



STATE OF WISCONSIN Assembly Journal

Ninety-Fourth Regular Session

TUESDAY, December 21, 1999

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 4** offered by Representative Schneider.

Assembly substitute amendment 1 to **Assembly Bill 81** offered by committee on **Veterans and Military Affairs**.

Assembly amendment 1 to **Assembly Bill 83** offered by Representative Staskunas.

Assembly amendment 2 to **Assembly Bill 83** offered by Representative Staskunas.

Assembly amendment 3 to **Assembly Bill 83** offered by Representative Staskunas.

Assembly amendment 1 to **Assembly Bill 101** offered by Representative Schneider.

Assembly amendment 1 to **Assembly Bill 202** offered by committee on **Rural Affairs and Forestry**.

Assembly substitute amendment 1 to **Assembly Bill 251** offered by committee on **Government Operations**.

Assembly substitute amendment 1 to **Assembly Bill 275** offered by committee on **Ways and Means**.

Assembly amendment 2 to **Assembly Bill 583** offered by committee on **Government Operations**.

Assembly amendment 3 to **Assembly Bill 583** offered by committee on **Government Operations**.

Assembly amendment 1 to **Assembly Bill 585** offered by committee on **Government Operations**.

Assembly amendment 1 to **Assembly Bill 594** offered by Representative Turner.

Assembly amendment 1 to **Assembly Bill 613** offered by Representatives Walker and Sykora.

SPEAKER'S COMMUNICATIONS

December 16, 1999

Charles Sanders
Assembly Chief Clerk
1 East Main Street, Suite 402
P.O. Box 8952
Madison, Wisconsin 53708

Dear Mr. Sanders:

On December 13, 1999, [Clearinghouse Rule 99-019](#) relating to Universal Service Fund was referred to the Assembly Committee on Public Health. Pursuant to Assembly Rule [13 \(2\)\(b\)](#), I hereby withdraw [Clearinghouse Rule 99-019](#) from the Assembly Committee on Public Health and re-refer that rule to the Joint Committee on Information Policy.

Representative Urban has been notified of this change and approves.

Sincerely,
SCOTT R. JENSEN
Assembly Speaker

December 16, 1999

Charles Sanders
Assembly Chief Clerk
1 East Main Street, Suite 402
P.O. Box 8952
Madison, Wisconsin 53708

Dear Mr. Sanders:

On December 13, 1999, **Assembly Bill 622**, relating to supplemental funding for elderly nutrition programs and making appropriations was referred to the Assembly Committee on Health. Pursuant to Assembly Rule [42 \(3\)\(c\)](#), I hereby withdraw **Assembly Bill 622** from the Assembly Committee on Health and re-refer that bill to the Assembly Committee on Public Health.

Representative Underheim has been notified of this change and approves.

Sincerely,
SCOTT R. JENSEN
Assembly Speaker

ENROLLED JOINT RESOLUTIONS

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

- Assembly Joint Resolution 56**
- Assembly Joint Resolution 67**
- Assembly Joint Resolution 68**
- Assembly Joint Resolution 69**
- Assembly Joint Resolution 73**
- Assembly Joint Resolution 74**
- Assembly Joint Resolution 75**
- Assembly Joint Resolution 76**
- Assembly Joint Resolution 80**

CHARLES R. SANDERS
Assembly Chief Clerk

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

December 20, 1999

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Assembly Bill 495	.... 11	December 16, 1999
Assembly Bill 584	.... 12	December 16, 1999
Assembly Bill 329	.... 13	December 16, 1999
Assembly Bill 547	.... 14	December 16, 1999
Assembly Bill 119	.... 16	December 16, 1999
Assembly Bill 576	.... 17	December 17, 1999
Assembly Bill 279	.... 18	December 17, 1999
Assembly Bill 370	.... 19	December 17, 1999
Assembly Bill 144	.... 20	December 17, 1999
Assembly Bill 357	.... 21	December 17, 1999
Assembly Bill 305	.... 22	December 17, 1999
Assembly Bill 91	.... 23	December 20, 1999
Assembly Bill 227	.... 25	December 20, 1999

Respectfully submitted,
TOMMY G. THOMPSON
Governor

COMMUNICATIONS

State of Wisconsin
Office of the Secretary of State
Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
Assembly Bill 495	..... 11	December 29, 1999
Assembly Bill 584	..... 12	December 29, 1999
Assembly Bill 329	..... 13	December 30, 1999
Assembly Bill 547	..... 14	December 30, 1999
Assembly Bill 119	..... 16	December 30, 1999
Assembly Bill 576	..... 17	December 31, 1999
Assembly Bill 279	..... 18	December 31, 1999
Assembly Bill 370	..... 19	December 31, 1999
Assembly Bill 144	..... 20	December 31, 1999
Assembly Bill 357	..... 21	December 31, 1999
Assembly Bill 305	..... 22	December 31, 1999
Assembly Bill 91	..... 23	December 31, 1999
Assembly Bill 227	..... 25	December 31, 1999

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

REFERENCE BUREAU CORRECTIONS

Assembly Joint Resolution 69

In enrolling, the following correction was made:

1. Page 2, line 10: delete the colon.

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Justice
Madison

December 7, 1999

To the Honorable, the Legislature:

Section [165.90](#) of the Wisconsin Statutes requires the Department of Justice to report on the performance of cooperative county-tribal law enforcement programs receiving aid under this section. This letter constitutes our report.

Sincerely,
JAMES E. DOYLE
Attorney General

Referred to committee on **Judiciary**.

State of Wisconsin
Department of Health and Family Services
Madison

December 14, 1999

To the Honorable, the Legislature:

Section 46.03(26) of the statutes requires the Department of Health and Family Services to report annually on information systems projects under development. The attached report is a summary of the departmental systems currently under development.

Sincerely,
JOE LEEAN
Secretary

Referred to committee on **Health**.

State of Wisconsin
Public Service Commission
Madison

December 16, 1999

Report to the Legislature on Feasibility and Desirability of Enforcing Interconnection Agreements to which a Commercial Mobile Radio Service Provider is a Party

To the Honorable, the Legislature:

1997 Wisconsin Act 218 (1997 Senate Bill 351), hereafter Act 218, created Wis. Stat. § 196.199 entitled “Interconnection agreements.” This statute sets forth the Public Service Commission’s powers “to approve and enforce interconnection agreements and...do all things necessary and convenient to its jurisdiction.” Wis. Stat. § 196.199(2). Enforcement procedures and penalties for failure to comply with interconnection agreements are found at Wis. Stat. §§ 196.199(3) and (4), respectively.

By definition, “interconnection agreement” does not include an interconnection agreement to which a commercial mobile radio service (CMRS) provider is a party. Wis. Stat. § 196.199(1). Section 50, Nonstatutory provisions, (2m) of Act 218 reads as follows:

The public service commission shall study the feasibility and desirability of enforcing interconnection agreements, that are subject to the approval of the public service commission under 47 USC 252(e), to which a commercial mobile radio service provider, as defined in section 196.01(2g) of the statutes, as created by this act, is a party in the same manner as interconnection agreements to which such a provider is not a party. The commission shall submit a report on the results of the study and any recommended proposals for legislation to the legislature in a manner provided in section 13.172(2) of the statutes no later than January 1, 2000.

Accordingly, the Commission submits this report to the Legislature for its consideration.

Act 218 became effective on January 1, 1999. To date, no complaints have been filed under Wis Stats. § 196.199 wherein noncompliance of an existing interconnection agreement has been alleged. Consequently, the Commission does not have any actual experience by which to make comparisons as anticipated and directed in the study charge and reporting requirement of the Legislature. Nevertheless, the Commission has approved several new or revised interconnection agreements pursuant to 47 USC § 252(e) involving CMRS providers. On a few occasions, the Commission, by its staff, has mediated disputes over new agreements pursuant to 47 USC § 252(a)(2). All of these disputes resulted in voluntary interconnection agreements. None were arbitrated pursuant to 47 USC § 252(b).

Although the Commission has federal law authority to mediate, arbitrate and approve new or revised interconnection agreements involving CMRS providers, it does not have state law authority to assess CMRS providers for costs associated with those proceedings. Ordinarily, the Commission assesses both parties to an interconnection dispute, whether that is a dispute over new or revised terms and conditions of an agreement, or a dispute over the interpretation and application of an existing agreement.

At this time, the Commission does not see an immediate need for legislation to apply Wis. Stat. § 196.199 to interconnection agreements to which a CMRS provider is a party. If such legislation is initiated, however, CMRS provider assessment of direct costs associated with Commission proceedings involving interconnection disputes of any description should be addressed.

If you have any questions regarding this report, please contact Nick Linden of the Commission staff at (608) 266-8950.

Sincerely,
LYNDA L. DORR
Secretary to the Commission

Referred to committee on **Utilities**.

State of Wisconsin
Council on Recycling
Madison

December 17, 1999

To the Honorable, the Legislature:

On behalf of the Council on Recycling, I am pleased to send you our report and recommendations regarding the recycling of used oil filters in Wisconsin. After receiving our charge in 1997 Act 243, the Council formed a subcommittee made up of stakeholders and interested parties to do research and prepare alternatives. The subcommittee delivered its’ report to the Council in October, 1999. The Council reviewed their findings and the following report is the culmination of over a year of involvement with this issue.

I would like to offer the Council’s assistance in fulfilling the mission of the proposed Task Force by submitting the names of individuals and organizations to participate. Several private sector organizations, for example, have indicated support for the partnership and have expressed a willingness

to serve. The Council would also like to share their expertise by having members take part in the Task Force and serving as a sounding board for Task Force ideas.

Thank you for this opportunity to contribute to the health of recycling in Wisconsin. We look forward to continuing to be a part of this important issue.

Sincerely,
DANIEL P. MEYER
Chair, Council on Recycling

Referred to committee on **Natural Resources**.

AGENCY REPORTS

State of Wisconsin
Department of Revenue
Madison

November 30, 1999

To the Honorable, the Legislature:

Enclosed is an Order of the Department of Revenue Adopting an Emergency Rule relating to the assessment of agricultural property as affected by [1995 Wisconsin Act 27](#). A copy of this emergency rule is being sent to you pursuant to the requirements specified in [s. 227.24\(3\)](#), Wis. Stats. A certified copy of the order has been filed in the Office of the Secretary of State and the Office of the Revisor of Statutes, as required by [s. 227.20](#), Wis. Stats.

This emergency rule will become effective upon publication in the official state newspaper, on November 30, 1999. It will remain in effect for 150 days after publication, when a permanent rule is expected to be in place.

Copies of this letter and the emergency rule order are also hereby being transmitted to the Chief Clerks of the Senate and the Assembly with the request that the code, or a notice of it, be published in the Journal of each house to make the rule amendment known to persons who will be affected by it.

The Department's fiscal estimate of the rule is also enclosed.

Sincerely,
CATE ZEUSKE
Secretary of Revenue

State of Wisconsin
Legislative Audit Bureau
Madison

December 13, 1999

To the Honorable, the Legislature:

We have completed an audit of the financial statements of the State Life Insurance Fund for the period January 1, 1996

through December 31, 1998, as required by [s. 13.94 \(1\)\(de\)](#), Wis. Stats. The Fund, which was created in 1911 to provide low-cost life insurance policies to Wisconsin residents, is administered by the Office of the Commissioner of Insurance. As of December 31, 1998, the Fund had 31,033 life insurance policies in effect, and total life insurance in force of approximately \$226 million. The Fund is subject to the same regulatory requirements as any life insurance company licensed to operate in Wisconsin, as well as to other specific statutory restrictions, such as a prohibition on advertising and maximum coverage to any insured person of \$10,000.

The State Life Insurance Fund prepares its financial statements using insurance accounting practices prescribed by the Commissioner of Insurance. We found the regulatory-based financial statements to be fairly presented in accordance with these accounting practices. The Fund, which is self-funded through premiums and investment earnings, returned between \$3.6 million and \$3.8 million to policyholders as dividends in each of the three years we audited. Statutes require that any fund surplus that accumulates be maintained at a level between 7 and 10 percent of fund assets, so far as is practically possible. The Fund's surplus-to-asset ratio was 10.1 percent as of December 31, 1998, which slightly exceeds the statutory range.

We appreciate the courtesy and cooperation extended to us by the staff of the Office of the Commissioner of Insurance.

Respectfully submitted,
JANICE MUELLER
State Auditor

Southeast Wisconsin
Professional Baseball Park District
Milwaukee

December 16, 1999

To the Honorable, the Legislature:

Enclosed please find the Miller Park Monthly Progress Report for the month of November 1999 for your review and consideration. As the enclosed report indicates, Miller Park continues to develop with the District Board's objectives of building the premier baseball facility in the country; scheduled for play on Opening Day 2001; within budget; and with meaningful community participation.

As always, please feel free to contact me if you should have any question or comments regarding the enclosed report.

Very truly yours,
MICHAEL R. DUCKETT, P.E., R.L.S.
Executive Director