

STATE OF WISCONSIN
Senate Journal
Ninety–Second Regular Session

WEDNESDAY, September 4, 1996

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

PETITIONS AND COMMUNICATIONS

State of Wisconsin

Department of Employment Relations

August 15, 1996

The Honorable, The Senate:

Pursuant to s. 230.04 (9)(em), Wis. Stats., I am pleased to submit the Veterans Employment Report for FY1995. The Report summarizes information relating to veteran hires and “on–board” statistics for the time period and includes information for each individual state agency and unit of the University of Wisconsin System.

Please contact Greg Jones, Administrator of the Division of Affirmative Action, at 266–3017, if you have questions or need additional information regarding this Report.

Sincerely,

JON E. LITSCHER
Secretary

State of Wisconsin

Department of Administration

August 22, 1996

The Honorable, The Legislature:

The 1995 Wisconsin Act 27 establishes a nonstatutory provision under Section 9159 (14h) on reports concerning potential sponsorship of state publications. Specifically, the provision requires each executive branch agency to submit to the Secretary of Administration a report which describes the documents and other materials published by the agency and the mailings by the agency of substantially similar materials in bulk quantities. It also requires the agency’s report to address the appropriateness and feasibility of securing sponsorship for such documents, materials and mailings, if the agency were authorized by law to do so, including specific types of sponsorship for specific documents, materials and mailings. The provision further requires the Secretary of Administration to examine the reports received by each executive branch agency and report those findings and recommendations to the Legislature.

The Department of Administration solicited information on potential sponsorship of state publications and those materials published by the agency in bulk from executive branch agencies. Agency responses are summarized in the attached Table A. In addition, Attachments A through M are provided at the end of the summary for those publications that were too large to include in the table. The department did not attempt to do an in–depth feasibility study of state publications

sponsorship in this report, or independently assess the responses of agencies.

As the attached Table A indicates from executive branch agency responses, few agencies believe solicitation of sponsorship (advertising) for state publications warrants further review or would be cost–effective for the state. Most agencies indicate that potential conflicts of interest would result if the state pursued sponsorship of publications considering the regulatory, educational or advocacy function of many of the agencies. Many publications such as biennial reports are statutorily required, and therefore, would not be feasible for sponsorship. Further, there may be little incentive for GPR or SEG supported agencies to receive sponsorship revenue if the revenue goes to the fund source of the appropriations, rather than as a direct offset to the cost of producing the publication.

In addition, state statutes may limit or prohibit, in some cases, any state agency or public official from soliciting sponsorship of state publications. As emphasized by the State Ethics Board, statutory requirements under s.19.45(3) prohibit a state public official from soliciting anything of value that could reasonably be expected to influence the official’s actions or judgment. Also, under s.13.625(3), an agency official is prohibited from soliciting anything of pecuniary value from a lobbyist or from a business or organization that employs a lobbyist. However, the State Ethics Board does state that an agency may solicit contributions to cover administrative expenses for state programs from individuals, businesses or organizations if (1) the individuals, businesses and organizations that are solicited are not likely to be substantially affected by agency activities or by statutes, rules or programs the agency administers or enforces; and (2) neither lobbyists nor organizations that employ lobbyists are solicited.

Many agencies stressed the lack of staff or expertise to implement an advertising program as a significant barrier for sponsorship of state publications. Additional staff time would be required to administer the program, or it would have to be contracted to a firm with advertising capabilities in order to determine the appropriate advertising market for a particular publication, pricing mechanisms, monitoring, accounting, etc. One alternative to this barrier is to have the Department of Administration contract with an organization to conduct the advertising function for all state agencies to alleviate any future budgetary and personnel costs of the additional function of advertising within each agency. However, whether one contract would be feasible is not entirely the issue in terms of cost. Any form of advertising would result in higher paper, printing and mailing costs to the state due to the additional pages necessary to advertise within a publication.

Another concern is that with the advancement in information technology and continued use of the Internet, the need for hard–copies of reports, publications, and all other materials may be significantly reduced. Therefore, the possibility of

obtaining advertising revenues to cover costs of publications may be diminished.

There are many other issues pertaining to whether or not seeking sponsorship of state publications is good public policy. Even though disclaimers could be placed in state publications advertising, the relationship between the advertiser and the agency may be viewed as a product endorsement. Problems may be encountered if the public holds an agency responsible for some action taken by an advertiser. Also, part of advertising a product or service is the implication of endorsement that the product or service is of highest quality. Additional time and resources might be necessary to establish standards for state agencies in choosing appropriate sponsorship of publications to provide the public with any type of guarantee of quality.

Furthermore, advertisements may be viewed as a distraction to the true meaning and purpose for which the publications are intended, i.e., to serve and educate the public. Many state publications already contain an abundance of information and are very complex without the addition of advertisements.

In addition, the need to maintain integrity, trust and confidence with the public for programs administered by state agencies may well exceed the potential savings to the state from revenue collected to offset administrative cost of producing and distributing state publications.

Based upon the numerous agency concerns cited regarding potential sponsorship of state publications, the Department of Administration believes greater use of advertising by state agencies is a policy question best left to the Legislature. No recommendation is made regarding additional advertising in publications beyond what is currently being performed by state agencies.

Sincerely,

JAMES R. KLAUSER
Secretary

**State of Wisconsin
Public Service Commission**

August 29, 1996

The Honorable, The Senate:

RE: Public Service Commission – Fifth Annual Report

Enclosed is a copy of the fifth annual report of the Public Service Commission to the legislature as provided for in s.1.11(2)(j), Wis. Stats. It reports on the number of environmental assessments and environmental impact statements prepared by the Commission between July 1, 1995 and June 30, 1996.

If you have any questions on this report, please contact our Environmental Affairs Coordinator, Michael John Jaeger, at (608) 267-2546.

Sincerely,

CHERYL L. PARRINO
Chairman

EXECUTIVE COMMUNICATIONS

**State of Wisconsin
Governor**

August 26, 1996

The Honorable, The Legislature:

I am pleased to transmit the attached Stripper XVII Low Income Energy Assistance Oil Overcharge Plan for consideration by the Joint Committee on Finance (JCF). As required by Wisconsin Statute 14.065, I am also forwarding a copy to the Chief Clerk of the Assembly.

In response to cuts in Federal funding for Wisconsin's Low Income Home Energy and Weatherization Assistance Programs, on April 16, 1996, the Joint Committee on Finance (JCF) concurred with my direction to the Department of Administration "to coordinate a thorough exploration of alternatives aimed at achieving a more sustainable low income funding strategy that will continue to meet the needs of Wisconsin as Federal funding declines."

The Committee set-aside \$100,000 of Oil Overcharge funds in unallotted reserve for planning purposes and left \$900,000 unallocated. This Plan proposes to commit that \$1.0 million, plus additional Oil Overcharge funds to implement low income energy assistance pilot programs and for administering other energy efficiency/conservation initiatives. The low income energy assistance initiatives continue Wisconsin's aggressive and innovative approach to assist our most needy residents.

A total of \$1.265 million of Stripper monies, plus interest is recommended. I urge your support of this Plan. The Department of Administration staff will be available to provide additional information that may be required.

Sincerely,

TOMMY G. THOMPSON
Governor

Referred to the Committee on **Environmental Resources and Urban Affairs.**

**State of Wisconsin
Office of the Governor**

August 29, 1996

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MANDERS, DANIEL N., of Mauston, as a member of the Rural Health Development Council, to serve for the interim term ending July 1, 2000.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Health, Human Services, Aging and Corrections.**

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

**State of Wisconsin
Revisor of Statutes Bureau**

September 1, 1996

To the Honorable, the Senate:

The following rules have been published:

Clearinghouse Rules	Effective Date(s)
94-180	September 1, 1996 (part)
94-203	September 1, 1996
94-204	September 1, 1996
95- 47	September 1, 1996
95-161	September 1, 1996
95-189	September 1, 1996
95-196	September 1, 1996
95-210	September 1, 1996
95-215	September 1, 1996
95-226	September 1, 1996
95-234	September 1, 1996
96- 3	September 1, 1996
96- 8	September 1, 1996

96- 13	September 1, 1996
96- 15	September 1, 1996
96- 19	September 1, 1996
96- 20	September 1, 1996 (part)
96- 22	September 1, 1996
96- 30	September 1, 1996
96- 32	September 1, 1996
96- 35	September 1, 1996
96- 46	September 1, 1996
96- 50	September 1, 1996
96- 57	September 1, 1996
96- 58	September 1, 1996

Sincerely,
 GARY L. POULSON
 Deputy Revisor

Senate Clearinghouse Rule 93-170

Relating to prior authorization for personal care services under the medical assistance program.

Submitted by Department of Health and Social Services.

Withdrawn by Agency, August 30, 1996.

Senate Clearinghouse Rule 96-037

Relating to investments by town mutual insurers.

Submitted by Office of the Commissioner of Insurance.

Report received from Agency, August 30, 1996.

Referred to committee on **Insurance, Tourism, Veterans and Military Affairs**, September 4, 1996.

**Motions Under Senate Rule 98
 for the Month of August 1996**

A certificate of commendations by Senator Panzer for Brad Abraham on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Decker for Allen Beadles on the occasion of being Director and the Vice President of the Jump River Electric Cooperative Board since October 1965.

A certificate of congratulations by Senator Breske for Nathan Berry on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendations by Senator Burke for Lieutenant Commander Robert A. Bonin on the occasion of his being a symbol of loyalty to our nation.

A certificate of commendations by Senator Buettner for Russ Boodry on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Burke for Nichole Burgess on the occasion of her new endeavors into Law School and wish her the best of luck.

A certificate of congratulations by Senator Buettner for Larry and Nancy Collier on the occasion of celebrating their 50th wedding anniversary.

A certificate of commendations by Senator Huelsman for Bradley Connor on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendations by Senator Lasee for James Robert Derrig on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendations by Senator Lasee for Jeffrey Douglas Derrig on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Clausing for Bernard Drewiske on the occasion of receiving the honor of the newly named livestock barn the Bernard Drewiske Arena by the Pierce County Fair Board.

A certificate of congratulations by Senator Potter for the Foster Needle Company, Inc. on the occasion of celebrating its 40th Anniversary.

A certificate of congratulations by Senator Schultz for Ihora A. Galarnyk M.D. on the occasion of his 40 years of dedicated service to the Sauk Prairie Memorial Hospital.

A certificate of congratulations by Senator Risser for the Gates of Heaven Synagogue on the occasion of its 25th Anniversary of its relocation to James Madison Park.

A certificate of commendations by Senator George on the occasion of all the individuals involved in the GE Elfun Community Service Day at the Clark School and for all their achievements and contributions to the community

A certificate of congratulations by Senator Clausing for the First National Bank of Glenwood on the occasion of celebrating its 100th Anniversary.

A certificate of congratulations by Senator Weeden for Harold Grabow on the occasion of his retirement after 34 years of dedicated service to the United States Navy and Naval Reserves.

A certificate of congratulations by Senator Schultz for Harold E. and Selma L. Kaun on the occasion of their 50th wedding anniversary.

A certificate of commendations by Senator Lasee for Matthew S. Kelly on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendations by Senator Buettner for Steve Kirschner on the occasion of his 20 years of dedicated service to the Association for Retarded Citizens in Fond du Lac.

A certificate of congratulations by Senator Jauch for Kobe Yamate High School on the occasion of initiating an international student exchange with Northwest High School.

A certificate of commendation by Senator Lasee for Matthew Krajnik on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendations by Senator Huelsman for Nick Kysely on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Breske for Micah Larson on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendations by Senator Huelsman for Michael Lechtenberg on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Risser for L'Etoile on the occasion of its 20th anniversary and its continued success to the Madison Community.

A certificate of commendations by Senator Panzer for Trooper John Lyman on the occasion of his retirement after 28 years of dedicated service to the citizens of Wisconsin.

A certificate of congratulations by Senator Jauch for the S.S. Meteor from the American Steel Barge Company shipyard in Superior on the occasion of the 100th anniversary of the S.S. Meteor.

A certificate of commendations by Senator Darling for Nathan Nakama on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Buettner for Jack and Ginna Nelson on the occasion of celebrating their 50th Wedding Anniversary.

A certificate of commendations by Senator Buettner for the Oakfield VFW POST 8092 on the occasion of celebrating their 50th anniversary.

A certificate of congratulations by Senator Weeden for Matthew Pagliaro on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Burke for Allen Palenski on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Schultz for Rayovac Corporation on the occasion their 50th Anniversary.

A certificate of commendations by Senator Darling for the town of Richfield on the occasion of celebrating its 150th Anniversary.

A certificate of congratulations by Senator Adelman for Esther Leah Ritz on the occasion of receiving the Community Builders Award for her dedication and leadership in working for peace and justice in Milwaukee, United States and throughout the World.

A certificate of congratulations by Senator Decker for the Ross and Hartway families on the occasion of being the farm family for the 1996 Wisconsin Farm Progress "Host Family".

A certificate of commendations by Senator Lasee for Jeffrey A. Sachse on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Schultz for the Sauk County Health Care Center on the occasion of their 125th Anniversary.

A certificate of commendations by Senator Plache for Edmund Schacht, M.D. on the occasion of the celebration of his 100th Birthday and his lifetime of service.

A certificate of commendations by Senator Lasee for Michael Christopher Schlies on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendations by Senator Lasee for Ryan Lewis Slack on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendations by Senator Lasee for Tyler Jon Slack on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Adelman for Jayson Stemo on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Cowles for Eric Vorpahl on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by Senator Lasee for Darrick Wotachek on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by Senator Jauch for the Yamate Women's College of Kobe and the University of Wisconsin – Superior on the occasion of their shared vision of internationalizing the curriculum for the students.

A certificate of commendations by Senator Buettner for Stan York on the occasion of his retirement from the State of Wisconsin after many years of dedicated service to the State of Wisconsin.