

STATE OF WISCONSIN
Senate Journal
Ninety–Second Regular Session

WEDNESDAY, August 14, 1996

The Chief Clerk makes the following entries under the above date.

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Department of Administration**

August 5, 1996

The Honorable, The Legislature:

[Chapter 34, Laws of 1979](#), requires that when the Department of Administration maintains an office in Washington, DC, for the purpose of promoting federal/state cooperation, it should submit a report detailing the activities of the office and reporting the status of federal legislation of concern to the Legislature and other agencies (Wis. Stats. 16.548 (2)).

The report for the period April 1, 1996, through June 30, 1996, is attached.

Sincerely,

JAMES R. KLAUSER
Secretary

**State of Wisconsin
Department of Administration**

August 8, 1996

The Honorable, The Legislature:

This report is transmitted as required by sec. 20.002(11)(f) of the Wisconsin Statutes, (for distribution to the appropriate standing committees under sec. 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, 1996.

On July 1, 1996 the **Wisconsin Health Education Loan Repayment Fund** balance was –\$2 thousand. This shortfall grew to –\$30 thousand on July 29 and continued through the end of the month. This shortfall was due to the timing of revenues.

On July 1, 1996 the **Wisconsin Health Insurance Risk Sharing Fund** balance was –\$12 thousand. This shortfall grew to –\$16 thousand on July 31 and continued through the end of the month. This shortfall was due to timing of revenues.

The Wisconsin Health Education Loan Repayment Fund and Health Insurance Risk Sharing Fund shortfalls were not in excess of the \$400 million ceiling and did not exceed the balances 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 monthly calculation by

the State Controller’s Office will automatically reflect the use of these temporary reallocations of balance authority.

Sincerely,

JAMES R. KLAUSER
Secretary

Referred to the Joint Committee on **Finance**

**State of Wisconsin
Legislative Audit Bureau**

August 8, 1996

The Honorable, The Legislature:

We have completed an evaluation of Wisconsin’s employer–funded Duty Disability program, which is administered by the Department of Employee Trust Funds. The program provides lifetime benefits to police officers, firefighters, prison guards, and other protective employees who are fully or partially disabled by injuries on the job. Benefits can equal up to 80 percent of the injured employee’s former salary and are exempt from federal and state income taxes. As of January 1, 1996, more than 16,000 workers were employed in protective occupations, and 627 former protective workers or their families were receiving program benefits.

The Duty Disability program provides more generous benefits and has considerably lower qualifying requirements than standard disability programs for non–protective workers. The Legislature created these higher benefit levels in recognition of the unusual risks associated with protective occupations. However, questions have been raised over whether higher benefit levels limit the incentive for partially disabled participants to seek careers for which they are physically qualified, and over the equity of some benefits levels. Further, the program has no mechanism to remove participants whose injuries heal and who are no longer disabled. Since 1982, when the Duty Disability program underwent major changes, the number of former protective workers qualifying for disability benefits has increased from an average of 10 per year to an average of 49 per year. The Department’s contracted actuary estimates the lifetime cost of benefits for current program recipients at \$142 million.

We have identified a number of options the Legislature can consider to improve program administration and address equity questions. These options include establishing work incentives for those who are physically able to develop new careers, requiring periodic medical reviews to confirm a continuing disability, and authorizing more extensive employer review of claims.

We appreciate the courtesy and cooperation extended to us by staff in the Department of Employee Trust Funds and representatives of other state agencies, municipalities, and

counties we contacted during the course of this evaluation. The Department's response is Appendix II.

Sincerely,
DALE CATTANACH
State Auditor

**State of Wisconsin
Department of Commerce**

August 2, 1996

The Honorable, The Legislature:

In accordance with s. 234.65(5), the Department of Development is required to provide a report addressing the effects of the Wisconsin Housing and Economic Development Authority's (WHEDA) lending activities on the state's economic development.

I am respectfully submitting the attached WHEDA Report for loans closed in 1995 in the manner provided in section 13.172(3), Wisconsin Statutes. If you have any questions concerning the report or would like to obtain copies, please contact Bev Haberman in our Division of Administrative Services, Bureau of Policy and Budget Development at (608)267-6876.

Sincerely,
WILLIAM J. MCCOSHEN
Secretary

**State of Wisconsin
State of Historical Society**

August 6, 1996

The Honorable, The Senate:

I'm pleased to send you the initial report from the Electronic Records Program at the State Historical Society. The State Legislature established the program with a special appropriation in 1994.

The report describes what the Program staff accomplished in its first year of work.

Please call me at (608)264-6480 if you have any questions about our first-year report or would like further information on our work.

Sincerely,
PETER GOTTLIEB
State Archivist

EXECUTIVE COMMUNICATIONS

**THE STATE OF WISCONSIN
OFFICE OF THE GOVERNOR**

EXECUTIVE ORDER #287

Relating to Amending Executive Order #283 and to the Transfer to the Department of Administration of Responsibilities for Higher Educational Aid Programs Currently Assigned to the Higher Educational Aids Board and to Transfer to the Department of Administration of Responsibilities for the Regulation of Proprietary Schools and the Approval of Schools and Courses of Instruction for the Training of Veterans Receiving Assistance from the Federal Government Currently Assigned to the Educational Approval Board and to the Creation of Higher Educational Aids Council and the Educational Approval Council

WHEREAS, Executive Order #283 directed the Secretary of the Department of Administration, effective July 1, 1996, to assume responsibility for programs formerly administered by the Higher Educational Aids Board and the Educational Approval Board; and

WHEREAS, Executive Order #283 directed the Secretary of the Department of Administration to request that the Joint Committee on Finance transfer the funds and positions associated with the administration of higher educational aids and the administration of Educational Approval Board responsibilities from the Department of Public Instruction to the Department of Administration, effective July 1, 1996; and

WHEREAS, the Joint Committee on Finance, in action taken on June 27, 1996, did not transfer positions and funds related to higher educational aids and Educational Approval Board responsibilities from the Department of Public Instruction to the Department of Administration; and

WHEREAS, the Joint Committee on Finance recommended that prior to July 1, 1996, the Department of Public Instruction enter into a memorandum of understanding with the Higher Educational Aids Board and the Educational Approval Board for the Department of Public Instruction to provide funding and staff in 1996-97 to carry out the functions of the respective boards; and

WHEREAS, the Joint Committee on Finance created a project position to serve as the Executive Secretary of the Higher Educational Aids Board;

NOW, THEREFORE, I, TOMMY G. THOMPSON, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and the laws of this State, and specifically by Section 14.019 of the Wisconsin Statutes, do hereby

1. Direct the higher Educational Aids Council, established by Executive Order #283, to oversee implementation of the memorandum of understanding between the Department of Public Instruction and the Higher Educational Aids Board to carry out the functions of the Board and advise Board staff on the administration of the financial aid appropriations pursuant to Section 20.235 of the Wisconsin Statutes.

2. Direct the Educational Approval Council, established by Executive Order #283, to oversee the implementation of the memorandum of understanding between the Department of Public Instruction and the Educational Approval Board to carry out the functions of the Board and advise Board staff on the administration of responsibilities formerly assigned to the Educational Approval Board pursuant to Section 38.51 of the Wisconsin Statutes.

3. Direct that, effective July 1, 1996, the individual currently holding the position of Executive Secretary of the Higher Educational Aids Board serve as the Executive Secretary in the project position created by the Joint Committee on Finance on June 27, 1996

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the city of Madison this twenty-ninth day of June in the year one thousand nine hundred and ninety-six.

TOMMY G. THOMPSON
Governor

BY THE GOVERNOR:

DOUGLAS LA FOLLETTE
Secretary of State

THE STATE OF WISCONSIN
OFFICE OF THE GOVERNOR

EXECUTIVE ORDER #289

*Relating to the Creation of the Governor's Blue Ribbon
Commission on 21st Century Jobs*

WHEREAS, Wisconsin has enjoyed unprecedented economic success during the past decade; and

WHEREAS, technological progress and the imperatives of a global economy have mandated a change in the skill profile of the labor force; and

WHEREAS, the computer has reshaped the work place to a degree not anticipated by the Strategic Development Commission; and

WHEREAS, the success of Welfare Reform will require continued growth of job opportunities into the 21st Century; and

WHEREAS, Wisconsin must be aggressive and competitive in attracting and keeping high tech jobs;

NOW, THEREFORE, I, TOMMY G. THOMPSON, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and the laws of this State, and specifically by Section 14.019 of the Wisconsin Statutes, do hereby:

- 1) Create the Governor's Blue Ribbon Commission on 21st Century Jobs (hereinafter the "Commission") to study and propose private and public sector initiatives to strengthen Wisconsin's long term economic future; and
- 2) Provide that the Commission shall consist of not more than twenty-five members appointed by the Governor and that the Governor shall designate one member as chair; and
- 3) Require the Commission to prepare and submit to the Governor a report detailing its findings and proposing private and public sector initiatives; and
- 4) Require the Commission to examine, *inter alia*, the State of Wisconsin's economy, changes necessary to make Wisconsin jobs competitive in the 21st Century, review state tax and regulatory structures as such structures relate to high technology and manufacturing jobs, study the role the University of Wisconsin System, the Wisconsin Technical College System and Wisconsin's 21 private colleges and universities can play in job development, and examine methods of insuring that job growth is successful in all geographic areas of the State; and
- 5) Require the Commission to submit its final report to the Governor not later than December 31, 1996; and
- 6) Require the Commission to disband upon the Governor's acceptance of the Commission's final report.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the city of Madison this first day of July in the year one thousand nine hundred and ninety-six.

TOMMY G. THOMPSON
Governor

BY THE GOVERNOR:

DOUGLAS LA FOLLETTE
Secretary of State

THE STATE OF WISCONSIN
OFFICE OF THE GOVERNOR

EXECUTIVE ORDER #290

*Relating to the Creation of the Governor's Task Force on
the Compulsory School Attendance Age*

WHEREAS, it is in the interest of the State of Wisconsin to explore and evaluate issues concerning the compulsory school attendance age; and

WHEREAS, such an undertaking will require the involvement and participation of a multi-disciplinary task force; and

WHEREAS, Wisconsin must take steps to provide a constructive classroom environment for teachers and students; and

WHEREAS, Wisconsin must ensure educational opportunities for all students;

NOW, THEREFORE, I, TOMMY G. THOMPSON, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and the laws of this State, and specifically by Section 14.019 of the Wisconsin Statutes, do hereby:

- 1) Establish the Governor's Task Force on the Compulsory School Attendance Age (hereinafter "the Task Force") to study the need for any changes to the compulsory school attendance age; and
- 2) Provide that the Task Force shall consist of not more than twenty-five (25) members representing a range of community interests to include a parent of an at-risk student, teachers, students, principals, administrators, governmental officials, the business community, and other disciplines concerned with reducing the student dropout rate and related issues; and
- 3) Provide that the Governor shall designate two members of the Task Force as co-chairs; and
- 4) Direct the Task Force to explore the advisability of changes to the compulsory school attendance age to increase opportunities for all children while striving toward a non-disruptive classroom environment for teachers and students; and
- 5) Require the Task Force to submit a report to the Office of the Governor outlining its findings and supporting information; and
- 6) Require the Task Force to establish, not later than its second meeting, a date certain for the submission of its report to the Office of the Governor and that such date shall be communicated to the Office of the Governor by the Friday following that meeting; and
- 7) Require the Task Force to disband upon the acceptance of its final report by the Office of the Governor.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the city of Madison this eighteenth day of July in the year one thousand nine hundred and ninety-six.

TOMMY G. THOMPSON
Governor

BY THE GOVERNOR:

DOUGLAS LA FOLLETTE
Secretary of State

**State of Wisconsin
Office of the Governor**

August 6, 1996

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MCGREGOR, ELAINE H., of Waukesha, as a member of the Veterinary Examining Board, to serve for the term ending July 1, 2000.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Agriculture, Transportation, Utilities and Financial Institutions.**

**State of Wisconsin
Office of the Governor**

August 6, 1996

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint THOMPSON, JEAN M. HEYT, of La Crosse, as a member of the Veterinary Examining Board, to serve for the term ending July 1, 2000.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Agriculture, Transportation, Utilities and Financial Institutions.**

**State of Wisconsin
Office of the Governor**

August 6, 1996

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOHNSON, DR. SIDNEY E., of Marshfield, as a member of the Medical Examining Board, to serve for the term ending July 1, 2000.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Health, Human Services, Aging and Corrections.**

**State of Wisconsin
Office of the Governor**

August 6, 1996

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DODSON, REBECCA A., of Wausau, as a member of the Medical Examining Board, to serve for the term ending July 1, 2000.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Health, Human Services, Aging and Corrections.**

**State of Wisconsin
Office of the Governor**

August 6, 1996

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PATTERSON, MIKKI, of Madison, as a member of the Medical Examining Board, to serve for the term ending July 1, 2000.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Health, Human Services, Aging and Corrections.**

**State of Wisconsin
Office of the Governor**

August 6, 1996

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GROSSMAN, DR. RONALD E., of River Hills, as a member of the Medical Examining Board, to serve for the term ending July 1, 2000.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Health, Human Services, Aging and Corrections.**

**REFERRALS AND RECEIPT OF
COMMITTEE REPORTS CONCERNING
PROPOSED ADMINISTRATIVE RULES**

Senate Clearinghouse Rule 96-002

Relating to soil and water resource management.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, August 13, 1996.

Referred to committee on **Agriculture, Transportation, Utilities and Financial Institutions**, August 14, 1996.

Senate Clearinghouse Rule 96-017

Relating to standards for water public utility service.

Submitted by Public Service Commission.

Report received from Agency, August 8, 1996.

Referred to committee on **Agriculture, Transportation, Utilities and Financial Institutions**, August 14, 1996.

The committee on **Economic Development, Housing, Government Operations and Cultural Affairs** reports and recommends:

Senate Clearinghouse Rule 96-033

Relating to continuing education requirements by registered auctioneers.

No action taken.

Gwendolynne Moore
Chairperson