



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

5:30 P.M.

TUESDAY, May 18, 2004

The Assembly met in the Assembly Chamber located in the State Capitol.

Representative Kaufert in the chair.

The Assembly dispensed with the call of the roll.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 03–091

Relating to defining “deck” and providing that the construction of a deck is not a modification or addition to a nonconforming structure.

Submitted by Department of Natural Resources.

Report received from Agency, May 11, 2004.

To committee on **Natural Resources**.

Referred on May 18, 2004.

Assembly Clearinghouse Rule 04–020

Relating to the control and management of chronic wasting disease.

Submitted by Department of Natural Resources.

Report received from Agency, May 11, 2004.

To committee on **Natural Resources**.

Referred on May 18, 2004.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 79

Relating to: the life and military service of U.S. Army Specialist Nichole M. Frye.

By committee on Assembly Organization, by request of Representative Gard and Senator Hansen.

To committee on **Rules**.

Assembly Joint Resolution 80

Relating to: the life of Captain John F. Kurth.

By committee on Assembly Organization, by request of Representatives Foti and Ward and Senator Fitzgerald.

To committee on **Rules**.

Assembly Joint Resolution 81

Relating to: the life and service of Private First Class Sean Schneider.

By committee on Assembly Organization, by request of Representatives Schooff, W. Wood and Towns and Senator Robson.

To committee on **Rules**.

Assembly Joint Resolution 82

Relating to: the life and public service of Lawrence W. Timmerman.

By committee on Assembly Organization, by request of Representatives Richards, Albers, Boyle, Cullen, Gielow, Gunderson, J. Lehman, M. Lehman, Lothian, McCormick, Miller, Plouff, Sinicki, Stone, Taylor and Turner and Senators Cogg, Darling, Kanavas, Lassa, Lazich and Moore.

To committee on **Rules**.

Assembly Joint Resolution 83

Relating to: the life and public service of Angelo F. Greco.

By committee on Assembly Organization, by request of Representatives Richards, Boyle, Cullen, Gielow, Gunderson, J. Lehman, M. Lehman, Lothian, McCormick, Miller, Plouff, Sinicki, Stone, Taylor and Turner and Senators Cogg, Darling, Kanavas, Lassa, Lazich and Moore.

To committee on **Rules**.

Assembly Joint Resolution 84

Relating to: the life and public service of Byron C. Ostby.

By committee on Assembly Organization, by request of Representative Boyle and Senator Jauch.

To committee on **Rules**.

Assembly Joint Resolution 85

Relating to: the life and public service of Professor Francis Doan Hole.

By committee on Assembly Organization, by request of Representative Friske and Senator Breske.

To committee on **Rules**.

Assembly Joint Resolution 86

Relating to: the life and public service of Joseph E. Jones.

By committee on Assembly Organization, by request of Representative Friske and Senator Breske.

To committee on **Rules**.

Assembly Joint Resolution 87

Relating to: commending the University of Wisconsin–Stevens Point men’s basketball team.

By committee on Assembly Organization, by request of Representatives Molepske, Vruwink, Hines, Richards,

Balow, Kreuser, Lothian, M. Lehman, Turner, Jeskewitz, J. Lehman, Gunderson and Staskunas and Senators Lassa, Erpenbach and Decker.

To committee on **Rules**.

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Office of State Employment Relations
Madison

January 2004

To the Honorable, the Legislature:

I am pleased to present to you the FY 2003 annual report from the State Council on Affirmative Action. The report summarizes the Council's activities, and highlights the Third Annual Diversity Award that encourages best practices in affirmative action and diversity initiatives.

The Council's overall purpose is to foster measurable progress towards an equitable and diverse work force in state government and the University of Wisconsin system. Its efforts will complement the office's mission, which is to attract and retain a diverse and talented workforce to ensure the best service to the public.

I firmly believe the council will continue its efforts to cultivate the climate of diversity in both Wisconsin State Government and the university campuses around the state.

Sincerely,
KAREN E. TIMBERLAKE
Director

Referred to committee on **Labor**.

State of Wisconsin
Department of Administration
Madison

May 10, 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 March 2004.

On March 24, 2004, the **General Fund** cash balance closed at a negative \$73.49 million. The General Fund closed at an intramonth low of a negative \$78.17 million on March 25, 2004. The fund's cash balance closed at a negative \$14.24 million on March 31, 2004. The negative balance was due to a difference in the timing of revenues and expenditures.

On March 5, 2004, the **Conservation Fund** cash balance closed at a negative \$435.0 thousand. The negative balance continued until March 8, 2004, when the fund's cash balance closed at a positive \$7.35 million. The negative balance was due to a difference in the timing of revenues and expenditures.

On March 1, 2004, the **Historic Preservation Partnership Fund** cash balance closed at a negative \$20.0 thousand. The Historic Preservation Partnership Fund closed at an intramonth low of a negative \$131.0 thousand on March 23, 2004. The fund's cash balance closed at a negative \$111.0 thousand on March 31, 2004. The negative balance was due to the startup of the fund and a difference in the timing of revenues and expenditures.

The General Fund, Conservation 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
University of Wisconsin System
Madison

DATE: May 10, 2004

TO: Patrick E. Fuller
Assembly Chief Clerk

FROM: Katherine C. Lyall
President

RE: Report pursuant to § 36.11 (22)(2)(b),
Wisconsin Statutes

Section 36.11 (22)(2)(b), Wisconsin Statutes, requires the Board of Regents to annually submit a report to the chief clerk of each house of the legislature on the methods used by each UW System institution to disseminate information to students on sexual assault and sexual harassment.

The law requires UW System institutions to incorporate into their orientation programs for newly entering students oral and written information on sexual assault and sexual harassment, including information on: 1) sexual assault by acquaintances of the victims; 2) the legal definitions and penalties for sexual assault; 3) generally available national, state, and campus statistics on sexual assault; 4) the rights of victims; and 5) protective behaviors including methods of recognizing and avoiding sexual assault and sexual

harassment. In addition, each institution must annually supply to all students enrolled in the institution printed material that includes information on all of these topics. This law was enacted in April 1990 and this is the thirteenth report to be compiled for the legislature since its enactment.

At its meeting April 9, 2004, the Board of Regents accepted the attached report for submission to the chief clerk of each house of the Legislature for distribution to the appropriate standing committees under s. [13.172 \(3\)](#). The attached report fulfills the requirements of this statute.

If you need additional information regarding this report, please contact Janice Sheppard at jsheppard@uwsa.edu or 608-262-5563.

Referred to committee on **Colleges and Universities**.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 11:00 A.M. tomorrow.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

5:31 P.M.