



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

TUESDAY, April 6, 2004

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

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 03-081

Relating to the classification of gray wolves.
Submitted by Department of Natural Resources.
Report received from Agency, March 30, 2004.
To committee on **Natural Resources**.
Referred on April 6, 2004.

Assembly Clearinghouse Rule 03-125

Relating to worker's compensation.
Submitted by Department of Workforce Development.
Report received from Agency, March 25, 2004.
To committee on **Labor**.
Referred on April 6, 2004.

Assembly Clearinghouse Rule 04-002

Relating to the practical examination, NAPLEX and the multi-state pharmacy jurisprudence examination.
Submitted by Department of Regulation and Licensing.
Report received from Agency, March 29, 2004.
To committee on **Health**.
Referred on April 6, 2004.

CHIEF CLERK REPORTS

The Chief Clerk records:

Assembly Bill 125
Assembly Bill 326
Assembly Bill 526
Assembly Bill 630
Assembly Bill 679
Assembly Bill 900
Assembly Bill 924

Presented to the Governor on Friday, April 2.

Assembly Bill 50
Assembly Bill 351
Assembly Bill 613
Assembly Bill 619
Assembly Bill 845

Presented to the Governor on Monday, April 5.

Assembly Bill 14
Assembly Bill 49
Assembly Bill 155
Assembly Bill 206
Assembly Bill 556
Assembly Bill 573
Assembly Bill 715
Assembly Bill 869

Presented to the Governor on Tuesday, April 6.

PATRICK E. FULLER
Assembly Chief Clerk

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

April 6, 2004

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Assembly Bill 924	164	April 5, 2004
Assembly Bill 526	165	April 5, 2004
Assembly Bill 630	166	April 5, 2004
Assembly Bill 326	167	April 5, 2004
Assembly Bill 125	169	April 5, 2004
Assembly Bill 900	170	April 5, 2004
Assembly Bill 679	174	April 5, 2004
Assembly Bill 845	175	April 6, 2004
Assembly Bill 351	176	April 6, 2004
Assembly Bill 613	177	April 6, 2004
Assembly Bill 619	180	April 6, 2004
Assembly Bill 50	182	April 6, 2004

Respectfully submitted,
JIM DOYLE
Governor

COMMUNICATIONS

State of Wisconsin
Office of the Secretary of State
Madison

April 5, 2004

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 924	164	April 19, 2004
Assembly Bill 526	165	April 19, 2004
Assembly Bill 630	166	April 19, 2004
Assembly Bill 326	167	April 19, 2004
Assembly Bill 125	169	April 19, 2004
Assembly Bill 900	170	April 19, 2004
Assembly Bill 679	174	April 19, 2004
<u>Jt. Res. Number</u>	<u>Enrolled Number</u>	<u>Publication Date</u>
Assembly Joint Res. 20 ..	27	Not published
Assembly Joint Res. 67 ..	28	Not published
Assembly Joint Res. 66 ..	29	April 16, 2004
		August 3, 2004
		September 7, 2004
		October 5, 2004

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

State of Wisconsin
Revisor of Statutes Bureau
Madison

DATE: April 1, 2004

TO: Patrick E. Fuller
Assembly Chief Clerk

Robert Marchant
Senate Chief Clerk

FROM: Gary L. Poulson
Assistant Revisor of Statutes

SUBJECT: Rules published in the March 31, 2004, Wisconsin Administrative [Register, No. 579](#).

The following rules have been published:

Clearinghouse Rule 02-103	effective	4-1-2004
Clearinghouse Rule 03-023	effective	4-1-2004
Clearinghouse Rule 03-037	effective	4-1-2004
Clearinghouse Rule 03-047	effective	4-1-2004
Clearinghouse Rule 03-067	effective	4-1-2004
Clearinghouse Rule 03-074	effective	4-1-2004
Clearinghouse Rule 03-083	effective	4-1-2004
Clearinghouse Rule 03-092	effective	4-1-2004
Clearinghouse Rule 03-101	effective	4-1-2004
Clearinghouse Rule 03-103	effective	4-1-2004
Clearinghouse Rule 03-109	effective	4-1-2004
Clearinghouse Rule 03-110	effective	4-1-2004
Clearinghouse Rule 03-114	effective	4-1-2004

Speaker John Gard
State Capitol, 211 West
Madison, WI 53708

Dear Speaker Gard:

I respectfully request the appointment of Representative Pedro Colon to the Joint Committee on Finance to fill the vacancy of Representative Shirley Krug.

Thank you for your consideration of this request. Please feel free to contact me if you have any concerns or questions.

Sincerely,
JIM KREUSER
Assembly Democratic Leader

SPEAKER'S APPOINTMENTS

April 6, 2004

Mr. Patrick Fuller
Chief Clerk, Wisconsin State Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

Per Representative Jim Kreuser's nomination, Representative Pedro Colon has been added to the Joint Committee on Finance to fill the vacancy of Representative Shirley Krug.

Sincerely,
JOHN G. GARD
Assembly Speaker

MOTIONS

On Thursday, March 11, Representative Marlin Schneider asked unanimous consent that the names, dates of birth and the hometowns of the personnel killed on the USS Liberty on June 8, 1967, be recorded in the Assembly Journal. Below is the list:

Lieutenant Commander Philip McCutcheon Armstrong, Jr. born on July 4, 1929, Detroit, Michigan.

Lieutenant James Cecil Pierce born on July 11, 1924, Clinton, North Carolina.

Lieutenant Stephen Spencer Toth born on September 12, 1939, San Diego, California.

Communications Technician William Bernard Allenbaugh born on January 23, 1944, Baltimore, Maryland.

Seaman Gary Ray Blanchard born on September 16, 1946, Wichita, Kansas.

Communications Technician Allen Merle Blue born on September 5, 1943, Yakima, Washington.

Quartermaster Francis Brown born on May 6, 1947, Albany, New York.

Communications Technician Ronnie Jordon Campbell born on November 4, 1942, Sevierville, Tennessee.

Communications Technician Jerry Leroy Converse born on June 11, 1943, Puyallup, Washington.

Communications Technician Robert Burton Eisenberg born on October 12, 1944, St. Paul, Minnesota.

Communications Technician Jerry Lee Goss born on May 30, 1941, North Vernon, Indiana.

Communications Technician Curtis Alan Graves born on February 10, 1943, Grosse Pointe Farms, Michigan.

Communications Technician Seaman Lawrence Paul Hayden born on June 16, 1947, Houston, Texas.

Communications Technician Warren Edward Hersey born on October 14, 1943, Philadelphia, Pennsylvania.

Communications Technician Alan Higgins born on January 27, 1948, Weymouth, Massachusetts.

Seaman Carl Louis Hoar born on May 29, 1945, Mount Vernon, Ohio.

Communications Technician Richard Walter Keene, Jr. born on October 23, 1945, Batavia, New York.

Communications Technician Seaman James Lee Lenau born on January 9, 1947, Washington, Missouri.

Communications Technician Chief Raymond Eugene Linn born on June 30, 1928, Adamsville, Ohio.

Communications Technician James Mahlon Lupton born on October 20, 1942, Shreveport, Louisiana.

Communications Technician Duane Rowe Marggraf born on January 27, 1945, Fond du Lac, Wisconsin.

Communications Technician Seaman David Walter Marlborough born on September 28, 1948, Waterville, Maine.

Communications Technician Anthony Peter Mendle born on December 4, 1945, Waterbury, Connecticut.

Communications Technician Seaman Carl Christian Nygren born on May 17, 1945, Williamsport, Pennsylvania.

Sergeant Jack Lewis Raper born on August 28, 1944, Cedartown, Georgia.

Corporal Edward Emory Rehmeier, III born on September 25, 1945, York, Pennsylvania.

Interior Communications Fireman David Skolak born on August 12, 1946, Gary, Indiana.

Communications Technician John Caleb Smith, Jr. born on July 13, 1943, Ithaca, New York.

Communications Technician Chief Melvin Douglas Smith born on February 27, 1938, Alamance, North Carolina.

Corpsman John Clarence Spicher born on February 15, 1937, Terentum, Pennsylvania.

Gunner's Mate Gun Alexander Neil Thompson, Jr. born on April 5, 1943, Philadelphia, Pennsylvania.

Communications Technician Thomas Ray Thornton born on February 1, 1944, Springfield, Ohio.

Communications Technician Philippe Charles Tiedtke born on October 17, 1944, Santa Cruz, California.

Communications Technician Frederick James Walton born on November 28, 1935, Niagara Falls, New York.

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Council on Small, Veteran and
Minority Business Opportunities
Madison

March 25, 2004

To the Honorable, the Legislature:

On behalf of the members of the Council on Small, Veteran and Minority Business Opportunities, I bring you greetings.

The Council on Small, Veteran and Minority Business Opportunities is a statutory (15.107) advisory body to the Secretary of the Department of Administration on how to improve opportunities for small businesses interested in selling their products and services to the state and its agencies.

As required by Statutes (16.755) section 4, the Council is to submit an annual report to the Governor and to each clerk of the legislature. We hereby submit our annual report for the fiscal year ended June 30, 2003.

We hope this report and our recommendations would assist the Administration in meeting its small business goals of ensuring opportunity and participation by all and the broader economic development objectives of the "Grow Wisconsin" initiative.

Sincerely,
AUGUSTINE MURRAY
Chair

Referred to committee on **Small Business**.

State of Wisconsin
Department of Corrections
Madison

March 29, 2004

To the Honorable, the Legislature:

As required under Section **301.03 (6r)** of the Wisconsin State Statutes, I am submitting information relative to the number of prisoners that the Department of Corrections considers violent and the total number of prisoners.

On October 31, 2003 the Department had 22,644 adult inmates assigned to Type "1" prisons in state and in contract

facilities out of state. Out of the 22,644 inmates, 14,299 or 63.15 percent had assaultive offenses.

Sincerely,
MATTHEW J. FRANK
Secretary

Referred to committee on **Corrections and the Courts.**

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

March 31, 2004

To the Honorable, the Legislature:

We have completed our financial and compliance audit of the State of Wisconsin, as requested by state agencies to meet the audit requirements of the federal Single Audit Act of 1984, as amended, and the provisions of federal Office of Management and Budget Circular A-133. Our audit covered the period July 1, 2002 through June 30, 2003. In addition to satisfying federal audit requirements, the audit assists us in meeting state audit requirements under s. [13.94](#), Wis. Stats.

Audit procedures performed at the larger state agencies that administer federal financial assistance programs, including the University of Wisconsin System, consisted of assessing the propriety of revenues and expenditures and of testing internal controls and compliance with laws and regulations related to the administration of federal grant programs. For the smaller agencies and selected University of Wisconsin campuses, our audit procedures were limited to verifying information included in the federally required State of Wisconsin Schedule of Expenditures of Federal Awards and following up on prior-year audit findings. Our audit focused on the 26 federal grants that either exceeded the \$24.9 million threshold used to define major grants or were below this threshold but were selected for review based on the risk-based assessment criteria established by the federal government.

Our report contains the auditor's reports on compliance and internal control and our unqualified audit opinion on the State of Wisconsin Schedule of Expenditures of Federal Awards. The agency narratives contain our comments on internal control deficiencies related to the administration of federal grants, findings of noncompliance for each agency, and the results of our follow-up to prior audit findings. A summary schedule of findings and questioned costs for the current year's audit is also provided, as well as a summary of the status of findings included in our prior audit report for the State of Wisconsin (report 03-5). We note that, overall, state agencies have complied with federal grant requirements and

have taken steps to address findings included in the prior year's single audit report. However, we report internal control deficiencies and several areas of noncompliance, and we identify \$81,879 in questioned costs. This amount represents a small portion of the \$9.1 billion in federal financial assistance administered by the State of Wisconsin. We also found that the State has not claimed all the funds it may be eligible to receive for Adoption Assistance. We estimate that, at a minimum, an additional \$1.0 million in federal funding could be available to the State.

The federal government will resolve the findings and questioned costs included in our report. Federal agencies are expected to contact state agencies regarding resolution. To assist federal officials in their efforts, state agency contact information is provided in appendices to this report.

In addition to the comments and recommendations included in our report, separate audit communications will be issued addressing internal control issues and technical noncompliance with budgetary accounting rules included in state statutes.

We appreciate the courtesy and cooperation extended to us by agency staff during our audit. Agencies' comments on individual findings, along with their corrective action plans to address our concerns, are included within the agency narratives.

Respectfully submitted,
JANICE MUELLER
State Auditor

State of Wisconsin
Investment Board
Madison

March 31, 2004

To the Honorable, the Legislature:

Pursuant to ss. [25.17 \(14g\)](#) and [\(14m\)](#) of the Statutes, attached is our annual report to the Legislature regarding investment goals and long-term strategies and our annual report on performance. As in previous years, we have combined the two reports to make it easier to understand the relationship between strategies and results.

The strong results in 2003 reflect the rebound in the stock market as well as the efforts of staff who worked for SWIB throughout the year. If you have any questions about the attached report or would like further information please contact me.

Sincerely,
DAVID C. MILLS
Executive Director