



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

MONDAY, March 22, 2004

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

Assembly Bill 570	..... 159	.....	March 30, 2004
Assembly Bill 642	..... 160	.....	March 30, 2004
Assembly Bill 354	..... 161	.....	March 30, 2004
Assembly Bill 418	..... 162	.....	March 30, 2004
Assembly Bill 409	..... 163	.....	March 30, 2004

ENROLLED BILLS AND 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 Bill 84**
- Assembly Bill 169**
- Assembly Bill 665**
- Assembly Bill 755**
- Assembly Bill 821**
- Assembly Bill 869**
- Assembly Bill 890**
- Assembly Bill 893**
- Assembly Bill 926**
- Assembly Joint Resolution 52**
- Assembly Joint Resolution 54**
- Assembly Joint Resolution 62**
- Assembly Joint Resolution 67**
- Assembly Joint Resolution 68**
- Assembly Joint Resolution 69**
- Assembly Joint Resolution 72**

PATRICK E. FULLER
Assembly Chief Clerk

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

March 22, 2004

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Room 208
Madison, WI 53708

Dear Chief Clerk Fuller:

Please note in the Assembly Journal my support for the following bills taken up in the Assembly on March 16, 2004: Senate Joint Resolution 68, Senate Joint Resolution 69, Assembly Bill 50, Assembly Bill 155, Assembly Bill 274, Assembly Bill 326, Assembly Bill 817, Senate Bill 3 and Senate Bill 474. In addition, please note my opposition to Assembly Bill 628.

Thank you for your assistance.

Sincerely,
JIM KREUSER
State Representative
64th Assembly District

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 847	..... 155	..... March 30, 2004
Assembly Bill 747	..... 156	..... March 30, 2004
Assembly Bill 417	..... 157	..... March 30, 2004

REFERENCE BUREAU CORRECTIONS

Assembly Bill 755

In enrolling, the following corrections were made:

Senate amendment 1 to Assembly Bill 755:

1. Page 1, line 4: delete "(2g)" and substitute "(2p)".

Senate amendment 2 to Assembly Bill 755:

1. Page 1, line 11: on lines 11 and 12, delete "and (2m)" and substitute ", (2m),".

Assembly amendment 1 to **Assembly Bill 821**

In enrolling, the following correction was made:

1. Page 1, line 3: delete “8m” and substitute “8x”.

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

February 27, 2004

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 2004.

On January 20, 2004, the **Medical Assistance Trust Fund** cash balance closed at a negative \$42.2 million. The negative balance continued through January 31, 2004, when the fund’s cash balance closed at its monthly low of a negative \$57.3 million. The negative balance was due to the difference in the timing of revenues and expenditures, and a delay in processing interfund transfers. On February 9, 2004, the fund’s cash balance closed at a positive \$157.8 million.

On January 23, 2004, the **Historic Preservation Partnership Fund** cash balance closed at a negative \$35.0 thousand. The negative balance continued through January 31, 2004, when the fund’s cash balance closed at its monthly low of a negative \$42.0 thousand. The negative balance was due to the startup of the fund and a difference in the timing of revenues and expenditures.

The Medical Assistance Trust Fund and the Historic Preservation Partnership Fund shortfalls were not in excess of the statutory interfund borrowing limitations 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 Public Instruction
Madison

March 1, 2004

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 2002-2003 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**.

State of Wisconsin
Department of Health and Family Services
Madison

March 4, 2004

To the Honorable, the Legislature:

The biennial budget bill, **1983 Wisconsin Act 27**, created s. 46.275, Community Integration Program (CIP) for Residents of State Centers. The intent of this program “is to relocate persons from the state centers for the developmentally disabled into appropriate community settings with the assistance of home and community-based services and with continuity of care. The intent of the program is also to minimize its impact on state employees through redeployment of employees into vacant positions.” S. 46.275 (5m) requires the Department to submit a report to the Joint Committee on Finance and to the Chief Clerk of each house of the Legislature describing the program’s impact during the preceding calendar year on state employees, including the Department’s efforts to redeploy employees into vacant positions and the number of employees laid off.

For the period of January 1, 2003 to December 31, 2003, 23 center residents were placed into the community. In state

fiscal year 2003, the center budgets were reduced by \$821,250 and 16.89 FTE as a result of CIP placements. For the period July 1, 2003 through December 31, 2003, sufficient reductions in the fiscal year 2004 operating budget will be made to reflect reductions for CIP placements. During this time period, the Department has begun the significant downsizing of Northern Wisconsin Center (NWC). A total of four layoffs have occurred as of December 31, 2003 at NWC due to the downsizing effort. There have been only 10 layoffs at the centers because of the CIP program since the program began in 1983. All other reductions were absorbed through attrition of employees.

Sincerely,
HELENE NELSON
Secretary

Referred to committee on **Aging and Long-Term Care.**

State of Wisconsin
Department of Health and Family Services
Madison

March 4, 2004

To the Honorable, the Assembly:

[1999 Wis. Act 113](#) established requirements intended to strengthen protections for children from harmful lead exposures in their homes. The provisions require, among other things, that the Department develop and maintain a statewide registry of lead-free and lead-safe housing, the standards that properties must meet to be certified lead-free or lead-safe, and implement the voluntary and mandatory provisions of the registry.

Attached is the annual status report to the legislature, as required by [1999 Wisconsin Act 113](#), Section 32, (9c)(a), that provides the required facts about activities related to reducing lead-based paint hazards in residential property. The report includes facts about the Lead-Free/Lead-Safe Registry of properties, the Lead Training, Accreditation and Certification Program, and the Wisconsin Childhood Lead Poisoning Prevention Program.

As also required by [1999 Wisconsin Act 113](#), the Department will submit a report evaluating the success or failures of Act 113 and rules promulgated under Act 113, in reducing the incidence of lead poisoning in children by March 1, 2005.

Thank you for distributing this report to members of the Assembly.

Questions about this report may be referred to Gail Boushon at 608-267-2289.

Sincerely,
HELENE NELSON
Secretary

Referred to committee on **Housing.**

State of Wisconsin
Department of Transportation
Madison

March 9, 2004

To the Honorable, the Assembly:

I am pleased to present to you, for distribution to the Wisconsin Assembly, the annual evaluation report on the Pretrial Intoxicated Driver Intervention Grant Program. It is also available on our website www.dot.wisconsin.gov/library/publications/topic/safety.htm.

The program, created by section 85.53 Wis. Stats., was established by the legislature in 1997 with the requirement that the Department study its impact and report on its findings.

The Pretrial Intoxicated Driver Intervention Grant Program is intended for offenders who are arrested for their second or subsequent OWI (Operating While Intoxicated) offense. Offenders participation may be voluntary or court order. It is an intervention model designed to get offenders into counseling, treatment and supervision as soon as possible after the arrest. The program is individual to each community.

As you will see in the report, no community that has begun a program has dropped it. Offenders who successfully completed the program were less likely than non-participants to be re-arrested for subsequent OWI violations. Those who were re-arrested went significantly longer between arrests than non-participants. Currently there are seven counties on a waiting list for funding to begin programs.

I commend those people who have dedicated themselves to making this innovative program a success. There are no "silver bullets" in eradicating impaired driving, but I feel this effort is a vital piece in the total transportation safety effort.

Sincerely,
DANIEL W. LONSDORF, DIRECTOR
Bureau of Transportation Safety

Referred to committee on **Highway Safety.**

State of Wisconsin
Department of Regulation and Licensing
Madison

March 10, 2004

To the Honorable, the Legislature:

Enclosed please find the State of Wisconsin Controlled Substances Board's annual report for 2003. The Controlled Substances Board is required to submit this report to you annually, pursuant to Wis. Stat. § [961.36 \(3\)](#). It includes findings with respect to the Board's effect on the distribution and abuse of controlled substances, including recommendations for improving control and prevention of the diversion of controlled substances.

Sincerely,
CYNTHIA BENNING, CHAIR
Controlled Substances Board

Referred to committee on **Criminal Justice.**

State of Wisconsin
Department of Administration
Madison

March 15, 2004

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 February 2004.

On February 1, 2004, the **Medical Assistance Trust Fund** cash balance closed at a negative \$57.3 million. The negative balance continued until February 9, 2004, when the fund’s cash balance closed at a positive \$157.8 million. The fund’s cash balance reached its monthly low of a negative \$58.7 million on February 4, 2004. The negative balance was due to the difference in the timing of revenues and expenditures, and a delay in processing interfund transfers.

On February 1, 2004, the **Historic Preservation Partnership Fund** cash balance closed at a negative \$42.0 thousand. Negative balances persisted throughout the month, with intermittent positive balances. The Historic Preservation Partnership Fund closed at an intramonth low of a negative \$45.0 thousand on February 20, 2004. The fund’s cash balance closed at a negative \$29.0 thousand on February 29, 2004. The negative balance was due to the startup of the fund and a difference in the timing of revenues and expenditures.

The Medical Assistance Trust Fund and the Historic Preservation Partnership Fund shortfalls were not in excess of the statutory interfund borrowing limitations 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 Health and Family Services
Madison

March 16, 2004

To the Honorable, the Legislature:

The Bureau of Health Information, Department of Health and Family Services, is pleased to submit to the Governor and Legislature the *Wisconsin Inpatient Hospital Quality Indicators Report, 2001*. The data for this report were collected under section 153.05, Wisconsin Statutes, and are published as authorized by the requirements of HFS 120.26, Wisconsin Administrative Code.

This report provides information about quality of care in Wisconsin hospitals. The quality measures included in this report were derived from hospital data submitted to the Bureau of Health Information by general medical and surgical hospitals in the state for 2001 inpatient stays. The report provides information about procedure volume, utilization and inpatient mortality for common conditions and procedures. As required by HFS 120, the report is consistent with national recognized indicators of quality, displays quality indicator variation across Wisconsin hospitals, protects the anonymity of individual hospitals, and provides hospitals with useful information for internal quality improvement.

Sincerely,
HELENE NELSON
Secretary

Referred to committee on **Health**.