

STATE OF WISCONSIN
Senate Journal
Ninety–Third Regular Session

WEDNESDAY, December 17, 1997

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

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 378

Relating to: creating a child abuse and neglect prevention program, medical assistance for certain case management services, authorizing the child abuse and neglect prevention board to form a nonstock, nonprofit corporation, early childhood family education center grants awarded by the child abuse and neglect prevention board, training programs and training requirements for staff of county departments or licensed child welfare agencies under contract with county departments whose responsibilities include investigation or treatment of child abuse and neglect, granting rule–making authority and making appropriations.

By Joint Legislative Council.

To committee on **Health, Human Services, Aging, Corrections, Veterans and Military Affairs.**

Senate Bill 379

Relating to: driving a motor vehicle while under the influence of an intoxicant and providing penalties.

By Senators Drzewiecki, Rosenzweig, Huelsman, Darling, Cowles, Clausing, Roessler and Panzer; cosponsored by Representatives Walker, Kreibich, Ladwig, F. Lasee, Dobyms, Staskunas, Schafer, Ainsworth, Albers, Hutchison, Gunderson, Brandemuehl, Harsdorf, Goetsch, Hanson, M. Lehman, Green and Urban.

To committee on **Judiciary, Campaign Finance Reform and Consumer Affairs.**

Senate Bill 380

Relating to: requirements for managed care plans and granting rule–making authority.

By Senators Roessler, Wirch, Rosenzweig, C. Potter, Schultz, Wineke, Welch, Clausing, Drzewiecki, Darling and Panzer; cosponsored by Representatives Ladwig, Wasserman, R. Potter, Urban, Johnsrud, Bock, Gunderson, Black, Brandemuehl, Robson, Ward, Linton, Kaufert, Travis, Seratti, Baldwin, Lorge, Baumgart, Dobyms, Hebl, Hahn, J. Lehman, Musser, Notestein, Ourada, Ryba, Owens and Vander Loop.

To committee on **Health, Human Services, Aging, Corrections, Veterans and Military Affairs.**

Senate Bill 381

Relating to: requiring vehicles to stop and yield the right–of–way to pedestrians and bicyclists.

By Senators Clausing, Roessler and Burke; cosponsored by Representatives Seratti, Hasenohrl, Turner, Black, R. Young, Boyle and Baumgart.

To committee on **Labor, Transportation and Financial Institutions.**

Senate Bill 382

Relating to: lifetime supervision for persons who commit certain sex offenses, granting rule–making authority and providing a penalty.

By Senators Darling, Roessler, Welch, Farrow and A. Lasee; cosponsored by Representatives Skindrud, Porter, Green, Sykora, Plale, Jensen, Ladwig, Dobyms, Urban, Freese, F. Lasee, Ainsworth, Huber, Kreibich, Otte, Musser, Kelso, Schafer, Walker and Handrick.

To committee on **Judiciary, Campaign Finance Reform and Consumer Affairs.**

Senate Bill 383

Relating to: charter schools.

By Senators Darling, Weeden, Farrow, Huelsman, Welch and Roessler; cosponsored by Representatives Olsen, Underheim, Duff, Gard, Albers, Ott, Ainsworth, Johnsrud, Grothman, Owens, Brandemuehl, Walker, Ladwig, Vrakas and Jeskewitz.

To committee on **Education.**

REPORT OF COMMITTEES

The committee on **Education** reports and recommends:

Senate Bill 384

Relating to: special education programs for children with disabilities and granting rule–making authority.

Introduction.

Ayes, 7 – Senators C. Potter, Jauch, Shibilski, Grobschmidt, Darling, Huelsman and Roessler.

Noes, 0 – None.

Calvin Potter
Chairperson

To committee on **Education.**

The committee on **Utility Regulation** reports and recommends:

METTNER, JOSEPH P., of Madison, as a member of the Public Service Commission, to serve for the interim term ending March 1, 1999.

Confirmation.

Ayes, 7 – Senators Moen, Clausing, Decker, Shibilski, Rude, Welch and Farrow.
Noes, 0 – None.

PARRINO, CHERYL L., of Madison, as a member of the Public Service Commission, to serve for the term ending March 1, 2003 and to serve as Chair for the term ending March 1, 1999.

Confirmation.

Ayes, 7 – Senators Moen, Clausing, Decker, Shibilski, Rude, Welch and Farrow.
Noes, 0 – None.

Senate Bill 339

Relating to: prohibitions regarding members of public service commission.

Passage.

Ayes, 7 – Senators Moen, Clausing, Decker, Shibilski, Rude, Welch and Farrow.
Noes, 0 – None.

Rodney Moen
Chairperson

Senate Bill 374 was withdrawn from the committee on **Economic Development, Housing and Government Operations** and referred to the committee on **Utility Regulation** pursuant to Senate Rule 46 (1)(c).

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Ethics Board**

December 9, 1997

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 that employ one or more individuals to affect state legislation or administrative rules, and notifying you of changes in the Ethics Board's records of licensed lobbyists and their employers. For each recently registered organization I have included the organization's description of the general area of legislative or administrative action that it attempts to influence and the name of each licensed lobbyist that the organization has authorized to act on its behalf.

Organization's authorization of additional lobbyists:

The following organizations previously registered with the Ethics Board have authorized to act on their behalf these additional licensed lobbyists:

Teachers Wisconsin Federation of

Weidel, Carol

Troopers Assn. Wisconsin State

Perry, Casey

Termination of lobbying authorizations:

The following individuals are no longer authorized to lobby on behalf of the organizations listed below, as of the dates indicated.

Teachers Wisconsin Federation of

Braithwaite, Mary 12/9/97

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**

December 16, 1997

To the Honorable the Senate:

At the direction of s. 13.685(7), *Wisconsin Statutes*, I am furnishing you with the names of organizations recently registered with the Ethics Board that employ one or more individuals to affect state legislation or administrative rules, and notifying you of changes in the Ethics Board's records of licensed lobbyists and their employers. For each recently registered organization I have included the organization's description of the general area of legislative or administrative action that it attempts to influence and the name of each licensed lobbyist that the organization has authorized to act on its behalf.

Organizations recently registered:

Below are the names of organizations recently registered with the Ethics Board as employing one or more individuals to affect state legislation or administrative rules.

Avenor America Inc.

Subject(s): Recycling and solid waste issues, manufacture and sales of pulp and paper products, newspapers.

Gerrard, M William

Haight, Daniel

Johnson & Johnson

Subject(s): Legislation/rules which positively or adversely impact the sales and/or reimbursement of products and/or services sold by Johnson & Johnson.

Schut, Keith

Ophthalmology Wisconsin Academy of

Subject(s): We are interested in issues related to the availability and quality of medical eye care and vision care, and the treatment of eye diseases medically and surgically. We also are concerned with matters relating to the practice of medicine and health insurance issues.

Hottenroth, Theresa

Leitch, Laura

Paul, Richard

Organization's authorization of additional lobbyists:

The following organizations previously registered with the Ethics Board have authorized to act on their behalf these additional licensed lobbyists:

Community Bankers of Wisconsin

Solheim, Thomas P

Nature Conservancy

Jordahl, Harald

Radtke Contractors Inc.

Christensen, Jeffrey A

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
Legislative Audit Bureau**

December 15, 1997

The Honorable, The Legislature:

We have completed an audit of the Kids Information Data System (KIDS), as directed by the Joint Legislative Audit Committee. The \$51.4 million automated child support enforcement system, which was developed by the former Department of Health and Social Services and is currently the responsibility of the Department of Workforce Development, was implemented statewide in September 1996.

Although several factors influenced the development of KIDS, in order to avoid serious financial consequences the Department gave priority to ensuring the system would meet the requirements of the federal Family Support Act of 1988. While this helped to ensure conditional federal certification of KIDS in September 1997, it also led to the development of a system that does not fully meet the needs of the county staff who rely on it to fulfill their day-to-day responsibilities.

Currently available management information is inadequate for reaching conclusions about the systems overall effect on the child support program. However, we were able to determine that collections for cases that involved county enforcement services increased by \$19.3 million, to \$459.6 million, during the first full year of the systems operation. This is a 4.4 percent increase over the previous year, but it is less than the increase in each of the four years that preceded the implementation of KIDS.

The Department has requested the release of funding necessary to operate the system for the remainder of fiscal year 1997-98, as well as to modify it so additional state and federal requirements can be met. The Department has not, however, requested funds to address the outstanding county needs. We have identified a source of funding to address these needs and include a recommendation to the Department for developing a plan and establishing a deadline to address the continuing operational problems experienced by the counties.

We appreciate the courtesy and cooperation extended to us by the many county staff who assisted us during the course of this evaluation, as well as by the Department of Workforce Development. The Departments response is Appendix III.

Sincerely,
DALE CATTANACH
State Auditor

**State of Wisconsin
Department of Natural Resources**

December 10, 1997

The Honorable, The Legislature:

Enclosed please find a copy of the Department's report entitled "*Funding Wisconsin's Fish and Wildlife Account.*"

This report fulfills the Legislative directive from Wisconsin Act 1, signed in March, requesting the Department to analyze alternative sources of funding for the Fish and Wildlife Account and "include recommendations as to the preferable options for the alternative funding sources" (see attached Legislative Charge.)

We hope that you will find the report a satisfactory fulfillment of this directive. If you have any questions, please do not hesitate to contact me.

Sincerely,
GEORGE E. MEYER
Secretary

EXECUTIVE COMMUNICATIONS

**State of Wisconsin
Office of the Governor**

December 12, 1997

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Senate Bill 316	Wisconsin Act 37	December 12, 1997
Senate Bill 323	Wisconsin Act 38	December 12, 1997
Senate Bill 327	Wisconsin Act 39	December 12, 1997
Senate Bill 344	Wisconsin Act 40	December 12, 1997
Senate Bill 362 (partial veto)	Wisconsin Act 41	December 12, 1997

Sincerely,
TOMMY G. THOMPSON
Governor

**State of Wisconsin
Office of the Governor**

December 12, 1997

The Honorable, The Senate:

I have approved **Senate Bill 362** as [1997 Wisconsin Act 41](#) and have deposited it in the Office of the Secretary of State. I have exercised the partial veto in sections 11, 12 and 9423 (1) of the bill.

Senate Bill 362 makes a number of changes needed to resolve technical problems in the 1997-99 budget bill ([1997 Wisconsin Act 27](#)). these changes will make budget execution easier and better reflect legislative and executive intent in the budget bill. However, one of the changes would inadvertently create a new problem.

During deliberations of the Milwaukee child welfare budget before the Joint Committee on Finance (JCF), federal Substance Abuse Block Grant (SABG) funds allocated to Milwaukee County under the Community Aids program were redirected to the state for services to child welfare clients in Milwaukee County. After passage of the budget bill the Department of Health and Family Services (DHFS) determined that these SABG funds had also been included in the amount specified in statute as Milwaukee County's total required contribution for child welfare services provided by DHFS in Milwaukee County. Thus the net result of the JCF action was to double count these federal funds as part of Milwaukee County's contribution. To correct this double count problem, sections 11, 12 and 9423 (1) of **Senate Bill 362** statutorily reduce the amount that Milwaukee County is to contribute for the provision of child welfare services in the county by \$791,500 in FY 98 and \$1,583,000 in FY99. However, the total contribution required in statute should not have been reduced. I am vetoing these sections because I want the entire amount of Milwaukee County's total contribution specified in statute. If DHFS determines that the SABG funds that were redirected from Community Aids cannot administratively be allocated to

Milwaukee County, I am requesting the Secretary of Administration to recommend statutory language changes that will correct the JCF double count which was included in [1997 Wisconsin Act 27](#).

Overall the technical changes in **Senate Bill 362** are a very positive step in the implementation of the biennial budget. I commend the Legislature for making several of the changes needed to do this.

Sincerely,

TOMMY G. THOMPSON
Governor

**State of Wisconsin
Office of the Governor**

December 15, 1997

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Senate Bill 324	Wisconsin Act 49	December 15, 1997
Senate Bill 359	Wisconsin Act 50	December 15, 1997

Sincerely,

TOMMY G. THOMPSON
Governor

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

Senate Clearinghouse Rule 97-102

Relating to the use, care and preservation of property under the department's control.

Submitted by Department of Administration.

Report received from Agency, December 16, 1997.

Referred to committee on **Economic Development, Housing and Government Operations**, December 17, 1997.

Senate Clearinghouse Rule 97-113

Relating to atrazine use restrictions.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, December 10, 1997.

Referred to committee on **Agriculture and Environmental Resources**, December 17, 1997.

CHIEF CLERK'S REPORT

The Chief Clerk records:

Senate Bill 316

Senate Bill 323

Senate Bill 327

Senate Bill 344

Senate Bill 362

Presented to the Governor on December 12, 1997.

CHIEF CLERK'S REPORT

The Chief Clerk records:

Senate Bill 324

Senate Bill 359

Presented to the Governor on December 15, 1997.