

STATE OF WISCONSIN

Senate Journal

Ninetieth Regular Session

10:00 A.M.

Tuesday, May 12, 1992

The senate met.

The senate was called to order by Fred A. Risser, President of the Senate.

The Chair, with unanimous consent, asked that the calling of the roll be dispensed with.

PETITIONS AND COMMUNICATIONS

State of Wisconsin

Department of Administration

April 30, 1992

To the Honorable the Legislature:

This report is transmitted as required by ss. 20.002(11)(f) of the Wisconsin Statutes, (for distribution to the appropriate standing committees under section 13.172(3) stats.), 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 balances during the month of March, 1992.

On March 1, 1992, the Recycling Fund (Fund 79) balance was \$-4.0 million. This shortfall continued through March 31, 1992 when the balance was \$-2.5 million. The shortfall is due to the timing of revenues to the fund.

The Recycling Fund shortfall was not in excess of the \$400 million ceiling 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 State Finance will automatically reflect the use of these temporary reallocations of balance authority.

Sincerely, James R. Klauser Secretary

Referred to the committee on Housing, Government Operations and Cultural Affairs.

State of Wisconsin University of Wisconsin System

April 28, 1992

To the Honorable the Legislature:

1989 Act 336 (Senate Bill 542) authorized and provided funding for a study of the use of telecommunications to transmit educational and business data throughout northwestern Wisconsin and to

develop funding proposals to establish such a telecommunications system. The \$50,000 appropriation provided in ACT 336 permitted UW-Superior to provide applied research and technical assistance to the Northern Wisconsin Educational Communication System (NWECS) consortium. This consortium consists of UW-Superior, Wisconsin Indianhead Technical College, CESA 12, and the School District of Superior. UW-Superior contracted with Network Resources, Inc. of Madison to conduct the study specified in the legislation.

I am transmitting the report prepared in fulfillment of this legislation, which did not specify a reporting date or reporting authority. This Telecommunications Study for Northern Wisconsin has two parts:

- * Telecommunications and Economic Development needs Assessment: November, 1991
* Suggested Policy Directions: March 20, 1992

UW-Superior has provided copies of this report to Senator Jauch and Representative Linton. If there are any questions relating to this report, please feel free to contact me or Acting Chancellor of UW-Superior, Betty J. Youngblood.

Sincerely, Katharine C. Lyall President

State of Wisconsin Legislative Audit Bureau

May 7, 1992

To the Honorable the Legislature:

We have completed a financial audit of the State of Wisconsin Unemployment Reserve Fund for the years ending June 30, 1991, and June 30, 1990. We performed the audit at the request of the Department of Industry, Labor and Human Relations and to meet our audit responsibilities under s. 13.94, Wis. Stats.

The adjusted cash balance in the Reserve Fund on the Supplementary Information Schedule increased \$44 million during the past fiscal year. Because this cash balance was again in excess of \$1 billion, the lowest tax rate schedule will continue to be in effect at least through calendar year 1992.

Our audit report contains the auditor's unqualified opinion on the financial statements and related footnotes, and the supplementary information on the Fund's cash balance and related footnote. We have included management recommendations in a separate letter issued to the Department.

We appreciate the courtesy and cooperation extended to us by department staff during the audit.

Sincerely,
Dale Cattanach
State Auditor

State of Wisconsin
Department of Health and Social Services
April 1992

To the Honorable the Legislature:

Pursuant to s. 153.15, Wis. Stats., the Office of Health Care Information (OHCI) is pleased to submit to the Governor and the Legislature its second report on small area analysis in Wisconsin. This report identifies variations in utilization and charges for 14 hospital inpatient services in different regions of the state.

OHCI wishes to express its appreciation and thanks to the members of the Small Area Analysis Technical Advisory Committee for their values 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 have any questions regarding this report.

Sincerely,
David J. W. Klauser, Director
Office of Health Care Information

STATE OF WISCONSIN
ETHICS BOARD

May 5, 1992

To the Honorable the Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am furnishing you with the names of organizations recently registered with the Ethics Board as employing one or more individuals to affect state legislation or administrative rules. For each organization I have noted the general area of legislative or administrative action which the organization has described as the object of its lobbying activity and the name of each licensed lobbyist that the organization has authorized to act on its behalf.

Employee Benefit Services, Inc.

Subjects: Any function or activity of any branch, department or phase of federal state or local government; agriculture, outdoors or environment; taxation; regulation of business, finance or insurance or other topics pertaining to the general public health or welfare.

Brozek, Michael

Screen Printing Association International

Subjects: Association will be working with the Department of Natural Resources on the development and implementation of an air pollution control standard for the screen printing industry, and other associated rules.

Kinter, Marcia

Visiting Nurse Association

Subjects: Home health care

Driessen, Anthony

Winnebago Business Committee, Wisconsin

Subjects: All matters affecting Wisconsin Winnebagos.

Schreiber, Martin

Krajewski, Thomas

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 the organizations that employ lobbyists.

Sincerely,
R. Roth Judd
Executive Director
STATE OF WISCONSIN
ETHICS BOARD

May 5, 1992

To the Honorable the Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am furnishing you with the following changes in the Ethics Board's records of licensed lobbyists and their employers.

Organization's termination of lobbyists: Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist has withdrawn, on the date indicated, its authorization for the lobbyist identified to act on the organization's behalf.

American Civil Liberties Union of Wisconsin, Inc.

Anderson, E. Fay 1/1/92

Cooperatives, Wisconsin Federation of

Brown, Michael 4/30/92

Creative Resource Ventures, Ltd.

Milis, Judy 4/28/92

Education Association Council, Wisconsin

Andrews, Morris 4/1/92

Golden Rule Insurance Company

Anderson, E. Fay 1/1/92

Lobbyists' modification or amendment of records: The lobbyists listed below have previously registered with the Ethics Board and now indicate the following modifications to their records:

Petit, John

(new address)
2801 International Lane, #110
P.O. Box 8486
Madison, WI 53704

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 the organizations that employ lobbyists.

Sincerely,
R. Roth Judd
Executive Director

SENATE CLEARINGHOUSE ORDERS

The committee on Housing, Government Operations and Cultural Affairs reports and recommends:

Senate Clearinghouse Rule 91-188

Relating to active service in the U.S. armed forces and creditable military service under s. 40.02, Stats.
No action taken.

Senate Clearinghouse Rule 91-189

Relating to the election committee for the teachers retirement board elections and the definition of one-third of full-time employment.
No action taken.

John R. Plewa
Chair

The committee on Transportation and Utilities reports and recommends:

Senate Clearinghouse Rule 92-25

Relating to the issuance of 'P' endorsements to commercial drivers' licenses.
No action taken.

Senate Clearinghouse Rule 91-151

Relating to the local roads improvement program.
No action taken.

Thomas Barrett
Chair

The committee on Tourism, Commerce, Labor, Veterans' and Military Affairs reports and recommends:

Senate Clearinghouse Rule 91-142

Relating to the sale of medicare supplement insurance in the state of Wisconsin.
No action taken.

Senate Clearinghouse Rule 92-10

Relating to program revenue fees.
No action taken.

Senate Clearinghouse Rule 92-13

Relating to health service necessity of treatment dispute resolution process.
No action taken.

Senate Clearinghouse Rule 92-41

Relating to health service fee dispute resolution process.
Review period waived:

Ayes, 8 -- Senators Van Sistine, Breske, Roshell, Plewa, Potter, Decker, Rude and Schultz;
Noes, 0 -- None.

Jerome Van Sistine
Chair

The committee on Agriculture, Corrections, Health and Human Services reports and recommends:

Senate Clearinghouse Rule 90-106

Relating to definitions, examinations and continuing education requirements.
No action taken.

Senate Clearinghouse Rule 90-194

Relating to the agricultural diversification and development grant program.
No action taken.

Senate Clearinghouse Rule 90-215

Relating to sustainable agricultural demonstration grant program approval requirements.
No action taken.

Senate Clearinghouse Rule 89-35

Relating to certification of instructional programs and competency evaluation programs for nurse assistants and home health aides and operation of registry of persons who have satisfactorily completed a certified instructional and competency evaluation program.
No action taken.

Senate Clearinghouse Rule 90-159

Relating to divestment for the purpose of becoming eligible for medical assistance.
No action taken.

Senate Clearinghouse Rule 90-232

Relating to subsidizing the costs of continuation coverage health insurance for certain persons with human immunodeficiency virus infection.
No action taken.

Senate Clearinghouse Rule 90-259

Relating to manual partial payments for services provided to recipients eligible for the medical assistance program.
No action taken.

Senate Clearinghouse Rule 90-170

Relating to access to vital records.
No action taken.

Senate Clearinghouse Rule 89-150

Relating to technical remedial changes to rules, use of multi-dose containers for dispensing medications, disclosure of suspicious orders of controlled substances, controlled substances in emergency kits for long-term care facilities, exceptions to rules and on-call medication boxes.
No action taken.

Senate Clearinghouse Rule 90-138

Relating to registration of warehouses in the city of Superior.
No action taken.

Senate Clearinghouse Rule 90-250

Relating to the fee charged the owner of a nuclear power plant to finance monitoring of the environment in the vicinity of the plant for radiation emission.

No action taken.

Senate Clearinghouse Rule 90-251

Relating to attempts at informal resolution of inmate complaints at the Wisconsin resource center.

No action taken.

Senate Clearinghouse Rule 90-127

Relating to the assessment rate for the state milk marketing order.

No action taken.

Senate Clearinghouse Rule 90-139

Relating to basic first aid and cardiopulmonary resuscitation (CPR) training for employes of fitness centers.

No action taken.

Senate Clearinghouse Rule 90-260

Relating to restaurants.

No action taken.

Senate Clearinghouse Rule 91-68

Relating to the medical assistance program.

No action taken.

Senate Clearinghouse Rule 91-27

Relating to the use of metam sodium soil fumigants in Wisconsin.

No action taken.

Senate Clearinghouse Rule 91-46

Relating to tuberculosis testing requirements for import and movement of cervidae, requiring identification of individual cervids and prohibiting commingling captive cervidae with bovine animals.

No action taken.

Senate Clearinghouse Rule 91-87

Relating to distribution of federal funds to pay for day care for at-risk families and establishment of maximum rates for day care purchased with those funds.

No action taken.

Senate Clearinghouse Rule 91-43

Relating to patient health care records and standards of conduct.

No action taken.

Senate Clearinghouse Rule 91-3

Relating to product descriptions for frozen yogurt, reduced fat cheeses and light sour cream.

No action taken.

Senate Clearinghouse Rule 91-99

Relating to certification and regulation of respiratory care practitioners.

No action taken.

Senate Clearinghouse Rule 90-190

Relating to unprofessional conduct and continuing education requirements for veterinarians and animal technicians to the use, handling, distribution and disposal of pesticides.

No action taken.

Senate Clearinghouse Rule 91-129

Relating to licensed establishments and the sharing of basins between licensed establishments.

No action taken.

Senate Clearinghouse Rule 91-144

Relating to the rural hospital loan guarantee program.

No action taken.

Senate Clearinghouse Rule 90-205

Relating to meat and meat product inspection, processing and labeling requirements for licensed meat establishments.

No action taken.

Senate Clearinghouse Rule 91-134

Relating to environmental policy implementation pursuant to s. 1.11, Stats.

No action taken.

Senate Clearinghouse Rule 91-119

Relating to the registration and standards of conduct for the practice of speech-language pathologists and audiologists.

No action taken.

Senate Clearinghouse Rule 91-69

Relating to relief of needy Indian persons.

No action taken.

Senate Clearinghouse Rule 91-150

Relating to eligibility of a family for aid to families with dependent children because the principal wage earner is unemployed.

No action taken.

Senate Clearinghouse Rule 91-121

Relating to practices prohibited to chiropractors.

No action taken.

Senate Clearinghouse Rule 91-96

Relating to supervising physical therapist responsibilities.

No action taken.

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Senate Clearinghouse Rule 91-155

Relating to administrative orders and contested cases.

No action taken.

Senate Clearinghouse Rule 91-178

Relating to early intervention services for children in the age group birth through 2 who are found to be developmentally delayed or to have a diagnosed condition for which there is a high probability that it will result in developmental delay.

No action taken.

Senate Clearinghouse Rule 91-199

Relating to reimbursement for treatment of chronic renal disease.

No action taken.

Senate Clearinghouse Rule 91-180

Relating to milk producer license, permit and reinspection fees; dairy farm standards; milk quality standards; and testing of raw milk for drug residues.

No action taken.

Senate Clearinghouse Rule 91-149

Relating to the safety, maintenance and operation of public swimming pools including whirlpools.

No action taken.

Senate Clearinghouse Rule 91-195

Relating to definitions and hearing instruments.

No action taken.

Senate Clearinghouse Rule 92-6

Relating to a physical therapist assistant practicing physical therapy under the general supervision of a physical therapist.

No action taken.

Rodney C. Moen
Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Senate Clearinghouse Rule 91-36

Relating to adversary representation by state public defenders.

No action taken.

Senate Clearinghouse Rule 91-110

Relating to the cost of retaining counsel and partial indigency.

No action taken.

Lynn S. Adelman
Chair

Senate Clearinghouse Rule 92-36

Relating to the apportionment of net business incomes of interstate railroads, sleeping car companies and car line companies.

Submitted by Department of Revenue.

Report received from agency, May 12, 1992.

Referred to committee on Aging, Banking, Communications and Taxation, May 12, 1992.

Senator Risser, with unanimous consent, asked that the Senate adjourn until 2:00 P.M. Wednesday, May 13.

10:01 A.M.