



STATE OF WISCONSIN Assembly Journal

Ninety-Fourth Regular Session

MONDAY, March 15, 1999

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

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 98-120

Relating to the cancellation of indebtedness under the economic assistance, veterans trust fund stabilization and personal and secondary loan programs.

Submitted by Department of Veterans Affairs.

Report received from Agency, March 8, 1999.

To committee on **Veterans and Military Affairs**.

Referred on March 15, 1999.

Assembly Clearinghouse Rule 98-182

Relating to grade standards for colby and monterey (jack) cheese.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, March 5, 1999.

To committee on **Agriculture**.

Referred on March 15, 1999.

Assembly Clearinghouse Rule 98-188

Relating to reporting and investigation of caregiver misconduct and operation of the caregiver misconduct registry.

Submitted by Department of Health and Family Services.

Report received from Agency, March 10, 1999.

To committee on **Health**.

Referred on March 15, 1999.

Assembly Clearinghouse Rule 98-191

Relating to uniform procedures for checking the backgrounds of persons who apply to provide or are providing care or treatment to people who need that care or treatment, and for barring persons because of specified convictions, charges or findings substantially related to the care of clients from operating a service provider organization, providing care or treatment to the clients of a service provider or otherwise having contact with the clients of a service provider.

Submitted by Department of Health and Family Services.

Report received from Agency, March 9, 1999.

To committee on **Health**.

Referred on March 15, 1999.

Assembly Clearinghouse Rule 98-200

Relating to the release of information to a collection agency under contract with the state to collect delinquent department loans.

Submitted by Department of Veterans Affairs.

Report received from Agency, March 8, 1999.

To committee on **Veterans and Military Affairs**.

Referred on March 15, 1999.

Assembly Clearinghouse Rule 98-207

Relating to the design and construction of public swimming pools.

Submitted by Department of Commerce.

Report received from Agency, March 9, 1999.

To committee on **Tourism and Recreation**.

Referred on March 15, 1999.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 201

Relating to: eliminating substitution of judges in criminal matters.

By Representatives Walker, Krusick, Gundrum, Ladwig, F. Lasee, Porter, Hahn, Jensen, Brandemuehl, Ziegelbauer, Olsen, M. Lehman, Musser, Skindrud, Plale, Albers, Stone, Gunderson, Kelso, Montgomery, Nass, Seratti, Owens, Powers and Kedzie; cosponsored by Senators Darling, Roessler, Farrow, Zien and Fitzgerald.

To committee on **Corrections and the Courts**.

Assembly Bill 202

Relating to: the powers of certain towns and authorizing the creation of charter towns by certain town boards.

By Representatives Owens, Ainsworth, Freese, Goetsch, Gunderson, Handrick, Hasenohrl, Ladwig, F. Lasee and Skindrud; cosponsored by Senator Schultz.

To committee on **Urban and Local Affairs**.

Assembly Bill 203

Relating to: automatic fire sprinkler systems in University of Wisconsin System residence halls.

By Representatives Kreibich, Kelso, Hahn, Plale, Sykora, Brandemuehl, Wasserman, Spillner, Owens, Hutchison, Seratti, Petrowski, Urban, Ott, Underheim, Powers and

Gunderson; cosponsored by Senators Risser, Darling and Zien.

To committee on **Colleges and Universities**.

Assembly Bill 204

Relating to: the right to recover for injuries and costs resulting from the use of a controlled substance or a controlled substance analog.

By Representatives Suder, Ainsworth, Albers, Freese, Goetsch, Huebsch, Kestell, Klusman, Musser, Nass, Owens, Petrowski, Plale, Powers, Seratti, Skindrud, Stone and Sykora; cosponsored by Senators Darling, Breske, Clausing, Fitzgerald, Roessler and Schultz.

To committee on **Judiciary and Personal Privacy**.

Assembly Bill 205

Relating to: possession of a dangerous weapon by a minor and providing a penalty.

By Representatives Jeskewitz, Ladwig, Ziegelbauer, Stone, Owens, Kelso, Musser, Vrakas, Huebsch, Albers, Jensen, Plale, F. Lasee, Kreibich and Spillner; cosponsored by Senators Huelsman, Darling, Roessler, Farrow and Rosenzweig.

To committee on **Criminal Justice**.

Assembly Bill 206

Relating to: creating a permit authorizing the operation upon a highway of a specialized hauling rig that exceeds statutory size and weight limits.

By Representatives Brandemuehl, Albers, Goetsch, Gronemus, La Fave and Powers; cosponsored by Senators Breske and Schultz.

To committee on **Transportation**.

Assembly Bill 207

Relating to: sexual exploitation of a child.

By Representatives Huebsch, Rhoades, Petrowski, Hundertmark, Suder, Townsend, Pettis, Kestell, Montgomery, Gundrum, Klusman, Musser, Porter, Goetsch, Albers, Freese, Owens, Ladwig, M. Lehman, Staskunas, Turner, Sykora, Spillner, Kelso, Urban, Olsen, Jensen, Handrick, Vrakas, Kaufert and Gard; cosponsored by Senators Darling, Rosenzweig, Roessler and Drzewiecki.

To committee on **Judiciary and Personal Privacy**.

Assembly Bill 208

Relating to: publication or dissemination of false information pertaining to a response to certain questions and providing a penalty.

By Representatives Montgomery, Suder, Freese, Ryba, Musser, Kestell, Ainsworth, Porter, Bock, Skindrud, Ott, Urban, Wasserman, Duff, Walker, Vrakas, Handrick, Hahn, Ladwig, Owens, M. Lehman, Seratti, Goetsch, Kaufert, Albers and Brandemuehl; cosponsored by Senators Roessler, Clausing, Huelsman, Plache and Lazich.

To committee on **Campaigns and Elections**.

AGENCY REPORTS

State of Wisconsin
Department of Justice
Madison

March 10, 1999

To the Honorable, the Assembly:

I am pleased to enclose *The Telecommunications Advocate: What Has Been Accomplished and What Remains to be Done*, a Department of Justice report on the telecommunications advocate position created as a part of [1993 Act 496](#), the Telecommunications Deregulation Act. This position is funded by assessments on the state's telecommunications firms, not state tax dollars.

This report details a solid record of achievement by the Telecommunications Advocate, but continuation of this important work will require legislative action. The 1993 Act placed a sunset on the advocate position, which will expire on July 1, 1999 without reauthorization by the Legislature. Because of the effectiveness of the Advocate, the Department of Justice requested that the position be made permanent in its budget request. However, the Governor's budget proposes elimination of the position.

As the report explains, the Telecommunications Advocate is needed more than ever. Consumer complaints about illegal slamming and cramming are skyrocketing. As more and more unscrupulous firms illegally exploit consumer confusion about the changing telecommunications markets, it is important to retain the Department of Justice's resources for bringing forfeiture and other enforcement actions against telecommunications scam artists.

Telecommunications deregulation is based on the idea that oversight of telecommunications firms by the Public Service Commission will decrease as competition develops. As this process unfolds, the role of the Department of Justice in reviewing the activities of telecommunications firms for antitrust and consumer protection violations has expanded. For example, the Telecommunications Advocate is currently spearheading a multistate antitrust review of the proposed SBC-Ameritech merger. This is the only investigation of the impact of this huge merger on Wisconsin, since PSC authority to approve the merger was eliminated as part of the 1994 legislation. The Telecommunications Advocate is needed to carry on these important and growing responsibilities.

The State is well served when its advocate for the interests of competition and consumer protection has the skills and experience to effectively take on the telephone companies and their lawyers. We have that now. It would be short-sighted and a disservice to the State's consumers to eliminate this position and lose the expertise, experience and reputation that the Telecommunications Advocate has earned.

I hope I can count on your support in restoring authorization in the state budget for this important position.

Sincerely,
JAMES E. DOYLE
Attorney General

State of Wisconsin
Department of Health and Family Services
Madison

March 12, 1999

To the Honorable, the Assembly:

The biennial budget bill, [1983 Wisconsin Act 27](#), created s. [46.275](#), Community Integration Program (CIP) for Residents of State Centers. The intent of this program “is to relocate persons from the state centers for the developmentally disabled into appropriate community settings with the assistance of home and community-based services and with continuity of care. The intent of the program is also to minimize its impact on state employees through redeployment of employees into vacant positions.” S. [46.275\(5m\)](#) requires the Department to submit a report to the Joint Committee on Finance and to the Chief Clerk of each house of the Legislature describing the program’s impact during the preceding calendar year on state employees,

including the Department’s efforts to redeploy employees into vacant positions and the number of employees laid off.

For the period of January 1, 1998 to December 31, 1998, there were 67 placements of center residents into the community. For fiscal year 1998, reductions of \$5,862,995 and 135.32 FTE were made in the budget for the purpose of CIP placements. For the period July 1, 1998 through December 31, 1998, sufficient reductions will be made in the fiscal year 1999 operating budget to reflect reductions for CIP placements. Although twenty-nine employees received at risk letters to be laid off, twenty-three of them transferred to other vacant positions and six employees retired. Thus reductions of positions and dollars have been made for calendar year 1998 with no employees being laid off during the year. Only six layoffs have occurred at the centers due to the CIP program since the program began in 1983. All other reductions have been absorbed through attrition of employees.

Sincerely,
JOE LEEAN
Secretary