

STATE OF WISCONSIN
Assembly Journal
Ninety-First Regular Session

WEDNESDAY, January 5, 1994

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 445** offered by Representative Robson.

Assembly substitute amendment 1 to **Assembly Bill 538** offered by Representative R. Young.

Assembly substitute amendment 1 to **Assembly Bill 549** offered by Representative Bolle.

Assembly substitute amendment 1 to **Assembly Bill 605** offered by Representative Grobschmidt.

Assembly amendment 1 to **Assembly Bill 802** offered by Representative Schneider.

Assembly amendment 1 to **Assembly Bill 832** offered by Representative Swoboda.

Assembly amendment 1 to **Assembly Bill 871** offered by Joint Committee on Finance.

Assembly amendment 1 to **Assembly Bill 883** offered by Representative Grobschmidt and Roberts.

Assembly substitute amendment 1 to **Assembly Bill 930** offered by Representative Seratti.

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 93-94

Relating to certification of persons to act as first responders in providing emergency medical care in prehospital settings and certification of first responders to perform defibrillation.

Submitted by Department of Health and Social Services.

To committee on Health.

Referred on January 5, 1994.

Assembly Clearinghouse Rule 93-160

Relating to the uniform commercial code filing system and federal tax lien and railroad-related filings.

Submitted by Secretary of State.

To committee on Financial Institutions.

Referred on January 5, 1994.

INTRODUCTION AND REFERENCE
OF PROPOSALS

Read first time and referred:

Assembly Bill 1005

Relating to eligibility of a spouse for membership in the veterans home at King (suggested as remedial legislation by the department of veterans affairs).

By Law Revision Committee.

To committee on Veterans and Military Affairs.

Assembly Bill 1006

Relating to the advance planning of electric generating facilities and transmission lines and the assessment by the public service commission against the local exchange and interexchange telecommunications utilities (suggested as remedial legislation by the public service commission).

By Law Revision Committee.

To committee on Environmental Resources.

Assembly Bill 1007

Relating to: statutory construction relating to school board duties and powers; alternative compliance with various school district requirements; the requirement that school districts provide instruction in foreign language in grades 7 and 8; teacher tenure in populous counties; licensure of public school employes by the state superintendent of public instruction; children-at-risk programs; the procedure for renewal of teacher contracts; the requirement that each school board employ a reading specialist; the conditions under which an employe may substitute paid leave for family leave; the payment of salaries to school district employes during energy emergencies; establishment of the school calendar; authorizing a school board to administer examinations that are not aligned with the school district's curriculum; school board determination of high school graduation standards; and granting rule-making authority.

By Representatives Duff, Krosnicki, Owens, Vergeront, Lazich, Schneiders, Goetsch, Lehman, Jensen, Ladwig, Vrakas, Urban and Silbaugh, cosponsored by Senator Zien.

To committee on Education.

Assembly Bill 1008

Relating to a grant to a domestic abuse shelter in Wood county and making an appropriation.

By Representative Hasenohrl, cosponsored by Senator Helbach.

To committee on Health.

Assembly Bill 1009

Relating to pulsating or flashing headlamps on privately owned motor vehicles being used by deputy state fire marshals, fire department personnel or volunteer fire fighters.

By Representatives Kreibich, Zukowski, Baldus, Duff, Skindrud, Goetsch, Freese, Ladwig, Musser, Coleman, Dobyns, Seratti and Boyle, cosponsored by Senators Zien, Moen, Darling and Buettner.

To committee on Criminal Justice and Public Safety.

Assembly Bill 1010

Relating to creating a property tax exemption for wetlands.

By Representatives Black, Roberts, Wilder, Musser, Hasenohrl, Johnsrud, Hahn, R. Young, Ainsworth, Baumgart, Robson, Bock, Holperin, Boyle, Gronemus, Ourada, Hinkfuss, Bolle and Stower, cosponsored by Senators Potter, Weeden, Burke and Clausing.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 1011

Relating to certain prohibitions on insurance rate increases and policy cancellations and nonrenewals.

By Representatives Wood, Williams, Grobschmidt, Hasenohrl, Wirch, Brandemuehl, Stower, Ainsworth, Musser, Turner, Bolle, Boyle and Harsdorf.

To committee on Insurance, Securities and Corporate Policy.

Assembly Bill 1012

Relating to "911" emergency services from cellular telephones.

By Representatives Schneider, Baumgart, Notestein, Hasenohrl, Musser, Lorge, Schneiders, Bock, Ryba, Hanson, Lehman, Ott, Freese, Turner, Williams, Silbaugh and Riley, cosponsored by Senators Darling, Burke and Buettner.

To committee on Environmental Resources.

Assembly Bill 1013

Relating to expanding the use of a preliminary breath screening test.

By Representatives Zukowski, Goetsch, Lehman, Ott, Ladwig, Silbaugh, Klusman, Seratti, Schneiders, Albers, Holperin, Duff, Owens, Brandemuehl and Skindrud, cosponsored by Senators Buettner, Petak, Drzewiecki and Breske.

To committee on Judiciary.

Assembly Bill 1014

Relating to the appointment of county veterans' service officers.

By Representatives Zukowski, Dobyns, Freese, Brandemuehl, Vander Loop, Ward, Musser, Goetsch, Hahn, Ryba and Owens, cosponsored by Senators Zien and Drzewiecki.

To committee on Veterans and Military Affairs.

Assembly Bill 1015

Relating to the transfer of department of transportation employes who supervise and administer the breath alcohol testing, approval and permit program to the department of agriculture, trade and consumer protection.

By Representatives Zukowski and Seratti.

To committee on State Affairs.

Assembly Bill 1016

Relating to creating a Wisconsin art export program and making an appropriation.

By Representatives Swoboda, Baldwin, Hasenohrl, Wirch and Dobyns, cosponsored by Senators Burke and Darling.

To committee on State Affairs.

Assembly Bill 1017

Relating to eliminating certain fees that a register of deeds may collect for recording certain documents.

By Representatives Swoboda, Hanson, Boyle, Ryba and Huber, cosponsored by Senator Drzewiecki.

To committee on Urban and Local Affairs.

Assembly Bill 1018

Relating to bidding requirements for vocational, technical and adult education district board contracts.

By Representatives Green, Prosser and Deininger, cosponsored by Senators Huelsman and Burke.

To committee on Education.

Assembly Bill 1019

Relating to notification of local agencies by the department of health and social services of the release of a child from a secured correctional facility.

By Representative Green, cosponsored by Senators Burke and Huelsman.

To committee on Children and Human Services.

Assembly Bill 1020

Relating to the sale of timber on state land.

By Representatives Green and Deininger, cosponsored by Senators Burke and Huelsman.

To committee on Agriculture, Forestry and Rural Affairs.

Assembly Bill 1021

Relating to rights of crime victims, family members of homicide victims and witnesses of crimes to information about their likelihood of testifying at a trial.

By Representatives Grobschmidt, Ryba, Musser, Brandemuehl, Ziegelbauer, Robson, Holperin, Gronemus, Boyle, Lorge, Ladwig, Riley and Schneiders, cosponsored by Senators Clausing, Burke, Buettner and Plewa.

To committee on Criminal Justice and Public Safety.

Assembly Bill 1022

Relating to an exemption from regular school attendance for 17-year-olds who began a program leading to a certificate of general educational development in a secured correctional facility and the granting of a certificate of general educational development to such children.

By Representatives Grobschmidt, R. Young, Brandemuehl, Otte, Plache, Duff, Riley, Notestein, Cullen, Musser, Robson, La Fave, Boyle, Roberts, Huber, Gronemus, Silbaugh, Vrakas, Ott and Stower, cosponsored by Senators Buettner, Rosenzweig, Burke, Cowles and Farrow.

To committee on Education.

Assembly Bill 1023

Relating to permitting instructors in driver education courses in public schools to administer and certify a driving skills test.

By Representatives Grobschmidt, Ziegelbauer, Nass, Lehman, Lorge, Plombon, Roberts, Gronemus, Musser, Baldus, La Fave, Schneiders and Stower, cosponsored by Senators Clausing, Lorman, Breske and Plewa.

To committee on Education.

COMMUNICATIONS

State of Wisconsin
Department of State
Madison

To Whom It May Concern:

Acts, joint resolutions and resolutions, deposited in this office, have been numbered and published as follows:

Bill or Res. No.	Act No.	Publication date
Assembly Bill 208	89	December 24, 1993
Assembly Bill 215	90	December 24, 1993
Assembly Bill 220	91	December 24, 1993
Assembly Bill 253	92	December 24, 1993
Assembly Bill 260	93	December 24, 1993
Assembly Bill 724	94	December 24, 1993
Assembly Bill 726	95	December 24, 1993
Assembly Bill 595	100	December 27, 1993
Assembly Bill 155	101	December 27, 1993
Assembly Bill 172	107	December 27, 1993
Assembly Bill 193	108	December 27, 1993
Assembly Bill 251	109	December 27, 1993
Assembly Bill 749	110	December 27, 1993
Assembly Bill 516	111	December 27, 1993
Assembly Bill 820	112	December 27, 1993
Assembly Bill 813	113	December 28, 1993
Assembly Bill 195	114	December 28, 1993
Assembly Bill 607	116	December 28, 1993
Assembly Bill 232	119	December 28, 1993
Assembly Bill 775	120	December 28, 1993
Assembly Bill 64	122	December 30, 1993

Sincerely,
DOUGLAS La FOLLETTE
Secretary of State

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

December 17, 1993

To the Honorable the Legislature:

Section 119.80(2) of the statutes, as amended by 1993 Act 16, requires the submission of the attached joint expenditure proposal. This proposal is for the

expenditure of funds in the appropriation under ss. 20.255(2)(ec) during the 1994-95 school year.

The appropriation under ss. 20.255(2)(ec), Aid to Milwaukee Public Schools, was established at \$8 million for fiscal year 1994-95. The funds are to be used to correct the academic deficiencies of educationally and economically disadvantaged pupils and to achieve a more effective and responsive educational program in the Milwaukee public school district.

Approval of this plan by the Joint Committee on Finance is required prior to the distribution of any funds in this appropriation under ss. 20.255(2)(ec) by the Department of Public Instruction.

The proposed plan maintains the funding levels approved in 1993-94 under section 119.80(1) for expenditures from this appropriation. The appropriation under ss. 20.255(2)(ec) was also \$8 million in 1993-94.

The Milwaukee public school district has requested an increase of \$620,000 (7.75%) in 1994-95 to reflect salary increases since 1992-93. We recommend that no increase be provided as a part of this expenditure plan. There have been no changes in the condition affecting this appropriation since the legislature approved the \$8 million funding level in 1993 Act 16. However, this program will be reviewed during the 1995-97 budget deliberations.

As required, this plan has also been submitted to the co-chairs of the Joint Committee on Finance.

Sincerely,

TOMMY G. THOMPSON
Governor

JOHN T. BENSON
State Superintendent

COMMUNICATIONS

State of Wisconsin
Board of Vocational, Technical & Adult Education
Madison

December 17, 1993

To the Honorable the Legislature:

Pursuant to 1989 Wisconsin Act 186, s. 36.12(3)(a)(b), Wisconsin Statutes, 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 total 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 105 complaints were received during the academic year (1992-93). Of that number 85 have been resolved or were dropped by the student filing the complaint; in 6 others there was no discrimination found; in 1 case a probable cause finding has been issued; 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 Public Instruction
Madison

December 17, 1993

To the Honorable the Legislature:

1991 Wisconsin Act 39 included the following provision:

SECTION 9145. Nonstatutory provisions; public instruction.

(7f) COMPULSORY SCHOOL ATTENDANCE; STUDY. The state superintendent of public instruction and the state director of vocational, technical and adult education shall jointly analyze and evaluate the educational and fiscal effects of the changes made to the compulsory school attendance law under section 118.15 of the statutes of this act and shall report their findings and recommendations to the chief clerk of each house of the legislature, for distribution in the manner provided under section 13.172 (2) of the statutes by January 1, 1994.

This is to inform you that this study is in progress and that we expect to complete it by March 31, 1994. We regret that we were unable to meet the statutory deadline. If you have questions about our progress, please contact William Erpenbach, Department of Public Instruction (267-1072), or Edward Chin, State Vocational, Technical and Adult Education Board (266-7983).

Sincerely,
JOHN T. BENSON
State Superintendent, DPI
DWIGHT YORK
State VTAE Board

December 21, 1993

Mr. Thomas Melvin
Chief Clerk, State Assembly
Suite 402, 1 East Main St.
P.O. Box 8952
Madison, WI 53708

Subject: Report due to Legislature under s. 38.12 Wis. Stats.

Dear Mr. Melvin:

Attached is a copy of the information provided to all students, in accordance with Wis. Stats. 38.12.

- a. All new students are required to attend a New Student Orientation. During these orientations, detailed information is shared regarding Sexual Assault and Sexual Harassment, also these students receive the attached handout.
- b. All continuing students receive in the mail the attached flyer.

If you have any further questions or concerns, please feel free to contact Mr. Archie Graham, Director of Student Affairs at (414) 278-6870.

Sincerely yours,
ARCHIE L. GRAHAM
Director of Student Affairs

State of Wisconsin
Department of Public Instruction
Madison

December 22, 1993

To the Honorable the Assembly:

As required by s. 119.23, Wis. Stat., enclosed for distribution to the appropriate standing committees is the third-year report on the Milwaukee Parental Choice Program. Authored by John Witte, professor with The Robert M. La Follette Institute of Public Affairs and the Department of Political Science of the University of Wisconsin-Madison, the report is comprehensive, pointing out both positive and negative aspects of the program.

Among the findings of the report are the following:

- * The vast majority of evidence presented in the report is consistent with and confirms the evidence presented in the two previous reports.
- * The program accomplishes its intent of making alternative school choices available to low-income families.
- * The number of students participating has increased each year, from 341 in fall 1990, to 521 in fall 1991, to 608 in fall 1992, to 742 in fall 1993. Eligible number of students is 968 in 1993-94, or 1 percent of the Milwaukee Public Schools enrollment. This will increase to 1.5 percent in 1994-95.

- * The number of participating schools was seven in 1990-91, six in 1991-92, 11 in 1992-93 and 12 in the current school year. Approximately 11 other nonsectarian schools in Milwaukee could participate in the Choice program.
- * The attrition rate remains high into the fourth year of the program but is declining. Excluding graduates, there was an attrition rate from choice schools of 53 percent between the first and second years. The second-year attrition rate was 35 percent. The third-year attrition rate was 31 percent.
- * Pupil attendance in the choice schools is high, but only slightly higher than MPS. Attendance by choice students (excluding SER-Jobs) averaged 94 percent in 1990-91 and 92 percent in 1991-92 and 92.5 percent in 1992-93. Average attendance in MPS elementary schools in the last three years has been 92 percent each year.
- * The researchers did not reach a firm conclusion on achievement differences based on test score results. Scores for both the choice students and MPS students have fluctuated--up one year, down the next. For 1993, choice reading scores declined more than MPS reading scores. On math, choice students improved for the first time while MPS students did not. When controlled for other relevant variables, however, the effect of being in a choice school was insignificant.
- * Parent satisfaction is high.
- * The choice students come from poor, often single-parent households. Similar to MPS parents, approximately 60 percent are receiving AFDC or public assistance. The parents also expressed considerable dissatisfaction with prior public schools and based on prior test scores, there is clear evidence that their children were not doing well in those schools (both in relative and absolute terms).
- * Parents reported high satisfaction with information and assistance received from choice schools and the Department of Public Instruction.
- * Staff turnover during the first two years of the program was high, but turnover and new personnel rates for the current year are down substantially, indicating some stability in the original five schools. In 1993-94, based on changes in 11 schools, the turnover rate remained constant at 18 percent, but the new personnel rate increased to 29 percent based on the creation of 10 new positions in addition to 16 replacements.
- * Teaching staff in Milwaukee Choice schools are generally positive about the small class sizes, the autonomy in the classroom, the usually congenial atmosphere in the schools and the administrative support they received in disciplinary matters. They expressed dissatisfaction with low pay and benefits.
- * Turnover of administrators was also high in the earlier periods but has stabilized somewhat recently. For 1991-92, three of the six participating schools had new principals or directors. For the 12 schools participating in 1993-94, the average seniority of 15

school administrators was 3.7 years in their respective schools.

- * Parental involvement for choice schools is high.
- * At an estimated \$2,987 per pupil in 1993-94, state aid to private voucher schools is higher than per-pupil equalization aid paid to 69 percent of public school districts in Wisconsin.
- * When the choice program began in 1990, four of the original seven schools were in serious financial difficulty. With the exception of one which closed, all are in better financial condition today and their facilities have improved. For five of the tuition-charging schools, the choice voucher is at least a break-even amount relative to tuition charges. For three schools, the voucher represents a net loss compared to tuition.
- * The recommendations in the report are similar to those in the first- and second-year reports and highlight needed changes in governance, financial reporting, program accountability, information and selection procedures, transportation and the exclusion of children with exceptional education needs, among others. Most of the recommendations were included in both the Governor's last biennial budget and the budget of the Department of Public Instruction but were not acted upon by the Legislature.

I believe this report provides continually evidence that a private school choice program is not a panacea, nor does it deal directly or substantially with the challenges faced by the Milwaukee Public Schools. In January I will be announcing the establishment of an urban education task force and look forward to a practical approach by this task force to the many challenges faced by the schools located in urban communities in this state.

Sincerely,
JOHN T. BENSON
State Superintendent, DPI

State of Wisconsin
Department of Public Instruction
Madison

December 23, 1993

To the Honorable the Assembly:

The State Superintendent's Assessment Advisory Committee, created as part of Act 269, has completed its work. The committee was appointed in the spring of 1993 and met through the remainder of the year to produce, by January 1, 1994, their recommendations for the plan for statewide assessment.

The committee included representatives of teachers, administrators, guidance counselors, parents, university personnel and school boards. They gathered information about the current assessment programs in the department and spent several meetings discussing their vision for assessment in Wisconsin.

JOURNAL OF THE ASSEMBLY [January 5, 1994]

A draft plan was written by department staff for the committee's review. The plan was also reviewed by a four-member reactor panel made up of a director of assessment for another state, a university professor with expertise in the area of assessment, a research professional with a teacher's organization and a representative of business and industry. The comments of those four people were carefully considered in completing recommendations for the plan. Finally, the plan was presented to the state superintendent of public instruction on December 13.

Act 269 requires the state superintendent of public instruction to submit the plan to the legislature by January 1, 1994. I herewith forward the attached plan to you. I believe this provides a detailed, comprehensive plan for implementing a forward-looking statewide assessment system for Wisconsin.

Sincerely,
JOHN T. BENSON
State Superintendent, DPI