



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

MONDAY, March 3, 2003

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

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 02–103

Relating to extension of disciplinary action time limits.
Submitted by Department of Regulation and Licensing.
Report received from Agency, February 18, 2003.
To committee on **Health**.
Referred on March 3, 2003.

Assembly Clearinghouse Rule 02–111

Relating to architectural interns.
Submitted by Department of Regulation and Licensing.
Report received from Agency, February 18, 2003.
To committee on **Small Business**.
Referred on March 3, 2003.

Assembly Clearinghouse Rule 03–004

Relating to the loan repayment incentive grant program.
Submitted by Department of Transportation.
Report received from Agency, February 24, 2003.
To committee on **Transportation**.
Referred on March 3, 2003.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 21

Relating to: limiting the number of consecutive terms permitted for state constitutional officers and members of the state legislature (first consideration).

By Representatives Ziegelbauer and Powers.

To committee on **Government Operations and Spending Limitations**.

Assembly Bill 106

Relating to: bear hunting by certain minors.

By Representatives Gunderson, Suder, Bies, Pettis, Ainsworth, Albers, Gronemus, Grothman, Gundrum, Hahn, Hines, Musser, Olsen, Petrowski, Plouff, Stone, Vruwink and

Zepnick; cosponsored by Senators Schultz, A. Lasee, Breske, Reynolds, Hansen and Brown.

To committee on **Natural Resources**.

Assembly Bill 107

Relating to: eliminating recovery for persons injured while involved in a felony.

By Representatives Hundertmark, F. Lasee, Ainsworth, Albers, Bies, J. Fitzgerald, Freese, Friske, Gielow, Gunderson, Hahn, Hines, Jeskewitz, Krawczyk, Kreibich, Ladwig, Musser, Nass, Olsen, Ott, Petrowski, Pettis, Plale, Plouff, Seratti, Stone, Suder and Van Roy; cosponsored by Senators Welch, S. Fitzgerald, Cowles, Kanavas, Lazich, Reynolds, Roessler, Stepp and Zien.

To committee on **Judiciary**.

Assembly Bill 108

Relating to: requiring rabies vaccination for cats and providing a penalty.

By Representatives Hines, Jeskewitz, Freese, Bies, Gielow, Krawczyk, Hahn, Townsend, Owens, Lothian, Wasserman, Vrakas and Gronemus; cosponsored by Senator Schultz.

To committee on **Public Health**.

Assembly Bill 109

Relating to: the use by the Department of Natural Resources of seized, confiscated, or unclaimed property for educational hunting, fishing, trapping, and other conservation activities; hunting of antlerless deer by holders of certificates of accomplishment issued under the hunter education program and the bow hunter education program; certificates of hunter safety issued by provinces and other countries; possession of firearms and hunting with firearms by persons under 16 years of age; issuance of resident small game hunting licenses to certain nonresidents under 16 years of age; use of firearms in schools under the hunter education program; use of certain types of arrow tips on crossbows; proceeds received by the Department of Natural Resources for skins of fur-bearing animals that are prepared as part of the course of instruction under the trapper education program; granting rule-making authority; and making an appropriation.

By Representatives Johnsrud, Pettis, Krawczyk, Gunderson, Gard, Kaufert, Musser, Albers, Hines, Hahn, Friske, Jensen, Kreibich, Plouff, Seratti, Owens, Suder, Olsen, McCormick, J. Fitzgerald and Colon; cosponsored by Senators Kedzie, Zien, Stepp, Schultz and Welch.

To committee on **Natural Resources**.

Assembly Bill 110

Relating to: operation and costs of municipal cable television systems.

By Representatives Jensen, Bies, J. Fitzgerald, Hines, Krawczyk, McCormick, Montgomery, Musser, Nass, Pettis, Schooff, Suder, Turner and Van Roy; cosponsored by Senators S. Fitzgerald, M. Meyer, Carpenter, Kedzie, Leibham, Stepp, Welch and Wirsch.

To committee on **Energy and Utilities**.

COMMUNICATIONS

State of Wisconsin
Revisor of Statutes Bureau
Madison

DATE: March 1, 2003

TO: Patrick E. Fuller
Assembly Chief Clerk

Donald J. Schneider
Senate Chief Clerk

FROM: Gary L. Poulson
Deputy Revisor of Statutes

SUBJECT: Rules published in the February 28, 2003,
Wisconsin Administrative [Register, No. 566](#).

The following rules have been published:

[Clearinghouse Rule 98-137](#) effective 3-1-2003
[Clearinghouse Rule 02-089](#) effective 3-1-2003

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

February 28, 2003

To the Honorable, the Legislature:

This report is transmitted as required by s. [20.002\(11\)\(f\)](#), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. [13.172\(3\)](#), Wisconsin Statutes), 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 cash balances during the month of January 2003.

On January 2, 2003, the **Wisconsin Health Education Loan Repayment Fund** cash balance closed at a negative \$2 thousand. The negative balance continued through January 31, 2003, when the fund cash balance closed at a negative \$5 thousand. The negative balance was due to the difference in the timing of revenues and expenditures. This fund’s cash balance periodically falls negative due to the fact revenues are drawn only after expenditures are realized.

On January 23, 2003, the **Tobacco Control Fund** cash balance closed at a negative \$21 thousand. The negative balance continued through January 31, 2003, when the fund cash balance closed at a negative \$250 thousand. The negative balance was due to the delay of a statutory funding transfer, which has since been corrected.

On January 31, 2003, the **University Trust – Principal Fund** cash balance closed at a negative \$181 thousand. The negative balance was due to the miscoding of a transaction, which has since been corrected.

The Wisconsin Health Education Loan Repayment Fund, Tobacco Control Fund, and the University Trust – Principal 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, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,
MARC J. MAROTTA
Secretary

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

State of Wisconsin
Department of Workforce Development
Madison

February 28, 2003

To the Honorable, the Assembly:

Pursuant to Section [109.12\(2\)](#) and [\(3\)](#), Wis. Stats., I hereby submit the Department of Workforce Development’s (DWD) 2002 annual report on the administration and enforcement of § [109.07](#) and [109.075](#), Wis. Stats. The report contains three sections. The first section lists all employers in 2002 that notified DWD of business closings and mass layoffs planned in Wisconsin. The second section of the report lists employers against whom DWD has received business closing or mass layoff notification complaints and the current status or outcome of those complaints. The third section of the report lists employers against whom DWD has received healthcare cessation notification complaints, DWD’s actions and the current status or outcome of those complaints.

If you have any questions regarding the information contained in this report, please contact me.

Sincerely,
ROBERTA GASSMAN
Secretary

Referred to committee on **Labor**.

State of Wisconsin
Department of Public Instruction
Madison

March 1, 2003

To the Honorable, the Assembly:

Wisconsin school laws include the following provision in § 115.45 (6)(b) and (c), Wis. Stats.:

SECTION 115.45 Grants for preschool to grade 5 programs.

(6) The state superintendent shall:

(b) By March 1, 1986, and annually thereafter, submit to the joint committee on finance and the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3), a budget report detailing the grants he or she intends to award under this section in the next fiscal year. The report shall provide summary data on the results of the annual testing required under sub. (4) (b) and include a description of the guidelines used to determine the individual schools and private service providers that will receive funds under this section and the types of expenditures eligible for such funds.

(c) Annually submit to the legislature under s. 13.172 (2) a report on the academic progress made by pupils enrolled in preschool to grade 5 programs under this section.

All Preschool-to-Grade-5 (P-5) evaluation reports for 2001-2002 are contained herein as well as a report on the academic progress for all schools funded by the P-5 program. If you have any questions, please contact my office or Sandra Dercole in the DPI Office of Urban Education (414-227-4942).

Sincerely,
ELIZABETH BURMASTER
State Superintendent

Referred to committee on **Education**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

February 27, 2003

To the Honorable, the Legislature:

We have completed an evaluation of the University of Wisconsin-Madison Center for Tobacco Research and

Intervention and the Medical College of Wisconsin, as required by 1999 Wisconsin Act 9, and of the Wisconsin Tobacco Control Board. The Board was created in fiscal year (FY) 1999-2000 and is responsible for administering a statewide tobacco control program. It does so by providing grants to fund anti-tobacco projects, including its own and those operated by the Center and the Medical College.

There has been considerable debate about what the appropriate funding level for the Board should be. From FY 1999-2000 through FY 2002-03, the Legislature appropriated \$45.0 million. When considering the 2003-05 biennial budget, we suggest the Legislature take into account all ongoing tobacco control activities in Wisconsin, including those not controlled by the Board, and decide how best to coordinate the State's tobacco control activities.

In recent years, Wisconsin has experienced decreases in smoking rates, which some believe have been influenced by the Board's tobacco control efforts. Nevertheless, Wisconsin's rates remain above national averages. Furthermore, when outcomes are measured against individual program goals, the results of the projects have been mixed. Two of the Center's five projects report that they achieved all of their stated objectives, but three others achieved only some. Similarly, 10 of the Medical College's 19 research projects funded in FY 2000-01 were at least partially successful, but 8 were not, and data were incomplete for the remaining project.

In August 2002, the Board approved \$15.9 million in anti-tobacco grants for calendar year 2003. We include a recommendation that the Board restrict future funding to projects that have achieved their goals as determined by objective analyses.

We appreciate the courtesy and cooperation extended to us by the Board, the Center, and the Medical College. Their responses follow Appendix 1.

Respectfully submitted,
JANICE MUELLER
State Auditor