

STATE OF WISCONSIN
Assembly Journal
Ninetieth Regular Session

TUESDAY, January 21, 1992

The chief clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 382** offered by committee on Financial Institutions and Insurance.

Assembly substitute amendment 1 to **Assembly Bill 452** offered by committee on Excise and Fees.

Assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 591** offered by Representative Hinkfuss.

Assembly amendment 1 to **Assembly Bill 613** offered by committee on Colleges and Universities.

Assembly amendment 1 to **Assembly Bill 689** offered by Representative Coleman.

Assembly substitute amendment 1 to **Assembly Bill 707** offered by Representative Zien.

Assembly substitute amendment 1 to **Assembly Bill 709** offered by Representative Schneider.

Assembly substitute amendment 1 to **Assembly Bill 801** offered by committee on Financial Institutions and Insurance.

Assembly amendment 1 to **Assembly Bill 802** offered by committee on Financial Institutions and Insurance.

Assembly substitute amendment 1 to **Assembly Bill 843** offered by Representatives Goetsch and Musser.

Assembly amendment 1 to **Assembly Bill 853** offered by committee on Labor.

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 91-140

Relating to change in residency status and notification of other regulatory actions.

Submitted by Office of the Commissioner of Insurance.

To committee on Financial Institutions and Insurance.

Referred on January 17, 1992.

Assembly Clearinghouse Rule 91-141

Relating to the return of unearned premium for worker's compensation policies.

Submitted by Office of the Commissioner of Insurance.

To committee on Financial Institutions and Insurance.

Referred on January 17, 1992.

Assembly Clearinghouse Rule 91-143

Relating to the requirement of prelicensing education for insurance agents.

Submitted by Office of the Commissioner of Insurance.

To committee on Financial Institutions and Insurance.

Referred on January 17, 1992.

Assembly Clearinghouse Rule 91-167

Relating to fees for credentials and reexaminations and refund fees.

Submitted by Department of Regulation and Licensing.

To committee on Consumer Affairs.

Referred on January 17, 1992.

Assembly Clearinghouse Rule 91-175

Relating to licensing and regulation of employee benefit plan administrators.

Submitted by Office of the Commissioner of Insurance.

To committee on Financial Institutions and Insurance.

Referred on January 17, 1992.

INTRODUCTION AND REFERENCE
OF PROPOSALS

Read first time and referred:

Assembly Bill 868

Relating to the membership of a county planning and zoning committee or commission and a county zoning agency.

By Representative Wineke.

To committee on Urban and Local Affairs.

Assembly Bill 869

Relating to the counting of prior convictions, refusals and revocations when determining the penalty for an offense related to driving while under the influence of an intoxicant.

By Representatives Black, Hahn, Brandemuehl, Harsdorf, Van Gorden, Rosenzweig, Ladwig, Vrakas, Darling, Klusman, Krusick, Urban, Silbaugh, Zien and

Kaufert, cosponsored by Senators Buettner, Petak, Lorman, Burke and Weeden.

To committee on Judiciary.

Assembly Bill 870

Relating to forfeitures for violations of local ordinances on vehicle size, weight or load.

By Representative Hough, cosponsored by Senator Adelman.

To committee on Transportation.

Assembly Bill 871

Relating to the approval of solid and hazardous waste facilities, the environmental repair fee for generators of hazardous wastes and granting rule-making authority.

By Representatives Hough, Wineke, Reynolds, Black, Turner, Stower, Springer, Robson and Potter, cosponsored by Senator Adelman.

To committee on Natural Resources.

Assembly Bill 872

Relating to granting a county board the authority to appropriate funds to broadcast or rebroadcast meetings of the board.

By Representatives Hisrich, Young, Hamilton, Van Dreel, Gruszynski, Fortis, Musser, Radtke, Huber, Brandemuehl, Robson, Moore, Stower, Duff, Vrakas and Lorge, cosponsored by Senators Moen, Decker and Huelsman.

To committee on Urban and Local Affairs.

Assembly Bill 873

Relating to the amount of the farmland preservation credit available for land subject to a farmland preservation agreement or a transition area agreement or initial farmland preservation agreement that is not in an area subject to certain restrictive agricultural zoning ordinances.

By Representatives Brandemuehl, Ott, Lehman, Goetsch, Musser, Ainsworth, Bolle, Hahn, Deininger, Zien, Van Gorden, Klusman, Lorge, Duff, Radtke, Silbaugh, Harsdorf and Turba, cosponsored by Senators Farrow, Lorman, Moen and Stitt.

To committee on Ways and Means.

Assembly Bill 874

Relating to drug enforcement surcharges.

By Representatives Reynolds, Musser, Gronemus, Stower, Lautenschlager, Barca, Baumgart, Van Dreel, Harsdorf, Hahn, Van Gorden, Brandemuehl, Zien, Goetsch, Hough, Radtke, Ott, Schneiders, Nass, Lorge, Klusman, Kaufert, Ladwig, Silbaugh and Porter, cosponsored by Senators Breske, Roshell and Petak.

To Special Committee on Drug Enforcement, Education and Treatment.

Assembly Bill 875

Relating to foster homes and treatment foster homes, juvenile court procedures and dispositions, payment of mental health and developmental disability services for children, providing an exemption from and extending the

time limit for emergency rule procedures and making an appropriation.

By Representatives Young, Bell, Notestein, Rohan, Schneiders, Moore, Hinkfuss, Boyle, Hisrich and Travis, cosponsored by Senator Chvala.

To committee on Children and Human Services.

Assembly Bill 876

Relating to providing interpreters for persons who are deaf or hard of hearing, who have speech difficulties or who are unable to speak or understand English.

By Representatives Lautenschlager, Black, Young, Notestein, Baldus, Coleman, Carpenter, Huber, Robson, Hamilton, Moore, Van Dreel, Schwartz, Lorge, Turner, Hinkfuss, Radtke, Bolle, Gruszynski, Rohan, Fortis and Barca, cosponsored by Senators Adelman, Andrea, Rude, Van Sistine, Petak, Moen, Buettner, Chvala and Jauch.

To committee on Judiciary.

Assembly Bill 877

Relating to requiring presentation of proof that property taxes are not owed before a condominium or time-share instrument is recorded.

By Representatives Rutkowski, Holperin, Goetsch, Notestein, Stower, Schneiders, Fortis, Van Dreel and Hahn, cosponsored by Senators Adelman, Cowles and Petak, by request of John Siefert, Milwaukee County Treasurer.

To committee on Judiciary.

Assembly Bill 878

Relating to insurance coverage of chiropractic services.

By Representatives Carpenter, Swoboda, Porter, Vanderperren, Schneider, Gronemus, Vander Loop, Van Gorden, Roberts, Musser, Hauke, Holperin, Johnsrud, Silbaugh, Reynolds, Gruszynski, Freese, Linton, Holschbach, Wineke, Urban and S. Coggs, cosponsored by Senators Breske, Burke, Plewa, Rude, Czarnecki, Petak and Decker.

To committee on Health.

Assembly Bill 879

Relating to eliminating the Robert M. La Follette institute of public affairs at the university of Wisconsin-Madison.

By Representative Schneider.

To committee on Colleges and Universities.

Assembly Bill 880

Relating to the public election of the secretary of agriculture, trade and consumer protection, eliminating the board of agriculture, trade and consumer protection and creating a council of agriculture, trade and consumer protection.

By Representatives Gronemus, Schneider, Linton, Clarenbach, Wineke, Carpenter, Barca and Fortis.

To committee on Agriculture, Aquaculture and Forestry.

Assembly Bill 881

Relating to lighting of exit signs in public buildings.

By Representatives Black, Hinkfuss, Robson, Kaufert, Baumgart, Young, Ainsworth, Fortis, Bock, Potter and Lorge, cosponsored by Senators Chvala, Burke, Schultz, Cowles, Buettner and Leean.
To committee on Energy and Commerce.

Assembly Bill 882

Relating to an economic and environmental assessment of electric utility advance plans.

By Representatives Black, Hinkfuss, Hough, Robson, Notestein, Van Dreel, Young, Stower, Fortis, Darling, Bock, Potter, Lorge and Gruszynski, cosponsored by Senators Chvala, Adelman, Burke and Cowles.

To committee on Environmental Resources, Utilities and Mining.

Assembly Bill 883

Relating to establishing a Wisconsin cost containment commission and a cost containment council, granting rule-making authority and making an appropriation.

By Representatives Van Dreel, Robson, Ladwig and Boyle, cosponsored by Senators Adelman and Petak.

To Special Committee on Reform of Health Insurance.

Assembly Bill 884

Relating to violations of orders or injunctions and providing penalties.

By Representatives Goetsch, Barca, Krusick, Medinger, Brandemuehl, Harsdorf, Van Dreel, Lehman, Porter, Klusman, Vergeront, Duff, Musser, Underheim, Zien, Silbaugh and Nass, cosponsored by Senators Farrow, Petak, Berndt and Huelsman.

To committee on Criminal Justice and Public Safety.

Assembly Bill 885

Relating to public access to records of the names of applicants for public offices or employment and the material submitted by such applicants.

By Representatives Roberts, Schneider, Schneiders, Grobschmidt, Ladwig, Bolle, Hisrich, Baldus, Bell, Plache, Rohan, Deininger, Hinkfuss, Boyle and Kaufert, cosponsored by Senators Plewa, Farrow, Huelsman and Petak.

To committee on State Affairs.

Assembly Bill 886

Relating to antique aircraft registration transfers.

By Representatives Robson, Wood, Underheim, Bolle, Loucks, Baldus, Lorge, Lautenschlager, Radtke, Stower and Musser, cosponsored by Senators Potter, Schultz and Lorman.

To committee on Transportation.

Assembly Bill 887

Relating to creation of an advocacy assistance program for small employers and claimants with respect to unemployment compensation disputes and making an appropriation.

By Representatives Wood, Schwartz, Carpenter, Holperin, Robson, Lorge, Lautenschlager, Stower,

Rohan, Black, Musser, Boyle, Hamilton, Baldus and Zien.

To committee on Labor.

Assembly Bill 888

Relating to the validity of licenses for pawnbrokers, secondhand article dealers and secondhand jewelry dealers and requirements for obtaining a secondhand article dealer mall or flea market license.

By Representatives Krusick, Holperin, Boyle, Brandemuehl, Lautenschlager, Lehman, Musser and Rohan, cosponsored by Senators Huelsman, Schultz and Weeden.

To committee on Urban and Local Affairs.

Assembly Bill 889

Relating to recovery of medical assistance benefits.

By Representatives Krusick, Grobschmidt, Ainsworth, Brandemuehl, Holschbach, Huber, Kaufert, Ladwig, Musser, Ott, Reynolds, Robson, Rohan, Rosenzweig, Stower, Turner, Van Dreel and Young, cosponsored by Senators Barrett, Burke, Petak and Risser.

To committee on Aging.

Assembly Bill 890

Relating to aid to families with dependent children payments for individuals who move from other states and making an appropriation.

By Representatives Krusick, Ladwig, Grobschmidt, Barca, Gard, Ainsworth, Albers, Baumgart, Bolle, Brancel, Brandemuehl, Carpenter, Coleman, Darling, Deininger, Duff, Foti, Freese, Goetsch, Gronemus, Hahn, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Hough, Johnsrud, Kaufert, Klusman, Lehman, Lorge, Loucks, Musser, Nass, Ott, Ourada, Panzer, Porter, Prosser, Radtke, Reynolds, Roberts, Robson, Rosenzweig, Schneiders, Schwartz, Silbaugh, Springer, Swoboda, Turba, Underheim, Urban, Van Dreel, Van Gorden, Vander Loop, Vanderperren, Vergeront, Vrakas, Welch, Wood and Zien, cosponsored by Senators Andrea, Roshell, Berndt, Breske, Buettner, Cowles, Farrow, Huelsman, Lasee, Leean, Lorman, Petak, Plewa, Potter, Rude, Schultz, Stitt, Van Sistine and Weeden.

To committee on Rules.

Assembly Bill 891

Relating to transportation of persons in certain motor vehicles and providing a penalty.

By Representatives Ott and Brandemuehl, cosponsored by Senator Farrow.

To committee on Highways.

Assembly Bill 892

Relating to creating a health care board, creating a state health benefits plan, grants to increase health care services in underserved areas, eligibility for general relief, eligibility for medical assistance, granting rule-making authority and making appropriations.

By Representatives Fortis, Bock and Lautenschlager, cosponsored by Senator Chvala.

To Special Committee on Reform of Health Insurance.

Assembly Bill 893

Relating to instruction in public schools on the transmission of the human immunodeficiency virus and on acquired immunodeficiency syndrome and making an appropriation.

By Representatives Notestein, Carpenter, Robson, Hisrich, Fortis, Gronemus, Moore, Vander Loop, Bock, M. Cogg, Rohan, Young, Boyle, Loucks and Ourada, cosponsored by Senators Burke, Buettner and Risser.

To committee on Health.

Assembly Bill 894

Relating to eligibility for the farmland preservation tax credit.

By Representatives Hahn, Baldus, Van Gorden, Lehman and Vander Loop, cosponsored by Senator Petak.

To committee on Ways and Means.

Assembly Bill 895

Relating to the public utility component of the shared revenue formula.

By Representatives Swoboda, Hamilton, Gronemus, Robson, Johnsrud and Grobschmidt, cosponsored by Senators Andrea, Rude, Breske and Van Sistine.

To committee on Ways and Means.

Assembly Bill 896

Relating to recovery of medical assistance payments.

By Representatives Swoboda, Gronemus, Carpenter, Schwartz, Vander Loop, Bolle, Musser, Zien, Brandemuehl, Wood, Boyle and Baldus, cosponsored by Senators Andrea, Breske, Ulichny, Petak, Van Sistine, Roshell and Risser.

To committee on Aging.

Assembly Bill 897

Relating to awarding grants to school districts, public agencies and private, nonprofit, community-based organizations for coordinated service programs and making an appropriation.

By Representatives Notestein, Hisrich, Rosenzweig, Fortis, Bock, Lautenschlager, Krusick, Young, Radtke, Huber, Cullen, Robson, Boyle, Schneiders, Plache and Darling, cosponsored by Senators Moen, Potter, Buettner, Risser, Van Sistine and Ulichny.

To committee on Urban Education.

Assembly Bill 898

Relating to alternative educational programs for learnfare pupils in the city of Milwaukee.

By Representatives Notestein, Bolle, Bock, Krusick, Darling, Rosenzweig, Bell, Young, Seery, Fortis and Vergeront, cosponsored by Senators Barrett and Burke.

To committee on Urban Education.

Assembly Bill 899

Relating to exceptions from competitive bidding for the construction, repair or maintenance of harbors or harbor facilities.

By Representatives Moore, S. Cogg, Krug, Bock and Urban, cosponsored by Senators Burke, George and Plewa.

To committee on Urban Infrastructure.

Assembly Bill 900

Relating to the protection of wetlands, the mapping of wetlands, ordinances zoning shorelands and wetlands, enforcement authority of conservation wardens, the establishment of a uniform construction application and permit, the establishment of a wetland protection assessment, changing the definition of a "tax incremental district" to include a wetlands area and requiring the protection of such an area that is within such a district, authority of the department of natural resources and regulation by certain zoning ordinances of certain activities under the direction of the department of transportation, disclosure of provisions regulating wetlands and floodplains, granting rule-making authority, making appropriations and providing penalties.

By Representatives Seery, Black, Baumgart, Robson, Notestein, Bell, Bock, Fortis, Van Dreel, Gruszynski and Young, cosponsored by Senators Burke and Risser.

To committee on Environmental Resources, Utilities and Mining.

COMMITTEE REPORTS

The committee on Education reports and recommends:

Assembly Bill 397

Relating to awarding grants to school districts for community education programs, granting rule-making authority and making an appropriation.

Passage: Ayes: (11) Noes: (4)

To Joint Committee on Finance.

Assembly Bill 733

Relating to the state reimbursement rate for driver's education courses.

Passage: Ayes: (13) Noes: (2)

To Joint Committee on Finance.

Assembly Joint Resolution 39

Requesting the legislative council to study the problem of illiteracy in this state.

Adoption: Ayes: (15) Noes: (0)

To committee on Rules.

Senate Bill 102

Relating to state document collection and distribution, granting rule-making authority and making appropriations.

Concurrence: Ayes: (15) Noes: (0)

To committee on Rules.

Senate Joint Resolution 53

Relating to requesting a study of alternative education programs in public schools.

Concurrence: Ayes: (14) Noes: (1)
To committee on Rules.

MARLIN SCHNEIDER
Chairperson

The committee on Elections and Constitutional Law reports and recommends:

Senate Bill 92

Relating to public information concerning the purpose and effect of designations to the Wisconsin election campaign fund and making an appropriation.

Adoption of assembly amendment 1:
Ayes: (8) Noes: (0)

Concurrence: Ayes: (7) Noes: (1)
To committee on Rules.

PETER BOCK
Chairperson

The committee on State Affairs reports and recommends:

Assembly Bill 500

Relating to creating an Iowa-Wisconsin boundary area commission and making appropriations.

Passage: Ayes: (12) Noes: (0)
To Joint Committee on Finance.

Assembly Bill 702

An act relating to the height of a state office building in the city of Madison.

Passage: Ayes: (9) Noes: (3)
To Joint Committee on Finance.

Assembly Bill 727

Relating to underwater archaeology and submerged cultural resources, creating a submerged cultural resources council, granting rule-making authority, making an appropriation and providing a penalty.

Adoption of assembly amendment 1:
Ayes: (12) Noes: (0)

Passage: Ayes: (9) Noes: (3)
To Joint Committee on Finance.

JOHN MEDINGER
Chairperson

The Joint Survey Committee on Tax Exemptions reports and recommends:

Assembly Bill 158

Relating to the property tax exemption for mobile homes.

Adoption of report: Ayes: (6) Noes: (3)
To committee on Ways and Means.

Assembly Bill 489

Relating to a sales tax and use tax exemption for reusable incontinent products for adults.

Adoption of report: Ayes: (6) Noes: (3)
To committee on Ways and Means.

Assembly Bill 560

Relating to discontinuing the property tax exemption for fallout shelters.

Adoption of report: Ayes: (9) Noes: (0)
To committee on Ways and Means.

Assembly Bill 700

Relating to the sales tax and room tax on accommodations furnished by institutions of higher education to nonstudents.

Adoption of report: Ayes: (9) Noes: (0)
To committee on Ways and Means.

LOUIS FORTIS
Assembly Chairperson

COMMUNICATIONS

November 18, 1991

The Honorable Tommy G. Thompson
Executive Office
115 East, State Capitol
Madison, WI 53702

Dear Governor Thompson:

As you know, Representative Wimmer's assumption of his duties on the Waukesha County bench created a vacancy not only in the Assembly but also on the Sentencing Commission. I am pleased to be able to nominate Representative David Deininger for that appointment.

Sincerely,
DAVID PROSSER
Assembly Republican Floor Leader

January 13, 1992

Speaker Walter Kunicki
Wisconsin State Assembly
Room 211 West, State Capitol
Madison, WI 53708

Dear Speaker Kunicki:

This is to inform you that we have formed a subcommittee of the Assembly Education and Urban Education Committees on the Milwaukee Public Schools.

The subcommittee will be chaired by Representative Notestein, and will consist of the following members: Representative Cullen, Representative Grobschmidt, Representative Roberts, Representative Rohan.

JOURNAL OF THE ASSEMBLY [January 21, 1992]

Representative Bock, Representative Radtke (vice Chair), Representative Coleman, Representative Schneiders and Representative Darling.

Sincerely,
KIMBERLY M. PLACHE
Chairperson
Committee on Urban Education
MARLIN D. SCHNEIDER
Chairperson
Committee on Education

January 17, 1992

Speaker Wally Kunicki
Room 211 West, State Capitol
P.O. Box 8952
Madison, WI 53708

Dear Wally,

I wish to inform you of the creation of a new subcommittee within the Assembly Rural Affairs Committee. I have appointed Rep. Jerry Schwartz to Chair the Subcommittee on PECFA (Petroleum Storage Remedial Action Fund).

The purpose of the subcommittee will be to research the current PECFA program, investigate ways to fund and prioritize sites, examine proposals to expand the program, and to make recommendations on the PECFA program to the Rural Affairs Committee.

In addition to Rep. Schwartz, I have also appointed Rep. Al Ott and Rep. Tom Springer to be on this subcommittee with Rep. Ott to serve as the Vice-Chair.

Sincerely,
MARTY REYNOLDS
Chair
Rural Affairs Committee

January 17, 1992

Representative Walter Kunicki
Speaker - Wisconsin State Assembly
Room 211 West, State Capitol
Madison, WI 53708

Mr. Speaker and Dear Wally:

This letter is written to inform you that I have appointed Representative Thomas Springer to the Subcommittee On The Future Of Family Farming of the Assembly Committee on Agriculture, Aquaculture and Forestry.

Representative Springer will be replacing former Representative Zweck.

The Subcommittee On The Future Of Family Farming was created with the charged purpose to develop and promote legislation which will provide short-term and

long-term state assistance of benefits to the foundation of Wisconsin Agriculture, the family farm.

I am confident Representative Springer will serve with dedication and distinction on this Subcommittee, and with the same confidence I have welcomed him to the Assembly Committee on Agriculture, Aquaculture and Forestry.

Respectfully submitted.

Sincerely,
BARBARA GRONEMUS
Chair
Committee on Agriculture,
Aquaculture and Forestry

State of Wisconsin
Department of Health and Social Services
Office of Health Care Information
Madison

December 1991

To the Honorable, the Legislature:

Pursuant to s. 153.25, Wis. Stats., the Office of Health Care Information is pleased to submit to the Governor and the Legislature its second hospital report on mortality and morbidity. As stipulated in s. 153.40(6), Wis. Stats., the Office provided hospitals the opportunity to review and comment on their data. Written hospital comments have been included in the report.

The Office wishes to express its appreciation and thanks to the members of the Mortality/Morbidity Technical Advisory Committee for their valued assistance in the planning and organization of this report, as well as to all Wisconsin hospitals that were part of the reporting process.

Please contact OHCI if you or your staff would like additional copies of this report, or have any questions.

Sincerely,
DAVID J.W. KLAUSER
Director, OHCI

January 3, 1992

Mr. Thomas Melvin
Assembly Chief Clerk
Suite 402, One East Main Street
P.O. Box 8952
Madison, WI 53708

Dear Mr. Melvin:

Attached to this letter is a copy of the Clean Water Fund Biennial Report for FY 1989-1991.

Section 144.2415(3)(j), Wisconsin Statutes requires the Department of Natural Resources and the Department of Administration to submit a Biennial Report to the

building commission, the joint finance committee, the chief clerk of each house of the legislature, and to the appropriate legislative standing committees generally responsible for legislation related to environmental issues by January 1 of each even-numbered year. The purpose of the report is to provide information on the present value subsidy and the operations and activities of the Clean Water Fund program for the previous biennium (1989-1991) and for the fiscal year during which the report is prepared (Fiscal Year 1992).

If you have any questions regarding the Biennial Report, please contact Paulette Harder at 266-0836 or Frank Hoadley at 266-2305.

Sincerely,

**PAULETTE HARDER, Director
Intergovernmental Programs
DNR**

**FRANK HOADLEY, Director
Capital Finance, DOA**

State of Wisconsin
Department of Health and Social Services
Madison

January 8, 1992

To the Honorable, the Assembly:

The legislation that raised the minimum drinking age to 21 in 1986 mandated a study regarding the impact of this change. The Department of Health and Social Services (DHSS) and the Department of Transportation (DOT) cooperated in the conduct of this study. DHSS has been responsible for the analysis of data regarding alcohol and other drug usage, alcohol and other drug related law enforcement actions, alcohol abuse treatment and the role of alcohol and other drugs in suicides and other deaths among young persons, and also regarding changes in Wisconsin's per capita alcohol consumption. DOT has been responsible for the analysis of data regarding the role of alcohol in motor vehicle accidents and fatalities among young persons.

The legislation that mandated this study specified that four annual reports were to be prepared and submitted to the Legislature. The first three reports were each issued as a joint DHSS/DOT report. The fourth and final report is being issued as two separate reports. DOT's fourth report was issued in 1991. The fourth DHSS report on the impact of raising the minimum drinking age to 21 is attached. The final DHSS report is being issued separately from and later than the DOT final report in order to enable the inclusion of information from the recent statewide survey of alcohol and other

drug use among Wisconsin middle school and high school students.

Sincerely,
GERALD WHITBURN
Secretary

State of Wisconsin
Department of Development
Madison

January 9, 1992

To the Honorable, the Assembly:

Section 144.955(3)(f), Wis. Stats., requires the Hazardous Pollution Prevention Board (Board) to submit a report to the Governor and to the Chief Clerk of each house of the Legislature each year in which a Capacity Assurance Plan is not revised. Enclosed are copies of the Board's report for the calendar year ending December 31, 1991.

The report provides information on the following items, as required by the statute:

- A. The Hazardous Pollution Prevention Audit Grant Program.
- B. The University of Wisconsin-Extension Hazardous Pollution Prevention Program.
- C. The hazardous pollution prevention activities of the Department of Natural Resources.
- D. The implementation of the hazardous pollution prevention goals in the Capacity Assurance Plan.

In passing the legislation that resulted in 1989 Wisconsin Act 325, which set up the various pollution prevention activities, the Legislature recognized that there are opportunities to reduce or eliminate hazardous waste at the source. The Legislature also realized that a variety of educational assistance, technical assistance and financial assistance was required to alert Wisconsin businesses to the profitability of considering modifications in order to reduce the amount of waste generated.

The members of the Board look forward to doing their part to help reduce the amount of hazardous waste generated in Wisconsin.

If you or anyone else would like to receive additional copies of the report, please contact Ms. Louie Rech at the Department of Development, P.O. Box 7970, Madison, Wisconsin 53707, telephone number: 608/266-2766.

Sincerely,
CHRISTOPHER P. SWAIN
Chair, Hazardous Pollution
Prevention Board

JOURNAL OF THE ASSEMBLY [January 21, 1992]

State of Wisconsin
Legislative Audit Bureau
Madison

January 10, 1992

To the Honorable, the Legislature:

Chapter 314, Laws of 1979, established a preference for American-made materials, supplies, and equipment in state purchasing. Section 13.94(1)(L), Wis. Stats., requires the Legislative Audit Bureau to biennially monitor and review state purchasing procedures established to implement the American preference law and also to report to the Joint Legislative Audit Committee concerning the extent to which state departments, boards, commissions, and independent agencies are purchasing materials, supplies, or equipment manufactured outside of the United States.

In prior reviews, we reported on the difficulties encountered in applying the law, in part because the primary criterion for exercising a preference is relatively narrow. The preference for American-made materials can only be exercised when tie bids or equal proposal scores occur. During the 1989-91 biennium, we were unable to identify any instances where the preference was exercised in a contract award.

As in our previous reviews, we were unable to determine the amount of foreign purchasing due to incomplete data concerning the origin of products purchased. Determining the origin of products continues to be a problem because many manufacturing firms produce

and assemble goods with a mix of American and foreign labor and raw material. Because the provisions of the law may be unworkable, we suggest the Department consider initiating legislation to have the American-made preference legislation repealed. In the event the law remains unchanged, we recommend the program's audit requirement be changed to once every five years.

We appreciate the courtesy and cooperation extended to us by the Department of Administration and other state agencies. The Department's response is the appendix.

Respectfully submitted,
DALE CATTANACH
State Auditor

REFERENCE BUREAU CORRECTIONS

Assembly Bill 632

Page 1, line 7: substitute "15r and" for "15rand".

Assembly Bill 707

Page 1, line 10: on lines 10 and 11, substitute "25.46" for "25.48".

Assembly Bill 760

1. Page 2, line 4: delete "motor driver" and substitute "moter-driven".
2. Page 6, line 4: delete "motor driver" and substitute "motor-driven".

Assembly Bill 802

Page 9, line 25: insert a period after "publication".