

☞ **01hr_AC-CC_ab0390_pt01**



(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2001-02

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on ... Corrections and Courts (AC-CC)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (May/2012)

September 5, 2001

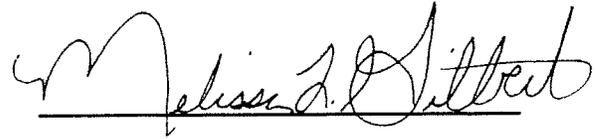
EXECUTIVE SESSION

Present: (8) Representatives Walker, Suder, Friske, Owens,
Skindrud, Balow, Pocan and Colon.
Absent: (2) Representatives Underheim and Coggs.

Moved by Representative Balow, seconded by Representative Friske, that **Assembly Bill 390** be recommended for passage.

Ayes: (6) Representatives Walker, Friske, Skindrud,
Balow, Pocan and Colon.
Noes: (2) Representatives Suder and Owens.
Absent: (2) Representatives Underheim and Coggs.

PASSAGE RECOMMENDED, Ayes 6, Noes 2, Absent 2

A handwritten signature in cursive script, reading "Melissa J. Gilbert", is written over a horizontal line.

Committee Clerk

Vote Record

Assembly - Committee on Corrections and the Courts

Date: 9/5/01
 Moved by: Balow Seconded by: Friske
 Clearinghouse Rule: _____
 AB: 390 SB: _____ Appointment: _____
 AJR: _____ SJR: _____ Other: _____
 AR: _____ SR: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- | | |
|---|--|
| <input checked="" type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrence |
| | <input type="checkbox"/> Confirmation |

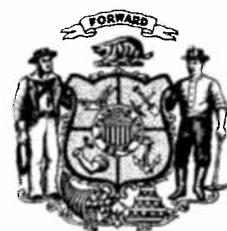
Committee Member	Aye	No	Absent	Not Voting
Rep. Scott Walker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Friske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Carol Owens	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Rick Skindrud	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gregg Underheim	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. G. Spencer Coggs	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pedro Colon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

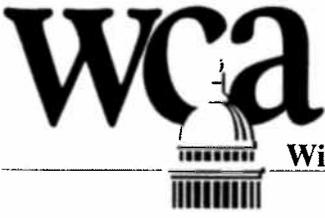
Totals: 6 2 2 _____

Motion Carried Motion Failed



WISCONSIN STATE LEGISLATURE





Wisconsin Counties Association

MEMORANDUM

TO: Honorable Members of the Assembly Committee on Corrections and the Courts
FROM: Sarah Diedrick-Kasdorf, Legislative Associate *SDK*
DATE: May 30, 2001
SUBJECT: Opposition to Assembly Bill 390

The Wisconsin Counties Association (WCA) opposes Assembly Bill 390 which provides that the Department of Corrections (DOC) may not place in a county jail any state prisoner unless the county jailers employed at the jail are protective occupation participants under the Wisconsin Retirement System (WRS).

On July 1, 2001, the Department of Corrections will have contracts with five counties to hold state prisoners. The five counties are Jefferson, Manitowoc, Outagamie, Columbia and Dodge. Only Jefferson County has jailers who are protective occupation participants under the WRS. If counties choose not to provide its jailers with protective status, the state loses desperately needed jail beds, especially for female prisoners.

Requiring protective occupation status for county jailers in counties with state contracts does not make sense. Prior to entering the state prison system with state oversight, state prisoners resided in county jails (pretrial detainees). Additionally, counties are required to hold state probation and parole violators, many of whom spent time in the state prison system, in their jails regardless of their employees' WRS status. County jailers themselves do not always believe that they need protective occupation status. In fact, county jailers in Dodge County bargained away their protective occupation status.

The issue of whether county jailers should be protective status employees has been negotiated for years across the state of Wisconsin. Classification of county jailers should not be mandated by the state; rather, it should be left to the collective bargaining process. WCA believes that counties should have the option to grant county jailers protective status within the WRS in cases in which the employees' duties involve a high degree of danger or require a high level of physical conditioning. In some counties, this may be the most appropriate option. However, the decision should be made at the local level, rather than an unfunded mandate imposed in a "one-size-fits-all" fashion.

Currently, thirty-six counties have jailers who are not classified as protective occupation participants in the WRS. Assembly Bill 390 brings us one step closer to mandating protective occupation status for county jailers under the WRS.

WCA respectfully requests your opposition to Assembly Bill 390. Thank you for considering our comments.

100 River Place, Suite 101 ♦ Monona, Wisconsin 53716 ♦ 608/224-5330 ♦ 800/922-1993 ♦ Fax 608/224-5325

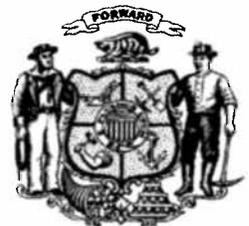
Mark M. Rogacki, Executive Director

Mark D. O'Connell, Chief of Staff
Craig M. Thompson, Legislative Director

Darla M. Hium, Deputy Director
Lynda L. Bradstreet, Administrative Director



WISCONSIN STATE LEGISLATURE



JUN 12 2001



AFSCME®

WISCONSIN OFFICE • 8033 Excelsior Drive, Suite A • Madison, Wisconsin 53717-1903 • Telephone 608/836-6666

Date: June 11, 2001

To: Representative Scott Walker

From: Dennis Boyer

Re: AB 390/Jailer Protective Occupation Status under DOC Contracts

If I recall correctly, the representative of the WCA who testified at the hearing asserted that, in at least 2 counties under DOC contract, protective occupation status had been "bargained away" (I believe Columbia and Portage counties were mentioned).

Since I was not aware of such a situation, I thought it should be looked into. The attached memo is the result of my inquiry and relates to the county in which AFSCME has a representational role. The information suggests that the transition took place 26 years ago in a combined unit (then represented by the Teamsters) where the sworn on-road deputies constituted a majority.

This account places the transition in a timeframe when the issue of jailer protective occupation status was not really on the radar screen. Jails, particularly in rural counties, had not yet evolved into the state-of-the-art corrections facilities (packed to the roof with some serious offenders) that they are today. Twenty-five years ago I probably could not have produced an account of hostage-taking, disabling injury, or exposure to life-threatening communicable disease. Now our files on such matters do not fit in my briefcase.

While I have not yet heard back from Portage County, I can't help but speculate that the issue evolved in the same way as Columbia County. I don't believe it disposes of the current need when WCA points to a remote in time incident in which a non-jailer majority disposed of a jailer issue.

- OVER -

in the public service

Please let me know if you would like additional information. Thank you.

DB:lm

Attachment

- xc: Sandra Bloomfield (with attachment)
- Bob Lyons (w/o attachment)
- Rep. Suder (with attachment)
- Rep. Friske (with attachment)
- Rep. Owens (with attachment)
- Rep. Skindrud (with attachment)
- Rep. Underheim (with attachment)
- Rep. Balow (with attachment)
- Rep. Coggs (with attachment)
- Rep. Pocan (with attachment)
- Rep. Colon (with attachment)

COUNCIL 40 AFSCME, AFL-CIO
MEMORANDUM

To: Bob Lyons
From: David White 
Date: June 6, 2001
Subject: Columbia County Sheriff's Union (Non-Sworn Unit)

I thought you would be interested in a couple of developments.

First, the Union has paid its back per capita taxes. The checks and the per cap forms were delivered to Kathy K this morning.

Second, I spoke with a bargaining unit employee who was around when the non-sworn personnel lost protective status. According to this person, the change took place when the IBT still represented the employees in a single group (inside and outside employees in combined unit). The change took place in 1976. The County proposed that new dispatchers and jailers would not be protective. In exchange, the County agreed to give semi-annual COLA adjustments in addition to across-the-board increases on January of each year. Later the COLA adjustments were bargained out of the contract in exchange for the road officers getting the right to take their squad cars home.

Please let me know if you would like any additional information.

cc Dennis Boyer

Dennis -

FYI. RL: AB-390

Bob





AFSCME®

JUN 13 2001

WISCONSIN OFFICE • 8033 Excelsior Drive, Suite A • Madison, Wisconsin 53717-1903 • Telephone 608/836-6666

Date: June 12, 2001
To: Rep. Scott Walker
From: Dennis Boyer
Re: AB 390/Jailer Protective Occupation Status under DOC Contracts

Further information came in about the evolution of jailer status in Portage County. Representatives of the WPPA tell me that at one time protective status was in effect in jailer positions. They tell me the change in status was not the result of an arms-length bargaining process, but rather the act of a personnel director who contrived to create new jail positions that fell outside of the previous designation.

Please let me know if you require additional information.

DB:lm

xc: Sandra Bloomfield
Bob Lyons
Rep. Freese

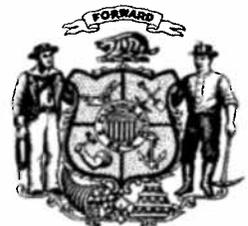
in the public service

American Federation of State, County and Municipal Employees, AFL-CIO





WISCONSIN STATE LEGISLATURE



AB 390

5/30/01

5 jails w/ major
contracts w/ DOC

- 1 already offers
protective status (Jefferson Co.)

- 4 do not
(Dodge) Portage cos. previously
bargained away protective status)

not intended to affect
probation & parole holds
*need amendment to clarify?

36 counties do not now
offer protective status
(regardless of relationship w/ DOC)