



STATE OF WISCONSIN

Senate Journal

Ninety-Fourth Regular Session

1:10 P.M.

TUESDAY, April 4, 2000

The Senate met.

The Senate was called to order by Senator Fred Risser.

The Chair, with unanimous consent, asked that the proper entries be made in the Journal.

PETITIONS AND COMMUNICATIONS

Senate Petition 13

A petition by 419 volunteer Firefighters and EMT Professionals, in support of proclaiming March 28 – April 4, 2000 as "Volunteer Firefighter and E.M.T. Professional Appreciation Week", and in support of Senate Bill 75 and Assembly Bill 187, relating to length of service awards.

By Senators Zien and Shibilski.

To committee on **Labor**.

State of Wisconsin Wisconsin Technical College System Board

April 4, 2000

The Honorable, The Senate:

I am please to share with you the attached report in compliance with section 38.04(21) of the statutes. This provision requires the Wisconsin Technical College System (WTCS) Board to submit an annual report regarding high school students attending technical colleges. The report is to be submitted to the Legislature and to three state agencies (Department of Administration, Public Instruction and Workforce Development). The reporting requirement was established in the 1997-99 biennial budget (1997 Wisconsin Act 27).

This is the third year that the WTCS Board has issued a report under this provision. This report provides enrollment information from the 1998-99 fiscal year. The prior two reports covered fiscal years 1996-97 and 1997-98 respectively.

In summary, the report indicates that the number of technical college courses taken by high school students continues to grow each year, especially under the Youth Options program. For 1998-99, the following level of activity occurred:

- Nearly 3,600 high school students attended the WTCS under the 118.15 Compulsory Education Option.
- 1,542 high school students attended the WTCS under the Youth Options Program (formerly know as the Postsecondary Enrollment Options Program) compared to 624 students in 1997-98. In addition, the number of WTCS courses and credits taken under the Youth Options Program was three times greater in 1998-99 than in 1997-98. This significant growth was due in part to the changes made to the program that were enacted in the 1997-99 biennial budget.
- Over 6,700 high school students enrolled in WTCS postsecondary level courses through means other than 118.15 Compulsory Education or Youth Options.

If you have any questions regarding this report, please contact Dan Clancy, Assistant State Director, at (608) 266-7983.

Sincerely,

EDWARD CHIN
State Director

State of Wisconsin Department of Administration

March 29, 2000

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 February 2000.

On February 1, 2000 the **Wisconsin Health Education Loan Repayment Fund** balance was -\$7 thousand. This shortfall increased to -\$12 thousand on February 22, 2000 and to -\$28 thousand on February 28, 2000. This shortfall decreased to -\$6 thousand on February 29, 2000 and continued into the month of March. As of the date of this letter, it is expected to be resolved soon. This shortfall is due to the timing of revenues.

On February 1, 2000 the **Wisconsin Health Insurance Risk Sharing Plan Fund** balance was -\$138 thousand. This shortfall increased to -\$145 thousand on February 11, 2000 and continued until February 15, 2000 when the balance reached \$5 thousand. This shortfall was due to the timing of revenues.

On February 2, 2000 the **University Trust-Income Fund** balance was -\$26 thousand. This shortfall increased to -\$50 thousand on February 3, 2000 and continued until February 4, 2000 when the balance reached \$1.96 million. This shortfall was due to the timing of revenues.

The Wisconsin Health Education Loan Repayment Fund, Wisconsin Health Insurance Risk Sharing Plan Fund, and University Trust-Income Fund shortfalls were not in excess of the statutory interfund borrowing limitation 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,

GEORGE LIGHTBOURN
Secretary

Referred to the joint committee on **Finance**.

**State of Wisconsin
Department of Commerce**

March 31, 2000

The Honorable, The Legislature:

In accordance with s. 560.38, Wis. Stats., I am please to provide the Department's evaluation of the Certified Capital Company (CAPCO) program as of December 31, 1999. As you are aware, the CAPCO program was created by 1997 Wisconsin Act 215 to stimulate the development of small high-growth businesses in Wisconsin by improving accesss to venture capital. The program went into effect July 1, 1999.

Sincerely,

BRENDA J. BLANCHARD
Secretary

**State of Wisconsin
Legislative Audit Bureau**

March 29, 2000

The Honorable, The Legislature:

We have completed an evaluation of the Special Needs Adoption program, as requested by the Joint Legislative Audit Committee. The Department of Health and Family Services arranges adoptions for children determined to have special needs because of disability, age, ethnicity or other factors that may make placement difficult.

Since we last reviewed this program, the Department has increased the number of children placed for adoption from 273 in fiscal year 1993-94 to 415 in calendar year 1998. However, because of changes in federal law that are designed to reduce the amount of time children spend in foster care, caseloads of children awaiting placement are likely to increase in the future.

The Department has used available federal funding to hire project staff, contract with private agencies for placement services, and contract for aggressive promotional efforts to attract adoptive families. These efforts are positive and may eventually increase placements. Nevertheless, our audit identified a number of program inefficiencies that continue to hamper prompt, appropriate placement of children and equitable treatment of families. For example, the Department's process for evaluating potential adoptive families have not been applied consistently. Consequently, some families have been rejected while others have been approved despite receiving lower or identical scores. In addition, information about available qualified families and children in need of placement is not shared systematically among the Department's five regions to help speed placements.

Our report includes a number of recommendations to the Department for improving program management and increasing the efficiency with which children can leave foster care and be placed with families that meet the Department's standards.

We appreciate the courtesy and cooperation extended to us by the Department of Health and Family Services. The Department's response in Appendix IV.

Sincerely,

JAN MUELLER
State Auditor

EXECUTIVE COMMUNICATIONS

**State of Wisconsin
Office of the Governor**

March 24, 2000

The Honorable, The Senate:

This is to inform you that I am withdrawing the nomination of Robert E. Morris for appointment to the Public Defender Board.

Mr. Morris has notified my office that he wishes his nomination to be withdrawn at this time.

Thank you for your attention to this matter.

Sincerely,

TOMMY G. THOMPSON
Governor

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

Senate Clearinghouse Rule 97-158

Relating to (1) identifying a youth's program needs; establishing a case management plan; and making appropriate decisions regarding extension, release, transfer and discharge of a youth; (2) conduct of juveniles placed under the supervision of the department of corrections in a type 1 secured correctional facility; (3) administrative confinement for youth in juvenile secured correctional facilities; (4) observation status for youth in type 1 secured correctional facilities; (5) security issues for a youth placed under the supervision of the department of corrections in a type 1 secured correctional facility; (6) resources for a youth placed under the supervision of the department of corrections in a type 1 secured correctional facility; (7) a complaint procedure for youth in type 1 secured correctional facilities; (8) furloughs and off-grounds and trial visits for youth in type 1 secured correctional facilities; (9) use of psychotropic medication for youth in type 1 juvenile secured correctional facilities; (10) conduct of drug testing by the department and county departments of youth adjudicated delinquents; (11) conduct of youth placed on juvenile parole following release from secured correctional services and revocation of a youth's juvenile parole for violation of a condition of parole; (12) designation of certain child-caring institutions as type 2 child-caring institutions and to treatment of youth who are placed in type 2 child-caring institutions by the courts; (13) youth who are in type 2 secured correctional facility status through placement in the corrective sanctions program, the community phase of the serious juvenile offender program or a type 2 secured correctional facility operated by a child welfare agency; (14) supervision programs for delinquent youth; (15) county intensive supervision program for delinquent youth; and (16) training of juvenile court intake workers.

Submitted by Department of Corrections.

Report received from Agency, March 31, 2000.

Referred to committee on **Insurance, Tourism, Transportation and Corrections**, April 4, 2000.

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

Senate Clearinghouse Rule 98-169

Relating to the proper reporting of creditable service, earnings and participating employes of instrumentalities of two or more units of government when the joint instrumentality does not qualify as a separate employer for WRS purposes.

No action taken.

Jim Baumgart
Chairperson

**State of Wisconsin
Revisor of Statutes Bureau**

April 1, 2000

To the Honorable, the Senate:

The following rules have been published:

Clearinghouse Rules	Effective Date(s)
98- 76	April 1, 2000
98-161	April 1, 2000
98-172	April 1, 2000
99- 45	April 1, 2000
99- 56	April 1, 2000
99- 67	April 1, 2000
99- 87	April 1, 2000
99-106	April 1, 2000
99-108	April 1, 2000
99-117	April 1, 2000
99-120	April 1, 2000
99-127	April 1, 2000
99-128	April 1, 2000
99-132	April 1, 2000
99-133	April 1, 2000
99-144	April 1, 2000
99-148	April 1, 2000

Sincerely,
GARY L. POULSON
Deputy Revisor

ADJOURNMENT

Senator Risser, with unanimous consent, asked that the Senate adjourn until Thursday, April 6 at 10:00 A.M .

Adjourned.

1:11 P.M.

CHIEF CLERK'S REPORT

The Chief Clerk records:

Senate Bill 99

Senate Bill 146

Presented to the Governor on April 4, 2000.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Bill 62

Senate Bill 145

Senate Bill 204

Senate Bill 264

Senate Bill 290

Report correctly enrolled on April 3, 2000.

**Motions Under Senate Rule 98 and Joint Rule 7
for the Month of March 2000**

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Dr. Lewis Chamoy, on the occasion of being honored by the Congregation Agudas Achim Chabad for his support to the Milwaukee Jewish community.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Joe Chose, on the occasion of being the Division 1 Heavyweight Wisconsin State Wrestling Champion.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Schultz, for Katherine Clausius, on the occasion of earning and attaining the Girl Scout Gold Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Clausing, for LaFayette Marquis Connor, on the occasion of celebrating his 100th Birthday.

A certificate of commendation by the Wisconsin Legislature on the motion of Senators Rude and Schultz for Bernal W. Coy, on the occasion of his longstanding commitment to the people of Richland County and the State of Wisconsin.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Edward S. Delorey, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Bettie Eisendrath, on the occasion of her outstanding commitment to public service.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Joylynn Fosdal, on the occasion of earning and attaining the Girl Scout Gold Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Carl Frazier, on the occasion of his 40 years of loyal and dedicated service to the Wisconsin Christian Youth Camp.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Peter J. Gill, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Erpenbach, for Justin N. Grade, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Moore, for Pastor Alice Olivia Green, on the occasion of she is celebrating her 85th Birthday.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Chief Mate Robert Gregersen, on the occasion of being a great role model for the students of Evans School through the Adopt-A-Ship Program.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Captain Robert Groh, on the occasion of being a great role model for the students of Evans School through the Adopt-A-Ship Program.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Madaline Halquist, on the occasion of celebrating her 90th Birthday shared with family and friends.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Fleet

Manager Scott Hauck, on the occasion of being a great role model for the students of Evans School through the Adopt-A-Ship Program.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Burke, for Deb Harling, on the occasion of celebrating her 40th Birthday.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Schultz, for Ervin Heins, on the occasion of his 30 years of service he has devoted to Lafayette County.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Joe Hirschberg, on the occasion of receiving the Chessed Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Nicholas M. Hoepfner, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Ryan Joseph Hoffman, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Michelle Hulstein, on the occasion of earning and attaining the Girl Scout Gold Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Donald G. Jones, on the occasion of being chosen by the Elks Lodge #57 as the 1999-2000 "Citizen of Year".

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Eugene Kleinberg, on the occasion of receiving the Feldman Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Drzewiecki, for Ruth Larschied, on the occasion of her 61 years of dedicated service to the Lone Star 4-H Club in Northeastern Wisconsin.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Moen, for Adam Leavitt, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Commander Douglas Lloyd, on the occasion of being a great role model for the students of Evans School through the Adopt-A-Ship Program.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Drzewiecki, for Thomas J. Matuszak, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Burke, for the Milwaukee Pius Popes boys basketball team, on the occasion of their 2000 WISAA Division 1 Title.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Burke, for the Milwaukee Pius Lady Popes girls basketball team, on the occasion of their 2000 WISAA Division 1 Title.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Decker, for The Mosinee Indians Girls Basketball Team, on the occasion of winning its first ever State Championship at the WIAA Tournament.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Kay Mueller, on the occasion of her years of excellent service towards the University of Wisconsin-Milwaukee.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Jesse Mulder, on the occasion of being the Division 1, 112 pound Heavyweight Champion.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Schultz, for Clyde R. Peacock, on the occasion of his many years of service to the community and Grant County.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Burke, for Carmen Pitre, on the occasion of being the recipient of the 1999 Award for Significant Achievement in Domestic Abuse Issues.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Wirch, for Theresa Potente, on the occasion of receiving the Susan B. Anthony Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Darling, for David Pueringer, on the occasion of his 31 years of service with the Wisconsin State Patrol.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Mike Quint, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Clausen, for Randall Richter, on the occasion of his dedicated work for the past 5 years working with the D.A.R.E program through the Menomonie Police Department.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Captain James J. Robinson, on the occasion of being a great role model for the students of Evans School through the Adopt-A-Ship Program.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Captain Ted Rodes, on the occasion of being a great role model for the students of Evans School through the Adopt-A-Ship Program.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Fire Chief Raymond Roskopf, on the occasion of his retirement after 25 years of dedicated service.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Farrow, for Michael Rospenda, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Melissa Rounds, on the occasion of earning and attaining the Girl Scout Gold Award.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Rebecca Schmeisser, on the occasion of earning and attaining the rank of the Girl Scout Gold Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Jason A. Schaub, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Farrow, for Brain Schwartz, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Shibilski, for Security Health Plan, on the occasion of being selected as the 2000 Firm of the Year.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Chief Mate Mike Shoemaker, on the occasion of being a great role model for the students of Evans School through the Adopt-A-Ship Program.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for Captain J. D. Smith, on the occasion of being a great role model for the students of Evans School through the Adopt-A-Ship Program.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Burke, for Michael Timm, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Drzewiecki, for Steven Turner, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Roessler, for U.S. Ship Management, Inc., on the occasion of being a great role model for the students of Evans School through the Adopt-A-Ship Program.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Vincent High School Boys Basketball Team and coach Diener, on the occasion of winning the 2000 WIAA Division 1 State Boys Basketball Championship tournament.

A certificate of commendation by the Wisconsin Senate on the motion of Senators Risser and Chvala, for welcoming the Wisconsin American Legion Auxiliary, on the occasion of the 2000 participants that will be participating in the Badger State Games.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Ryan Daniel Whepley, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for the Whitefish Bay Dominican High School Boys Basketball Team and coach Paul Wollersheim, on the occasion of winning the 2000 WISAA Division II boys basketball title.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for the Whitefish Bay Dominican High School Girls Basketball Team and coach Dave Markson, on the occasion of winning the 2000 WISAA Division II girls basketball title.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Erpenbach, for Samuel Zelinka, on the occasion of earning and attaining the rank of the Eagle Scout Award.