



# STATE OF WISCONSIN

# Assembly Journal

## Ninety-Fourth Regular Session

FRIDAY, October 13, 2000

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

### ADMINISTRATIVE RULES

#### Assembly Clearinghouse Rule 00-090

Relating to sites contaminated with petroleum products discharged from petroleum storage tanks.

Submitted by Department of Natural Resources.  
Report received from Agency, October 4, 2000.  
To committee on **Natural Resources**.  
Referred on October 5, 2000.

#### Assembly Clearinghouse Rule 00-096

Relating to reducing ozone concentrations in the ambient air in southeastern Wisconsin by controlling nitrogen oxides (NOx) and volatile organic compound (VOC) emissions.

Submitted by Department of Natural Resources.  
Report received from Agency, October 4, 2000.  
To committee on **Environment**.  
Referred on October 5, 2000.

#### Assembly Clearinghouse Rule 00-101

Relating to the control of volatile organic compound emissions from auto body refinishing operations.

Submitted by Department of Natural Resources.  
Report received from Agency, October 4, 2000.  
To committee on **Environment**.  
Referred on October 5, 2000.

#### Assembly Clearinghouse Rule 00-102

Relating to commercial fishing for chubs on Lake Michigan.

Submitted by Department of Natural Resources.  
Report received from Agency, October 4, 2000.  
To committee on **Natural Resources**.  
Referred on October 5, 2000.

#### Assembly Clearinghouse Rule 00-113

Relating to the definition of "public utility" and sewerage systems access to railroad rights-of-way.

Submitted by Public Service Commission.  
Report received from Agency, October 3, 2000.  
To committee on **Utilities**.  
Referred on October 5, 2000.

#### Assembly Clearinghouse Rule 00-115

Relating to mines, pits and quarries.

Submitted by Department of Commerce.  
Report received from Agency, October 9, 2000.  
To committee on **Labor and Employment**.  
Referred on October 13, 2000.

#### Assembly Clearinghouse Rule 00-116

Relating to election procedures for the employe trust funds board.

Submitted by Department of Employee Trust Funds.  
Report received from Agency, September 29, 2000.  
To committee on **Government Operations**.  
Referred on October 5, 2000.

### REFERRAL OF AGENCY REPORTS

State of Wisconsin  
Department of Administration  
Madison

September 26, 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 August 2000.

On August 1, 2000 the **Wisconsin Health Education Loan Repayment Fund** balance was -\$1 thousand. This shortfall increased to -\$3 thousand on August 2, 2000 and continued into the month of September. As of the date of this letter, it is expected to be resolved soon. This shortfall was due to the timing of revenues.

On August 7, 2000 the **University Trust-Income Fund** balance was -\$186 thousand. This shortfall increased to -\$235 thousand on August 9, 2000, and to -\$252 thousand on August 10, 2000. This shortfall continued until August 11, 2000 when the balance reached \$2.38 million. This shortfall was due to the timing of revenues.

On August 23, 2000 the **Common School Income Fund** balance was -\$5.45 million. This shortfall continued until August 31, 2000 when the balance reached \$3.55 million. This shortfall was due to the timing of revenues.

The Wisconsin Health Education Loan Repayment Fund, University Trust-Income Fund, and Common School 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**.

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## AGENCY REPORTS

State of Wisconsin  
Legislative Audit Bureau  
Madison

October 10, 2000

To the Honorable, the Legislature:

We have completed an evaluation of grants awarded through the Warren Knowles-Gaylord Nelson Stewardship Program, as requested by the Joint Legislative Audit Committee. The program was created in 1989 to preserve natural resources and expand outdoor recreation opportunities and is administered by the Department of Natural Resources. Through fiscal year 1999-2000, overall Stewardship Program expenditures have been \$190.6 million, of which \$45.3 million, or 23.8 percent, has been expended for 974 grants to local governments and nonprofit conservation organizations to purchase or develop property.

In a sample of grant files we reviewed, the average appraised value on a per acre basis was \$2,802, which is 120.2 percent greater than the average local assessment for property tax purposes, which was \$1,272 per acre. We include recommendations for the Department to improve its procedures for reviewing appraisals, including obtaining its own independent appraisals for properties valued in excess of \$200,000, and prohibiting local government applicants from submitting appraisals that are commissioned and paid for by prospective sellers.

[1999 Wisconsin Act 9](#) reauthorized the Stewardship Program for an additional ten years and provides annual bonding authority of \$46.0 million beginning in fiscal year 2000-2001, an increase from the \$23.1 million in general obligation bonding authority that had been allocated in each of the program's first ten years. However, it also restricts some grants to funding only "nature-based outdoor recreation." We have included a number of policy questions for the Legislature to consider in determining how this policy will be implemented and the effect it will have on the Aid to Local Parks grant category, which in the past has been the most utilized grant category.

We appreciate the courtesy and cooperation extended to us by the Department of Natural Resources. The Department's response is Appendix VII.

Respectfully submitted,  
*JANICE MUELLER*  
State Auditor

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State of Wisconsin  
Legislative Audit Bureau  
Madison

October 12, 2000

To the Honorable, the Legislature:

We have completed an evaluation of the Department of Workforce Development's Division of Vocational Rehabilitation, as requested by the Joint Legislative Audit Committee. In state fiscal year (FY) 1999-2000, the Vocational Rehabilitation program spent \$66.3 million, including \$10.6 million in general purpose revenue, to serve approximately 35,000 disabled individuals.

We analyzed the program's success in serving the disabled and found that in federal fiscal year (FFY) 1998-99, 4,155 program participants were successfully rehabilitated, which represents a 17.6 percent decline from the 5,042 participants who were rehabilitated in FFY 1994-95. We also found examples of unequal treatment of participants eligible for similar services and unexpected variation in program expenditures among the Division's districts.

Significant improvements are needed to better manage the program's finances. In part because of inadequate management and financial planning, the Department announced in May 2000 that the program faced a \$7.5 million projected funding shortfall. To conserve funds, the Department made changes to the service-delivery process, but this resulted in service disruptions to program participants. The Department ceased to provide program services to new participants in August 2000. It is unclear when the program will have sufficient funds to begin serving individuals who have applied since August 2000.

The Department contracts with other public agencies to provide some services to program participants. The value of these contracts increased from \$2.9 million in FFY 1994-95 to \$8.1 million in FY 1999-2000. The Department does not maintain the management information needed to oversee these contracts effectively, and we found that contracts have not consistently resulted in cost-effective service delivery.

We appreciate the courtesy and cooperation extended to us by the Department of Workforce Development. The Department's response is Appendix III.

Respectfully submitted,  
*JANICE MUELLER*  
State Auditor