

## COMMITTEES OF THE 1997 WISCONSIN LEGISLATURE

June 15, 1997

## JOINT STANDING COMMITTEES AND COMMISSIONS

The joint standing committees and commissions of the legislature are described separately in detail in the section immediately following this listing of senate and assembly standing committees. They are created by statute and include: the Joint Committee for Review of Administrative Rules, the State of Wisconsin Building Commission, the Joint Legislative Audit Committee, the Joint Committee on Employment Relations, the Joint Committee on Finance, the Joint Committee on Information Policy, the Joint Legislative Council, the Joint Committee on Legislative Organization, the Joint Survey Committee on Retirement Systems, the Retirement Research Committee, the Joint Legislative State Supported Programs Study and Advisory Committee, the Joint Survey Committee on Tax Exemptions, the Transportation Projects Commission, and the Commission on Uniform State Laws.

## SENATE STANDING COMMITTEES

- Agriculture and Environmental Resources** — CLAUSING, *chairperson*; SHIBILSKI, *vice chairperson*; WIRCH, A. LASEE, ZIEN.
- Economic Development, Housing and Government Operations** — MOORE, *chairperson*; PLACHE, *vice chairperson*; GROBSCHMIDT, FITZGERALD, WEEDEN.
- Education** — C. POTTER, *chairperson*; JAUCH, *vice chairperson*; SHIBILSKI, GROBSCHMIDT, DARLING, HUELSMAN, ROESSLER.
- Health, Human Services, Aging, Corrections, Veterans and Military Affairs** — MOEN, *chairperson*; BRESKE, *vice chairperson*; MOORE, WIRCH, ROESSLER, ROSENZWEIG, FITZGERALD.
- Insurance, Tourism and Rural Affairs** — BRESKE, *chairperson*; JAUCH, *vice chairperson*; SHIBILSKI, SCHULTZ, DRZEWIECKI.
- Judiciary, Campaign Finance Reform and Consumer Affairs** — ADELMAN, *chairperson*; RISSER, *vice chairperson*; CLAUSING, HUELSMAN, DRZEWIECKI.
- Labor, Transportation and Financial Institutions** — PLACHE, *chairperson*; C. POTTER, *vice chairperson*; MOORE, DECKER, ZIEN, DARLING, FARROW.
- Senate Organization** — CHVALA, *chairperson*; RISSER, MOEN, ELLIS, RUDE.
- Utility Regulation** — MOEN, *chairperson*; CLAUSING, *vice chairperson*; DECKER, SHIBILSKI, RUDE, WELCH, FARROW.

## ASSEMBLY STANDING COMMITTEES

- Aging and Long-Term Care** — ZUKOWSKI, *chairperson*; GARD, *vice chairperson*; OWENS, SYKORA, WIECKERT, KRUSICK, CARPENTER, MEYER, HEBL.
- Agriculture** — OTT, *chairperson*; SYKORA, *vice chairperson*; AINSWORTH, HAHN, OTTE, WARD, ZUKOWSKI, SKINDRUD, GRONEMUS, REYNOLDS, SPRINGER, DUEHOLM, STEINBRINK, PLOUFF.
- Assembly Organization** — BRANCEL, *chairperson*; FOTI, *vice chairperson*; LADWIG, FREESE, GREEN, KUNICKI, SCHNEIDER, R. POTTER.
- Campaign Finance Reform** — HANDRICK, *chairperson*; LADWIG, *vice chairperson*; JENSEN, KLUSMAN, BOCK, CULLEN, HUBER.
- Children and Families** — HUEBSCH, *chairperson*; DOBYNS, *vice chairperson*; GOETSCH, AINSWORTH, LADWIG, R. YOUNG, NOTESTEIN, KRUG, HEBL.
- Colleges and Universities** — KREIBICH, *chairperson*; UNDERHEIM, *vice chairperson*; WARD, HUTCHISON, KELSO, OLSEN, HANSON, BOYLE, REYNOLDS, MURAT, PLOUFF.
- Consumer Affairs** — OTTE, *chairperson*; JOHNSRUD, *vice chairperson*; OTT, M. LEHMAN, URBAN, WILLIAMS, HASENOHRL, BLACK.
- Corrections Facilities** — WALKER, *chairperson*; GOETSCH, *vice chairperson*; OWENS, HUBER, STASKUNAS.

- Criminal Justice and Corrections** — GOETSCH, *chairperson*; DOBYNS, *vice chairperson*; NASS, OWENS, WALKER, GUNDERSON, F. LASEE, JESKEWITZ, WOOD, RUTKOWSKI, TRAVIS, HUBER, BALDWIN, MURAT.
- Education** — OLSEN, *chairperson*; NASS, *vice chairperson*; BRANDEMUEHL, DUFF, AINSWORTH, HAHN, OTTE, WARD, SCHNEIDER, R. YOUNG, REYNOLDS, ZIEGELBAUER, DUEHOLM, J. LEHMAN.
- Subcommittee on Truancy** — WARD, *chairperson*; OLSEN, KELSO, R. YOUNG, ZIEGELBAUER, KRUSICK.
- Elections and Constitutional Law** — WALKER, *chairperson*; HANDRICK, *vice chairperson*; DUFF, KLUSMAN, FREESE, BALDWIN, HUBER, MEYER, KREUSER.
- Environment** — DUFF, *chairperson*; HOVEN, *vice chairperson*; JOHNSRUD, HAHN, SERATTI, KEDZIE, BOCK, ROBSON, BAUMGART (resigned 2/6/97), BLACK (effective 4/4/97), LA FAVE.
- Subcommittee on Tribal Jurisdiction over Air and Water Quality** — SERATTI, *chairperson*; KEDZIE, DUFF, BOCK.
- Financial Institutions** — WARD, *chairperson*; HOVEN, *vice chairperson*; GREEN, LAZICH, FOTI, KEDZIE, SCHAFFER, SYKORA, R. POTTER, TRAVIS, LA FAVE, MEYER, MORRIS-TATUM, MURAT, PLALE.
- Government Operations** — DOBYNS, *chairperson*; WIECKERT, *vice chairperson*; OTT, URBAN, KELSO, ZIEGELBAUER, SCHNEIDER, L. YOUNG, PLALE.
- Health** — UNDERHEIM, *chairperson*; URBAN, *vice chairperson*; JOHNSRUD, WALKER, LAZICH, HANDRICK, F. LASEE, OLSEN, WIECKERT, ROBSON, CARPENTER, BOCK, SPRINGER, MEYER, LA FAVE, WASSERMAN.
- Highways and Transportation** — BRANDEMUEHL, *chairperson*; OTTE, *vice chairperson*; MUSSER, LORGE, HAHN, ZUKOWSKI, HUEBSCH, SYKORA, HASENOHRL, GRONEMUS, TURNER, L. YOUNG, RYBA, RILEY, STEINBRINK.
- Housing** — OWENS, *chairperson*; KEDZIE, *vice chairperson*; FOTI, VRAKAS, WIECKERT, MORRIS-TATUM, LA FAVE, L. YOUNG, BALDWIN.
- Income Tax Review** — F. LASEE, *chairperson*; LADWIG, *vice chairperson*; GROTHMAN, WASSERMAN, ZIEGELBAUER.
- Insurance, Securities and Corporate Policy** — LORGE, *chairperson*; HOVEN, *vice chairperson*; UNDERHEIM, GREEN, SKINDRUD, F. LASEE, SCHAFFER, WIECKERT, CULLEN, ROBSON, SPRINGER, WASSERMAN, PLALE.
- Judiciary** — GREEN, *chairperson*; GROTHMAN, *vice chairperson*; FREESE, VRAKAS, KELSO, RUTKOWSKI, NOTESTEIN, HUBLER, CULLEN.
- Subcommittee on Victim's Rights** — GREEN, *chairperson*; VRAKAS, KELSO.
- Labor and Employment** — VRAKAS, *chairperson*; NASS, *vice chairperson*; DUFF, LAZICH, WALKER, GROTHMAN, VANDER LOOP, TURNER, BAUMGART, MORRIS-TATUM.
- Land Use** — POWERS, *chairperson*; AINSWORTH, *vice chairperson*; OWENS, BOCK, STEINBRINK.
- Managed Care** — GARD, *chairperson*; POWERS, *vice chairperson*; FREESE, CARPENTER, NOTESTEIN.
- Mandates** — NASS, *chairperson*; JESKEWITZ, *vice chairperson*; GARD, KREIBICH, SERATTI, ZIEGELBAUER, RYBA, KREUSER, STASKUNAS.
- Natural Resources** — JOHNSRUD, *chairperson*; POWERS, *vice chairperson*; BRANDEMUEHL, OTT, GUNDERSON, HUTCHISON, BLACK, BOYLE (resigned 1/30/97), BOCK (effective 1/30/97), HUBER, BAUMGART.
- Rules** — FOTI, *chairperson*; BRANCEL, *vice chairperson*; FREESE, LADWIG, GREEN, VRAKAS, M. LEHMAN, TRAVIS, KUNICKI, SCHNEIDER, R. POTTER, WOOD.
- Rural Affairs** — AINSWORTH, *chairperson*; KEDZIE, *vice chairperson*; MUSSER, NASS, OWENS, POWERS, HASENOHRL, SCHNEIDER, GRONEMUS, SPRINGER, DUEHOLM.
- Small Business and Economic Development** — SERATTI, *chairperson*; SCHAFFER, *vice chairperson*; VRAKAS, KREIBICH, SKINDRUD, HUTCHISON, SYKORA, RUTKOWSKI, WILLIAMS, HEBL, PLOUFF, J. LEHMAN, STASKUNAS.
- State Affairs** — SKINDRUD, *chairperson*; WARD, *vice chairperson*; UNDERHEIM, M. LEHMAN, OWENS, L. YOUNG, WOOD, BOYLE, MURAT.

**State-Federal Relations** — UNDERHEIM, *chairperson*; KREIBICH, *vice chairperson*; OLSEN, KEDZIE, SCHNEIDER, R. POTTER, MURAT.

**Tourism and Recreation** — HAHN, *chairperson*; HANDRICK, *vice chairperson*; MUSSER, GARD, SKINDRUD, HUTCHISON, HUBLER, VANDER LOOP, BAUMGART, DUEHOLM, STEINBRINK.

**Urban and Local Affairs** — GUNDERSON, *chairperson*; SCHAFFER, *vice chairperson*; GOETSCH, BRANDEMUEHL, WIECKERT, RILEY, WILLIAMS, STASKUNAS, J. LEHMAN.

**Utilities Oversight** — HOVEN, *chairperson*; JOHNSRUD, *vice chairperson*; MUSSER, POWERS, RILEY, R. POTTER, PLALE.

**Veterans and Military Affairs** — MUSSER, *chairperson*; ZUKOWSKI, *vice chairperson*; LORGE, DOBYNS, SYKORA, RYBA, SCHNEIDER, VANDER LOOP, PLOUFF.

**Ways and Means** — M. LEHMAN, *chairperson*; JESKEWITZ, *vice chairperson*; GOETSCH, GARD, OWENS, SERATTI, HUEBSCH, F. LASEE, POWERS, WOOD, BLACK, KRUG, R. YOUNG, TURNER, ZIEGELBAUER, MORRIS-TATUM.

**Wisconsin Works Oversight** — GARD, *chairperson*; HUEBSCH, *vice chairperson*; DOBYNS, LADWIG, JESKEWITZ, KREIBICH, NOTESTEIN, KRUG, RILEY, R. YOUNG.

**Working Families** — KELSO, *chairperson*; LAZICH, *vice chairperson*; SCHAFFER, KRUSICK, BLACK.

#### ASSEMBLY SPECIAL COMMITTEE

**Wisconsin Sesquicentennial** — FREESE, *chairperson*; HUBER, *vice chairperson*; HAHN, HANDRICK, SCHNEIDER, R. POTTER.



*Caucus meetings allow legislators to plan party action. In the Republican Caucus, Representatives Al Ott (l) and Sheryl Albers (r) discuss strategy regarding 1977 SB-2, relating to the National Cheese Exchange, with Assembly Speaker Ben Brancel (center). (Chris Williams, Assembly Republican Caucus)*

## STATUTORY LEGISLATIVE COMMITTEES

**Joint Committee for Review of  
ADMINISTRATIVE RULES**

*Members:* SENATOR GROBSCHMIDT, REPRESENTATIVE GROTHMAN, *cochairpersons*; SENATORS C. POTTER, SCHULTZ, WELCH, WIRCH; REPRESENTATIVES GUNDERSON, KREUSER, SERATTI, R. YOUNG.

**Mailing Addresses:** Senator Grobschmidt, Room 404, 100 North Hamilton Street, P.O. Box 7882, Madison 53707-7882; Representative Grothman, Room 125 West, State Capitol, P.O. Box 8952, Madison 53708-8952.

**Telephones:** Senator Grobschmidt, (608) 266-7505; Representative Grothman, (608) 264-8486.

**Statutory References:** Sections 13.56, 227.19, 227.24 and 227.26.

**Agency Responsibility:** The Joint Committee for Review of Administrative Rules may suspend or order the promulgation of emergency rules, review proposed rules when standing committees object to them, and suspend rules that have already been promulgated.

When a standing committee objects to a proposed rule or portion of a rule, it must be referred to the joint committee. The joint committee then has 30 days to review the rule, but that period may be extended for an additional 30 days. The joint committee may uphold or reverse the standing committee's action. If it concurs with the objection, it introduces bills concurrently in both houses to prevent promulgation of the rule. If either bill is enacted, the agency may not adopt the rule unless specifically authorized to do so by subsequent legislative action. If the joint committee disagrees with the objection, it may overrule the standing committee and allow the agency to adopt the rule or it may request the agency to modify the rule.

The joint committee may suspend a rule after holding a public hearing, but suspension must be based on one or more of the following reasons: absence of statutory authority; an emergency related to public health or welfare; failure to comply with legislative intent; conflict with existing state law; a change in circumstances since passage of the law that authorized the rule; or a rule that is arbitrary or capricious or imposes an undue hardship. Within 30 days of suspension, the committee must introduce bills concurrently in both houses to repeal the suspended rule. If either bill is enacted, the rule is repealed and the agency may not promulgate it again unless authorized by the legislature. If both bills fail to pass, the rule remains in effect and may not be suspended again.

The joint committee receives notice of any action in the circuit court of Dane County for declaratory judgments about validity of a rule and may intervene in the action with the consent of the Joint Committee on Legislative Organization.

**Organization:** The joint committee consists of 5 senators and 5 representatives, and the membership from each house must include representatives of both the majority and minority parties.

**History:** The Joint Committee for Review of Administrative Rules was one of the first of its kind in the country, and it has served as a model widely copied by other states. Chapter 221, Laws of 1955, revised administrative rules procedures and created the committee with "advisory powers only". It could investigate complaints about rules and recommend changes to rule-making agencies but could not directly affect the rule-making process. In 1966, the committee received authority to suspend a rule based on testimony at a public hearing. With enactment of Chapter 34, Laws of 1979, the joint committee acquired the power to review proposed rules based on the objections of a legislative standing committee. Further modifications occurred when 1985 Wisconsin Act 182 authorized the joint committee to extend its 30-day review period and allowed it to negotiate with agencies to modify existing rules.

**State of Wisconsin  
BUILDING COMMISSION**

*Members:* GOVERNOR TOMMY G. THOMPSON, *chairperson*; SENATORS MOEN, RISSER, WEEDEN; REPRESENTATIVES HOVEN, OTTE, TURNER; BRYCE STYZA (citizen member appointed by governor). Nonvoting advisory members: MARK D. BUGHER (secretary of administration), ADEL TABRIZI (chief engineer, Department of Administration), WILBERT KING (chief architect, Department of Administration).

*Secretary:* ROBERT N. BRANDHERM, *administrator*, Division of Facilities Development, Department of Administration.

**Mailing Address:** P.O. Box 7866, Madison 53707-7866.

**Location:** 7th Floor, 101 East Wilson Street, Madison.

**Telephone:** (608) 266-1855.

**Fax:** (608) 267-2710.

**Total Budget 1995-96:** \$18,354,400.\*

**Total Budget 1996-97:** \$30,553,500.\*

\*Total budget includes bond revenues, building trust fund expenditures and debt service payments for state office buildings, the State Capitol and the Executive Residence.

**Statutory Reference:** Section 13.48.

**Agency Responsibility:** The State of Wisconsin Building Commission coordinates the state building program and establishes long-range plans for development of the state's physical plant. The commission determines the projects to be incorporated into the long-range program and recommends a biennial building program to the legislature, including the amount to be appropriated in the biennial budget. It oversees all state construction, except highway development. In addition, the commission may authorize expenditures from the State Building Trust Fund for construction, remodeling, maintenance and planning of future development. The commission is the only state body that can authorize the contracting of state debt. All transactions for the sale of instruments that result in a state debt liability must be approved by official resolution of the commission.



*At the direction of the Joint Legislative Council, special committees study specific problems of state and local government and draft legislation for the council. Senator Russell Decker (center) and Representative Spencer Black (r) brief Representative Marty Reynolds on the discussions of the Special Committee on the Future of Recycling. (Brent Nicastro, Assembly Democratic Caucus)*



**Organization:** The 11-member commission includes 6 legislators. One legislator from each house must be a member of the legislature’s State Supported Programs Study and Advisory Committee, and both the majority and minority parties in each house must be represented. Terms of legislative members expire on the second Wednesday in January of odd-numbered years. The citizen member serves at the pleasure of the governor.

**History:** The State of Wisconsin Building Commission was created by Chapter 563, Laws of 1949, to establish a long-range public building program. Another 1949 law (Chapter 604) gave the commission authority to organize the quasi-public Wisconsin State Public Building Corporation. This legal device, familiarly known as a “dummy building corporation”, was used to finance public buildings to house state agencies because constitutional debt restrictions prevented direct borrowing by the state for such projects. It was first used in 1925, when the University Building Corporation was developed to permit construction of revenue-producing facilities on the Madison campus, including dormitories and athletic buildings. The State Agencies Building Corporation, a similar quasi-public corporation was formed in 1958 (Chapter 593, Laws of 1957) to finance nonrevenue-producing buildings, such as classroom facilities, and Chapter 267, Laws of 1961, extended the corporation’s authority to the financing of public welfare buildings.



*Though a little young to serve in the 1997 Legislature, Michael Staskunas takes the oath of office along with his father, Representative Anthony Staskunas, on inaugural day, January 6, 1997. (Brent Nicastro, Assembly Democratic Caucus)*



In 1969, voters amended the constitution, and the legislature passed Chapter 259, which provided for direct state borrowing and ended the use of the various building corporations. The law enlarged the powers of the commission to finance capital facilities for all state agencies.

A separate State Bond Board, including 4 members of the Building Commission, was established by Chapter 259 to supervise the contracting of state debt. Chapter 90, Laws of 1973, abolished the bond board and returned its duties and responsibilities to the Building Commission.

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### Joint Committee on EMPLOYMENT RELATIONS

**Members:** SENATOR RISSER (senate president), REPRESENTATIVE BRANCEL (assembly speaker), *cochairpersons*; SENATORS CHVALA (majority leader), ELLIS (minority leader); REPRESENTATIVES FOTI (majority leader), KUNICKI (minority leader); SENATOR BURKE, REPRESENTATIVE JENSEN (joint finance committee cochairpersons).

**Mailing Addresses:** Senator Risser, Room 102, 119 Martin Luther King Jr. Boulevard, P.O. Box 7882, Madison 53707-7882; Representative Brancel, Room 211 West, State Capitol, P.O. Box 8952, Madison 53708-8952.

**Telephones:** Senator Risser, (608) 266-1627; Representative Brancel, (608) 266-3387.

**Statutory References:** Sections 13.111, 20.923 and 230.12; Chapter 111, Subchapter V.

**Agency Responsibility:** The Joint Committee on Employment Relations approves all changes in the collective bargaining agreements that cover state employes represented by unions and in the compensation plans for nonrepresented state employes. These plans and agreements include pay adjustments, fringe benefits, performance awards, pay equity adjustments and other items related to wages, hours and conditions of employment. The committee also approves the assignment of unclassified positions to the executive salary group ranges.

In the case of unionized employes, the Department of Employment Relations submits tentative agreements negotiated between the department and certified labor organizations to the committee. If the committee disapproves an agreement, it is returned to the bargaining parties for renegotiation.

The secretary of employment relations also submits the compensation plans for nonrepresented employes to the committee. One plan covers all nonrepresented classified employes and certain officials outside the classified service, including legislators, justices of the supreme court, court of appeals judges, circuit court judges, constitutional officers, district attorneys, heads of executive agencies, division administrators and others designated by law. The faculty and academic staff of the UW System are covered by a separate pay plan, which is based on recommendations made by the UW Board of Regents.

After public hearings on the nonrepresented employe plans, the committee may modify the secretary's recommendations, but the committee's modifications are subject to the governor's veto. A veto may be overridden by the vote of 6 committee members.

When the committee approves an agreement for represented or nonrepresented employes, it introduces those portions requiring legislative approval in bill form and recommends passage without change. In the case of union agreements, if the legislature fails to adopt the bill, the committee returns the agreement to the bargaining parties for renegotiation.

**Organization:** The committee, which was established by Chapter 270, Laws of 1971, is a permanent joint legislative committee comprised of 8 *ex officio* members. It is assisted in its work by the Legislative Council Staff and the Legislative Fiscal Bureau.

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## Joint Committee on FINANCE

**Members:** SENATOR BURKE, REPRESENTATIVE JENSEN, *cochairpersons*; SENATORS COWLES, DECKER, GEORGE, JAUCH, PANZER, SHIBILSKI, WINEKE; REPRESENTATIVES ALBERS, COGGS, GARD, HARSDORF, KAUFERT, LINTON, OURADA.

**Mailing Addresses:** Senator Burke, Room LL1, 119 Martin Luther King Jr. Boulevard, P.O. Box 7882, Madison 53707-7882; Representative Jensen, Room 315 North, State Capitol, P.O. Box 8952, Madison 53708-8952.

**Telephones:** Senator Burke, (608) 266-8535; Representative Jensen, (608) 264-6970.

**Statutory References:** Sections 13.09-13.11.

**Agency Responsibility:** The Joint Committee on Finance examines all legislation that deals with state income and spending. It also considers requests for changes in state agency funding and positions beyond budgeted amounts and gives final approval to a wide variety of state payments and assessments. Any bill introduced in the legislature that appropriates money, provides for revenue or relates to taxation must be referred to the joint committee.

The joint committee first introduces and then examines the biennial budget as recommended by the governor. After holding a series of public hearings and executive sessions, it introduces its own version of the budget as a substitute amendment to be considered by the legislature.

At regularly scheduled quarterly meetings, the joint committee considers agency requests to adjust their budgets. It may approve a request for emergency funds if it finds that the legislature has authorized the activities for which the appropriation is sought but no funds are available for that purpose. It may also transfer funds between existing appropriations and change the number of personnel positions the legislature authorized in the budget or other legislation.


When required, the joint committee introduces legislation to pay claims against the state, resolve shortages in funds, and restore capital reserve funds of the Wisconsin Housing and Economic Development Authority to the required level. As an emergency measure, it may reduce state agency appropriations when there is a decrease in state revenues.

The joint committee gives final approval for a variety of fiscal operations including: disposition of federal block grant funds and private gifts, grants and bequests; changes in supplemental security income payment levels if approved by the governor; plans to take care of shortfalls in state agency fund accounts; disposition of oil overcharge funds; and expenditure plans for federal low-income assistance funds. In addition, the committee may inquire into the operations of any state agency for the purpose of improving agency efficiency.

**Organization:** The committee is a joint standing committee composed of the 8 senators on the Senate Finance Committee and 8 representatives on the Assembly Finance Committee. It must include members of the majority and minority party in each house. Cochairpersons of the joint committee are appointed in the same manner as standing committees of their respective houses.

**History:** The use of a joint standing committee to consider appropriation bills dates back to 1857 when the legislature created the Joint Committee on Claims. In 1911 (Chapter 6), the Joint Committee on Finance replaced the claims committee and was given authority to consider bills related to revenue and taxation. Chapter 609, Laws of 1915, authorized the governor, secretary of state and state treasurer to approve emergency appropriations when the legislature was not in session to permit departments with insufficient funds to carry out their normal duties. Chapter 97, Laws of 1929, vested this function in the Emergency Board, which consisted of the governor and the cochairpersons of the joint finance committee. By 1959 (Chapter 228) the power to approve supplemental appropriations, transfer funds between appropriations and handle other interim fiscal matters was given to a joint legislative committee called the Board on Government Operations (BOGO). The board's functions were later transferred to the Joint Committee on Finance by Chapter 39, Laws of 1975.

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### Joint Committee on INFORMATION POLICY

**Members:** SENATOR JAUCH, REPRESENTATIVE HUTCHISON, *cochairpersons*; SENATOR BURKE (senate cochairperson of joint finance committee), REPRESENTATIVE KAUFERT (designated by assembly cochairperson of joint finance committee); SENATORS MOORE, PANZER, ROSENZWEIG; REPRESENTATIVES HANSON, SCHNEIDER, VRAKAS.

**Mailing Address:** Senator Jauch, Room 303, 100 North Hamilton Street, P.O. Box 7882, Madison 53707-7882; Representative Hutchison, Room 21 North, State Capitol, P.O. Box 8952, Madison 53708-8952.

**Telephone:** Senator Jauch, (608) 266-3510; Representative Hutchison, (608) 266-5350.

**Statutory Reference:** Section 13.58.

**Agency Responsibility:** The Joint Committee on Information Policy was created by 1991 Wisconsin Act 317 to review government information management and legislation. The 10-member committee includes the cochairpersons of the Joint Committee on Finance or their designees, plus 2 majority and 2 minority party members from each house of the legislature. The committee reviews information management practices of state and local units of government to ensure economic and efficient service, maintain data security and integrity, and protect the privacy of individuals who are subjects of the databases. It studies the effects of proposals by the state to expand existing information technology or implement new technologies. The committee may direct the Council on Information Technology or the unit in the Department of Administration responsible for information technology to prepare reports or conduct studies. It may make recommendations to the governor, the legislature, state agencies or local governments based on these studies and reports.



*Top party leaders of the 1997 Legislature, Republican Speaker Ben Brancel (l) and Democratic Minority Leader Representative Walter Kunicki, are shown in discussion in the assembly chamber.  
(Chris Williams, Assembly Republican Caucus)*



**Joint  
LEGISLATIVE AUDIT COMMITTEE**

*Members:* SENATOR WIRCH, REPRESENTATIVE LAZICH, *cochairpersons*; SENATOR BURKE, REPRESENTATIVE JENSEN (joint finance committee cochairpersons); SENATORS ROSENZWEIG, SCHULTZ, WINEKE; REPRESENTATIVES HANSON, HUBER, KELSO.

**Mailing Addresses:** Senator Wirch, Room 422, 119 Martin Luther King Jr. Boulevard, P.O. Box 7882, Madison 53707-7882; Representative Lazich, Room 16 West, State Capitol, P.O. Box 8952, Madison 53708-8952.

**Telephones:** Senator Wirch, (608) 267-8979; Representative Lazich, (608) 267-5158.

**Statutory Reference:** Section 13.53.

**Agency Responsibility:** The Joint Legislative Audit Committee, which was created by Chapter 224, Laws of 1975, advises the Legislative Audit Bureau, subject to general supervision of the Joint Committee on Legislative Organization. Its members include the cochairpersons of the Joint Committee on Finance plus 2 majority and 2 minority members from each house of the legislature. The committee evaluates candidates for the office of state auditor and makes recommendations to the Joint Committee on Legislative Organization, which selects the auditor.

The committee reviews each report of the Legislative Audit Bureau and then confers with the state auditor, other legislative committees and the audited agencies on the report's findings. It may propose corrective action and direct that followup reports be submitted to it.

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*Assistant Minority Leader Brian D. Rude emphasizes a point during debate on the senate floor.  
(Richard G. B. Hanson II, Senate Photographer)*



The committee may direct the state auditor to undertake specific audits and review requests for special audits from individual legislators or standing committees, but no legislator or standing committee may interfere with the auditor in the conduct of an audit.

The committee can hold hearings on audit reports, ask the Joint Committee on Legislative Organization to investigate any matter within the scope of the audit, and request investigation of any matter relative to the fiscal and performance responsibilities of a state agency. If an audit report cites financial deficiencies, the head of the agency must report on remedial actions taken to the Joint Legislative Audit Committee. Should the agency head fail to report, the committee may refer the matter to the Joint Committee on Legislative Organization and the appropriate standing committees.

When the committee determines that legislative action is needed, it may refer the necessary information to the legislature or a standing committee. It can also request information from a committee on action taken or seek advice of a standing committee on program portions of an audit.

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### JOINT LEGISLATIVE COUNCIL

*Members:* SENATOR RISSER (senate president), REPRESENTATIVE BRANCEL (assembly speaker), *cochairpersons*; SENATORS BURKE (cochairperson, Joint Committee on Finance), CHVALA (majority leader), COWLES (ranking minority member, Joint Committee on Finance), DRZEWIECKI, ELLIS (minority leader), JAUCH, MOEN, MOORE (president pro tempore), SHIBILSKI, ZIEN; REPRESENTATIVES DUFF, FOTI (majority leader), FREESE (speaker pro tempore), HUBLER, JENSEN (co-chairperson, Joint Committee on Finance), KELSO, KLUSMAN, KUNICKI (minority leader), LINTON (ranking minority member, Joint Committee on Finance), SCHNEIDER. (Members designated by title serve *ex officio*).

*Director of Legislative Council Staff:* DAVID J. STUTE.

*Deputy Director:* JANE R. HENKEL.

*Legislative Council Rules Clearinghouse:* RONALD SKLANSKY, *director*; RICHARD SWEET, *assistant director*.

**Mailing Address:** P.O. Box 2536, Madison 53701-2536.

**Location:** Suite 401, 1 East Main Street, Madison.

**Telephone:** (608) 266-1304.

**Fax:** (608) 266-3830.

**Publications:** General Report of the Joint Legislative Council to the 1995 Legislature; Directory of 1996-97 Joint Legislative Council Committees; rules clearinghouse reports; research bulletins, staff briefs, discussion papers on substantive issues considered by council committees; staff memoranda (available from the council).

**Number of Employees:** 35.17.

**Total Budget 1995-96:** \$2,372,400.

**Total Budget 1996-97:** \$2,372,400.

**Statutory References:** Sections 13.81-13.83, 13.91 and 227.15.

**Agency Responsibility:** The Joint Legislative Council creates special committees to study various problems of state and local government. Study topics are selected from requests presented to the council by law, joint resolution or request of individual legislators. After research and public hearings, the study committees draft proposals and submit them to the council, which must approve those drafts it wants introduced in the legislature as council bills.

As a result of 1994-95 study committee work, the joint council introduced 22 bills in the 1995 Legislature, one of which was a companion (duplicate) bill. Of the 21 different proposals, 8 were enacted. Two proposals that were recommended, but not introduced, were incorporated into the executive budget bill and enacted as part of 1995 Wisconsin Act 27. Major enactments included



proposals related to children in need of protection or services, electronic benefit transfer systems, shared governmental services and child care economics.

In addition, the joint council's Law Revision Committee introduced 39 proposals in the 1995 Legislature, 24 of which were enacted, including remedial legislation, revisor's correction bills and proposals that codified court decisions.

The council is assisted in its work by the Wisconsin Legislative Council Staff, a bureau created in Section 13.91, Wisconsin Statutes. The council staff also provides legal counsel and scientific and policy research assistance to all of the legislature's substantive standing committees and joint statutory committees (except the Joint Committee on Finance and the Joint Survey Committee on Retirement Systems) and assists individual legislators on request. The staff prepares written studies for the special committees and publishes reports on other topics as the council deems necessary. The council staff operates the rules clearinghouse to review proposed administrative rules and assist standing committees in their oversight of rulemaking.

By law, the Legislative Council Staff "shall be strictly nonpartisan and shall at all times observe the confidential nature of the research and drafting requests received by it". It "may call on any state department, agency or officer, or any agency of any political subdivision, for such facilities and data as are available" and the agencies must cooperate fully.

**Organization:** The council consists of 22 legislators, the majority of whom serve *ex officio*. The council operates 2 permanent statutory committees and various special committees appointed to study selected subjects. The director of the council staff is appointed by the Joint Committee on Legislative Organization and appoints other staff members from outside the classified service.

**History:** Chapter 444, Laws of 1947, created the council to conduct interim studies on subjects affecting the general welfare of the state. The first council was organized later that year with 12 members. In 1967, the council began to appoint staff members to provide legal counsel and technical assistance to legislative standing committees. The 1979 executive budget (Chapter 34) assigned the administrative rules clearinghouse function to the council. Prior to the enactment of 1993 Wisconsin Act 52, the terms of council members expired on May 1 of each odd-numbered year, with the chair alternating between the 2 houses. Under Act 52, the cochairs serve on an *ex officio* basis and the council is reorganized at the beginning of the biennial session. Act 52 also renamed the council the Joint Legislative Council.

## PERMANENT STATUTORY COMMITTEES

### American Indian Study Committee

*Members 1995-1996:* SENATOR DRZEWIECKI, REPRESENTATIVE OURADA, *cochairpersons*; SENATOR JAUCH; REPRESENTATIVES BOYLE, COGGS, KREUSER, MUSSER, PROSSER; WILFRID CLEVELAND (Ho Chunk Nation), LINDA M. DANIELS (Lac du Flambeau Band, Lake Superior Chippewa), MARY L. HUSBY (Menominee Tribe), LORETTA LIVINGSTON (Bad River Band, Lake Superior Chippewa), GEORGE P. NEWAGO (Red Cliff Band, Lake Superior Chippewa), SANDRA NINHAM (Oneida Tribe).

The American Indian Study Committee is appointed by the Joint Legislative Council each biennium to study the problems of American Indians and the various Indian tribes in this state and develop recommendations and legislative proposals relating to such problems. Legislative membership includes at least one member of the majority and the minority party from each house. The council appoints 6 members from names submitted by Wisconsin Indian tribes and the Great Lakes Intertribal Council, Inc. Chapter 39, Laws of 1975, created the committee, and its composition and duties are prescribed in Section 13.83 (3) of the statutes.

### ...Technical Advisory Committee

*Members:* NANCIE YOUNG (Department of Health and Family Services), JOHN NIEMISTO (Department of Justice), BOB DEER (Department of Natural Resources), WILLIAM J. ERPENBACH (Department of Public Instruction), CLIFTON KORN (Department of Revenue), KEVIN CHESNIK (Department of Transportation), DAVID TOUSEY (Department of Workforce Development).





*Senators Roger Breske, Kevin Shibilski and Robert Welch, review Senator Welch's amendment to Senator Breske's bill on adverse possession of public real property. (Richard G. B. Hanson II, Senate Photographer)*

Under Section 13.83 (3) (f), Wisconsin Statutes, as created by Chapter 39, Laws of 1975, the Technical Advisory Committee, consisting of representatives from 7 major executive agencies, assists the American Indian Study Committee.

#### **Law Revision Committee**

*Members:* SENATOR GROBSCHMIDT, REPRESENTATIVE GROTHMAN, *cochairpersons*; SENATORS DRZEWIECKI, HUELSMAN, WIRCH; REPRESENTATIVES CULLEN, GREEN, HEBL, MURAT, WALKER.

The Law Revision Committee is appointed each biennium by the Joint Legislative Council and must include majority and minority party representation from each house. It reviews minor non-substantive remedial changes proposed by state agencies; attorney general's opinions and court decisions declaring a Wisconsin statute unconstitutional, ambiguous or otherwise in need of revision; and revisor's corrections bills. It also considers proposals by the Revisor of Statutes to correct statutory language and session laws that conflict or are in need of revision and may submit recommendations to the council for major law revision projects. It serves as the repository for interstate compacts and agreements and makes recommendations to the legislature regarding revision of such agreements. The committee was created by Chapter 204, Laws of 1979, and its composition and duties are prescribed in Section 13.83 (1) of the statutes.

### SPECIAL COMMITTEES REPORTING IN 1997

#### **Special Committee on Adoption Laws**

*Members:* REPRESENTATIVE WARD, *chairperson*; REPRESENTATIVE ZIEGELBAUER, *vice chairperson*; REPRESENTATIVES JENSEN (resigned 12/3/96), PLALE, SCHAFFER (appointed 1/6/97), R. YOUNG; GAIL ALBERGOTTIE, ANNE ARNESEN, MARGARET COOK-PIPING, LINDA DAY, REBECCA EHRKE, COLLEEN ELLINGSON, CAROL A. HAKALA, STEPHEN W. HAYES, MARY BETH LIEB, CYNTHIA A. LEPKOWSKI, AURENE MARTIN, KATHY MAYO, JESUS MIRELES, LOLITA SCHNEIDERS (appointed as legislator, continued as public member), CATHY SWESSEL.

At the request of 54 members of the legislature, the council directed the committee to study adoption laws and procedures and the delivery of adoption services, other than the issue of who may consent to adoption searches, including a review of the efficiency and effectiveness of the current adoption process and incentives for adoption.

### **Special Committee on Economics and Health of the Tavern Industry**

*Members:* REPRESENTATIVE VRAKAS, *chairperson*; REPRESENTATIVE KREUSER, *vice chairperson*; SENATOR ZIEN; REPRESENTATIVES HOVEN, PLALE, SERATTI, VANDER LOOP, ZIEGELBAUER; SCOTT A. BOTCHER, LEW BOYD, RALPH H. FLEECE, HARRY HOLLMAN, TIM HORAN, SCOTT HORNE, GERI KOLAKOWSKI, PAUL LUCAS, PETE MADLAND, PAUL J. ROLLER, RANDY N. STAMMEN, DAVID WIGANOWSKY. Nonvoting advisory member: WILLIAM RYAN.

At the request of Representatives Prosser and Vrakas and Senator Huelsman, the council directed the committee to study Wisconsin's tavern industry, including the economic health of the industry, exit-entry issues, regulatory issues and alternatives to improve the long-term economic viability of the industry.

### **Special Committee on Federally Tax-Exempt Lands**

*Members:* REPRESENTATIVE GARD, *chairperson*; REPRESENTATIVE BOYLE, *vice chairperson*; SENATOR A. LASEE; REPRESENTATIVES HUBLER, M. LEHMAN (resigned 11/25/96), MUSSER, RYBA, SPRINGER; APESANAHKWAT (appointed 3/20/97), MICHAEL BADER, HOWARD J. BICHLER, WADE BLACK DEER, DAWN KELM, PAUL G. KENT, JAMES NELLEN II, BRIAN OHM, DAVID PROSSER, JR. (appointed as legislator 12/3/96, continued as public member), HERBERT TAUCHEN, JOHN TELLER (resigned 2/7/97), LEONARD TERESINSKI, LORETTA WEBSTER.

At the request of Representative Prosser, the council directed the committee to study issues which arise when land in Wisconsin has been, or may be, withdrawn from taxable status pursuant to federal law or federal actions (including land placed in trust for American Indian tribes or bands or individual American Indians) and the resolution of such issues, including the provision and funding of services on such lands and the extent of state and municipal civil regulatory jurisdiction on such lands.

### **Special Committee on the Future of Recycling**

*Members:* SENATOR DECKER, *chairperson*; REPRESENTATIVE OTT, *vice chairperson*; REPRESENTATIVES BLACK, HAHN, HUTCHISON, NOTESTEIN; ORVILLE BONDE, JEFF BOWLES, DENNIS BOYER, DAVID DOERN, WILL FANTLE, EDWARD FERBER, SHARON CLARK GASKILL, STEPHEN HINIKER, JEFFREY L. JOHNSON, DANIEL P. MEYER, LYNN MORGAN, STEPHEN S. NICHOLS, JOHN M. OWENS, JOHN REINDL.

At the request of Representatives Harsdorf and Baldus and George E. Meyer, secretary of natural resources, the council directed the committee to study issues related to the future of recycling in this state, including the financing of state and local recycling programs.

### **Special Committee on General Municipal Law Recodification**

*Members:* REPRESENTATIVE KELSO, *chairperson*; SENATORS FARROW (appointed 9/4/96), SHIBILSKI; REPRESENTATIVE WOOD; EDWARD HUCK, JOHN MACY, MICHAEL MAY, RICHARD STADELMAN, DAN THOMPSON.

At the request of Representative Duff, the council directed the committee to recodify Chapter 66 of the statutes by reorganizing it into logical subchapters, sections and subunits; repealing unnecessary or archaic and obsolete language; and relocating those provisions that should be placed elsewhere in the statutes; and modernizing language where appropriate. The council instructed the committee not to recommend substantive changes that would significantly affect relationships between governmental units or cause substantial controversy in the legislative process.

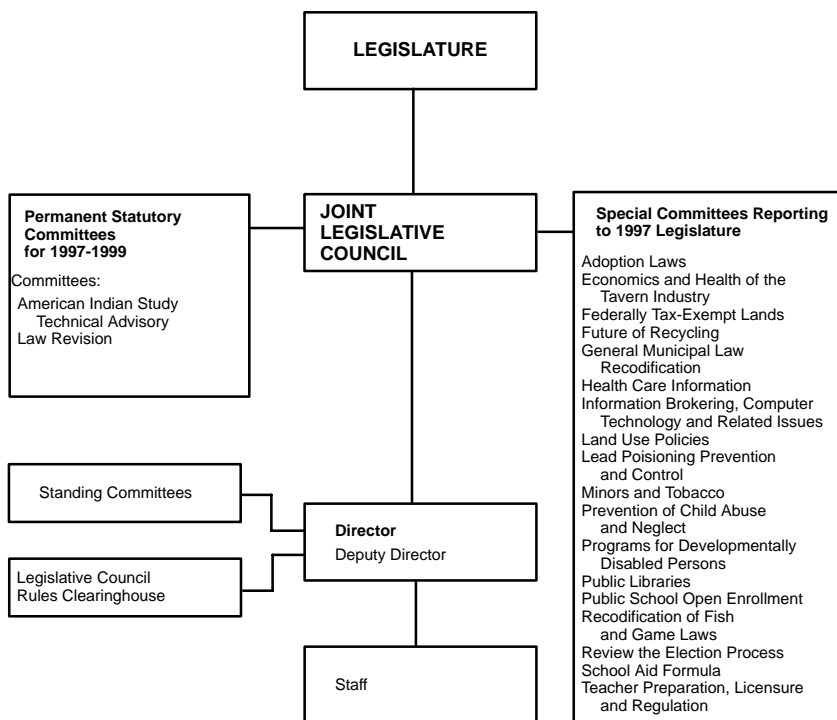
### **... Technical Advisory Committee**

*Members:* STEPHEN HOLT (resigned 12/3/96), CHRIS KNIGHT, GRANT LANGLEY (appointed 12/3/96), JOHN LORENCE, RICHARD STADELMAN, WILLIAM F. WHITE, CURTIS A. WITYNSKI.

The council appointed the Technical Advisory Committee, July 19, 1996, to assist the Special Committee on General Municipal Law Recodification. The chairperson of the special committee may appoint additional members to the advisory committee on a temporary basis to provide additional expertise in specific areas of municipal law.



LEGISLATIVE COUNCIL



**Special Committee on Health Care Information**

*Members:* SENATOR MOEN, REPRESENTATIVE UNDERHEIM, *cochairpersons*; SENATOR BUETTNER; REPRESENTATIVES LAZICH, MEYER, SCHNEIDER (resigned 3/21/97), URBAN; ALVIN BALDUS (appointed as legislator, continued as public member), JOHN R. BARKMEIER, CYNTHIA M. CHICKER, GEORGE W. CURTIS, CRAIG J. DAVIDSON (resigned 12/23/96), NANCY CROSS DUNHAM, DIANE EBERSBERGER, MICHAEL T. FLOCK (resigned 10/14/96), DAVID FULARCZYK, JULIE J. GORDON, JOHN HANSEN, MARK HUBER (appointed 11/1/96), MATT HUBLER, GREG NYZC, CANDICE OWLEY, TERRI POTTER, CHRISTOPHER QUERAM, GREG SIMMONS, SALLY WENCEL, ROBERT T. WOOD.

Based on Section 6 of 1995 Wisconsin Act 433 and requests from Representative Lazich and Senator Buettner, the council directed the committee to review the current systems for collecting health care data and examine the need to revise state laws and policies governing health care data collection and dissemination. The committee was also directed to study the coordination of data collection between public and private agencies and among state agencies. Further committee goals include suggestions for improved data collection, comparability of statistics and revision of the laws governing access to information. The council also directed the committee to study methods that would provide consumers seeking health care services or coverage with clear and concise information to help them make informed health care choices.



### Special Committee on Information Brokering, Computer Technology and Related Issues

*Members:* REPRESENTATIVE NASS, *chairperson*; REPRESENTATIVE BALDWIN, *vice chairperson*; SENATOR PANZER; REPRESENTATIVES HANSON, HUTCHISON, F. LASEE, MEYER, SCHNEIDER; KAREN BOEHNIG, GARY CARLSON, CAROLE M. DOEPPERS, CAROLE KLOPP, MARK LADD, PATRICIA E. MADDEN, GARY E. SHERMAN, THOMAS SMITH, MARK W.C. STODDER.

At the request of Representatives Nass and F. Lasee and Senator Panzer, the council directed the committee to study electronic access to and dissemination of state government information through third party providers or other means, such as the Internet. The committee was also directed to study the issues of personal privacy, current open records policies and copyright of state publications and to include suggestions for changes in state civil and criminal law governing the use of electronic information by private parties.

### Special Committee on Land Use Policies

*Members:* SENATOR RISSER, *chairperson*; REPRESENTATIVE ALBERS, *vice chairperson*; SENATOR FARROW; REPRESENTATIVES BOCK, GREEN, GRONEMUS, HARSDORF, WOOD; FAY U. AMERSON, DON BINA, KATHERINE BLOOMBERG, JOHN HENDRICK, CHRISTOPHER JAEKELS, HAROLD JORDAHL, WALTER KUHLMANN, WILLIAM MALKASIAN, GEORGE MELCHER, WILLIAM MIELKE, WILLIAM PATZKE, LINDA RYAN, MARVIN SAMSON, GERRY WUEBBEN.

At the request of Senator Risser, the council directed the committee to seek public comment on and evaluate the report of the State Interagency Land Use Council. The committee was directed to identify issues of concern to the legislature, information needed to evaluate proposed legislation, questions that are likely to occur during legislative debate and any other matters that will enable the legislature to give expeditious and thorough consideration to this subject.



*The Wisconsin Legislature, which has long been nationally known for its innovations, is now serving as a model for developing nations. Miriam Nghitotwali and Ephriam Jane, staffers from the Namibian Parliament spent six weeks in 1997 learning the Wisconsin legislative process. (Richard G. B. Hanson II, Senate Photographer)*

### **Special Committee on Lead Poisoning Prevention and Control**

*Members:* SENATOR JAUCH, *chairperson*; REPRESENTATIVE OWENS, *vice chairperson*; REPRESENTATIVES COGGS, KREIBICH; JONATHAN BADER, TIM BALLERING, RENEE BAXMANN (appointed 3/20/97), LUCILLE BERRIEN, JAMES J. BLAHA, TERRY BRANDENBERG, JANE BUSHY, MARGARET LAYDE, TONYA M. MANTILLA (resigned 2/17/97), PAUL MUNSON, AMY MURPHY, KATHY NEWMAN, CHAR THOMPSON.

Based on Section 68 of 1993 Wisconsin Act 450, the council directed the committee to evaluate how effectively 1993 Wisconsin Act 450 reduced the incidence of lead poisoning and exposure in children and determine whether there is a need for additional legislation.

### **Special Committee on Minors and Tobacco**

*Members:* SENATOR SHIBILSKI, REPRESENTATIVE DOBYNS, *cochairpersons*; SENATOR BUETTNER; REPRESENTATIVES BLACK, BOCK, KLUSMAN, MORRIS-TATUM, WALKER; JOHN BALTUS, STEPHEN H. BRAUNGINN, JOSEPH CISMOSKI, ROBERT GLISCH, STEPHANIE GREENQUIST, EMILY HILL, STEVEN LA VALLEE, GUS MANCUSO, RONALD R. MARTINS, JOHN MIELKE, MARCIA J.S. RICHARDS, ANN E. SCHENSKY, MARIAN SHERIDAN.

At the request of Senator Risser and Representative Duff, the council directed the committee to study how to prevent, eliminate or reduce smoking and other tobacco usage by minors.

### **Special Committee on Prevention of Child Abuse and Neglect**

*Members:* SENATOR HUELSMAN, REPRESENTATIVE KRUG, *cochairpersons*; REPRESENTATIVES GROTHMAN, HUEBSCH, LA FAVE, MURAT, PORTER, ROBSON; BETTY BANKS, MARK E. COURTNEY, LORI BYOM FOX, JOHN GRACE, JENNIFER GRONDIN, EDWARD T. KOHL, MARK LYDAY, MARIE NESEMANN, KENNETH RAMMINGER, SANDRA SOBOCINSKI, SUE TODEY.

Based on Section 9137 of 1995 Wisconsin Act 275 and a request from Senator Huelsman, the council directed the committee to study the effectiveness of programs directed at the prevention of child abuse and neglect; whether the resources provided for these programs are adequate; and the need to revise or provide new mechanisms for the allocation of funds for child abuse and neglect prevention programs.

### **Special Committee on Programs for Developmentally Disabled Persons**

*Members:* SENATOR PLACHE, REPRESENTATIVE LADWIG, *cochairpersons*; SENATOR ZIEN; REPRESENTATIVES HANDRICK, OURADA (resigned 11/18/96), R. POTTER, SYKORA (appointed 1/6/97); S. DAVID AARDAPPEL, MARTY BEIL, JACK BODIEN, PETER DE SANTIS, ROY FROEMMING, KARIN M. GALE, JEANNETTE GIGLIOTTA (appointed 11/1/96), WILLIAM HASSELTON, JR. (resigned 10/1/96), CHRIS HRIBAL, DAVID PLOMBER (appointed as legislator, continued as public member), MARSHA SELTZER, MORRIS STRAND, WARREN VIEHL, MICHAEL WILDER (appointed as legislator, continued as public member).

At the request of Senators Petak and Plache, Representatives Vrakas and Ladwig, and Jayn Wittenmyer of the Wisconsin Survival Coalition, the council directed the committee to study the state programs and policies for supporting persons with developmental disabilities, including costs of providing services in different settings and through different programs. The committee was also directed to study the range and consistency of services available from various funding sources and how to control their costs. Further committee goals include studying the future of State Centers for the Developmentally Disabled and the degree to which consumers of services are able to exercise choice, control and discretion when balancing care and services options.

### **Special Committee on Public Libraries**

*Members:* SENATOR C. POTTER, *chairperson*; CHARLES W. COLEMAN (appointed as legislator, continued as public member), *vice chairperson*; REPRESENTATIVES BALDWIN, HANSON, OLSEN, SKINDRUD; JOAN AIROLDI, MICHAEL GELHAUSEN, RALPH GUETTINGER, PETER HAMON, KATHLEEN HUSTON, C. PATRICIA LA VIOLETTE, RONALD B. MCCABE, MARY E. MULROY, PAUL NELSON, JOHN V. NICHOLS, KATHY SCHNEIDER, LEO THOMAS, DAVID WEINHOLD, KRISTI WILLIAMS, MARY LOU ZUEGE.

At the request of Senator C. Potter and Representatives Harsdorf, Schneider, Skindrud, Hanson, Coleman, Olsen, Baldwin and Nass, the council directed the committee to study public library funding and services and related governance issues.

### **Special Committee on Public School Open Enrollment**

*Members:* REPRESENTATIVE DUFF, *chairperson*; REPRESENTATIVE R. YOUNG, *vice chairperson*; SENATOR WELCH; REPRESENTATIVES CULLEN, KREUSER, OLSEN, OTTE, PLOMBON (resigned 11/7/96), ZIEGELBAUER (appointed 12/10/96); DEAN BOWLES, NAN BRIEN, STEPHEN E. FREDERICK (deceased 2/19/97), GERALD K. FREITAG, MARGARET GUERTLER, MARCIA PHILIPPS HYZER, CARROLL L. LEHMAN, RICHARD MITCHELL, HAROLD SLOAN, SARA SONNTAG, JAMES STEWART, MICHAEL TURZA.

At the request of Representatives Coleman and Duff, the council directed the committee to study the creation of an interdistrict public school choice program for full-time pupils and an interdistrict enrollment options program for part-time pupils.

### **Special Committee on Recodification of Fish and Game Laws**

*Members:* REPRESENTATIVE JOHNSRUD, *chairperson*; SENATOR DECKER, *vice chairperson*; SENATOR FITZGERALD; REPRESENTATIVES BAUMGART, GRONEMUS, GUNDERSON, REYNOLDS, ZUKOWSKI; JACKIE BLOHOWIAK, JOHN P. HOLMES, RACHEL JORDAN, JOHN KRIHA, HARLEY D. KURTZ, PHILIP LIMMEX, RONALD NICKLAUS, JAMES A. RUTLEDGE.

At the request of Senators Decker, Moen, Breske and Shibilski and Representatives Zukowski, Ourada, Foti, Reynolds, Springer and Johnsrud, the council directed the committee to recodify Chapter 29 (“Fish and Game”) of the statutes and examine license fee levels and other potential sources of revenue to support fish and game programs.

### **Special Committee to Review the Election Process**

*Members:* SENATOR MOORE, REPRESENTATIVE WALKER, *cochairpersons*; SENATOR WELCH; REPRESENTATIVES CARPENTER, HANDRICK, TURNER; DAVID A. AUSTIN (appointed 12/10/96), MARY BOTTARI (resigned 11/22/96), WILLIAM BOWERS, ROBERT COLLISON, HAROLD DOBBERPUHL, JUDE GENEREAU (resigned 1/29/97), FRED GREASBY, JULIETTA HENRY, MOLLY J. KORANDA, JUNE NIRSCHL, DON PHILLIPS (appointed 3/20/97), DONNA C. SERWAS, WYMAN WINSTON. Nonvoting agency representative: KEVIN J. KENNEDY, executive secretary, Elections Board.

At the request of Senator Burke, the Elections Board, and the Elections Advisory Council, the council directed the committee to study the election process and administration of elections, other than the campaign financing law, by examining, among other things, the use and impact of technology in voting and administration of elections; the role of the Elections Board, other governmental units and officers and political parties in election administration; means of voting; and the schedule for elections.

### **Special Committee on the School Aid Formula**

*Members:* SENATOR WINEKE, REPRESENTATIVES BRANCEL (resigned 11/20/96), OURADA (appointed 11/21/96), *cochairpersons*; SENATORS JAUCH, ROSENZWEIG; REPRESENTATIVES AINSWORTH, CULLEN, FOTI, OLSEN, R. POTTER; TODD A. BERRY, TERRANCE L. CRANEY, DAVID C. GRABARSKI, GENE HAMELE, RICHARD HEAPS, DAVID HELBACH, ROBERT J. KATTMAN, RANDALL KNOX, ANTHONY KUJAWA, MICHAEL MCCABE, MARY LOU MUNTS.

At the request of Senators Burke and Jauch, Representatives Ainsworth, Harsdorf, Brancel and 53 other assembly representatives, the council directed the committee to study the state school aid formula and related aspects of school finance and recommend appropriate adjustments.

### **Special Committee on Teacher Preparation, Licensure and Regulation**

*Members:* SENATOR GROBSCHMIDT, *chairperson*; REPRESENTATIVE NASS, *vice chairperson*; SENATOR RUDE; REPRESENTATIVES COGGS, LAZICH, ROBSON; LUANN BIRD, RYAN CHAMPEAU, MARY E. DIEZ, MARTIN HABERMAN, SHARON JAMES, JOHN M. KEAN, CHARLES N. LENTZ, JOYCE NATZKE, ROBERT NERAD, STEVEN PERALA.

At the request of Senator Rude, the council directed the committee to study means to improve the preparation, credentialing and regulation of public elementary and secondary school professional personnel.

### Joint Committee on LEGISLATIVE ORGANIZATION

*Members:* SENATOR RISSER (senate president), REPRESENTATIVE BRANCEL (assembly speaker), *cochairpersons*; SENATORS CHVALA (majority leader), ELLIS (minority leader), MOEN (assistant majority leader), RUDE (assistant minority leader); REPRESENTATIVES FOTI (majority leader), KUNICKI (minority leader), LADWIG (assistant majority leader), SCHNEIDER (assistant minority leader).

**Mailing Address:** Legislative Council Staff, P.O. Box 2536, Madison 53701-2536.

**Location:** Suite 401, 1 East Main Street, Madison.

**Telephone:** (608) 266-1304.

**Statutory References:** Sections 13.80 and 13.90.

**Agency Responsibility:** The Joint Committee on Legislative Organization is the policy-making body for the legislative service bureaus: the Legislative Audit Bureau, the Legislative Fiscal Bureau, the Legislative Reference Bureau and the Revisor of Statutes Bureau. In this capacity, it assigns tasks to each bureau, approves the bureau's budget and sets the salary of the bureau head. The joint committee selects the 4 bureau heads, but in the case of the state auditor, it acts on the recommendation of the Joint Legislative Audit Committee. The joint committee also selects the director of the Legislative Council Staff.

The committee may inquire into misconduct by members and employees of the legislature. It oversees a variety of operations, including computer use, space allocation for legislative offices and legislative service agencies, parking on the State Capitol Park grounds, and sale and distribution of legislative documents. The joint committee recommends which newspaper should serve as the official state newspaper for publication of state legal notices. It advises the Ethics Board on its operations and, upon recommendation of the Joint Legislative Audit Committee, may investigate any problems the Legislative Audit Bureau finds during its audits. The committee may employ outside consultants to study ways to improve legislative staff services and organization.

**Organization:** The 10-member joint committee is a permanent body consisting of the presiding officers and party leadership of both houses. The committee has established a Subcommittee on Legislative Services to advise it on text processing and other matters. The Legislative Council Staff provides assistance to the committee.

**History:** The joint committee was created by Chapter 149, Laws of 1963, as part of a legislative reorganization proposed by the Committee on Legislative Organization and Procedure under the authority of Chapter 686, Laws of 1961. The reorganization, financed in part by a grant from the Ford Foundation, created the Legislative Audit Bureau and the forerunner of the Legislative Fiscal Bureau, as well as the joint committee. It also brought the Legislative Reference Bureau and the Revisor of Statutes Bureau under legislative supervision.

In 1966, the joint committee was empowered to investigate misconduct by legislators and legislative staff. Actions by subsequent legislatures expanded the joint committee's supervision of legislative operations to include legislative office space, legislative computer operations and publication of notices and documents.

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*Senator Alan Lasee meets with the press to discuss his support for reinstatement of the death penalty in Wisconsin. (Richard G. B. Hanson II, Senate Photographer)*

### **Joint Survey Committee on RETIREMENT SYSTEMS**

**Members:** SENATOR GROBSCHMIDT, REPRESENTATIVE KLUSMAN, *cochairpersons*; JANE HAMBLÉN (assistant attorney general appointed by attorney general), *secretary*; SENATORS RUDE, WIRCH, REPRESENTATIVES JESKEWITZ, SCHNEIDER; DAVID STELLA (designated by secretary of employe trust funds), DAVID HEINECK (designated by insurance commissioner); SUSAN J. FISHER (public member appointed by governor).

**Research Director:** vacancy.

**Mailing Address:** Room 316, 110 East Main Street, Madison 53703.

**Telephone:** (608) 267-0507.

**Publications:** A summary compilation of the committee's reports is issued at the end of each legislative session.

**Number of Employees:** 3.00.

**Total Budget 1995-96:** \$181,700.

**Total Budget 1996-97:** \$181,700.

**Statutory Reference:** Section 13.50.

**Agency Responsibility:** The Joint Survey Committee on Retirement Systems makes recommendations on all legislation that affects retirement and pension plans for public officers and employes. Neither house of the legislature may consider such a bill until the joint survey committee submits a written report that describes the proposal's purpose, probable costs, actuarial effect and desirability as a matter of public policy. The joint survey committee employs a research director and staff under the classified service to assist it in developing its reports. Its recommendations must be attached as an appendix to each retirement bill.



**Organization:** The 10-member joint survey committee includes majority and minority party representation from each legislative house and certain *ex officio* members (or their designees). An experienced actuary from the Office of the Commissioner of Insurance may be designated to serve in the commissioner's place on the committee. The governor appoints a public member who cannot be a participant in any public retirement system in the state and is expected to represent the interest of the taxpayers. Appointed members serve 4-year terms unless they lose the status on which the appointment was based.

#### RETIREMENT RESEARCH COMMITTEE

**Members:** All members of the Joint Survey Committee on Retirement Systems; JESSICA O'DONNELL (designated by secretary of employment relations); OTTO SCHULTZ (employe trust funds board annuitant member); vacancy (representing county or municipal employers), ALICE OLSON (representing Milwaukee Teachers Annuity and Retirement Fund), TIMOTHY J. PELZEK (representing state, county and municipal employes), RONALD JORDI (representing State Teachers Retirement System); EARL LIEBERG, MICHAEL J. MESENBURG, vacancy (public members). (Employer and employe representatives and public members are appointed by governor.)

**Mailing Address:** Room 316, 110 East Main Street, Madison 53703.

**Telephone:** (608) 267-0507.

**Publications:** *Staff Report 81: 1996 Comparative Study of Major Public Employee Retirement Systems.*

**Statutory Reference:** Section 13.51.

**Agency Responsibility:** The Retirement Research Committee, originally named the Retirement Research Council, was created as a permanent study group by Chapter 375, Laws of 1959. Its principal duty is to conduct an ongoing review of state retirement benefits and retirement programs. All administrators of public employe pension or retirement plans to which the state contributes must submit financial reports to the committee. The committee investigates and reports to the legislature on the status of public employe retirement systems. It also maintains a library of public employe pension and retirement plans from the United States.

**Organization:** The officers and staff of the Joint Survey Committee on Retirement Systems serve the same functions for the Retirement Research Committee. Employe/employer representatives and public members are appointed for 4-year terms, unless they lose the status on which the appointment was based.

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### Joint Legislative STATE SUPPORTED PROGRAMS STUDY AND ADVISORY COMMITTEE

**Members:** No appointments made as of 6/30/97.

**Statutory Reference:** Section 13.47.

**Agency Responsibility:** Members of the Joint Legislative State Supported Programs Study and Advisory Committee visit and inspect the State Capitol and all institutions and office buildings owned or leased by the state. They are granted free and full access to all parts of the buildings, surrounding grounds and all persons associated with the buildings. The committee may also examine any institution, program or organization that receives direct or indirect state financial support.

**Organization:** The committee consists of 5 senators and 6 representatives. Members appointed from each house must represent the 2 major political parties, and one legislator from each house must also be a member of the state building commission. Assistance to the committee is provided by the Legislative Council Staff.



**History:** The use of a legislative committee to visit and supervise the use of state institutions and property dates back to 1881. The current joint committee was created by Chapter 266, Laws of 1973. It replaced the Committee to Visit State Properties, which had combined the functions of the Committee to Visit State Institutions, created in 1947 to inspect state property and state institutions, and the Committee on Physical Plant Maintenance, created in 1957 to manage the State Capitol and the single state office building then existing.

### **Joint Survey Committee on TAX EXEMPTIONS**

**Members:** SENATOR WINEKE, REPRESENTATIVE URBAN, *cochairpersons*; SENATORS FARROW, GEORGE; REPRESENTATIVES FOTL, SCHNEIDER; CATE ZEUSKE (secretary of revenue); ALAN LEE (departmental representative appointed by attorney general); PAUL VRAKAS (public member appointed by governor).

**Mailing Address:** Legislative Council Staff, P.O. Box 2536, Madison 53701-2536.

**Telephone:** (608) 266-1304.

**Statutory Reference:** Section 13.52.

**Agency Responsibility:** The Joint Survey Committee on Tax Exemptions, created by Chapter 153, Laws of 1963, considers all legislation related to the exemption of persons or property from state or local taxes. It is assisted by the Legislative Council Staff.

Any legislative proposal that affects tax exemptions must immediately be referred to the committee. Budget bills containing tax exemptions are referred simultaneously to the joint survey committee and the Joint Committee on Finance. The joint survey committee must report within 60 days on the tax exemptions contained within a budget bill. Neither house of the legislature



*Five of the nine women senators engage their colleagues in discussion during a session break as Senator Scott Fitzgerald looks on. Shown (l-r) are Senators Carol Roessler, Mary Panzer, Margaret Farrow, Joanne Huelsman and Peggy Rosenzweig. (Richard G. B. Hanson II, Senate Photographer)*

may consider tax exemption proposals until the joint survey committee has issued its report, attached as an appendix to the bill, describing the proposal's legality, desirability as public policy and fiscal effect. In the course of its review, the committee is authorized to conduct investigations, hold hearings and subpoena witnesses.

**Organization:** The 9-member committee includes 6 legislators, 3 of whom are appointed from each house of the legislature, 2 representing the majority party and one the minority party. The public member must be familiar with the tax problems of local government. Members' terms expire on January 15 of odd-numbered years.

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### TRANSPORTATION PROJECTS COMMISSION

**Members:** GOVERNOR THOMPSON, *chairperson*; SENATOR A. LASEE, *vice chairperson*; SENATORS BRESKE, DECKER, HUELSMAN, PLACHE; REPRESENTATIVES BRANDEMUEHL, GARD, KREUSER, SPRINGER, VRAKAS; C. DAVID BUGHER, F. JACK PELISEK, RUSSELL OBERMEIER (citizen members appointed by governor). Nonvoting member: CHARLES THOMPSON (secretary of transportation).

**Project Information:** BARBARA JUREWICZ, *commission secretary*.

**Mailing Address:** P.O. Box 7913, Madison 53707-7913.

**Location:** Room 951, Hill Farms State Transportation Building, 4802 Sheboygan Avenue, Madison.

**Telephone:** (608) 266-5408.

**Fax:** (608) 267-7856.

**Statutory Reference:** Section 13.489.

**Agency Responsibility:** The Transportation Projects Commission, created by 1983 Wisconsin Act 27, reviews Department of Transportation recommendations for major highway projects, as defined by statute. The department must report its recommendations to the commission by September 15 of each even-numbered year and at such other times as required. The commission is required to report its recommendations to the governor or governor-elect, the legislature and the Joint Committee on Finance before December 15 of each even-numbered year. If the state budget has been enacted, the commission must respond within 30 days after the Department of Transportation recommends that a highway project be changed to major project status under Section 84.013 (6) of the statutes. The representation from each house of the legislature must include 3 members from the majority party and 2 from the minority party. The 3 citizen members serve at the pleasure of the governor.

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### Commission on UNIFORM STATE LAWS

**Members:** LAWRENCE J. BUGGE (public member appointed by governor), *chairperson*; BRUCE MUNSON (revisor of statutes), *secretary*; SENATORS GEORGE, HUELSMAN; REPRESENTATIVES CULLEN, vacancy; PETER J. DYKMAN (acting chief, Legislative Reference Bureau); SHAUN P. HAAS (designated by director, Legislative Council Staff); WILLIAM G. CALLOW (public member appointed by governor).

**Mailing Address:** Suite 800, 131 West Wilson Street, Madison 53703-3233.

**Telephone:** (608) 266-2011.

**Fax:** (608) 267-0410.

**Total Budget 1995-96:** \$33,500.

**Total Budget 1996-97:** \$34,600.



**Statutory Reference:** Section 13.55.

**Agency Responsibility:** The Commission on Uniform State Laws advises the legislature on uniform laws and model laws. It examines subjects on which interstate uniformity is desirable and the best methods for achieving it, cooperates with commissioners in other states in preparing uniform acts, and prepares bills adapting the uniform acts to Wisconsin. Each commissioner may attend the annual meeting of the National Conference of Commissioners on Uniform State Laws. The commission reports biennially to the Law Revision Committee of the Legislative Council.

**Organization:** The commission consists of 9 members, including 2 public members appointed by the governor for 4-year terms. Legislative members serve 2-year terms and must represent the 2 major political parties.

**History:** The commission was originally created by Chapter 83, Laws of 1893, which authorized the governor to appoint 3 members to serve as the Commissioners for the Promotion of Uniformity of Legislation in the United States. In 1931, Chapter 67 designated the Revisor of Statutes as the sole Wisconsin commissioner. Chapter 173, Laws of 1941, added the chief of the Legislative Reference Library as a commissioner. The commission was created in its present form by Chapter 312, Laws of 1957, and its membership was expanded to include 2 members of the State Bar appointed by the governor. Chapter 135, Laws of 1959, added the director (then called the executive secretary) of the Legislative Council as a member. Chapter 294, Laws of 1979, added 4 legislative members and deleted the requirement that public members appointed by the governor be members of the State Bar.



*A variety of staff members in the four legislative service agencies assist the legislature in bill drafting, research, fiscal analysis and codification of laws. Here Robert Lang, director of the Legislative Fiscal Bureau, provides information to Senator Brian Burke, cochairperson of the Joint Committee on Finance, as a legislative page awaits instructions. (Richard G. B. Hanson II, Senate Photographer)*

## LEGISLATIVE SERVICE AGENCIES

## LEGISLATIVE AUDIT BUREAU

*State Auditor:* DALE CATTANACH.

*Deputy State Auditor:* THOMAS L. MICKELSON.

*Executive Assistant:* JANICE L. MUELLER.

*Audit Directors:* DIANN L. ALLSEN, DON BEZRUKI, JUDITH E. FRYE, JACOB K. KLAM, JENNIFER L. NOYES, RONALD L. YATES.

**Mailing Address:** Suite 402, 131 West Wilson Street, Madison 53703-3233.

**Telephone:** (608) 266-2818.

**Fax:** (608) 267-0410.

**Publications:** Audit reports of individual state agencies and programs; Biennial Report.

**Number of Employees:** 88.00.

**Total Budget 1995-96:** \$4,818,300.

**Total Budget 1996-97:** \$4,789,800.

**Statutory Reference:** Section 13.94.

**Agency Responsibility:** The Legislative Audit Bureau is responsible for conducting financial and program audits to assist the legislature in its oversight function. The bureau performs financial audits to determine whether agencies have conducted and reported their financial transactions legally and properly. It undertakes program audits to analyze whether agencies have managed their programs efficiently and effectively and have carried out the policies prescribed by law.

The bureau's authority extends to executive, legislative and judicial agencies; authorities created by the legislature; special districts or zones; and certain service providers that receive state funds. The bureau may audit any county, city, village, town or school district at the request of the Joint Legislative Audit Committee.

The bureau audits and reports on the financial transactions and records of every state agency at least once every 5 years. Agencies or funds audited more frequently include the State of Wisconsin Investment Board, the Department of Employee Trust Funds, the Gaming Board, Miller Park Baseball Park District, the state lottery and various state insurance funds. In addition, the bureau provides an annual audit opinion on the state's comprehensive financial statements, which are prepared by the Department of Administration.

Typically, the bureau's performance audits are conducted at the request of the Joint Legislative Audit Committee, initiated by bureau staff or required by legislation. The reports are reviewed by the Joint Legislative Audit Committee, which may hold hearings on them and may introduce legislation in response to audit recommendations.

**Organization:** The director of the bureau is the State Auditor, who is appointed by the Joint Committee on Legislative Organization from outside the classified service. The State Auditor appoints bureau staff members from outside the classified service.

**History:** The bureau was created as a legislative service agency under the jurisdiction of the Joint Committee on Legislative Organization by Chapter 659, Laws of 1965. It replaced the Department of State Audit, which was created by Chapter 9, Laws of 1947, as an executive agency.

**Temporary Statutory Advisory Council**

*Municipal Best Practices Reviews Advisory Council:* STEVE FREDERICKS, JOHN KRIZEK (representing the Wisconsin Counties Association); DANIEL ELSASS (representing the League of Wisconsin Municipalities); ANNE KINNEY (representing the Wisconsin Alliance of Cities); BETTY BALIAN (representing the Wisconsin Towns Association). (Representatives are appointed by the State Auditor.)

The Municipal Best Practices Reviews Advisory Council advises on the selection of county and municipal practices to be reviewed by the State Auditor. The auditor undertakes periodic reviews to: examine the procedures and practices counties and municipalities use to deliver gov-



ernmental services; identify variations in costs and effectiveness of such services; and recommend practices to save money or provide more effective delivery of services. The 5 council members are chosen from lists of names submitted by each of the 4 organizations represented. The council was created by 1995 Wisconsin Act 27 in Section 13.94 (8), Wisconsin Statutes, which is scheduled for repeal on July 1, 1999.

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## LEGISLATIVE FISCAL BUREAU

*Director:* ROBERT WM. LANG.

*Assistant Director:* TERRY A. RHODES.

*Program Supervisors:* FRED AMMERMAN, DARYL HINZ, DAVID LOPPNOW, CHARLES MORGAN, ROB REINHARDT, DEBORAH SALM.

*Administrative Assistant:* VICKI HOLTEN.

**Mailing Address:** Suite 301, 1 East Main Street, Madison 53703.

**Telephone:** (608) 266-3847.

**Fax:** (608) 267-6873.

**Internet Address:** [www.legis.state.wi.us/lfb](http://www.legis.state.wi.us/lfb)

**Publications:** State Budget: summary of state agency budget requests; cumulative and comparative summaries of the governor's proposals, Joint Committee on Finance provisions and legislative amendments; separate summaries of legislative amendments when necessary; informational reports and budget papers on various state programs (reports and papers available on request).

**Number of Employees:** 35.00.

**Total Budget 1995-96:** \$2,123,500.

**Total Budget 1996-97:** \$2,128,600.

**Statutory Reference:** Section 13.95.

**Agency Responsibility:** The Legislative Fiscal Bureau develops fiscal information for the legislature, and its services must be impartial and nonpartisan. One of the bureau's principal duties is to staff the Joint Committee on Finance and assist its members. As part of this responsibility, the bureau studies the state budget and its long-range implications, reviews state revenues and expenditures, and suggests alternatives to the committee and the legislature.

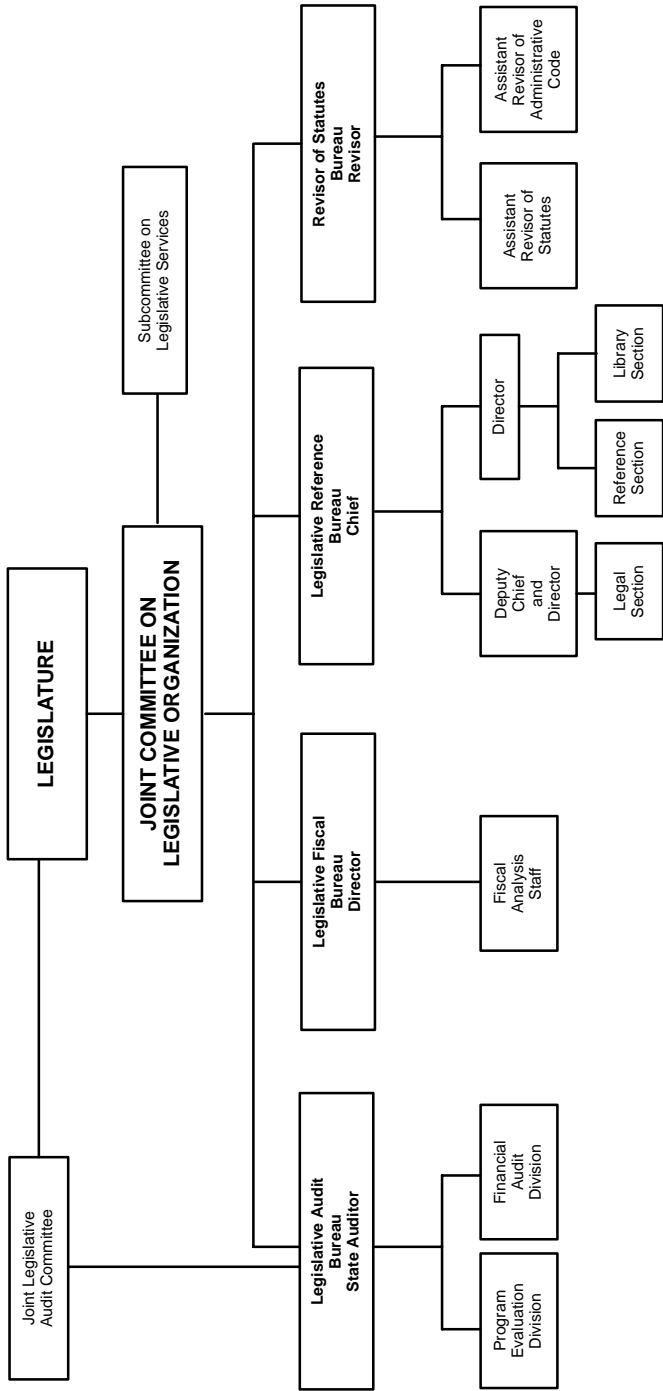
The bureau provides fiscal information to the legislature and any legislative committee or legislator upon request. On its own initiative, or at legislative direction, the bureau may conduct studies of any financial issues affecting the state. To aid the bureau in performing its duties, the director or designated employees are granted access, with or without notice, to all state departments and to any records maintained by the agencies relating to their expenditures, revenues, operations and structure.

**Organization:** The Joint Committee on Legislative Organization is the policy-making body for the Legislative Fiscal Bureau, and it selects the bureau's director from outside the classified service. The director is assisted by an assistant director and program supervisors responsible for broadly defined subject areas of government budgeting and fiscal operations. All bureau staff are chosen outside the classified service.

**History:** The bureau was created by Chapter 154, Laws of 1969. It evolved from the legislative improvement program that was initiated by Chapter 696, Laws of 1961, using a Ford Foundation grant and state funding. Under this program the legislature developed its own fiscal staff, known as the Legislative Budget Staff, under the supervision of the Legislative Programs Study Committee. In February 1968, the study committee renamed the budget staff the Legislative Fiscal Bureau and specified its functions. Chapter 215, Laws of 1971, transferred responsibility for the bureau's supervision to the Joint Committee on Legislative Organization.

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LEGISLATIVE SERVICE BUREAUS



## LEGISLATIVE REFERENCE BUREAU

*Acting Chief and Director of Legislative Attorneys:* PETER J. DYKMAN, 266-7098.

*Director of Information and Library Services:* LAWRENCE S. BARISH, 266-0344.

**Mailing Address:** P.O. Box 2037, Madison 53701-2037.

**Location:** 100 North Hamilton Street, Madison.

**Telephones:** Legal Section: (608) 266-3561; Reference and Library Section: (608) 266-0341.

**Fax:** Legal Section: (608) 264-8522; Reference and Library Section: (608) 266-5648.

**Publications:** *Bulletin of the Proceedings of the Wisconsin Legislature* Index and Subject Index to Administrative Rules; *Wisconsin Blue Book*; Research Bulletins, Informational Bulletins, Wisconsin Briefs; Selective List of Recent Acquisitions.

**Number of Employees:** 56.00.

**Total Budget 1995-96:** \$3,013,000.

**Total Budget 1996-97:** \$3,016,100.

**Statutory Reference:** Section 13.92.

**Agency Responsibility:** The Legislative Reference Bureau provides nonpartisan, professional, confidential bill drafting, research and library services to the legislature. Although it is primarily a legislative service agency, the statutes direct the bureau to serve public officials, students of government and citizens.

Attorneys in the Legal Section are required by law to draft all legislative proposals and related amendments for introduction in the legislature. They also prepare plain language analyses that are printed with all bills and most resolutions. At the request of the chief clerk, the Legal Section engrosses the text of bills significantly amended in the house of origin, and it enrolls the final text of all bills that have passed both houses prior to their submission for the governor's action.

A major portion of the Legal Section's work centers on the drafting and enrolling of the state's biennial budget. It also supervises the processing and printing of all legislative proposals and their amendments and is responsible for publishing each act on its date of publication, as determined by the secretary of state. In consultation with the Revisor of Statutes, the bureau is responsible for publishing the bound volumes of the session laws enacted during the biennial legislative session.

The Reference and Library Section collects and makes available a broad range of information to aid legislators and other government officials in the performance of their duties. It is required by law to prepare and publish studies and reports on subjects that are or may become topics of legislative concern. In the odd-numbered years bureau research staff writes, edits and publishes the 1,000-page *Wisconsin Blue Book*, the official almanac of Wisconsin government.

State law requires the bureau to maintain the drafting records of all legislation introduced and to use those records to provide information on legislative intent. Drafting records, beginning with the 1927 session, are available to the public as part of the bureau's noncirculating reference collection.

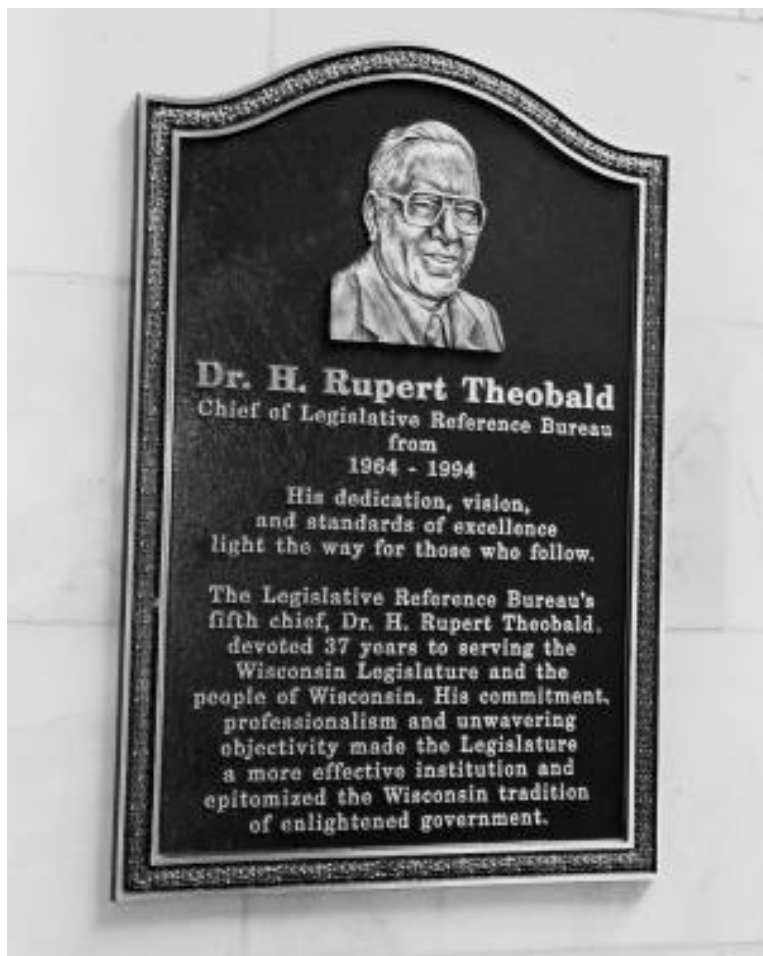
The Dr. H. Rupert Theobald Legislative Library maintains the bureau's extensive collection of material pertaining to government and public policy issues. The collection is the bureau's primary research tool, and it constitutes a resource for legislators, legislative staff and other patrons. Librarians prepare various sections of the *Bulletin of the Proceedings of the Wisconsin Legislature*, including the subject and author index to legislation; subject indexes to legislative journals, administrative rules and Wisconsin acts; and, in cooperation with the Ethics Board, a list of lobbyists and their principals.

The bureau carries out interlibrary loan or exchange agreements with other states, prepares maps and other information after each federal census for redistricting purposes, offers instruction on legislative procedure to students and civic groups, cooperates with the Revisor of Statutes Bureau in examining and revising session laws and statutes, and participates in the Commission on Uniform State Laws.

**Organization:** The Joint Committee on Legislative Organization is the policy-making body for the bureau, and it selects the bureau chief. The chief and all bureau staff are part of the classified service.

**History:** The bureau was created in 1901 by Chapter 168 as the Legislative Reference Library under the governance of the Free Library Commission. It represented the first organized effort in the nation to provide a state legislature with professional staff assistance. Bill drafting responsibilities were officially assigned in 1907 by Chapter 508, although this service actually had been performed earlier. Editing of the *Wisconsin Blue Book* was added to the agency's duties in 1929 (Chapter 194). Chapter 149, Laws of 1963, renamed the agency the Legislative Reference Bureau and placed it under the direction of the Joint Committee on Legislative Organization.

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*A plaque recognizing the accomplishments of Dr. H. Rupert Theobald, chief of the Wisconsin Legislative Reference Bureau from 1964 to 1994, was installed in the assembly chambers in a dedication ceremony on May 29, 1997. Dr. Theobald, who pioneered the use of computers for bill drafting, joined Charles McCarthy, first chief of the LRB, as a recipient of this unique honor. (Kathleen Sitter, Legislative Reference Bureau)*

**REVISOR OF STATUTES BUREAU**

*Revisor of Statutes:* BRUCE MUNSON, 267-3536.

*Deputy Revisor and Assistant Revisor, Administrative Code:* GARY L. POULSON, 266-7275.

*Assistant Revisor, Statutes:* BRUCE J. HOESLY, 266-7590.

**Mailing Address:** Suite 800, 131 West Wilson Street, Madison 53703-3233.

**Telephone:** (608) 266-2011.

**Fax:** (608) 267-0410.

**Publications:** Wisconsin Statutes and Annotations; Wisconsin Administrative Code and Register; Wisconsin Town Law Forms; *WisLaw* on CD-ROM.

**Number of Employees:** 10.00.

**Total Budget 1995-96:** \$573,800.

**Total Budget 1996-97:** \$573,800.

**Statutory Reference:** Section 13.93.

**Agency Responsibility:** The Revisor of Statutes Bureau edits and publishes the Wisconsin Statutes and Annotations, prepares revision and corrections bills, edits and publishes the Wisconsin Administrative Code and Register, and performs related law publishing and advisory functions.

The bureau incorporates newly enacted laws into the existing statutes, thereby updating the state's legal code. The statutes are published every 2 years when the legislature completes its session, but during the legislative session the bureau also releases updated versions of the statutes on *WisLaw*, its CD-ROM periodical.

The bureau prepares revisor's corrections bills to correct errors or resolve conflicts arising from the enactment of laws. The Revisor of Statutes reviews attorney general's opinions, federal district and appellate court decisions, and state appellate or supreme court decisions that declare a Wisconsin statute or session law to be ambiguous, in conflict with other laws, anachronistic, unconstitutional or otherwise in need of revision. These findings are reported to the Joint Legislative Council's Law Revision Committee. The revisor also systematically examines the statutes and session laws for similar defects and proposes remedial bills to the Law Revision Committee.

The bureau edits and publishes the Wisconsin Administrative Code and the semimonthly Wisconsin Administrative Register, which contains rule hearing and publication notices and summaries of emergency rules. It also prepares the Wisconsin Town Law Forms distributed to town officials to aid them in administering town government.

**Organization:** The Joint Committee on Legislative Organization is the policymaking body for the bureau and appoints the revisor. The revisor and all bureau staff are members of the classified service.

**History:** Wisconsin was the first state to adopt a plan for continuous revision of its statutes when Chapter 546, Laws of 1909, provided for a Revisor of Statutes to be appointed by the trustees of the state library. The editing and distribution of the Wisconsin Administrative Code and Register were added to the revisor's duties in 1955, but the responsibility for sale and distribution of these documents was transferred in 1963 to the Department of Administration. Chapter 149, Laws of 1963, moved the revisor to the legislative branch by creating the Statutory Revision Bureau under the supervision of the Joint Committee on Legislative Organization. A 1965 law renamed the bureau the Revisor of Statutes Bureau.

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## SUMMARY OF SIGNIFICANT LEGISLATION ENACTED BY THE 1995 LEGISLATURE

This section highlights significant legislation enacted by the 1995 Wisconsin Legislature in the biennial session that began January 3, 1995, and concluded January 6, 1997. The legislation summarized here is categorized by subject matter. In most cases, the individual act is described under a single subject heading, but when an act affects more than one area of state law, such as Act 27 (the budget act) and Act 216 (the state government operations act), significant provisions are separately described under the appropriate subject headings. The section concludes with a summary of major proposals that failed to be enacted or adopted.

The 1995 Legislature took its oath of office on January 3, 1995. Its regular session was organized into 11 floorperiods:

January 4-5, 1995	September 19 – October 5, 1995
January 17 – February 2, 1995	November 7-6, 1995
February 14 – March 9, 1995	January 9 – February 1, 1996
April 4-6, 1995	March 5-28, 1996
May 16 – June 1, 1995	May 7-13, 1996
June 13-29, 1995	

Statistics for recent legislative sessions are provided below.

	Legislative Session				
	1987-88	1989-90	1991-92	1993-94	1995-96
Total Drafting Requests . . . . .	15,482	13,148	14,707	13,466	13,631
Bills Introduced . . . . .	1,656	1,616	1,709	2,156	1,781
Assembly Bills . . . . .	1,044	1,027	1,112	1,319	1,103
Senate Bills . . . . .	612	589	597	837	678
Acts . . . . .	422	368	324	497	469
Percentage of Bills Enacted . .	25.5%	22.8%	19.0%	23.1%	26.3%
Bills Totally Vetoed . . . . .	38	35	33	8	4
Bills Partially Vetoed . . . . .	20	28	13	24	21

### SIGNIFICANT 1995-96 LEGISLATION

#### Agriculture

**Act 27** (*AB-150*) provides that the secretary of agriculture, trade and consumer protection is no longer appointed by the Board of Agriculture, Trade and Consumer Protection but is appointed by the governor with the advice and consent of the senate.

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Note: 1995 Wisconsin Act 27 renamed the Department of Industry, Labor and Human Relations (DILHR) as the Department of Industry, Labor and Job Development. Under 1995 Wisconsin Act 289, the department was given the discretionary power to use the name, the Department of Workforce Development (DWD), and this name was made statutory in 1997 Wisconsin Act 3. Because DWD was used consistently after the change from DILHR, it will serve as the reference throughout this section.

### Business and Consumer Law

**Act 27 (AB-150)** transfers the consumer protection function of the Department of Justice (DOJ) to the Department of Agriculture, Trade and Consumer Protection (DATCP), including the enforcement of laws relating to: fraudulent representations, fraudulent drug advertising, methods of competition and trade practices, motor vehicle rustproofing warranties, certain energy savings and safety claims, sale of cleaning agents and water conditioners containing phosphorus, sale of products containing or made with ozone-depleting substances, ticket refunds, cable television subscriber rights, dating service contracts, fitness center and weight reduction contracts, pawnbrokers and secondhand article and jewelry dealers, prize notices, mail-order sales, motor fuel dealerships, future service plans, self-storage facilities, time share ownership deposits and escrow requirements, and prepaid maintenance liens.

### Children

**Act 27 (AB-150)** makes various changes relating to juvenile justice, including the following:

1. Lowers from 18 to 17 the age at which an adult criminal court has jurisdiction over a person who violates a criminal law.
2. Transfers the responsibility for administering juvenile correctional services from the Department of Health and Social Services (DHSS) [Department of Health and Family Services (DHFS), effective July 1, 1996] to the Department of Corrections (DOC).
3. Eliminates extended juvenile court jurisdiction under which the juvenile court may exercise jurisdiction over an individual beyond the individual's 19th birthday.
4. Eliminates the Youthful Offender Program for juveniles 16 years of age or over who have committed what would be a Class A, B, C or D felony if committed by an adult and creates a Serious Juvenile Offender Program for juveniles 14 years of age or over who have committed what would be a Class A or Class B felony if committed by an adult (see *Act 77*).

**Act 77 (AB-130)** makes various changes relating to juvenile justice, including the following:

1. Creates a juvenile justice code that governs juveniles alleged to have violated a law or to be uncontrollable, school dropouts or habitual truants from home or school.
2. Lowers from 12 to 10 the age at which a juvenile who violates a criminal law is treated as a delinquent, rather than as a juvenile in need of protection or services.
3. Provides for original adult court jurisdiction over a juvenile who is at least 10 years of age and who is: alleged to have attempted or committed certain homicides; has been previously convicted in adult court; has criminal proceedings for a previous violation still pending; or commits assault or battery in any secure facility or institution.
4. Lowers from 16 to 15 the age at which a juvenile may be waived to adult court for the violation of any criminal law and permits a juvenile 14 years of age to be waived to adult court for felony murder, armed robbery or second-degree sexual assault. Formerly, waiver at age 14 was permitted only for delivery of a controlled substance, first-degree or second-degree intentional or reckless homicide, first-degree sexual assault, taking hostages, kidnapping or armed burglary.
5. Expands the dispositions that a juvenile court may impose to include short-term detention, home detention, victim-offender mediation, a specific disposition for a hate violation, 30-day inpatient alcohol or other drug abuse treatment, drug testing, vocational training, and participation in day treatment or a pupil assistance program. The act also permits a juvenile court to stay a disposition that it has imposed and to expunge the record of a juvenile's delinquency adjudication.
6. Eliminates jury trials in proceedings under the juvenile justice code.
7. Expands the right of a victim of a juvenile's delinquent act to attend hearings; make a statement before the court enters an order; obtain information from a law enforcement agency relating to any injury, loss or damage suffered by the victim, including the juvenile's name and address; and receive any information, other than sensitive personal information about the juvenile or the juvenile's family, regarding the outcome of the case.



8. Requires a juvenile court to open for public inspection its records relating to a juvenile who is alleged to have committed a violation that would be a felony if committed by an adult, if the juvenile has been adjudicated delinquent previously and also its records relating to a juvenile who is alleged to have committed a serious felony. The act also requires hearings relating to those juveniles to be open to the general public.

9. Requires a juvenile court to notify a juvenile's school if the juvenile is alleged to have committed an act that would be a felony if committed by an adult or if the juvenile is adjudged delinquent for any violation. Formerly, juvenile court records were open for inspection only by order of the juvenile court or under certain circumstances.

10. Requires a school board, if ordered by a juvenile court, to disclose pupil records to a law enforcement agency or a social services agency and requires a school board, without a court order, to disclose to a law enforcement agency the attendance records and directory data of a pupil who is under investigation by that agency. The act also requires a school board to notify the pupil and the pupil's parent if the school board discloses information about the pupil and provide to the pupil and parent the information disclosed.

11. Raises from \$2,500 to the jurisdictional limit of the small claims court (currently \$5,000) the maximum amount of a parent's liability for the willful, malicious or wanton act of his or her child. The act also permits the juvenile court to order that any forfeiture (civil monetary penalty) or restitution that is not paid by a juvenile be docketed as a judgment against the juvenile and the parent with custody of the juvenile and to order the juvenile or parent to perform community service work instead of paying the restitution or forfeiture.

12. Creates a presumption that a juvenile who is alleged to have committed a violent offense, an offense against life or bodily security while armed, or a weapons offense should be held in a secure detention facility prior to adjudication and in a secured correctional facility after adjudication.

13. Eliminates the minimum age (formerly 14) at which a juvenile may be held civilly liable for retail theft and the minimum age (formerly 12) at which a juvenile may be ordered to participate in a work program or make restitution.

14. Expands the dispositions that a municipal court may impose on a juvenile who violates a municipal ordinance, permits the court to impose sanctions on a juvenile who violates a municipal court dispositional order and allows it to issue a summons requiring a juvenile's parent to attend a hearing involving the juvenile.

15. Requires the victim of any delinquent act committed by a juvenile to be notified of the juvenile's release or escape from correctional custody if the victim so wishes.

**Act 275 (SB-501)** makes various changes relating to children in need of protection or services (CHIPS) and termination of parental rights (TPR). The act:

1. Permits a child to be held in custody if the parent neglects to provide adequate supervision or care for the child, rather than merely being unwilling or unavailable to do so.

2. Provides for a 12-person jury in TPR cases, unless the parties agree to a lesser number. The act also provides for a six-person jury in CHIPS cases and provides that in a CHIPS case the jury determines whether the grounds for CHIPS jurisdiction are met and the judge determines whether the child is in need of protection or services which can be ordered by the court. Formerly, jury trials in TPR and CHIPS cases were before 12-person juries and the jury determined whether the child was in need of protection or services which the court could order.

3. Requires a child's guardian ad litem to meet with the child personally or through a trained designee; assess the appropriateness and safety of the child's environment; interview the child to determine the child's goals and concerns, if the child is old enough to communicate; and make recommendations to the court that appointed the guardian ad litem concerning the best interests of the child.



4. Requires notification to a child's foster parent of hearings relating to the child and permits the foster parent to attend those hearings and make a written or oral statement, subject to certain exceptions.

5. Lengthens from 24 hours to 48 hours the time within which a hearing must be held after a child is taken into custody and lengthens from 48 hours to 72 hours after the detention hearing the time within which a CHIPS petition must be filed or the child released from custody.

6. Permits a juvenile court to determine for purposes of a CHIPS proceeding only, the paternity of a child, if a man appears, alleges that he is the father of the child and requests a paternity determination.

7. Provides CHIPS procedures for the appointment of a relative as the guardian of the child and for the permanent placement of the child with the guardian.

8. Permits a TPR based on abandonment: if a child is left without provision for care in a place that exposes the child to a substantial risk of death or great bodily harm; if a parent fails to visit or communicate with a child placed outside the home by a juvenile court for 3 months (rather than 6 months); or if a parent leaves the child with another person and fails to visit or communicate with the child for 6 months (rather than one year).

9. Permits a TPR based on continuing need of protection or services for a child 3 years of age or older if the child has been placed outside the home for 6 months (rather than one year) and the parent is unlikely to meet the conditions established for returning the child to the home.

10. Permits a TPR based on child abuse if a parent has exhibited a pattern of physically or sexually abusive behavior that poses a substantial threat to the health of a child and any child has previously been removed from the child's home under a CHIPS order after an adjudication that the child was a victim of physical or sexual abuse or at substantial risk of becoming such a victim.

11. Extends the applicability of failure to assume parental responsibility as grounds for TPR to mothers and to fathers whose paternity was established *prior to* the filing of the TPR petition (formerly, applied only to fathers whose paternity was not established prior to the filing of the TPR petition). The act also permits a marital child to be the subject of a TPR based on failure to assume parental responsibility.

12. Permits a TPR based on the homicide of the child's other parent if the parent committed a first-degree reckless homicide, not just a first-degree intentional homicide.

13. Creates grounds for TPR based on parent's commission of a serious felony against one of the parent's children or based on a prior involuntary TPR to another child.

14. Permits a TPR petitioner to request that the juvenile court prohibit visitation between the parent and child during the TPR proceeding.

15. Requires an agency placing a child for adoption to consider placing the child with a relative.

### Courts and Civil Actions

**Act 10 (AB-36)** limits to \$350,000 the amount of noneconomic damages, such as for pain and suffering or mental distress, that are recoverable in cases involving medical malpractice. The act requires the director of state courts to adjust the \$350,000 amount at least annually, based on the consumer price index for all urban consumers.

**Act 17 (SB-11)** changes the method of determining the liability of persons in tort actions by requiring that the negligence of the person injured be measured separately against each person found to be causally negligent for the injury and limiting the liability of any person found less than 51% causally negligent to the amount of causal negligence attributed to that person. (Formerly, all persons who were found negligent were collectively and individually liable for all damages.) Under the act, any person found more than 51% causally negligent remains collectively and individually liable for all of the damages recoverable by the injured person. The act also limits punitive damages in tort actions to those actions where evidence shows that the defendant acted maliciously or in intentional disregard of the rights of the injured party.



### Crime and Criminal Procedure

**Act 71 (SB-144)** prohibits a person from possessing a firearm if he or she is subject to a domestic abuse or child abuse injunction. The act permits a judge to issue an order prohibiting a person from possessing a firearm if he or she is subject to a harassment injunction. Under the act, a prohibition on firearm possession remains in effect as long as the injunction is in effect. The act's firearm possession prohibition does not apply to temporary restraining orders issued in domestic abuse, child abuse or harassment cases.

**Act 451 (AB-13)** changes the law relating to trespassing by prohibiting a person from entering without the consent of the owner or occupant upon land that is enclosed or cultivated, occupied by a structure used for agricultural purposes or undeveloped, except that if the undeveloped land is adjacent to or surrounded by publicly owned land the owner or occupant must notify persons not to enter. The act also provides that a person may not enter any land if notified by the owner or occupant not to enter. Formerly, a person only needed consent from the owner or occupant to enter enclosed or cultivated land with a motor vehicle or with intent to hunt, fish or gather products of the soil. Under the act, as under former law, a person cannot enter any land if an owner or occupant gives written or oral notice not to enter land or posts "no trespassing" signs on the land.

### Domestic Relations

**Act 68 (SB-55)** authorizes a court to grant a petition for visitation rights under certain circumstances to a grandparent of a minor child in either an independent action or an existing action affecting the family, such as a divorce or paternity action (formerly permitted only if an action affecting the family had been commenced). In order for grandparent to file an independent action, the child must be a nonmarital child whose parents have not subsequently married each other; paternity must be determined if the grandparent filing the petition is a parent of the child's father; the child may not have been adopted; and the grandparent must have maintained or attempted to maintain a relationship with the child. The court must determine that the visitation is in the child's best interest. The act permits grandparent to seek a paternity determination if the grandparent is a parent of the alleged father and if the alleged father has filed a declaration of paternal interest or a statement acknowledging paternity.

**Act 70 (SB-132)** allows a court in instances in which the child's other parent has physical placement rights with the child to prohibit a parent from moving with a child outside the state or within the state at a distance of 150 miles or more from the residence of the child's other parent or from removing a child from the state for more than 90 consecutive days. The act allows an objecting parent alternatively to file a petition, motion or order to show cause for an order prohibiting the move or removal. The court may prohibit the move or removal if it determines a prohibition is in the child's best interest after considering the reasonableness of the proposed action, the child's relationship with the objecting parent, and alternative arrangements that would foster and continue the relationship.

### Education

#### PRIMARY AND SECONDARY EDUCATION

**Act 27 (AB-150)** makes various changes relating to education. The act:

Replaces the former two-tiered general school aid formula with a three-tiered formula. The first tier is for costs shared between the state and school district up to a primary cost ceiling of \$1,000 per student. The state's share at this level is calculated using a guaranteed property valuation of \$2 million per student. Every school district is guaranteed no less in general aid than this primary aid amount. The second tier of support is for shared costs per student between \$1,000 and a secondary cost ceiling calculated beginning in the 1997-98 school year as the prior year's secondary cost ceiling adjusted by the rate of inflation. The third tier is for shared costs above the secondary cost ceiling. The guaranteed valuation for this level is set at 100% of the statewide average equalized valuation per student.

Modifies the Milwaukee Parental Choice Program, which permits low-income children in Milwaukee to attend private schools at state expense, to allow sectarian schools to participate and



provides that no pupil may be required to participate in any religious activity if the pupil's parent or guardian objects. The act increases the number of pupils allowed to participate; allows pupils who were enrolled in private schools outside the program in the previous year to participate; and alters to basis of state payments.

(Note: As of June 30, 1997, the provisions of Act 27 regarding the Milwaukee Parental Choice Program were still held in abeyance pending final court action regarding their constitutionality.)

#### UNIVERSITY OF WISCONSIN SYSTEM

**Act 27 (AB-150)** creates the UW Hospital and Clinics Authority to operate and manage the UW Hospital and Clinics and the UW Hospital and Clinics Board to provide certain contractual services to the Authority. The act:

1. Transfers most professional employes of the UW Hospital and Clinics to the UW Hospital and Clinics Authority ("Authority") and most nonprofessional employes of the UW Hospital and Clinics to the UW Hospital and Clinics Board ("Board").
2. Requires the Authority to enter into a lease agreement with the Board of Regents of the UW System to lease certain on-campus facilities for a period of not more than 5 years and to pay the debt service on all bonds issued by the state for the facilities. The agreement may not be renewed or extended for more than 5 years.
3. Requires the Authority to enter into an affiliation agreement with the Board of Regents of the UW System to run concurrently with the lease agreement, under which the Board of Regents is required to make reasonable charges for services provided to the Authority.
4. Requires the Authority to enter into a contractual services agreement with the Board to provide services for a period of not more than 2 years, during which the Authority may not contract with any other person for those services.
5. Places nonsupervisory employes of the Board in 4 collective bargaining units under the State Employment Labor Relations Act (SELRA), effective July 1, 1997. The act provides the Board will represent the state in negotiations with the representatives of those units and removes the Joint Committee on Employment Relations from the collective bargaining process. The act also creates 3 collective bargaining units for professional nonsupervisory employes of the Authority under the State Employment Peace Act, effective July 1, 1997. Strikes are not prohibited under the Employment Peace Act.
6. Authorizes the Authority to issue bonds or incur indebtedness for any corporate purpose in an amount not to exceed \$50 million, excluding debt issued to refund outstanding indebtedness, and authorizes it to seek financing from the Wisconsin Health and Educational Authority (WHEFA).
7. Provides that the Authority may buy, sell and lease real estate (excluding on-campus facilities) and allows it to construct, acquire or improve such facilities.
8. Permits the Authority to establish, govern and participate in entities that provide health-related services.

#### OTHER EDUCATION

**Act 403 (AB-1011)** establishes a college tuition prepayment program administered by the Department of Administration (DOA), under which an individual may contract with DOA to purchase tuition units on behalf of a beneficiary named in the contract. The individual or the beneficiary must be a Wisconsin resident, and the beneficiary must be the child or grandchild of the individual. To the extent possible, the DOA must price each unit so that the unit's value in the anticipated academic year of its use will be equal to 1% of the weighted average tuition of bachelor's degree-granting institutions within the UW System in that academic year. When the beneficiaries enroll in an accredited institution of higher education in the United States, they are entitled to apply their tuition units toward tuition at the institution.

#### Employment

**Act 27 (AB-150)** consolidates oversight of the administration of various state and federal employment and education programs under a Governor's Council on Workforce Excellence,



created by the act. The act directs the council to prepare a plan that realigns the intrastate boundaries for the local administration of employment and education programs along the lines of the Technical College System districts. It also permits the secretary of workforce development to issue a waiver of any limitation on the use of state employment and education funds if the waiver will promote the coordination of employment and education services.

**Act 215** (*SB-373*) makes various changes in the prevailing wage and hours of labor law under which an employe performing certain work on a state or local public works project must be paid the prevailing wage and overtime pay for hours worked in excess of the prevailing hours of labor for the employe's trade or occupation.

### Health and Social Services

**Act 92** (*AB-244*) changes the funding obligations of counties to provide protective placements or protective services and to provide for the program needs of protectively placed persons or persons suffering from mental illness, developmental disabilities or alcohol and other drug abuse. The act limits a county's funding obligation to those programs, services and resources that the county is reasonably able to provide within the limits of available federal, state and county funding. The act also applies the limitations of this required funding to the right of patients to the least restrictive conditions necessary to achieve the purposes of mental health admission or commitment or protective placement and to their right to receive prompt and adequate treatment, rehabilitation and educational services appropriate for their conditions. The act expands factors that must be considered in making protective placements to include: the reasonableness of the placement relative to the cost and actual benefits to the person being placed; the number of persons who will need protective placement; and availability of state and federal funds and county matching funds. The act eliminates a requirement that the appropriate county board be charged for the cost of care and custody resulting from a person's protective placement.

**Act 289** (*AB-591*) makes numerous changes to the laws related to public assistance, Medical Assistance (MA), and low income and at-risk child care. The act:

1. Eliminates cash entitlements under the AFDC program and certain health care entitlements under the MA program, pending federal approval, and replaces them with a program entitled Wisconsin Works (W-2), beginning not earlier than July 1, 1996, and not later than September 30, 1997.
2. Replaces cash entitlement under AFDC with a subsidized job program consisting of 3 components:
  - a. Trial jobs, under which a participant receives an hourly wage for every hour actually worked, payable by the participant's employer. The employer receives a subsidy of up to \$300 per month for each participant.
  - b. Community service jobs, under which a participant may be required to work in a wholly subsidized job for not more than 30 hours per week and to engage in an educational program for not more than 10 hours per week. The participant receives a monthly grant of \$555, which may be reduced by \$4.25 for each hour that the participant fails to participate in the job or educational program.
  - c. Transitional placements, under which a participant who is incapacitated or otherwise unable to perform a trial job or community service job may be required to participate in work or other activities for not more than 28 hours per week and to engage in certain educational programs for not more than 12 hours per week. The participant receives a monthly grant of \$518, which may be reduced by \$4.25 for each hour that the participant fails to participate in the required work or other activities.
3. Imposes a 24-month time limit on participation in any one job component and a 60-month overall limit on participation. These limits may be extended on a case-by-case basis by a Wisconsin Works agency or DWD. Participation after July 1, 1996, in the Job Opportunities and Basic Skills (JOBS) program counts toward the 60-month limit.



4. Provides for a monthly grant of \$555, with certain limitations, for a participant who meets specified financial and nonfinancial criteria and who is a custodial parent of a child who is 12 weeks old or younger.

5. Provides for a job access loan to enable a participant to address an immediate and discrete financial crisis that is not the result of the participant's failure to accept a bona fide job offer or of the participant's termination of a job without good cause. The participant must need the loan to obtain or continue employment or to repair a vehicle that is needed to obtain or continue employment.

6. Creates an employment skills advancement program. Under the program, certain low-income working parents may receive up to \$500 of educational assistance. To receive a grant, a parent must contribute matching personal funds and matching funds provided by community sources.

7. Modifies the low-income and at-risk child care programs by:

a. Eliminating child care subsidies for participation in training or educational programs (except by recipients under age 20 to complete a high school education) and limiting eligibility for the subsidies to parents with an income of no more than 165% of the federal poverty level (FPL).

b. Requiring all subsidy recipients to pay a percentage of the cost of child care.

c. Creating a new certification level for child care providers, termed "Level II certified family day care", for which no training may be required.

d. Extending criminal background investigations to certified and state-licensed day care providers and before and after school day care providers under contract with a school board.

8. Creates a W-2 health plan that replaces MA for AFDC-related cases and Healthy Start groups (pregnant women and children under age 6). The act offers health care coverage to certain individuals whose family income is equal to or less than 165% of the FPL and who meet certain other criteria, but they may be ineligible if they have access to employer subsidized health care coverage. Pregnant women and children up to age 6 in families with incomes up to 165% of the FPL and children between the ages of 6 and 12 in families with incomes up to 100% of the FPL are exempt from the ineligibility provisions relating to access to employer-subsidized health care coverage. Individuals enrolled in the plan are required to pay a monthly premium determined by DHFS.

9. Requires DHSS (DWD effective July 1, 1996) to seek a federal waiver to allow the state to require all able individuals aged 18 to 60 who request food stamps and who are ineligible for a W-2 employment position to participate in the Food Stamp Employment and Training Program, except caretakers of a child under 12 weeks old and individuals who are enrolled at least half time in a recognized school, training program or institution of higher education. The act also permits DWD, to the extent permitted by federal law, to distribute food stamps on a "pay-for-performance" basis, in which an individual's food stamp grant is reduced because of failure to participate in the program without good cause.

10. Modifies the JOBS program to:

a. Allow postsecondary and vocational skills training as a method of satisfying the JOBS participation requirement only for those persons already enrolled as of December 1, 1995. The provision does not apply after June 30, 1997.

b. Require DHSS (DWD effective July 1, 1996) to seek a federal waiver to allow the state to require that a primary caretaker of a child who is at least 12 weeks old participate in JOBS.

c. Require participation in a work supplementation program.

d. Require DHSS (DWD effective July 1, 1996) to seek a federal waiver to allow the state to require not more than 40 hours of participation per week in a Community Work Experience Program (CWEP), a work experience and training program for aid recipients who are not otherwise able to obtain employment, for not more than six months in a 12-month period.



11. Requires DWD to make kinship care payments to a relative of a child who is providing care for the child if certain conditions are met. Counties are required to review all relatives receiving income maintenance payments under the AFDC program to determine if they are eligible to receive kinship care payments or foster care payments and to end all income maintenance payments to relatives by July 1, 1997.

**Act 292 (SB-270)** establishes a new standard for mental illness, effective for the period December 1, 1996, to December 1, 2001, that does not require a finding of dangerousness for the purpose of emergency detention or involuntary civil commitment. Under the standard, after the advantages and disadvantages of and alternatives to accepting a particular medication or treatment have been explained to an individual, he or she must be unable, because of mental illness, to express an understanding of those advantages, disadvantages and alternatives or to apply to his or her mental illness an understanding of the advantages, disadvantages and alternatives in order to make an informed choice as to acceptance or refusal. The individual must show a substantial probability of needing care or treatment to prevent further disability or deterioration and a substantial probability that, if left untreated, he or she will lack services necessary for health or safety and suffer severe harm that will result in the loss of his or her ability to function independently in the community or in the loss of cognitive or volitional control over his or her actions. Unless a court of competent jurisdiction in this state finds that the new standard for emergency detention is constitutional, each emergency detention and involuntary commitment under this standard must be reviewed by the attorney general or his or her designee before the detention takes place or within 12 hours after it. If the attorney general disapproves, the detention may not take place or, if detained under this standard, the individual must be released.

The act limits the inpatient treatment of persons who are involuntarily committed under the new standard to 30 days but authorizes an additional 30 days inpatient treatment if the person is subsequently treated on an outpatient basis and violates a condition of treatment. Under the act, both a finding by the court that there is probable cause to believe an individual meets the standard and the same finding at the final hearing for commitment constitute a finding that the individual is incompetent to refuse medication or treatment.

**Act 309 (AB-441)** modifies and significantly expands preexisting informed consent requirements that must be met prior to the performance or inducement of an abortion. Under the act, unless a medical emergency (as defined in the act) exists, a physician must, at least 24 hours before the abortion is performed or induced, in person orally inform the woman for whom the abortion is to be performed and, if the woman is a minor, the individual who is also giving consent for the abortion for the minor, of the following, in addition to the requirements of preexisting law:

1. The probable anatomical and physiological characteristics of the unborn child at the time that the information is given.
2. The details of the medical or surgical method that will be used in performing or inducing the abortion.
3. The availability of fetal ultrasound imaging and auscultation of fetal heart tone services and how they may be obtained.
4. That if, in the reasonable medical judgment of the physician, the woman's unborn child has reached viability, the physician is required to take all steps necessary to preserve and maintain the life and health of the child.
5. Any other information that a reasonable patient would consider material and relevant to a decision of whether to carry a child to birth or to undergo an abortion.
6. That the woman may withdraw her consent to have an abortion at any time before the abortion is performed or induced.
7. That the woman is not required to pay for performance or inducement of the abortion until at least 24 hours have elapsed.

The act deletes preexisting requirements that information be provided on the availability of services to assist a minor in seeking consent for an abortion or in petitioning a court for a waiver of the requirement for parental consent. The act also modifies the requirement for information on the medical risks associated with the particular abortion procedure to be used to require inclu-



sion of information on infection, psychological trauma, hemorrhage, endometriosis, perforated uterus, incomplete abortion, failed abortion, danger to subsequent pregnancies and infertility.

The act requires the physician who is to perform or induce the abortion or a qualified person assisting the person (who is required, under the act, to be a physician assistant, certified social worker or licensed registered nurse), at least 24 hours before the abortion is performed or induced, to orally inform the woman in person and, if the woman is a minor, the individual who is also giving consent for the abortion for the minor, of the following:

1. That benefits for prenatal care, childbirth and neonatal care may be available under the Medical Assistance program.
2. That the father of the unborn child must assist in the support of the child, if born.
3. That the woman has a legal right to continue her pregnancy and keep the child, place the child in foster care or with a relative for adoption, place the child in foster care or petition the court for placement of the child for adoption in the home of a nonrelative.
4. That the woman has the right to receive and review certain printed materials provided by the state, free of charge, that describes the unborn child and lists agencies that offer alternatives to abortion. The physician or qualified person must physically give current materials to the woman.
5. If the woman has received a diagnosis of disability for her unborn child, that the printed materials contain information on community-based services and financial assistance programs for children with disabilities and their families, support groups and adoption of children with special needs.
6. If the woman asserts that her pregnancy is the result of sexual assault or incest, that the printed materials contain information on counseling services, support groups and legal protections.

The act requires that the information be provided in an individual setting that meets certain requirements, after which the woman and, if the woman is a minor, the individual who is giving consent for the abortion of the minor, must certify in writing that the required or requested information has been provided in the required setting and that any questions have been answered. The certification must be placed in the woman's medical record prior to performance or inducement of the abortion. Satisfaction of all these requirements creates a rebuttable presumption that the woman's consent is informed.

The 24-hour period for provision of the information may be waived if the woman alleges that the pregnancy is the result of a violation of one of certain crimes of sexual assault, states that a report alleging the sexual assault has been made to law enforcement authorities, and the provider of the informed consent information has confirmed with law enforcement authorities that a report has been made and has placed a notation to this effect in the woman's medical record. The 24-hour period may be reduced to 2 hours if the woman alleges that the pregnancy is the result of a violation of the crime of incest with a child and if requirements concerning the making and confirming of a report have been met.

### **Insurance**

**Act 453** (*AB-545*) provides that an employer may establish a medical savings account for an employee who chooses a high-deductible health insurance plan. It also permits a self-employed person who purchases a high-deductible health insurance plan to establish a medical savings account, using the difference between the premium for the high-deductible health insurance plan and the premium for a more expensive health insurance plan. The medical savings account may be used only for the cost of medical care, long-term care or long-term care insurance.

### **Local Law**

**Act 56** (*September 1995 Spec. Sess. AB-1*) creates a professional baseball park district in Milwaukee County and in all counties that are contiguous to Milwaukee County (Ozaukee, Racine, Washington and Waukesha Counties). The district is governed by a board consisting of seven



appointees of the chief executive officers of specified local governmental units and six appointees of the governor. The district may acquire, construct, maintain, improve, operate and manage baseball park facilities and may impose a sales tax and a use tax, each at a rate of no more than 0.1%. The district may also issue bonds for certain purposes that are related to baseball park facilities. If certain conditions are met, bonds, in an amount which generally may not exceed \$160 million, may be backed by a state moral obligation. Subject to certain conditions, the act authorizes WHEDA to issue bonds and notes, backed by a state moral obligation pledge, in an amount not to exceed \$50 million to finance the construction of baseball park facilities. Such bonds and notes issued by WHEDA are not general obligations of WHEDA, and a loan financed by these bonds and notes may not be made to a professional baseball team unless the team pledges adequate collateral.

### State Government

#### REORGANIZATION

**Act 27 (AB-150)** makes a number of changes in the organization and functions of various state agencies, including those listed below.

#### ***Department of Agriculture, Trade and Consumer Protection (DATCP)***

The act provides that the secretary of agriculture, trade and consumer protection will be appointed by the governor with the advice and consent of the senate. Previously, the secretary was appointed by the Board of Agriculture, Trade and Consumer Protection. The act also transfers consumer protection functions, including the enforcement of consumer protection laws, from DOJ to DATCP.

#### ***Department of Commerce***

The act changes the name of the Department of Development to the Department of Commerce.

The act transfers responsibility for administering and enforcing state laws regulating safety and buildings from DILHR to Commerce; transfers to Commerce some of the responsibilities of DNR relating to leaks from underground tanks storing petroleum, as well as the Petroleum Storage Remedial Action Program responsibilities currently performed by DILHR; transfers to Commerce the responsibilities of DATCP and DILHR relating to the platting of subdivisions, as well as certain municipal boundary review functions currently performed by DOA; and on July 1, 1997, transfers the Recycling Market Development Board to Commerce from the UW System.

#### ***Department of Corrections***

The act transfers responsibility for administering juvenile correctional services from DHSS to DOC.

#### ***Department of Financial Institutions***

The act creates a Department of Financial Institutions (DFI); reorganizes the Office of the Commissioner of Banking, the Office of the Commissioner of Savings and Loan, the Office of the Commissioner of Credit Unions and the Office of the Commissioner of Securities as divisions attached to DFI; transfers the regulation of mortgage banking from DORL to DFI; and transfers responsibility for business organization filings, Uniform Commercial Code (UCC) filings and the statewide UCC information system from the Office of the Secretary of State to DFI.

#### ***Gaming Board***

The act eliminates the Gaming Commission; creates a Gaming Board to oversee pari-mutuel racing, charitable gaming, crane games and Indian gaming; transfers administration of the state lottery to DOR; and creates a Lottery Division in DOR.

#### ***Governor***

The act creates a Governor's Council on Workforce Excellence and consolidates in that council oversight over the planning, coordination, administration and implementation of various state and federal employment and education programs currently administered by DILHR, DHSS, the Technical College System, DPI, DOD, DOR, DVA and DOA.

#### ***Department of Health and Family Services (DHFS)***

The act changes the name of the Department of Health and Social Services to the Department of Health and Family Services.

***Judicial Council***

The act abolishes the executive secretary and clerical support for the Judicial Council and requires the Judicial Commission to provide staff services to the Judicial Council.

***Department of Natural Resources***

The act provides that the secretary of natural resources will be appointed by the governor with the advice and consent of the senate. Previously, the secretary was appointed by the Natural Resources Board.

***Department of Public Instruction***

The act attempted to redesign the governance of public instruction by changing the name of DPI to the Department of Education (DOE); creating an 11-member Education Commission to function as the policy-making unit for DOE; vesting in a secretary of education the administrative powers and duties of DOE; assigning all powers and duties of the State Superintendent of Public Instruction to the Secretary of Education or DOE; and establishing a separate Office of the State Superintendent, attached to DOE.

On March 29, 1996, the Wisconsin Supreme Court held that the creation of DOE and the transfer of the powers and duties of the State Superintendent of Public Instruction to the Secretary of Education or DOE were unconstitutional and therefore void. *Thompson v. Craney*, 199 Wis. 2d 674, 546 N.W. 2d 123 (1996).

***Public Intervenor***

The act transfers the Public Intervenor from DOJ to DNR. It replaces the advisory committee, appointed by the attorney general, with a Public Intervenor Board, appointed by the governor and certain legislators. The act eliminates the Public Intervenor's authority to commence and intervene in court proceedings and requires approval of the Public Intervenor Board to commence or intervene in administrative proceedings.

***Public Service Commission***

The act abolishes the Radioactive Waste Review Board and transfers its responsibilities to the Public Service Commission.

***Department of Revenue***

The act transfers the responsibility for collecting the petroleum inspection fee from DILHR to DOR.

***Department of Tourism***

The act creates a Department of Tourism; transfers the Division of Tourism from DOD to Tourism; transfers the Arts Board from DOA to Tourism; transfers the formerly independent State Fair Park Board to Tourism; transfers the Lower Wisconsin State Riverway Board from DNR to Tourism; and transfers the Kickapoo Valley Governing Board from DOA to Tourism and responsibility for police supervision over the Kickapoo Valley Reserve from DNR to Tourism.

***University of Wisconsin System***

The act creates a UW Hospital and Clinics Authority and transfers control, management and operation of the UW Hospital and Clinics from the Board of Regents of the UW System to the UW Hospital and Clinics Authority; creates a UW Hospital and Clinics Board to provide certain contractual services to the UW Hospital and Clinics Authority; and attaches the Recycling Market Development Board to the UW System until July 1, 1997, when the board is attached to DOD.

***Department of Workforce Development***

(See note at the beginning of this summary regarding name changes for this department.)

The act transfers from DHSS to DWD supervision over the administration of the Aid to Families with Dependent Children (AFDC) program, the Job Opportunities and Basic Skills (JOBS) program, and the pilot programs for Learnfare, Work-Not-Welfare and Parental Responsibility; transfers from DHSS to DWD administration of the food stamp program, the employment and training program for food stamp recipients, the Children-First program and the program for payment of funeral expenses for recipients of certain public assistance programs; transfers from DHSS to DWD supervision of income maintenance administration by county departments of social or human services; transfers the Division of Vocational Rehabilitation from DHSS to DWD. In addition, the act upgrades the Office of Workforce Excellence to the Division of Workforce Excellence and expands the duties of that division.



**Other councils, boards and commissions**

The act abolishes the Sentencing Commission, the Privacy Council (and Privacy Advocate), the Cost Containment Commission, the Cost Containment Council, the Council on Municipal Collective Bargaining, the Higher Educational Aids Board (later recreated as a Governor's Special Committee), the Radioactive Waste Review Board, and the Educational Approval Board.

The act requires that each of 144 specified councils, commissions, boards and offices in the executive branch of state government submit to the lieutenant governor a report describing its functions and the justification, if any, for continuation of these functions; directs the lieutenant governor to submit to the Joint Committee on Finance a single legislative proposal to terminate those bodies which the lieutenant governor determines should be terminated; and directs the lieutenant governor to recommend the transfer to other bodies any functions of the terminated bodies which the lieutenant governor determines should be retained.

**Act 305 (AB-687)** transfers the Controlled Substances Board from DHFS to the Department of Regulation and Licensing (DORL).

**Act 404 (AB-1067)** transfers the responsibility for administering the state's child support and child care programs, other than child care licensing, from DHFS to DWD.

**Act 440 (SB-182)** transfers the management of the sex offender registration program from DOJ to DOC.

## STATE FINANCE

**Act 27 (AB-150)** creates a State Information Technology Investment Fund, which is financed primarily by fees imposed upon most persons who provide materials, supplies, equipment or contractual services to the state. The act permits DOA to make grants from the fund to state agencies for information technology projects that meet certain criteria. It also permits the Educational Technology Board, created by the act, to make grants from the fund to subsidize a portion of the interest costs incurred by school districts; technical college districts; counties or municipalities; or consortia of two or more school districts, counties or municipalities that obtain state trust fund loans for distance education projects.

**Transportation**

**Act 318 (SB-541)** authorizes the Department of Transportation (DOT) to increase the maximum speed limit applicable to motor vehicles traveling on designated freeways or expressways from 55 miles per hour to 65 miles per hour. (The national maximum speed limit of 55 miles per hour applicable on those highways was repealed in December 1996.)

**MAJOR PROPOSALS THAT FAILED ENACTMENT OR ADOPTION****Beverages**

*Assembly Bill 197* would have lowered the legal drinking age from 21 years of age to 19 years of age if doing so would not result in the loss of any federal funds to this state.

**Crime and Criminal Procedure**

*Assembly Bills 298, 352 and 937 and Senate Bill 1* would have provided the possibility of the death penalty in certain homicide cases.

*Assembly Joint Resolutions 9, 10 and 84 and Senate Joint Resolution 51* would have provided for an advisory referendum on enactment of the death penalty.

**Education**

*Assembly Bill 347 and Senate Bill 161* would have created interdistrict school choice programs and interdistrict and intradistrict enrollment options programs.

*Assembly Bill 400 and Senate Bill 291* would have created procedures under which a new school district could be created out of a portion or portions of the territory of one or more existing school districts.



*Assembly Bill 824* would have specifically authorized a school board to adopt a policy that requires pupils to wear a uniform in school.

*Senate Bill 564* would have required each private school participating in the Milwaukee parental choice program to meet additional requirements.

#### **Employment**

*Assembly Bill 200* would have conformed the Wisconsin family and medical leave law to the federal Family and Medical Leave Act.

*Assembly Bill 542* would have permitted, and under certain circumstances required, municipalities to enact convenience store security ordinances.

#### **Gambling**

*Assembly Bill 774* would have permitted and regulated the play and possession of video amusement devices (including video poker machines).

#### **Health and Social Services**

*Assembly Bill 1076* would have transferred from cities, villages and towns to local health departments, acting as agents of DHFS, the authority to license cigarette and tobacco products retailers and to regulate cigarette sales and gifting to and purchase and possession by minors, and would have authorized random, unannounced investigations of retailers.

#### **Insurance**

*Assembly Bill 573* would have required health insurers to cover inpatient hospital services for a mother and child for a specified period of time after the birth of the child, plus specified home care visits and postnatal follow-up care contacts after the mother and child were no longer hospital inpatients.

#### **Local Law**

*Assembly Bill 516* would have allowed cities, villages, towns and counties to enact ordinances that were stricter than state law regarding the regulation of the sale and free distribution of cigarettes to minors.

*Senate Bill 614 and Assembly Bill 1065* would have subjected the Milwaukee Metropolitan Sewerage District (MMSD) to regulation and supervision by the PSC in much the same manner that other public utilities are subject to the PSC. The act also would have authorized the MMSD Commission to sell or lease any or all MMSD assets and facilities, subject to certain conditions, including PSC review and approval.

#### **Taxation**

*Assembly Bill 402* would have imposed on motor vehicle fuel suppliers a franchise fee at the rate of 3.5% of the average retail price of that fuel.

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