

STATE OF WISCONSIN  
**Senate Journal**  
Ninety–Seventh Regular Session

---

WEDNESDAY, December 6, 2006

---

The Chief Clerk makes the following entries dated Friday, December 1, 2006.

\_\_\_\_\_  
**State of Wisconsin**  
**Revisor of Statutes Bureau**

December 1, 2006

To the Honorable, the Senate:

The following rules have been published:

<u>Clearinghouse Rules</u>	<u>Effective Date(s)</u>
02–095	12–1–2006
05–105	12–1–2006
05–116	12–1–2006
05–118	12–1–2006
06–024	12–1–2006
06–028	12–1–2006
06–033	12–1–2006
06–035	12–1–2006
06–044	12–1–2006
06–051	12–1–2006
06–061	12–1–2006
06–062	12–1–2006
06–063	12–1–2006
06–065	12–1–2006
06–071	(part) 12–1–2006 (part) 04–1–2007
06–075	12–1–2006
06–076	12–1–2006
06–087	12–1–2006
06–088	12–1–2006
06–091	12–1–2006
06–095	12–1–2006

Sincerely,  
*GARY L. POULSON*  
Deputy Revisor

**State of Wisconsin**  
**Senate**

The Honorable, the Senate:

I will be appointing Senator Joe Leibham to serve on the Wisconsin Aerospace Authority. His term of service begins effective immediately and will expire on June 30, 2009.

As the author of the legislation creating the Aerospace Authority, his experience and insights will be a tremendous asset. I am confident that Senator Leibham will work to promote the aerospace industry in this state through his service on the Aerospace Authority.

If you have any questions, please feel free to contact my office.

Sincerely,  
*ALAN J. LASEE*  
Senate President

---

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin**  
**Department of Administration**

November 30, 2006

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 October 2006.

On October 26, 2006, the **Medical Assistance Trust Fund** cash balance closed at a negative \$12.4 million. This negative balance continued through October 31, 2006, when the fund's cash balance closed at a negative \$12.0 million. The **Medical Assistance Trust Fund** cash balance reached its intra-month low of a negative \$12.5 million on October 30, 2006. The negative balance was due to the difference in the timing of revenues and expenditures.

On October 26, 2006, the **Wisconsin Health Education Loan Repayment Fund** cash balance closed at a negative \$2 thousand. This negative balance continued through October 31, 2006, when the fund's cash balance closed at a negative \$2 thousand. The negative balance was due to the difference in the timing of revenues and expenditures.

On October 26, 2006, the **Worker's Compensation Fund** cash balance closed at a negative \$1.7 million. This negative balance continued through October 31, 2006, when the fund's cash balance closed at a negative \$1.7 million. The negative balance was due to the difference in the timing of revenues and expenditures.

The Medical Assistance Trust Fund, Wisconsin Health Education Loan Repayment Fund, and Worker's 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,  
*STEPHEN E. BABLITCH*  
Secretary

**State of Wisconsin  
Department of Health and Family Services**

December 1, 2006

The Honorable, The Senate:

The Department of Health and Family Services is pleased to provide you this annual report of the Wisconsin Food Security Consortium's plans to address food insecurity, as required under s. 46.76(4) and (5).

The Wisconsin Food Security Consortium continues making progress in devising strategies to end hunger and food insecurity in Wisconsin. Key steps in 2006 include:

- The Consortium expanded its membership to include several more local food security representatives, and improved communications among Consortium members through regular e-mails. A web site is being planned.
- The consortium meetings throughout 2006 continued providing updates from the various programs associated with the Consortium, including School Breakfast Programs, Summer Food Program, Emergency Food Programs, FoodShare and the FoodShare Access Program.
- The Consortium established a governance structure with by-laws. The structure represents an independent partnership, rather than a committee appointed by and reporting to DHFS. A Steering Committee consisting of Consortium members meets monthly and carries out the work of the Consortium.
- The Steering Committee wrote and submitted a Wisconsin Food Security Partnership grant application to *The Wisconsin Partnership Fund for a Healthy Future*. It proposes to plan and conduct a statewide gathering on the issue of hunger that will result in the development and dissemination of an Action Plan that offers a menu of specific steps which state and local leaders from the public and private sectors can take to help minimize hunger and food insecurity.
- The WIC Program is planning a Food Insecurity Survey of its participants for January 2007.

These successes indicate the continued commitment of the Department, with the assistance of the Food Security Consortium, to fight hunger in Wisconsin.

Sincerely,  
*HELENE NELSON*  
Secretary

**State of Wisconsin  
Technical College System**

December 1, 2006

The Honorable, The Legislature:

This letter certifies that all sixteen Wisconsin Technical Colleges have provided sexual assault and harassment

orientation, materials and information to students as required under state statute 38.12(11) for the 2006–2007 school year.

Individual college letters assuring compliance are on file in our office at this time. If you have any questions or need additional information, please contact Linda Fahey, System Equal Opportunity Officer, at 267–2479.

Sincerely,  
*DANIEL CLANCY*  
President

**State of Wisconsin  
Legislative Audit Bureau**

December 5, 2006

The Honorable, The Legislature:

At the request of the departments of Commerce and Administration, and in accordance with s. 13.94(1s), Wis. Stats., we have completed a financial audit of the State of Wisconsin Petroleum Inspection Fee Revenue Obligations Program for the fiscal years ending June 30, 2006, and June 30, 2005. We express our unqualified audit opinion on the Statement of Changes in Program Assets and related notes.

Since the program began in 2000, the State has issued \$387.6 million in revenue obligations, such as bonds and commercial paper, to provide financing for payment of claims under the Wisconsin Petroleum Environmental Cleanup Fund Award (PECFA) program. These revenue obligations are not general obligation debt of the State. Instead, they are to be repaid primarily from the fee collected by the Department of Revenue from suppliers of petroleum products sold in Wisconsin. This fee, which is established in s. 168.12(1), Wis. Stats., was reduced from \$0.03 per gallon to \$0.02 per gallon effective April 1, 2006, as provided for in [2005 Wisconsin Acts 25 and 85](#).

Petroleum inspection fees are initially credited to the Transportation Fund. They are then transferred by the Department of Revenue to the trustee of the Petroleum Inspection Fee Revenue Obligations Program. After satisfying debt service requirements, the trustee transfers any remaining fees back to the State for deposit to the Petroleum Inspection Fund. We found that the Department of Revenue erroneously transferred amounts in excess of actual petroleum inspection fee collections to the trustee. As a result, the Petroleum Inspection Fund was incorrectly credited for amounts that should have remained in the Transportation Fund. An estimate to correct for this error has already been included in the State's Annual Fiscal Report for 2005–06, published by the Department of Administration in October 2006. In a separate audit communication, we include recommendations for the Department of Revenue to calculate actual excess transfers and make necessary adjustments to the State's central accounting records.

We appreciate the courtesy and cooperation extended to us during the audit by staff of the departments of Commerce, Administration, and Revenue.

Sincerely,  
*JANICE MUELLER*  
State Auditor