

# Ninety-First Regular Session

WEDNESDAY, August 31, 1994

The chief clerk makes the following entries under the above date.

## PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Ethics Board

August 23, 1994

To the Honorable the Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am notifying you of changes in the Ethics Board's records of licensed lobbyists and their employers.

**Organization's authorization of additional lobbyists:** The following organization previously registered with the Ethics Board as an employer of a lobbyist has authorized to act on its behalf an additional licensed lobbyist:

**School Business Officials, Wisconsin Assn of**

Lynch, James

**Organization's termination of lobbyists:** Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist has withdrawn, on the date indicated, its authorization for the lobbyist identified to act on the organization's behalf.

**Land Reclamation Co**

Mueller, H. Carl 8/17/94

Remsik, Jeffrey 8/17/94

**School Business Officials, Wisconsin Assn of**

Nispel, David 8/19/94

**Organization's cessation of lobbying activity:** Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist has indicated a cessation of all lobbying activity effective on the date shown.

**Alexander Hamilton Life Insurance Co** 8/22/94

Morton Buildings, Inc 8/22/94

Perfusion Society, Wisconsin 7/27/94

**Organization's modification or amendment of records:** The registered organization listed below has indicated the following modification to its records:

Regional Planning Organizations, Wisconsin Council of (CORPO)

changed its name to: **CORPO**

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and

reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,  
R. Roth Judd  
Executive Director

State of Wisconsin  
Department of Natural Resources

August 25, 1994

To the Honorable the Legislature:

Wisconsin Statute 30.437 requires the Department of Natural Resources to prepare a series of reports with recommendations on whether aid should be provided to municipalities for their costs incurred in complying with ss. 30.44 to 30.47 Stats. This is the last of the three reports.

### Background

Wisconsin Statutes 30.44 to 30.47 deal with performance standards designed to protect the natural and scenic qualities of the Lower Wisconsin State Riverway (LWSR). The Lower Wisconsin State Riverway Board (LWSRB) is the state agency responsible for administering performance standards on lands within the LWSR, exclusive of structure permits in shoreland zoned areas. The counties were given the responsibility to administer structure performance standards in the shoreland zoned area because previous to the LWSR counties already had such authority. The LWSR performance standards serve as additional considerations that the zoning administrators evaluate when determining permitted activities within the shoreland zoned area.

The two previous reports did not recommend providing aid to municipalities for administering the performance standards.

### Recommendation

We do not recommend providing aid to the municipalities for administering the LWSR performance standards. We make this recommendation based on the following:

1. Counties already administer shoreland zoning standards, and the LWSR performance standards are related considerations to be evaluated when issuing permits.
2. The LWSRB provides technical assistance to the counties for administering the performance standards through Memorandum of Understandings. Therefore, the State of Wisconsin provides technical assistance and is incurring costs to assist municipalities with the LWSR performance standards.

3. There has been very little activity in the shoreland zoned area. Mark Cupp, Executive Director of the LWSRB, indicated a total of 34 contacts with county zoning administrators since the statutes were established in 1989. He feels he now receives about 12-14 contacts per year. Most contacts come for Richland and Iowa Counties, but this is still a relatively few number of contacts per county.
4. When contacted by Department staff, the zoning administrators stated administering the structure performance standards had a fiscal impact on their county. However, they could not quantify these costs.
5. The Department is actively acquiring lands within the Riverway boundary, which reduces the amount of land being developed. Therefore, our acquisition program results in less administrative work by the county zoning administrators.

I recognize that the LWSR laws are still relatively new and conditions could change in the future. Therefore, we will continue close contact with the counties and the LWSRB regarding the need for aid.

If there are any questions about the report, please contact Doug Fendry at the above address or at telephone number (608) 267-2764.

Sincerely,  
George E. Meyer  
Secretary

State of Wisconsin  
Department of Administration

August 24, 1994

To the Honorable the Legislature:

This report is transmitted as required by sec. 20.002(11)(f) of the Wisconsin Statutes, (for distribution to the appropriate standing committees under sec. 13.172(3) Stats.), and confirms that the Department of Administration has found it necessary to exercise the "temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative balances during the month of July, 1994.

On July 29, 1994 the Wisconsin Health Education Fund balance was -\$50 thousand. The shortfall was due to the timing of receipts to the fund.

The Wisconsin Health Education Fund shortfall was not in excess of the \$400 million ceiling and did not exceed the balances of the Funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund's share. Therefore, the monthly calculation by State Finance will automatically reflect the use of these temporary reallocations of balance authority.

Sincerely,  
James R. Klauser  
Secretary

Referred to the joint committee on Finance.

State of Wisconsin  
Legislative Audit Bureau

August 25, 1994

To the Honorable the Legislature:

We have completed an evaluation of the Department of Industry, Labor and Human Relations' provision of fair housing services, as requested by the Joint Legislative Audit Committee. The Department is statutorily required to promote and enforce the State's fair housing law, which prohibits discrimination on the basis of membership in a protected class.

Fair housing services include education and outreach to individuals and members of the housing industry, technical assistance to local fair housing councils and other organizations, enforcement of fair housing laws, and resolution of complaints. The Department's Equal Rights Division has chosen to supplement its provision of fair housing services by entering into a contract for some services, particularly testing for discrimination.

While the Division's current approach for providing fair housing services appears reasonable, two concerns about current efforts can be raised. First, all services required by the contract have not been provided. Second, the Division's reliance on the contract appears to have limited the provision of services statewide.

Several options are available to the Division for addressing these concerns, including enhancing its oversight of contracted services and improving its own efforts to assist local fair housing efforts. However, in order to ensure that the Division meets its statutory requirements, more significant changes to the overall provision of services may be needed.

Concerns have also been raised because Wisconsin's fair housing law is not substantially equivalent with federal law. It is not substantially equivalent primarily because the State does not provide legal representation to complainants in fair housing cases. We found it would cost the State approximately \$618,600 annually to provide the necessary legal representation. Of this amount, approximately \$340,600 could be recovered through federal reimbursement.

We appreciate the courtesy and cooperation extended to us by the Department of Industry, Labor and Human Relations and by its contractor, the Metropolitan Milwaukee Fair Housing Council. The Department's response is the appendix.

Sincerely,  
Dale Cattanach  
State Auditor

State of Wisconsin  
Legislative Council

August 30, 1994

To the Honorable the Legislature:

Enclosed is a copy of the General Report of the Joint Legislative Council to the 1993 Legislature, prepared and submitted pursuant to s. 13.81 (3), Stats. For the first time, this General Report also incorporates much of the additional information relating to legislative actions on Council proposals that was previously presented to the Legislature in the form of the separate Legislative Council Digest. The Digest has been discontinued.

I would appreciate your noting in the next Senate Journal pursuant to s. 13.172, Stats., that this report has been delivered to your office.

Sincerely,  
David J. Stute  
Director

#### SENATE CLEARINGHOUSE ORDERS

##### **Senate Clearinghouse Rule 94-87**

Relating to the local roads improvement program.  
Submitted by Department of Transportation.  
Report received from agency, August 29, 1994.  
Referred to committee on Transportation,  
Agriculture, Local and Rural Affairs, August 31, 1994.

##### **Senate Clearinghouse Rule 94-121**

Relating to display of registration certificate.  
Submitted by Department of Transportation.  
Report received from agency, August 29, 1994.  
Referred to committee on Transportation,  
Agriculture, Local and Rural Affairs, August 31, 1994.

##### **Senate Clearinghouse Rule 94-124**

Relating to adult sponsors for minors obtaining driver licenses and the issuance of commercial driver licenses.

Submitted by Department of Transportation.  
Report received from agency, August 25, 1994.  
Referred to committee on Transportation,  
Agriculture, Local and Rural Affairs, August 31, 1994.

State of Wisconsin  
Revisor of Statutes Bureau

September 1, 1994

To the Honorable the Legislature:

The following rules have been published and are effective:

Clearinghouse Rule 93-115 effective September 1, 1994.

Clearinghouse Rule 93-128 effective September 1, 1994.

Clearinghouse Rule 93-171 effective September 1, 1994.

Clearinghouse Rule 93-208 effective September 1, 1994.

Clearinghouse Rule 93-211 effective September 1, 1994.

Clearinghouse Rule 93-212 effective September 1, 1994.

Clearinghouse Rule 93-235 effective September 1, 1994.

Clearinghouse Rule 93-239 effective September 1, 1994.

Clearinghouse Rule 93-241 effective September 1, 1994.

Clearinghouse Rule 94- 5 effective September 1, 1994.

Clearinghouse Rule 94- 10 effective September 1, 1994.

Clearinghouse Rule 94- 26 effective September 1, 1994.

Clearinghouse Rule 94- 48 part effective September 1, 1994.

Clearinghouse Rule 94- 48 part effective January 1, 1995.

Clearinghouse Rule 94- 79 effective September 1, 1994.

Sincerely,  
Gary L. Poulson  
Deputy Revisor