

STATE OF WISCONSIN

Senate Journal

Ninetieth Regular Session

10:00 A.M.

Tuesday, March 5, 1991

The senate met.

The senate was called to order by Senator Helbach.

The Chair, with unanimous consent, asked that the calling of the roll be dispensed with.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 28

Relating to creating a bipartisan special joint committee on Fort McCoy.

By Senators Helbach and Moen; cosponsored by Representative Kunicki.

To committee on Tourism, Commerce, Labor, Veterans' and Military Affairs.

Senate Joint Resolution 29

Relating to 4-year terms of office for certain county officers (first consideration).

By Senators Buettner, Andrea, Farrow, Huelsman, Lecaen, Risser, Ulichny and Van Sistine; cosponsored by Representatives Krusick, Prosser, Deininger, Goetsch, Harsdorf, Ladwig, Lautenschlager, Lehman, Loucks, Musser, Ourada, Panzer, Porter, Radtke, Schneiders, Schultz, Turba, Urban, Van Gorden, Vander Loop and Wimmer.

Read first time and referred to committee on Urban Affairs, Environmental Resources and Elections.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 91

Relating to granting creditable service under the Wisconsin retirement system for military service that is also used for the purpose of establishing federal retirement benefits.

By Senators Kreul, Van Sistine and Roshell; cosponsored by Representatives Musser, Hasenohrl, Brandemuehl, Vander Loop, Wimmer, Baldus, Hahn, Coleman, Vanderperren, Vergeront, Lorge, Silbaugh and Ladwig.

To Joint Survey committee on Retirement Systems.

Senate Bill 92

Relating to public information concerning the purpose and effect of designations to the Wisconsin election campaign fund and making an appropriation.

By Senator Potter; cosponsored by Representative Carpenter.

To committee on Urban Affairs, Environmental Resources and Elections.

COMMITTEE REPORTS

The committee on Agriculture, Corrections, Health and Human Services reports and recommends:

Senate Bill 24

Relating to funding educational activities of recipients of aid to families with dependent children.

Introduction and adoption of Senate amendment 1:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;

Noes, 1 -- Senator Kreul.

Passage as amended:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;

Noes, 1 -- Senator Kreul.

Rodney C. Moen
Chair

The committee on Aging, Banking, Communications and Taxation reports and recommends:

Senate Bill 25

Relating to eligibility for a tax rate disparity payment.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 5 -- Senators Feingold, Burke, Moen, Buettner and Petak;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Feingold, Burke, Moen, Buettner and Petak;

Noes, 0 -- None.

WILLOUGHBY, RAY, of Eau Claire, as a member of the Rural Health Development Council, to serve for the term ending July 1, 1994.

Confirmation:

Ayes, 5 -- Senators Feingold, Burke, Moen, Buettner and Petak;

Noes, 0 -- None.

Russell D. Feingold
Chair

PETITIONS AND COMMUNICATIONS

JOURNAL OF THE SENATE [March 5, 1991]

State of Wisconsin
Department of Development
February 14, 1991

To the Honorable the Legislature:

Under section 234.65(5) of the Wisconsin Statutes, the Department of Development is required to report annually to the Legislature in the economic development lending activity of the Wisconsin Housing and Economic Development Authority. By statute the report addresses the effect of those lending activities in the following areas:

- * Maintaining or increasing employment in the state.
- * Contributing to the state's economic growth and well-being of its residents.
- * Locating economic development projects in areas of high unemployment or low average income.
- * Obtaining the participation of a large number of financial institutions.
- * The geographical distribution of the lending.

I am submitting the attached 1990 Annual Report to be distributed to the Legislature in the manner provided in section 13.172(3). If you have any questions concerning the report, please contact Ken Abrahamson in our Bureau of Policy Analysis at 267-9573.

Sincerely,
Robert N. Trunzo
Secretary

State of Wisconsin
Department of Development
March 1, 1991

To the Honorable the Legislature:

Section 11:(2)(b), 1989 Wisconsin Act 317, requires the Secretary of the Department of Development to submit a report to the Legislature that summarizes and evaluates the recommendations made by the Rural Health Development Council. These recommendations are contained in a report issued by the Council in December, 1990 as required in Section 11:(2)(a). This letter is being submitted in compliance with Act 317.

The December report of the Council was provided to the Department of Administration and contained both budgetary and statutory recommendations as they pertained to two new programs established under Act 317: the Physician Loan Assistance Program and the Rural Hospital Loan Guarantee Program.

The Report itself is currently being distributed to members of the Wisconsin Legislature and other interested parties, and is attached to this letter. The Report contains an analysis of some of the major health delivery problems facing rural communities today. It also addresses how the Physician Loan Assistance Program and the Rural Hospital Loan Guarantee Program can

play a vital part in strengthening the rural health delivery system in Wisconsin. Within the time available, the Council focused its efforts primarily on the two newly-established programs. It was the Council's view that both programs provide a cost-effective means by which the State can assist local communities and rural hospitals in providing for the health care needs of their people.

The following is a summary of the Council's report and recommendations and action taken so far to address these recommendations.

The Physician Loan Assistance Program

The Physician Loan Assistance Program provides an inducement to physicians who have already chosen to practice primary care and would be amenable to establishing a practice in a rural or inner city area with some additional assistance. The program also encourages community involvement which, in the long run, will be a significant key to physician retention and to a long-range resolution of these physician shortages.

The Department looks forward to our continuing relationship with the Rural Health Development Council and to our involvement in this unique effort in which an essential connection is made between the community's economic well-being and the viability of its health delivery system.

Sincerely,
Robert N. Trunzo
Secretary

State of Wisconsin
Representative Turner

February 28, 1991

To the Honorable the Senate:

I write today to request the addition of my name to Senate Joint Resolution 5. Mistakenly, my name was omitted from the list of Assembly authors. Since I am the chief author of the Assembly companion resolution, Assembly Joint Resolution 9, it is a matter of concern to me that on the Senate Journals and Records I am listed as a co-sponsor also of the Senate resolution.

Thank you for your kind attention to this request.

Sincerely,
Robert L. Turner
State Representative
61st Assembly District

State of Wisconsin
Department of Public Instruction

February 26, 1991

To the Honorable the Legislature:

Wisconsin Act 31 contains a nonstatutory provision requiring the Department of Public Instruction to prepare a report on the creation of an energy savings program of public school facilities. The report is to include incentives for school districts to initiate energy

savings projects and any statutory language necessary to implement the recommendations. Attached are the results of an energy survey conducted by the Department, and the statutory language that will create an energy savings program to address the needs identified through the survey.

The data collected in the energy survey represents a 100% response by local school districts. The graphs and tables that depict the collected data clearly and dramatically indicate the increased energy costs associated with school buildings constructed prior to the creation of energy saving requirements in the building codes. The proposed statutory language is intended to provide incentives for local school districts to identify specific energy saving projects, and to provide funding that would encourage local school districts to undertake identified projects.

The proposed statutory language creates a voluntary program that utilizes a minimum amount of GPR dollars and reserves for local school districts a portion of the federally generated oil overcharge funds allocated to Wisconsin. The Department of Public Instruction has attempted to create a meaningful energy savings program that will be attractive to local school districts. Also, the Department is sensitive to the fiscal restraints that the State faces, so a minimum amount of GPR dollars are required.

Sincerely,
Herbert J. Grover
State Superintendent

State of Wisconsin
Department of Health and Social Services
February 26, 1991

To the Honorable the Legislature:

This department has been directed by the legislature to periodically identify barriers to Medical Assistance personal care services which lead to a failure to meet the needs and preference of individuals eligible for these services. This was to be done in consultation with counties, independent living centers, consumer organizations and home health agencies. The department is to report to the legislature actions taken to remove any barriers and actions that the department proposes to take with respect to other or potential barriers.

The report contains an executive summary which briefly highlights the findings of the department in its survey of providers of personal care, as well as the steps the department intends to take to improve how personal care services are provided by the Wisconsin Medical Assistance Program.

Sincerely,
Gerald Whitburn
Secretary

State of Wisconsin
Department of Health and Social Services
February 28, 1991

To the Honorable the Legislature:

Section 46.57, Wisconsin Statutes, directs the Department of Health and Social Services to annually submit to the governor and the chief clerk of each house of the legislature, a report evaluating the grants for services to persons with epilepsy. The first of these evaluations was completed in February, 1990. The second evaluation report is attached and is submitted to fulfill the legislative requirement.

If you have any questions or if you would like additional copies of this report, please let me know or call Jane Pawasarat at 266-5512.

Sincerely,
Gerald Whitburn
Secretary
State of Wisconsin
Department of Industry,
Labor and Human Relations

March 1, 1991

To the Honorable the Legislature:

Pursuant to Chapter 109 of Wisconsin Statutes, I am providing you with the annual report on business closings and/or mass layoffs. The Statute requires that this report due no later than March 1 annually, include the number, type and disposition of all determinations made by the Department under ss. 109.07(5) and (6).

The Department in 1990 received seven complaints resulting in the following determinations: Four complaints were dismissed for lack of jurisdiction; one complaint was dismissed as no violation under the law; two investigations of 1990 complaints and two 1991 complaints are pending as of the date of this report.

Should you have any questions regarding the information in this report, please contact me immediately.

Sincerely,
Carol Skornicka
Secretary
State of Wisconsin
Department of Agriculture, Trade and Consumer
Protection

March 1, 1991

To the Honorable the Legislature:

Pursuant to 1989 Wisconsin Act 353, the Department of Agriculture, Trade and Consumer Protection is required to study the advantages and disadvantages of a labeling system for milk and dairy products from non-BST treated herds, including the advisability of adopting a certification system of milk producers as a method of compliance with labeling standards.

The Department is also directed to report its conclusions and recommendations to the chief clerk of each house of the Legislature by March 1, 1991 for

distribution to appropriate standing committees as provided under s. 13.172(3), Stats.

Although the Department has completed the research and analysis associated with this labeling study, final editing and printing of the study will necessarily delay submittal of the report to the Legislature beyond March 1, 1991 statutory deadline.

It is the intent of the Department to ready this report for submittal to the Legislature on or about March 11, 1991.

Sincerely,
Alan T. Tracy
Secretary
State of Wisconsin
University of Wisconsin System
February 27, 1991

To the Honorable the Legislature:

Section 36.25(32)(f), Stats., requires the University of Wisconsin Board of Regents to submit annually beginning March 1, 1991, to the Governor and the Chief Clerk of each house of the Legislature a report on animal health and efficacy research results related to the use of supplemental recombinant bovine somatotropin (BST).

Enclosed is a draft report describing animal health and efficacy research results during the 1990-91 fiscal year. The draft report will be submitted to the Board of Regents at its March 7-8, 1991 meeting. Subject to the approval of the Board of Regents, this report is submitted in compliance with Section 36.25(32)(f), Stats.

If you need any additional information regarding the supplemental bovine somatotropin study, please contact Acting Vice President Albert J. Beaver.

Sincerely,
Kenneth A. Shaw
President
State of Wisconsin
Child Abuse and Neglect Prevention Board
March 1, 1991

To the Honorable the Legislature:

In accordance with Section 1323c. 48.982(6)(e) of the Wisconsin Statutes, I am submitting the Board's report on the Early Childhood Family Education Centers. This initiative began one year ago and we are excited about the progress and accomplishments of these Centers in such a short time period. We look upon them as a new structure for the provision of prevention services for young families all across the state.

If you should have any questions about the report, please contact me at 266-6871.

Sincerely,
Elaine Olson
Executive Director

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 90-232

Relating to subsidizing the costs of continuation coverage health insurance for certain persons with human immunodeficiency virus infection.

Submitted by Department of Health and Social Services.

Report received from agency, February 28, 1991.

Referred to committee on Agriculture, Corrections, Health and Human Services, March 5, 1991.

Senate Clearinghouse Rule 90-234

Relating to bovine paratuberculosis testing and disclosure requirements, mastitis control and adulterated milk.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from agency, March 4, 1991.

Referred to committee on Agriculture, Corrections, Health and Human Services, March 5, 1991.

Senate Clearinghouse Rule 90-259

Relating to manual partial payments for services provided to recipients eligible for the medical assistance program.

Submitted by Department of Health and Social Services.

Report received from agency, March 4, 1991.

Referred to committee on Agriculture, Corrections, Health and Human Services, March 5, 1991.

The committee on Agriculture, Corrections, Health and Human Services reports and recommends:

Senate Clearinghouse Rule 90-183

Relating to the use of atrazine.

Review period waived:

Ayes, 8 -- Senators Moen, Decker, Feingold, Jauch, Barrett, Breske, Berndt and Lorman;
Noes, 0 -- None.

Rodney C. Moen
Chair

The committee on Tourism, Commerce, Labor, Veterans' and Military Affairs reports and recommends:

Senate Clearinghouse Rule 90-249

Relating to voluntary termination of coverage under the health insurance risk sharing plan.

No action taken.

Senate Clearinghouse Rule 90-263

Relating to standards for granting retroactive coverage under the Wisconsin health care liability insurance plan and the patients compensation fund.

No action taken.

Jerome Van Sistine
Chair