

JOHN VOLK

Co-chair

Read and referred to committee on Education and Government Operations.

**PETITIONS AND COMMUNICATIONS**

State of Wisconsin  
Department of State

September 4, 1985

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:**

BUGGE, LAWRENCE J., 1 S. Pinckney St., P.O. Box 1497, Madison, WI 53701 (608) 258-4226

1) Wisconsin Installment Bankers Assn., 815 W. College Ave., Waukesha, WI 53186 (414) 542-5333 (banking, consumer legislation, financial)

Terminations:

Schulte, Paul H., 1400 E. Washington Ave., Ste. 189, Madison, WI 53703, Wisconsin Citizens for Right to Work, Inc.

State of Wisconsin  
Citizens Council on Alcohol  
and Other Drug Abuse

To the Honorable, the Senate:

This report was prepared pursuant to s. 15.09(7), Wis. Stats., which requires every state level council to submit in August a report on the operation of the council during the previous fiscal year. The Citizens Council on Alcohol and Other Drug Abuse is a 20-30 member council created in the Office of the Governor, under 1. 14.017(2m). Powers and duties of the Council are defined in s. 14.245.

EDMUND NIX  
Chair

**SENATE CLEARINGHOUSE ORDERS**

**Clearinghouse Rule 84-244**

AN ORDER to amend Adm 10.08 (3) and (4) and 10.15 (1), (5) and (6), relating to contractual services.

Submitted by Department of Administration.

Report received from agency, September 9, 1985.

Referred to committee on Education and Government Operations, September 11, 1985.

**Clearinghouse Rule 84-169**

AN ORDER to repeal and recreate ch. HSS 177, relating to mobile home parks.

Submitted by Department of Health and Social Services.

Report received from agency, September 5, 1985.

Referred to committee on Agriculture, Health and Human Services, September 11, 1985.

**Clearinghouse Rule 85-64**

AN ORDER to create chapters SC 1 and 2, relating to the objectives, scope and applicability of sentencing guidelines.

Submitted by Sentencing Commission.

Report received from agency, September 5, 1985.

Referred to committee on Judiciary and Consumer Affairs, September 11, 1985.

**Clearinghouse Rule 85-82**

AN ORDER to amend ETF 60.31 (2), relating to the termination of a resolution for participation in the group life plan, administered by the department of employe trust funds, for failure to have sufficient employe participation.

Submitted by Department of Employe Trust Funds.

Report received from agency, September 6, 1985.

Referred to committee on Labor, Business, Veterans Affairs and Insurance, September 11, 1985.

**Clearinghouse Rule 85-94**

AN ORDER to repeal Trans 6.05 and 6.06 (1) (a); to renumber Trans 6.02 (5) to (13) and 6.06 (1) (b) to (g); to amend Trans 6.02 (2), 6.03 (1) (b) 1, 3, 4, 6 and 7 and 6.04 (2), 6.06 (intro.) and (b) and 6.07 (2); to repeal and recreate Trans 6.04 (1) (c); and to create Trans 6.02 (5), (12) and (15), relating to the rural and small urban area public transportation assistance program.

Submitted by Department of Transportation.

Report received from agency, September 5, 1985.

Referred to committee on Transportation, September 11, 1985.

**Clearinghouse Rule 85-110**

AN ORDER to repeal Phar 4.03 (5) and (6); and to repeal and recreate Phar 3.04 (2), 4.02, 4.03 (4) and (5) and 4.05, relating to examination.

Submitted by Department of Regulation and Licensing.

Report received from agency, September 10, 1985.

Referred to committee on Agriculture, Health and Human Services, September 11, 1985.

The committee on Labor, Business, Veterans Affairs and Insurance reports and recommends:

**Clearinghouse Rule 85-76**

AN ORDER to repeal and recreate chapter Ind 43, relating to anhydrous ammonia.

Submitted by Department of Industry, Labor & Human Relations.

No action taken.

**Clearinghouse Rule 85-95**

AN ORDER to amend Ins 3.09 (3) (m), relating to mortgage guaranty insurance.

Submitted by Office of the Commissioner of Insurance.

No action taken.

JEROME VAN SISTINE

Chair

The committee on Agriculture, Health and Human Services reports and recommends:

**Clearinghouse Rule 83-114**

AN ORDER to renumber and amend HSS 108.02; to amend ch. HSS 108 (title) and 108.01; to repeal and recreate ch. HSS 101; and to create HSS 108.02, relating to definitions of terms used in the administration of medical assistance, the obligation to safeguard personal information about medical assistance applicants and beneficiaries, and the respective rights and duties of the department of health and social services and counties in the administration of the program.

Submitted by Department of Health and Social Services.

No action taken.

**Clearinghouse Rule 83-115**

AN ORDER to amend ch. HSS 104 (title) and 104.01 to 104.04; to repeal and recreate chs. HSS 102 and 103; and to create HSS 104.05, relating to application and eligibility for medical assistance and the rights and duties of recipients of medical assistance.

Submitted by Department of Health and Social Services.

No action taken.

**Clearinghouse Rule 83-116**

AN ORDER to renumber and amend HSS 106.08 to 106.10; to amend ch. HSS 106 (title) and 106.01 to 106.07; to repeal and recreate ch. HSS 105; and to create HSS 106.08, relating to certification of health care providers for medical assistance reimbursement and the rights and duties of health service providers under the medical assistance program.

Submitted by Department of Health and Social Services.

No action taken.

**Clearinghouse Rule 83-117**

AN ORDER to repeal HSS 107.14; to amend ch. HSS 107 (title), 107.01 to 107.03, 107.04 to 107.11, 107.13, 107.15 to 107.23, 107.25 to 107.27 and 107.29; to repeal and recreate HSS 107.24 and 107.28; and to create HSS 107.035, 107.12 and 107.30, relating to health care services paid for by the medical assistance program.

Submitted by Department of Health and Social Services.

No action taken.

RODNEY C. MOEN

Chair

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Senate amendment 1 to **Senate Bill 272** by Senator  
Norquist.

AMENDMENTS OFFERED

Senate amendment 5 to senate substitute amendment  
1 to **Senate Bill 7** by Senator Andrea.