



STATE OF WISCONSIN

Assembly Journal

Ninety-Fourth Regular Session

TUESDAY, August 8, 2000

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

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 99-166

Relating to the automated dispensing of prescription drugs.

Submitted by Department of Regulation and Licensing.

Report received from Agency, July 24, 2000.

To committee on **Health**.

Referred on August 8, 2000.

Assembly Clearinghouse Rule 00-011

Relating to distribution to annuitants of the total amount distributed from the transaction amortization account to the annuity reserve under the nonstatutory provisions of [1999 Wisconsin Act 11](#).

Submitted by Department of Employee Trust Funds.

Report received from Agency, July 28, 2000.

To committee on **Government Operations**.

Referred on August 8, 2000.

Assembly Clearinghouse Rule 00-051

Relating to renewal after five years.

Submitted by Department of Regulation and Licensing.

Report received from Agency, July 25, 2000.

To committee on **Health**.

Referred on August 8, 2000.

Assembly Clearinghouse Rule 00-058

Relating to the agricultural chemical cleanup program.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, July 27, 2000.

To committee on **Agriculture**.

Referred on August 8, 2000.

Assembly Clearinghouse Rule 00-078

Relating to the implementation and maintenance of the retailer performance program of the Wisconsin lottery.

Submitted by Department of Revenue.

Report received from Agency, July 24, 2000.

To committee on **State Affairs**.

Referred on August 8, 2000.

COMMUNICATIONS

State of Wisconsin
Revisor of Statutes Bureau
Madison

DATE: August 1, 2000

TO: Charles Sanders
Assembly Chief Clerk

Donald J. Schneider
Senate Chief Clerk

FROM: Gary L. Poulson
Deputy Revisor of Statutes

SUBJECT: Rules published in the July 31, 2000, Wisconsin Administrative [Register, No. 535](#).

The following rules have been published:

Clearinghouse Rule 97-013	effective	8-1-2000
Clearinghouse Rule 98-027	effective	8-1-2000
Clearinghouse Rule 98-174	effective	8-1-2000
Clearinghouse Rule 99-028	effective	8-1-2000
Clearinghouse Rule 99-125	effective	8-1-2000
Clearinghouse Rule 99-156	effective	8-1-2000
Clearinghouse Rule 99-161	effective	8-1-2000
Clearinghouse Rule 99-164	effective	8-1-2000
Clearinghouse Rule 99-165	effective	8-1-2000
Clearinghouse Rule 99-167	effective	8-1-2000
Clearinghouse Rule 99-169	effective	8-1-2000
Clearinghouse Rule 00-003	effective	8-1-2000
Clearinghouse Rule 00-004	effective	8-1-2000
Clearinghouse Rule 00-005	effective	8-1-2000
Clearinghouse Rule 00-006	effective	8-1-2000
Clearinghouse Rule 00-009	effective	8-1-2000
Clearinghouse Rule 00-012	effective	8-1-2000
Clearinghouse Rule 00-013	effective	8-1-2000
Clearinghouse Rule 00-014	effective	8-1-2000
Clearinghouse Rule 00-016	effective	8-1-2000
Clearinghouse Rule 00-024	effective	8-1-2000
Clearinghouse Rule 00-041	effective	8-1-2000
Clearinghouse Rule 00-053	part eff.	8-1-2000
	part eff.	1-1-2001

REFERRAL OF AGENCY REPORTS

State of Wisconsin
 Department of Transportation
 Madison

July 26, 2000

To the Honorable, the Legislature:

Enclosed is the report required under [1997 Wisconsin Act 119](#), regarding the release of photos from the Department of Transportation driver record files to Wisconsin and adjacent state law enforcement agencies.

This report is provided annually and contains the agencies and the purpose for which copies of the photographs were provided.

If you have questions regarding the release of photographs please contact Debbie L. Kraemer, Supervisor in the Records and Licensing Information Section, Bureau of Driver services, Division of Motor Vehicles by phone at (608) 264-7060, fax at (608) 267-3636, or e-mail at debbie.kraemer@dot.state.wi.us.

Sincerely,
CHARLES H. THOMPSON
 Secretary

Referred to committee on **Criminal Justice**.

State of Wisconsin
 Department of Health and Family Services
 Madison

July 26, 2000

To the Honorable, the Assembly:

As required in Sections [227.485\(9\)](#) and [814.245\(10\)](#) of the Wis. Stats., I am submitting the report concerning decisions and resulting payments of attorney fees and related legal costs. Attorney fees and other legal costs are to be paid whenever the opposing party to an agency's Chapter [227](#) hearing prevails and it is determined the agency's position was not substantially justified. Payments for SFY 2000 are shown on the attached schedule.

In addition, the Department is required to report any awards granted to the Department regarding frivolous motions brought against this Department. If the hearing examiner determines that the motion of the opposing party in any Chapter [227](#) contested case is frivolous, the examiner may award the state agency all reasonable costs in responding to the motion. In SFY 2000, no motions of opposing parties were found to be frivolous. Consequently, the Department has no awards to report.

Sincerely,
JOE LEEAN
 Secretary

Referred to committee on **Health**.

State of Wisconsin
 Department of Commerce
 Madison

July 30, 2000

To the Honorable, the Legislature:

The enclosed report has been sent to you pursuant to s. [1.11\(2\)\(j\)](#), Stats. This section requires agencies to submit a report to the chief clerk of each house of the legislature, including the number of proposed actions for which the agency conducted an assessment of whether an impact statement was required and the number of impact statements prepared.

This report encompasses the activities of the Department of Commerce for the period from July 1, 1999 to July 1, 2000.

Any questions concerning this report may be directed to Dennis Kozich, Legal Counsel, at 608-266-3203.

Sincerely,
BRENDA J. BLANCHARD
 Secretary

Referred to committee on **Natural Resources**.

State of Wisconsin
 Department of Administration
 Madison

July 31, 2000

To the Honorable, the Legislature:

In accordance with sec. [16.531\(3\)](#), Wis. Stats., we are submitting this report on the completed calendar quarter ended June 30, 2000, with an assessment of the condition of the General Fund for the period July 1, 2000 to December 31, 2000.

The cash position of the General Fund at June 30 was \$671.6 million, which is lower than the \$742.9 million projected in our report to you on June 15, 2000. This difference is due to higher than expected General Fund disbursements. The cash activity for the quarter was as follows:

General Fund Cash Activity
for the Quarter Ended June 30, 2000
 (\$ in millions)

Month	Beginning Balance	Receipts	Disbursements
April	\$ 525.6	\$ 1,812.8	\$ 1,174.1
May	1,164.3	1,580.9	1,172.5
June	1,572.7	1,910.2	2,811.3
July	671.6		

At no time during the quarter was it necessary to exercise the authority under sec. [16.53\(10\)\(a\)](#), Wis. Stats., pertaining to the delay of payments. However, at various times during the quarter it was necessary to exercise the reallocation authority

under sec. 20.002(11)(a), Wis. Stats., for the Wisconsin Health Education Loan Repayment Fund, the Wisconsin Petroleum Inspection Fund, the University Trust-Income Fund, the Wisconsin Lottery Fund, and the Wisconsin Health Insurance Risk Sharing Plan Fund.

The following cash forecasts are based on the General Fund condition statement as estimated by the Legislative Fiscal Bureau in its January 24, 2000 letter adjusted for legislation subsequently enacted into law.

**General Fund Cash Forecast
July 2000 – December 2000**
(\$ in Millions)

Month	Beginning Balance	Receipts	Disbursements
July	\$ 671.6	\$ 1,403.9	\$ 1,674.8
Aug.	400.7	1,260.7	972.6
Sept.	688.8	1,732.4	1,493.1
Oct.	928.1	1,442.7	1,004.8
Nov.	1,366.0	1,405.5	1,961.0
Dec.	810.5	1,429.6	2,001.3
Jan.	238.8		

The General Fund will show a positive balance throughout the six month period, with the possible exception of the period between December 4th and December 26th. During this period, it may become necessary to exercise the authority granted under sec. 20.002(11)(a), Wis. Stats., pertaining to the reallocation of certain eligible surplus moneys. It is not anticipated that the authority to delay payments granted under sec. 16.53(10)(a), Wis. Stats. will be utilized.

Sincerely,
GEORGE LIGHTBOURN
Secretary

Referred to committee on **Ways and Means**.

State of Wisconsin
Department of Administration
Madison

July 31, 2000

To the Honorable, the Legislature:

This report is transmitted as required by sec. 20.002(11)(f), Wis. Stats. (for distribution to the appropriate standing committees under sec. 13.172(3), Wis. 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 June 2000.

On June 1, 2000 the **Wisconsin Health Education Loan Repayment Fund** balance was -\$8 thousand. This shortfall

increased to -\$10 thousand on June 13, 2000, to -\$11 thousand on June 27, 2000, and continued until July 25, 2000 when the balance reached \$9 thousand. This shortfall was due to the timing of revenues.

On June 1, 2000 the **Wisconsin Lottery Fund** balance was -\$7.71 million. This shortfall decreased to -\$3.82 million on June 8, 2000, to -\$1.98 million on June 15, 2000, and continued until June 16, 2000 when the balance reached \$1.36 million. This shortfall was due to a timing difference between the distribution of property tax credits and the receipt of Lottery revenues.

On June 1, 2000 the **University Trust – Income Fund** balance was -\$183 thousand. This shortfall increased to -\$204 thousand on June 5, 2000, to -\$359 thousand on June 7, 2000, and continued until June 8, 2000 when the balance reached \$581 thousand. This shortfall was due to the timing of revenues.

The Wisconsin Health Education Loan Repayment Fund, Wisconsin Lottery Fund, and University Trust – Income Fund shortfalls were not in excess of the statutory interfund borrowing limitation 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 the State Controller's Office will automatically reflect the use of these temporary reallocations of balance authority.

Sincerely,
GEORGE LIGHTBOURN
Secretary

Referred to committee on **Ways and Means**.

State of Wisconsin
Department of Workforce Development
Madison

August 7, 2000

To the Honorable, the Assembly:

In accordance with Public Law 97-300, Part A, Section 104(b)(13) of the Job Training Partnership Act (JTPA), the Annual Reports of Wisconsin's JTPA Service Delivery Areas have been submitted. They are hereby transmitted to you for your review.

If you have any questions concerning these reports or need additional information, please feel free to contact my staff or me at (608) 266-6886.

Sincerely,
GARY DENIS, SECTION CHIEF
Performance Reporting and Evaluation
Section

Referred to committee on **Labor and Employment**.

AGENCY REPORTS

State of Wisconsin
Legislative Reference Bureau
Madison

July 2000

To the Honorable, the Legislature:

I am pleased to report that the Legislative Reference Bureau has enjoyed another successful year. And while we remain committed to our tradition of providing quality service to the Wisconsin Legislature, we are also considering ways to improve our service.

To meet the needs of a dynamic legislature, a legislative service agency must continually evaluate itself. We have started this evaluation by asking which of our products and

services are most useful, which can we improve, which should we change, and how we can achieve better results. The answers to these questions, as well as our ongoing analysis, will improve our service to the Legislature. We believe that this service will be further enhanced by our move into the new space at One East Main Street, where we will be able to work in close proximity to the Legislative Council and the Legislative Fiscal Bureau.

We look forward to celebrating the LRB's centennial in the coming year. As the oldest legislative service agency in the nation, we are justly proud of our record of service. With your continued interest and support, we will be ready to embark on our second century of service to the Wisconsin Legislature.

Sincerely,
STEPHEN R. MILLER
Chief