

STATE OF WISCONSIN
Senate Journal
Ninety–Third Regular Session

WEDNESDAY, November 26, 1997

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

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 364

Relating to: creating a professional standards council for teachers.

By Joint Legislative Council.

To committee on **Education**.

Senate Bill 365

Relating to: acquisition of a hospital owned by a nonprofit corporation, a city, a county, the state or the University of Wisconsin Hospitals and Clinics Authority.

By Senators Rosenzweig, Moen, Rude, Decker, Roessler, Huelsman, Darling and Plache; cosponsored by Representatives Huber, Underheim, Robson, Urban, Hanson, Albers, Springer, Bock, Johnsrud, Meyer, La Fave, Ward, R. Young, Musser, Krug, Dobyns, Notestein, Goetsch, J. Lehman, Gunderson, Hasenohrl, Powers, Plouff, Gronemus and Ziegelbauer, by request of Attorney General James Doyle.

To committee on **Health, Human Services, Aging, Corrections, Veterans and Military Affairs**.

Senate Bill 366

Relating to: nonresident individual income tax reciprocity with the state of Illinois and making appropriations.

By Senators Wirch and Schultz; cosponsored by Representatives Freese, Kreuser, Steinbrink, Porter and M. Lehman.

To committee on **Economic Development, Housing and Government Operations**.

Senate Bill 367

Relating to: notices of changed property tax assessments and board of review training and procedures.

By Senators Moen, C. Potter, Schultz, Rude and A. Lasee; cosponsored by Representatives Albers and Freese.

To committee on **Economic Development, Housing and Government Operations**.

Senate Bill 368

Relating to: changes to the probate code.

By Senators Huelsman and George; cosponsored by Representatives Green and Cullen.

To committee on **Judiciary, Campaign Finance Reform and Consumer Affairs**.

REPORT OF COMMITTEES

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

Senate Bill 326

Relating to: creating a tuition protection program for students enrolled in proprietary schools, granting rule-making authority and making an appropriation.

Introduction and adoption of Senate amendment 1.

Ayes, 7 – Senators C. Potter, Jauch, Shibilski, Grobschmidt, Darling, Huelsman and Roessler.

Noes, 0 – None.

Passage as amended.

Ayes, 7 – Senators C. Potter, Jauch, Shibilski, Grobschmidt, Darling, Huelsman and Roessler.

Noes, 0 – None.

Calvin Potter
Chairperson

**State of Wisconsin
Joint Survey Committee on Tax Exemptions**

The joint survey committee on **Tax Exemptions** reports and recommends:

Senate Bill 29

Relating to: discontinuing the property tax exemption for governmental property that is leased and which the lessee uses as a country club.

This Bill is good public policy if it is amended to delete the underscored material on page 2 and to provide that if a lessee of municipal property uses the property for a country club, the municipality that leased the property is liable to other taxing districts for the amount of taxes those districts would have collected if the property were taxable.

Joseph Wineke
Senate Chairperson

Referred to committee on **Economic Development, Housing and Government Operations**.

**State of Wisconsin
Joint Survey Committee on Tax Exemptions**

The joint survey committee on **Tax Exemptions** reports and recommends:

Senate Bill 74

Relating to: narrowing the property tax exemption for educational and other institutions to exclude recreational organizations.

This Bill is good public policy if it is amended so that the property tax exemption does not apply to property owned by an organization that is devoted "primarily" to recreational activities, rather than to properties of an organization devoted "solely" to recreational activities.

Joseph Wineke
Senate Chairperson

Referred to committee on **Economic Development, Housing and Government Operations.**

PETITIONS AND COMMUNICATIONS

Senate Petition 12

A petition by 34, 272 citizens of the State of Wisconsin asking that President Clinton, Agriculture Secretary Glickman and the United States Congress research the Northeastern Dairy Compact which restricts the import of Wisconsin milk, give the National Cheese Exchange the same level of federal oversight as the Chicago Board of Trade, create a fair pricing system, increase federal marketing assistance to improve U.S. dairy sales abroad, and utilize federal dairy purchases to stabilize prices.

By Senator Zien.

To committee on **Agriculture and Environmental Resources.**

Senate Petition 13

A petition by 14,524 citizens of the State of Wisconsin demanding that the Wisconsin Legislature pass the Right to Keep and Bear Arms amendment by November 20, 1997 and place the question before the voters on the February 17, 1998 ballot, and that the Legislature hold public hearings on the Personal Protection Act.

By Senator Zien.

To committee on **Judiciary, Campaign Finance Reform and Consumer Affairs.**

**State of Wisconsin
Department of Corrections**

November 13, 1997

The Honorable, The Legislature:

Attached is the first quarter report on Prison Industries for fiscal year ending June 30, 1998, as required by Section 303.019 of the Wisconsin Statutes. This report includes the year-to-date cash balance of each industry. This report reflects private sector venture balances separately from the traditional prison industries.

Sincerely,

MICHAEL J. SULLIVAN, SECRETARY
Department of Corrections

MARK D. BUGHER, SECRETARY
Department of Administration

**State of Wisconsin
Department of Administration**

November 14, 1997

The Honorable, The Legislature:

Chapter 34, Laws of 1979, requires that when the Department of Administration maintains an office in Washington, DC, for the purpose of promoting federal/state cooperation, it should submit a report detailing the activities of the office and reporting the status of federal legislation of concern to the Legislature and other state agencies (Wis. Stats. 16.548(2)).

The report for the period July 1, 1997, through September 30, 1997, is attached.

Sincerely,
MARK D. BUGHER
Secretary

**State of Wisconsin
Department of Administration**

November 10, 1997

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 October, 1997.

On October 20, 1997 the **Wisconsin Petroleum Inspection Fund** balance was -\$1.52 million. This shortfall continued until October 21, 1997 when the balance reached \$7.24 million. This shortfall was due to the timing of revenues.

On October 2, 1997 the **Wisconsin Health Education Loan Repayment Fund** balance was -\$1 thousand. This shortfall continued through the end of the month. This shortfall was due to the timing of revenues.

The Wisconsin Petroleum Inspection and Health Education Loan Repayment Fund shortfalls were not in excess of the \$400 million ceiling 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,
MARK D. BUGHER
Secretary

Referred to joint committee on **Finance.**

**State of Wisconsin
Legislative Audit Bureau**

November 25, 1997

The Honorable, The Legislature:

As directed by the Joint Legislative Audit Committee, we have completed an evaluation of state corrections costs. Expenditures for incarcerating adults in state correctional facilities have increased 129.4 percent in the past ten years, from \$121.6 million in fiscal year (FY) 1985-86 to \$279 million in FY 1995-96. This increase accounts for a growing proportion of state general purpose revenue spending, and the Department of Corrections predicts both expenditures and adult inmate populations will continue to increase into the foreseeable future.

Wisconsin's per inmate costs are slightly higher than the national average but close to the average of other midwestern states. Security staff costs are the largest component of overall costs, and while Wisconsin's inmate-to-staff ratio of 4.5 to 1 was the same as the national average, it is slightly below the midwestern average of 4.8 to 1. Shortcomings in the Department's record-keeping systems prevent detailed analyses of other departmental costs, such as rehabilitation or social services programs, or comparisons of such costs and services among institutions. For example, although we estimate the Department spends approximately \$16.2 million annually on non-work rehabilitation programs, neither the effect of these programs nor why some inmates' rehabilitation needs are met and others are not can be readily determined.

In an effort to reduce overcrowding and reduce expenditures, the Department is increasingly contracting both to house

inmates in non-department facilities and for food, health, and other services within its own facilities. Daily costs to house inmates in Texas jails and federal prison are lower than the Department's housing costs, while daily costs to house inmates in Wisconsin county jails are higher. In addition, the cost of contracting for health and food services at the Prairie du Chien facility exceeds the Department's average cost for direct provision of those services at facilities of similar size. Because bids have not yet been sought for services at the new Boscobel facility, these contracting costs cannot be analyzed. We have included suggestions for contracting guidelines to ensure that future contracts better meet the goals of the State.

We appreciate the courtesy and cooperation extended to us by the Department of Corrections. The Department's response is the Appendix.

Sincerely,

DALE CATTANACH
State Auditor

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

Senate Clearinghouse Rule 97-099

Relating to life insurance solicitations.

Submitted by Office of the Commissioner of Insurance.

Report received from Agency, November 21, 1997.

Referred to committee on **Insurance, Tourism and Rural Affairs**, November 26, 1997.

The committee on **Judiciary, Campaign Finance Reform and Consumer Affairs** reports and recommends:

Senate Clearinghouse Rule 9-124

Relating to the calculation of indigency.

No action taken.

Robert Wirch
Chairperson

**State of Wisconsin
Office of the Secretary of State**

To the Honorable, the Senate:

<u>Bill, Joint Reso- lution or Resolu- tion Number</u>	<u>Act Number or Enrolled Number</u>	<u>Publication Date</u>
Senate Bill 343	Wisconsin Act 28	November 21, 1997

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Bill 324

Senate Bill 355

Senate Bill 359

Report correctly enrolled on November 25, 1997.

**LEGISLATIVE REFERENCE BUREAU
CORRECTIONS**

CORRECTIONS IN:

1997 SENATE AMENDMENT 4

TO 1997 SENATE BILL 285

Prepared by the Legislative Reference Bureau
(Tuesday, November 25, 1997)

1. Page 4, line 5: substitute "line 14" for
"line 4".