STATE OF WISCONSIN

Senate Journal

Ninety-Seventh Regular Session

WEDNESDAY, October 19, 2005

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

CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated Thursday, October 13, 2005.

Read first time and referred:

Senate Bill 381

Relating to: low-income assistance grants made from the utility public benefits fund.

By Senators Cowles, Kedzie and Kapanke; cosponsored by Representatives Gottlieb, Honadel, Davis, Montgomery, Nerison and Hahn.

To joint committee on **Finance**.

Senate Bill 382

Relating to: transportation of public school pupils who live outside the school district in which they are enrolled.

By Senator Olsen; cosponsored by Representatives Towns, Hines, Krawczyk, Albers and Townsend.

To committee on **Education**.

Senate Bill 383

Relating to: transportation of children with disabilities.

By Senators Olsen and Kanavas; cosponsored by Representatives Krawczyk, Hines, Hahn, Van Roy, Townsend and Lehman.

To committee on Education.

Senate Bill 384

Relating to: counting pupils who attend the Youth Challenge Academy for school district revenue limit purposes.

By Senators Olsen, Harsdorf and Erpenbach; cosponsored by Representatives Albers, Krawczyk and Hines.

To committee on **Education**.

Senate Bill 385

Relating to: insurance coverage provided by motor vehicle dealers and finance companies.

By Senators Darling, Roessler, Grothman, Carpenter, Lassa and Olsen; cosponsored by Representatives Montgomery, Gunderson, Hines, Vos. Sheridan, Albers and Petrowski.

To committee on Agriculture and Insurance.

State of Wisconsin

October 13, 2005

The Honorable, The Senate:

Pursuant to Senate Rule 46(2)(c), I am writing to direct that **Assembly Bill 679** be withdrawn from the committee on **Natural Resources and Transportation** and rereferred to the committee on **Agriculture and Insurance**. I have obtained the consent of the appropriate chairperson.

Sincerely,

ALAN LASEE Senate President

State of Wisconsin Office of the Governor

October 13, 2005

To the Honorable, the Senate:

The following bill(s), originating in the Senate, 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>
Senate Bill 218	Act 49	October 13, 2005
Senate Bill 266	Act 50	October 13, 2005
Sincerely.		

JIM DOYLE Governor

Senate Clearinghouse Rule 05-039

Relating to the incorporation of federal amendments in national emission standards for hazardous air pollutants into chs. NR 460 and 463.

Submitted by Department of Natural Resources.

Report received from Agency, October 13, 2005.

Referred to committee on **Energy**, **Utilities and Information Technology**, October 13, 2005.

Senate Clearinghouse Rule 05–040

Relating to national emission standards for hazardous air pollutants for the surface coating of plastic parts and products and of miscellaneous metal parts and products.

Submitted by Department of Natural Resources.

Report received from Agency, October 13, 2005.

Referred to committee on **Energy, Utilities and Information Technology,** October 13, 2005.

Senate Clearinghouse Rule 05–073

Relating to Lake Winnebago sturgeon spearing. Submitted by Department of Natural Resources.

Report received from Agency, October 13, 2005.

Referred to committee on Natural Resources and Transportation, October 13, 2005.

The Chief Clerk makes the following entries dated Friday, October 14, 2005.

The Chief Clerk makes the following entries dated Monday, October 17, 2005.

State of Wisconsin

October 13, 2005

The Honorable, The Senate:

Pursuant to Senate Rule 46(2)(c), I am writing to direct that Senate Joint Resolution 35 be withdrawn from the committee on Veterans, Homeland Security, Military Affairs, Small Business, and Government Reform and rereferred to the committee on Labor and Election Process Reform. I have obtained the consent of the appropriate chairperson.

Sincerely,

ALAN LASEE Senate President

The committee on Natural Resources and **Transportation** reports and recommends:

Senate Clearinghouse Rule 05–020

Relating to landfilling of solid waste.

No action taken.

Senate Clearinghouse Rule 05–037

Relating to miscellaneous structures and dredging in navigable waterways.

No action taken.

Senate Clearinghouse Rule 05–055

Relating to excluding additional organic compounds for the volatile organic compound (VOC) definition and to VOC emission limits for yeast manufacturing.

No action taken.

Senate Clearinghouse Rule 05–057

Relating to the 2005 migratory game bird seasons.

No action taken.

NEAL KEDZIE Chairperson

Senate amendment 3 to Senate Bill 38 offered by Senator Leibham.

Senate amendment 1 to Senate Bill 222 offered by Senator Reynolds.

Senate amendment 1 to Senate Bill 223 offered by Senator Reynolds.

Read and referred:

Senate Joint Resolution 44

Relating to: designating the state of Wisconsin's maritime

By Senators Leibham and A. Lasee; cosponsored by Representatives Ziegelbauer, Kestell and F. Lasee.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 386

Relating to: immunity from civil liability for providing safety services related to the inspection and installation of child safety restraint systems in motor vehicles.

By Senator Stepp; cosponsored by Representative Lamb.

To committee on Judiciary, Corrections and Privacy.

Senate Bill 387

Relating to: repossession of goods in consumer credit transactions and certain consumer leases.

By Senators Harsdorf, Leibham, Wirch and Olsen; cosponsored by Representatives Hundertmark, Freese, Van Roy, Hahn, Hines, Townsend, Ballweg, Strachota, LeMahieu, Ainsworth, Suder, Lamb, Schneider and Vos.

To committee on Judiciary, Corrections and Privacy.

Senate Bill 388

Relating to: establishing a publicly financed health care system for residents of this state, creating the Department of Health Planning and Finance, Health Policy Board, and regional consumer health councils, granting rule-making authority, and making appropriations.

By Senators Miller, Carpenter, Erpenbach, Risser, Robson and Wirch; cosponsored by Representatives Benedict, Berceau, Black, Boyle, Fields, Grigsby, Kessler, Parisi, Pocan, Pope-Roberts and Sheridan, by request of Coalition for Wisconsin Health.

To committee on Health, Children, Families, Aging and Long Term Care.

Senate Bill 389

Relating to: default judgments in cases involving citations issued for certain violations, including underage drinking and smoking.

By Senator Darling; cosponsored by Representatives Kleefisch, Molepske, Gundrum, Vos, Mursau, Seidel, Musser, Hines, Schneider, Petrowski and Townsend.

To committee on Judiciary, Corrections and Privacy.

Senate Bill 390

Relating to: a harbor assistance grant for the construction of a dockwall in the city of Marinette.

By Senator A. Lasee; cosponsored by Representatives Gard

To committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.

Senate Bill 391

Relating to: guardianships, conservatorships, and wards; involuntary administration of psychotropic medication; protective placements and protective services; powers of attorney for health care; durable powers of attorney; venue, residence, and county of responsibility; requiring the exercise of rule-making authority; and providing a penalty.

By Senators Olsen, Miller, Roessler, Darling, Erpenbach, Risser, Harsdorf, Plale and Wirch; cosponsored by

Representatives Townsend, Krusick, Kestell, Krawczyk, Hines, Gielow, Musser, Hahn, Ott, Berceau, Sherman, Seidel, Sheridan and Lehman.

To committee on **Health, Children, Families, Aging and Long Term Care**.

Senate Bill 392

Relating to: the sale of gift certificates, gift cards, and other gift obligations and providing penalties.

By Senators Lazich, Brown and Roessler; cosponsored by Representatives Nass, Suder, Hahn, Petrowski, Albers, Pettis and Ainsworth.

To committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.

State of Wisconsin Office of the Secretary of State

To the Honorable, the Senate:

Bill Number	Act Number	Publication Date
Senate Bill 218	Act 49	October 27, 2005
Senate Bill 266	Act 50	October 27, 2005

Sincerely, DOUGLAS LA FOLLETTE Secretary of State

Senate Clearinghouse Rule 05–064

Relating to cleaning methods for historic buildings. Submitted by Department of Commerce. Report received from Agency, October 14, 2005.

Referred to committee on **Job Creation**, **Economic Development and Consumer Affairs**, October 17, 2005.

Senate substitute amendment 2 to **Senate Bill 221** offered by Senator Lassa.

Senate amendment 1 to **Assembly Bill 278** offered by Senator Roessler.

The Chief Clerk makes the following entries dated Tuesday, October 18, 2005.

Read and referred:

Senate Joint Resolution 45

Relating to: proclaiming the month of October as Breast Cancer Awareness Month.

By Senators Darling, Taylor, Kapanke, Coggs, Schultz, Brown, Roessler, A. Lasee, Erpenbach, Leibham, Lassa, Cowles, Harsdorf, Stepp, Robson, Lazich, Plale and Ellis; cosponsored by Representatives Rhoades, Vruwink, Lamb, Huebsch, Sinicki, Benedict, Hines, Hubler, Cullen, Gronemus, Shilling, Wood, Travis, Suder, M. Williams, Ott, Fields, Sheridan, Gard, Lehman, Grigsby, Nischke, Nelson, Boyle, Musser, Pettis, Berceau, McCormick, Pocan, Davis, Hundertmark, Seidel, Nerison, Jeskewitz, Owens, Kerkman, Toles, Van Roy, Wasserman, Kreibich, Kreuser, Molepske,

Ziegelbauer, Hebl, Albers, Krawczyk, Vrakas, Petrowski, Towns, Gielow, Strachota, Ballweg and Gunderson.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 393

Relating to: recovery of noneconomic damages in medical malpractice cases.

By Senators S. Fitzgerald, Kapanke, Brown, Darling, Ellis, Grothman, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Reynolds, Roessler, Schultz, Stepp and Zien; cosponsored by Representatives Gielow, Huebsch, Nischke, Gard, Freese, Gottlieb, Gundrum, Hahn, Honadel, Hundertmark, Jensen, Jeskewitz, Kerkman, Kestell, Kreibich, Lamb, Loeffelholz, McCormick, Moulton, Mursau, Rhoades, Strachota, Van Roy, Vos, M. Williams, Wieckert, Nerison, Underheim, Suder and Friske.

To committee on Agriculture and Insurance.

State of Wisconsin Office of the Governor

October 18, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MOORE, MANIA, of New Richmond, as a member of the Chiropractic Examining Board, to serve for the term ending July 1, 2009.

Sincerely,

JIM DOYLE

Governor

Read and referred to committee on **Health, Children, Families, Aging and Long Term Care.**

State of Wisconsin

October 14, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KRUEGER, BYRON, of Melrose, as a member of the Auctioneer Board, to serve for the term ending May 1, 2007.

Sincerely,

JIM DOYLE

Governor

Read and referred to committee on Labor and Election Process Reform.

Senate amendment 1 to **Senate Bill 122** offered by Senator Cowles.

Senate amendment 1 to Senate amendment 1 to **Senate Bill 226** offered by Senator Roessler.

Senate amendment 1 to **Senate Bill 313** offered by Senator Darling.

Senate substitute amendment 1 to **Senate Bill 320** offered by Senator Kanavas.

CORRECTIONS IN:

SENATE AMENDMENT 1, TO 2005 SENATE BILL 315

Prepared by the Legislative Reference Bureau (October 17, 2005)

1. Page 1, line 10: delete that line and substitute: "custodial interrogations PR-S A 312,500 750,000".

CORRECTIONS IN:

TO 2005 SENATE BILL 315

Prepared by the Legislative Reference Bureau (October 17, 2005)

1. Page 1, line 10: delete that line and substitute:

"custodial interrogations PR-S A -0- -0-".

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read and referred:

Senate Joint Resolution 46

Relating to: the life and service of United States Army Specialist Eric Poelman, who lost his life during Operation Iraqi Freedom.

By Senator Stepp; cosponsored by Representatives Vos, Lehman and Turner.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 394

Relating to: electromyography.

By Senators Roessler and Darling; cosponsored by Representative Krawczyk.

To committee on Health, Children, Families, Aging and Long Term Care.

Senate Bill 395

Relating to: consent for the recovery, processing, or distribution of certain anatomical gifts.

By Senators A. Lasee, Roessler, Brown, Darling, Miller and Lassa; cosponsored by Representatives Ott, Gielow, Wieckert, Wasserman, Strachota, Staskunas, Townsend, Kerkman, Van Roy, Hahn, Albers, Sheridan, Bies, Kestell, Gunderson, Hines, Lothian and Moulton.

To committee on **Health**, **Children**, **Families**, **Aging and Long Term Care**.

Senate Bill 396

Relating to: the deadline and procedure for voter registration and the determination of residency for voting purposes.

By Senators Reynolds, Grothman, Stepp and Ellis; cosponsored by Representatives Jeskewitz, Pridemore, Nischke, Nass, Albers, Kerkman, Lothian, Kleefisch, F. Lasee, Bies, Ainsworth, McCormick, Suder, Gundrum, Strachota and Gunderson.

To committee on Labor and Election Process Reform.

REPORT OF COMMITTEES

The committee on **Housing and Financial Institutions** reports and recommends:

RILEY, ANTONIO, of Milwaukee, as Executive Director of the Wisconsin Housing and Economic Development Authority, to serve for the term ending February 1, 2007.

Confirmation.

Ayes, 6 – Senators Stepp, Harsdorf, Brown, Plale, Lassa and Coggs.

Noes, 1 – Senator Reynolds.

TENUTA, RALPH, of Kenosha, as a member of the Banking Review Board, for the term ending May 1, 2010.

Confirmation.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.

Noes, 0 - None.

Senate Bill 89

Relating to: a municipality's and county's ability to eliminate certain nonconforming buildings or premises.

Passage.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.

Noes, 0 - None.

Senate Bill 269

Relating to: various modifications to housing loan programs and loan guarantee programs, increasing the bonding authority of the Wisconsin Housing and Economic Development Authority (WHEDA), and removing limitations on WHEDA's authority to acquire property.

Passage.

Ayes, 6 – Senators Stepp, Harsdorf, Brown, Plale, Lassa and Coggs.

Noes, 1 – Senator Reynolds.

Senate Bill 325

Relating to: indoor environmental quality in schools and granting rule-making authority.

Passage.

Ayes, 6- Senators Stepp, Harsdorf, Brown, Plale, Lassa and Coggs.

Noes, 1 – Senator Reynolds.

Assembly Bill 155

Relating to: a municipality's and county's ability to eliminate certain nonconforming buildings or premises.

Concurrence.

Ayes, 7 – Senators Stepp, Harsdorf, Brown, Reynolds, Plale, Lassa and Coggs.

Noes, 0 – None.

CATHY STEPP Chairperson

The committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform**reports and recommends:

Senate Joint Resolution 33

Relating to: prohibiting partial vetoes from creating new sentences (first consideration).

Adoption.

Ayes, 4 – Senators Brown, Zien, Kanavas and Wirch.

Noes, 1 – Senator Breske.

Senate Bill 346

Relating to: procedure for the altering of any park entrance at Perrot State Park.

Passage.

Ayes, 3 – Senators Brown, Zien and Kanavas.

Noes, 2 – Senators Breske and Wirch.

Senate Bill 347

Relating to: expanding eligibility for the veterans and surviving spouses property tax credit.

Passage.

Ayes, 5 - Senators Brown, Zien, Kanavas, Breske and Wirch.

Noes, 0 - None.

Senate Bill 390

Relating to: a harbor assistance grant for the construction of a dockwall in the city of Marinette.

Passage.

Ayes, 5 - Senators Brown, Zien, Kanavas, Breske and Wirch.

Noes, 0 - None.

Assembly Bill 684

Relating to: procedure for the altering of any park entrance at Perrot State Park.

Concurrence.

Ayes, 3 – Senators Brown, Zien and Kanavas.

Noes, 2 – Senators Breske and Wirch.

RONALD BROWN Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin Legislative Audit Bureau

October 18, 2005

The Honorable, The Legislature:

The State's Annual Fiscal Report for fiscal year (FY) 2004–05, which was issued on October 17, 2005, shows an unreserved, undesignated General Fund surplus balance of \$4.1 million. I am writing to inform you of accounting changes by the Department of Administration that led to the reported surplus balance. These changes also resulted in the continuation of a deficit balance in the Medical Assistance Trust Fund at the end of FY 2004–05.

Throughout much of FY 2004–05, the Medical Assistance Trust Fund had a deficit balance because expenditures exceeded anticipated revenues. To address the shortfall, 2005 Wisconsin Act 2 directed that \$50.0 million be transferred from the General Fund to the Medical Assistance Trust Fund. 2005 Wisconsin Act 15 subsequently directed that an additional \$75.0 million be transferred to the Medical Assistance Trust Fund to cover the full deficit by the end of FY 2004–05.

On June 28, 2005, the Department of Administration transferred \$75.0 million from the General Fund to the Medical Assistance Trust Fund. On June 29, 2005, it reported to the Legislature on deficit cash balances, as required by s. 20.002(11)(f), Wis. Stats. In explaining the deficit in the Medical Assistance Trust Fund during May 2005, the Department of Administration indicated that "(t)his deficit will decline by \$125.0 million in June when revenue is transferred from the general fund to the Medical Assistance Trust Fund as required by 2005 Wisconsin Act 2 and 2005 Wisconsin Act 15."

Last week, it became apparent that because of errors we identified in the Department of Revenue's accounting for individual income tax revenues, the General Fund's unreserved, undesignated balance at the end of FY 2004–05 would have been reported as a deficit of \$50.9 million in the Annual Fiscal Report. However, as the report was finalized, the Department of Administration made the following accounting changes. First, it reversed the June 28, 2005 transfer of \$75.0 million from the General Fund to the Medical Assistance Trust Fund. Second, it divided the \$75.0 million between two fiscal years, so that \$20.0 million was reported during FY 2004–05 and the remaining \$55.0 million was reported during FY 2005–06.

Because of these changes, the Annual Fiscal Report included a positive unreserved, undesignated General Fund balance of \$4.1 million as of June 30, 2005. However, because the entire \$75.0 million transfer specified in 2005 Wisconsin Act 15 was not made as of the end of FY 2004–05, a deficit balance of \$53.9 million was reported in the Medical Assistance Trust Fund.

Representatives of the Department of Administration believe that the reversal of the initial \$75.0 million transfer and subsequent division of funds between two fiscal years is allowable under s. 16.52(12), Wis. Stats., which allows that agency's Secretary to determine the timing of interfund transfers when the Legislature does not specify a date. Agency representatives also indicate that if the Department of Revenue's accounting errors had been known, the Department of Administration would not have transferred \$75.0 million from the General Fund on June 28, 2005, because sufficient funds would not have been available.

We are concerned because the Department of Administration's action is in conflict with the Legislature's intent that the Medical Assistance Trust Fund be balanced at the end of FY 2004–05. We are also concerned that the Department of Administration's interpretation of s. 16.52(12), Wis. Stats., could allow it to delay indefinitely the legislatively mandated transfers to the Medical Assistance Trust Fund under Act 15, as well as any other transfer the Legislature may authorize without specifically stating the date by which it is to be made.

We review the financial statements included in the Annual Fiscal Report because the unreserved, undesignated General Fund balance represents funds available for general appropriation. However, we do not audit those financial statements. The audited financial statements for FY 2004–05 prepared in accordance with generally accepted accounting principles will be included in the State's Comprehensive Annual Financial Report, which is expected to be issued in December 2005.

Please contact me if you have any questions.

Sincerely,

JANICE MUELLER State Auditor

State of Wisconsin Ethics Board

October 18, 2005

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2005 session of the legislature, visit the Ethics Board's web site at http://ethics.state.wi.us

Brooks, Bryan	E.I. du Pont de Nemours & Co.
Burke, Brian	Partnership to Preserve Our Entertainment Resources, Inc.
Franken, Andrew	Delta Dental Plan of Wisconsin Inc
Gordon, Fredrick G.	Partnership to Preserve Our Entertainment Resources, Inc.
Halbrooks, David	Partnership to Preserve Our Entertainment Resources, Inc.
Lebakken, Jeffrey	Wisconsin Rental Dealers Association
O'Connor, Alice	Wisconsin Coroners and Medical

Examiners Association

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Peters, Catherine American Cancer Society

Peterson, Craig Partnership to Preserve Our Entertainment Resources, Inc.

Reese, Gina Musculoskeletal Transplant

Foundation

Springer, Thomas J E.I. du Pont de Nemours & Co.

Strosahl, Mark Northern Counties Legislative

Consortium

Vaughan, Michael Wisconsin Coroners and Medical

Examiners Association

Viohl, Bridget Partnership to Preserve Our

Entertainment Resources, Inc.

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists. Sincerely,

R. ROTH JUDD Executive Director

State of Wisconsin Department of Administration

October 17, 2005

The Honorable, The Legislature:

Attached please find the Department of Administration's contractual service procurement report for fiscal year 2005 pursuant to Section 16.705(8), Wis. Stats.

Your review of this report may benefit from understanding the historical context of State contracting. During the 1990's, State Government grew at an unprecedented rate. Consistent with this, State contracting grew by 123% between FY94 and FY03. Upon taking office, Governor Doyle directed his Cabinet to be conscientious about contracting for services. In FY04, State agencies reduced the overall amount spent on contracting by almost 6% between fiscal years 2003 and 2004.

When compared to the same set of data as previous years, I am pleased to report that State agencies again reduced the overall amount spent on contractual services in fiscal year 2005 by 6.65%, for a total reduction of 12.08% since Governor Doyle took office.

As we more forward, contractual service contracts will continue to be closely scrutinized. The Department of Administration recently re—bid a contract for Information Technology Services. For the first time, rate cards for a wide range of IT positions have been developed. These rate cards are based on market conditions and are the maximum rates that agencies will pay for these services. This contract is projected to generate 17% savings or \$9,647,410 over the biennium. The State intends to award similar contracts for temporary services and consulting services in fiscal year 2006.

Moreover, as part of the ACE Initiative, Governor Doyle directed that the State look strategically at how it contracts for goods and services in all areas and on an enterprise-wide basis. In particular, the Governor directed that:

 The State deploy the needed IT systems to allow for tracking and monitoring all state contracts. The state has completed the development of business requirements for a statewide enterprise resource system that, for the first time, will enable all state agencies to utilize a single procurement system. This will empower the State to find opportunities to consolidate, eliminate or re-bid contracts to save taxpayer dollars. In addition, it will increase protections to ensure that terms of the contracts are properly carried out. The request for proposal is expected to be released in late October of 2005.

- State agencies complete a uniform, rigorous cost benefit analysis when making contracting decisions for services. The cost benefit analysis was fully implemented in 2005. It requires the State to take into account all relevant factors including quality and nature of services required, capacity and expertise of the State workforce, whether the work is a core service of State government, and whether it is a short-term service or an on-going need.
- The State streamline its contracting process and procurement organization to make it more efficient, effective and responsive. Agency procurement staff has been streamlined by 23% and the procurement function is largely consolidated at the Department of Administration. The State is implementing new strategic sourcing techniques to consolidate contracts, leverage state spend and streamline solicitations. Recently the Governor announced contracts in seven categories that were strategically sourced and anticipated to result in almost \$80 million of saving for the State over the life of the contracts.

If you have questions about this report, please direct them to Patrick Farley in the Department of Administration, Division of Enterprise Operations, at 266-0779.

Sincerely,

STEPHEN E. BABLITCH Secretary

State of Wisconsin Department of Revenue

October 18, 2005

The Honorable, The Legislature:

I am submitting the quarterly report of the Wisconsin Lottery for the quarter ending September 30, 2005. As required by s. 565.37(3), Wis. Stats., the attached materials contain unaudited Wisconsin Lottery year to date Revenue and Expenditure information.

Net operating income was \$34.6 million for the quarter, up 6.1 percent, compared to the same quarter last year.

The information reported here is a summary and is not intended to be a complete financial accounting of Wisconsin Lottery operations.

If you have any questions or comments regarding this report, please feel free to contact me at (608) 266-6466.

Sincerely,

MICHAEL L. MORGAN Secretary

Wisconsin Housing and Economic Development Authority

October 15, 2005

The Honorable, The Legislature:

Pursuant to Wisconsin Statute 234.93(5), enclosed please find the following reports relating to the Wisconsin Development Reserve Fund:

Annual Report of Guarantee Funds as of June 30, 2005

Should you have any questions or comments on the reports, please feel free to call me at 266-1640.

Sincerely,

LAURA B. MORRIS Chief Financial Officer