



STATE OF WISCONSIN

Assembly Journal

Ninety–Third Regular Session

WEDNESDAY, June 10, 1998

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

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 97–119

Relating to examination requirements and procedures, academic programs equivalent to master's and doctorate degrees in professional counseling, and temporary certificates for professional counselors.

Submitted by Department of Regulation and Licensing.

Report received from Agency, June 4, 1998.

To committee on **Health**.

Referred on June 10, 1998.

Assembly Clearinghouse Rule 98–014

Relating to fertilizer bulk storage, pesticide bulk storage and the agricultural chemical cleanup program.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, June 3, 1998.

To committee on **Agriculture**.

Referred on June 10, 1998.

Assembly Clearinghouse Rule 98–015

Relating to aggregating creditable coverage for the state health insurance risk–sharing plan under s. 149.10 (2t) (a), Stats.

Submitted by Office of the Commissioner of Insurance.

Report received from Agency, June 1, 1998.

To committee on **Insurance, Securities and Corporate Policy**.

Referred on June 9, 1998.

Assembly Clearinghouse Rule 98–035

Relating to permit fees and related fees, including a one–time technology improvement surcharge, for the operation of public swimming pools, recreational and educational camps, campgrounds, hotels and motels, tourist rooming houses, restaurants, bed and breakfast establishments and food and beverage vending operations and commissaries.

Submitted by Department of Health and Family Services. Report received from Agency, May 29, 1998.

To committee on **Health**.

Referred on June 9, 1998.

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 11
Assembly Joint Resolution 43
Assembly Joint Resolution 50
Assembly Joint Resolution 52
Assembly Joint Resolution 54
Assembly Joint Resolution 81
Assembly Joint Resolution 131
Assembly Joint Resolution 132
Assembly Joint Resolution 133

CHARLES R. SANDERS
Assembly Chief Clerk

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

June 4, 1998

To the Honorable Members of the Assembly:

The following bills, originating in 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>
AB 864	248	June 3, 1998
AB 736	249	June 3, 1998
AB 966	250	June 4, 1998
AB 968	251	June 4, 1998
AB 967	252	June 4, 1998
AB 970	253	June 4, 1998
AB 971	254	June 4, 1998
AB 119	255	June 4, 1998

Respectfully submitted,
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 864	..... 248	..... June 17, 1998
Assembly Bill 736	..... 249	..... June 17, 1998
Assembly Bill 966	..... 250	..... June 18, 1998
Assembly Bill 968	..... 251	..... June 18, 1998
Assembly Bill 967	..... 252	..... June 18, 1998
Assembly Bill 970	..... 253	..... June 18, 1998
Assembly Bill 971	..... 254	..... June 18, 1998
Assembly Bill 119	..... 255	..... June 18, 1998

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

COMMUNICATIONS

DATE: June 1, 1998

TO: Charles Sanders
Assembly Chief Clerk

Donald J. Schneider
Senate Chief Clerk

FROM: Gary L. Poulson
Deputy Revisor of Statutes

SUBJECT: Rules published in the May 31, 1998,
Wisconsin Administrative Register, No. 509.

The following rules have been published:

Clearinghouse Rule 96-113	effective	6-1-98
Clearinghouse Rule 97-30	effective	6-1-98
Clearinghouse Rule 97-57	effective	6-1-98
Clearinghouse Rule 97-87	effective	6-1-98
Clearinghouse Rule 97-114	effective	6-1-98
Clearinghouse Rule 97-118	effective	6-1-98
Clearinghouse Rule 97-125	effective	6-1-98
Clearinghouse Rule 97-130	effective	6-1-98
Clearinghouse Rule 97-137	effective	6-1-98
Clearinghouse Rule 97-150	effective	6-1-98
Clearinghouse Rule 97-153	effective	6-1-98
Clearinghouse Rule 98-5	effective	6-1-98

SPEAKER'S APPOINTMENTS

June 3, 1998

Representative Joan Spillner
Room 21 North, State Capitol
Madison, WI 53708

Dear Joan:

As Assembly Speaker, it is my pleasure to appoint you to the Wisconsin's Design for Transition Success Steering Committee. You will be replacing Representative Johnsrud, who has resigned. This appointment is effective immediately.

Thank you for your service.

Sincerely,
SCOTT R. JENSEN
Assembly Speaker

June 3, 1998

Representative Carol Kelso
Room 16 West, State Capitol
Madison, WI 53708

Dear Carol:

As Assembly Speaker, it is my pleasure to appoint you to the Women's Council. This appointment is effective immediately.

Thank you for your service.

Sincerely,
SCOTT R. JENSEN
Assembly Speaker

June 3, 1998

Representative Bonnie Ladwig
Room 113 West, State Capitol
Madison, WI 53708

Dear Bonnie:

As Assembly Speaker, it is my pleasure to appoint you to the Women's Council. This appointment is effective immediately.

Thank you for your service.

Sincerely,
SCOTT R. JENSEN
Assembly Speaker

June 3, 1998

Representative Al Ott
Room 318 North, State Capitol
Madison, WI 53708

Dear Al:

As Assembly Speaker, it is my pleasure to appoint you to the World Dairy Center Authority. This appointment is effective immediately.

Thank you for your service.

Sincerely,
SCOTT R. JENSEN
Assembly Speaker

June 3, 1998

Representative Frank Urban
Room 13 West, State Capitol
Madison, WI 53708

Dear Frank:

As Assembly Speaker, it is my pleasure to reappoint you as Chair of the Joint Survey Committee on Tax Exemptions. This appointment is effective immediately.

Thank you for your service.

Sincerely,
SCOTT R. JENSEN
Assembly Speaker

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

June 1, 1997

To the Honorable, the Assembly:

RE: Stripper XVIII 1998 Oil Overcharge Plan

I am pleased to transmit my Stripper XVIII 1998 Oil Overcharge Plan for consideration by the Joint Committee on Finance (JCF) at the next s.13.10, Wis. Stats., meeting. As required by s. 14.065, Wis. Stats., I am also forwarding a copy to the Chief Clerk of the Senate.

This plan allocates \$1,590,426 (\$745,244 of new Stripper monies and \$845,182 of reallocated monies); helps low income citizens stay warm; develops Wisconsin's renewable energy resource base; makes our buildings and homes more energy efficient; protects the environment; and, educates our children regarding the wise use of energy. This Plan also modifies the Stripper XIV Small Business Energy Efficiency Program to make it accessible to more small businesses.

In addition to the JCF's action, the U.S. Department of Energy must also conduct a review to determine if Wisconsin's Plan conforms with Federal requirements and established definitions of restitution. The Department of Administration staff will be available to provide additional information that may be required. I appreciate your usual support.

Sincerely,
TOMMY G. THOMPSON
Governor

Referred to committee on **Utilities Oversight**.

AGENCY REPORTS

State of Wisconsin
Claims Board
Madison

May 27, 1997

To the Honorable, the Assembly:

Enclosed is the report of the State Claims Board covering the claims heard on May 14, 1998.

The amounts recommended for payment under \$5,000 on claims included in this report have, under the provision of s. 16.007, Stats., been paid directly by the Board.

The Board is preparing the bill(s) on the recommended award(s) over \$5,000, if any, and will submit such to the Joint Finance Committee for legislative introduction.

This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the Journal to inform the members of the Legislature.

Sincerely,
EDWARD D. MAIN
Secretary, Claims Board

State of Wisconsin
Legislative Audit Bureau
Madison

June 2, 1997

To the Honorable, the Legislature:

As directed by the Joint Legislative Audit Committee, we have completed a review of differing approaches to reading instruction, a survey of the approaches used by Wisconsin classroom teachers and school district curriculum professionals, and an evaluation of the process used to develop the curriculum guides published by the Department of Public Instruction for districts to use when creating their reading curricula.

Reading instruction is a contentious topic, as school districts debate the merits of phonics instruction—a skills approach that emphasizes letter and sound combinations within words—versus whole language instruction—an approach that teaches words within the context of literature. Because there is research supporting both skills and context approaches to reading instruction, education professionals nationwide are beginning to support the use of a mixture of approaches that combines the strengths of phonics and whole language instruction.

We surveyed kindergarten through third-grade classroom teachers in Wisconsin and found that over 90 percent use a mixture of approaches to reading instruction, although approximately 40.6 percent of surveyed teachers reported a skills (phonics-related) emphasis, 33.1 percent reported a context (whole language-related) emphasis, and 20.8 percent

reported no specific emphasis. Despite reporting different emphases within their approaches to reading instruction, teachers and districts reported little difference in the types of instructional resources and techniques they use in the classroom.

We also reviewed the task force process that the Department used to develop its Guides to Curriculum Planning. The process used to determine content for the 1985 Guide to Curriculum Planning in Reading allowed for information about phonics and whole language instruction to be included, although this issue was not as contentious when the guide was being developed. The reading guide is now outdated, and we include a recommendation for how the Department can expand participation in the task force process to ensure reading instruction issues are comprehensively addressed in a future revision.

We appreciate the courtesy and cooperation extended to us by the Department of Public Instruction. The Department's response is Appendix III.

Respectfully submitted,
JANICE MUELLER
State Auditor

State of Wisconsin
Legislative Audit Bureau
Madison

June 9, 1997

To the Honorable, the Assembly:

As required by s. 13.94(1)(de), Wis. Stats., we have completed a financial audit of the Patients Compensation Fund, which provides medical malpractice insurance coverage in excess of statutory minimums to Wisconsin's health care providers. The Fund is governed by the Board of Governors of the Patients Compensation Fund/Health Care Liability Insurance Plan and administered by the Office of the

Commissioner of Insurance. We were able to provide an unqualified auditor's report on the Fund's financial statements for the fiscal years ending June 30, 1997, 1996, and 1995.

Prior audit reports discussed concerns regarding the Fund's accounting deficit. Actions by the governing board and the Legislature, as well as recent favorable claims loss experience, have caused the deficit to decrease from \$67.8 million as of June 30, 1994, to \$44.1 million as of June 30, 1997. At the same time, assets of the Fund increased from \$271 million to \$377 million. Although the deficit appears to be a less-serious concern than it had been in earlier years, the Board will need to continue to monitor the Fund's financial status to ensure it addresses any concerns that might arise in the future. For example, the Legislature recently passed [1997 Wisconsin Act 89](#), which increases the cap on damages for wrongful death from \$150,000 to \$350,000 for adults and \$500,000 for children and allows minor siblings to be plaintiffs. According to the Fund's actuaries, the change in law is not expected to have a material effect on the Fund because only future claims will be affected, and it appears the new provisions would not significantly increase the amounts paid for individual claims.

The Fund has complied with our prior audit recommendation to resolve a potential conflict of interest regarding the purchasing of claim settlement annuities. In addition, we found the Fund's internal controls to be adequate overall. However, we are issuing a management letter to the Office of the Commissioner of Insurance to suggest improvement in controlling access to the Fund's computer system and in technical accounting matters.

We appreciate the courtesy and cooperation extended to us by the staff of the Office of the Commissioner of Insurance and the contractors who help administer the Patients Compensation Fund program.

Respectfully submitted,
JANICE MUELLER
State Auditor