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☞ February 27, 2008 ... Public Hearing & Executive Session

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Labor, Elections and Urban Affairs (SC-LEUA)

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**

de Felice, David Patrick

From: Plotkin, Adam
Sent: Wednesday, February 20, 2008 4:38 PM
To: Renk, Jeff; Burhop, Sarah
Subject: Senate Labor, Elections, and Urban Affairs - EXECUTIVE SESSION - Feb. 27
Attachments: E20080227-9556_001.doc

Senate
EXECUTIVE SESSION
Committee on Labor, Elections and Urban Affairs

The committee will hold an executive session on the following items at the time specified below:

Wednesday, February 27, 2008
1:00 PM
300 Southeast
State Capitol

Neumann, Judith

Of Madison, as chair of the Wisconsin Employment Relations Commission, to serve for the term ending March 1, 2013.

Senate Bill 282

Relating to: deduction of membership dues from retirement annuities under the Wisconsin Retirement System.

By Senators Hansen and Plale; cosponsored by Representatives Travis, Musser, Sheridan, Sinicki and Turner.

Senate Bill 426

Relating to: authorizing a city or village to extend the life of a tax incremental district for one year to benefit housing in the city or village.

By Senators Coggs, Plale and Taylor; cosponsored by Representatives Grigsby, Cullen, Colon, Fields, Kessler, Parisi, Richards, Sinicki, Toles, Turner, A. Williams, Young, Zepnick and Van Roy.

= HOUSING TRUST FUND



de Felice, David Patrick

From: Sen. Taylor
Sent: Wednesday, February 20, 2008 6:08 PM
To: Peterson, Eric
Subject: PUBLIC HEARING: Committee on Judiciary, Corrections, & Housing 2-27-08
Attachments: Picture (Metafile); P20080227-9618.doc

Senate

PUBLIC HEARING

Committee on Judiciary, Corrections, and Housing

The committee will hold a public hearing on the following items at the time specified below:

Wednesday, February 27, 2008
3:00 PM - or following the committee's Executive Session
411 South
State Capitol

Raemisch, Richard

Of Waunakee, as a member of the Prison Industries Board, to serve for the term ending May 1, 2008.

Senate Bill 496

(AB 809) MILW - CHILD WELFARE SAFETY
Relating to: the consequences for failure to act within a time period specified in the Children's Code or the Juvenile Justice Code, extension of certain time periods specified in the Children's Code, and informal dispositions under the Children's Code.

By Senators Coggs and Darling; cosponsored by Representatives Jeskewitz and Grigsby.

Senate Bill 498

Relating to: possession of an electric weapon.

By Senators Lassa, Grothman, Olsen, Cowles, Harsdorf, Lazich, Roessler, Schultz and Kedzie; cosponsored by Representatives Ballweg, Bies, Hines, Kestell, LeMahieu, Molepske, Mursau, Ziegelbauer, Albers, Friske, Gottlieb, Hahn, Hixson, Jeskewitz, Kaufert, Musser, Nygren, A. Ott, Petrowski, Tauchen, Townsend and Lothian.

Assembly Bill 51

Relating to: prohibiting certain computer messages or postings that invite harassment or obscene, lewd, or profane communication and providing a penalty.

By Representatives Friske, Schneider, Bies, Petrowski, J. Ott, Mursau, Ballweg, A. Ott, Nerison, Jeskewitz, Gunderson, Musser, Townsend, Hahn and Albers; cosponsored by Senators Lassa, Darling, Roessler and Lazich.

Assembly Bill 411

Relating to: receiving a stolen firearm, and providing a penalty.

By Representatives LeMahieu, Friske, Bies, Albers, Hahn, Lothian, Musser and Townsend; cosponsored

by Senators Olsen and Roessler.



Senator Lena Taylor
Chair



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Senate

PUBLIC HEARING

Committee on Labor, Elections and Urban Affairs

The committee will hold a public hearing on the following items at the time specified below:

Wednesday, February 27, 2008
1:05 PM - Or upon adjournment of the Executive Session
300 Southeast
State Capitol

Assembly Bill 69

Relating to: registration requirements for professional engineers.

By Representatives Gottlieb, Kerkman, A. Ott and Townsend; cosponsored by Senator Plale.

Senate Bill 427

Relating to: collective bargaining rights under the State Employment Labor Relations Act for classified supervisors in the Department of Corrections who perform duties relating to probation, parole, and extended supervision.

By Senators Taylor and Lassa; cosponsored by Representatives Turner, Sinicki, Toles and Berceau.

Senate Bill 462

Relating to: psychological evaluations for law enforcement officers, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority.

By Senators Hansen, A. Lasee and Lehman; cosponsored by Representatives Hraychuck, Bies, Black, Gunderson, Hahn, Mursau, A. Ott, Sheridan, Sinicki, Turner, Vruwink, Zepnick and Ziegelbauer.

Senate Bill 494

Relating to: changing the procedures for filling vacant civil service positions in the city of Milwaukee.

By Senators Taylor and Plale; cosponsored by Representatives Sinicki, Cullen, Fields, Grigsby, Lothian, Stone, Toles, A. Williams and Zepnick.

Senate Bill 512

call Hansen on last Gov 427 - 920-5670 - 920-217-3017, cell


Call Binszki on last Gov 462

- Call Bonda on last ish



Relating to: mandatory overtime hours worked by health care workers employed by health care facilities and providing penalties.

By Senators Robson, Coggs, Lehman, Carpenter, Miller, Hansen and Erpenbach; cosponsored by Representatives Benedict, Zepnick, Van Akkeren, Turner, Boyle, Berceau, Kessler, Pocan, Sheridan, Grigsby, Toles, Richards, Mason, Staskunas, Colon and Hintz.



Senator Spencer Coggs
Chair



Senate

EXECUTIVE SESSION

Committee on Labor, Elections and Urban Affairs

The committee will hold an executive session on the following items at the time specified below:

Wednesday, February 27, 2008

1:00 PM

300 Southeast

State Capitol

Neumann, Judith *MOTION FOR CONFIRMATION*

Of Madison, as chair of the Wisconsin Employment Relations Commission, to serve for the term ending March 1, 2013.

Senate Bill 282 *MOTION FOR PASSAGE*

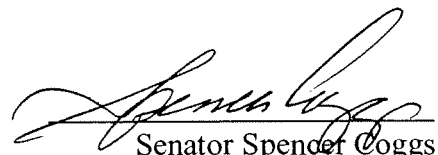
Relating to: deduction of membership dues from retirement annuities under the Wisconsin Retirement System.

By Senators Hansen and Plale; cosponsored by Representatives Travis, Musser, Sheridan, Sinicki and Turner.

Senate Bill 426 *MOTION TO ADOPT AMENDMENT, MOTION FOR PASSAGE AS AMENDED*

Relating to: authorizing a city or village to extend the life of a tax incremental district for one year to benefit housing in the city or village.

By Senators Coggs, Plale and Taylor; cosponsored by Representatives Grigsby, Cullen, Colon, Fields, Kessler, Parisi, Richards, Sinicki, Toles, Turner, A. Williams, Young, Zepnick and Van Roy.


Senator Spender Coggs
Chair



LEUA Hearing + Exec - 2/27/08

Exec rolled well

Hearing

SBS12

Robson

- has written testimony ~~but didn't share~~
- told story of nurse that felt compelled to stay
 - son died that night
- bill puts spotlight on situation
- SC question on burnout rate
- Dian Palmer, SEIU Pres. Dist. 1199
 - Hospitals had 5 yrs. but did nothing → p. 3 of the SEIU packet
 - had written remarks ~~but didn't share~~
 - Grothman asks about high paying jobs coming w/ expectation of long hours
 - Lehman - put more focus on bedside nursing
 - Wirch - safety aspects w/ tired nurse
 - Lasee - care lost in shift change?
 - adding staff will drive up costs
 - gets in running dialogue w/ her
 - Wirch wkd. in factory, definitely not the same
- Judy Warmuth, WHA
 - has written testimony
 - SC? on fatigue of health care workers
 - Wirch - testimony seems to be ~~opposed~~ in favor of the bill
 - legislation geared to those not doing the right thing
 - Lehman nails her on WHA drawing a line on # of hours worked (really lights her up)

SB512 cont.

- Wisch
- SC - dispute Dinn Palmer's assertion of nurses leaving
- Ann Louise Te'treault (~~key~~ ~~Halt~~) (kay-tro)
 - UW hosp. nurse
 - wk'd mand 07
 - more technology coming in - will req. additional training
- Kathy Filipiak
- Kalli Nedeau
- Kristay Koney } all read some testimony
 - gave more anecdotal evidence
- Linda Cottréau, Aurora
 - nurse & VP. of admin. @ Aurora
 - in nursing mgt. for 20 yrs.
 - Aurora tries to avoid mandatory overtime
- Candace Ouley, WFNHP
 - mad that half the table left
 - fatigue is the main problem that costs lives
 - do mandate things when they save lives
 - all nurses united regardless of party
 - not an issue in Australia
- Heidi Gannon
 - written testimony in SEU packet
 - morale bad
 - want limit of 24 in 48 hrs.
 - if it's not voluntary, it's mandatory

SB 512 cont.

- Dee Ives (went far too long)
 - happens @ King Vets home
 - mand. OT caused instability which caused death of 2 people @ King
 - lose license if don't stay for mand. OT
 - medication errors also result in more costly lawsuits
 - last state budget gave 4 new FTE RN's @ King
 - SC talks about partisanship needs to be removed
 - SC defends absence of Grothman & basee
- Marcia Rayho
 - have wk. last 26 hrs.
 - more than 50% of nurses in her class have left nursing
 - ~~technical~~
- Helen Birch-Kenny, Merifer
 - mand OT is used, but trying to cut back
 - administration/staffing is the challenge
 - every hospital is different in needs
 - nursing staff shortage is coming
 - SC asks about 'unforeseeable' portion of bill
 - Birch talks about need for nurses, but fresh nurses
- Gina Dennik-Champion
 - impact of fatigue on nurses
 - asking nurse to work or face retaliation
 - has written testimony
 - ~~visas~~ - setting nurses up to fail

SB 512 cont.

- Michael Cordes

- putting nurses + patients @ risk
- ban is wky.
- 1st priority is patients
- pilots + truck drivers have this

- Jeff Wiswell

- bill may not be perfect answer
- important econ. issue
- wky. towards health certificate in Public Admin. masters
- thinks we're in health care crisis already
- not sure of his position but is an important issue
- 3x Cancer survivor

- SC reads registrations (not really)

AB69

- Gottlieb

- has written testimony
- amended bill is OK, but good to move fwd.
- conflict w/other states

AB69 cont

- Marna Foy, WTCS

- written testimony

- original bill limits to 4 yr. degree holding

- agree w/ intent of bill but it is meant to reflect professional standards, not college education

- Brothman - what's so difficult about getting 4 yr. degree

- her + Brothman have long-running discussion

- Martin Hanson

- references flow chart in massive testimony

- out of state people coming here for easier access to licenses

- Jeffrey Russell

- yes to bill, no to amendment

SB494 Eric Peterson w/ Maria Monteagudo

- both have written testimony

- interview process better than straight testing

- state, county + FPC have same flexibility

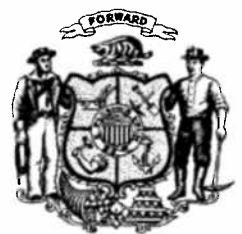
- tie breakers aren't relevant to job

SB427 Eric Peterson
- written testimony

SB462 Dave Hansen, Ann Haybuckle, Gary Bies
- has written testimony
- Grothman calls bill "despicable"
- running dialogue between those 3 & Grothman
- Sheriff Matt Sorki, Keweenaw Co.
- not answer to all, but a good judge
- just another element in process
- just used in his county - can't imagine w/o
- Grothman says committee should see a psych exam before voting on bill



WISCONSIN STATE LEGISLATURE





SC-LEUA
did not hold
a hearing on
these bills
??

Date?

Department of Administration
Budget and Policy Division

Tom Barrett
Mayor

Sharon Robinson
Director of Administration

Sharon Cook
Director of Intergovernmental Relations

**Senate Bill 439 and Assembly Bill 848:
Proposal to Change the Civil Service Certification Process for Cities of the First Class**

When the City of Milwaukee has a position vacancy and performs an external recruitment and examination for candidates, it is required to score the examinations and certify the top 3 names for referral to the appointing department. This process is referred to as the "rule of three" and is required under Chapter 63.39, Wisconsin Statutes. For management and supervisory positions, the number of names certified is expanded to five.

For instance, out of 50 applicants, there may be one score of 99, six scores of 98 and numerous other scores above the passing grade of 70. The City is able to certify the person scoring 99, and only two of those scoring 98 for hiring consideration. The ranking process often omits candidates who have the same score on the examination, by re-ranking them under a tie-breaking procedure. There is no flexibility for large pools of applicants or different job classifications.

The City of Milwaukee is the only entity in the state subject to this outdated rule. It used to be a requirement of the State of Wisconsin's civil service system, but was amended due to recommendations adopted from the 1977 Stevens-Offner Report of the Employment Relations Study Commission. At that time, the rule was revised to allow for certification of up to 5 names, or up to ten for applicant pools exceeding 50. In 1997, Wisconsin Act 307 further amended the state's civil service provisions to eliminate the requirement of any fixed number of certified names entirely.

The old city and state certification rules date back to the late 1800's and were premised upon human resource management conditions which are no longer applicable in the United States. The rules were established by lawmakers who were nobly trying to eliminate political patronage and ensure fairness in the hiring process. However, federal employment legislation over the years has dramatically changed the human resources environment to one where public employers are now required to fairly and objectively consider employment for all individuals. The "rule of three" now creates an unintentional artificial barrier to employment for some, by not permitting the city to consider similarly qualified applicants.

In particular, the rule can create an imbalance in the city's workforce. The expansion of eligible lists will make it more likely that appointing authorities will have opportunities to appoint women, minorities and handicapped applicants to vacancies. It will also acknowledge that the examination process is not designed to test all critical skills and abilities for each position. Hiring interviews and reference checks are post-examination steps intended to assess attributes such as motivation, performance under pressure, honesty, reliability, and work ethic.

Proposal: Amend 63.39 (1)(2) and (3), Wisconsin Statutes to allow the City of Milwaukee, Board of City Service Commissioners to establish by rule the number of test scores to be used in certifying eligible candidate lists.

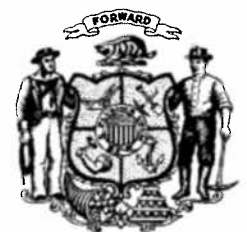
The City competes in the same job market as other local private and public employers and the restrictions in 63.39 inhibit a level playing field. The proposed amendment would allow the Board of City Service Commissioners to establish appropriate rules to certify names of candidates by test score according to job classification. Consequently, city departments would have an expanded pool of applicants to choose from – ensuring the best candidates are chosen for each position. The additional flexibility will facilitate attracting, developing, and maintaining a qualified and representative workforce, thereby ensuring efficient delivery of city services.

For more information, please contact:

Jennifer Gonda, Legislative Fiscal Manager – Senior
(414) 286-3492 or jgonda@milwaukee.gov



WISCONSIN STATE LEGISLATURE



NEW
DRAFT

Sen. Spencer Coggs
Senate Judiciary Cmte. Public Hearing
SB 496 - Milwaukee Child Welfare Safety Plan

Date?

SC-LEUA
did not hold
a hearing
on this
bill
??

Madam Chairwoman and respected committee members:

SB 496

~~Let me begin by saying that this bill~~ has been offered by the Department of Health and Family Services.

~~I have agreed to put my name to this legislation with~~
~~the goal in mind of providing~~ effective protection for child victims of abuse and neglect.

And while I am familiar with the provisions of this bill and I am prepared to speak ^{provisions} to them, I would ask that you refer detailed questions to Reggie Bicha from the Department, who is joining me here at the table.

As you may know, the Bureau of Milwaukee Child Welfare experienced two child deaths last year. Those deaths prompted the Department of Health and Family Service to conduct an extensive review of the Bureau to determine how these tragedies occurred and how to improve child protective practices.

Senate Bill 496, which is the subject of this public hearing, contains ~~the only~~ two proposals from the Department's review that require statutory changes ...

One of those proposals deals with a process known as Informal Disposition. As you may know, an Informal Disposition maintain families and protects children in our communities without the involvement of a court, thereby avoiding the trauma of removing a child from his or her family.

Under an Informal Disposition, a program under the Bureau of Milwaukee Child Welfare called Safety Services provides an in-home service program in which a family participates to avoid the involvement of the court.

Last year, the family of one of the children who died was receiving services under the Safety Services program. However, the family did not cooperate to the extent needed to ensure the safety of a prematurely born infant, and the infant died as a result of parental neglect.

Under Senate Bill 496, Informal Dispositions would be used more effectively to protect children when they continue to live at home. The bill aims to increase protection of the child, while allowing the child to continue living with his or her family.

Another component of the bill deals with the timeline that allows a case to be referred to legal counsel to file a petition for a Child In Need of Protective Services order, or a CHIPS petition.

SB 496 clarifies the timelines for both intake workers and caseworkers to proceed or terminate cases of alleged child abuse or neglect.

The current timelines are 40 days for intake workers to fulfill their responsibilities and 60 days for caseworkers in county or state agencies to fulfill their responsibilities in the child protection process.

In essence, intake workers have 40 days to either request a petition to be filed for a Child In Need of Protective Services order, or to enter into an Informal Disposition.

Meanwhile, state and county agencies have 60-days to investigate allegations of child abuse or neglect.

There has been confusion over these 40- and 60-day timelines. Part of the confusion arises from whether those timelines *run together* – that is, concurrently - or if the timelines *run one after the other* – that is, consecutively.

As a result of this confusion, lawsuits have been filed.

To address this confusion, SB 496 would extend the 40-day period to 60 days for intake workers. That would make both timelines 60-days, which is easier to understand.

In addition, both timelines would run concurrently to ensure that the cases don't take any longer to process than they do now.

Another change proposed by SB 496 would provide flexibility in filing a CHIPS petition.

The bill would allow a court to allow a CHIPS petition to be filed if the filing deadline is missed due to good cause. This will prevent courts from losing jurisdiction of cases. Losing jurisdiction hampers the agencies' ability to protect children.

Needless to say, DHFS backs this legislation.

And it should be noted that I have been joined in sponsoring this legislation by three other legislative colleagues, Sen. Darling, Rep. Jeskewitz and Rep. Grigsby, and that we four sit on the Milwaukee Child Welfare Partnership Council.

The council was established by statute in 1995 as an advisory body to DHFS regarding child welfare services in Milwaukee County.

Again, the primary goal of this process is to provide protection for children in the near-term while giving the family as a whole an opportunity to stay together and nurture the child through the child's formative years.

Thank you for the opportunity to present this bill to you today for your consideration.