

STATE OF WISCONSIN
Assembly Journal
Ninety-First Regular Session

THURSDAY, October 13, 1994

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

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 94-99

Relating to effective recycling program designation for out-of-state units.

Submitted by Department of Natural Resources.

To committee on Natural Resources.

Referred on October 13, 1994.

Assembly Clearinghouse Rule 94-103

Relating to commercial fishing for smelt and chubs and the use of trap or pound nets on Lake Michigan and Green Bay.

Submitted by Department of Natural Resources.

To committee on Natural Resources.

Referred on October 13, 1994.

Assembly Clearinghouse Rule 94-123

Relating to the special resource account and vehicle asset limit demonstration projects under the aid to families with dependent children program.

Submitted by Department of Health and Social Services.

To committee on Children and Human Services.

Referred on October 13, 1994.

Assembly Clearinghouse Rule 94-157

Relating to definitions, securities registration exemptions, securities registration and disclosure standards and requirements, securities broker-dealer, securities agent and securities investment adviser licensing requirements and procedures, fee-related provisions and securities licensing forms.

Submitted by Office of the Commissioner of Securities.

To committee on Insurance, Securities and Corporate Policy.

Referred on October 13, 1994.

SPEAKER'S APPOINTMENTS

October 12, 1994

Representative Jeannette Bell

113 North, State Capitol

P.O. Box 8952

Madison, WI 53708

Dear Representative Bell:

Due to the resignation of Rep. Stan Gruszynski from State Assembly, it is my pleasure as Speaker of the Assembly to appoint you to the Joint Legislative Council to fill his vacancy. This appointment is effective immediately.

I am sure that you will be an asset to the committee.

Sincerely,

WALTER KUNICKI

Assembly Speaker

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Natural Resources
Madison

September 29, 1994

To the Honorable the Legislature:

We at the Department of Natural Resources are pleased to provide you with a copy of our annual Wisconsin Environmental Policy Act (WEPA) report. In fulfillment of Section 1.11(2)(j) of the state statutes, this document provides information on the numbers of environmental assessments (EA's) and environmental impact statements (EIS's) completed by the Department in the past fiscal year.

Questions about the report can be directed to George Albright, Chief of the Environmental Analysis/Project Management Section, Bureau of Environmental Analysis and Review, phone 6-6437.

Sincerely,

GEORGE E. MEYER

Secretary, DNR

Referred to committee on Natural Resources.

State of Wisconsin
Department of Agriculture,
Trade and Consumer Protection
- Madison

September 30, 1994

To the Honorable the Assembly:

Pursuant to s. 710.02(4)(b), Stats., as amended by 1989 Wisconsin Act 31, I am pleased to submit to the Assembly the attached report entitled "Status of Alien Land Ownership in the State of Wisconsin."

Under s. 710.02(4)(a), Stats., DATCP must annually submit this report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172(3), Stats. The report summarizes information received under s. 710.02(4)(a), Stats.

Under s. 710.02(4)(a), Stats., all foreign persons (including individuals, corporations, companies, firms, partnerships, trusts and any other legal entity) who acquire or transfer land in Wisconsin must submit a report to DATCP not later than 90 days after the date of acquisition or transfer. The same report must also be filed under federal law, under 7 USC 3501 to 3508. Aliens initially file the ASCS-153 forms with their county ASCS office. The reports are then forwarded to Washington, DC, to be verified and recorded before they are filed with DATCP.

The attached reports summarizes ownership of Wisconsin land as of January 1, 1994 and purchases during the 1993 calendar year. Copies of this report may be obtained by contacting Kathy Schmitt in the Office of Policy and Program Analysis, Secretary's Office, at 608/264-6102.

Sincerely,
ALAN T. TRACY
Secretary

Referred to committee on Agriculture, Forestry and Rural Affairs.

State of Wisconsin
Department of Health and Social Services
Madison

October 1, 1994

To the Honorable the Assembly:

1983 Wisconsin Act 27, created s. 46.277(5m) of the statutes which requires the Department of Health and Social Services to submit an annual report on its federal Medicaid Home and Community-Based Services waiver, the Community Integration Program II (CIP II). The attached report covers calendar year 1993 for the CIP II and COP-Waiver (Community Options Program Waiver).

These waivers are designed to relocate or divert elderly and physically disabled persons from nursing homes and finance their care with Medicaid. The level of Medicaid waiver funding must be no greater than the Medicaid cost for nursing home care. The annual report examines both cost and quality of care in the waiver programs and compares average costs in the waiver program to average nursing home costs.

Sincerely,
GERALD WHITBURN
Secretary, DHSS

Referred to committee on Children and Human Services.

COMMUNICATIONS

State of Wisconsin
Investment Board
Madison

September 15, 1994

To the Honorable the Assembly:

Pursuant to s. 1.11(2)(j) of the Statutes, the State of Wisconsin Investment Board is pleased to report that during fiscal year 1994 it did not consider any proposals for major actions in Wisconsin that would significantly affect the quality of the human environment. Accordingly, the agency was not required to prepare any environmental assessments or impact statements under s. 1.11.

Feel free to contact Ken Johnson, Executive Assistant, at 267-0221 if you have any questions concerning this report.

Sincerely,
PATRICIA LIPTON
Director
Investment Board

State of Wisconsin
Department of Health and Social Services
Madison

September 30, 1994

To the Honorable the Assembly:

The attached report is submitted in accordance with Section 49.45(2)(a)21 of the Wis. Stats., which directs the Department of Health and Social Services to report annually on Wisconsin Medical Assistance (MA) recipient access to obstetric and pediatric services. The report outlines the variety of federal and state mandates and initiatives that have been established to encourage increased provision of these important services by physicians and other professions and increased use of medical services by children and pregnant women who receive MA.

I am pleased to advise you that for the fifth consecutive year, Wisconsin's State Plan Amendment, which assures the Federal Health Care Financing Administration (HCFA) that Wisconsin MA recipients have access to pediatric and obstetric care equal to that of the general population, has been accepted by HCFA. As this report indicates, at least 50 percent of the total number of primary care physicians in each of the 12 regions developed for State Plan Amendment reporting provided pediatric and obstetric services to Wisconsin MA recipients, in compliance with the federal standards.

Access to pediatric and obstetric care for MA recipients will continue as a focus of Departmental efforts.

Sincerely,
GERALD WHITBURN
Secretary, DHSS

State of Wisconsin
Department of Natural Resources
Department of Administration
Madison

September 30, 1994

SUBJECT: Clean Water Fund Biennial Finance
Plan for FY 1995-1997

To the Honorable the Assembly:

Attached to this letter is the Clean Water Fund Biennial Finance Plan for the FY 1995-1997 biennium.

The preparation, submission and review of the Biennial Finance Plan by the Joint Committee on Finance, environmental legislative standing committees and the Building Commission is required under s. 144.2415(3), Wis. Stats. The statute allows the Joint Committee on Finance and each standing committee to submit to the Building Commission its recommendations and comments regarding the Biennial Finance Plan.

This plan was prepared jointly by the Department of Natural Resources and the Department of Administration Capital Finance Office. As financial managers of the program, DOA's Capital Finance Office is responsible for completing the following sections of the Plan:

- * Balance sheets and other financial information.
- * The extent to which the CWF will be maintained in perpetuity, retain its purchasing power and achieve wastewater treatment needs.
- * The impact of the program on guidelines stated in s. 144.2415(3)(b), Wis. Stats.

If there are questions concerning these sections, you should contact Frank Hoadley, Director of DOA's Capital Finance Office, at 266-2305.

This first version of the plan reflects the Department of Natural Resources biennial budget proposal to the

Governor. A second version will be submitted early next year and will be updated to reflect the Governor's proposed biennial budget. A third version of the plan will be submitted later next year reflecting the adopted biennial budget.

Clean Water Fund staff from DNR and DOA are looking at several sources of funding to address a shortfall in the funding of program operations for the Clean Water Fund. This projected shortfall is due to reductions in federal grants to fund program operations. Further discussion of these options are on pages 6 and 7 of the Plan. DNR staff will present information on these options with the latest information on the magnitude of federal funding decreases to the Natural Resources Board in November, 1994. At that time, the Natural Resources Board will be requested to approve one of these options to address the funding shortfall. The Building Commission and the Legislature will be informed of the Board's action after the Board takes final action at their November Meeting.

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

Sincerely,

PAULETTE J. HARDER, Director
Office of Government Relations
DNR

FRANK R. HOADLEY
Capital Finance Director
DOA

State of Wisconsin
Legislative Audit Bureau
Madison

October 4, 1994

To the Honorable the Legislature:

We have completed an evaluation of the Forest Crop, Woodland Tax and Managed Forest programs as directed by the Joint Legislative Audit Committee. By entering the programs, which are administered by the Department of Natural Resources, owners agree to maintain their land for timber production, follow department-approved sound forestry management practices and in many cases open their land for limited public access. In return, owners receive a property tax reduction, which statewide in 1992 amounted to \$14.5 million, or a 79 percent reduction in their property tax levies.

Program participants pay a modest per acre fee annually on enrolled land and a harvest tax when timber is sold. However, we found that over the past 10 years tax reductions exceeded the value of timber harvested from enrolled acres. Program supporters point to jobs created and the value of the forest products industries in justifying tax benefits available to participants. Because

of data limitations, we were unable to determine whether timber productivity on enrolled lands is greater than that on comparable land not enrolled in one of the programs.

The Department has made significant improvements in the quality and usefulness of management plans that provide guidance to landowners and the plan requirements reflect current administrative rule definitions of sound forestry practices. Nevertheless, some critics of the programs believe these definitions do not adequately reflect forest management practices that give greater recognition to multiple uses and less to timber production.

Department costs of \$3.2 million in 1992 were offset by \$507,700 in program fees, leaving \$2.7 million to be paid from other Conservation Fund revenues. As a matter of sound fiscal policy, we believe Department costs should be fully funded by program participants and we include options for implementing such a change.

We appreciate the courtesy and cooperation extended to us by Department of Natural Resources staff. The Department's response is Appendix II.

Respectfully submitted,
DALE CATTANACH
State Auditor

State of Wisconsin
Ethics Board
Madison

October 6, 1994

To the Honorable the Assembly:

I am pleased to provide you with the accompanying report of the State of Wisconsin Ethics Boards's activities for the year July 1993 through June 1994. This report provides information on the Board's operations and contains the texts of Wisconsin's Ethics Code and lobbying law. It also includes a description of complaints and investigations pursued by the Ethics Board and summaries of advisory opinions issued by the Board during the year.

Sincerely,
R. ROTH JUDD
Executive Director
Wisconsin Ethics Board