



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

MONDAY, September 8, 2003

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

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 347** offered by committee on **Housing**.

Assembly amendment 1 to **Assembly Bill 370** offered by committee on **Housing**.

Assembly substitute amendment 1 to **Assembly Bill 418** offered by Representative Musser.

Assembly amendment 1 to **Assembly Bill 423** offered by Representatives Gundrum and Staskunas.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 03-035

Relating to use regulations on department properties. Submitted by Department of Natural Resources. Report received from Agency, August 27, 2003. To committee on **Natural Resources**. Referred on September 8, 2003.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 43

Relating to: proclaiming September 2003 Falun Dafa Month.

By Representatives Cullen, Lothian, Young, Hahn, Underheim, Berceau and McCormick; cosponsored by Senators Carpenter, Schultz and George.

To committee on **Rules**.

Assembly Bill 491

Relating to: insurance coverage for sponsors of minors applying for driver's licenses.

By Representatives J. Lehman, Hines, Berceau and Townsend; cosponsored by Senator Roessler.

To committee on **Insurance**.

Assembly Bill 492

Relating to: designating Willow flowage project lands as state forest lands.

By Representatives Friske, Gard, Gronemus, Ainsworth, Seratti, M. Williams, J. Wood, Petrowski, Gunderson, Hines, Bies, Ott, LeMahieu, Albers, Hahn, Owens, Townsend and Krawczyk; cosponsored by Senators Zien, Kedzie and Breske.

To committee on **Forestry**.

Assembly Bill 493

Relating to: limiting the reasons for which a local government may withhold approval of a conditional use permit.

By Representatives McCormick, Rhoades, Musser, Montgomery, Hines, Gunderson, Seratti, Bies, Van Roy, Albers, Friske and Krawczyk; cosponsored by Senators S. Fitzgerald, M. Meyer, Brown, Zien, Breske and Stepp.

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

Assembly Bill 494

Relating to: tobacco settlement agreement enforcement and providing penalties.

By Representatives Vrakas, Nischke, Jeskewitz, Rhoades, Miller, M. Lehman, Van Roy, Ladwig, Nass, Taylor, Bies and McCormick; cosponsored by Senators S. Fitzgerald, Kedzie, Lassa, Breske and Welch.

To committee on **Judiciary**.

Assembly Bill 495

Relating to: the sale of surplus county highway land.

By Representatives Ainsworth, Petrowski, Bies, Gunderson, Hahn, Hines, Honadel, Hundertmark, Jensen, Jeskewitz, Ladwig, F. Lasee, M. Lehman, Loeffelholz, Olsen, Owens, Rhoades, Townsend and Van Roy; cosponsored by Senators Breske, Wirch and A. Lasee.

To committee on **Transportation**.

Assembly Bill 496

Relating to: the removal of nonconforming outdoor advertising signs.

By Representatives Seratti, Gielow, Huebsch, Gundrum, McCormick, LeMahieu, Ladwig, Freese, Friske and Krawczyk; cosponsored by Senators Leibham, Roessler, Reynolds, Breske, M. Meyer, Stepp and Zien.

To committee on **Transportation**.

Assembly Bill 497

Relating to: providing certain orientation information for University of Wisconsin System students electronically.

By Representatives Jeskewitz, Gronemus, Kerkman, Ladwig, Weber, Albers, Kreibich, Hines, Olsen, Rhoades, Bies, Gottlieb, Gunderson, Krawczyk, Taylor, F. Lasee, Van Roy, Cullen, Owens, Seratti and Hundertmark; cosponsored by Senators Harsdorf, Kanavas, Schultz and Roessler.

To committee on **Colleges and Universities**.

Assembly Bill 498

Relating to: disclosing information obtained by the Department of Transportation to the Department of Revenue.

By Representatives Krusick, Albers, Gottlieb, Huber, Jeskewitz, Kreibich, Ladwig, F. Lasee, J. Lehman, M. Lehman, Loeffelholz, Lothian, Ott, Petrowski and Taylor; cosponsored by Senators Harsdorf, Breske, Roessler and Wirch.

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

Assembly Bill 499

Relating to: the regulation, preservation, and restoration of historic buildings, the supplement to the federal historic rehabilitation tax credit and the state historic rehabilitation tax credit, requiring the certification of downtowns, promoting certain downtown areas in this state, highway projects involving business and downtown areas, the construction of major highway projects involving a bypass, granting rule-making authority, and making an appropriation.

By Representatives Schooff, Shilling, McCormick, Suder, Richards, Berceau, Balow, Huber, J. Lehman and Plouff; cosponsored by Senators Robson, Plale, Schultz, Risser, Lassa and Hansen.

To committee on **Tourism**.

Assembly Bill 500

Relating to: provision of dental and dental hygiene services to Medical Assistance recipients by a volunteer health care provider.

By Representatives Wieckert, Pettis, Musser, Hahn, Rhoades, Van Roy, Seratti, Berceau, Miller, Gundrum, J. Lehman, Ott, Gunderson, M. Lehman, Owens, Ladwig, Albers, Loeffelholz, Nass, Coggs, Krawczyk, Kaufert, Jensen, Lothian, Grothman, Kreibich, Bies, Staskunas, Hundertmark, Friske, Petrowski, Plouff, Vrakas, Hines and McCormick; cosponsored by Senators Roessler, Brown, Robson, S. Fitzgerald, Zien, Carpenter, Schultz, Risser, Ellis, Decker, Harsdorf, Wirch and Lazich.

To committee on **Health**.

Assembly Bill 501

Relating to: the maximum permissible length and width of motor homes and recreational vehicles operated without a permit.

By Representatives Kerkman, Gunderson, Towns, Ladwig, Hundertmark, Olsen, Van Roy and LeMahieu; cosponsored by Senators Zien and A. Lasee.

To committee on **Transportation**.

Assembly Bill 502

Relating to: prohibiting pupils from using a calculator while taking the 4th and 8th grade knowledge and concepts examinations.

By Representatives Grothman, Albers, Bies, Gundrum, Jensen, Krawczyk, Ladwig, F. Lasee, LeMahieu, Lothian, Musser, Owens, Van Roy and Vukmir; cosponsored by Senators Kedzie, Reynolds and Stepp.

To committee on **Education Reform**.

Assembly Bill 503

Relating to: the enrollment of the charter school established by the University of Wisconsin-Parkside.

By Representatives Ladwig, Jensen, Kerkman, McCormick, Hines, Krawczyk, F. Lasee, M. Lehman, Nass, Nischke, Owens, Seratti and Hahn; cosponsored by Senators Stepp, Kanavas, Roessler, Reynolds and A. Lasee.

To committee on **Education Reform**.

Assembly Bill 504

Relating to: allowing preference in admissions to certain charter schools.

By Representatives Wieckert, Owens, Weber, Jensen, Seratti and F. Lasee; cosponsored by Senators Zien, Darling, Reynolds, Ellis and Welch.

To committee on **Education Reform**.

SPEAKER'S APPOINTMENTS

September 5, 2003

Mr. Thomas Fletemeyer
Executive Director, Educational Communications Board
Wisconsin Public Broadcasting
3319 W. Beltline Highway
Madison, WI 53713

Dear Mr. Fletemeyer:

Please be advised that, pursuant to Wisconsin Statute Section 15.57 (4), I am appointing Representative Ann Nischke to the Educational Communications Board. Representative Nischke will replace Representative Gregg Underheim on the board. Please call Ellen Nowak in my office if you have any questions.

Sincerely,
JOHN G. GARD
Assembly Speaker

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Health and Family Services
Madison

July 31, 2003

To the Honorable, the Assembly:

As required by s. 253.115 of the Wisconsin Statutes, I am enclosing the Department's annual report on the status of

Universal Newborn Hearing Screening in Wisconsin. We are pleased to report that in 2002 Wisconsin hospitals have met the legislative criteria. By hospital report, 99.5% of all Wisconsin babies were born in hospitals with a universal newborn hearing screening program in 2002.

Sincerely,
HELENE NELSON
Secretary

Referred to committee on **Children and Families**.

State of Wisconsin
Department of Administration
Madison

August 25, 2003

To the Honorable, the Legislature:

Included with this correspondence, I am submitting the report of the Department of Administration, Division of Gaming (Gaming), for the fourth quarter of fiscal year 2003 (April 1, 2003 through June 30, 2003). As required by s. [562.02 \(1\)\(g\)](#), Wis. Stats., the attached materials contain pari-mutuel wagering and racing statistical information, as well as the revenues for the program areas of Racing, Charitable Gaming, Bingo and Indian Gaming.

If you have any questions or comments regarding this report, please do not hesitate to contact Rachel Meek at (608) 270-2535.

Sincerely,
JOHNNIE L. SMITH
Division Administrator

Referred to committee on **State Affairs**.

State of Wisconsin
Department of Health and Family Services
Madison

August 29, 2003

To the Honorable, the Assembly:

Section [227.485 \(9\)](#) of the Wis. Stats. requires the Department to submit a 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. No payments were made during SFY 2003.

In addition, under 814.245 (10) of the Wis. Stats., the Department is required to report any awards granted to the Department regarding frivolous motions brought against this Department. In SFY 2003, no motions of opposing parties were found to be frivolous. Consequently, the Department has no awards to report.

Sincerely,
HELENE NELSON
Secretary

Referred to committee on **Health**.

DATE: August 29, 2001
TO: Patrick E. Fuller
Assembly Chief Clerk
FROM: Katherine C. Lyall, President
University of Wisconsin System
RE: Wisconsin Environmental Policy Act
2002-2003 Report

The University of Wisconsin System is pleased to provide you with a copy of our annual Wisconsin Environmental Policy Act (WEPA) report. This document fulfills Section [1.11 \(2\)\(j\)](#) of the Wisconsin Statutes, providing information on the number of Environmental Impact Assessments (EIA's) and Environmental Impact Statements (EIS's) completed during the past fiscal year.

The attached report reflects WEPA activities of the University of Wisconsin System for the period from July 1, 2002 through June 30, 2003.

Should you have any questions regarding this report, they should be directed to Terri Reda, UW System Environmental Affairs Officer. Terri may be reached at 263-4410.

Referred to committee on **Natural Resources**.

State of Wisconsin
Department of Health and Family Services
Madison

September 5, 2003

To the Honorable, the Assembly:

As required by s. [250.03 \(3\)\(b\)](#) of the Wisconsin Statutes, I am pleased to submit to you the first biennial report on the preparedness of the Wisconsin public health system to address public health emergencies. The Department of Health and Family Services' Division of Public Health manages two major federal grants for public health and hospital preparedness and response to bioterrorism, outbreaks of infectious disease, and other public health threats and emergencies. The Division of Public Health approach to implementing preparedness initiatives has been that of multi-agency cooperation, regionalization, and the dual-use enhancement of state and local public health infrastructure.

If you have any questions about this report, please contact Steven Marshall, Public Health Preparedness Program Director in the Division of Public Health at (608) 266-9783 or marshs@dhfs.state.wi.us.

Sincerely,
HELENE NELSON
Secretary

Referred to committee on **Public Health**.

State of Wisconsin
Investment Board
Madison

September 5, 2003

To the Honorable, the Assembly:

Pursuant to s. 1.11 (2)(j) of the Statutes, the State of Wisconsin Investment Board is pleased to report that during fiscal year 2003, it did not consider any proposals for major actions in Wisconsin that could significantly affect the quality of the human environment. Accordingly, the agency was not required to prepare any environmental assessments or impact statements under s. 1.11.

Please contact Sandy Drew at 261-0182 if you have any questions concerning this report.

Sincerely,
PATRICIA LIPTON
Executive Director

Referred to committee on **Natural Resources**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

September 3, 2003

To the Honorable, the Legislature:

We have completed financial audits of the Mendota and Winnebago Mental Health Institutes for the period July 1,

2001 through June 30, 2002. The audits were requested by the Department of Health and Family Services to comply with requirements of the Joint Commission on Accreditation of Healthcare Organizations. We are able to express an unqualified opinion on each Institute's financial statements.

The financial position of both Institutes improved significantly during fiscal year 2001-02: Mendota reported a net increase in assets of \$2.5 million, and Winnebago reported a net increase of \$1.0 million. In addition, the Institutes have significantly reduced the negative cash balances in their appropriations, which are reported as loans from the State of Wisconsin because the State's pool of cash covers the deficits. Higher billing rates and improved billing and collection procedures have contributed to the Institutes' improved financial positions.

For several years, the Department experienced technical problems in implementing its new billing and accounting system for the Institutes, which resulted in significant billing and collection delays and accounting problems. The Department is taking reasonable steps to address implementation problems and to improve the timeliness and effectiveness of its billing and collection efforts. The Department also continues to improve its process for estimating patient revenues and receivables for financial reporting.

We appreciate the courtesy and cooperation extended to us by Department of Health and Family Services staff during our audit.

Respectfully submitted,
JANICE MUELLER
State Auditor