



STATE OF WISCONSIN Assembly Journal

Ninety–Second Regular Session

MONDAY, September 18, 1995

The Chief Clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 295** offered by committee on Criminal Justice and Corrections.

Assembly amendment 2 to **Assembly Bill 295** offered by committee on Criminal Justice and Corrections.

Assembly amendment 1 to **Assembly Bill 405** offered by committee on Criminal Justice and Corrections.

Assembly amendment 2 to **Assembly Bill 405** offered by committee on Criminal Justice and Corrections.

Assembly amendment 2 to Assembly substitute amendment 2 to **Assembly Bill 416** offered by Joint Committee on Finance.

Assembly substitute amendment 1 to **Assembly Bill 434** offered by committee on Environment and Utilities.

Assembly amendment 1 to **Assembly Bill 554** offered by Representative Hoven.

Assembly amendment 2 to **Assembly Bill 554** offered by Representative Hoven.

Assembly amendment 1 to **Assembly Bill 557** offered by Representative Zukowski, by request of Joint Survey Committee on Tax Exemptions.

To committee on Highways and Transportation.
Referred on September 18, 1995.

Assembly Clearinghouse Rule 95–127

Relating to motor carrier safety requirements for transportation of hazardous materials.

Submitted by Department of Transportation.

Report received from agency on September 7, 1995.

To committee on Highways and Transportation.

Referred on September 18, 1995.

Assembly Clearinghouse Rule 95–128

Relating to motor carrier safety requirements for intrastate transportation of hazardous materials.

Submitted by Department of Transportation.

Report received from agency on September 7, 1995.

To committee on Highways and Transportation.

Referred on September 18, 1995.

Assembly Clearinghouse Rule 95–129

Relating to changes in rules governing financial regulation of insurers and reinsurers and risk retention and purchasing groups.

Submitted by Office of the Commissioner of Insurance.

Report received from agency on September 8, 1995.

To committee on Insurance, Securities and Corporate Policy.

Referred on September 18, 1995.

Assembly Clearinghouse Rule 95–134

Relating to the joint effort marketing program.

Submitted by Department of Development.

Report received from agency on September 11, 1995.

To committee on Tourism and Recreation.

Referred on September 18, 1995.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 94–200

Relating to adoption of children with special needs.

Submitted by Department of Health and Social Services.

Report received from agency on September 11, 1995.

To committee on Children and Families.

Referred on September 18, 1995.

Assembly Clearinghouse Rule 95–126

Relating to motor carrier safety regulations.

Submitted by Department of Transportation.

Report received from agency on September 7, 1995.

COMMITTEE REPORTS

The committee on *Criminal Justice and Corrections* reports and recommends:

Senate Bill 17

Relating to:sexual crimes against children.

Concurrence:

Ayes: 15 – Representatives Goetsch, Wood, Dobyms, Brandemuehl, Lehman, Kaufert, Owens, Walker, Handrick, Gunderson, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

To calendar.

Senate Bill 80

Relating to:sexual assault, crimes against children and providing penalties.

Concurrence:

Ayes: 15 – Representatives Goetsch, Wood, Dobyms, Brandemuehl, Lehman, Kaufert, Owens, Walker, Handrick, Gunderson, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

To calendar.

Senate Bill 112

Relating to: notifying victims and witnesses about prisoner escapes.

Concurrence:

Ayes: 15 – Representatives Goetsch, Wood, Dobyms, Brandemuehl, Lehman, Kaufert, Owens, Walker, Handrick, Gunderson, Rutkowski, Travis, Huber, Baldwin and Murat.

Noes: 0.

To calendar.

ROBERT GOETSCH
Chairperson
Committee on Criminal Justice and Corrections

The committee on *Government Operations* reports and recommends:

Assembly Bill 162

Relating to:a “legislative hotline” service and placement of information regarding that service on folded state highway maps.

Passage:

Ayes: 7 – Representatives Dobyms, Olsen, Powers, La Fave, Schneider, Williams and Bock.

Noes: 0.

To committee on Rules.

JOHN DOBYNS
Chairperson
Committee on Government Operations

The committee on *Insurance, Securities and Corporate Policy* reports and recommends:

Assembly Bill 325

Relating to:health care professional service corporations.

Assembly substitute amendment 1 adoption:

Ayes: 12 – Representatives Albers, Lorge, F. Lasee, Underheim, Lazich, Hoven, Green, Baldus, Notestein, Robson, Cullen and Ziegelbauer.

Noes: 0.

Passage as amended:

Ayes: 12 – Representatives Albers, Lorge, F. Lasee, Underheim, Lazich, Hoven, Green, Baldus, Notestein, Robson, Cullen and Ziegelbauer.

Noes: 0.

To committee on Rules

SHERYL ALBERS
Chairperson
Committee Insurance, Securities and Corporate Policy

The *Joint Survey Committee on Tax Exemptions* reports and recommends:

Assembly Bill 557

Relating to:state finances and appropriations for the department of transportation; imposing an oil company franchise fee; authorizing populous counties to impose a petroleum products storage fee; the reporting date and payment date for the motor vehicle fuel tax; taxation of motor vehicle fuel that is not sold for use on highways; motor vehicle fuel and alternate fuel taxes and qualified motor vehicles; the formula for indexing the fuel taxes; the international fuel tax agreement and the petroleum product inspection and oil company franchise fees; authorizing construction of additional major highway projects; aids for county forest roads; environmental clean-up activities on lands acquired by the department of transportation; vehicle weight limit exceptions on a part of the national system of interstate and defense highways; numerous changes to the classified driver license system and commercial motor vehicle operation; eligibility for an occupational license; demerit point reduction for completion of a rider course relating to Type 1 motorcycle operation; vehicle accidents resulting in property damage; performance of motor vehicle registration and titling functions by motor vehicle dealers; farm truck registration; the fee for issuance or reissuance of special distinguishing motor vehicle registration plates; the fee for furnishing certain operators’ records; permitting the department of transportation to make, record and use digitized images of applicants for operators’ licenses and identification cards; local transportation and connecting highway aids; the funding of the urban mass transit operating assistance program; repaving a portion of I 43 in Milwaukee County; authorizing the department of transportation to conduct projects under the surface transportation discretionary grants program; railroad

rehabilitation and construction loans; rehabilitation of private road crossings; the employment transit assistance program; the registration period and fees applicable to aircraft; eliminating hazardous materials transportation fees; delaying the expiration date of the disadvantaged business demonstration and training program; exempting railroad property acquired by the department of transportation from the tax-exempt property reporting requirement; granting bonding authority; granting rule-making authority; making appropriations; and providing penalties.

Adoption of Report:

Ayes: 8 – Representatives Zukowski, Foti and Bell, Senators Fitzgerald, Farrow and Wineke, and Secretary Bugher and Mr. Sosnowski.

Noes: 0.

Referred to Joint Committee on Finance

ROBERT ZUKOWSKI
Assembly Chairperson
Joint Survey Committee on Tax Exemptions

COMMUNICATIONS

State of Wisconsin
Office of the Secretary of State
Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
Assembly Bill 10	24	July 19, 1995
Assembly Bill 34	25	July 19, 1995
Assembly Bill 148	26	July 19, 1995

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Office of the Commissioner of Insurance
Madison

July 1995

To the Honorable, the Legislature

Pursuant to section 153.10(1), Wis. Stat., we are pleased to submit to the Governor and to the Legislature the quarterly **Health Care Data Report**. This report is based on hospital inpatient discharge data reported to the Office of Health Care

Information by all operating general medical–surgical and specialty hospitals in Wisconsin for the second quarter of 1994 (April–June). It also contains selected ambulatory surgery utilization and charge data from general medical–surgical hospitals and freestanding ambulatory surgery centers in Wisconsin during the same quarter.

This report fulfills the statutory requirement to report “*in a manner that permits comparisons among hospitals . . . the charges for up to 100 health care services or diagnostic–related groups selected by the office.*”

Sincerely,
JOSEPHINE MUSSER
Commissioner of Insurance

TRUDY A. KARLSON, Ph.D.
Director
Office of Health Care Information

Referred to committee on **Health**.

State of Wisconsin
Department of Administration
Madison

August 31, 1995

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, 1995.

On July 3, 1995 the **Patients Compensation Fund** balance was –\$2.4 million. This shortfall continued until July 11, 1995 when the balance reached +\$4.1 million. The shortfall was due to a delayed transfer to the fund.

The Patients Compensation 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, DOA

Referred to **Joint Committee on Finance**.

State of Wisconsin
Wisconsin Health and Educational Facilities Authority
Brookfield

September 1, 1995

To the Honorable, the Legislature

Pursuant to Chapter 231.35(8) of Wisconsin Statutes, the Wisconsin Health and Educational Facilities Authority submits the following report for distribution under s. 13.172(2):

The Rural Hospital Loan Guarantee Program (RHLGP) is operational. Announcements and information about the program are periodically published in WHEFA newsletters and other healthcare newsletters. The first and only application for the program was received and a guarantee issued during 1994. The Osceola Medical Center secured a \$100,000 guarantee amount from the Rural Hospital Loan Guarantee Fund to enhance a \$500,000 local bank loan. The annual revenue of Osceola Medical Center for the fiscal year ending December 31, 1994 was \$4,099,885. To the best of our knowledge, no default on the guarantee has or is occurring.

The Rural Hospital Loan Guarantee Fund now only has a \$100,000 balance for the Osceola Medical Center Guarantee. On August 3, 1995 and pursuant to Section 9125 of the Governor's Budget Bill, the Authority returned to the Department of Administration the unutilized funds of the program.

The Authority will continue to administer the RHLGP for the Osceola Medical Center Guarantee.

Sincerely,
LARRY NINES
Executive Director

Referred to committee on **Health**.

State of Wisconsin
Public Service Commission
Madison

September 7, 1995

To the Honorable, the Assembly:

Enclosed in the fourth annual report of the Public Service Commission to the legislature as provided for in s. 1.11(2)(j), Wis. Stats. It reports on the number of environmental assessments and environmental impact statements prepared by the Commission between July 1, 1994 and June 30, 1995.

If you have any questions on this report, please contact our Environmental Affairs Coordinator, Michael John Jaeger, at (608) 267-2546.

Sincerely,
CHERYL L. PARRINO
Chairperson

Referred to committee on **Natural Resources**.

State of Wisconsin
Department of Transportation
Madison

September 12, 1995

To the Honorable, the Assembly:

The enclosed report has been sent to you pursuant to sec. 1.11(2)(j), Stats. This statute states:

“Annually, no later than September 15, submit a report to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2), including the number of proposed actions for which the agency conducted an assessment of whether an impact statement was required under par. (c) and the number of impact statements prepared under par. (c).”

This report addresses the activities of the Department of Transportation for Fiscal Year 1995, the period from July 1, 1994 to June 30, 1995.

Sincerely,
CHARLES H. THOMPSON
Secretary, DOT

Referred to committee on **Natural Resources**.

State of Wisconsin
Department of Natural Resources
Madison

September 12, 1995

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 environment impact statements (EIS's) completed by the Department in the past fiscal year. The report begins with a brief synopsis of WEPA history and application.

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

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

September 13, 1995

To the Honorable, the Assembly:

1991 Wisconsin Act 273 created section 1.11(2)(j), Wis. Stats., which requires the submittal of an annual report to the chief clerk of each house of the Legislature by September 15 regarding the preparation of environmental assessments and environmental impact statements.

I am submitting the attached report prepared by the Department of Agriculture, Trade and Consumer Protection entitled "Annual Report on Environmental Assessments and Environmental Impact Statements for Fiscal Year 1994-95" to comply with this requirement.

Please contact Buzz Davis of my staff at 224-4593 if there are any questions regarding the report.

Sincerely,
ALAN T. TRACY
Secretary, DATCP

Referred to committee on **Natural Resources**.

COMMUNICATIONS

State of Wisconsin
Legislative Audit Bureau
Madison

September 13, 1995

The Honorable, The Legislature:

We have completed a review of issues related to the effect of mandates on local school districts, as requested by the Joint Legislative Audit Committee. Our efforts focused on developing information that may be of use in completing a future study of the effect of mandates on peer pupil expenditures, including determining the mandates of greatest concern to local officials.

Although discussions about mandates often focus on the 20 standards delineated in s. 121.02, Wis. Stats., school districts are subject to a far larger number of federal and state requirements; state statutes alone delineate at least 280 such requirements. In addition to educational standards, these requirements address such things as safety, finance, and building maintenance.

Based on survey responses of 315 school board presidents and superintendents, it appears the great majority recognize that state mandates stem from the State's overall responsibility for education. However, there is widespread frustration with mandates and general agreement that additional funding and flexibility are needed. Those requirements about which concerns were most frequently expressed were the 20 standards, special education, and limits on district revenue increases.

Despite expressed concerns, we were unable to identify any existing model for efficiently measuring the fiscal effect of mandates, including the extent to which district expenditures are attributable to local initiatives rather than state or federal requirements. In addition, although some local officials offered to assist in the development of information necessary to complete such an analysis, others asserted that the need to develop or provide such information would be viewed as another state mandate.

Rather than develop information about expenditures that have already been incurred, it may be more practical to adopt strategies for measuring the costs of mandates in the future, particularly new mandates. The Legislature has, however, already taken some steps to address concerns about mandates, including increasing district flexibility and eliminating some mandates.

Sincerely,
DALE CATTANACH
State Auditor

State of Wisconsin
Department of Natural Resources
Madison

August 31, 1995

The Honorable, The Legislature:

I am pleased to send you the report, **Cryptosporidium ssp. Oocyst and Giardia ssp. Cyst, Occurrence, Distribution and Levels in Wisconsin Waters**. While this is our final and complete report, final published copies for general distribution will not be available for a few weeks. I will be happy to provide you with additional copies if needed.

I greatly appreciate the opportunity to conduct this important study and we hope you find the report informative. If you have any specific questions on the issues discussed in the report, feel free to contact Joe Ball with the Bureau of Water Resources Management at (608) 266-7390.

Sincerely,
GEORGE E. MEYER
Secretary, DNR