



STATE OF WISCONSIN Assembly Journal

Ninety–Second Regular Session

MONDAY, June 10, 1996

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

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 96–31

Relating to conduct on university lands.
Submitted by University of Wisconsin System.
Report received from Agency, June 3, 1996.
To committee on **Colleges and Universities**.
Referred on **June 10, 1996**.

Assembly Clearinghouse Rule 96–36

Relating to participation of aid to families with dependent children (AFDC) applicants and recipients in the pay for performance (PFP) demonstration project.
Submitted by Department of Health and Social Services.
Report received from Agency, June 4, 1996.
To committee on **Welfare Reform**.
Referred on **June 10, 1996**.

Assembly Clearinghouse Rule 96–57

Relating to seed potato overweight permits.
Submitted by Department of Transportation.
Report received from Agency, May 30, 1996.
To committee on **Highways and Transportation**.
Referred on **June 10, 1996**.

ENROLLED BILLS

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

Assembly Joint Resolution 53
Assembly Joint Resolution 59
Assembly Joint Resolution 68
Assembly Joint Resolution 85
Assembly Joint Resolution 89
Assembly Joint Resolution 93
Assembly Joint Resolution 94
Assembly Joint Resolution 98

CHARLES R. SANDERS
Assembly Chief Clerk

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

June 7, 1996

To the Honorable, the Legislature:

The following bill(s), originating in the Senate or the Assembly, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
923	400	June 6, 1996
140	401	June 6, 1996
816	402	June 6, 1996
1011 (partial veto)	403	June 6, 1996
1067	404	June 6, 1996
914	406	June 6, 1996
863	407	June 6, 1996
866	408	June 6, 1996
912	409	June 6, 1996
602	418	June 7, 1996
290	419	June 7, 1996
252	420	June 7, 1996
523	421	June 7, 1996
525	422	June 7, 1996
621	423	June 7, 1996
827	424	June 7, 1996
211	427	June 7, 1996
775	428	June 7, 1996

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

June 7, 1996

To the Honorable Members of the Assembly:

I have approved **Assembly Bill 1011** as **1995 Wisconsin Act 403** and have deposited it in the Office of the Secretary of State. I have exercised my partial veto authority in Section 1.

AB 1011 establishes a college tuition prepayment program to be administered by the Department of Administration in conjunction with the State Investment Board. I support this program, which will encourage saving

for a child's future college education. At the request of the legislative service agencies I am using the partial veto in Section 1 to make two technical corrections.

Section 1 of the bill creates s. 16.24 of the statutes. As drafted, s. 16.24 (5) (a) and (7) (a) and (b) refer to the anticipated weighted average tuition of bachelor's degree-granting institutions within the University of Wisconsin System for the year in which the beneficiary attends an institution of higher education, as estimated by the Department of Administration under s. 16.24 (2) (a). The reference to s. 16.24 (2) (a), however, is incorrect. The estimate is required to be made under s. 16.24 (2) (b), not (2) (a). In addition, the estimate is required to be made jointly by the Department of Administration and the Board of Regents. Therefore, I am partially vetoing s. 16.24 (5) (a) and (7) (a) and (b) to eliminate the incorrect references.

Sincerely,
TOMMY G. THOMPSON
 Governor

GOVERNOR'S VETO MESSAGE

June 7, 1996

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 855** in its entirety. This bill advances the dates by which the University of Wisconsin System (UWS), the Wisconsin Technical College System (WTCS) and the Wisconsin Association of Independent Colleges and Universities (WAICU) must develop, and submit to the Education Commission for approval, proposed formulae for the Wisconsin Higher Education Grant (WHEG) and Tuition Grant (TG) financial aid programs.

While it is very important to notify prospective and current postsecondary students of their financial aid status as soon as possible so they have this information in order to assist them in making decisions related to their postsecondary education, this bill has no practical effect since the Wisconsin State Supreme Court has ruled the creation of the Education Commission unconstitutional. Even if future legislation is enacted reestablishing HEAB as the administering entity of state financial aid programs, the UW, WTCS and WAICU are all already represented on the Board and would be overseeing the development of WHEG and TG formulae.

Furthermore, I believe it is premature to enact additional legislation related to the administration of the WHEG and TG Programs. As a part of my 1997-99 biennial budget, I plan to propose statutory legislation that will not only address the administration of state financial aid programs, but also reaffirm the state's commitment to providing the financial aid funding necessary to meet the needs of our state's postsecondary students so that they will continue to have

access to Wisconsin's outstanding public and private postsecondary educational institutions.

Sincerely,
TOMMY G. THOMPSON
 Governor

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 1048 (part)	. 351	June 5, 1996
Assembly Bill 853	353	June 6, 1996
Assembly Bill 459	354	June 6, 1996
Assembly Bill 786	355	June 6, 1996
Assembly Bill 781	356	June 6, 1996
Assembly Bill 895	357	June 6, 1996
Assembly Bill 913	358	June 6, 1996
Assembly Bill 427	361	June 11, 1996
Assembly Bill 510	362	June 11, 1996
Assembly Bill 728	363	June 11, 1996
Assembly Bill 782	364	June 11, 1996
Assembly Bill 926	365	June 11, 1996
Assembly Bill 1079	366	June 11, 1996
Assembly Bill 1004	372	June 11, 1996
Assembly Bill 438	373	June 11, 1996

Sincerely,
DOUGLAS LA FOLLETTE
 Secretary of State

AGENCY REPORTS

State of Wisconsin
 Investment Board
 Madison

March 15, 1996

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 1995 it did not consider any proposals for major action in Wisconsin that could 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.

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

Sincerely,
PATRICIA LIPTON
 Executive Director

State of Wisconsin
Department of Administration
Madison

March 15, 1996

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 February, 1996.

On February 16, 1996 the Petro Storage Fund balance was -\$73 thousand. This shortfall continued until February 20, 1996 when the balance reached +\$8.8 million. The shortfall was due to the timing of revenues.

The Petro Storage 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 the State Controller's Office will automatically reflect the use of these temporary reallocations of balance authority.

Sincerely,
JAMES R. KLAUSER
Secretary, DOA

State of Wisconsin
Wisconsin Gaming Commission
Madison

March 22, 1996

To To the Honorable, the Legislature:

I am submitting the quarterly, fiscal year-to-date report of the Wisconsin Gaming Commission for the period ending December 31, 1995 as required by s. 565.37(3), Wis. Stats., Lottery sales and financial information, and s. 562.02(1)(g), Wis. Stats., Racing statistical information.

If there are any questions or comments regarding this report, please do not hesitate to contact me at (608) 266-1645.

Sincerely,
F. SCOTT SCEPANIAC
Chairman
Wisconsin Gaming Commission

State of Wisconsin
Department of Employment Relations
Madison

March 25, 1996

To the Honorable, the Assembly:

Pursuant to s. 230.04(13)(e), Stats., the annual report of the Department of Employment Relations, Division of Affirmative Action is hereby submitted. Please distribute the enclosed announcements of the availability to members of the Assembly.

Additional copies may be obtained from the Department of Employment Relations, Division of Affirmative Action, 137 East Wilson Street, Madison WI 53702. The telephone number is (608) 266-5709.

Sincerely,
JON E. LITSCHER
Secretary, DER

State of Wisconsin
Legislative Audit Bureau
Madison

March 26, 1996

To the Honorable, the Assembly:

We have completed financial audits of the Mendota and Winnebago Mental Health Institutes for fiscal year 1994-95. We were able to provide unqualified opinions on the institutes' financial statements.

Copies of the audit reports have been distributed to members of the Joint Legislative Audit committee and those required by law to receive them. If you are interested in receiving a copy of the audit reports, please contact our office and request report numbers 96-3 and 96-4.

Sincerely,
DALE CATTANACH
State Auditor

State of Wisconsin
Department of Health and Social Services
Madison

March 27, 1996

To the Honorable, the Assembly:

Enclosed is a copy of the Annual Wisconsin Report on Child Abuse and Neglect pursuant to s.48.981. The report includes a full statistical analysis of suspected child abuse and neglect reports received by county child protective services agencies in 1994. This report describes the extent of abuse and neglect in Wisconsin and discusses steps Wisconsin has taken to address the needs of maltreated children and their families.

Sincerely,
JOE LEEAN
Secretary, DHSS

State of Wisconsin
Department of Administration
Madison

March 29, 1996

To To the Honorable, the Legislature:

I have enclosed a copy of the State of Wisconsin's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 1995. The CAFR represents Wisconsin's commitment in providing high standards of financial management and reporting, and fiscal accountability of its resources based on nationally recognized standards.

I am pleased to announce that the auditor's report included in the 1995 CAFR contains an unqualified opinion. This is a first for the State and is a result of much hard work over the years by many State agency accountants. I wish to congratulate each of you for this significant achievement.

If you have specific questions regarding the CAFR's contents, please contact Marilyn Klement at (608) 266-3052.

Sincerely,
WILLIAM J. RAFTERY, CPA
State Controller

State of Wisconsin
Department of Corrections
Madison

April 5, 1996

To the Honorable, the Legislature:

Section 303.019, Wisconsin Statutes, directs that "the Department of Corrections and administration shall report on a quarterly basis, except for the last quarter in a fiscal year, to the Joint committee on Finance providing a cash balance summary for each prison industry and a projected fiscal year-end profit and loss statement for the prison industry program..."

Attached are the "Projected Accrual Profit and Loss Statement" and "Year to Date Cash Balance Summary by Industry" for the period ending December 31, 1995.

Prison Industries had a cash deficit of \$1.3 million through the second quarter ending December 31, 1995. Actual year-to-date expenditures were \$8,146,800. These expenditures reflect approximately \$685,000 in expenditures related to the previous fiscal year (FY 95) as directed by Joint Finance in an October 26, 1995 s.13.10 meeting.

Revenues for the same time period were \$6,619,000. Prison Industries has adequate fixed assets, inventories and receivables to cover the overdraft.

The projected profit on the accrual basis for the fiscal year ending June 30, 1996 is \$200,000.

Sincerely,
MICHAEL J. SULLIVAN
Secretary, DOC
JAMES R. KLAUSER
Secretary, DOA

State of Wisconsin
Department of Development
Madison

April 8, 1996

To the Honorable, the Assembly:

In accordance with s. 560.03(15), the Department of Development is required to submit an annual report to the legislature analyzing the use of IRB financing authorized under Section 66.521 of Wisconsin Statutes, and report on the benefits of that use. The Department of Development is also required to submit a summary of the employment impact estimates required under Section 560.034(2) of Wisconsin Statutes.

I am respectfully submitting the attached Industrial Revenue Bond Activity Report. If you have any questions concerning the report or would like to obtain copies, please contact Deb Daly in the Division of Community Development at 608/267-3895.

Sincerely,
WILLIAM J. MCCOSHEN
Secretary, DOD

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

April 11, 1996

To the Honorable, the Legislature:

We are pleased to submit to you a copy of the 1995 annual report on the 76 Wisconsin County and District Fairs receiving state aid. This report is prepared by the Department in accordance with the requirements contained in section 93.23(1)(h), Wisconsin Statutes.

This report is a detailed statement showing receipts and disbursements of each fair receiving state aid, together with a classified statement of premiums paid and the amount of state aid claimed.

If you have any questions relative to this report, please call Bob Williams, Fairs Coordinator, at 608/224-5131.

Sincerely,
ALAN TRACY
Secretary, DATCP

State of Wisconsin
Legislative Audit Bureau
Madison

April 17, 1996

To the Honorable, the Legislature:

We have completed an evaluation of the methodology used to determine the workload of Wisconsin circuit court judges and the need for additional positions, as requested by the Joint Legislative Audit Committee. Circuit court judges were transferred from county to state employment in 1980 by Chapter 449, Wisconsin Laws of 1977.

Currently, there are 233 authorized full-time equivalent circuit court judgeships. In fiscal year 1994-95, the State's circuit court expenditures totaled \$56.9 million. Although position requests are typically made by the Director of State Courts, the judiciary is significantly involved in the request-development process. While the Director of State Courts uses a measure of reasonable judicial workload to identify circuits in need of additional positions, to be included in the position request a circuit is expected to have support from the affected county and the chief judges of the state's ten judicial districts.

We found that Wisconsin's methodology for measuring judicial workload is capable of providing objective and comparable information on the need for additional judges. However, a recent update of the methodology is incomplete and needs changes to yield reliable results. We include a number of recommendations to increase confidence in the

results of the workload measure. These include expanding the size of the data sample used to estimate the time required to hear cases, improving reporting to make data more comparable among counties, and recognizing differences in administration and legal research activities for different case types. Once the estimates of case times are improved, they could be used to evaluate whether different case weights should be established for large and small counties.

We appreciate the courtesy and cooperation extended to us by the Office of the Director of State Courts, circuit court judges, and court staff throughout the state. The response of the Director of State Courts is Appendix IV.

Sincerely,
DALE CATTANACH
State Auditor

REFERENCE BUREAU CORRECTIONS

Assembly Joint Resolution 59

In enrolling, the following correction was made:

1. Page 2, line 3: substitute "*senate*" for "*Senate*".

Assembly Joint Resolution 85

In enrolling, the following correction was made:

1. Page 2, line 11: on lines 11 and 16, delete "*That:*" and substitute "*That*".