



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

MONDAY, June 5, 2006

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

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 06-014

Relating to educational programs for auctioneers.
Submitted by Department of Regulation and Licensing.
Report received from Agency, May 26, 2006.
To committee on **Small Business**.
Referred on June 5, 2006.

Assembly Clearinghouse Rule 06-041

Relating to habitual traffic offenders.
Submitted by Department of Transportation.
Report received from Agency, May 26, 2006.
To committee on **Transportation**.
Referred on June 5, 2006.

ADVERSE DISPOSAL

The following is a list of vetoed Assembly Bills in the possession of the Assembly at the end of the Veto Review Floorperiod that adjourned on May 31 and, therefore, failed to pass notwithstanding the objections of the Governor pursuant to Joint Rule 82.

Assembly Bills 3, 55, 56, 84, 100, 152, 207, 209, 299, 327, 499, 509, 597, 730, 764, 871, 969, 1021, 1060, 1071, 1072, 1074 and 1182.

COMMUNICATIONS

State of Wisconsin
Revisor of Statutes Bureau
Madison

DATE: June 1, 2006

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 May 31, 2006, Wisconsin Administrative [Register, No. 605](#).

The following rules have been published:

| | | |
|---------------------------|-----------|------------|
| Clearinghouse Rule 05-069 | effective | 06-01-2006 |
| Clearinghouse Rule 05-079 | effective | 06-01-2006 |
| Clearinghouse Rule 05-087 | effective | 06-01-2006 |
| Clearinghouse Rule 05-103 | effective | 06-01-2006 |
| Clearinghouse Rule 05-106 | effective | 06-01-2006 |
| Clearinghouse Rule 05-110 | effective | 06-01-2006 |
| Clearinghouse Rule 06-003 | effective | 06-01-2006 |
| Clearinghouse Rule 06-004 | effective | 06-01-2006 |

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Urban Open Space Foundation
Madison

May 26, 2006

To the Honorable, the Legislature:

As you know, Wisconsin's annual grant to a nonstock, nonprofit corporation for urban land conservation (Sec. 23.0957) was awarded to Urban Open Space Foundation in 2005. The grant has made an extraordinary difference in helping our Foundation accomplish its important mission.

As a grant recipient, UOSF is required each fiscal year to submit a report detailing the activities for which the grant was expended. Copies of the report are to be submitted to the "Department of Natural Resources and the appropriate standing committees of the legislature as determined by the Speaker of the Assembly or the President of the Senate." It is my pleasure to submit to you the following report.

Thank you for your important role in making this grant program available. The program is critical to promoting urban land conservation in Wisconsin through urban forest protection, water resource enhancement and other open space objectives. We at the Urban Open Space Foundation work with communities to create and revitalize public places; we're committed to helping them achieve their full natural, cultural, and economic potential through quality open space.

If you should have any questions, please do not hesitate to contact me directly at the number above.

With warm regards,
HEATHER MANN
Executive Director

Referred to committee on **Natural Resources.**

State of Wisconsin
Department of Administration
Madison

May 31, 2006

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 April 2006.

On April 13, 2006, the **General Fund** cash balance closed at a negative \$17.5 million. This negative balance continued until April 17, 2006, when the fund's cash balance closed at a positive \$42.4 million. The **General Fund** cash balance reached its intramonth low of a negative \$225.8 million on April 14, 2006. The negative balance was due to the difference in the timing of revenues and expenditures.

On April 12, 2006, the **Medical Assistance Trust Fund** cash balance closed at a negative \$47.4 million. This negative balance continued through April 30, 2006, when the fund's cash balance closed at a negative \$79.9 million. The **Medical Assistance Trust Fund** cash balance reached its intramonth low of a negative \$80.2 million on April 26, 2006. The negative balance was due to the difference in the timing of revenues and expenditures.

On April 24, 2006, the **Workers Compensation Fund** cash balance closed at a negative \$1.0 thousand. This negative balance continued through April 30, 2006, when the fund's cash balance closed at its intramonth low of a negative \$3.0 thousand. The negative balance was due to the difference in the timing of revenues and expenditures.

The General Fund, Medical Assistance Trust Fund and Workers Compensation 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,
STEVEN E. BABLITCH
Secretary

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

State of Wisconsin
Department of Health and Family Services
Madison

June 2, 2006

To the Honorable, the Legislature:

Pursuant to Wis. Stat., s. 50.04(5)(fr), I am submitting the Department's annual report to the Legislature related to class A violations committed by nursing homes, including facilities serving individuals with developmental disabilities, and forfeitures assessed on nursing homes for those violations.

As defined by Wis. Stat., s. 50.04(4)(3b), a class A violation is "...a violation of this subchapter or of the rules promulgated thereunder which creates a condition or occurrence relating to the operation and maintenance of a nursing home presenting a substantial probability that death or serious mental or physical harm to a resident will result ..."

The Department issued 35 class A violations in calendar year 2005. The enclosed report provides details on all class A violations, including the original forfeiture amount assessed and the status of payment.

I am pleased to inform you that the Department has continued to meet its goal of assessing forfeitures of nursing home facilities within 120 days of the survey exit.

Sincerely,
HELENE NELSON
Secretary

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