

151489

GENERAL REPORT
OF THE JOINT
LEGISLATIVE COUNCIL
TO THE
1993 LEGISLATURE



Alternative Education Programs
American Indian Study Committee
Technical Advisory Committee
Campaign Financing
Drainage District Laws
Energy Resources
Farm Safety
Foster Care and Other Out-of-Home Placements
Subcommittee on Family Preservation
Genetic and Medical Information
Issues Relating to Hunger Prevention
Law Revision Committee
Oversight of Community Mental Health Services
Private Forest Land Programs
Rail Facilities and Services
Freight Rail Advisory Group
Passenger Rail Advisory Group
Review Emergency Medical Services
Sexual Harassment
State Collective Bargaining Process
Tax Delinquent Contaminated Land
Transportation Development
Use of Public Waters
Veterans Trust Fund
Women Offenders in the Correctional System

NCJRS

NOV 28 1994

ACQUISITIONS

Wisconsin Legislative Council Staff
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Madison, Wisconsin

July 1994

1648



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July 1994

To the Honorable,
Governor Tommy G. Thompson
and the Members of the
1993 Wisconsin Legislature:

This is the 23rd biennial General Report of the Joint Legislative Council, submitted to you pursuant to s. 13.81 (3), Stats. This General Report summarizes the work of the Joint Legislative Council and its committees during the period from April 1, 1992 to June 30, 1994. These committees were established to examine major issues and problems identified by the Council or referred to the Council by the Legislature. We trust that this information will be useful.

Sincerely yours,

Senator Brian D. Rude
Cochairperson
Joint Legislative Council

Representative Marlin D. Schneider
Cochairperson
Joint Legislative Council

STATE OF WISCONSIN
JOINT LEGISLATIVE COUNCIL

GENERAL REPORT
OF THE
JOINT LEGISLATIVE COUNCIL
TO THE
1993
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JULY 1994

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s. 13.81, Stats.

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- (1) Became cochairperson (Senate President) upon enactment of 1993 Act 52, effective November 25, 1993.
- (2) Became cochairperson (designee of Assembly Speaker) following enactment of Act 52.
- (3) Appointed as a member of the Council (Senate President Pro Tempore) pursuant to Act 52.
- (4) Replaced Rep. Mary Panzer, who was elected to the state Senate on September 21, 1993.
- (5) Appointed to replace Rep. Peter Barca, who resigned from the Legislature on June 8, 1993.

JOINT LEGISLATIVE COUNCIL MEMBERSHIP

<u>Nature of Appointment</u>	<u>April 1, 1992 - April 19, 1993</u>	<u>April 20, 1993 - June 30, 1994</u>	<u>Explanation</u>
<u>Ex Officio (12)</u>			
1. President of Senate	Sen. Fred A. Risser	Sen. Brian D. Rude	Sen. Rude replaced Sen. Risser as Senate President on 4/20/93; he became Co-Chair on 11/25/93 pursuant to 1993 Wisconsin Act 52.
2. S. President Pro Tem	----	Sen. Alan J. Lasec	Sen. Lasec became an ex-officio member on 11/25/93 pursuant to 1993 Wisconsin Act 57.
3. S. Majority Leader	Sen. David W. Helbach	Sen. Michael G. Ellis	Sen. Ellis replaced Sen. Helbach as S. Majority Leader on 4/20/93.
4. S. Minority Leader	Sen. Michael G. Ellis	Sen. David W. Helbach/ Sen. Robert Jauch	Sen. David Helbach replaced Sen. Ellis as S. Minority Leader on 4/20/93; Sen. Jauch replaced Sen. Helbach as S. Minority Leader on 5/12/93.
5. S. Chair, Jt. Finance	Sen. Gary R. George	Sen. Joseph Leean	Sen. Leean replaced Sen. George as S. Chair, Jt. Finance, on 4/20/93.
6. Speaker	Rep. Walter Kunicki	Rep. Walter Kunicki	
7. Speaker Pro Tem	Rep. David E. Clarenbach	Rep. Timothy W. Carpenter	Rep. Carpenter replaced Rep. David E. Clarenbach as Speaker Pro Tem on 1/4/93.
8. A. Majority Leader	Rep. David Travis	Rep. David Travis	
9. A. Minority Leader	Rep. David Prosser	Rep. David Prosser	
10. A. Chair, Jt. Finance	Rep. Barbara J. Linton	Rep. Barbara J. Linton	
11. A. Ranking Min. Mbr., Jt. Finance	Rep. Mary E. Panzer	Rep. Ben Brancel	Rep. Brancel replaced Rep. Panzer (who resigned from the Assembly) as A. Ranking Min. Mbr., Jt. Finance, on 10/6/93.
12. S. Ranking Min. Mbr., Jt. Finance	Sen. Joseph Leean	Sen. Gary R. George	Sen. George replaced Sen. Leean as S. Ranking Min. Mbr., Jt. Finance, on 4/20/93.
<u>At-Large (10)</u>			
1. Senate Member	Sen. Joseph J. Czarnecki	Sen. Brian Burke	Sen. Burke replaced Sen. Joseph J. Czarnecki on 1/7/93.
2. Senate Member	Sen. Barbara K. Lorman	Sen. Barbara K. Lorman	
3. Senate Member	Sen. Rodney C. Moen	Sen. Gary Drzewiecki	Sen. Drzewiecki replaced Sen. Moen on 5/4/93.
4. Senate Member	Sen. Lynn S. Adelman	Sen. Fred A. Risser	Sen. Risser replaced Sen. Adelman on 5/4/93.
5. Senate Member	Sen. Margaret Farrow	Sen. Margaret Farrow	
6. Assembly Member	Rep. Marlin D. Schneider	Rep. Marlin D. Schneider	Became Co-Chair on 11/25/93 pursuant to 1993 Wis. Act 52.
7. Assembly Member	Rep. Peter Barca	Rep. Rosemary Potter	Rep. Potter replaced Rep. Barca (who resigned from the Assembly) on 6/10/93.
8. Assembly Member	Rep. Susan Vergeront	Rep. Susan Vergeront	
9. Assembly Member	Rep. David A. Zien	Rep. David Deininger	Rep. Deininger replaced Rep. Zien (who resigned from the Assembly) on 5/25/93.
10. Assembly Member	Rep. Stan Gruszynski	Rep. Stan Gruszynski	

**WISCONSIN
LEGISLATIVE COUNCIL STAFF**

April 1, 1992 to June 30, 1994

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*Terminated employment during 1992-94.

*Senior Staff Attorney Janice M. Baldwin retired from the Legislative Council Staff on April 29, 1994. She joined the Legislative Council Staff on February 23, 1971. Ms. Baldwin worked in a variety of assignments including taxation, marital property implementation and health care issues, as well as the Council's Law Revision Committee. Ms. Baldwin also was extensively involved in activities of the State Bar of Wisconsin, including service as chair of the Government Lawyers Division and a member of the Board of Governors in 1985-87 and as State Bar Treasurer in 1987-89. The Council and its staff appreciate her years of dedicated service to the Legislature and the citizens of the state.

PREFACE

This General Report of the Joint Legislative Council to the 1993 Legislature is prepared pursuant to s. 13.81 (3) of the Wisconsin Statutes. It summarizes the work of the 1992-94 Joint Legislative Council and of those statutory and special study committees established by the Council to report to the 1993 Legislature.

For the first time, this General Report also incorporates much of the additional information previously presented to the Legislature in the form of the separate Legislative Council Digest. The Digest's purpose was to summarize the legislative action on each of the proposals introduced by the Legislative Council and by the Legislative Council's Law Revision Committee. By lengthening the period of time covered by this particular Report from April 1, 1992 to June 30, 1994, rather than to April 1, 1994, which permitted the incorporation of the Legislature's actions on the proposals covered by this General Report, the complete history of each special committee can be presented in one document.

The Joint Legislative Council established or continued two statutory committees and 19 special committees to conduct various studies and to make reports to the 1993 Legislature. Three advisory committees or groups and one subcommittee assisted the statutory and special committees. [See list on pages 1 and 2 of Part I.]

As of June 30, 1994, 19 separate reports containing the recommendations of 18 committees were submitted to the 1993 Legislature dealing with the substantive issues considered by these committees. These reports are numerically listed below. Copies may be obtained from the Legislative Council Staff offices.

- RL 93-1 Legislation on Alternative Education Programs (1993 S.B.'s 88 and 89)
- RL 93-2 Legislation on Emergency Medical Services (1993 A.B.'s 551 and 552)
- RL 93-3 Legislation on Private Forest Land Programs (1993 S.B.'s 320 and 321)
- RL 93-4 Legislation on the Veterans Trust Fund (1993 A.B. 619)
- RL 93-5 Legislation on Issues Relating to Hunger Prevention (1993 A.J.R. 62 and 1993 A.B. 582)
- RL 93-6 Legislation on Energy Resources (1993 A.B. 701)
- RL 93-7 Legislation on Tax Delinquent Contaminated Land (1993 S.B.'s 461 and 462)
- RL 93-8 Legislation on Farm Safety (1993 A.B. 821)
- RL 93-9 Legislation on Campaign Financing (1993 S.B.'s 529 and 530)

- RL 93-10 Legislation on Foster Care and Other Out-of-Home Placements (1993 S.B.'s 570, 571 and 572)
- RL 93-11 Legislation on Use of Public Waters (1993 A.B. 865)
- RL 93-12 Legislation on Oversight of Community Mental Health Services (1993 A.B. 900 and 1993 A.J.R.'s 101 and 102)
- RL 93-13 Legislation on Sexual Harassment (1993 A.B.'s 981, 982, 983 and 984)
- RL 93-14 Legislation on Drainage District Laws (1993 A.B. 994)
- RL 93-15 Legislation on Rail Facilities and Services (1993 A.B.'s 964, 965 and 966)
- RL 93-16 Legislation on Women Offenders in the Correctional System (1993 A.B.'s 996 and 997)
- RL 93-17 Legislation on American Indian Issues (1993 A.B.'s 1098 and 1099)
- RL 93-18 Legislation on Tribal Law Enforcement Officers (1993 A.B. 1198)
- RL 93-19 Legislation on Genetic and Medical Information (1993 A.B.'s 1264 and 1265)

The Joint Legislative Council's Special Committee on the State Collective Bargaining Process has not yet submitted its report to the Joint Legislative Council. The Special Committee on Transportation Development submitted its report to the Joint Legislative Council, but the Council did not introduce any of its recommendations. The Council's Law Revision Committee does not report to the Council; rather, it introduces its legislation separately.

This General Report is organized into the following parts:

Part I describes the Joint Legislative Council, and particularly the activities of the 1992-94 Council.

Part II contains a list of, and briefly describes the work of, each of the Council's committees as well as Joint Legislative Council and legislative actions on the Committee recommendations.

Appendix I contains tables of all proposals submitted to the Joint Legislative Council by its study committees and indicates the action taken on such proposals by the Joint Legislative Council.

Appendix II contains a report on the Joint Legislative Council's contingency fund.

Appendix III contains a bibliography of materials prepared for or submitted to each of the Joint Legislative Council study committees.

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PART I

WORK OF THE 1992-94 JOINT LEGISLATIVE COUNCIL

WORK OF THE 1992-94 JOINT LEGISLATIVE COUNCIL

The Joint Legislative Council held eight meetings at the State Capitol in Madison between April 1, 1992 and June 30, 1994 (the period covered by this Report) on the following dates:

February 18, 1993	October 6, 1993
May 13, 1993	October 7, 1993
May 27, 1993	October 21, 1993
June 2, 1993	February 3, 1994

There were 42 proposals introduced in the 1993 Session by the Council. [Three of the proposals were introduced as duplicate or "companion" proposals.] In addition, two proposals which the Council voted to introduce were not actually introduced since the proposals were incorporated in 1993 Wisconsin Act 16, the Biennial Budget Act. Of the proposals introduced, 29 were introduced in the Assembly and 16 in the Senate.

The Joint Legislative Council's Law Revision Committee introduced 28 proposals in the 1993 Session, 11 (39.3% in the Assembly) and 17 (60.7% in the Senate). However, two proposals were reintroductions of bills previously introduced in the 1993 Session. Thus, there were 26 individual proposals introduced.

Of the 44 proposals (excluding the duplicate proposals) recommended for introduction by the Council, 18 (40.9%) were enacted (15 of the original bills were enacted, one bill was enacted as part of other legislation and two proposals recommended for introduction, which were not introduced but were incorporated in other legislation, became law). [It should be noted that two other Council proposals were partially enacted, through inclusion of some of their provisions in 1993 Wisconsin Act 16 (Biennial Budget). In addition, one Council proposal not enacted was identical to a proposal that was enacted and provisions identical to one Council bill that was not enacted were included in another proposal that was enacted.] Of the 26 Law Revision Committee proposals introduced in the 1993 Session, 16 (61.5%) were enacted.

Council Study Committees

During the period covered by this Report, the Council operated with two statutory committees and 19 special committees that were established to report to the 1993 Legislative Council.

The statutory committees were:

- (1) American Indian Study Committee
Technical Advisory Committee
- (2) Law Revision Committee

The special committees which the Council created to report to the 1993 Council were:

- (1) Alternative Education Programs, Special Committee on
- (2) Campaign Financing, Special Committee on
- (3) Drainage District Laws, Special Committee on
- (4) Energy Resources, Special Committee on
- (5) Farm Safety, Special Committee on
- (6) Foster Care and Other Out-of-Home Placements, Special Committee on
Subcommittee on Family Preservation
- (7) Genetic and Medical Information, Special Committee on
- (8) Issues Relating to Hunger Prevention, Special Committee on
- (9) Oversight of Community Mental Health Services, Special Committee on
- (10) Private Forest Land Programs, Special Committee on
- (11) Rail Facilities and Services, Special Committee on
Freight Rail Advisory Group
Passenger Rail Advisory Group
- (12) Review Emergency Medical Services, Special Committee to
- (13) Sexual Harassment, Special Committee on
- (14) State Collective Bargaining Process, Special Committee on the
- (15) Tax Delinquent Contaminated Land, Special Committee on
- (16) Transportation Development, Special Committee on
- (17) Use of Public Waters, Special Committee on
- (18) Veterans Trust Fund, Special Committee on the
- (19) Women Offenders in the Correctional System, Special Committee on

Review of 1991 Legislative Council Bills Not Enacted

Following past practice, the Chairperson of the Legislative Council directed a review of Council bills which had been introduced in the 1991 Session but which had not been enacted. There were five bills which had been introduced in the 1991 Session that the Legislative Council voted to reintroduce. These included two proposals from the Special Committee to Review Sexual Assault Laws, one proposal from the American Indian Study Committee and two proposals from the Special Committee on Privacy and Information Technology. For further information on the background work of these Committees, refer to the 1991 General Report.

One reintroduced proposal, from the American Indian Study Committee, was enacted as part of 1993 Wisconsin Act 16, the Biennial Budget Act. [See pages 16 and 17 of Part II for further information.] The other proposals failed to be enacted.

Organization and Activities of the Joint Legislative Council

The Joint Legislative Council is a body composed of 22 Legislators, 11 from the Senate and 11 from the Assembly. Twelve of these members are ex officio--that is, they serve on the Council because of their positions as legislative leaders--and include the following: the Speaker of the Assembly, the President of the Senate, the Speaker Pro Tem of the Assembly, President Pro Tempore of the Senate, the Assembly and Senate Majority and Minority Leaders, the two Co-Chairpersons of the Joint Committee on Finance and the ranking minority member of the Joint Committee on Finance from each house. Of those who do not serve ex officio on the Council, five are appointed by the Chairperson of the Senate Committee on Organization and five by the Speaker of the Assembly [s. 13.81 (1), Stats.].

During the 1993 Session of the Legislature, 1993 Wisconsin Act 52, effective November 25, 1993, made the following changes in the Council:

1. The Legislative Council was renamed the "Joint Legislative Council" (which was its original name from the creation of the Council in the 1947 Session until it was changed by Ch. 34, Laws of 1979, effective July 29, 1979).

2. The membership of the Council was enlarged from 21 to 22 members by the addition of the President Pro Tempore of the Senate.

3. The Council became a joint committee headed by cochairpersons, rather than electing its officers. The President of the Senate and the Speaker of the Assembly, or the designee of each from within the members of the Council from their house, are statutorily designated as the cochairpersons.

Hereafter in this General Report, references that are made to the "Legislative Council" or to the "Joint Legislative Council" reflect the correct name at the time of the action by the Council.

The original purpose for the creation of the Joint Legislative Council in 1947 [Ch. 444, Laws of 1947] was to establish a permanent legislative body to give the Legislature a means of

conducting independent and objective studies on matters of special interest and research. The Council was authorized to employ a nonpartisan permanent professional staff. During its early history, the Joint Legislative Council's efforts were directed toward long-term committee studies and investigations.

As the Legislature spent more and more time dealing with the complex problems of state government, it became apparent that the substantive standing committees needed professional staff assistance which had previously not been available. Accordingly, since 1967, the Legislative Council Staff has worked directly with the substantive standing committees in both houses. Legal, science and policy research staff from the Council assist the committees in analyzing the proposals and subjects which come before those committees. Also, the staff assists individual Legislators by providing policy research on legislative matters.

During the recess periods of the Legislature, the Joint Legislative Council works through a committee system, just as the Legislature does. The Council determines which studies will be conducted and assigns these studies to particular committees created by the Council for these committees' review, study and recommendations. These studies generally are of four types:

1. Intensive examination of problems which are expected to confront a succeeding Legislature.
2. Review of controversial subjects which were unresolved by the previous Legislature.
3. Major codifications and revisions of portions of the law.
4. Methods of improving the operation and effectiveness of state agencies.

There are two continuing Council committees currently required by statute [s. 13.83, Stats.]: the American Indian Study Committee and the Law Revision Committee.

Under s. 13.82 (1), Stats., all studies or investigations which are proposed by the Legislature to be conducted are referred to the Council. Individual Legislators and others often request, by letter, that a particular study be undertaken. Also, the Council is given specific statutory authority to initiate such studies as it feels will be of value to the citizens of the state. The Council determines which of the studies will be conducted, based on its judgment of which studies should have priority within the limits of the Council appropriation and staff resources.

The end result of this study activity is the submission by the committees of reports and, in almost all cases, implementing legislation to the Joint Legislative Council. The Council reviews the legislative proposals and introduces in the Legislature those it approves by a majority of the membership of the Council (12 votes).

Operation of Council Staff

The Joint Legislative Council and the Council's study committees are staffed by a central nonpartisan legislative service agency, the Legislative Council Staff. The Legislative Council Staff

serves in the unclassified service. As of June 30, 1994, the Council Staff included, in addition to the Director, 17 attorneys, two analysts, one legal research assistant and 11 fiscal and support staff.

The basic duties of the staff include:

1. To provide legal, scientific and policy research and administrative-secretarial services for the Council and its committees.
2. To provide legal, scientific and policy research and analysis services for the Legislature's substantive standing committees and joint committees.
3. To provide legal, scientific and policy research services for individual Legislators.
4. To serve as the Administrative Rules Clearinghouse for review of all proposed administrative rules.
5. To provide information to the public, where appropriate.

Each of these activities is discussed briefly below.

Services for the Council and Its Committees. As noted previously, the Council held eight meetings during the period covered by this Report. Committees, subcommittees and advisory committees of the Council met a total of 145 times. The 21 committees established or continued to report to the 1993-94 Joint Legislative Council contained members from both the 1991-92 and 1993-94 Legislatures. During the period covered by this Report, 27 Senators and 79 Representatives served as members of study committees. Also, 246 citizens participated as members of Council study committees, an additional 13 participated as members of subcommittees and technical advisory committees and an additional two participated as non-voting members of subcommittees.

Services for Legislative Committees. The Council Staff provides nonpartisan legal counsel and scientific and policy research for standing committees and select or special committees of the Legislature and a number of joint statutory committees. The Council Staff serves as the secretariat for the Joint Committee on Legislative Organization and for the Joint Committee on Employment Relations. Council Staff also provides services to ad hoc or informal legislative study committees, such as the Subcommittee on Aquaculture of the Assembly Committee on Agriculture, Forestry and Rural Affairs.

Services for Individual Legislators. The Council Staff provides legal analysis and other research to individual Legislators on request.

Serving as the Administrative Rules Clearinghouse. Prior to any public hearing on proposed rules, or prior to notification of legislative standing committees if no hearing is required, the agency proposing the rules must submit the proposed rules to the Council Staff for review. The Council Staff is required to review the proposed rules for various technical requirements, such as legal authority for promulgation of the rules and the form and clarity of the rules. The Council Staff may issue advisory recommendations concerning the proposed rules. The Council Staff also

works with and assists the appropriate standing committees throughout the rule-making process. For additional information, see the Clearinghouse's Annual Report to the Legislature. [See s. 227.15, Stats.]

Services to the Public. The Council Staff is available to answer questions from members of the general public and from research agencies and Legislators of other states. In addition, an extensive mailing list is maintained by the Council Staff of persons and organizations requesting to be systematically informed of meetings of a particular Council committee or committees. In addition, those on the mailing list receive copies of summaries of committee proceedings and all staff materials prepared for the particular committee. [In 1992-94, the committee mailing lists contained 1,053 recipients.]

PART II

JOINT LEGISLATIVE COUNCIL COMMITTEES

ALTERNATIVE EDUCATION PROGRAMS,
SPECIAL COMMITTEE ON

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STUDY ASSIGNMENT: The Special Committee is directed to study alternative public education programs that are intended to assist in keeping pupils in school and are neither directed toward college preparation nor defined as special education programs, to determine: (1) whether current public education alternative programs are meeting those objectives and should be continued; and (2) what, if any, additional alternative public education programs should be created or encouraged. In developing recommendations regarding any specific programs, the Special Committee shall consider the number of children who may benefit from the program and the adaptability of the program by the Department of Public Instruction and school districts. The Committee is directed to report to the Legislative Council by January 15, 1993. [Based on 1991 Senate Joint Resolution 53 and a May 12, 1992 supporting letter from Sen. Calvin Potter; an April 28, 1992 letter from James Buckley, Wisconsin School Psychologists and Social Workers Associations; a May 15, 1992 memo from David H. Nisgel, School Administrators Alliance; a May 15, 1992 letter from Kathie Lodholz, Oconomowoc Central High School; and a May 21, 1992 letter from Dr. David Johnston, La Crosse School District.]

Established and Chairperson appointed by a May 28, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by a July 24, 1992 mail ballot.

18 MEMBERS: 3 Senators; 4 Representatives; and 11 Public Members.

LEGISLATIVE COUNCIL STAFF: Russ Whitesel, Senior Staff Attorney; Mary Mathias, Staff Attorney; and Julie Terry, Support Staff.

(1) Originally appointed as an Assembly member; appointed to continue as a Public Member and Secretary by a December 23, 1992 mail ballot.

ALTERNATIVE EDUCATION PROGRAMS

Summary of Committee Activity

The Legislative Council established the Special Committee on Alternative Education Programs and appointed its Chairperson by a May 28, 1992 mail ballot. The Special Committee was directed to study alternative public education programs that are intended to assist in keeping pupils in school and are neither directed toward college preparation nor defined as special education programs, to determine: (1) whether current public education alternative programs are meeting those objectives and should be continued; and (2) what, if any, additional alternative public education programs should be created or encouraged. In developing recommendations regarding any specific programs, the Special Committee was directed to consider the number of children who may benefit from the program and the adaptability of the program by the DPI and school districts.

The membership of the Special Committee, other than its Chairperson, was appointed by a July 24, 1992 mail ballot. The Committee consisted of three Senators, five Representatives and 10 Public Members.

The Special Committee held six meetings at the State Capitol in Madison on the following dates:

August 19, 1992	November 17, 1992
September 16, 1992	December 16, 1992
October 22, 1992	January 19, 1993

At the August 19, 1992 meeting, the Special Committee received testimony from several persons. Representatives of the Alternative Education Section in the DPI discussed: (1) the need for alternative programs; (2) the types of alternative programs currently operating in Wisconsin schools; (3) the obstacles to successful operation of alternative education programs; and (4) pressures on schools to provide more services, especially in connection with health and social services. A representative of the Wisconsin Association of School Boards discussed the need for local school districts to have flexibility to tailor alternative education programs to the needs of their students and statutory changes needed to enhance the abilities of school districts to provide alternative education programs. A representative of the Wisconsin Education Association Council also discussed the need for flexibility. A representative from the Wisconsin School of Administrators Alliance and the Walworth County Educational Consortium Alternative High School described aspects of that successful alternative program.

At the September 16, 1992 meeting, the Committee received testimony from representatives of various state agencies regarding the following programs: (1) the youth apprenticeship program; (2) technical preparation program; (3) post-secondary enrollment options; and (4) compulsory school attendance programs. A representative of the Wisconsin Federation of Pupil Services discussed the need for flexibility and collaboration between schools to facilitate the establishment of alternative education programs. Committee Member Kathie Lodholz provided background information on the development of alternative education in Wisconsin and the concerns of educators currently working in alternative education programs.

At the October 22, 1992 meeting, the Committee received testimony from a University of Wisconsin-Madison professor regarding the methods of strengthening the linkage between education and work. Committee Member Representative Young discussed a paper, entitled *Authorize "Time-Outs" from Mandatory School Attendance*. A representative of DPI discussed the upcoming DPI biennial budget initiatives. The Committee also reviewed papers regarding teacher licensing requirements and children-at-risk programs. The Committee reviewed a proposal regarding inter-governmental cooperation and discussed Representative Young's proposal authorizing "time-outs" from mandatory school attendance.

At the November 17, 1992 meeting, the Committee viewed a video, entitled "Tech Prep: The Tech Prep Connection," prepared by the DPI and the Wisconsin Board of Vocational, Technical and Adult Education. The Committee received testimony from DPI staff regarding certain items in the DPI 1993-95 biennial budget request. Committee Member Kristi Davis discussed a memorandum which she distributed to Committee members, entitled *A Summary of My Conversations with Alternative Education Members*. Chairperson Potter discussed a memorandum which he distributed, describing concerns raised by the Sheboygan Area School District alternative education staff. Committee staff presented papers regarding the use of apprentices for state construction projects and granting high school credit for demonstrated proficiency. The Committee also reviewed draft proposals regarding alternative education licensure, assessment periods for selected pupils and allowing schools to contract out for services to be provided to at-risk students.

At the December 16, 1992 meeting, the Committee discussed proposals relating to assessment periods for selected pupils, high school graduation requirements, alternative education licensure, youth apprenticeship programs, at-risk services and programs and learning assistance grants for alternative education programs. The Committee granted preliminary approval to several of these drafts and requested staff to make certain changes for its consideration at the next meeting.

At the January 19, 1993 meeting, the Committee granted final approval to the drafts prepared by staff regarding alternative education licensure, high school graduation requirements, allowing school boards to establish policies permitting assessment periods for selected pupils, and youth apprenticeship programs and education for employment standard changes contained in the DPI 1993-95 biennial budget request, all for inclusion in one draft. The Committee also approved drafts relating to children-at-risk programs and creating an alternative education grant program and directed staff to combine those two drafts in a separate bill.

Actions of the Legislative Council

The Committee recommended two proposals to the Legislative Council.

At its February 18, 1993 meeting, the Legislative Council voted to introduce the proposals, which were introduced as 1993 Senate Bill 88, relating to alternative education programs, children-at-risk programs, granting rule-making authority and making an appropriation; and 1993 Senate Bill 89, relating to assessment periods for certain pupils, high school graduation requirements, alternative education program teacher licensure, education for employment programs and granting rule-making authority.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Alternative Education Programs:

- Wisconsin Legislative Council Report No. 1 to the 1993 Legislature, *Legislation on Alternative Education Programs (1993 S.B.'s 88 and 89)*, dated March 9, 1993.

Actions of the Legislature

1993 Senate Bill 88 failed to pass pursuant to 1993 Senate Joint Resolution 1. However, portions of the Bill were incorporated in the 1993-95 Biennial Budget Act, 1993 Wisconsin Act 16. [See SECS. 2279b to 2279d, 2279f and 2279L of Act 16.]

1993 Senate Bill 89 was enacted as 1993 Wisconsin Act 339, effective June 30, 1994. For further information see:

- Wisconsin Legislative Council Staff Information Memorandum 94-15, *New Law Relating to Alternative Education (1993 Wisconsin Act 339)*, dated May 20, 1994.

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STUDY ASSIGNMENT: The Committee is directed to study the problems and develop specific recommendations and legislative proposals relating to American Indians and the various Indian Tribes in this state.

Established biennially, pursuant to s. 13.83 (3), Stats.

14 MEMBERS: 8 Legislator Members; and 6 Public Members selected from names submitted by the Wisconsin Indian Tribes and the Great Lakes Intertribal Council. Chairperson, Secretary and members appointed by a July 24, 1992 mail ballot.

LEGISLATIVE COUNCIL STAFF: Pam Shannon, Senior Staff Attorney; David L. Lovell, Senior Analyst; and Roberta Lund, Support Staff.

- (1) Appointed by a February 25, 1993 mail ballot as Vice-Chairperson and to fill a Legislator membership on the Committee.
- (2) Appointed by a December 23, 1992 mail ballot to fill a Legislator membership on the Committee.
- (3) Appointed to replace Rep. John Medinger, whose Assembly term expired, by a February 25, 1993 mail ballot.
- (4) Appointed by a December 1, 1993 mail ballot to replace Glen Miller, who resigned from the Committee on November 2, 1993.
- (5) Appointed by a February 25, 1993 mail ballot to replace David Besaw, who resigned from the Committee on January 19, 1993.
- (6) Resigned from the Committee on March 10, 1994.

AMERICAN INDIAN STUDY COMMITTEE

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ASSIGNMENT: Established pursuant to s. 13.83 (3) (f), Stats., to assist the American Indian Study Committee in performing its statutory functions.

7 MEMBERS: One representative designated by the following Departments: Health and Social Services; Industry, Labor and Human Relations; Justice; Natural Resources; Public Instruction; Revenue; and Transportation.

AMERICAN INDIAN

Summary of Committee Activity

The American Indian Study Committee (AISC) is a permanent committee of the Joint Legislative Council established under s. 13.83 (3), Stats. The Committee is directed by statute to:

...study the problems and develop specific recommendations and legislative proposals relating to American Indians and the various Indian tribes in this state.

The membership of the AISC, appointed by the Joint Legislative Council, consists of eight legislative members from the Senate and Assembly and six public members appointed from names submitted by the Wisconsin Indian tribes and the Great Lakes Inter-Tribal Council (GLITC). The Committee is assisted by a Technical Advisory Committee (TAC) composed of a representative of each of the following state departments: Public Instruction; Health and Social Services; Industry, Labor and Human Relations; Justice; Natural Resources; Revenue; and Transportation.

During the period covered by this Report, the AISC held five meetings on the following dates (except as otherwise indicated, all of the meetings were held at the State Capitol in Madison):

November 12, 1992
January 27, 1993
August 17, 1993 (Lac du Flambeau Reservation)
December 14, 1993
January 24, 1994

At the November 12, 1992 meeting, the Committee held a public hearing to elicit testimony on the subject of the depiction of American Indians in the logos, mascots and nicknames of public schools and school athletic teams in Wisconsin. The Committee first heard invited testimony from James E. Doyle, Attorney General; Lloyd Powless, Councilman, Oneida Tribe; Steven B. Dold, Assistant Superintendent for Management and Budget, Department of Public Instruction (DPI); David R. Wrone, Department of History, University of Wisconsin (UW)-Stevens Point; Sharon K. Metz, Director, HONOR, Inc.; Carol Hand, Associate Director for Health, Great Lakes Inter-Tribal Council; Evan Norris, Academic Planner, UW System; Alfred Pyatskowitz, Chairman, American Indian Language and Culture Education Board; Douglas Chickering, Executive Director, Wisconsin Interscholastic Athletic Association; Sheldon Rose, Verona; Robert Larson, Principal, Wisconsin Dells High School; and Robert Hecht, Superintendent, Weyauwega-Fremont School District. Following the invited testimony, the Committee heard testimony from 16 members of the public regarding their personal experiences with or views regarding the depiction of American Indians in public school logos, mascots and nicknames.

At the January 27, 1993 meeting, the Committee heard a presentation by David Siegler, Tribal Attorney, Bad River Band of Lake Superior Chippewa Indians, regarding intergovernmental cooperative agreements between local units of government and Indian tribes. The Committee also heard presentations by Mr. Siegler and William Engfer, Boating Law Administrator, DNR, regarding

a proposal by the Bad River Band to exempt from state registration requirements boats, snowmobiles and ATV's that are registered under tribal registration programs. The Committee discussed a draft joint resolution, relating to calling upon public schools and school districts to eliminate stereotypical depictions of American Indians in school and athletic team logos, mascots and nicknames. The Committee voted to recommend a redrafted version of the draft for introduction. Finally, the Committee received a report from the Department of Development regarding barriers to full participation in the economic development programs of this state by tribes and tribal businesses.

At the August 17, 1993 meeting, the Committee discussed the topic of intergovernmental cooperative agreements between local units of government and Indian tribes or bands and gave preliminary approval to a bill draft on this subject. The Committee also discussed the topic of exempting from state registration requirements boats, snowmobiles and ATV's registered under tribal registration programs and gave final approval to a bill draft on this subject. The Committee also heard testimony from invited speakers regarding law enforcement on Indian reservations. Finally, the Committee discussed topics for inclusion in future agendas of the Committee.

At the December 14, 1993 meeting, the Committee discussed the topic of intergovernmental cooperative agreements between local units of government and Indian tribes or bands and gave final approval to a bill draft on this subject. The Committee also heard a presentation by staff on law enforcement on Indian reservations. The Committee discussed options for legislation and gave staff preliminary drafting instructions on this subject.

At the January 24, 1994 meeting, the Committee discussed draft legislation on law enforcement on Indian reservations, and gave final approval to a redrafted version of that draft.

Actions of the Joint Legislative Council

The Committee recommended three proposals to the Joint Legislative Council.

At its February 3, 1994 meeting, the Joint Legislative Council voted to introduce the proposals, which were 1993 Assembly Bill 1098, relating to reciprocal registration exemption agreements for boats, snowmobiles and all-terrain vehicles; 1993 Assembly Bill 1099, relating to intergovernmental cooperation agreements and units of government responsible for recycling; and 1993 Assembly Bill 1198, relating to tribal law enforcement officers.

[Also, at its February 18, 1993 meeting, the Legislative Council voted to reintroduce 1991 Assembly Bill 990, which had been introduced in the 1991 Session at the recommendation of the Committee. The proposal was introduced as 1993 Assembly Bill 296, relating to creating a council on American Indian health, preparation of an American Indian health plan, cooperative American Indian health projects, the composition of county community programs boards, intercultural training for county community programs boards and making appropriations.]

See the following reports for a discussion of the activities of, and legislation recommended for introduction in the 1993 Session by, the American Indian Study Committee:

- Joint Legislative Council Report No. 17 to the 1993 Legislature, *Legislation on American Indian Issues (1993 A.B.'s 1098 and 1099)*, dated February 9, 1994.
- Joint Legislative Council Report No. 18 to the 1993 Legislature, *Legislation on Tribal Law Enforcement Officers (1993 A.B. 1198)*, dated February 25, 1994.

Actions of the Legislature

1993 Assembly Bill 296 failed to pass pursuant to 1993 Senate Joint Resolution 1. However, provisions of the Bill were incorporated in the 1993-95 Biennial Budget Bill, 1993 Wisconsin Act 16, effective August 12, 1993. [See SECS. 49m, 737m, 760m, 959m and 9126 (16d) of Act 16.]

1993 Assembly Bill 1098 was enacted as 1993 Wisconsin Act 405, effective May 6, 1994.

1993 Assembly Bill 1099 was enacted as 1993 Wisconsin Act 406, effective May 6, 1994.

1993 Assembly Bill 1198 was enacted as 1993 Wisconsin Act 407, effective May 6, 1994.

For further information on these enactments, see:

- Wisconsin Legislative Council Staff Information Memorandum 94-14, *Major Legislation Affecting American Indians Enacted by the 1993-94 Wisconsin Legislature*, dated May 19, 1994.

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STUDY ASSIGNMENT: The Special Committee is directed to study the financing of political campaigns for state and local elective office or referenda. The study shall encompass the regulation of campaign contributions, including so-called "special interest" and "conduit" contributions; the regulation of campaign expenditures, including independent expenditures and limitations on expenditures by candidates who accept public financing; regulation of the structure, fund-raising and expenditure activities of campaign committees and groups; the Wisconsin election campaign fund; and related matters. The Committee is directed to report to the Legislative Council by December 15, 1992. [Based on an April 15, 1992 letter from Rep. Spencer Black, Sen. Dale Schultz, Mons Steele, League of Women Voters, and William Hauda, Common Cause; and an April 24, 1992 letter from O.J. Heck, Common Cause, Manitowoc.]

Established and Chairperson appointed by a May 28, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by a July 24, 1992 mail ballot.

23 MEMBERS: 5 Senators; 7 Representatives; and 11 Public Members.

LEGISLATIVE COUNCIL STAFF: Shaun Haas, Senior Staff Attorney; Jane Henkel, Deputy Director; and Lisa Struble, Support Staff.

CAMPAIGN FINANCING

Summary of Committee Activity

The Legislative Council established the Special Committee on Campaign Financing and appointed its Chairperson by a May 28, 1992 mail ballot. The Special Committee was directed to study the financing of political campaigns for state and local elective office or referenda. The study was specifically required to encompass:

...the regulation of campaign contributions, including so-called "special interest" and "conduit" contributions; the regulation of campaign expenditures, including independent expenditures and limitations on expenditures by candidates who accept public financing; regulation of the structure, fund-raising and expenditure activities of campaign committees and groups; the Wisconsin Election Campaign Fund; and related matters.

The membership of the Special Committee, other than its Chairperson, was appointed by a July 24, 1992 mail ballot. The Committee consisted of five Senators, seven Representatives and 11 Public Members.

The Special Committee held eight meetings at the State Capitol in Madison on the following dates:

August 26, 1992	December 16, 1992
September 23, 1992	February 24, 1993
October 14, 1992	May 26, 1993
November 18, 1992	June 7, 1993

At the August 26, 1992 meeting, the Special Committee reviewed a staff brief that sets forth the history of the Wisconsin campaign financing law, describes the principal features of the law and summarizes constitutional constraints on legislation regulating campaign financing and relevant U.S. Supreme Court and Wisconsin Supreme Court cases. The Committee also received a presentation from Kevin Kennedy, Executive Director, State Elections Board. In his presentation, Mr. Kennedy described the role of the Elections Board and its staff in the administration of the Wisconsin campaign financing law. Mr. Kennedy also distributed and described charts and explanatory material on campaign activity in Wisconsin. Information highlighted by Mr. Kennedy included various aspects of campaign spending and contribution information. At the request of Chairperson Helbach, Committee members began discussing basic goals of campaign financing regulation.

At the September 23, 1992 meeting, the Special Committee reviewed a memorandum containing data on Wisconsin and federal tax incentives for political contributions. The Committee also heard from five invited speakers who offered their views on the goals of campaign financing regulation.

Dr. Leon D. Epstein, Professor Emeritus, Political Science, UW-Madison, suggested the following goals:

1. Full and reasonably prompt disclosure of campaign contributions;
2. Realistic spending limits;
3. Promotion of competitive races by lessening the natural advantage of incumbents; and
4. Increasing the role of political parties in the campaign financing process.

Jeffrey Neubauer, Chairperson, Democratic Party of Wisconsin, suggested two critical objectives of a campaign financing law:

1. The law should insulate policymakers from organized interest money; and
2. The law should establish a level playing field so that candidates are able to run competitive campaigns.

Mr. Neubauer offered several recommendations for achieving these goals.

Mary Kay Baum, former Co-Chair, State Steering Committee, Labor-Farm Party of Wisconsin, commented that the political process is driven by money and favors the wealthy. She offered several suggestions for improving the system, including:

1. Reducing the threshold percentage for the votes that a candidate must receive in the primary election in order to be eligible for public financing;
2. Improving incentives to stay within the statutory spending limits that currently apply if the candidate takes public financing;
3. Improving disclosure requirements to address last-minute television and radio campaigns;
and
4. Mandating free access to the airwaves by all candidates.

R. J. Johnson, Executive Director, Republican Party of Wisconsin, suggested eight changes in the Wisconsin campaign financing law:

1. Eliminate PAC's;
2. Level the playing field with regard to independent expenditures;
3. Allow political parties to communicate with their members without requiring the cost of the communication to be counted as a political contribution;
4. Allow political parties to engage in grassroots spending activity, such as promoting voter turnout;
5. Ban fund raising during legislative sessions;

6. Eliminate the negative checkoff system for raising public financing money;
7. Eliminate legislative campaign committees; and
8. Provide a tax credit for campaign contributions in order to get more people involved in the political process.

Michael Stafford, Treasurer, Libertarian Party of Wisconsin, suggested three goals for improving the campaign financing law:

1. Educate the public and potential candidates about campaign financing rules, including, for example, what the public financing checkoff on tax returns means;
2. Require the complete and accurate reporting of who is making contributions and how the contributions are being spent; and
3. Allocate public funds in a fair and equitable manner.

At the October 14, 1992 meeting, the Special Committee reviewed documents discussing prior legislative recommendations for addressing the problem of false representation in elections; describing efforts at campaign financing reform in other states and Congress; and summarizing state experiments with public financing. The Special Committee also heard from six invited speakers who addressed what they perceived should be the goals of campaign financing regulation.

David Adamany, President, Wayne State University, mentioned that as a former UW professor, he had chaired the Governor's Study Committee on Political Finance, appointed by Governor Patrick Lucey in 1973, that developed recommendations that served as a basis for the Wisconsin campaign financing law. President Adamany said that the objectives of campaign financing regulation have not changed much since 1973, but there has been a change in emphasis. He then listed the five principles included in the Final Report of the 1973 study committee and commented about the relevancy of those principles today. These principles deal with the subjects of expenditure limits; contribution limits; full disclosure; independent enforcement; and public financing. Mr. Adamany commented that, in the broad context, the problems with campaign financing regulation reflect the existence, side-by-side, of a market-oriented economy that rewards the aggregation of wealth and capital and a political system of equality of individuals in the political process. The problem, he said, is how to prevent the market economy from undermining the political system of individual equality.

Richard Collins, President, Wisconsin Education Association Council, suggested that the goals and purposes of campaign financing regulation are to:

1. Make it as easy as possible for citizens to participate in the political process;
2. Increase the perception and reality that citizens can affect the political process;
3. Maintain a high level of public trust in the process;

4. Ensure a level playing field for all candidates; and
5. Provide as much information as possible to the public through full disclosure of campaign financing.

Timothy Cullen, President and C.O.O., Government Programs Division, Blue Cross and Blue Shield United of Wisconsin, expressed the view that what is necessary is to reduce the undue influence of money on the political process. He said that what matters in campaign financing regulation is disclosure. He recommended that the Special Committee develop ways to improve disclosure.

Michael Mawby, Director of Legislation, Common Cause, described several goals of campaign financing regulation:

1. Candidates should not feel that they are in an expenditure "arms race";
2. There should be limits on spending;
3. Races should be fair and competitive;
4. Voters should not feel disillusioned or that small contributions do not count as much as large contributions;
5. The public should not feel that money influences policy; and
6. The law should instill public trust.

Mr. Mawby offered several suggestions for improving Wisconsin's current campaign finance regulatory system and resuscitating the Wisconsin Election Campaign Fund.

Bill Broyderick, President, Broyderick and Associates, Incorporated, and Peter Christianson, Attorney, Quarles and Brady, appeared together. Mr. Christianson suggested that the goals of campaign financing regulation are to:

1. Provide disclosure;
2. Provide balance between the combatants; and
3. Discourage subterfuge.

Mr. Broyderick said that Wisconsin desperately needs to reform its campaign financing law. He said that private contributions should be limited to the threshold amount needed to qualify for public financing and that public funds should be provided for both primary and general election campaigns.

At the November 18, 1992 meeting, the Special Committee reviewed a discussion paper containing recommendations for changes in the Wisconsin campaign financing law. The Committee also reviewed a memorandum addressing miscellaneous questions on state and federal laws

regulating campaign financing and a memorandum containing information on the success of efforts to promote the Endangered Resources Fund tax checkoff system. The Special Committee examined a survey of a public financing tax checkoff promotional project conducted by Common Cause in Portage County. Also reviewed were documents summarizing the financing of political campaigns in states throughout the country and a document describing legislation and litigation on the subject of campaign financing in the 50 states, the District of Columbia and the federal government.

A presentation by R. Roth Judd, Executive Director, State Ethics Board, provided information to the Committee on an Ethics Board opinion that interpreted a provision of the Wisconsin lobbying law and reached the conclusion that a PAC controlled either in law in fact, by an organization employing a lobbyist may not make campaign contributions, except when the lobbying law permits a lobbyist's principal (i.e., employer of a lobbyist) to make contributions (OEB 92-27, dated July 9, 1992). At this meeting, the Special Committee began discussing possible recommendations for changes in current laws governing campaign financing. This discussion was facilitated by a review of Discussion Paper 92-2, setting forth numerous recommendations organized around goals of public financing regulation.

At the December 16, 1992 meeting, the Special Committee reviewed memoranda setting forth the final schedule for financial reports required under the Wisconsin campaign financing law; describing the status of the Special Committee's discussion of possible changes in the regulation of campaign financing in Wisconsin; and providing campaign expenditure data for selected elections for the Wisconsin Senate and the Assembly and for statewide offices. The Special Committee also continued its review of the recommendations set forth in Discussion Paper 92-2.

At the February 24, 1993 meeting, the Special Committee reviewed memoranda containing information on campaign expenditure limits adjusted for cost-of-living increases since December 1985 and providing information on registration fees proposed under the 1993 Executive Budget Bill. The Special Committee also heard from Attorney Roland S. Homet, Jr., Washington D.C., who had been dealing with the subject of the constitutionality of restrictions on campaign contributions, under a grant from the Markle Foundation in New York. He said that the U.S. Supreme Court decision of Buckley v. Valeo, 424 U.S. 1, 96 S. Ct. 612 (1976), was wrongly decided and ripe for reconsideration by the U.S. Supreme Court if a state, such as Wisconsin, revised its campaign financing law without regard to the Buckley decision. For example, he suggested that if Wisconsin revised its law to impose spending limitations not tied to the acceptance of public financing, the revised law would conflict with the ruling of the Court in Buckley and, with the assistance of the Wisconsin Attorney General, litigation could lead to the overturning of the Buckley decision. Mr. Homet distributed several documents relevant to his presentation. The Special Committee continued its discussion of recommendations for changes in the Wisconsin campaign financing regulation, including a memorandum prepared by Chairperson Helbach to facilitate discussion. The Special Committee reached a consensus on several recommendations for changes in the Wisconsin campaign financing law at this meeting.

At its May 26, 1993 meeting, the Special Committee discussed several documents, including a memorandum prepared by Legislative Fiscal Bureau staff which provided data in response to various questions concerning campaign financing in Wisconsin; a second memorandum containing several alternative legislative proposals imposing restrictions on time or place of campaign contributions or political fund-raising activities; and a third memorandum containing additional

topics for discussion by the Special Committee. Preliminary draft legislation prepared for consideration by the Committee was also reviewed.

At its June 7, 1993 meeting, the Special Committee reviewed draft legislation incorporating revisions in the Wisconsin campaign financing law that had been adopted by the Special Committee at its prior meetings and made additional changes in the draft legislation. At this meeting, the Committee also considered two memoranda, one describing proposals adopted by the Special Committee at its previous meeting and the second discussing conduit requirements under current state and federal law, the laws of several other states and proposals before Congress to change the federal law. Chairperson Helbach announced that the draft legislation under consideration by the Special Committee would be revised to reflect the decisions of the Committee at the meeting and sent to Committee members for a final vote by mail ballot.

The draft was approved by a July 2, 1993 mail ballot.

Actions of the Legislative Council

The Committee recommended two proposals to the Legislative Council.

At its October 7, 1993 meeting, the Legislative Council voted to introduce the proposals, which were introduced as 1993 Senate Bill 529, relating to designations for the Wisconsin Election Campaign Fund by individuals filing state income tax returns, income and franchise tax deductions for certain business expenses related to lobbying, public information related to the Wisconsin Election Campaign Fund, eligibility requirements for and the amounts of grants from the Wisconsin Election Campaign Fund, disbursement levels for candidates for certain state offices, independent expenditures in support of or opposition to candidates for certain state offices, campaign contribution limitations, disposition of residual campaign funds, providing an exemption from emergency rule procedures, granting rule-making authority and making appropriations; and 1993 Senate Bill 530, relating to relating to limitation of campaign expenditures by candidates for state and local offices, prohibition of independent expenditures by committees or individuals in support of or opposition to candidates for state and local offices, providing an exemption from emergency rule procedures and granting rule-making authority.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Campaign Financing:

- Wisconsin Legislative Council Report No. 9 to the 1993 Legislature, *Legislation on Campaign Financing (1993 S.B.'s 529 and 530)*, dated October 28, 1993.

Actions of the Legislature

1993 Senate Bill 529 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Senate Bill 530 failed to pass pursuant to 1993 Senate Joint Resolution 1.

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STUDY ASSIGNMENT: The Special Committee is directed to revise and recodify chapter 88 of the statutes and any related statutes, regarding the drainage of lands and the organization and operation of drainage districts, in order to modernize the structure, governance and financing of drainage districts, provide appropriate procedures for planning, construction, operation and maintenance of drains and enable such districts to adequately meet the needs of persons affected by their operation. The Committee is directed to report to the Legislative Council by January 15, 1993. [Based on a March 3, 1992 letter from Rep. Maxine Hough.]

Established and Chairperson appointed by a May 28, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by a July 24, 1992 mail ballot.

15 MEMBERS: 2 Senators; 4 Representatives; and 9 Public Members.

LEGISLATIVE COUNCIL STAFF: Mark C. Patronsky, Senior Staff Attorney; Joseph Jackson Jr., Staff Attorney; and Wendy Ulrich, Support Staff.

(1) Originally appointed as an Assembly member; appointed to continue as a Public Member and Chairperson by a December 23, 1992 mail ballot.

(2) Appointed to the Committee by an August 26, 1992 mail ballot.

DRAINAGE DISTRICT LAWS

Summary of Committee Activity

The Legislative Council established the Special Committee on Drainage District Laws and appointed it Chairperson by a May 28, 1992 mail ballot. The Special Committee was directed to revise and recodify ch. 88 of the statutes and any related statutes, regarding the drainage of lands and the organization and operation of drainage districts, in order to modernize the structure, governance and financing of drainage districts, provide appropriate procedures for planning, construction, operation and maintenance of drains and enable such districts to adequately meet the needs of persons affected by their operation.

The membership of the Special Committee, other than its Chairperson, was appointed by a July 24, 1992 mail ballot. The Committee consisted of two Senators, five Representatives and eight Public Members.

The Special Committee held four meetings at the State Capitol in Madison on the following dates:

September 1, 1992

November 12, 1992

October 6, 1992

December 9, 1992

At the September 1, 1992 meeting, the Special Committee heard testimony from Frederick H. Fleishauer, Circuit Court Judge, Stevens Point. Judge Fleishauer did not recommend eliminating the role of circuit courts with respect to drainage board decisions. He pointed out some of the benefits of using a judicial forum for resolving disputes with respect to drainage districts. However, he said that many judges would rather have this responsibility removed and said that the primary difficulty with the present statutes is that judges may have a conflict of interest when they must supervise drainage board activities and then deal with disputes where the drainage board may be a litigant. The Special Committee also heard testimony from Dale Gasser, State Drainage Engineer, Department of Agriculture, Trade and Consumer Protection (DATCP), and Kenneth G. Johnson, Assistant Chief, Water Regulation Section, Bureau of Water Regulation and Zoning, Department of Natural Resources (DNR). Mr. Gasser described the functions of the DATCP with respect to drainage boards and drainage districts, and commented specifically on the inadequacy of drainage district records and the difficulties of gaining access to those records. Mr. Johnson described the public trust in navigable waters and discussed some of the regulations applicable to drainage activities. The Committee concluded its discussion by raising a number of issues for discussion at future meetings.

At the October 6, 1992 meeting, the Special Committee discussed issues related to the legal liability of drainage board members for their official actions and the availability of liability insurance coverage. At this meeting, the Special Committee discussed extensively the role of circuit courts in supervising drainage board activities and tentatively concluded that most drainage board decisions should be removed from circuit court jurisdiction. The Special Committee also discussed issues related to the maintenance of drainage district records, the procedures for dissolving inactive drainage districts and the function of the county treasurer as drainage board treasurer.

At the November 12, 1992 meeting, the Special Committee reviewed the first draft of its proposal. The Special Committee discussed the draft and directed staff to make a variety of changes for the next meeting, including provisions related to the exceptions to the Open Meetings Law, appeals of drainage board decisions, membership on the drainage board, drainage board members' per diem and appointment of a drainage board treasurer. In addition, the Committee discussed a variety of issues not in the draft and directed staff to include those issues in the next draft, including provisions regarding drainage board and drainage district records, recovery of past capital costs for new connections to a drain, creating a claims procedure for upstream discharges of water and allowing maintenance assessments to be used for the commencement and defense of lawsuits by the board.

At the December 9, 1992 meeting, the Special Committee discussed the draft legislation in detail, as well as six amendments to the draft. The Committee completed its discussion of all of these drafts and gave staff final directions to complete the draft and submit it to the Special Committee for final approval by mail ballot.

The draft was approved by a January 19, 1993 mail ballot.

Actions of the Legislative Council

The Committee recommended one proposal to the Legislative Council.

At its February 18, 1993 meeting, the Legislative Council voted to introduce the proposal which was introduced as 1993 Assembly Bill 994, relating to drainage board and drainage district procedures, granting rule-making authority and making an appropriation.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Drainage District Laws:

- Wisconsin Legislative Council Report No. 14 to the 1993 Legislature, *Legislation on Drainage District Laws (1993 A.B. 994)*, dated December 28, 1993.

Actions of the Legislature

1993 Assembly Bill 994 was enacted as 1993 Wisconsin Act 456, effective May 13, 1994. [Portions were partially vetoed. The Legislature failed to override those vetoes.]

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STUDY ASSIGNMENT: The Special Committee is directed to study state laws, policies and programs to encourage the maximum development and use of energy conservation and indigenous, sustainable energy resources through a combination of: (1) education and technical assistance; (2) state agency demonstration; (3) innovative financial incentives; and (4) state regulation of energy management practices, in order to minimize the amount of nonsustainable energy purchased from out-of-state sources and to enhance economic development and employment in this state. The Committee is directed to report to the Legislative Council by March 1, 1993. [Based on August 1, 1991 and April 6, 1992 letters from Rep. Thomas Seery; an April 8, 1992 letter from Sen. Joseph Leean; an April 14, 1992 letter from Rep. Spencer Black; and an April 15, 1992 letter from Rep. Sheila Harsdorf.]

Established and Chairperson appointed by a June 19, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by an August 26, 1992 mail ballot.

20 MEMBERS: 2 Senators; 4 Representatives; and 14 Public Members.

LEGISLATIVE COUNCIL STAFF: David L. Lovell, Senior Analyst; Mark C. Patronsky, Senior Staff Attorney; and Kathy Annen, Support Staff.

- (1) Originally appointed as an Assembly member; appointed to continue as a Public Member and Chairperson by a December 23, 1992 mail ballot.
- (2) Appointed to the Committee by an October 7, 1992 mail ballot.
- (3) Originally appointed as an Assembly member; appointed to continue as Public Member by a December 23, 1992 mail ballot.
- (4) Appointed by a November 5, 1992 mail ballot to replace Claire Fulenwider, who resigned from the Committee on October 15, 1992.

ENERGY RESOURCES

Summary of Committee Activity

The Legislative Council established the Special Committee on Energy Resources and appointed its Chairperson by a June 19, 1992 mail ballot. The Special Committee was directed to study state laws, policies and programs to encourage the maximum development and use of energy conservation and indigenous, sustainable energy resources through a combination of: (1) education and technical assistance; (2) state agency demonstration; (3) innovative financial incentives; and (4) state regulation of energy management practices, in order to minimize the amount of nonsustainable energy purchased from out-of-state sources and to enhance economic development and employment in this state.

The membership of the Special Committee, other than its Chairperson, was appointed by an August 26, 1992 mail ballot. The Committee consisted of two Senators, six Representatives and 12 Public Members.

The Special Committee held eight meetings at the State Capitol in Madison on the following dates:

September 22, 1992
October 21, 1992
November 11, 1992
December 15, 1992

January 13, 1993
February 18, 1993
March 25, 1993
April 14, 1993

At the September 22, 1992 meeting, the Committee heard testimony by invited speakers. Paul Newman, Assistant Administrator, and Nancy Korda, Advance Plan Coordinator, Electric Division, Public Service Commission (PSC), described the advance plan process, including the efforts to increase public involvement and several specific issues related to the Special Committee's charge that had been addressed in the advance plan process. John Marx, Director, Energy Bureau, and Robert Brandherm, Administrator, Division of Facilities Development, Department of Administration (DOA), gave an overview of DOA programs which relate to energy. Professor Rodney Stevenson, Chairperson, Energy Analysis and Policy Program, University of Wisconsin (UW)-Madison, and a member of the Special Committee, described the history of energy conservation efforts and raised a number of broad questions about state energy policy. Chairperson Seery concluded the meeting by inviting Committee members to describe issues they would like to have discussed by the Special Committee.

At the October 21, 1992 meeting, the Committee heard testimony by Dr. Donald Aitken, Senior Energy Analyst, Union of Concerned Scientists. Dr. Aitken gave an overview of energy issues pertinent to the Committee's charge, focusing on investment in and use of renewable resources. Dr. Aitken gave a number of concrete examples from around the country that illustrated the kinds of savings that are achievable. After Dr. Aitken's testimony, Chairperson Seery asked Committee members to suggest additional issues they would like to have considered by the Special Committee.

At the November 11, 1992 meeting, the Committee heard testimony by invited speakers. Joseph R. Thomas, Manager, Marketing Department, Wisconsin Electric Power Company, and member of the Special Committee, distributed materials describing various demand-side management programs of the Wisconsin Electric Power Company. He described the demand-side management programs, as well as some of the obstacles to the programs. William Skosky, Manager of Business Development, Johnson Controls, Inc., described demand-side management programs undertaken by public utilities throughout the country. After the testimony by invited speakers, the Special Committee commenced discussion of MEMO NO. 2, *Outline of Proposed Elements for an Omnibus Energy Bill*.

At the December 15, 1992 meeting, the Special Committee heard testimony from invited speakers regarding cogeneration and independent power production. Scott Hempling, Attorney at Law, and Barry Huddleston, Regional Manager, Regulatory Affairs, Destec Energy, Inc., described the difficulties that independent power producers have in successfully completing negotiations with utilities regarding independent power production, including some of the state laws that may inhibit independent cogeneration. David Porter, Senior Vice-President, Wisconsin Electric Power Company, described why cogeneration has not been successful in Wisconsin and suggested that the advance plan process should be allowed to set policies for cogeneration. The Special Committee then continued the discussion of Memo No. 2.

At the January 13, 1993 meeting, the Special Committee concluded its discussion of Memo No. 2. The staff was directed to prepare bill drafts based on the Special Committee's discussion of Memo No. 2.

At the February 18, 1993 meeting, the Special Committee heard testimony by invited speakers. Robert Brandherm, Administrator, Division of Facilities Development, and Craig Weiss, Director, Bureau of Engineering, DOA, described the history of state energy programs, the more recent energy conservation measures adopted in Wisconsin and some of the short- and long-term goals for energy use in state-owned facilities. Gary Mathis, Assistant Administrator, Electric Division, PSC, discussed current dockets before the PSC regarding the avoided cost issue for independent power producers. The Committee concluded with a discussion of issues contained in a memorandum from Committee Member Jablonski regarding state energy policy reform.

At the March 25, 1993 meeting, the Special Committee heard testimony by invited speakers. Erwin Schultz, Agricultural Development and Diversification, and James Smith, Administrator, Marketing Division, Department of Agriculture, Trade and Consumer Protection (DATCP), provided the Committee with background information on the use of biomass as a source of energy and the potential in Wisconsin for increasing the use of biomass as a source of energy. Gary Mathis, PSC, described issues regarding avoided costs that had been discussed before the PSC and had been decided by the PSC on the morning of the Special Committee meeting. These issues included the method of calculating an appropriate avoided cost for use in a power purchase contract between a public utility and an independent power producer, how to fix the price in a contract offered by the utility and the queuing of multiple independent power producer requests for contracts. The Committee then commenced discussing a comprehensive bill draft relating to state energy policy.

At its April 14, 1993 meeting, the Committee completed its discussion of the bill drafts that had been prepared by staff. The Special Committee directed the staff to incorporate its decisions

regarding the various bill drafts into three separate bill drafts, assembling the bill drafts according to the degree of consensus achieved by the Special Committee on the individual elements of the bill draft, and to submit the bill drafts to the Special Committee for final approval by mail ballot.

One of the three bill drafts was approved by a May 4, 1993 mail ballot.

Actions of the Legislative Council

The Committee recommended one proposal to the Legislative Council.

At its June 2, 1993 meeting, the Legislative Council voted to introduce the proposal, which was introduced as 1993 Assembly Bill 701, relating to state energy policy, energy use by state and local governmental facilities, regulation of energy consuming products, Governor's energy awards, local land use restrictions regarding wind and solar energy systems, granting rule-making authority and providing a penalty.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Energy Resources:

- Wisconsin Legislative Council Report No. 6 to the 1993 Legislature, *Legislation on Energy Resources (1993 A.B. 701)*, dated September 1, 1992.

Actions of the Legislature

1993 Assembly Bill 701 was enacted as 1993 Wisconsin Act 414, effective May 7, 1993.

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STUDY ASSIGNMENT: The Special Committee is directed to study the underlying causes of farm accidents and injuries and to identify methods to reduce the incidence and seriousness of farm accidents, and to protect the health and safety of farm operators and their families and employes. The Committee is directed to report to the Legislative Council by March 1, 1993. [Based on 1991 Senate Joint Resolution 62; and an April 6, 1992 letter from Sen. Barbara K. Lorman.]

Established and Chairperson appointed by a June 19, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by an October 7, 1992 mail ballot.

19 MEMBERS: 2 Senators; 4 Representatives; and 13 Public Members.

LEGISLATIVE COUNCIL STAFF: Mary Mathias, Staff Attorney and Lisa Struble, Support Staff.

FARM SAFETY

Summary of Committee Activity

The Legislative Council established the Special Committee on Farm Safety and appointed its Chairperson by a June 19, 1992 mail ballot. The Special Committee was directed to study the underlying causes of farm accidents and injuries and to identify methods to reduce the incidence and seriousness of farm accidents and to protect the health and safety of farm operators and their families and employees.

The membership of the Special Committee, other than its Chairperson, was appointed by an October 7, 1992 mail ballot. The Committee consisted of two Senators, four Representatives and 13 Public Members.

The Special Committee held six meetings at the State Capitol in Madison on the following dates:

October 29, 1992	March 18, 1993
December 3, 1992	April 16, 1993
January 7, 1993	May 24, 1993

At its October 29, 1992 meeting, the Special Committee received an overview of the status of farm safety in Wisconsin, activities of state agencies in the area of farm safety and citizen activities aimed at improving farm safety. Specifically, Terry Moen, Section on Occupational Health, Division of Public Health, Department of Health and Social Services (DHSS), described the OSHA's on-site consultation program as it relates to farmers and the farm safety recommendations within *Health Care 2000: A Public Health Agenda for the Year 2000*. William Sheeley, a DHSS public health educator, described how the agency works with local public health agencies promoting farm safety and the types of farm safety programs offered by local public health agencies. Lawrence Hanrahan, a DHSS epidemiologist, overviewed the causes of deaths and injuries suffered by agricultural workers and discussed the existing deficiencies in gathering data on farm-related injuries. Terry Wilkinson, Agricultural Safety and Health Specialist, University of Wisconsin (UW)-Extension, reviewed the activities of the UW-Extension in promoting farm safety. As part of his review, Dr. Wilkinson also discussed the preliminary results of the multi-state Regional Rural Injury Study, which identified handling of dairy animals and tractor rollovers as two major sources of farm injuries in Wisconsin. Dr. Paul Gunderson, Director of the National Farm Medicine Center, Marshfield, discussed causes of farm-related injuries to children, the experience of several European countries in improving safety on their farms and methods by which farm-related injuries to children can be reduced. Last, Professor Ronald Schuler, President of the private Farm Health and Safety Council of Wisconsin, described the composition of the Council, its various activities in promoting farm safety and presented statistics on farm-related deaths and injuries and the methods by which such data is currently collected.

At the December 3, 1992 meeting, the Special Committee received testimony from Gary Manke, Gary Antoniewicz and Jack Kohel, all representing the Midwest Equipment Dealers Association, who described the safety-related activities of farm equipment dealers, rollover

protection structures (ROPS) on tractors and farmers' attitudes toward them and safety in general and obstacles and disincentives to upgrading used farm machinery with safety equipment. L. Dale Baker, product safety engineer for J.I. Case Company, Hinsdale, Illinois, described the great potential of ROPS for reducing farm fatalities and the difficulty in persuading farmers to install and keep ROPS on their tractors. Mr. Baker also described the safety features which have been designed into newer tractors and farm machinery. Linda Adrian, Director of the Grant County Health Department, described the evolution and content of Grant County's farm safety day camp for children, which reached 600 persons in 1992. Robert Beck, Onalaska, Professor Ronald Schuler, UW-Madison, and Gregg Westiggard, Wisconsin Farmers Union, described and supported a research proposal which would evaluate the impact of farm safety hazard audits by linking them to reductions in health insurance premiums. They also discussed the high costs for health insurance paid by farmers. David MacKenzie, Blue Cross and Blue Shield United of Wisconsin, described the underwriting and rating of farmers for purposes of health insurance. He noted that the percentage of policy benefits expended for accidents involving farmers is nearly three times as high as the accident-related benefits paid to the general Wisconsin working population. Michael Moschkau and Captain Robert Young, Division of State Patrol, Department of Transportation (DOT), provided statistics on highway accident rates, by age group, involving tractors and other farm-related machinery. They also viewed the specific statutes relating to farm machinery traveling on the highway.

The January 7, 1993 meeting of the Committee was devoted to Committee discussion of each problem and recommendation which had been made to the Committee in its first two meetings. The major topic groupings discussed were better educating persons working and living on farms about farm hazards and the creation of safe working conditions; increasing the use of ROPS on farm tractors; improving safety equipment on farm machinery used in Wisconsin; removing old, less safe farm machinery from use; reducing fatalities and injuries suffered by children on Wisconsin farms; improving emergency medical services training regarding farm-related injuries; and reducing highway accidents involving tractors and other farm equipment.

At its March 18, 1993 meeting, the Committee reviewed the results of an extensive survey of farm machinery dealers, UW-Extension agricultural agents and local public health agencies regarding farm safety education programs at the local level. The Committee also reviewed results of a related survey of farm equipment dealer practices related to safety equipment on machinery which they serviced or sold. Other topics discussed by the Committee included requiring ROPS on tractors operated by youthful employees; improving lighting of farm implements operated on the highway; developing incentives for retrofitting ROPS on older tractors; prohibiting passengers on implements of husbandry when operating on the highway; creating a council on farm safety; improving the availability of child care for farm children, as a means of removing them from the hazards of the farm workplace; and improving training of emergency medical technicians in responding to farm-specific emergency situations. A number of drafting requests resulted from the Committee's discussion.

At its April 16, 1993 meeting, the Committee heard from Dean Ayse Somersan, Cooperative Extension Division, UW-Extension, who discussed UW-Extension's current activities in the area of farm safety and those resources which would be necessary to develop a statewide tractor and machinery operation safety training course. The Committee also received the results of a survey of the farm safety education activities of the top 20 providers of farm insurance in Wisconsin. The

remainder of the meeting was devoted to Committee review and discussion of draft legislation relating to farm equipment dealer practices relating to safety; content of driver education courses; requiring additional reflectors on overwidth equipment; highway operation of farm equipment by youthful operators; and gathering of additional data on farm-related injuries.

The May 24, 1993 meeting was devoted to completing work on a number of the drafts previously discussed by the Committee, as well as an extensive discussion of authorizing an agricultural safety and health center in the UW-Extension, farm equipment dealer safety practices and requiring safety certification of youthful operators before operating farm equipment on highways. The Committee reached tentative agreement on the remaining issues before it, pending a mail ballot on the resulting drafts.

Actions of the Legislative Council

The Committee recommended one proposal to the Legislative Council.

At its October 6, 1993 meeting, the Legislative Council voted to introduce the proposal, which was introduced as 1993 Assembly Bill 821, relating to creating an agricultural safety and health center in the University of Wisconsin System, farm safety programs, content of driver education courses, sales of farm equipment, liability arising out of fabricating safety devices for farm equipment, highway operation of agricultural machinery, requiring amber reflectors on overwidth implements of husbandry, making an appropriation and providing a penalty.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Farm Safety:

- Wisconsin Legislative Council Report No. 8 to the 1993 Legislature, *Legislation on Farm Safety (1993 A.B. 821)*, dated October 26, 1993.

Actions of the Legislature

1993 Assembly Bill 821 was enacted as 1993 Wisconsin Act 455, effective May 13, 1994.

For further information, see:

- Wisconsin Legislative Council Staff Information Memorandum 94-12, *New Law Relating to Farm Safety (1993 Wisconsin Act 455)*, dated May 11, 1994.

FOSTER CARE AND OTHER OUT-OF-HOME PLACEMENTS,
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STUDY ASSIGNMENT: The Special Committee is directed to study the state's current foster care system and other out-of-home placements, including an examination of alternatives to out-of-home placements for children, the permanency planning process and programs for foster parents. The Committee is directed to report to the Legislative Council by March 1, 1993. [Based on a February 12, 1992 letter from Rep. Sheila Harsdorf; April 14, 1992 letters from Reps. Jeannette Bell and from Alberta Darling; and an April 15, 1992 letter from Sen. William Berndt.]

Established and Chairperson appointed by a May 28, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by an August 26, 1992 mail ballot.

25 MEMBERS: 4 Senators; 2 Representatives; and 19 Public Members.

LEGISLATIVE COUNCIL STAFF: Pam Russell and Russ Whitesel, Senior Staff Attorneys; Jane Henkel, Deputy Director; and Kathy Follett, Support Staff.
(1) Originally appointed as a Senate member; appointed to continue as a Public Member and Secretary by a December 23, 1992 mail ballot.
(2) Originally appointed as an Assembly member; appointed to continue as a Senate member by a December 23, 1992 mail ballot.
(3) Originally appointed as an Assembly member; appointed to continue as a Public Member by a December 23, 1992 mail ballot.

FOSTER CARE AND OTHER OUT-OF-HOME PLACEMENTS,
SPECIAL COMMITTEE ON

SUBCOMMITTEE ON FAMILY PRESERVATION

Chairperson

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STUDY ASSIGNMENT: Appointed by Senator Gary George on November 17, 1992, the Subcommittee is to develop recommendations for a family preservation or other prevention or early intervention program to provide home and community-based services to families of children at risk of being placed outside of their homes.

8 MEMBERS: 2 Representatives and 6 Public Members.

LEGISLATIVE COUNCIL STAFF: Pam Russell, Senior Staff Attorney.

FOSTER CARE AND OTHER OUT-OF-HOME PLACEMENTS

Summary of Committee Activity

The Legislative Council established the Special Committee on Foster Care and Other Out-of-Home Placements and appointed its Chairperson by a May 28, 1992 mail ballot. The Special Committee was directed to study the state's current foster care system and other out-of-home placements, including an examination of alternatives to out-of-home placements for children, the permanency planning process and programs for foster children.

The membership of the Special Committee, other than its Chairperson, was appointed by an August 26, 1992 mail ballot. The Committee consisted of four Senators, two Representatives and 20 Public Members.

The Special Committee held six meetings at the State Capitol in Madison on the following dates:

September 14, 1992

October 20, 1992

November 17, 1992

December 15, 1992

January 19, 1993

March 2, 1993

At the September 14, 1992 meeting, members of the Special Committee introduced themselves and described their backgrounds and interests in foster care. Committee members generally acknowledged a crisis in foster care in Wisconsin, including a significant increase in the number of children placed in out-of-home care and the length of time that children stay in such care. Committee members discussed ways to prevent children from being placed in foster care and other out-of-home placements and ways to help the child welfare system achieve the goal of permanent placements of children. Committee members also discussed the need for changes in laws relating to termination of parental rights (TPR) and adoption. Committee staff described Staff Brief 92-10, *Overview of Foster Care and Other Out-of-Home Placements*, dated September 11, 1992. Committee members concluded the meeting by discussing specific areas for recommendations for legislation.

At the October 20, 1992 meeting, the Committee received testimony from representatives of the Bureau for Children, Youth and Families, Division of Community Services, Department of Health and Social Services (DHSS), regarding: (a) the DHSS's compliance with the Federal Adoption Assistance and Child Welfare Act of 1980; (b) the level and effectiveness of state oversight of permanency planning for children in out-of-home placements; (c) the system for setting the basic foster care rate and rates for group homes and child caring institutions; and (d) the reasons for large increases in the total amount of state and federal funding spent on substitute care for children between 1988 and 1992. Committee members discussed at length the lack of meaningful program reviews of cases of children in out-of-home placements, at both the state and federal levels. A representative of the Special Needs Adoption Network of Wisconsin described the Network and possible ways to improve the child welfare system to allow children to be placed as quickly as possible into permanent settings. In this context, Committee members generally discussed a need for permanent placements for special needs children. Committee members also discussed possible

changes to Wisconsin's child welfare system that would allow services to be provided in the home, rather than placing children in out-of-home placements that may not be necessary. Committee staff provided information relating to legislation from previous legislative sessions on foster parent training, permanency planning and proceedings for children in need of protection or services and summarized a memorandum describing rates for foster care, group homes and child caring institutions.

At the November 17, 1992 meeting, Committee members discussed bill drafts relating to: (a) expanding juvenile court jurisdiction based on sexual or physical abuse of a child's sibling; and (b) membership of permanency plan review panels and expanding the role of foster parents and guardians ad litem in the permanency plan review process. Committee members reviewed materials provided by the DHSS relating to average foster care payments, by county, and discussed information available to foster parents throughout the state relating to supplemental payments and payments in exceptional circumstances. Committee members also discussed general subject areas for proposed legislation, including recruitment of foster parents, changes in the procedures for TPR and family preservation services (i.e. services to prevent removal of children from their homes or to make possible the reunification of children with their parents after the child has been placed outside of the home). Chairperson George appointed the Subcommittee on Family Preservation.

At the December 15, 1992 meeting, Committee members discussed a proposal developed by the DHSS to allow counties to place foster children in foster homes in other counties under specific circumstances. A representative of the Children's Service Society in Milwaukee made a presentation to the Committee on that agency's efforts to recruit foster parents. Committee members also received testimony from representatives of Milwaukee County on ways to shift spending from out-of-home placements to cost-saving early intervention and prevention strategies. The representatives from Milwaukee County noted that the amount Milwaukee County currently spends on out-of-home placements is almost double the amount spent in 1986 and it is projected that Milwaukee County's expenditures for out-of-home placements will double again by the year 1998 if changes are not made in the current system. Committee members and representatives from Milwaukee County also discussed the link between increased child abuse and neglect reports and the number and duration of out-of-home placements. Committee staff described a bill draft prepared for the Special Committee relating to membership of permanency plan review panels. The draft included a number of different alternatives proposed by Committee members.

At the January 19, 1993 meeting, the Committee heard testimony from a representative from the Michigan Department of Social Services regarding the Michigan "Families First" Program, a type of family preservation program funded by state and federal dollars. The Families First Program started in the most populous Michigan counties in 1987, with a \$5.6 million appropriation. The program now operates in all 83 counties in Michigan with an \$18 million budget (state funds) and 50% reimbursement from federal funds under Title IV-A of the Social Security Act. Committee members generally discussed the differences between the current child welfare system in Wisconsin and the Families First Program in operation in Michigan.

At the March 2, 1993 meeting, Committee members reviewed drafts prepared by staff relating to: (a) issues affecting foster parents; (b) the permanency planning process; (c) procedures for TPR and adoption; (d) family preservation services and improvement in the child welfare system; and (e) miscellaneous proposals suggested by Committee members. Committee members

approved a number of the drafts, approved other drafts as amended, and rejected or tabled certain drafts. The Committee authorized Chairperson George to combine drafts into one or more bills and Senator George described the process of presenting the Special Committee's recommendations to the Legislative Council.

Subcommittee on Family Preservation

The Subcommittee held three meetings at the State Capitol in Madison on the following dates:

December 15, 1992
February 2, 1993
February 16, 1993

At the December 15, 1992 meeting, Subcommittee members discussed developing recommendations relating to: (a) providing an intensive assessment and services program for families where a child has been removed from the home; (b) funds to decrease caseloads of child welfare workers in Milwaukee County; (c) providing funds for counties to plan and implement changes in the county's child welfare system, with the goals of decreasing the use of out-of-home care, decreasing children's length-of-stay in out-of-home care and decreasing the incidence of child abuse and neglect; and (d) creating an administrative body that would have oversight over statewide child welfare systems reform, provide advice to the executive and legislative branches and provide technical assistance to communities regarding good child welfare practices.

At the February 2, 1993 meeting, the Subcommittee reviewed drafts prepared by staff relating to foster care caseload reductions, child welfare system reform grants, foster parent training and a child welfare council. Subcommittee members granted preliminary approval to several of the drafts and requested staff to make various changes in the drafts for its consideration at the next meeting. The Subcommittee decided to table the draft creating a child welfare council. Subcommittee members also discussed ways that current and anticipated state funds could be used to leverage federal funds to provide more family preservation and other types of in-home services to prevent the removal of children from their homes.

At the February 16, 1993 meeting, Subcommittee members gave final approval to drafts relating to: (a) an amendment to the foster parent training draft under consideration by the full Committee; (b) creating planning grants so that counties may develop long-term plans for improving their child welfare system; and (c) providing funds for Milwaukee and other counties for the purpose of reducing the caseloads of child welfare workers and county staff involved in TPR proceedings. The Subcommittee also discussed a memorandum, prepared by Legislative Fiscal Bureau staff, relating to family preservation services and directed Committee staff to prepare a draft to increase the state's ability to capture federal funds for family preservation services.

Actions of the Legislative Council

The Committee recommended three proposals to the Legislative Council.

At its May 27, 1993 meeting, the Legislative Council voted to introduce the proposals which were introduced as 1993 Senate Bill 570, relating to juvenile court jurisdiction over a child who is alleged to be in need of protection or services based on abuse or neglect of another child in the home, holding a child in physical custody based on abuse or neglect of another child in the home, the appointment of a guardian ad litem for a child placed in out-of-home care and the duration of the appointment of a guardian ad litem appointed under the children's code, notification to a putative father regarding proceedings to determine whether a child is in need of protection or services, paternity determination proceedings, the release of certain information regarding a foster child to foster parents, membership of permanency plan review panels, grounds for involuntary termination of parental rights, authorizing a county department of human services or social services to license foster homes in other counties, notifying foster parents of supplemental foster care payments, appeals of orders terminating parental rights, a study of out-of-home placements of children, a study of a county-level intensive family education center program and granting rule-making authority; 1993 Senate Bill 571, relating to family preservation services, child welfare systems reform grants, foster care caseload reduction grants, Milwaukee County foster care length-of-stay reduction grants, foster parent training requirements and grants, African American foster parent recruitment grants, foster care reimbursement, granting rule-making authority and making appropriations; and 1993 Senate Bill 572, relating to foster homes and treatment foster homes, granting rule-making authority and making an appropriation.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Foster Care and Other Out-of-Home Placements:

- Wisconsin Legislative Council Report No. 10 to the 1993 Legislature, *Legislation on Foster Care and Other Out-of-Home Placements (1993 S.B.'s 570, 571 and 572)*, dated November 23, 1993.

Actions of the Legislature

1993 Senate Bill 570 was enacted as 1993 Wisconsin Act 395, effective May 5, 1994.

1993 Senate Bill 571 failed to pass pursuant to 1993 Senate Joint Resolution 1. However, portions of the Bill were enacted as part of 1993 Wisconsin Act 437 (the Budget Adjustment Act). [See SECS. 19, 23 and 61 of Act 437.]

1993 Senate Bill 572 failed to be concurred in pursuant to 1993 Senate Joint Resolution 1. However, 1993 Wisconsin Act 446 included provisions on foster homes and treatment foster homes that are substantially the same as Senate Bill 572.

For further information see:

- Wisconsin Legislative Council Staff Information Memorandum 94-6, *New Law Relating to Foster Care and Other Out-of-Home Placements (1993 Wisconsin Act 395)*, dated April 29, 1994.

GENETIC AND MEDICAL INFORMATION,
SPECIAL COMMITTEE ON

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STUDY ASSIGNMENT: The Special Committee is directed to review advances in human genetics and medical research and knowledge and study the implications of these advances on health care, treatment of health care records, provision of insurance, employment and other related areas. The Committee is directed to report to the Legislative Council by January 15, 1993. [Based on an April 15, 1992 letter from Rep. Marlin D. Schneider.]

Established and Chairperson appointed by a May 28, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by a July 24, 1992 mail ballot.

21 MEMBERS: 1 Senator; 4 Representatives; and 16 Public Members.

LEGISLATIVE COUNCIL STAFF: Bill Ford, Senior Staff Attorney; John Stolzenberg, Staff Scientist; and Lisa Struble, Support Staff.

- (1) Originally appointed as an Assembly member; appointed to continue as a Public Member and Vice-Chairperson by a December 23, 1992 mail ballot.
- (2) Appointed to the Committee by an October 7, 1992 mail ballot.
- (3) Appointed to the Committee at the February 18, 1993 Legislative Council meeting.
- (4) Appointed to the Committee by an October 7, 1992 mail ballot to replace James Eldridge, who resigned from the Committee on September 29, 1992.

GENETIC AND MEDICAL INFORMATION

Summary of Committee Activity

The Legislative Council established the Special Committee on Genetic and Medical Information and appointed its Chairperson by a May 28, 1992 mail ballot. The Special Committee was directed to review advances in human genetics and medical research and knowledge and to study the implications of these advances for health care, treatment of health care records, provision of insurance, employment and other related areas.

The membership of the Special Committee, other than its Chairperson, was appointed by a July 24, 1992 mail ballot. The Committee consisted of one Senator, four Representatives and 16 Public Members.

The Special Committee held seven meetings at the State Capitol in Madison on the following dates:

September 9, 1992

October 21, 1992

January 7, 1993

February 9, 1993

March 12, 1993

August 25, 1993

September 27, 1993

At the September 9, 1992 meeting, the Committee heard a presentation by Dr. Richard A. Spritz, M.D., Professor of Medical Genetics and Pediatrics, I-Madison. Dr. Spritz presented a slide show and gave a presentation on the subject of genetics, genetic technology and the Human Genome Project. In addition, the Committee heard a presentation by Dr. Norman C. Fost, Director of the Program in Medical Ethics, University of Wisconsin (UW)-Madison. Dr. Fost gave a presentation on the ethical and moral considerations and concerns raised by genetic testing. At this meeting, Committee member Dr. Laxova suggested that the Committee should consider developing a council on genetic testing and screening, both to monitor technologies used in genetic screening and to report to the Legislature periodically.

At the October 21, 1992 meeting, the Committee discussed MEMO NO. 1, *Issues and Alternatives Pertaining to the State Mandatory Screening Program for Congenital and Metabolic Disorders Which Could Be Pursued by the Special Committee*, dated October 14, 1992. Following this discussion, Chairperson Schneider directed staff to draft a proposal directing the Department of Health and Social Services (DHSS), by statute, to specify by rule criteria for selecting or deleting tests administered under the newborn screening program. Chairperson Schneider also directed staff to prepare a draft creating an advisory committee for prenatal and postnatal masks screening for congenital or metabolic disorders. The Committee also discussed MEMO NO. 2, *Alternatives to Current Laws Relating to Genetic Testing in the Workplace and for Insurance*, dated October 14, 1992. During this discussion, the Committee adopted, by unanimous consent, a motion to have staff draft a definition of "genetic testing" for purposes of state laws relating to the use of genetic test information by insurers and employers, based upon a definition of "genetic information" set forth on page 643 of "State Legislative Efforts to Regulate Use and Potential Misuse of Genetic Information," American Journal of Human Genetics, Volume 51, pages 637-647, 1992, which had

been previously distributed to the Committee. The Committee then briefly discussed an alternative for drafting relating to what activities constitute "informed consent" for purposes of authorizing genetic testing of employees. Following this discussion, Chairperson Schneider directed staff to prepare an issue paper on the "informed consent" issue for consideration by the Special Committee.

At the January 7, 1993 meeting, the Committee reviewed and adopted revisions to the draft legislation, requested by the Committee at its October 21, 1992 meeting on: (1) testing for congenital and metabolic disorders; (2) creating a council on hereditary and congenital disorders; (3) genetic information in the workplace; and (4) limiting the use of genetic information by insurers. In addition, the Committee discussed MEMO NO. 3, *Information Relating to Informed Consent for Purposes of Authorizing Genetic Testing of Employees Under Certain Circumstances*, dated November 23, 1992. Following discussion of this Memo, Chairperson Schneider directed staff to prepare a draft amending s. 111.372, Stats., to provide that the statute does not prohibit the genetic testing of an employee who requests a genetic test from a physician he or she designates and who provides a copy of the informed consent statement, signed by the physician, to the employer and who is informed by the employer of the allowable uses of the genetic test results.

At the February 9, 1993 meeting, the Committee adopted a motion recommending a draft, relating to testing for congenital and metabolic disorders, to the Legislative Council for introduction in the 1993 Legislature. In addition, the Committee discussed the draft, relating to creating a council on hereditary and congenital disorders, and recommend this draft to the Legislative Council for introduction in the 1993 Legislature. The Committee discussed a draft, relating to limiting the use of genetic information by insurers. Following discussion of this draft, Chairperson Schneider directed staff to prepare a new draft that would contain options to the provisions of the draft including those proposed by Committee member Dr. Mischler. The Committee also engaged in further discussion of Memo No. 2. Following this discussion, the Committee adopted motions directing staff to prepare drafts: (1) increasing the dollar limit on the State Life Insurance Fund from \$10,000 to \$50,000 and providing that the State Life Insurance Fund be precluded from requiring genetic tests or using genetic test results; and (2) prohibiting insurers from requiring genetic testing or using genetic test results for purposes of obtaining insurance with respect to life insurance coverage of \$25,000 or less for an individual.

At its March 12, 1993 meeting, the Committee moved to recommend the draft, relating to limits on the State Life Insurance Fund, to the Legislative Council for introduction in the 1993 Legislature. Subsequent to this motion, the Committee adopted a motion revising the draft to require that a letter be sent to individuals currently insured under the State Life Insurance Fund, notifying them of additional coverage under state law within one year of the draft being enacted into law. In addition, the Committee recommended the draft, relating to limiting the use of genetic information by insurers writing life insurance coverage, to the Legislative Council for introduction in the 1993 Legislature. Subsequent to this motion, the Committee adopted a motion directing staff to prepare an amendment to the draft to restrict its provisions to a person who, at the time of application, has no more than \$25,000 of life insurance coverage on a policy that is individually underwritten, except for the State Life Insurance Fund. In addition, the Committee adopted motions recommending the drafts to the Legislative Council for introduction in the 1993 Legislature relating to: (1) informed consent and genetic testing in the workplace; and (2) genetic testing in employment situations. The Committee also discussed and requested further revision of the draft, which had been prepared in response to the Committee's request, at its February 9, 1993 meeting,

for a draft with alternative language suggested by Committee member Dr. Mischler. At this meeting, Chairperson Schneider appointed the Working Group on Genetic Testing Issues and directed the Working Group to develop recommendations for the Committee's consideration relating to genetic testing in the workplace and for insurance. [This Working Group did not meet or recommend any legislative proposals to the Committee.]

At its August 25, 1993 meeting, the Committee amended the draft, relating to limiting the use of genetic information by insurers writing life insurance coverage, that had been approved by the Committee at its March 12, 1993 meeting and also directed staff to revise the draft, relating to limits on the State Life Insurance Fund, to be consistent with this amendment. In addition, the Committee, by unanimous consent, approved a motion to amend the draft, relating to genetic testing for insurance purposes, to clarify that the limitations on genetic testing also apply to a fetus and approved a motion to recommend the draft, as amended, to the Legislative Council for introduction in the 1993 Legislature.

At the September 27, 1993 meeting, the Committee discussed a draft, relating to genetic testing in the workplace. Following this discussion, staff was requested to revise the draft for submission to the Special Committee for approval by mail ballot. The Committee also discussed MEMO NO. 4, *Alternatives to Current Laws Relating to the Confidentiality of Medical Records*, dated September 21, 1993. During the course of this discussion, the Committee requested staff to prepare and submit to the Committee for approval by mail ballot relating to: (1) the definition of patient health care "record"; (2) release of a patient's health care records to the patient; (3) the recording of the release of patient health care records by a person who is not a health care provider and inspection of the recording; (4) the recording of the release of patient health care records by a health care provider; (5) uniform statewide patient identification numbers; (6) challenges to the accuracy of patient health care records; (7) limitations on a subpoena of health care provider records; (8) access to patient health care records of minors; (9) fees for patient health care records released without informed consent; (10) informed consent for the disclosure of patient health care records; (11) release of patient health care records under certain circumstances; and (12) release of medical records relating to HIV tests by an agent of a deceased person.

In addition, the Committee requested that a letter be sent from the Committee to the Commissioner of Insurance requesting that the Commissioner consult with the Privacy Advocate in conducting the studies mandated by 1993 Wisconsin Act 16 that relate to standards for transactions between health care providers and health insurers and the use of uniform machine-readable health insurance identification cards and related computerized support systems. The Committee also directed that a letter be sent from the Committee to the Secretary of Health and Social Services, the Director of the State Historical Society and the Commissioner of Insurance, requesting a study of state policies and regulations on the retention of patient health care records of deceased individuals.

By a December 2, 1993 mail ballot, the Committee voted to recommend the draft relating to genetic testing in the workplace and the 12 drafts relating to medical records to the Legislative Council for introduction in the 1993 Legislature. Following the mail ballot, Chairperson Schneider directed that the 12 drafts relating to medical records be combined into a single draft. In addition, Chairperson Schneider directed that three bill drafts previously approved by the Committee relating to genetic testing and insurance and the State Life Insurance Fund be combined into a single draft.

Chairperson Schneider also directed combination of two other bill drafts previously approved by the Committee, relating to creating a council on hereditary and congenital disorders, and testing for congenital metabolic disorders.

Actions of the Joint Legislative Council

The Committee recommended four proposals to the Joint Legislative Council.

At its February 3, 1994 meeting, the Joint Legislative Council introduced two of the proposals, which were introduced as 1993 Assembly Bill 1264, relating to creating the Council on Hereditary and Congenital Disorders, testing for congenital and metabolic disorders and granting rule-making authority, and 1993 Assembly Bill 1265, relating to patient health care records, mental health records and pupil records.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Genetic and Medical Information:

- Wisconsin Legislative Council Report No. 19, *Legislation on Genetic and Medical Information (1993 A.B.'s 1264 and 1265)*, dated June 28, 1994.

Actions of the Legislature

1993 Assembly Bill 1264 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Assembly Bill 1265 failed to pass pursuant to 1993 Senate Joint Resolution 1.

ISSUES RELATING TO HUNGER PREVENTION,
SPECIAL COMMITTEE ON

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STUDY ASSIGNMENT: The Special Committee is directed to study the problem of hunger in Wisconsin. Specifically, the Committee is directed to: (1) review the extent and causes of hunger in Wisconsin; (2) examine current programs directed at alleviating hunger; and (3) develop initiatives to reduce the incidence of hunger and lack of adequate nutrition in Wisconsin's population. The Committee is directed to report to the Legislative Council by March 1, 1993. [Based on SECTION 9136 (1n) of 1991 Assembly Bill 91; January 31 and April 10, 1992 letters from Rep. Harvey Stower; letters from 16 additional Legislators; and numerous letters and postcards from citizens throughout Wisconsin.]

Established and Chairperson appointed by a May 28, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by a July 24, 1992 mail ballot.

18 MEMBERS: 1 Senator; 4 Representatives; and 13 Public Members.

LEGISLATIVE COUNCIL STAFF: Laura Rose, Senior Staff Attorney; Dan Fembach, Senior Staff Attorney; and Kathy Follett, Support Staff.

- (1) Appointed to the Committee by an August 26, 1992 mail ballot; resigned from the Committee on February 2, 1993.
- (2) Appointed to the Committee by an August 26, 1992 mail ballot as an Assembly member, appointed to continue as a Public Member by a December 23, 1992 mail ballot.
- (3) Originally appointed as an Assembly member; appointed to continue as a Public Member by a December 23, 1992 mail ballot.
- (4) Appointed to the Committee by an October 7, 1992 mail ballot.

HUNGER PREVENTION

Summary of Committee Activity

The Legislative Council established the Special Committee on Issues Relating to Hunger Prevention and appointed its Chairperson by a May 28, 1992 mail ballot. The Special Committee was directed to study the problem of hunger in Wisconsin. Specifically, the Committee was directed to: (1) review the extent and causes of hunger in Wisconsin; (2) examine current programs directed at alleviating hunger; and (3) develop initiatives to reduce the incidence of hunger and lack of adequate nutrition to Wisconsin's population.

The membership of the Special Committee, other than its Chairperson, was appointed by a July 24, 1994 mail ballot. The Committee consisted of one Senator, six Representatives and 11 Public Members.

The Special Committee held seven meetings on the following dates (except as otherwise indicated, all of the meetings were held at the State Capitol in Madison):

August 25, 1992	December 16, 1992
September 23, 1992 (Menomonie)	January 29, 1993
October 1, 1992 (Milwaukee)	March 8, 1993
November 5, 1992	

At its August 25, 1992 meeting, the Special Committee heard from representatives of the Department of Public Instruction (DPI) and the Department of Health and Social Services (DHSS) who gave testimony regarding the various state and federally funded food and nutrition programs administered by those agencies. Specifically, the Committee heard from Richard A. Mortenson, Director, Bureau for Food and Nutrition Services, DPI, who discussed the National School Breakfast and School Lunch Programs. The Committee also received a presentation from Richard Zynda, Welfare Reform Manager, Division of Economic Support, DHSS, who reviewed the state's participation in the federally funded Food Stamp Program (FSP), The Emergency Food Assistance Program (TEFAP) and the Soup Kitchen/Food Bank (SK/FE) Program. Dr. Richard A. Aronson, M.D., Chief Medical Officer for Maternal and Child Health, Division of Health, DHSS, explained the main features of the Special Supplemental Food Program for Women, Infants and Children (WIC); and Donna McDowell, Director, Bureau on Aging, DHSS, reviewed the federally funded Congregate Meals and Home-Delivered Meals Programs which provide nutritional services to Wisconsin senior citizens.

At its September 23, 1992 public hearing in Menomonie, the Special Committee solicited specific testimony on the extent of hunger and malnutrition in the rural parts of the state and how existing federal and state programs could be improved to better meet the needs of citizens in rural areas. At the Menomonie public hearing, 14 people presented testimony to the Special Committee, including local elected officials, community action program directors, nutrition and health care professionals, volunteers and participants in elderly nutrition programs, local human services program directors and others.

At its October 1, 1992 public hearing in Milwaukee, the Special Committee received testimony regarding the problems of hunger and malnutrition in Milwaukee and other urban areas and the steps the State of Wisconsin should be taking to better meet the nutritional needs of its citizens. At the Milwaukee hearing, 16 people made presentations to the Special Committee, including City of Milwaukee public health officials, Milwaukee Public School officials and school nutrition service workers, food bank and food pantry directors, charitable and religious social service agency representatives, professional nutritionists and nutrition education workers, advocacy group representatives and others.

At its November 5, 1992 meeting, the Special Committee heard testimony from Theresa Bowman, Midwest Regional Director, Food and Nutrition Service, U.S. Department of Agriculture, regarding the operation of the federally funded School Breakfast Program and the need for greater local community support for the program. The Special Committee also reviewed a discussion paper, prepared by the Legislative Council Staff, outlining recent legislative initiatives to deal with the problems of hunger and malnutrition and summarizing the proposals for state action recommended by persons testifying at the September 23, 1992 and October 1, 1992 public hearings.

At its December 16, 1992 meeting, the Special Committee discussed with representatives from the DHSS certain problems relating to a suggestion made to the Committee that monthly income reporting by food stamp recipients be eliminated. The Special Committee then reviewed and discussed proposals for a tax credit for food donations by businesses to food banks and pantries and the elimination of certain paperwork requirements imposed on food banks and pantries under TEFAP and the SK/FB Program. Finally, the Special Committee reviewed a series of preliminary motions for the preparation of draft legislation and, by consensus, directed the staff to prepare bill drafts for review and discussion by the Committee at its next meeting.

At its January 29, 1993 meeting, the Special Committee reviewed and discussed 11 bill drafts related to the following topics: the earned income tax credit (EITC); school nutrition programs; business food donation tax credit; community-based hunger prevention start-up grants; a "Good Samaritan" food donation law education program; appropriation increases for certain elderly nutrition programs; and the specialized transportation assistance program for counties; the FSP; direct certification of children eligible for free and reduced-priced school meals; creation of a council on hunger in Wisconsin; and goals for eliminating hunger in Wisconsin. The Special Committee directed staff to make changes in several of the drafts and to prepare an additional bill draft for the Committee's review and final action at its next meeting.

At its March 8, 1993 meeting, the Special Committee reviewed, discussed and voted to recommend the bill drafts to the Legislative Council for introduction in the 1993-94 Legislature relating to: (1) changing eligibility for, and increasing, the earned income tax credit; (2) the earned income tax credit and making an appropriation; (3) providing state payments to school districts and private schools for school breakfast programs and making an appropriation; (4) the establishment of a business tax credit for food donations; (5) creating a food donation education program and making an appropriation; (6) the specialized transportation assistance program for counties, certain elderly nutrition projects and making an appropriation; (7) establishing a food stamp outreach grant program, food stamp applications, reporting under the food stamp program and making an appropriation; (8) the implementation of direct certification of eligibility for school nutrition programs and increasing an appropriation; (9) eliminating hunger in Wisconsin; (10) creating a

council on hunger in Wisconsin and community-based hunger prevention start-up grants; and (11) requiring the department of health and social services to request a waiver of certain food stamp regulations which govern the calculation of self-employment income.

The Special Committee, by unanimous consent, directed that all of the above drafts be combined into a single bill draft to be submitted to the Legislative Council. The Committee also approved a draft of a joint resolution to eliminate hunger in Wisconsin.

Actions of the Legislative Council

The Committee recommended two proposals to the Legislative Council.

At its May 27, 1993 meeting, the Legislative Council voted to introduce the proposals which were introduced as 1993 Assembly Joint Resolution 62, relating to eliminating hunger in Wisconsin and to memorializing the Congress and President of the United States to eliminate hunger in the United States by the year 2000; and 1993 Assembly Bill 582, relating to providing an outreach program for the earned income tax credit, providing state aid to school districts and private schools for breakfast programs, establishing a business income and franchise tax credit for food donations, creating a food donation education program, the specialized transportation assistance program for counties and certain elderly nutrition projects, establishing a food stamp outreach grant program, changing applications and reporting procedures under the food stamp program, requiring the department of health and social services to request a waiver of certain federal food stamp regulations, providing for the direct certification of eligibility for school nutrition programs, creating a board on hunger, establishing community-based hunger prevention start-up grants and making appropriations.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Hunger Prevention:

- Wisconsin Legislative Council Report No. 5 to the 1993 Legislature, *Legislation on Issues Relating to Hunger Prevention (1993 A.J.R. 62 and A.B. 582)*, dated July 7, 1993.

Actions of the Legislature

1993 Assembly Joint Resolution 62 failed to be adopted pursuant to 1993 Senate Joint Resolution 1.

1993 Assembly Bill 582 was enacted as 1993 Wisconsin Act 168, effective April 13, 1994.

For further information see:

- Wisconsin Legislative Council Staff Information Memorandum 94-3, *New Law Relating to Hunger Prevention (1993 Wisconsin Act 168)*, dated April 27, 1994.

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STUDY ASSIGNMENT: The Committee is directed, pursuant to s. 13.83 (1), Stats., to (a) review remedial legislation based on nonsubstantive changes recommended by agencies; (b) review court decisions and opinions of the Attorney General which state that a statute is unconstitutional, ambiguous or otherwise in need of revision; (c) review Revisor's correction bills; (d) review suggestions for major codifications and revisions of the statutes; (e) cooperate with the Revisor of Statutes in identifying statutory provisions in need of revision; and (f) perform functions related to interstate compacts and agreements.

Established biennially, pursuant to s. 13.83 (1), Stats.

10 MEMBERS: 4 Senators and 6 Representatives. Members appointed by a December 23, 1992 mail ballot.

LEGISLATIVE COUNCIL STAFF: Janice Baldwin, Senior Staff Attorney; Laura Rose, Senior Staff Attorney; and Pat Coakley, Fiscal Staff.

(1) Appointed to the Committee as Assembly Co-Chairperson at the February 18, 1993 Legislative Council meeting.

(2) Appointed to the Committee at the February 18, 1993 Legislative Council meeting.

LAW REVISION

Summary of Committee Activity

The Law Revision Committee was created by the Legislative Council at its May 30, 1980 meeting, as a statutory committee of the Council, pursuant to s. 13.83 (1), Stats., as created by Ch. 204, Laws of 1979. The membership of the Committee is to be appointed in "each biennium." Members were most recently appointed by a December 23, 1993 mail ballot. The membership of the Committee consists of four Senators and six Representatives.

The Committee is directed to:

1. Review remedial legislation based on nonsubstantive changes recommended by agencies;
2. Review court decisions and opinions of the Attorney General which state that a statute is unconstitutional, ambiguous or otherwise in need of revision; and
3. Review correction bills and minor substantive revision bills prepared by the Revisor of Statutes.

The Committee is directed to introduce the bills prepared on these subjects directly, not through the Council, into the Legislature.

The Committee may recommend to the Council major law revision projects to be undertaken by the Law Revision Committee, a special or permanent Council committee, legislative service agency or committee of the Legislature.

The Committee is also directed to cooperate with the Revisor of Statutes in a 10-year systematic examination of the statutes to identify provisions needing revision and to perform functions relating to interstate compacts and agreements.

The Committee's activities for each of these responsibilities are discussed below under the appropriate heading.

During the period covered by this Report, the Committee held six meetings at the State Capitol in Madison on the following dates:

September 29, 1993
October 20, 1993
December 14, 1993

February 22, 1994
April 6, 1994
May 16, 1994

Remedial Legislation

At its meetings on September 29, October 20 and December 14, 1993, the Committee voted to introduce the following 16 bills, suggested as remedial legislation by state agencies (all bills are 1993 Session bills).

A.B. 899, relating to deleting the age criterion from the definition of a medicare supplement policy (suggested as remedial legislation by the office of the commissioner of insurance).

A.B. 918, relating to removal of certain references to lunatics in the statutes regarding bank trust powers (suggested as remedial legislation by the office of commissioner of banking).

A.B. 941, relating to continuing education requirements for physicians; the denial of applications for a credential by the optometry examining board; the continuing education requirements for certain optometrists; and examination requirements for a pharmacist who fails to renew his or her license (suggested as remedial legislation by the department of regulation and licensing).

A.B. 977, relating to physical examinations for enrollees of the Wisconsin conservation corps (suggested as remedial legislation by the Wisconsin conservation corps).

A.B. 985, relating to the time to answer a summons in certain cases, requiring that the costs awarded to an individual represented by a unit of government be paid to the unit of government and the contents of the summons in special proceedings involving certain claims (suggested as remedial legislation by the department of justice).

A.B. 1005, relating to eligibility of a spouse for membership in the veterans home at King (suggested as remedial legislation by the department of veterans affairs).

A.B. 1006, relating to the advance planning of electric generating facilities and transmission lines and the assessment by the public service commission against the local exchange and interexchange telecommunications utilities (suggested as remedial legislation by the public service commission).

A.B. 1083, relating to introducing, stocking and planting fish, spawn and other wild animals (suggested as remedial legislation by the department of natural resources).

A.B. 1250, relating to applications for vehicle registration; notification to county clerks of expected highway improvements for 6-year periods; the period of motor vehicle operating privilege suspension imposed by the department of transportation; driving record files maintained by the department of transportation; motor vehicle operating privilege suspension for nonpayment of a forfeiture, penalty assessment and jail assessment or noncompliance with a community service work order; endorsements of limitations or restrictions of motor vehicle

operating privilege upon operator's licenses; motor vehicle operating privilege suspensions by the secretary of transportation; notification of creation of a security interest in a vehicle; and distribution of suspension, revocation and disqualification lists and records of convictions by nonresidents (suggested as remedial legislation by the department of transportation).

S.B. 563, relating to revocation of certificates of authority; service corporation annual reports; reinstatement following administrative dissolution; expedited service fees; federal tax lien notices; copies of administrative rules held by the secretary of state; certificate of authority applications; foreign corporation fictitious names on amended certificates of authority; and reserved names (suggested as remedial legislation by the secretary of state).

S.B. 578, relating to the availability of the state fair youth building to the department of natural resources; the lease of the Olympic ice training center; auto races at state fair park; alcohol licenses and permits at the state fair park; the penalty for violating laws governing state or county institutions; changing the references to an ice rink operated by the state to the Olympic ice training center; changing references to the state fair police department; and the entities that may head an independent agency (suggested as remedial legislation by the state fair park board).

S.B. 602, relating to the control of honeybee pests and the regulation of home insulation practices (suggested as remedial legislation by the department of agriculture, trade and consumer protection).

S.B. 620, relating to forcing children to view sexual activity (suggested as remedial legislation by the legislative reference bureau).

S.B. 621, relating to grants to school districts to provide services to limited-English speaking pupils from Southeast Asian language groups (suggested as remedial legislation by the department of public instruction).

S.B. 649, relating to eligibility for coverage under the health insurance risk-sharing plan; assignment and subrogation of certain rights and clarifying that payment for services under disability insurance and uninsured health plans is primary to payment for services under the maternal and child health program; an early release and intensive supervision program for children who have been placed in a secured correctional facility; and the administration of the state supplemental food program for women, infants and children (suggested as remedial legislation by the department of health and social services).

S.B. 650, relating to the administration of the weatherization assistance program (suggested as remedial legislation by the department of administration).

Court Cases and Attorney General Opinions

As of the date of this Report, 47 state and federal court decisions and Attorney General opinions and one technical memorandum relating to a drafting error, covering the period from July 1990 to June 1992, holding statutes unconstitutional, ambiguous or otherwise in need of revision have been submitted by the Revisor of Statutes to the Law Revision Committee.

At its April 6, 1994 meeting, the Committee took the following actions: (1) nine opinions were referred to legislative committees for their review and action; (2) 11 legislative proposals were recommended for introduction; (3) six cases and opinions were referred to nonlegislative organizations for further review; and (4) no action was taken on 22 opinions.

Revisor's Corrections

By an April 24, 1992 mail ballot, and at its September 29 and December 14, 1993, and February 22, April 6 and May 16, 1994 meetings, the Law Revision Committee voted to introduce 14 bills requested by the Revisor of Statutes (two bills are 1991 Session bills; 12 are 1993 Session bills).

The bills are as follows:

1991 Session

A.B. 1091, relating to correcting errors, supplying omissions, clarifying language, correcting and clarifying references, eliminating unnecessary and obsolete provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

A.B. 1092, relating to amending and revising various provisions of the statutes for the purpose of removing or replacing personal pronouns and other language that discriminates on the basis of sex, making other corrections necessary to remove from the statutes terminology that discriminates on the basis of sex and clarifying and modernizing language (Revisor's Correction Bill).

1993 Session

S.B. 472, relating to reconciling conflicts, correcting and clarifying references, and repelling unintended repeals (Revisor's Correction Bill).

S.B. 473, relating to repealing, consolidating, renumbering, amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting and clarifying references, eliminating unnecessary and obsolete provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

- S.B. 822, relating to revising various provisions of the statutes for the purpose of deleting, replacing or otherwise modifying language that discriminates on the basis of sex (Revisor's Correction Bill).
- S.B. 826, relating to revising various provisions of the statutes for the purpose of deleting, replacing or otherwise modifying language that discriminates on the basis of sex (Revisor's Correction Bill).
- S.B. 827, relating to various provisions of subchapter II of chapter 10 of the statutes for the purpose of correction of election occurrences listings (Revisor's Correction Bill).
- S.B. 828, relating to supplying an unintentionally omitted effective date provision for an appropriation change made by 1993 Wisconsin Act 377 for the truancy abatement and burglary suppression program (Revisor's Correction Bill).
- S.B. 829, relating to various provisions for the purpose of correcting errors and making an appropriation (Revisor's Correction Bill).
- S.B. 830, relating to various provisions of the statutes for the purpose of reconciling conflicts, correcting and clarifying references, and repelling unintended repeals (Revisor's Correction Bill).
- S.B. 831, relating to repealing, consolidating, renumbering, amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting and clarifying references, eliminating unnecessary and obsolete provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).
- S.B. 832, relating to revising various provisions of the statutes for the purpose of deleting, replacing or otherwise modifying language that discriminates on the basis of sex (Revisor's Correction Bill).
- A.B. 995, relating to revising various provisions of the statutes for the purpose of deleting, replacing or otherwise modifying language that discriminates on the basis of sex (Revisor's Correction Bill).
- A.B. 1199, relating to various provisions of the statutes for the purpose of reconciling conflicts, correcting and clarifying references, and repelling unintended repeals (Revisor's Correction Bill).

Major Law Revision Projects

The Law Revision Committee, during the period covered by this Report, has not submitted any major law revision projects to be undertaken by the Law Revision Committee, a special or permanent Council committee, legislative service agency or committee of the Legislature.

See the following report for information on the case and opinion review by the Law Revision Committee:

- Discussion Paper 94-2, *Law Revision Committee: Case and Opinion Review*, dated February 10, 1994.

Actions of the Legislature

Remedial Legislation

1993 Assembly Bill 899 was enacted as 1993 Wisconsin Act 201, effective April 21, 1994.

1993 Assembly Bill 918 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Assembly Bill 941 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Assembly Bill 977 was enacted as 1993 Wisconsin Act 202, effective April 21, 1994.

1993 Assembly Bill 985 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Assembly Bill 1005 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Assembly Bill 1006 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Assembly Bill 1083 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Assembly Bill 1250 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Senate Bill 563 was enacted as 1993 Wisconsin Act 214, effective April 21, 1994.

1993 Senate Bill 578 was enacted as 1993 Wisconsin Act 215, effective April 21, 1994.

1993 Senate Bill 602 was enacted as 1993 Wisconsin Act 216, effective April 21, 1994.

1993 Senate Bill 620 was enacted as 1993 Wisconsin Act 218, effective April 21, 1994.

1993 Senate Bill 621 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Senate Bill 649 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Senate Bill 650 failed to pass pursuant to 1993 Senate Joint Resolution 1.

Revisor's Corrections

1991 Assembly Bill 1091 was enacted as 1991 Wisconsin Act 315, effective June 24, 1992.

1991 Assembly Bill 1092 was enacted as 1991 Wisconsin Act 316, effective June 24, 1992.

1992 Senate Bill 472 was enacted as 1993 Wisconsin Act 183, effective April 14, 1994.

1993 Senate Bill 473 was enacted as 1993 Wisconsin Act 213, effective April 21, 1994.

1993 Senate Bill 822 was enacted as 1993 Wisconsin Act 482, effective June 11, 1994.

1993 Senate Bill 826 was enacted as 1993 Wisconsin Act 486, effective June 11, 1994.

1993 Senate Bill 827 was enacted as 1993 Wisconsin Act 487, effective June 11, 1994.

1993 Senate Bill 828 was enacted as 1993 Wisconsin Act 488, effective June 11, 1994.

1993 Senate Bill 829 was enacted as 1993 Wisconsin Act 489, effective June 11, 1994.

1993 Senate Bill 830 was enacted as 1993 Wisconsin Act 490, effective June 11, 1994.

1993 Senate Bill 831 was enacted as 1993 Wisconsin Act 491, effective June 11, 1994.

1993 Senate Bill 832 was enacted as 1993 Wisconsin Act 492, effective June 11, 1994.

1993 Assembly Bill 995 failed to pass pursuant to 1993 Senate Joint Resolution 1. However, the proposal was subsequently reintroduced as 1993 Senate Bill 832 and enacted.

1993 Assembly Bill 1199 failed to pass pursuant to 1993 Senate Joint Resolution 1. However, the proposal was reintroduced as 1993 Senate Bill 830 and enacted.

OVERSIGHT OF COMMUNITY MENTAL HEALTH SERVICES,
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STUDY ASSIGNMENT: The Special Committee is directed to review state oversight of the management and delivery of community mental health services and to recommend any necessary changes in state laws and policies relating to oversight that will enhance the delivery of mental health programs and services at the county level. The Committee is directed to report to the Legislative Council by March 1, 1993. [Based on a November 21, 1991 letter from Sens. Jauch and Adelman and Reps. Robson, Reynolds, Stower, Young, Carpenter, Fortis, Bock and Notestein.]

Established and Chairperson appointed by a May 28, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by an October 7, 1992 mail ballot.

18 MEMBERS: 2 Senators; 5 Representatives; and 11 Public Members.

LEGISLATIVE COUNCIL STAFF: Laura Rose, Senior Staff Attorney; Janice Baldwin, Senior Staff Attorney; and Kathy Follett, Support Staff.

- (1) Resigned from the Committee on February 2, 1993.
- (2) Appointed to the Committee by a November 5, 1992 mail ballot.

OVERSIGHT OF COMMUNITY MENTAL HEALTH SERVICES

Summary of Committee Activity

The Legislative Council established the Special Committee on Oversight of Community Mental Health Services and appointed its Chairperson by a May 28, 1992 mail ballot. The Special Committee was directed to review state oversight of the management and delivery of community mental health services and to recommend any necessary changes in state laws and policies relating to oversight that will enhance the delivery of mental health programs and services at the county level.

The membership of the Special Committee, other than its Chairperson, was appointed by an October 7, 1992 mail ballot. The Committee consisted of two Senators, five Representatives and 11 Public Members.

The Special Committee held 11 meetings on the following dates (except as otherwise indicated, all of the meetings were held at the State Capitol in Madison):

October 28, 1992	February 26, 1993
November 9, 1992 (Baraboo)	March 19, 1993
November 20, 1992 (Barron)	April 2, 1993
December 17, 1992	April 16, 1993
January 22, 1993	May 14, 1993
February 5, 1993	

At the October 28, 1992 meeting, the Special Committee heard testimony from invited speakers. Judith Frye, Legislative Audit Bureau (LAB), summarized the results of the LAB's audit of county mental health programs in two areas: routine Department of Health and Social Services (DHSS) oversight of county programs and its investigative role when program problems arise. She stated that the audit followed public concerns regarding the quality of mental health programs operated by Sauk County and the Northern Pines Unified Services Department. She reported DHSS activities were constrained by the limited staff available to implement its oversight functions. In addition, Ms. Frye noted an ambiguity in the appropriate role of DHSS following the 1986 Budget Adjustment Act, that directed DHSS to limit its activities in monitoring county programs. The ambiguity increased in the last five years as county support for community mental health programs significantly outstripped state funding. Finally, she noted that the LAB Audit Report encouraged peer review and consultation among counties, an increased role for county human services boards and the strengthening of advocacy mechanisms to help individual clients in the face of program problems.

Gerald Born, DHSS, stated the major question raised by the LAB audit is the appropriate balance in the enforcement and oversight roles of DHSS with a partnership between the DHSS and the county human services systems. He acknowledged that resources are limited at both the state and county level, although the demand for services and tax levies are increasing. Mr. Born described DHSS activities: to make better use of information collected; to provide a uniform budget format and an annual profile for counties; to enhance communication between subentities within

DHSS and increased visibility for the DHSS Office of Mental Health; to provide additional training and consultation for counties as to best management practices, clarification of the role of DHSS area administrators and creation of a community aids evaluation and monitoring position in DHSS; and to reissue guidelines on the requirements for reporting the deaths of clients in county programs.

At the November 9, 1992 meeting in Baraboo, the Special Committee held a public hearing. Norman Brickel, Sauk County Department of Human Services, suggested that state oversight should be continuous, quality oriented and client focused, but indicated that state resources do not appear to be adequate unless DHSS slights its other functions. He noted that repeated investigations of the Sauk County Community Mental Health operations unquestionably undermined client confidence. Ken Cady, Sauk County Department of Human Services, suggested that joint cooperation between state and county personnel should be used to develop clear treatment standards and recommended that the possible motives of complainants should be part of the public record. He called the Committee's attention to the discrepancy between the 8% increases in inpatient charges at the Mendota facility and the 1% to 2% increases in aids for community aids. Denise Radke, former Sauk County Department of Human Services employe, reported that standards were important when Sauk County sought certification of its programs but noted that, afterwards, services were curbed and lack of professionalism developed, resulting in inaccurate and delayed reports on clients.

Mike Roraff, Juneau County Department of Human Services, stated that the oversight concept carries a connotation of an adversarial relationship and contract service costs increased at a greater rate than community aids were increased. Although he agreed that standards for treatment are good at present, he suggested they would be even better if resource-oriented. Mr. Roraff suggested that a grievance process should precede the investigation stage; that "end-runs" around the grievance process are more acrimonious and harder to resolve; and that client confidentiality may impede a defense otherwise available to a service provider. Paula M. Cristian, mental health consumer, indicated that good services together with professional and spiritual assistance helped her to get on her feet again. Thomas J. Davies, mental health consumer, expressed his opinion, based on 20 years of treatment in Wisconsin and other states, that Sauk County has one of the best programs in the United States and that Sauk County was wrongly challenged by an irate former employe.

Eric Mesinger, Waukesha County Community Human Services Department, reported that the CSP is generally a well-administered. He recommended increased staff training and consultation with the DHSS mental health staff. Bev Young, Alliance for the Mentally Ill, stated that: (1) counties need standards to guide professional staff, especially in light of high staff turnover figures; (2) grievance procedures in some counties are inadequate and not well-publicized; (3) the state has become almost invisible in the mental health system; (4) it would be appropriate to have a request for proposals for new money in priority areas of concern, rather than a formula distribution to all counties; and (5) a standing legislative committee on mental health should be established.

Linnea Beyer, Wisconsin Network of Mental Health Consumers, suggested that consumer input is essential in the mental health system and should be a factor in evaluating mental health systems. Ralph F. Ruhland, family member of mental health consumers, suggested that the Sauk County Mental Health Center uses confidentiality as a defense against questions about its services and that the application of the standards is even more important than updated standards. Another area subject to misuse, he said, is the financial management of patient accounts. Scott Ethun, Sauk

County Community Support Program Coordinator, stated that more state oversight is better than less, that counties need consultation with state staff and that the Wisconsin consumer movement is an important element in oversight of the mental health system. Warren Beal, Alliance for the Mentally Ill, reported that the CSP in Sauk County is now doing a good job with its new leadership, but suggested that the present grievance system needs improvement where satisfaction is not reached at the local level and that the state response to local problems needs to be faster and more complete.

At the November 20, 1992 meeting in Barron, the Special Committee held a public hearing. Arnold Ellison, Barron County Board, reported that objections by the Northern Pines Board members and staff to his request for an audit delayed the audit and that personal and personnel problems hampered a successful implementation of the audit. Mr. Ellison suggested the following improvements: (1) in-service training for county agency staff and their boards; (2) realistic participation of the state in program costs; (3) implementation of appropriate programs having effective, efficient management; (4) collection of information to document programs accomplishing their goals and improving the quality of life for their patients; (5) determination of the availability of other resources for consultation, treatment or management; and (6) the provision of treatment to clients most in need. Carmen Hoepfner, Northern Pines Unified Services Board, reported that the new executive director implemented a new personnel department, wrote a procedure manual, communicated directly with the community through a newsletter and developed fact sheets on programs. She also noted that Board and county board members are becoming educated regarding mental health services.

Wayne A. Arnold, Northern Pines Unified Services Board, suggested that local boards could be empowered to discharge their obligations through continuing education and the provision of data necessary to make decisions regarding spending per capita, staffing levels and other information. He suggested that the state develop model policies and procedures for county community program boards as well as conduct surprise spot checks on county programs. Rudy Besmer, Northern Pines Unified Services Center, suggested that most of the Northern Pines' problems developed out of internal power struggles rather than the complaints of unserved patients and that small, rural agencies do not have a specialized staff to deal with a variety of mental illnesses presented by clients. He suggested that Wisconsin use the Michigan model for a grievance system with a recipient's rights office and that DHSS investigations be led by a single person.

Curtis L. Nelson, family member of a mental health client, reported that it is difficult to get good psychiatrists in rural areas. Grace M. Texley, family member of a mental health client, stated that the Alliance for Mentally Ill plays an important role in the recovery of patients and that the state should fund public education about the availability of mental health programs. Thomas R. Allen, Alliance for the Mentally Ill and family member of a mental health client, said that the state should facilitate the filing of client complaints and the education of county board members regarding the mental health system. Mark Casper, small business owner, suggested public mental health programs should be more accountable, taxpayers need information as well as education and the Northern Pines Board members should be elected rather than appointed.

Helen Harry, Alliance for the Mentally Ill, suggested that all county human services boards have consumer members and the grievance process be improved and publicized. Paul Texley, former mental health client and member of a consumer advisory committee, stated that agency

success stories such as his are not reported and that more money is necessary to provide better quality services. Donald Stern, family member of a mental health client, called the Committee's attention to the problem of constructing proper group homes for mental health clients, who are deinstitutionalized. Ruth A. Kalms, St. Croix County, Human Services Board, reported an increase in client caseloads and less funding as more clients use MA programs. She suggested local mental health expertise is underutilized, staffing issues are always a problem, the state should do an annual survey of the CSP with client feedback and human service board members should have a mental health background.

Sherrill Fulner, mental health client, reported that high staff turnover makes accurate chart notes all the more important. Gene Phillips, Northern Pines Unified Services Center, pleaded for reduced paperwork requirements, coordination within DHSS and an enhanced partnership between the state and counties. Guido Cecchini, American Federation of State, County and Municipal Employees, reported on a recent consensus-building program among the managers and employees of Northern Pines. Edward R. Paulson, DHSS Division of Community Services' Regional Office, stressed the importance of early identification of problems in a county agency but acknowledged that bad publicity might make potential clients hesitant to seek assistance when they need it. He suggested a handbook be prepared for members of county boards and county agency boards and that data collected by the state be made available in a useful form. Sandra Cariolosco, Washburn County Mental Health Association and family member of a mental health client, described the difficulty involved in suitable work placement for mental health clients with a moderate mental disability.

At the December 17, 1992 meeting, the Special Committee held a public hearing. Dr. Margie Staab, an anthropologist, reported on her experience observing counseling sessions at the Winnebago State Hospital. She stressed the need for a group, like the Wisconsin Coalition for Advocacy, to handle conflicts between outpatients and county agencies because the patients are fearful their complaints may lead to ostracism and a lowered level of services. She reported simple mental health cases are handled promptly and adequately but that complex, chronic cases are not so well-served. David Davis, Wisconsin Network of Mental Health Consumers, reported that previous funding to help consumers form self-help groups was exhausted but that mental health consumers should have input on state and local mental health services boards. He also observed that mental health patients tend to receive less treatment for physical ailments at regular hospitals, especially those on psychotropic drugs.

Dr. Julia Sherman, Dane County Alliance for the Mentally Ill and a clinical psychologist, stated that services for the mentally ill are not what they should be, in part, because the clients are incorrectly discredited as lying about conditions. Dr. Sherman suggested that: (1) there is a need to establish priority for early treatment of severely impaired persons, rather than merely adding them to existing waiting lists; (2) health insurance discriminates against mental illness compared to physical illness by virtue of the annual cap allowed on reimbursable mental health services; (3) it is discriminatory to have police get patients for emergency mental health services, which is not done for persons who have heart attacks; (4) a statewide education program is needed to reduce the stigma aspect of mental illness; and (5) unannounced site visits for audit purposes to spot check records are better than sole reliance on complaints although more effective grievance procedures and whistleblower protection laws are also needed. Joseph Summers, an ex-case manager for a CSP, concurred that mentally ill persons are often not respected in the public eye. He reported that

inadequate investigations of county mental health services are the real problem rather than the lack of staff, financing and training; that reports are falsified by local and state staff and officials; and that investigators avoid contact with mentally ill persons.

Committee staff summarized materials about: (1) the reduction of state oversight of Wisconsin county-operated mental health programs; and (2) county-based human services or mental health systems in Minnesota, Iowa and Pennsylvania.

The Special Committee commenced a discussion of its assignment by brainstorming legislative suggestions by individual Committee members which were to provide guidance for the preparation of a staff memorandum outlining legislative options for future Committee consideration.

At its January 22, 1993 meeting, after a staff summary of material relating to auditing entities within DHSS, the Committee commenced its consideration of Discussion Paper 93-1, *Proposals Relating to Improving Oversight of Community Mental Health Services*, dated January 15, 1993. Topics given preliminary consideration by the Committee included: (1) staff and board training and competency; (2) development of program standards; (3) program certification process; (4) enforcement of standards; (5) DHSS certification process; (6) consumer choice of providers; (7) consumer representation on boards, councils and committees; and (8) consumer surveys.

At its February 5, 1993 meeting, the Committee continued its consideration of Discussion Paper 93-1. Topics included: (1) consumer surveys; (2) state monitoring of grievances; and (3) monitoring by independent entities.

At its February 26, 1993 meeting, the Special Committee continued its consideration of Discussion Paper 93-1. Topics included: (1) county-provided information; (2) DHSS-provided information; (3) internal DHSS coordination; (4) current DHSS monitoring; (5) usefulness of current DHSS monitoring; (6) new monitoring and improvement tools; (7) definition of county and state responsibilities; (8) alternatives to the current state-county relationship; (9) adequacy of resources; (10) state service standards; and (11) improvement of resources.

At its March 19, 1993 meeting, the Special Committee received invited testimony relating to unlicensed facilities in the City of Milwaukee and problems with certain representative payees for mentally ill persons under the Social Security program. Patricia Flannery, Milwaukee County Department of Health and Human Services, Milwaukee, reported that it is common for landlords to play a large role in the selection of doctors, use of medication, payee accounts and powers of attorney with little or no oversight or regulation by any state or local agency.

The Special Committee continued its consideration of proposals in Discussion Paper 93-1, deferred from previous meetings, which included: (1) mental health consumers on boards; (2) the receivership concept; and (3) miscellaneous suggestions to increase the use of mental health consumers and their families in the mental health system.

At its April 2, 1993 meeting, the Special Committee received testimony by Tom Dosch, Department of Justice, relating to the investigation and prosecution for the abuse, neglect and ill treatment of mental health clients. The Special Committee continued its consideration of options in Discussion Paper 93-1, including: (1) the use of psychiatrists and psychologists on a voluntary

basis in the DHSS evaluation of mental health programs in exchange for continuing education credits; (2) revision of the statutes relating to criminal abuse of mental health clients; (3) a uniform system for reporting county community program budgets; (4) relationships between DHSS entities with responsibilities in the mental health field; (5) frequency of certification and monitoring activities conditioned on prior experience; (6) the use of mental health consumers on community program boards and the State Council on Mental Health, as employees of DHSS and as mental health counselors; and (7) a pilot program to permit clients to seek services in an adjacent county.

At its April 16, 1993 meeting, the Special Committee discussed preliminary drafts relating to a community mental health plan, development of a client survey prototype, training curricula for members of a human services and community services board, a pilot program for protection and advocacy services for community mental health clients, patient grievance procedures, certification of community mental health programs, terms of service of members of the Council on Mental Health, mental health patients' rights, DHSS supervision of the grievance process, state payment of local match funds to secure federal funds for CSP's and a DHSS application for a federal waiver to include mentally ill patients under the MA program in the community integration programs.

The Committee received further testimony regarding unlicensed homes used in part by tenants with mental illness and ways in which the laws relating to vulnerable adults could be amended to investigate and provide assistance to certain mentally ill tenants. Finally, the Special Committee continued its discussion of the use of mental health consumers in the delivery and planning for mental health services.

At its May 14, 1993 meeting, the Special Committee discussed preliminary drafts on the following topics: a federal waiver to include mentally ill patients in CSP's under the MA program; a change in federal law to increase the training of certain local board members, the State Mental Health Council members and State Legislators in the appropriate treatment and care of deinstitutionalized mentally ill clients in CSP's; a three-year cycle for review of county community programs; a mental health consumer service; staff for the Council on Mental Health; consumer representation on county human services boards and county community program boards; appointment of receivers for certain county departments of community programs; abuse and neglect of patients and residents and cruel maltreatment of vulnerable adults; a penalty for denial or violation of a patient's rights; patient rights for certain persons; rules concerning certification of community mental health programs; DHSS supervision of the grievance procedures; state payment of local match funds to secure federal funds for certified CSP's; a model community mental health plan and county preparation of a community mental health plan; a mental health client survey prototype and periodic county surveys; training curriculum for members of human services and community services boards; and DHSS standards for patient grievance procedures.

Chairperson Krug directed the staff to develop drafts incorporating Committee suggestions for the preliminary drafts discussed at the April 16 and May 14 meetings in addition to a draft granting counties clear authority to investigate unregulated living arrangements in which vulnerable adults live, for Committee approval through a mail ballot. The Special Committee also authorized a letter to DHSS Secretary Gerald Whitburn and to Gerald Born, Director of the DHSS's Division of Community Services, to be sent with Committee suggestions regarding nonlegislative aspects of topics considered by Committee members in the course of its deliberations.

By a July 12, 1993 mail ballot, the Committee recommended 20 drafts for introduction by the Legislative Council. Eighteen of these drafts were combined into one draft at the direction of the Chairperson.

Actions of the Legislative Council

The Committee recommended three proposals to the Legislative Council.

At its October 7, 1993 meeting, the Legislative Council voted to introduce the proposals, which were introduced as 1993 Assembly Bill 900 (1993 Senate Bill 778), relating to Department of Health and Social Services program certification, review and oversight; patients' rights and grievance procedures; abuse, neglect and maltreatment of vulnerable adults; receivership; treatment records; consumer participation; granting rule-making authority; making appropriations; and providing penalties (*abbreviated*); 1993 Assembly Joint Resolution 101 (1993 Senate Joint Resolution 50), relating to memorializing Congress to appropriate funds to permit more flexible use of substance abuse and mental health services administration funds for training purposes; and 1993 Assembly Joint Resolution 102 (1993 Senate Joint Resolution 51), relating to requesting the Department of Health and Social Services to apply for a federal waiver to include persons with mental illness in community integration programs under the Medical Assistance program.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Oversight of Community Mental Health Services:

- Wisconsin Legislative Council Report No. 12 to the 1993 Legislature, *Legislation on Oversight of Community Mental Health Services (1993 A.B. 900 and A.J.R.'s 101 and 102)*, dated December 9, 1993.

Actions of the Legislature

1993 Assembly Joint Resolution 101 failed to be concurred in by the Senate pursuant to 1993 Senate Joint Resolution 1. The companion proposal, 1993 Senate Joint Resolution 50, failed to be adopted pursuant to 1993 Senate Joint Resolution 1.

1993 Assembly Joint Resolution 102 failed to be concurred in by the Senate pursuant to 1993 Senate Joint Resolution 1. The companion proposal, 1993 Senate Joint Resolution 51, failed to be adopted pursuant to 1993 Senate Joint Resolution 1.

1993 Assembly Bill 900 was enacted as 1993 Wisconsin Act 445, effective May 12, 1994. The companion proposal, 1993 Senate Bill 778, failed to pass pursuant to 1993 Senate Joint Resolution 1.

For further information see:

- Wisconsin Legislative Council Staff Information Memorandum 94-25, *New Law Relating to Community Mental Health Services (1993 Wisconsin Act 445)*, dated June 28, 1994.

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SPECIAL COMMITTEE ON

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STUDY ASSIGNMENT: The Special Committee is directed to review current programs for privately owned forest land, for the purpose of improving their administration and to better meet the needs of forest owners, other affected persons and local units of government. The Committee is directed to report to the Legislative Council by December 15, 1992. [Based on a May 6, 1992 letter from Sen. Robert Jauch.]

Established and Chairperson appointed by a May 28, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by a July 24, 1992 mail ballot.

16 MEMBERS: 2 Senators; 3 Representatives; and 11 Public Members.

LEGISLATIVE COUNCIL STAFF: Russ Whitesel, Senior Staff Attorney; Don Salm, Senior Staff Attorney; and Roberta Lund, Support Staff.

(1) Appointed to the Committee by an August 26, 1992 mail ballot; resigned from the Committee on February 2, 1993.

(2) Originally appointed as an Assembly member; appointed to continue as a Public Member by a December 23, 1992 mail ballot.

PRIVATE FOREST LAND PROGRAMS

Summary of Committee Activity

The Special Committee on Private Forest Land Programs was established and its Chairperson appointed by a May 28, 1992 mail ballot. The Committee was directed to review current programs for privately owned forest land, for the purpose of improving their administration and to better meet the needs of forest owners, other affected persons and local units of government.

The membership of the Special Committee, other than its Chairperson, was appointed by a July 24, 1992 mail ballot. The Committee consisted of two Senators, three Representatives and 11 Public Members.

The Special Committee held six meetings at the State Capitol in Madison on the following dates:

September 30, 1992	February 1, 1993
November 5, 1992	March 3, 1993
December 9, 1992	March 16, 1993

At the September 30, 1992 meeting, the Special Committee received testimony from Charles Higgs, Paul Pingrey and Donald G. Thompson, Department of Natural Resources (DNR), Bureau of Forestry, and John C. Roberts, University of Wisconsin (UW)-Extension, Madison. Mr. Higgs noted that when the Managed Forest Law (MFL) was enacted in 1985, the law required that there be a five-year review of the program by a joint committee from the DNR and UW-Extension. He noted that the report to comply with this requirement, *Wisconsin's Managed Forest Law: The First Five Years: 1986-1991, A Report to the Wisconsin Legislature*, reviews the purposes of the MFL; examines participation in the program; reviews the impact of the program on land resources management; looks at the economic impact of the program on taxpayers and the administrative costs of the program; and offers 16 recommendations relating to improvements or technical corrections to the law and possible further studies related to the law. Mr. Thompson then reviewed and commented on the 16 recommendations in the report. The Special Committee then had a general discussion of which recommendations the Special Committee should give priority consideration.

At its November 5, 1992 meeting, the Special Committee received testimony from Professor Jeffrey C. Stier, Department of Forestry, UW-Madison, who provided background information on his work with the MFL in four specific areas:

1. The MFL withdrawal tax, which he noted is difficult for landowners to estimate and understand and is inequitable in that it penalizes landowners who have been in the program for longer periods of time more severely than those who have been in for a shorter period of time.
2. The length of contracts under the forest cropland law and the MFL.
3. The current 5% MFL yield tax.

4. Alternatives to the current MFL program.

Professor Stier suggested alternative approaches to the current law in each of these areas.

The Special Committee also heard testimony from Professor Wayne G. Tlusty, Department of Landscape Architecture, UW-Madison, who provided information on a 1991 survey of woodland owners relating to various aspects of the MFL program.

At its December 9, 1992 meeting, the Special Committee had a general discussion of the future direction of the Committee, with an emphasis on: (1) ideas for changes in the current law that Committee members felt merited consideration; and (2) legitimate complaints about the current law. Among the areas stressed were: the issues of administrative overhead in the MFL; elimination or revisions in the severance tax; revisions in the "80-acre closed area allowance" provision in the MFL; the inequity of the current MFL withdrawal penalty; and whether management plans should identify significant noncommercial environmental features of parcels enrolled in the MFL.

At the February 1, 1993 meeting, the Special Committee reviewed a Legislative Council Staff discussion paper which sets forth the current law, background information and alternatives for Committee discussion on major subject areas relating to the MFL, including the yield tax and the withdrawal tax. In addition to various drafting requests relating to the items in the discussion paper, Chairperson Jauch requested the staff to draft, and the Committee to consider, all of the DNR budget requests for the Governor's 1993-95 Budget Bill which relate to the MFL.

At the March 3, 1993 meeting, the Special Committee considered, and voted on, drafts relating to: (1) the withdrawal tax on managed forest lands; (2) the MFL yield tax; (3) enforcement provisions of the MFL; (4) closed, open and restricted areas under the MFL; (5) acreage share payments under the MFL; (6) administrative changes in the MFL set forth in the Governor's 1993-95 Budget Bill (1993 Senate Bill 44), resulting from DNR recommendations; (7) the designation of areas as managed forest reserves; and (8) noncommercial uses of managed forest land under the MFL.

At the March 16, 1993 meeting, the Special Committee amended and gave final approval to the drafts discussed at the March 3, 1993 meeting, as well as drafts relating to allowing land to be added to the woodland tax program, limitations on improvements on managed forest lands and the conversion of lands that are entered on the tax roll as forest croplands to lands that are entered on the tax roll as managed forest lands.

Actions of the Legislative Council

The Committee recommended two proposals to the Legislative Council.

At its May 27, 1993 meeting, the Legislative Council voted to introduce the proposals, which were introduced as 1993 Senate Bill 320, relating to managed forest lands; the designation of a managed forest reserve south of USH 10; allowing land to be added to the woodland tax program; granting rule-making authority; and providing penalties; and 1993 Senate Bill 321, relating to the conversion of lands that are entered on the tax roll as forest croplands to lands that are entered on the tax roll as managed forest lands.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Private Forest Land Programs:

- Wisconsin Legislative Council Report No. 3 to the 1993 Legislature, *Legislation on Private Forest Land Programs (1993 S.B.'s 320 and 321)*, dated June 9, 1993.

Actions of the Legislature

1993 Senate Bill 320 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Senate Bill 321 failed to pass pursuant to 1993 Senate Joint Resolution 1. However, an identical bill, 1993 Assembly Bill 133, was enacted as 1993 Wisconsin Act 131, effective March 19, 1994.

RAIL FACILITIES AND SERVICES,
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STUDY ASSIGNMENT: The Special Committee is directed to study rail transportation, including implementation of the recent constitutional amendment relating to direct state involvement in the development of railways and railroad facilities, in order to maximize the use of railroads as an efficient means of transporting persons and property in Wisconsin. The Committee is directed to report to the Legislative Council by March 1, 1993. [Based on an April 14, 1992 letter from Sens. Czarnecki, Burke, Buettner and Moen and Reps. Barca, Moore, Panzer, Plache, Seery, Black, Hisrich, Harsdorf, Lorge, Rosenzweig, Klusman, Holschbach, Musser, Bock, Ott, Young, Fortis, Potter, Krug and Roberts.]

Established and Chairperson appointed by a June 19, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by an August 26, 1992 mail ballot.

19 MEMBERS: 1 Senator; 3 Representatives; and 15 Public Members.

LEGISLATIVE COUNCIL STAFF: Ron Sklansky, Senior Staff Attorney; Don Dyke, Senior Staff Attorney; and Roberta Lund, Support Staff.

(1) Originally appointed as a Senate member; appointed to continue as a Public Member and Vice-Chairperson by a December 23, 1992 mail ballot.

(2) Originally appointed as an Assembly member; appointed to continue as a Public Member by a December 23, 1992 mail ballot.

RAIL FACILITIES AND SERVICES,
SPECIAL COMMITTEE ON

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STUDY ASSIGNMENT: Appointed by Representative Peter Barca on January 5, 1993, the Advisory Group is directed to assist the Special Committee on developing legislative recommendations relating to rail facilities and services.

9 MEMBERS: 1 Senator; 6 Public Members; and 2 Additional Members.

LEGISLATIVE COUNCIL STAFF: Ron Sklansky, Senior Staff Attorney; and Don Dyke, Senior Staff Attorney.

RAIL FACILITIES AND SERVICES,
SPECIAL COMMITTEE ON

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STUDY ASSIGNMENT: Appointed by Representative Peter Barca on January 5, 1993, the Advisory Group is directed to assist the Special Committee in developing legislative recommendations relating to passenger rail facilities and services.

15 MEMBERS: 2 Representatives; 9 Public Members; and 4 Additional Members.

LEGISLATIVE COUNCIL STAFF: Ron Sklansky, Senior Staff Attorney; and Don Dyke, Senior Staff Attorney.

RAIL FACILITIES AND SERVICES

Summary of Committee Activity

The Legislative Council established the Special Committee on Rail Facilities and Services and appointed its Chairperson by a June 19, 1992 mail ballot. The Special Committee was directed to study rail transportation, including implementation of the recent constitutional amendment relating to direct state involvement in the development of railways and railroad facilities, in order to maximize the use of railroads as an efficient means of transporting persons and property in Wisconsin.

The membership of the Special Committee, other than its Chairperson, was appointed by an August 26, 1993 mail ballot. The Committee consisted of two Senators, four Representatives and 13 Public Members.

The Special Committee held five meetings at the State Capitol in Madison on the following dates:

October 6, 1992
November 9, 1992
December 7, 1992

January 12, 1993
May 13, 1993

At the October 6, 1992 meeting, the Special Committee reviewed a staff brief which provided background on the recently enacted amendment to the Wisconsin Constitution allowing more direct state involvement in railroads, a summary of current passenger and freight rail service in Wisconsin and a summary of current state programs relating to freight and passenger rail. The Committee received testimony from staff of Department of Transportation (DOT) on a number of rail-related issues. Randall Wade, Chief, Statewide System Planning Section, Division of Planning and Budget, presented an overview and background on rail issues in Wisconsin and discussed DOT's multimodal planning agenda, which will include fully integrated freight and public transit elements, including rail. John Hartz, Supervisor, Multimodal Planning Unit, Division of Planning and Budget, reviewed recent DOT rail planning activities, including the Tri-State High Speed Rail Study (Chicago-Milwaukee-Twin Cities Corridor); the Chicago-Milwaukee Corridor Study; the Midwest Rail Initiative to obtain high speed rail designations for the St. Louis, Milwaukee and Detroit corridors; the Amtrak Service Demonstration Project for additional rail passenger service between Milwaukee and Chicago; and the Amtrak Study of Extended Passenger Rail Service to Madison and Green Bay. Ron Adams, Chief, Project Management Section, Division of Transportation Assistance, discussed current rail assistance programs administered by DOT. Professor Chris Thompson, University of Wisconsin-Milwaukee, provided background on high speed rail, both nationally and internationally, and the prospects for high speed rail in Wisconsin. John Parkyn, President, Wisconsin Association of Rail Passengers, reviewed the Association's long-term program for the restoration and expansion of rail passenger service in Wisconsin.

At the November 9, 1992 meeting, the Committee first heard from Virgil Kasper, Chair, Pink Lady Rail Transit Commission, Baraboo. Mr. Kasper described the operations of the Pink Lady Rail Transit Commission and discussed the need for increased state involvement in rail service. Robert Wheeler, General Counsel, Wisconsin Central Limited, Chicago, discussed

Wisconsin Central Limited's operations and made suggestions regarding increased state involvement in rail. Thomas Zapler, Director, Government Affairs, Chicago and Northwestern Transportation Company, Chicago, discussed the rail industry, both in Wisconsin and nationwide. Richard Miller, Senior Rate Supervisor, A.O. Smith Company, Milwaukee, discussed the use by A.O. Smith of rail service in Wisconsin and current state involvement in rail transportation. Steve Yoder, President, American Systems Technologies, Inc., Middleton, discussed the role of American Systems Technologies, Inc., in supplying signal construction and maintenance services for railroads. Mr. Yoder also described the current state of the rail supply industry in Wisconsin and made suggestions regarding changes in Wisconsin law in relation to railroads. John Hartz, DOT, discussed federal funds recently made available for the Midwest High Speed Rail Corridor (Detroit-Chicago-Milwaukee-St. Louis). The Committee, by unanimous consent, decided to request the Wisconsin congressional delegation to seek funds for railroad infrastructure development in Wisconsin if the proposed \$20 billion federal public works bill had been enacted.

At the December 7, 1992 meeting, the Committee received testimony from Eugene E. Price, Regional Director, Passenger Services, Amtrak. Mr. Price described current Amtrak services nationwide and described programs in Michigan and Illinois as good examples of state assistance and promotion of passenger rail. Mr. Price also discussed proposals for increased Amtrak service in Wisconsin and, more generally, increased passenger service in Wisconsin. David A. Schwengel, West Bend, discussed his reports, Wisconsin Amtrak 2000 and Which Way to Green Bay?. The reports contain a number of ideas and specific recommendations for increased rail passenger service in Wisconsin. Kenneth R. Yunker, Assistant Director, Southeastern Wisconsin Regional Planning Commission (SEWRPC) Staff, discussed the activities of SEWRPC in relation to rail service for southeastern Wisconsin. Frank Hoadley, State Capital Finance Officer, Department of Administration, discussed state bonding and the prospects for bonding for rail service purposes.

At the Committee's January 12, 1993 meeting, Robert Hewett, Manager, Market Development, TTX Company, Chicago, discussed the operations of TTX Company, a national railcar-pooling concern regulated by the Interstate Commerce Commission. John Evans, DOT, discussed DOT's support of the extension of Amtrak passenger rail service to Green Bay and to Madison and the cost and timing of the proposed Amtrak extensions. Committee member Timothy R. Jorgenson, Consultant, Northstar Management Associates, Wauwatosa, made a presentation to the Committee regarding commuter rail service in the Milwaukee area, with specific suggestions for possible routes. Two speakers who had been scheduled to testify at the meeting, Merrill Travis, Illinois Department of Transportation, and Scott Hercick, Michigan Department of Transportation, were unable to attend the meeting because of inclement weather.

At the May 13, 1993 meeting, the Committee reviewed the draft recommendations of the Freight Rail Advisory Group and the Passenger Rail Advisory Group. After reviewing, discussing, and, in some cases, amending the proposals, the Committee voted to recommend the proposals to the Legislative Council for introduction in the 1993-94 Legislature.

Advisory Groups

On January 5, 1993, Chairperson Barca appointed the Freight Rail Advisory Group and the Passenger Rail Advisory Group to assist the Special Committee in developing legislative recommendations relating to rail facilities and services. Both Advisory Groups held meetings at the State Capitol in Madison on the following dates:

January 12, 1993
February 15, 1993
March 24, 1993

The meetings of the Advisory Groups were devoted to developing draft recommendations for consideration by the Special Committee.

Actions of the Legislative Council

The Committee recommended three proposals to the Legislative Council.

At its June 2, 1993 meeting, the Legislative Council voted to introduce the proposals, which were introduced as 1993 Assembly Bill 964, relating to a state passenger rail plan, the creation of a passenger rail projects commission and passenger rail project selection; 1993 Assembly Bill 965, relating to directing the Office of the Commissioner of Railroads to develop a plan to reimburse railroads for the cost of fencing; and 1993 Assembly Bill 966, relating to preliminary Amtrak service extension activities and making an appropriation.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Rail Facilities and Services:

- Wisconsin Legislative Council Report No. 15 to the 1993 Legislature, *Legislation on Rail Facilities and Services (1993 A.B.'s 964, 965 and 966)*, dated January 7, 1994.

Actions of the Legislature

1993 Assembly Bill 964 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Assembly Bill 965 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Assembly Bill 966 failed to pass pursuant to 1993 Senate Joint Resolution 1.

REVIEW EMERGENCY MEDICAL SERVICES,
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STUDY ASSIGNMENT: The Special Committee is directed to study the delivery of emergency medical services in Wisconsin and determine how these services can best be provided, coordinated and regulated. The Committee is directed to report to the Legislative Council by January 15, 1993. [Based on an April 15, 1992 letter from Rep. Judith B. Robson; and an April 20, 1992 letter from Rep. Frank Urban.]

Established and Chairperson appointed by a June 19, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by an August 26, 1992 mail ballot.

18 MEMBERS: 1 Senator, 4 Representatives; and 13 Public Members.

LEGISLATIVE COUNCIL STAFF: Richard Sweet, Senior Staff Attorney; Gordon A. Anderson, Senior Staff Attorney; and Julie Terry, Support Staff.

- (1) Originally appointed as an Assembly member, appointed to continue as a Public Member and Vice-Chairperson by a December 23, 1992 mail ballot.
- (2) Appointed to replace Rep. Marcia Coggs, whose Assembly term expired, by a December 23, 1992 mail ballot.



REVIEW EMERGENCY MEDICAL SERVICES

Summary of Committee Activity

The Legislative Council established the Special Committee to Review Emergency Medical Services and appointed its Chairperson by a June 19, 1992 mail ballot. The Special Committee was directed to study the delivery of emergency medical services (EMS) in Wisconsin and determine how these services can best be provided, coordinated and regulated.

The membership of the Special Committee, except its Chairperson, was appointed by an August 26, 1992 mail ballot. The Committee consisted of one Senator, five Representatives and 12 Public Members.

The Special Committee held seven meetings on the following dates (except as otherwise indicated, all of the meetings were held at the State Capitol in Madison):

October 1, 1992	January 27, 1993
October 22, 1992	March 1, 1993
November 18, 1992 (Stevens Point)	April 5, 1993
December 17, 1992	

At the October 1, 1992 meeting, the Special Committee reviewed a Staff Brief which provided a brief history of EMS legislation, a summary of current laws and administrative rules related to EMS and an overview of the 1990 Report of the technical assistance team appointed by the National Highway Traffic Safety Administration (NHTSA) to review Wisconsin's EMS system. The Committee received testimony from Kenneth Baldwin, Director, and Ivan Imm, Deputy Director, Bureau of Public Health, Division of Health, Department of Health and Social Services (DHSS). Their presentation covered current national recruiting efforts for the Chief of the EMS Section of DHSS, current DHSS staffing for EMS activities, activities of the EMS Advisory Committee in analyzing the NHTSA report and issues relating to legislation needed to implement the recommendations of the EMS Advisory Committee. The Committee received testimony from Dennis Hughes, Chief Highway Safety Strategies and Analysis, Bureau of Strategic Planning, Division of Planning and Budget, and Don Hagen, EMS Program Manager, Office of Transportation Safety, Department of Transportation (DOT). The DOT staff distributed materials relating to EMS responsibilities of DOT and on ambulance inspections and ambulance companies, funding for the Office of Transportation Safety and the State Transportation Fund. Stephen J. Teale, Program Consultant, EMS Section, Vocational, Technical and Adult Education (VTAE) Board, reviewed the history of the VTAE system's involvement in EMS beginning with the 1973 legislation which assigned statutory responsibility for training to the VTAE system. He presented information about budgeting for training, retraining and examinations and staffing of the VTAE Board for EMS activities. He also responded to a number of inaccurate statements contained in the NHTSA Report with respect to EMS training and evaluation of EMS programs and made a series of recommendations to the Committee.

At the October 22, 1992 meeting, the Committee received presentations from Kenneth Baldwin, Director, Bureau of Public Health, DHSS, and Jon Morgan, Licensing Manager for the Bureau of Public Health, regarding the DHSS request for the 1993-95 biennial budget for EMS.

He also reviewed communications, staffing and legislative changes being requested for the budget by DHSS. Bill Jordahl and Don Hagen, DOT, provided information on use of Transportation Fund moneys to fund all EMS activities and related issues. The Committee also conducted a public hearing at which individuals representing ambulance services, medical schools, fire departments, technical colleges and other organizations testified regarding the needs of the EMS system. Following the public hearing, the Committee discussed materials distributed by staff to members, the job description for the EMS Medical Director and the position description for, and qualifications of, the Chief of the EMS Section. The Committee also discussed issues relating to licensure of EMT's, restrictions on access to ambulance care for persons who are served by health maintenance organizations (HMO's) and related issues.

At the November 18, 1992 meeting, the Committee held a public hearing in Stevens Point to solicit input from interested parties on issues related to EMS in Wisconsin. The Committee received testimony from representatives of the Christian Science Committee for Publication for Wisconsin, ambulance services, EMS-related organizations, hospitals and medical centers, nurses, fire fighters and others. In all, 20 persons made presentations to the Committee on their concerns relating to EMS in Wisconsin.

At the December 17, 1992 meeting, the Committee received presentations from Dan Eklof and Kathy Andersen, Division of Health, DHSS, and Dennis Hughes, Bureau of Strategic Planning, DOT. The presentations related to issues regarding the proposal made by DHSS that the present State Patrol communications system be modernized and improved to provide EMS communication capabilities. The Committee reviewed a staff memorandum which summarized the suggestions made to the Committee at its previous meetings, including the public hearings and contained in written comments submitted to the Committee. The Committee discussed the issue of development of a state EMS plan, creating a new state EMS Board, qualifications of the Section Chief for EMS and related issues. The Committee then discussed changing the status of the EMS Section in DHSS to a higher level, contracting for a state EMS Medical Director, funding issues for EMS, providing DHSS with additional staff to administer 1989 Wisconsin Act 102 funds, funds for regional EMS planning and regional staff and for refresher training. The Committee adopted a recommendation that a letter be sent to DHSS requesting that EMT's should be licensed individually and not through their employers and to allow persons not employed by EMS to take EMT-intermediate or EMT-paramedic training. The Committee also directed that a letter be sent to James Klauser, Secretary, Department of Administration (DOA), to support the DHSS budget request for a State Medical Director and an additional position to distribute Act 102 funds. The Committee reviewed issues relating to EMT refresher training, whether EMS dispatchers should be required to be licensed, requiring emergency vehicle operators to be licensed, standardized instructor training and to transportation of patients. The Committee also reviewed suggestions relating to certification of first responders.

At the January 27, 1993 meeting, the Special Committee reviewed staff memoranda relating to the history of funding for EMS under the bill that led to 1989 Wisconsin Act 102 and information relating to liability of local governments and volunteer fire departments. The Committee reviewed letters sent to James Klauser, Secretary, DOA, relating to supporting the DHSS budget request for a state EMS Director and to Gerald Whitburn, Secretary, DHSS, relating to licensure of EMT's. The Committee continued its discussion of suggestions made to the Committee, including development of ambulance run reports and collecting data, allowing EMT's, fire fighters, law enforcement officers and others to require that an individual be tested for HIV

without the need for a court order for a test, allowing physicians to provide EMT-paramedics with written protocols to avoid the need for voice contact in certain situations. The Committee discussed allowing EMT's to honor "do-not-resuscitate" orders, Wisconsin's living will and health care power of attorney laws, issues relating to transportation of patients, staffing of ambulances, the use of airway controls and obturator airways, requiring a medical director or medical control for basic life support and first responder services, EMS communications, liability issues and related topics. The Committee also discussed the issue of which state agency should be responsible for EMS in Wisconsin. The Committee reviewed a first draft of legislation, relating to EMS which created a new EMS Board and contained requirements relating to establishing requirements for medical directors, establishing qualifications for the state EMS supervisor, responsibilities of the EMS Board and reports by DHSS.

At the March 1, 1993 meeting, the Committee heard presentations by Joan M. Hanson, Legislative Liaison, DHSS, and Jon Morgan, DHSS, on the DHSS budget recommendations and on staffing required to perform the duties required of DHSS and the new EMS Board created by the draft under consideration by the Committee.

The Committee reviewed the responses of Secretary James Klauser, DOA, and Secretary Gerald Whitburn, DHSS, to the letters sent to them after the January 27, 1993 meeting. The Committee adopted, by unanimous consent, a directive that a letter be sent on behalf of the Committee to the Joint Committee on Finance regarding the Committee's support for the DHSS EMS budget recommendation and the response received from Secretary Klauser. The Committee continued its discussion of the draft, relating to EMS. The Committee added first responders to the HIV provisions of the draft. The Committee reviewed and made changes in the draft relating to requiring rules to set forth the authority of state and local medical directors, the qualifications of the state EMS supervisor and requiring DHSS to communicate regularly with DOT and the VTAE Board regarding issues affecting ambulance service providers, first responders and EMT's. The Committee reviewed and revised the responsibilities of the EMS Board and DHSS with respect to EMS. The Committee discussed creating a new structure for EMS in Wisconsin that would combine all state agency emergency government-related responsibilities into one agency. The Committee directed that a letter be sent to Governor Thompson requesting that the Governor establish a study committee to review this topic. The Committee discussed certification and performance standards for vehicle operators and uniform data collection. The Committee reviewed a memorandum on HIV testing from Representative Cloyd A. Porter, a draft relating to endotracheal intubation and use of an obturator airway by an EMT and a staff memorandum relating to Wisconsin's good samaritan law.

At its April 5, 1993 meeting, the Committee reviewed the draft that had been revised to incorporate the changes agreed to at the previous meeting. The Committee discussed and made modifications to the draft's provisions on qualifications of the state EMS supervisor, staff for DHSS and the EMS Board, composition of the EMS Board, consultation between agencies on EMS and related issues. The Committee reviewed but did not act on a draft relating to allowing ambulance service providers to submit plans to conduct EMS programs using paramedics. The Committee unanimously approved the draft as amended. The Committee also discussed the issue of "do-not-resuscitate" orders and a draft of legislation proposed by Representative Frank Urban on medical directors for EMS.

Actions of the Legislative Council

The Committee recommended one proposal to the Legislative Council.

At its May 13, 1993 meeting, the Legislative Council voted to delete the provisions of the proposal relating to HIV testing and voted to introduce the proposal. The Legislative Council then voted to introduce the HIV testing provisions as a separate bill. The proposals were introduced as 1993 Assembly Bill 551, relating to emergency medical services, eliminating the Emergency Medical Services Assistance Board and the Emergency Medical Services Advisory Committee, creating an emergency medical services board, granting rule-making authority and making appropriations; and 1993 Assembly Bill 552, relating to testing for human immuno-deficiency virus when first responders, emergency medical technicians, fire fighters, peace officers, correctional officers and state patrol officers are significantly exposed and prohibiting certain discrimination by first responders.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee to Review Emergency Medical Services:

- Wisconsin Legislative Council Report No. 2 to the 1993 Legislature, *Legislation on Emergency Medical Services (1993 A.B.'s 551 and 552)*, dated June 3, 1993.

Actions of the Legislature

1993 Assembly Bill 551 was enacted as 1993 Wisconsin Act 251, effective April 23, 1994, except that SEC. 7 took effect on July 1, 1994, and SECS. 3, 5, 7 and 8 take effect on July 1, 1996. Also, provisions of Assembly Bill 551 were incorporated in 1993 Wisconsin Act 16 (the Biennial Budget Act). [See SECS. 37p, 37r, 47m, 47n, 2578c through 2578g, 2578p and 9126 (12h) and (12i) of Act 16.]

1993 Assembly Bill 552 was enacted as 1993 Wisconsin Act 252, effective April 23, 1994.

For further information see:

- Wisconsin Legislative Council Staff Information Memorandum 94-7, *Wisconsin Laws on Emergency Medical Services Enacted During the 1993-94 Legislative Session (1993 Wisconsin Acts 16, 29, 251 and 252)*, dated April 29, 1994.

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STUDY ASSIGNMENT: The Special Committee is directed to study sexual harassment and to review the adequacy of Wisconsin laws on sexual harassment, including definitions, procedures for acting on complaints, remedies and sanctions, programs to reduce the incidence of sexual harassment and related matters. The Committee is directed to report to the Legislative Council by December 15, 1992. [Based on an October 16, 1991 press release from Sen. Fred A. Risseh]

Established and Chairperson appointed by a May 28, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by a July 24, 1992 mail ballot.

23 MEMBERS: 2 Senators; 4 Representatives; and 17 Public Members.

LEGISLATIVE COUNCIL STAFF: Pam Russell, Senior Staff Attorney; Don Dyke, Senior Staff Attorney; and Lisa Struble, Support Staff.

(1) Originally appointed as an Assembly member, appointed to continue as a Public Member by a December 23, 1992 mail ballot.

SEXUAL HARASSMENT

Summary of Committee Activity

The Legislative Council established the Special Committee on Sexual Harassment and appointed its Chairperson by a May 28, 1992 mail ballot. The Special Committee was directed to study sexual harassment and review the adequacy of Wisconsin laws on sexual harassment, including definitions, procedures for acting on complaints, remedies and sanctions, programs to reduce the incidence of sexual harassment and related matters.

The membership of the Special Committee, other than its Chairperson, was appointed by a July 24, 1992 mail ballot. The Committee consisted of two Senators, five Representatives and 16 Public Members.

The Special Committee held nine meetings at the State Capitol and Capitol Annex in Madison on the following dates:

September 16, 1992	February 24, 1993
November 18, 1992	March 16, 1993
December 16, 1992	April 26, 1993
January 6, 1993	May 24, 1993
January 27, 1993	

At the September 16, 1992 meeting, the Special Committee reviewed a staff brief which provided background on Wisconsin's Fair Employment Law, recent state legislation relating to sexual harassment and federal law on sexual harassment in the workplace. The Special Committee received testimony from J. Sheehan Donoghue, Administrator, Equal Rights Division, Department of Industry, Labor and Human Relations (DILHR). Ms. Donoghue gave an overview of the Fair Employment Law and discussed the processing of sexual harassment claims by DILHR and education efforts in the area of sexual harassment undertaken by DILHR. The Committee concluded the meeting by discussing areas of interest that members wished to pursue at subsequent meetings.

At the November 18, 1992 meeting, the Committee first heard from J. Sheehan Donoghue of DILHR. Ms. Donoghue clarified information she had presented to the Committee at the previous meeting and provided additional information in response to requests made at the previous meeting. The information consisted primarily of statistical information concerning sexual harassment cases and claims. The Committee received testimony from Peter Heesakker and Suzanne Ripple, Conciliators, Equal Rights Division, DILHR. Mr. Heesakker and Ms. Ripple appeared in response to the Special Committee's request for information on DILHR settlement procedures in sexual harassment cases. Lori McCallum, Chairperson, Personnel Commission, described the role and procedure of the Personnel Commission in handling sexual harassment claims when the state is the employer. Eleanor Miller, Assistant Vice-Chancellor for Equal Opportunity, University of Wisconsin (UW)-Milwaukee, discussed efforts of the UW-Milwaukee Affirmative Action Office to address sexual harassment on the UW-Milwaukee Campus. Marian Swoboda, Assistant to the President, Office for Equal Opportunity, Program and Policy Studies, UW System, discussed the handling of sexual harassment complaints by the UW System and provided statistics on the

incidence of sexual harassment in the UW System. Keith Krinke, Employment Relations Section Chief, and Debby Mahaffey, Director, Bureau of Student and Support Services, Vocational, Technical and Adult Education (VTAE) System, discussed how the VTAE System and individual campuses within the System have addressed sexual harassment. Donna Jones, Director, Office of Affirmative Action and Compliance, UW-Madison, discussed the incidence of sexual harassment on the UW-Madison campus and how sexual harassment complaints are handled by UW-Madison.

At the December 16, 1993 meeting, the Special Committee initially reviewed the provisions of 1991 Assembly Bill 1079, relating to sexual harassment training and education in the workplace. The Special Committee received testimony from Professor Edward Pickett, Professor of Small Business, UW-Milwaukee Extension, on the perspective of small businesses regarding sexual harassment in the workplace. Ellen Bravo, Director, 9-to-5, Milwaukee, recited examples to the Committee of incidents of sexual harassment which serve as reminders of the need for more education and training in the area of sexual harassment. Ms. Bravo enumerated typical problems that employees face in dealing with sexual harassment in the workplace and made specific recommendations for good policies and procedures for dealing with sexual harassment in the workplace. Nancy Hoffman, Director, and Mary Jo Kastle, Milwaukee Women in the Trades, discussed the issue of sexual harassment in the trades both generally and based on personal experience. The Committee concluded by discussing additional issues that Committee members wished to pursue at subsequent meetings.

At the January 6, 1993 meeting, the Committee received testimony from Attorney Julie Buchanan, Buchanan and Barry, S.C., Milwaukee. Ms. Buchanan discussed sexual harassment law and policy from the employer's perspective. The Committee began discussing specific issues in sexual harassment law with the prospect of developing draft legislation, including definitions of sexual harassment, remedies, time limits for bringing claims under the Fair Employment Law and complainant confidentiality and the Public Records Law.

At the January 27, 1993 meeting, the Special Committee considered draft legislation relating to: sexual harassment definitions under the Fair Employment Law; the eligibility of employees discharged for sexual harassment violations for unemployment compensation (UC); and reports relating to student discrimination by the UW Board of Regents and the VTAE Board. The Committee discussed issues relating to the procedures for processing sexual harassment claims by DILHR and the Personnel Commission, the responsibility of employers and employees for sexual harassment violations and education and training in the workplace.

At the February 24, 1993 meeting, the Special Committee discussed draft proposals relating to: the eligibility for UC benefits of an employee discharged or suspended for sexual harassment; the definition of sexual harassment and prohibited sexual harassment; access to reports of sexual harassment under the Public Records Law; and the liability of an employer for sexual harassment by a nonemployee. In addition, the Committee discussed issues relating to early education in the public schools regarding sexual harassment. Finally, the Committee discussed draft legislation relating to conciliation in Fair Employment Law cases and requiring sexual harassment policies and procedures in the workplace.

At the March 16, 1993 meeting, the Special Committee reviewed draft legislation reviewed at the previous meetings and also reviewed new draft legislation relating to: requiring school districts to provide pupil education relating to sexual harassment; pupil discrimination curricula and

teacher licensure requirements; requiring DILHR and the Personnel Commission to comply with various time limitations for resolving complaints relating to sexual harassment; nondiscriminatory contracts and sexual harassment education and training; and remedies and frivolous claims.

At the April 26, 1993 meeting, the Special Committee considered a number of draft proposals on issues previously considered and refined and gave preliminary approval to some of the proposals. Discussion by the Special Committee focused on proposals relating to requiring sexual harassment policies and procedures in the workplace; to education and training in sexual harassment in the workplace provided by employers; to requiring school districts to provide pupil education on sexual harassment; and to damages and frivolous claims for sexual harassment violations under the Fair Employment Law.

At the May 24, 1993 meeting, the Special Committee continued its review of draft legislation. The Special Committee reviewed the response of the Council on Unemployment Compensation regarding the Committee's suggestion for revising UC law to expressly provide that sexual harassment is grounds for denial of UC benefits. The Committee reviewed remaining issues regarding draft legislation and took final action on proposals already drafted for recommendation to the Legislative Council. The Committee also directed staff to prepare a draft providing a private cause of action under state law for sexual harassment violations, utilizing Title VII damage limitations, for Committee action via mail ballot.

Actions of the Legislative Council

The Committee recommended four proposals to the Legislative Council.

At its October 6, 1993 meeting, the Legislative Council voted to introduce the proposals, which were introduced as 1993 Assembly Bill 981, relating to requiring sexual harassment policies and procedures in the workplace; 1993 Assembly Bill 982, relating to the definition of sexual harassment and sexual harassment prohibited under the Fair Employment Law; 1993 Assembly Bill 983, relating to access to reports of sexual harassment under the Public Records Law, reports relating to student discrimination filed by the University of Wisconsin Board of Regents and the State Board of Vocational, Technical and Adult Education, the liability of an employer for sexual harassment by a nonemployee, authorizing and encouraging conciliation in fair employment law cases, requiring the Department of Industry, Labor and Human Relations and the Personnel Commission to comply with various time limitations for resolving complaints relating to employment discrimination, pupil discrimination curricula, teacher licensure requirements and granting rule-making authority; and 1993 Assembly Bill 984, relating to grants to school districts for providing pupil education relating to sexual harassment, granting rule-making authority and making an appropriation.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Sexual Harassment:

- Wisconsin Legislative Council Report No. 13 to the 1993 Legislature, *Legislation on Sexual Harassment (1993 A.B.'s 981, 982, 983 and 984)*, dated December 22, 1993.

Actions of the Legislature

1993 Assembly Bill 981 failed to be concurred in by the Senate pursuant to 1993 Senate Joint Resolution 1.

1993 Assembly Bill 982 was enacted as 1993 Wisconsin Act 427, effective May 7, 1994.

1993 Assembly Bill 983 failed to be concurred in by the Senate pursuant to 1993 Senate Joint Resolution 1.

1993 Assembly Bill 984 failed to pass pursuant to 1993 Senate Joint Resolution 1.

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STUDY ASSIGNMENT: The Special Committee is directed to study the collective bargaining process for state employees, including a review of the scope of bargaining, the current process for resolving impasses and means to achieve timely resolution of the bargaining process. The Committee is directed to report to the Legislative Council by March 1, 1993. [Based on a January 29, 1992 release from Sen. Fred A. Risser; and December 19, 1991 and April 8, 1992 letters from Dennis Boyer, AFSCME.]

Established and Chairperson appointed by a June 19, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by an October 7, 1992 mail ballot.

14 MEMBERS: 2 Senators; 2 Representatives; and 10 Public Members.

LEGISLATIVE COUNCIL STAFF: Jane Henkel, Deputy Director; Dan Fembach, Senior Staff Attorney; and Pat Coakley, Support Staff.

STATE COLLECTIVE BARGAINING PROCESS

Summary of Committee Activity

The Legislative Council established the Special Committee on the State Collective Bargaining Process and appointed its Chairperson by a June 19, 1992 mail ballot. The Special Committee was directed to study the collective bargaining process for state employees, including a review of the scope of bargaining, the current process for resolving impasses and means to achieve timely resolution of the collective bargaining process.

The membership of the Special Committee, other than its Chairperson, was appointed by an October 7, 1992 mail ballot. The Committee consisted of two Senators, two Representatives and 10 Public Members.

The Special Committee held three meetings at the State Capitol in Madison on the following dates:

December 16, 1993
January 31, 1994
February 28, 1994

At its December 16, 1993 meeting, the Special Committee reviewed Staff Brief 93-1, *State Collective Bargaining: Scope of Bargaining and Impasse Resolution Procedures in Wisconsin and Other States*, which summarizes the laws of those states that authorize collective bargaining for represented state employees. The Staff Brief also provided additional detailed information on the laws of selected states that utilize binding arbitration to resolve state employee collective bargaining impasses. At the meeting, each of the Committee members explained their interest and experience in the field of public sector collective bargaining and their perceptions regarding the need, if any, for changes in Wisconsin's state employment collective bargaining law.

At its January 31, 1994 meeting, the Special Committee reviewed the results of a staff telephone survey to ascertain the effectiveness of the state employment collective bargaining laws of 13 selected states (California, Connecticut, Florida, Illinois, Iowa, Maine, Michigan, Minnesota, Nebraska, New York, Ohio, Oregon and Rhode Island) that utilize a cross-section of binding and nonbinding impasse resolution procedures, as well as the right-to-strike, to resolve collective bargaining disputes involving state employees. The Committee directed staff to develop a number of bill draft alternatives for the Special Committee to consider at its next meeting, including binding impasse resolution procedures, binding arbitration on noneconomic issues only, the timing of negotiations, a strengthened mediation process and other alternatives that are not binding on the parties.

At its February 28, 1994 meeting, the Special Committee reviewed five bill drafts prepared at the Committee's request by Council Staff:

At the meeting, the Special Committee voted to recommend one of the drafts, as amended, to the Joint Legislative Council for introduction in the 1993 Legislature.

Actions of the Joint Legislative Council

The Joint Legislative Council has not received or acted on the report of the Special Committee. Information on the Council's actions will be included in the 1995 General Report.

Actions of the Legislature

Since the recommendations of the Special Committee have not yet been submitted to the Joint Legislative Council, no legislative action has been taken on those proposals. For further information, refer to the 1995 General Report.

TAX DELINQUENT CONTAMINATED LAND,
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STUDY ASSIGNMENT: The Special Committee is directed to study the acquisition by counties and the City of Milwaukee of environmentally contaminated lands, through tax delinquency proceedings, and to make recommendations regarding protection of public health and safety, the need for and methods of accomplishing remedial action and related issues. The Committee is directed to report to the Legislative Council by December 15, 1992. [Based on a May 5, 1992 letter from Sen. Brian Burke.]

Established and Chairperson appointed by a May 28, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by a July 24, 1992 mail ballot.

18 MEMBERS: 2 Senators; 5 Representatives and 11 Public Members.

LEGISLATIVE COUNCIL STAFF: Mark Patrosky, Senior Staff Attorney; Ron Sklansky, Senior Staff Attorney; and Lisa Struble, Support Staff.

TAX DELINQUENT CONTAMINATED LAND

Summary of Committee Activity

The Legislative Council established the Special Committee on Tax Delinquent Contaminated Land and appointed its Chairperson by a May 28, 1992 mail ballot. The Special Committee was directed to study the acquisition by counties and the City of Milwaukee of environmentally contaminated lands, through tax delinquency proceedings, and to make recommendations regarding protection of public health and safety, the need for and methods of accomplishing remedial action and related issues.

The membership of the Special Committee, other than its Chairperson, was appointed by a July 24, 1992 mail ballot. The Committee consisted of two Senators, five Representatives and 11 Public Members.

The Special Committee held five meetings on the following dates (except as otherwise indicated, all of the meetings were held at the State Capitol in Madison):

August 27, 1992	November 18, 1992
September 17, 1992	January 6, 1993
October 20, 1992 (Cudahy)	

At the August 27, 1992 meeting, the Special Committee heard testimony from a number of invited speakers. John Siefert, Treasurer for Milwaukee County, described the difficulties faced by the county when tax delinquent property is determined to be contaminated and how property owners may attempt to avoid foreclosure of the tax deed by claiming that the property is contaminated. Paul Didier and Mark Giesfeldt, Bureau of Solid and Hazardous Waste Management, Department of Natural Resources (DNR), Madison, described the rules that the Department was drafting to create a standardized process for cleanup of contaminated sites, known as the "NR 700 series." George Anderson, Waste Research and Reclamation Company, Eau Claire, described how contamination problems lead owners to choose to abandon property and made several suggestions for remedies. Kenneth Draheim, Alderperson, New Holstein, described the difficulties that Calumet County had after acquiring the site of an old cheese factory which was later determined to be contaminated. At the conclusion of the meeting, Special Committee members made a variety of suggestions for issues to be discussed at future meetings.

At the September 17, 1992 meeting, the Special Committee heard additional testimony by invited speakers. Marvin Strawn, FirStar Corporation, Milwaukee, described how FirStar has incurred significant losses due to its connection with contaminated property as a lender and suggested that abandonment of such properties is becoming more frequent as a result. He made a variety of suggestions for consideration by the Special Committee. Peter Peshek, DeWitt, Porter, Huggett, Schumacher & Morgan, S.C., said that groundwater is most at risk from contaminated land but that remedies to groundwater contamination have not received as much attention from the state as has surface water contamination. He suggested that the state should commit substantially more resources to clean contaminated property. At the conclusion of presentations by invited speakers, the Special Committee discussed several legislative proposals that had been prepared by staff and made suggestions for changes to that legislation.

At the October 20, 1992 meeting, the Special Committee received further testimony from invited speakers. Reed Groethe, Foley & Lardner, Milwaukee, described the extent to which revenue from the sale of bonds can be used for environmental remediation. Frank Hoadley, Capital Finance Director, Department of Administration, Madison, discussed fiscal concerns regarding the issuance of bonds by the state, including the potential for the sale of additional bonds to affect the credit rating of the state. Phil Smith, CH2M Hill, Milwaukee, described in detail the components of an environmental remediation at a typical industrial site. Linda Meyer, Bureau of Legal Services, DNR, Madison, responded to questions from Special Committee members regarding the cleanup of contaminated land. James Lane, Vice-President, Environmental and Construction Insurance Services, Willis Corroon Corporation of Wisconsin, discussed the kinds of liability insurance policies available historically and currently for environmental pollution and some of the trends in the insurance industry. The Special Committee concluded its meeting with a discussion of the issues that had been raised by the invited speakers.

At the November 18, 1992 meeting, the Special Committee engaged in an extended discussion of a memorandum prepared by staff describing suggested elements for a legislative proposal and of materials submitted by Committee members making suggestions for legislative proposals.

At the January 6, 1993 meeting, the Special Committee discussed in detail a number of bill drafts that had been prepared by staff. After discussing each bill draft, the Special Committee determined whether to direct staff to include the bill draft in a final comprehensive proposal, which would be submitted to the Special Committee for final approval by mail ballot.

Actions of the Legislative Council

The Committee recommended two proposals to the Legislative Council.

At its May 13, 1993 meeting, the Legislative Council voted to introduce the proposals, which were introduced as 1993 Senate Bill 461, relating to creating a program to fund research on remedial action methods for environmentally contaminated land, granting rule-making authority and making an appropriation; and 1993 Senate Bill 462, relating to creating a grant program for investigation and remedial action for municipally owned property that is contaminated by environmental pollution, permitting the use of tax incremental financing for environmental remediation, designating certain officers, agents or employees as peace officers for inspection purposes, creating a lien for municipal costs of property inspection, modifying property tax procedures, limiting municipal liability for damages caused by the release of a hazardous substance, limiting the liability of lenders related to hazardous substances, limiting the liability of purchasers of certain property for existing hazardous substances, creating a cause of action for the cost of remedial action for environmentally contaminated land, imposing liability for the cost of remedial action for certain environmentally contaminated land owned by a political subdivision, creating a lien for state-incurred remedial action costs, granting rule-making authority and making appropriations.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Tax Delinquent Contaminated Land:

- Wisconsin Legislative Council Report No. 7 to the 1993 Legislature, *Legislation on Tax Delinquent Contaminated Land (1993 S.B.'s 461 and 462)*, dated October 11, 1993

Actions of the Legislature

1993 Senate Bill 461 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Senate Bill 462 was enacted as 1993 Wisconsin Act 453, effective May 13, 1994.

For further information, refer to:

- Wisconsin Legislative Council Staff Information Memorandum 94-10, *New Law Relating to Remediation of Contaminated Land (1993 Wisconsin Act 453)*, dated May 13, 1994.

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STUDY ASSIGNMENT: The Special Committee is directed to study state transportation planning and policies, to ensure the development of a comprehensive transportation system that provides for the desired movement of persons and goods in this state in response to new federal policies and a balancing of energy, environmental, economic, land use and social considerations. The Committee is directed to report to the Legislative Council by March 1, 1993. [Based on an April 8, 1992 letter from Sen. Joseph Leean; and an April 27, 1992 letter from Mayor John O. Norquist, Milwaukee.]

Established and Chairperson appointed by a June 19, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by an August 26, 1992 mail ballot.

27 MEMBERS: 3 Senators; 4 Representatives; and 20 Public Members.

LEGISLATIVE COUNCIL STAFF: John Stolzenberg, Staff Scientist; Janice Baldwin, Senior Staff Attorney; and Wendy Ulrich, Support Staff.

(1) Originally appointed as an Assembly member; appointed to continue as a Senate member and Vice-Chairperson by a December 23, 1992 mail ballot.

(2) Appointed to the Committee by an October 7, 1992 mail ballot.

(3) Originally appointed as an Assembly member; appointed to continue as a Public Member by a December 23, 1992 mail ballot. -117-

TRANSPORTATION DEVELOPMENT

Summary of Committee Activity

The Legislative Council established the Special Committee on Transportation Development and appointed its Chairperson by a June 19, 1992 mail ballot. The Special Committee was directed to study state transportation planning and policies, to ensure the development of a comprehensive transportation system that provides for the desired movement of persons and goods in this state in response to new federal policies and a balancing of energy, environmental, economic, land use and social considerations.

The membership of the Special Committee, other than its Chairperson, was appointed by an August 26, 1992 mail ballot. The Committee consisted of two Senators, six Representatives and 19 Public Members.

The Special Committee held seven meetings at the State Capitol in Madison on the following dates:

September 24, 1992
November 13, 1992
December 11, 1992
January 11, 1993

February 8, 1993
February 22, 1993
April 19, 1993

At the September 24, 1992 meeting, the Special Committee heard testimony from invited speakers. Mark Hanson, Resource Management Associates, stated that the Wisconsin transportation system is moving in a nonsustainable direction, as evidenced by chronic ozone pollution and increased fiscal stress on local governments and by the fact that less than 50% of highway costs are borne by user fees or constrained by market pricing. Mr. Hanson presented recommendations relating to the reduction of property taxes as transportation user fees increase; management of vehicle miles traveled (VMT); application of marginal pricing principles to congestion problems; encouragement of balanced multimodal transportation systems with significant local input; and the avoidance of large new highway projects until the effects of market pricing are explored. John Norwell, Dane County Highway Commissioner, discussed the Local Road Improvement Program (LRIP), the effect of the Federal Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) on local highway maintenance, balanced transportation systems and traffic control on highways.

Charles Thompson, Secretary of Transportation, highlighted four features of ISTEA: state, regional and local partnerships; multimodal transportation; enhanced and cooperative planning; and environmental protection. Characterizing ISTEA as a federal program which accelerates efforts already underway in Wisconsin, Secretary Thompson stated that the Department of Transportation (DOT) relied on existing plans in 1992 but will modify its 1993 budget to accommodate the new features incorporated in ISTEA. Diane Pfaff, Western Wisconsin Area Agency on Aging, focused on transportation for older and disabled persons and recommended that such programs receive increased funding and that DOT improve coordination of such transportation services. Charles Kamp, Valley Transit, described the role of public transportation, the need for investment in public transit services and facilities, the role of state and local assistance in replacing previously "withdrawn" federal funds and the opportunities under ISTEA to transfer federal assistance between

highway and transit purposes. Wendy Seppi, Lake Arterial Extension Committee, explained the opposition to the Lake Arterial Extension Highway Project in southeastern Wisconsin and recommended that the state provide more public education on the extent of air pollution in southeastern Wisconsin and on the desirability of a no-build transportation alternative with only spot building of highways necessary to relieve problem areas.

Phillip Scherer, Transportation Development Association of Wisconsin, observed that Wisconsin's transportation system has unmet needs in virtually all forms of transportation and that there is a need for intermodal coordination, coordination between land use and transportation development and increased environmental sensitivity while recognizing differences between geographic areas within the state. Fay Amerson, Environmental Consultant, stated that storm runoff from highways contributes a significant amount of nonpoint water pollution which should be cleaned up in part through the use of the state gasoline tax; that the West Waukesha and Oconomowoc bypasses should not be built; and that the criteria used by DOT to recommend major projects for enumeration to the Transportation Projects Commission allocate only 3.5% of the total weight (100%) given to air and water pollution concerns while safety factors are allocated a 20% weight.

At the November 13, 1992 meeting, the Special Committee heard additional testimony by invited speakers. Ken Kinney, Office of Strategic Planning, City of Milwaukee, stated that current fiscal policy heavily subsidizes the use of automobiles primarily through the property tax but suggested that situation could be cured by openly assigning transportation costs to the beneficiaries of the transportation. He added that the property tax subsidy encourages urban and suburban sprawl and results in the underuse of less subsidized modes of transportation, such as bus service. Roger Schrantz, DOT, briefly summarized the 1993-95 Wisconsin transportation budget which represents an evolutionary shift from a highways-oriented budget to one that provides greater multimodal support for transit, rail, harbors and other transportation-related areas and reflects new initiatives designed to enhance local transportation and to respond to new multimodal challenges. Rob Kennedy, Madison Institute, provided a critique of the DOT budget, stating that it is basically a budget for a highway, not a transportation, department. He noted that the total DOT budget for 1993-95 represents a 12.4% increase over the 1993 budget levels but that the increase in transportation expenses, other than those for highways and airports, only represents a 2% improvement. Kelsie Doty, Legislative Fiscal Bureau (LFB), reviewed her memorandum on transportation-related costs and revenue sources at the federal, state and local government levels. Committee members informally discussed the Committee goals and subjects to be discussed at future meetings.

At the December 11, 1992 meeting, the Special Committee heard additional presentations by invited speakers. Roger Schrantz, DOT, discussed procedures for evaluating and selecting major highway projects and other state highway reconstruction projects and described the need for comprehensive transportation planning to develop the multimodal plan required by ISTEA by the end of 1994. Frederic Ross, DOT, summarized the state highway planning process and improvement program. Nancy Korda, Public Service Commission (PSC), focused upon the electric utility advance planning process in which the plans of electric utilities are based upon least-cost integrated planning concepts in which all options are treated equally and in which the utilities determine the cost of meeting projected needs and evaluate other alternatives including "demand side" energy conservation methods, load management and fuel switching. Larry Bruss and John Duffie, DNR, summarized the status of the Lake Michigan Ozone Control Program photochemical

modeling analysis and the Employee Trip Reduction Program mandated by the Clean Air Act (CAA). Barbara Kipp, DOT, summarized the issues relating to the conformity provisions of the CAA.

John Norwell, Dane County Highway Commissioner, recommended that town highway standards should be transferred from the statutes to the Administrative Code and that local governments should be allowed to adopt less stringent highway design standards than the current state-required standards provided they do not fall below recommended national standards and would not significantly affect the safety of motorists. Robert Henken, Dodge County Highway Commissioner, briefly summarized the history of the LRIP and recommended that additional state funds be provided for LRIP and that the statutory limitations on county contracting under the program be repealed. John Delmore, Scott Construction Company, indicated that the LRIP is sound and has broad-based local support and that significantly increased funding would be necessary to eliminate the backlog of existing needs and to keep pace with emerging needs. He stated that local road construction work can generally be done more efficiently and cost-effectively by private contractors rather than by local governments. Dennis Boyer, American Federation of State, County and Municipal Employees, suggested increased flexibility in the LRIP law to allow the use of county employes and equipment on LRIP projects; further study on the maintenance of state and town highways to minimize employe and equipment duplication; and promulgation of safety standards for public employes and public sector construction vehicles for road construction.

Mike Slavney, Dane 2020 Task Force, summarized the Task Force's final report and recommendations on the consistency of transportation and land use plans, official mapping, transportation impact identification study and "in-fill" development incentives. Richard Cutler, Southeastern Wisconsin Regional Planning Commission (SEWRPC) Advisory Committee on Regional Land Use Plan Implementation, summarized the recommendations of the Advisory Committee relating to preservation of prime agricultural lands, promotion of compact and contiguous urban development and preservation of upland portions of primary environmental corridors. Richard Lehmann, Statewide Land Use Task Force, and Sandy Beaupre, DOT, presented a history of this Task Force and its recommendations regarding planning effectiveness and coordination; transportation corridor preservation, access and land use management; regional land use; development impacts on transportation; and land use and transportation concerns. Don Stone summarized the status of freight rail service in Wisconsin, the growing use of truck-rail intermodal freight service and the movement of hazardous waste by rail.

At the January 11, 1993 meeting, Professor Thomas Heberlein, University of Wisconsin (UW)-Madison, described his study, which recommended against construction of a bridge to replace the ferry at Merrimac, and observed that the subsequent DOT cost-benefits study concentrated largely on highway users rather than ferry users or the impact of a bridge on the adjacent communities. Mike Cass, DOT, reported that the DOT Merrimac Bridge study was requested by the Village of Merrimac and that an environmental impact statement is in preparation. Edward Huck, Wisconsin Alliance of Cities, discussed the historic allocation of local highway aids and suggested a compromise between the functional formula based on different reimbursement rates for different types of roads and the cost-driven formula based on a flat percentage of average cost incurred by municipalities, with a hold-harmless alternative for cities adversely affected by the compromise. Thomas Harnisch, Wisconsin Towns Association, stated that the cost-driven formula ignores the local ability to pay and results in an inequality in funds allotted to road maintenance. Jon Hochkammer, Wisconsin Counties Association, indicated that the decline in state highway aids

as a percentage of county costs from 30% to 28% increases dependence upon local property taxes and undermines cost-effective preventive maintenance.

Jim Johnson and Jeffrey Knight, Department of Administration (DOA), described the testing stages for the Wisconsin demonstration program of alternative fuels and suggested that the Legislature wait until the best fuels are determined for various types of vehicles before developing specific policies on the fuels. Kenneth Leonard, DOT, discussed various demand management techniques and their relation to congestion mitigation and air quality improvement and noted that full implementation of ISTEA depends upon the development of federal regulations. Duane Hickling, UW-Madison, described the demand management program at the Madison campus and recommended restoration of the use of parking funds for parking purposes and authorization for the UW-Madison to offer economic incentives to its students and employees to use alternate modes of transportation. Arthur Ross and Tom Walsh, City of Madison DOT, stated that bicycle usage is significant at the UW-Madison and in Madison, and that bicycle projects should be included as part of the general transportation plans and designs and be funded from general transportation funds to avoid replicating the highway system in a separate bicycle system.

Mike Cass, DOT, summarized current procedures and guidelines to implement "enhancement activities" financed under the new ISTEA funds. Ron Sklansky, Legislative Council Staff, briefly summarized the testimony received by the Legislative Council Special Committee on Rail Facilities and Services. John Parkyn, Wisconsin Association of Railroad Passengers, endorsed the revival of passenger railroad service in Wisconsin, especially in ozone nonattainment areas, and stated that the current focal points are the Madison-Milwaukee and Fox River-Milwaukee corridors plus the Minneapolis-St. Paul-Chicago link and the Milwaukee and Madison light rail developments. Thomas Frazier, Wisconsin Coalition of Aging Groups, presented background information on the transportation of elderly persons and stressed that those over 85 require the most service and are the fastest growing segment of the elderly population. Jayn Wittenmyer, Council on the Developmentally Disabled, reported that the Medical Assistance program is good for medical trips but poor for weekend and other personal services. She recommended that a transportation advisory committee be established in each county to coordinate transportation services for the elderly and disabled.

At the February 8, 1993 meeting, the Committee commenced its discussion of MEMO NO. 12, *Transportation Development Policy Options*, dated January 27, 1993. Options in this Memo related to multimodal transportation systems; state highways--planning and improvement programming and major projects; local highways--general transportation aid, LRIP and project planning, design and construction; transportation demand management; mass transit; bicycle and pedestrian transportation; elderly and disabled transportation; rural and rail transportation land use and transportation systems; fuel conservation and alternate fuels and alternate fueled vehicles; and air and water pollution.

At the February 22, 1993 meeting, the Committee continued its discussion of Memo No. 12. On the basis of informal hand and voice votes, Chairperson Black directed the staff to prepare three drafts for the Committee's review and modification as follows: an appropriations amendment to the Executive Budget Bill; a draft relating to long-range planning and project approval; and a miscellaneous draft of other transportation items.

At the April 19, 1993 meeting, the Committee discussed in detail the three drafts prepared by staff which were requested at the February 22, 1993 meeting and amendments to the drafts prepared at the request of one or more Committee members. After discussing each bill draft, the Committee adopted its recommendations to the Legislative Council. Senator Lcean stated his intention to submit a brief minority report to the Legislative Council.

The Committee also directed the staff to prepare a letter in cooperation with Chairperson Black to be sent to Amtrak encouraging the transportation of bicycles by rail as "roll-on, roll-off" goods to promote the use of bicycles for commuting or recreational purposes beyond the customary range of bicycle usage for commuting or for long-distance travel.

Actions of the Legislative Council

The Committee recommended three proposals to the Legislative Council.

At its October 7 and October 21, 1993 meetings, the Legislative Council tabled two of the drafts and failed to introduce the other draft.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Transportation Development:

- Committee Report No. 18 to the Legislative Council, *Recommendations of the Special Committee on Transportation Development*, dated September 29, 1993.

Actions of the Legislature

Since the Legislative Council did not approve any of the proposals of the Special Committee on Transportation Development, there were no legislative actions on those proposals.

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STUDY ASSIGNMENT: The Special Committee is directed to study the types and levels of use of the state's navigable lakes and streams, and to recommend methods by which state and local governmental units can assure that there is an adequate opportunity for all users to enjoy the navigable waters of the state while minimizing the conflicts among the users, protecting the state's natural resources and protecting public health, safety and welfare. The Committee is directed to report to the Legislative Council by December 15, 1992. [Based on SECTION 3 of Assembly Substitute Amendment 1 to 1991 Assembly Bill 298; and an April 15, 1992 letter from Rep. Peter Bock.]

Established and Chairperson appointed by a May 28, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by an August 26, 1992 mail ballot.

20 MEMBERS: 2 Senators; 4 Representatives; and 14 Public Members.

LEGISLATIVE COUNCIL STAFF: Bill Ford, Senior Staff Attorney; Richard Sweet, Senior Staff Attorney; and Wendy Ulrich, Support Staff.

USE OF PUBLIC WATERS

Summary of Committee Activity

The Legislative Council established the Special Committee on Use of Public Waters and appointed its Chairperson by a May 28, 1992 mail ballot. The Special Committee was directed to study the types and levels of use of the state's navigable lakes and streams and to recommend methods by which state and local governmental units can ensure that there is an adequate opportunity for all users to enjoy the navigable waters of the state while minimizing the conflicts among the users, protecting the state's natural resources and protecting public health, safety and welfare.

The membership of the Special Committee, other than its Chairperson, was appointed by an August 26, 1992 mail ballot. The Committee consisted of two Senators, four Representatives and 14 Public Members.

The Special Committee held five meetings at the State Capitol in Madison on the following dates:

October 6, 1992	February 3, 1993
November 11, 1992	March 10, 1993
December 17, 1992	

At the October 6, 1992 meeting, the staff briefed the Special Committee on the contents of Staff Brief 92-16, *Legal Issues Related to Use of Public Waters*, dated September 29, 1992. In addition, Thomas Thorsen, Deputy Administrator, Division of Enforcement, DNR, described a proposed administrative rule developed by the DNR which is intended to create a comprehensive statewide policy on public boating access to navigable waters. In addition, Kenneth Johnson, Assistant Chief, Bureau of Water Regulation and Zoning, Division of Enforcement, DNR, described how DNR regulates navigable waters under chs. 30 and 31, Stats. Mr. Johnson also presented a number of photographic slides showing how, on certain lakes in the southern portion of the state, "high-density" riparian users, such as condominiums and back lot developments, have resulted in a large number of piers, wharves and other boat moorings on the lakes. Following a general Committee discussion of how to properly balance rights to use navigable waters by the public and riparians, staff was directed to prepare a list of general topics suggested at the meeting that could be addressed by the Special Committee.

At the November 11, 1992 meeting, Thomas Thorsen, Deputy Administrator, Division of Enforcement, DNR, summarized the public hearings that had been held on DNR's proposed rule concerning public access to navigable waters, ss. NR 1.91 to 1.93, Wis. Adm. Code. In addition, staff reviewed for the Committee MEMO NO. 1, *Suggestions Made at the October 6, 1992 Meeting of the Special Committee*, dated November 3, 1992. Following Committee discussion of Memo No. 1, staff was directed to prepare nine preliminary bill drafts relating to local boating regulations, municipal regulations that restrict recreational access to inland navigable waters, the construction and maintenance of wharves and piers, lake management planning and authorizing projects for access for nonmotorized boats under the state recreational boating facilities program.

At the December 17, 1992 meeting, the Committee reviewed and adopted revisions to the draft legislation requested by the Committee at its November 11, 1992 meeting relating to: (1) local boating regulations; (2) the authority of towns, villages, cities and public inland lake protection and rehabilitation districts to adopt local boating regulations; (3) the types of local boating regulations that may be adopted by local units of government; (4) review of local boating regulations; (5) the state recreational boating facilities program; (6) lake management planning grant; (7) controlling motorboat speed on certain lakes; (8) municipal regulations that restrict recreational access to inland navigable waters; and (9) the construction and maintenance of wharves and piers.

At the February 3, 1993 meeting, the Committee received testimony from Senator Margaret Farrow on the issue of boating safety and legislation she had introduced during the 1991-92 Legislative Session relating to boating safety. In addition, the Committee discussed draft legislation, which had been drafted after Committee discussion at the December 17, 1992 meeting, relating to: (1) local boating regulations; (2) the authority of towns, villages, cities and public inland lake and rehabilitation districts to adopt local boating regulations; (3) the types of local boating regulations that may be adopted by local units of government; (4) review of proposed local boating regulations; (5) the state recreational boating facilities program; (6) placement of wharves and piers by riparian owners; and (7) municipal regulations that restrict recreational access to inland navigable waters.

The Committee directed that these drafts be combined, with any revisions agreed upon at the February 3, 1993 meeting, into one composite bill draft. At this meeting, the Committee determined not to discuss further drafts relating to lake management planning grants and to the construction and maintenance of wharves and piers. The Committee directed staff to prepare a draft, separate from the composite draft, that would allow local units of government to restrict the horsepower of boat motors on lakes of 500 or fewer acres and also directed staff to prepare a memorandum on boating safety comparing Senator Farrow's proposal with bills introduced by the Legislative Council in the 1991-92 Session.

At the March 10, 1993 meeting, the Committee reviewed a composite draft consisting of the seven separate bill drafts given preliminary approval by the Special Committee at its February 3, 1993 meeting. The Committee made a number of revisions to the draft including the insertion of a provision requiring DNR to promulgate administrative rules establishing a formula for limiting the number of piers and wharves that may be placed along a shoreline in proportion to the amount of shoreline footage. At this meeting, the Committee voted to approve the draft as revised and voted to recommend that the Legislative Council introduce the draft in the 1993-94 Session of the Legislature. In addition, the Committee determined not to recommend legislation authorizing local units of government to impose horsepower restrictions on lakes of over 500 acres. The Committee also reached a consensus that, although legislation relating to boating safety should be considered by the 1993 Legislature, the Special Committee would not recommend specific boating safety proposals to be enacted into law.

Actions of the Legislative Council

The Committee recommended one proposal to the Legislative Council.

At its May 27, 1993 meeting, the Legislative Council voted to introduce the proposal, which was introduced as 1993 Assembly Bill 865, relating to placement of wharves and piers by riparian

owners; adoption and review of local boating regulations by towns, villages, cities, public inland lake protection and rehabilitation districts and counties; municipal regulations that restrict recreational access to inland navigable waters; the state recreational boating facilities program; and granting rule-making authority.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Use of Public Waters:

- Wisconsin Legislative Council Report No. 11 to the 1993 Legislature, *Legislation on Use of Public Waters (1993 A.B. 865)*, dated December 8, 1993.

Actions of the Legislature

1993 Assembly Bill 865 failed to pass pursuant to 1993 Senate Joint Resolution 1.

VETERANS TRUST FUND,
SPECIAL COMMITTEE ON THE

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STUDY ASSIGNMENT: The Special Committee is directed to study the management and continued financial viability of the Veterans Trust Fund, including: (1) an examination of whether the Veterans Trust Fund is the appropriate mechanism for the continued funding of certain programs; (2) a review of current and proposed veterans programs traditionally funded, or considered for funding, from the Fund; and (3) an examination of current and new sources of revenue to maintain the fiscal integrity of the Veterans Trust Fund. The Committee is directed to report to the Legislative Council by January 15, 1993. [Based on an April 15, 1992 letter from Rep. Dale J. Bolle.]

Established and Chairperson appointed by a May 28, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by a July 24, 1992 mail ballot.

12 MEMBERS: 1 Senator; 4 Representatives; and 7 Public Members.

LEGISLATIVE COUNCIL STAFF: Gordon A. Anderson, Senior Staff Attorney; Shaun Haas, Senior Staff Attorney; and Roberta Lund, Support Staff.

- (1) Originally appointed as a Senate member; appointed to continue as a Public Member and Chairperson by a December 23, 1992 mail ballot.
- (2) Originally appointed as an Assembly member; appointed to continue as a Public Member by a December 23, 1992 mail ballot.

VETERANS TRUST FUND

Summary of Committee Activity

The Legislative Council established the Special Committee on the Veterans Trust Fund and appointed its Chairperson by a May 28, 1992 mail ballot. The Special Committee was directed to study the management and continued financial liability of the Trust Fund, including:

...(1) an examination of whether the Trust Fund is the appropriate mechanism for the continued funding of certain programs; (2) a review of current and proposed veterans programs traditionally funded, or considered for funding, from the Fund; and (3) an examination of current and new sources of revenue to maintain the fiscal integrity of the Veterans Trust Fund.

The membership of the Special Committee, other than its Chairperson, was appointed by a July 24, 1992 mail ballot. The Committee consisted of two Senators, five Representatives and five Public Members.

The Special Committee held seven meetings on the following dates (except as otherwise indicated, all of the meetings were held at the State Capitol in Madison):

September 2, 1992	January 12, 1993
September 30, 1992	February 22, 1993
November 12, 1992 (Green Bay)	March 29, 1993
December 8, 1992	

At the September 2, 1992 meeting, the Special Committee reviewed a staff brief that provides a brief history of the Trust Fund and the programs funded from the Trust Fund and provides financial data relating to the Fund and its current financial status. The Committee also received a presentation by Raymond G. Boland, Secretary of the Department of Veterans Affairs (DVA). He presented background information on the DVA's current review of veterans programs and its timetable for making recommendations to the Veterans Board and the Governor for inclusion in the 1993-95 Biennial Budget and made recommendations for Committee consideration. Secretary Boland also presented information on programs for veterans and the current fiscal status of the Trust Fund. The Committee also discussed concerns with income limitations for veterans programs and the needs of Wisconsin's veterans programs to adjust to the returning Operation Desert Storm and Operation Desert Shield veterans, as well as veterans returning to Wisconsin due to the reductions in size of the military services.

At the September 30, 1992 meeting, the Committee held a public hearing to receive testimony of representatives of veterans organizations regarding the Trust Fund and the programs of the Fund. The Committee received testimony from the State Association of County Veterans Service Officers, the American Legion, Vietnam Veterans of America Council, Disabled American Veterans, Vets for Vets, Wisconsin Association of Concerned Veterans Organizations, Vietnam Veterans Against the War and Vietnam Veterans of America, U.S. Submarine Veterans of World War II, Veterans of Foreign Wars and Disabled American Vets, a member of the Board of Veterans Affairs and county veterans service officers. The Committee received testimony on the issues of

extending eligibility to all veterans who served on active duty in the military service and received an honorable discharge, rather than only to veterans who served in wartime periods, removing income limits or increasing income limits for eligibility for loan and grant programs and attempting to preserve the financial integrity of the Trust Fund. The Committee also heard testimony on issues relating to eligibility of Operation Desert Storm and Operation Desert Shield veterans for state programs.

At the November 12, 1992 meeting, the Committee held a public hearing in Green Bay to receive testimony from representatives of veterans organizations and members of the public regarding state veterans programs. Twenty-two individuals spoke to the Committee regarding income eligibility restrictions, preventing future "raids" on the Trust Fund by state government, eligibility of Persian Gulf veterans for state programs, the need for improved training programs for veterans who are currently being discharged, the need for programs to deal with homelessness and rehabilitation of homeless veterans, financing the Trust Fund, continuation of the Health Care Aid Grant Program, funding and operation of the King Veterans Home and the Wisconsin Veterans Museum and special needs of recently discharged veterans.

At the December 8, 1992 meeting, the Committee heard a presentation by Secretary Boland, DVA, in response to questions raised by Committee members at prior meetings. The Secretary reviewed questions concerning the DVA's recommendations to the Governor for its 1993-95 Biennial Budget and recommendations relating to stabilization of the Trust Fund. The information included the fiscal effect on the state veterans program if the current five- and 10-year residency eligibility requirements were reduced to one year or eliminated. Secretary Boland also responded to questions regarding the wartime service eligibility requirements and educational benefits for veterans. The Committee discussed the rehabilitation program being requested by the DVA in its 1993-95 Biennial Budget request. Frank R. Hoadley, Capital Finance Director, Department of Administration, made a presentation to respond to questions relating to state bonds for veterans housing loans and the refinancing of those bonds. He discussed whether there are excess amounts in insurance reserves and other reserve funds for the housing loan program that could be transferred to the Trust Fund, outstanding veterans housing loan bond issues and the savings to the state from refinancing those bond issues and the sale of housing loan portfolios to produce revenues that could be used to enhance the solvency and stability of the Trust Fund. The Committee also reviewed staff papers on the history of the liquor tax on alcoholic beverages which was used for veterans programs from 1947 to 1951, litigation on state tax treatment of federal pensions and the recommendations made at prior hearings for changes in laws relating to the Trust Fund.

At the January 12, 1993 meeting, the Committee received a presentation from Secretary Boland on the fiscal effects of changes the Committee had discussed to eligibility for the Trust Fund programs. The memorandum described the fiscal effects of three components of eligibility--residency, the period of time served and income--as factors which could be revised. Secretary Boland said that the effect of changing the length of residency from 10 years to zero years, removing income limits and including persons who served in peacetime, as well as wartime, would be that the Trust Fund would have to fund an additional \$22.9 million in benefits over and above the anticipated level of \$5.8 million per year. The major program expansion would occur in the Economic Assistance Loan Program which would be expanded by approximately \$22.2 million per year over the current \$4.1 million per year in loans. The fiscal effects of changes on the other programs would only amount to approximately \$2.7 million per year. Secretary Boland also discussed the transfer of \$20 million from the insurance reserves for the Veterans Housing Loan

Program to the Trust Fund. The Committee then discussed a memorandum on the recommendations for changes in laws relating to the Trust Fund which included recommendations made at prior public hearings as well as recommendations made by Committee members. The Committee also directed staff to prepare a preliminary draft of changes to the Trust Fund and its programs.

At the February 22, 1993 meeting, the Committee received a presentation from Daniel D. Stier, Deputy Secretary, DVA, regarding the Governor's actions on the DVA's 1993-95 Biennial Budget request. Charles Hoslet, Executive Assistant, DVA, discussed a memorandum regarding the fiscal estimate of the impact of Operation Desert Storm and Operation Desert Shield veterans on state veterans programs. He said that the memorandum shows that the total additions to the veterans population as a result of Operation Desert Storm and Operation Desert Shield through 1995 is estimated to be approximately 26,421. He said that the memorandum also contains two Trust Fund cash flow scenarios. Under one, if no transfer from reserve funds of the Veterans Housing Loan Program is made and no repayment of the loan from the Trust Fund to the State General Fund occurs, there would be a shortage of \$16,955,941. If the loan repayment and the transfer are made, there is no projected general purpose revenue need for the next five fiscal years. Mr. Hoslet also described documents relating to eligibility for the DVA's proposed tuition waiver grant program and veterans rehabilitation program.

The Committee also discussed letters to the Joint Committee on Finance, members of the Wisconsin Congressional Delegation and the National Conference of State Legislatures (NCSL) regarding the treatment by the U.S. Department of Veterans Affairs of federal veterans who were incarcerated in state correctional facilities. The Committee directed that letters be sent to the presiding officers of each house in each state to encourage the veterans committees and individual Legislators of the states to support an NCSL resolution to the federal government on the topic. The Committee also reviewed a memorandum regarding the federal and state definitions of "veteran" and issues related to the definitions. The Committee reviewed a draft relating to eligibility for veterans benefits for Persian Gulf War veterans and persons who serve in war periods, administration of veterans programs, the Wisconsin Veterans Museum, loans from the Trust Fund, veterans housing loans and health care grants. After reviewing and making changes in the draft, the Committee directed that staff prepare an additional draft relating to a tuition waiver program. The Committee also reviewed additional recommendations for changes in laws relating to the Trust Fund.

At the March 29, 1993 meeting, the Committee reviewed materials from the DVA regarding eligibility of Desert Shield and Desert Storm veterans and issues raised by the DVA regarding the provisions of the draft discussed at the previous meeting. The Committee reviewed a draft relating to a tuition and fee waiver program for veterans who attend University of Wisconsin (UW) System campuses and Vocational, Technical and Adult Education (VTAE) System campuses. The Committee reviewed fiscal estimates prepared by the DVA of the cost of the program. The Committee revised the draft to permit a member of the Wisconsin National Guard to have 100% of his or her fees waived and 50% of his or her tuition waived under the new program. The Committee also changed the applicability date of the new program to the fall semester in 1994.

The Committee then reviewed and amended the draft relating to eligibility for veterans benefits for Persian Gulf War veterans and making other changes in veterans programs. The Committee extended eligibility for housing loan programs to Persian Gulf War veterans. The Committee amended the draft to include a study by the DVA of the Health Care Aid Grant Program

and to repeal the Vietnam and Post-Vietnam Era Education Grant Program and replace it with the tuition waiver grant program previously discussed. The Committee also reviewed a draft relating to requiring surpluses resulting from refinancing veterans housing loan bond issues to be deposited in the Trust Fund and requiring a biennial report on this topic by the Building Commission. The Committee approved this draft by a voice vote. Following further discussion, the Committee, by unanimous consent, combined all drafts into one draft which was then recommended unanimously for introduction by the Legislative Council in the 1993-94 Legislature.

Actions of the Legislative Council

The Committee recommended one proposal to the Legislative Council.

At its May 13, 1993 meeting, the Legislative Council voted to introduce the proposal, which became 1993 Assembly Bill 619, relating to eligibility for veterans benefits for persian gulf veterans and persons who serve in war periods, administration of veterans programs, the veterans museum, the residency period for economic assistance and business loans, educational grants, loans from the veterans trust fund, veterans housing loans and health care grants, granting rule-making authority and making appropriations.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on the Veterans Trust Fund:

- Wisconsin Legislative Council Report No. 4 to the 1993 Legislature, *Legislation on the Veterans Trust Fund (1993 A.B. 619)*, dated July 6, 1993.

Actions of the Legislature

1993 Assembly Bill 619 was enacted as 1993 Wisconsin Act 254, effective April 23, 1994.

For further information, refer to:

- Wisconsin Legislative Council Staff Information Memorandum 94-20, *New Law Relating to the Veterans Trust Fund (1993 Wisconsin Act 254)*, dated June 6, 1994.

WOMEN OFFENDERS IN THE CORRECTIONAL SYSTEM,
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STUDY ASSIGNMENT: The Special Committee is directed to study the corrections system as it applies to women offenders, including a review of: (1) the demographics of women offenders, the nature of their offenses and the reasons for imprisonment of nonassaultive women offenders; (2) the availability of effective community-based corrections programs for women offenders; (3) the access of women offenders to intensive sanctions and other alternative corrections programs; (4) the extent to which women offenders are the full or primary caretakers of minor children and the need for a family visitation program; (5) issues related to special conditions of confinement for women offenders; and (6) the provision of training and employment opportunities for women offenders. The Committee is directed to report to the Legislative Council by March 1, 1993. [Based on 1991 Assembly Joint Resolution 20; and an April 9, 1992 letter from Reps. Mary Panzer and Rebecca Young.]

Established and Chairperson appointed by a May 28, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by a July 24, 1992 mail ballot.

20 MEMBERS: 3 Senators; 5 Representatives; 10 Public Members; and 2 Non-Voting Technical Advisory Members.

LEGISLATIVE COUNCIL STAFF: Don Salm, Senior Staff Attorney; Pam Shannon, Senior Staff Attorney; and Julie Terry, Support Staff.
(1) Originally appointed as an Assembly member; appointed to continue as a Senate member by a December 23, 1992 mail ballot.
(2) Appointed to replace Prof. Frank Remington, who resigned from the Committee on December 4, 1992, by a December 23, 1992 mail ballot.

WOMEN OFFENDERS IN THE CORRECTIONAL SYSTEM

Summary of Committee Activity

The Legislative Council established the Special Committee on Women Offenders in the Correctional System and appointed its Chairperson by a May 28, 1992 mail ballot. The Special Committee was directed to study the corrections system as it applies to women offenders, including a review of: (1) the demographics of women offenders, the nature of their offenses and the reasons for imprisonment of nonassaultive women offenders; (2) the availability of effective community-based corrections programs for women offenders; (3) the access of women offenders to intensive sanctions and other alternative corrections programs; (4) the extent to which women offenders are the full or primary caretakers of minor children and the need for a family visitation program; (5) issues related to special conditions of confinement of women offenders; and (6) the provision of training and employment opportunities for women offenders.

The membership of the Special Committee, other than its Chairperson, was appointed by a July 24, 1992 mail ballot. The Committee consisted of two Senators, six Representatives, 10 Public Members and two non-voting Technical Advisory Members.

The Special Committee held eight meetings on the following dates (except as otherwise indicated, all of the meetings were held at the State Capitol in Madison):

September 2, 1992	December 8, 1992
October 8, 1992	January 15, 1993
October 20, 1992 (Union Grove)	February 10, 1993
November 5, 1992	March 30, 1993

At the September 2, 1992 meeting, the Special Committee heard testimony from Special Committee Member Mary Gilfus, Assistant Professor, School of Social Work and Women's Studies, University of Wisconsin (UW)-Madison. In her testimony, Professor Gilfus: (1) gave a portrait of female offenders based on national research which she has conducted; (2) provided an overview of corrections policies and programs for women offenders; (3) commented on issues relating to gender equity in corrections and on the risk and needs of women offenders; and (4) discussed the issue of how to design policies and programs that offer gender equity and help women move away from criminal patterns of behavior. Next, the Special Committee received testimony from Special Committee Member Kathleen Krenek, Policy Development Coordinator, Wisconsin Coalition Against Domestic Violence, Madison, relating to ways in which male batterers exercise power and control over their spouses or partners, including their use of emotional as well as physical abuse. The Special Committee also heard testimony from Terri Landwehr, Administrator, Division of Adult Institutions, Department of Corrections (DOC), who gave an overview of female offenders under the jurisdiction of the DOC. She noted that Wisconsin has one of the best offender classification systems in the country because it is objective and it is not used in isolation. She discussed the use of a challenge incarceration program (i.e., "boot camp") for female offenders, the recidivism rate of female offenders and the 1988 Taycheedah Correctional Institution (TCI) Consent Decree entered in the U.S. District Court for the Eastern District of Wisconsin.

The Special Committee then heard testimony from Janice Cummings, Regional Chief, Probation and Parole, Southeast Wisconsin, DOC, Waukesha, who reviewed statistical information on female offenders on probation and parole in Wisconsin and discussed the major need areas with reference to these female offenders. Finally, the Special Committee heard testimony from Ken Streit, Faculty Advisor, Legal Assistance to Institutionalized Persons (LAIP) Program, UW-Law School, who discussed: (1) the family backgrounds, prior records and current offenses of 10 anonymous female offenders who have received assistance from the LAIP Program; and (2) information, compiled by a group of LAIP students who reviewed DOC files, relating to females incarcerated in Wisconsin prisons for killing a spouse or significant other person. The Committee concluded its discussion by raising a number of key issues the Committee wished to focus on at future meetings.

At the October 8, 1992 meeting, the Special Committee received testimony from Karen Kinsey, Executive Director, ARC Community Services (ACS), Inc., Madison, a private nonprofit agency providing innovative, community-based services to women (and their children) who are at risk for criminal activity or substance abuse, or both, on a residential day treatment and outpatient basis. She described the experience that ACS has had with adult female offenders and the innovative programs that have been developed in response to the needs and requirements of these offenders in the criminal justice system. The Special Committee then heard from William Grosshans, Administrator, Division of Intensive Sanctions (DIS), DOC, who described the Intensive Sanctions Program (ISP), which was created to provide the courts with a third sentencing option for offenders, the other two being: (1) probation; or (2) imprisonment, fine, or both. He explained that the legislative intent of the ISP is that it be utilized as a sentence for certain felons who, in the past, would have received a sentence to state prison. He also commented on the Mother-Infant Program which has been placed in the DIS.

The Special Committee then heard from Ann McDiarmid, National Institute of Corrections (NIC), Washington, D.C., and Barbara Bloom, National Council on Crime and Delinquency, San Francisco, California. Ms. McDiarmid described the technical assistance, training and consulting programs and services the NIC has available relating to women offenders, noting that NIC currently has a project relating to intermediate sanctions for women offenders and that Wisconsin could apply for a grant under this project. Ms. Bloom noted that she has conducted two studies relating to women offenders, one entitled *Female Offenders in the Community: An Analysis of Innovative Strategies and Programs* and the other entitled *Why Punish the Children?* She explained that although female offenders traditionally represent a small proportion of the total adult and juvenile offender populations (5% to 10%), their presence in the nation's correctional population has been expanding at a rate that far exceeds that of male offenders. She described the factors which distinguish female offenders from male offenders, suggested some strategies for sound correctional policy regarding women offenders and provided a summary of considerations for jurisdictions considering programs specifically for women offenders. The Special Committee then had a lengthy discussion, which included Ms. McDiarmid, Ms. Bloom and key representatives from the DOC, regarding technical assistance for which Wisconsin could apply from the NIC.

At the October 20, 1992 meeting, the Special Committee toured the Robert E. Ellsworth Women's Correctional Center in Union Grove, and heard a presentation by Pat Ogren, Superintendent of that facility. Ms. Ogren set forth her "wish list" for changes in the system, including more literacy programs, less dependency on volunteers for critical programs, better understanding of women offenders by the DOC, more alcohol and other drug abuse (AODA)

programs, more halfway houses and community housing options for women offenders, and a greater commitment on the part of society to educate youth before they become offenders. The Special Committee then toured the Milwaukee Women's Correctional Center and heard presentations by Superintendent (and Special Committee Member) Barbara Powell and by three current residents and one former resident of the Center relating to their experiences and the programs and services offered at the Center.

At the November 5, 1992 meeting, the Special Committee received testimony from the following persons:

1. Cindy Schoenike, Deputy Administrator, Division of Management Services, DOC, who provided an overview of the DOC's 1993-95 budget request as it was submitted to the Governor. She explained that there was very little in the budget specifically relating to women offenders.

2. Dr. Ken Lerner, Director, Bureau of Clinical Services, DOC, who provided an overview of the services within the Bureau. He noted that compared to male offenders, women offenders are higher consumers of mental health services, have more victimization issues in their background and are more willing to use clinical services.

3. Dr. Pat Allen, Section Chief, Bureau of Clinical Services, DOC, who provided information on the clinical services provided at TCI, noting that there are two full-time psychologists and one psychiatrist who consults one-half day per week. She noted that the chief psychological problems of women relate to: (a) victimization; and (b) drug abuse and the frequency of brain damage resulting from drug abuse. She noted that there is a definite need for more staff, especially staff psychologists.

4. Barbara Sutton, Regional Chief, Division of Probation and Parole (DPP), DOC, Green Bay, who provided the Committee with a brief overview of probation and parole issues relating to women offenders, including a discussion of current unmet needs. She noted that the DPP focuses on the woman offender's need for life skills and budgeting and managing skills, as well as on building community support for the offender.

5. Anne Mikkelson, Adult Services Specialist, DPP, DOC, who described the current and future direction of the DPP, noting that there is a need for, among other things, a comprehensive approach to employment of women offenders by emphasis on nontraditional job training and job-seeking and job retention skills, more halfway houses for women offenders, transitional living arrangements for women with children, intensive in-home services for women offenders and their families, increased day treatment services, better AODA treatment and a coalition of resources so that highly rural areas can tap into existing resources in urban areas.

6. Professor (and Special Committee Member) Mary Gilfus, who commented on inmate classification systems across the country, noting that the classification model used in probation and parole in Wisconsin is one of the best she has seen. She noted that there are no empirical bases for the classification system for women, explaining that the system for women was developed based on male risk profiles. She noted that, because of this fact, recommending changes in the current classification tools in Wisconsin is difficult and there is a definite need to develop better data that is gender-specific to women before changing the classification instrument.

7. Ken Streit, who made some general comments on community corrections for women offenders in Wisconsin, describing various key questions which should be addressed with reference to these offenders. He described a number of possible changes to improve the current system relating to women offenders, especially with regard to child visitation and child custody matters.

At the December 8, 1992 meeting, the Special Committee heard testimony from Robert Owens, Director of Clinical Services, TCI, and Gary Arling, Section Chief, Bureau of Clinical Services, DOC. Mr. Owens described the process by which female inmates are tested to determine whether they are in need of clinical services at TCI and described the type of services that women who qualify are provided. He noted that, at present, the women incarcerated at TCI do not have access to the mental health delivery system outside of TCI and, in particular, a mental health institute, as do male inmates who have the Wisconsin Resource Center. Dr. Arling discussed the number of and reasons why women at TCI are on psychotropic drugs.

The Special Committee then heard from James D. Hart, Program Director, TCI, and Susan Lopau, Social Worker, TCI, on social services programs and services for women offenders at TCI. Mr. Hart described the various steps a woman offender takes as she progresses through the system at TCI and described the demographics of the population at TCI. Ms. Lopau discussed how she facilitates the movement of women through TCI, taking a holistic approach, in which she either addresses all areas of an offender's need herself or refers the person to other services. She commented specifically on the programs at TCI relating to visitation and telephone contact of children with their inmate-mothers. The Special Committee then heard from Sheryl Hayward Beagle, Executive Director, Genesis II for Women, Inc., Minneapolis, Minnesota, which provides day treatment and other community-based programs for female offenders in the Minnesota Correctional System. She explained that the program: (1) provides on-site day care for children ages birth to 13, in which the children receive services as well, including developmental testing and further assistance for those who are at high risk; and (2) utilizes a case management system to coordinate with the seven or more professionals who may be working with a woman and her children at any particular time. She noted that what is unique about the Genesis II program is that it combines and balances the battered women's philosophy of recognizing an offender as a victim with the corrections' philosophy of holding a person accountable for her actions. Finally, the Committee heard from Ken Streit, who described a possible pilot program for additional funding for services for women offenders in the DIS. The Special Committee concluded by discussing the possibility of creating a position in DOC or an advisory council to DOC on women offenders in the corrections system and the possibility of creating some sort of long-range planning requirement for the DOC in dealing with women offenders.

At the January 15, 1993 meeting, the Special Committee heard testimony from Kristine Krenke, the newly-appointed Superintendent at TCI. Ms. Krenke commented that among her goals are: (1) to develop productive and honest communications with her staff, the media, the surrounding community and women's organizations across the state; (2) to prioritize TCI's resources; (3) to continue TCI's national reputation for having model programs for women offenders, such as the Women and Chemicals Program; and (4) to have TCI have an impact on the entire correctional system and be seen as a significant part of the larger state correctional system. The Special Committee then discussed a draft relating to creating a council on women offenders and a position on women offenders in the DOC. The Committee also discussed a draft relating to long-range planning for adult female offenders and a funding proposal from Ken Streit involving a pilot program to evaluate the efficacy of developing new types of "Phase I" intensive sanctions

programs so that judges could sentence female offenders directly to DIS rather than sentencing them to TCI. Chairperson Young concluded the meeting by establishing an informal working group of Committee members and other interested persons to meet prior to the next meeting to discuss the various issues relating to women offenders and their children.

At the February 10, 1993 meeting, the Special Committee discussed issues relating to the defense of battered women who kill or injure their abusive partners. Chairperson Young reported that several Committee members and staff had met in Milwaukee with Sue Osthoff, Executive Director, National Clearinghouse for the Defense of Battered Women, Philadelphia, Pennsylvania, to discuss these issues and had determined that: (1) the current Wisconsin statutory language is adequate to permit the admission of self-defense evidence; and (2) the best course of action is to encourage the establishment of educational programs for defense and prosecuting attorneys as well as judges to make them aware of issues relating to battered women. The Special Committee then discussed, and gave final approval to, two drafts, one relating to long-range planning for adult female offenders and the second relating to creating a council on women offenders and designating one or more persons as women offenders coordinator in the DOC. The Committee then discussed a draft of Mr. Streit's proposal relating to additional funding for treatment of women offenders who are participants in the ISP. Finally, the Special Committee discussed the recommendations of the Committee's Working Group on Incarcerated Women and Their Children, which met on January 22, 1993 to develop its recommendations for changes relating to "primary caretaker inmate-parents" and visitation and other communication between inmate-parents and their children.

At the March 30, 1993 meeting, the Special Committee gave final approval to drafts relating to: (1) the reasonable efforts standard applicable to imprisoned parents and their children; (2) permanency planning for a child whose parent is a prisoner; (3) the opportunity of a parent who is a prisoner to participate in certain court hearings relating to his or her child; (4) imprisonment as a factor in involuntary termination of parental rights proceedings; (5) assessment of the needs of a primary caretaker inmate-parent in the correctional system; (6) visitation and other communication with an inmate-parent's child; (7) parental status as an item of consideration in a presentence report after a criminal conviction; and (8) purchasing services for intensive programming for women offenders in ISP. The Special Committee also heard briefly from several Committee members who are continuing work on the issue of battered women who are in the Wisconsin correctional system because of killing a spouse or significant other person.

Actions of the Legislative Council

The Committee recommended two proposals to the Legislative Council.

At its October 7, 1993 meeting, the Legislative Council voted to introduce the proposals, which were introduced as 1993 Assembly Bill 996, relating to participation of an inmate-parent in certain court hearings relating to his or her child, permanency planning for a child whose parent is an inmate, reasonable efforts requirements applicable to inmate-parents and their children, imprisonment as a factor in involuntary termination of parental rights proceedings, assessment of needs of primary caretaker inmate-parents, visitation and other communication between an inmate-parent and his or her child and a defendant's parental status as an item of consideration in a presentence investigation report after certain criminal convictions and granting rule-making authority; and 1993 Assembly Bill 997, relating to creating a council on women offenders, designating one

or more persons as women offenders coordinators in the Department of Corrections, long-range planning for women offenders and making appropriations.

See the following report for a discussion of the activities of, and legislation recommended by, the Special Committee on Women Offenders in the Correctional System:

- Wisconsin Legislative Council Report No. 16 to the 1993 Legislature, *Legislation on Women Offenders in the Correctional System (1993 A.B.'s 996 and 997)*, dated January 6, 1994.

Actions of the Legislature

1993 Assembly Bill 996 failed to pass pursuant to 1993 Senate Joint Resolution 1.

1993 Assembly Bill 997 failed to be concurred in pursuant to Senate Joint Resolution 1.

APPENDIX I

TABLES OF PROPOSALS

APPENDIX I

TABLES OF PROPOSALS

Tables I and II list the proposals submitted to the Legislative Council by the study committees and staff, and indicates the action taken on these proposals by the Legislative Council.

In Table I, proposals which were introduced are listed by ascending bill number, with the Assembly bills appearing first. Table II lists those proposals submitted to the Council by its committees, but which the Council did not introduce. These proposals are grouped alphabetically by committee. In both Tables, the following information is given: (1) the bill or draft number; (2) the committee conducting the study, the vote by the Committee and the number of the Report to the Council (RTC); (3) the subject matter of the proposals; (4) the action taken on the proposal by the Legislative Council and the date of the action; and (5) the final action taken by the Legislature.

**TABLE I
PROPOSALS INTRODUCED**

<i>1993 Bill Number</i>	<i>Study Committee, Vote and RTC No.</i>	<i>Subject Matter</i>	<i>Legislative Council Approval Date and Vote</i>	<i>Final Action</i>
AB 296	American Indian (Reintroduction of 1991 AB 990) (A-11, N-0, Abst-3)	Creating a council on American Indian health, preparation of an American Indian health plan, cooperative American Indian health projects, the composition of county community programs boards and intercultural training for county community programs boards	February 18, 1993 (A-11, N-7, Abst-3)	Failed to pass pursuant to SJR 1; provisions incorporated in 1993 Wisconsin Act 16
AB 551	Emergency Medical Services (A-13, N-0, Abst-5) [RTC No. 4]	Emergency medical services, eliminating the Emergency Medical Services Assistance Board and the Emergency Medical Services Advisory Committee, creating an emergency medical services board, granting rule-making authority and making appropriations	May 13, 1993 (A-13, N-4, Abst-3, Vacancy-1)	1993 Wisconsin Act 251; some provisions incorporated in 1993 Wisconsin Act 16
AB 552		Testing for human immunodeficiency virus when first responders, emergency medical technicians, fire fighters, peace officers, correctional officers and state patrol officers are significantly exposed and prohibiting certain discrimination by first responders	May 13, 1993 (A-17, N-0, Abst-3, Vacancy-1)	1993 Wisconsin Act 252

1993 Bill Number	Study Committee, Vote and RTC No.	Subject Matter	Legislative Council Approval Date and Vote	Final Action
AB 582	Issues Relating to Hunger Prevention [RTC No. 6]	Providing an outreach program for the earned income tax credit, providing state aid to school districts and private schools for breakfast programs, establishing a business income and franchise tax credit for food donations, creating a food donation education program, the specialized transportation assistance program for counties and certain elderly nutrition projects, establishing a food stamp outreach grant program, changing applications and reporting procedures under the food stamp program, requiring the Department of Health and Social Services to request a waiver of certain federal food stamp regulations, providing for the direct certification of eligibility for school nutrition programs, creating a board on hunger, establishing community-based hunger prevention start-up grants and making appropriations	May 27, 1993 (A-18, N-0, Abst-3)	1993 Wisconsin Act 168
	(A-12, N-0, Abst-4, Not Voting-1)	Changing eligibility for and increasing the earned income tax credit		
	(A-13, N-0, Abst-4)	Earned income tax credit and making an appropriation		
	(A-13, N-0, Abst-4)	Providing state payments to school districts and private schools for breakfast programs and making an appropriation		
	(A-12, N-1, Abst-4)	Establishment of a business tax credit for food donations		
	(A-12, N-0, Abst-4)	Creating a food donation education program and making an appropriation		
	(A-13, N-0, Abst-4)	Specialized transportation assistance program for counties, certain elderly nutrition projects and making an appropriation		
	(A-12, N-1, Abst-4)	Establishing a food stamp outreach grant program, food stamp applications, reporting under the food stamp program and making an appropriation		
	(A-13, N-0, Abst-4)	Implementation of direct certification of eligibility for school nutrition programs and increasing an appropriation		

<i>1993 Bill Number</i>	<i>Study Committee, Vote and RTC No.</i>	<i>Subject Matter</i>	<i>Legislative Council Approval Date and Vote</i>	<i>Final Action</i>
	(A-13, N-0, Abst-4)	Creating a council on hunger in Wisconsin and community-based hunger prevention start-up grants		
AB 619	Veterans Trust Fund (A-12, N-0, Abst-0) [RTC No. 5]	Eligibility for veterans benefits for Persian Gulf veterans and persons who serve in war periods, administration of veterans programs, the Veterans Museum, the residency period for economic assistance and business loans, educational grants, loans from the Veterans Trust fund, veterans housing loans and health care grants, granting rule-making authority and making appropriations	May 13, 1993 (A-16, N-0, Abst-4, Vacancy-1)	1993 Wisconsin Act 254
AB 695	Privacy and Information Technology (Reintroduction of 1991 AB 948) (A-10, N-4, Abst-8)	Consideration of personal privacy interests when deciding when to permit inspection and copying of public records	February 18, 1993 (A-17, N-1, Abst-3)	Failed to pass pursuant to SJR 1
AB 701	Energy Resources (A-19, N-1, Not Voting-0) [RTC No. 10]	State energy policy, energy use by state and local governmental facilities, regulation of energy consuming products, Governor's energy awards, local land use restrictions regarding wind and solar energy systems, granting rule-making authority and providing a penalty	June 2, 1993 (A-17, N-0, Abst-4)	1993 Wisconsin Act 414
AB 702	Privacy and Information Technology (Reintroduction of 1991 AB 931) (A-13, N-0, Abst-9)	Discipline of state employees based on surveillance	February 18, 1993 (A-17, N-1, Abst-3)	Failed to pass pursuant to SJR 1
AB 821	Farm Safety [RTC No. 15]	Creating an agricultural safety and health center in the University of Wisconsin System, farm safety programs, content of driver education courses, sales of farm equipment, liability arising out of fabricating safety devices for farm equipment, highway operation of agricultural machinery, requiring amber reflectors on overwidth implements of husbandry, making an appropriation and providing a penalty	October 6, 1993 (A-15, N-4, Abst-2)	1993 Wisconsin Act 455

1993 Bill Number	Study Committee, Vote and RTC No.	Subject Matter	Legislative Council Approval Date and Vote	Final Action
	(A-16, N-1, Not Voting-2)	Creating an agricultural safety and health center in the UW System, farm safety programs and making an appropriation		
	(A-17, N-0, Not Voting-2)	Sales of farm equipment		
	(A-12, N-4, Abst-3)	Operation of tractors and self-propelled implements of husbandry by youthful operators		
	(Unanimous consent)	Ordinary negligence		
	(Unanimous consent)	Content of driver education courses		
	(Unanimous consent)	Requiring forward-facing amber reflectors on overwidth implements of husbandry		
AB 865	Use of Public Waters (A-16, N-1, Abst-3) [RTC No. 7]	Placement of wharves and piers by riparian owners; adoption and review of local boating regulations by towns, villages, cities, public inland lake protection and rehabilitation districts and counties; municipal regulations that restrict recreational access to inland navigable waters; the state recreational boating facilities program; and granting rule-making authority	May 27, 1993 (A-11, N-8, Abst-2)	Failed to pass pursuant to SJR 1
AB 900 (SB 778)	Oversight of Community Mental Health Services [RTC No. 17]	Department of Health and Social Services program certification, review and oversight; patients' rights and grievance procedures; abuse, neglect and maltreatment of vulnerable adults; receivership; treatment records; consumer participation; granting rule- making authority; making appropriations; and providing penalties (<i>abbreviated</i> title)	October 7, 1993 (A-19, N-1, Abst-1)	1993 Wisconsin Act 445
	(A-16, N-1, Not Voting-0)	Model mental health plan		
	(A-16, N-1, Not Voting-0)	Client surveys		
	(A-16, N-1, Not Voting-0)	Mental health training curriculum		
	(A-17, N-0, Not Voting-0)	Review of community services		

1993 Bill Number	Study Committee, Vote and RTC No.	Subject Matter	Legislative Council Approval Date and Vote	Final Action
	(A-17, N-0, Not Voting-0)	Program Certification		
	(A-17, N-0, Not Voting-0)	Local matching funds for community support programs		
	(A-17, N-0, Not Voting-0)	Professional education credits		
	(A-17, N-0, Not Voting-0)	Patients' rights		
	(A-15, N-2, Not Voting-0)	Standards for grievance procedures		
	(A-17, N-0, Not Voting-0)	Supervision of grievance process		
	(A-17, N-0, Not Voting-0)	Penalties for denial or violation of patients' rights		
	(A-17, N-0, Not Voting-0)	Protection and advocacy services pilot program		
	(A-17, N-0, Not Voting-0)	Maltreatment of vulnerable adults and abuse and neglect of patients and residents		
	(A-17, N-0, Not Voting-0)	Investigation of abuse, neglect or misappropriation of property of a vulnerable adult		
	(A-16, N-1, Not Voting-0)	Receivership		
	(A-17, N-0, Not Voting-0)	Treatment records		
	(A-15, N-2, Not Voting-0)	Consumer representation on human services and community programs boards		
	(A-17, N-0, Not Voting-0)	State Council on Mental Health staff		
AB 964	Rail Facilities and Services (A-13, N-1, Abst-5) [RTC No. 11]	State passenger rail plan, the creation of a passenger rail projects commission and passenger rail project selection	October 7, 1993 (A-12, N-8, Abst-1)	Failed to pass pursuant to SJR 1

<i>1993 Bill Number</i>	<i>Study Committee, Vote and RTC No.</i>	<i>Subject Matter</i>	<i>Legislative Council Approval Date and Vote</i>	<i>Final Action</i>
AB 965	Rail Facilities and Services (Unanimous consent) [RTC No. 11]	Directing the Office of the Commissioner of Railroads to develop a plan to reimburse railroads for the cost of fencing	June 2, 1993 (A-11, N-7, Abst-3)	Failed to pass pursuant to SJR 1
AB 966	Rail Facilities and Services (Unanimous consent) [RTC No. 11]	Preliminary Amtrak service extension activities and making an appropriation	June 2, 1993 (A-16, N-2, Abst-3)	Failed to pass pursuant to SJR 1
AB 981	Sexual Harassment (A-19, N-1, Abst-3) [RTC No. 12]	Requiring sexual harassment policies and procedures in the workplace	October 6, 1993 (A-14, N-5, Abst-2)	Failed to concur in pursuant to SJR 1
AB 982	Sexual Harassment (A-17, N-3, Abst-3) [RTC No. 12]	Definition of sexual harassment and sexual harassment prohibited under the fair employment law	October 6, 1993 (A-14, N-5, Abst-2)	1993 Wisconsin Act 427
AB 983	Sexual Harassment (A-15, N-5, Abst-3) [RTC No. 12]	Access to reports of sexual harassment under the public records law, reports relating to student discrimination filed by the University of Wisconsin Board of Regents and the State Board of Vocational, Technical and Adult Education, the liability of an employer for sexual harassment by a nonemployee, authorizing and encouraging conciliation in fair employment law cases, requiring the Department of Industry, Labor and Human Relations and the Personnel Commission to comply with various time limitations for resolving complaints relating to employment discrimination, pupil discrimination curricula, teacher licensure requirements and granting rule-making authority	October 6, 1993 (A-19, N-0, Abst-2)	Failed to concur in pursuant to SJR 1
AB 984	Sexual Harassment (A-20, N-0, Abst-3) [RTC No. 12]	Grants to school districts for providing pupil education relating to sexual harassment, granting rule-making authority and making an appropriation	October 6, 1993 (A-12, N-7, Abst-2)	Failed to pass pursuant to SJR 1
AB 994	Drainage District Laws (A-15, N-0, Not Voting-0) [RTC No. 2]	Drainage board and drainage district procedures, granting rule-making authority and making an appropriation	February 18, 1993 (A-17, N-1, Abst-3)	1993 Wisconsin Act 456; partially vetoed; Legislature failed to override

<i>1993 Bill Number</i>	<i>Study Committee, Vote and RTC No.</i>	<i>Subject Matter</i>	<i>Legislative Council Approval Date and Vote</i>	<i>Final Action</i>
AB 996	Women Offenders in the Correctional System [RTC No. 13]	Participation of an inmate-parent in certain court hearings relating to his or her child, permanency planning for a child whose parent is an inmate, reasonable efforts requirements applicable to inmate-parents and their children, imprisonment as a factor in involuntary termination of parental rights proceedings, assessment of needs of primary caretaker inmate-parents, visitation and other communication between an inmate-parent and his or her child and a defendant's parental status as an item of consideration in a presentence investigation report after certain criminal convictions and granting rule-making authority	October 7, 1993 (A-19, N-1, Abst-1)	Failed to pass pursuant to SJR 1
	(A-13, N-0, Abst-5)	Reasonable efforts standards applicable to imprisoned parents and their children		
	(A-13, N-0, Abst-5)	Permanency planning for a child whose parent is a prisoner		
	(A-13, N-0, Abst-5)	Opportunity of a parent who is a prisoner to participate in certain court hearings relating to his or her child		
	(A-10, N-2, Abst-6)	Imprisonment as a factor in involuntary termination of parental rights proceedings		
	(A-13, N-0, Abst-5)	Assessment of needs of primary caretaker inmate-parents in the correctional system		
	(A-11, N-1, Abst-6)	Visitation and other communication with an inmate-parent's child		
	(A-12, N-0, Abst-6)	Parental status as an item of consideration in presentence report after criminal conviction		
AB 997	Women Offenders in the Correctional System [RTC No. 13] (A-12, N-0, Abst-6)	Creating a council on women offenders, designating one or more persons as women offenders coordinators in the Department of Corrections, long-range planning for women offenders and making appropriations	October 7, 1993 (A-20, N-0, Abst-1)	Failed to concur in pursuant to SJR 1
AB 1098	American Indian (A-6, N-4, Abst-4) [RTC No. 16]	Reciprocal registration exemption agreements for boats, snowmobiles and all-terrain vehicles	February 3, 1994 (A-16, N-3, Abst-3)	1993 Wisconsin Act 405

<i>1993 Bill Number</i>	<i>Study Committee, Vote and RTC No.</i>	<i>Subject Matter</i>	<i>Legislative Council Approval Date and Vote</i>	<i>Final Action</i>
AB 1099	American Indian (A-9, N-0, Abst-5) [RTC No. 19]	Intergovernmental cooperation agreements and units of government responsible for recycling	February 3, 1994 (A-20, N-0, Abst-2)	1993 Wisconsin Act 406
AB 1198	American Indian (A-11, N-0, Abst-3) [RTC No. 19]	Tribal law enforcement officers	February 3, 1994 (A-19, N-1, Abst-2)	1993 Wisconsin Act 407
AB 1264	Genetic and Medical Information [RTC No. 20]	Creating the council on hereditary and congenital disorders, testing for congenital and metabolic disorders and granting rule-making authority	February 3, 1994 (A-20, N-0, Abst-2)	Failed to pass pursuant to SJR 1
	(A-15, N-0, Abst-5)	Testing for congenital and metabolic disorders		
	(A-15, N-0, Abst-5)	Creating the council on hereditary and congenital disorders		
AB 1265	Genetic and Medical Information [RTC No. 20]	Patient health care records, mental health records and pupil records	February 3, 1994 (A-20, N-0, Abst-2)	Failed to pass pursuant to SJR 1
	(A-19, N-0, Not Voting-1)	Definition of patient health care "record"		
	(A-16, N-3, Not Voting-1)	Release of a patient's health care records to the patient		
	(A-15, N-4, Not Voting-1)	Recording of the release of patient health care records by a person who is not a health care provider and inspection of the recording		
	(A-14, N-1, Not Voting-1)	Recording of the release of patient health care records by a health care provider		
	(A-14, N-5, Not Voting-1)	Uniform statewide patient identification numbers		
	(A-13, N-6, Not Voting-1)	Challenges to the accuracy of patient health care records		
	(A-12, N-7, Not Voting-1)	Limitations on the subpoena of health care provider records		
	(A-12, N-7, Not Voting-1)	Access to patient health care records of minors		
	(A-18, N-1, Not Voting-1)	Fees for patient health care records released without informed consent		

<i>1993 Bill Number</i>	<i>Study Committee, Vote and RTC No.</i>	<i>Subject Matter</i>	<i>Legislative Council Approval Date and Vote</i>	<i>Final Action</i>
	(A-14, N-5, Not Voting-1)	Informed consent for the disclosure of patient health care records		
	(A-18, N-1, Not Voting-1)	Release of patient health care records under certain circumstances		
	(A-15, N-4, Not Voting-1)	Release of medical records relating to human immunodeficiency virus (HIV) tests by an agent of a deceased person		
AJR 62	Issues Relating to Hunger Prevention (A-13, N-0, Abst-4) [RTC No. 6]	Eliminating hunger in Wisconsin and to memorializing the Congress and President of the United States to eliminate hunger in the United States by the year 2000	May 27, 1993 (A-17, N-0, Abst-4)	Failed to adopt pursuant to SJR 1
AJR 101 (SJR 50)	Oversight of Community Mental Health Services (A-17, N-0, Not Voting-0) [RTC No. 17]	Requesting the Department of Health and Social Services to apply for a federal waiver to include persons with mental illness in community integration programs under the Medical Assistance program	October 7, 1993 (A-17, N-3, Abst-1)	Failed to concur in pursuant to SJR 1
AJR 102 (SJR 51)	Oversight of Community Mental Health Services (A-17, N-0, Not Voting-0) [RTC No. 17]	Memorializing Congress to appropriate funds to permit more flexible use of substance abuse and mental health services administration funds	October 7, 1993 (A-19, N-1, Abst-1)	Failed to concur in pursuant to SJR 1
SB 88	Alternative Education Programs (A-15, N-1, Abst-2) [RTC No. 1]	Alternative education programs, children-at-risk programs, granting rule-making authority and making an appropriation	February 18, 1993 (A-13, N-5, Abst-3)	Failed to pass pursuant to SJR 1; some provisions incorporated in 1993 Wisconsin Act 16
SB 89	Alternative Education Programs (A-15, N-1, Abst-2) [RTC No. 1]	Assessment periods for certain pupils, high school graduation requirements, alternative education program teacher licensure, education for employment programs and granting rule-making authority	February 18, 1993 (A-18, N-0, Abst-3)	1993 Wisconsin Act 339
SB 90	Review Sexual Assault Laws (Reintroduction of 1991 SB 180) (A-12, N-2, Abst-2)	Sexual assault, intercourse and contact	February 18, 1993 (Unanimous consent)	Failed to pass pursuant to SJR 1
SB 91	Review Sexual Assault Laws (Reintroduction of 1991 SB 179) (A-13, N-0, Abst-3)	Criminal liability based on omissions or criminal recklessness and providing penalties	February 18, 1993 (Unanimous consent)	Failed to pass pursuant to SJR 1

<i>1993 Bill Number</i>	<i>Study Committee, Vote and RTC No.</i>	<i>Subject Matter</i>	<i>Legislative Council Approval Date and Vote</i>	<i>Final Action</i>
SB 320	Private Forest Land Programs (A-10, N-2, Abst-3) [RTC No. 8]	Managed forest lands; the designation of a managed forest reserve south of USH 10; allowing land to be added to the woodland tax program; granting rule-making authority; and providing penalties	May 27, 1993 (A-14, N-7, Abst-0)	Failed to pass pursuant to SJR 1
SB 321	Private Forest Land Programs (A-11, N-0, Abst-4) [RTC No. 8]	Conversion of lands that are entered on the tax roll as forest croplands to lands that are entered on the tax roll as managed forest lands	May 27, 1993 (A-21, N-0, Abst-0)	Failed to pass pursuant to SJR 1; provisions incorporated in 1993 Wisconsin Act 131
SB 461	Tax Delinquent Contaminated Land (A-17, N-1, Not Voting-0) [RTC No. 3]	Creating a program to fund research on remedial action methods for environmentally contaminated land, granting rule-making authority and making an appropriation	May 13, 1993 (A-18, N-0, Abst-2, Vacancy-1)	Failed to pass pursuant to SJR 1
SB 462	Tax Delinquent Contaminated Land (A-17, N-1, Not Voting-0) [RTC No. 3]	Creating a grant program for investigation and remedial action for municipally owned property that is contaminated by environmental pollution, permitting the use of tax incremental financing for environmental remediation, designating certain officers, agents or employees as peace officers for inspection purposes, creating a lien for municipal costs of property inspection, modifying property tax procedures, limiting municipal liability for damages caused by the release of a hazardous substance, limiting the liability of lenders related to hazardous substances, limiting the liability of purchasers of certain property for existing hazardous substances, creating a cause of action for the cost of remedial action for environmentally contaminated land, imposing liability for the cost of remedial action for certain environmentally contaminated land owned by a political subdivision, creating a lien for state-incurred remedial action costs, granting rule-making authority and making appropriations	May 13, 1993 (A-18, N-0, Abst-2, Vacancy-1)	1993 Wisconsin Act 453

<i>1993 Bill Number</i>	<i>Study Committee, Vote and RTC No.</i>	<i>Subject Matter</i>	<i>Legislative Council Approval Date and Vote</i>	<i>Final Action</i>
SB 529	Campaign Financing (A-17, N-6, Not Voting-0) [RTC No. 14]	Designations for the Wisconsin Election Campaign Fund by individuals filing state income tax returns, income and franchise tax deductions for certain business expenses related to lobbying, public information related to the Wisconsin Election Campaign Fund, eligibility requirements for and the amounts of grants from the Wisconsin Election Campaign Fund, disbursement levels for candidates for certain state offices, independent expenditures in support of or opposition to candidates for certain state offices, campaign contribution limitations, disposition of residual campaign funds, providing an exemption from emergency rule procedures, granting rule-making authority and making appropriations	October 7, 1993 (A-14, N-5, Abst-2)	Failed to pass pursuant to SJR 1
SB 530	Campaign Financing (A-16, N-7, Not Voting-0) [RTC No. 14]	Limitation of campaign expenditures by candidates for state and local offices, prohibition of independent expenditures by committees or individuals in support of or opposition to candidates for state and local offices, providing an exemption from emergency rule procedures and granting rule-making authority	October 7, 1993 (A-13, N-6, Abst-2)	Failed to pass pursuant to SJR 1

1993 Bill Number	Study Committee, Vote and RTC No.	Subject Matter	Legislative Council Approval Date and Vote	Final Action
SB 570	Foster Care and Other Out-of-Home Placements [RTC No. 9]	<p>Juvenile court jurisdiction over a child who is alleged to be in need of protection or services based on abuse or neglect of another child in the home, holding a child in physical custody based on abuse or neglect of another child in the home, the appointment of a guardian ad litem for a child placed in out-of-home care and the duration of the appointment of a guardian ad litem appointed under the children's code, notification to a putative father regarding proceedings to determine whether a child is in need of protection or services, paternity determination proceedings, the release of certain information regarding a foster child to foster parents, membership of permanency plan review panels, grounds for involuntary termination of parental rights, authorizing a county department of human services or social services to license foster homes in other counties, notifying foster parents of supplemental foster care payments, appeals of orders terminating parental rights, a study of out-of-home placements of children, a study of a county-level intensive family education center program and granting rule-making authority</p>	May 27, 1993 (A-20, N-0, Abst-1)	1993 Wisconsin Act 395
	(A-18, N-3, Abst-5)	Foster parent training		
	(A-21, N-0, Abst-5)	Release of certain medical and other information to foster parents		
	(Unanimous consent)	Notification of foster parents regarding supplemental and exceptional payments		
	(A-21, N-0, Abst-5)	Licensure of foster homes in other counties		
	(A-20, N-1, Abst-5)	Membership of permanency plan review panels		
	(Unanimous consent)	Termination of parental rights based on continuing need for protection or services		
	(A-20, N-1, Abst-5)	Termination of parental rights of an incarcerated parent		
	(A-20, N-0, Abst-6)	Termination of parental rights appeals		

<i>1993 Bill Number</i>	<i>Study Committee, Vote and RTC No.</i>	<i>Subject Matter</i>	<i>Legislative Council Approval Date and Vote</i>	<i>Final Action</i>
	(Unanimous consent)	Referrals of children who are at risk of remaining in long-term out-of-home placements		
	(A-17, N-2, Abst-7)	Jurisdiction of juvenile courts based on abuse or neglect of another child in the home		
	(A-19, N-0, Abst-7)	Notification of putative fathers of certain proceedings		
	(A-19, N-0, Abst-7)	Guardians ad litem		
	(Unanimous consent)	Intensive family evaluation centers		
SB 571	Foster Care and Other Out-of-Home Placements [RTC No. 9]	Family preservation services, child welfare systems reform grants, foster care caseload reduction grants, milwaukee county foster care length-of-stay reduction grants, foster parent training requirements and grants, African American foster parent recruitment grants, foster care reimbursement, granting rule-making authority and making appropriations	May 27, 1993 (A-20, N-0, Abst-1)	Failed to pass pursuant to SJR 1; some provisions incorporated in 1993 Wisconsin Act 16
	(A-20, N-1, Abst-5)	Recruitment of African American foster parents		
	(A-21, N-0, Abst-5)	Increasing the basic foster care rate		
	(A-19, N-0, Abst-7)	Family preservation services		
	(A-17, N-2, Abst-7)	Child welfare systems reform grants		
	(A-14, N-5, Abst-7)	Caseload reduction grants		
	(A-19, N-0, Abst-7)	Populous county foster care length-of-stay reduction grants		
SB 572	Foster Care and Other Out-of-Home Placements (A-17, N-2, Abst-6) [RTC No. 9]	Foster homes and treatment foster homes, granting rule-making authority and making an appropriation	May 27, 1993 (A-20, N-0, Abst-1)	Failed to pass pursuant to SJR 1; provisions incorporated in 1993 Wisconsin Act 446
WLCS: 128/2	Rail Facilities and Services (Unanimous consent) [RTC No. 11]	First right to acquire abandoned rail property	June 2, 1993 (A-13, N-5, Abst-3)	Not introduced; incorporated in 1993 Wisconsin Act 16

<i>1993 Bill Number</i>	<i>Study Committee, Vote and RTC No.</i>	<i>Subject Matter</i>	<i>Legislative Council Approval Date and Vote</i>	<i>Final Action</i>
WLCS: 181/3	Rail Facilities and Services (A-16, N-0, Abst-3) [RTC No. 11]	Appropriations for railroad crossing protection improvements and railroad crossing protection maintenance	June 2, 1993 (A-11, N-7, Abst-3)	Not introduced; incorporated in 1993 Wisconsin Act 16

TABLE II
PROPOSALS THAT WERE NOT INTRODUCED

<i>Draft Number</i>	<i>Study Committee, Vote and RTC No.</i>	<i>Subject Matter</i>	<i>Date, Action Taken and Vote by Legislative Council</i>
LRB-4429/3	Transportation Development (A-12, N-9, Abst-6) [RTC No. 18]	Transportation plans and programs, abolishing the transportation projects commission, creating a transportation commission, granting rule-making authority and making an appropriation	October 21, 1993 Tabled (Unanimous consent)
LRB-4146/3	Transportation Development [RTC No. 18]	Transportation demand management programs, an alternative for environmental review of certain highways and bridges over navigable waters, an exclusion from the budgetary limit in the expenditure restraint program, consideration of bicyclists and pedestrians in highway projects and education programs for drivers and law enforcement officers, state and county transportation plans for the elderly and disabled, park-and-ride lots, local transportation aids, the local road improvement program, highway employe safety and granting rule-making authority	October 21, 1993 Failed (A-10, N-9, Abst-2)
	(A-11, N-10, Abst-6)	DOT-DNR interagency liaison provision	
	(A-12, N-9, Abst-6)	Remaining provisions	
WLCS: 148/3	Rail Facilities and Services (A-13, N-1, Abst-5) [RTC No. 11]	Freight rail assistance	October 7, 1993 Tabled (Unanimous consent) Included in 1993 Wisconsin Act 16
WLCS: 242/2	Rail Facilities and Services (A-13, N-1, Abst-5) [RTC No. 11]	State passenger rail plan and passenger rail projects	October 7, 1993 Tabled (A-12, N-8, Abst-1)
WLCS: 251/2	Transportation Development (A-12, N-9, Abst-6) [RTC No. 18]	Transportation appropriations	October 7, 1993 Tabled (Unanimous consent) Included in 1993 Wisconsin Act 16
WLCS: 293/1	Women Offenders in the Correctional System [RTC No. 13]	Purchasing services for women offenders	October 7, 1993 Tabled (Unanimous consent) Included in 1993 Wisconsin Act 16

<i>Draft Number</i>	<i>Study Committee, Vote and RTC No.</i>	<i>Subject Matter</i>	<i>Date, Action Taken and Vote by Legislative Council</i>
WLCS: 390/2	Genetic and Medical Information (A-11, N-8, Not Voting-1) [RTC No. 20]	Genetic testing in the workplace	February 3, 1994 Failed (A-9, N-11, Abst-2)
WLCS: 502/1	Genetic and Medical Information [RTC No. 20]	Genetic testing for insurance purposes and the state life insurance fund	February 3, 1994 Failed (A-10, N-10, Abst-2)
	(A-9, N-6, Abst-6)	Genetic testing for insurance purposes	
	(A-13, N-1, Abst-7)	Limits on the state life insurance fund	
	(A-10, N-4, Abst-7)	Limiting the use of genetic information by insurers writing life insurance coverage	

APPENDIX II

COUNCIL CONTINGENCY REPORT



David J. Stute
Director

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June 30, 1993

TO THE HONORABLE, THE LEGISLATURE:

Pursuant to the provisions of s. 13.81 (7) of the statutes, I herewith submit a report of the following receipts and disbursements from the Legislative Council's Contingent Fund during the period beginning July 1, 1991 and ending June 30, 1993:

Balance:		
On deposit, Valley Bank, 7/1/91		\$1,042.54
Disbursements:		
Publications	\$ 68.49	
Council and Committee meeting expenses	9.00	
Valley Bank - monthly maintenance fees	120.50	
Miscellaneous office expenses	73.12	
Net Expenses 1991-93		<u>271.11</u>
Balance:		
On deposit, Valley Bank, 6/30/93		<u>\$ 771.43</u>
Appropriation 1991-93		\$3,400.00
Disbursements:		
Miscellaneous office expenses	\$100.66	
Conference and seminar fees	100.00	
Council and Committee meeting expenses	81.00	
Conference for New Legislators expenses	615.78	
Net Expenses 1991-93		<u>897.44</u>
Balance:		
Lapsed 1991-93 Appropriation		<u>\$2,502.56</u>

Detailed records of all expenditures on file in the Legislative Council Office and Department of Administration, State Bureau of Financial Operations.

Respectfully submitted,

David J. Stute
David J. Stute
Director

DJS:jlb

APPENDIX III

BIBLIOGRAPHY OF COMMITTEE MATERIALS

APPENDIX III

BIBLIOGRAPHY OF COMMITTEE MATERIALS

The following bibliography consists of reports, memoranda and other materials issued by and for Legislative Council study committees whose work is discussed in this volume. These materials, and other publications and materials submitted to the committees, may be found in the Legislative Council files. Except as otherwise noted, all "Staff Materials" were prepared by the Legislative Council Staff.

ALTERNATIVE EDUCATION PROGRAMS

Staff Materials

1. Staff Brief 92-1, *Alternative Education: An Overview* (August 12, 1992).
2. MEMO NO. 1, *Teacher Licensing Requirements* (October 13, 1992).
3. MEMO NO. 2, *Children at Risk Programs* (October 13, 1992).
4. MEMO NO. 3, *Information Relating to Use of Apprentices* (November 10, 1992).
5. MEMO NO. 4, *Granting High School Credit for Demonstrated Proficiency* (November 10, 1992).

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1. Memorandum, *Delaware's Program for At-Risk Students*, by David Sullivan (August 7, 1992).
2. *Truancy Law Survey*, Association of Wisconsin School Administrators and Wisconsin Association of School Boards (January 1991).
3. *Alternative Education Programs Fact Sheet*, Department of Public Instruction (DPI) (undated).
4. *Alternative Programs Survey*, DPI (undated).
5. *Chronological History*, Walworth County Educational Consortium (January 16, 1991).
6. Memorandum from the Walworth County Educational Consortium Alternative High School describing the Consortium's Alternative High School (undated).

7. *Alternative High School Diploma Goals*, Walworth County Educational Consortium (May 30, 1991).
8. Packet of completed *Alternative High School Evaluation Surveys*, Walworth County Educational Consortium (1992).
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10. Correspondence between Francis Brown, Walworth County Educational Consortium Alternative High School student, and Judge Robert J. Kennedy, Circuit Judge, Walworth County (May 1992).
11. *Wisconsin Youth Apprenticeship System*, DPI (1992).
12. Newsletter, *Accelerated Schools*, Accelerated Schools Project (Winter 1991).
13. *Compulsory School Attendance and Alternative Education*, Kathie Lodholz (undated).
14. *Systemic Educational Policy: A New Approach*, by William H. Clune, The La Follette Policy Report (Autumn 1991).
15. "Racine School Is Laid-Back Tough," Milwaukee Sentinel (September 15, 1992).
16. Testimony of Lamarr Billups, Department of Industry, Labor and Human Relations (DILHR) (September 16, 1992).
17. Memorandum, *Technical College System Information on School-to-Work/Careers Transition Programs*, by Glenn Davison, Executive Assistant, Wisconsin Board of Vocational, Technical and Adult Education (VTAE) (September 16, 1992).
18. *Remarks: Alternative Education Study Committee*, James P. Buckley (September 16, 1992).
19. *Tech-Prep in Wisconsin*, DPI, Wisconsin Board of VTAE and the University of Wisconsin (April 19, 1992).
20. Testimony of Preston Smelzer, DPI (September 16, 1992).
21. *A Discussion Paper: Wisconsin's Youth Apprenticeship Program*, DILHR (February 1992).
22. *Truancy: A Prelude to Dropping Out*, Dennis Bonikowske, National Education Service, Bloomington, Indiana (undated).
23. *Structuring Schools for Student Success: A Focus on Discipline and Attendance*, Massachusetts Board of Education (March 1991).

24. Memorandum, *Authorizing "Time-Outs" From Mandatory School Attendance*, by Representative Rebecca Young (October 22, 1992).

25. *Linking Education and Work: A Planning Prospectus for the New American Schools Development Corporation Competition*, L. Allen Phelps, University of Wisconsin-Madison (undated).

26. *Effective Vocational Education for Students With Special Needs: A Frame Work*, L. Allen Phelps, University of Wisconsin-Madison, and Thomas R. Wermuth, Northern Illinois University (December 1992).

27. *Tech-Prep in Wisconsin: 1992-93, The Tech-Prep Connection: Learning, Earning, Living*, DPI and the Wisconsin Board of VTAE (undated).

28. *Highlights, 1993-95 Biennial Budget Request*, DPI, Herbert J. Grover, State Superintendent, DPI (November 9, 1992).

29. *DPI 1993-95 Biennial Budget Request: Decision Item 6260--Children at Risk Program Restructuring*, DPI (undated).

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31. Memorandum, *A Summary of My Conversations With Alternative Education Members*, by Kristi Davis (October 31, 1992).

32. Memorandum from Chairperson Calvin Potter with summarizing comments made by the Sheboygan Area School District alternative education staff (November 16, 1992).

33. *Collaboration Model Overview*, DPI (November 9, 1992).

34. *Wisconsin Youth Apprenticeship Program, Report to the Governor and Legislature*, DILHR (October 1, 1992).

35. Legislative Audit Bureau Report 92-10, *Children at Risk Program* (February 1992).

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39. *Collaboration to Serve Children and Families*, DPI (1993-95 Biennial Budget Request; Request for Statutory Language Change) (undated).

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AMERICAN INDIAN

Staff Materials

1. Memorandum, *Intergovernmental Agreements Between Municipalities and Indian Tribes or Bands* (June 28, 1993).

2. Memorandum, *Correspondence from James B. Mohr, Vilas County Circuit Court* (August 3, 1993).

3. Memorandum, *Issues Relating to State Recognition of Tribal Registration of Boats, Snowmobiles, All-Terrain Vehicles and Motor Vehicles* (August 11, 1993; corrected August 13, 1993).

4. Table, *Selected Wisconsin Legislation of Interest to Indian Tribes, 1989-93* (September 14, 1993).

5. Memorandum, *Eligibility of Tribal Law Enforcement Officers to Participate in the Wisconsin State Retirement System* (November 22, 1993).

6. Memorandum, *WLCS: 376/1, Relating to Intergovernmental Cooperation Agreements and Units of Government Responsible for Recycling* (December 7, 1993).

7. Memorandum, *Law Enforcement on Indian Reservations* (December 8, 1993).

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1. Opinion of the Attorney General (OAG 25-92), *Applicability of s. 118.13, Stats., the Pupil Nondiscrimination Statute, to School Logos, Mascots and Nicknames Depicting American Indian Stereotypes* (September 17, 1992).

2. Letter from Dr. Herbert J. Grover, State Superintendent of Public Instruction, to school district administrators regarding the Opinion of the Attorney General (OAG 25-92) (October 15, 1992).
3. Resolution 92-1 of the Wisconsin Indian Education Association, relating to school logos, mascots and nicknames depicting American Indian stereotypes (February 25, 1992).
4. Resolution 1-92 of the American Indian Language and Culture Education Board, relating to school logos, mascots and nicknames depicting American Indian stereotypes (May 18, 1992).
5. Memorandum, *Use of Native American Logos, Mascots and Symbols*, from Sharon Metz, Executive Director, Honor Our Neighbors Origins and Rights (HONOR), Inc. (November 12, 1992).
6. "What is the Point to all of this Protesting?...", HONOR, Inc. (1992).
7. Testimony, *A Statement on Using American Indian Stereotypes for Public School Names/Logos*, by Wesley White, Pastor, First United Methodist Church of Milton (November 12, 1992).
8. Testimony of Carol Hand, Deputy Director for Health and Human Services, Great Lakes Inter-Tribal Council, regarding school logos, mascots and nicknames depicting American Indian stereotypes (November 12, 1992).
9. Letter from Ann L. Jerdee, District Administrator, School District of Blackhawk, regarding school logos, mascots and nicknames depicting American Indian stereotypes (November 9, 1992).
10. Press release, *Mascots, Nicknames and Logos; Review of Attorney General Opinion*, Wisconsin Interscholastic Athletic Association (undated).
11. Letter from J. E. Schumacher, Executive Director-Administrator, Protect Americans Rights and Resources (PARR), regarding the American Indian Study Committee hearing on November 12, 1992, regarding school logos, mascots and nicknames depicting American Indian stereotypes (October 19, 1992).
12. Letter from Chairperson Boyle to Dr. Herbert J. Grover, State Superintendent of Public Instruction, regarding school logos, mascots and nicknames depicting American Indian stereotypes (January 14, 1993).
13. Letter from David J. Siegler, Tribal Attorney, Bad River Band of Lake Superior Chippewa Indians, regarding proposals for legislation through the American Indian Study Committee (July 15, 1992).
14. Testimony by David J. Siegler, Tribal Attorney, Bad River Band of Lake Superior Chippewa Indians, *Tribal Registration of Boats, Snowmobiles and All-Terrain Vehicles* (January 27, 1993).

15. Testimony by David J. Siegler, Tribal Attorney, Bad River Band of Lake Superior Chippewa Indians, *Intergovernmental Cooperative Agreements* (January 27, 1993).
16. Letter from Carl M. Rose, Sr., Town Chairman, Town of Sanborn, regarding intergovernmental cooperative agreements (January 25, 1993).
17. Letter from Peter McKeever, State Director, The Nature Conservancy, regarding intergovernmental cooperative agreements (January 25, 1993).
18. Letter from Michael A. Lutz, Attorney, Department of Natural Resources (DNR), to David Siegler, Tribal Attorney, Bad River Band of Lake Superior Chippewa Indians, regarding off-reservation reciprocity for tribal members (January 20, 1993).
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20. Memorandum from Susan Hundt Bergan, Bureau of Solid and Hazardous Waste Management, DNR, to District Recycling Specialists, *Clarification of How the Recycling Statutes and Codes Affect Tribal Governments* (June 26, 1992).
21. Letter from Chairperson Boyle regarding tribal registration of boats, snowmobiles and all-terrain vehicles (May 5, 1993).
22. Letter from George Meyer, Secretary, DNR, regarding reciprocity for tribal registration programs (June 21, 1993).
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25. Letter from James E. Doyle, Attorney General, to the Governor, the Legislature and the American Indian Study Committee constituting the Annual Report of the DOJ, regarding the county-tribal law enforcement program (February 9, 1993).
26. Letter from David J. Siegler, Tribal Attorney, Bad River Band of Lake Superior Chippewa Indians, regarding WLCS: 376/1, intergovernmental cooperation agreements (December 13, 1993).
27. Letter from Alfred Pyatskowitz, Chairman, American Indian Language and Culture Education Board (AILCEB) and attached annual report of the AILCEB (December 7, 1993).

28. Letter from William J. Erpenbach, Director, Bureau for Educational Equity Programs, Department of Public Instruction, to Chairperson Boyle, regarding recruitment for an education consultant position (December 9, 1993).

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Staff Materials

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2. Discussion Paper 92-2, *Recommendations for Changes in Laws Relating to Campaign Financing* (November 11, 1992).
3. MEMO NO. 1, *Data on Wisconsin and Federal Tax Incentives for Political Contributions* (September 14, 1992).
4. MEMO NO. 2, *Miscellaneous Questions on State and Federal Laws Regulating Campaign Financing* (November 5, 1992; revised November 24, 1992).
5. MEMO NO. 3, *Information on Endangered Resources Fund* (November 9, 1992).
6. MEMO NO. 4, *Filing Schedule for Financial Reports Required Under the Wisconsin Campaign Financing Law* (December 8, 1992).
7. MEMO NO. 5, *Status of the Special Committee's Discussion of Possible Changes in the Regulation of Campaign Financing in Wisconsin* (December 8, 1992).
8. MEMO NO. 6, *Campaign Expenditure Data for Selected Elections for the Wisconsin Senate, the Wisconsin Assembly and Statewide Offices* (December 15, 1992).
9. MEMO NO. 7, *Expenditure Limits for Candidates Accepting Public Financing Adjusted for Cost-of-Living Increases Since December 1985* (January 14, 1993).
10. MEMO NO. 8, *Registration Fees Under the Executive Budget Bill (1993 Senate Bill 44)* (February 16, 1993).
11. MEMO NO. 9, *Restrictions on Time or Place of Campaign Contributions or Political Fund-Raising Activities* (April 23, 1993).
12. MEMO NO. 10, *Additional Topics for Discussion by the Special Committee on Campaign Financing* (May 12, 1993).
13. MEMO NO. 11, *Proposals Adopted by the Special Committee at its May 26, 1993 Meeting* (June 4, 1993).

14. MEMO NO. 12, *Conduit Requirements* (June 4, 1993).

Other Materials

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 - b. *Charts and Explanatory Material on Campaign Activity* (undated).
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5. Memorandum, *Elimination of the Business Expense Deduction for Lobbying Expenses*, by Ron Shanovich, Fiscal Analyst, Legislative Fiscal Bureau (February 24, 1993).
6. Documents furnished by R. Roth Judd, Executive Director, Ethics Board:
 - a. Various Wisconsin Ethics Code, Lobbying Law and Elections Law provisions.
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DRAINAGE DISTRICT LAWS

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2. MEMO NO. 1, *Wisconsin Laws on the Navigability of Lakes and Streams* (September 25, 1992).

3. MEMO NO. 2, *Powers and Duties of Circuit Courts Under Ch. 88, Stats.* (September 29, 1992).

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2. John R. Race, Circuit Judge, Walworth County.
3. Donald A. Poppy, Circuit Judge, Calumet County.
4. Vincent K. Howard, Circuit Judge, Marathon County.
5. Frederick H. Hazlewood, Circuit Judge, Manitowoc County.
6. William D. Johnston, Circuit Judge, Lafayette County.
7. Peter J. Naze, Circuit Judge, Brown County.
8. James C. Eaton, Circuit Judge, Barron County.

ENERGY RESOURCES

Staff Materials

1. Staff Brief 92-11, *Overview of Wisconsin Policies and Programs Related to Energy* (September 16, 1992).
2. MEMO NO. 1, *Issues Identified for Consideration by the Special Committee on Energy Resources* (October 21, 1992).
3. MEMO NO. 2, *Outline of Proposed Elements for an Omnibus Energy Bill* (November 4, 1992).
4. MEMO NO. 3, *Establishing Goals in State Statutes* (December 8, 1992).
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6. MEMO NO. 5, *The Wisconsin Housing and Economic Development Authority's Home Energy Programs* (February 11, 1993).

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4. Remarks by John Marx, Deputy Director, Division of Energy and Intergovernmental Relations, DOA, relating to an overview of DOA energy programs and statistics (September 21, 1992).
5. Remarks by Roger Faulkner, Energy/Resources Consultant, relating to a "carrot and stick energy program proposal" (September 22, 1992).
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32. "Table 5.3 Penalties for Unwarranted Institutionalization and Denial of Rights," *The Mentally Disabled and the Law* (undated).
33. *Mental Health Performance Standards: Report of the Advisory Committee to the Department of Health and Social Services* (December 18, 1988).
34. Packet of newspaper articles from *The Milwaukee Journal*, relating to unlicensed homes for mentally disabled persons (March 7 and 10, 1993).
35. Letter from Carol Schaidler, R.N., relating to crisis intervention with persons with mental illness (March 10, 1993).
36. Letter from Barbara Stefonek, Wisconsin Council on Mental Health (March 17, 1993), enclosing the *Wisconsin Council on Mental Health: Planning Booklet* (undated).

37. Memorandum, *State Oversight of Inpatient Hospital Psychiatric Services*, with attached Wisconsin Jury Instructions--Criminal, relating to abuse of residents of facilities and abuse of vulnerable adults (April 2, 1993).

38. *Office of Consumer and Ex-Patient Relations*, with supporting materials, from Public Member Lori Jae Reich (undated).

39. Written comments by Public Member Lori Reich with supporting materials relating to a consumer relations office in DHSS (undated).

PRIVATE FOREST LAND PROGRAMS

Staff Materials

1. Staff Brief 92-13, *Private Forest Land Programs in Wisconsin* (September 22, 1992).
2. Discussion Paper 93-2, *Proposals Relating to Modifying the Managed Forest Law* (January 25, 1993).

Other Materials

1. *Wisconsin's Managed Forest Law: The First Five Years: 1986-1991, A Report to the Wisconsin Legislature*, Wisconsin Department of Natural Resources (DNR) and the University of Wisconsin (UW)-Extension (December 5, 1991).
2. *How Wisconsin Woodland Owners View the Managed Forest Law Program: A 1991 Survey*, an attachment to *Wisconsin's Managed Forest Law: The First Five Years: 1986-1991*, by Wayne G. Tlusty, Professor, Department of Landscape Architect, and John C. Roberts, Professor, Department of Urban and Regional Planning, UW-Madison (1991).
3. *Public Comments Received on the Draft Report to the Legislature, Wisconsin's Managed Forest Law: The First Five Years: 1986-1991* (September 3, 1991).
4. *Analysis of Proposed Changes to the Wisconsin Managed Forest Law*, by Jeffrey C. Stier, Professor, and Sari Radin, Project Assistant, Department of Forestry, UW-Madison (July 1992).
5. *Wisconsin's Managed Forest Law: Background Summary*, by Paul Pingrey, DNR (June 19, 1992).
6. Letter from Public Member Rachel Jordan to Senator Robert Jauch, relating to Committee discussion items (January 22, 1993).

7. Letter from Harold and Marilyn Jordahl to Representative James Holperin and Senator Robert Jauch, relating to changes in the managed forest law (January 8, 1993).

8. *Department of Natural Resources 1993-95 Biennial Budget Request*, relating to proposed changes in the administration of the managed forest law (undated).

9. Letter from Professor Wayne Tlusty to the Special Committee, relating to corrections and comments related to woodland owner research findings (January 1, 1993).

10. Letter from Representative John Ainsworth to Senator Robert Jauch, relating to conversion of forest croplands to managed forest lands (March 11, 1993).

RAIL FACILITIES AND SERVICES

Staff Materials

1. Staff Brief 92-15, *Overview of State Involvement in Rail Services* (September 29, 1992).
2. Memorandum, *Working List of Recently Completed and Ongoing Reports and Studies Relating to Rail in Wisconsin* (October 6, 1992).
3. MEMO NO. 1, *Transportation Projects Commission and Wisconsin Housing and Economic Development Authority* (February 15, 1993).
4. Letter from Representative Peter Barca, Chairperson, Special Committee on Rail Facilities and Services, to the Wisconsin Congressional Delegation, urging that proposed federal infrastructure funds be allocated to Wisconsin for passenger and freight rail service expansion (November 16, 1992).
5. Letter from Representative Peter Barca, Chairperson, Special Committee on Rail Facilities and Services, to the Department of Transportation (DOT) and the Wisconsin congressional delegation, urging that Wisconsin receive a portion of proposed federal funding for high speed rail.

Other Materials

1. *Freight Rail Policy Plan*, Division of Planning and Budget, DOT (January 1992).
2. *The La Follette Policy Report*, including an article by Chris Thompson and Tim Bawden, University of Wisconsin (UW), "High Speed Rail in Wisconsin: Where is it Headed?", Vol. IV (Autumn 1991).
3. *ISTEA--Revolution or Evolution?*, "Wisconsin's Growing Commitment to Rail Transportation," Thomas Walker, Executive Assistant, DOT (October 1992).

4. *Tri-State High Speed Rail Study*, Chicago-Milwaukee-Twin Cities Corridor, TMS/Benesch, High Speed Rail Consultants, Transportation Management Systems, Inc., Alfred Benesch and Company (May 1991).

5. *Potential Extension of Passenger Rail Service to Madison and Green Bay*, DOT (July-August 1992).

6. *The Amtrak Service Demonstration Project, Year Two Report*, DOT, Division of Planning and Budget (May 1992).

7. "What are the Potential Economic Development Impacts of High Speed Rail?", Chris Thompson and Tim Bawden, UW, Economic Development Quarterly, Vol. VI, pages 297 to 319 (August 1992).

8. *Draft: "Exploring a New World of Transportation Technology: A Proposed Midwest Rail Partnership"*, DOT (December 1991).

9. *Wisconsin Department of Transportation Multimodal Planning Agenda* (undated).

10. *Improving Rail Passenger Service in Wisconsin*, the WISARP Program, Wisconsin Association of Railroad Passengers (July 1992).

11. Materials submitted by DOT, relating to the Chicago-Milwaukee Rail Corridor Study (undated).

12. Materials submitted by DOT in connection with the DOT's presentation at the Special Committee's October 6, 1992 meeting (undated).

13. Information submitted by DOT relating to rail passenger service in the state in 1944 and 1964 (undated).

14. Information submitted by the DOT relating to the federal designation of the Detroit-Chicago-Milwaukee-St. Louis high speed rail corridor (undated).

15. *Service Upgrade to Western Wisconsin/Service Restoration to Madison/Service Restoration to the Fox River Valley*, Transportation Position Paper, Wisconsin Association of Railroad Passengers (October 1992).

16. *Chicago and Northwestern's View of the Current Status of the Rail Industry in Wisconsin and the U.S. and Measures Wisconsin Can Take to Promote Rail Service*, Thomas A. Zapler, Director, Governmental Affairs, Chicago-Northwestern Transportation Company (undated).

17. *Wisconsin Amtrak 2000*, David A. Schwengel (March 31, 1992).

18. *Which Way to Green Bay?, Fox River Valley Railroad, Wisconsin Central or a Combination of Both?*, David A. Schwengel (May 8, 1992).

19. *Exhibits for Presentation, Legislative Council, Special Committee on Rail Facilities and Services*, Kenneth R. Yunker, Assistant Director, Southeastern Wisconsin Regional Planning Commission Staff (December 7, 1992).
20. *Developing Transport Alternatives for Metro Milwaukee's Future*, Timothy R. Jorgenson, Northstar Management Associates (June 1992).
21. Maps submitted by DOT: *State Owned Right-of-Way; WisDOT Freight Rail Assistance Projects* (December 4, 1992).
22. *Wisconsin Amtrak 2000 Addendum*, David A. Schwengel (December 4, 1992).
23. Letter from David A. Schwengel, relating to his previously submitted reports, *Wisconsin Amtrak 2000* and *Which Way to Green Bay* (December 7, 1992).
24. Draft letter to Illinois Governor Jim Edgar and Chicago Mayor Richard J. Daley, requesting that O'Hare International Airport be included in a study of the Chicago/Milwaukee Rail Corridor, submitted by Timothy Jorgenson (undated).
25. *Outline of Comments to Special Committee on Rail Facilities Services*, by Frank R. Hoadley, Finance Director, Department of Administration (December 7, 1992).
26. *Proposals for Passenger Rail Transportation Legislation-Revised*, Dennis Hill (January 5, 1993).
27. Letters, with attachments, from David A. Schwengel, relating to topics for discussion by the Passenger Rail Advisory Group (February 9, 1993, February 15, 1993 and March 17, 1993).
28. Letter from David A. Schwengel, containing a sample schedule for the Chicago-Milwaukee Service Expansion Proposal (March 23, 1993).
29. *Proposal for a Wisconsin Railroad Infrastructure Capital Fund*, submitted by Kevin Soucie (February 15, 1993).
30. Letter, with attachments, from the Wisconsin Railroad Committee concerning legislative proposals for consideration by the Freight Rail Advisory Group (February 2, 1993).
31. Letter from the Wisconsin Railroad Committee concerning draft proposals under consideration by the Freight Rail Advisory Group (March 22, 1993).
32. Letter from Wisconsin River Rail Transit Commission, relating to draft proposals under consideration by the Special Committee (March 23, 1993).
33. Letter from Burlington Northern Railroad, CP Rail/Soo Line Chicago Northwestern Transportation Company, Duluth, Winnipeg and Pacific Railway Company, relating to the railroads' opposition to certain proposals to revise the state's freight rail infrastructure fund (March 22, 1993).

REVIEW EMERGENCY MEDICAL SERVICES

Staff Materials

1. Staff Brief 92-14, *Emergency Medical Services* (September 25, 1992).
2. MEMO NO. 1, *History of Funding for Emergency Medical Services Under the Bill that Led to 1989 Wisconsin Act 102* (November 11, 1992).
3. MEMO NO. 2, *Summary of Suggestions Made to the Committee* (December 10, 1992).
4. MEMO NO. 3, *Information Relating to Liability of Local Governments and Volunteer Fire Departments in Wisconsin* (December 10, 1992).
5. MEMO NO. 4, *Information Relating to Wisconsin's "Good Samaritan" Law* (February 22, 1993).

Other Materials

1. *EMS Responsibilities at Wisconsin DOT*, Department of Transportation (DOT) (undated).
2. *The Role of the Wisconsin Board of Vocational, Technical and Adult Education in Emergency Medical Services*, Board of Vocational, Technical and Adult Education (VTAE) (October 1, 1992).
3. Letter from R.N. Alert, relating to interhospital transport of critically ill patients (October 21, 1992).
4. Letter from Kathy Andersen, Legislative Liaison, Division of Health, Department of Health and Social Services (DHSS), relating to questions raised at the October 22, 1992 meeting (November 19, 1992).
5. *State Patrol-Maintained EMS Statewide Communications System*, Division of State Patrol, DOT (undated).
6. *Interim Results of the Statewide EMS Technical Assessments*, National Highway Traffic Safety Administration (March 1992).
7. Letter from Dean T. Stueland, M.D., President, Wisconsin Chapter of the American College of Emergency Physicians, relating to emergency medical services (EMS) issues (October 15, 1992).
8. Position description for EMS Section Chief, DHSS (undated).
9. Memorandum, *EMS Medical Director Research*, by Karen Teske-Osborne, Executive Director, Wisconsin Chapter of American College of Emergency Physicians (October 9, 1992).

10. Letter from Dean T. Stueland, M.D., President, Wisconsin Chapter of the American College of Emergency Physicians, relating to the position of State Medical Director for EMS (October 5, 1992).

11. Statement and attached materials by George Jeffrey, Christian Science Committee on Publication for Wisconsin (November 18, 1992).

12. Letter from Charles H. Thompson, Secretary, DOT, relating to EMS funding, ambulance inspection, communication data systems and related topics (November 4, 1992).

13. Letter from Steven J. Teale, EMS Consultant, Board of VTAE, relating to EMS training (October 21, 1992).

14. Position description for State Medical Director, by the Paramedic System Medical Directors of Wisconsin (October 14, 1992).

15. *Final Report: An Evaluation of the National Highway Transportation Safety Administration Report on Wisconsin Emergency Medical Services With Selected Recommendations*, by Associated Consultants (December 5, 1991).

16. Four sample forms used by EMS to report emergency incidents, distributed by Public Member Mark F. DeGuire (undated).

17. Letter from Kathy Callan, Chair, Legislative Tracking Committee, Wisconsin Health Information Management Association, relating to statewide data collection and statewide trauma registry (October 14, 1992).

18. Letter from Bill Edington, President, Wisconsin Emergency Medical Technicians Association, relating to medical direction and related issues on EMS (October 22, 1992).

19. Letter from Thomas L. Adams, Executive Vice-President, State Medical Society of Wisconsin, relating to EMS and the attached written comments of Dr. John E. Whitcomb (October 20, 1992).

20. Statement by Alice Gray, Wisconsin Critical Incident Stress Debriefing Network, Inc. (undated).

21. Letter from Ted J. Pagels, Fire Chief, De Pere Fire and Rescue, relating to paramedic training funds (October 19, 1992).

22. Letter from Robert J. Swee, M.D., relating to the State EMS Medical Director and EMS issues (October 22, 1992).

23. Letter from Jeffrey B. Bloohm, Chief, Brownsville Fire Company, Inc., relating to first responders (October 27, 1992).

24. Letter from Ralph Edwards, EMS Instructor, Chippewa Valley Technical College, relating to regulation, training, transportation and related EMS issues (November 2, 1992).

25. Letter from Brenda Fellenz, R.N., Government Affairs Committee, Wisconsin Emergency Nurses Association, relating to a State Medical Director, EMS funding, coordination of EMS data and injury prevention (November 16, 1992).

26. Testimony from Scott W. Rifleman, EMT-I/D, Portage County Ambulance Service (undated).

27. *Suggestions for the Legislative Review Hearing on EMS*, from the Wisconsin Professional Ambulance Association (November 18, 1992).

28. Testimony submitted by Sheila Meyer, R.N., C.E.N. (November 18, 1992).

29. Letter from James D. Peltier, Executive Director, Gold Cross Ambulance Service, Inc., relating to recommendations for the Special Committee (November 18, 1992).

30. *Comments for Hearing of Legislative Council Special Committee to Review Emergency Medical Services*, from Larry Knuth, Ambulance Service Association (November 18, 1992).

31. Letter from Melinda Wells, EMT-P, CARE Program Coordinator, relating to the development of legislation to allow basic life support ambulance services to perform airway control procedures (undated).

32. Letter from Paul W. Sletten, M.D., Medical Director, Osceola Ambulance Service, Co-Chair, Polk County Emergency Medical Services Advisory Board, relating to allowing local ambulance medical directors to develop and supervise the implementation of certain emergency procedures, including esophageal obturator airways (November 16, 1992).

33. Letter from Mary Erickson, R.N., Director, Emergency Services, St. Croix Valley Memorial Hospital, relating to paramedic defibrillator programs, airway adjuncts, first responders and regulation of EMS (October 17, 1992).

34. Letter from Joyce Schaeffer, Assistant Administrator, Patient Care Services, Apple River Hospital, relating to airway maintenance procedures (November 16, 1992).

35. Letter from Thomas E. Hinck, M.D., River Valley Medical Center, relating to certification for defibrillators and intubation (November 17, 1992).

36. Letter from Andrew W. Nearing, Fire Chief, City of St. Francis, relating to advanced life support (ALS) units and costs of ALS (November 16, 1992).

37. Letter from Richard N. Bolgrin, Chief, Grafton Volunteer Fire Department, relating to emergency medical technician (EMT) training and refresher courses and incentives for volunteers (November 14, 1992).

38. Letter from James A. Hood, Chairperson, Protective Services, Madison Area Technical College, relating to hiring a State Medical Director, open enrollment for EMT programs, removal of service affiliation requirements for licensure and EMS issues (November 13, 1992).

39. Letter from Andrew W. Nearing, Secretary/Treasurer, Milwaukee County Association of Fire Chiefs, relating to the need to improve EMS services in Wisconsin (November 9, 1992).

40. Letter from Gerald Minor, Director, Pittsville Fire Department Ambulance Service, relating to Act 102 funding, staffing of the DHSS's EMS Section and the need for advanced levels of care for rural areas of the state (undated).

41. Letter from Loren Lippincott, Chief, Town of Beloit Fire Department, relating to EMS issues (November 10, 1992).

42. Letter from B. Rolf Bjornson, M.D., Medical Director, Municipal Ambulance Service of Amery and Clear Lake Ambulance Service of Clear Lake, relating to use of advanced airways by appropriately trained EMT's (November 13, 1992).

43. Letter from Dave J. Beorusek, Deputy Chief, Village of Brown Deer, relating to elimination of national registry requirement for EMT's (November 5, 1992).

44. Letter from Timothy M. Belter, Fire Chief, City of Cudahy, relating to state control of EMS systems and issues relating to Milwaukee County EMS (November 5, 1992).

45. Letter from James L. Nierenberger, Assistant Chief and EMS Director, Mt. Pleasant Fire Department, relating to state EMS direction, revision of licensing procedures, do not resuscitate orders and related issues (November 16, 1992).

46. a. Letter from Bill Edington, relating to 11 statewide organizations' recommendations on a State Medical Director, EMS coordination, "911" service, training for dispatchers, human immunodeficiency virus (HIV) testing and qualifications of the EMS Section Chief (December 2, 1992).

47. Letter from Tom McCarrier, Supervisor, EMS Training Center, Mid-State Technical College, relating to appointment of a State Medical Director and consolidation of EMS activities in a single state agency, defibrillation by first responders, EMS funding, advance level training, limits on liability and the EMS course approval process (December 10, 1992).

48. Map and materials relating to Wisconsin's CISD Network's Team Report (May 19, 1992).

49. Letter from Karen D. Richter, EMS Training Office, Eagle River Memorial Hospital, relating to her written comments to follow up her oral testimony at the November 18, 1992 public hearing (December 8, 1992).

50. Letter from P. J. Dougherty, M.D., relating to do not resuscitate orders (November 25, 1992).

51. Brochure, *Traumatic Incident Resource Program*, by the Greater Milwaukee Chapter, American Red Cross (undated).

52. Letter from J. Wallace, Director, Disaster Services, American Red Cross, Greater Milwaukee Chapter, relating to the Traumatic Incident Resource Program (November 19, 1992).

53. Memorandum, *Current Funding and Positions Used to Support the Emergency Medical Services Program*, by Charles Morgan, Fiscal Analyst, Legislative Fiscal Bureau (December 7, 1992).

54. Letter from Dennis Hughes, Chief, Highway Safety, Strategies and Analysis Section, DOT, relating to inquiries made to DOT on behalf of the Special Committee (December 1, 1992).

55. Memorandum, *EMS Funding Assistance Program*, from Nicki Anders, EMS Funding Assistance Program Coordinator, EMS Section, Division of Health, DHSS (December 8, 1992).

56. Letter from Donna M. Larsen, President, United Area Rescue Squad, relating to problems of volunteer EMS organizations (November 19, 1992).

57. Letter from George E. Jeffrey, Christian Science Committee on Publication for Wisconsin, relating to his testimony of November 11, 1992 (November 20, 1992).

58. Letter from Andrew Kirchoff, Acting CEO, Life Link III, relating to reciprocity between Wisconsin and Minnesota for EMS licenses and services and issues relating to transportation of the critically injured or ill (December 2, 1992).

59. Letter from Dan Williams, Paramedic Systems of Wisconsin, relating to recommendations to improve the state EMS system (December 7, 1992).

60. Letter from Frank V. Bilek, Director of Communications/Community Services, Medical Society of Milwaukee County, relating to allowing EMT's the ability to honor advanced medical directives (November 10, 1992).

61. Letter from Daniel T. Peterson, M.D., Department of Internal Medicine, Riverview Clinic, relating to medical direction for EMS (November 11, 1992).

62. Letter from Diane Saunders, EMT/D (M), relating to authorized emergency vehicles (October 5, 1992).

63. Letter from Joseph A. Cich, relating to changes in EMS laws and regulations relating to EMT's (November 24, 1992).

64. Letter from Tim Toungas, Director of Medical Transportation, St. Croix Valley Memorial Hospital, relating to an enclosed packet of information relating to proper airway care (November 24, 1992).

65. Letter from Daniel J. Clark, Director, Washburn Area Ambulance, relating to the needs of volunteer EMS operations in Wisconsin, do not resuscitate orders, obtaining physicians to help with prehospital services and related issues (November 23, 1992).

66. *State Patrol-Maintained EMS Statewide Communication System, Background and Inventory of Equipment*, by Bob Bennett, Director, Division of State Patrol, Bureau of Communications (undated).

67. Letter from Kathy Andersen, Legislative Liaison, Division of Health, DHSS, relating to information requested on behalf of the Special Committee (November 19, 1992).

68. *Wisconsin Motor Vehicle Accident Report*, by DOT (undated).

69. Position description, Chief Section of EMS, Bureau of Public Health, Division of Health, DHSS (undated).

70. Memorandum, *Proposed First Responder Certification and Defibrillation Rules*, by Ralph Edwards, Chippewa Valley Technical College (December 8, 1992).

71. Memorandum, *Needed Enabling Legislation*, from Public Member Marvin Birnbaum, M.D. (December 17, 1992).

72. Letter from Bill Edington, Chair, and Mike Kunesch, Vice-Chair, Emergency Medical Care Council of Wisconsin, relating to the need for a stable funding source for EMS, a single state lead agency and an appropriately constituted and empowered emergency medical care commission (December 9, 1992).

73. Letter from Bill Edington, Chair, Emergency Medical Care Council of Wisconsin, relating to do not resuscitate orders (January 25, 1993).

74. Letter from Jon Morgan, EMS Section, Division of Health, DHSS, relating to a cost estimate for continuing education reimbursement for first responders and EMT's at the intermediate and paramedic levels (December 22, 1992).

75. An excerpt from *State Administrative Officials Classified by Function, 1991-92*, by the Council of State Governments (undated).

76. Letter from James A. Hood, Chairperson, Protective Services, Madison Area Technical College, relating to HIV legislation (February 2, 1993).

77. Letter from Scott Last, relating to state regulation of EMS (undated).

78. Letter from Kathy Peters, relating to first responders (undated).

79. Letter from Richard Granohan, relating to changes in EMS regulation and use of advanced airways (February 21, 1993).

80. Memorandum, *HIV Testing*, from Representative Cloyd A. Porter (February 24, 1993).

81. Letter from Roger Stanley, relating to EMS legislation in Michigan, Ohio and Indiana (February 19, 1993).

82. Letter from John W. Prince, Director of Planning and Government Relations, Sacred Heart Hospital, relating to funding of EMS (February 1, 1993).

83. Letter from James R. Klauser, Secretary, Department of Administration, relating to biennial budget recommendations regarding EMS (February 9, 1993).

84. Letter from Gerald Whitburn, Secretary, DHSS, relating to recommended administrative rule changes regarding EMT's (February 15, 1993).

85. *State Directors of Emergency Medical Services*, by the National Association of State Emergency Medical Services Directors (October 29, 1992).

86. Memorandum, *Bloodborne Pathogen Exposure Control Plan*, from Nicki Anders, EMS Section, Division of Health, DHSS (September 15, 1992).

87. *Staffing and Funding for Proposed New EMS Board and Section Duties, Department of Health and Social Services' Estimate* (undated).

88. *Analysis of Ohio Amended Substitute Senate Bill 98 (119th) as Enacted* (July 10, 1992).

89. Letter from Kim J. Tast, Manager, North Medical Transportation Services, relating to EMT staffing of ambulances, population requirements to provide advanced life support services and first responder legislation (February 5, 1993).

90. Letter from Steven J. Teale, EMS Consultant, Board of VTAE, relating to adjunct airway devices, training of EMT-basics, EMS training and periodic reviews of desired competencies of all levels of prehospital care (March 2, 1993).

91. Letter from Roger Stanley, relating to the proposed EMS board composition (March 17, 1993).

SEXUAL HARASSMENT

Staff Materials

1. Staff Brief 92-9, *Overview of State and Federal Law on Sexual Harassment* (September 9, 1992).

2. MEMO NO. 1, *Selected Issues for Committee Discussion* (December 30, 1992).

3. MEMO NO. 2, *Selected Issues for Committee Discussion* (January 21, 1993).

4. MEMO NO. 3, *Time Limitations for Bringing Selected Claims and Court Actions* (January 27, 1993).

5. Memorandum, *Special Committee on Sexual Harassment--Status of Drafts* (April 23, 1993).
6. Memorandum, *Special Committee on Sexual Harassment--Status of Drafts* (May 7, 1993).

Other Materials

1. Informational Sheet, *Harassment Under Wisconsin's Fair Employment Law*, Equal Rights Division, Department of Industry, Labor and Human Relations (DILHR) (undated).
2. *Current Statistics for Legislative Council Committee on Sexual Harassment*, Equal Rights Division, DILHR (September 16, 1992).
3. Subchapter II, Chapter 111, Wis. Stats., Fair Employment Law.
4. *Policy Guidance on Current Issues of Sexual Harassment*, Equal Employment Opportunities Commission (March 19, 1990).
5. Legislative Audit Bureau Report 89-6, *An Evaluation of Equal Rights Division, DILHR* (February 1989).
6. Legislative Audit Bureau Report 91-32, *An Evaluation of Personnel Commission* (December 1991).
7. Legislative Audit Bureau Report 92-11, *An Evaluation of Enforcement of Affirmative Action Policies, University of Wisconsin (UW)-Milwaukee* (March 1992).
8. Materials distributed by Donna Jones, Director, Office of Affirmative Action and Compliance, UW-Madison (undated).
9. *Statement to the Legislative Council's Special Committee on Sexual Harassment*, Marian J. Swoboda, Assistant to the President, UW System (November 18, 1992).
10. Sample conciliation letters, submitted by Suzanne Ripple, Equal Rights Division, DILHR (undated).
11. *Wisconsin Vocational, Technical and Adult Education System--Presentation on Sexual Harassment*, Keith B. Krinke, Director, Human Resources (November 18, 1992).
12. *Current Cumulative Statistics on ADR/Settlement Section*, Equal Rights Division, DILHR (November 18, 1992).
13. University of Wisconsin-LaCrosse, *Sexual Harassment Policy Statement, Conduct Subjected to Disciplinary Action*, approved by the Board of Regents (February 1982; revised February 1992).

14. Letter with materials relating to UW-Madison policies and other materials on sexual harassment, submitted by Donna M. Jones, Director, Office of Affirmative Action and Compliance, UW-Madison (November 12, 1992).

15. Memorandum from Barbara Wedel, Personnel Commission, with attachments consisting of Personnel Commission informational materials relating to sexual harassment claims (November 18, 1992).

16. 1989 Assembly Bill 1079, relating to sexual harassment training and education in the workplace.

17. *Breaking New Ground: WORKSITE 2000; a Report Prepared by Chicago Women in Trades*, Laurie Wessman LeBreton and Segal Loevy (October 1992).

18. *Sexual Harassment Solutions at Work; Profiles of Successful Policy and Practice*, Colleen Phelan, National Commission on Working Women of Wider Opportunities for Women, Washington, D.C. (November 1992).

19. *County Business Patterns--1989 Wisconsin U.S. Department of Commerce*, submitted by Professor Edward Pickett, Professor of Small Business, UW-Milwaukee Extension.

20. "Comment--Is a Tailhook Incident Lurking in Your Company's Future?", Ellen Bravo, The Business Journal (July 25, 1992).

21. Letter, with enclosure, from Donna M. Jones, Director, Office of Affirmative Action and Compliance, UW-Madison (December 21, 1992).

22. *Remarks to the Legislative Council's Special Committee on Sexual Harassment*, by Julie M. Buchanan, Esq., Buchanan and Barry, S.C. (January 6, 1993).

23. Memorandum, *Remedies in Discrimination Cases*, and attachments from J. Sheehan Donoghue, Administrator, Equal Rights Division, DILHR (January 25, 1993).

24. Redraft of sample conciliation letter, Equal Rights Division, DILHR, submitted by Ellen Bravo (undated).

25. Excerpt related to harassment from DILHR's *Personnel Manual*.

26. Letter from J. Sheehan Donoghue, Administrator, Equal Rights Division, DILHR, regarding the Special Committee's proposal to limit the time period for processing fair employment cases (April 21, 1993).

27. Letter from J. Sheehan Donoghue, Administrator, Equal Rights Division, DILHR, regarding the willingness of DILHR to modify its current poster on Wisconsin's Fair Employment Law to give more specific treatment to sexual harassment (April 21, 1993).

28. Letter from Faye Stark, Director, Bureau for Policy and Budget, Division for Management and Budget, Department of Public Instruction, regarding an estimate of the potential

costs of requiring instruction about sexual harassment in elementary and secondary schools (April 19, 1993).

29. Fiscal estimate submitted by the Personnel Commission on WLCS: 140/2, relating to requiring the Personnel Commission to comply with statutory time limits on processing employment discrimination cases (April 26, 1993).

STATE COLLECTIVE BARGAINING PROCESS

Staff Materials

1. Staff Brief 93-1, *State Employee Collective Bargaining: Scope of Bargaining and Impasse Resolution Procedures in Wisconsin and Other States* (December 8, 1994).
2. Research Bulletin 94-1, *Survey of Selected States Regarding Collective Bargaining Laws for State Employees and Experiences Under Those Laws* (January 24, 1994).
3. MEMO NO. 1, *Timing and Number of Negotiating Sessions for Represented Wisconsin State Employees and Length of Arbitration for Municipal Employees in Wisconsin* (January 21, 1994).
4. MEMO NO. 2, *Factors to be Considered by an Arbitrator or Fact-Finder in Wisconsin and Selected Other States in Proceedings Involving State Employees* (February 18, 1994).

TAX DELINQUENT CONTAMINATED LAND

Staff Materials

1. Staff Brief 92-3, *Environmental Laws Related to Discharges and Cleanup of Hazardous Substances* (August 19, 1992; Revised September 10, 1992).
2. MEMO NO. 1, *Description of Wisconsin's Tax Incremental Financing Law* (September 10, 1992).
3. MEMO NO. 2, *Issues Identified for Consideration by the Special Committee on Tax Delinquent Contaminated Land* (October 13, 1992).
4. MEMO NO. 3, *Outline of Suggested Elements for a Legislative Proposal by the Special Committee* (November 11, 1992).
5. MEMO NO. 4, *Draft Legislation Prepared for the Special Committee* (December 18, 1992).

6. Memorandum, *Superlien Legislation* (September 10, 1992).

Other Materials

1. WLCS: 474/5, submitted by Committee Members Representative Mary Panzer, Senator Carol Buettner and others (December 17, 1991).

2. Map showing location of environmental public health threats in southeastern Wisconsin, prepared by the Division of Health, Department of Health and Social Services (June 1991).

3. Letter from Patrick Marchese, Director of Public Works and Development, Milwaukee County, regarding suggestions for issues to be considered by the Special Committee (August 27, 1992).

4. "Is Lakefront Property Tainted with Arsenic?", Oak Creek Pictorial (August 20, 1992).

5. List of certain tax delinquent properties in Milwaukee County submitted by John Siefert, Milwaukee County Treasurer (undated).

6. Memorandum to county treasurers from Chairperson Brian Burke, requesting information on land that is tax delinquent and environmentally contaminated (September 3, 1992).

7. Responses by 21 county treasurers to memorandum from Chairperson Brian Burke, regarding land that is tax delinquent and environmentally contaminated.

8. Letter to Secretary Carroll D. Besadny, Department of Natural Resources (DNR), from Senator Gary R. George and Representative Barbara J. Linton, Co-Chairpersons, Joint Committee on Finance, requesting a report from DNR regarding cleanup standards (May 22, 1992).

9. Publication by DNR, *The Proposed NR 720 Solid Waste Contamination Cleanup Criteria* (undated).

10. Memorandum from Frank R. Hoadley and Michael Wolff, Department of Administration (DOA), regarding permissible uses of general obligation bonds for environmental projects (September 17, 1992).

11. Memorandum from Committee Member Timothy J. Elverman, relating to the business and lending community response to 1987 Assembly Bill 21 and 1987 Senate Bill 420, superlien legislation (October 5, 1992).

12. Letter from Committee Member James Clawson, relating to proposals for consideration by the Special Committee (October 8, 1992).

13. Letter from Margaret Selend, Vernon County Treasurer, relating to Vernon County experience with environmentally contaminated tax delinquent land (September 30, 1992).

14. Letter from Sharlene Klicko, Adams County Treasurer, relating to Adams County procedures for environmentally contaminated tax delinquent land (undated).

15. Chapter 512, 1992 Minnesota Laws, the Minnesota Land Recycling Act of 1992.

16. Letter from Committee Member Representative Rosemary Potter, regarding suggestions for Committee consideration (September 24, 1992).

17. Letter from Peter A. Peshek, regarding suggestions for Committee consideration and attached policy paper regarding county legal problems concerning environmentally damaged property (October 13, 1992).

18. Written remarks by Frank R. Hoadley, Capital Finance Director, DOA (October 20, 1992).

19. Written remarks by James M. Lane, Vice-President, Environmental and Construction Insurance Services, Willis Corroon Corporation of Wisconsin (October 20, 1992).

20. Written remarks by Reed Groethe, Foley & Lardner, Bond Counsel for State of Wisconsin, General Obligations and Operating Notes (October 20, 1992).

21. Memorandum from Committee Member James Olson, making comments and recommendations concerning legislation relating to tax delinquent contaminated land (November 3, 1992).

22. Letter from Committee Member Timothy Elverman, regarding suggestions for lender liability legislation (November 12, 1992).

23. Letter from Jennie Huber, Oneida County Treasurer, and Richard Rollman, Oneida County Forest Administrator, regarding problems related to tax delinquent contaminated property (November 17, 1992).

24. Memorandum from Paul Didier, Director, Bureau of Solid and Hazardous Waste Management, DNR, relating to DNR comments on issues under consideration by the Special Committee (November 25, 1992).

25. Letter from James E. Doyle, Attorney General, commenting on issues under consideration by the Special Committee (December 11, 1992).

26. Memorandum from Ron Shanovich, Fiscal Analyst, Legislative Fiscal Bureau (LFB), to Committee Member Representative Mary Panzer, regarding insurance premiums surcharge (December 15, 1992).

27. "Mass Liability Suits Can Trap Minor Players That Prefer to Settle," Wall Street Journal (January 4, 1993).

28. Letter from Mark D. Bugher, Secretary of Revenue, regarding issues under consideration by the Special Committee (January 5, 1993).

29. Letter from Maryann Sumi, Executive Assistant, DNR, regarding issues under consideration by the Special Committee (January 6, 1993).

30. Chart showing the work load analysis for drafts under consideration by the Special Committee, prepared by DNR (January 6, 1993).

31. Letter from Scott C. Fergus, Vice-President, Real Estate Finance and Environment, Wisconsin Realtors Association, regarding issues under consideration by the Special Committee (December 30, 1992).

32. Letter from Edward J. Wilusz, Director, Environmental Policy, Wisconsin Manufacturers and Commerce, regarding bill drafts under consideration by the Special Committee (December 31, 1992).

33. Memorandum from Kendra Bonderud, Fiscal Analyst, LFB, to Committee Member Representative Mary Panzer, regarding the hazardous waste generator fee (January 5, 1993).

TRANSPORTATION DEVELOPMENT

Staff Materials

1. Staff Brief 92-12, *Recent Federal Laws Related to the Wisconsin Transportation System* (September 18, 1992).

2. Staff Brief 92-15, *Overview of State Involvement in Rail Services* (September 29, 1992). [This Staff Brief was originally prepared for the Legislative Council's Special Committee on Rail Facilities and Services.]

3. Staff Brief 92-18, *Transportation-Related Provisions in the Energy Policy Act of 1992* (November 6, 1992).

4. MEMO NO. 1, *Maryland's Fuel Economy ("Feebate") Law* (November 6, 1992).

5. MEMO NO. 2, *Statutes Relating to the Transportation Projects Commission and Major Highway Projects* (December 4, 1992).

6. MEMO NO. 3, *Local Roads Improvement Program Statute* (December 4, 1992).

7. MEMO NO. 4, *Background Information on Alternative Fueled Vehicles* (January 4, 1993).

8. MEMO NO. 5, *Background Information on Passenger Rail Service* (January 4, 1993).

9. MEMO NO. 6, *Background Information on Analyses of Alternatives to the Merrimac Ferry* (January 4, 1993).

10. MEMO NO. 7, *Background Information on Transportation Assistance for the Elderly and Disabled* (January 5, 1993).
11. MEMO NO. 8, *Background Information on General Transportation Aid* (January 5, 1993).
12. MEMO NO. 9, *Background Information on Transportation Enhancement Activities* (January 5, 1993).
13. MEMO NO. 10, *Background Information on Bicycle Transportation* (January 5, 1993).
14. MEMO NO. 11, *Background Information on Demand Management* (January 5, 1993).
15. MEMO NO. 12, *Transportation Development Policy Options* (January 27, 1993).
16. MEMO NO. 13, *Policy Options Submitted by Special Committee Members* (January 27, 1993).
17. MEMO NO. 14, *Federal Laws Relating to Transportation Plans and Improvement Programs and Management Systems Referenced in WLCS: 142/1* (March 31, 1993).
18. Memorandum to Representative Spencer Black, Chairperson, *Remaining Topics Suggested for Consideration by the Special Committee on Transportation Development*, from Janice M. Baldwin, Senior Staff Attorney, Legislative Council Staff (November 12, 1992).
19. Memorandum to Chairperson Spencer Black, *Sauk County Board Resolutions Relating to U.S. Highway 12 Projects*, from John Stolzenberg, Staff Scientist, Legislative Council Staff (December 10, 1992).
20. Memorandum to Chairperson Spencer Black, *Special Committee on Transportation Development Policy Options*, from John Stolzenberg, Staff Scientist, Legislative Council Staff (February 19, 1993).
21. Draft letter to Amtrak from Chairperson Spencer Black, relating to bicycle access to passenger trains (undated).

Other Materials

1. Wisconsin Department of Transportation (DOT), *Making Choices, Setting Priorities* (July-August, 1992).
2. Written statement from Charles Thompson, Secretary of Transportation, to the Special Committee (September 24, 1992).
3. Written comments from John A. Norwell, Dane County Highway Commissioner, Dane County Highway and Transportation Department, to the Special Committee (September 23, 1992).

4. *TDA Fast Facts*, Transportation Development Association of Wisconsin (August 29, September 5, September 11, 1991 and September 15, 1992).
5. Statement from Charles L. Kamp, General Manager of Valley Transit, on behalf of the Wisconsin Urban Transit Association (September 24, 1991).
6. Transportation Projects Commission, *1992 Process Used to Determine the Relative Merit of Candidates for Enumeration*, distributed to the Special Committee, by Fay Amerson (September 24, 1992).
7. *Trans fax*, Vol. 5, No. 3, Transportation Development Association of Wisconsin, distributed to the Special Committee (Fall 1992).
8. Letter with enclosures from Diane Pfaff, Field Representative, Western Wisconsin Area Agency on Aging, Inc., Eau Claire, relating to transportation needs of the elderly and disabled (September 25, 1992).
9. Hanson, Mark E., *Automobile Subsidies and Land Use, Estimates and Policy Responses*, Journal of the American Planning Association (Winter 1992).
10. Hanson, Mark E., *Results of Literature Survey and Summary of Findings: The Nature and Magnitude of Social Costs of Urban Roadway Use*, Resource Management Associates of Madison, Inc., report submitted to, and under review by, the Federal Highway Administration (July 1992).
11. Legislative Fiscal Bureau, *Summary of Surface Transportation Costs* (November 5, 1992).
12. Memorandum from Kelsie Doty, Fiscal Analyst, Legislative Fiscal Bureau, *Transportation-Related Costs in Wisconsin* (November 5, 1992).
13. *Strengthening Transportation Partnerships, Implementing ISTEA Through WisDOT's 1993-95 Budget*, Wisconsin DOT (October 1992).
14. 1993-95 Transportation Budget Summary and related tables, Wisconsin DOT (undated).
15. Letter from Charles L. Kamp, General Manager, Valley Transit, to Chairperson Spencer Black, relating to urban bus systems (October 15, 1992).
16. Memorandum from Kelsie Doty, Fiscal Analyst, Legislative Fiscal Bureau, *Transportation Bond Interest Payments* (November 11, 1992; revised November 12, 1992).
17. Draft Memorandum from Public Member Rob Kennedy, *WisDOT's 1993-1995 Biennial Budget Proposal* (October 15, 1992).
18. Kinney, Kenneth S., Director of Strategic Planning, City of Milwaukee, *Should Property Taxes Subsidize Automobile Usage?* (March 1991).

19. Memorandum from Kelsie Doty, Fiscal Analyst, Legislative Fiscal Bureau, *Information Requested at the November 13, 1992 Committee Meeting* (December 10, 1992).

20. *Statewide Multimodal Transportation Planning Process, Prospectus*, submitted by Roger L. Schrantz, Administrator, Division of Planning and Budget, DOT (November 12, 1992).

21. Written testimony by Roger L. Schrantz, Administrator, Division of Planning and Budget, and Frederic R. Ross, Administrator, Division of Highways, DOT (December 11, 1992).

22. *The Advance Plan Process & You*, distributed by Nancy Korda, Advance Plan Manager, Public Service Commission (undated).

23. *Lake Michigan Ozone Control Program Photochemical Modeling Analyses*, distributed by Larry Bruss, Mobile Sources Unit Supervisor, Bureau of Air Management, DNR (undated).

24. *Concerns and Unresolved Issues: Conformity Provisions of the 1990 Clean Air Act Amendments*, distributed by Barbara Kipp, Environmental Strategies Section, Division of Planning and Budget, DOT (undated).

25. Memorandum, *State Transportation Budget*, from John A. Norwell, P.E., Commissioner, Dane County Highway and Transportation Department (December 11, 1992).

26. Written testimony from John Delmore, Scott Construction Company, Lake Delton, *Local Roads Improvement Program* (December 11, 1992).

27. Written presentation from Richard W. Cutler, Chairman, SEWRPC Advisory Committee on Regional Land Use Implementation on preliminary recommendations of Southeastern Wisconsin Regional Planning Commission Advisory Committee on Regional Land Use Plan Implementation (December 11, 1992).

28. Written outline, *Statewide Land Use Task Force*, distributed by Richard Lehman and Sandy Beaupre (June 1992-January 1993).

29. Written testimony and graphs, by Don Stone, relating to rail transportation (December 11, 1992).

30. *Candidate Major Project Selection Process*, Transportation Projects Commission, DOT (June 1992).

31. Informational Paper Number 2, *Major Highway Projects Evaluation Process*, Program Development Section, Transportation Projects Commission, DOT (July 1992).

32. Draft of Clearinghouse Rule 90-45, relating to the selection process for highway and bridge projects, DOT (undated).

33. Informational Paper Number 4, *A Highway Engineer's Lexicon*, Program Development Section, Transportation Projects Commission, DOT (March 1992).

34. Excerpts from Dane County Highway Commission, *Facilities Development Manual* (1987-92).
35. Excerpts from Dane 2020, *Final Report and Recommendations* (November 18, 1992).
36. Excerpt from *METRO 2020 Final Report: Transportation Strategies for Milwaukee and Southeast Wisconsin* (June 1991).
37. Excerpts from Memorandum Report Number 68, *Regional Land Use Plan Implementation in Southeastern Wisconsin: Status and Needs*, Southeastern Wisconsin Regional Planning Commission (undated).
38. An article, *Land Use Laws: Handy Villain in Hard Times*, Governing (October 1992).
39. *Approaches to Coordinating Transportation and Land Use Planning*, Richard G. Rubino, Associate Professor of Urban and Regional Planning, Florida State University (August 11, 1992).
40. *Vehicle Miles of Travel: Growth Trends and Examples in Wisconsin*, Statewide Land Use Task Force Staff, DOT (September 4, 1992; revised October 5, 1992).
41. *Statewide Land Use Task Force Issues and Alternative Policies & Strategies*, Statewide Land Use Task Force Staff, DOT (October 8, 1992).
42. *Tools Presently and Potentially Available to Control Urban Sprawl and Strip Development and Problems Associated with Them*, by Richard A. Lehmann, Issues Consultant, prepared for July 14, 1992 meeting of the Wisconsin DOT Statewide Land Use Task Force (undated).
43. *Supply-Demand Coordination Between Land Use and Transportation and Concurrency*, by Richard A. Lehmann, Issues Consultant, Wisconsin DOT Statewide Land Use Task Force (August 7, 1992).
44. *Alternative Ways to Mitigate the Impacts of Development on Highways & Interchanges*, Statewide Land Use Task Force Staff, DOT (October 8, 1992).
45. *Planning Land Use for Transportation Efficiency and Trip Reduction*, prepared by Richard A. Lehmann, Issues Consultant, Wisconsin DOT Statewide Land Use Task Force (September 4, 1992).
46. *Report of the WisDOT Committee on Transportation Impact Assessments*, Statewide Land Use Task Force Staff, DOT (October 8, 1992).
47. *Metropolitan Planning Organizations: Their History and Strengths and Weaknesses of Their Transportation-Land Use Planning Processes*, Richard A. Lehmann, Issues Consultant, Wisconsin DOT Statewide Land Use Task Force, prepared for July 14, 1992 meeting (undated).
48. Legislative Fiscal Bureau Informational Paper #18, *TRANSPORTATION AID: General Transportation and Connecting Highway Aid*, by Fred Ammerman (January 1991).

49. *West to Work*, The Milwaukee Journal (November 29, 1992).
50. Written outline, *Employer Trip Reduction Program (ETR)*, distributed by John Duffie (December 11, 1992).
51. *Potential Secondary Highway Impacts on Farming and Rural Communities*, by Mike Wyatt, Department of Agriculture, Trade and Consumer Protection (October 13, 1992).
52. *Dane 2020 Minority Report*, by Peter Anderson (November 1992).
53. Memorandum from Jon Hochkammer, Legislative Liaison, Wisconsin Counties Association, *Testimony on General Transportation Aids* (January 11, 1993).
54. Table, *General Transportation Aids 1991 Payments vs. 1992 Estimates*, distributed by Edward Huck, Wisconsin Alliance of Cities (January 11, 1993).
55. Written testimony of Jim Johnson, Administrator, Division of State Agency Services, Department of Administration (DOA) (January 11, 1993).
56. *Governor Thompson's Alternative Fuels Task Force Accomplishments to Date*, distributed by Jim Johnson, Administrator, Division of State Agency Services, DOA (January 8, 1993).
57. *State of Wisconsin Alternative Fuels Task Force, Local Government Awards to Date*, distributed by Jim Johnson, Administrator, Division of State Agency Services, DOA (undated).
58. Letter to Chairperson Spencer Black, from Ernest F. Wittwer, Director, Bureau of Program Management, DOT, relating to transportation enhancements (January 8, 1993).
59. *Report to the Governor Concerning Restoration of Rail Passenger Service to Green Bay and Madison, Wisconsin*, DOT (January 1993)
60. Letter with enclosure to Interested Parties from Charles H. Thompson, Secretary, DOT, relating to draft policy and procedures for the DOT Transportation Enhancements Program (January 7, 1993).
61. Memorandum from Thomas L. Frazier, Wisconsin Coalition of Aging Groups, *Transportation for the Elderly: Needs and Recommendations* (January 11, 1993).
62. Materials distributed by Jayn Wittenmyer, Council on the Developmentally Disabled, relating to transportation services for the disabled (January 11, 1993).
63. Written outline of presentation from Ken Leonard, DOT, *Transportation Demand Management* (January 11, 1993).
64. Written presentation from Duane G. Hickling, Assistant Vice Chancellor for Planning and Construction, University of Wisconsin-Madison, relating to parking and transportation management at the University of Wisconsin-Madison (January 11, 1993).

65. Written testimony of David Lowe, Director, Specialized Transit, Rock County (January 11, 1993).

66. Letter from Thomas W. Robinson, Jr., Property and Liability Manager, Bureau of State Risk Management, DOA, relating to worker's compensation coverage of the state van pool (January 21, 1993).

67. *Average Annual Investments and Targets for Major Highway Program, 1976-1995*, distributed by Public Member Rob Kennedy (February 22, 1993).

68. Memorandum to Chairperson Black from Rick Olin, Legislative Fiscal Bureau, *General Transportation Aid Proposal* (February 22, 1993).

69. Legislative Fiscal Bureau Informational Paper #19, *Transportation Aid, General Transportation and Connecting Highway Aid* (January 1993).

70. Legislative Fiscal Bureau Informational Paper #20, *Urban Mass Transit Assistance* (January 1993).

71. Legislative Fiscal Bureau Informational Paper #42, *State Trunk Highway Program* (January 1993).

72. Letter, and enclosures, to Senators Joseph Leean and Roger Breske and Representatives Ben Brancel and Marc Duff, from Charles H. Thompson, Secretary of Transportation, relating to effects of the Special Committee's recommendations on highway funding, distributed at the request of Senator Joseph Leean (March 25, 1993).

73. Memorandum and attachments, *1993-95 Wisconsin State Biennial Budget (Senate Bill 44): Summary of Governor's Budget Recommendations-Transportation*, by Kelsie Doty, Legislative Fiscal Bureau (April 5, 1993).

74. *Executive Summary and Major Issue Briefing Document, 1993-95 Biennial Budget*, Division of State Patrol, DOT, distributed at the request of Chairperson Spencer Black (Spring 1992).

75. Memorandum from Public Member James Peterson, relating to WLCS: 142/1 (April 13, 1993).

76. Letter to Chairperson Spencer Black from Steven E. Dean, No Race Track, Inc., relating to an amendment to WLCS: 142/1 (April 16, 1993).

USE OF PUBLIC WATERS

Staff Materials

1. Staff Brief 92-16, *Legal Issues Related to Use of Public Waters* (September 29, 1992).
2. MEMO NO. 1, *Suggestions Made at the October 6, 1992 Meeting of the Special Committee* (November 3, 1992).
3. MEMO NO. 2, *Summary of Boating Safety Proposals* (March 2, 1993).

Other Materials

1. Letter from Representative Harvey Stower, relating to the size of lakes on which boats may not exceed slow-no-wake speeds (September 15, 1992).
2. Assembly Substitute Amendment 1 to 1991 Assembly Bill 298, relating to recreational boating access to navigable waters, local boating regulations, granting rule-making authority and providing for a study, and four amendments to that Substitute Amendment, and a proposed alternative to that Substitute Amendment.
3. The Department of Natural Resources' (DNR) proposed administrative rule on public access.
4. 1991 Assembly Bill 509, relating to controlling motor boat speed on certain lakes.
5. Boater Attitudes and Experiences - Results of the 1989-90 Wisconsin Recreational Boating Study, Phase 2, by DNR (1992).
6. Guidelines for Ordinance Writing and Buoy Placement in Wisconsin Waters, by DNR (undated).
7. Letter from William G. Engfer, Boating Law Administrator, DNR, relating to the bill drafts being considered by the Committee (December 16, 1992).
8. Assessing Impacts of Motorized Watercraft on Lakes: Issues and Perceptions, Enhancing State's Lake Management Programs, 1990: 77-93, by Kenneth J. Wagner, Associate, Bay State Environmental Consultants, East Longmeadow, Massachusetts (1990).
9. Letter from Kenneth G. Johnson, Assistant Chief, Water Regulation Section, DNR, relating to construction of wharves and piers (December 16, 1992).
10. Testimony from Senator Margaret A. Farrow, and attached bill draft, relating to boating safety (undated).

VETERANS TRUST FUND

Staff Materials

1. Staff Brief 92-7, *The Veterans Trust Fund* (August 27, 1992; Revised October 5, 1992).
2. MEMO NO. 1, *Liquor Tax Information* (November 30, 1992).
3. MEMO NO. 2, *Recommendations for Changes in Laws Relating to the Veterans Trust Fund* (December 1, 1992; Revised January 5, 1993).
4. MEMO NO. 3, *Information Relating to Litigation Regarding State Tax Treatment of Federal Pensions* (December 1, 1992).
5. MEMO NO. 4, *Federal and State Definitions of "Veteran"* (February 12, 1993).

Other Materials

1. Position Paper for WACVO (Wisconsin Association of Concerned Veterans) (September 17, 1992).
2. Letter from Melisa Rendt, Eligibility Specialist, Department of Veterans Affairs (DVA), to William Stiefvater, Manitowoc County Veterans Service Officer, relating to eligibility for veterans benefits (September 16, 1992).
3. Letter from Robert Piaro, President, Wisconsin State Council, Vietnam Veterans of America, relating to the attached resolutions adopted at the State Convention of the Council (September 25, 1992).
4. Testimony from Chris Jordon, Walworth County Veterans Service Officer, relating to the Veterans Trust Fund, transfers from the Veterans Housing Loan Program, eligibility of Persian Gulf War veterans and on residency requirements (September 30, 1992).
5. Remarks by John L. Margowski, President, CVSO Association, regarding eligibility for state programs for all veterans, removing income limits on eligibility and permanent funding of the Veterans Trust Fund (September 30, 1992).
6. Letter from Raymond G. Boland, Secretary, DVA, on financing and benefits of the Veterans Trust Fund (September 30, 1992).
7. Letter from Lois Tracy Seidl, relating to eligibility for Wisconsin veterans programs (November 12, 1992).
8. Testimony from Matthew M. Stevenson, relating to the Veterans Trust Fund and veterans programs financing (undated).

9. Memorandum from Gary McGoey, relating to sales and excise taxes being placed in the Veterans Trust Fund and the return of the \$4.2 million loan from the Trust Fund (November 12, 1992).

10. Testimony from Paul Trigleth, relating to eligibility for veterans benefits, financing of the Veterans Trust Fund and military service credits for retirement (November 12, 1992).

11. Testimony from William Christianson, relating to income limits for part-time study grants (undated).

12. Letter from Richard W. Baker, Washington County Veterans Service Officer, relating to removal of income limits on eligibility for veterans programs, the need for education and training programs and eligibility based on war periods (November 12, 1992).

13. State veterans benefits, from the National Association of State Directors of Veterans Affairs, Inc. (undated).

14. Letter from John L. Margowski, Director of Veterans Services, Waukesha County, relating to access to veterans programs, residency requirements and financing of the Veterans Trust Fund (November 2, 1992).

15. Memorandum from Raymond G. Boland, Secretary, DVA, 1993-95 Biennial Operating Budget (October 2, 1992).

16. Letter from Raymond G. Boland, Secretary, DVA, relating to information requested by the Special Committee (December 1, 1992).

17. Outline of comments to Special Committee on the Veterans Trust Fund, from Frank R. Hoadley, Capital Finance Officer, Department of Administration (December 7, 1992).

18. Memorandum, *Alternative General Fund Sources*, from Bob Lang, Director, Legislative Fiscal Bureau (February 24, 1992).

19. Moody's Municipal Credit Report, State of Wisconsin (October 21, 1992).

20. Memorandum, *Requested Fiscal Notes and Additional Information*, from Raymond G. Boland, Secretary, DVA (January 11, 1993).

21. Letter from Lisa B. Nelson and Don Eggert, Legislative Liaisons, Vets for Vets, relating to attached position papers on eligibility of Persian Gulf War veterans for veterans benefits and on education benefits for continuing students (January 12, 1993).

22. Memorandum, *Estimate of Impact of Desert Storm Veterans on WDVA Programs*, from Ruben L. Anthony, Jr., Program and Planning Analyst, Bureau of Veterans Services, DVA (February 3, 1993).

23. Letter from William T. Pound, Executive Director, National Conference of State Legislatures (NCSL), relating to the Committee's request for an NCSL resolution on federal services to incarcerated veterans (March 3, 1993).

24. Memorandum, *Requested Information*, from Charles B. Hoslet, Executive Assistant, DVA (March 22, 1993).

25. Letter from Charles B. Hoslet, Executive Assistant, DVA, relating to WLCS: 141/2 (March 22, 1993).

26. Memorandum, *Tuition Waiver Program--Fiscal Estimate*, from Raymond G. Boland, Secretary, DVA (March 25, 1993).

27. Memorandum, *Desert Shield/Desert Storm "Global" Eligibility--Fiscal Estimate*, from Raymond G. Boland, Secretary, DVA (March 26, 1993).

28. Letter from U.S. Representative Thomas M. Barrett, 5th District, Wisconsin, relating to the Special Committee's recommendation on federal services for incarcerated veterans (March 17, 1993).

29. Letter from Paul Bud Burke, President, Kansas Senate, relating to the Special Committee's recommendation on federal services for incarcerated veterans (April 5, 1993).

30. Letter from James Aki, President, Hawaii Senate, relating to the Special Committee's recommendation on federal services for incarcerated veterans (April 5, 1993).

31. Letter from Senator Marc Basnight, President Pro Tempore, General Assembly, North Carolina, relating to the Special Committee's recommendation on federal services for incarcerated veterans (April 5, 1993).

32. Letter from U.S. Representative Scott Klug, 2nd District, Wisconsin, relating to the Special Committee's recommendation on federal services for incarcerated veterans (April 6, 1993).

33. Letter from Ralph Degnan Hough, President, New Hampshire Senate, relating to the Special Committee's recommendation on federal services for incarcerated veterans (April 6, 1993).

34. Letter from Stanley T. Koki, Senator, 24th District, Hawaii, relating to the Special Committee's recommendation on federal services for incarcerated veterans (April 8, 1993).

35. Letter from Raymond G. Sanchez, Speaker, House of Representatives, New Mexico, relating to the Special Committee's recommendation on federal services for incarcerated veterans (April 12, 1993).

36. Letter from Bob Bullock, Lieutenant Governor, Texas, relating to the Special Committee's recommendation on federal services for incarcerated veterans (April 13, 1993).

37. Letter from U.S. Senator Russell D. Feingold, Wisconsin, relating to the Special Committee's recommendation on federal services for incarcerated veterans (April 14, 1993).

WOMEN OFFENDERS IN THE CORRECTIONAL SYSTEM

Staff Materials

1. Staff Brief 92-6, *Background on Wisconsin's Prison and Community Corrections System* (August 26, 1992).
2. MEMO NO. 1, *Description of Programs and Services Available to Women Offenders at Wisconsin Correctional Institutions and Centers* (August 21, 1992).
3. MEMO NO. 2, *Issues Raised to Date for Possible Special Committee Consideration* (October 1, 1992).
4. MEMO NO. 3, *Information Received in Response to Requests of Special Committee Members at the September 2, 1992 Meeting of the Committee* (October 2, 1992).
5. MEMO NO. 4, *Analysis of the Minnesota Community Corrections Act, Minnesota Statutory Provisions Relating to Programs for Women Offenders and the Rhode Island Community Correctional Program for Women Offenders* (October 29, 1992).
6. MEMO NO. 5, *Outline of Suggestions Made to Date for Possible Special Committee Consideration* (December 1, 1992).
7. MEMO NO. 6, *Women Offenders and Their Children: General Background Information on, and Materials Relating to, Women Offenders and Their Children; Discussion of, and Materials Relating to Other States' Statutory and Private Programs Relating to Pregnant Inmates, Mother and Infant or Mother and Child Residential Programs and Child Visitation Programs* (January 7, 1993).
8. MEMO NO. 7, *Recommendations of the Special Committee's Working Group on Incarcerated Women and Their Children* (February 3, 1993).

Other Materials

1. Two reports from the Bureau of Justice Statistics, U.S. Department of Justice, providing a national profile of women offenders: (a) Women in Prison (March 1991); and (b) Women in Jail 1989 (March 1992).
2. Report, *Female Offenders in the Community: An Analysis of Innovative Strategies and Programs*, by James Austin, Barbara Bloom and Trish Donahue, National Council on Crime and Delinquency, San Francisco (June 1992).
3. Excerpts from *The Female Offender: What Does the Future Hold?*, American Correctional Association (1990).

4. Summary by Attorney Ken Streit, Legal Assistance to Institutionalized Persons, University of Wisconsin (UW) Law School, of September 28, 1992 meeting with Hennepin County (Minneapolis, Minnesota) Public Defender Attorney Ann Remington and Legal Services Specialist Margaret Valkevich (undated).
5. Memorandum, *Intensive Sanctions for Women*, from Ken Streit, Julie Mann and Kelly Condon (October 2, 1992).
6. *Summary of Agency Projects*, ARC Community Services, Inc., Madison, Wisconsin (undated).
7. Letter from Robert Margolies, Legislative Liaison, DOC, responding to questions raised by Special Committee members during the October 20, 1992 tours of the Robert E. Ellsworth Correctional Center and the Milwaukee Women's Correctional Center (October 26, 1992).
8. The 1985 *Report of the Advisory Council on Women Offenders*, Division of Corrections, Wisconsin Department of Health and Social Services (April 1985).
9. *Report on NIC (National Institute of Corrections) Special Topic Session: Women Offenders Under Community Supervision* (undated).
10. *Women Offenders Planning Work Session: Proceedings of a Statewide Meeting to Develop Strategies to Meet the Needs of Women Offenders in Oregon* (August 1992).
11. *Oregon Department of Corrections White Paper: Oregon's Women Offenders* (October 1991).
12. Memorandum from Robert Margolies, Department of Corrections' (DOC) Liaison to the Special Committee (November 23, 1992).
13. Memorandum, *Response to Requests by the Special Committee for Information*, from Dick Verhagen, Deputy Administrator, Division of Adult Institutions, DOC (November 27, 1992).
14. Memorandum, *Response to Requests by the Special Committee for Information*, from William J. Grosshans, Administrator, Division of Intensive Sanctions, DOC (November 30, 1992).
15. Memorandum, *Response to Requests by the Special Committee for Information*, from Ken Sondalle, Administrator, Division of Program Services, DOC (December 4, 1992).
16. Memorandum, *Response to Requests by the Special Committee for Information*, from Eural K. Jordan, Administrator, Division of Probation and Parole, DOC (December 4, 1992).
17. Memorandum, *Response to Requests by the Special Committee for Information*, from Cynthia A. Schoenicke, Deputy Administrator, Division of Management Services, DOC (December 7, 1992).

18. Memorandum, *Proposal for a Pilot Program Relating to New Types of "Phase I" Programs for the Division of Intensive Sanctions*, from Ken Streit, Faculty Advisor, Legal Assistance to Institutionalized Persons (LAIP) Program, UW Law School (undated).

19. Letter and attached recommendations from Martha K. Askins, Assistant State Public Defender and Chairperson of the Women in the Criminal Justice System Task Force of the Wisconsin Women's Network (November 25, 1992).

20. Issue of *In Sync* (Vol. 1, No. 3), published by the Office of Drug Programs, Division of Program Services, DOC (November 1992).

21. Memorandum, *Z Funding for Women Offenders*, from Ken Streit, Faculty Advisor, LAIP, UW Law School (undated).

22. *Materials Relating to the Need for Specific Statutory Changes in the Wisconsin Evidence Code With Reference to Battered Spouses and Laws in Other States on Defenses Available to Battered Spouses*, from Sue Ostoff, Executive Director, National Clearinghouse for the Defense of Battered Women, Philadelphia, Pennsylvania (undated).

23. Fiscal estimate, prepared by the Legislative Fiscal Bureau, of the cost of the council on women offenders created in WLCS: 75/2 (undated).

24. Memorandum, *Targeted Purchase of Service Pilots for Female Offenders*, from Ken Streit, Faculty Advisor, LAIP, UW Law School (March 26, 1993).

25. Letter and attachments from Robert Margolies, Legislative Liaison, DOC, relating to: (a) the rate of growth of women offenders as reflected in charts indicating the admissions and releases of women offenders from 1988-92; and (b) the telephone call procedures at Taycheedah Correctional Institution (February 25, 1993).

26. Report, *Parent-Child Situation (Taycheedah Correctional Institution): Preliminary Self-Reporting Survey*, from staff at Taycheedah Correctional Institution (March 23, 1993).