

STATE OF WISCONSIN  
**Assembly Journal**

**Ninety-First Regular Session**

WEDNESDAY, August 31, 1994

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

**ADMINISTRATIVE RULES**

Read and referred:

**Assembly Clearinghouse Rule 94-87**

Relating to the local roads improvement program.  
Submitted by Department of Transportation.  
To committee on Transportation.  
Referred on August 31, 1994.

**Assembly Clearinghouse Rule 94-113**

Relating to the inspection of a repaired salvage vehicle.  
Submitted by Department of Transportation.  
To committee on Highways.  
Referred on August 31, 1994.

**Assembly Clearinghouse Rule 94-121**

Relating to display of registration certificate.  
Submitted by Department of Transportation.  
To committee on Transportation.  
Referred on August 31, 1994.

**Assembly Clearinghouse Rule 94-124**

Relating to adult sponsors for minors obtaining driver licenses and the issuance of commercial driver licenses.  
Submitted by Department of Transportation.  
To committee on Transportation.  
Referred on August 31, 1994.

**COMMUNICATIONS**

August 25, 1994

Representative Barbara Linton  
Chair, Joint Committee on Finance  
Room 127 South, State Capitol  
Madison, WI 53708

Dear Barbara:

I am resigning as a member of the Joint Committee on Finance effective the date of this letter.

Sincerely,  
WALTER KUNICKI  
Assembly Speaker

**SPEAKER'S APPOINTMENTS**

August 25, 1994

Representative James Holperin

221 North, State Capitol

P.O. Box 8952

Madison, WI 53708

Dear Jim:

It is my pleasure as Speaker of the Assembly to reappoint you as a member of the Joint Committee on Finance to fill my vacancy on the committee.

This appointment is effective immediately.

Sincerely,

WALTER KUNICKI

Assembly Speaker

**REFERRAL OF AGENCY REPORTS**

State of Wisconsin  
Department of Administration  
Madison

August 24, 1994

To the Honorable the Legislature:

This report is transmitted as required by sec. 20.002(11)(f) of the Wisconsin Statutes, (for distribution to the appropriate standing committees under sec. 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 July, 1994.

On July 29, 1994 the Wisconsin Health Education Fund balance was \$-50 thousand. The shortfall was due to the timing of receipts to the fund.

The Wisconsin Health Education 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 earning 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, DOA

Referred to Joint Committee on Finance.

State of Wisconsin  
Department of Natural Resources  
Madison

August 25, 1994

To the Honorable the Legislature:

Wisconsin Statute 30.437 requires the Department of Natural Resources to prepare a series of reports with recommendations on whether aid should be provided to municipalities for their costs incurred in complying with ss. 30.44 to 30.47 Stats. This is the last of the three reports.

#### BACKGROUND

Wisconsin Statutes 30.44 to 30.47 deal with performance standards designed to protect the natural and scenic qualities of the Lower Wisconsin State Riverway (LWSR). The Lower Wisconsin State Riverway Board (LWSRB) is the state agency responsible for administering performance standards on lands within the LWSR, exclusive of structure permits in shoreland zoned areas. The counties were given the responsibility to administer structure performance standards in the shoreland zoned area because previous to the LWSR counties already had such authority. The LWSR performance standards serve as additional considerations that the zoning administrators evaluate when determining permitted activities within the shoreland zoned area.

The two previous reports did not recommend providing aid to municipalities for administering the performance standards.

#### RECOMMENDATION

We do not recommend providing aid to the municipalities for administering the LWSR performance standards. We make this recommendation based on the following:

1. Counties already administer shoreland zoning standards and the LWSR performance standards are related considerations to be evaluated when issuing permits.
2. The LWSRB provides technical assistance to the counties for administering the performance standards through Memorandum of Understanding. Therefore, the State of Wisconsin provides technical assistance and is incurring costs to assist

municipalities with the LWSR performance standards.

3. There has been very little activity in the shoreland zoned area. Mark Cupp, Executive Director of the LWSRB, indicated a total of 34 contacts with county zoning administrators since the statutes were established in 1989. He feels he now receives about 12-14 contacts per year. Most contacts come from Richland and Iowa Counties, but this is still a relatively few number of contacts per county.
4. When contacted by Department staff, the zoning administrators stated administering the structure performance standards had a fiscal impact on their county. However, they could not quantify these costs.
5. The Department is actively acquiring lands within the Riverway boundary, which reduces the amount of land being developed. Therefore, our acquisition program results in less administrative work by the county zoning administrators.

I recognize that the LWSR laws are still relatively new and conditions could change in the future. Therefore, we will continue close contact with the counties and the LWSRB regarding the need for aid.

If there are any questions about the report, please contact Doug Fendry at the above address or at telephone number (608) 267-2764.

Sincerely,  
GEORGE E. MEYER  
Secretary, DNR

Referred to the committee on Natural Resources.

#### COMMUNICATIONS

State of Wisconsin  
Legislative Audit Bureau  
Madison

August 25, 1994

To the Honorable the Legislature:

We have completed an evaluation of the Department of Industry, Labor and Human Relations' provision of fair housing services, as requested by the Joint Legislative Audit Committee. The Department is statutorily required to promote and enforce the State's fair housing law, which prohibits discrimination on the basis of membership in a protected class.

Fair housing services include education and outreach to individuals and members of the housing industry, technical assistance to local fair housing councils and other organizations, enforcement of fair housing laws and resolution of complaints. The Department's Equal Rights Division has chosen to supplement its provision of fair housing services by entering into a contract for some services, particularly testing for discrimination.

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While the Division's current approach for providing fair housing services appears reasonable, two concerns about current efforts can be raised. First, all services required by the contract have not been provided. Second, the Division's reliance on the contract appears to have limited the provision of services statewide.

Several options are available to the Division for addressing these concerns, including enhancing its oversight of contracted services and improving its own efforts to assist local fair housing efforts. However, in order to ensure that the Division meets its statutory requirements, more significant changes to the overall provision of services may be needed.

Concerns have also been raised because Wisconsin's fair housing law is not substantially equivalent with federal law. It is not substantially equivalent primarily because the State does not provide legal representation to complainants in fair housing cases. We found it would cost the State approximately \$618,600 annually to provide the necessary legal representation. Of this amount, approximately \$340,600 could be recovered through federal reimbursement.

We appreciate the courtesy and cooperation extended to us by the Department of Industry, Labor and Human Relations and by its contractor, the Metropolitan Milwaukee Fair Housing Council. The Department's response is the appendix.

Respectfully submitted,  
DALE CATTANACH  
State Auditor

State of Wisconsin  
Joint Legislative Council  
Madison

August 30, 1994

Mr. Tom Melvin  
Assembly Chief Clerk  
One East Main, Suite 402  
Madison, WI 53702

Dear Tom:

Enclosed is a copy of the General Report of the Joint Legislative Council to the 1993 Legislature, prepared and submitted pursuant to s. 13.81 (3), Stats. For the first time, this General Report also incorporates much of the additional information relating to legislative actions on Council proposals that was previously presented to the Legislature in the form of the separate Legislative Council Digest. The Digest has been discontinued.

I would appreciate your noting in the next Assembly Journal, pursuant to s. 13.172, Stats., that this report has been delivered to your office.

Thank you.

Sincerely,  
DAVID J. STUTE  
Director  
Joint Legislative Council